



Kent Taylor Civic Hall
200 NE Second Street
McMinnville, OR 97128

**City Council Meeting Agenda
Tuesday, March 28, 2017**

**6:00 p.m. – Dinner Meeting
7:00 p.m. – Regular Council Meeting**

Welcome! All persons addressing the Council will please use the table at the front of the Council Chambers. All testimony is electronically recorded. Public participation is encouraged. If you desire to speak on any agenda item, please raise your hand to be recognized after the Mayor calls the item. If you wish to address Council on any item not on the agenda, you may respond as the Mayor calls for "Invitation to Citizens for Public Comment."

6:00 PM – DINNER MEETING – CONFERENCE ROOM

1. CALL TO ORDER
2. REVIEW CITY COUNCIL AGENDA
3. DISCUSS COMMUNITY CONTRIBUTIONS PROGRAM
4. ADJOURNMENT

7:00 PM – REGULAR COUNCIL MEETING – COUNCIL CHAMBERS

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. INVITATION TO CITIZENS FOR PUBLIC COMMENT – *The Mayor will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a topic already on the agenda; a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The Mayor may limit the duration of these comments.*
4. CONSENT AGENDA
 - a. Consider the Minutes of the February 4th, 2017 Goal-Setting meeting and February 14th, 2017 Dinner and Regular Meeting.
 - b. Request from Midtown Tobacco Inc. for a liquor license at 1220 N Adams Street.
5. PRESENTATION
 - a. McMinnville Community Media Highlights

Kent Taylor Civic Hall is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made a least 48 hours before the meeting to the City Recorder (503) 435-5702. For TTY services, please dial 711.

6. RESOLUTIONS

- a. **Resolution No. 2017-24**: A Resolution amending Resolution 2016-88, authorizing the acquisition of property for the NW Hill Road transportation bond project, Project 2015-16, and exercising the power of eminent domain.
- b. **Resolution No. 2017-25**: A Resolution approving the initiation of a Property Line Adjustment between the City and Jackson Family Wines, and granting an Access and Utility Easement on City owned property to Jackson Family Wines.

7. ADVICE/ INFORMATION ITEMS

- a. Reports from Councilors on Committee & Board Assignments
- b. Department Head Reports

8. EXECUTIVE SESSION UNDER ORS 192.660(2)(d) TO CONDUCT DELIBERATIONS WITH PERSONS DESIGNATED TO CARRY OUT LABOR NEGOTIATIONS.

9. RETURN FROM EXECUTIVE SESSION TO TAKE ACTION.

- a. **Resolution No. 2017-26**: A Resolution ratifying a collective bargaining agreement between the City of McMinnville and the McMinnville Police Association (MPA) for wages only for the period starting July 1, 2017.

10. ADJOURNMENT

To: Jeff Towery, City Manager
From: Marcia Baragary, Finance Director
Date: March 28, 2017
Re: Community Contributions Program

At the February 28th City Council dinner meeting, Council discussed a staff proposal for revising the current process for awarding City funds to community organizations. In the past, organizations presented their requests for funding to the Budget Committee at the Committee's meeting in mid-May. The Committee reviewed the proposals and recommended to the Council which organizations should be awarded City funds and the amount to be awarded.

The process which staff is proposing requires organizations requesting funds to complete an application, clearly describing how City funds will be used to help accomplish a City Council goal or objective, meet a community need, and provide a public benefit. A Review Committee, consisting of staff, Council members, and several individuals from the community, will evaluate the proposals and make recommendations to the Council. The Review Committee's recommendations will be based on established criteria, including the extent to which the organization's proposal pertains to Council goals and objectives. The final decision for awarding City funds will be made by the Council.

Staff has drafted, for the Council's consideration, a policy which outlines this revised process. Based on Council's recommendations at the March 28th meeting, staff will revise the policy as needed and present a final policy for adoption at the April 11th City Council meeting.

After Council adoption, the policy and application will be published in the News Register and posted on the City's website (tentatively April 14th with applications due on May 3rd). The Review Committee's recommendations will be provided to the Council with the May 23rd Council packet. Applicants will immediately be notified of decisions made by the Council at the May 23rd Council meeting.

Please let me know if you have any questions or comments.

**CITY OF MCMINNVILLE
COMMUNITY CONTRIBUTIONS PROGRAM
For July 1, 2017 through June 30, 2018**

Purpose:

Annually, the McMinnville City Council identifies goals and objectives for the upcoming fiscal year. Some goals may be accomplished more efficiently or effectively by organizations outside the City government, due to the organization's expertise or when the organization uses other financial resources in conjunction with funds awarded by the City.

To help accomplish the Council's goals and objectives, the City of McMinnville will, at the Council's sole discretion, award City funds to nonprofit organizations that submit proposals related to specific Council goals, that meet identified community needs, and that provide a public benefit. Council goals for 2017 are as follows:

- (Goals to be inserted here)

Funding:

Generally, it is the intent of the Council to fund specific initiatives, one-time events, scholarship type activities, purchases of equipment, or similar items (the "project") and not to fund ongoing operations or administrative costs of the organization. The City does not guarantee that all available funds will be awarded, that the entire amount requested by any organization will be awarded, or that funds will be available year to year. Any funds awarded will not be disbursed to an organization until July 1st of the fiscal year following the award. Unspent funds at the end of that fiscal year will not be carried forward to the subsequent year.

Funds awarded by the City are intended to be spent for projects that benefit the local population (within McMinnville city limits). Preference will be given to organizations that are applying for funds to be used as match for other grants or that leverage in-kind or other contributions for the project.

Process:

The due date for requests for funding can be found on the Community Contributions Application, which is available at McMinnville City Hall, 230 NE Second Street, McMinnville, OR 97128 and on the City's website at www.mcminnvilleoregon.gov. Completed applications must be submitted to McMinnville City Hall by the due date on the Application.

Review Committee:

A Committee consisting of City staff, City Councilors, and citizens at large will review applications and make recommendations to the City Council, based on the extent to which the project helps achieve Council goals and objectives, meets a community need, and provides a public benefit. The Council will make the final decision regarding disbursement of funds.

The City reserves the right to ask for clarification of information on the application, to place additional conditions on the applicant, and to audit the results of completed programs for compliance with City requirements.

Conditions Pertaining to Award of City Funds:

An organization that is awarded City funds will enter into a contract with the City. The contract will define the terms agreed upon by the organization and the City. The organization will be required to submit a project close-out report, final budget, and evidence of compliance, as determined by the contract, upon completion of the project. At the City's discretion, the organization may also be required to submit a report prior to completion of the project.

The City may require the organization to return all or a portion of the funds awarded if agreed upon conditions, as defined in the contract, are not satisfactorily met by the organization. Unspent funds must be returned to the City.

Disbursement of funds is contingent upon Council approval and the appropriation of funds in the applicable fiscal year.

DRAFT

**CITY OF MCMINNVILLE
COMMUNITY CONTRIBUTIONS PROGRAM
For July 1, 2017 through June 30, 2018**

Please submit this completed application to McMinnville City Hall at 230 NE Second Street, McMinnville, OR 97128. You may also email the application to xxxxxxx@mcminnvilleoregon.gov. Applications must be received no later than 5:00 PM, Wednesday, May 3rd, 2017.

Organization: _____

Address: _____

Primary Contact: _____

Contact Email: _____

Contact Phone: _____

Non-Profit Organization: Yes _____ No _____ (Funds will be awarded to non-profits only)

Non-Profit Federal Tax Exempt ID Number: _____

Project Title: _____

Project Funds Requested: _____

Date funds are needed: _____

Estimated completion date of project: _____

Project description and use of funds; please include the following:

- 1) Description of how your project specifically accomplishes a City Council goal, meets a community need, and provides a public benefit. Include the following in your description:
 - State the goal to be accomplished
 - Describe how you will accomplish the goal identified
 - Describe how your program or service will complement existing City services
 - How many individuals and what age groups will be impacted by your program?
 - Can your organization complete the program or service if your request is not fully funded by the City?
 - Will City funds be used as match for other grants or to leverage in-kind or other contributions?

- 2) Detailed budget showing how the funds will be spent, including any other funding sources and in-kind donations

- 3) Description of other projects which you have successfully completed and which demonstrate your financial competency and responsibility
- 4) Documentation verifying your non-profit organization's tax-exempt status, such as an Internal Revenue Service determination letter. Please include your organization's bylaws.

CONDITIONS PERTAINING TO AWARD OF CITY FUNDS:

An organization that is awarded City funds will enter into a contract with the City. The contract will define the terms agreed upon by the organization and the City. The organization will be required to submit a project close-out report, final budget, and evidence of compliance, as determined by the contract, upon completion of the project. At the City's discretion, the organization may also be required to submit a report prior to completion of the project.

The City may require the organization to return all or a portion of the funds awarded if agreed upon conditions, as defined in the contract, are not satisfactorily met by the organization. Unspent funds must be returned to the City.

Disbursement of funds is contingent upon Council approval and the appropriation of funds in the applicable fiscal year.

If the organization submitting this application understands and agrees to these conditions, please sign below.

Signature

Printed Name and Title

Date



City of McMinnville
23) NE Second Street
McMinnville, OR 97128
(503) 435-5702

www.mcminnvilleoregon.gov

Agenda Item Summary

DATE: March 28, 2017
TO: Jeff Towery, City Manager
FROM: Melissa Grace, City Recorder/ Legal Assistant
SUBJECT: Consent Agenda

There are two items on the Consent Agenda:

- a. Consider the Minutes of the February 4th, 2017 Goal-Setting meeting and February 14th, 2017 Dinner and Regular Meeting.
- b. Request from Midtown Tobacco Inc. for a liquor license at 1220 N Adams Street.

Please refer to attached minutes and liquor license request form.

SESSION NOTES

City of McMinnville 2017 Goal-Setting & Team-Building Council Goal-Setting

February 4, 2017

City Firehouse

Council Members in Attendance: Mayor Scott Hill; Council Members Remy Drabkin, Adam Garvin, Kevin Jeffries, Kellie Menke; Wendy Stassens.

City Staff in Attendance: Finance Director Marcia Baragary, Library Director Jenny Berg, Community Development Director Mike Bisset, Information Technology Director Scott Burke, Interim City Manager Candace Haines, City Attorney David Koch, Fire Chief Rich Leipfert, Planning Director Heather Richards, Police Chief Matt Scales, Parks and Recreation Director Jay Pearson, City Manager candidate Jeff Towery.

Facilitator: Sue Dicile.

SESSION OPENING

The following are highlights of Mayor Scott Hill's remarks.

- New and continuing Council members have bonded as a strong team.
- This year would include two key departures from former goal-setting sessions:
 - A viewpoint of “capacity” that addresses more than capacity to accommodate new initiatives but that includes Staff’s viewpoint on the capacity of the organization to sustain existing and ongoing work.
 - Opportunity for dialog among Council and Staff.
- Two strategic issues are at the forefront:
 - Expenses, some relating to PERS liability, are on the rise without a commensurate revenue increase. In FY 17-18 Council will review options with an eye to trimming expenditures while taking care of the City’s existing assets.
 - There may be new economic opportunities, for instance Yamhill County’s Economic Viability Summit identified McMinnville as being in the leadership position to create partnerships for greater leverage on affordable housing. The City can continue to support its committees, which have been effective and can be leveraged. MURAC, the Affordable Housing Committee, and the committee that established the DMO over a year ago are good examples.

SMALL-GROUP DISCUSSION SESSIONS

Two “World Café”-type discussion rounds were held; one addressing Council Goals to be brought forward into FY17-18, and one addressing Staff participation in Council Goal-Setting.

Discussion #1: “What should be brought forward from FY15-16¹ objectives into FY17-18?”

# GROUPS CITING	PROPOSED TO BRING FORWARD INTO 2017-18 (Based on outcomes from 3 tabletop discussions)
3	<u>Prepare and adopt a fiscally prudent FY 2017-2018 budget.</u> Slow the growth of the gap between revenue and expenses and explore revenue options. Have a strategic plan for fiscally prudent budgets that considers the scope of options and support for facilities and capacity needs and sustainability of services.
2	<u>Continue to address the issue of homelessness.</u> Create a task force or committee that focuses on homelessness and work through partnerships, including partnering with the County. Staff perspective can be useful in finding solutions; however existing staff resources are limited.
2	<u>Support MURAC administrative planning and implementation/delivery of projects.</u>
1	<u>Continue to plan and implement Transportation Bond improvements</u>
1	<u>Continue to support economic development and act on opportunities.</u>

Discussion #2: How might Staff have input into and participate in Council Goal-Setting in the future?

THEMES RAISED IN ALL THREE TABLETOP DISCUSSIONS *Non-underlined text provides additional detail drawn from the discussions.*

- Staff would benefit from greater understanding of how Council wants to receive information. Staff has a “keen interest” in communicating with Council, and in having confidence that Council needs for information are being met and that Council will take staff input to heart. Different formats, such as “*The Power of Story*” model, could make information provided more vital and relevant.
- Create opportunity to provide periodic reports to Council on progress toward goals to insure “no surprises” at Goalsetting. This reporting can be informal exchange and feedback or a more formal quarterly presentation. The dinner meeting could provide an opportunity. Periodic updates could provide Council with a greater sense of the “critical issues on the ground”. Reports on committees assigned to staff and community/stakeholder activities could be included in periodic reports.
- Establish an annual staff off-site to collaboratively develop a SWOT and strategic recommendations to Council in advance of Goalsetting. Have recommendations presented by the facilitator.
- Allow time for Council and Staff to get to know each other personally and professionally.
- The opportunity for a participatory role at this year’s Goalsetting session was welcome. The “café” format worked well and the discussions were valuable.

Other suggestions contributed:

- An opportunity to provide implementation reports and minority perspectives is needed.
- There needs to be a feeling of “team” between Council and Department Heads.
- Site tours of facilities and programs could provide Council with additional capacity and programmatic awareness.
- Longer term visioning is needed.

¹ Goals and Objectives were not adopted in FY 16-17.

FY 2017-2018 GOALS & OBJECTIVES

Note: Goals indicate the overarching mission-critical intentions of McMinnville city government. Objectives indicate the agenda for working toward the goals for a specific fiscal year. Specific steps, outcomes and target dates are developed through Council action and departmental workplans.

GOALS	FY 2017-18 OBJECTIVES	ADDITIONAL NOTES
MANAGE AND PLAN TO MEET DEMAND FOR CITY SERVICES	Commence process improvement, including a cross-functional process for code enforcement.	<i>Process improvement in code enforcement must be cross-functional among City departments and, as feasible, among partners.</i>
COMMUNICATE WITH CITIZENS AND KEY LOCAL PARTNERS	Promote active engagement with and involvement of the community, including but not limited to: ➤ Revisiting the Community Survey and sharing survey results with partners. ➤ Establishing a task force or committee on homelessness.	
PLAN AND CONSTRUCT CAPITAL PROJECTS	Support implementation of the Urban Renewal Plan. Continue to plan and implement Transportation Bond improvements.	<i>Areas of concern, such as those raised in the Parking Study, must be addressed.</i>
PLAN FOR AND MANAGE FINANCIAL RESOURCES	Prepare and adopt a fiscally prudent FY 2017-2018 budget. Establish comprehensive strategic financial planning.	<i>Planning should include revenue & expense analysis, facilities planning, service levels sustainability, and city-wide capacity.</i>
PROMOTE SUSTAINABLE GROWTH AND DEVELOPMENT	Working with partners e.g. the County, COG, and others, identify economic opportunities for addressing affordable housing, homelessness, and growth.	<i>Seek staff perspective on these issues keeping resource and capacity limitations in mind.</i>

THE RADAR SCREEN

The following were not adopted as goals but were identified as former goals or new/emerging issues that should be tracked.

- On-site management and economic development at the Airport.
- The need for a policy and budgetary framework for outside giving.

CITY OF McMinnville
MINUTES OF DINNER MEETING
of the McMinnville City Council
Held at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, February 14, 2017 at 6:00 p.m.

Presiding: Scott A. Hill, Mayor

Recording: Melissa Grace, City Recorder

Councilors: Present Excused Absence
Remy Drabkin
Adam Garvin
Kevin Jeffries
Kellie Menke, Council President
Alan Ruden
Wendy Stassens

Also present were Interim City Manager Candace Haines, City Attorney David Koch, Community Development Director Mike Bisset, Fire Chief Rich Leipfert, Finance Director Marcia Baragary, Parks & Recreation Director Jay Pearson, and Tonya Moffitt of Merina & Company.

DINNER

CALL TO ORDER: Mayor Hill called the Dinner Meeting to order at 6:20 p.m. and welcomed all in attendance.

DISCUSSION:

Mayor Hill asked for a volunteer to lead the Pledge of Allegiance and Council President Menke volunteered.

Mayor Hill reviewed the agenda for the evening.

Finance Director Baragary introduced Tonya Moffitt of Merina & Company.

Mayor Hill reviewed the proposed Council assignments to the various boards, commissions, and committees within the City and County.

Mayor Hill noted that The Falls will have a grand opening on March 29th and shared an invitation for the ribbon cutting.

RESOLUTION NO. 2017-09: Fire Chief Leipfert discussed the proposed partnership agreement with Lafayette for substation use and explained the benefits of the agreement.

RESOLUTION NO. 2017-10: Parks and Recreation Director Pearson reminded Council that the lower City Park kitchen shelter had been lost to arson several years ago. He explained that the City received a grant from the Land and Water Conservation Fund for various renovations within City Park. Mr. Pearson detailed the renovations. He shared that four project proposals were received and the best scoring proposal was Glacier Construction. Mr. Pearson stated that the deadline for project completion is May 26th, 2017.

RESOLUTION NO. 2017-11: Community Development Director Bisset stated that the bid for the NE Alpine Avenue Improvement Project was repackaged and re-bid. Mr. Bisset shared that nine bids were received with Emery & Sons Construction Group coming in as the low bidder.

RESOLUTION NO. 2017-12: Mr. Bisset briefed Council on the design and construction of the sanitary sewer rehabilitation and repair projects at 12th Street, NE High School, NW High School and Chandlers Addition. He shared that seven proposals were received.

Councilor Drabkin arrived at 6:49 p.m.

ADJOURNMENT: The Dinner Meeting was adjourned at 6:50 p.m.

Melissa Grace, City Recorder

CITY OF McMinnville
MINUTES OF REGULAR MEETING
of the McMinnville City Council
Held at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, February 14, 2017, at 7:00 p.m.

Presiding: Scott A. Hill, Mayor

Recording: Melissa Grace, City Recorder

Councilors: Present Excused Absence
Remy Drabkin
Adam Garvin
Kevin Jeffries
Kellie Menke, Council President
Alan Ruden
Wendy Stassens

Also present were Interim City Manager Candace Haines, City Attorney David Koch, Community Development Director Mike Bisset, Finance Director Marcia Baragary, Fire Chief Rich Leipfert, Information Systems Director Scott Burke, Parks and Recreation Director Jay Pearson, Police Chief Matt Scales, Planning Director Heather Richards, and members of the news media, Tom Henderson of the *News Register*, and Norma and Dave Adams of KLYC radio.

AGENDA ITEM

CALL TO ORDER: Mayor Hill called the meeting to order at 7:00 p.m. and welcomed all in attendance.

PLEDGE OF ALLEGIANCE: Council President Menke led the Pledge of Allegiance.

INVITATION TO CITIZENS FOR PUBLIC COMMENT: Mayor Hill invited the public to comment.

Dan Hilbert, 875 NE 19th, thanked the Mayor and Council Members for serving. Mr. Hilbert stated that if Council votes to approve the restrictions on plastic bags, they are making a mistake. He spoke in opposition of the restriction and shared statistics from his research. Mr. Hilbert asked that they review the facts and questioned who will monitor the ban.

A member of the audience asked if there was an open position on the Yamhill County Transit Area Advisory YCTA Committee. Mayor Hill responded that the position will be filled by a Council Member.

1. CONSENT AGENDA
 - 1.a. Consider the Minutes of the January 10, 2017 Dinner and Regular Meeting.
 - 1.b. Request by Splash Gallery for a new liquor license at 405 NE 3rd Street Suite 8/9.
 - 1.c. Request by Three Marys Cellar LLC for a new liquor license at 845 NE 5th Street.
 - 1.d. Request by Jackson Family Wines DBA Consair Cellars for a new liquor license at 3500/ 3600 SE 3 Mile Lane.
 - 1.e. Request by Vertical Success LLC for a new liquor license at 448 NE 3rd Street.
 - 1.f. **Resolution No. 2107-08**: A Resolution authorizing the approval of a cooperative fund exchange agreement between the City of McMinnville and Oregon Department of Transportation (ODOT) known as 2017 Fund Exchange Agreement, No. 31871.

Council President Menke MOVED to adopt the consent agenda;
SECONDED by Council Stassens. Motion PASSED unanimously.

2. **Mayor Hill called to order a joint meeting of the McMinnville Urban Renewal Agency and McMinnville City Council at 7:13 p.m.**

Presentation: Audit for Fiscal Year 2015-2016 presented by Merina and Company.

Mayor Hill called on Finance Director Marcia Baragary. Ms. Baragary introduced Tonya Moffitt, partner at Merina and Company. Ms. Baragary added that Merina and Company specializes in governmental auditing.

Ms. Moffitt presented the Comprehensive Annual Financial Report. She noted that the City has additional information included in the report to increase transparency. She commented that the City received the Government Finance Officers Association (GFOA) Award for the year ended June 30, 2015 and she expects that the City will receive the prestigious award again in 2016.

Ms. Moffitt stated that there is an unmodified opinion for the City and the Urban Renewal Agency. She stated that this is the highest opinion that can be given. Ms. Moffitt explained that there were no recordable deficiencies for the City or the Urban Renewal Agency. She noted that all three reports have clean opinions and reported there were no audit findings.

Ms. Moffitt continued by presenting the single audit report. She explained that anytime an entity receives federal funding over \$750,000, an entity must have a single audit performed. Ms. Moffitt stated that there were no findings and clean opinions.

Ms. Moffitt explained that there is a net pension liability this year that wasn't shown last year. She directed Councilors to page 93 of the Financial Report that shows what is statutorily required. She explained that the City is meeting the statutory requirements and there is no deficiency or excess.

Councilor Menke stated that she was pleased with the presentation and Merina and Company's work. Councilor Menke congratulated Finance Director Baragary and her team on the Certificate of Excellency for financial reporting from the GFOA.

It was noted that there will be two more years of single audits.

Mayor Hill adjourned the joint meeting of the McMinnville Urban Renewal Agency and McMinnville City Council at 7:24 p.m.

3.a.

Mid-Year Budget Review

Finance Director Baragary stated that the purpose of the mid-year budget review is to provide an overview of the current fiscal year and give a preview of the upcoming budget.

Ms. Baragary displayed a chart reflecting the General Fund reserve as a percentage of annual expenditures. She noted that in 2011-2012, the Council adopted the fund balance policy of a goal of maintaining a 25% reserve and that it is estimated that the City may meet the threshold of 25% in 2018-2019.

Ms. Baragary discussed future challenges which included Public Employee Retirement System (PERS) employer contribution rates as well as repairs and maintenance of City facilities. She stated that it is being recommended that the City budget for the maximum PERS increases for the next several bienniums.

Ms. Baragary continued by discussing future opportunities. She stated that the State will be distributing marijuana tax payments in August 2017 although it is difficult to predict how much of the State tax that the City will receive. In addition, the City will be receiving the 3% local marijuana tax that the State is collecting on the City's behalf. Discussion ensued regarding how the funds will help the Police and Fire Department.

Ms. Baragary shared that the bankruptcy proceedings on the holdings of Evergreen Aviation and Space Museum and Wings & Waves Waterpark have been completed. All delinquent taxes have been collected and paid to the City and it is expected that the new owners will add value to the Evergreen properties and remain current on their tax payments.

Ms. Baragary shared that the City's management team is discussing long range financial and strategic planning, with the goal of addressing the challenges discussed and ultimately achieved long-term financial sustainability.

Lastly, Ms. Baragary stated that the 2017-2018 Proposed Budget will be presented to the Budget Committee on May 17, 2017. It will be a strategic and forward looking budget.

4.a.

ORDINANCES

Ordinance No. 5018: An Ordinance restricting the distribution of single use plastic bags.

City Attorney Koch stated that City Council held a public hearing to receive testimony on the possible restriction of the distribution of single use plastic bags. He reviewed the minor changes to the proposed ordinance.

The Council discussed the compelling testimony on both sides, their appreciation of the community's involvement in the discussion, the due diligence that has taken place, and the great civic discourse.

Councilor Ruden stated that he is hoping that the Ordinance will be monitored through community and teamwork.

City Attorney Koch read by title only Ordinance No. 5018 restricting the distribution of single use plastics bags. (No Councilor present requested that the Ordinance be read in full.) The title of the Ordinance was read the second time. Ordinance No. 5018 PASSED by a unanimous roll-call vote.

4.b.

Ordinance No. 5019: An Ordinance repealing Ordinance No. 5010 and Resolution No. 2016-72.

City Attorney briefed Council on the formation of the McMinnville Committee for Public Art (CPA). He stated that following a 3-month trial period, members of the McMinnville CPA and the McMinnville Downtown Association (MDA) have determined that the work of the Committee for Public Art can be most efficiently accomplished by reverting back to the non-profit umbrella of the MDA.

City Attorney Koch read by title only Ordinance No. 5019 repealing Ordinance No. 5010 and Resolution No. 2016-72. (No Councilor present requested that the Ordinance be read in full.) The title of the Ordinance was read the second time. Ordinance No. 5019 PASSED by a unanimous roll-call vote. It was noted that the Ordinance will take effect within 30 days.

5.

RESOLUTIONS

5. a. **Resolution No. 2017-09:** A Resolution authorizing the City Manager to execute an Intergovernmental Agreement with the City of Lafayette.

Fire Chief Leipfert explained the details of the contract. He stated that the long term hopes is that this partnership with the City of Lafayette will help the Fire Department meet response time standards. He discussed the long term benefits and using 190 agreements. It was noted that the Lafayette City Council authorized the contract to be executed at their most recent meeting.

Councilors thanked the Fire Chief for his ingenuity.

Councilor Menke MOVED to adopt Resolution No. 2017-09 authorizing the City Manager or designee to enter into and manage a partnership agreement with Lafayette for substation use; SECONDED by Councilor Ruden. Motion PASSED unanimously.

5. b. **Resolution No. 2017-10:** A Resolution awarding the contract for the construction of City Park Renovations, Project No. 2016-12.

Parks and Recreation Director Pearson discussed the scope of the project which includes the replacement of the lower City Park kitchen shelter (and concrete shelter slab) that was lost to arson, security cameras, and other improvements to the picnic plaza including the addition of a drinking fountain and bar-b-q, as well as unit pavers.

He stated that four project proposals were received with Glacier Construction providing the best combination of price and experience.

Councilor Menke MOVED to adopt Resolution No. 2017-10 awarding the contract for the construction of City Park Renovations, Project No. 2016-12; SECONDED by Councilor Garvin. Motion PASSED unanimously.

5. c. **Resolution No. 2017-11:** A Resolution awarding the contract for the NE Alpine Improvements Project, Project 2016-8.

Community Development Director Bisset reminded Council that one of the key projects in the 2014 Transportation Bond, approved by the voters, is the Alpine Avenue Improvements Project in the City's NE Gateway

district. He explained that Alpine Avenue is a central spine and the primary pedestrian route through the district. The planned improvements will create a low traffic, pedestrian-friendly, festival atmosphere, and will be a connection between downtown and destinations within the district.

Mr. Bisset stated that the funding included approximately \$2.1 million for improvements to Alpine Avenue. The McMinnville Urban Renewal Advisory Committee (MURAC) voted to add approximately \$2.2 million to the project budget to allow for expansion of the project.

