

ORDINANCE NO. 630

CITY OF SHERWOOD, OREGON

AN ORDINANCE GRANTING A ZONE CHANGE WITH RESPECT TO THE LANDS OF TRAVPORT, INC., a corporation, IN SECTION 32, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, SHERWOOD, WASHINGTON COUNTY, OREGON, AND DECLARING AN EMERGENCY

WHEREAS, the hereinafter described lands, by action of the City Council of the City of Sherwood, Oregon, pursuant to the Zoning Code of the City of Sherwood, have heretofore been limited in the use to those uses permitted by said Code, under, and have been classified and zoned for A1, General Agricultural.

WHEREAS, pursuant to prescribed procedures, the owners of said lands have applied to the City of Sherwood for reclassification of said property and change of zone thereof to permit the use thereof for R1 Low Density Residential purposes for a portion of said lands and for R2 Medium Density Residential purposes, and said application has been duly publicized and public hearing held by the City Planning Commission on May 12th, 1972, after due and legal notice; and

WHEREAS, the Planning Commission has recommended approval of said zone change to the City Council, and due and legal notice of City Council hearing having been given by publication in the Tri City Times, and the City Council having heard same at 8:00 p.m. in the Council Chambers at the City Hall on June 14, 1972, due legal notice having been given, and the Council having found:

- (1) That A1 zoning in effect in the area was, pursuant to the zoning plan, for the purpose of continuing the pre-existing agricultural use until development and growth patterns made more clear the type of use for said lands most appropriate to the public need,
- (2) That said land is best suited for R1 and some R2 land use classifications,
- (3) That the re-zoning of said lands is not inconsistent with the objectives of the City's zoning plan in that the requested change is in keeping with the pattern of land use on adjacent lands and would not unduly burden available utilities and roadways, and
- (4) That no public detriment will result from the change and that it is in the public interest that said zone change be approved and the lands rezoned from A1, General Agricultural;

WHEREAS, the Council finds that that prior motion of the City Council approving the zone change should be by ordinance ratified, affirmed, and approved

NOW, THEREFORE, THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1(a): The lands described on the attached sheet marked "Exhibit A", headed "Description #1, Lands of Travport, Inc., R-1, Low Density Residential, " be, and the same are hereby, zoned as R-1 for use in accordance with the low density residential district classification of the zoning code of the City of Sherwood, which zoning code with respect to the R-1 Low Density Residential District classification is by reference herein made a part hereof;

Section 1(b): The lands described on the attached sheet marked "Exhibit B", headed "Description #2, Lands of Travport, Inc., R-2, Medium Density Residential" be, and the same are hereby, zoned as R-2 for use in accordance with the medium density residential district classification of the zoning code of the City of Sherwood, which zoning code with respect to R-2 Medium Density Residential District classification is by reference herein made a part hereof;

Section 2: That the zoning map is hereby amended with respect to the property described on Exhibits A and B, attached hereto and by reference made a part hereof, and as disclosed on "Exhibit C" attached hereto and by this reference made a part hereof, and the recorder is directed to maintain a copy of "Exhibit C" certified by her to be a true copy of the original attached hereto and bearing the number of this ordinance in a book on file entitled "Zone Map Amendments" said book to be kept and maintained as a part of the permanent records of the City of Sherwood.

Section 3: Inasmuch as approval of the zone change was granted by the City Council on June 14, 1972, and the owners of said land have proceeded to develop the said land in accordance with said approval, but through oversight the zone change has not been carried into effect by ordinance, an emergency is hereby declared to exist and this ordinance is to take effect on the first day of the calendar month next following its passage by the Council and approval by the Mayor.

PASSED by the Council by unanimous vote of all Council members present after being read by caption three times, and in duplicate, this 14th day of March, 1973.

Mayore Stewart
Recorder

APPROVED: By the Mayor this 14th day of March, 1973.

