

Planning Department 231 NE Fifth Street ○ McMinnville, OR 97128 (503) 434-7311 Office ○ (503) 474-4955 Fax www.mcminnvilleoregon.gov

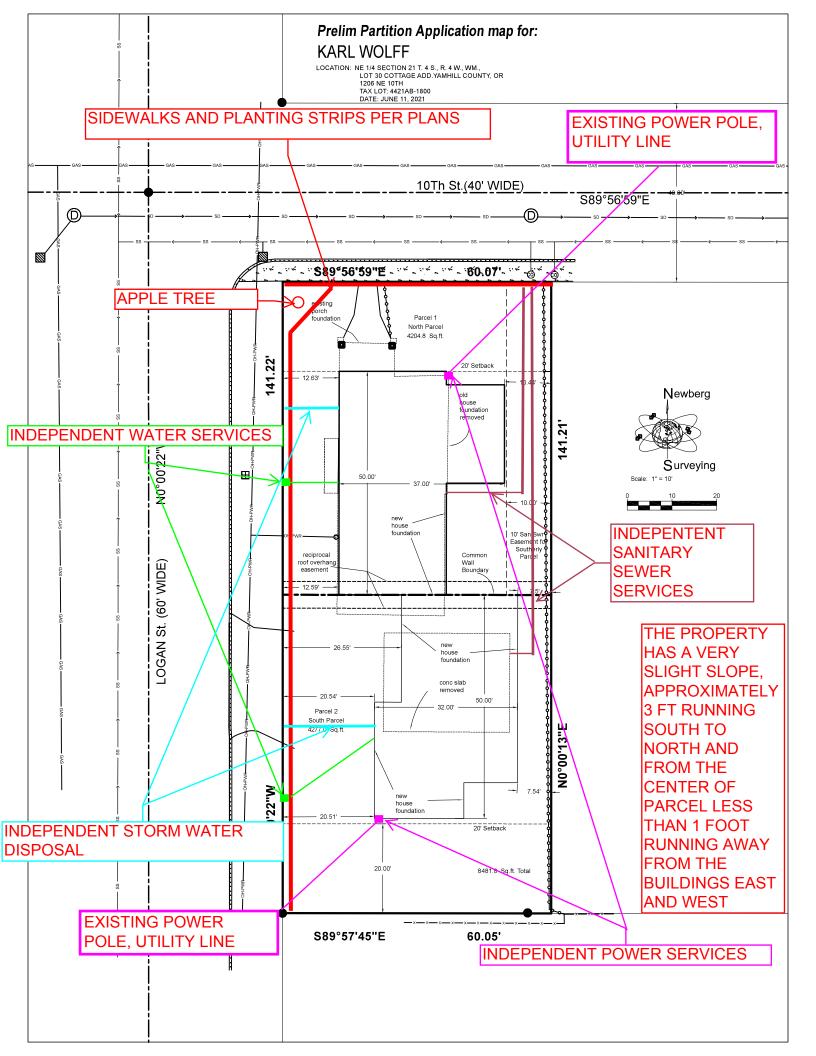
569-21-000277-1	ping
Office Use Only:	
File No. MP 1-31	
Date Received 7-6-2	
Fee 1565.	
Receipt No. 204422	
Received by	

Partition Application

Applicant Information	
Applicant is: ☑ Property Owner ☐ Contract Buyer ☐ Option I	Holder □ Agent □ Other
Applicant Name Karl- Heinz Berto Wolff	Phone 971.237.0389
Contact Name(If different than above)	Phone
Address_ 1206 NE 10th Ave.	
City, State, Zip McMinnville, OR, 97128	
Contact Email worxconstruction@onlinenw.com	
Property Owner Information	
Property Owner Name_same as above (If different than above)	Phone
Contact Name	Phone
Address	
City, State, Zip	
Contact Email	
Site Location and Description (If metes and bounds description, indicate on separate sheet)	
Property Address 1206 NE 10Ave. McMinnville	10
Α.	_Total Site Area
	_BlockLot3o
Comprehensive Plan Designation NA Ros	_Zoning DesignationR2

