



City Council
July 20th, 2026

6:30pm

Newberg Public Safety Building 401 E. Third Street
Denise Bacon Community Room

Online: <https://us06web.zoom.us/j/89536547180>

[Public Comment Registration](#)

[View Slides](#)

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. [City Manager Statistical Report on May](#)

a. [Presentation](#)

5. Public Comments

5.1. [Written Comment #1](#)

6. Proclamation

6.1. [Old Fashioned Festival](#)

7. Public Hearing

7.1. [De-Annexation of Property from City Limits](#)

- a. [Exhibit A: Legal Description and Cadastral Maps](#)
- b. [Exhibit B: Application Materials](#)
- c. [Exhibit C: Agency Referral Comments](#)
- d. [Exhibit D: Ordinance No. 2026-2651](#)
- e. [Presentation](#)

8. New Business

8.1. [Waste Management Queuing Lanes](#)

- a. [Exhibit A: Newberg Transfer Station Map](#)
- b. [Exhibit B: Newberg Urban Area Growth Management Agreement Findings](#)
- c. [Exhibit C: Newberg Entry Lane Improvement Application Narrative](#)



d. [Presentation](#)

8.2. [Waste Management Transfer Station Upgrades Presentation](#)

8.3. [Library Internet Policy](#)

a. [Appendix A: Internet Policy 2026](#)

9. [Intergovernmental Agreement to Provide Court Services for Dundee](#)

9.1. [Exhibit A: Intergovernmental Agreement](#)

Adjournment

ADA Statement: Contact the City Recorder's Office for physical or language accommodation at least 2 business days before the meeting. Call (503) 537-1283 or email cityrecorder@newbergoregon.gov. For TTY services please dial 711.

*Indicates supplementary item

REQUEST FOR COUNCIL ACTION



Date Action Requested: (July 20, 2026)

Order ☐ Ordinance ☐ Resolution ☐ Motion ☐ Information ☒ Proclamation ☐	
Subject: CM statistics for May 2026	Staff: Will Worthey CM Department: Administration
Work Session ☐ Business Session ☒	Order On Agenda: CM report

Is this item state mandated? Yes ☐ No ☒

If yes, please cite the state house bill or order that necessitated this action: NA

Recommendation: NA

Executive Summary: The summary of events conducted by city departments in May of 2026.

Fiscal Impact: All were conventionally budgeted items.

Council Goals:

Goal 4: Create and maintain a high level of transparency with our residents in order to build trust.

O1: Expand communication outreach in regard to regular city events and additional involvement with city businesses by the end of 2026.

Newberg CM Report

Monthly Statistics to the End of May 2026



Planning: combined planning decisions of all sorts*: 11

**Average
2022**

11.7

**Average
2023**

11.8

**Average
2024**

8.6



* Combined from the Director, Planning Commission and Council

Planning: building permits for housing units: 7

**Average
2022**

15

**Average
2023**

7.8

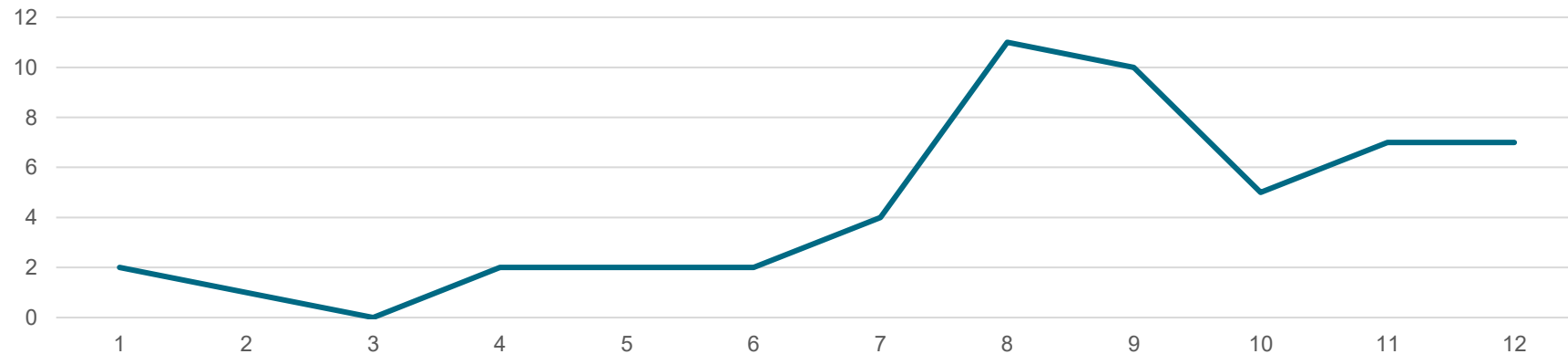
**Average
2024**

5.7

Permits for units



2025 Permits for units Average: 4.4



Planning: building permits other types: 84

**Average
2022**

122

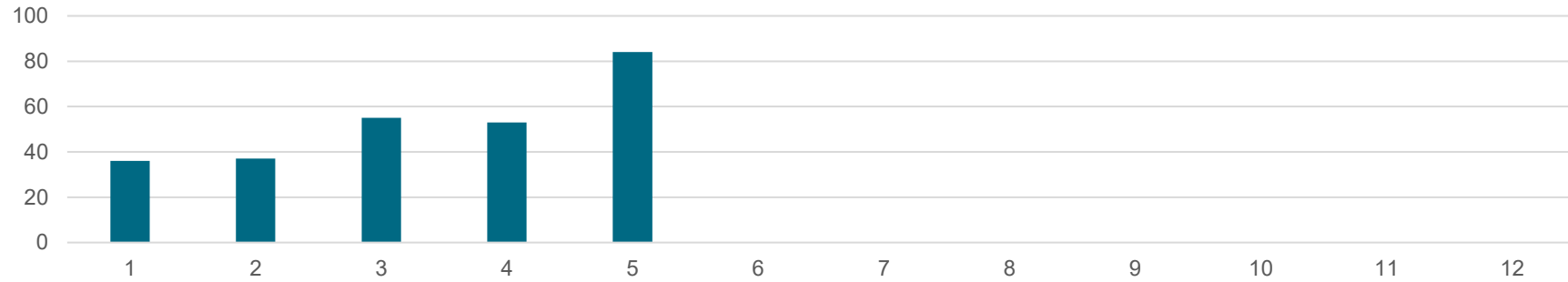
**Average
2023**

101

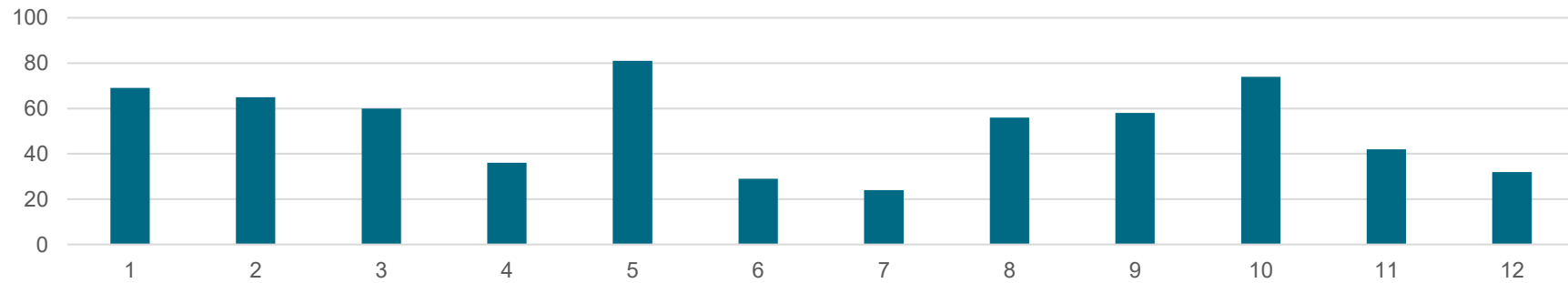
**Average
2024**

55.3

Other Building Permits



2025 Other Building Permits Average: 52.1



Planning: building inspections: 299

**Average
2022**

691

**Average
2023**

728

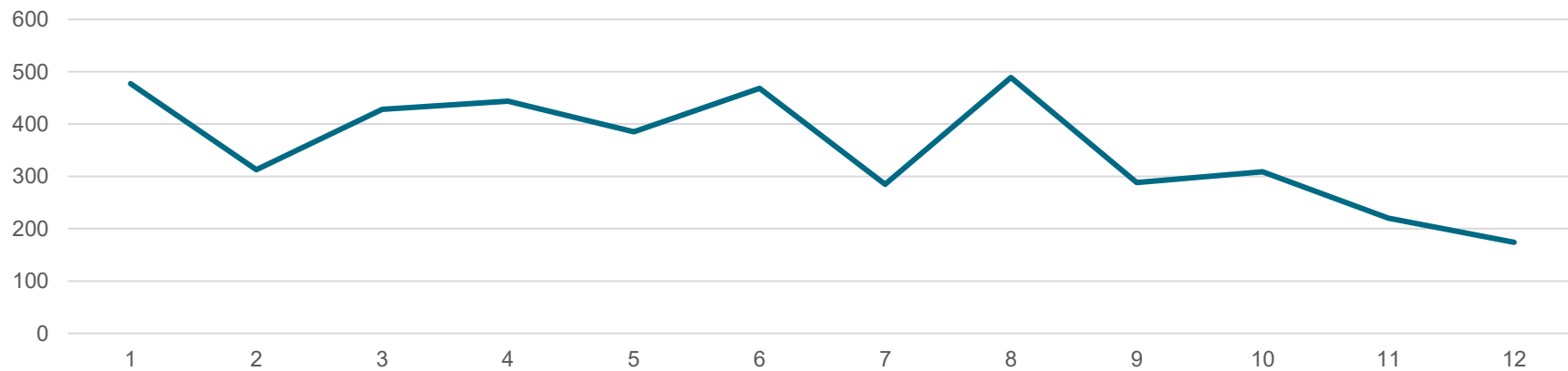
**Average
2024**

624.7

Building Inspections



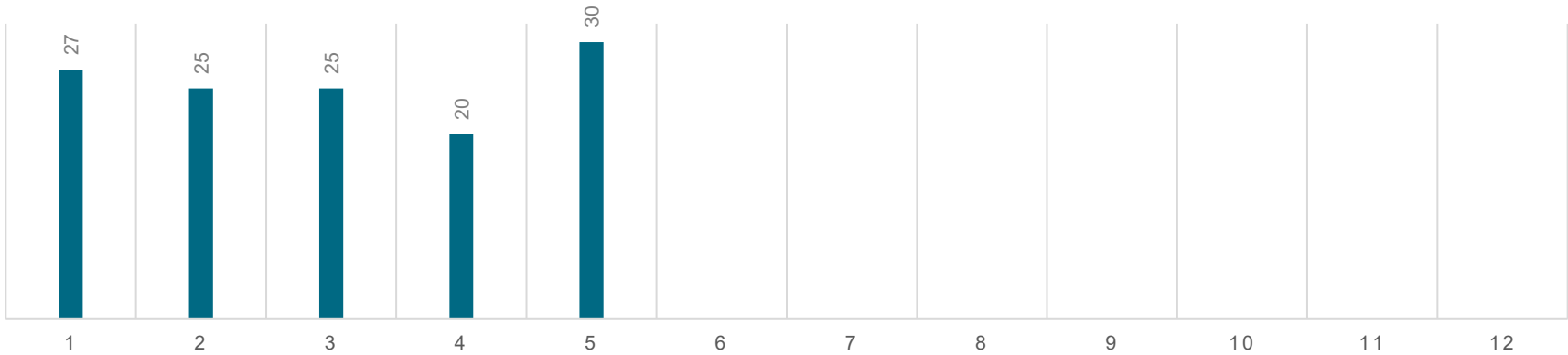
2025 Building Inspections Average: 356.7



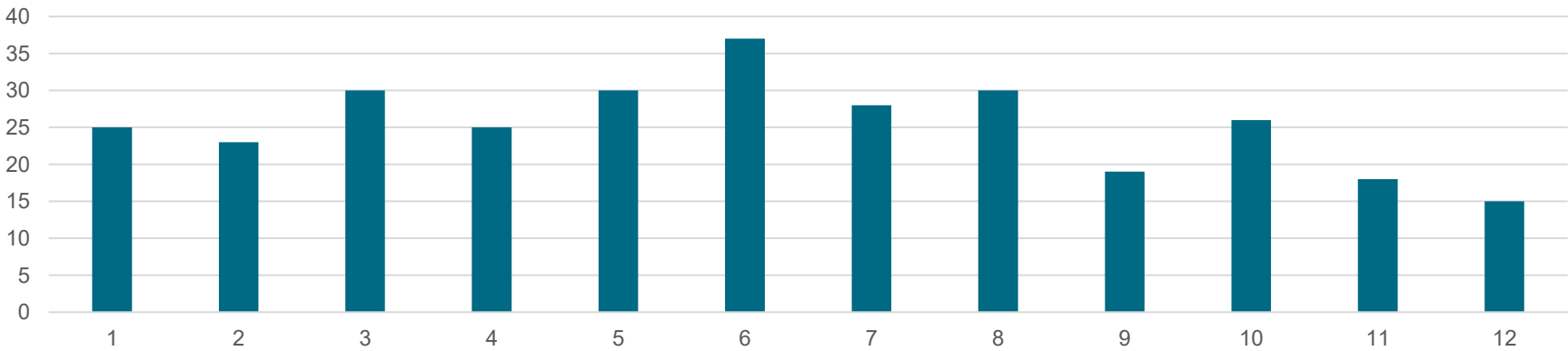
Community Engagement: submission forms through website: 30



WEB SITE POSTINGS WE RESPONDED TO



2025 Website Responses Average: 25.5



Community Engagement: social media engagement: 29,264

**Average
2022**

7942.5

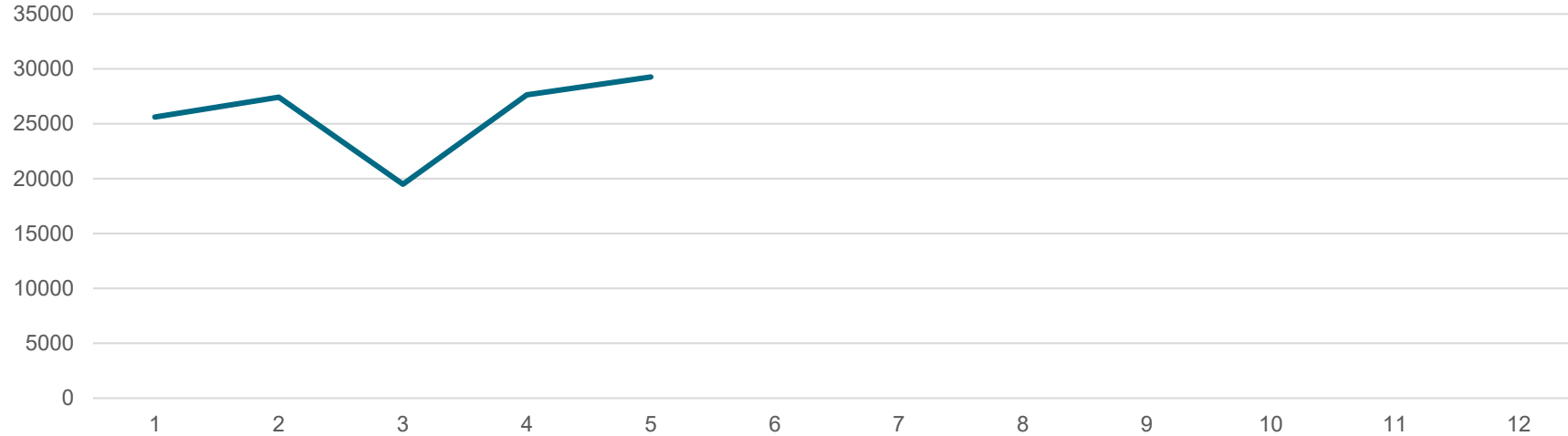
**Average
2023**

7560.8

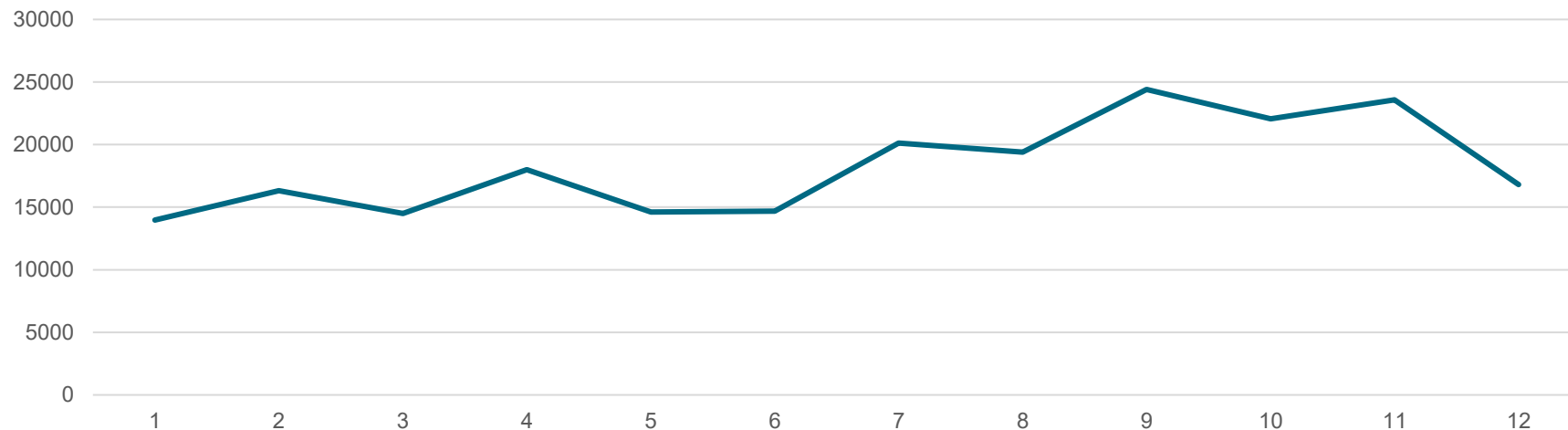
**Average
2024**

13,673

Social Media Engagement



2025 Social Media Engagement Average: 18,205.9



City Recorder: Public Records Requests: 9

**Average
2022**

4.5

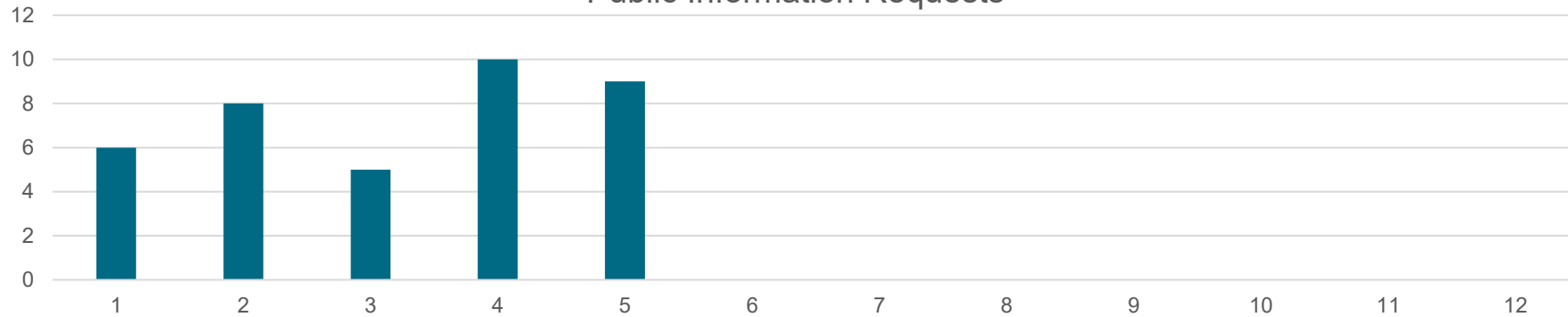
**Average
2023**

5.5

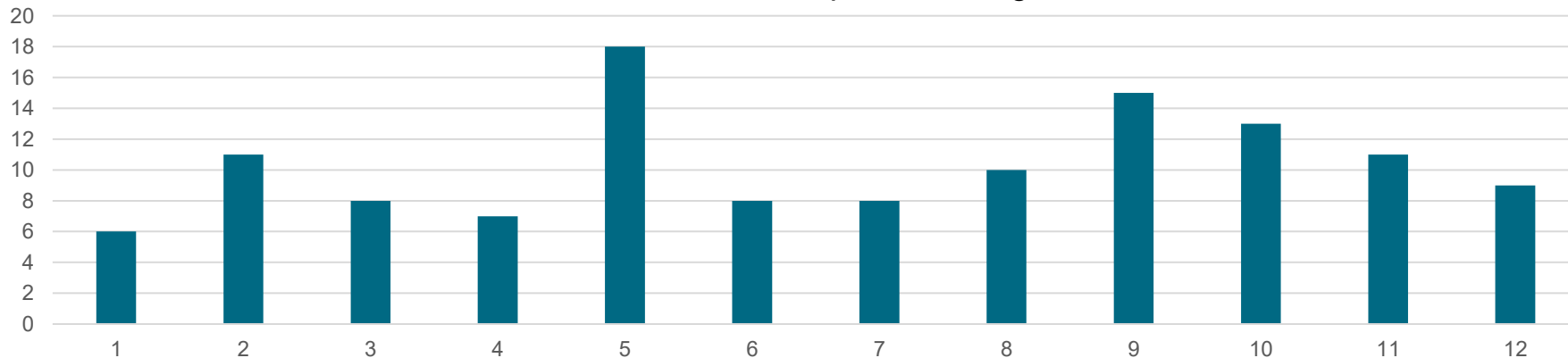
**Average
2024**

5.3

Public Information Requests

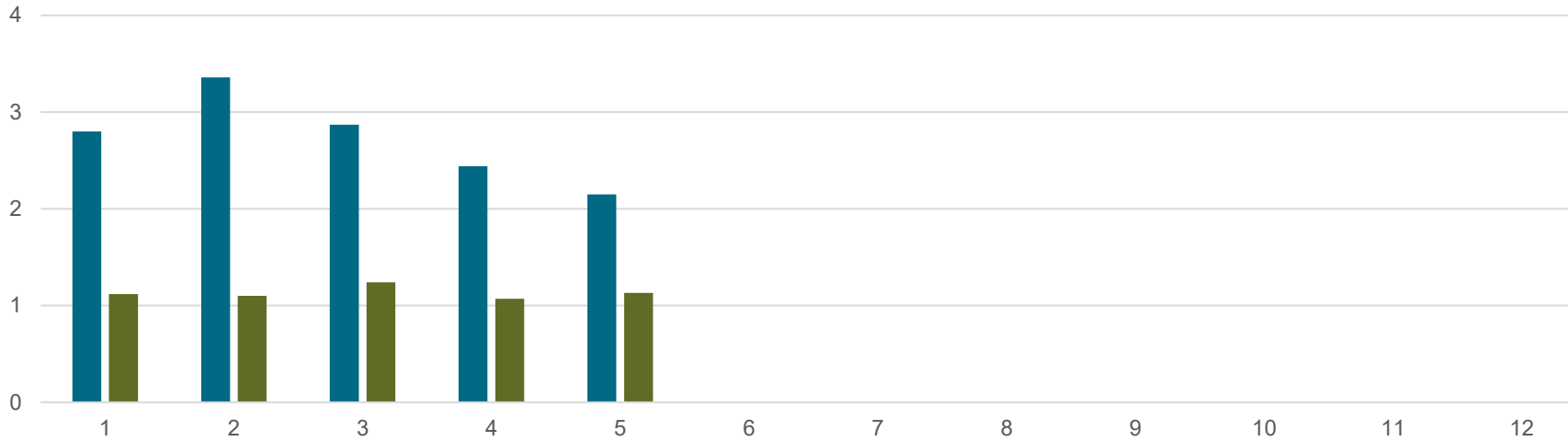


2025 Public Records Requests Average: 10.3

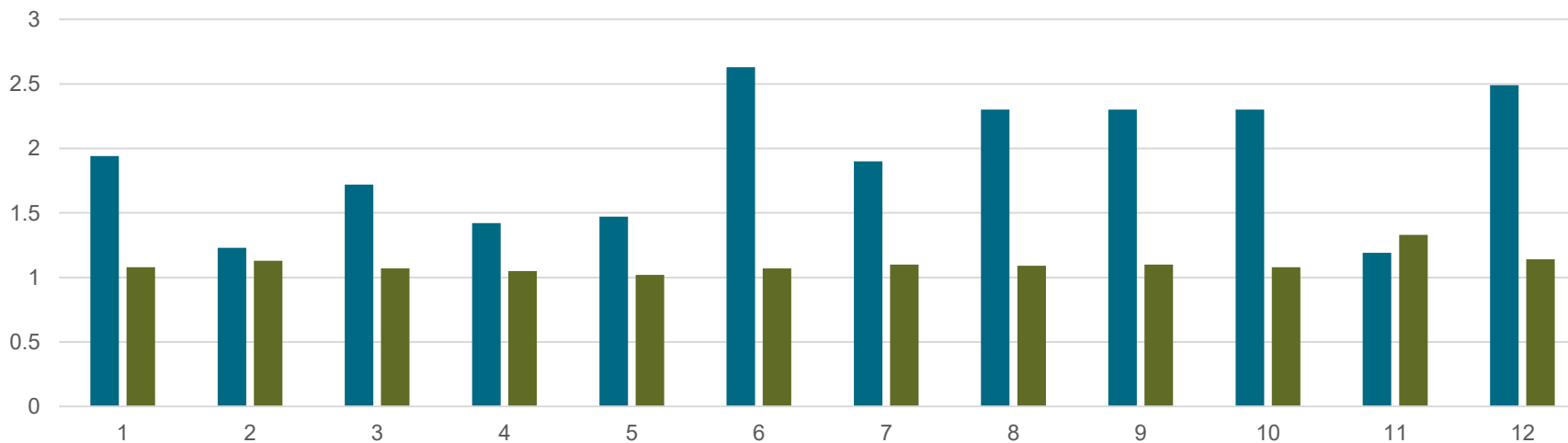


Finance: \$2.15 M of payments to accounts payable & \$1.13 M of payroll

Accounts Payable \$ and Payroll \$



2025 Accounts Payable \$: 1.91 and Payroll \$: 1.11



**Average
2022**

AP
\$1.75 M
Payroll
\$0.93 M

**Average
2023**

AP
\$2.56 M
Payroll
\$1.01 M

**Average
2024**

AP
\$1.44 M
Payroll
\$1.12 M

2022 Average

Recruitments

5.6

Hires

1.9

Separations

1.6

Claims

2.6

2023 Average

Recruitments

4.2

Hires

1.9

Separations

1.1

Claims

3.3

2024 Average

Recruitments

3.7

Hires

1.6

Separations

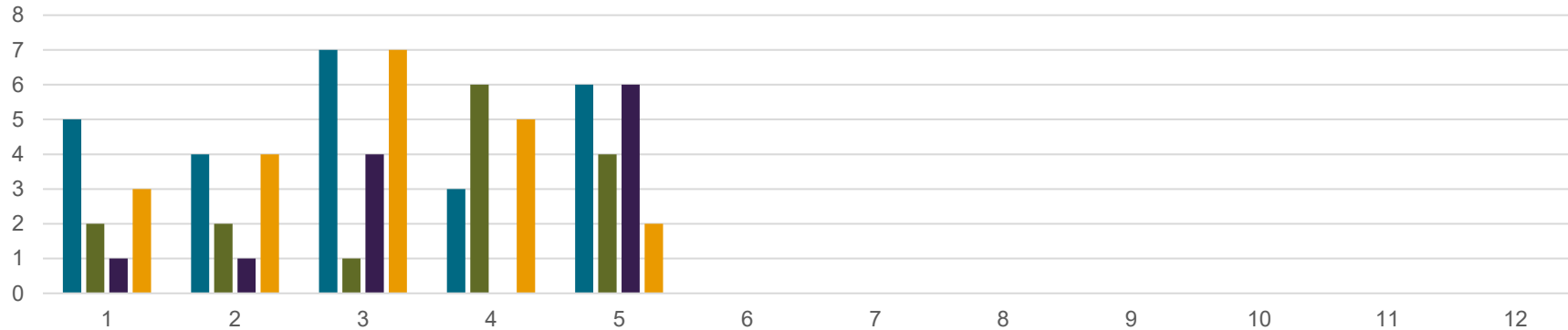
1

Claims

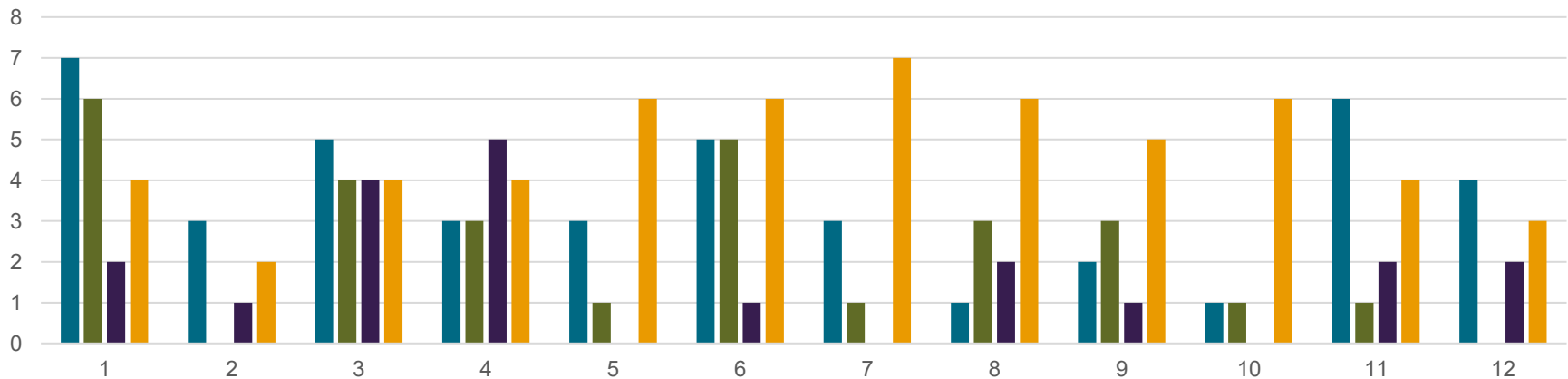
4

HR: Recruitments advertised - 6 Hires: 4 Separations: 6,
FMLA / ADA / OFLA / workers comp claims: 2

Recruitments, Hires, Separations, Claims



2025 Recruitments: 3.6 , Hires: 2.3 , Separations: 1.7 , Claims: 4.8



IT resolved 185 service tickets for the city.

**Average
2022**

203.4

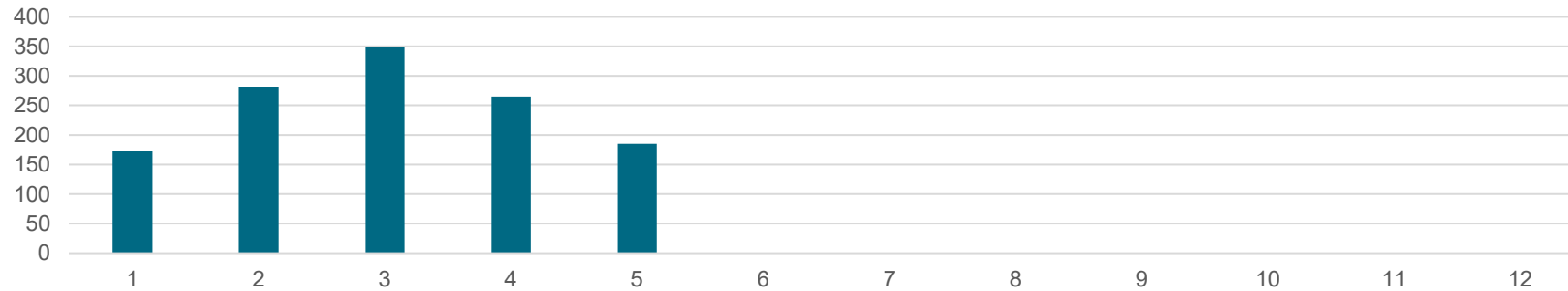
**Average
2023**

232.3

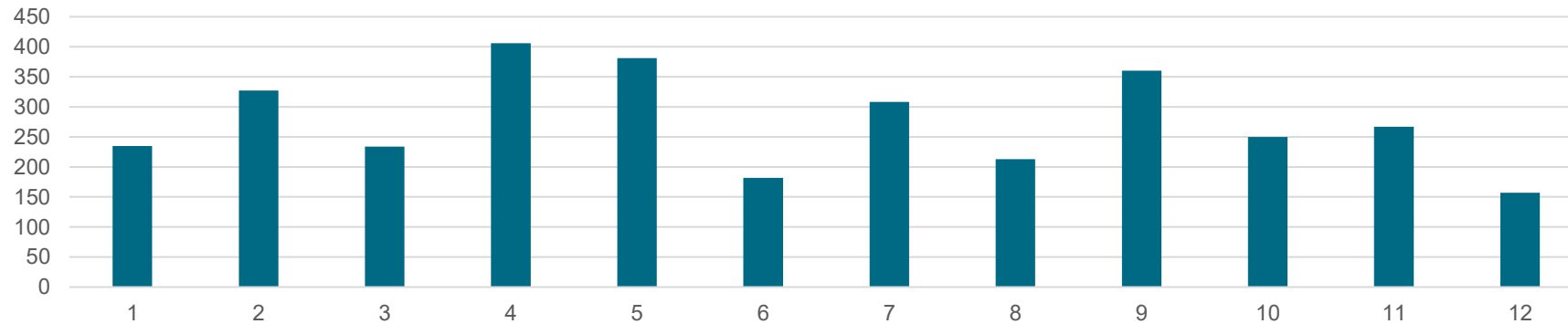
**Average
2024**

245.4

Service Tickets



2025 Service Tickets Average: 276.7



IT responded to 3 after hours on-call events.