Jack D. Harper
Mayor

EXHIBIT A

Description #1, lands of Thaupt, Inc - R1

Page 4 of Policy No. 319151

beginning at the Southeast corner of Block 4 of SHERWOOD ACRES, a plat of record in said County, and running thence South 48° East 65.00 feet to an iron rod; thence South 62° East 65.00 feet to an iron rod; thence South 72° East 65.00 feet to an iron rod; thence South $75^{\circ}36'35''$ East 72.00 feet to an iron rod; thence South 63° East 78.00 feet to an iron rod on the West line of that tract described in deed to Glen C. Warmbier et ux, recorded April 26, 1971 in Book 814, page 263, Washington County Records; thence South $27^{\circ}59'45''$ East 80.00 feet along said West line; thence South $43^{\circ}45'08''$ West 100.00 feet to an iron rod; thence South $44^{\circ}45'$ East 72.79 feet to an iron rod; thence South $35^{\circ}30'$ West 70.09 feet to an iron rod; thence North $52^{\circ}01'15''$ West 16.83 feet to an iron rod; thence South $30^{\circ}35'15''$ West 58.84 feet to an iron rod; thence South $86^{\circ}15'45''$ East 80.72 feet to an iron rod; thence South $39^{\circ}21'27''$ East 126.44 feet to an iron rod; thence South $0^{\circ}05'15''$ West 240.00 feet to an iron rod; thence North $89^{\circ}54'45''$ West 260.00 feet to an iron rod; thence South $0^{\circ}05'15''$ West 90.00 feet to an iron rod; thence North $89^{\circ}54'45''$ West 100.00 feet to an iron rod; thence South $0^{\circ}05'15''$ West 35.00 feet to an iron rod; thence North $89^{\circ}54'45''$ West 150.00 feet to an iron rod; thence North $0^{\circ}05'15''$ East 45.00 feet to an iron rod; thence North $89^{\circ}54'45''$ West 170.00 feet to an iron rod; thence North $0^{\circ}05'15''$ East 80.00 feet to an iron rod; thence North $89^{\circ}54'45''$ West 280.00 feet to an iron rod on the East line of Lot 7, Block 5, of Sherwood Acres; thence North $0^{\circ}18'15''$ East on said East line of Lot 7, 263.28 feet to an iron rod at the Southwest corner of that tract described in deed to Richard Vernon Owings et ux, recorded August 25, 1969, in Book 754, page 760, Washington County Records; thence South $89^{\circ}54'45''$ East 114.30 feet to an iron rod at the Southeast corner of said Owings tract; thence North $0^{\circ}05'15''$ East along the East line of said Owings tract and the Northerly extension thereof, 145.00 feet to an iron rod; thence North $46^{\circ}55'$ East 186.29 feet to an iron rod on the South line of Block 4 of said Sherwood Acres; thence North $50^{\circ}58'$ East on said line, 377.76 feet to the point of beginning.

SAVE AND EXCEPT the following described parcel of land:

Situate in the northeast quarter of Section 32, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon and being described as follows:

Beginning at a point on the northwest line of TL 100 2S1 32, said point being $S50^{\circ}58'W$, a distance of 150.0 feet from the southeast corner of Block 4 Sherwood Acres a plat of record in said county, a $5/8''$ iron rod found and running $S39^{\circ}02'E$ a distance of 75.0 feet to the beginning of a tangent 25.0 foot radius curve right; thence, on said curve through a central angle of $90^{\circ}00'$ (long chord bears $S5^{\circ}58'W$, 35.36 feet) a distance of 39.27 feet to the end thereof; thence $S50^{\circ}58'W$ a distance of 162.10 feet to the beginning of a tangent 270.0 foot radius curve right; thence on said curve through a central angle of $39^{\circ}07'15''$ (long chord bears $S70^{\circ}31'38''W$, 130.79 feet) a distance of 184.35 feet to a point, thence $N89^{\circ}54'45''W$ a distance of 44.16 feet to a point on the northwest line of TL 100 2S1 32; thence $N46^{\circ}55'E$ a distance of 164.37 feet to a point; thence $N50^{\circ}58'E$ a distance of 227.76 feet to the point of beginning, containing 0.74 acres more or less.

Ord 630

EXHIBIT B

Description #2, Lands of Transport Inc. - R2

Situate in the northeast quarter of Section 32, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon and being described as follows:

Beginning at a point on the northwest line of TL 100 2S1 32, said point being S50°58'W, a distance of 150.0 feet from the southeast corner of Block 4 Sherwood Acres a plat of record in said county, a 5/8" iron rod found and running S39°02'E a distance of 75.0 feet to the beginning of a tangent 25.0 foot radius curve right; thence, on said curve through a central angle of 90°00' (long chord bears S5°58'W, 35.36 feet) a distance of 39.27 feet to the end thereof; thence S50°58'W a distance of 162.10 feet to the beginning of a tangent 270.0 foot radius curve right; thence on said curve through a central angle of 39°07'15" (long chord bears S70°31'38"W, 180.79 feet) a distance of 184.35 feet to a point, thence N89°54'45"W a distance of 44.16 feet to a point on the northwest line of TL 100 2S1 32; thence N46°55'E a distance of 164.37 feet to a point; thence N50°58'E a distance of 227.76 feet to the point of beginning, containing 0.74 acres more or less.

EXHIBIT B

RECORD OF SURVEY IN

NE 1/4 NE 1/4 SEC. 32 T2S, R1W W.M.
WASHINGTON COUNTY, OREGON

THE MURRAY-McCORMICK
ENVIRONMENTAL GROUP

PORTLAND, OREGON

SURVEYED 9-14-71 DRAWN 9-29-71

TL 102
251 32

LEGEND

- Found 5/8" I.R. unless noted otherwise
- Set 5/8" x 30" I.R.