Ms. Bisset stated that the project was originally bid late October, 2016. Four bids were received; however, all bids were well in excess of the available construction budget and therefore were rejected. The project design team redesigned elements of the project, simplify construction and reduce costs. The project was re-bid and nine bids were received, publicly opened and read aloud on February 2, 2017.

Mr. Bisset shared that there are three elements of the project:

- The base bid, representing completion of the festival district (NE 7th Street to NE 10th Ave);
- Additive alternate #1 for work in the craft district (NE 10th Ave to NE 11th Ave); and
- Additive alternate #2 for water & electrical improvements throughout the project limits.

The low bidder was Emery & Sons Construction Group. Their proposal of \$3,133,442.00 for the City work is within the available construction budget of \$3.4 million. Mr. Bisset added that McMinnville Water & Light has indicated that they will accept the bid of \$421,058.00 for their portion of the work (additive alternate #2).

Mr. Bisset stated that construction will begin in March, 2017 and be completed in early 2018. He mentioned that there will be a break in construction during the 2017 grape harvest and crush in order to minimize impacts to adjacent property owners.

Councilor Drabkin declared a potential conflict of interest as she operates a business in the district.

Councilor Ruden commented on the well-funded and strategized project. He added that it will be a centerpiece for the area.

Councilor Ruden MOVED to adopt Resolution No. 2017-11 awarding the contract for the NE Alpine Avenue Improvements Project, Project No. 2016-8; SECONDED by Councilor Stassens. Motion PASSED unanimously.

5. d.

Resolution No. 2017-12: A Resolution establishing a list of firms qualified to provide consulting services related to the design and construction of sanitary sewer rehabilitation and repair projects.

Community Development Director Bisset presented. He stated that Staff recently completed a Request for Qualifications (RFQ) process to develop a short list of qualified firms or individuals to provide engineering or other professional services related to completing sanitary sewer rehabilitation and repair projects contained the City's adopted Wastewater Conveyance Master Plan and associated Wastewater Financial Plan. The list of qualified firms are: AKS Engineering & Forestry LLC, Murray, Smith & Associates, Inc., Century West Engineering Corporation, and Carollo Engineers.

Councilor Drabkin MOVED to adopt Resolution No. 2017-12 establishing a list of firms qualified to provide consulting services related to the design and construction of sanitary sewer rehabilitation and repair projects; SECONDED by Councilor Ruden. Motion PASSED unanimously.

ADD ITEM

Committee Assignments

Mayor Hill reviewed the changes to the Council's committee assignments. He stated that Councilor Garvin will be replacing Councilor Menke on the Yamhill Communications Agency (YCOM) Board.

The Mayor stated that Adam Garvin has been nominated to serve on the YCOM Board. Motion to nominate Adam Garvin to serve on the YCOM Board PASSED unanimously.

ADD ITEM

Request by Momiji Sushi Bar for a new liquor license at 913 NE Highway 99.

Motion to approve a new liquor license at 913 NE Highway 99 PASSED unanimously.

5.e. **Resolution No. 2017-13**: A Resolution approving an Employment Agreement with Jeffrey Towery.

City Attorney Koch stated that interviews for applicants for the City Manager position were conducted in January. He stated that a conditional offer was made to Mr. Towery and background checks were performed. The results of the background checks came back favorable.

Mayor Hill stated that Mr. Towery has set himself apart from the other candidates to Council, Department Heads, and the Council. He shared that the City is lucky to have someone with such a broad experience. He added that he learned during a visit to his former employer, that Mr. Towery mentors and is a partner with Department Heads.

Councilor Ruden MOVED to adopt Resolution No. 2017-13 approving an Employment Agreement with Jeffrey Towery; SECONDED by Councilor Jeffries. Motion PASSED unanimously.

Mayor Hill presented Ms. Towery with a flower in appreciation of her support. Mr. Towery stated that he is honored, humbled and looks forward to being a part of the community.

5.f. **Resolution No. 2017-14**: A Resolution terminating the Interim City Manager Employment Agreement with Candace Haines.

Mayor Hill stated that Interim City Manager Haines will be with the City for three more days during the transition.

Mayor Hill shared that Ms. Haines was called out of retirement because the City needed her special skills to bring the team back together. He stated that she has done a phenomenal job and presented her with a flower in appreciation of the work she has done over the last few months.

The Council expressed their appreciation of Ms. Haines for her sacrifices and her love for the City. Councilor Stassens added that Ms. Haines exceptional humility, service, and kindness was just what was needed to bring everyone together.

Councilor Stassens MOVED to adopt Resolution No. 2017-14 terminating the Interim City Manager Employment Agreement with Canace Haines; SECONDED by Councilor Ruden. Motion PASSED unanimously.

Interim City Manager Haines thanked the Councilors for the opportunity.

6. ADVICE/ INFORMATION ITEMS

6. a. Reports from Councilors on Committee and Board Assignments

Councilor Garvin stated that the YCOM Board met last Thursday. He stated that there is talk about software that will need to be replaced. He added that the ability to text 911 is on the horizon.

Councilor Jeffries shared that the Council of Local Governments (COG) will be meeting to go over the recruitment process to find a permanent Director for the COG.

Councilor Menke stated that the Destination Marketing Organization (DMO) group recently conducted goal setting. She reiterated that the Audit Committee is thankful for the work of the Finance Department and Department Heads.

Councilor Drabkin announced that the Affordable Housing Task Force has launched a sub-committee focused on homelessness. She stated that the group has met and identified community stakeholders who would like to be a part of the process.

Councilor Ruden reported on the Airport Commission. He stated that they are working with the managers at the Airport and the reconstruction of the runway is due to start this year. He stated that the Commission deals with maintenance and complaints as well.

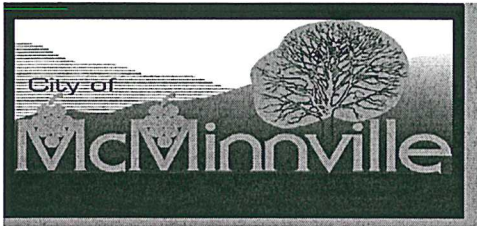
Mayor Hill shared that he recently attended City Day at the Capitol. He stated that the four legislative priorities for the League of Oregon Cities are: property tax reform, recreational immunity, transportation funding, and Public Employee Retirement System (PERS). The priorities for the Governor are: education focused on an increased graduation rate, healthcare for all children, and transportation.

6.b. Department Head Reports

Parks and Recreation Director Pearson shared that Facility Supervisor Aaron Johnson will be leaving in a couple weeks. Mr. Johnson has been with the City for 7 years. He added that he may be bringing a Resolution supporting recreational immunity to the Council in the future.

7. ADJOURNMENT: Mayor Hill adjourned the Regular City Council Meeting at 8:33 p.m.

Melissa Grace, City Recorder



City Recorder Use

Final Action: _____

Approved Disapproved

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: MIDTOWN TOBACCO, INC
 BUSINESS LOCATION ADDRESS: 1220 NE ADAMS ST, McMinnville
 LIQUOR LICENSE TYPE: off premises sales

Is the business at this location currently licensed by OLCC

Yes No ✓

If yes, what is the name of the existing business:

Hours of operation: 8am - 9 pm SUNDAY & SATURDAY 7am - 9pm MON - FRI
 Entertainment: NONE
 Hours of Music: NONE
 Seating Count: NONE

EXEMPTIONS:
 (list any exemptions)

Tritech Records Management System Check: Yes No ✓
 Criminal Records Check: Yes No ✓
 Recommended Action: Approve Disapprove ✓



 Chief of Police / Designee



 City Manager / Designee



City of McMinnville
23) NE Second Street
McMinnville, OR 97128
(503) 435-5702

www.mcminnvilleoregon.gov

Agenda Item Summary

DATE: March 28, 2017
TO: Jeff Towery, City Manager
FROM: Melissa Grace, City Recorder/ Legal Assistant
SUBJECT: McMinnville Community Media Highlights

Mr. Jerry Eichten of McMinnville Community Media will provide a brief presentation to Council.



City of McMinnville
Community Development Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7312

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: March 28, 2017
TO: Jeff Towery, City Manager
FROM: Mike Bisset, Community Development Director
SUBJECT: Hill Road Project property acquisition

Council Goal:

Plan and Construct Capital Projects

Report in Brief:

This action is the consideration of a resolution amending Resolution 2016-88, authorizing the acquisition of property for the NW Hill Road transportation bond project, Project 2015-16, and exercising the power of eminent domain.

Background:

The voter approved 2014 Transportation Improvement bond measure included a project to improve NW Hill Road, from NW 2nd Street to Baker Creek Road. The project includes the widening of Hill Road and the installation of turn lanes, bike lanes, sidewalks, landscaping, storm water facilities and the installation of roundabouts at the Hill Road/Wallace Road and Hill Road/Baker Creek Road intersections. Safety improvements, including the re-alignment of the existing s-curves and sight distance improvements at Cemetery Road, are also included in the project.

The project is currently in the design phase, and construction is planned to commence during the summer of 2017, and be completed in 2018.

Discussion:

At their December 13, 2016 meeting, the City Council approved Resolution 2016-88 (attached) authorizing the acquisition of property to complete the project improvements. The Resolution identified the need to acquire the fee title interest in eleven (11) parcels, site distance easements over two (2) parcels and temporary construction easements over five (5) parcels of property located along the existing City right-of-way.

Subsequent to the adoption of Resolution 2016-88, the City's agents determined that the approved acquisition files did not accurately represent the ownership of two parcels along the corridor. The acquisition documents did not reflect the transfer of property from the McMinnville School District (taxlot R4418 00701) to Fox Ridge Developers (taxlot R4418 00700) via warranty deed on recorded February 9, 1996, as document 199601998.

As a result, the approved acquisition files need to be amended to reflect a reduction in the amount of property needed from the McMinnville School District parcel (taxlot R4418 00701), and the addition of a file to acquire property from Fox Ridge Developers (taxlot R4418 00700). The total overall acquisition area for the project remains the same.

The attached resolution amends Resolution 2016-88 to accurately reflect the property needed from McMinnville School District parcel (taxlot R4418 00701) and from Fox Ridge Developers (taxlot R4418 00700).

Attachments:

1. Resolution
2. Resolution Exhibit A
3. Resolution 2016-88.

Fiscal Impact:

The funding for this project is contained in the adopted FY17 Transportation Bond Fund (Fund 45) and this action has no fiscal impact to this project.

Recommendation:

Staff recommends that the City Council adopt the attached resolution amending Resolution 2016-88, authorizing the acquisition of property for the NW Hill Road transportation bond project, Project 2015-16, and exercising the power of eminent domain.

RESOLUTION NO. 2017-24

A Resolution amending Resolution 2016-88, authorizing the acquisition of property for the NW Hill Road transportation bond project, Project 2015-16, and exercising the power of eminent domain.

RECITALS:

At their December 13, 2016 meeting, the City Council approved Resolution 2016-88 authorizing the acquisition of property for the NW Hill Road transportation bond project, Project 2015-16, and exercising the power of eminent domain under ORS 223.105(2) and ORS Chapter 35.

Resolution 2016-88 authorized the acquisition of the fee title interest in eleven (11) parcels, site distance easements over two (2) parcels and temporary construction easements over five (5) parcels of property located along the existing City right-of-way.

Subsequent to the adoption of Resolution 2016-88, the City's agents determined that the acquisition files did not accurately reflect the ownership of two parcels along the corridor. The acquisition documents did not reflect the transfer of property from the McMinnville School District (taxlot R4418 00701) to Fox Ridge Developers (taxlot R4418 00700) via warranty deed, recorded on February 9, 1996 as document 199601998.

As a result, the acquisition files approved via Resolution 2016-88 need to be amended to reflect a reduction in the amount of property need from the McMinnville School District parcel (taxlot R4418 00701), and the addition of a file to acquire property from Fox Ridge Developers (taxlot R4418 00700). The amendments to Resolution 2016-88 are as described and shown in the attached Exhibit A.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNIVILLE, OREGON as follows:

1. Resolution 2016-88 is hereby amended to reflect the reduction in the amount of property need from the McMinnville School District parcel (taxlot R4418 00701), and the addition of a file to acquire property from Fox Ridge Developers (taxlot R4418 00700), as described and shown in the attached Exhibit A.
2. The power of eminent domain is hereby exercised with respect to each of the interests in property described in the attached Exhibit A subject to payment of just compensation and to procedural requirements of Oregon law.
3. The City's staff and the City's agents are authorized to negotiate an agreement with the owner and other persons in interest as to the compensation to be paid for each acquisition and, in the event that no satisfactory agreement can be reached, the City's staff and the City's agents are authorized to commence and prosecute such condemnation proceedings as may be necessary to finally determine just compensation or any other issue appropriate to be determined by a court in connection with the acquisition.
4. The City of McMinnville expressly reserves its jurisdiction to determine the necessity or propriety of any acquisition, its quantity, quality, or locality, and to change or abandon any acquisition.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 28th day of March 2017 by the following votes:

Ayes: _____

Nays: _____

Approved this 28th day of March, 2017.

MAYOR

Approved as to form:



CITY ATTORNEY

R/W Needs								
File Number	Taxlot Number	Property Owner	Property Address	Fee	TCE	Sight	R/W to be Acquired	Comments
007	4.4.19-01200	HCP SH ELP1 PROPERTIES LLC	708 NW Meadowood Circle, McMinnville, OR 97128	86,796 sf	34,822 sf		Yes	In order to widen and realign the Hill Road to meet the design standards and implementation plan as detailed in the City of McMinnville Transportation System Plan.. Roadway is pushed in to the field to provide maximum offset from Hillside Manor. Roadway connection to Hillside Parkway is maintained.
008	4.4.18-00701	McMinnville School District No. 40		11,809 sf 20,455 sf	3,291 sf 6,651 sf		Yes	<i>In order to construct the roundabout and sidewalk along the west edge of Wallace Road and Hill Road and roadway widening along Hill Road to meet the design standards and implementation plan as detailed in the City of McMinnville Transportation System Plan.</i>
008a	4.4.18-00700	Fox Ridge Developers, LLC	11200 SW Fox Ridge Road, McMinnville, OR 97128	8,646 sf	3,360 sf		Yes	<i>In order to construct the roundabout and sidewalk along the west edge of Wallace Road and Hill Road and roadway widening along Hill Road to meet the design standards and implementation plan as detailed in the City of McMinnville Transportation System Plan.</i>
009	4.4.18DC-01500	Wilgus, Joanne	1385 NW Countryside Court, McMinnville, OR 97128	377 sf		78 sf	Yes	In order to construct the roundabout and sidewalk at the SE corner of Wallace Road and Hill Road. Sight line easement needed to maintain stopping and intersection sight distance
010	4.4.18DC-01400	Warren, Michael	2057 NW Wallace Road, McMinnville, OR 97128	298 sf		323 sf	Yes	In order to construct the roundabout and sidewalk at the NE corner of Wallace Road and Hill Road. Sight line easement needed to maintain stopping and intersection sight distance
011	4.4.18-00200	Baker Creek Development LLC		10,008 sf			Yes	In order to construct Hill Road to meet the design standards and implementation plan as detailed in the City of McMinnville Transportation System Plan.
012	4.4.18-00203	Baker Creek Development LLC		19,841 sf			Yes	In order to construct the roundabout and sidewalk at the SE corner of Baker Creek Road and Hill Road and to widen Hill Road to meet the design standards and implementation plan as detailed in the City of McMinnville Transportation System Plan.
013	4.4.18-01200	Draper, Dennis	11105 Baker Creek Road, McMinnville, OR 97128	4,299 sf	1,852 sf		Yes	In order to construct the roundabout and sidewalk at the SW corner of Baker Creek Road and Hill Road
014	4.4.18-01700	George, Larry		15,285 sf			Yes	In order to construct the roundabout, sidewalk and water quality/detention pond at the NW corner of Baker Creek Road and Hill Road
015	4.4.18-00100	Baker Creek Development LLC	1755 NW Baker Creek Road, McMinnville, OR 97128	9,274 sf			Yes	In order to construct the roundabout and sidewalk at the NE corner of Baker Creek Road and Hill Road

New or Revised information shown in **bold and italics**

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EXHIBIT A - Page 1 of 4

NW Hill Road

NW Hill Road Right of Way Acquisition

TL 441800701

File 008

Parcel 1 – Fee

A parcel of land lying in the SW1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Warranty Deed to McMinnville School District No. 40, a Public Body of the State of Oregon, recorded February 09, 1996 as Document No. 199601998, Deed Records of Yamhill County, said parcel being that portion of said property Easterly of the following described line:

Beginning at Centerline Station 44+48.12 on the herein described center line of NW Hill Road;

thence to a point opposite and 100.46 feet Westerly of Centerline Station 44+48.12 to the Point of non-tangent Curve, of an 81.00 foot radius curve to the right concave to the east;

thence along said curve through a central angle of 53°30'06", a distance of 75.64 feet (chord bears North 22°42'09" East, a distance of 72.92 feet), to the Point of Reverse Curve, of a 61.00 foot radius curve to the left;

thence along said curve, through a central angle of 47°11'41", a distance of 50.25 feet (chord bears North 25°51'22" East, a distance of 48.84 feet), to a point opposite and 55.46 feet Westerly of Centerline Station 45+61.21;

thence North 02°15'51" East, parallel with said centerline, a distance of 129.75 feet to the Point of Curve of a 685.50 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 07°45'41", a distance of 92.86 feet (chord bears North 06°08'41" East, a distance of 92.79 feet), to a point opposite and 49.18 feet Westerly of Centerline Station 47+83.53;

thence North 10°01'31" East, a distance of 53.15 feet to the Point of Curve of a 1,364.50 foot radius, tangent curve to the left;

thence along said curve, through a central angle of 01°51'04", a distance of 44.09 feet (chord bears North 09°05'59" East, a distance of 44.09 feet), to a point opposite and 36.75 feet Westerly of Centerline Station 48+79.96;

thence to a point on said Centerline at Station 48+79.96.

The centerline of NW Hill Road is described as follows:

March 15, 2017

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NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800701
File 008

Beginning at Centerline Station 10+00.00, said Station being the Centerline intersection of Northwest Hill Road and West Second Street, monumented by a 5/8" iron bar, with aluminum disc, marked "City of McMinnville", in a monument case;

thence North 02°14'49" West, a distance of 1,195.53 feet, to a Point of Intersection at Centerline Station 21+95.54, monumented by a 3/4" inside diameter iron pipe;

thence North 06°39'48" East, a distance of 1,118.61 feet, to a Point of Curve at Centerline Station 33+14.14, of a 500.00 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 59°11'44", a distance of 516.58 feet (chord bears North 36°15'40" East, a distance of 493.91 feet), to a Point of Reverse Curve at Centerline Station 38+30.72, of a 500.00 foot radius, tangent curve to the left;

thence along last said curve, through a central angle of 63°35'41", a distance of 554.97 feet (chord bears North 34°03'42" East, a distance of 526.92 feet), to a Point of Tangency at Centerline Station 43+85.69;

thence North 02°15'51" East, a distance of 3,383.41 feet to Centerline Station 77+69.10, said Station being the Centerline intersection of said Northwest Hill Road and Baker Creek Road, from which a 5/8" iron rod with yellow plastic cap, marked "Barker PLS 636" bears North 02°15'51" East, a distance of 30.22 feet.

Bearings are based on County Survey No. 13244 Yamhill County Survey Records, Yamhill County, Oregon.

This parcel of land contains 11,809 square feet, more or less, outside the existing right of way.

EXHIBIT A - Page 3 of 4
NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800701
File 008

Parcel 2 – Temporary Construction Easement

A parcel of land lying in the SW1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Warranty Deed to McMinnville School District No. 40, a Public Body of the State of Oregon, recorded February 09, 1996 as Document No. 199601998, Deed Records of Yamhill County, said parcel being that portion of said property Easterly of the following described line:

Beginning at Centerline Station 44+54.26 on the herein described center line of NW Hill Road;

thence to a point opposite and 115.92 feet Westerly of Centerline Station 44+54.26 to the Point of non-tangent Curve, of an 96.00 foot radius curve to the right concave to the east;

thence along said curve through a central angle of 48°50'35", a distance of 81.84 feet (chord bears North 25°01'55" East, a distance of 79.38 feet), to the Point of Reverse Curve, of a 46.00 foot radius curve to the left;

thence along said curve, through a central angle of 47°11'41", a distance of 37.89 feet (chord bears North 25°51'22" East, a distance of 36.83 feet), to a point opposite and 70.46 feet Westerly of Centerline Station 45+61.20;

thence South 87°44'09" East, a distance of 10.00 feet to a point opposite and 60.46 feet Westerly of Centerline Station 45+61.20;

thence North 02°15'51" East, parallel with said centerline, a distance of 129.75 feet to the Point of Curve of a 690.50 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 07°45'41", a distance of 93.53 feet (chord bears North 06°08'41" East, a distance of 93.46 feet), to a point opposite and 54.13 feet Westerly of Centerline Station 47+84.20;

thence North 10°01'31" East, a distance of 53.15 feet to the Point of Curve of a 1,359.50 foot radius, tangent curve to the left;

thence along said curve, through a central angle of 01°49'46", a distance of 43.41 feet (chord bears North 09°06'39" East, a distance of 43.41 feet to a point opposite and 41.78 feet Westerly of Centerline Station 48+79.96.

March 15, 2017

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NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800701
File 008

thence to a point on said Centerline at Station 48+79.96.

Excepting therefrom Parcel 1

The centerline of NW Hill Road is described in Parcel 1.

This parcel of land contains 3,291 square feet, more or less, outside the existing right of way.

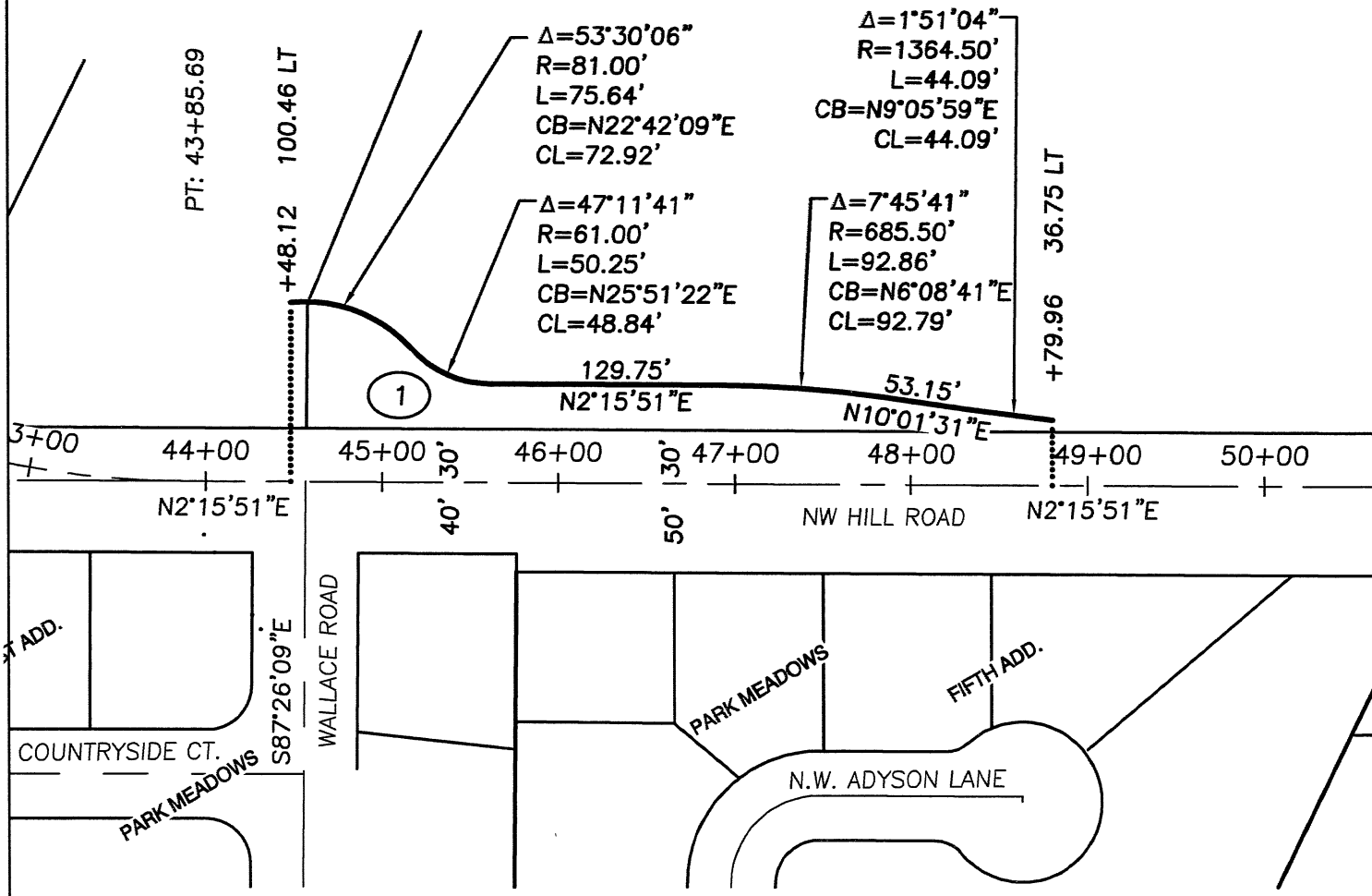
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886

RENEWAL: 12-31-18

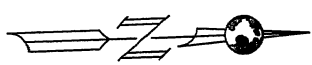
McMINNVILLE SCHOOL DISTRICT NO. 40
 1600 NW HILL ROAD
 McMINNVILLE, OR 97128
 TL 441800701



GRAPHIC SCALE



(IN FEET)
 SCALE: 1" = 100'



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert C. Lennox

OREGON
 JULY 14, 1998
 ROBERT C. LENNOX
 2886
 RENEWAL: 12-31-18

EXHIBIT B
 NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 008
 1600 NW HILL ROAD, MCMINNVILLE
 SW 1/4 SECTION 18, T4S, R4W, W.M.,
 YAMHILL COUNTY, OREGON