**Average
2022**

3.6

**Average
2023**

2.58

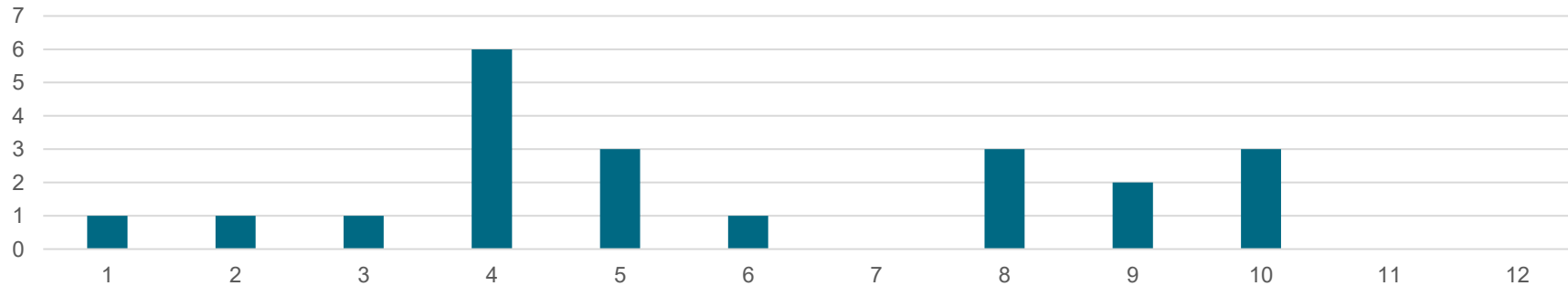
**Average
2024**

2.67

After hours events



2025 After hours events Average: 1.8



Library Activity: Door count 7,889, Circulation events 32,834

Average 2022

Door Count
7108

Circulation
23,418

Average 2023

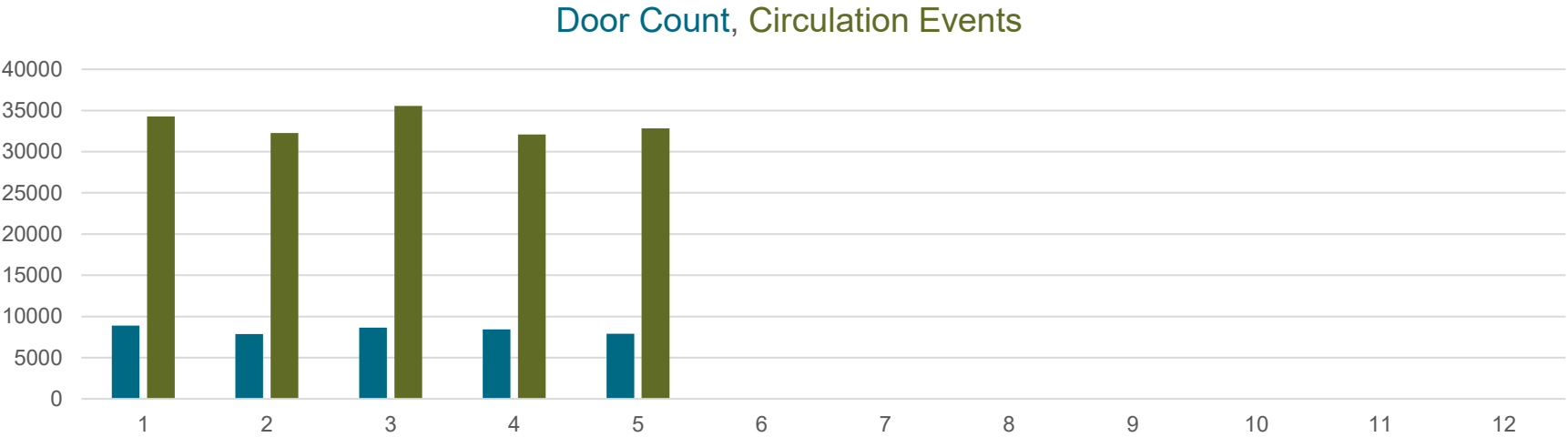
Door Count
8372

Circulation
25,889

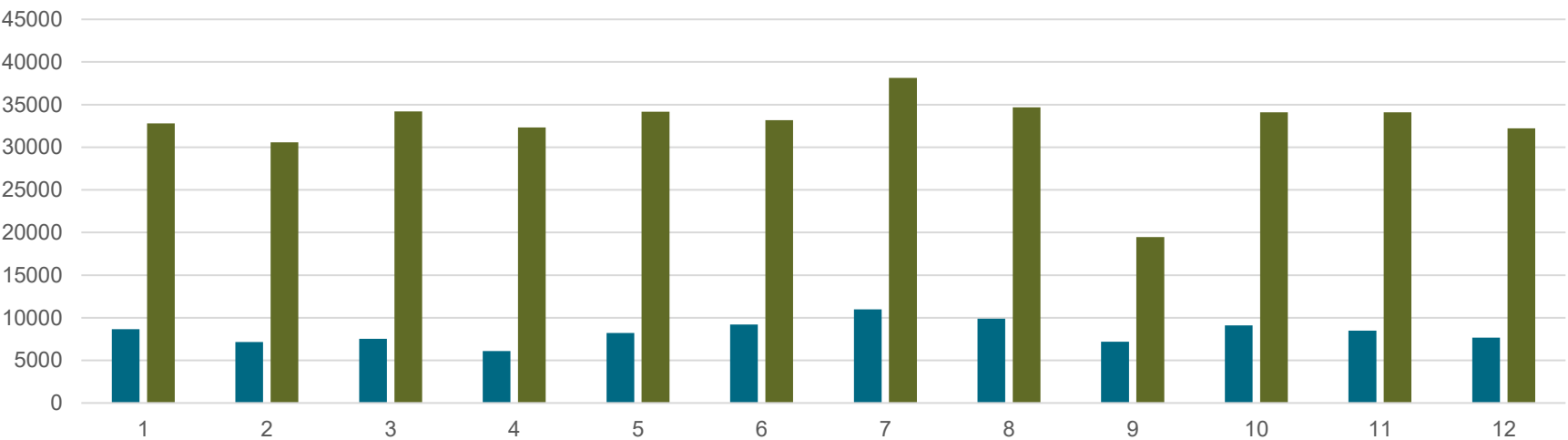
Average 2024

Door Count
8426

Circulation
31,669



2025 Door Count Average: 8352.3 , Circulation Events Average: 32,493.2



Public Safety: 2377 – calls for service

**Average
2022**

2065

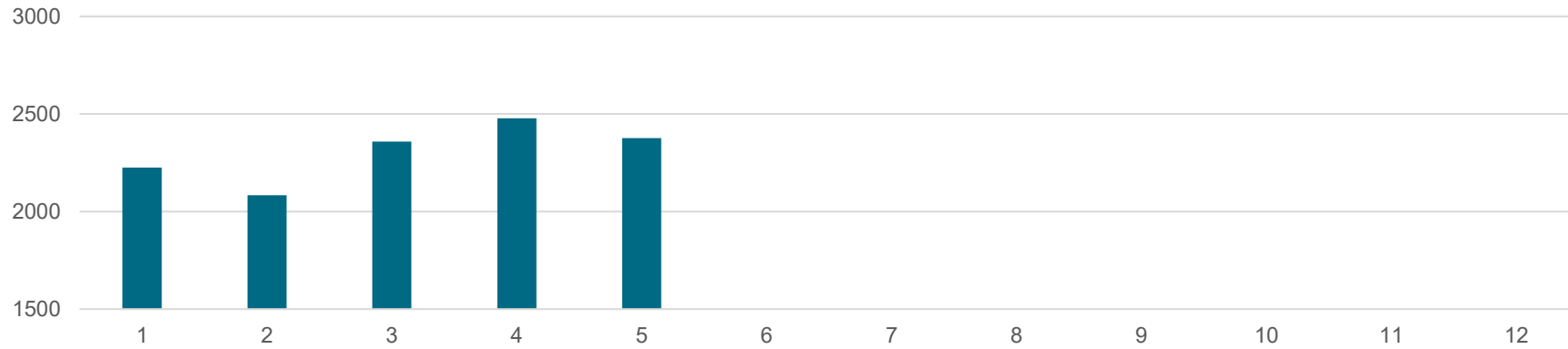
**Average
2023**

2206

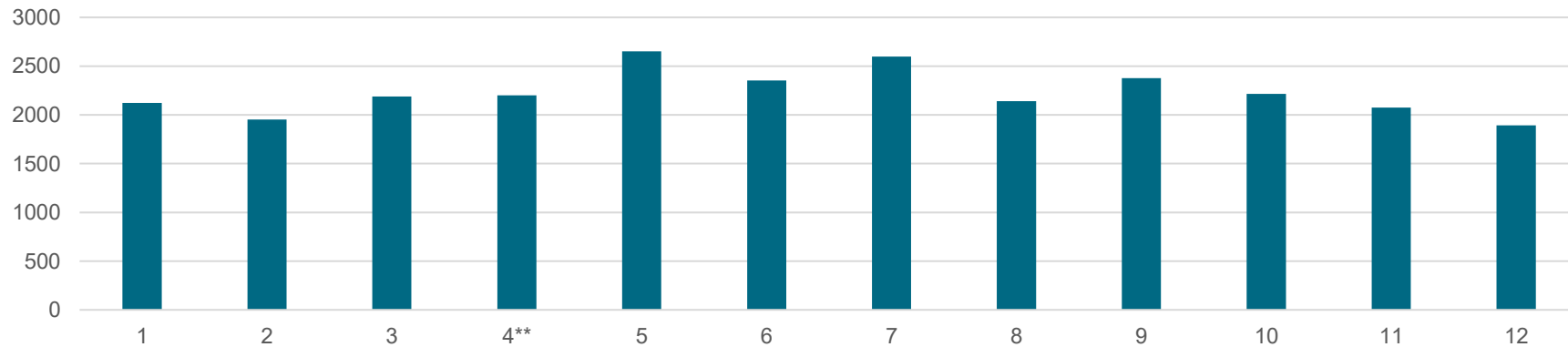
**Average
2024**

2289

Calls for service



2025 Calls for service Average: 2231.1



Public Safety: 781 – traffic stops

**Average
2022**

561

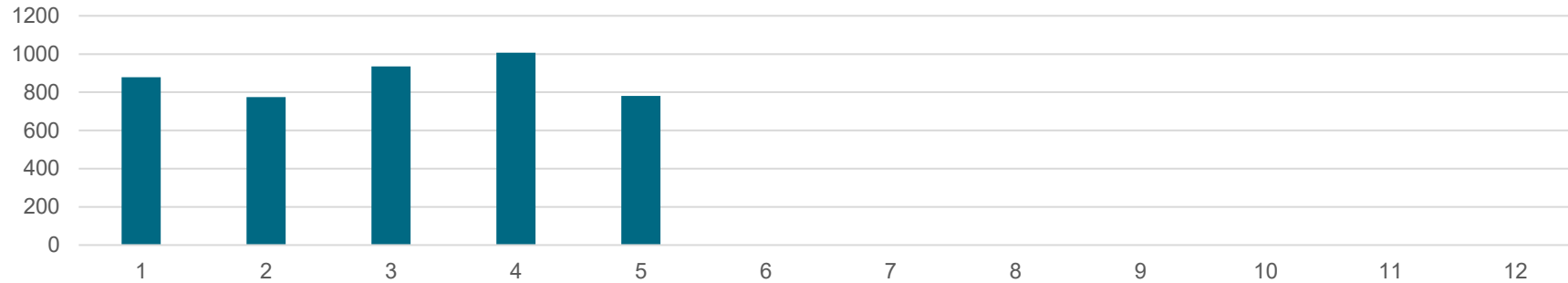
**Average
2023**

557

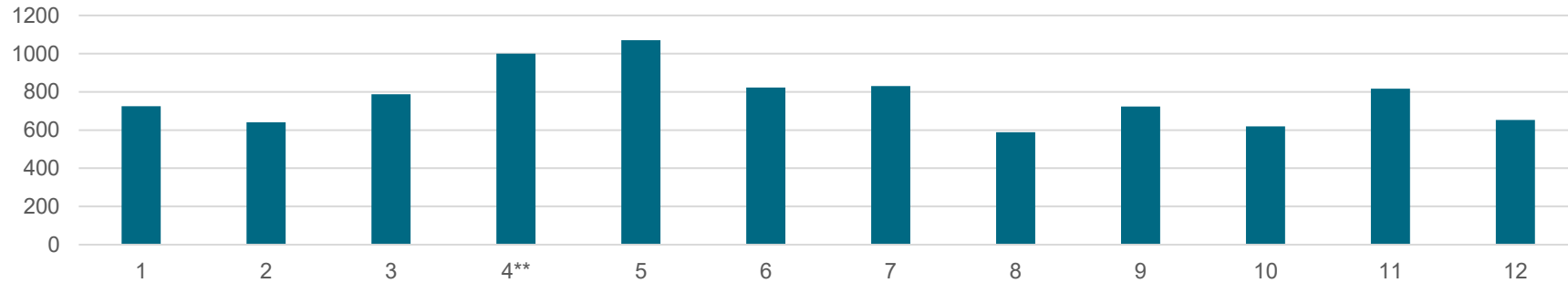
**Average
2024**

699.4

Traffic Stops



2025 Traffic Stops Average: 773.3



Public Safety: 644 – citations & warnings

**Average
2022**

428

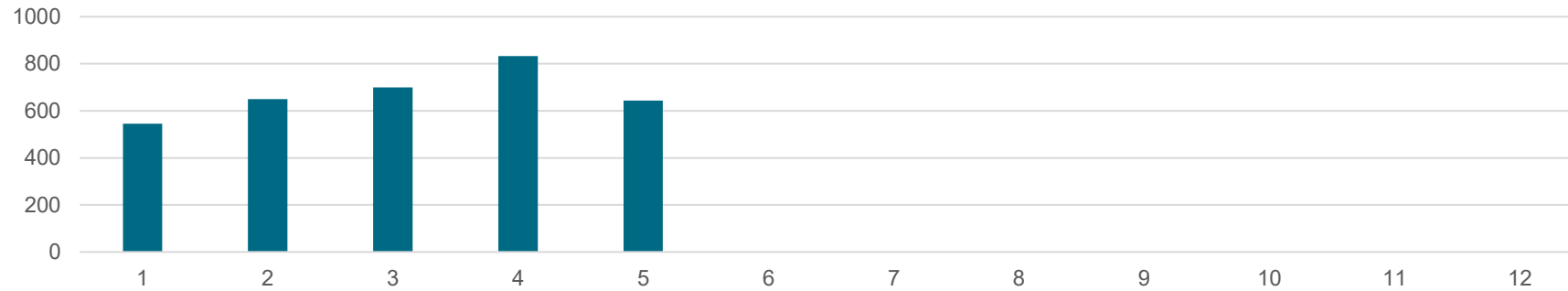
**Average
2023**

433

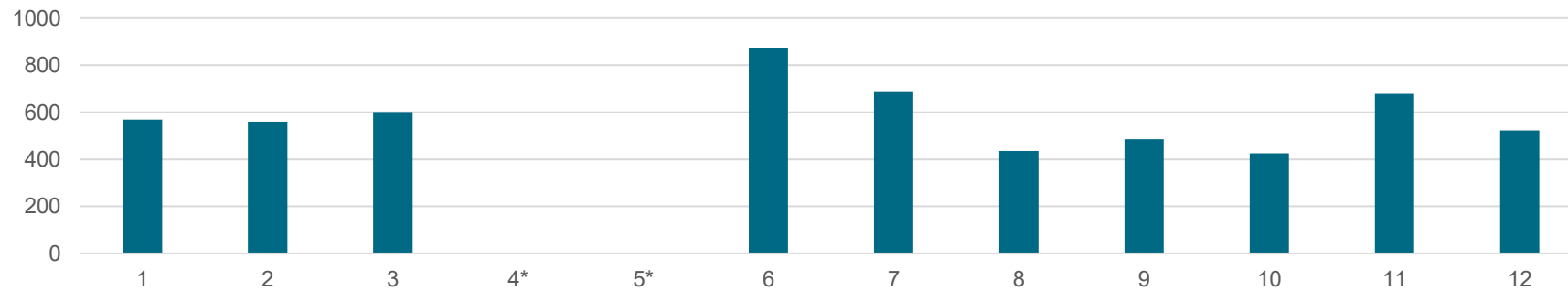
**Average
2024**

514

Citations and Warnings



2025 Citations and Warnings average: 486.6



Public Safety: 6 – Driving Under the Influence of Intoxicants (DUII's)

**Average
2022**

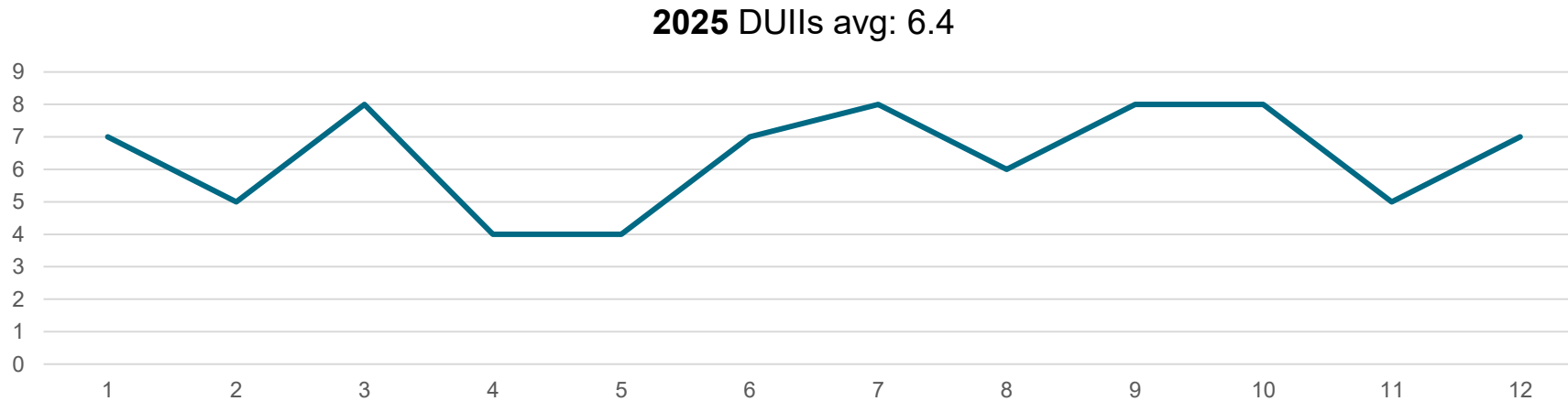
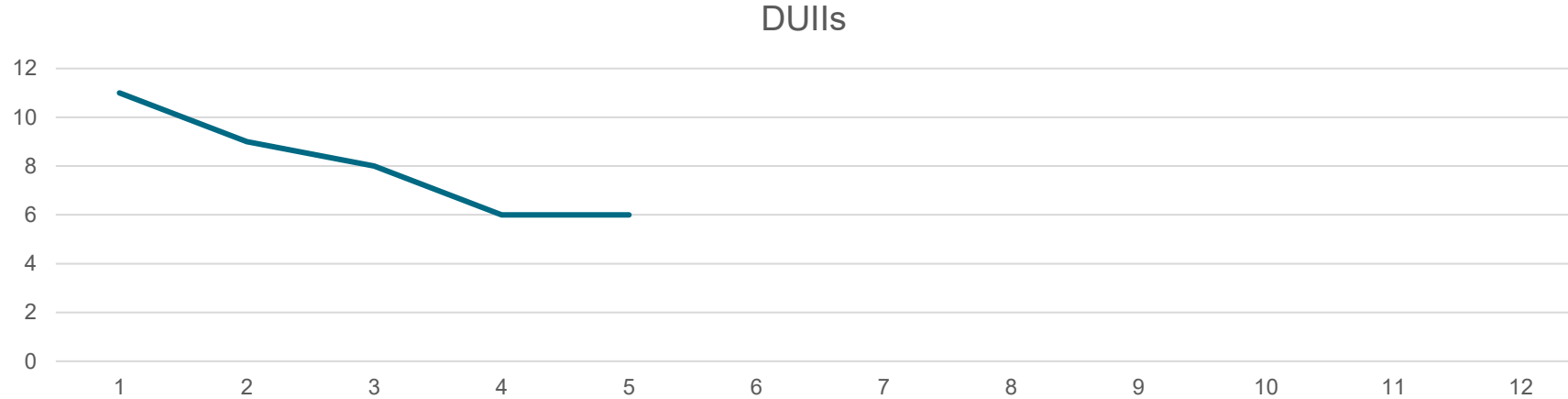
12.1

**Average
2023**

9.8

**Average
2024**

10.5



Dispatch: 2033 “911” calls & 3050 non-emergency calls

**Average
2022**

**911 Calls
817**
**Non-Emergency
3436**

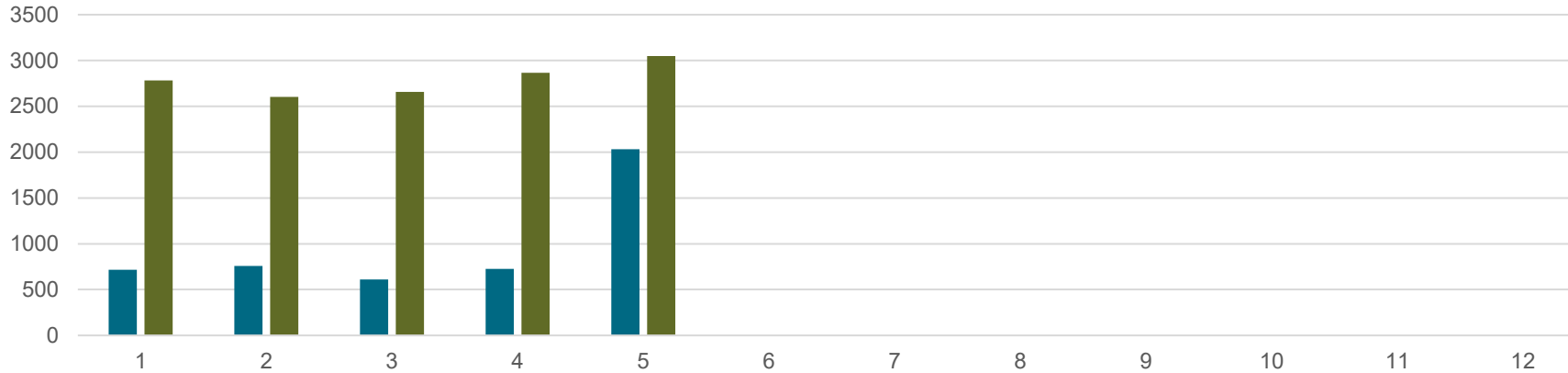
**Average
2023**

**911 Calls
892**
**Non-Emergency
3214**

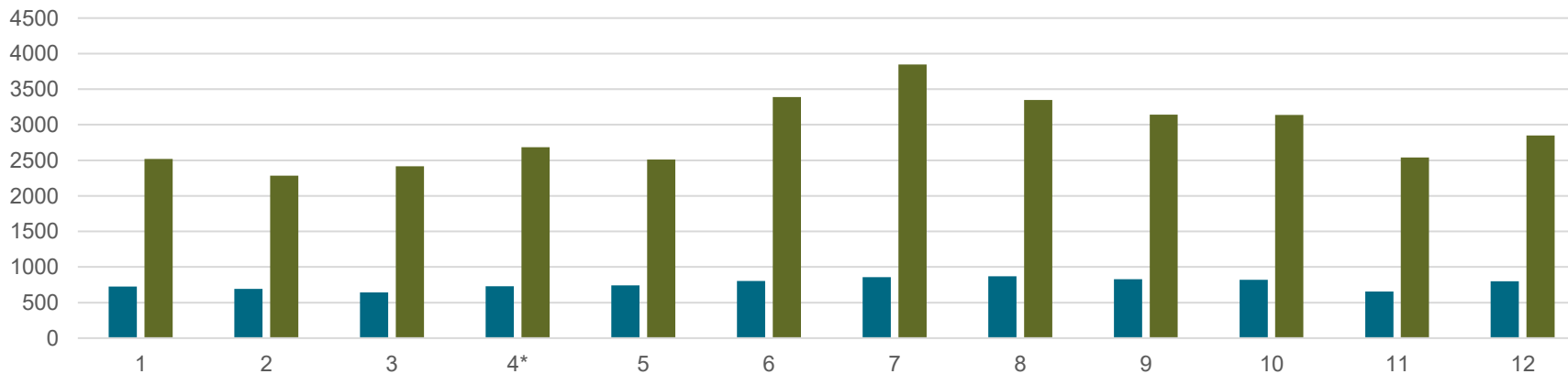
**Average
2024**

**911 Calls
780**
**Non-Emergency
2624**

911 calls, Non emergency calls



2025 911 calls avg: 763.6 , Non emergency calls avg: 2889.6



Public Works: water production was 79.38 million gallons, & 79.73 million gallons (MG) were treated

**Average
2022**

**Clean Water
69.5 MG
Waste Water
105.5 MG**

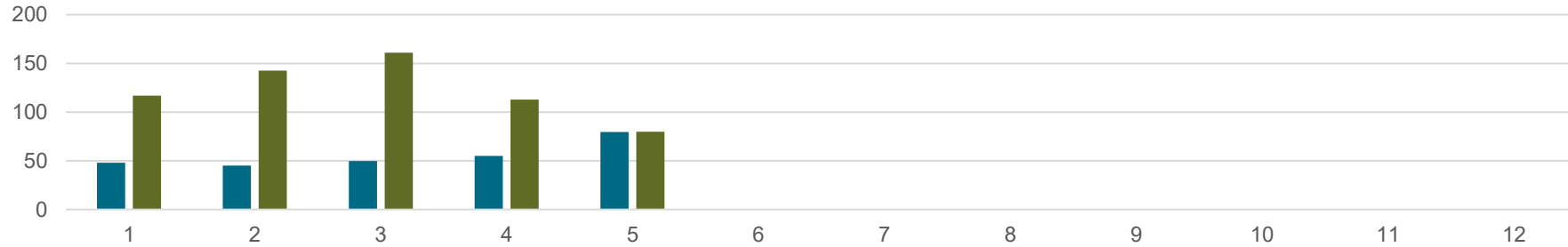
**Average
2023**

**Clean Water
73.3 MG
Waste Water
108.2 MG**

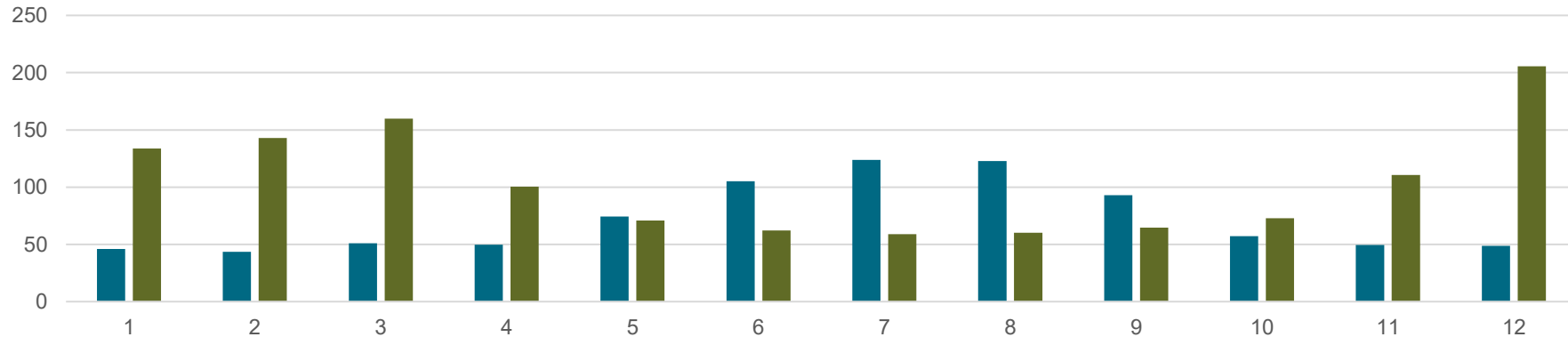
**Average
2024**

**Clean Water
71.9 MG
Waste Water
116 MG**

Clean water, Waste Water



2025 Clean water avg: 72.07, Waste Water avg: 103.53



Public Works: 1421 work orders completed

**Average
2022**

1452.6

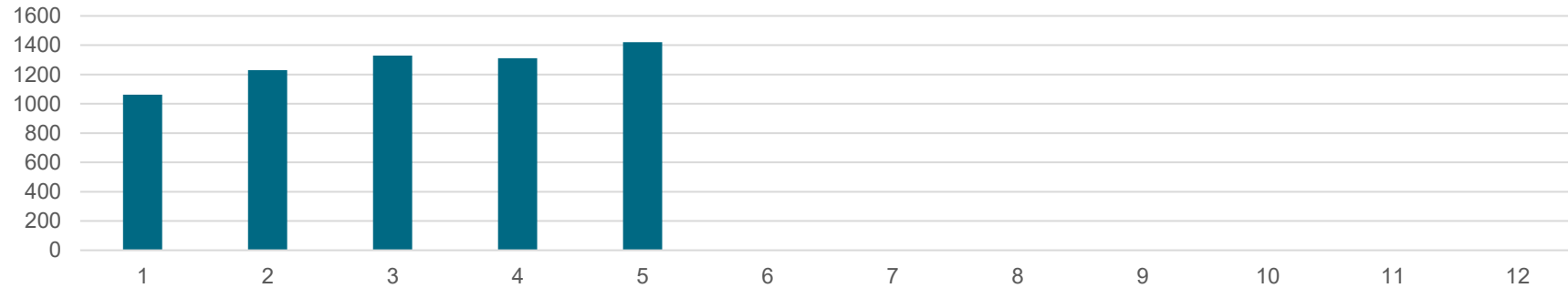
**Average
2023**

1677

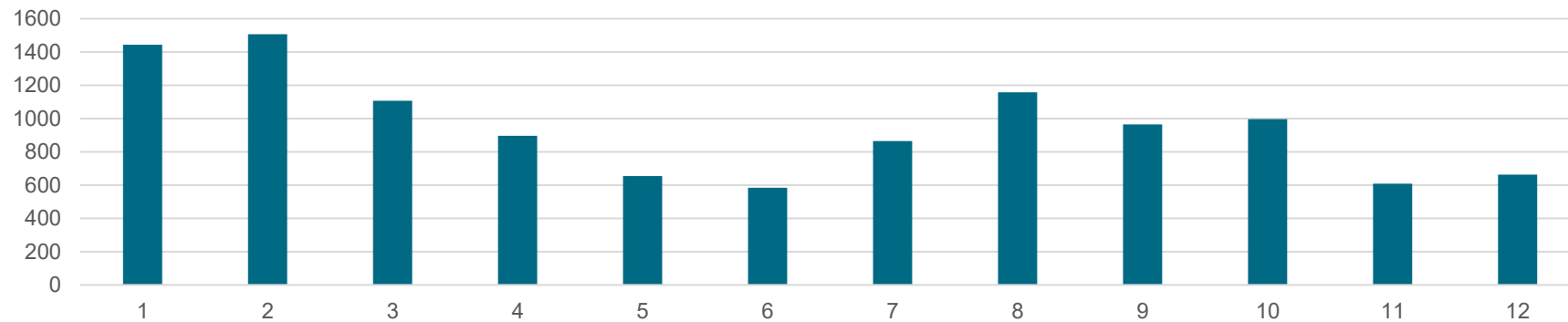
**Average
2024**

1133

Work orders completed



2025 – Work Orders Average: 954.17



So that's the totals to the end of May 2026

Questions?

New Public Comment

From noreply@revize.com <noreply@revize.com>

Date Fri 7/3/2026 12:19 PM

To City Recorder <cityrecorder@newbergoregon.gov>

Cc Emily Salsbury <Emily.Salsbury@newbergoregon.gov>

Date = 2026-07-06

Meeting-Body = Traffic Safety Commission

Agenda-Item = East Illinois ST Closure

Subject-Matter-to-Comment-On = East Illinois ST Closure

Name = Derek R Gerber

Representing =

email = [REDACTED]

phone = [REDACTED]

Contact-info-PRR-consent = do not release

Public-Hearing- = Yes

public-comment-format = Written

Written-Comment = If East Illinois ST is to reopen, something must be done to slow traffic down and improve traffic flow. I have nearly been struck by vehicles exiting HWY 240 onto E. Illinois ST several times. Changing the traffic patterns, speed bumps, rumble strips or traffic barricades (right turn only) may help. One way traffic pattern may also help,

I have no objection to keeping the closure as it is. The barricades are adjacent to my property. While they are an inconvenience it has made living here feel safer for my child. Additionally there has been a lot less horn honking at the intersection of Main and E. Illinois ST from frustrated drivers.

Client IP = 73.11.43.170

REQUEST FOR COUNCIL ACTION



Date Action Requested: July 20th, 2026

Order ☐ Ordinance ☐ Resolution ☐ Motion ☐ Information ☐ Proclamation ☒	
Subject: 2026 Old Fashioned Festival Proclamation	Staff: Rachel Thomas Department: Administration
Business Session	Order On Agenda: Proclamation

Is this item state mandated? Yes ☐ No ☐

If yes, please cite the state house bill or order that necessitated this action:

Recommendation: Issue a proclamation declaring July 23-26, 2026, as Newberg Old fashioned Festival week in the City of Newberg

Executive Summary: Newberg Old Fashioned Festival is an annual community event traditionally held the last weekend in July. This multiple day event is focused on family and community events, sponsored by local businesses, entities and community members.

REQUEST FOR COUNCIL ACTION



PROCLAMATION

A PROCLAMATION DECLARING JULY 23-26, 2026 AS NEWBERG OLD FASHIONED FESTIVAL WEEK IN THE CITY OF NEWBERG

WHEREAS, the City of Newberg is a family friendly community that hosts many gatherings, numerous celebrations, and a variety of entertainment venues, events in which old friends and new friends alike can gather together; and

WHEREAS, each year the City of Newberg and many members of the community participate by celebrating community spirit, during the last full weekend in July; and

WHEREAS, the City of Newberg welcomes the community and visitors each year to join them in the Newberg Old Fashioned Festival activities, and enjoy the camaraderie and sense of community built by the festival of this extent; and

WHEREAS, the Newberg Old Fashioned Festival theme for this year is "Then and Now.", signifying the community tradition in celebrating Newberg's history, local businesses and small-town spirit, celebrating over 100 years of Newberg together.

NOW, THEREFORE, be it resolved that I, Bill Rosacker along with the City Council of Newberg, Oregon do hereby proclaim July 23-26, 2026, as Newberg Old Fashioned Festival Week in the city of Newberg.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the City of Newberg to be affixed on this 20th day of July, 2026.

Bill Rosacker, Mayor

REQUEST FOR COUNCIL ACTION



Date Action Requested: July 20, 2026

Order ☐ Ordinance ☒ Resolution ☐ Motion ☐ Information ☐ Proclamation ☐	
No. 2026-2945	
Subject: De-annexation Ordinance No. 2026-2945	Staff: James Dingwall Department: Community Development
Business Session	Order On Agenda: Public Hearing
Hearing Type: Legislative ☒ Quasi-Judicial ☐ Administrative ☐ Not Applicable ☐	

Is this item state mandated? Yes ☐ No ☒

Recommendation: Adopt Ordinance No. 2026-2945 declaring Yamhill County tax lots 3230B 02300, 3230B 06000, 3230B 06100, and 3230 01400 detached from the city.

Executive Summary:

Del Boca Vista LLC (Applicant), on behalf of Cindy A. Christenson and Larry D. Christenson, Co-Trustees of the Larry D. Christenson Trust, and Laura Jeffery and John A Jeffery, Trustees of the John and Launa Jeffery Trust (Owners), requested de-annexation of 28.38 acres comprised of four tax lots (Tax Map and Parcel numbers 3230B 02300, 3230B 06000, 3230B 06100, 3230 01400) as described in Exhibit “A” from Newberg’s city limits.

The properties were originally annexed in 2006 through Ordinance No. 2006-2651. The tax lots are approximately 20.05, 2.38, 5.02, and 0.93 acres in size and are zoned Medium Density Residential/Riverfront Subdistrict (R-2/RD). Significant portions of the properties are within the Stream Corridor Overlay and Areas of Special Flood Hazard Overlay, which restrict development through provisions in the Newberg Municipal Code. The Applicant has also cited that the properties cannot be developed to City standards and has submitted a Utility Memo describing the location of existing public utilities and infrastructure requirement feasibility for proposed development.

If de-annexation is approved, approval will be conditioned on the Applicant signing a Measure 49 waiver for the de-annexation and a non-protest waiver for removal of the property from the urban growth boundary by the City at a future date.

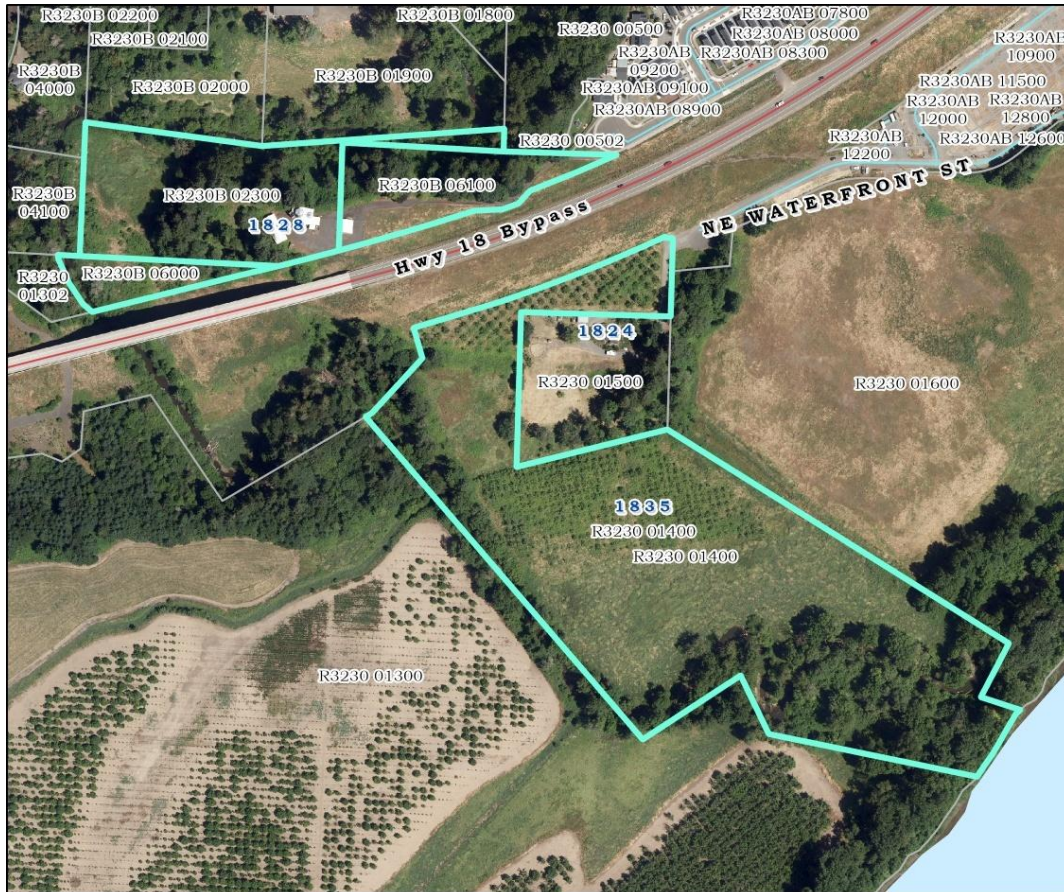
On June 15, 2026, the City Council adopted Resolution No. 2026-4032 declaring that it is the intent of the City to change the boundaries of the city by means of a withdrawal of territory, held a public hearing, and adopted Order No. 2026-0047 declaring that it still favors the withdrawal and fixing a place and time for a

REQUEST FOR COUNCIL ACTION



final hearing. On July 20, 2026, the Newberg Urban Renewal Agency adopted Resolution No. 2026-4032 removing the subject property from the Newberg Urban Renewal Plan.

Site Map:

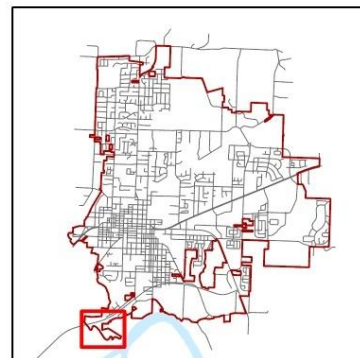


Aerial Map

- Subject Property
- Taxlots



0 362.5 725 Feet



IMPORTANT NOTICE TO ALL USERS:
DISCLAIMER AND LIMITATION OF LIABILITY
This information is not guaranteed to be accurate and may contain errors and omissions. The City of Newberg provides NO WARRANTY AS TO THE MERCHANTABILITY OR FITNESS FOR THE ARTICULARY PURPOSE FOR ANY INFORMATION HEREIN.

The map is created from various data sources and is subject to change without notice.
This map is intended for general planning purposes only.
Map updated: 9/21/2023

REQUEST FOR COUNCIL ACTION



SITE INFORMATION:

1. Location: 1828 and 1835 NE Waterfront Road (3230B 02300, 3230B 06000, 3230B 06100, 3230 01400)
2. Size: ±28.38 acres
3. Current Land Uses: Residential (Single-family dwelling), Agricultural
4. Natural Features: Agricultural landscaping, wooded areas
5. Adjacent Land Uses:
 - a. North: Newberg Dundee Bypass (1835), rural residential (1828)
 - b. South: Agricultural (1835), Newberg Dundee Bypass (1828)
 - c. East: Single-family residential, public facilities
 - d. West: Agricultural, rural residential
6. Zoning: The following zoning districts abut the subject property.
 - a. North: Medium Density Residential/Riverfront (R-2/RD) (1835), Unincorporated (1828)
 - b. East: Unincorporated (1835), Medium Density Residential/Riverfront (R-2/RD) (1828)
 - c. South: Unincorporated (1835), Medium Density Residential/Riverfront (R-2/RD) (1828)
 - d. West: Unincorporated
7. Comprehensive Plan Designations: The following Comprehensive Plan districts abut the subject property.
 - a. North: Medium Density Residential/Riverfront (MDR/RD) (1835), Outside the Urban Growth Boundary (1828)
 - b. East: Parks/Riverfront (P/RD) (1835), Medium Density Residential/Riverfront (MDR/RD) (1828)
 - c. South: Outside the Urban Growth Boundary (1835), Medium Density Residential/Riverfront (MDR/RD) (1828)
 - d. West: Outside the Urban Growth Boundary
8. Access and Transportation: 1828 NE Waterfront Street has access to NE Waterfront Street. 1835 NE Waterfront Street has access to W Weatherly Way. Both NE Waterfront Street and W

REQUEST FOR COUNCIL ACTION



Weatherly Way are classified as local residential streets in the Newberg Transportation System Plan.

9. Utilities:

- a. Water, Wastewater, and Stormwater: There are existing public water, sanitary sewer, and stormwater services that were developed with the Riverrun subdivision that terminate at the end of NE Waterfront Street and W Weatherly Way. The Applicant has submitted a Utility Memo describing the limitations in further development of the subject properties due to the cost of extending infrastructure.
- b. Overhead Lines: The subject property is served by overhead utility lines.

PROCESS:

This de-annexation request is initiated by the owners of the subject property. Application materials are provided in Exhibit “B”. ORS 222.460 provides that except as expressly prohibited by the city charter, when the legislative body of a city determines that the public interest will be furthered by a withdrawal or detachment of territory from the city, the legislative body, on its own motion, may order the withdrawal of territory.

Oregon Revised Statutes 222.460 provides the procedure for withdrawing a part of a district from a district. The process includes:

- City Council adopting a resolution initiating the withdrawal from the territory. *Completed June 15, 2026.*
- City Council holding a public hearing on the withdrawal no later than 30 days after the adoption of the resolution. *Completed June 15, 2026.*
- City Council consideration of entering an order on the withdrawal. *Completed June 15, 2026.*
- City Council holding a final public hearing on the withdrawal not less than 20 days or more than 50 days after the date of the order. *Scheduled July 20, 2026.*
- City Council by resolution or ordinance declares the territory detached from the City.

The Newberg Municipal Code does not provide a process or procedure for de-annexation or withdrawal of territory in Title 15 Development Code, therefore the City is following the procedure outlined in ORS 222.460. All owners of the subject property have consented to the application for de-annexation.

Notwithstanding the requirement in the Newberg City Charter for referral of annexations to Newberg’s electorate (Chapter 1, Section 4), the City is not permitted to refer annexation requests to the voters. State law changed with the passage and adoption of Oregon Senate Bill 1573 (2016), which added language to ORS 222.127 preempting Newberg’s requirement that annexations go to a public vote when properties meet certain requirements, including: being within the Urban Growth Boundary (UGB); subject to the

REQUEST FOR COUNCIL ACTION



Comprehensive Plan of the City; contiguous to city limits; and meeting the City's adopted Development Code criteria for annexation. Because these properties meet these criteria and have previously been annexed meeting the City's criteria for annexation, the City is processing the de-annexation request without referral to the electors.

Important dates related to this application are as follows:

- 5/4/2026: The Community Development Director deemed the application complete.
- 5/13/2026: Application was routed for a 15-day referral review.
- 6/4/2026: The *Newberg Graphic* published notice of the City Council hearing and City published notice in four public places per ORS 222.460(4) and ORS 222.120(3).
- 6/11/2026: The *Newberg Graphic* published notice of the City Council hearing and City published notice in four public places per ORS 222.460(4) and ORS 222.120(3).
- 6/15/2026: The City Council adopted Resolution No. 2026-4032 declaring that it is the intent of the legislative body of the city to change the boundaries of the city by means of a withdrawal of territory.
- 6/15/2026: The City Council held a public hearing on the de-annexation at which residents of the city may appear and be heard on the question of the withdrawal of territory.
- 6/15/2026: The City Council adopted Order No. 2026-0047 declaring that it still favors the withdrawal of territory pursuant to the resolution as approved or modified and fix a place and time for a public hearing on an ordinance finalizing the de-annexation, not less than 20 days or more than 50 days after the date of the order.
- 7/9/2026: The *Newberg Graphic* published notice of the City Council hearing and City published notice in four public places per ORS 222.460(4) and ORS 222.120(3).
- 7/16/2026: The *Newberg Graphic* published notice of the City Council hearing and City published notice in four public places per ORS 222.460(4) and ORS 222.120(3).

REQUEST FOR COUNCIL ACTION



- 7/20/2026: The Newberg Urban Renewal Agency adopted Resolution No. 2026-4032, a minor amendment removing the parcels from the Newberg Urban Renewal Plan.
- 7/20/2026: The City Council will hold a final public hearing on the de-annexation and may adopt Ordinance No. 2026-2945 declaring the territory detached from the City.

Agency Comments:

The application was routed to several public agencies for review and comment which are provided in Exhibit “C”. Comments and recommendations from city departments have been incorporated into the findings and conditions.

As of the writing of this report, the city received the following agency comments:

1. City Manager – Reviewed, no conflict.
2. Community Development Director: Reviewed, no conflict.
3. Chehalem Parks & Recreation District: Reviewed, no conflict.
4. Finance – Reviewed, no conflict.
5. Newberg Dundee Police Department – Reviewed, no conflict.
6. Development Engineering – Reviewed, no conflict.
7. Public Works Water Operations – Reviewed, no conflict.

Analysis

The properties were originally annexed in 2006 through Ordinance No. 2006-2651. The majority of the development in the annexation area includes park space and trails at Ewing Young Park, the Newberg-Dundee Bypass, and medium- and high-density residential development to the east of the subject parcels. In 2018, the Riverrun subdivision was approved and has since been developed, including 133 residential units, and Phase 1 of the Newberg-Dundee Bypass has been completed. The properties are also within the Riverfront Master Plan, updated in 2019. The plan identified five development alternatives for the master plan area. The development alternatives largely show little or no envisioned development on the sites proposed to be de-annexed. Alternatives B, C, D, and E indicate limited residential development on the unconstrained portion of the southern parcel, and C also envisions limited mixed employment on the unconstrained portion of the northern parcels. Given the development that has occurred, staff believes that the 2006 annexation area has been developed to urban levels consistent with the Riverfront Master Plan

REQUEST FOR COUNCIL ACTION



and that the public utility serviceability and natural resource constraints warrant de-annexation of the subject parcels.