General Description of Subject Property

1.	Proposed Parcel Size: #1_4208 Sq./Ft. #2_4277 Sq./Ft. #3					
2.	Current Land Use: single dwelling					
3.	Purpose of the partition request: Create two tax lots for a zero lot line partition build that wil maintain the Air B-n-B status of the property.					
4.	Topography: Slight slope.					
5.	Method of Sewage Disposal: city sever (Note: If septic field, this application must be accompanied by a letter of approval from the Count Sanitarian indicating their approval. The Sanitarian can be contacted through the Yamhill County Plannin Department.)					
6.	Water Supply: city water					
In	addition to this completed application, the applicant must provide the following:					
	☑ A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating all required information as listed in the information sheet and in Section 17.53.06 (Submission of Tentative Partition Plan) of the Zoning Ordinance, or, if applicable, Section 17.53.080 (Submission of Future Development Plan).					
	A Title Report or Subdivision Guarantee prepared within 60 (sixty) days of the application date.					
	Payment of the applicable review fee, which can be found on the Planning Department web page.					
l c	certify the statements contained herein, along with the evidence submitted, are in all spects true and are correct to the best of my knowledge and belief.					
Āp	Park Wolf 7-14-21 Oplicant's Signature Date					
Dr	operty Owner's Signature Date					



ORIGINAL F-RECORDING



After recording return to: Karl Wolff 19173 SW Peavine Road McMinnville, OR 97128

Until a change is requested all tax statements shall be sent to the following address: Karl Wolff 19173 SW Peavine Road McMinnville, OR 97128

File No.: 1031-3156157 (MWG) Date: November 28, 2018 THIS SPACE RESERVED FOR RECORDER'S USE

Yamhill County Official Records

201900978

DMR-DDMR

01/24/2019 12:23:00 PM

Stn=2 MILLSA U1/24/ 2Pgs \$10.00 \$11.00 \$5.00 \$60.00

\$86.00

I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk

Brian Van Bergen - County Clerk

STATUTORY WARRANTY DEED

Roger L. Pemberton and Cheri M. Pemberton an estate in fee simple as tenants by the entirety, Grantor, conveys and warrants to Karl Wolff, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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

Lot 30, COTTAGE ADDITION to the City of McMinnville, Yamhill County, Oregon.

Subject to:

Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is \$96,000.00. (Here comply with requirements of ORS 93.030)



775 NE Evans Street McMinnville, OR 97128 Phn - (503)376-7363 Fax - (866)800-7294

PUBLIC RECORD REPORT FOR NEW SUBDIVISION OR LAND PARTITION

THIS REPORT IS ISSUED BY THE ABOVE-NAMED COMPANY ("THE COMPANY") FOR THE EXCLUSIVE USE OF:

Eric Wolff, Worx Construction 19173 SW Peavine Rd McMinnville, OR 97128 Phone: (971)237-3722

Fax:

Date Prepared : August 17, 2021

Effective Date : 8:00 A.M on August 12, 2021

Order No. : 1039-3804579

Subdivision : COTTAGE ADDITION

The information contained in this report is furnished by First American Title Insurance Company (the "Company") as an information service based on the records and indices maintained by the Company for the county identified below. This report is not title insurance, is not a preliminary title report for title insurance, and is not a commitment for title insurance. No examination has been made of the Company's records, other than as specifically set forth in this report. Liability for any loss arising from errors and/or omissions is limited to the lesser of the fee paid or the actual loss to the Customer, and the Company will have no greater liability by reason of this report. This report is subject to the Definitions, Conditions and Stipulations contained in it.

REPORT

A. The Land referred to in this report is located in the County of Yamhill, State of Oregon, and is described as follows:

As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

B. As of the Effective Date, the tax account and map references pertinent to the Land are as follows:

As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

C. As of the Effective Date and according to the Public Records, we find title to the land apparently vested in:

As fully set forth on Exhibit "B" attached hereto and by this reference made a part hereof

D. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:

As fully set forth on Exhibit "C" attached hereto and by this reference made a part hereof.