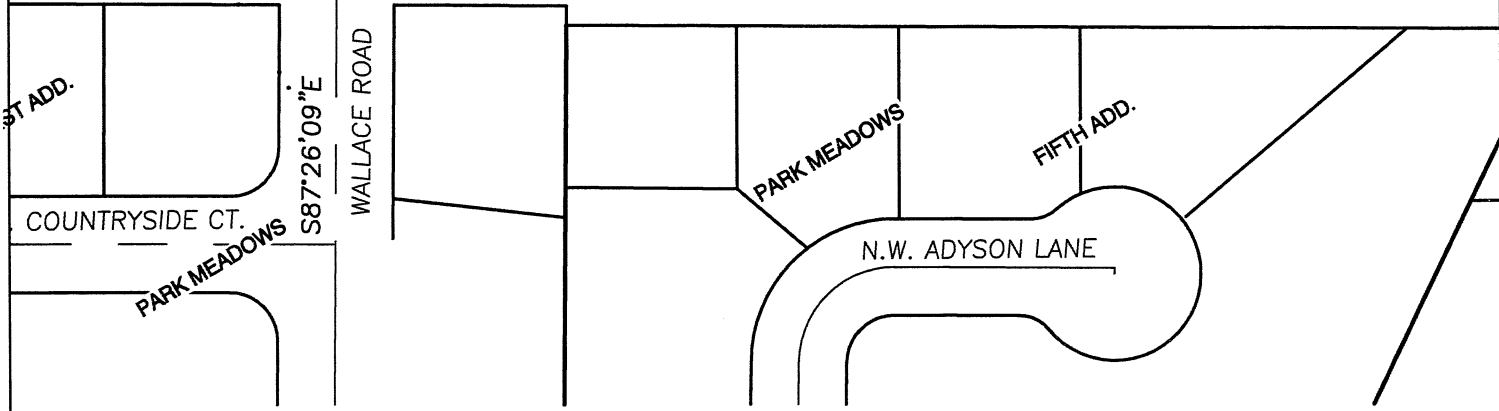
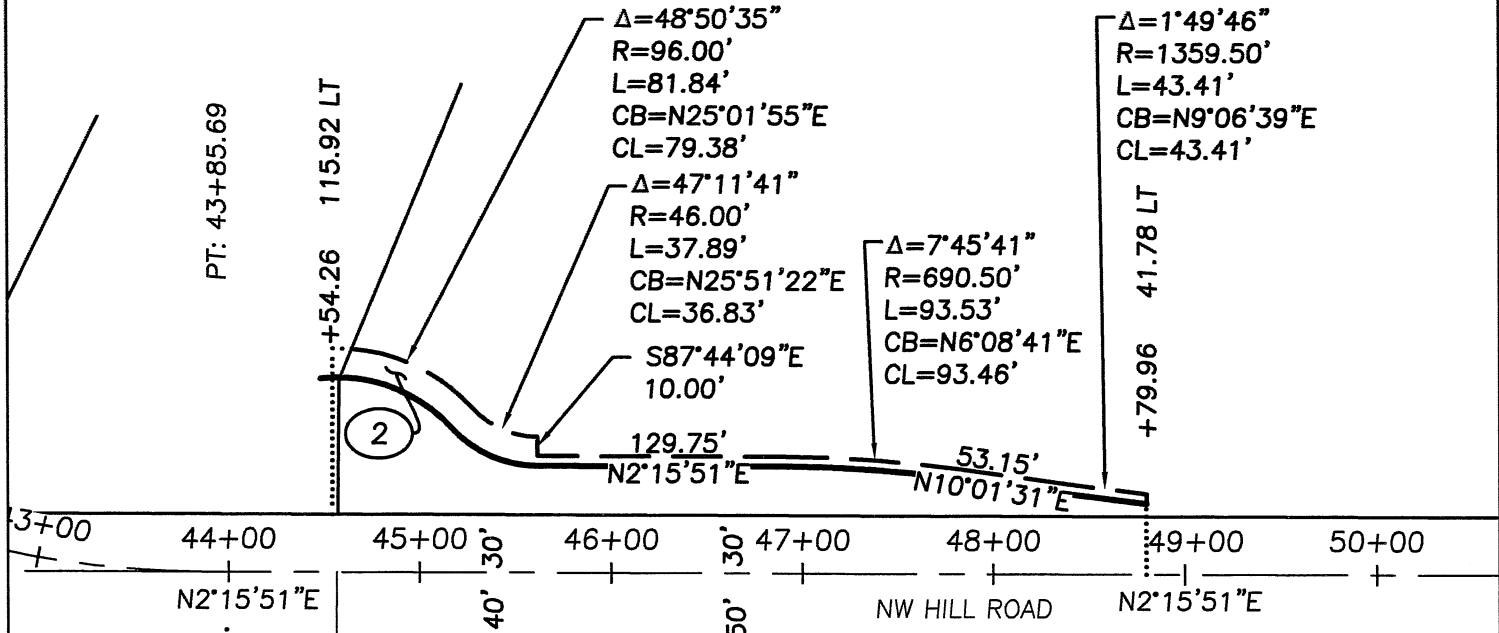
SHEET 1 OF 2

DATE MARCH 15, 2017
 JOB NO. 2015018

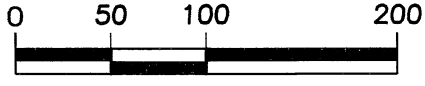
**bluedot
 group**

land surveying & mapping
 11700 sw 67th ave
 portland, or 97223
 v. 503.624.0108
 f. 503.624.9058

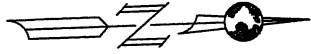
McMINNVILLE SCHOOL DISTRICT NO. 40
 1600 NW HILL ROAD
 McMINNVIILE, OR 97128
 TL 441800701



GRAPHIC SCALE



(IN FEET)
 SCALE: 1" = 100'



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert C. Lennox

OREGON
 JULY 14, 1998
 ROBERT C. LENNOX
 2886
 RENEWAL: 12-31-18

EXHIBIT B

NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 008
 1600 NW HILL ROAD, McMINNVIILE
 SW 1/4 SECTION 18, T4S, R4W, W.M.,
 YAMHILL COUNTY, OREGON

SHEET 2 OF 2

DATE MARCH 15, 2017

JOB NO. 2015018

bluedot
 group

land surveying & mapping
 11700 sw 67th ave
 portland, or 97223
 v. 503.624.0108
 f. 503.624.9058

EXHIBIT A - Page 1 of 3
NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800700
File 008A

Parcel 1 – Fee

A parcel of land lying in the SW1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Warranty Deed to McMinnville School District No. 40, a Public Body of the State of Oregon, recorded February 09, 1996 as Document No. 199601998, Deed Records of Yamhill County, said parcel being that portion of said property Easterly of the following described line:

Beginning at Centerline Station 42+22.14 on the herein described center line of NW Hill Road;

thence to a point opposite and 37.75 feet Westerly of Centerline Station 42+22.14;

thence North 05°58'31" East a distance of 96.99 feet to the Point of Curve of a 132.00 foot radius, non-tangent curve to the left;

thence along said curve, through a central angle of 22°38'15", a distance of 52.15 feet (chord bears North 10°19'55" West, a distance of 51.81 feet), to the Point of Compound Curve, of a 56.00 foot radius curve to the left;

thence along said curve, through a central angle of 20°06'20", a distance of 19.65 feet (chord bears North 31°42'12" West, a distance of 19.55 feet), to the Point of Reverse Curve, of an 81.00 foot radius curve to the right;

thence along said curve through a central angle of 51°51'50", a distance of 73.32 feet (chord bears North 15°49'27" West, a distance of 70.84 feet), to a point opposite and 100.20 feet Westerly of Centerline Station 44+68.08;

thence to a point on said Centerline at Station 44+68.08.

The centerline of NW Hill Road is described as follows:

Beginning at Centerline Station 10+00.00, said Station being the Centerline intersection of Northwest Hill Road and West Second Street, monumented by a 5/8" iron bar, with aluminum disc, marked "City of McMinnville", in a monument case;

thence North 02°14'49" West, a distance of 1,195.53 feet, to a Point of Intersection at Centerline Station 21+95.54, monumented by a 3/4" inside diameter iron pipe;

March 15, 2017

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NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800700
File 008A

thence North $06^{\circ}39'48''$ East, a distance of 1,118.61 feet, to a Point of Curve at Centerline Station 33+14.14, of a 500.00 foot radius, tangent curve to the right;

thence along said curve, through a central angle of $59^{\circ}11'44''$, a distance of 516.58 feet (chord bears North $36^{\circ}15'40''$ East, a distance of 493.91 feet), to a Point of Reverse Curve at Centerline Station 38+30.72, of a 500.00 foot radius, tangent curve to the left;

thence along last said curve, through a central angle of $63^{\circ}35'41''$, a distance of 554.97 feet (chord bears North $34^{\circ}03'42''$ East, a distance of 526.92 feet), to a Point of Tangency at Centerline Station 43+85.69;

thence North $02^{\circ}15'51''$ East, a distance of 3,383.41 feet to Centerline Station 77+69.10, said Station being the Centerline intersection of said Northwest Hill Road and Baker Creek Road, from which a $5/8''$ iron rod with yellow plastic cap, marked "Barker PLS 636" bears North $02^{\circ}15'51''$ East, a distance of 30.22 feet.

Bearings are based on County Survey No. 13244 Yamhill County Survey Records, Yamhill County, Oregon.

This parcel of land contains 8,646 square feet, more or less, outside the existing right of way.

EXHIBIT A - Page 3 of 3
NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800700
File 008A

Parcel 2 – Temporary Construction Easement

A parcel of land lying in the SW1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Warranty Deed to McMinnville School District No. 40, a Public Body of the State of Oregon, recorded February 09, 1996 as Document No. 199601998, Deed Records of Yamhill County, said parcel being that portion of said property Easterly of the following described line:

Beginning at Centerline Station 42+22.14 on the herein described center line of NW Hill Road;

thence to a point opposite and 53.28 feet Westerly of Centerline Station 42+22.14;

thence North 05°58'31" East a distance of 92.29 feet to the Point of Curve of a 117.00 foot radius, non-tangent curve to the left;

thence along said curve, through a central angle of 22°19'37", a distance of 45.59 feet (chord bears North 10°29'13" West, a distance of 45.30 feet), to the Point of Compound Curve, of a 41.00 foot radius curve to the left;

thence along said curve, through a central angle of 20°06'20", a distance of 14.39 feet (chord bears North 31°42'12" West, a distance of 14.31 feet), to the Point of Reverse Curve, of a 96.00 foot radius curve to the right;

thence along said curve through a central angle of 54°18'31", a distance of 90.99 feet (chord bears North 14°36'07" West, a distance of 87.63 feet), to a point opposite and 114.41 feet Westerly of Centerline Station 44+74.17;

thence to a point on said Centerline at Station 44+74.17.

Excepting therefrom Parcel 1

The centerline of NW Hill Road is described in Parcel 1.

This parcel of land contains 3,360 square feet, more or less, outside the existing right of way.

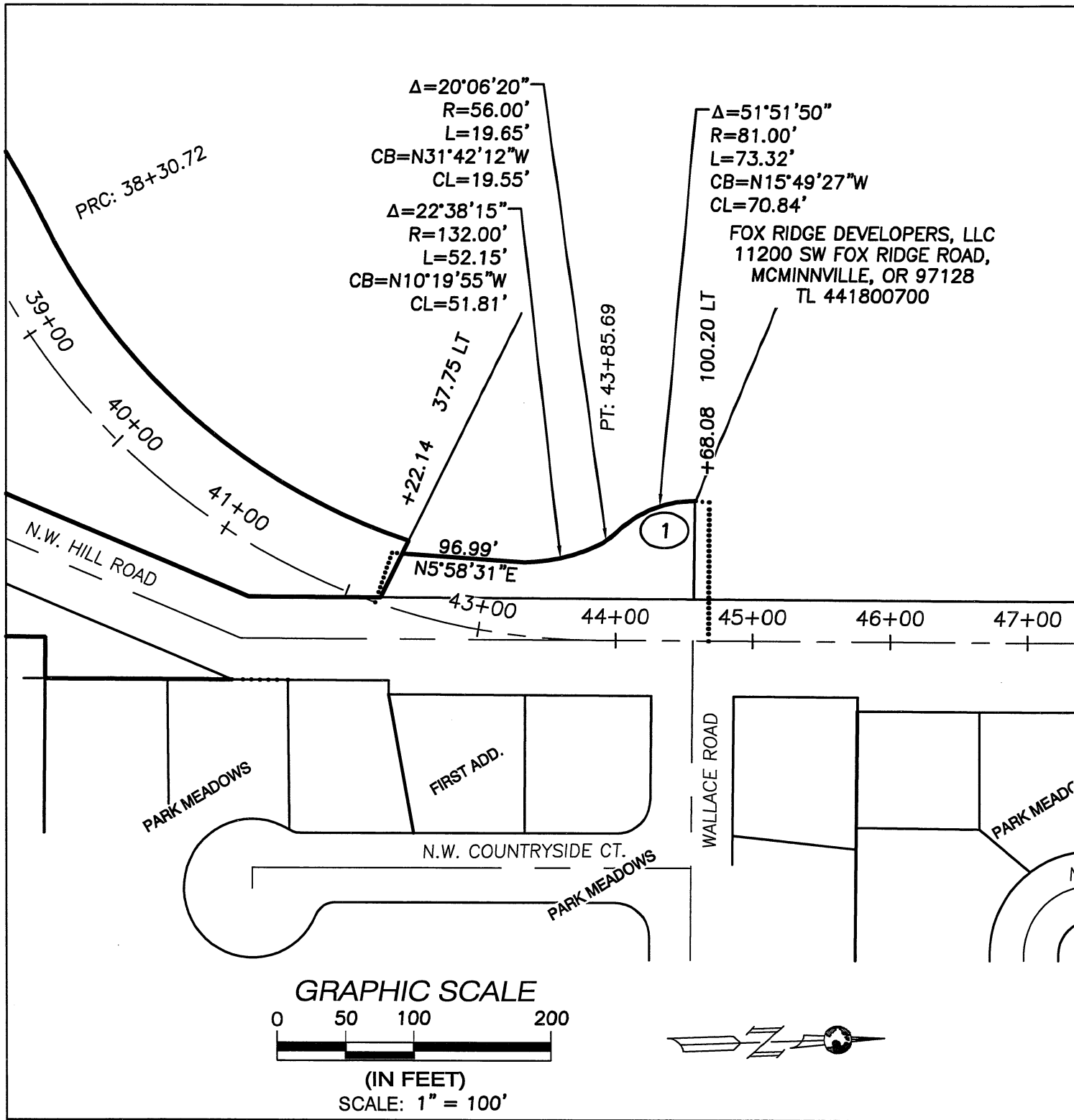
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert C. Lennox

OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886

RENEWAL: 12-31-18

March 15, 2017

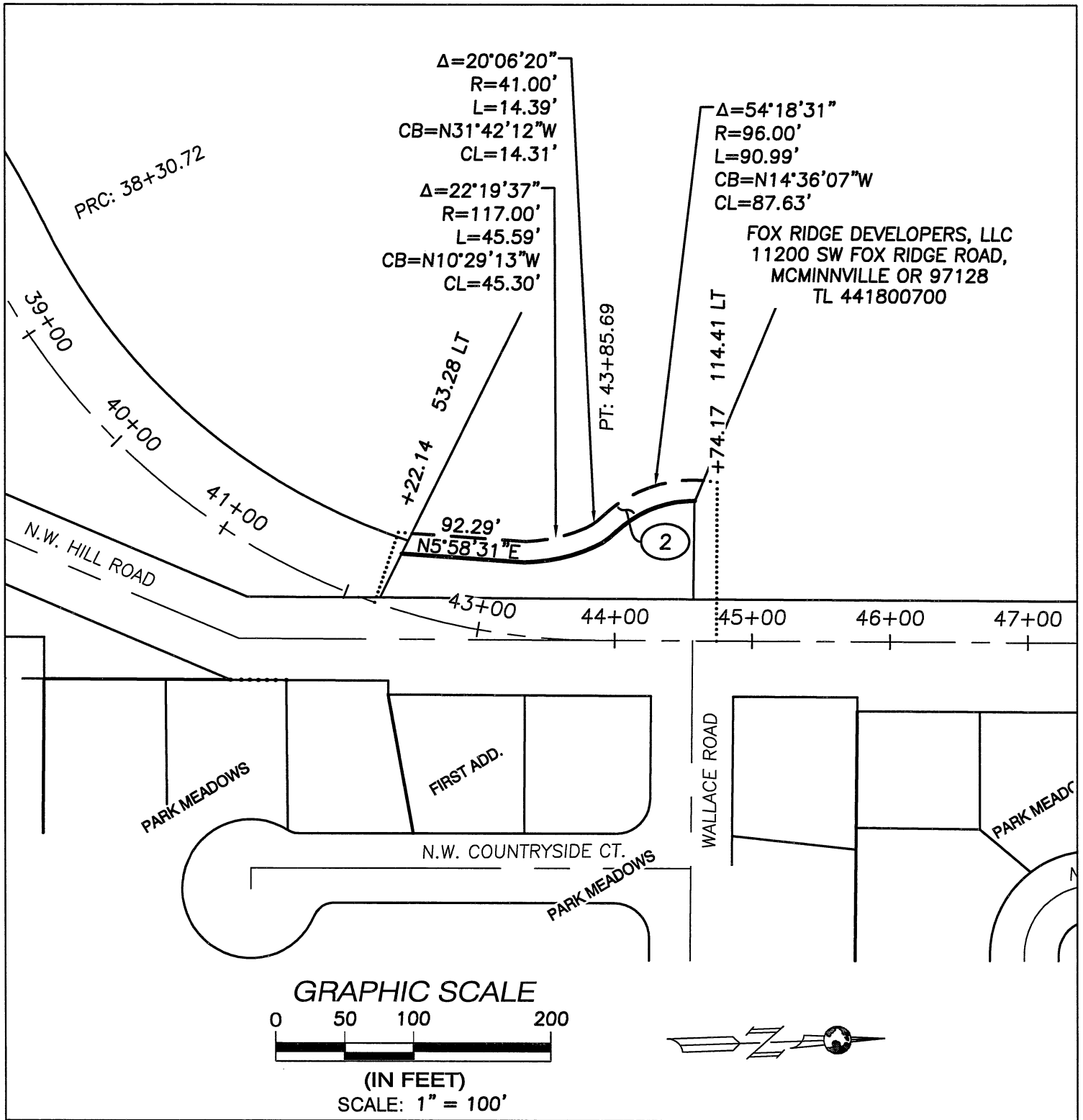


REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

 OREGON
 JULY 14, 1998
 ROBERT C. LENNOX
 2886
 RENEWAL: 12-31-18

EXHIBIT B
 NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 008A
 11200 SW FOX RIDGE ROAD, MCMINNVILLE
 SW 1/4 SECTION 18, T4S, R4W, W.M.,
 YAMHILL COUNTY, OREGON
SHEET 1 OF 2
 DATE MARCH 20, 2017
 JOB NO. 2015018

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group
 land surveying & mapping
 11700 sw 67th ave
 portland, or 97223
 v. 503.624.0108
 f. 503.624.9058




REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

 OREGON
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 ROBERT C. LENNOX
 2886
 RENEWAL: 12-31-18

EXHIBIT B
 NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 008A
 11200 SW FOX RIDGE ROAD, MCMINNVILLE
 SW 1/4 SECTION 18, T4S, R4W, W.M.,
 YAMHILL COUNTY, OREGON
SHEET 2 OF 2

DATE	MARCH 20, 2017
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RESOLUTION NO. 2016-88

A Resolution authorizing the acquisition of property for the NW Hill Road transportation bond project, and exercising the power of eminent domain.

RECITALS:

The City of McMinnville may exercise the power of eminent domain under ORS 223.105(2) and ORS Chapter 35 when deemed necessary by the City Council to accomplish public purposes for which the City has responsibility.

The City has the responsibility of providing safe transportation routes for commerce, convenience and to adequately serve the traveling public.

The City is acting to improve NW Hill Road, from NW 2nd Street to Baker Creek Road. The project includes the widening of Hill Road and the installation of turn lanes, bike lanes, sidewalks, landscaping, storm water facilities and the installation of roundabouts at the Hill Road/Wallace Road and Hill Road/Baker Creek Road intersections. The project is consistent with the City's adopted 2010 Transportation System Plan, and funding for the project was included in the voter approved 2014 Transportation Improvement bond measure.

The project has been planned in accordance with appropriate engineering standards for the construction, maintenance or improvement of transportation infrastructure so that property damage is minimized, transportation promoted, and travel safeguarded.

To accomplish the Project, it is necessary to acquire the fee title interest in eleven (11) parcels, sight line easements over two (2) parcels and temporary construction easements over five (5) parcels of property located along the existing City right-of-way, as described and shown in the attached Exhibit A.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON as follows:

1. The foregoing statements of authority and need are true and the Project is in the public interest.
2. The power of eminent domain is hereby exercised with respect to each of the interests in property described in the attached Exhibit A subject to payment of just compensation and to procedural requirements of Oregon law.
3. The City's staff and the City's agents are authorized to negotiate an agreement with the owner and other persons in interest as to the compensation to be paid for each acquisition and, in the event that no satisfactory agreement can be reached, the City's staff and the City's agents are authorized to commence and prosecute such condemnation proceedings as may be necessary to finally determine just compensation or any other issue appropriate to be determined by a court in connection with the acquisition.
4. The City of McMinnville expressly reserves its jurisdiction to determine the necessity or propriety of any acquisition, its quantity, quality, or locality, and to change or abandon any acquisition.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 13th day of December, 2016 by the following votes:

Ayes: Jeffries, Menke, Ruden, Yoder

Nays: _____

Approved this 13th day of December, 2016.



MAYOR

Approved as to form:



CITY ATTORNEY

R/W Needs								
File Number	Taxlot Number	Property Owner	Property Address	Fee	TCE	Sight	R/W to be Acquired	Comments
007	4.4.19-01200	HCP SH ELP1 PROPERTIES LLC	708 NW Meadowood Circle, McMinnville, OR 97128	86,796 sf	34,822 sf		Yes	In order to widen and realign the Hill Road to meet the design standards and implementation plan as detailed in the City of McMinnville Transportation System Plan.. Roadway is pushed in to the field to provide maximum offset from Hillside Manor. Roadway connection to Hillside Parkway is maintained.
008	4.4.18-00701	McMinnville School District No. 40	N/A	20,455 sf	6,651 sf		Yes	In order to construct the roundabout and sidewalk along the west edge of Wallace Road and Hill Road and roadway widening along Hill Road to meet the design standards and implementation plan as detailed in the City of McMinnville Transportation System Plan.
009	4.4.18DC-01500	Wilgus, Joanne	1385 NW Countryside Court, McMinnville, OR 97128	377 sf		78 sf	Yes	In order to construct the roundabout and sidewalk at the SE corner of Wallace Road and Hill Road. Sight line easement needed to maintain stopping and intersection sight distance
010	4.4.18DC-01400	Warren, Michael	2057 NW Wallace Road, McMinnville, OR 97128	298 sf		323 sf	Yes	In order to construct the roundabout and sidewalk at the NE corner of Wallace Road and Hill Road. Sight line easement needed to maintain stopping and intersection sight distance
011	4.4.18-00200	Baker Creek Development LLC	N/A	10,008 sf			Yes	In order to construct Hill Road to meet the design standards and implementation plan as detailed in the City of McMinnville Transportation System Plan.
012	4.4.18-00203	Baker Creek Development LLC	N/A	19,841 sf			Yes	In order to construct the roundabout and sidewalk at the SE corner of Baker Creek Road and Hill Road and to widen Hill Road to meet the design standards and implementation plan as detailed in the City of McMinnville Transportation System Plan.
013	4.4.18-01200	Draper, Dennis	11105 Baker Creek Road, McMinnville, OR 97128	4,301 sf	1,852 sf		Yes	In order to construct the roundabout and sidewalk at the SW corner of Baker Creek Road and Hill Road
014	4.4.18-01700	George, Larry	N/A	15,285 sf			Yes	In order to construct the roundabout, sidewalk and water quality/detention pond at the NW corner of Baker Creek Road and Hill Road
015	4.4.18-00100	Baker Creek Development LLC	1755 NW Baker Creek Road, McMinnville, OR 97128	9,274 sf			Yes	In order to construct the roundabout and sidewalk at the NE corner of Baker Creek Road and Hill Road

EXHIBIT A - Page 1 of 5

NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441901200
File 007

Parcel 1 – Fee

A parcel of land lying in the NW1/4 of Section 19, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Limited Warranty Deed to HCP SH ELP1 Properties, LLC, A Delaware Limited Liability Company, recorded December 06, 2012 as Document No. 201217750, Deed Records of Yamhill County, said parcel being that portion of said property Westerly of the following described line:

Beginning at a point opposite and 40.00 feet Easterly of Centerline Station 28+70 on the herein described center line of NW Hill Road; thence North 06°39'48" East, parallel with said Centerline, a distance of 237.18 feet to the Point of Curve, of a 475.00 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 25°34'24", a distance of 212.01 feet (chord bears North 19°27'00" East, a distance of 210.25 feet), to a point opposite and 43.67 feet Easterly of Centerline Station 35+32.59 on said Centerline.

The centerline of NW Hill Road is described as follows:

Beginning at Centerline Station 10+00.00, said Station being the Centerline intersection of Northwest Hill Road and West Second Street, monumented by a 5/8" iron bar, with aluminum disc, marked "City of McMinnville", in a monument case;

thence North 02°14'49" West, a distance of 1,195.53 feet, to a Point of Intersection at Centerline Station 21+95.54, monumented by a 3/4" inside diameter iron pipe;

thence North 06°39'48" East, a distance of 1,118.61 feet, to a Point of Curve at Centerline Station 33+14.14, of a 500.00 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 59°11'44", a distance of 516.58 feet (chord bears North 36°15'40" East, a distance of 493.91 feet), to a Point of Reverse Curve at Centerline Station 38+30.72, of a 500.00 foot radius, tangent curve to the left;

thence along last said curve, through a central angle of 63°35'41", a distance of 554.97 feet (chord bears North 34°03'42" East, a distance of 526.92 feet), to a Point of Tangency at Centerline Station 43+85.69;

thence North 02°15'51" East, a distance of 3,383.41 feet to Centerline Station 77+69.10, said Station being the Centerline intersection of said Northwest Hill Road and Baker Creek Road, from which a 5/8" iron rod with yellow plastic cap, marked "Barker PLS 636" bears North 02°15'51" East, a distance of 30.22 feet.

November 30, 2016

EXHIBIT A - Page 2 of 5

NW Hill Road

NW Hill Road Right of Way Acquisition

TL 441901200

File 007

Bearings are based on County Survey No. 13244 Yamhill County Survey Records, Yamhill County, Oregon.

This parcel of land contains 3,363 square feet, more or less, outside the existing right of way.

Parcel 2 – Temporary Construction Easement

A parcel of land lying in the NW1/4 of Section 19, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Limited Warranty Deed to HCP SH ELP1 Properties, LLC, A Delaware Limited Liability Company, recorded December 06, 2012 as Document No. 201217750, Deed Records of Yamhill County, said parcel being that portion of said property Westerly of the following described line:

Beginning at a point opposite and 60.00 feet Easterly of Centerline Station 28+70 on the herein described center line of NW Hill Road; thence North 06°39'48" East, parallel with said Centerline, a distance of 432.19 feet to the Point of Curve, of a 455.00 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 25°35'49", a distance of 203.27 feet (chord bears North 19°27'43" East, a distance of 201.59 feet), to a point opposite and 63.67 feet Easterly of Centerline Station 35+32.59 on said Centerline.

EXCEPT therefrom Parcel 1.

The center line of NW Hill Road is described in Parcel 1.

This parcel of land contains 7,910 square feet, more or less, outside the existing right of way.

November 30, 2016

EXHIBIT A - Page 3 of 5
NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441901200
File 007

Parcel 3 – Fee

A parcel of land lying in the NW1/4 of Section 19, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Limited Warranty Deed to HCP SH ELP1 Properties, LLC, A Delaware Limited Liability Company, recorded December 06, 2012 as Document No. 201217750, Deed Records of Yamhill County, therein described as “Parcel 2”;

EXCEPT therefrom:

that portion of said property Southerly of the following described line, which will hereafter be referenced as ‘**Line A**’:

Beginning at a point opposite and 43.67 feet Easterly of Centerline Station 35+32.59 on the herein described center line of NW Hill Road; thence along a curve to the right, with a 475.00 foot radius, through a central angle of 26°33’52”, a distance of 220.23 feet (chord bears North 45°31’08” East, a distance of 218.26 feet), to a Point of Tangent;

thence North 58°48’04” East, a distance of 43.08 feet, to a Point of Curve, of a 9.00 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 90°00’00”, a distance of 14.14 feet (chord bears South 76°11’56” East, a distance of 12.73 feet), to a Point of Tangent;

thence to a point opposite and 201.17 feet Easterly of Centerline Station 38+44.98 on said Centerline.

ALSO EXCEPTING therefrom:

the existing public rights-of-way.

ALSO EXCEPTING therefrom:

Parcel 5 described herein below.

This parcel of land contains 76,700 square feet, more or less, outside the existing right of way.

Parcel 4 – Temporary Construction Easement

A parcel of land lying in the NW1/4 of Section 19, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that

November 30, 2016

EXHIBIT A - Page 4 of 5

NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441901200
File 007

Limited Warranty Deed to HCP SH ELP1 Properties, LLC, A Delaware Limited Liability Company, recorded December 06, 2012 as Document No. 201217750, Deed Records of Yamhill County, said parcel being that portion of said property included in a strip of land 20.00 feet in width, lying Southerly of the line described herein (Parcel 3) as 'Line A'.