If Council approves the de-annexation request, approval will be conditioned on the Applicant signing a Measure 49 waiver for the de-annexation and a non-protest waiver for removal of the property from the urban growth boundary by the City at a future date. Removal from the UGB may occur through the “land swap” option provided by SB 1537 (2024) or through another process for amending the UGB, for example following the adoption of a Housing Capacity Analysis.

Fiscal Impact: Removing the tax lots from the city limits would diminish the tax base and urban renewal district revenues, though the current assessment, summarized below, is small and future development potential minimal due to natural resource constraints. If a UGB swap were to occur under SB 1537, or residential lands added to the UGB through another process, offsetting the de-annexed area, additional tax base could be generated by residential development at higher densities elsewhere in the city.

The 2025 assessed values for the tax lots were:

- R3230B 06000: \$3,684
- R3230B 06100: \$47,399
- R3230B 02300: \$52,560
- R3230 01400: \$2,694

Council Goals:

Goal 4. Implement a careful and prudent fiscal policy.

Objective 3. Ensure that the city has a long-term financial plan that supports its goals and objectives.

Continuous Goal E. Further strategic planning and growth with local taxing districts.

Attachments:

1. Ordinance No. 2026-2945
2. Exhibit A Legal Descriptions and County Assessor Cadastral Map
3. Exhibit B Application Materials
4. Exhibit C Agency Referral Comments
5. Exhibit D Ordinance No. 2006-2651

ORDINANCE NO. 2026-2945



An Ordinance declaring Yamhill County Tax Lots 3230B 02300, 3230B 06000, 3230B 06100, and 3230 01400 detached from the city.

Recitals:

1. Whereas, the 28.38 acre territory shown and described in Exhibit “A” was annexed into the Newberg city limits through Ordinance No. 2006-2651.
2. Whereas, Del Boca Vista LLC submitted an application to withdraw the subject territory from the Newberg city limits pursuant to ORS 222.460, citing natural resource and utility serviceability constraints.
3. Whereas, the applicant’s request is reasonable and justified and meets the requirements for removal of territory under ORS 222.460.
4. Whereas, after proper notice, including posting in the Newberg Graphic and four public places on June 4, 2026, and June 11, 2026, the Newberg City Council adopted Resolution No. 2026-4032 declaring that it is the intent of the Newberg City Council to change the boundaries of the city by means of a withdrawal of territory on June 15, 2026.
5. Whereas, after proper notice, including posting in the Newberg Graphic and four public places on June 4, 2026, and June 11, 2026, the Newberg City Council held a public hearing on June 15, 2026, at which the residents of the city may appear and be heard on the question of the withdrawal of territory.
6. Whereas, after proper notice, including posting in the Newberg Graphic and four public places on June 4, 2026, and June 11, 2026, the Newberg City Council adopted Order No. 2026-0047 declaring that the Newberg City Council still favors the withdrawal of territory pursuant to Resolution No. 2026-2043 and fixing a place and time for a final hearing.
7. Whereas, the property shown and described in Exhibit “A” is within the Newberg Urban Renewal Area, Subdistricts B and C, adopted through Ordinance No. 2022-2896, and on July 20, 2026, the Newberg Urban Renewal Agency adopted Resolution No. 2026-0016 approving a minor amendment removing the subject property shown and described in Exhibit “A” from the Newberg Urban Renewal Area and Plan.
8. Whereas, written requests for an election on the proposed withdrawal of the affected territory were not filed at or before the final hearing.

The City of Newberg Ordains as Follows:

1. The subject property shown and described in Exhibit “A” is detached from the city.
2. Exhibit “A” is hereby adopted and by this reference incorporated.
3. The subject property shall, from the date of entry of this ordinance, be free from assessments and taxes levied by the city. However, the withdrawn area shall remain subject to any bonded or other indebtedness existing at the time of the ordinance. The proportionate share shall be based on the assessed valuation, according to the assessment roll in the year of the levy, of all the property contained in the city immediately prior to the withdrawal.
4. Adoption of this ordinance is conditioned on the Applicant signing a Measure 49 waiver related to the city’s decision on the withdrawal of territory and a non-protest waiver for removal of the property from the Newberg Urban Growth Boundary by the city at a future date.

Effective Date of this ordinance is the day after the adoption date, which is: July 21, 2026.

Adopted by the City Council of Newberg, Oregon, this 20th day of July, 2026, by the following votes:

AYE: **NAY:** **ABSTAIN:**

Rachel Thomas, City Recorder

Attest by the Mayor this _____ day of _____, 2026.

Bill Rosacker, Mayor

**Tentative Legal
Descriptions****Exhibit "A"**

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

All of the following described property lying SOUTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

Parcel 1:

Beginning at a stake on the right bank of Chehalem Creek and on the East line of the Levi Hagey Donation Land Claims No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian, Yamhill County, Oregon, 4.80 chains South of the Northeast corner of said Claim, from which a cedar 36 inches in diameter bears South 40° West 100 links distant and a maple 6 inches in diameter bears North 40° West 82 links distant; thence North on the East boundary of said Claim (intersect the left bank of said Creek at 0.18 of a chains, intersect the Northeast corner of the Hagey Donation Land Claim at 4.80 chains) 9.60 chains to a stake from which a maple tree 8 inches in diameter bears South 1° West 64 links distant and a maple 6 inches in diameter bears North 89° East 45 links distant; thence East (at 6.32 chains intersect the Southwest corner of the Joseph B. Rogers Donation Land Claim) 12.17 chains to a stake on the South boundary of said Rogers Claim from which a fir 8 inches in diameter bears North 38°30' West 53 links distant and a fir 6 inches in diameter bears North 52° East 47 links distant; thence South 10.50 chains to stake from which a maple 6 inches in diameter bears North 40° East 92 links distant; thence South 59°30' East (at 15.50 chains intersect Chehalem Creek) 15.65 chains to a stake on the right bank of Creek from which an ash tree 4 inches in diameter bears South 83° West 10 links distant; thence South 26° West along right bank, 2.33 chains to stake from which an ash 10 inches in diameter bears North 42° East 60 links distant; thence South 73°30' East 1.50 chains to a stake on the left bank of the Willamette River from which an ash 24 inches in diameter bears North 70° East 18 links distant; thence South 45° West along left bank 3.46 chains to a stake from which a balm tree 24 inches in diameter bears North 60° East 29 links distant; thence North 79°15' West 7.25 chains to stake on right bank of Chehalem Creek from which a maple 24 inches in diameter bears South 30° West 13 links distant; thence meandering the right bank of said Creek as follows: North 26°30' West 2.80 chains; South 56° West 4.50 chains; North 41°30' West 17.50 chains to the Place of Beginning.

SAVE AND EXCEPT that portion conveyed to George James Barton and Christa Renante Barton in Warranty Deed recorded June 1, 1972 in Film [Volume 89, Page 1390](#), Deed and Mortgage Records.

Parcel 2:

All that portion of the following described tract lying Northeasterly of Chehalem Creek:

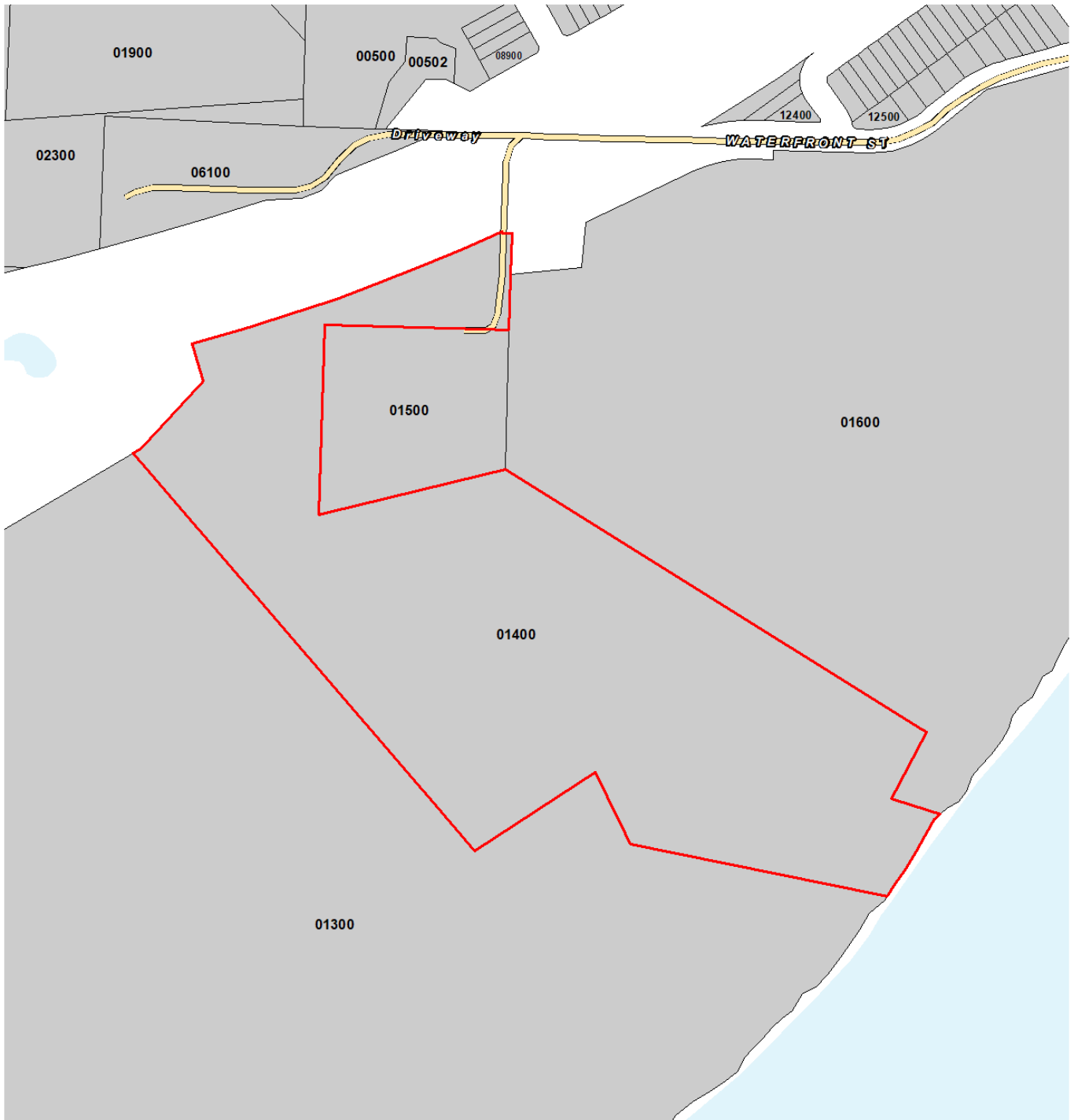
Part of the Levi Hagey Donation Land Claim No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of said Claim; thence South along the East line thereof, 31.10 chains to an iron gas pipe; thence North 89° West 21.10 chains to an iron gas pipe; thence North parallel with the East line of said Claim 30.52 chains; thence North 88°38' East 21.10 chains to the Place of Beginning.



First American Title

R3230 01400
1835 NE Waterfront St
Newberg, OR 97132



Taxlot



Subject



Taxlot

9/26/2025

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Exhibit "A"

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

TRACT 1: [3230B 6000]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

All that portion of the following described tract lying Northeasterly of Chehalem Creek: Part of the Levi Hagey Donation Land Claim No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of said Claim; thence South along the East line thereof, 31.10 chains to an iron gas pipe; thence North 89° West 21.10 chains to an iron gas pipe; thence North parallel with the East line of said Claim 30.52 chains; thence North 88°38' East 21.10 chains to the Place of Beginning.

TRACT 2: [3230B-2300]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

That portion of Lot 8, SOUTH NEWBERG SUBURBAN ACRES which lies South of Chehalem Creek and being a part of the land described in contract dated November 6, 1963 and recorded November 18, 1963 in Film Volume 33, Page 957, Deed and Mortgage Records, between Harold H. Miller and Martin VerMum, in Yamhill County, Oregon.

TRACT 3: [3230B-6100]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

Beginning at a stake on the right bank of Chehalem Creek and on the East line of the Levi Hagey Donation Land Claims No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian, Yamhill County, Oregon, 4.80 chains South of the Northeast corner of said Claim, from which a cedar 36 inches in diameter bears South 40° West 100 links distant and a maple 6 inches in diameter bears North 40° West 82 links distant; thence North on the East boundary of said Claim (intersect the left bank of said Creek at 0.18 of a chains, intersect the Northeast corner of the Hagey Donation Land Claim at 4.80 chains) 9.60 chains to a stake from which a maple tree 8 inches in diameter bears South 1° West 64 links distant and a maple 6 inches in diameter bears North 89° East 45 links distant; thence East (at 6.32 chains intersect the Southwest corner of the Joseph B. Rogers Donation Land Claim) 12.17 chains to a stake on the South boundary of said Rogers Claim from which a fir 8 inches in diameter bears North 38°30' West 53 links distant and a fir 6 inches in diameter bears North 52° East 47 links distant; thence South 10.50 chains to stake from which a maple 6 inches in diameter bears North 40° East 92 links distant; thence South 59°30' East (at 15.50 chains intersect Chehalem Creek) 15.65 chains to a stake on the right bank of Creek from which an ash tree 4 inches in diameter bears South 83° West 10 links distant; thence South 26° West along right bank, 2.33 chains to stake from which an ash 10 inches in diameter bears North 42° East 60 links distant; thence South 73°30' East 1.50 chains to a stake on the left bank of the Willamette River from which an ash 24 inches in diameter bears North 70° East 18 links distant; thence South 45° West along left bank 3.46 chains to a stake from which a balm tree 24 inches in diameter bears North 60° East 29 links distant; thence North 79°15' West 7.25 chains to stake on right bank of Chehalem Creek from which a maple 24 inches in diameter bears South 30° West 13 links

distant; thence meandering the right bank of said Creek as follows: North 26°30' West 2.80 chains; South 56° West 4.50 chains; North 41°30' West 17.50 chains to the Place of Beginning.

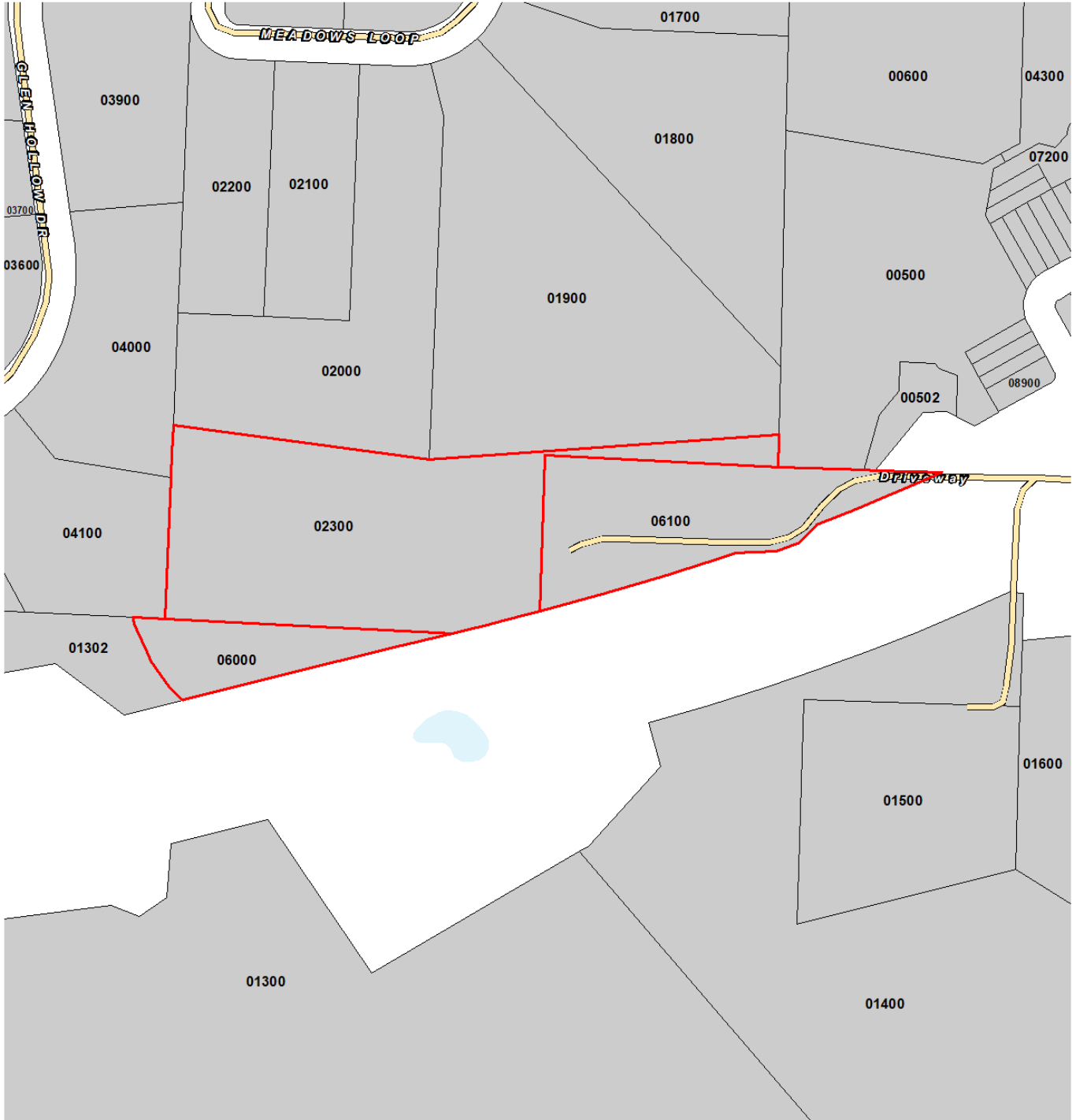
SAVE AND EXCEPT that portion conveyed to George James Barton and Christa Renante Barton in Warranty Deed recorded June 1, 1972 in Film Volume 89, Page 1390, Deed and Mortgage Records.



First American Title

R3230B 06100,R3230B 06000,R3230B 06100,R3230B 02300

No Site Address
, OR



Taxlot



Subject

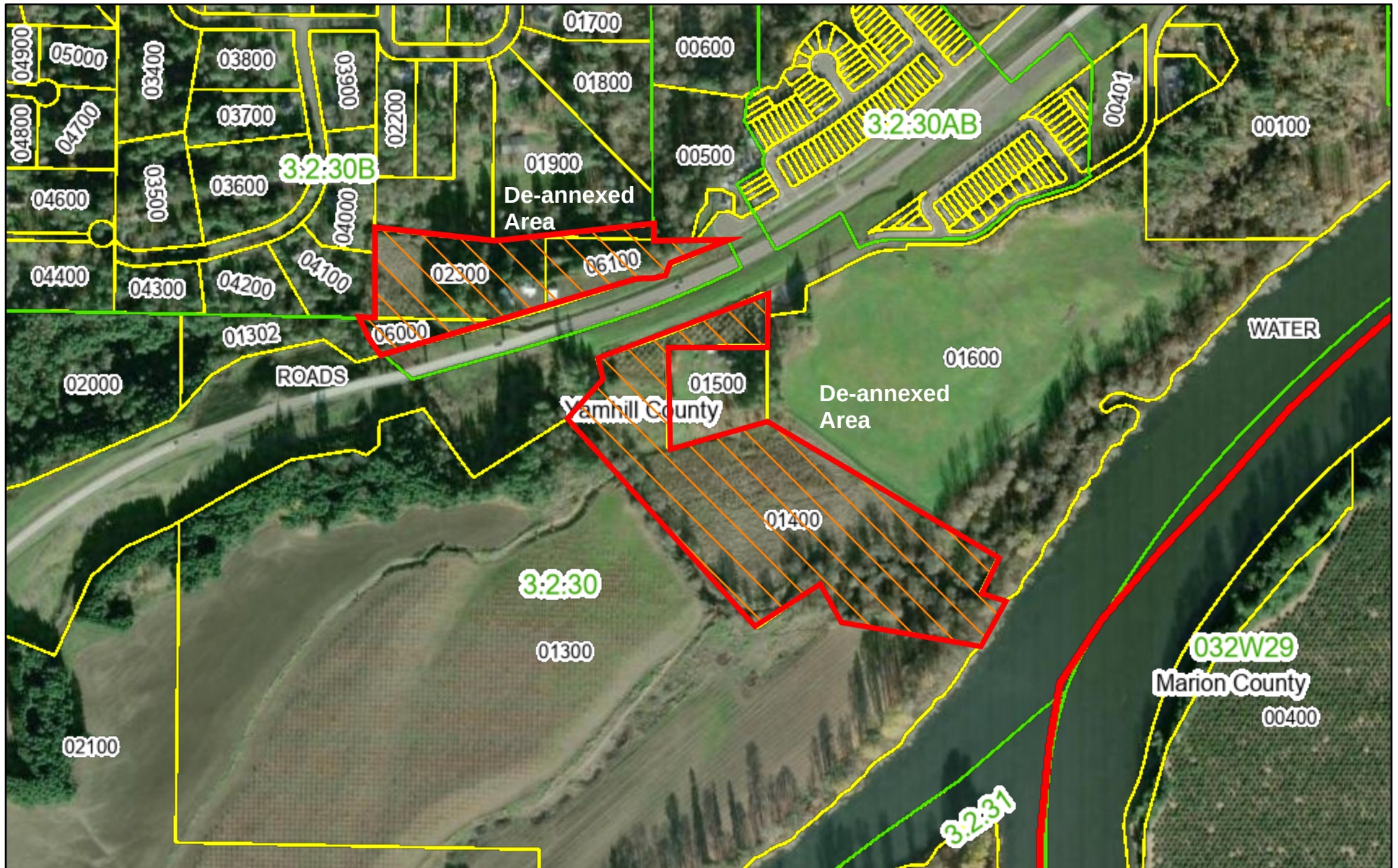


Taxlot

9/26/2025

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ArcGIS Web Map



5/12/2026, 3:47:49 PM

taxlot CountyLines mapIndex

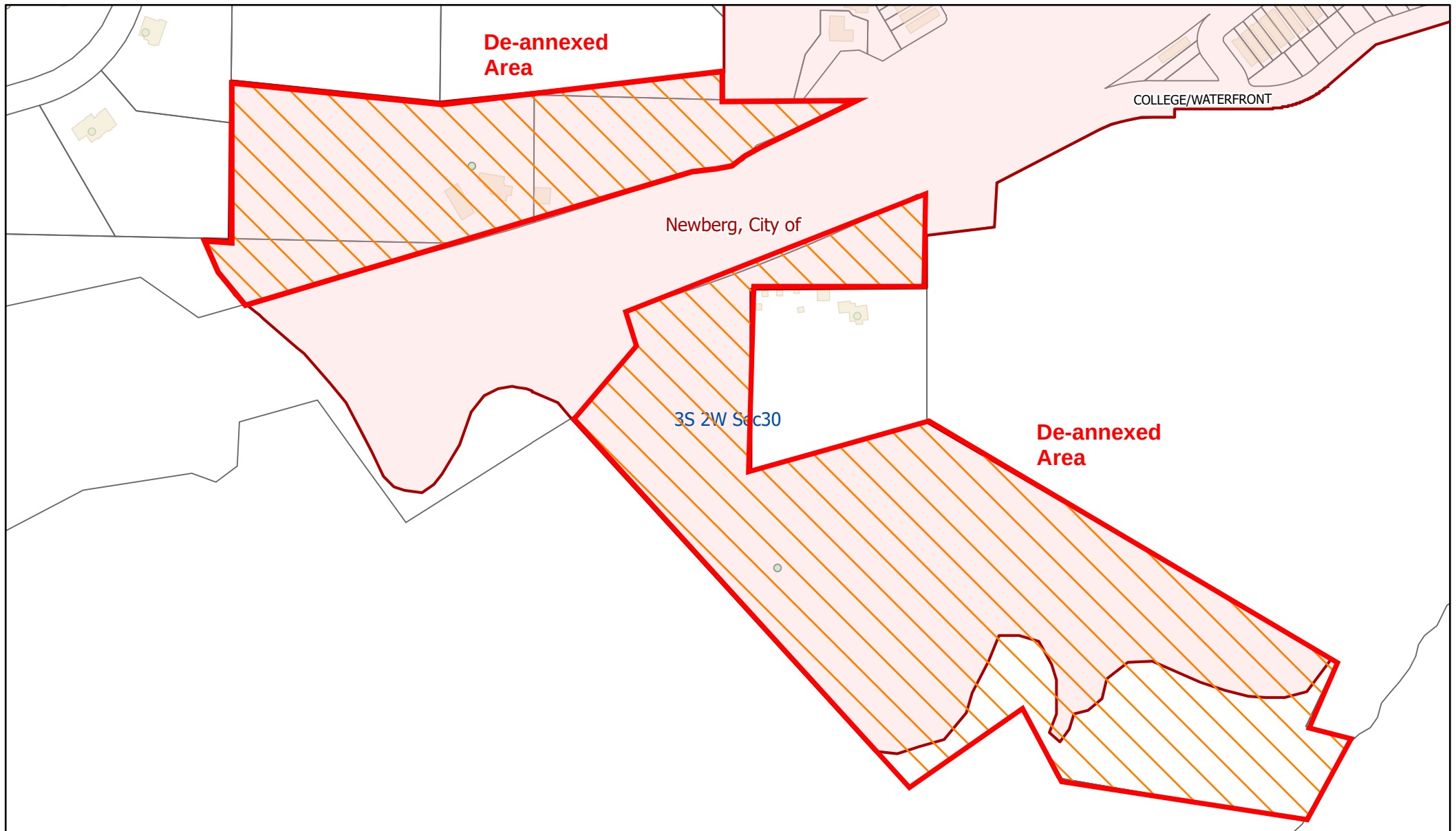
1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

OREGON DOR, GEO, Vantor

Yamhill County Map



5/12/2026, 3:50:48 PM

 City Boundaries

 City Boundaries

 Building Footprints

 Sections

 Taxlot Parcels

Structures

 Number

 Residential



1:4,852
0 0.03 0.06 0.11 mi
0 0.04 0.09 0.18 km



De-Annexation Narrative
1835 and 1828 Waterfront Street – Tax Lots – 2300,
6100, 6000, and 1400

The applicant proposes to de-annex 1835 Waterfront Street (South) – Tax Lots - 2300-6100, 6000, and 1828 Waterfront Street (North) - Tax Lot 1400 (R2/RD) from the City of Newberg limits.

The reference lots will be challenging to serve with existing utilities, sanitary sewer, and stormwater. (See Memo from Emerio Engineering).

Both the north and south parcels are subject to the Stream Corridor Subdistrict Overlay and the Special Flood Hazard Overlay. See attached zoning map showing the floodplains.

April 13, 2026

RE: Yamhill Waterfront Utilities
 Emerio Project Number 0416-012

The purpose of this memorandum is to describe the existing utilities and the possibility of connecting to those utilities for the following tax lots, located inside the City Limits of the City of Newberg, to inform the discussion of de-annexation of these properties.

Yamhill County Map #	Tax Lot	APN
3.2.30B	2300	67554
3.2.30B	6000	560572
3.2.30B	6100	560575
3.2.30	1400	640393



Current public utilities, including water, stormwater and sanitary sewer, have been installed to the east of the subject properties, please see the exhibit titled “Existing Utilities”. These utilities were likely installed to service the subdivision along E. Wayno Way. Due to elevation differences, it is impractical to connect to these utilities.

The nearest sanitary sewer connection is shown on GIS to have an invert out of 152.38 feet. Using the same GIS information, the topography shows many of the subject properties have existing ground elevations below that elevation, especially tax lot 1400 that has elevations down to 68 feet.

A series of lift stations would be required to connect and pump the sewer from these homes in the area and in some cases, over 100 feet of vertical elevation change. While this is theoretically possible, it is impractical due to the cost to build and maintain.

Similarly, due to topography, connecting to the existing storm infrastructure from these properties would be challenging. However, from a review of the soil types in the area, onsite infiltration would be a feasible option and would remove the need to tie into City stormwater infrastructure.

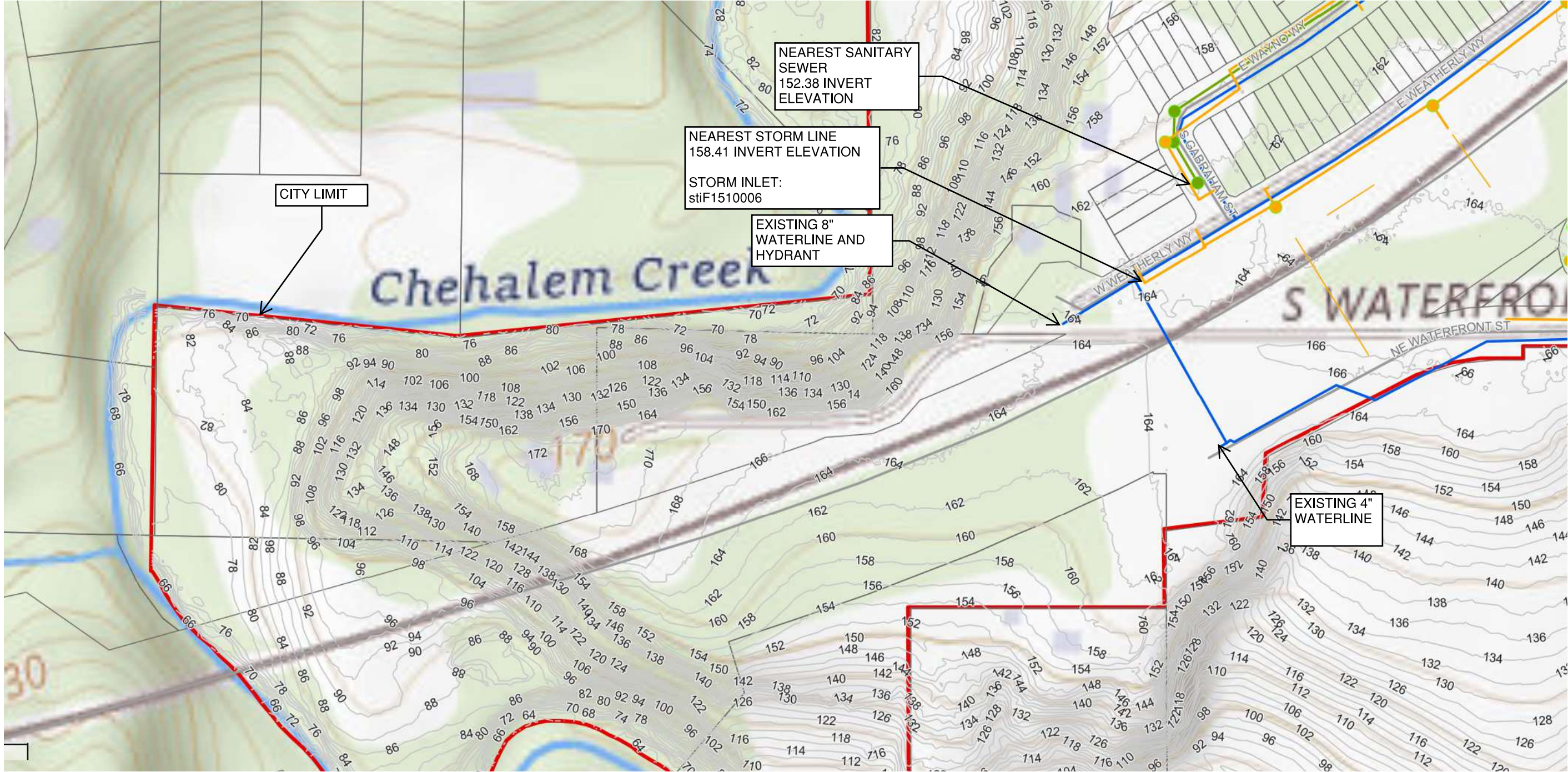
The City of Newberg Water Master Plan Technical Update (Dated May 2021) shows potable water lines running to their current location, and no further extensions appear to be planned to serve the subject properties. It is possible that these plans did not include a capacity analysis for the subject lot and future development. In that case, connecting these lots to existing water lines would not be possible due to capacity issues.

However, there are currently several well records available in the area that show potable water is available.

In summary, these lots will be challenging to serve with existing utilities, especially sanitary sewer and stormwater.

Scott Zelenka, PE

Emerio Design



<https://map-newberg.hub.arcgis.com/apps/31555166a877409bbbfa3e1eee11be7d/explore>

EXISTING UTILITIES

REVISIONS		DESCRIPTION
NO.	DATE	

**EMERIO**
ENGINEERING • SURVEYING • DESIGN

6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OREGON 97005
TEL: (503) 746-9812
FAX: (503) 639-5952
www.emeriodesign.com

SHEET	
	OF

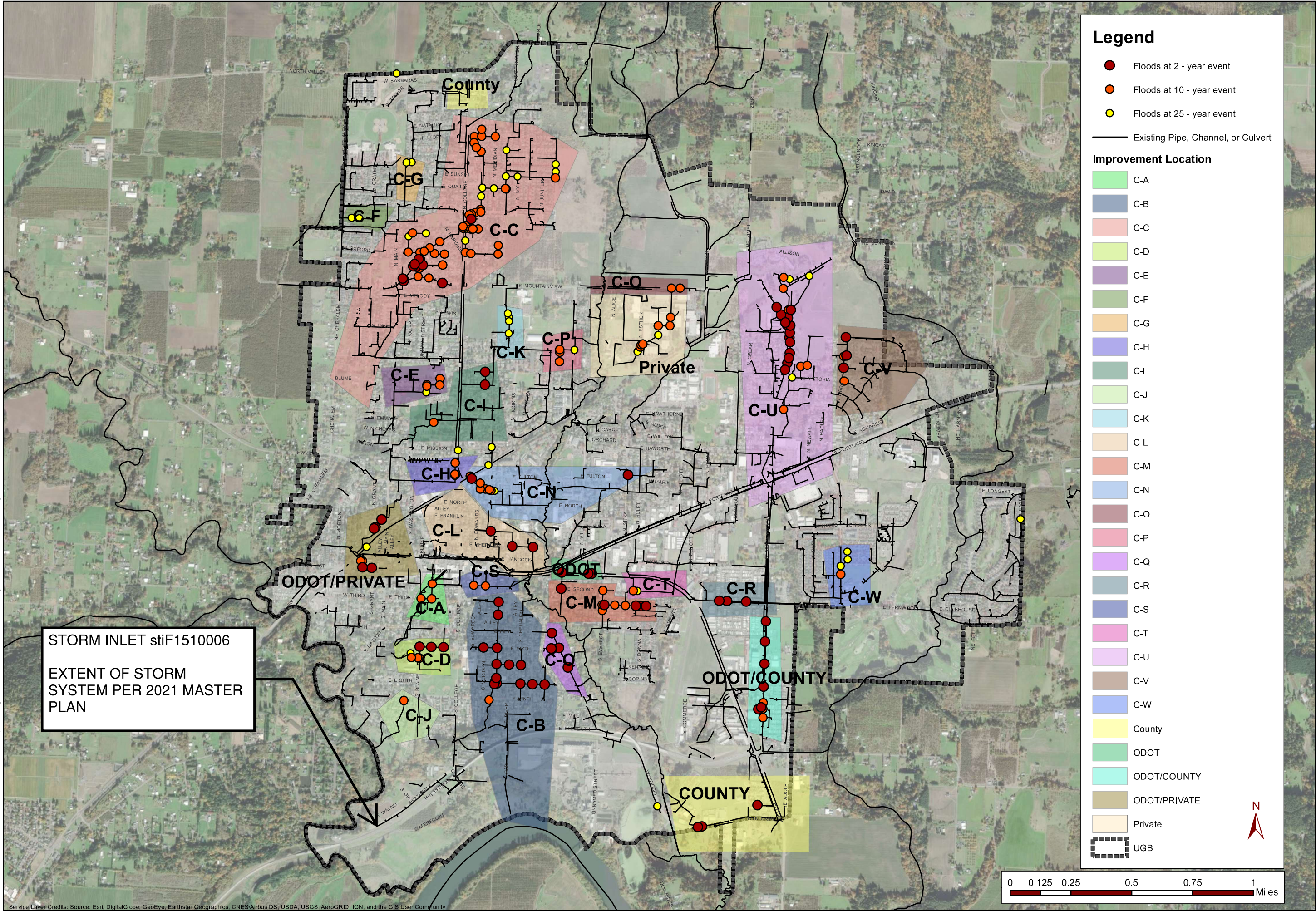


Figure
3-1

**2020 City of Newberg
Stormwater Master Plan**

**Model Capacity
Problem Areas**





First American Title™

First American Title Insurance Company

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

Order No.: 1032-4313967
September 30, 2025

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

KATIE OLHEISER, Escrow Officer/Closer
Phone: (503)538-7361 - Fax: (866)800-7290 - Email: kolheiser@firstam.com
First American Title Insurance Company
515 E Hancock, Newberg, OR 97132

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Clayton Carter, Title Officer
Phone: (503)376-7363 - Fax: (866)800-7294 - Email: ctcarter@firstam.com

Preliminary Title Report

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

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.

County Tax Roll Situs Address: 1835 Waterfront St, Newberg, OR 97132

2021 ALTA Owners Standard Coverage	Liability \$	TBD	Premium \$	
2021 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2021 ALTA Lenders Standard Coverage	Liability \$	TBD	Premium \$	TBD
2021 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement			Premium \$	
Govt Service Charge			Cost \$	25.00
Other			Cost \$	

Proposed Insured Lender: Lender To Be Determined

Proposed Borrower: Del Boca Vista LLC

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of September 23, 2025 at 8:00 a.m., [title to the fee simple estate is vested in:](#)

Larry D. Christenson and Cindy A. Christenson, Co-Trustees of the Larry D. Christenson Trust dated February 28, 2022, as to an undivided 25% interest;
Cindy A. Christenson and Larry D. Christenson, Co-Trustees of the Cindy A. Christenson Trust dated February 28, 2022, as to an undivided 25% interest;

Launa Jeffery and John A. Jeffery, Trustees, John and Launa Jeffery Trust u/i/d November 16, 2023, as to an undivided 50% interest

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and 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; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. 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, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
 - B. Affidavit regarding possession
 - C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims or title to water, whether or not shown by the public record.
 7. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records.
 8. Taxes for the fiscal year 2025-2026 a lien due, but not yet payable

9. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
10. City liens, if any, of the City of Newberg.

Note: There are no liens as of September 29, 2025. All outstanding utility and user fees are not liens and therefore are excluded from coverage.

11. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
12. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Chehalem Creek and Willamette River.
13. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the Chehalem Creek and Willamette River.
14. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Chehalem Creek and Willamette River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
15. Easement, including terms and provisions contained therein:
Recording Information: December 17, 1936, [Book 112, Page 77](#), Deed Records
In Favor of: J.S. Walters
16. Easement, including terms and provisions contained therein:
Recording Information: March 27, 1969, Film [Volume 75, Page 013](#), Deed and Mortgage Records
In Favor of: Portland General Electric Company
For: Distribution Line
17. Easement, including terms and provisions contained therein:
Recording Information: March 27, 1969, Film [Volume 75, Page 014](#), Deed and Mortgage Records
In Favor of: Portland General Electric Company
For: Distribution Line
18. An easement reserved in a deed, including the terms and provisions thereof;
Recorded: June 01, 1972
Recording Information: Film [Volume 89, Page 1390](#), Deed and Mortgage Records
From: Larry M. Christenson and Lois A. Christenson
To: George James Barton and Crista Renate Baron
19. Easement, including terms and provisions contained therein:
Recording Information: March 25, 1981, Film [Volume 159, Page 1554](#), Deed and Mortgage Records
In Favor of: Portland General Electric Company
For: Electric Power Line

20. Easement Agreement and Declaration of Restrictions Agreement and the terms and conditions thereof:
Between: Larry M. Christenson and Lois A. Christenson
And: Yamhill County, a political subdivision of Oregon
Recording Information: January 23, 2004, Instrument No. [200401142](#), Deed and Mortgage Records
21. Terms, conditions and effect, if any, of that certain order, No. 05-947, issued by City/County Planning Department, dated November 09, 2005, recorded November 14, 2005, Instrument No. [200525468](#), Deed and Mortgage Records.
- The Company expressly does not insure the validity or enforceability of the order set forth above and coverage regarding this matter is subject to the "Exclusions from Coverage 1 (a)", as set forth in the policy issued (or to be issued) hereunder.
22. Limited access provisions contained in Deed to the State of Oregon, by and through its Department of Transportation recorded September 29, 2015, Instrument No. [201515432](#), Deed and Mortgage Records , which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.
23. Unrecorded leases or periodic tenancies, if any.
24. The Company will require a Certification of Trust from the vestees named herein, providing information about the Larry D. Christenson Trust dated February 28, 2022, Cindy A. Christenson Trust dated February 28, 2022 and John and Launa Jeffery Trust u/i/d November 16, 2023 and confirming the powers of the trustees and the continuing existence of the trust.
25. With respect to Del Boca Vista LLC:
- A copy of its operating agreement or similar document and any amendments thereto;
 - A official copy of its articles of organization or similar incorporation document and any corrections, amendments or restatements thereto;
 - Evidence that the limited liability company is properly formed and is in good standing in the state of its domicile;
 - Other requirements which the Company may impose following its review of the material required herein and other information which the Company may require.

