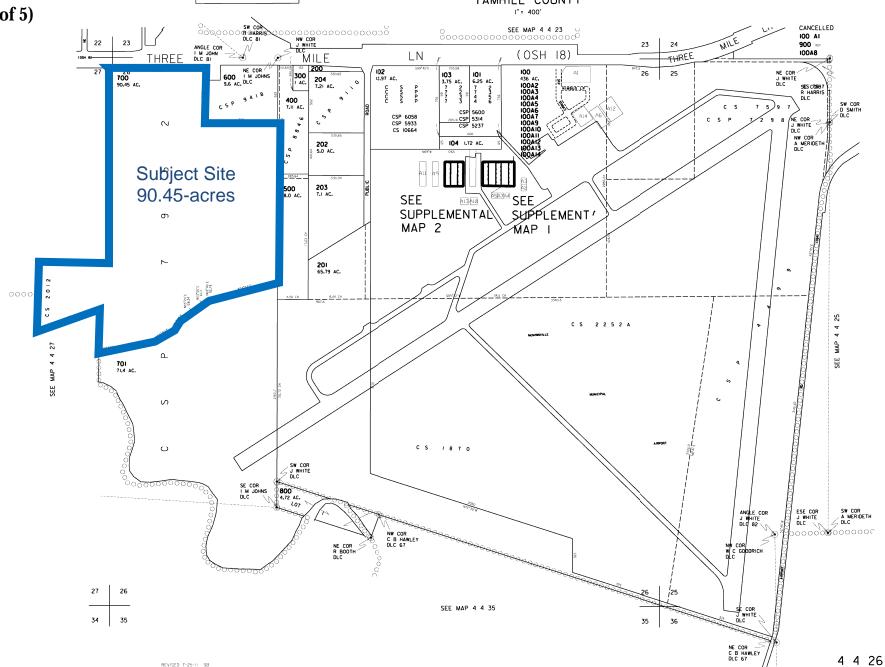
# SECTION 26 T4S R4W W.M. YAMHILL COUNTY



### **Attachment 1**

Site Plan (2 of 5)

### **PROJECT LOCATION**

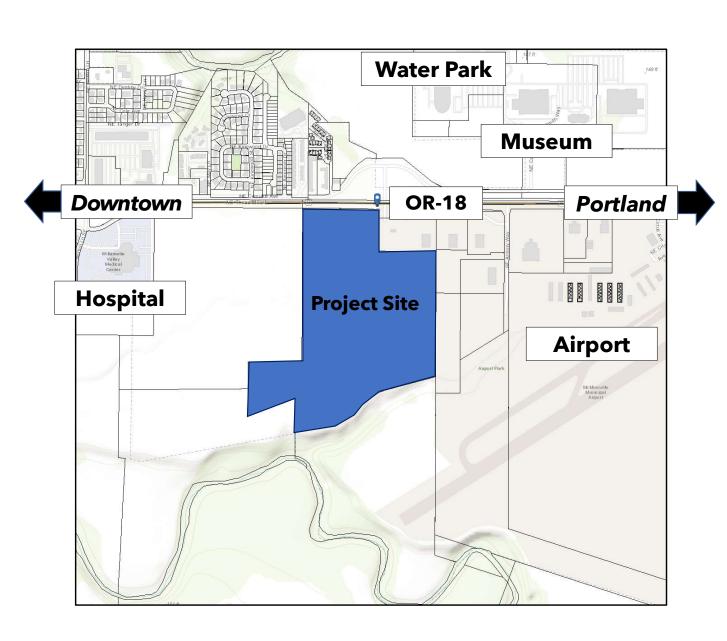
3310 SE Three Mile Lane McMinnville, OR 97128

Tax Lot ID: R4426 00700

Lot size: 90.45 acres



**KIMCO™**REALTY



#### **Attachment 1**

Site Plan (3 of 5)