This parcel of land contains 7,131 square feet, more or less, outside the existing right of way.

Parcel 5 – Fee

A parcel of land lying in the NW1/4 of Section 19, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Limited Warranty Deed to HCP SH ELP1 Properties, LLC, A Delaware Limited Liability Company, recorded December 06, 2012 as Document No. 201217750, Deed Records of Yamhill County, said parcel being that portion of said property Northwesterly of the following described line **AND** Southeasterly of the East right of way line of NW Hill Road:

Beginning at a point opposite and 255.58 feet Easterly of Centerline Station 38+41.64 on the herein described center line of NW Hill Road;

thence South 87°12'45" East, a distance of 15.44, along the south line of "Parcel 2" of said Deed;

thence North 31°28'09" East, along the Easterly line of said parcel, a distance of 274.29 feet to an Angle Point in said line Easterly line;

thence North 02°15'51" East, along the said Easterly line, a distance of 29.14 feet;

thence leaving said line, South 87°34'44" East, along the North Line of "Parcel 1" of said Deed, a distance of 30.03 feet;

thence leaving said line, North 02°15'05" East, along the westerly line of "Park Meadows", a platted subdivision, Yamhill County Plat Records, a distance of 176.50 feet, to a point opposite and 75.55 feet Easterly of Centerline Station 41+85.44.

This parcel of land contains 6,733 square feet, more or less, outside the existing right of way.

Parcel 6 – Temporary Construction Easement

November 30, 2016

EXHIBIT A - Page 5 of 5

NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441901200
File 007

A parcel of land lying in the NW1/4 of Section 19, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Limited Warranty Deed to HCP SH ELP1 Properties, LLC, A Delaware Limited Liability Company, recorded December 06, 2012 as Document No. 201217750, Deed Records of Yamhill County, said parcel being that portion of said property Northwesterly of the following described line **AND** Southeasterly of the East right of way line of NW Hill Road:

Beginning at a point opposite and 255.58 feet Easterly of Centerline Station 38+41.64 on the herein described center line of NW Hill Road;

thence South 02°43'42" West, a distance of 89.99 feet;

thence South 87°16'18" East, a distance of 160.00 feet;

thence North 02°43'42" East, a distance of 53.50 feet;

thence South 87°16'18" East, a distance of 19.58 feet;

thence North 02°15'51" East, a distance of 56.61 feet;


thence North 89°40'06" West, a distance of 59.36 feet;

thence North 60°04'33" West, a distance of 103.67 feet, to a point opposite and 213.36 feet Easterly of Centerline Station 38+80.23.

EXCEPT therefrom Parcel 5.

This parcel of land contains 19,781 square feet, more or less, outside the existing right of way.

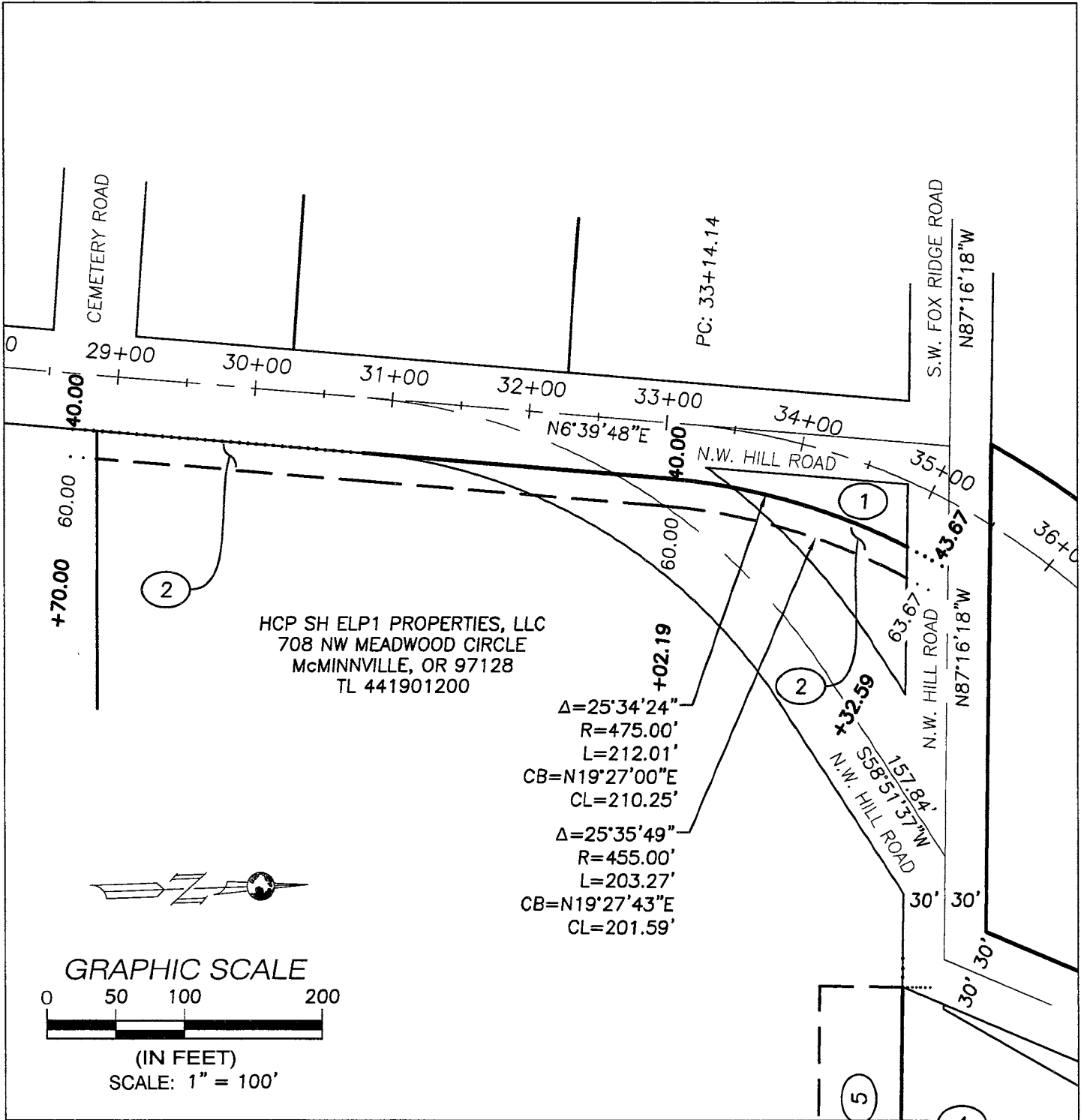
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886

RENEWAL: 12-31-16

November 30, 2016



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert C. Lennox

OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886
RENEWAL: 12-31-16

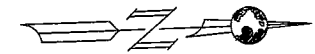
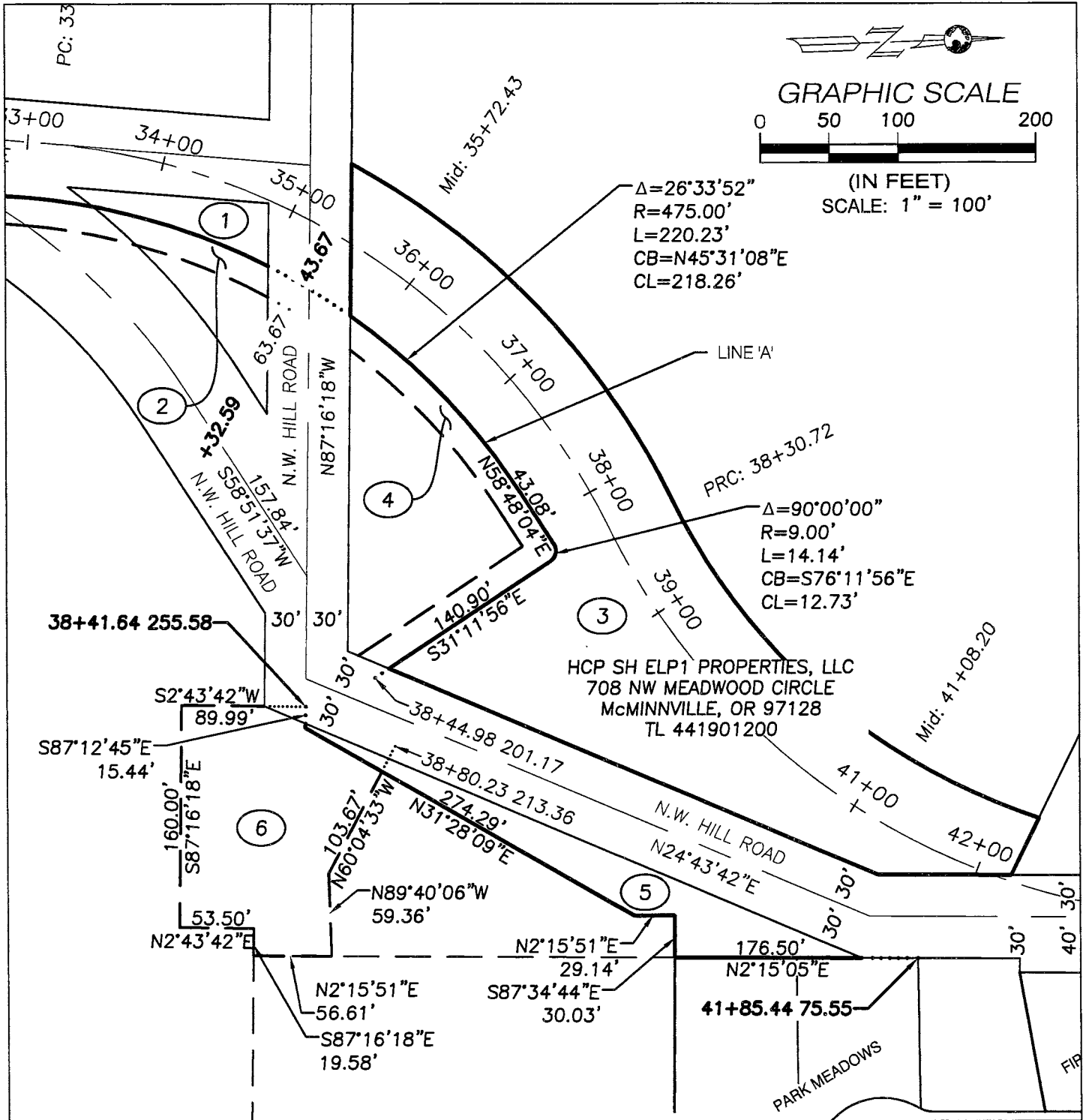
EXHIBIT B
NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 007
708 NW MEADWOOD CIRCLE, MCMINNVILLE
NW 1/4 SECTION 19, T4S, R4W, W.M.,
YAMHILL COUNTY, OREGON
SHEET 1 OF 2

DATE NOVEMBER 16, 2016

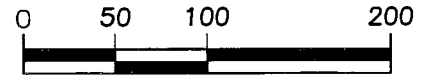
JOB NO. 2015018

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v. 503.624.0108
f. 503.624.9058



GRAPHIC SCALE



(IN FEET)
SCALE: 1" = 100'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert C. Lennox

OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886
RENEWAL: 12-31-16

EXHIBIT B

NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 007
708 NW MEADWOOD CIRCLE, MCMINNVILLE
SW 1/4 SECTION 18 & NW 1/4 SECTION 19, T4S, R4W, W.M.,
YAMHILL COUNTY, OREGON

SHEET 2 OF 2

DATE NOVEMBER 30, 2016

JOB NO. 2015018

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EXHIBIT A - Page 1 of 4
NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800701
File 008

Parcel 1 – Fee

A parcel of land lying in the SW1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Warranty Deed to McMinnville School District No. 40, a Public Body of the State of Oregon, recorded February 09, 1996 as Document No. 199601998, Deed Records of Yamhill County, said parcel being that portion of said property Easterly of the following described line:

Beginning at Centerline Station 42+22.14 on the herein described center line of NW Hill Road;

thence to a point opposite and 37.75 feet Westerly of Centerline Station 42+22.14;

thence North 05°58'31" East a distance of 96.99 feet to the Point of Curve of a 132.00 foot radius, non-tangent curve to the left;

thence along said curve, through a central angle of 22°38'15", a distance of 52.15 feet (chord bears North 10°19'55" West, a distance of 51.81 feet), to the Point of Compound Curve, of a 56.00 foot radius curve to the left;

thence along said curve, through a central angle of 20°06'20", a distance of 19.65 feet (chord bears North 31°42'12" West, a distance of 19.55 feet), to the Point of Reverse Curve, of an 81.00 foot radius curve to the right;

thence along said curve through a central angle of 91°12'35", a distance of 128.94 feet (chord bears North 03°50'55" East, a distance of 115.75 feet), to the Point of Reverse Curve, of a 61.00 foot radius curve to the left;

thence along said curve, through a central angle of 47°11'41", a distance of 50.25 feet (chord bears North 25°51'22" East, a distance of 48.84 feet), to a point opposite and 55.46 feet Westerly of Centerline Station 45+61.21;

thence North 02°15'51" East, parallel with said centerline, a distance of 129.75 feet to the Point of Curve of a 685.50 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 07°45'41", a distance of 92.86 feet (chord bears North 06°08'41" East, a distance of 92.79 feet), to a point opposite and 49.18 feet Westerly of Centerline Station 47+83.53;

November 29, 2016

EXHIBIT A - Page 2 of 4
NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800701
File 008

thence North $10^{\circ}01'31''$ East, a distance of 53.15 feet to the Point of Curve of a 1,364.50 foot radius, tangent curve to the left;

thence along said curve, through a central angle of $01^{\circ}51'04''$, a distance of 44.09 feet (chord bears North $09^{\circ}05'59''$ East, a distance of 44.09 feet to a point opposite and 42.75 feet Westerly of Centerline Station 48+79.96;

thence to a point on said Centerline at Station 48+79.96.

The centerline of NW Hill Road is described as follows:

Beginning at Centerline Station 10+00.00, said Station being the Centerline intersection of Northwest Hill Road and West Second Street, monumented by a $5/8''$ iron bar, with aluminum disc, marked "City of McMinnville", in a monument case;

thence North $02^{\circ}14'49''$ West, a distance of 1,195.53 feet, to a Point of Intersection at Centerline Station 21+95.54, monumented by a $3/4''$ inside diameter iron pipe;

thence North $06^{\circ}39'48''$ East, a distance of 1,118.61 feet, to a Point of Curve at Centerline Station 33+14.14, of a 500.00 foot radius, tangent curve to the right;

thence along said curve, through a central angle of $59^{\circ}11'44''$, a distance of 516.58 feet (chord bears North $36^{\circ}15'40''$ East, a distance of 493.91 feet), to a Point of Reverse Curve at Centerline Station 38+30.72, of a 500.00 foot radius, tangent curve to the left;

thence along last said curve, through a central angle of $63^{\circ}35'41''$, a distance of 554.97 feet (chord bears North $34^{\circ}03'42''$ East, a distance of 526.92 feet), to a Point of Tangency at Centerline Station 43+85.69;

thence North $02^{\circ}15'51''$ East, a distance of 3,383.41 feet to Centerline Station 77+69.10, said Station being the Centerline intersection of said Northwest Hill Road and Baker Creek Road, from which a $5/8''$ iron rod with yellow plastic cap, marked "Barker PLS 636" bears North $02^{\circ}15'51''$ East, a distance of 30.22 feet.

Bearings are based on County Survey No. 13244 Yamhill County Survey Records, Yamhill County, Oregon.

This parcel of land contains 20,455 square feet, more or less, outside the existing right of way.

November 29, 2016

EXHIBIT A - Page 3 of 4
NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800701
File 008

Parcel 2 – Temporary Construction Easement

A parcel of land lying in the SW1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Warranty Deed to McMinnville School District No. 40, a Public Body of the State of Oregon, recorded February 09, 1996 as Document No. 199601998, Deed Records of Yamhill County, said parcel being that portion of said property Easterly of the following described line:

Beginning at Centerline Station 42+22.14 on the herein described center line of NW Hill Road;

thence to a point opposite and 53.28 feet Westerly of Centerline Station 42+22.14;

thence North 05°58'31" East a distance of 92.29 feet to the Point of Curve of a 117.00 foot radius, non-tangent curve to the left;

thence along said curve, through a central angle of 22°19'37", a distance of 45.59 feet (chord bears North 10°29'13" West, a distance of 45.30 feet), to the Point of Compound Curve, of a 41.00 foot radius curve to the left;

thence along said curve, through a central angle of 20°06'20", a distance of 14.39 feet (chord bears North 31°42'12" West, a distance of 14.31 feet), to the Point of Reverse Curve, of a 96.00 foot radius curve to the right;

thence along said curve through a central angle of 91°12'35", a distance of 152.82 feet (chord bears North 03°50'55" East, a distance of 137.19 feet), to the Point of Reverse Curve, of a 46.00 foot radius curve to the left;

thence along said curve, through a central angle of 47°11'41", a distance of 37.89 feet (chord bears North 25°51'22" East, a distance of 36.83 feet), to a point opposite and 70.46 feet Westerly of Centerline Station 45+61.20;

thence South 87°44'09" East, a distance of 10.00 feet to a point opposite and 60.46 feet Westerly of Centerline Station 45+61.20;

thence North 02°15'51" East, parallel with said centerline, a distance of 129.75 feet to the Point of Curve of a 690.50 foot radius, tangent curve to the right;

November 29, 2016

EXHIBIT A - Page 4 of 4
NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800701
File 008

thence along said curve, through a central angle of $07^{\circ}45'41''$, a distance of 93.53 feet (chord bears North $06^{\circ}08'41''$ East, a distance of 93.46 feet), to a point opposite and 54.13 feet Westerly of Centerline Station 47+84.20;

thence North $10^{\circ}01'31''$ East, a distance of 53.15 feet to the Point of Curve of a 1,359.50 foot radius, tangent curve to the left;

thence along said curve, through a central angle of $01^{\circ}49'46''$, a distance of 43.41 feet (chord bears North $09^{\circ}06'39''$ East, a distance of 43.41 feet to a point opposite and 47.78 feet Westerly of Centerline Station 48+79.96.

thence to a point on said Centerline at Station 48+79.96.

Excepting therefrom Parcel 1

The centerline of NW Hill Road is described in Parcel 1.

This parcel of land contains 6,651 square feet, more or less, outside the existing right of way.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886

RENEWAL: 12-31-16

November 29, 2016

McMINNVILLE SCHOOL DISTRICT NO. 40
 1600 NW HILL ROAD
 McMINNVILLE, OR 97128
 TL 441800701

$\Delta=22^{\circ}38'15''$
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 $L=52.15'$
 $CB=N10^{\circ}19'55''W$
 $CL=51.81'$

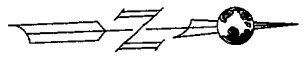
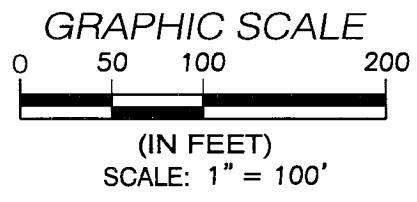
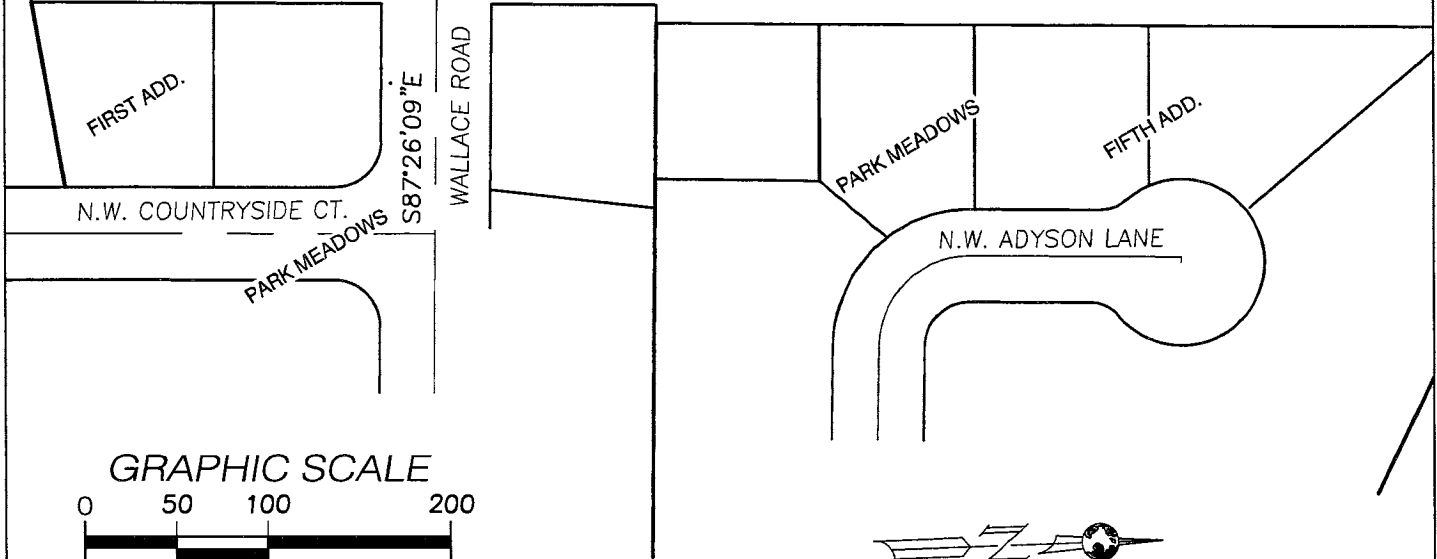
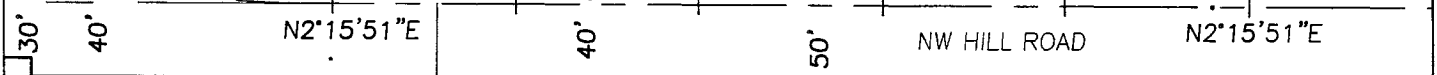
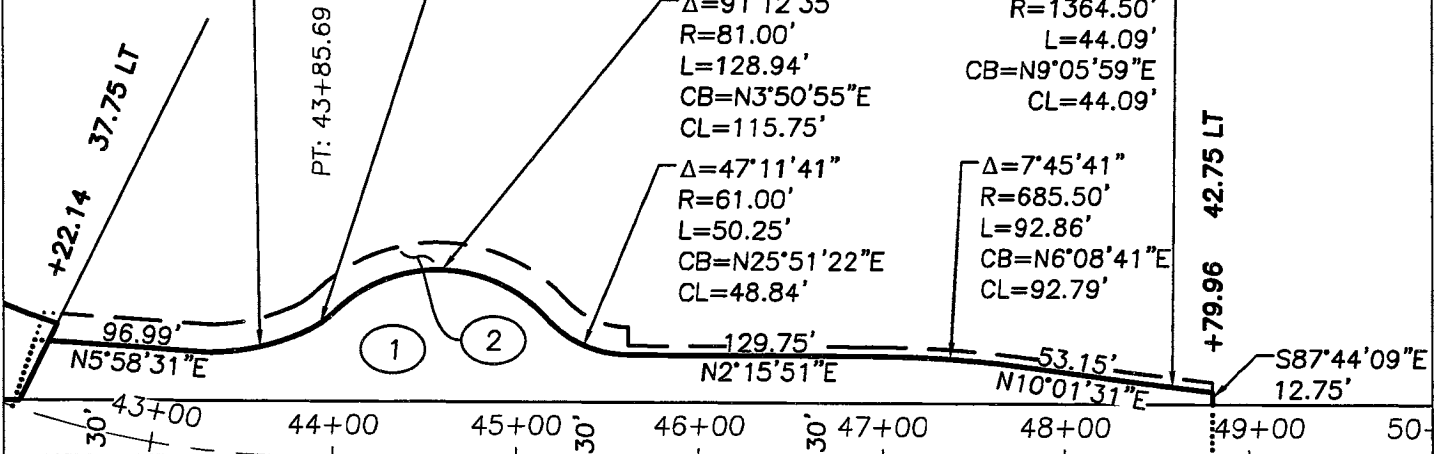
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 $L=19.65'$
 $CB=N31^{\circ}42'12''W$
 $CL=19.55'$

$\Delta=91^{\circ}12'35''$
 $R=81.00'$
 $L=128.94'$
 $CB=N3^{\circ}50'55''E$
 $CL=115.75'$

$\Delta=1^{\circ}51'04''$
 $R=1364.50'$
 $L=44.09'$
 $CB=N9^{\circ}05'59''E$
 $CL=44.09'$

$\Delta=47^{\circ}11'41''$
 $R=61.00'$
 $L=50.25'$
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 $CL=48.84'$

$\Delta=7^{\circ}45'41''$
 $R=685.50'$
 $L=92.86'$
 $CB=N6^{\circ}08'41''E$
 $CL=92.79'$



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert C. Lennox

OREGON
 JULY 14, 1998
 ROBERT C. LENNOX
 2886
 RENEWAL: 12-31-16

EXHIBIT B
 NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 008
 1600 NW HILL ROAD, MCMINNVILLE
 SW 1/4 SECTION 18, T4S, R4W, W.M.,
 YAMHILL COUNTY, OREGON

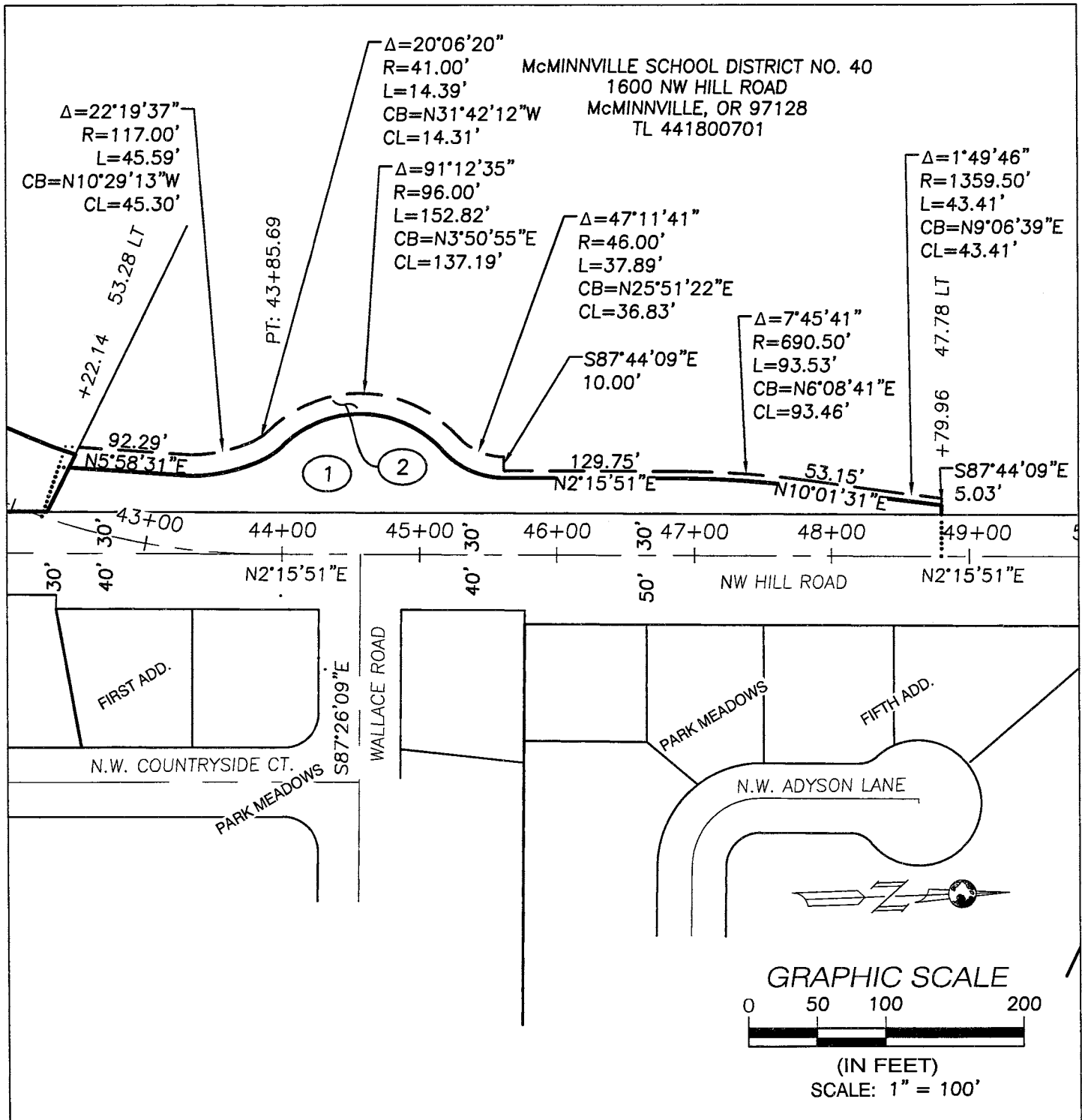
SHEET 1 OF 2

DATE NOVEMBER 16, 2016

JOB NO. 2015018

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land surveying & mapping
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 portland, or 97223
 v. 503.624.0108
 f. 503.624.9058



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert C. Lennox

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JULY 14, 1998
ROBERT C. LENNOX
2886
RENEWAL: 12-31-16

EXHIBIT B
NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 008
1600 NW HILL ROAD, MCMINNVILLE
SW 1/4 SECTION 18, T4S, R4W, W.M.,
YAMHILL COUNTY, OREGON
SHEET 2 OF 2

DATE NOVEMBER 16, 2016
JOB NO. 2015018

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EXHIBIT A - Page 1 of 2

NW Hill Road
NW Hill Road Right of Way Acquisition
TL 4418DC01500
File 009

Parcel 1 – Fee

A parcel of land lying in the SE1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Statutory Warranty Deed to Joanne Wilgus, recorded August 15, 2006 as Document No. 200618768, Deed Records of Yamhill County, said parcel being that portion of said property Northerly of the following described line:

Beginning at a point opposite and 30.00 feet Easterly of Centerline Station 43+98.99 on the herein described center line of NW Hill Road; thence North 60°45'47" East in a straight line to a point opposite and 83.00 feet Easterly of Centerline Station 44+31.47 on said Centerline.