- END OF EXCEPTIONS -

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: Bargain and Sale Deed recorded November 20, 2023, Instrument No. [202310560](#), Launa Jeffery and John A. Jeffery to Launa Jeffery and John A. Jeffery, Trustees, or the survivor, or in the event of a vacancy in the office of Trustee, the successor Trustee of the John and Launa Jeffery Trust u/i/d November 16, 2023.

A document recorded November 20, 2023, Instrument No. [202310561](#) of Official Records From Launa Jeffery and John A. Jeffery To Launa Jeffery and John A. Jeffery, Trustees, or the survivor, or in the event of a vacancy in the office of Trustee, the successor Trustee of the John and Launa Jeffery Trust u/i/d November 16, 2023.

NOTE: We find no matters of public record against Del Boca Vista LLC that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: Taxes for the year 2024-2025 PAID IN FULL
Tax Amount: \$34.01

Map No.: R3230 01400
Property ID: [640393](#)
Tax Code No.: 29.2

NOTE: Taxes for the year 2024-2025 PAID IN FULL

Tax Amount: \$183.20
Map No.: R3230 01400
Property ID: [67661](#)
Tax Code No.: 29.52

NOTE: This Preliminary Title Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Clerk covering Crops on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

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.

Situs Address as disclosed on Yamhill County Tax Roll:

1835 Waterfront St, Newberg, OR 97132

THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!

Recording Information

For county recording requirements and fees visit

<https://www.yamhillcounty.gov/746/Recording>

NOTE: Non-standard Document Fee of \$20.00, if applicable, will be imposed by the county clerk for documents presented for recording that fail to meet the requirements established by ORS 205.27

You can also calculate fees by using our Title Fee Calculator at <https://facc.firstam.com/>.

cc: Del Boca Vista LLC

cc: Larry and Cindy Christensen Trust

cc: Lender To Be Determined

cc: /
Chandler Willcuts, Willcuts Company Realtors
600 E. 2nd Street, Newberg, OR 97132

Exhibit "A"

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

All of the following described property lying SOUTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

Parcel 1:

Beginning at a stake on the right bank of Chehalem Creek and on the East line of the Levi Hagey Donation Land Claims No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian, Yamhill County, Oregon, 4.80 chains South of the Northeast corner of said Claim, from which a cedar 36 inches in diameter bears South 40° West 100 links distant and a maple 6 inches in diameter bears North 40° West 82 links distant; thence North on the East boundary of said Claim (intersect the left bank of said Creek at 0.18 of a chains, intersect the Northeast corner of the Hagey Donation Land Claim at 4.80 chains) 9.60 chains to a stake from which a maple tree 8 inches in diameter bears South 1° West 64 links distant and a maple 6 inches in diameter bears North 89° East 45 links distant; thence East (at 6.32 chains intersect the Southwest corner of the Joseph B. Rogers Donation Land Claim) 12.17 chains to a stake on the South boundary of said Rogers Claim from which a fir 8 inches in diameter bears North 38°30' West 53 links distant and a fir 6 inches in diameter bears North 52° East 47 links distant; thence South 10.50 chains to stake from which a maple 6 inches in diameter bears North 40° East 92 links distant; thence South 59°30' East (at 15.50 chains intersect Chehalem Creek) 15.65 chains to a stake on the right bank of Creek from which an ash tree 4 inches in diameter bears South 83° West 10 links distant; thence South 26° West along right bank, 2.33 chains to stake from which an ash 10 inches in diameter bears North 42° East 60 links distant; thence South 73°30' East 1.50 chains to a stake on the left bank of the Willamette River from which an ash 24 inches in diameter bears North 70° East 18 links distant; thence South 45° West along left bank 3.46 chains to a stake from which a balm tree 24 inches in diameter bears North 60° East 29 links distant; thence North 79°15' West 7.25 chains to stake on right bank of Chehalem Creek from which a maple 24 inches in diameter bears South 30° West 13 links distant; thence meandering the right bank of said Creek as follows: North 26°30' West 2.80 chains; South 56° West 4.50 chains; North 41°30' West 17.50 chains to the Place of Beginning.

SAVE AND EXCEPT that portion conveyed to George James Barton and Christa Renante Barton in Warranty Deed recorded June 1, 1972 in Film [Volume 89, Page 1390](#), Deed and Mortgage Records.

Parcel 2:

All that portion of the following described tract lying Northeasterly of Chehalem Creek:

Part of the Levi Hagey Donation Land Claim No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of said Claim; thence South along the East line thereof, 31.10 chains to an iron gas pipe; thence North 89° West 21.10 chains to an iron gas pipe; thence North parallel with the East line of said Claim 30.52 chains; thence North 88°38' East 21.10 chains to the Place of Beginning.



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement erected on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury law or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 13.b.
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

ALTA OWNER'S POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

SCHEDULE OF STANDARD EXCEPTIONS

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; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. 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, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien" or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

Rev. 07-01-21



Privacy Notice

Last Updated and Effective Date: December 1, 2024

First American Financial Corporation and its subsidiaries and affiliates (collectively, "First American," "we," "us," or "our") describe in our full privacy notice ("Notice"), which can be found at <https://www.firstam.com/privacy-policy/>, how we collect, use, store, sell or share your personal information when: (1) you access or use our websites, mobile applications, web-based applications, or other digital platforms where the Notice is posted ("Sites"); (2) you use our products and services ("Services"); (3) you communicate with us in any manner, including by e-mail, in-person, telephone, or other communication method ("Communications"); (4) we obtain your information from third parties, including service providers, business partners, and governmental departments and agencies ("Third Parties"); and (5) you interact with us to conduct business dealings, such as the personal information we obtain from business partners and service providers and contractors who provide us certain business services ("B2B"). This shortened form of the Notice describes some of the terms contained in the full Privacy Notice. Personal information is sometimes also referred to as personal data, personally identifiable information or other like terms to mean any information that directly or indirectly identifies you or is reasonably capable of being associated with you or your household. However, certain types of information are not personal information and thus, not within the scope of our Notice, such as: (1) publicly available information; and (2) de-identified and aggregated data that is not capable of identifying you. If we use de-identified or aggregated data, we commit to maintain and use the information in a non-identifiable form and not attempt to reidentify the information, unless required or permitted by law.

This Notice applies wherever it is posted. To the extent a First American subsidiary or affiliate has different privacy practices, such entity shall have their own privacy statement posted as applicable.

Please note that this Notice does **not** apply to any information we collect from job candidates and employees. Our employee and job candidate privacy notice can be found [here](#).

What Type Of Personal Information Do We Collect About You? We collect a variety of categories of personal information about you. To learn more about the categories of personal information we collect, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Collect Your Personal Information? We collect your personal information: (1) directly from you; (2) automatically when you interact with us; and (3) from other parties, including business parties and affiliates.

How Do We Use Your Personal Information? We may use your personal information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, complying with relevant laws and our policies, and handling a claim. To learn more about how we may use your personal information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Disclose Your Personal Information? We may disclose your personal information, including to subsidiaries, affiliates, and to unaffiliated parties, such as service providers and contractors: (1) with your consent; (2) in a business transfer; and (3) for legal process and protection. Although we do not "sell" your information in the traditional sense, the definition of "sale" is broad under the CCPA that some disclosures of your information to third parties may be considered a "sale" or "sharing" for targeted advertising. To learn more about how we disclose your personal information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Store and Protect Your Personal Information? The security of your personal information is important to us. We take all commercially reasonable steps to make sure your personal information is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your personal information.

How Long Do We Keep Your Personal Information? We keep your personal information for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.



Your Choices We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and disclosure of your personal information. You can learn more about your choices by visiting <https://www.firstam.com/privacy-policy/>.

International Jurisdictions: Our Services are offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Services from another country, please be advised that you may be transferring your information to us in the US, and you consent to that transfer and use of your information in accordance with the Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Services, and your agreements with us.

Changes to Our Notice: We may change the Notice from time to time. Any and all changes to the Notice will be reflected on this page and in the full Notice, and where appropriate provided in person or by another electronic method.

YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR SERVICES OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THE NOTICE.

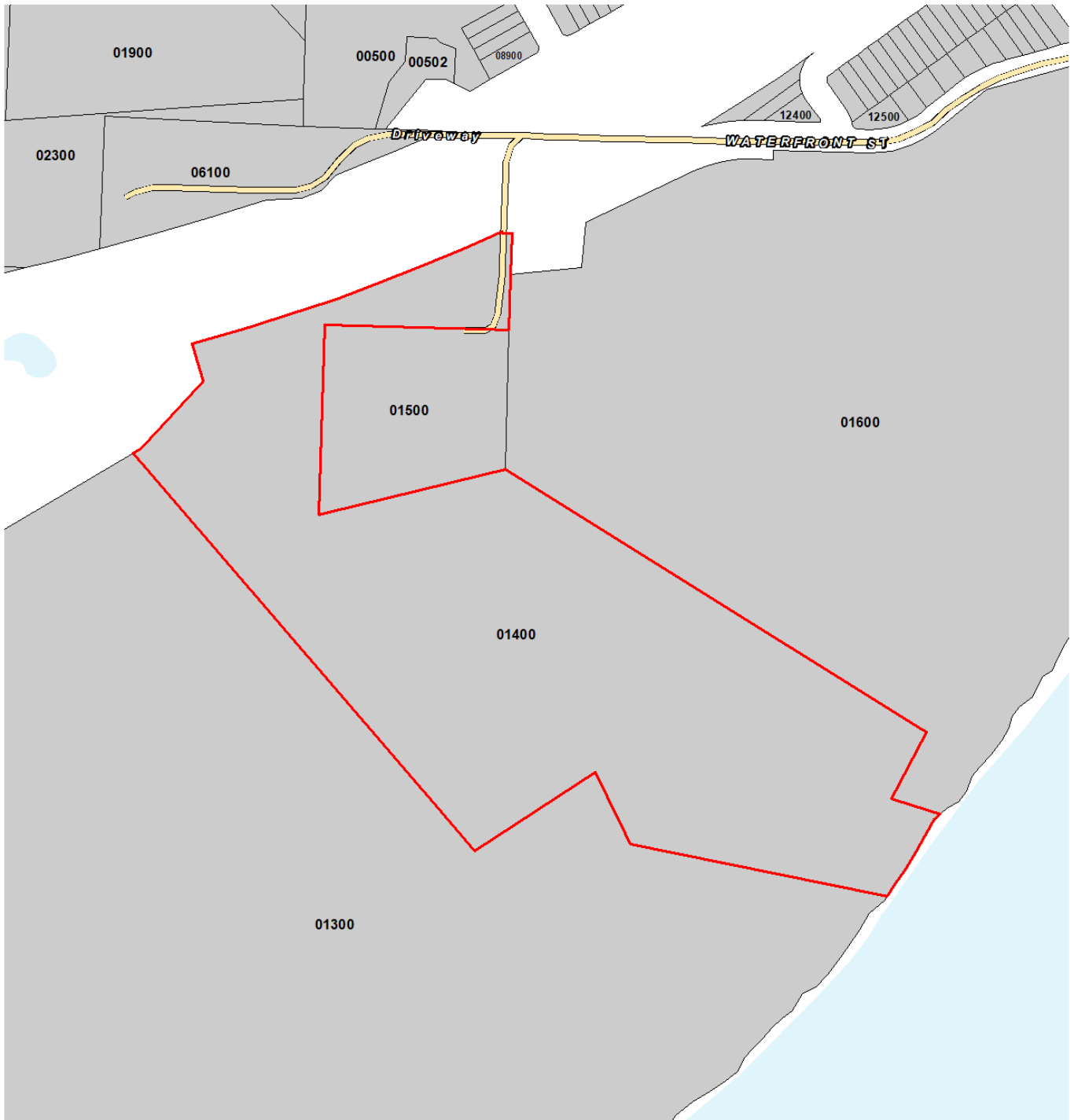
For California Residents If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act and its implementing regulations. To learn more, please visit <https://www.firstam.com/privacy-policy/>.

Contact Us: dataprivacy@firstam.com or toll free at 1-866-718-0097.



First American Title

R3230 01400
1835 NE Waterfront St
Newberg, OR 97132



Taxlot



Subject



Taxlot

9/26/2025

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First American Title™

First American Title Insurance Company

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

Order No.: 1032-4313968
September 30, 2025

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

KATIE OLHEISER, Escrow Officer/Closer
Phone: (503)538-7361 - Fax: (866)800-7290 - Email: kolheiser@firstam.com
First American Title Insurance Company
515 E Hancock, Newberg, OR 97132

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Clayton Carter, Title Officer
Phone: (503)376-7363 - Fax: (866)800-7294 - Email: ctcarter@firstam.com

Preliminary Title Report

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

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.

County Tax Roll Situs Address: 1828 NE Waterfront St, Newberg, OR 97132

2021 ALTA Owners Standard Coverage	Liability \$	TBD	Premium \$	
2021 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2021 ALTA Lenders Standard Coverage	Liability \$	TBD	Premium \$	TBD
2021 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement			Premium \$	
Govt Service Charge			Cost \$	75.00
Other			Cost \$	

Proposed Insured Lender: Lender To Be Determined

Proposed Borrower: Del Boca Vista LLC

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of September 23, 2025 at 8:00 a.m., [title to the fee simple estate is vested in:](#)

Larry D. Christenson and Cindy A. Christenson, Co-Trustees of the Larry D. Christenson Trust dated February 28, 2022, as to an undivided 25% interest;
Cindy A. Christenson and Larry D. Christenson, Co-Trustees of the Cindy A. Christenson Trust dated February 28, 2022, as to an undivided 25% interest;

Launa Jeffery and John A. Jeffery, Trustees, John and Launa Jeffery Trust u/i/d November 16, 2023, as to an undivided 50% interest

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and 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; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. 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, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
 - B. Affidavit regarding possession
 - C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims or title to water, whether or not shown by the public record.
 7. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records.
 8. Taxes for the fiscal year 2025-2026 a lien due, but not yet payable
 9. City liens, if any, of the City of Newberg.

Note: There are no liens as of September 29, 2025. All outstanding utility and user fees are not liens and therefore are excluded from coverage.

10. Loss or damage by reason that there appears to exist no insurable right of access to and from the land herein described to a public right-of-way. Unless this matter is solved to the satisfaction of the company, the forthcoming policy/endorsement will contain an exception to coverage for loss or damage by reason of **lack** of right of access to and from the land.
11. A legal description was not included in the application for Title Insurance. The legal description contained herein was taken from the record and the presumed intention of the parties to the transaction. Said description must be examined and approved by all parties prior to closing.
12. The Company will require a Certification of Trust from the vestees named herein, providing information about the Larry D. Christenson Trust dated February 28, 2022, Cindy A. Christenson Trust dated February 28, 2022 and John and Launa Jeffery Trust u/i/d November 16, 2023 and confirming the powers of the trustees and the continuing existence of the trust.
13. With respect to Del Boca Vista LLC:
 - a. A copy of its operating agreement or similar document and any amendments thereto;
 - b. A official copy of its articles of organization or similar incorporation document and any corrections, amendments or restatements thereto;
 - c. Evidence that the limited liability company is properly formed and is in good standing in the state of its domicile;
 - d. Other requirements which the Company may impose following its review of the material required herein and other information which the Company may require.

TRACT 1:

14. Potential taxes due to disqualification in the amount of \$ 1,801.01
15. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Chehalem Creek.
16. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the Chehalem Creek.
17. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Chehalem Creek or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
18. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
19. Terms, conditions and effect, if any, of that certain order, No. 05-947, issued by City/County Planning Department, dated November 09, 2005, recorded Instrument No. [200525468](#), Deed and Mortgage Records.

The Company expressly does not insure the validity or enforceability of the order set forth above and coverage regarding this matter is subject to the "Exclusions from Coverage 1 (a)", as set forth in the policy issued (or to be issued) hereunder.

20. Limited access provisions contained in Deed to the State of Oregon, by and through its Department of Transportation recorded September 29, 2015, Instrument No. [201515432](#), Deed and Mortgage Records, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

TRACT 2:

21. Potential taxes due to disqualification, in the amount of \$ 2,963.97
22. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Chehalem Creek.
23. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the Chehalem Creek.
24. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Chehalem Creek or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
25. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
26. Terms, conditions and effect, if any, of that certain order, No. 05-947, issued by City/County Planning Department, dated November 09, 2005, recorded November 14, 2005, Instrument No. [200525468](#), Deed and Mortgage Records.

The Company expressly does not insure the validity or enforceability of the order set forth above and coverage regarding this matter is subject to the "Exclusions from Coverage 1 (a)", as set forth in the policy issued (or to be issued) hereunder.

27. Limited access provisions contained in Deed to the State of Oregon, by and through its Department of Transportation recorded September 29, 2015, Instrument No. [201515432](#), Deed and Mortgage, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

TRACT 3:

28. Potential taxes due to disqualification in the amount of \$ 6,462.82
29. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
30. Terms, conditions and effect, if any, of that certain order, No. 05-947, issued by City/County Planning Department, dated November 09, 2005, recorded November 14, 2005, Instrument No. [200525468](#), Deed and Mortgage Records.

The Company expressly does not insure the validity or enforceability of the order set forth above and coverage regarding this matter is subject to the "Exclusions from Coverage 1 (a)", as set forth in the policy issued (or to be issued) hereunder.

31. Limited access provisions contained in Deed to the State of Oregon, by and through its Department of Transportation recorded September 29, 2015, Instrument No. [201515432](#), Deed and Mortgage, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

- END OF EXCEPTIONS -

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: Bargain and Sale Deed recorded November 20, 2023, Instrument No. [202310560](#), Launa Jeffery and John A. Jeffery to Launa Jeffery and John A. Jeffery, Trustees, or the survivor, or in the event of a vacancy in the office of Trustee, the successor Trustee of the John and Launa Jeffery Trust u/i/d November 16, 2023.

A document recorded November 20, 2023 as Instrument No. [202310561](#) of Official Records From Launa Jeffery and John A. Jeffery To Launa Jeffery and John A. Jeffery, Trustees, or the survivor, or in the event of a vacancy in the office of Trustee, the successor Trustee of the John and Launa Jeffery Trust u/i/d November 16, 2023.

NOTE: We find no matters of public record against Del Boca Vista LLC that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: Taxes for the year 2024-2025 PAID IN FULL

Tax Amount:	\$57.18
Map No.:	R3230B 06000
Property ID:	560572
Tax Code No.:	29.52

(Affects TRACT 1)

NOTE: Taxes for the year 2024-2025 PAID IN FULL

Tax Amount:	\$815.70
Map No.:	R3230B 02300
Property ID:	67554
Tax Code No.:	29.52

(Affects TRACT 2)

NOTE: Taxes for the year 2024-2025 PAID IN FULL

Tax Amount:	\$735.60
Map No.:	R3230B 06100
Property ID:	560575
Tax Code No.:	29.52

(Affects TRACT 3)

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.

Situs Address as disclosed on Yamhill County Tax Roll:

1828 NE Waterfront St, Newberg, OR 97132

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Recording Information

For county recording requirements and fees visit

<https://www.yamhillcounty.gov/746/Recording>

NOTE: Non-standard Document Fee of \$20.00, if applicable, will be imposed by the county clerk for documents presented for recording that fail to meet the requirements established by ORS 205.27

You can also calculate fees by using our Title Fee Calculator at <https://facc.firstam.com/>.

cc: Del Boca Vista LLC

cc: Larry and Cindy Christensen Trust

cc: Lender To Be Determined

cc: /
Chandler Willcuts, Willcuts Company Realtors
600 E. 2nd Street, Newberg, OR 97132

Exhibit "A"

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

TRACT 1: [3230B 6000]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

All that portion of the following described tract lying Northeasterly of Chehalem Creek: Part of the Levi Hagey Donation Land Claim No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of said Claim; thence South along the East line thereof, 31.10 chains to an iron gas pipe; thence North 89° West 21.10 chains to an iron gas pipe; thence North parallel with the East line of said Claim 30.52 chains; thence North 88°38' East 21.10 chains to the Place of Beginning.

TRACT 2: [3230B-2300]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

That portion of Lot 8, SOUTH NEWBERG SUBURBAN ACRES which lies South of Chehalem Creek and being a part of the land described in contract dated November 6, 1963 and recorded November 18, 1963 in Film Volume 33, Page 957, Deed and Mortgage Records, between Harold H. Miller and Martin VerMum, in Yamhill County, Oregon.

TRACT 3: [3230B-6100]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

Beginning at a stake on the right bank of Chehalem Creek and on the East line of the Levi Hagey Donation Land Claims No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian, Yamhill County, Oregon, 4.80 chains South of the Northeast corner of said Claim, from which a cedar 36 inches in diameter bears South 40° West 100 links distant and a maple 6 inches in diameter bears North 40° West 82 links distant; thence North on the East boundary of said Claim (intersect the left bank of said Creek at 0.18 of a chains, intersect the Northeast corner of the Hagey Donation Land Claim at 4.80 chains) 9.60 chains to a stake from which a maple tree 8 inches in diameter bears South 1° West 64 links distant and a maple 6 inches in diameter bears North 89° East 45 links distant; thence East (at 6.32 chains intersect the Southwest corner of the Joseph B. Rogers Donation Land Claim) 12.17 chains to a stake on the South boundary of said Rogers Claim from which a fir 8 inches in diameter bears North 38°30' West 53 links distant and a fir 6 inches in diameter bears North 52° East 47 links distant; thence South 10.50 chains to stake from which a maple 6 inches in diameter bears North 40° East 92 links distant; thence South 59°30' East (at 15.50 chains intersect Chehalem Creek) 15.65 chains to a stake on the right bank of Creek from which an ash tree 4 inches in diameter bears South 83° West 10 links distant; thence South 26° West along right bank, 2.33 chains to stake from which an ash 10 inches in diameter bears North 42° East 60 links distant; thence South 73°30' East 1.50 chains to a stake on the left bank of the Willamette River from which an ash 24 inches in diameter bears North 70° East 18 links distant; thence South 45° West along left bank 3.46 chains to a stake from which a balm tree 24 inches in diameter bears North 60° East 29 links distant; thence North 79°15' West 7.25 chains to stake on right bank of Chehalem Creek from which a maple 24 inches in diameter bears South 30° West 13 links

distant; thence meandering the right bank of said Creek as follows: North 26°30' West 2.80 chains; South 56° West 4.50 chains; North 41°30' West 17.50 chains to the Place of Beginning.

SAVE AND EXCEPT that portion conveyed to George James Barton and Christa Renante Barton in Warranty Deed recorded June 1, 1972 in Film Volume 89, Page 1390, Deed and Mortgage Records.



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement erected on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury law or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 13.b.
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

ALTA OWNER'S POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

SCHEDULE OF STANDARD EXCEPTIONS

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; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. 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, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien" or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

Rev. 07-01-21



Privacy Notice

Last Updated and Effective Date: December 1, 2024

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How Do We Store and Protect Your Personal Information? The security of your personal information is important to us. We take all commercially reasonable steps to make sure your personal information is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your personal information.

How Long Do We Keep Your Personal Information? We keep your personal information for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.



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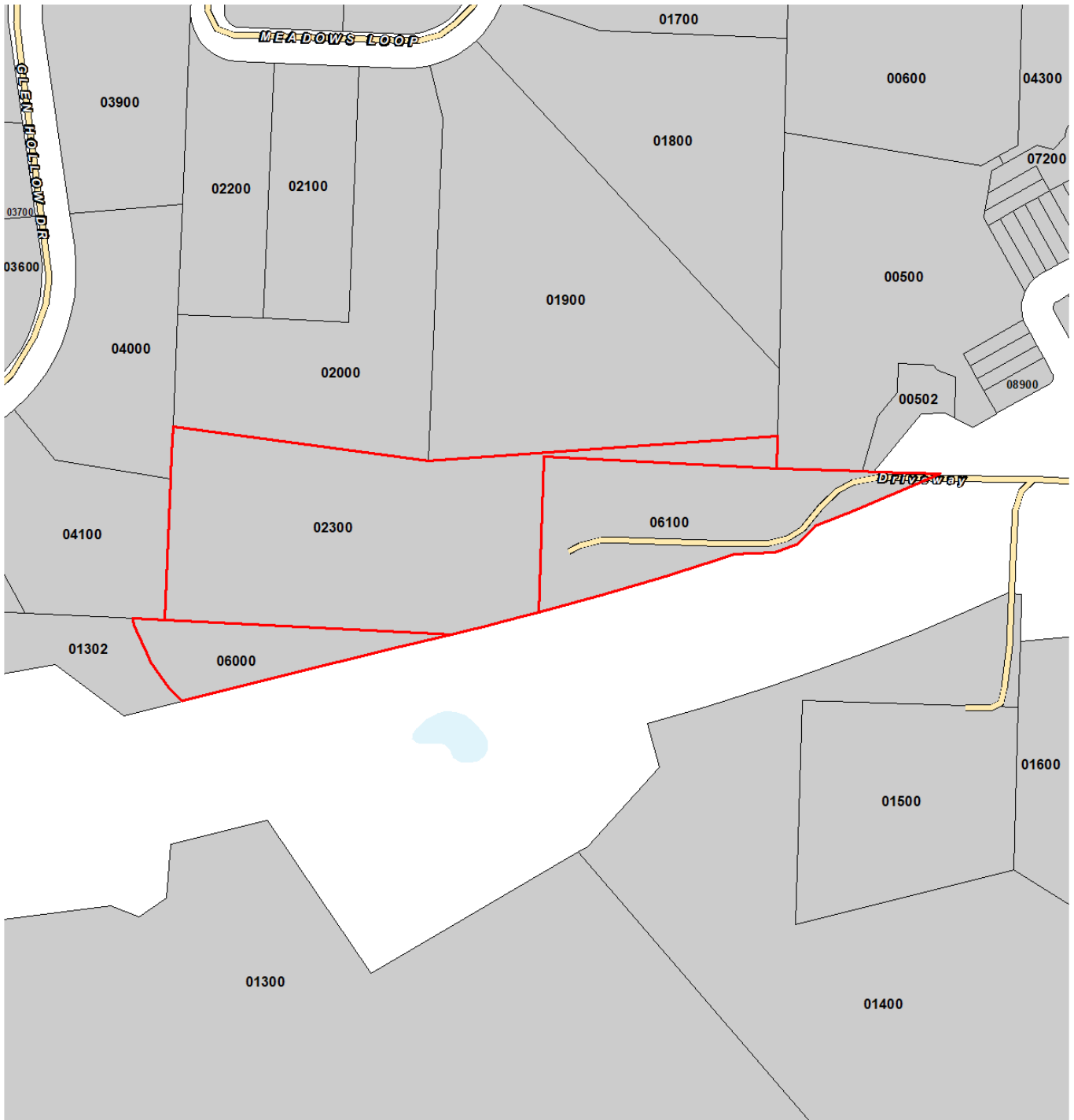
Contact Us: dataprivacy@firstam.com or toll free at 1-866-718-0097.



First American Title

R3230B 06100,R3230B 06000,R3230B 06100,R3230B 02300

No Site Address
, OR



Taxlot



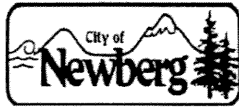
Subject



Taxlot

9/26/2025

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ORDINANCE No. 2006-2651

AN ORDINANCE DECLARING THAT APPROXIMATELY 98 ACRES ALONG WATERFRONT STREET AND ALL OR PARTS OF EWING YOUNG PARK AND YAMHILL COUNTY TAX LOTS 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400, BE ANNEXED INTO THE CITY, THAT THE COMPREHENSIVE PLAN MAP BE CHANGED FROM LDR TO MDR (MEDIUM DENSITY RESIDENTIAL) FOR A PORTION OF THE AREA, THAT THE ZONE BE CHANGED TO R-2 AND CF (COMMUNITY FACILITY), AND THAT THE AREA BE WITHDRAWN FROM THE NEWBERG RURAL FIRE PROTECTION DISTRICT

SUBJECT TO A PUBLIC VOTE

RECITALS:

1. On January 17, 2006, the Newberg City Council initiated annexation proceeding for the subject properties.
2. On June 22, 2006, the Newberg Planning Commission held a hearing on the application, and recommended approval.
3. After proper notice, on August 7, 2006 at the hour of 7:00 PM in the Newberg Public Safety Building, 401 E. Third, the City Council held a public hearing on the item: accurately stated objections to jurisdiction, bias, and ex-parte contact; considered public testimony; examined the record; heard the presentation from staff and the applicant; examined and discussed the appropriate criteria to judge the project (as listed in the staff report); considered all relevant information regarding the item; and deliberated.
4. The Council finds that the requirements of the City of Newberg Comprehensive Plan and Newberg Development Code regarding annexations and comprehensive plan amendments have been met.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The City Council adopts the findings, which are attached hereto as Exhibit A and incorporated herein by reference.
2. Owners understand that annexation in to the city must be approved by the voters of the City. The City may place the matter before the voters of the City at a biennial General Election (held in May and November of each even numbered year), unless otherwise approved by

resolution of the City Council.

3. Should this annexation request be approved by a majority of the electorate of the City of Newberg at the election date as identified by resolution of the City Council, the property shall be annexed and the following events shall occur:

- A. It is hereby ordered and declared that the property shown in Exhibit B and described in Exhibit C, is annexed and withdrawn from the Newberg Rural Fire Protection District.
- B. The Newberg Comprehensive Plan map shall be amended as shown in Exhibit D.
- C. The "Newberg, Oregon Zoning Map" shall be amended as shown in Exhibit E.
- D. The Recorder of the City of Newberg is hereby authorized and directed to make and submit to the Secretary of State, the Department of Revenue, the Yamhill County Elections Officer, and the Assessor of Yamhill County, a certified copy of the following documents:
 - 1. A copy of this ordinance.
 - 2. A map identifying the location of said territory.

4. The existing houses must be connected to sanitary sewer and water when available. Costs of extending and connecting to utilities and other services will be borne by the owners.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: September 6, 2006.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of August, 2006, by the following votes:

AYE: 5 NAY: 2 ABSENT: 0 ABSTAIN: 0


James H. Bennett, City Recorder

ATTEST by the Mayor this 9th day of August, 2006.


Bob Stewart, Mayor

LEGISLATIVE HISTORY

By and through Planning Commission at 6/22/2006 meeting.

Exhibits:

Exhibit A: Findings
Exhibit B: Annexation Map
Exhibit C: Legal Description
Exhibit D: Revised Comprehensive Plan Map

EXHIBIT A: FINDINGS

SECTION 1: ANNEXATION FINDINGS

A. The following conditions must be met prior to or concurrent with City processing of any annexation request:

1. *The subject site must be located within the Newberg Urban Growth Boundary or Newberg Urban Reserve Areas.*

Finding: All the property proposed for annexation is within the Newberg Urban Growth Boundary (UGB). Chehalem Creek is the Urban Growth Boundary on the west side. The creek, and thus the UGB, divides two of the properties. In these instances, only that portion of the property within the UGB is proposed for annexation.

2. *The subject site must be contiguous to the existing City limits.*

Finding: The properties are contiguous to the existing City limits on the north side.

An application for an annexation may be granted through a Type III procedure only if the proposal conforms to the annexation criteria found in NDC § 151.262, as follows:

(A). *The proposed use for the site complies with the Newberg comprehensive plan and with the designation on the Newberg comprehensive plan map. If a redesignation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Newberg comprehensive plan.*

Finding: A portion of the area proposed for annexation is a portion of Ewing Young Park. It is owned by the Chehalem Park and Recreation District (CPRD). This area has a comprehensive plan designation of P (Park). The skate park and most of the BMX track are within the Newberg City limits. The portion of the park proposed for annexation is largely undeveloped, but does contain some uses. It contains a portion of the BMX track, and a disc golf course. It also contains a few small farm structures. Chehalem Creek borders the property to the west, and a branch of the creek borders it to the south. This area is used for passive recreation.

Upon annexation, the park would continue to be used much the same as it is today. At some point in the future, the park could present opportunities to further develop a historic interpretative area, or for additional recreation facilities. This is in compliance with the Comprehensive Plan.

Much of the remainder of the annexation area is within the Newberg Riverfront Master Plan area. The plan envisions the area being developed with Medium and Low Density Residential development, trails, a stream corridor, and the Newberg-Dundee bypass. Annexation of this property would facilitate development in accordance with this plan. In

fact, if the area is not annexed, the area possibly could be developed under Measure 37 as rural residential uses, which would be a severe violation of the City's and County's comprehensive plans.

One change in the plan is requested to change the existing area designated Low Density Residential (LDR) to Medium Density Residential (MDR). Findings addressing this change are noted below. This change will actually increase the ability to implement the Riverfront Master Plan, as additional residential development would be possible in areas not affected by the Newberg-Dundee bypass.

- (B).** *An adequate level of urban services must be available, or made available, within three years time of annexation. An adequate level of urban services shall be defined as:*
- (a)** *Municipal sanitary sewer and water service meeting the requirements enumerated in the Newberg comprehensive plan for provision of these services.*
 - (b)** *Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three-year time period, the city shall note requirements such as dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The city shall also consider public costs for improvement and the ability of the city to provide for those costs.*

Finding: The Newberg Riverfront Master plan details the utility and street improvements needed to serve the area. See Attachment L. The following is a summary of these needs:

Water: Water service is planned to be provided to this area by extending existing water lines in River Street and College Street.

Sanitary sewer: Sewer service is planned to serve this area by extending sewer lines from the main in River Street. A sanitary sewer pump station will need to be installed to serve a portion of this area.

Stormwater: The City's storm drainage master plan envisions that this area will flow largely to the Willamette River through storm drains. A storm water treatment facility (such as a biofiltration swale or pond) is planned to serve the area.

Roads: Various transportation facilities are needed to serve the area. These include improvements to College Street, River Street, 14th Street, Waterfront Street, and the extension of Blaine Street.

The above improvements are not likely to be completed within the next three years. Criterion E. below provides for an exception to the above criterion. See the findings below.

(C) Findings documenting the availability of police, fire, parks, and school facilities

and services shall be made to allow for conclusionary findings either for or against the proposed annexation. The adequacy of these services shall be considered in relation to annexation proposals.

Finding: Police services are currently provided to the area by Yamhill County Sheriff's Office. Newberg Rural Fire District currently provides fire service. The proposed annexation will shift police and fire services to the City. The current development includes only two houses. This will add only a minimal addition to the police and fire services needed. The property taxes collected after development are roughly estimated to pay for the additional services needed. When development occurs, additional police and fire services will be needed, and additional property taxes will be generated to offset these costs.

The Chehalem Park and Recreation District owns property within the annexation area – Ewing Young Park (Note that the skate park and most of the BMX track are already within the City limits). The use of this park is not anticipated to change due to the annexation. Annexation could perhaps allow additional facilities, such as a restroom, at the park at some future time if this were desirable.

The property will generate additional needs for school facilities. The Newberg School District receives state funding on a per student basis. Thus, with the additional population, the school district will receive additional funding for school services. Development of the property will also generate additional property tax revenue that will go to fund school services.

(D) *The burden for providing the findings for divisions (A), (B) and (C) of this section is placed upon the applicant.*

Finding: The applicant is the City of Newberg. These findings have been prepared by City staff.

(E) *The City Council may annex properties where urban services are not and cannot practically be made available within the three year time frame noted in subsection (B) above, but where annexation is needed to address a health hazard, to annex an island, to address sewer or water connection issues for existing development, to address specific legal or contract issues, to annex property where the timing and provision of adequate services in relation to development is or will be addressed through legislatively adopted specific area plans or similar plans, or to address similar situations. In these cases, absent a specific legal or contractual constraint, the Council shall apply an interim zone, such as a limited-use overlay, that would limit development of the property until such time as the services become available.*

Finding: In this circumstance, annexation is needed to address specific legal issues. The property owners in the area have filed Measure 37 claims with Yamhill County. The property owners have agreed to hold these claims pending a decision on the annexation. This agreement is contingent upon having the property annexed as R-2. Annexing per this request is a specific legal or contractual constraint that would preclude placement of a limited use overlay on the property. If the claims are successful and development occurs, the development would be without City water and sewer services. It would be nearly impossible

to develop the area as envisioned by the Newberg Riverfront Master Plan. Development would consist of rural residential development, not the urban residential development envisioned by the plan. By annexing the property, the area could be developed as envisioned by the Riverfront Master Plan. Development would occur concurrent with the provision of utility services.

Also, note that the provision of adequate services in relation to development of this area is addressed through the adopted Riverfront Master Plan.

SECTION 2: COMPREHENSIVE PLAN AMENDMENT FINDINGS

NDC § 151.122 (3) COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENT CRITERIA. *The applicant must demonstrate compliance with the following criteria:*

(a) *The proposed change is consistent with and promotes the goals and policies of the Newberg Comprehensive Plan and this Code;*

The following goals apply:

I. Housing, Goal 2 b. The City will encourage medium density housing in an adjacent to the commercial core of the Riverfront District and lower intensity residential uses in the western portion of the Riverfront District.

J. Urban Design 6. a. The City will encourage a mix of employment, housing and retail uses serving the neighborhood and the surrounding community to enhance the riverfront's identity as a vital and attractive City asset and to ensure an active, pedestrian friendly, and thriving riverfront area.

Finding: The plan amendment would help promote the objectives of the Newberg Riverfront Master Plan. The plan envisions housing supporting the riverfront commercial area. The total amount of housing on the property, however, will be limited by the bypass. The plan amendment will help encourage mix of housing envisioned in the plan. It also will help provide the critical mass of development necessary to provide the facilities and services needed to serve the area.

(b) *Public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change.*

Finding: The property is within the Riverfront Master Plan area. The master plan details the public facilities and services that are needed to serve the area. Due to land needed for the Newberg Dundee bypass, the total amount of residential development will be limited. The change to Medium Density Residential will allow additional residential development in the area, consistent with the goal of the riverfront master plan. The public facilities planned will serve Medium Density Residential property.