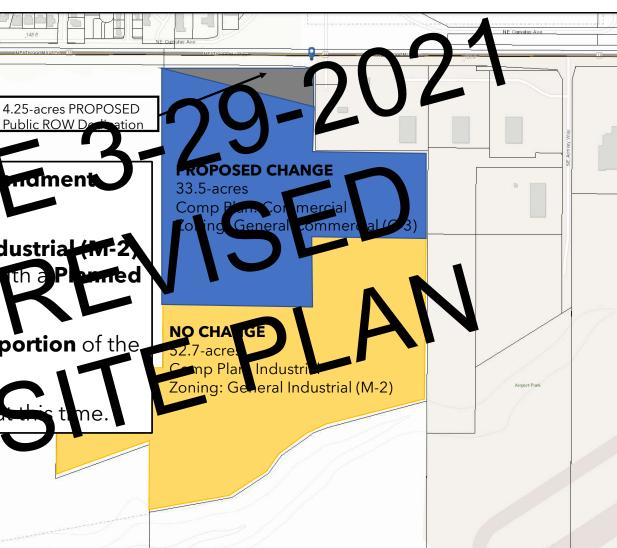
## **PROJECT PROPOSAL**



Zone Change from General Industria (M-2 to General Commercial (C-3) with a Pl **Development Overlay (PDO)** 

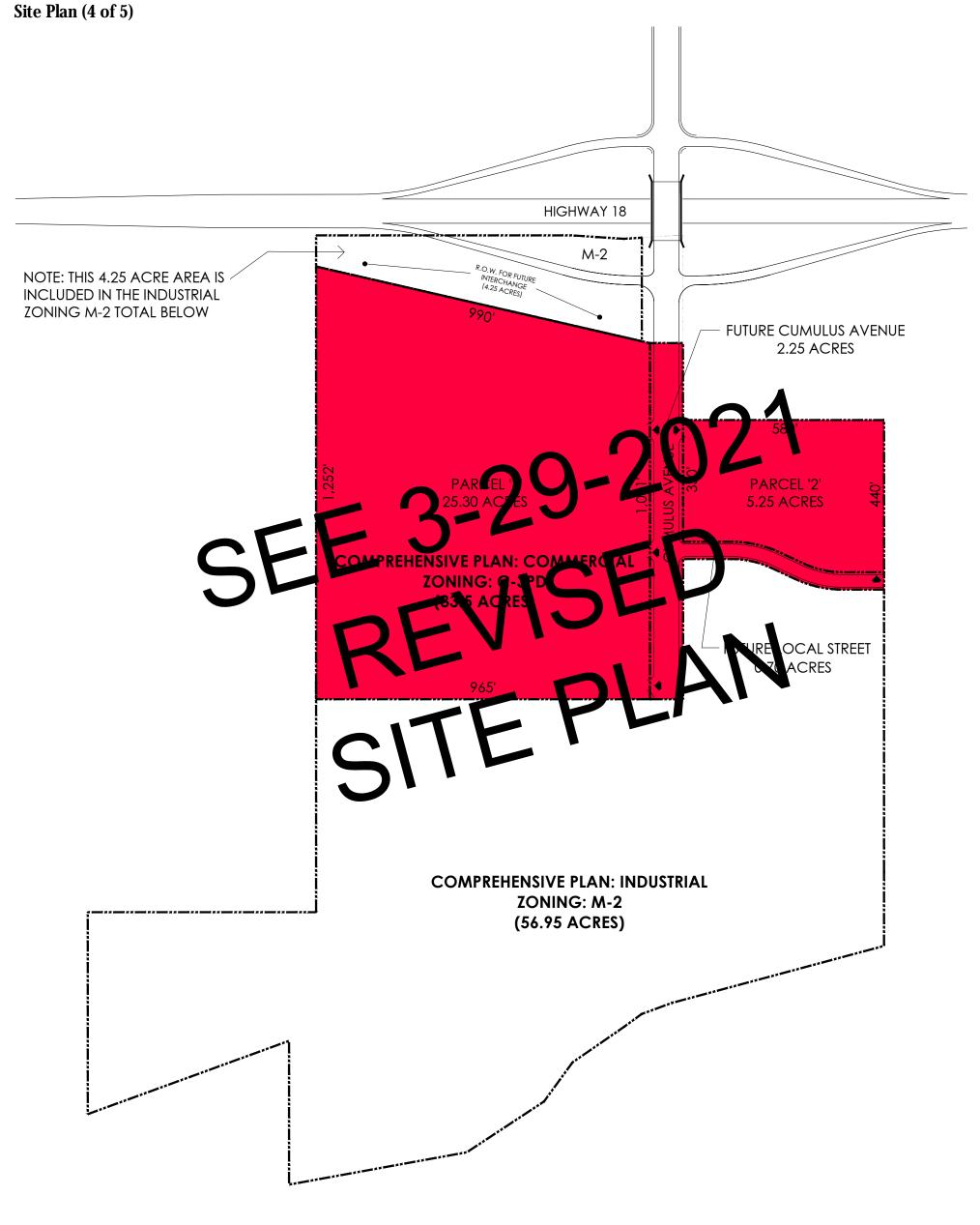
Public ROW Da

- Applies to northern 33.5-acre portion of the site along State Highway 18
- No development is proposed at the