The Centerline of NW Hill Road is described as follows:

Beginning at Centerline Station 10+00.00, said Station being the Centerline intersection of Northwest Hill Road and West Second Street, monumented by a 5/8" iron bar, with aluminum disc, marked "City of McMinnville", in a monument case;

thence North 02°14'49" West, a distance of 1,195.53 feet, to a Point of Intersection at Centerline Station 21+95.54, monumented by a 3/4" inside diameter iron pipe;

thence North 06°39'48" East, a distance of 1,118.61 feet, to a Point of Curve at Centerline Station 33+14.14, of a 500.00 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 59°11'44", a distance of 516.58 feet (chord bears North 36°15'40" East, a distance of 493.91 feet), to a Point of Reverse Curve at Centerline Station 38+30.72, of a 500.00 foot radius, tangent curve to the left;

thence along last said curve, through a central angle of 63°35'41", a distance of 554.97 feet (chord bears North 34°03'42" East, a distance of 526.92 feet), to a Point of Tangency at Centerline Station 43+85.69;

thence North 02°15'51" East, a distance of 3,383.41 feet to Centerline Station 77+69.10, said Station being the Centerline intersection of said Northwest Hill Road and Baker Creek Road, from which a 5/8" iron rod with yellow plastic cap, marked "Barker PLS 636" bears North 02°15'51" East, a distance of 30.22 feet.

Bearings are based on County Survey No. 13244 Yamhill County Survey Records, Yamhill County, Oregon.

This parcel of land contains 377 square feet, more or less, outside the existing right of way.

November 10, 2016

EXHIBIT A - Page 2 of 2
NW Hill Road
NW Hill Road Right of Way Acquisition
TL 4418DC01500
File 009

Parcel 2 – Permanent Sight Line Easement

A parcel of land lying in the SE1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Statutory Warranty Deed to Joanne Wilgus, recorded August 15, 2006 as Document No. 200618768, Deed Records of Yamhill County, said parcel being that portion of said property Northerly of the following described line:

Beginning at a point opposite and 30.00 feet Easterly of Centerline Station 43+80.46 on the herein described center line of NW Hill Road;

thence North 38°00'17" East in a straight line to a point opposite and 74.00 feet Easterly of Centerline Station 44+41.33 on said Centerline.

EXCEPT therefrom Parcel 1.

The center line of NW Hill Road is described in Parcel 1.

This parcel of land contains 78 square feet, more or less, outside the existing right of way.

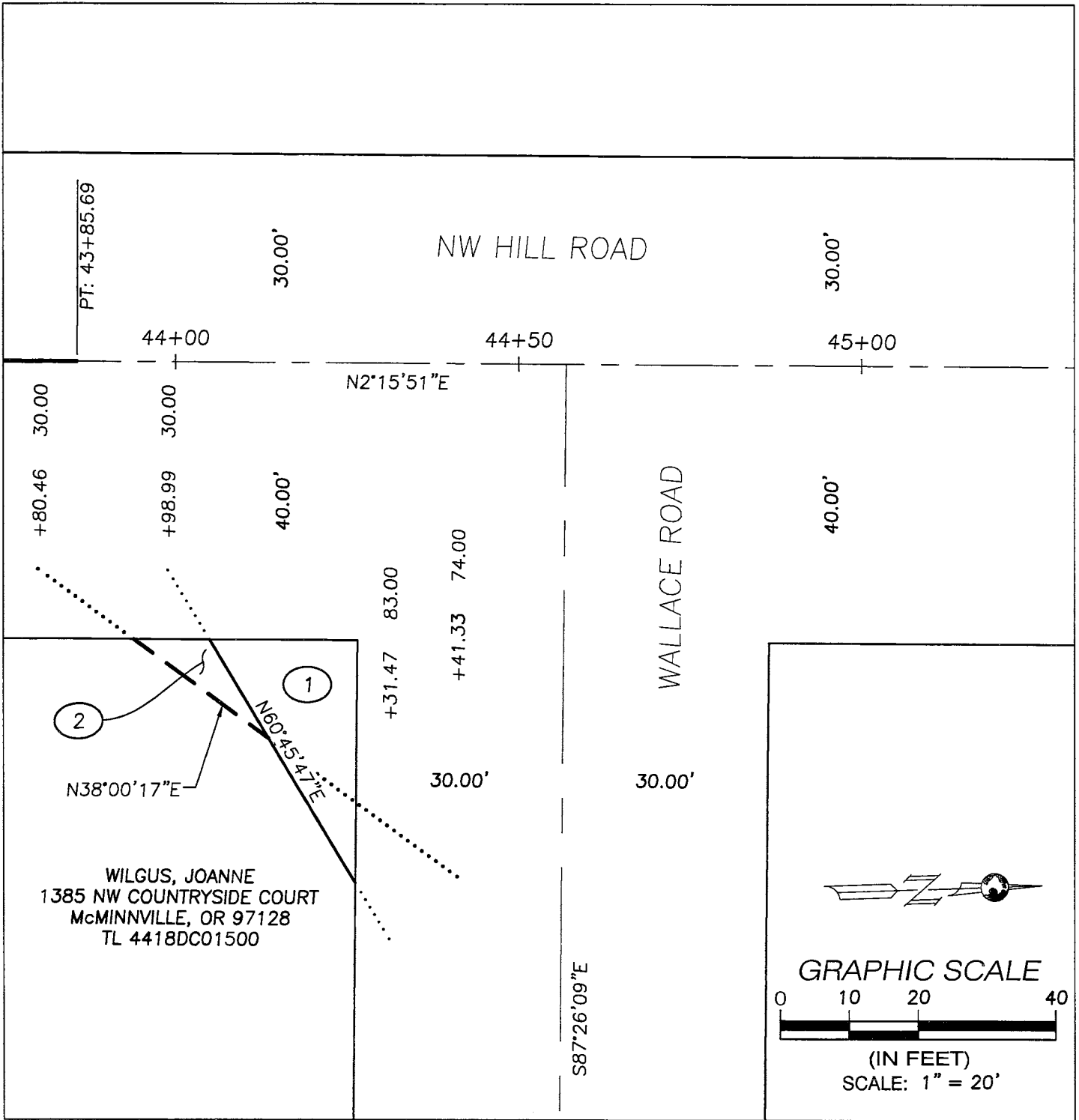
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886

RENEWAL: 12-31-16

November 10, 2016



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert C. Lennox

OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886

RENEWAL: 12-31-16

EXHIBIT B

NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 009
1385 NW COUNTRYSIDE COURT, MCMINNVILLE
SE 1/4 SECTION 18, T4S, R4W, W.M.,
YAMHILL COUNTY, OREGON

DATE: NOVEMBER 24, 2016

JOB NO.: 2015018

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EXHIBIT A - Page 1 of 2

NW Hill Road

NW Hill Road Right of Way Acquisition

TL 4418DC01400

File 010

Parcel 1 – Fee

A parcel of land lying in the SE1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Statutory Warranty Deed to Michael V Warren and Louise B Warren, recorded July 15, 2005 as Document No. 200514682, Deed Records of Yamhill County, said parcel being that portion of said property Southerly of the following described line:

Beginning at a point opposite and 87.00 feet Easterly of Centerline Station 44+80.08 on the herein described center line of NW Hill Road; thence North 60°42'10" West in a straight line to a point opposite and 30.00 feet Easterly of Centerline Station 45+09.16 on said Centerline.

The Centerline of NW Hill Road is described as follows:

Beginning at Centerline Station 10+00.00, said Station being the Centerline intersection of Northwest Hill Road and West Second Street, monumented by a 5/8" iron bar, with aluminum disc, marked "City of McMinnville", in a monument case;

thence North 02°14'49" West, a distance of 1,195.53 feet, to a Point of Intersection at Centerline Station 21+95.54, monumented by a 3/4" inside diameter iron pipe;

thence North 06°39'48" East, a distance of 1,118.61 feet, to a Point of Curve at Centerline Station 33+14.14, of a 500.00 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 59°11'44", a distance of 516.58 feet (chord bears North 36°15'40" East, a distance of 493.91 feet), to a Point of Reverse Curve at Centerline Station 38+30.72, of a 500.00 foot radius, tangent curve to the left;

thence along last said curve, through a central angle of 63°35'41", a distance of 554.97 feet (chord bears North 34°03'42" East, a distance of 526.92 feet), to a Point of Tangency at Centerline Station 43+85.69;

thence North 02°15'51" East, a distance of 3,383.41 feet to Centerline Station 77+69.10, said Station being the Centerline intersection of said Northwest Hill Road and Baker Creek Road, from which a 5/8" iron rod with yellow plastic cap, marked "Barker PLS 636" bears North 02°15'51" East, a distance of 30.22 feet.

Bearings are based on County Survey No. 13244 Yamhill County Survey Records, Yamhill County, Oregon.

This parcel of land contains 298 square feet, more or less, outside the existing right of way.

November 24, 2016

EXHIBIT A - Page 2 of 2

NW Hill Road
NW Hill Road Right of Way Acquisition
TL 4418DC01400
File 010

Parcel 2 – Permanent Sight Line Easement

A parcel of land lying in the SE1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of Lot 35, of the "Park Meadows" Plat of Subdivision, recorded January 20, 1994 on Film 3, Pages 442-444, Records of Yamhill County, said parcel being that portion of said property Southerly of the following described line:

Beginning at a point opposite and 87.00 feet Easterly of Centerline Station 44+80.08 on the herein described center line of NW Hill Road;

thence North 48°30'02" West in a straight line to a point opposite and 30.00 feet Easterly of Centerline Station 45+26.63 on said Centerline.

EXCEPT therefrom Parcel 1.

The center line of NW Hill Road is described in Parcel 1.

This parcel of land contains 323 square feet, more or less, outside the existing right of way.

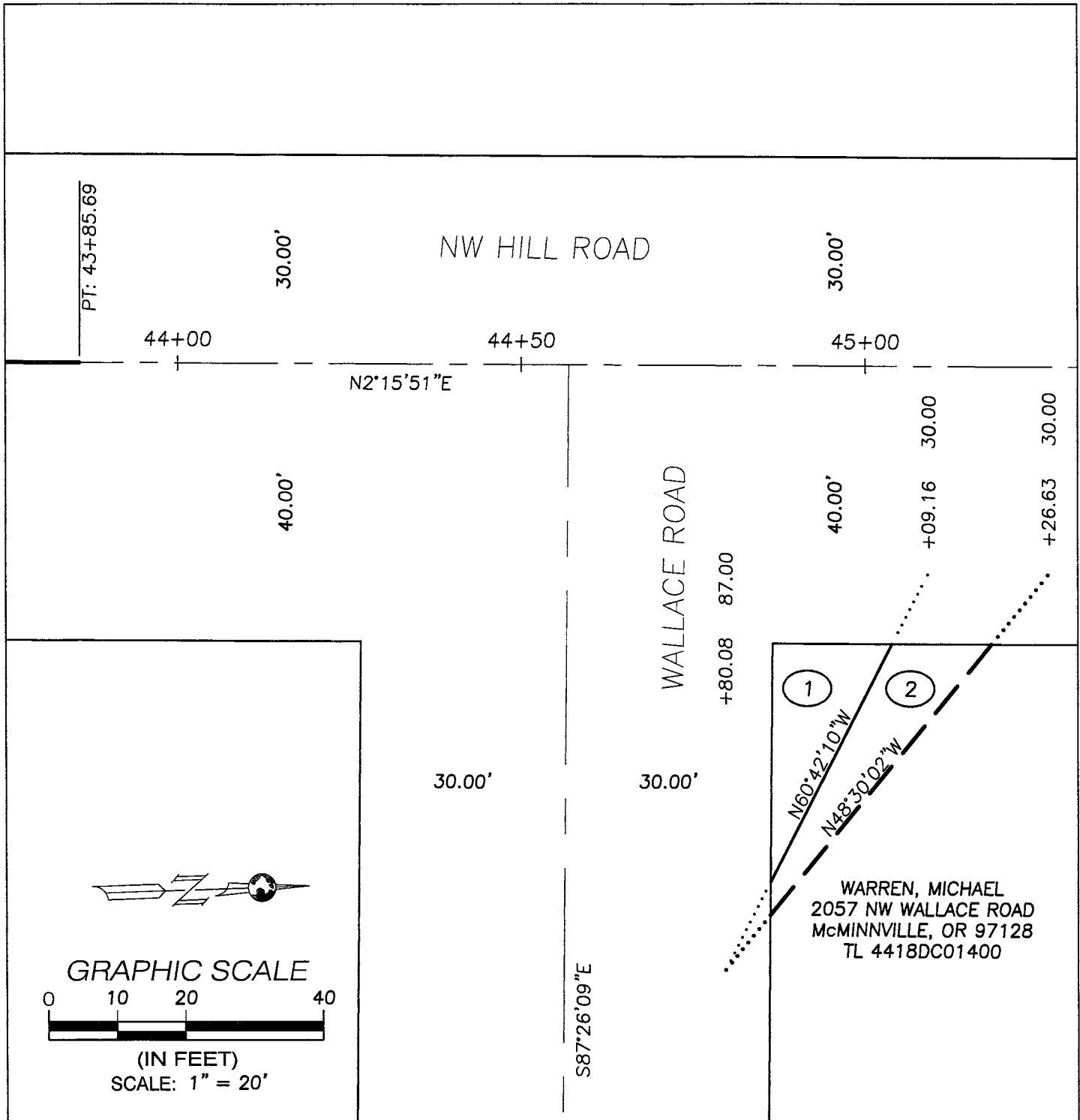
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PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886

RENEWAL: 12-31-16

November 24, 2016



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert C. Lennox

OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886
RENEWAL: 12-31-16

EXHIBIT B

NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 010
2057 NW WALLACE ROAD, MCMINNVILLE
SE 1/4 SECTION 18, T4S, R4W, W.M.,
YAMHILL COUNTY, OREGON

DATE NOVEMBER 26, 2016

JOB NO. 2015018

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EXHIBIT A - Page 1 of 1

NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800200
File 011

Parcel 1 – Fee

A parcel of land lying in the NE1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of "Parcel 7" as described in that Statutory Bargain and Sale Deed to Baker Creek Development, LLC, an Oregon limited liability company, recorded January 15, 2016 as Document No. 201600557, Deed Records of Yamhill County, said parcel being that portion of said property included in a strip of land 48.00 feet in width, lying on the East side of the Centerline of NW Hill Road, which Centerline is described as follows:

Beginning at Centerline Station 10+00.00, said Station being the Centerline intersection of Northwest Hill Road and West Second Street, monumented by a 5/8" iron bar, with aluminum disc, marked "City of McMinnville", in a monument case;

thence North 02°14'49" West, a distance of 1,195.53 feet, to a Point of Intersection at Centerline Station 21+95.54, monumented by a 3/4" inside diameter iron pipe;

thence North 06°39'48" East, a distance of 1,118.61 feet, to a Point of Curve at Centerline Station 33+14.14, of a 500.00 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 59°11'44", a distance of 516.58 feet (chord bears North 36°15'40" East, a distance of 493.91 feet), to a Point of Reverse Curve at Centerline Station 38+30.72, of a 500.00 foot radius, tangent curve to the left;

thence along last said curve, through a central angle of 63°35'41", a distance of 554.97 feet (chord bears North 34°03'42" East, a distance of 526.92 feet), to a Point of Tangency at Centerline Station 43+85.69;

thence North 02°15'51" East, a distance of 3,383.41 feet to Centerline Station 77+69.10, said Station being the Centerline intersection of said Northwest Hill Road and Baker Creek Road, from which a 5/8" iron rod with yellow plastic cap, marked "Barker PLS 636" bears North 02°15'51" East, a distance of 30.22 feet.

EXCEPT therefrom

Existing public right of way.

Bearings are based on County Survey No. 13244 Yamhill County Survey Records, Yamhill County, Oregon.

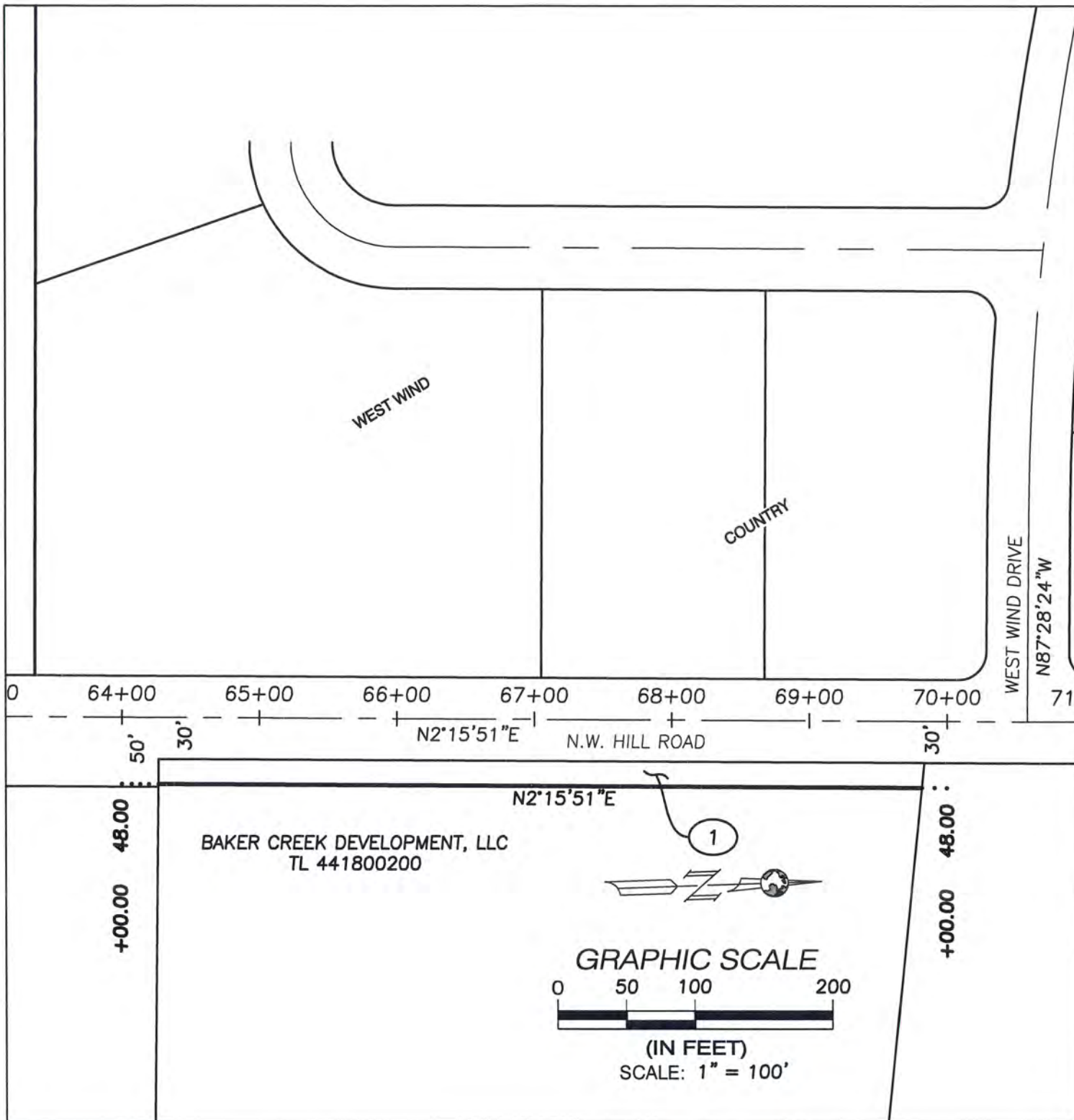
This parcel of land contains 10,008 square feet, more or less, outside the existing right of way.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert C. Lennox

OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886

December 1, 2016



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert C. Lennox

OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886

RENEWAL: 12-31-16

EXHIBIT B

NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 011
NE 1/4 SECTION 18, T4S, R4W, W.M.,
YAMHILL COUNTY, OREGON

DATE DECEMBER 1, 2016

JOB NO. 2015018

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EXHIBIT A - Page 1 of 2

NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800203
File 012

Parcel 1 – Fee

A parcel of land lying in the NE1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of "Parcel 6" as described in that Statutory Bargain and Sale Deed to Baker Creek Development, LLC, an Oregon limited liability company, recorded January 15, 2016 as Document No. 201600557, Deed Records of Yamhill County, said parcel being that portion of said property included in a strip of land variable in width, lying on the East side of the Centerline of NW Hill Road, which Centerline is described as follows:

Beginning at Centerline Station 10+00.00, said Station being the Centerline intersection of Northwest Hill Road and West Second Street, monumented by a 5/8" iron bar, with aluminum disc, marked "City of McMinnville", in a monument case;

thence North 02°14'49" West, a distance of 1,195.53 feet, to a Point of Intersection at Centerline Station 21+95.54, monumented by a 3/4" inside diameter iron pipe;

thence North 06°39'48" East, a distance of 1,118.61 feet, to a Point of Curve at Centerline Station 33+14.14, of a 500.00 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 59°11'44", a distance of 516.58 feet (chord bears North 36°15'40" East, a distance of 493.91 feet), to a Point of Reverse Curve at Centerline Station 38+30.72, of a 500.00 foot radius, tangent curve to the left;

thence along last said curve, through a central angle of 63°35'41", a distance of 554.97 feet (chord bears North 34°03'42" East, a distance of 526.92 feet), to a Point of Tangency at Centerline Station 43+85.69;

thence North 02°15'51" East, a distance of 3,383.41 feet to Centerline Station 77+69.10, said Station being the Centerline intersection of said Northwest Hill Road and Baker Creek Road, from which a 5/8" iron rod with yellow plastic cap, marked "Barker PLS 636" bears North 02°15'51" East, a distance of 30.22 feet.

December 1, 2016

EXHIBIT A - Page 2 of 2
 NW Hill Road
 NW Hill Road Right of Way Acquisition
 TL 441800203
 File 012

The width in feet of said strip of land is as follows:

Station	to	Station	Width on East Side of Center Line
69+66.71		70+23.99	48.00
70+23.99		70+29.92	48.00 in a straight line to 55.76
70+29.92		70+32.70	55.76 in a straight line to 65.11
70+32.70		70+83.03	65.11 in a straight line to 64.89
70+83.03		70+85.84	64.89 in a straight line to 55.66
70+85.84		70+91.72	55.66 in a straight line to 48.00
70+91.72		76+80.90	48.00
76+80.90		76+94.21	48.00 in a straight line to 56.30
76+94.21		77+05.11	56.30 in a straight line to 67.58
77+05.11		77+12.96	67.58 in a straight line to 81.16
77+12.96		76+90.10	81.16 in a straight line to 315.68
76+90.10		77+23.84	315.68 in a straight line to 318.97

EXCEPT therefrom

Existing public right of way.

Bearings are based on County Survey No. 13244 Yamhill County Survey Records, Yamhill County, Oregon.

This parcel of land contains 19,841 square feet, more or less, outside the existing right of way.