First American Title Insurance Company Public Record Report for New Subdivision or Land Partition Order No. 1039-3804579

EXHIBIT "A" (Land Description Map Tax and Account)

Lot 30, COTTAGE ADDITION to the City of McMinnville, Yamhill County, Oregon.

Map No.: R4421AB 01800 Tax Account No.: 156039 First American Title Insurance Company Public Record Report for New Subdivision or Land Partition Order No. 1039-3804579

EXHIBIT "B" (Vesting)

Karl Wolff

EXHIBIT "C" (Liens and Encumbrances)

- 1. Taxes for the fiscal year 2021-2022 a lien due, but not yet payable.
- 2. City liens, if any, of the City of McMinnville.
- 3. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
- 4. Unrecorded leases or periodic tenancies, if any.

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$2,069.02

Map No.: R4421AB 01800

Property ID: 156039 Tax Code No.: 40.0

NOTE: We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.

DEFINITIONS, CONDITIONS AND STIPULATIONS

- 1. **Definitions.** The following terms have the stated meaning when used in this report:
 - (a) "Customer": The person or persons named or shown as the addressee of this report.
 - (b) "Effective Date": The effective date stated in this report.
 - (c) "Land": The land specifically described in this report and improvements affixed thereto which by law constitute real property.
 - (d) "Public Records": Those records which by the laws of the state of Oregon impart constructive notice of matters relating to the Land.

Liability of the Company.

- (a) THIS REPORT IS NOT AN INSURED PRODUCT OR SERVICE OR A REPRESENTATION OF THE CONDITION OF TITLE TO REAL PROPERTY. IT IS NOT AN ABSTRACT, LEGAL OPINION, OPINION OF TITLE, TITLE INSURANCE COMMITMENT OR PRELIMINARY REPORT, OR ANY FORM OF TITLE INSURANCE OR GUARANTY. THIS REPORT IS ISSUED EXCLUSIVELY FOR THE BENEFIT OF THE APPLICANT THEREFOR, AND MAY NOT BE USED OR RELIED UPON BY ANY OTHER PERSON. THIS REPORT MAY NOT BE REPRODUCED IN ANY MANNER WITHOUT FIRST AMERICAN'S PRIOR WRITTEN CONSENT. FIRST AMERICAN DOES NOT REPRESENT OR WARRANT THAT THE INFORMATION HEREIN IS COMPLETE OR FREE FROM ERROR, AND THE INFORMATION HEREIN IS PROVIDED WITHOUT ANY WARRANTIES OF ANY KIND, AS-IS, AND WITH ALL FAULTS. AS A MATERIAL PART OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE ISSUANCE OF THIS REPORT, RECIPIENT AGREES THAT FIRST AMERICAN'S SOLE LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY AN ERROR OR OMISSION DUE TO INACCURATE INFORMATION OR NEGLIGENCE IN PREPARING THIS REPORT SHALL BE LIMITED TO THE FEE CHARGED FOR THE REPORT. RECIPIENT ACCEPTS THIS REPORT WITH THIS LIMITATION AND AGREES THAT FIRST AMERICAN WOULD NOT HAVE ISSUED THIS REPORT BUT FOR THE LIMITATION OF LIABILITY DESCRIBED ABOVE. FIRST AMERICAN MAKES NO REPRESENTATION OR WARRANTY AS TO THE LEGALITY OR PROPRIETY OF RECIPIENT'S USE OF THE INFORMATION HEREIN.
- (b) No costs (including, without limitation attorney fees and other expenses) of defense, or prosecution of any action, is afforded to the Customer.
- (c) In any event, the Company assumes no liability for loss or damage by reason of the following:
 - (1) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records.
 - (2) Any facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
 - (3) Easements, liens or encumbrances, or claims thereof, which are not shown by the Public Records.
 - (4) Discrepancies, encroachments, shortage in area, conflicts in boundary lines or any other facts which a survey would disclose.
 - (5) (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (iii) water rights or claims or title to water.
 - (6) Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
 - (7) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment on the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
 - (8) Any governmental police power not excluded by 2(d)(7) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
 - (9) Defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed, agreed to or actually known by the Customer.
- 3. **Charge.** The charge for this report does not include supplemental reports, updates or other additional services of the Company.