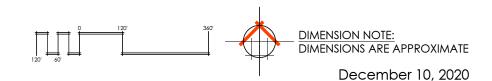




# Attachment 1



# COMPREHENSIVE PLAN MAP and ZONING MAP AMENDMENT



ANY REPRODUCTION AND/OR MODIFICATION IN ANY FORM OF THIS DOCUMENT IS PROHIBITED WITHOUT THE WRITTEN PERMISSION OF BENNER STANGE ASSOCIATES A



RPS Development Company, Inc. Developer

3310 SE THREE MILE LANE APN R4426 00700 (90.45 ACRES) McMinnville, Oregon





# ALTA/ACSM LAND TITLE SURVEY

LOCATED IN THE WEST ONE-HALF OF SECTION 26 AND THE EAST ONE-HALF OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 4 WEST, W.M., CITY OF MCMINNVILLE, YAMHILL COUNTY, OREGON

FIELD SURVEYED: NOVEMBER 24, 2006

— – EXISTING BOUNDARY LINE ------ - EXISTING CENTERLINE

----- EASEMENT LINE -----X ------ - FENCE LINE, TYPE AS NOTED

-----SS------ - SANITARY SEWER LINE ----OHW----- - OVERHEAD WIRE

- AREA OF CONFLICTING BOUNDARY

- AREA OF CONFLICTING BOUNDARY

- DENOTES FOUND SECTION CORNER, AS NOTED

- DENOTES FOUND MONUMENT AS NOTED. HELD UNLESS OTHERWISE NOTED

- DENOTES FOUND 5/8" IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "PLS 2351" PER S.N. CS-11937

- DENOTES FOUND 5/8" IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "S & K INC. LS 447 LS 548" PER S.N. CSP-9418 - HELD

- DENOTES FOUND 5/8" IRON ROD PER S.N. CS P-7952 - HELD

- DENOTES YELLOW PLASTIC CAP - DENOTES SQUARE FEET

- DENOTES SURVEY NUMBER PER YAMHILL COUNTY SURVEY RECORDS DENOTES FOUND

- DENOTES IRON ROD DENOTES MONUMENT

GAS VALVE - SANITARY SEWER MANHOLE

 WATER METER WATER SPIGOT

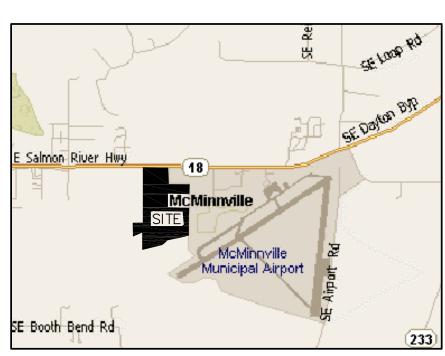
> SPRINKLER VALVE - ELECTRICAL RISER GUY WIRE

 UTILITY POLE - DENOTES MEASURED DATA

 DENOTES DATA PER DEED DOC. NO. 2006-09795 - DENOTES RECORD DATA PER S.N. CS P-7952 - DENOTES RECORD DATA PER S.N. CS P-9418

- DENOTES RECORD DATA PER S.N. CS-11937

VICINITY MAP



NOT TO SCALE

LEGAL DESCRIPTION PER TITLE REPORT (REPORT NO. 40-0252604, DATED OCTOBER 30, 2006)

BEGINNING AT THE NORTHEAST CORNER OF THE I.M. JOHNS DONATION LAND CLAIM, NOTIFICATION #1238, CLAIM #81 IN TOWNSHIP 4 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MËRIDIAN IN YAMHILL COUNTY, OREGON, AND RUNNING THENCE WEST, 25.08 CHAINS TO THE NORTHEAST CORNER OF 30 ACRE TRACT OF LAND CONVEYED TO ANNA HANNA BY HOWARD B. KAUFFMAN AND OTHERS; THENCE SOUTH, 30 CHAINS: THENCE WEST, 10 CHAINS: THENCE SOUTH, 10 CHAINS: THENCE NORTH 70° EAST, 9.38 CHAINS; THENCE SOUTH TO THE CENTER OF THE YAMHILL RIVER; THENCE UP THE CENTER OF THE SAID RIVER IN A SOUTHEASTERLY COURSE ABOUT 14 CHAINS TO THE SOUTH LINE OF SAID JOHNS DONATION LAND CLAIM; THENCE SOUTH 86° EAST ALONG THE SOUTH LINE OF SAID DONATION LAND CLAIM ABOUT 10 CHAINS TO THE SOUTHEAST CORNER OF SAID JOHNS DONATION LAND CLAIM; THENCE NORTH 65.37 CHAINS TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PORTION OF THE ABOVE DESCRIBED TRACT:

BEGINNING AT THE NORTHEAST CORNER OF THE I.M. JOHNS DONATION LAND CLAIM, NOTIFICATION #1238, CLAIM #81 IN TOWNSHIP 4 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MÉRIDIAN IN YAMHILL COUNTY, OREGON: THENCE WEST 700 FEET TO A POINT: THENCE SOUTH 622 FEET TO A POINT: THENCE EAST 700 FEET TO THE EAST LINE OF SAID JOHNS DONATION LAND CLAIM; THENCE NORTH ALONG THE EAST LINE OF SAID CLAIM, 622 FEET TO THE PLACE OF BEGINNING.

MCMINNVILLE RECORDED JANUARY 26, 1982 IN FILM VOLUME 167, PAGE 318, DEED

EXCEPTING THEREFROM THAT PORTION DESCRIBED IN DEED TO THE CITY OF

AND FURTHER EXCEPTING THAT PORTION CONVEYED TO THE STATE OF OREGON BY DEED RECORDED MAY 22, 1989 IN FILM VOLUME 232, PAGE 831, DEED RECORDS.

# EASEMENT EXCEPTIONS

AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS DATED: SEPTEMBER 30, 1980 OCTOBER 7, 1980 RECORDED: DOCUMENT NO.: 155 / 329 IN FAVOR OF: CITY OF MCMINNVILLE

DOES NOT AFFECT THE SUBJECT TRACT 12. AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS DATED: JANUARY 25, 1982 RECORDED: JANUARY 26, 1982 DOCUMENT NO.: 167 / 316 IN FAVOR OF: CITY OF MCMINNVILLE

SANITARY SEWER

OVERHEAD ELECTRICAL 15. LIMITED ACCESS IN DEED TO STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, HIGHWAY DEPARTMENT WHICH PROVIDES THAT NO RIGHT OR EASEMENT OR RIGHT OF ACCESS TO, FROM OR ACROSS THE STATE HIGHWAY OTHER THAN EXPRESSLY PROVIDED THEREIN SHALL ATTACH TO THE ABUTTING PROPERTY, RECORDED: MAY 22, 1989

16. THE TERMS & PROVISIONS OF EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, APRIL 17. 2003 DATED: RECORDED: JULY 21, 2003 DOCUMENT NO.: 200317915 BETWEEN: BERNARDS FAMILY LIMITED PARTNERSHIP

CITY OF MCMINNVILLE WATER & LIGHTT

## SURVEYOR'S CERTIFICATE

MICHAEL D. FRANK PLS NO. 53850

DOCUMENT NO.: 232 / 831

RPS DEVELOPMENT COMPANY, KIMCO MCMINNVILLE LLC AND WESTERN TITLE AND ESCROW COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 2005. AND INCLUDES ITEMS 2, 3, 4, 7(B)1, 7(B)2, 8, 10, 11(A) AND 13. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR IN THE STATE OF OREGON. THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

SHEET 1 OF 1 JOB NO. WRG0033

Surtech LLC 4575 SE 108th Place Portland, OR 97266 Tel. 503.761.8923

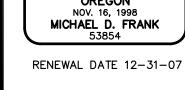
Fax 503.922.3351

REGISTERED **PROFESSIONAL** 

LAND SURVEYOR

 $\geq$ 

**M** 



**|**11/28/06 DRAWN SURVEYOR | MF CHECKED | MF PROJECT # | WRG0033 SHEET TITLE

WRG0033 AL 112106.DW0 SHEET NUMBER



THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON LOCATE PAINT MARKINGS TIED IN THE FIELD OR AVAILABLE AS-BUILT DRAWINGS. THIS SURVEY MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE OF ALL SUCH UTILITIES IN THE AREA. THE UNDERGROUND UTILITIES SHOWN MAY NOT BE IN THE EXACT LOCATION AS NOTED ON THIS SURVEY, BUT ARE LOCATED AS ACCURATELY AS POSSIBLE FROM VISIBLE SURFACE FEATURES OR AS-BUILT INFORMATION AS PROVIDED.