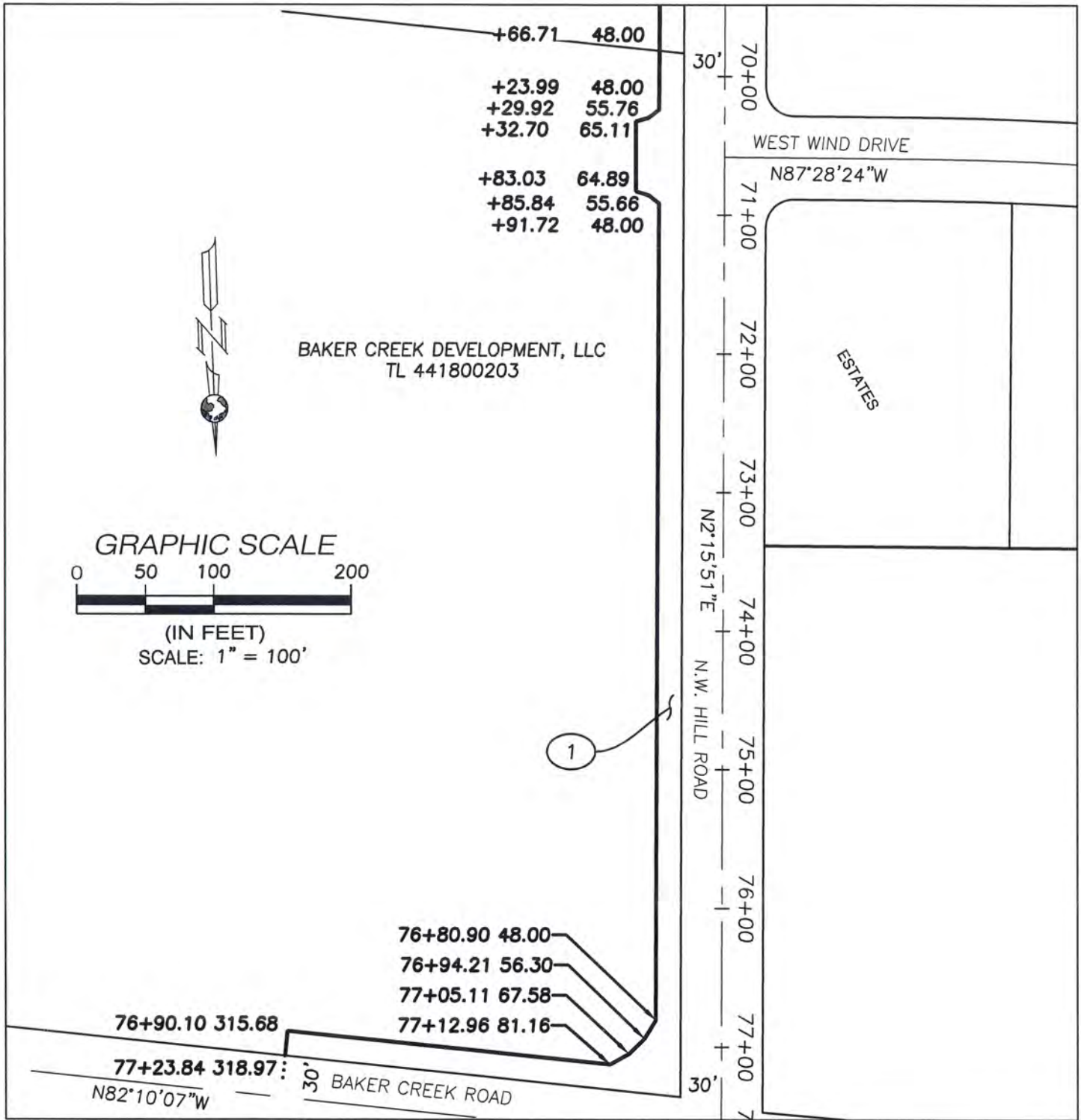
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert C. Lennox

OREGON
 JULY 14, 1998
 ROBERT C. LENNOX
 2886

RENEWAL: 12-31-16

December 1, 2016



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert C. Lennox

OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886
RENEWAL: 12-31-16

EXHIBIT B

NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 012
NE 1/4 SECTION 18, T4S, R4W, W.M.,
YAMHILL COUNTY, OREGON

DATE DECEMBER 1, 2016

JOB NO. 2015018

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EXHIBIT A - Page 1 of 3

NW Hill Road

NW Hill Road Right of Way Acquisition

TL 441801200

File 013

Parcel 1 – Fee

A parcel of land lying in the NW1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Bargain and Sale Deed to Dennis L. Draper and Katherine Sue Draper, Co-Trustees of the Draper Family Trust, recorded July 23, 2001, as Document No. 200112218, Deed Records of Yamhill County, said parcel being that portion of said property Northeasterly of the following described line:

Beginning at Centerline Station 75+53.24 on the herein described center line of NW Hill Road;

thence to a point opposite and 30.00 feet Westerly of Centerline Station 75+53.24;

thence to a point opposite and 30.00 feet Westerly of Centerline Station 76+04.42, said point also being a Point of Curve of a 235.50 foot radius non-tangent curve to the left;

thence along said curve, through a central angle of 21°12'15", a distance of 87.15 feet (chord bears North 10°20'00" West, a distance of 86.66 feet) to a Point of Compound Curvature of a 109.00 foot radius tangent curve to the left;

thence along said curve, through a central angle of 28°01'41", a distance of 53.32 feet (chord bears North 34°56'58" West, a distance of 52.79 feet) to a Point of Compound Curvature of a 77.00 foot radius tangent curve to the left;

thence along said curve, through a central angle of 38°56'18", a distance of 52.33 feet (chord bears North 68°25'57" West, a distance of 51.33 feet) to a point opposite and 129.27 feet Westerly of Centerline Station 77+48.00;

thence to a point opposite and 145.86 feet Westerly of Centerline Station 77+47.96;

thence to a point opposite and 258.48 feet Westerly of Centerline Station 77+59.40;

thence to a point opposite and 257.64 feet Westerly of Centerline Station 77+69.10;

December 2, 2016

EXHIBIT A - Page 2 of 3

NW Hill Road

NW Hill Road Right of Way Acquisition

TL 441801200

File 013

The centerline of NW Hill Road is described as follows:

Beginning at Centerline Station 10+00.00, said Station being the Centerline intersection of Northwest Hill Road and West Second Street, monumented by a 5/8" iron bar, with aluminum disc, marked "City of McMinnville", in a monument case;

thence North 02°14'49" West, a distance of 1,195.53 feet, to a Point of Intersection at Centerline Station 21+95.54, monumented by a 3/4" inside diameter iron pipe;

thence North 06°39'48" East, a distance of 1,118.61 feet, to a Point of Curve at Centerline Station 33+14.14, of a 500.00 foot radius, tangent curve to the right;

thence along said curve, through a central angle of 59°11'44", a distance of 516.58 feet (chord bears North 36°15'40" East, a distance of 493.91 feet), to a Point of Reverse Curve at Centerline Station 38+30.72, of a 500.00 foot radius, tangent curve to the left;

thence along last said curve, through a central angle of 63°35'41", a distance of 554.97 feet (chord bears North 34°03'42" East, a distance of 526.92 feet), to a Point of Tangency at Centerline Station 43+85.69;

thence North 02°15'51" East, a distance of 3,383.41 feet to Centerline Station 77+69.10, said Station being the Centerline intersection of said Northwest Hill Road and Baker Creek Road, from which a 5/8" iron rod with yellow plastic cap, marked "Barker PLS 636" bears North 02°15'51" East, a distance of 30.22 feet.

Bearings are based on County Survey No. 13244 Yamhill County Survey Records, Yamhill County, Oregon.

This parcel of land contains 4,301 square feet, more or less, outside the existing right of way.

EXHIBIT A - Page 3 of 3
NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441801200
File 013

Parcel 2 – Temporary Construction Easement

A parcel of land lying in the NW1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Bargain and Sale Deed to Dennis L. Draper and Katherine Sue Draper, Co-Trustees of the Draper Family Trust, recorded July 23, 2001, as Document No. 200112218, Deed Records of Yamhill County, said parcel being that portion of said property Northeasterly of the following described line:

Beginning at Centerline Station 75+53.24 on the herein described center line of NW Hill Road;

thence to a point opposite and 35.00 feet Westerly of Centerline Station 75+53.24;

thence to a point opposite and 35.00 feet Westerly of Centerline Station 76+04.34, said point also being a Point of Curve of a 230.50 foot radius non-tangent curve to the left;

thence along said curve, through a central angle of 21°12'15", a distance of 85.22 feet (chord bears North 10°20'39" West, a distance of 84.73 feet) to a Point of Compound Curvature of a 104.00 foot radius tangent curve to the left;

thence along said curve, through a central angle of 28°01'41", a distance of 50.87 feet (chord bears North 34°56'58" West, a distance of 50.37 feet) to a Point of Compound Curvature of a 72.00 foot radius tangent curve to the left;

thence along said curve, through a central angle of 38°56'18", a distance of 48.93 feet (chord bears North 68°25'57" West, a distance of 48.00 feet) to a point opposite and 129.25 feet Westerly of Centerline Station 77+43.00;

thence to a point opposite and 146.11 feet Westerly of Centerline Station 77+42.95;

thence to a point opposite and 258.92 feet Westerly of Centerline Station 77+54.42;

thence to a point opposite and 257.64 feet Westerly of Centerline Station 77+69.10;

EXCEPT therefrom Parcel 1.

This parcel of land contains 1,850 square feet, more or less, outside the existing right of way.

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PROFESSIONAL
LAND SURVEYOR



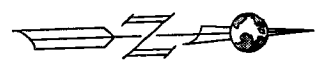
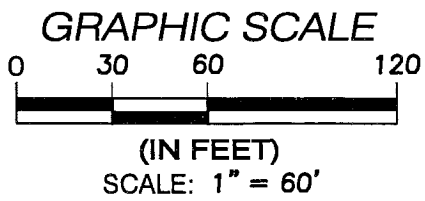
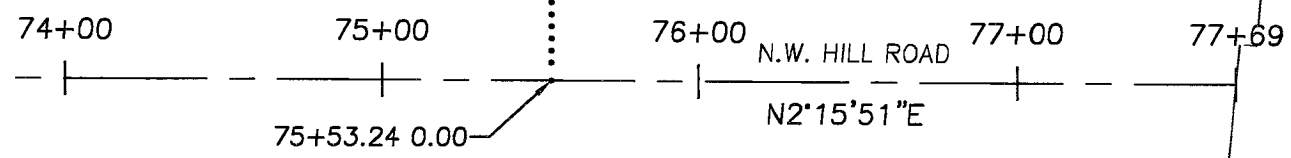
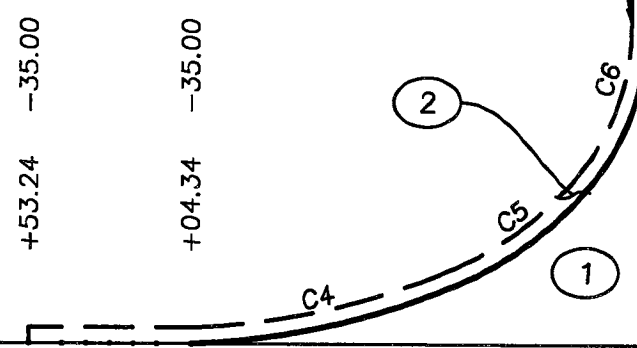
OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886

December 2, 2016

RENEWAL: 12-31-16

77+69.10 -257.64
 77+54.42 -258.92
 77+42.95 -146.11
 77+43.00 -129.25

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C4	85.22	230.50	21°12'15"	N10° 20' 39"W	84.73
C5	50.87	104.00	28°01'41"	N34° 56' 58"W	50.37
C6	48.93	72.00	38°56'18"	N68° 25' 57"W	48.00



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert C. Lennox

OREGON
 JULY 14, 1998
 ROBERT C. LENNOX
 2886
 RENEWAL: 12-31-16

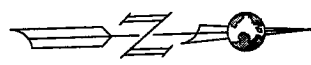
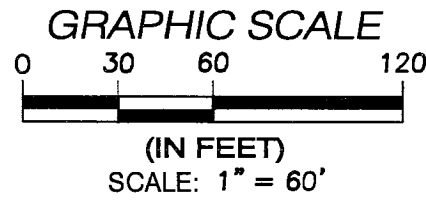
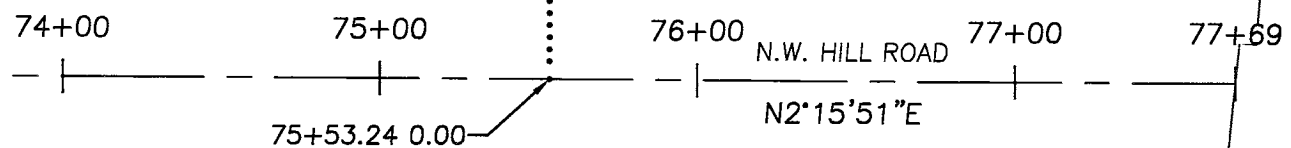
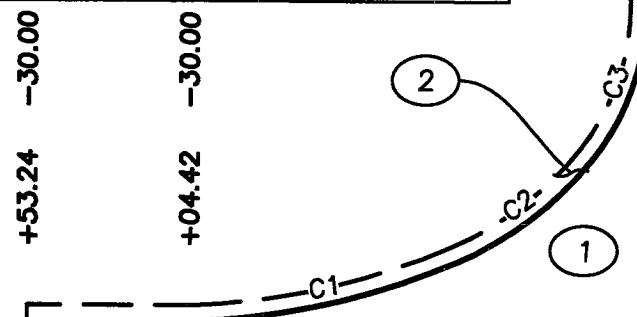
EXHIBIT B
 NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 013
 1105 BAKER CREEK ROAD, MCMINNVILLE
 NW 1/4 SECTION 18, T4S, R4W, W.M.,
 YAMHILL COUNTY, OREGON
SHEET 2 OF 2

DATE: DECEMBER 2, 2016
 JOB NO.: 2015018

**bluedot
 group**

land surveying & mapping
 11700 sw 67th ave
 portland, or 97223
 v. 503.624.0108
 f. 503.624.9058

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	87.15	235.50	21°12'15"	N10° 20' 00"W	86.66
C2	53.32	109.00	28°01'41"	N34° 56' 58"W	52.79
C3	52.33	77.00	38°56'18"	N68° 25' 57"W	51.33



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EXHIBIT B
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1105 BAKER CREEK ROAD, MCMINNVILLE
NW 1/4 SECTION 18, T4S, R4W, W.M.,
YAMHILL COUNTY, OREGON
SHEET 1 OF 2

DATE: DECEMBER 2, 2016
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**bluedot
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EXHIBIT A - Page 1 of 2

NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441801700
File 014

Fee

A parcel of land lying in the NW1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Statutory Warranty Deed to CAN Enterprises LLC, an Oregon Limited Liability Company, recorded July 15, 2016 as Document No. 201610792, Deed Records of Yamhill County, said parcel being that portion of said property included in a strip of land variable in width, lying Southerly of the following described line:

Beginning at a point opposite and 256.31 feet Northerly of Centerline Station 9+80.00 on the herein described center line of Baker Creek Road;

thence North 82°10'07" West, a distance of 27.02 feet, to a point opposite and 251.28 feet Northerly of Centerline Station 10+08.54;

thence South 07°40'58" West, a distance of 103.81 feet, to a point opposite and 147.47 feet Northerly of Centerline Station 10+09.78 on said Centerline;

thence North 82°19'02" West, a distance of 5.74 feet, to a point opposite and 147.54 feet Northerly of Centerline Station 10+15.52 on said Centerline;

thence South 08°50'25" West, a distance of 17.31 feet, to the Point of Curve, of a 84.89 foot radius tangent curve to the right, opposite 130.24 feet Northerly of Centerline Station 10+16.08;

thence along said curve, through a central angle of 46°16'45", a distance of 68.57 feet (chord bears South 31°58'48" West, a distance of 66.72 feet), to a point opposite and 69.76 feet Northerly of Centerline Station 10+44.26 on said Centerline;

thence North 34°17'13" West, a distance of 24.99 feet, to the Point of Curve, of a 98.00 foot radius, non-tangent curve to the right, opposite 88.54 feet Northerly of Centerline Station 10+60.74;

thence along said curve, through a central angle of 21°26'13", a distance of 36.67 feet (chord bears South 66°25'53" West, a distance of 36.45 feet), to a point opposite and 70.00 feet Northerly of Centerline Station 10+92.13 on said Centerline;

thence North 83°00'12" West, parallel with the centerline of Baker Creek Road, a distance of 206.94 feet, to a point opposite and 70.00 feet Northerly of Centerline Station 12+99.07 on said Centerline;

December 2, 2016

EXHIBIT A - Page 2 of 2
NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441801700
File 014

thence South 06°59'48" West, perpendicular to the centerline of Baker Creek Road, a distance of 70.00 feet, to Centerline Station 12+99.07 on said Centerline.

The centerline of Baker Creek Road is described as follows:

Beginning at centerline station 0+00.00, from which the centerline intersection of Baker Creek Road and NW Meadows Drive bears South 82°10'07" East, a distance of 115.50 feet, monumented by a 5/8" iron rod, with a yellow plastic cap inscribed "BARKER PLS 636";

thence North 82°10'07" West, a distance of 982.02 feet, to the centerline intersection of Baker Creek Road and NW Hill Road, from which a 5/8" iron rod, with a yellow plastic cap inscribed "BARKER PLS 636" bears North 02°15'10" East, a distance of 30.22 feet;

thence continuing North 82°10'07" West, a distance of 12.80 feet at Centerline Station 9+94.84;

thence North 07°49'53" East, a distance of 5.19 feet at Centerline Station 10+00.00;

thence North 83°00'12" West, a distance of 334.21 feet to the Point of Curve at Centerline Station 13+34.20, of a 280.00 foot radius tangent curve to the right;

thence along said curve, through a central angle of 58°45'54", a distance of 287.17 feet (chord bears North 53°37'15" West, a distance of 274.76 feet) at Centerline Station 16+21.38;

thence North 24°14'18" West, a distance of 78.62 feet at Centerline Station 17+00.00, from which a 5/8" iron rod with an aluminum cap inscribed, "MARIS," bears South 23°47'41" East a distance of 232.82 feet.

Bearings are based on County Survey No. 13244,
Yamhill County Survey Records.

This parcel of land contains 15,285 square feet, more or less, outside the existing right of way.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

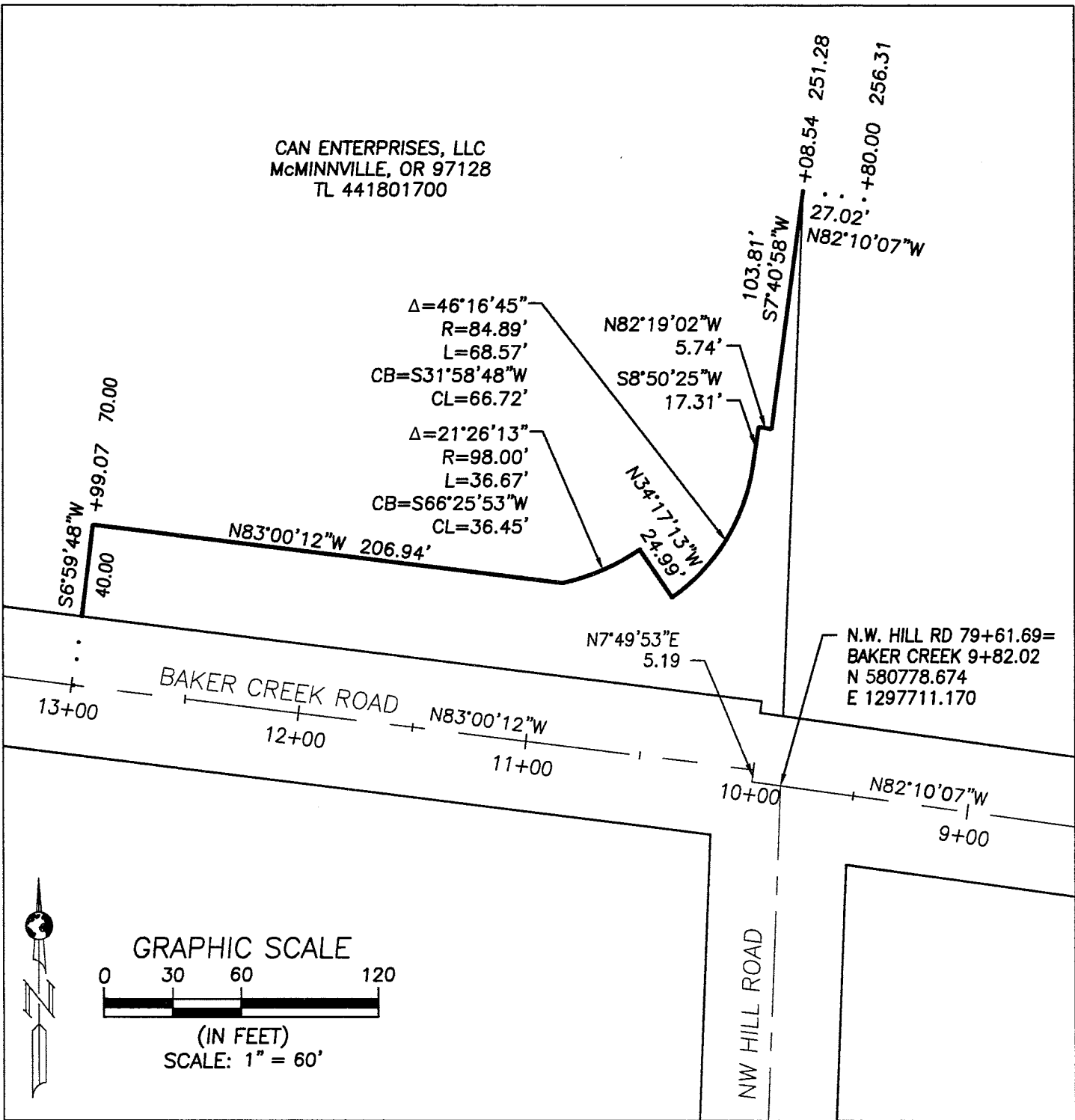


OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886

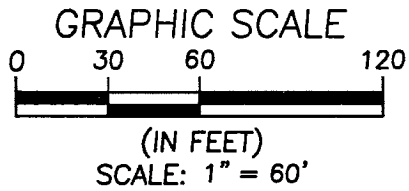
RENEWAL: 12-31-16

December 2, 2016

CAN ENTERPRISES, LLC
 McMinnville, OR 97128
 TL 441801700



N.W. HILL RD 79+61.69=
 BAKER CREEK 9+82.02
 N 580778.674
 E 1297711.170



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert C. Lennox

OREGON
 JULY 14, 1998
 ROBERT C. LENNOX
 2886
 RENEWAL: 12-31-16

EXHIBIT B
 NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 014
 VACANT LOT, MCMINNVILLE, OR
 NW 1/4 SECTION 18, T4S, R4W, W.M.,
 YAMHILL COUNTY, OREGON

DATE: DECEMBER 2, 2016
 JOB NO.: 2015018

bluedot
 group

land surveying & mapping
 11700 sw 67th ave
 portland, or 97223
 v. 503.624.0108
 f. 503.624.9058

EXHIBIT A - Page 1 of 2

NW Hill Road

NW Hill Road Right of Way Acquisition

TL 441800100

File 015

Fee

A parcel of land lying in the NE1/4 of Section 18, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Statutory Bargain and Sale Deed to Baker Creek Development LLC, an Oregon Limited Liability Company, recorded January 15, 2016 as Document No. 201600557, Deed Records of Yamhill County, said parcel being that portion of said property described as Parcel 2, Tract 1 of said deed, included in a strip of land variable in width, lying Southerly of the following described line:

Beginning at Centerline Station 6+51.20 on the herein described center line of Baker Creek Road;

thence North $07^{\circ}48'42''$ East, a distance of 48.00 feet;

thence North $82^{\circ}10'07''$ West, a distance of 240.43 feet to the Point of Curve of a 46.00 foot radius curve to the right, opposite 48.00 feet Northerly of Centerline Station 8+91.63 on said Centerline;

thence along said curve, through a central angle of $21^{\circ}10'29''$, a distance of 17.00 feet (chord bears North $40^{\circ}18'33''$ West, a distance of 16.90 feet), to a point of Reverse Curve of a 91.00 foot radius curve to the left, opposite and 59.28 feet Northerly of Centerline Station 9+04.22 on said Centerline;

thence along said curve, through a central angle of $61^{\circ}47'59''$, a distance of 98.15 feet (chord bears North $60^{\circ}37'18''$ West, a distance of 93.46 feet), opposite 84.81 feet Northerly of Centerline Station 10+10.00.

December 2, 2016

EXHIBIT A - Page 2 of 2
NW Hill Road
NW Hill Road Right of Way Acquisition
TL 441800100
File 015

The centerline of Baker Creek Road is described as follows:

Beginning at centerline station 0+00.00, from which the centerline intersection of Baker Creek Road and NW Meadows Drive bears South 82°10'07" East, a distance of 115.50 feet, monumented by a 5/8" iron rod, with a yellow plastic cap inscribed "BARKER PLS 636";

thence North 82°10'07" West, a distance of 982.02 feet, to the centerline intersection of Baker Creek Road and NW Hill Road, from which a 5/8" iron rod, with a yellow plastic cap inscribed "BARKER PLS 636" bears North 02°15'10" East, a distance of 30.22 feet;

thence continuing North 82°10'07" West, a distance of 12.80 feet at Centerline Station 9+94.84;

thence North 07°49'53" East, a distance of 5.19 feet at Centerline Station 10+00.00;

thence North 83°00'12" West, a distance of 334.21 feet to the Point of Curve at Centerline Station 13+34.20, of a 280.00 foot radius tangent curve to the right;

thence along said curve, through a central angle of 58°45'54", a distance of 287.17 feet (chord bears North 53°37'15" West, a distance of 274.76 feet) at Centerline Station 16+21.38;

thence North 24°14'18" West, a distance of 78.62 feet at Centerline Station 17+00.00, from which a 5/8" iron rod with an aluminum cap inscribed, "MARIS," bears South 23°47'41" East a distance of 232.82 feet.

Bearings are based on County Survey No. 13244,
Yamhill County Survey Records.

This parcel of land contains 9,274 square feet, more or less, outside the existing right of way.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 14, 1998
ROBERT C. LENNOX
2886

RENEWAL: 12-31-16

December 2, 2016

BAKER CREEK DEVELOPMENT, LLC
 McMinnville, OR 97128
 TL 441800100

10+00 84.81'

$\Delta=61^{\circ}47'59''$
 $R=91.00'$
 $L=98.15'$
 $CB=N60^{\circ}37'18''W$
 $CL=93.46'$

$\Delta=21^{\circ}10'29''$
 $R=46.00'$
 $L=17.00'$
 $CB=N40^{\circ}18'33''W$
 $CL=16.90'$

51.20 48.00'

$N82^{\circ}10'07''W$ 240.43'

$N7^{\circ}49'53''E$
 5.19

$N82^{\circ}10'07''W$
 9+00

$N7^{\circ}48'42''E$
 18.00'

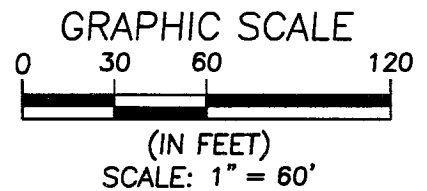
10+00

BAKER CREEK ROAD
 8+00 7+00

6+00

N.W. HILL RD 79+61.69=
 BAKER CREEK 9+82.02
 N 580778.674
 E 1297711.170

NW HILL ROAD



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert C. Lennox

OREGON
 JULY 14, 1998
 ROBERT C. LENNOX
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 RENEWAL: 12-31-16

EXHIBIT B

NW HILL ROAD RIGHT OF WAY ACQUISITION - FILE 015
 VACANT LOT, MCMINNVILLE, OR
 NE 1/4 SECTION 18, T4S, R4W, W.M.,
 YAMHILL COUNTY, OREGON

DATE DECEMBER 2, 2016

JOB NO. 2015018

**bluedot
 group**

land surveying & mapping
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 portland, or 97223
 v. 503.624.0108
 f. 503.624.9058



City of McMinnville
Community Development Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7312

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: March 28, 2017
TO: Jeff Towery, City Manager
FROM: Mike Bisset, Community Development Director
SUBJECT: Jackson Family Wines Property Line Adjustment and Easement Request – Airport Property

Council Goal:

Promote Sustainable Growth and Development

Report in Brief:

This action is the consideration of a resolution that will:

1. Approve the initiation of a Property Line Adjustment (PLA) between the City and Jackson Family Wines, and authorize the City Manager to sign the PLA application documents; and
2. Grant, upon completion of the PLA and upon the receipt of the agreed upon compensation, an access and utility on City owned property to Jackson Family Wines, and authorize the City Manager to sign the easement documents.

Background / Discussion:

Jackson Family Wines is currently working on a project to construct a winery on property adjacent to airport property west of Armory Way. They have requested that the City grant them an access and utility easement to construct a circulation roadway and associated drainage facilities on the City property (taxlot R4426 00500). *See Attachment 2 - Airport Site Map and Attachment 3 - Jackson Family Wines Site Plan.*

The City's adopted Transportation System Plan identifies that in the future a public street will be constructed on the City property, extending west from Armory Way to a future public roadway extending south from the Highway 18 / Cumulus Avenue intersection (*see Attachment 4 - Transportation System Plan Drawing*).

Thus, the easement area requested by Jackson Family Wines will eventually be public right-of-way, and the access roadway to be constructed by Jackson Family Wines will eventually be replaced by a future public street.

The easement request was reviewed by the McMinnville Airport Commission at their September 6, 2016 meeting. The Commission unanimously recommended that the City Council approve the proposed easement request (*see Attachment 5 -September 6, 2016 Airport Commission Meeting Minutes*).