City of
Z:\COU

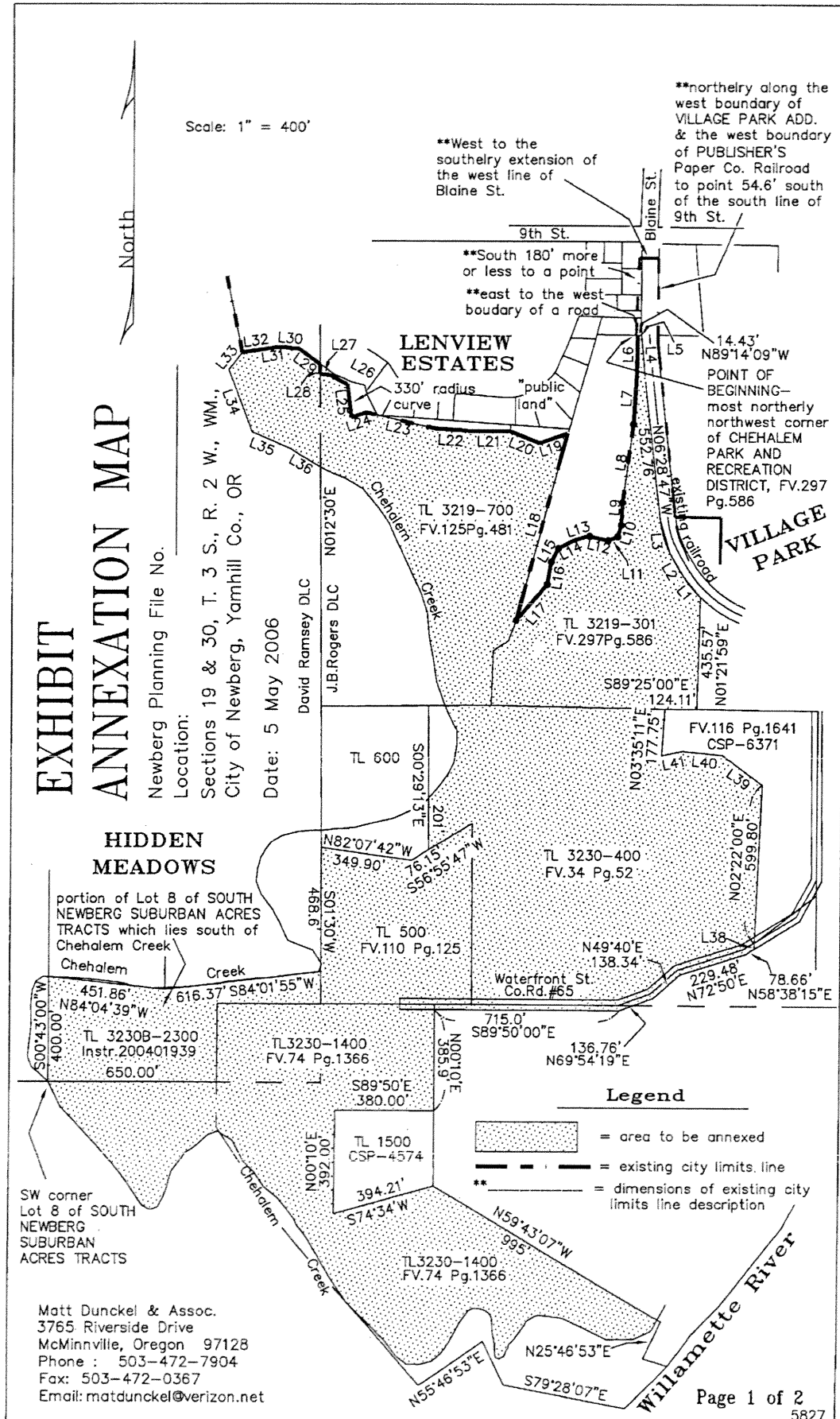


EXHIBIT ANNEXATION MAP

Newberg Planning File No. _____

Location: _____

Sections 19 & 30, T. 3 S., R. 2 W., WM.,
City of Newberg, Yamhill Co., OR

Date: 5 May 2006

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N39°46'30"W	105.38
L2	N30°17'02"W	100.56
L3	N16°42'37"W	136.02
L4	N04°57'55"W	148.19
L5	N89°14'09"W	14.43
L6	Southeasterly	200.00
L7	S03°20'00"W	200.00
L8	S07°35'00"W	300.00
L9	S03°14'00"W	85.00
L10	S17°01'00"W	47.00
L11	S67°59'00"W	40.00
L12	N76°52'00"W	78.00
L13	S72°12'00"W	60.00
L14	S63°21'00"W	64.80
L15	S28°06'00"W	60.00
L16	S09°50'00"W	86.00
L17	S41°37'00"W	182.00
L18	N15°28'00"E	736.00
L19	S70°49'30"W	114.35
L20	N68°25'00"W	123.50
L21	N89°55'00"W	144.00
L22	N86°10'00"W	142.50
L23	N77°10'00"W	274.00
L24	S71°35'00"W	60.00
L25	N07°17'30"W	127.34
L26	N62°00'00"W	75.00
L27	N83°25'00"W	39.0
L28	N01°30'E	55.0
L29	N53°35'00"W	98.55
L30	N85°02'00"W	78.82
L31	S81°45'14"W	51.96
L32	S81°45'14"W	91.99
L33	S38°03'15"W	83.27
L34	S20°36'46"E	253.83
L35	S67°11'25"E	155.70
L36	S59°25'53"E	141.76
L38	S02°22'00"W	22.55
L39	N54°03'20"W	189.40
L40	N84°06'00"W	156.00
L41	S77°53'00"W	81.54

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Matthew E. Dunckel
OREGON
July 13, 1961
MATTHEW E. DUNCKEL
1942

Renewable 31 December 2007

Matt Dunckel & Assoc.
3765 Riverside Drive
McMinnville, Oregon 97128
Phone : 503-472-7904
Fax: 503-472-0367
Email: matdunckel@verizon.net

Page 2 of 2

5827

EXHIBIT C - LEGAL DESCRIPTION

Matt Dunckel & Assoc.
Land Surveyors
3765 Riverside Drive
McMinnville, OR 97128
Phone: 503-472-7904
Fax : 503-472-0367

Date: April 25, 2006

City of Newberg – Legal Description of Annexation of TL 3219-301 & 700,
3230-400,500 & 1400, 3230B-2300

A tract of land in Sections 19 & 30, Township 3 South, Range 2 West, Yamhill County, Oregon, being more particularly described as follows:

Beginning at the most northerly northwest corner of that tract of land described in deed from SMURFIT NEWSPRINT CORPORATION to CHEHALEM PARK AND RECREATION DISTRICT and recorded November 5, 1993 in Film Volume 297 Page 586, said point being on the existing city limits line and also being North 89°14'09" West 14.43 feet from the westerly margin of the existing railroad; thence along the existing city limits line the following bearings and distances, southeasterly 200 feet along the west line of a roadway; thence South 03°20' West 200 feet to an iron pipe; thence South 07°35' West 300 feet to an iron pipe; thence South 03°14' West 85 feet to an iron pipe; thence South 17°01' West 47 feet to an iron pipe; thence South 67°59' West 40 feet to an iron pipe; thence North 76°52' West 78 feet leaving said roadway to an iron pipe; thence South 72°12' West 60 feet to an iron pipe; thence South 63°21' West 64.8 feet to an iron pipe; thence South 28°06' West 60 feet to an iron pipe; thence South 09°50' West 86 feet to an iron pipe; thence South 41°37' West 182 feet to an iron pipe; North 15°28' East 736 feet to the southeast corner of the "Public Land" represented on the vacation plat of "French's Addition to the City of Newberg; thence South 70°49'30" West 114.35 feet; thence North 68°25' West 123.50 feet; thence North 89°55' West 144.00 feet; North 86°10' West 142.50 feet; thence North 77°10' West 274.00 feet; thence South 71°35' West 60 feet; thence northerly 128.15 feet along a curve right having a radius of 330 feet through a central angle of 22°15' (chord bears North 7°17'30" West 127.34 feet); thence North 62°00' West 75 feet; thence North 83°25' West 39 feet to the west line of the Joseph B. Rogers Donation Land Claim; thence North 1°30' East 55 feet more or less to a point on the west line of said Rogers DLC that is South 1°30' West 409.1 feet from an iron pipe on the west line of Ninth Street and the west line of said Rogers DLC; thence North 53°35' West 98.55 feet; thence North 85°02' West 78.82 feet; thence South 81°45'14" West 51.96 feet;

Date: April 25, 2006

City of Newberg – Legal Description of Annexation of TL 3219-301 & 700,
3230-400,500 & 1400, 3230B-2300

thence South 81°45'14" West 91.99; thence leaving said existing city limits line South 38°03'15" West 83.27 feet to the center of Chehalem Creek; thence South 20°36'46" East 253.83 feet along Chehalem Creek; thence South 67°11'25" East 155.70 feet along Chehalem Creek; thence South 59°25'53" East 141.76 feet along Chehalem

Creek; thence continuing southerly along the center of Chehalem Creek to the south line of that tract of land described in deed from ROBERT SWIFT, personal representative of the LEONARD C. FRENCH Estate to CHEHALEM PARK AND RECREATION DISTRICT and recorded December 12, 1977 in Film Volume 125 Page 481; thence continuing southerly and southwesterly to the west line of that tract of land described in deed from MAURICE E. CRONIN and ELIZABETH H. CRONIN to KENNETH I. WEATHERLY and MILDRED A. WEATHERLY and recorded November 21, 1963 in Film Volume 34 Page 52; thence South 00°29'13" east 201 feet along the west line of said WEATHERLY tract to the north line of that tract of land described in deed from WEATHERLY to WOZNIAK and recorded January 8, 1976 in Film Volume 110 Page 125; thence South 56°55'47" West 76.15 feet along the north line of said WOZNIAK tract; thence North 82°07'42" West 349.90 feet along said north line to the northwest corner of said tract; thence South 01°30" West 468.6 feet along the west line of said tract to the center of Chehalem Creek and the northeast corner of that tract of that tract of land described in deed from LORENCE M. CHRISTENSON and LOIS A. CHRISTENSON to LORENCE M. CHRISTENSON and LOIS A.

CHRISTENSON as co-Trustees of the CHRISTENSON FAMILY TRUST and recorded in Instrument No. 200401939; thence South 84°01'55" West 616.37 feet along the north line of said CHRISTENSON tract; thence North 84°04'39" West 451.86 along said north line to the west line of Lot 8 of SOUTH NEWBERG SUBURBAN ACRE TRACTS; thence South 00°43' West 400 feet more or less to the southwest corner of said Lot 8 and the center of Chehalem Creek; thence southeasterly and easterly along the center of Chehalem Creek to the northeasterly line of that tract of land described in deed from MELLINGER to CHRISTENSON (Parcel 1) February 26, 1967 in Film Volume 74 Page 1366; thence North 59°43'07" West 955 feet more or less to an angle corner in said northeasterly line; thence South 74°34' West 394.21 feet along said line; thence North 00°10' East 392.00 feet along said line; thence South 89°50' East 380.00 feet along said line; thence North 00°10' East 385.9 feet along said line to the south margin of the County Road No. 65; thence South 89°50' East 715.0 feet along said south margin; thence

Date: April 25, 2006

City of Newberg – Legal Description of Annexation of TL 3219-301 & 700,
3230-400,500 & 1400, 3230B-2300

North 69°54'19" East 136.76 feet along said south margin; thence North 49°40' East 138.34 feet along said line; thence North 72°50' East 229.48 feet along said south line to a point that is South 02°22'00" West 22.55 feet from the southwest corner of that tract of land described in Land Sales Contract from WEATHERLY to HOLLIS and executed December 16, 1976 and recorded in Film Volume 116 Page 1641; thence North 02°22'00" East 22.55 feet to said southwest corner; thence North 02°22'00" East 599.80 feet along the west line of said HOLLIS tract; thence North 54°03'20" West 189.40 feet along said west line; thence North 84°06'00" West 156.00 feet along said line; thence South 77°53'00" West 81.54 feet along said line; thence North 03°35'11" East 177.75 feet along said line to the northwest corner of said tract; thence South 89°25'00" East 124.11 feet along the north line of said tract to the southeast corner of that tract of land described in deed from SMURFIT NEWSPRINT CORPORATION to CHEHALEM PARK AND RECREATION DISTRICT and recorded November 5, 1993 in Film Volume 297 Page 586; thence North 01°21'59" East 435.57 feet along the east line of said CHEHALEM PARK AND RECREATION DISTRICT tract to a point that is 30 feet southerly of the centerline of the existing railroad tracts, when measured at right angles; thence northwesterly parallel with and 30 feet southerly and westerly of said existing railroad tracts, chord bearings and distanced are North 39°46'30" West 105.38 feet, North 30°17'02" West 100.56 feet, North 16°42'37" West 136.02 feet, North 06°28'47" West 552.76, North 04°57'55" West 148.19 feet to the northeast corner of said CHEHALEM PARK AND RECREATION DISTRICT tract; thence North 89°14'09" West 14.43 feet to the point of beginning.

EXHIBIT D: REVISED COMPREHENSIVE PLAN MAP

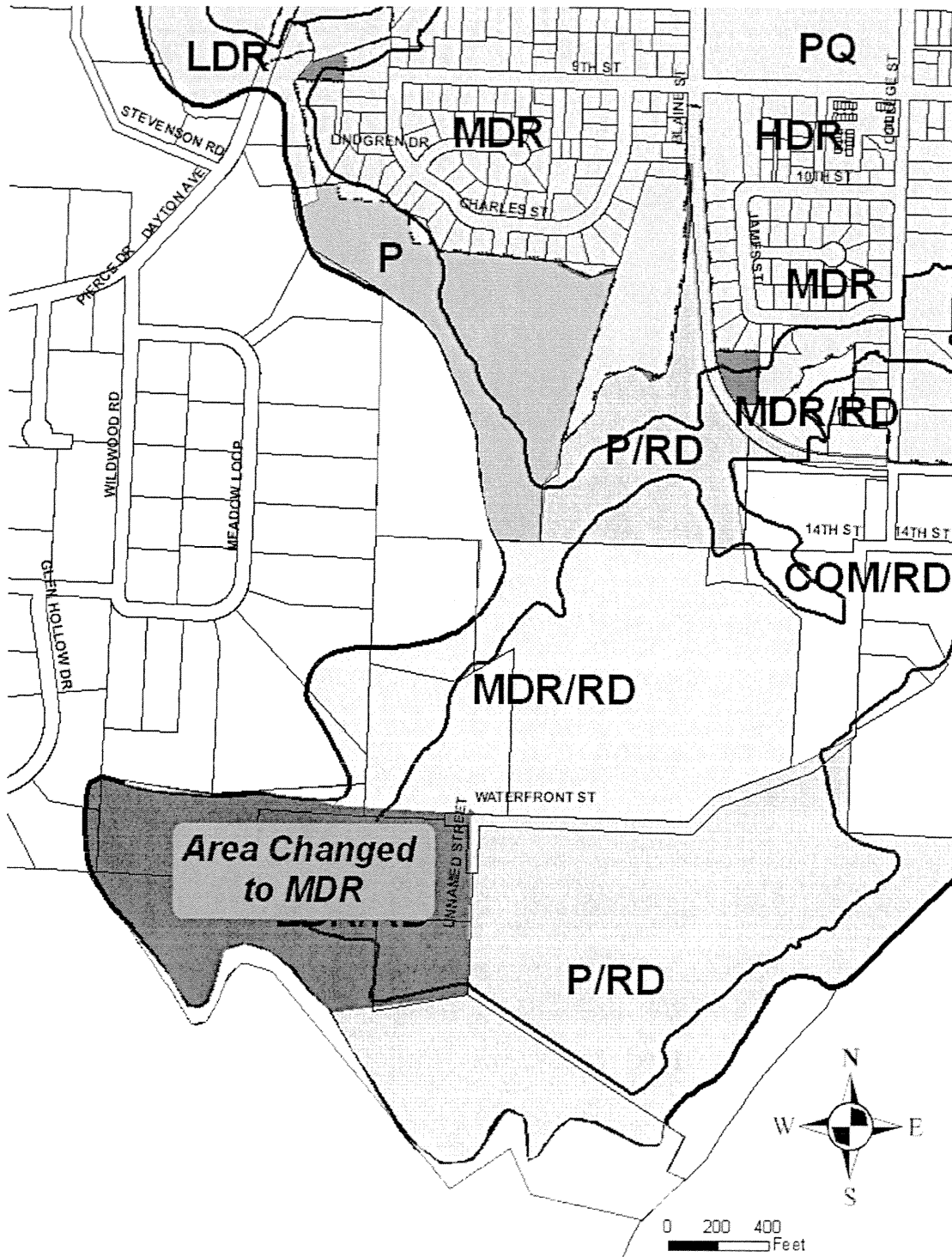
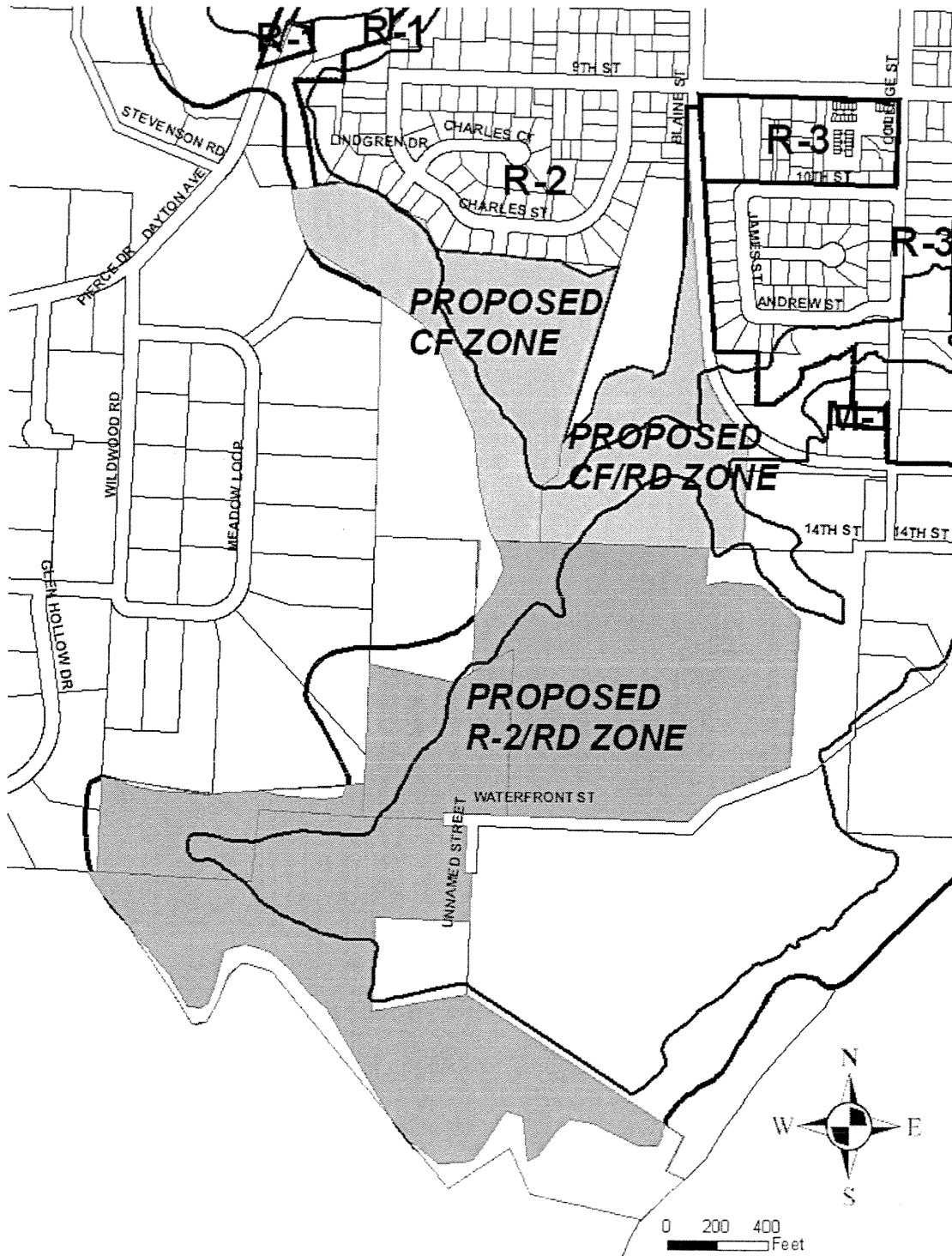
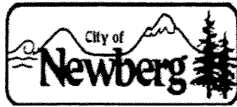


EXHIBIT E: REVISED ZONING MAP





RESOLUTION No. 2006-2664

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ELECTIONS OFFICER TO CERTIFY TO THE YAMHILL COUNTY CLERK A BALLOT TITLE FOR THE MEASURE TO BE SUBMITTED TO THE ELECTORATE OF THE CITY OF NEWBERG FOR THEIR APPROVAL OF AN ANNEXATION FOR PROPERTY LOCATED ALONG WATERFRONT STREET AND EWING YOUNG PARK, YAMHILL COUNTY TAX LOTS 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400

RECITALS:

1. On August 7, 2006 the City Council adopted Ordinance No. 2006-2651, annexing the property along Waterfront Street and Ewing Young Park, Yamhill County tax lots 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400, subject to a public vote.
2. The City of Newberg Charter requires that territory may be annexed into the City of Newberg only upon approval by a majority vote among the electorate of the City.
3. The City Council has requested that this matter be placed before the voters at the general election in November, 2006.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Attorney of the City of Newberg is hereby authorized and directed to prepare in proper form a ballot title placing before the voters the question of the annexation of the property along Waterfront Street and Ewing Young Park, Yamhill County tax lots 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400, as described in Ordinance No. 2006-2651, and file such ballot title with the City Elections Officer.
2. The City Elections Officer of the City of Newberg is hereby authorized and directed to certify to the Yamhill County Clerk the ballot title for the annexation measure to be placed before the voters at the next general election in November, 2006. Further, the City Elections Officer is directed to give all necessary notices of the ballot title and do all other necessary acts and deeds which may be required to place the matter before the voters of the City of Newberg at said election.
3. The City Attorney is directed to have prepared and review the explanatory statement which shall be submitted to the Yamhill County Clerk with the ballot title. Such explanatory statement shall be filed with the City Elections Officer and the City Elections Officer is

further directed to certify this explanatory statement to the Yamhill County Clerk.

4. The City Elections Officer is authorized to do all other necessary acts and deeds which may be required to conduct the election concerning this measure.

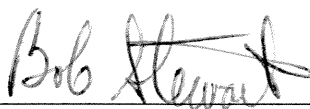
➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: August 8th, 2006.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of August, 2006.



James H. Bennett, City Recorder

ATTEST by the Mayor this 9th day of August, 2006.



Bob Stewart, Mayor

LEGISLATIVE HISTORY

By and through Planning Commission at 6/22/06 meeting.
(committee name) (date)



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 28, 2026

Please refer questions and comments to: James Dingwall

NOTE: Additional information can be viewed on our website at:

APPLICANT: Teresa Gilmore
REQUEST: De-Annexation of Property
SITE ADDRESS: 1835 & 1828 NE WATERFRONT ST
LOCATION:
TAX LOT: R3230 01400 & R3230B 02300
FILE NO: PLNG-25-43
ZONE: R-2(Medium Density Res Zoning District)
HEARING DATE: N/A

For full Project Information click on the Link Here: [PLNG-25-43 Full Application](#)

- ☐ Reviewed, no conflict.
- ☐ Reviewed; recommend denial for the following reasons:
- ☐ Require additional information to review. (Please list information required)
- ☐ Meeting requested.
- ☐ Comments. (Attach additional pages as needed)

Reviewed By:

Date:

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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FILE NO: PLNG-25-43
ZONE: R-2(Medium Density Res Zoning District)
HEARING DATE: N/A

For full Project Information click on the Link Here: [PLNG-25-43 Full Application](#)



Reviewed, no conflict.



Reviewed; recommend denial for the following reasons:



Require additional information to review. (Please list information required)



Meeting requested.



Comments. (Attach additional pages as needed)

W E Worthey

Digitally signed by W E Worthey
DN: C=City of Newberg, CN=W E Worthey, E=w.e.worthey@newbergoregon.gov
Reason: I am the author of this document
Location: your signing location here
Date: 2025.05.13 17:26:53 -0700
Full PhantomPDF Version: 10.1.12

5/13/26

Reviewed By:

Date:

Will Worthey CM

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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ZONE: R-2(Medium Density Res Zoning District)
HEARING DATE: N/A

For full Project Information click on the Link Here: [PLNG-25-43 Full Application](#)



Reviewed, no conflict.



Reviewed; recommend denial for the following reasons:



Require additional information to review. (Please list information required)



Meeting requested.



Comments. (Attach additional pages as needed)

Scot Siegel

Digitally signed by Scot Siegel
DN: cn=Scot Siegel, o=City of Newberg, cn=Scot Siegel
Email=ssiegel@newbergoregon.gov
Reason: I am the author of this document
Location: your signing location here
Date: 2025.05.14 10:42:42-0700
Foxit ReaderPDF Version: 10.1.12

Reviewed By:

Organization:

Date:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 28, 2026

Please refer questions and comments to: James Dingwall

NOTE: Additional information can be viewed on our website at:

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REQUEST: De-Annexation of Property
SITE ADDRESS: 1835 & 1828 NE WATERFRONT ST
LOCATION:
TAX LOT: R3230 01400 & R3230B 02300
FILE NO: PLNG-25-43
ZONE: R-2(Medium Density Res Zoning District)
HEARING DATE: N/A

For full Project Information click on the Link Here: [PLNG-25-43 Full Application](#)



Reviewed, no conflict.



Reviewed; recommend denial for the following reasons:



Require additional information to review. (Please list information required)



Meeting requested.



Comments. (Attach additional pages as needed)



Reviewed By:

Chehalem Park and Recreation District

Organization:

5/27/26

Date:



Re: City of Newberg Referral Review Request: PLNG-25-43

From Daniel Keuler <Daniel.Keuler@newbergoregon.gov>

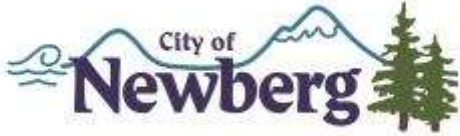
Date Wed 5/13/2026 4:52 PM

To Fe Bates <Fe.Bates@newbergoregon.gov>

Cc James Dingwall <James.Dingwall@newbergoregon.gov>

I noted no City liens or unpaid UB accounts associated with these properties.

Dan Keuler
Accounting Manager
City of Newberg
414 East First Street
Newberg, OR 97132
(503) 554-8934 – Desk
(971) 281-0203 – Work Cell
daniel.keuler@newbergoregon.gov



PUBLIC RECORDS LAW DISCLOSURE: Messages to and from this e-mail address are public records of the City of Newberg and may be subject to public disclosure. This e-mail may be subject to the State Retention Schedule.

From: Fe Bates <Fe.Bates@newbergoregon.gov>

Sent: Wednesday, May 13, 2026 2:14 PM

Cc: James Dingwall <James.Dingwall@newbergoregon.gov>; Fe Bates <Fe.Bates@newbergoregon.gov>

Subject: City of Newberg Referral Review Request: PLNG-25-43

Good Day,

Attached is Referral PLNG-25-43 for a De-Anexation of two Properties.

The full application for can be viewed by clicking on the Link located on the Form. Please fill out the Referral Sign Off sheet and email it back no later than May 28, 2026 to Planning@newbergoregon.gov .

Thank you,

Fé Bates

Community Development

Administrative Assistant

City of Newberg

City Hall: 503-537-1240

Direct: 503-554-7788

Learn more about our NEW online permitting software! Click the link below.



PUBLIC RECORDS LAW DISCLOSURE: *Messages to and from this e-mail address are public records of the City of Newberg and may be subject to public disclosure. This e-mail may be subject to the State Retention Schedule.*



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 28, 2026

Please refer questions and comments to: James Dingwall

NOTE: Additional information can be viewed on our website at:

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REQUEST: De-Annexation of Property
SITE ADDRESS: 1835 & 1828 NE WATERFRONT ST
LOCATION:
TAX LOT: R3230 01400 & R3230B 02300
FILE NO: PLNG-25-43
ZONE: R-2(Medium Density Res Zoning District)
HEARING DATE: N/A

For full Project Information click on the Link Here: [PLNG-25-43 Full Application](#)



Reviewed, no conflict.



Reviewed; recommend denial for the following reasons:



Require additional information to review. (Please list information required)



Meeting requested.



Comments. (Attach additional pages as needed)

Jeff Kosmicki

Digitally signed by Jeff Kosmicki
DN: cn=JEFF, ou=Police, o=City of Newberg, CN=Jeff Kosmicki
Reason: I am the author of this document
Location: your signing location here
Date: 2025.05.14 17:50:16-0700
Foxit ReaderPDF Version: 10.1.12

5/14/26

Reviewed By:

Date:

Newberg-Dundee Police Department

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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Please refer questions and comments to: James Dingwall

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ZONE: R-2(Medium Density Res Zoning District)
HEARING DATE: N/A

For full Project Information click on the Link Here: [PLNG-25-43 Full Application](#)



Reviewed, no conflict.



Reviewed; recommend denial for the following reasons:



Require additional information to review. (Please list information required)



Meeting requested.



Comments. (Attach additional pages as needed)

Brett Musick

Digitally signed by Brett Musick
DN: CN=Brett Musick, E=brett.musick@newbergoregon.gov
Reason: I have reviewed this document
Location: your signing location here
Date: 2025.05.13 15:20:35-07'00'
Post-PhantomPDF Version: 10.1.12

5/13/26

Reviewed By:

Date:

Development Engineering

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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Please refer questions and comments to: James Dingwall

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FILE NO: PLNG-25-43
ZONE: R-2(Medium Density Res Zoning District)
HEARING DATE: N/A

For full Project Information click on the Link Here: [PLNG-25-43 Full Application](#)



Reviewed, no conflict.



Reviewed; recommend denial for the following reasons:



Require additional information to review. (Please list information required)



Meeting requested.



Comments. (Attach additional pages as needed)

April Catan

Digitally signed by April Catan
DN: cn=April Catan, o=City of Newberg, cn=April Catan,
email=april.catan@newbergoregon.gov
Reason: I am the author of this document
Location: your signing location here
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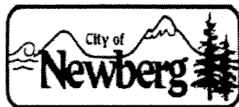
5/14/26

Reviewed By:

Date:

City of Newberg - Operations

Organization:



ORDINANCE No. 2006-2651

AN ORDINANCE DECLARING THAT APPROXIMATELY 98 ACRES ALONG WATERFRONT STREET AND ALL OR PARTS OF EWING YOUNG PARK AND YAMHILL COUNTY TAX LOTS 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400, BE ANNEXED INTO THE CITY, THAT THE COMPREHENSIVE PLAN MAP BE CHANGED FROM LDR TO MDR (MEDIUM DENSITY RESIDENTIAL) FOR A PORTION OF THE AREA, THAT THE ZONE BE CHANGED TO R-2 AND CF (COMMUNITY FACILITY), AND THAT THE AREA BE WITHDRAWN FROM THE NEWBERG RURAL FIRE PROTECTION DISTRICT

SUBJECT TO A PUBLIC VOTE

RECITALS:

1. On January 17, 2006, the Newberg City Council initiated annexation proceeding for the subject properties.
2. On June 22, 2006, the Newberg Planning Commission held a hearing on the application, and recommended approval.
3. After proper notice, on August 7, 2006 at the hour of 7:00 PM in the Newberg Public Safety Building, 401 E. Third, the City Council held a public hearing on the item: accurately stated objections to jurisdiction, bias, and ex-parte contact; considered public testimony; examined the record; heard the presentation from staff and the applicant; examined and discussed the appropriate criteria to judge the project (as listed in the staff report); considered all relevant information regarding the item; and deliberated.
4. The Council finds that the requirements of the City of Newberg Comprehensive Plan and Newberg Development Code regarding annexations and comprehensive plan amendments have been met.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The City Council adopts the findings, which are attached hereto as Exhibit A and incorporated herein by reference.
2. Owners understand that annexation in to the city must be approved by the voters of the City. The City may place the matter before the voters of the City at a biennial General Election (held in May and November of each even numbered year), unless otherwise approved by

resolution of the City Council.

3. Should this annexation request be approved by a majority of the electorate of the City of Newberg at the election date as identified by resolution of the City Council, the property shall be annexed and the following events shall occur:

- A. It is hereby ordered and declared that the property shown in Exhibit B and described in Exhibit C, is annexed and withdrawn from the Newberg Rural Fire Protection District.
- B. The Newberg Comprehensive Plan map shall be amended as shown in Exhibit D.
- C. The "Newberg, Oregon Zoning Map" shall be amended as shown in Exhibit E.
- D. The Recorder of the City of Newberg is hereby authorized and directed to make and submit to the Secretary of State, the Department of Revenue, the Yamhill County Elections Officer, and the Assessor of Yamhill County, a certified copy of the following documents:
 - 1. A copy of this ordinance.
 - 2. A map identifying the location of said territory.

4. The existing houses must be connected to sanitary sewer and water when available. Costs of extending and connecting to utilities and other services will be borne by the owners.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: September 6, 2006.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of August, 2006, by the following votes:

AYE: 5 NAY: 2 ABSENT: 0 ABSTAIN: 0


James H. Bennett, City Recorder

ATTEST by the Mayor this 9th day of August, 2006.


Bob Stewart, Mayor

LEGISLATIVE HISTORY

By and through Planning Commission at 6/22/2006 meeting.

Exhibits:

Exhibit A: Findings
Exhibit B: Annexation Map
Exhibit C: Legal Description
Exhibit D: Revised Comprehensive Plan Map

EXHIBIT A: FINDINGS

SECTION 1: ANNEXATION FINDINGS

A. The following conditions must be met prior to or concurrent with City processing of any annexation request:

1. *The subject site must be located within the Newberg Urban Growth Boundary or Newberg Urban Reserve Areas.*

Finding: All the property proposed for annexation is within the Newberg Urban Growth Boundary (UGB). Chehalem Creek is the Urban Growth Boundary on the west side. The creek, and thus the UGB, divides two of the properties. In these instances, only that portion of the property within the UGB is proposed for annexation.

2. *The subject site must be contiguous to the existing City limits.*

Finding: The properties are contiguous to the existing City limits on the north side.

An application for an annexation may be granted through a Type III procedure only if the proposal conforms to the annexation criteria found in NDC § 151.262, as follows:

(A). *The proposed use for the site complies with the Newberg comprehensive plan and with the designation on the Newberg comprehensive plan map. If a redesignation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Newberg comprehensive plan.*

Finding: A portion of the area proposed for annexation is a portion of Ewing Young Park. It is owned by the Chehalem Park and Recreation District (CPRD). This area has a comprehensive plan designation of P (Park). The skate park and most of the BMX track are within the Newberg City limits. The portion of the park proposed for annexation is largely undeveloped, but does contain some uses. It contains a portion of the BMX track, and a disc golf course. It also contains a few small farm structures. Chehalem Creek borders the property to the west, and a branch of the creek borders it to the south. This area is used for passive recreation.

Upon annexation, the park would continue to be used much the same as it is today. At some point in the future, the park could present opportunities to further develop a historic interpretative area, or for additional recreation facilities. This is in compliance with the Comprehensive Plan.

Much of the remainder of the annexation area is within the Newberg Riverfront Master Plan area. The plan envisions the area being developed with Medium and Low Density Residential development, trails, a stream corridor, and the Newberg-Dundee bypass. Annexation of this property would facilitate development in accordance with this plan. In

fact, if the area is not annexed, the area possibly could be developed under Measure 37 as rural residential uses, which would be a severe violation of the City's and County's comprehensive plans.

One change in the plan is requested to change the existing area designated Low Density Residential (LDR) to Medium Density Residential (MDR). Findings addressing this change are noted below. This change will actually increase the ability to implement the Riverfront Master Plan, as additional residential development would be possible in areas not affected by the Newberg-Dundee bypass.

- (B).** *An adequate level of urban services must be available, or made available, within three years time of annexation. An adequate level of urban services shall be defined as:*
- (a)** *Municipal sanitary sewer and water service meeting the requirements enumerated in the Newberg comprehensive plan for provision of these services.*
 - (b)** *Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three-year time period, the city shall note requirements such as dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The city shall also consider public costs for improvement and the ability of the city to provide for those costs.*

Finding: The Newberg Riverfront Master plan details the utility and street improvements needed to serve the area. See Attachment L. The following is a summary of these needs:

Water: Water service is planned to be provided to this area by extending existing water lines in River Street and College Street.

Sanitary sewer: Sewer service is planned to serve this area by extending sewer lines from the main in River Street. A sanitary sewer pump station will need to be installed to serve a portion of this area.

Stormwater: The City's storm drainage master plan envisions that this area will flow largely to the Willamette River through storm drains. A storm water treatment facility (such as a biofiltration swale or pond) is planned to serve the area.

Roads: Various transportation facilities are needed to serve the area. These include improvements to College Street, River Street, 14th Street, Waterfront Street, and the extension of Blaine Street.

The above improvements are not likely to be completed within the next three years. Criterion E. below provides for an exception to the above criterion. See the findings below.

(C) Findings documenting the availability of police, fire, parks, and school facilities

and services shall be made to allow for conclusionary findings either for or against the proposed annexation. The adequacy of these services shall be considered in relation to annexation proposals.

Finding: Police services are currently provided to the area by Yamhill County Sheriff's Office. Newberg Rural Fire District currently provides fire service. The proposed annexation will shift police and fire services to the City. The current development includes only two houses. This will add only a minimal addition to the police and fire services needed. The property taxes collected after development are roughly estimated to pay for the additional services needed. When development occurs, additional police and fire services will be needed, and additional property taxes will be generated to offset these costs.

The Chehalem Park and Recreation District owns property within the annexation area – Ewing Young Park (Note that the skate park and most of the BMX track are already within the City limits). The use of this park is not anticipated to change due to the annexation. Annexation could perhaps allow additional facilities, such as a restroom, at the park at some future time if this were desirable.

The property will generate additional needs for school facilities. The Newberg School District receives state funding on a per student basis. Thus, with the additional population, the school district will receive additional funding for school services. Development of the property will also generate additional property tax revenue that will go to fund school services.

(D) *The burden for providing the findings for divisions (A), (B) and (C) of this section is placed upon the applicant.*

Finding: The applicant is the City of Newberg. These findings have been prepared by City staff.

(E) *The City Council may annex properties where urban services are not and cannot practically be made available within the three year time frame noted in subsection (B) above, but where annexation is needed to address a health hazard, to annex an island, to address sewer or water connection issues for existing development, to address specific legal or contract issues, to annex property where the timing and provision of adequate services in relation to development is or will be addressed through legislatively adopted specific area plans or similar plans, or to address similar situations. In these cases, absent a specific legal or contractual constraint, the Council shall apply an interim zone, such as a limited-use overlay, that would limit development of the property until such time as the services become available.*

Finding: In this circumstance, annexation is needed to address specific legal issues. The property owners in the area have filed Measure 37 claims with Yamhill County. The property owners have agreed to hold these claims pending a decision on the annexation. This agreement is contingent upon having the property annexed as R-2. Annexing per this request is a specific legal or contractual constraint that would preclude placement of a limited use overlay on the property. If the claims are successful and development occurs, the development would be without City water and sewer services. It would be nearly impossible

to develop the area as envisioned by the Newberg Riverfront Master Plan. Development would consist of rural residential development, not the urban residential development envisioned by the plan. By annexing the property, the area could be developed as envisioned by the Riverfront Master Plan. Development would occur concurrent with the provision of utility services.

Also, note that the provision of adequate services in relation to development of this area is addressed through the adopted Riverfront Master Plan.

SECTION 2: COMPREHENSIVE PLAN AMENDMENT FINDINGS

NDC § 151.122 (3) COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENT CRITERIA. *The applicant must demonstrate compliance with the following criteria:*

- (a) *The proposed change is consistent with and promotes the goals and policies of the Newberg Comprehensive Plan and this Code;***

The following goals apply:

I. Housing, Goal 2 b. The City will encourage medium density housing in an adjacent to the commercial core of the Riverfront District and lower intensity residential uses in the western portion of the Riverfront District.

J. Urban Design 6. a. The City will encourage a mix of employment, housing and retail uses serving the neighborhood and the surrounding community to enhance the riverfront's identity as a vital and attractive City asset and to ensure an active, pedestrian friendly, and thriving riverfront area.

Finding: The plan amendment would help promote the objectives of the Newberg Riverfront Master Plan. The plan envisions housing supporting the riverfront commercial area. The total amount of housing on the property, however, will be limited by the bypass. The plan amendment will help encourage mix of housing envisioned in the plan. It also will help provide the critical mass of development necessary to provide the facilities and services needed to serve the area.

- (b) *Public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change.***

Finding: The property is within the Riverfront Master Plan area. The master plan details the public facilities and services that are needed to serve the area. Due to land needed for the Newberg Dundee bypass, the total amount of residential development will be limited. The change to Medium Density Residential will allow additional residential development in the area, consistent with the goal of the riverfront master plan. The public facilities planned will serve Medium Density Residential property.