TL 101
251 32

REGISTERED
OREGON
LAND SURVEYOR

Jerry S. Marie

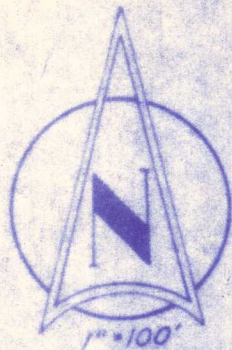
JULY 12, 1968
JERRY S. MARIE
860

Ordinance 630
Effective April 4, 1973

MAR 14 1973

0900101





N 1/4 CORNER
SECTION 32
1876.0'
N 89° 59' E

POINT OF BEGINNING SURVEY
S.E. CORNER BLOCK 4
SHERWOOD ACRES
PER C.S. #6515

RECORD OF SURVEY IN

NE 1/4 NE 1/4 SEC. 32 T2S, R1W W.M.
WASHINGTON COUNTY, OREGON

THE MURRAY-McCORMICK
ENVIRONMENTAL GROUP

PORTLAND, OREGON

SURVEYED 9-14-71 DRAWN 9-29-71

LEGEND

- Found 5/8" I.R. unless noted otherwise
- ⊙ Set 5/8" x 30" I.R.

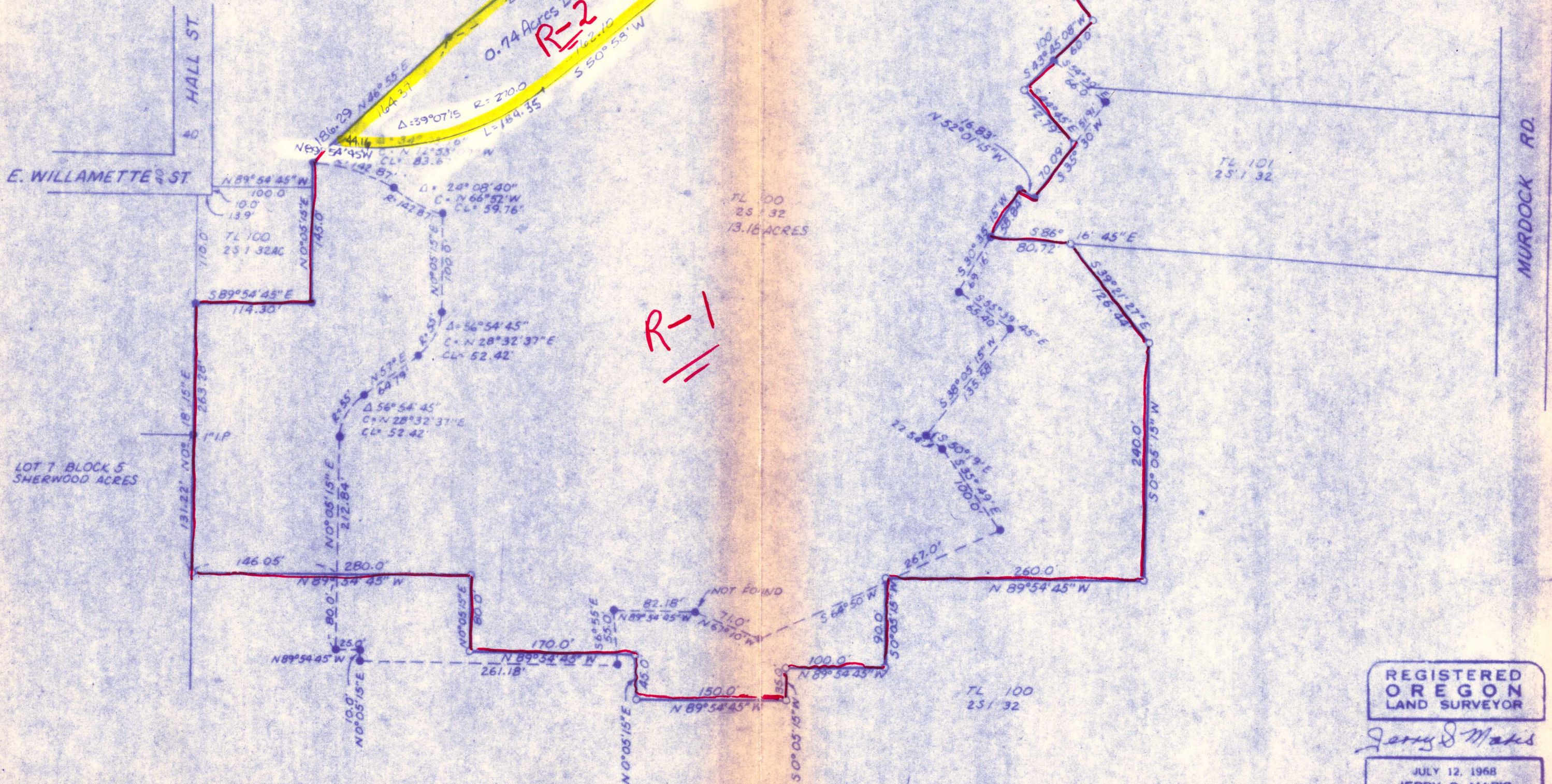


Exhibit MC

Ordinance 630
Effective April 1, 1973

MAR 14 1973

0900109