Illegal Restrictive Covenants

Please be advised that any provision contained in this document, or in a document that is attached, linked, or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.



After recording return to: Karl Wolff 19173 SW Peavine Road McMinnville, OR 97128

Until a change is requested all tax statements shall be sent to the following address: Karl Wolff 19173 SW Peavine Road McMinnville, OR 97128

File No.: 1031-3156157 (MWG) Date: November 28, 2018

THIS S	PACE RESERVED FOR RECORDER'S USE
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STATUTORY WARRANTY DEED

Roger L. Pemberton and Cheri M. Pemberton an estate in fee simple as tenants by the entirety, Grantor, conveys and warrants to Karl Wolff, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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Lot 30, COTTAGE ADDITION to the City of McMinnville, Yamhill County, Oregon.

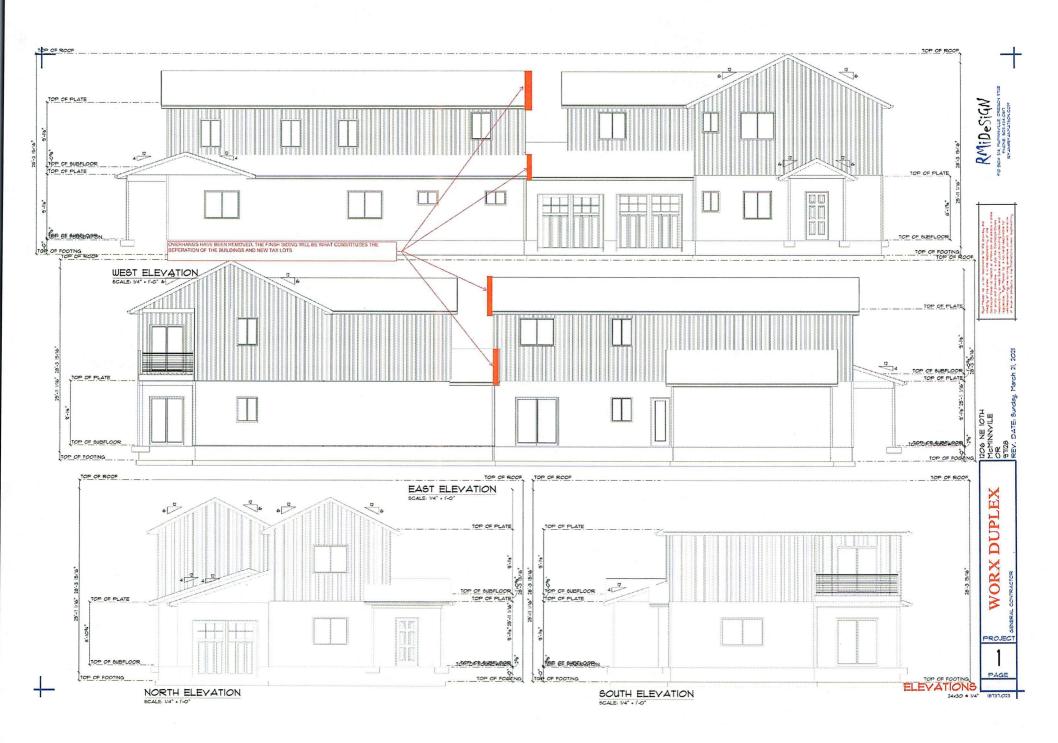
Subject to:

Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is \$96,000.00. (Here comply with requirements of ORS 93.030)