City of
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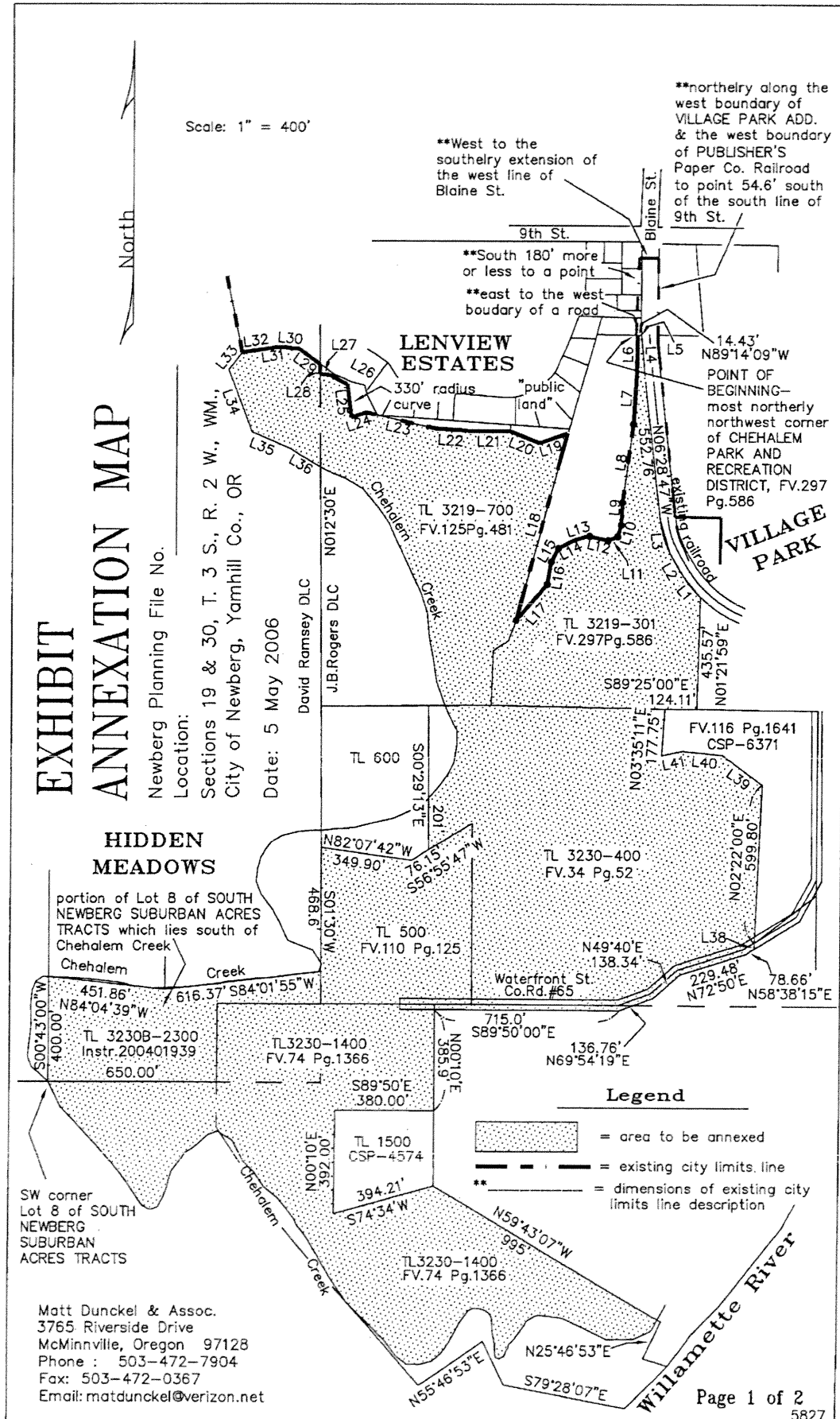


EXHIBIT ANNEXATION MAP

Newberg Planning File No. _____

Location: _____

Sections 19 & 30, T. 3 S., R. 2 W., WM.,
City of Newberg, Yamhill Co., OR

Date: 5 May 2006

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N39°46'30"W	105.38
L2	N30°17'02"W	100.56
L3	N16°42'37"W	136.02
L4	N04°57'55"W	148.19
L5	N89°14'09"W	14.43
L6	Southeasterly	200.00
L7	S03°20'00"W	200.00
L8	S07°35'00"W	300.00
L9	S03°14'00"W	85.00
L10	S17°01'00"W	47.00
L11	S67°59'00"W	40.00
L12	N76°52'00"W	78.00
L13	S72°12'00"W	60.00
L14	S63°21'00"W	64.80
L15	S28°06'00"W	60.00
L16	S09°50'00"W	86.00
L17	S41°37'00"W	182.00
L18	N15°28'00"E	736.00
L19	S70°49'30"W	114.35
L20	N68°25'00"W	123.50
L21	N89°55'00"W	144.00
L22	N86°10'00"W	142.50
L23	N77°10'00"W	274.00
L24	S71°35'00"W	60.00
L25	N07°17'30"W	127.34
L26	N62°00'00"W	75.00
L27	N83°25'00"W	39.0
L28	N01°30'E	55.0
L29	N53°35'00"W	98.55
L30	N85°02'00"W	78.82
L31	S81°45'14"W	51.96
L32	S81°45'14"W	91.99
L33	S38°03'15"W	83.27
L34	S20°36'46"E	253.83
L35	S67°11'25"E	155.70
L36	S59°25'53"E	141.76
L38	S02°22'00"W	22.55
L39	N54°03'20"W	189.40
L40	N84°06'00"W	156.00
L41	S77°53'00"W	81.54

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Matthew E. Dunckel
OREGON
July 13, 1981
MATTHEW E. DUNCKEL
1942

Renewable 31 December 2007

Matt Dunckel & Assoc.
3765 Riverside Drive
McMinnville, Oregon 97128
Phone : 503-472-7904
Fax: 503-472-0367
Email: matdunckel@verizon.net

Page 2 of 2

5827

EXHIBIT C - LEGAL DESCRIPTION

Matt Dunckel & Assoc.
Land Surveyors
3765 Riverside Drive
McMinnville, OR 97128
Phone: 503-472-7904
Fax : 503-472-0367

Date: April 25, 2006

City of Newberg – Legal Description of Annexation of TL 3219-301 & 700,
3230-400,500 & 1400, 3230B-2300

A tract of land in Sections 19 & 30, Township 3 South, Range 2 West, Yamhill County, Oregon, being more particularly described as follows:

Beginning at the most northerly northwest corner of that tract of land described in deed from SMURFIT NEWSPRINT CORPORATION to CHEHALEM PARK AND RECREATION DISTRICT and recorded November 5, 1993 in Film Volume 297 Page 586, said point being on the existing city limits line and also being North 89°14'09" West 14.43 feet from the westerly margin of the existing railroad; thence along the existing city limits line the following bearings and distances, southeasterly 200 feet along the west line of a roadway; thence South 03°20' West 200 feet to an iron pipe; thence South 07°35' West 300 feet to an iron pipe; thence South 03°14' West 85 feet to an iron pipe; thence South 17°01' West 47 feet to an iron pipe; thence South 67°59' West 40 feet to an iron pipe; thence North 76°52' West 78 feet leaving said roadway to an iron pipe; thence South 72°12' West 60 feet to an iron pipe; thence South 63°21' West 64.8 feet to an iron pipe; thence South 28°06' West 60 feet to an iron pipe; thence South 09°50' West 86 feet to an iron pipe; thence South 41°37' West 182 feet to an iron pipe; North 15°28' East 736 feet to the southeast corner of the "Public Land" represented on the vacation plat of "French's Addition to the City of Newberg; thence South 70°49'30" West 114.35 feet; thence North 68°25' West 123.50 feet; thence North 89°55' West 144.00 feet; North 86°10' West 142.50 feet; thence North 77°10' West 274.00 feet; thence South 71°35' West 60 feet; thence northerly 128.15 feet along a curve right having a radius of 330 feet through a central angle of 22°15' (chord bears North 7°17'30" West 127.34 feet); thence North 62°00' West 75 feet; thence North 83°25' West 39 feet to the west line of the Joseph B. Rogers Donation Land Claim; thence North 1°30' East 55 feet more or less to a point on the west line of said Rogers DLC that is South 1°30' West 409.1 feet from an iron pipe on the west line of Ninth Street and the west line of said Rogers DLC; thence North 53°35' West 98.55 feet; thence North 85°02' West 78.82 feet; thence South 81°45'14" West 51.96 feet;

Date: April 25, 2006

City of Newberg – Legal Description of Annexation of TL 3219-301 & 700,
3230-400,500 & 1400, 3230B-2300

thence South 81°45'14" West 91.99; thence leaving said existing city limits line South 38°03'15" West 83.27 feet to the center of Chehalem Creek; thence South 20°36'46" East 253.83 feet along Chehalem Creek; thence South 67°11'25" East 155.70 feet along Chehalem Creek; thence South 59°25'53" East 141.76 feet along Chehalem

Creek; thence continuing southerly along the center of Chehalem Creek to the south line of that tract of land described in deed from ROBERT SWIFT, personal representative of the LEONARD C. FRENCH Estate to CHEHALEM PARK AND RECREATION DISTRICT and recorded December 12, 1977 in Film Volume 125 Page 481; thence continuing southerly and southwesterly to the west line of that tract of land described in deed from MAURICE E. CRONIN and ELIZABETH H. CRONIN to KENNETH I. WEATHERLY and MILDRED A. WEATHERLY and recorded November 21, 1963 in Film Volume 34 Page 52; thence South 00°29'13" east 201 feet along the west line of said WEATHERLY tract to the north line of that tract of land described in deed from WEATHERLY to WOZNIAK and recorded January 8, 1976 in Film Volume 110 Page 125; thence South 56°55'47" West 76.15 feet along the north line of said WOZNIAK tract; thence North 82°07'42" West 349.90 feet along said north line to the northwest corner of said tract; thence South 01°30" West 468.6 feet along the west line of said tract to the center of Chehalem Creek and the northeast corner of that tract of that tract of land described in deed from LORENCE M. CHRISTENSON and LOIS A. CHRISTENSON to LORENCE M. CHRISTENSON and LOIS A.

CHRISTENSON as co-Trustees of the CHRISTENSON FAMILY TRUST and recorded in Instrument No. 200401939; thence South 84°01'55" West 616.37 feet along the north line of said CHRISTENSON tract; thence North 84°04'39" West 451.86 along said north line to the west line of Lot 8 of SOUTH NEWBERG SUBURBAN ACRE TRACTS; thence South 00°43' West 400 feet more or less to the southwest corner of said Lot 8 and the center of Chehalem Creek; thence southeasterly and easterly along the center of Chehalem Creek to the northeasterly line of that tract of land described in deed from MELLINGER to CHRISTENSON (Parcel 1) February 26, 1967 in Film Volume 74 Page 1366; thence North 59°43'07" West 955 feet more or less to an angle corner in said northeasterly line; thence South 74°34' West 394.21 feet along said line; thence North 00°10' East 392.00 feet along said line; thence South 89°50' East 380.00 feet along said line; thence North 00°10' East 385.9 feet along said line to the south margin of the County Road No. 65; thence South 89°50' East 715.0 feet along said south margin; thence

Date: April 25, 2006

City of Newberg – Legal Description of Annexation of TL 3219-301 & 700,
3230-400,500 & 1400, 3230B-2300

North 69°54'19" East 136.76 feet along said south margin; thence North 49°40' East 138.34 feet along said line; thence North 72°50' East 229.48 feet along said south line to a point that is South 02°22'00" West 22.55 feet from the southwest corner of that tract of land described in Land Sales Contract from WEATHERLY to HOLLIS and executed December 16, 1976 and recorded in Film Volume 116 Page 1641; thence North 02°22'00" East 22.55 feet to said southwest corner; thence North 02°22'00" East 599.80 feet along the west line of said HOLLIS tract; thence North 54°03'20" West 189.40 feet along said west line; thence North 84°06'00" West 156.00 feet along said line; thence South 77°53'00" West 81.54 feet along said line; thence North 03°35'11" East 177.75 feet along said line to the northwest corner of said tract; thence South 89°25'00" East 124.11 feet along the north line of said tract to the southeast corner of that tract of land described in deed from SMURFIT NEWSPRINT CORPORATION to CHEHALEM PARK AND RECREATION DISTRICT and recorded November 5, 1993 in Film Volume 297 Page 586; thence North 01°21'59" East 435.57 feet along the east line of said CHEHALEM PARK AND RECREATION DISTRICT tract to a point that is 30 feet southerly of the centerline of the existing railroad tracts, when measured at right angles; thence northwesterly parallel with and 30 feet southerly and westerly of said existing railroad tracts, chord bearings and distanced are North 39°46'30" West 105.38 feet, North 30°17'02" West 100.56 feet, North 16°42'37" West 136.02 feet, North 06°28'47" West 552.76, North 04°57'55" West 148.19 feet to the northeast corner of said CHEHALEM PARK AND RECREATION DISTRICT tract; thence North 89°14'09" West 14.43 feet to the point of beginning.

EXHIBIT D: REVISED COMPREHENSIVE PLAN MAP

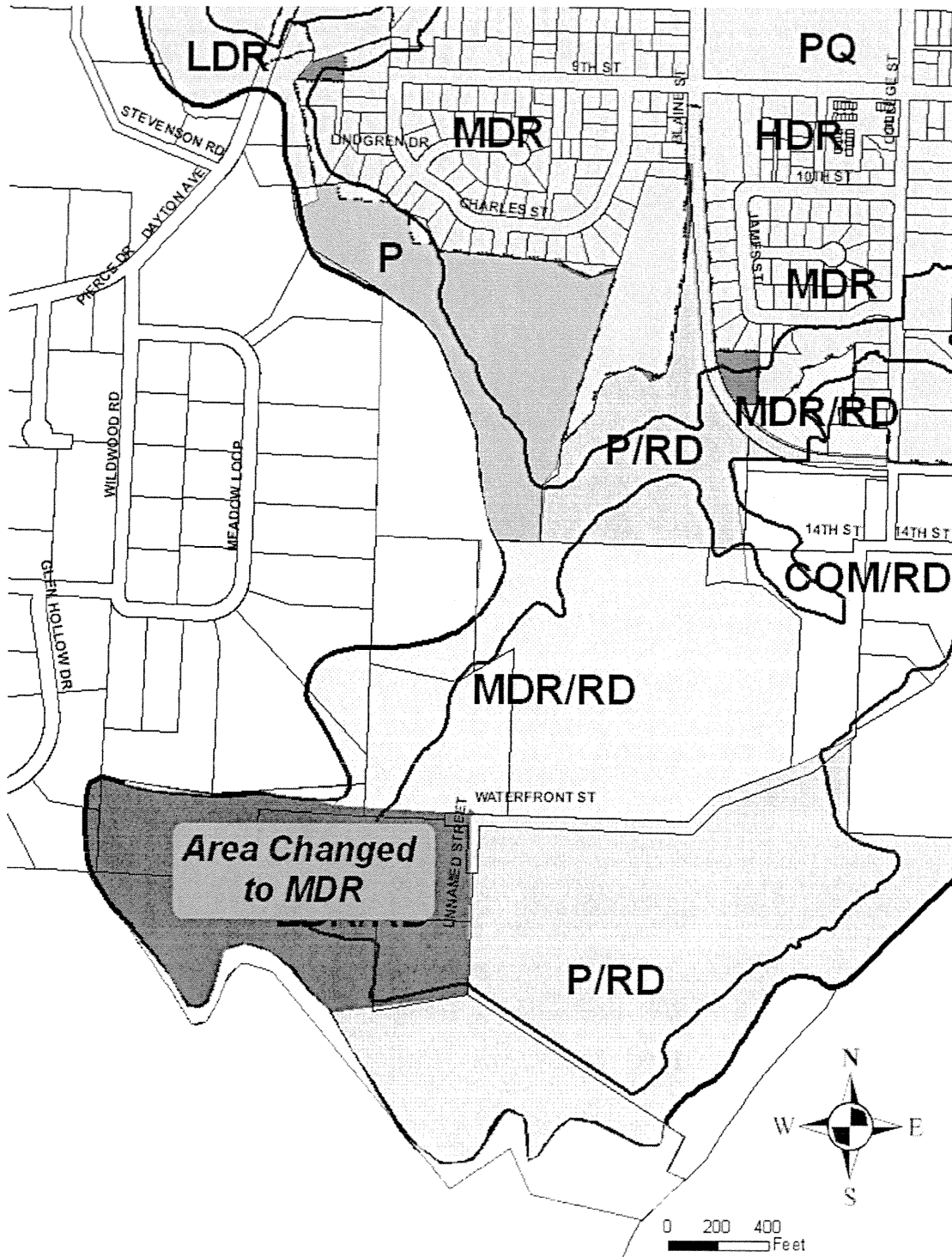
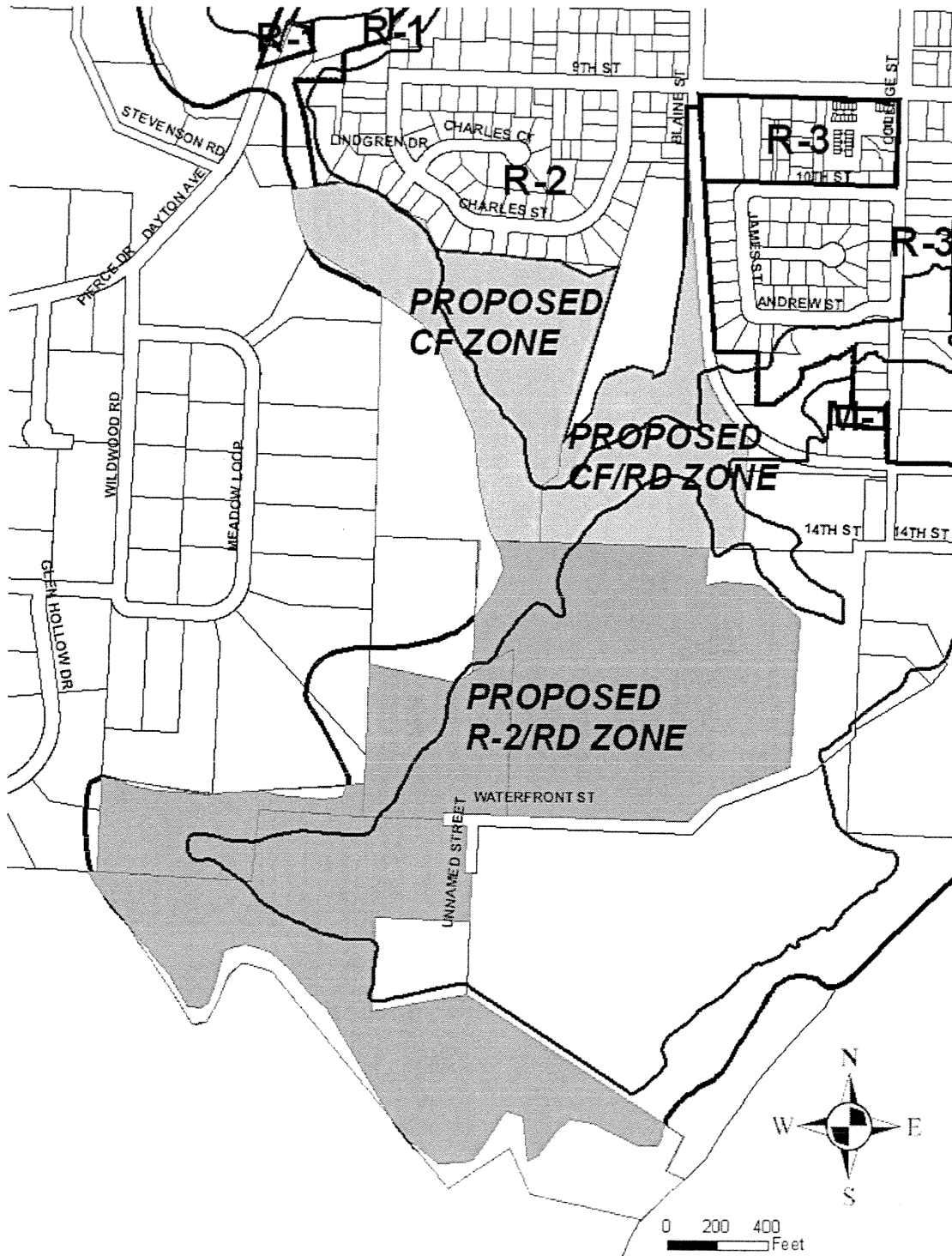
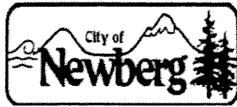


EXHIBIT E: REVISED ZONING MAP





RESOLUTION No. 2006-2664

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ELECTIONS OFFICER TO CERTIFY TO THE YAMHILL COUNTY CLERK A BALLOT TITLE FOR THE MEASURE TO BE SUBMITTED TO THE ELECTORATE OF THE CITY OF NEWBERG FOR THEIR APPROVAL OF AN ANNEXATION FOR PROPERTY LOCATED ALONG WATERFRONT STREET AND EWING YOUNG PARK, YAMHILL COUNTY TAX LOTS 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400

RECITALS:

1. On August 7, 2006 the City Council adopted Ordinance No. 2006-2651, annexing the property along Waterfront Street and Ewing Young Park, Yamhill County tax lots 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400, subject to a public vote.
2. The City of Newberg Charter requires that territory may be annexed into the City of Newberg only upon approval by a majority vote among the electorate of the City.
3. The City Council has requested that this matter be placed before the voters at the general election in November, 2006.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Attorney of the City of Newberg is hereby authorized and directed to prepare in proper form a ballot title placing before the voters the question of the annexation of the property along Waterfront Street and Ewing Young Park, Yamhill County tax lots 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400, as described in Ordinance No. 2006-2651, and file such ballot title with the City Elections Officer.
2. The City Elections Officer of the City of Newberg is hereby authorized and directed to certify to the Yamhill County Clerk the ballot title for the annexation measure to be placed before the voters at the next general election in November, 2006. Further, the City Elections Officer is directed to give all necessary notices of the ballot title and do all other necessary acts and deeds which may be required to place the matter before the voters of the City of Newberg at said election.
3. The City Attorney is directed to have prepared and review the explanatory statement which shall be submitted to the Yamhill County Clerk with the ballot title. Such explanatory statement shall be filed with the City Elections Officer and the City Elections Officer is

further directed to certify this explanatory statement to the Yamhill County Clerk.

4. The City Elections Officer is authorized to do all other necessary acts and deeds which may be required to conduct the election concerning this measure.

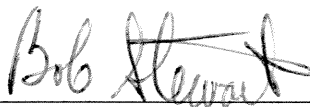
➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: August 8th, 2006.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of August, 2006.



James H. Bennett, City Recorder

ATTEST by the Mayor this 9th day of August, 2006.



Bob Stewart, Mayor

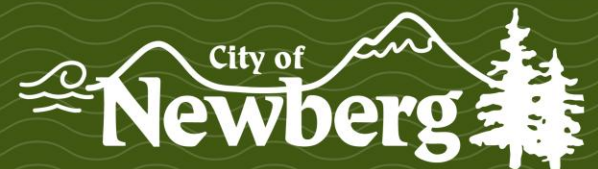
LEGISLATIVE HISTORY

By and through Planning Commission at 6/22/06 meeting.
(committee name) (date)

Ordinance No. 2026-2945

Detaching Territory from City Limits

City Council Public Hearing
July 20, 2026



City Council Goals

- *Goal 4. Implement a careful and prudent fiscal policy.*
 - *Objective 3. Ensure that the city has a long-term financial plan that supports its goals and objectives.*
- *Continuous Goal E. Further strategic planning and growth with local taxing districts.*

Staff Recommendation

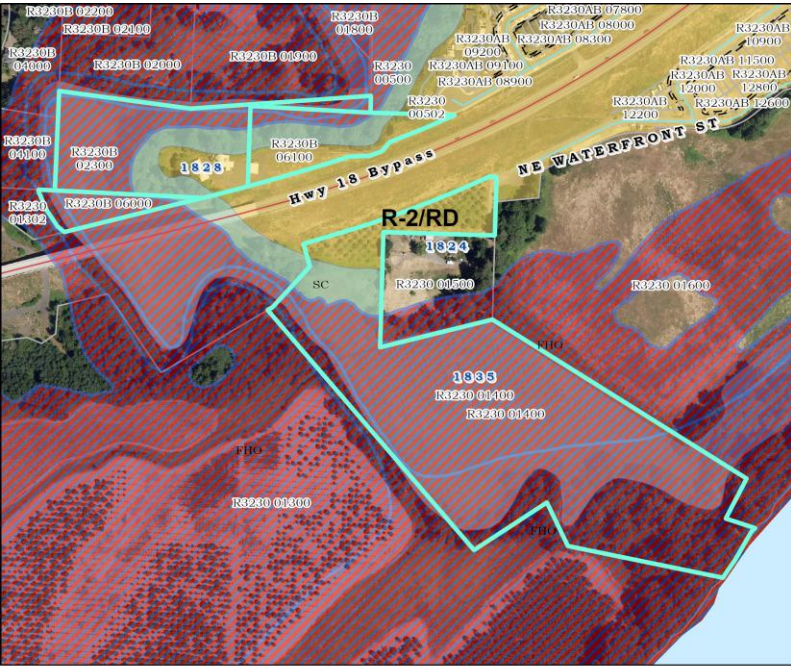
- Adopt Ordinance No. 2026-2945 declaring Yamhill County tax lots 3230B 02300, 3230B 06000, 3230B 06100, and 3230 01400 detached from the city.

Background

- CDD held a pre-application meeting regarding the development of single-family dwellings, a storage facility, and potential de-annexation.
- The properties were annexed in 2006 through Ordinance No. 2006-2651.
- The sites are zoned R-2/RD and contain significant areas of the Stream Corridor Overlay and Areas of Special Flood Hazard Overlay, and are approximately 20.05, 2.38, 5.02, and 0.98 acres in size.

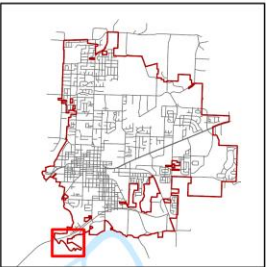
Background

- On June 15, 2026, City Council adopted Resolution No. 2026-4032 declaring the intent to withdraw territory, held a public hearing, and adopted and Order No. 2026-0047 fixing a time and place for a final public hearing.
- On July 20, 2026, The Newberg Urban Renewal Agency adopted Resolution No. 2026-16 removing the territory from the Newberg Urban Renewal Area and Plan.



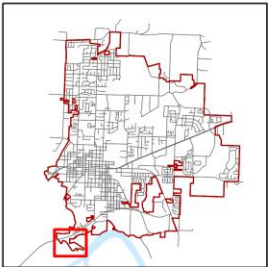
Aerial Map

- Subject Property
- Taxlots



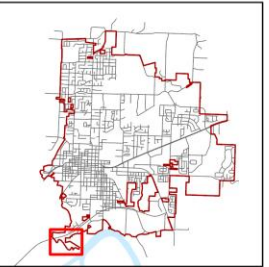
Zoning Map

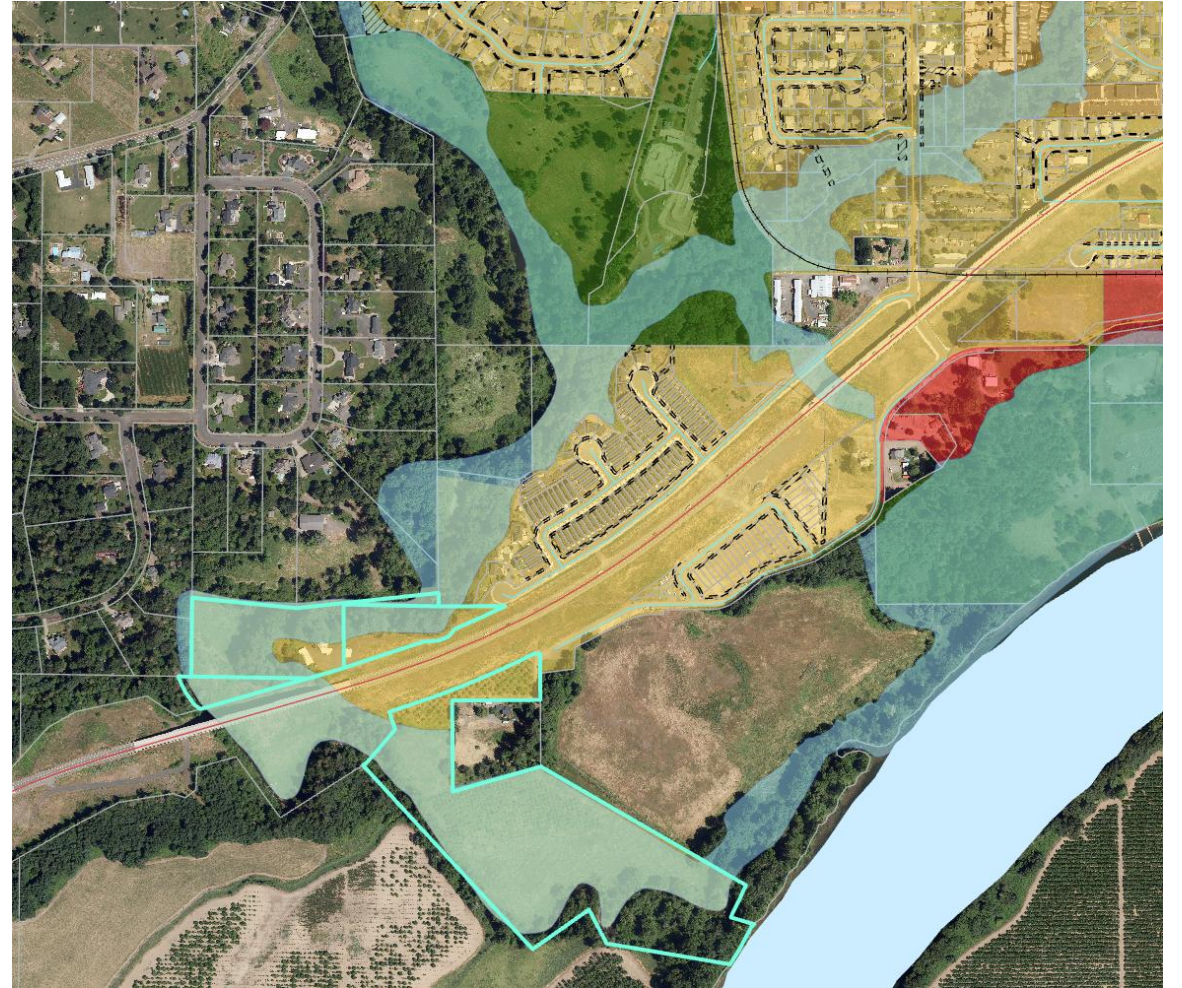
- Subject Property
- Taxlots
- Special Flood Hazard
- Stream Corridor
- ZONING
- R-2/RD Riverfront District



Utilities Map

- Subject Property
- Taxlots
- Sewer CleanOut
- Sewer Manholes
- Sewer Laterals
- Gravity Main
- Storm Manhole
- Active Storm Inlet
- Collector
- Storm Pipe
- Water Meter
- Water Valves
- CITY OF NEWBERG, Potable Main
- Hydrant
- Lateral
- Service Lateral





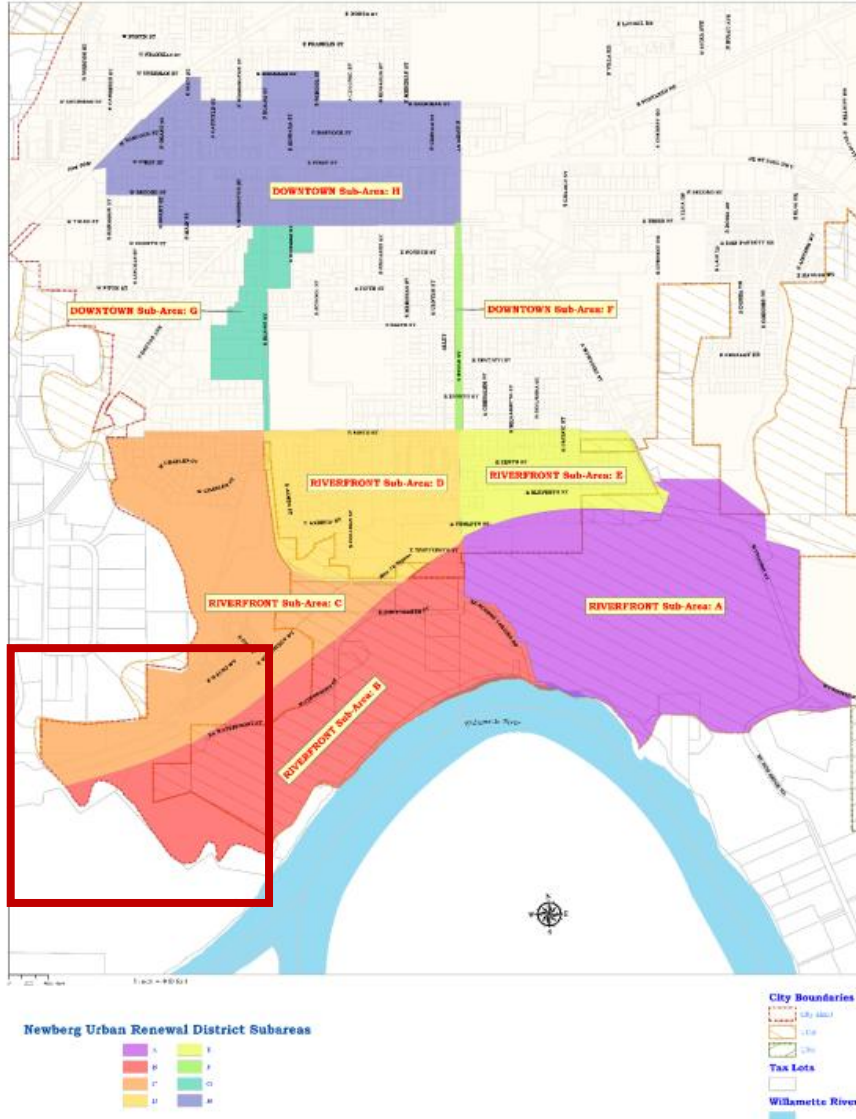
Process – ORS 222.460, 465, and 524

- City Council adopting a resolution initiating the withdrawal from the territory.
- City Council holding a public hearing on the withdrawal no later than 30 days after the adoption of the resolution.
- City Council consideration of entering an order on the withdrawal.
- City Council holding a final public hearing on the withdrawal not less than 20 days or more than 50 days after the date of the order.
- NURA minor amendment to remove from Plan.
- City Council by resolution or ordinance declares the territory detached from the City.

Process

- Referred to/coordinated with Yamhill County. Initial discussions indicate that the sites would revert to the previous county zoning prior to annexation.
- The withdrawn area would remain subject to any bonded or other indebtedness existing at the time of the de-annexation.
- Staff recommends condition of approval requiring a non-remonstrance or other agreement regarding removal of the land from the Newberg UGB.

Newberg Urban Renewal District Subareas



The 2025 assessed values for the tax lots were:

- R3230B 06000: \$3,684
- R3230B 06100: \$47,399
- R3230B 02300: \$52,560
- R3230 01400: \$2,694

SB 1537

- If de-annexation is approved, staff would recommend amending the city's UGB, as development in the county would likely preclude development at urban densities in the future.
- This could occur standalone, with the 2027-2028 housing planning, or through SB 1537 “one-time” provisions.
 - SB 1537 allows a lands swap *in lieu* of other “one-time” UGB expansion for affordable housing provisions.
 - The land swap areas must be roughly equivalent in size, the removed lands must be zoned for residential uses, and the added site must be zoned for residential uses at the same or greater density than the removed lands.

Staff Recommendation

- Adopt Ordinance No. 2026-2945 declaring Yamhill County tax lots 3230B 02300, 3230B 06000, 3230B 06100, and 3230 01400 detached from the city.

Thank you!

Questions?

REQUEST FOR COUNCIL ACTION



Date Action Requested: July 20, 2026

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐	
No. 2026-4037	
Subject: Additional Queuing Lanes for Waste Management Transfer Station	Staff: Jeremiah Cromie, Associate Planner (via Scot Siegel, CD Director) Department: Community Development
Business Session	Order On Agenda: Public Hearings
Hearing Type: Legislative	

Is this item state mandated? Yes ☐ No ☒

Recommendation: Adopt Resolution No. 2026-4037.

Executive Summary: On June 22, 2026, the City received application materials for a new 4-lane queuing area for Waste Management's Newberg Transfer Station located at 2904 NE Wynooski Road. The properties proposed for the project are located outside the city limits, but inside the Newberg Urban Reserve Area and the City's Urban Growth Boundary. They are currently zoned Public Works/Safety District (PWS) and Light Industrial (LI) within Yamhill County. Traffic congestion on Wynooski Road is frequently a problem at the transfer station due to inadequate vehicle queuing for customers. According to the application, the proposed queuing area improvements are intended to resolve this.

Yamhill County has land use jurisdiction and will make the final decision on the application. The Newberg Urban Area Growth Management Agreement (UGMA) states that the City Council shall make a recommendation to the County on land use applications within the Urban Reserve Area and Urban Growth Boundary Area. The City has 60 days from the receipt of the application to make a recommendation. The City most recently made recommendations via this process in 2026 (recommending a three-lot partition in the Urban Reserve Area, Resolution 2026-4008), 2022 (recommending a three-lot partition in the Urban Reserve Area, Resolution No. 2022-3787) and 2019 (recommending a three-lot partition in the Urban Reserve Area, Resolution No. 2019-3538).

The site for the improvements is located 2904 NE Wynooski Rd, Yamhill County Tax Lots R3228 01800 and R3228 01700, and currently has the existing waste transfer station and bare land on it. The proposal is to add 4 queuing lanes with associated electrical conduit and storm water management to ease the backup congestion that spills onto Wynooski Rd while reconfiguring the existing drives for exiting and other site improvements. City staff has not independently verified whether this application meets County zoning standards.

The purpose of the Urban Area Growth Management Agreement (UGMA) procedure that refers development applications to the City for comment is to ensure coordination of development in the Urban Reserve Area and Urban Growth Boundary such that future urbanization may occur consistent with city standards. The City therefore typically recommends the County only allow development that, 1) complies with County standards, and 2) does not preclude future urban development of the property including extension of urban services consistent with City standards.

The site is in the Urban Reserve Area and Urban Growth Boundary (UGB), so it is anticipated that the entire property may be brought into the Urban Growth Boundary and annexed into the city in the future. The existing UGB parcel (Tax Lot R3228 1800) is designated as Industrial in the City's comprehensive plan and would be likely be zoned M-3 (Heavy Industrial) upon annexation. The Urban Reserve Area parcel (Tax Lot R3228 1700), containing the waste transfer station, does not have a City comprehensive plan designation but would be planned accordingly when added to the UGB.

The proposed additional queuing lanes would not preclude the future urbanization and development of the rest of the property. The proposal was reviewed by the Community Development Director and Development Engineering staff. No conflicts with the UGMA were noted. The City Council resolution includes recommended conditions of approval for the County to require transportation demand management measures and installation of a full sidewalk on the portion of the property that is within the UGB (Tax Lot R3228 01800) connecting to the existing sidewalk to the west of the site.

Fiscal Impact: There is no fiscal impact to the City from the proposed partition.

Council Goals: The Council Goals are not applicable to this recommendation.

Attachments:

Resolution No. 2026-4037

Exhibit A: Location Map with Urban Reserve Area and Urban Growth Boundary

Exhibit B: Findings

Exhibit C: Yamhill County Queuing Application and Applicant Materials

RESOLUTION No. 2026-4037

A RESOLUTION RECOMMENDING THAT YAMHILL COUNTY APPROVE THE PROPOSED 4 NEW QUEUING LANES AT THE NEWBERG TRANSFER STATION AT 2904 NE WYNOOSKI RD, YAMHILL COUNTY TAX LOT NOS. R3228 01800 AND R3228 01700

Recitals:

1. On June 22, 2026, the City received application materials for a new 4-lane queuing area for the Newberg Transfer Station located at 2904 NE Wynooski Road. The properties proposed for the project are located outside the city limits, but inside the Newberg Urban Reserve area and the City's Urban Growth Boundary. They are currently zoned Public Works/Safety District (PWS) and Light Industrial (LI) within Yamhill County.
2. Traffic congestion is frequently a problem on Wynooski Road in front of the transfer station due to inadequate queuing for transfer station customers. The proposed queuing area improvements are intended to resolve this.
3. The site is located at 2904 NE Wynooski Rd, Yamhill County Tax Lots R3228 01800 and R3228 01700. It is developed with an existing waste transfer station and bare land. The proposal is to create 4 new queuing lanes with associated electrical conduit and storm water management for vehicles delivering waste materials to dump at the transfer station and reconfigure the existing lanes with site improvements. The new lanes may also serve future development of the sites.
4. Yamhill County will make the final decision on the development application. Under the terms of the Newberg Urban Area Growth Management Agreement, the City Council shall hold a legislative hearing and make a recommendation to the County within 60 days of receiving a copy of the application.
5. Notice of the public hearing was posted in the Newberg Graphic and in four public places on July 9, 2026.
6. The Newberg City Council held a legislative public hearing on July 20, 2026, to consider the partition proposal. The City Council finds that the proposal is limited in scope, is consistent with the future urban development of the property, and with appropriate conditions can meet city standards consistent with the City of Newberg-Yamhill County Urban Growth Management Agreement.

The City of Newberg Resolves as Follows:

1. The proposed development shown in Exhibit “C” meets the Newberg Urban Area Growth Management Agreement criteria for development within the Newberg Urban Reserve Area and Urban Growth Boundary provided the following conditions are met:
 - a) Applicant to install a sidewalk on Wynooski Road frontage for that portion of the site that is within the Urban Growth Boundary (Tax Lot R3228 01800) to connect to the existing sidewalk and development to the west.
 - b) Implement measures to avoid future congestion on Wynooski Road including a web cam or similar device providing live monitoring of the transfer station queueing area with customer waiting times.
 - c) Implement mechanical solutions identified by the applicant to reduce the time it takes to process refuse thereby reducing customer waiting times.
 - d) Meet all applicable Yamhill County land use requirements.
2. The City Council supports the expeditious completion of the new queueing lanes subject to the above conditions, and any other mitigation measures that may be necessary to resolve traffic congestion associated with the transfer station.
3. The City Council adopts the findings, which are attached hereto as Exhibit “B”. Exhibits “A”, “B” and “C” are hereby adopted and by this reference incorporated.