The access and utility easement, as proposed, will encumber 16,649 square feet (approximately 0.38 acres), and Jackson Family Wines will compensate the City \$3,200.00 for granting the easement. The funds received for the easement will be allocated to the City's Airport Fund (Fund 25). See *Attachment 6 – Access And Utility Easement*.

Subsequent to the Airport Commission review and approval of the easement request, a discrepancy in the property line between the Jackson Family Wines parcel and the City owned parcel was discovered. The area in question was subject to a property line adjustment (PLA) between the City and Evergreen Helicopters in January 1987. The survey map (see *Attachment 7 - County Survey 8846*) that was a part of the 1987 PLA did not match the legal description contained in the warranty deed recorded by Evergreen Helicopters to complete the PLA (see *Attachment 8 – Warranty Deed recorded as Film Volume 210 Page 266 in the Yamhill County Deed Records*).

The error results in a strip of property approximately 18' wide by 55.37' long that was intended to be City property, but remains under the ownership of Jackson Family Wines. The property in question is within the area that will be future public right-of-way (and a future public street), and within the area that Jackson Family Wines has requested an access and utilities easement. See *Attachment 9 – Map Showing Error Area*.

In order to provide for clear title of the area in question, and to accommodate the Jackson Family Wines easement request, a property line adjustment (PLA) between the City and Jackson Family Wines must be completed. The attached resolution authorizes the City Manager to sign the PLA documents.

Upon completion of the PLA and upon the receipt of the agreed upon compensation, an access and utilities on City owned property can be granted to Jackson Family Wines. The attached resolution approves the easement request, and authorizes the City Manager to sign the easement documents.

Attachments:

1. Resolution
2. Airport Site Map
3. Jackson Family Wines Site Map
4. Transportation System Plan Map
5. September 6, 2016 Airport Commission Meeting Minutes
6. Access And Utility Easement
7. County Survey 8846
8. Warranty Deed Film Volume 210 Page 266
9. Survey Map of Error Area

Fiscal Impact:

Jackson Family Wines will compensate the City \$3,200.00 for granting the easement. The funds received for the easement will be allocated to the City's Airport Fund (Fund 25).

Recommendation:

Staff recommends that the City Council adopt the attached resolution that will:

1. Approve the initiation of a Property Line Adjustment (PLA) between the City and Jackson Family Wines, and authorize the City Manager to sign the PLA application documents; and
2. Grant, upon completion of the PLA and upon the receipt of the agreed upon compensation, an access and utility on City owned property to Jackson Family Wines, and authorize the City Manager to sign the easement documents.

RESOLUTION NO. 2017-25

A Resolution approving the initiation of a Property Line Adjustment between the City and Jackson Family Wines, and granting an Access and Utility Easement on City owned property to Jackson Family Wines.

RECITALS:

Jackson Family Wines (JFW) is currently working on a project to construct a winery on property adjacent to airport property west of Armory Way.

JFW has requested that the City grant an access and utility easement to allow for the construction of a circulation roadway and associated drainage facilities on the City property.

The easement area requested by JFW will eventually be public right-of-way, and the access roadway to be constructed by JFW will eventually be replaced by a future public street.

The easement request was reviewed by the McMinnville Airport Commission at their September 6, 2016 meeting, and the Commission unanimously recommended that the City Council approve the proposed easement request.

The access and utility easement, as proposed, will encumber 16,649 square feet (approximately 0.38 acres), and JFW will compensate the City \$3,200.00 for granting the easement.

Subsequent to the Airport Commission review and approval of the easement request, a discrepancy in the property line between the JFW parcel and the City owned parcel was discovered. The area in question was subject to a property line adjustment (PLA) between the City and Evergreen Helicopters in January 1987. The survey map that was a part of the 1987 PLA did not match the legal description contained in the warranty deed recorded by Evergreen Helicopters to complete the PLA.

The error results in a strip of property approximately 18' wide by 55.37' long that was intended to be City property, but remains under the ownership of JFW.

The property in question is within the area that will be future public right-of-way (and a future public street), and within the area that JFW has requested an access and utilities easement.

In order to provide for clear title of the area in question, and to accommodate the JFW easement request, a property line adjustment (PLA) between the City and JFW must be completed.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON as follows:

1. That the initiation of a Property Line Adjustment between the City and Jackson Family Wines is approved, and the City Manager is authorized sign the Property Line Adjustment application documents.
2. That, upon completion of the Property Line Adjustment and upon the receipt of the agreed upon compensation of \$3,200.00, the City shall grant an access and utility easement on City owned property to Jackson Family Wines, and the City Manager is authorized to sign the easement documents.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 28th day of March, 2017 by the following votes:

Ayes: _____

Nays: _____

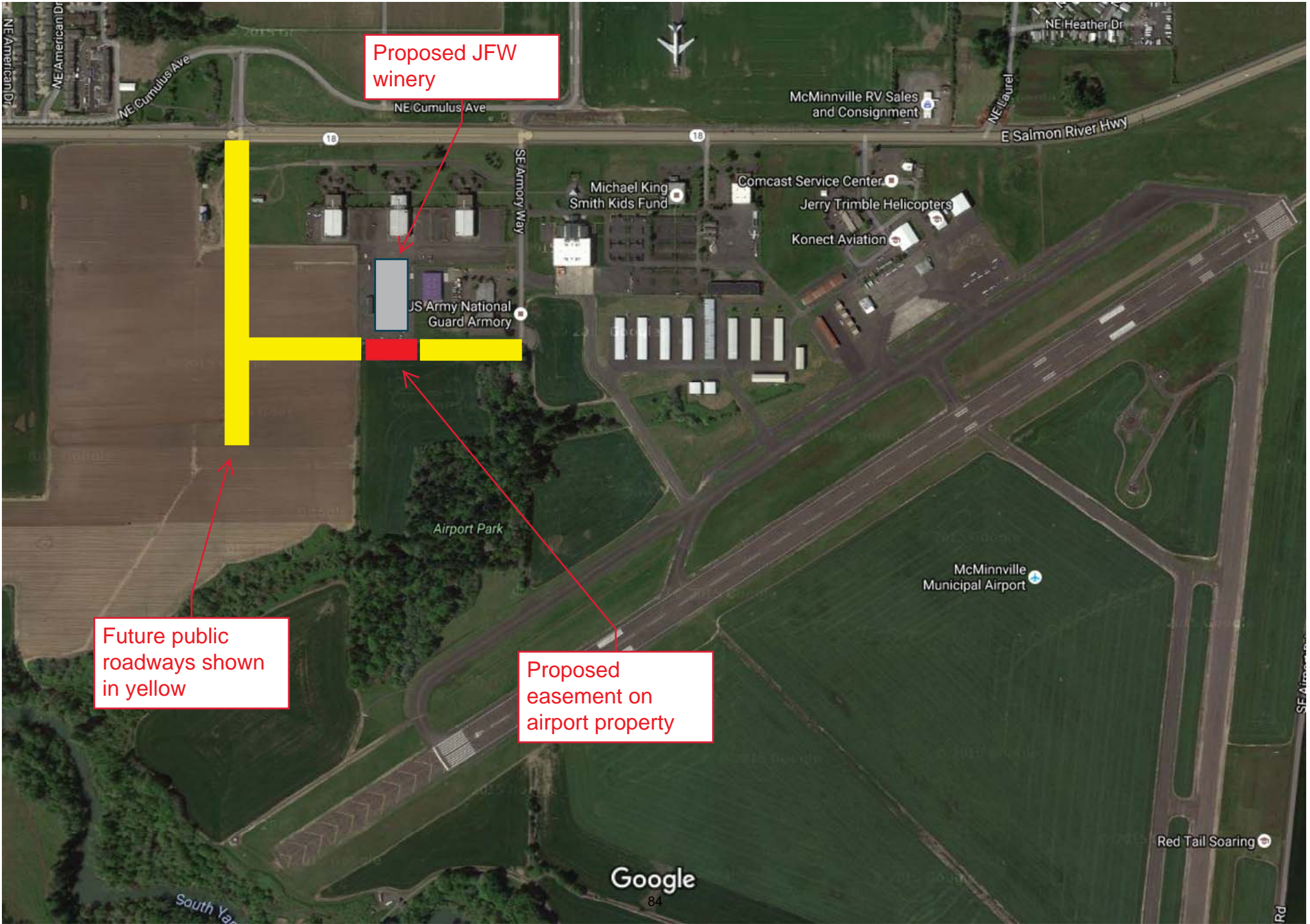
Approved this 28th day of March, 2017.

MAYOR

Approved as to form:



CITY ATTORNEY



Proposed JFW winery

Future public roadways shown in yellow

Proposed easement on airport property



AKS ENGINEERING & FORESTRY, LLC
 12065 SW HERMAN RD. STE 100
 TUALATIN, OR 97062
 P: 503.563.6151
 F: 503.563.6152
 aks-eng.com

ENGINEERING - SURVEYING - NATURAL RESOURCES
 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

JFW OREGON
SE ARMORY WAY
OREGON
 YAMHILL COUNTY TAX MAP 4S 4W 26

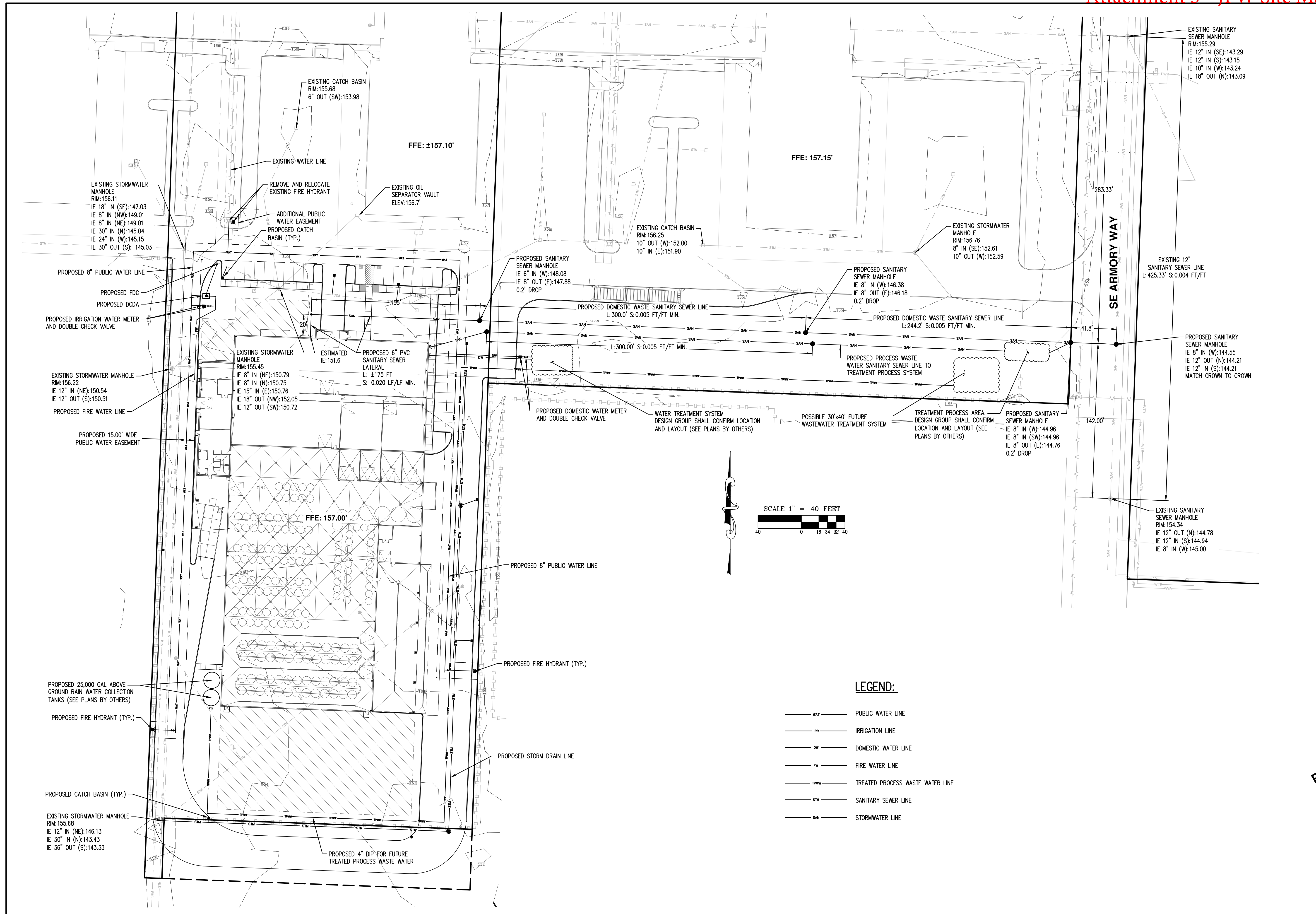
MCMINNVILLE
 TAX LOT 200, 204, 300 & 400

**COMPOSITE
 UTILITY PLAN**

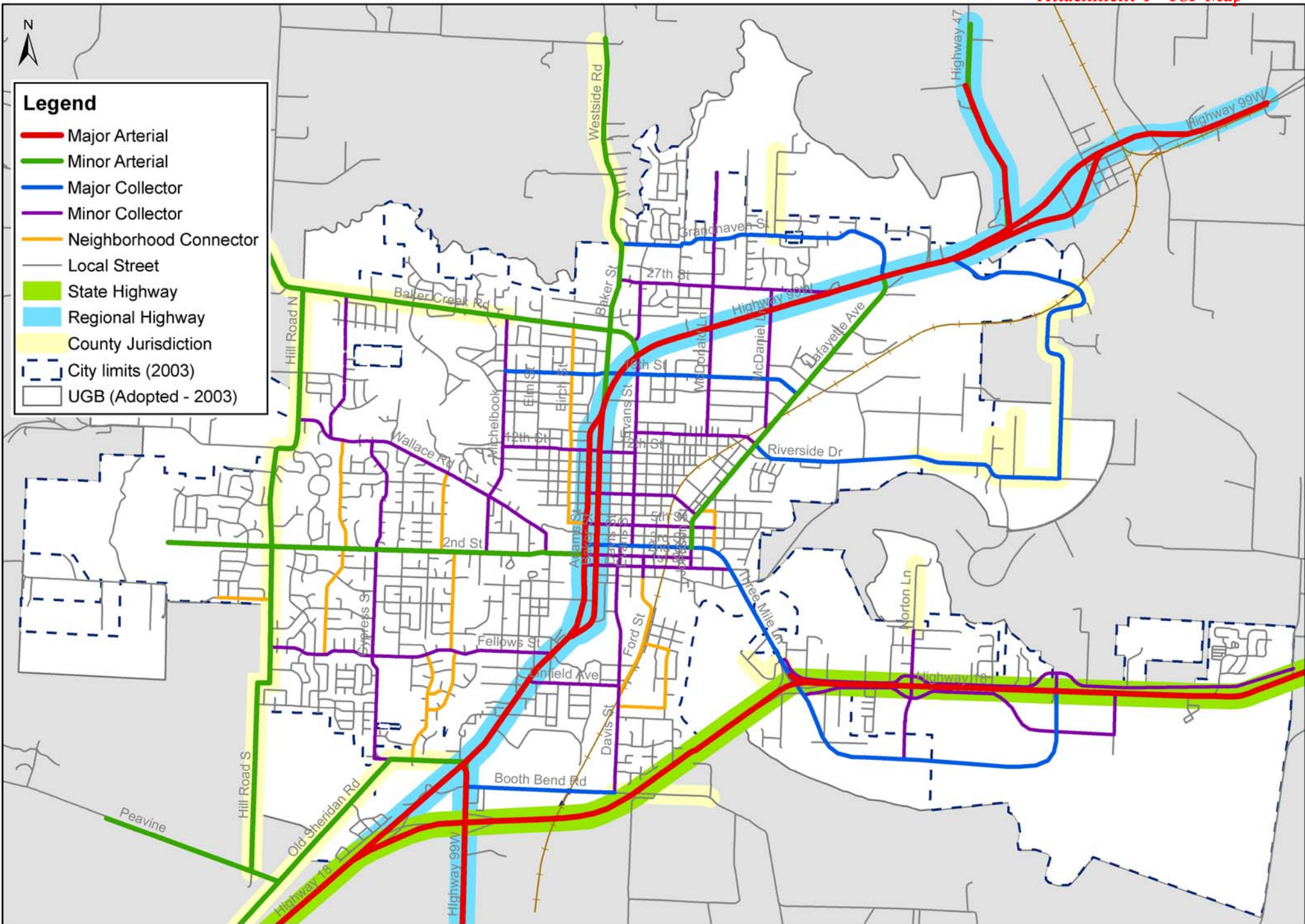
DESIGNED BY: CEG
 DRAWN BY: SN
 CHECKED BY: CEG
 SCALE: AS NOTED
 DATE: 07/22/2016

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

REVISIONS
 JOB NUMBER
5149
 SHEET
C300



- LEGEND:**
- WAT — PUBLIC WATER LINE
 - IRR — IRRIGATION LINE
 - DW — DOMESTIC WATER LINE
 - FW — FIRE WATER LINE
 - TPWW — TREATED PROCESS WASTE WATER LINE
 - STM — SANITARY SEWER LINE
 - SAN — STORMWATER LINE





McMinnville Airport Commission
Meeting Minutes

McMinnville Airport,
Civic Hall

Tuesday, September 6, 2016

1. The meeting was called to order at 6:30pm by Chair Christensen. Commissioners present were Jody Christensen, Brad Berry, Doug Hurl, John Lautenbach, and Bob Peacock. Staff in attendance included Martha Meeker, Mike Bisset, and Rich Spofford (City of McMinnville); as well as Holly & Ingo Nehls (Konect Aviation - Airport Managers).
2. **Invitation to Citizens for Public Comment:** None.
3. **Consider Minutes of the June 7, 2016 Commission Meeting:** Chair Christensen asked for comments on the minutes from June 7, 2016 Commission meeting. Hearing none, she asked for a motion to approve. A motion to approve the minutes, as presented, was made by Commissioner Berry and seconded by Commissioner Peacock; and the minutes were approved by unanimous vote of the Commissioners present.
4. **Fly Friendly Program Update:** Rich Spofford reviewed the final draft of the Fly Friendly brochure, and noted that, upon the Commission's approval of the final product, staff would have the brochure professional printed. Copies will be placed at the airport for distribution, and the City website will be updated to include the brochure.

Commissioner Peacock suggested that the brochure also be sent to the Oregon Pilots Association.

Input regarding the brochure was received from those in attendance. The Commission also discussed the ongoing noise concerns with helicopter activity with staff and citizens present.

A motion to approve the brochure, as presented, was made by Commissioner Peacock and seconded by Commissioner Berry; and the motion was approved by unanimous vote of the Commissioners present.

5. **Jackson Family Wines Easement Request:** Mike Bisset reviewed the information in the packet regarding a request from Jackson Family Wines to have an access and utilities easement on approximately 0.4 acres of Airport property west of Armory Way. It was noted that the easement area is currently being farmed (revenue is \$20 per acre per year). In the future the area will contain a public roadway extending west from Armory Way. When the public roadway is constructed, the easement will be nullified. The easement agreement with Jackson Family Wines will include compensation to the Airport to offset the loss of farm lease revenue.

A motion recommending that the City Council approve the proposed access and utilities easement was made by Commissioner Hurl and seconded by Commissioner Peacock; and the motion was approved by unanimous vote of the Commissioners present.

6. **Items from Staff:**
 - Airport Managers Holly & Ingo Nehls provided and reviewed a written Airport Manager's report (see attached). Commissioner Hurl noted that regarding weed control perhaps Kauer Farms could be engaged, as they lease farm area on the airport. Rich Spofford noted that the City does use Kauer Farms to do some weed control spraying.

6. **Items from Staff** (continued)

- Rich Spofford noted that we are still waiting for the FAA construction grant for the Runway 4-22 reconstruction project, and that once the grant is received we will award the construction contract to Kerr Contractors. Construction on the project is expected to begin in May of 2017.
- Rich and Holly reviewed the ongoing coordination efforts with Shift S3ctor related to the 2016 Oregon Airstrip Attack, which will be held at the airport on September 10-11.

7. **Items from Commissioners:**

- Chair Christensen opened a discussion regarding the possibility of developing goals for the airport for the 2017 calendar year. She noted that the Commission had the opportunity to advance priority goals to the City Council for consideration as the City Council looks to develop their 2017 goals. The City Council typically meets for goal setting in January or February. It was decided that the Commission would continue the goals discussion at their November meeting; and that Chair Christensen would meet with staff in advance of that meeting to review potential goal priorities.
- Chair Christensen reported on the purchase of the Evergreen water park, space museum, lodge site, vineyards, and chapel by Steve Downs, The Falls Event Center. She noted his plans to construct a hotel and event space on the site.

The meeting was adjourned at 7:44pm.

After Recording Return To
Eugene A. Frassetto
Stoel Rives LLP
760 SW Ninth Avenue, Suite 3000
Portland, OR 97205

ACCESS AND UTILITY EASEMENT

THIS ACCESS AND UTILITY EASEMENT (“**Easement**”) is made and entered into effective as of _____, 2016, by **THE CITY OF MCMINNVILLE**, an Oregon municipal corporation, (hereafter “**City**”) as grantor, in favor of **JACKSON FAMILY WINES, INC.**, a Delaware corporation, its successors and assigns (hereafter “**JFW**”) as grantee.

RECITALS:

- A. JFW owns those certain parcels of land located in the City of McMinnville, Yamhill County, Oregon more specifically described on attached Exhibit A (the “**JFW Property**.”), The JFW Property, together with other lands now or hereafter owned or occupied by JFW or its affiliates, adjacent to or accessible (directly or indirectly) over the JFW Property and/or the Easement Area defined below, are referred to herein as the “**Benefitted Property**.”
- B. City owns that certain land located in the City of McMinnville, Yamhill County, Oregon, adjacent to all or portions of the JFW Property, more specifically described on attached Exhibit B (the “**City Property**”).
- C. JFW desires to obtain from City, and City desires to grant to JFW, certain easements on, over through and under the area of the City Property more specifically described on attached Exhibit C-1 and depicted on attached Exhibit C-2 (the “**Easement Area**.”)

NOW, THEREFOR,

In consideration of the payment by JFW to City of the sum of three thousand two hundred and no/100 DOLLARS (\$3,200.00), the receipt and sufficiency of which is hereby acknowledged, City hereby declares, covenants and grants as follows:

1. Grant of Easement Rights/Exclusivity. City hereby grants to JFW a permanent, appurtenant easement and right of way on, under, over and across the Easement Area in favor of the Benefitted Property and each portion thereof for access, egress, circulation, storage, parking and utility purposes, including: the right to enter on the Easement Area and grade, level, fill, drain, pave, build, maintain, repair, and rebuild related access, parking, lighting, circulation, staging, storage, signage, utility lines, pipes, conduits and other utility facilities and/or other facilities related to such use. The foregoing easements shall be exclusive to JFW except as otherwise expressly provided in this Easement. To the extent and during the period(s) that JFW’s easement rights in the Easement Area are exclusive under this Easement, JFW shall have the right to (i) post the Easement Area as a private way or area and (ii) fence and gate or otherwise erect barriers, entry check point(s) and/or (iii) exclude any and all persons from entry onto and over the Easement Area. JFW’s use of the Easement Area shall comply with applicable law and shall not violate any zoning or use and/or occupancy permits applicable to the Benefitted Property.

2. Non-Interference /City Reserved Rights/Improvement and Opening of Public Way. City shall not cause or suffer any structure, fence, building or other obstruction affecting the Easement Area or otherwise unreasonably interfere with JFW’s use of the Easement Area or rights granted under this Easement; provided that City reserves the right to dedicate, develop, improve and open all or any part of the Easement Area as a public way (defined below) consistent with the City’s Highway 18 Corridor Refinement Plan, as now or hereafter amended, this Easement and applicable law. If City elects to so improve and open such public way over or across any portion of the Easement Area, City shall first notify JFW in writing together with a reasonable description of the Easement Area(s), to be so improved and used and the proposed timing of such work at least 60 days before commencing the work, and the parties shall consult and reasonably cooperate and coordinate to avoid unreasonable interference with each other’s

use of the affected Easement Area and with JFW's rights under in this Agreement. The work by or for City in connection with such improvement of any Easement Area shall not limit JFW's access and egress and circulation rights or utilities on, over, under or across the Easement Area. Further, notwithstanding the exclusivity of the easements granted herein, during the period of JFW's exclusive rights, City reserves the right of access to the Easement Area by public safety personnel in the furtherance of their duties, as determined in the public safety personnel's sole and absolute discretion; provided that, other than during and in connection with a response to an emergency requiring temporary use of the Easement Area, such use shall not unreasonably interfere with JFW's use of the Easement Area.

3. Maintenance by JFW During Exclusive Period/Property Taxes. So long as JFW has exclusive use of the Easement Area (and at all times with respect to any utility facilities owned by JFW in the Easement Area), JFW shall repair, at its own expense, the improvements in the Easement Area installed by or for JFW; provided that the City shall be responsible for and shall repair at its expense any damage caused by City or persons claiming through or under City, other than JFW. To the extent and so long as JFW has the exclusive right to use the Easement Area to the exclusion of all others, JFW agrees to pay all ad valorem and property taxes accruing for the then current tax year (prorated for any partial year) as may lawfully be assessed by Yamhill County against JFW's interest in the Easement Area solely because of JFW's use thereof (i.e., no other taxable use by any third party); provided that JFW will have the right to dispute amounts so assessed by appropriate proceedings and the obligation to pay disputed amounts will not be breached unless JFW fails to pay amounts so assessed against it upon final determination by administrative or court proceedings that such amount is owed by JFW. Tax statements for any such assessments of JFW's interest shall be sent to the same address as property tax statements for the JFW Property.

4. Non-Exclusivity During the Term of Any Dedication and Opening of Public Road. To the extent and for so long as the Easement Area or any portion thereof is dedicated or designated to public use and improved and opened by City as a public road or street (a "**public way**") as contemplated in this Easement, the exclusive easements in favor of the Benefitted Property created in this Easement shall continue in place, but shall be non-exclusive (and, for such period, shall not include the right to fence, store or stage any items, exclude the public or, except consistent with the use of the public way available to the public, to park any vehicles) as to the portion of the Easement Area included in such public way, and shall run concurrent with any public right to use the public way. The easements and rights granted JFW herein shall not be extinguished by any dedication or improvement and opening of all or any portion of the Easement Area as a public way or otherwise. To the extent the Easement Area is or becomes a public way, City will be responsible for the construction, installation, use, repair, maintenance and replacement of the same while it remains a public way, provided that City may in its discretion thereafter subsequently vacate the public way as provided by applicable law; in which event to the extent the public way is vacated, the exclusivity of JFW's easements in such vacated area(s) automatically shall be re-instated with respect to such area. Each party's activities in the Easement Area shall comply with applicable law and be at such party's sole expense except as otherwise expressly provided in this Easement.

5. JFW Right to Enclose and Exclude. To the extent and during the period(s) that the Easement Area is not a public way, JFW shall have the right to post the Easement Area as a private way and to fence and gate or otherwise erect barriers, entry check point(s) and/or exclude any and all persons from entry onto and over the Easement Area, subject to the right of entry reserved above to public safety personnel.

6. Existing Encumbrances/Binding Effect. The easements and rights granted in this Easement are granted subject to all prior easements or encumbrances of record; provided that City represents and warrants to JFW that there are no prior easements or encumbrances granted by City in the City Property or Easement Area or any portion thereof, or to which City is a party, or by which the Property is bound that are inconsistent with or limit JFW's exclusive easements and rights of use granted JFW in this Easement. This Easement and the easements, rights and obligations described herein run with the land as to the property(ies) burdened and benefitted hereby, and all present and future partitions, divisions and portions thereof as the same may now or hereafter be developed.