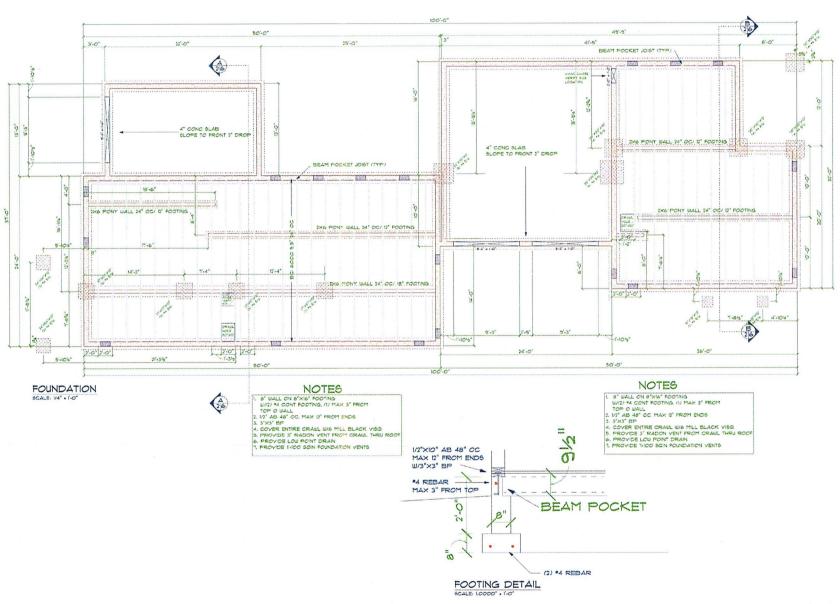
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated th	nis 5 day of Dec		, 20 <u>18</u> .
7 3	& Pular	(Eden MRembox
Roger L. Per	mberton	Ch	eri M. Pemberton
STATE OF	Oregon)	
County of	Yamhill)ss.	
This instrum	ent was acknowledged b	efore me on this da	ay of December, 2018
by Roger L.	Pemberton and Cheri	M. Pemberton.	
		, (
		Welse	ha Sandgren
0.451	ISSA SANDGREN		
IVIEL	Notary Public	Notary Public for 6	Pregon North Dakota
01.1	e of North Dakota	My commission ex	
Stat	ission Expires Oct 20, 2022		
My Comm	ISSION EXPIRES OUT 20, 2022		