UTILITY LOCATIONS SHOULD BE VERIFIED BY OREGON UTILITY NOTIFICATION CENTER PRIOR TO ANY EXCAVATION.

## BASIS OF BEARINGS

THE BASIS FOR BEARINGS IN THIS SURVEY IS THE EAST LINE OF THE ISAIAH M. JONES D.L.C. NO. 81 BETWEEN A FOUND 5/8 INCH IRON ROD MARKING THE MOST EASTERLY SOUTHEAST CORNER OF THAT TRACT DESCRIBED IN DEED DOCUMENT NO. 2006-09795, RECORDED MAY 2, 2006 AND SET PER SURVEY NUMBER CS P-7952, YAMHILL COUNTY SURVEY RECORDS AND A FOUND 3 INCH BRASS DISK IN A MONUMENT BOX INSCRIBED "YAMHILL CO. SURVEYOR DLC 80/81/82 T4S R4W 1996" MARKING THE NE CORNER OF THE ISAIAH M. JONES D.L.C. NO 81. BEARING OF S00'00'00"E WAS HELD PER SAID SURVEY NUMBER CS P-7952.

# NOTES

THE HORIZONTAL DATUM IS ASSUMED.

2. THE LEGAL DESCRIPTION AND EXCEPTIONS SHOWN HEREON ARE BASED ON THE PRELIMINARY TITLE REPORT (SUPPLEMENTAL #3), REPORT NUMBER 40-0252604, DATED OCTOBER 30, 2006, PREPARED BY WESTERN TITLE & ESCROW COMPANY. 3. THE LAND REPRESENTED BY THIS SURVEY APPEARS TO BE LOCATED IN ZONE "C" (AREAS OF MINIMAL FLOODING) ON FLOOD INSURANCE

RATE MAP COMMUNITY-PANEL NUMBER 410249 0309C DATED SEPTEMBER 30, 1983. 4. SITE CONTAINS 90.430 ACRES, MORE OR LESS.

5. SITE ADDRESS:

3310 SE THREE MILE LANE MCMINNVILLE, OR 97128

6. SITE IS SUBJECT TO FEDERAL AVIATION REGULATION (FAR) SEC. 77.25 (OBJECTS AFFECTING NAVIGABLE AIRSPACE - SUBPART C: OBSTRUCTION STANDARDS).

7. TAX LOT 700, ASSESSOR'S MAP NO. 4S4W26.

8. A DEED GAP APPEARS TO EXIST ADJACENT TO THE WEST LINE OF THE SUBJECT TRACT. DEED FOR EVERGREEN AGRICULTURAL ENTERPRISES, INC., PARCEL 3 OF DEED DOC. NO. 2003-11337, RECORDED MAY 15, 2003 AND THE DEED FOR THE SUBJECT TRACT BEGIN AT THE "NORTHEAST CORNER OF A 30 ACRE TRACT OF LAND CONVEYED TO ANNA HANNA". HOWEVER, THE DEED FOR THE ADJOINER CALLS FOR A LINE DEPARTING FROM SAID COMMON NORTHEAST CORNER SOUTH 00'39'00" WEST, WHEREAS THE DEED FOR THE SUBJECT TRACT CALLS FOR A LINE SOUTH 00°00'00" WEST FROM SAID COMMON NORTHEAST CORNER. NEITHER DEED MAKES REFERENCE CALLS TO OTHER. THE RESULTING GAP INCREASES FROM NORTH TO SOUTH WITH NO OVERLAP.

9. A CONFLICT IN BOUNDARY ESTABLISHMENT EXISTS ALONG THE WEST LINE OF THE SUBJECT TRACT. IT IS THE OPINION OF THIS SURVEYOR THAT THE LINE AS ESTABLISHED IN CS-11937, YAMHILL COUNTY SURVEY RECORDS, BY TOM NELSON & ASSOCIATES, LCC IS IN ERROR. AS STATED IN NOTE 8 ABOVE, RECORDED DEEDS INDICATE A GAP BUT NO OVERLAP EXISTS AS TOM NELSON & ASSOCIATES, LCC HAS PURPORTED. DISCREPANCIES IN THE LINE POSITION ARE DEPICTED HEREON. CHAIN OF TITLE ANALYSIS IS RECOMMENDED TO QUIET TITLE.