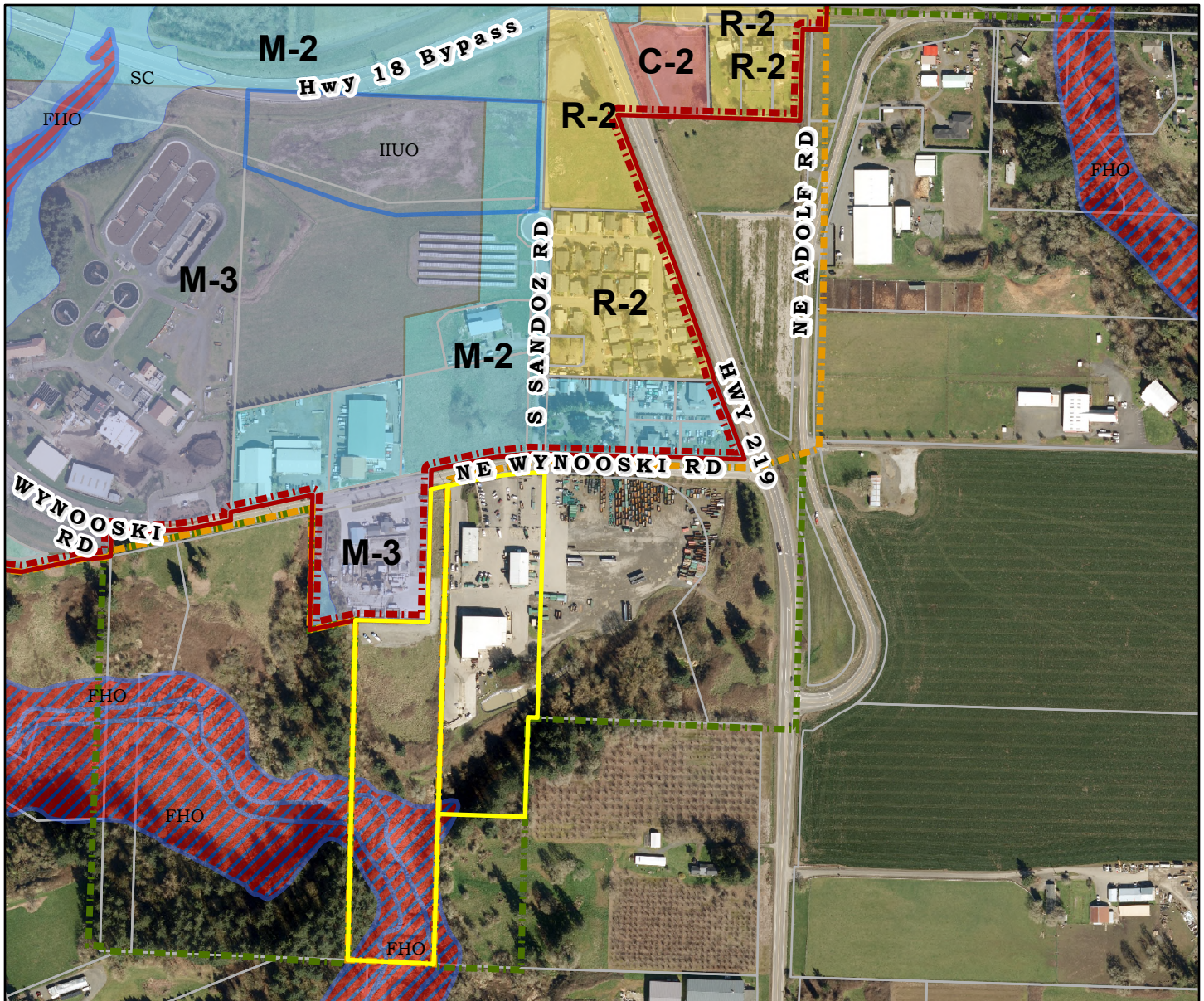
Effective Date of this resolution is the day after the adoption date, which is: July 21, 2026.

Adopted by the City Council of Newberg, Oregon, this 20th day of July, 2026.

Rachel Thomas, City Recorder

Attest by the Mayor this _____ day of _____, 2026.

Bill Rosacker, Mayor



Newberg Transfer Station New Lanes

Subject Properties

Taxlots

ZONING

C-2 Community Commercial

M-2 Light Industrial District

M-2/RD Light Industrial - Riverfront District

M-3 Heavy Industrial District

R-2 Medium Density Residential

Boundary

City Limit; Newberg

UGB

URA

Interim Industrial Use Overlay

Stream Corridor

Special Flood Hazard



0 500 1,000 Feet



IMPORTANT NOTICE TO ALL USERS:

DISCLAIMER AND LIMITATION OF LIABILITY
This information is not guaranteed to be accurate and may contain errors and omissions. The City of Newberg provides NO WARRANTY AS TO THE MERCHANTABILITY OR FITNESS FOR THE ARTICULARY PURPOSE FOR ANY INFORMATION HEREIN.

The map is created from various data sources and is subject to change without notice.
This map is intended for general planning purposes only.
Map updated: 9/21/2023



EXHIBIT B: Findings

**Resolution No. 2026-4037 – Recommendation on Yamhill County for New Queuing Lanes
Newberg Transfer Station
2904 NE Wynooski Rd – File No. PLNG-26-25**

NEWBERG URBAN AREA GROWTH MANAGEMENT AGREEMENT

VII. Establishment of Land Use Review Procedures

[...]

5. Other Items Affecting Land Use Under Yamhill County's Jurisdiction

[...]

- b. Items having a substantial impact upon land use under the jurisdiction of Yamhill County within Newberg's Urban Reserve area shall be reviewed by the City of Newberg for recommendation. Prior to filing an application with Yamhill County, the applicant shall apply for and receive a recommendation from the City of Newberg concerning the requested land use action. Requests shall be processed following the procedures outlined in the Addendum to this agreement, Section 2, item 5 (b). No fee shall be charged for processing a recommendation from the City of Newberg. Applications submitted without this recommendation will be deemed incomplete.***
- c. Items having a substantial impact upon land use under the jurisdiction of Yamhill County within Newberg's UGB shall be reviewed by the City of Newberg for recommendation. Prior to filing an application with Yamhill County, the applicant, shall apply for receive a recommendation from the City of Newberg concerning the requested land use action. Requests shall be processed following the procedures outlined in the Addendum to this agreement, Section 2, item 5 (b). No fee shall be charged for processing a recommendation from the City of Newberg. Applications submitted without this recommendation will be deemed incomplete.***
- c. Items having a substantial impact upon land use shall include but are not limited to the following:***

[...]

4. *Public Improvement Project*
5. *Health Hazards*
6. *Special Exceptions*

[...]

Finding: The subject property is within the Newberg Urban Reserve Area and Urban Growth Boundary. The City received notice of the proposed Yamhill County application on June 22, 2026, and received the required application materials to make a recommendation to Yamhill County. The City followed the procedures outlined in Section 2, item 5(b) of the Newberg Urban Area Management Agreement to make a recommendation. Because the City received application materials and made a recommendation per the Newberg Urban Area Management Agreement, this criterion is met.

ADDENDUM TO NEWBERG URBAN AREA GROWTH MANAGEMENT AGREEMENT

[...]

Section 2. Compliance with OAR Chapter 660, Division 21. In accordance with the applicable requirements of Chapter 660, Division 21, City and County agree as follows:

[...]

5. *As required by OAR 660-021-0050(4), procedures for notification and review of land use actions to ensure involvement by all affected local governments and special districts:*

[...]

- b. *Upon request or application for a recommendation on a requested land use decision in the URA, the City shall use the following procedure in developing a recommendation (see Exhibit 1C for criteria to be used by the City in the recommendation process):*
 1. *Applicant shall file with the City a substantially complete Yamhill County application and include a future development plan as provided in this agreement.*
 2. *The City staff or City Council may refer the application to the City Planning Commission for a recommendation to the City Council.*
 3. *The recommendation to Yamhill County shall be from the City Council.*
 4. *Notice of any hearings shall be to the general public and any hearings shall be legislative in nature. Additional notice may be provided as the City deems necessary. This shall not be a quasi-judicial hearing since the City of Newberg is making a recommendation.*

5. *The City of Newberg shall furnish to the applicant its recommendation to Yamhill County within 60 days of the date that the request for recommendation is filed with the City of Newberg. City staff may request additional information from the applicant concerning the application prior to making a recommendation. Unless otherwise agreed between City and applicant, failure to furnish the recommendation within 60 days will waive the requirement to have a recommendation accompany the application.*
6. *The City reserves the right to make additional recommendations and comments concerning the application to Yamhill County during the Yamhill County process.*
7. *Nothing in this agreement limits the rights of either party in participating in the land use process before either jurisdiction.*
8. *Nothing in this agreement shall be construed as mandatory county approval criteria.*

Finding: The Applicant submitted a substantially complete Yamhill County land use application, which the County referred to the City of Newberg. The proposed future development consists of additional queuing lanes and associated electrical conduit and stormwater facilities for the existing Waste Transfer Station on the site. Public notice was published in the Newberg Graphic and in four public places on July 9th, 2026, and the City Council held a public hearing on July 20, 2026, to make a recommendation on the proposed land use application for the queuing lanes to Yamhill County. Because the City followed the procedure outlined in Section 2, item 5(b) of the Newberg Urban Area Management Agreement to make a recommendation, this criterion is met.

EXHIBIT 1C CRITERIA AND SUBMITTAL REQUIREMENTS FOR CITY RECOMMENDATION REGARDING DEVELOPMENT IN THE URA

A. Criteria: Generally, the following criteria will be used by the City of Newberg in developing City recommendations regarding land use development in the Urban Reserve Area. It is the City's intent to recommend that the County only allow development in the Urban Reserve Area that is limited in scope and that is consistent with the future urban development of the property.

1. Future Development Plan: The City Council shall recommend approval, recommend approval with conditions, or recommend against the future development plan in accordance with the following criteria:

(a) The current development shall not cause more than 10 percent of the property to be used for site improvements including buildings, parking areas, improved recreation areas, and storage areas, unless the City agrees the development intensity will not prohibit future urban development.

(b) The future development plan shall allow for the efficient future urban development of the remainder of the property. It shall allow for construction of future urban streets and utilities, and shall allow for required setbacks to current and future property lines.

(c) The plan is consistent with adopted plans and policies for the area, such as street or utility plans and policies in this agreement.

B. Submittal Requirements

1. A future development plan shall be required for any development in the Urban Reserve Area requiring a Yamhill County Type B or Type C review, excluding any development that involves a change in use to existing buildings only. The future development plan shall be used solely to evaluate the current proposal's compatibility with potential future urban development. It does not bind or commit the applicants, property owners, review bodies, or governing bodies to approve or carry out the proposed future development.

2. The future development plan shall show how the property could be fully developed when incorporated into the city. The plan shall be drawn to scale and shall include the following:

(a) The location of potential future streets within and surrounding the site.

(b) The location of potential future sewer, water and storm drainage facilities within and surrounding the site.

(c) The location and approximate dimensions of potential future lot lines.

(d) Setback lines for proposed structures from current and proposed property lines.

Finding: The site is located at 2904 NE Wyooski Road, Yamhill County tax lot nos. R3228 01800 and R3228 01700. It is approximately 15 acres combined and is developed with an existing waste transfer site. The property is outside of Newberg City Limits and tax lot R3228 01800 is within the Newberg Urban Growth Boundary while Tax Lot R3228 01700 is within the Newberg Urban Reserve Area. Current Yamhill County zoning is Light Industrial (LI) on tax lot R3228 01800 and Public Works/Safety (PWS) – on tax lot R3228 01700.

The applicant is applying to Yamhill County for approval to add new queuing lanes on tax lot R3228 01800 and reconfigure the existing queuing lanes on tax lot R3228 01700. The County will need to determine if the proposed application complies with County requirements. The proposed project will only affect approximately 27,000 sq ft of the approximately combined 15 acres (653,400 sq. ft.) of the site which is well below 10% of the properties being further developed. There are no new structures proposed for the property and the new queueing lanes along with site improvements for the existing transfer station are all that are being proposed. There are no future development plans that have streets or other utilities going through the site including the City's Transportation System Plan, Water System Plan, Wastewater System Plan. Since Tax Lot R3228 01800 is within the UGB, it is recommended that the County include a

condition that a sidewalk go through this parcel for any more future development and to connect the existing sidewalk to the west.

The application shows the current development plans that are part of the future of the Newberg Transfer Station. The plan shows how the new queuing lanes will work with the existing transfer station and the back of the property could be further developed in the future which may require annexation into the City of Newberg.

The purpose of the Urban Area Growth Management Agreement (UGMA) procedure that refers development applications to the City for comment is to ensure coordination of development in the Urban Reserve Area such that future urbanization may occur consistent with city standards. The City therefore typically recommends the County only allow development that, 1) complies with County standards, and 2) does not preclude future urban development of the property including extension of urban services consistent with City standards.

The proposed development outlined in the application materials indicate that the development intensity will not prohibit future urban development. The proposed development shown in Exhibit "C" meets the Newberg Urban Area Growth Management Agreement criteria for development within the Newberg Urban Reserve Area and Urban Growth Boundary provided the following conditions are met:

- a) Applicant to install a sidewalk on Wynooski Road frontage for that portion of the site that is within the Urban Growth Boundary (Tax Lot R3228 01800) to connect to the existing sidewalk and development to the west.
- b) Implement measures to avoid future congestion on Wynooski Road including a web cam or similar device providing live monitoring of the transfer station queuing area with customer waiting times.
- c) Implement mechanical solutions identified by the applicant to reduce the time it takes to process refuse thereby reducing customer waiting times.
- d) Meet all applicable Yamhill County land use requirements.

With the above conditions, because the development intensity on the site of the proposed new queuing lanes will not prohibit future development, allows for the efficient future urban development of remainder of the property through the construction of future utilities, meets required setbacks, and is consistent with the policies of the Newberg Urban Area Growth Management Agreement, the criteria are met.

YAMHILL COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT

LAND USE APPLICATION

400 NE Baker Street, McMinnville, OR 97128 • Tel: 503-434-7516 • Fax: 503-434-7544

Docket _____

Date _____

Rec'd by _____

Receipt # _____

Fee _____

APPLICANT			LEGAL OWNER (IF DIFFERENT)		
Waste Management of Oregon Inc.			ML&SL Investments LLC		
Last name	First	MI	Last name	First	MI
7227 NE 55th Ave.			20855 NE Williamson Road		
Mailing address (Street or PO Box)			Mailing address (Street or PO Box)		
Newberg, OR 97132			Newberg, OR 97132		
City	State	Zip	City	State	Zip
Portland, OREGON 97218					
Telephone			Telephone		
503 201 9388					
E-mail address			E-mail address		
awinston@wm.com					
If the applicant is not the legal owner, state interest in property:					
Leaser of property					
PROPERTY INFORMATION					
Tax Lot(s):			Zone:		
R3228 01800, R3228 01700, R3228 01200			Public Works/Safety District		
Size of Tract (include all adjacent tax lots)					
23.2 acres					

1. **TYPE OF APPLICATION** (what is requested?): Site Design Review
2. **JUSTIFICATION FOR REQUEST** YCZO Section(s): Sections 802, 908.03, 1101.02
- A Planner will assist you in identifying the review criteria that apply to your request. The review criteria are used to determine whether your application will be approved or denied. It is your responsibility to provide adequate written justification and any other evidence you feel is relevant to explain how your request complies with the review criteria. Failure to provide adequate justification may result in your application being denied or deemed incomplete until additional information is provided.
3. **Present use of property:** Hauling, transfer station and recycling center
4. **Please list the type of buildings that are currently on the property (i.e. manufactured home, pole building, agricultural barn, etc.):**
5. **Is there a septic system on the property?** ☐ Yes ☒ No
6. **How will water be provided?** ☐ Well ☐ City ☒ Other Not required for project
7. **What road and/or easement is the property accessed from?** Property is accessed from Wyooski Road.

8. To your knowledge, do any of the following natural hazards exist on the property?

☐

Floodplain

☐

Areas of erosion

☐

Steep slopes

☐

Fish or wildlife habitat

☐

Soil limitations for building or septic

☒

N/A

THE APPLICANT MUST SUBMIT:

1. Completed application form, signed by the applicant and property owner (if different). The owner's signature must be notarized.
2. Site plan drawn to scale showing property lines, location and size of all existing buildings, existing and proposed access roads, and location and size of any proposed new buildings.
3. Written justification of how the application complies with the approval criteria. Attach additional sheets to this form.
4. Filing fee (make check payable to Yamhill County).

General land use application used for Conditional Use, Variance, Site Design Review, Floodplain, Willamette River Greenway, Comprehensive Plan Amendment and Zoning District Boundary Amendment, Comprehensive Plan Amendment, and Zone Change.

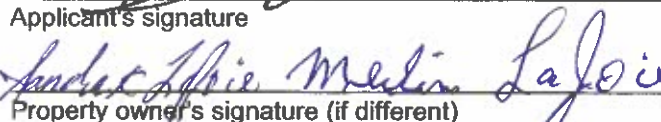
NOTE: Fees are not transferrable or refundable.

I hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that the above information is true and correct to the best of my knowledge. I understand that issuance of an approval based on this application will not excuse me from complying with other effective ordinances and laws regulating the use of the land and buildings.

I hereby grant permission for and consent to Yamhill County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.


Applicant's signature

5/14/20
Date


Property owner's signature (if different)

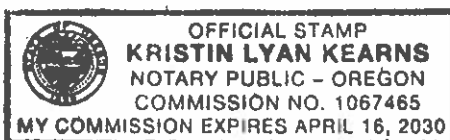
5-18-20
Date

State of Oregon

County of Yamhill

Signed before me on this 18 day of May, 20 20

by X in person Sandra LaJoie and Merlin LaJoie




Notary Public for Oregon
My Commission expires 04/16/2030

YAMHILL COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT

LAND USE APPLICATION

Docket _____

Date _____

Rec'd by _____

Receipt # _____

Fee _____

400 NE Baker Street, McMinnville, OR 97128 • Tel: 503-434-7516 • Fax: 503-434-7544

APPLICANT			LEGAL OWNER (IF DIFFERENT)		
Waste Management of Oregon Inc.			Waste Management of Oregon Inc.		
Last name	First	MI	Last name	First	MI
7227 NE 55th Ave.			2904 Wynooski Street		
Mailing address (Street or PO Box)			Mailing address (Street or PO Box)		
Newberg, OR 97132			Newberg, OR 97132		
City	State	Zip	City	State	Zip
Portland, OREGON 97218					
Telephone			Telephone		
503 201 9388					
E-mail address			E-mail address		
awinston@wm.com					
If the applicant is not the legal owner, state interest in property:					
PROPERTY INFORMATION					
Tax Lot(s):			Zone:		
R3228 01800, R3228 01700, R3228 01200			Public Works/Safety District		
Size of Tract (include all adjacent tax lots)			23.2 acres		

1. TYPE OF APPLICATION (what is requested?): Site Design Review2. JUSTIFICATION FOR REQUEST YCZO Section(s): Sections 802, 908.03, 1101.02

A Planner will assist you in identifying the review criteria that apply to your request. The review criteria are used to determine whether your application will be approved or denied. It is your responsibility to provide adequate written justification and any other evidence you feel is relevant to explain how your request complies with the review criteria. Failure to provide adequate justification may result in your application being denied or deemed incomplete until additional information is provided.

3. Present use of property: Hauling, transfer station and recycling center

4. Please list the type of buildings that are currently on the property (i.e. manufactured home, pole building, agricultural barn, etc.):

5. Is there a septic system on the property?

☐ Yes☒ No

6. How will water be provided?

☐ Well☐ City☒ Other Not required for project7. What road and/or easement is the property accessed from? Property is accessed from Wynooski Road.

8. To your knowledge, do any of the following natural hazards exist on the property?

☐

Floodplain

☐

Areas of erosion

☐

Steep slopes

☐

Fish or wildlife habitat

☐

Soil limitations for building or septic

☒

N/A

THE APPLICANT MUST SUBMIT:

1. Completed application form, signed by the applicant and property owner (if different). The owner's signature must be notarized.
2. Site plan drawn to scale showing property lines, location and size of all existing buildings, existing and proposed access roads, and location and size of any proposed new buildings.
3. Written justification of how the application complies with the approval criteria. Attach additional sheets to this form.
4. Filing fee (make check payable to Yamhill County).

General land use application used for Conditional Use, Variance, Site Design Review, Floodplain, Willamette River Greenway, Comprehensive Plan Amendment and Zoning District Boundary Amendment, Comprehensive Plan Amendment, and Zone Change.

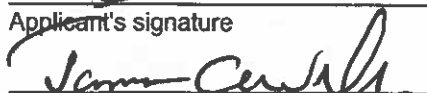
NOTE: Fees are not transferrable or refundable.

I hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that the above information is true and correct to the best of my knowledge. I understand that issuance of an approval based on this application will not excuse me from complying with other effective ordinances and laws regulating the use of the land and buildings.

I hereby grant permission for and consent to Yamhill County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.


Applicant's signature

5/14/26
Date


Property owner's signature (if different)

JAMES A. WILSON
Vice President

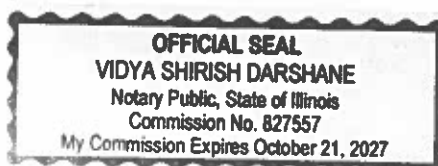
05/18/2026
Date

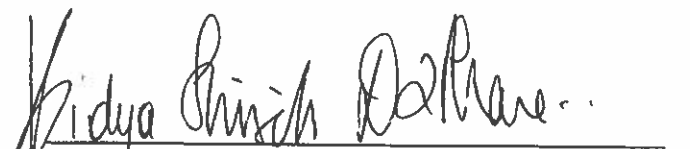
State of ILLINOIS

County of DEPAGE

Signed before me on this 18th day of MAY, 20 26

by JAMES A. WILSON, VICE PRESIDENT




Notary Public for ~~Oregon~~ ILLINOIS
My Commission expires OCTOBER 21, 2027



May 21, 2026

Yamhill County
252 NE 4th St
McMinnville, OR 97128

Subject: WM Newberg Facility - Entrance Reconfiguration
Site Design Review Permit Application

We submit herein the application and associated civil engineering plans to enlarge the Waste Management Newberg facility entrance to provide 4 additional incoming lanes for patrons. The intent of the project is to provide extra space for vehicle queuing to reduce congestion and backup onto Wyooski Road during peak hours. When you have confirmed you have the necessary documentation, please reach out to KPFF for payment at (951) 240-9304, or email at piper.crawford@kpff.com.

If you have any questions, please feel free to call me at (951) 240-9304.

Sincerely,

A handwritten signature in black ink, appearing to read 'Piper Crawford'.

Piper Crawford, PE
Civil Project Engineer

2500057



I. INTRODUCTION

A. APPLICANT

Newberg Transfer & Recycling Center
Adam Winston
2904 Wynooski St
Newberg, OR 97132
AWinston@wm.com

B. PROPERTY OWNER

Tax Lot R3228-01800:
Waste Management of Oregon Inc.
2904 Wynooski St
Newberg, OR 97132

Tax Lot R3228-01700, R3228-01200:
Merlin & Sandra LaJoie
20855 NE Williamson Road
Newberg, OR 97132

C. APPLICANT'S REPRESENTATIVE

KPFF Consulting Engineers
Piper Crawford, PE
1601 5th Ave #1600
Seattle, WA 98101
piper.crawford@kpff.com

D. PROPERTY INFORMATION

Owner owns tax lots R3228-01800, and leases tax lots R3228-01700, and R3228-01200. Tax lot R3228-01800 is a 7.51-acre lot with native vegetation and proposed entry lanes. Tax lot R3228-01700 is a 7.43-acre lot with an existing transfer station, parking lot, and office building. Tax lot R3228-01200 is an 8.25-acre lot with an existing facility storage area. All three tax lots are located on Wynooski Road, west of Highway 219 (now referred to as the "property").

The property is zoned Public Works/Safety District and contains a total of 23.2-acres. The property is moderately sloped at the northern portion of the site and extremely high sloping at the southern portion of the site, where there is a densely vegetated gulley that slopes into Hess Creek. The property is accessed off Wynooski Road. Existing structures on the property include a transfer station, office buildings, and a scale house. Facility operations occur throughout the property. There is approximately 10.3-acres of existing impervious area that is utilized for the transfer facility operations, with 12.9-acres of unused area with native vegetation.



E. PROPOSAL

The applicant proposes a new entry layout into the existing Waste Management Transfer Station. The applicant seeks to construct four new drive lanes with approximately 20,422-square feet of new asphalt pavement, 9,055-square feet of grind and overlay asphalt pavement in the existing drive lanes, a new driveway, and a new sidewalk connection to the existing sidewalk at the west property line. Utility work includes empty PVC conduit pathways for future electrical routing, and new storm drain infrastructure to convey stormwater from the new improvements to the facility's existing oil water separator and ultimately to the existing site outfall.

II. APPLICABLE YAMHILL COUNTY ZONING ORDINANCE (YCZO) REVIEW CRITERIA

In the following sections, Applicant demonstrates compliance with the applicable Yamhill County Zoning Ordinance approval criteria and development standards:

SECTION 802.00 PUBLIC WORKS/SAFETY DISTRICT (PWS)

802.02 PERMITTED USES

In the PWS District, the following uses shall be permitted subject to the standards and limitations set forth in subsection 802.06, and pursuant to Section 1101 for site design review:

D. Sanitary landfill

802.06 STANDARDS AND LIMITATIONS

In the PWS District, the following uses shall be permitted subject to the standards and limitations set forth in subsection 802.06, and pursuant to Section 1101 for site design review:

A. Dwelling Density

Not more than one (1) dwelling shall be permitted on any parcel.

- ✓ **Response:** No dwelling exists on the property or will be proposed as part of this application.

B. Parcel Size and Dimension

1. Minimum Parcel Size

The minimum parcel size shall be 20,000 square feet, plus 20,000 square feet for any dwelling.

- ✓ **Response:** Parcel size exceeds 20,000 square feet. There are no dwellings on the property.

2. Depth-to-Width Ratio

The maximum depth-to-width ratio for any newly-created parcel shall be 3:1.

- ✓ **Response:** There will be no newly-created parcels as part of this application.

C. Setbacks



The minimum setback for all yards shall be twenty (20) feet for all uses, except as follows:

- 1. The minimum setback shall be five (5) feet for all yards for signs.*
- 2. Fences, walls and hedges may be permitted in any required yard or along the edge of any yard, subject to the clear-vision requirements of subsection 802.07(F).*

- ✓ **Response:** There are no proposed building structures as part of this application. The proposed fence will be along the edge of the property line. There will be a section of wall approximately 1.5-ft tall required for the proposed improvements, which will be offset from the property line by 1.25-ft. This will not affect clear-vision requirements. See Section 802.07(F) for clear-vision requirement compliance.

D. Parcel Coverage

The maximum parcel coverage shall be appropriate to the use, subject to Section 1101 for site design review.

- ✓ **Response:** The applicant proposes four new drive lanes to assist facility operations and ease of use for the customer. Therefore, the proposed site plan is appropriate to the use of the existing facility.

E. Access

Before a dwelling may be established on any parcel as provided in this section, the parcel shall have a legal, safe and passable means of access by abutting at least twenty (20) feet either directly upon a public road, or by a private easement which is at least thirty (30) feet in width for its entire length and which also abuts upon a public road for at least thirty (30) feet. Nothing in this section shall be construed to vary or waive the requirements for creation of new access contained in any Land Division Ordinance legally adopted by Yamhill County.

- ✓ **Response:** No dwelling exists on the property or will be proposed as part of this application. The property is accessed through a proposed 36-ft wide driveway along Wynooski Road.

F. Clear-Vision Areas

A clear-vision area shall be maintained on the corner of any parcel at the intersection of any two of the following: county roads; public roads; private roads serving four or more parcels; and railroads. A clear-vision area shall contain no sight-obscuring structures or plantings exceeding thirty (30) inches in height within a triangle formed by the lot corner nearest the intersection, and the two points twenty (20) feet from this corner is measured along the parcel lines adjacent to the intersection rights-of way. Trees exceeding this height may be located such that their branches extend into this triangle, provided they are maintained to allow at least twelve (12) feet of visual clearance within the triangle below the lowest hanging branches.

- ✓ **Response:** The proposed site plan is not within an intersection of any two roads, nor does the site plan propose any new building structures.

G. Height



1. *The maximum building height for any dwelling shall be thirty-five (35) feet*
2. *The maximum building height for all other structures shall be sixty (60) feet*
3. *Appurtenances usually required to be placed above the roof level and not intended for human occupancy such as spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys and wind generators are not subject to the height limitations of this ordinance.*

✓ **Response:** There are no proposed building structures as part of this application.

H. Off-Street Parking

Off-street parking and loading requirements for any use in the PWS District shall be as provided in Section 1007.

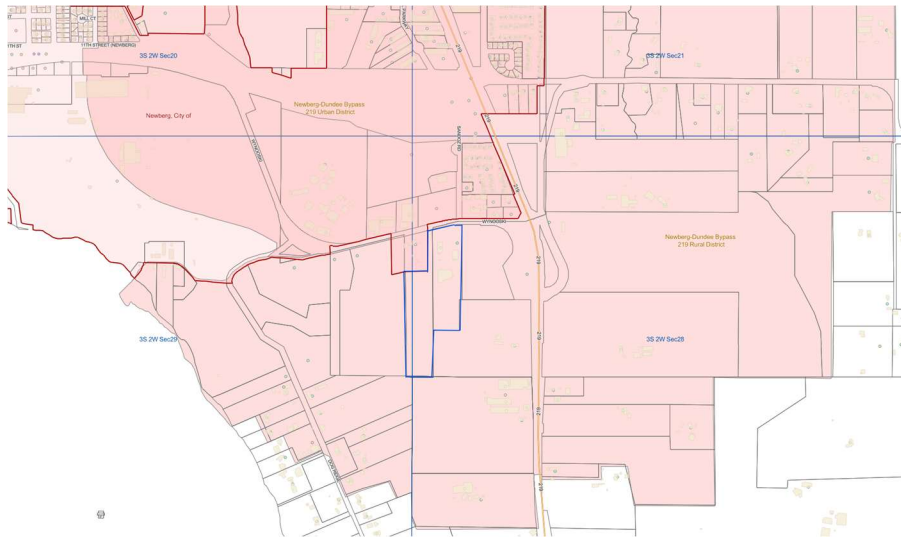
✓ **Response:** See Section 1007 for response.

SECTION 908 – INTERCHANGE OVERLAY DISTRICT

908.02 AREA OF APPLICATION OF INTERCHANGE OVERLAY DISTRICT

- A. *The Interchange Overlay District shall apply to unincorporated lands within approximately ¼ mile (inside UGBs) to ½ mile (outside UGBs) of the end of the ramps to the following four interchanges to the Bypass:*
 1. *Dayton Interchange*
 2. *East Dundee Interchange*
 3. *Oregon 219 Interchange*
 4. *East Newberg Interchange*
- B. *The Interchange Overlay District shall be combined with at least one (1) underlying zoning district and may be combined with any zoning district pursuant to this ordinance. All property within the Interchange Overlay District shall be subject both to the provisions of this section and to the underlying zoning district. Nothing in this section shall be construed as a waiver or suspension of the provisions of any underlying zoning district, or any other applicable overlay district.*
- C. *The general boundaries of the Interchange Overlay District are shown on Figure 908-1 and shall be delineated on a parcel-specific basis on the Official Zoning Map.*

✓ **Response:** Project site falls within the Interchange Overlay District as outlined in blue in the snip below, per Yamhill County online GIS maps. Underlying zoning district is 802 PWS District.



908.03 INTERIM PROTECTION OF BYPASS CORRIDOR THROUGH SITE DESIGN REVIEW

- A. *Yamhill County shall maintain a parcel-specific map that illustrates the Bypass corridor (about 300 feet wide) approved in the Record of Decision for the Location Final Environmental Impact Statement.*
- B. *In the interim period before construction of the Bypass, Yamhill County will coordinate with affected property owners and ODOT in an effort to avoid construction of permanent structures on the segments of the planned Bypass under Yamhill County jurisdiction.*
- C. *Site Design Review (see Section 1100 of the Ordinance) shall be required for development that includes all or a portion of a parcel within the Bypass corridor as described in A above. The County may waive the requirement for Site Design Review if a review of building plans indicated the proposed development will be located outside the Bypass corridor.*
- D. *Through the Site Design Review process, ODOT may recommend and Yamhill County may propose additional voluntary setbacks before the Bypass is constructed.*
- E. *The width of the Bypass corridor subject to Site Design Review shall be narrowed when the Record of Decision is issued for the Design-level Environmental Impact Statement.*

✓ **Response:** There are no proposed buildings or structures, nor are there proposed changes in use of an existing building or structure within the site as part of this application.

908.03 PERMITTED USES

- A. *All uses of land and water that are permitted in the underlying zoning district(s) are also permitted in the Interchange Overlay District.*
- B. *All uses of land and water in the Interchange Overlay District are subject to the standards and limitations of the underlying zoning district(s), with the following additional limitations:*



1. *All development within the boundaries of the Interchange Overlay District is subject to Site Design Review as outlined in Section 1100.*
2. *Through the Site Design Review process, ODOT may recommend, and Yamhill County may propose, that new development within the Interchange Overlay District maintain additional voluntary setbacks.*
3. *Through the Site Design Review process, ODOT may recommend, and Yamhill County may require, that new development within the Interchange Overlay District locate access points to assure consistency with the anticipated access spacing standards for the interchanges.*

✓ **Response:** See Section 1100 for Site Design Review responses.

SECTION 1007 – OFF-STREET PARKING AND LOADING

1007.01 PURPOSE AND SCOPE

The off-street parking and loading requirements of this section shall apply to those uses specifically listed in this section. A dwelling which is not a duplex or multi-family dwelling shall not be subject to the requirements of this section; however, a minimum off-street parking area sufficient to accommodate two (2) cars shall be provided for each such dwelling. The requirements for any use not specifically listed in this Section but which may require off-street parking and loading facilities shall be determined by the Director based upon the requirements for comparable uses listed herein. At the time of construction of a new building or structure, or at the time of enlargement or change in use of an existing building or structure within any zoning district, off-street parking spaces shall be provided as specified herein, unless greater requirements are otherwise established. Where square feet are specified, the area measured shall be the gross floor area of the building or structure primary to the functioning of the particular use of the parcel, but shall exclude space devoted to off-street parking or loading.

✓ **Response:** There are no proposed buildings or structures, nor are there proposed changes in use of an existing building or structure within the site as part of this application. Therefore, there shall be no changes to the existing parking provided on site.

1007.02 OFF-STREET PARKING AND LOADING REGULATIONS

A plan drawn to scale indicating how the following off-street parking general provisions and design requirements are to be fulfilled shall accompany an application for a building permit:

A. General Provisions

1. *The provision and maintenance of off-street parking and loading space is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this ordinance. Should the owner or occupant of any parcel, building or structure change the use to which said parcel, building or structure is put, thereby increasing off-street parking and loading requirements, it shall be unlawful and in violation of*



this ordinance to begin or maintain such altered use until such time as the increased off-street parking and loading requirements are complied with.

- 2. In the event several uses occupy a single parcel, building or structure, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.*
- 3. Owners of two (2) or more uses, parcels, buildings or structures, may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap, provided that satisfactory legal evidence is presented to the Director in the form of deeds, leases, or contracts to establish joint use.*
- 4. Off-street parking spaces for dwellings shall be located on the same parcel with the dwelling. All other required parking spaces shall be located not further than two hundred (200) feet from the use, parcel, building or structure they are required to serve, measured in a straight line from such use, parcel, building or structure.*
- 5. Off-street parking spaces for dwellings shall not be located in a required front yard or in a required side yard on the street sides of a corner parcel.*
- 6. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.*

B. General Provisions

- 1. Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all-weather use and drained as to avoid flow of water across sidewalks or onto adjacent private property;*
- 2. Except for parking to serve residential uses, parking and loading areas adjacent to residential zoning districts or adjacent to residential uses shall be designed to minimize disturbance of residents;*
- 3. Artificial lighting which may be provided shall be deflected so as not to shine or create glare in any residential zoning district or on any adjacent dwelling;*
- 4. Access aisles shall be of sufficient width for all vehicular turning and maneuvering;*
- 5. Groups of more than four (4) parking spaces shall be located and served by a driveway so that their use will require no backing movements or other maneuvering within a road right-of-way other than an alley;*
- 6. Service drives to off-street parking areas shall be designated and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and the maximum safety of pedestrians and vehicular traffic on the parcel; and*
- 7. Service drives shall have a minimum clear-vision area formed by the intersection of the driveway centerline, the road right-of-way line, and a straight line joining said lines through points twenty (20) feet from their intersection.*

C. Off-street Parking Space Standards

USE	STANDARD
Duplex or multi-family dwelling	Two (2) spaces per dwelling unit
Residential home or facility	One (1) space per bedroom, plus one (1) space for each employee on maximum working shift
Retail commercial use	One (1) space per 300 square feet of floor area
Service commercial use	One (1) space per 400 square feet of floor area
Eating or drinking establishment, including wine tasting rooms	One (1) space per one-hundred (100) square feet of floor area, plus one (1) space for each employee on maximum working shift
Clinic	One (1) space per 200 square feet of floor area
Motels, resorts, bed and breakfast inns and similar rental uses	One (1) space per unit plus one (1) space for each employee on maximum working shift
Manufacturing or industrial use, including wineries	One (1) space for each employee on maximum working shift
Wholesale storage and related use	One (1) space per 2,000 square feet of floor or storage area
Churches and similar places of assembly	One (1) space per four (4) seats or eight (8) feet of bench length

- ✓ **Response:** There are no proposed buildings or structures, nor are there proposed changes in use of an existing building or structure within the site as part of this application. Therefore, there shall be no changes to the existing parking provided on site. In addition, this project will not require a building permit.

SECTION 1101 – SITE DESIGN REVIEW PROCESS AND STANDARDS

1101.02 EVALUATION OF SITE DEVELOPMENT PLANS

- A. The review of a site development plan shall be based upon consideration of the following:*
- 1. Characteristics of adjoining and surrounding uses;*

- ✓ **Response:** The proposed site development is undeveloped land on the existing Waste Management Transfer Station property. The property is 23.2-acres and is surrounded by industrial facilities and native vegetation.



2. *Economic factors relating to the proposed use;*

- ✓ **Response:** The proposed site development will increase the amount of incoming and outgoing lanes at the Waste Management Transfer Station, which will in turn allow for a quicker turnover within the transfer station. The existing parcel functions as a transfer station, and the proposed site development will serve to enhance the effectiveness of the facility.

3. *Traffic safety, internal circulation and parking;*

- ✓ **Response:** The proposed site development will ease the traffic burden felt along Highway 219 and Wynooski Road by increasing the amount of incoming and outgoing lanes at the Waste Management Transfer Station entrance/exit.

4. *Provisions for adequate noise and/or visual buffering from noncompatible uses;*

- ✓ **Response:** The proposed site development is compatible with the uses that are currently carried out on-site. Surrounding properties are industrial facilities, native vegetation and highways. In addition, the project is not proposing any change of operation within the permitted use of the existing facility.

5. *Retention of existing natural features on site;*

- ✓ **Response:** The project will be developing approximately 18,500 SF or 6% of the existing 7.51-acre lot with impervious surfaces. Existing native vegetation on the remainder of the parcel is to remain.

6. *Problems that may arise due to development within potential hazard areas.*

- ✓ **Response:** The project is not located in a hazard area.

7. *Comments and/or recommendations of adjacent and vicinity property owners whose interests may be affected by the proposed use.*

- ✓ **Response:** Discussions with neighbors have resulted in no concerns being expressed. The intent of the project is to improve the flow of traffic through the Waste Management facility, thereby benefiting adjacent neighbors by reducing road congestion currently caused by the lack of queuing space. Adjacent property owners will have an opportunity to provide public comment and input during the County's review process and Applicant will work to respond to any comments or recommendations received during the public comment period.

B. *All development applications for site design review are subject to the development standards of the underlying zoning district and may be modified pursuant to satisfaction of the considerations provided in subsection 1101.02(A). The Director may waive submittal requirements consistent with the scale of the project being reviewed, upon determining that requirements requested to be waived are not necessary for an effective evaluation of the site development plan.*



- ✓ **Response:** As exemplified in this narrative, the project conforms with the standards and meets submittal requirements.

1101.03 SITE DEVELOPMENT PLAN REVIEW PROCEDURES

The director shall review site development plans subject to the following procedures:

- A. *Pre-Application Conference. A pre-application conference shall be held prior to submittal. An application form together with appropriate ordinance requirements shall be provided to the applicant at the pre-application conference.*

- ✓ **Response:** The project team and the county had a pre-application conference on April 8, 2025 where appropriate ordinance requirements and forms were discussed and provided to the applicant.

- B. *Preliminary Site Development Plan Submittal and Review. A preliminary plan, together with a site design review application, shall be submitted for review in accordance with the requirements of this section and the underlying zoning district. The Director shall determine whether the application will be reviewed under the Type A or Type B application procedures set forth in Section 1301, based on the type, scale, location and potential impacts of the development. The Director shall inform the applicant in writing concerning compliance with applicable ordinance and development standards, and shall stipulate any modifications or changes necessary for final plan approval. If modifications or changes are not required, a preliminary plan may be approved as a final plan.*

- ✓ **Response:** Preliminary plans and the site design review application are included with this submittal.

- C. *Final Site Development Plan Submittal. If a final site development plan is required, the final plan shall be submitted for review in accordance with the requirements of this section. The Director shall inform the applicant in writing within fifteen (15) days of receipt of the final site plan of action taken for approval.*

- ✓ **Response:** Applicant will file a final site plan prior to construction if required as a condition of land use approval.