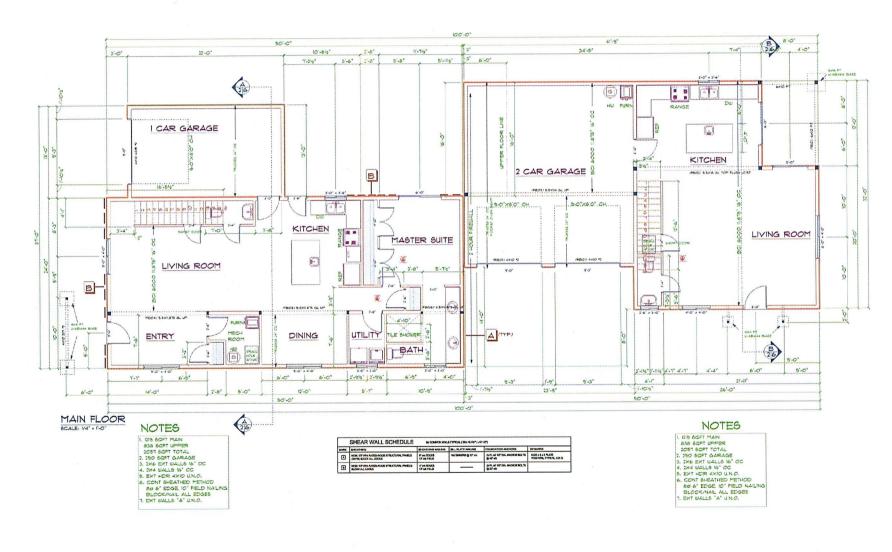


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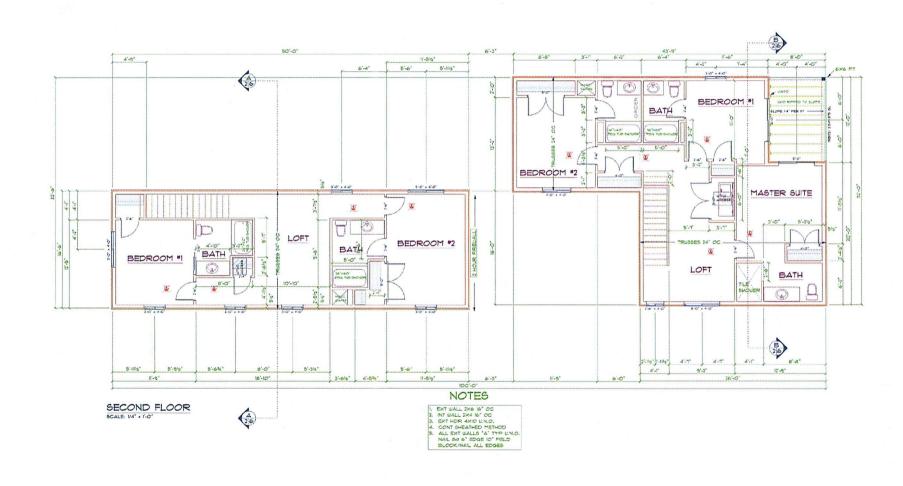
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MAIN FLOOR



24×30 . 1/4"



NOTES

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SECOND FLOOR - ROOF

PAGE

CROSS SECTIONS





Chuck Darnell

From: Eric Wolff <worxconstruction@onlinenw.com>
Sent: Wednesday, September 1, 2021 4:37 PM

To: Chuck Darnell

Subject: Re: FW: Tentative Partition Application Completeness Review

Follow Up Flag: Follow up Flag Status: Flagged

This message originated outside of the City of McMinnville.

Good Afternoon, Chuck.

This is Karl Wolff. Please add my Dad, Eric Wolff, to the application as a representative. He, as well as I, will submit materials, communicate about the application and answer any questions you may have regarding the partition application. I can be reached through this email as well.

Regarding item #2 below (slope instead of contour lines): The property does not have much elevation change -- approximately 3 feet running south to north and less than a foot from the center of the buildings running away from the building east as well as west. As we move forward, no other information will be provided.

Thank you in advance for your assistance.

Best regards,

Karl Wolff

On 8/24/2021 2:43 PM, Chuck Darnell wrote:

Hi Eric,

Thanks for providing this information. I will review it in more detail and get you a more formal response as soon as that is complete.

There are just a couple of additional items that the City would request that you provide. These were touched on in the incomplete letter, but the City just needs written verification of the items before moving forward with the application review. Those are as follows:

- 1. Since Karl is the only person listed on the application form, you (Eric) should be added to the application as a representative if you are going to represent the application (submit materials, communicate about the application, etc.). This was referenced in item #1(a) of the incomplete letter.
- 2. Your proposal to include narrative related to elevation/slope will likely be acceptable in this particular situation, given the lack of any significant slope on the property in question. However, to formally allow for this to move forward, please provide a written statement that this is the information being provided, and that no other information will be provided. This is one of the options (#2) listed under the "Next Steps" section of the incomplete letter, which is something that is required by ORS 227.178(2) to ensure that you are acknowledging that the City will move forward with your application given the information that you have provided even though it is not the exact items required for application submittal (in this case, the narrative related to slope in lieu of contour lines).

The two items requested above can simply be provided in written form via email, as a response to this email chain. Karl should provide the written acknowledgment for you to serve as a representative of the application, as he is the only one listed on the application. However, I don't believe I have his email address (the email address on the application was this one, which I believe is yours). If you could forward the email along to Karl and then have him respond, that would be acceptable.

Please let me know if you have any questions.

Thanks, Chuck



Chuck Darnell

Senior Planner 231 NE 5th Street McMinnville, OR 97128

503-434-7330 chuck.darnell@mcminnvilleoregon.gov

The City of McMinnville, due to budget shortfalls, has implemented an employee furlough program. **Until further notice I will not be working on Fridays.** All of our development services programs (building, code compliance, engineering, and planning) will still be offered Monday – Friday, 8:00 am – 5:00 pm. We will do everything that we can to maintain

timely customer service, but due to the reduced work weeks for staff you may experience some delays in our programs. We apologize in advance and appreciate your patience as we work through this situation.