7. Indemnification. To the fullest extent not prohibited by law, JFW shall indemnify, defend and hold City harmless from and against any and all claims, damages, costs, demands and/or liabilities to the extent caused by or arising out of the use of the Easement Area by JFW during any period during which it has exclusive rights of use of such area, but such obligation on the part of JFW shall not extend to (a) any matter to the extent such is caused or contributed to by City or any person acting through or under City (which includes, but is not limited to, any public

safety personnel under City’s reserved rights above), or (b) to any condition of the City Property or Easement Area to the extent such is not directly caused or exacerbated by JFW or person(s) acting through or under City. To the fullest extent not prohibited by law, City shall indemnify, reimburse, hold harmless and defend JFW for, from and against any and all claims, losses, damages, costs, expenses (including attorney fees) and other liabilities to the extent arising out of (aa) any prior encumbrance or easement inconsistent with JFW’s exclusive rights in the Easement Area, (bb) any pre-existing condition of the City Property or Easement Area or any condition caused by City or by persons acting through or under City, (cc) any access or use of the Easement Area by City or by persons acting through or under City.

8. No Waiver. The failure by any party having an interest under this Easement or the servient estate at any time to require strict performance of any provision of this Easement shall not be a waiver of the right to subsequently enforce that provision or any other provision of the Easement.

9. Severance. If any provision hereof is declared by a court of competent jurisdiction to be void or unenforceable as written, then the parties intend and desire that (a) such provision be enforced to the fullest extent permitted by law and (b) the invalidity or unenforceability of such provision shall not affect the validity or enforceability of the balance of this Easement.

10. No Dedication. Nothing contained in this Easement shall be deemed a gift or dedication of any portion of the Easement Area to the general public or for the general public or for any public purpose whatsoever.

11. Notices. Notices given under this Easement shall be in writing and delivered by certified or registered U.S. Mail, postage paid, return receipt requested, by United States Express Mail or other established express delivery service (such as Federal Express or UPS), postage or delivery charge prepaid, or personally, at the respective address set forth below or such other address as the party may designate by prior written notice to the other given pursuant to this section. Notices shall be effective upon delivery to the designated address, or, if delivery is refused by the addressee, upon such refusal. In the alternative, when the party wishing to give notice has not been provided with the then-current address for the other party, or in addition to such address, notice to either party may be given to the address that the taxing authority has on record for the delivery of property tax statements for the applicable party’s property benefited or burdened by this Easement.

[ADDRESS FOR CITY] [ADDRESS FOR JFW]

IN WITNESS WHEREOF, City hereby executes this Easement effective as of the date first written above.

City of McMinnville

By: _____
Name:
Title:

By: _____
Name:
Title:

APPROVED AS TO FORM:

_____, City Attorney

STATE OF OREGON)
) ss.
County of Yamhill)

Personally appeared the above-named _____, **the**
_____ **of the City of McMinnville, and** _____, **the**
_____ **of the City of McMinnville** and acknowledged the foregoing instrument to be the voluntary
act and deed on behalf of **City of McMinnville** this ____ day of _____, 2016.

Notary Public for Oregon
My Commission Expires: _____

EXHIBIT A
JFW Property Legal Description

(3500 PROPERTY (TAX LOTS R4426-00300 AND -00400) AND 3600 PROPERTY (TAX LOT R4426-00204)

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

THE “3600 PROPERTY” (TAX LOT R4426-00204):

BEING A PART OF THE JOHN WHITE DONATION LAND CLAIM NO. 82, SECTION 26, TOWNSHIP 4 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, WHICH IS 831.4 FEET NORTH 89° 45’ EAST AND 130 FEET SOUTH 0° 15’ EAST FROM THE NORTHWEST CORNER OF SAID DONATION LAND CLAIM, SAID POINT BEING ON THE WEST LINE OF ARMORY WAY (A MCMINNVILLE CITY STREET) AS ESTABLISHED BY COUNTY SURVEY CSP-6571, VOLUME T, PAGE 901, COUNTY SURVEY RECORDS; THENCE SOUTH 0° 15’ EAST ALONG THE WEST LINE OF SAID STREET 592.00 FEET; THENCE SOUTH 89° 45’, WEST 530.65 FEET, MORE OR LESS TO A POINT ON THE EAST LINE OF THAT TRACT DESCRIBED IN DEED TO EVERGREEN AVIATION LOGISTICS ENTERPRISE RECORDED JULY 14, 1988 IN FILM VOLUME 224, PAGE 368, YAMHILL COUNTY DEED RECORDS; THENCE NORTH 0° 15’ EAST ALONG THE EAST LINE OF SAID TRACT 592.00 FEET TO A POINT 100.0 FEET FROM THE SOUTH LINE OF THE STATE HIGHWAY; THENCE NORTH 89° 45’ EAST PARALLEL WITH AND 100.0 FEET FROM THE SOUTH LINE OF STATE HIGHWAY 530.65 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION THEREOF APPROPRIATED BY THE STATE OF OREGON BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION IN SUIT NO. CV89-118, CIRCUIT COURT FOR YAMHILL COUNTY, OREGON.

THE “3500 PROPERTY” (TAX LOTS R4426-00300 AND -00400):

TAX LOT R4426-00300:

PART OF THE JOHN WHITE DONATION LAND CLAIM NO. 82, NOTIFICATION NO. 1227, IN SECTION 26, TOWNSHIP 4 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN IN YAMHILL COUNTY, OREGON, AND BEGINNING AT A POINT ON THE NORTH LINE OF AND 4.51 CHAINS EAST FROM THE NORTHWEST CORNER OF SAID CLAIM, SAID POINT BEING THE NORTHEAST CORNER OF THAT CERTAIN 8.11 ACRE TRACT DEEDED BY WILLIAM JOHN WHITE AND WIFE TO GEORGE HAMBLIN, RECORDED IN VOLUME 96, PAGE 615, DEED RECORDS; THENCE SOUTH 286.58 FEET; THENCE WEST 152.00 FEET; THENCE NORTH 286.58 FEET; THENCE EAST 152.00 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION THEREOF APPROPRIATED BY THE STATE OF OREGON BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION IN SUIT NO. CV89-122, CIRCUIT COURT FOR YAMHILL COUNTY, OREGON.

TAX LOT R4426-00400:

A TRACT OF LAND IN SECTION 26, TOWNSHIP 4 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN IN YAMHILL COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE JOHN WHITE DONATION LAND CLAIM, NOTIFICATION NO. 1227, CLAIM NO. 82 IN TOWNSHIP 4 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN IN YAMHILL COUNTY, OREGON, SAID POINT OF BEGINNING BEING MARKED BY A ROCK IN THE CENTER OF THE COUNTY ROAD NOW THERE, AND RUNNING THENCE SOUTH ALONG THE WEST LINE OF SAID DONATION LAND CLAIM 18 CHAINS; THENCE EAST 4.54 CHAINS TO THE WEST LINE OF A TRACT OF LAND DESCRIBED IN A CONTRACT SALE MADE AND EXECUTED BY W. S.

HOUCK AND SOPHIA R. HOUCK, HIS WIFE, TO H. A. GARLOCK, DATED OCTOBER 26, 1910 AND RECORDED AT PAGE 401 OF VOLUME E RECORDS OF BONDS AND CONTRACTS FOR YAMHILL COUNTY, OREGON; THENCE NORTH ALONG THE WEST LINE OF SAID TRACT OF LAND SO DESCRIBED IN SAID CONTRACT 18 CHAINS TO THE CENTER OF THE COUNTY ROAD; THENCE WEST ALONG CENTER OF SAID COUNTY ROAD 4.51 CHAINS TO THE PLACE OF BEGINNING.

SAVING AND EXCEPTING THEREFROM THAT CERTAIN ROADWAY FOR ROAD PURPOSES 16 FEET IN WIDTH (TO BE A CLOSED GATEWAY) ALONG THE WEST SIDE OF SAID PREMISES AND DESCRIBED IN THAT CERTAIN DEED OF CONVEYANCE MADE BY JOHN GRESSEN AND WIFE TO F.A. NEWBILL AND I.E. NEWBILL, AND RECORDED AT PAGE 635 OF VOLUME 64, RECORDS OF DEED FOR YAMHILL COUNTY, OREGON.

SAVING AND EXCEPTING THE FOLLOWING: BEING A PART OF THE JOHN WHITE DONATION LAND CLAIM, NOTIFICATION NO. 1227, CLAIM NO. 82, IN SECTION 26, TOWNSHIP 4 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, OREGON, AND BEGINNING AT A POINT ON THE NORTH LINE OF AND 4.51 CHAINS EAST FROM THE NORTHWEST CORNER OF SAID CLAIM, SAID POINT BEING THE NORTHEAST CORNER OF THAT CERTAIN 8.11 ACRE TRACT DEEDED BY WILLIAM JOHN WHITE AND WIFE TO GEORGE HAMBLIN AND OF RECORD IN VOLUME 96, PAGE 615, DEED RECORDS; THENCE SOUTH 286.58 FEET; THENCE WEST 152.00 FEET; THENCE NORTH 286.58 FEET; THENCE EAST 152.00 FEET TO THE PLACE OF BEGINNING.

ALSO SAVING AND EXCEPTING THE SOUTH 38.6 FEET THEREOF CONVEYED TO THE CITY OF MCMINNVILLE BY DEED RECORDED JANUARY 7, 1987 IN FILM VOLUME 210, PAGE 266.

EXCEPTING THEREFROM THAT PORTION THEREOF APPROPRIATED BY THE STATE OF OREGON BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION IN SUIT NO. CV89-122, CIRCUIT COURT FOR YAMHILL COUNTY, OREGON.

EXHIBIT B
City Property Legal Description

EXHIBIT C
Easement Area Legal Description/Depiction

SEE ATTACHED LEGAL DESCRIPTION (EXHIBIT C-1) AND PLAT (EXHIBIT C-2), INCORPORATED
HEREIN BY THIS REFERENCE



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #5149

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

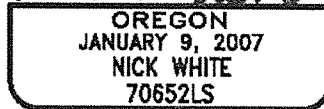
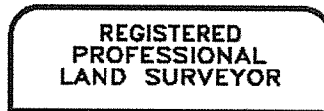
EXHIBIT C-1

A tract of land located in the Northwest One-Quarter of Section 26, Township 4 South, Range 4 West, Willamette Meridian, City of McMinnville, Yamhill County, Oregon and being more particularly described as follows:

Commencing at the northwest corner of the John White Donation Land Claim No. 82; thence along the west line of said Donation Land Claim South 02°08'02" West 1132.64 feet to the southwest corner of Parcel II of Document Number 1990-6244, also being the Point of Beginning; thence continuing along said west line South 02°08'02" West 55.36 feet; thence leaving said west line South 87°51'58" East 299.64 feet to the easterly line of Document Number 1984-1143; thence along said easterly line North 02°02'18" East 55.78 feet to the southeast corner of Parcel II of Document Number 1990-6244; thence along the south line of said Parcel II North 87°56'50" West 299.55 feet to the Point of Beginning.

The above described tract of land contains 16,649 square feet, more or less.

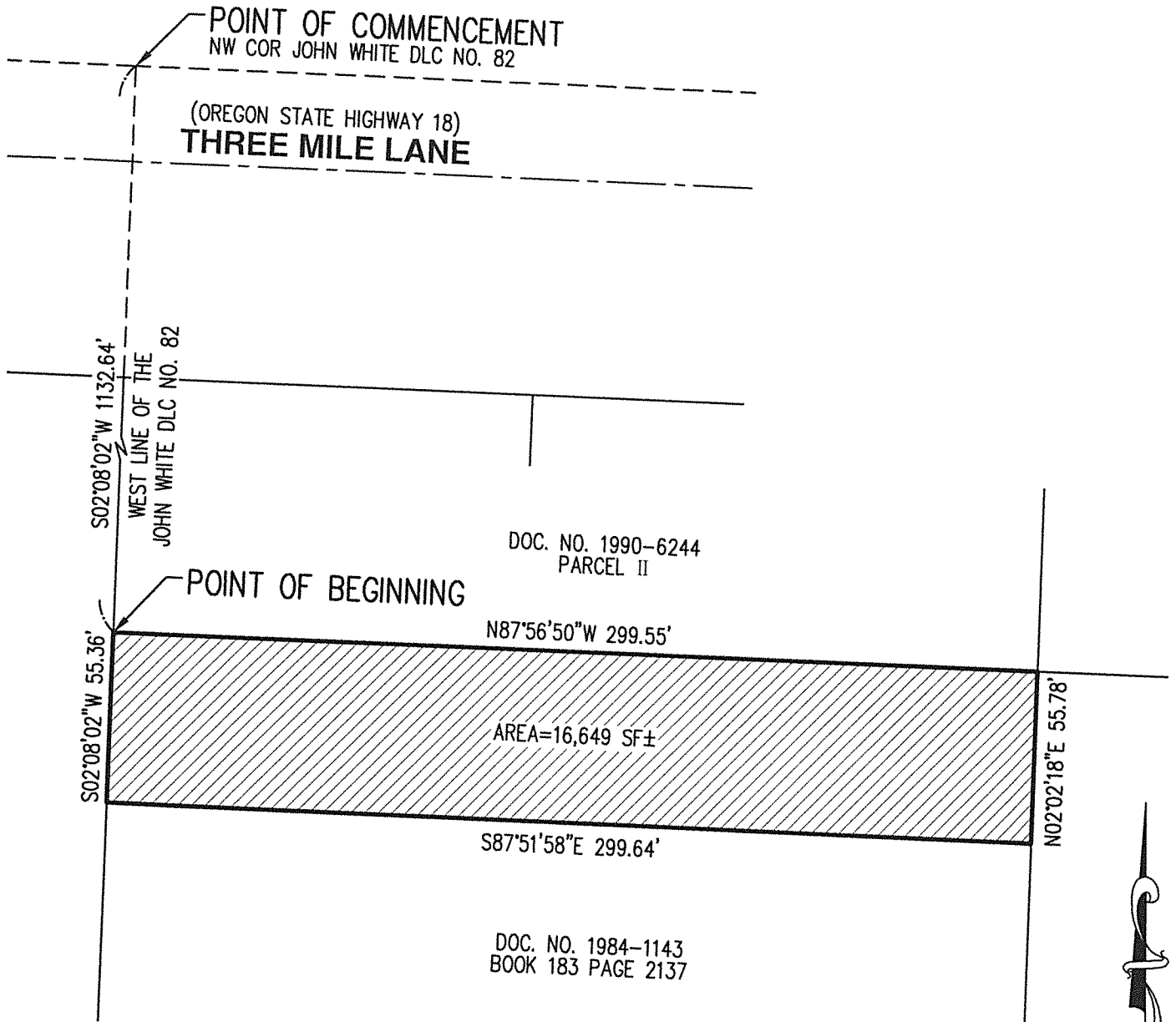
7/22/2016



RENEWS: 6/30/18

EXHIBIT C-2

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 26,
TOWNSHIP 4 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN,
CITY OF McMinnville, YAMHILL COUNTY, OREGON



7/22/2016

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/18

PREPARED FOR

JACKSON FAMILY WINES
425 AVIATION BLVD
SANTA ROSA, CA 95403

SCALE 1" = 50 FEET



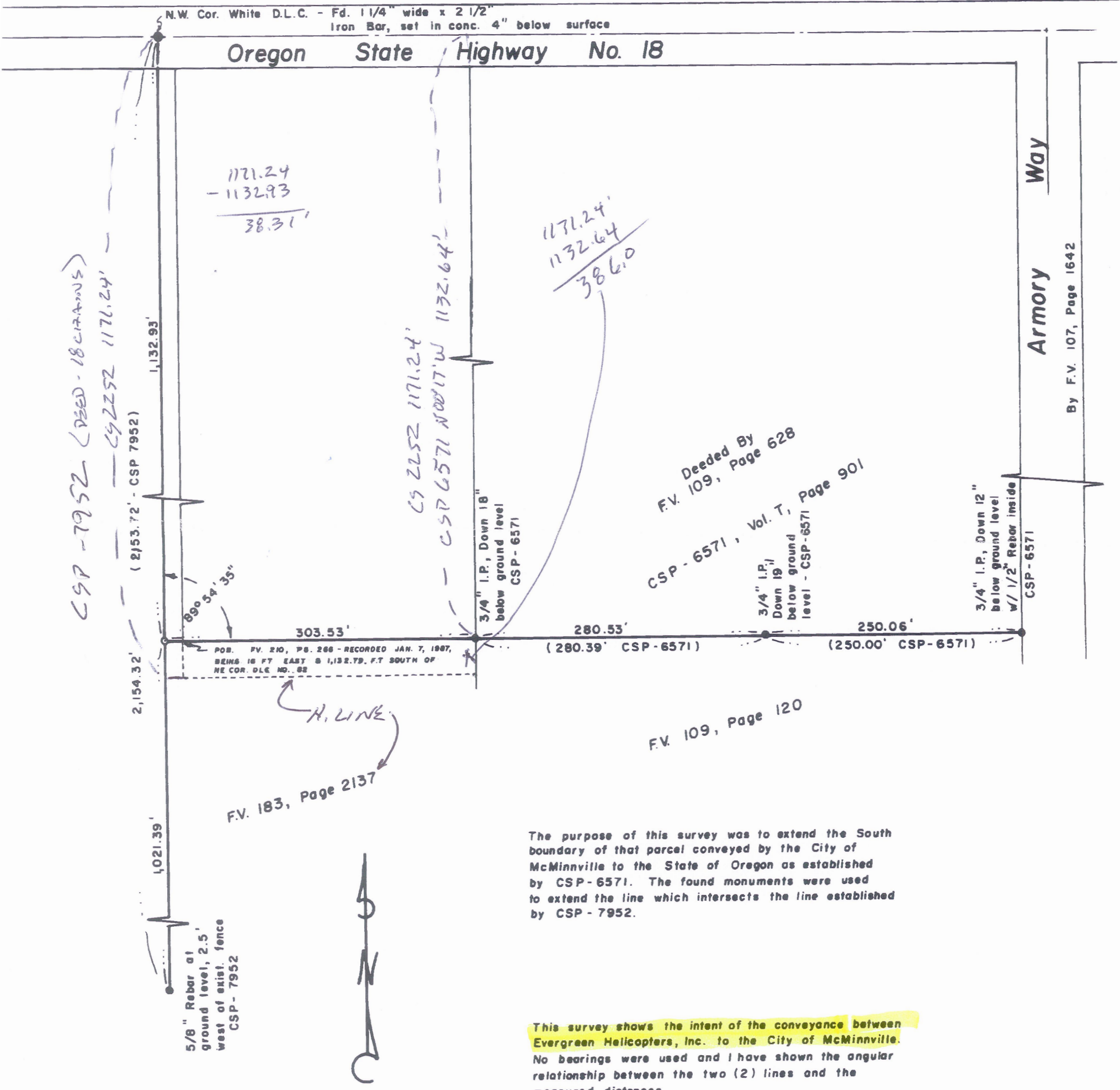
JACKSON FAMILY WINES - ARMORY WAY		EXHIBIT
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: WCB CHKD: NSW AKS JOB: 5149



SURVEY FOR THE CITY OF McMINNVILLE

N.W. 1/4 OF SEC. 26, T.4S., R.4W., W.M., BEING PART OF THE N. 1/2 OF THE JOHN WHITE D.L.C. NO. 82, McMINNVILLE, YAMHILL COUNTY, OREGON
OCTOBER 3, 1986 SCALE: 1"=100'

- DENOTES MONUMENTS FOUND AND AS DESCRIBED
- DENOTES MONUMENTS SET BY THIS SURVEY; 5/8"x 30" REBAR WITH 1/2" ALUMINUM CAP STAMPED "CITY OF McMINNVILLE, LS 863 1986"; SET 16" BELOW EXISTING GROUND SURFACE.



The purpose of this survey was to extend the South boundary of that parcel conveyed by the City of McMinnville to the State of Oregon as established by CSP-6571. The found monuments were used to extend the line which intersects the line established by CSP-7952.

This survey shows the intent of the conveyance between Evergreen Helicopters, Inc. to the City of McMinnville. No bearings were used and I have shown the angular relationship between the two (2) lines and the measured distances.

REGISTERED PROFESSIONAL LAND SURVEYOR

Robert E. Rankin

OREGON JULY 12, 1909 ROBERT E. RANKIN 803

Received 1 - 9 1987
County Surveyor

1987 JAN -7 PH 2:07

F210P0266

WARRANTY DEED

Evergreen Helicopters, Inc., hereinafter referred to as Grantor, conveys to the City of McMinnville, an Oregon corporation, hereinafter referred to as Grantee, all that real property situated in Yamhill County, State of Oregon, described as:

A tract of land in the John White D.L.C. No. 82, Section 26, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon and being a part of that certain tract conveyed from W. S. Houck, et. ux. to John Grossen and described in Book 64, Page 635, recorded June 10, 1913, Deed Records of Yamhill County, Oregon and being further described as follows:

Beginning at a point 16 feet East of the West line of said D.L.C. and 1,132.79 feet South of the Northeast corner of said D.L.C.; thence North 89°45' East parallel with the North line of said D.L.C., a distance of 4.268 chains to the West line of a thirty acre tract of land described from W. S. Houck, and Sophia R. Houck to H. A. Garlock and Gertrude A. Garlock and recorded in Volume E, Page 401, Records of Bonds and Contracts for Yamhill County, Oregon; thence South along said line, a distance of 38.6 feet to the North line of the tract of land conveyed from John Grossen, et. ux. to F. A. Nawhill, et. ux. in Book 64, Page 638, Deed Records of Yamhill County, Oregon; thence South 89°45' West parallel with the North line of said D.L.C., a distance of 4.268 chains to the East line of a 16 foot roadway; thence North parallel with and 16 feet from the West line of said D.L.C., a distance of 38.6 feet to the place of beginning and containing 0.25 acres, more or less.

and covenants that grantor is the owner of the above-described property free of all encumbrances except none and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

This property is conveyed to the City of McMinnville and its citizens, for and in consideration of the exchange of certain other property in order to adjust the common boundary lines of the parties hereto.

This instrument will not allow use of the property described in the 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 appropriate City or County planning department to verify approved uses.

The foregoing recital of consideration is true as I verily believe.

Dated this 31st day of December, 1986.



EVERGREEN HELICOPTERS, INC.

Handwritten signature of David M. Smith

1987 JAN -7 PM 2:07.

F210P0267

STATE OF OREGON)
) ss.
COUNTY OF YAMHILL)

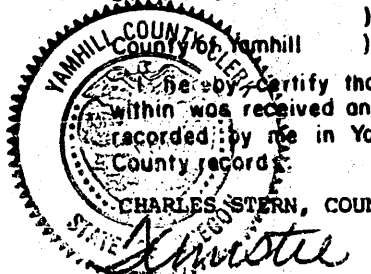
December 31, 1986.

Personally appeared Delford M. Miller, who, being sworn, stated that he is the President of the corporation and that the seal affixed hereto is its seal and that this deed was voluntarily signed and sealed in behalf of the corporation by authority of its Board of Directors.
Before me:

Delford M. Miller
Notary Public for Oregon
My Commission Expires: 8/1/87



STATE OF OREGON)



) ss. 9.0
00139

Hereby certify that the within was received and duly recorded by me in Yamhill County records.

CHARLES STERN, COUNTY CLERK

Amote
at City of McMinnville

EXHIBIT MAP FOR:

Attachment 9

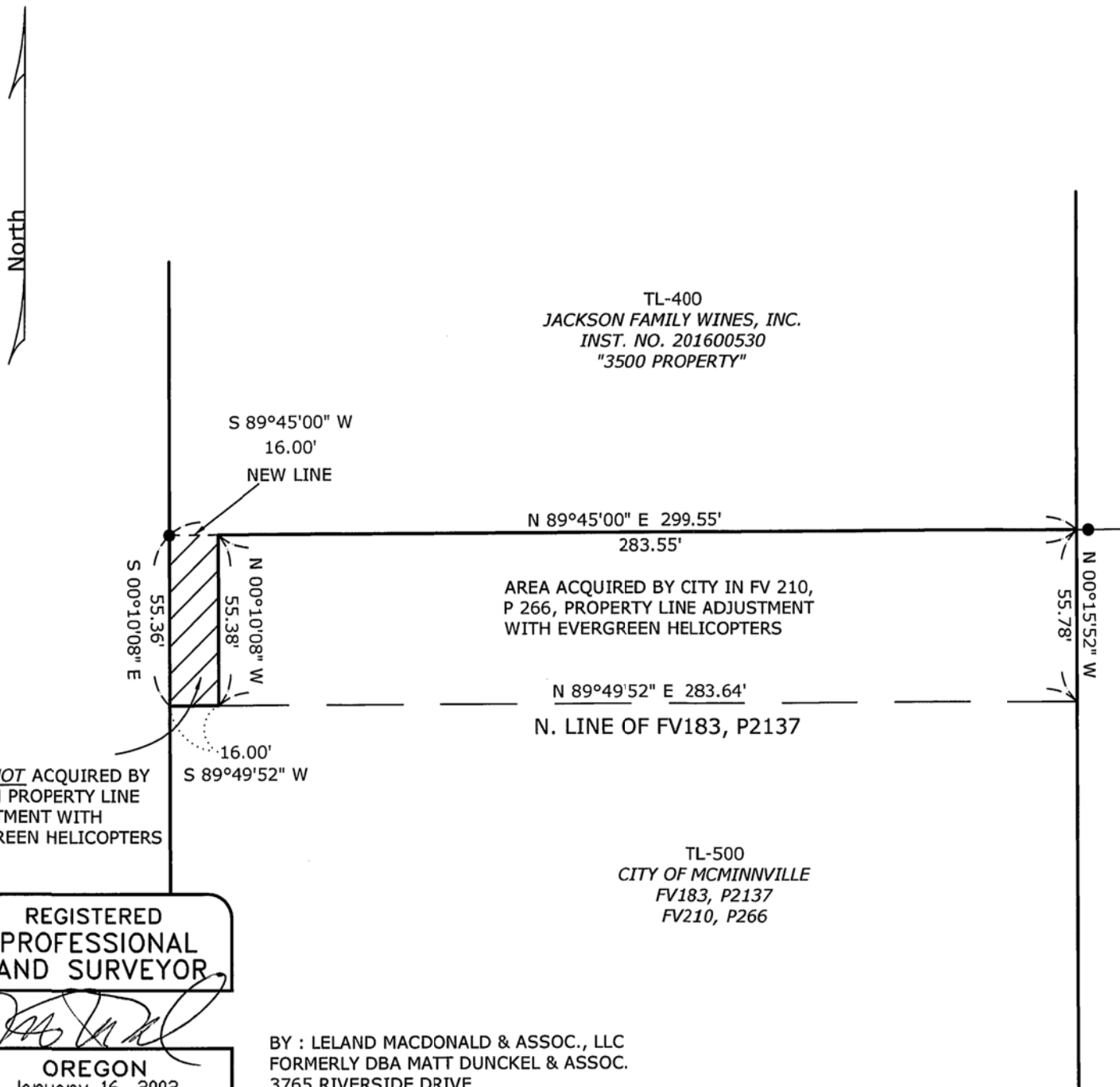
Jackson Family Wines, Inc.

Location: NW 1/4 Section 26, T. 4 S., R. 4 W., WM.,
in a portion of the John White Donation Land Claim
No. 82, Yamhill County, Oregon.

Tax Lot: 4426 - 400, 500

Date: 16 January 2017

Scale: 1" = 50'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
January 16, 2002
LELAND A. MACDONALD
53226

Expires 31 December 2018

BY : LELAND MACDONALD & ASSOC., LLC
FORMERLY DBA MATT DUNCKEL & ASSOC.
3765 RIVERSIDE DRIVE
MCMINNVILLE, OREGON 97128
PHONE : 503-472-7904
FAX : 503-472-0367
EMAIL: LEE@MACDONALDSURVEYING.COM

#8170