From: Eric Wolff <worxconstruction@onlinenw.com>

Sent: Friday, August 20, 2021 1:18 PM

To: Chuck Darnell Charles.Darnell@mcminnvilleoregon.gov

Subject: Fwd: FW: Tentative Partition Application Completeness Review

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

This message originated outside of the City of McMinnville.

Good Day Again Chuck,

I found the file of the site plan. Disregard my request for documents already submitted. I believe that all items have now been addressed and completed as per the listed in the Completeness Items section on page 2 of your letter. I am asking for a deviation for item 3. a.. I have attached a verbal description of the slope instead of contour lines. The property does not have much elevation change approximately 3 feet running south to north and less than a foot from the center of the buildings running away from the building east as well as west. These comments have been added to the site plan. The site plan now shows the missing elements described in 3.b. on page 2 as well.

Let me know if this will get us back on track for the partition review.

Thank You,

Eric A. Wolff

----- Forwarded Message ------

Subject: Re: FW: Tentative Partition Application Completeness Review

Date:Fri, 20 Aug 2021 12:03:54 -0700

From:Eric Wolff worxconstruction@onlinenw.com

To:Chuck Darnell Chuck Darnell Charles.Darnell@mcminnvilleoregon.gov

Good Day Chuck,

Please see the attached title report as requested. Karl has signed the application. Regarding the item three that needs to be completed we will supply these items for you. I would appreciate it if you can send me a scanned copy of the documents already submitted. I do not have another copy of the documents. This will allow me to complete this part of the missing information required.

Thank you,

Eric and Karl Wolff

On 8/3/2021 4:21 PM, Chuck Darnell wrote:

Hi Eric,

Just sending along this email again. See below for the email notifying of the incomplete status (sent on 7/30/21), and also the attached formal incomplete letter. I'm sorry if this email didn't come through last Friday for some reason. We have been having a lot of our email communications going into people's spam folders, so you could check there for the original email.

Thanks, Chuck



Chuck Darnell

Senior Planner 231 NE 5th Street McMinnville, OR 97128

503-434-7330

chuck.darnell@mcminnvilleoregon.gov

The City of McMinnville, due to budget shortfalls, has implemented an employee furlough program. **Until further notice I will not be working on Fridays.** All of our development services programs (building, code compliance, engineering, and planning) will still be offered Monday – Friday, 8:00 am – 5:00 pm. We will do everything that we can to maintain timely customer service, but due to the reduced work weeks for staff you may experience some delays in our programs. We apologize in advance and appreciate your patience as we work through this situation.

From: Chuck Darnell

Sent: Friday, July 30, 2021 5:12 PM

To: Eric Wolff worxconstruction@onlinenw.com

Subject: Tentative Partition Application Completeness Review

Hi Karl & Eric,

I am writing to follow up on the Tentative Partition application that you submitted to the McMinnville Planning Department for the property at 1206 NE 10th Avenue. The subject property is more specifically identified as Tax Lot 1800, Section 21AB, R. 4 S., T. 4 W., W.M.

The Tentative Partition application has been officially filed with the Planning Department as docket number MP 1-21.

The application has been reviewed for completeness, and based on the materials provided, has been deemed incomplete. Attached you will find the formal incomplete letter, which describes the reasoning for the application being deemed incomplete and includes the information that is requested in order to deem the application complete.

Please confirm that you have received this email and the attached letter. If you have any questions about the incomplete items requested, please let me know. I would be happy to discuss them in more detail.

Thanks, Chuck



Chuck Darnell

Senior Planner 231 NE 5th Street McMinnville, OR 97128

503-434-7330

chuck.darnell@mcminnvilleoregon.gov

The City of McMinnville, due to budget shortfalls, has implemented an employee furlough program. **Until further notice I will not be working on Fridays.** All of our development services programs (building, code compliance, engineering, and planning) will still be offered Monday – Friday, 8:00 am – 5:00 pm. We will do everything that we can to maintain timely customer service, but due to the reduced work weeks for staff you may experience some delays in our programs. We apologize in advance and appreciate your patience as we work through this situation.