1101.04 PRELIMINARY SITE DEVELOPMENT PLAN REQUIREMENTS

The following site design information shall be represented at a scale of 1"=5', or an appropriate scale as may be approved by the Director:

- A. *Existing site conditions as follows:*
 - 1. *Site topography at the following minimum intervals:*
 - a) *Two (2) foot intervals for slopes of up to 15%;*
 - b) *Five (5) or ten (10) foot intervals for slopes in excess of 15%; and*
 - c) *Identification of areas exceeding 35% slopes.*
 - 2. *Site drainage, creeks, ponds or areas of standing water, potential flooding and soil or geologic hazard;*



3. *Major trees 8" in diameter at five (5) feet height, together with areas of significant natural vegetation. Where the site is heavily wooded, an aerial photograph, not to exceed 1"=400' may be submitted; and only those trees that will be affected by the proposed development need be sited accurately;*
4. *Classification of soil types within the site and discussion of their suitable uses;*
5. *Existing structures, improvements, roadway access and utilities, together with the film volume and page number of all easements affecting the property; and*
6. *Existing land uses, ownerships, property lines and building locations on adjoining and adjacent property within three hundred and fifty (350) feet of the subject property.*

- ✓ **Response:** A survey is utilized in the background of the plans to show existing conditions on-site, including contours, drainage features, major trees, structures, and property information. In addition, an aerial photo of the site and surrounding area is referenced on Sheet C4.10 to supplement the survey.

Soil type per Yamhill County online GIS maps is majority Woodburn Silt Loam (0-3% slopes) and some Dayton Silt Loam (0-2% slopes).

B. Proposed changes and improvements to the site as follows:

1. *Proposed site improvements, including:*
 - a) *Boundary lines and dimensions for the property and proposed topographical changes;*
 - b) *All proposed structures, including finish floor elevations and setbacks;*
 - c) *Vehicular and pedestrian circulation patterns and parking, loading and service areas;*
 - d) *Site drainage plan, including location of sumps or settling ponds; and*
 - e) *A boundary survey and cross sections, and profiles as may be required by the Director.*
2. *Proposed utilities, including subsurface sewerage, water supply system and electrical services. Inverse elevations shall be shown for all underground transmission lines.*
3. *Proposed access to public roads and highways, railroads or other commercial or industrial transportation systems.*
4. *Proposed landscape plan, to include appropriate visual screening and noise buffering, where necessary, to ensure compatibility with surrounding properties and uses.*
5. *Proposed on-premise signs, fencing or other fabricated barriers, together with their heights and setbacks.*

- ✓ **Response:** Preliminary grading, utility and paving plans with items listed above in #1-5 are provided in proposed improvement plans.

C. A written statement to accompany the site development plan, containing the following:

1. *A statement of present ownership of all lands included within the proposed development; and*
2. *A schedule of expected development.*



- ✓ **Response:** A statement of present ownership is included with this application. Applicant proposes to begin construction of the entry improvements in Fall of 2026.

1101.05 FINAL SITE PLAN REQUIREMENTS

The final development plans shall include the same information required for a preliminary plan together with any revisions, adjustments or refinements that may be required for compliance with the general development standards.

- A. *The final plan shall include the following information and shall be labeled by the Director as follows:*

Exhibit A – Proposed Schedule of Development

Exhibit B – Site Analysis (map of existing conditions)

Exhibit C – Site plan

Exhibit D – Final Grading Plan

Exhibit E – Landscape Plan in accordance with Section 1010

Exhibit F – Cross Sections, Elevations and/or Architectural Drawings of Proposed Structures

- ✓ **Response:** The final plan will include all requirements listed. Landscape plans will not be included as there is no proposed landscaping beyond seeding. Similarly, there are no buildings in the project and thus there will not be architectural drawings submitted as part of the project.
- B. *If submittal of any of the above exhibits are waived by the Director, justification to support such a decision shall be provided by the Director.*
- ✓ **Response:** Noted.
- C. *Any proposed changes in connection with an approved plan shall be reviewed and approved in accordance with the same procedures set forth under this section.*

- ✓ **Response:** Noted.

III. CONCLUSION

The above summary of findings and the attached documents are consistent with the provisions of the Yamhill County Zoning Ordinance and applicable state law. Therefore, the Applicant respectfully requests approval for the enlarged facility entrance on Public Works/Safety District land.



STATEMENT OF PRESENT OWNERSHIP



After recording return to:
Waste Management of Oregon, Inc.
720 East Butterfield Road
Lombard, IL 60148

Until a change is requested all tax statements
shall be sent to the following address:
Waste Management of Oregon, Inc.
720 East Butterfield Road
Lombard, IL 60148

File No.: 1032-1609394 (JW)
Date: September 29, 2010

THIS SPACE RESERVED FOR RECORDER'S USE

READ & APPROVED



STATUTORY WARRANTY DEED

Joseph A. Fettig and Elizabeth L. Fettig, as tenants by the entirety, Grantor, conveys and warrants to **Waste Management of Oregon, Inc., an Oregon corporation**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. 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 **\$432,000.00**. (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, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Dated this 3rd day of October, 20 10.

Joseph A. Fettig
Joseph A. Fettig

Elizabeth L. Fettig
Elizabeth L. Fettig

STATE OF Oregon)
)ss.
County of Yamhill)

This instrument was acknowledged before me on this 3 day of October ~~September~~ 9th, 20 10
by **Joseph A. Fettig and Elizabeth L. Fettig.**



Janet L. Winder
Notary Public for Oregon
My commission expires: 5/4/2013

EXHIBIT A

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

A part of the Samuel D. Snowden Donation Land Claim No. 68 and of Lot 2 of Section 28 and of Lot 10 in Section 29, all in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a stake 23.70 chains South and 4.34 chains South 76° West of the Northeast corner of said Snowden Claim; thence South 23.56 chains; thence West 4.34 chains to the Southeast corner of a tract conveyed by Maranda Hadley to H.E. Hadley by deed recorded April 13, 1887 in Book "Y", Page 39, Deed Records; thence North along the East line of said Hadley tract 22.53 chains to the center of County Road; thence North 76° East along center of said County Road 4.51 chains to the place of beginning.

EXCEPTING THEREFROM the following described tract:

Beginning at a 5/8" iron rod with yellow plastic cap marked "Baseline PLS 2718" at the Southeast corner of that certain Statutory Warranty Deed to Merlin A. LaJoie and Sandra K. LaJoie, recorded as Instrument No. 199911073, as depicted on that survey filed as CS-11580, Yamhill County Surveyor's Office, said point being 24.53 chains North and 1.03 chains West of the Quarter Section corner between Sections 29 and 28; thence along the Easterly line of said tract, North 00°00'03" West, 400.00 feet to the centerline of County Road 150 (Wynooski Road, 60 feet wide); thence along said centerline, North 76°30'52" East, 237.36 feet; thence parallel with and 50 feet Westerly of the Easterly line of said Sandra K. LaJoie tract, South 00°01'57" West, 455.48 feet to a 5/8" iron rod with yellow plastic cap marked "Baseline PLS 2718"; thence North 89°58'03" West, 230.55 feet to the Point of Beginning.



PROPOSED IMPROVEMENT PLANS

WASTE MANAGEMENT TRANSFER STATION
NEWBERG, OREGON

CONSTRUCTION STORMWATER CONTROL (CSC) GENERAL NOTES

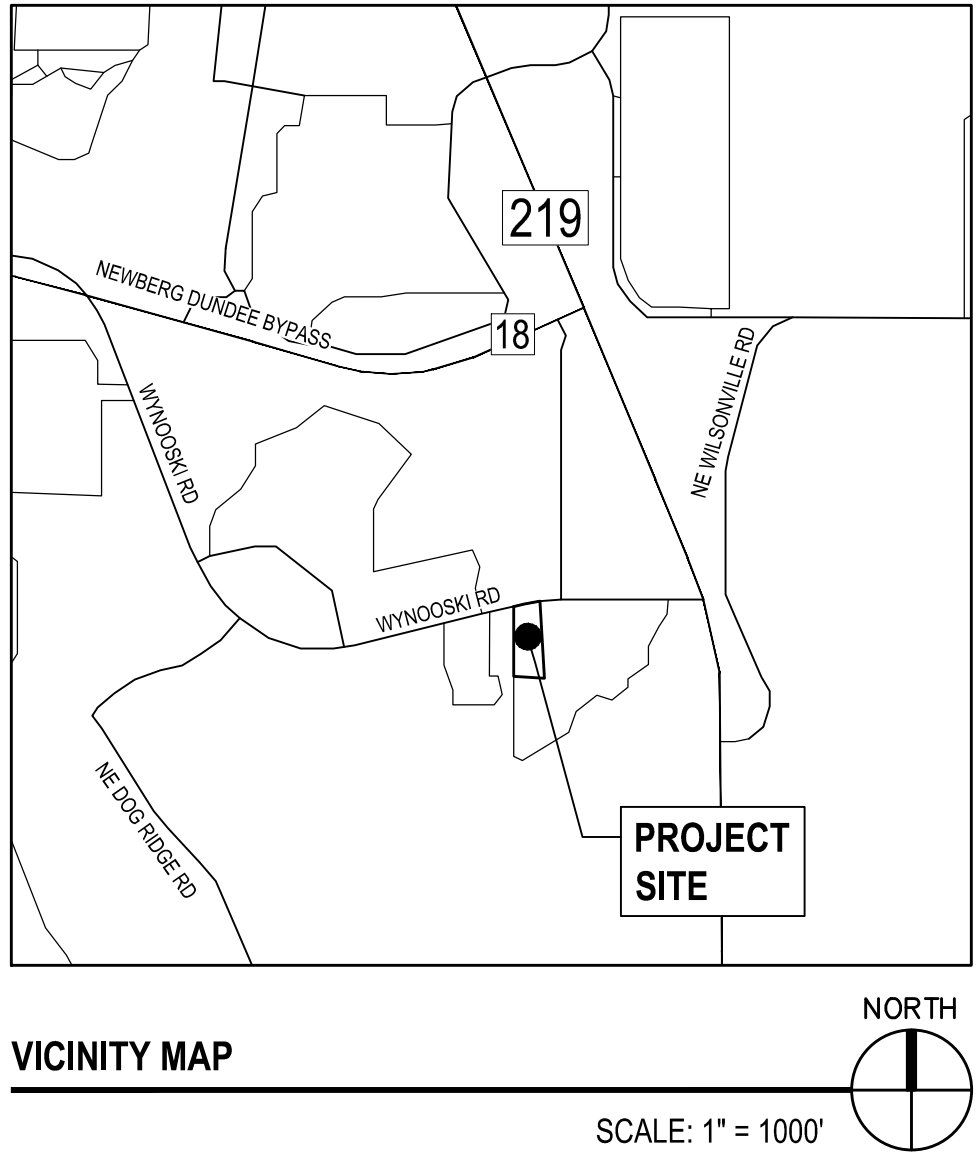
1. A FIRST GROUND DISTURBANCE INSPECTION IS REQUIRED PRIOR TO START OF WORK ON ALL SITES WITH LAND DISTURBING ACTIVITY.
2. THE APPLICANT SHALL DESIGNATE AN EROSION AND SEDIMENT CONTROL (ESC) SUPERVISOR WHO SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES (BMPs). FOR LARGE CONSTRUCTION PROJECTS, THE ESC SUPERVISOR SHOULD BE A CERTIFIED EROSION AND SEDIMENT CONTROL LEAD (CESCL). PROVIDE THE NAME AND PHONE NUMBER OF THE ESC SUPERVISOR TO THE SITE INSPECTOR AT THE FIRST GROUND DISTURBANCE INSPECTION.
3. BMPs SHALL BE INSTALLED PRIOR TO STARTING CONSTRUCTION TO ENSURE SEDIMENT-LADEN WATER DOES NOT LEAVE THE PROJECT SITE OR ENTER ROADSIDE DITCHES, STORM DRAINS, SURFACE WATERS, OR WETLANDS.
4. THE BMPs INCLUDED IN THIS PLAN ARE THE MINIMUM REQUIREMENTS FOR ANTICIPATED SITE CONDITIONS. THE APPLICANT IS RESPONSIBLE FOR ENSURING THAT BMPs ARE MODIFIED AS NEEDED FOR UNEXPECTED STORM EVENTS OR OTHER UNFORESEEN CIRCUMSTANCES, AND TO ACCOUNT FOR CHANGING SITE CONDITIONS.
5. ANY AREAS OF DISTURBED SOIL THAT WILL NOT BE WORKED FOR TWO CONSECUTIVE DAYS DURING THE WET SEASON (OCT 1 TO APRIL 30) OR SEVEN DAYS DURING THE DRY SEASON (MAY 1 TO SEPT 30) SHALL BE IMMEDIATELY STABILIZED WITH APPROVED BMPs METHODS (E.G. STRAW, MULCH, PLASTIC COVERING, COLD MIX, ETC.).
6. POLLUTION CONTROL MEASURES SHALL BE FOLLOWED TO ENSURE THAT NO LIQUID PRODUCTS OR CONTAMINATED WATER ENTERS ANY STORM DRAINAGE FACILITIES OR OTHERWISE LEAVES THE PROJECT SITE. ANY HAZARDOUS MATERIALS OR LIQUID PRODUCTS THAT HAVE THE POTENTIAL TO POLLUTE RUNOFF SHALL BE STORED AND DISPOSED OF PROPERLY.
7. ENSURE THAT WASHOUT FROM CONCRETE TRUCKS IS PERFORMED OFF-SITE OR IN DESIGNATED CONCRETE WASHOUT AREAS ONLY. DO NOT WASH OUT CONCRETE TRUCKS ONTO THE GROUND, OR TO STORM DRAINS OR OPEN DITCHES. DO NOT DUMP EXCESS CONCRETE ONSITE, EXCEPT IN DESIGNATED CONCRETE WASHOUT AREAS.
8. ALL AREAS OF DISTURBED SOIL SHALL BE FULLY STABILIZED WITH THE APPROPRIATE SOIL AMENDMENT AND COVER MEASURES AT COMPLETION OF THE PROJECT. TYPICAL COVER MEASURES INCLUDE LANDSCAPING OR HYDROSEED WITH MULCH.

LEGEND (EXISTING - PER PROJECT SURVEY)

	BUILDING OUTLINE WITH DOOR
	CONCRETE SURFACE
	GRAVEL SURFACE
	ASPHALT SURFACE
	WALL
	BUILDING OVERHANG
	CURB LINE
	EDGE OF ASPHALT
	RIGHT-OF-WAY LINE
	EASEMENT LINE
	LOT LINE
	PROPERTY LINE
	SPEED BUMP LINE
	GUARDRAIL LINE
	ELECTRICAL LINE
	TRAFFIC SIGNAL LINE
	TELECOMMUNICATIONS LINE
	STORM LINE
	SANITARY SEWER LINE
	WATER LINE
	GAS LINE
	OVERHEAD UTILITY LINES
	UNDERGROUND LINE PER AS-BUILTS
	SIGN
	DOUBLE POST SIGN
	BOLLARD
	FLAG POLE
	DRIVEWAY ENTRY
	HANDICAP RAMP
	VEGETATED STORMWATER FACILITY
	BIKE RACK
	PARKING METER SINGLE
	PARKING PAY STATION
	MAILBOX
	BENCH
	ROOF DRAIN
	ELECTRICAL MANHOLE
	ELECTRICAL JUNCTION BOX
	ELECTRICAL METER
	ELECTRICAL RISER
	ELECTRICAL CABINET
	ELECTRICAL SWITCH
	ELECTRICAL VAULT
	TRANSFORMER
	GUY ANCHOR
	LUMINAIRE
	GROUND FLOOD LIGHT
	POWER POLE
	OVERHEAD LIGHT
	POWER POLE/OVERHEAD LIGHT
	GAS METER
	SANITARY MANHOLE WITH STRUCTURE
	STORM MANHOLE WITH STRUCTURE
	CATCH BASIN
	CURB DRAIN
	SANITARY/STORM CLEAN OUT
	SANITARY/STORM STRUCTURE #
	WATER VALVE
	FIRE HYDRANT
	WATER METER
	WATER VAULT
	HOSE BIB
	IRRIGATION CONTROL VALVE
	DECIDUOUS TREE W/ (TAG NO.) -PERIMETER REPRESENTS DRIPLINE
	CONIFEROUS TREE W/ (TAG NO.) -PERIMETER REPRESENTS DRIPLINE
	FOUND MONUMENT
	PROJECT CONTROL POINT
	FINISHED FLOOR ELEVATION
	MONUMENT
	MONUMENT
	MONUMENT
	MONUMENT
	MONUMENT
	MONUMENT

CIVIL ABBREVIATIONS

APPROX	APPROXIMATELY
BB	BOTTOM OF BLOCK
BMP	BEST MANAGEMENT PRACTICE
CB	CATCH BASIN
CSBC	CRUSHED SURFACING BASE COURSE
CU	CUBIC
E	EAST
EG	EXISTING GRADE
EL	ELEVATION
ESC	EROSION AND SEDIMENTATION CONTROL
EX	EXISTING
FG	FINISH GRADE
FT	FEET
H-V	HORIZONTAL TO VERTICAL
IE	INVERT ELEVATION
IN	INCH
MAX	MAXIMUM
MH	MAINTENANCE HOLE
MIN	MINIMUM
N	NORTH
NAD	NORTH AMERICAN DATUM
NAVD	NORTH AMERICAN VERTICAL DATUM
NE	NORTHEAST
NW	NORTHWEST
NTS	NOT TO SCALE
OC	ON CENTER
POC	POINT OF CONNECTION
PVC	POLYVINYL CHLORIDE
R	RADIUS
S	SOUTH
SD	STORM DRAIN
SDCB	STORM DRAIN CATCH BASIN
SE	SOUTHEAST
SF	SQUARE FEET
STD	STANDARD
TB	TOP OF BLOCK
TC	TOP OF CURB
TELECOMM	TELECOMMUNICATIONS
TESC	TEMPORARY EROSION AND SEDIMENT CONTROL
TYP	TYPICAL
W	WEST



VICINITY MAP

SCALE: 1" = 1000'

CIVIL SHEET INDEX

C0.00	CIVIL NOTES & ABBREVIATIONS
C1.00	SITE DEMOLITION & TEMPORARY EROSION CONTROL PLAN
C1.50	TEMPORARY EROSION CONTROL DETAILS
C3.00	GRADING & DRAINAGE PLAN
C3.50	UTILITY PLAN
C4.00	PAVING PLAN
C4.10	OVERALL FENCING PLAN
C5.00	DETAILS

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05/21/2026

WASTE MANAGEMENT TRANSFER STATION
ENTRANCE RECONFIGURATION
NEWBERG, OREGON

2904 WYNOOSKI ST,
NEWSBERG OR 97132

REVISIONS:

NO.	DATE	DESCRIPTION

DATE: 05/21/2026

JOB NUMBER: 2500057

DESIGNED BY: FF

DRAWN BY: DC

CHECKED BY: PMC

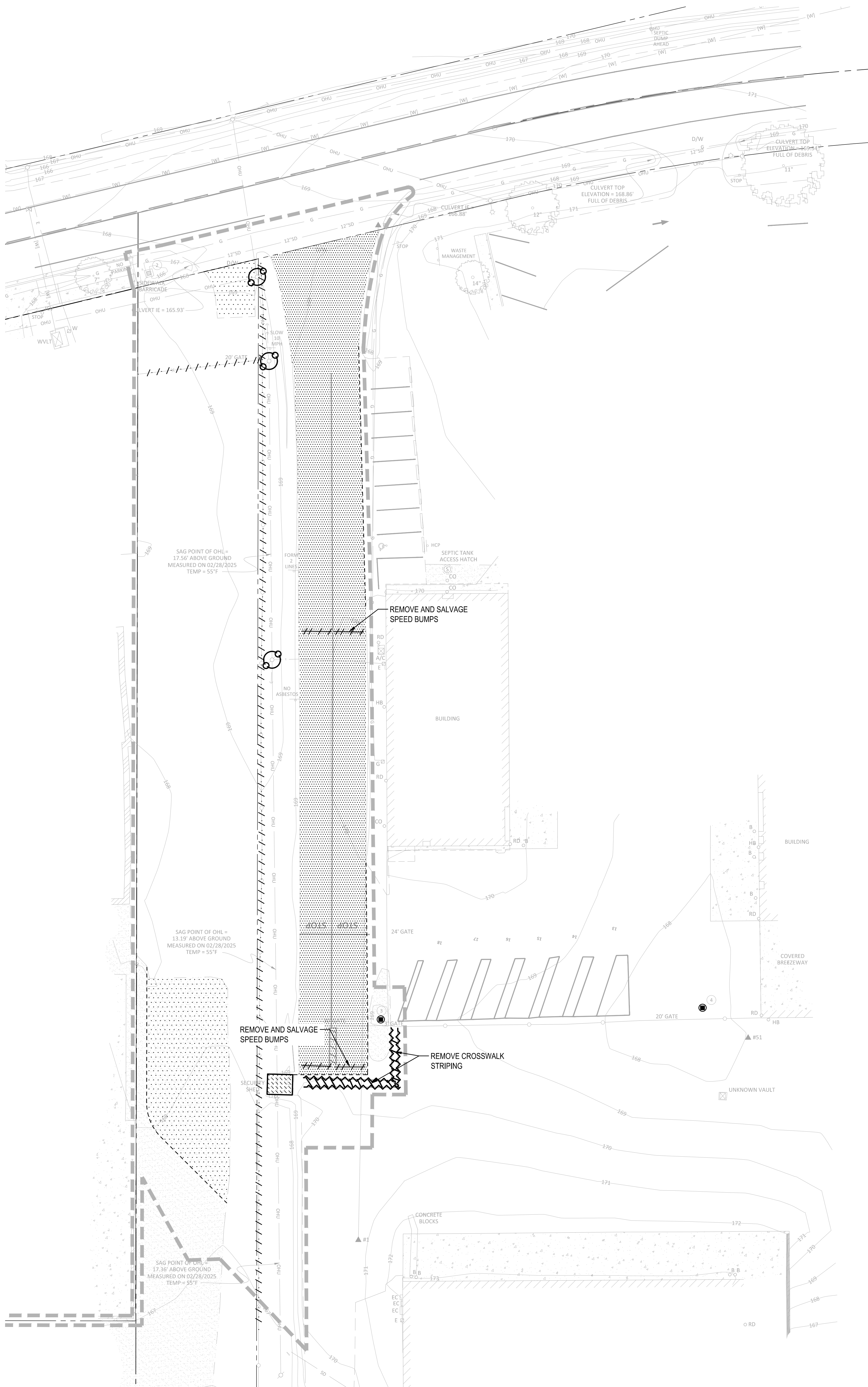
APPROVED BY: PK

CIVIL NOTES &
ABBREVIATIONS

C0.00

PERMIT SET





NOTES

- ALL EXISTING SURFACE FEATURES, UNDERGROUND UTILITIES AND ASSOCIATED STRUCTURES WITHIN THE LIMITS OF WORK SHALL BE PROTECTED UNLESS OTHERWISE NOTED.
- MAKE VERTICAL SAWCUTS BETWEEN EXISTING PAVEMENT TO REMAIN AND PAVEMENT TO BE REMOVED. PROTECT IN PLACE PAVEMENT OUTSIDE SAWCUT LINE.
- DISPOSE OF EXCESS DEMOLITION MATERIAL OFF-SITE IN A SAFE AND LEGAL MANNER AT NO EXPENSE TO THE OWNER.
- PROTECT IN PLACE ALL UTILITIES AND SURFACE FEATURES OUTSIDE THE LIMIT OF WORK.
- WALK THE SITE WITH THE OWNER OR OWNER'S REPRESENTATIVE PRIOR TO CONSTRUCTION TO VERIFY LIMITS OF SITE DISTURBANCE AND EXISTING FEATURES, UTILITIES, AND STRUCTURES TO BE PROTECTED OR SALVAGED.
- PROVIDE CONSTRUCTION FENCING, SIGNAGE, AND BARRIERS AS REQUIRED TO PREVENT UNAUTHORIZED ACCESS INTO THE DEMOLITION AREA.
- REMOVE ALL DEMOLITION DEBRIS FALLING OUTSIDE THE LIMIT OF WORK IMMEDIATELY.
- SALVAGE ALL SIGNAGE, LIGHTING FIXTURES, AND SITE FURNISHINGS WITHIN THE LIMIT OF WORK AND TURN OVER TO THE OWNER.
- IF ANY UNKNOWN UTILITY SERVICE IS FOUND DURING CONSTRUCTION, NOTIFY THE OWNER AND PROTECT IN PLACE UNLESS DIRECTED OTHERWISE.
- COORDINATE AND MAINTAIN ACCESS TO SITE WITH THE OWNER SUCH THAT EMERGENCY ACCESS AND ROUTINE OPERATIONS ARE UNOBSTRUCTED.
- COORDINATE EXTENTS OF CLEARING AND GRUBBING WITHIN THE LIMIT OF WORK WITH THE EXTENTS OF PROPOSED PAVING ON SHEET C4.00.
- REMOVE FENCE TO 35 FT SOUTH OF THE PROPOSED PAVEMENT EDGE ON SHEET C4.00.

LEGEND

- LIMITS OF WORK
- REMOVE EXISTING STRIPING
- SAWCUT LINE
- REMOVE EXISTING PAVEMENT MARKING
- PROTECT EXISTING UTILITY POLE IN PLACE
- REMOVE EXISTING SPEED BUMP
- REMOVE EXISTING FENCE, SEE NOTE 14
- CATCH BASIN INLET PROTECTION
- REMOVAL OF EXISTING SCALEHOUSE BY OWNER
- GRIND & OVERLAY ASPHALT
- DEMOLISH ASPHALT PAVEMENT

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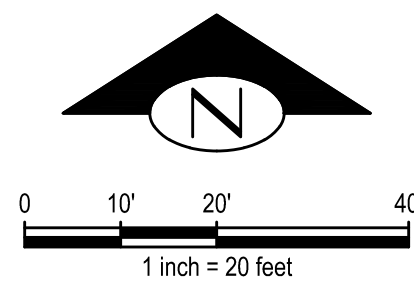
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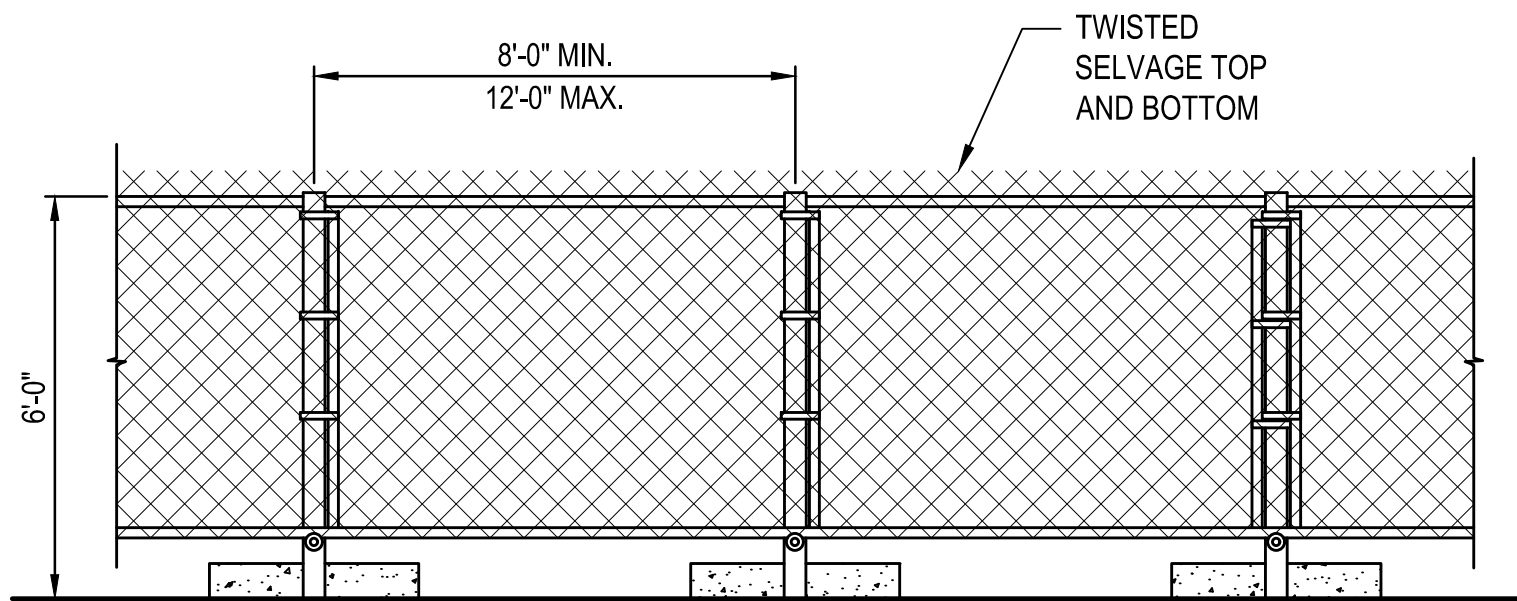
DATE: 05/21/2026
JOB NUMBER: 2500057
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APPROVED BY: PK

SITE DEMOLITION &
TEMPORARY EROSION
CONTROL PLAN

C1.00

PERMIT SET



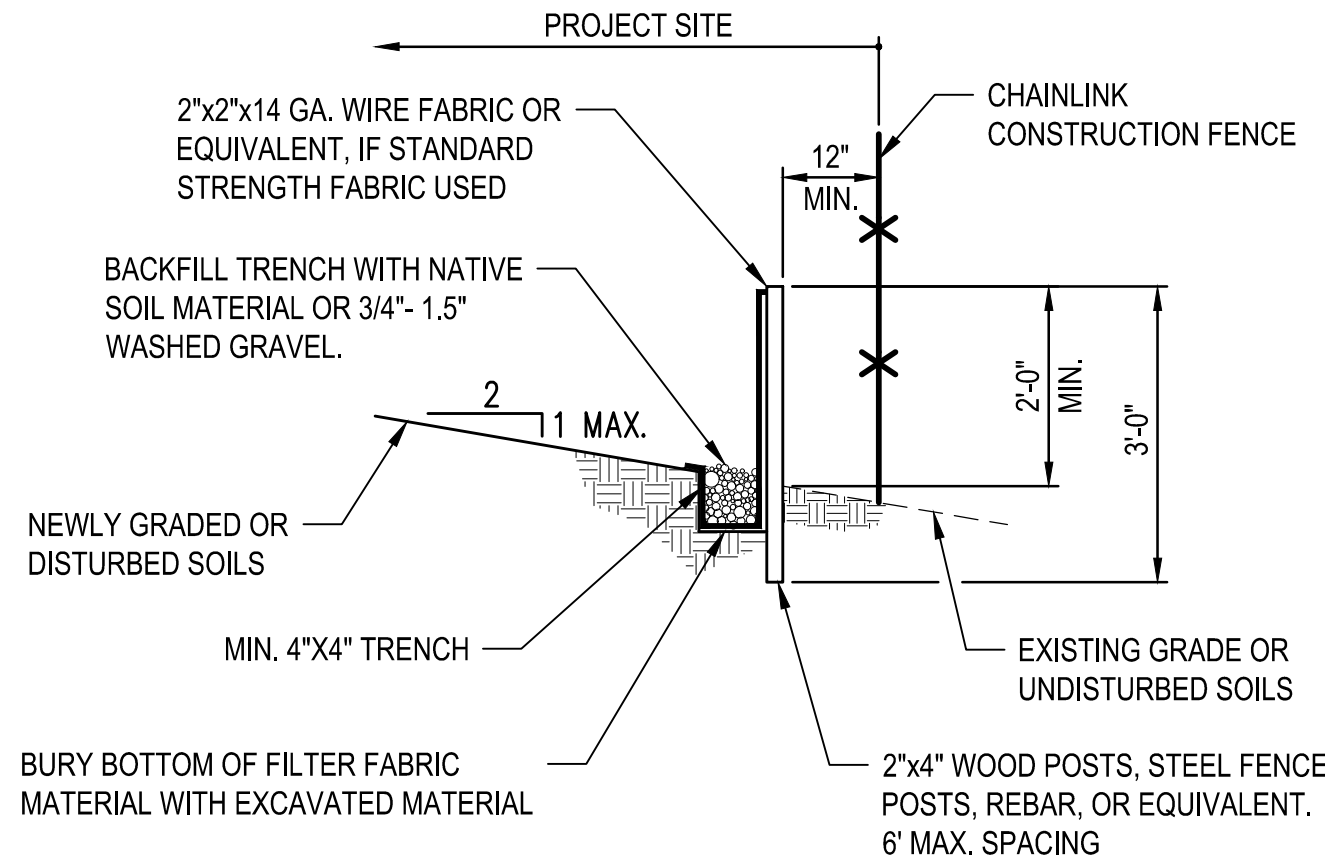
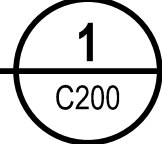


NOTES:

1. CHAIN LINK FABRIC TO BE MIN. 11 GAUGE, GALVANIZED, NO RUSTED OR EXCESSIVELY MALFORMED FABRIC.
2. FENCE BASES SHALL BE OF SUFFICIENT WEIGHT AND/OR SPREAD TO ADEQUATELY SUPPORT EACH PANEL.
3. PANEL-TO-PANEL CONNECTIONS SHALL BE MADE AT A MIN. TWO LOCATIONS PER CONNECTION UNLESS OTHERWISE APPROVED.
4. INSTALL 11'-8\"/>

TEMPORARY CHAINLINK
CONSTRUCTION FENCE DETAIL

NTS



TYPICAL CROSS SECTION

NOTE:

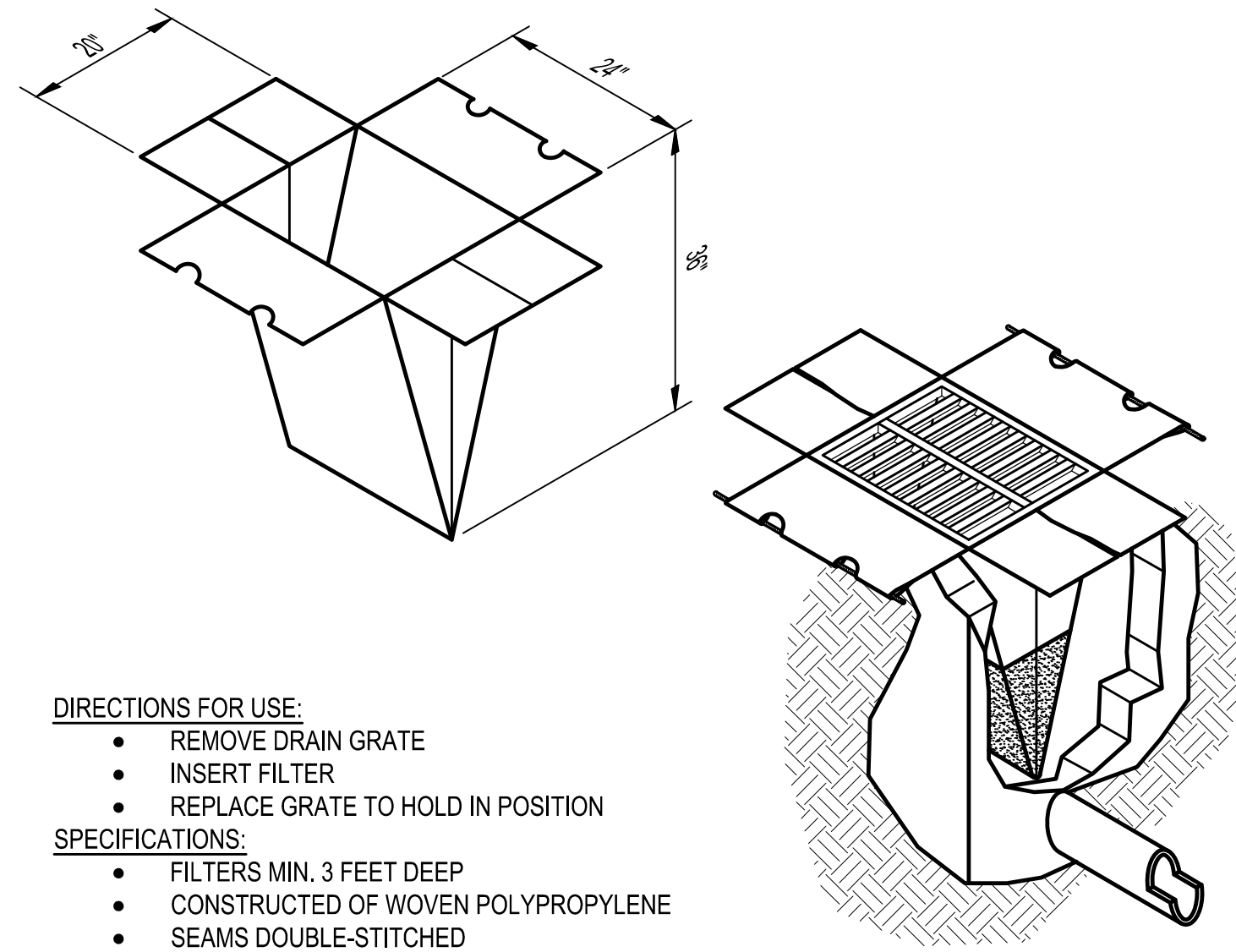
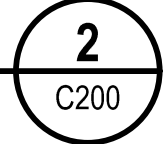
1. SILT FENCES SHALL BE INSTALLED ALONG CONTOUR WHENEVER POSSIBLE.
2. ANGLE SILT FENCE BACK UP THE SLOPE AT THE END OF THE RUN.
3. SILT FENCE SHALL BE REMOVED AT THE END OF THE JOB.
4. WHERE THE FENCE IS INSTALLED, THE SLOPE SHALL BE NO STEEPER THAN 2H:1V.
5. JOINTS IN FILTER FABRIC SHALL BE SPLICED AT POSTS. USE STAPLES, WIRE RINGS, OR EQUIVALENT TO ATTACH FABRIC TO POSTS.

MAINTENANCE STANDARDS

1. ANY DAMAGE SHALL BE REPAIRED IMMEDIATELY.
2. IF CONCENTRATED FLOWS ARE EVIDENT UPHILL OF THE FENCE, THEY MUST BE INTERCEPTED AND CONVEYED TO A SEDIMENT TRAP OR POND.
3. IT IS IMPORTANT TO CHECK THE UPHILL SIDE OF THE FENCE FOR SIGNS OF THE FENCE CLOGGING AND ACTING AS A BARRIER TO FLOW AND THEN CAUSING CHANNELIZATION OF FLOWS PARALLEL TO THE FENCE. IF THIS OCCURS, REPLACE THE FENCE OR REMOVE THE TRAPPED SEDIMENT.
4. SEDIMENT MUST BE REMOVED WHEN THE SEDIMENT IS 6\"/>
5. IF THE FILTER FABRIC HAS DETERIORATED, IT SHALL BE REPLACED.

FILTER FABRIC FENCE DETAIL

NTS



DIRECTIONS FOR USE:

- REMOVE DRAIN GRATE
- INSERT FILTER
- REPLACE GRATE TO HOLD IN POSITION

SPECIFICATIONS:

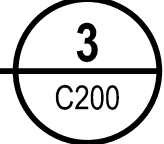
- FILTERS MIN. 3 FEET DEEP
- CONSTRUCTED OF WOVEN POLYPROPYLENE
- SEAMS DOUBLE-STITCHED
- PERMEABILITY-40GAL. PER MINUTE PER SQUARE FOOT
- REUSABLE OR THROW-AWAY

MAINTENANCE:

- REMOVE WHEN FILLED TO HALF-WAY MARK (USE FRONT-LOADER OR OTHER EQUIPMENT FOR REMOVAL)
- CLEAN AND RE-USE, OR REPLACE

CATCH BASIN PROTECTION DETAIL

NTS



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TEMPORARY EROSION
CONTROL DETAILS

C1.50

PERMIT SET



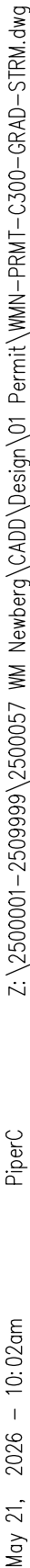


Diagram illustrating the cross-section of a concrete curb structure. The diagram shows the following components and labels:

- TOP OF BLOCK (TB)**: The top surface of the concrete block.
- FINISH GRADE AT ROADWAY EDGE (FG)**: The finished ground level at the edge of the roadway.
- EXISTING GRADE (EG)**: The existing ground level before construction.
- BOTTOM OF BLOCK (BB)**: The bottom surface of the concrete block.
- 0.5 MIN**: A dimension indicating a minimum thickness or depth of 0.5 units.

C3.00

PERMIT SET



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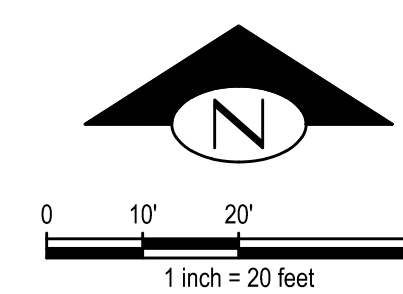
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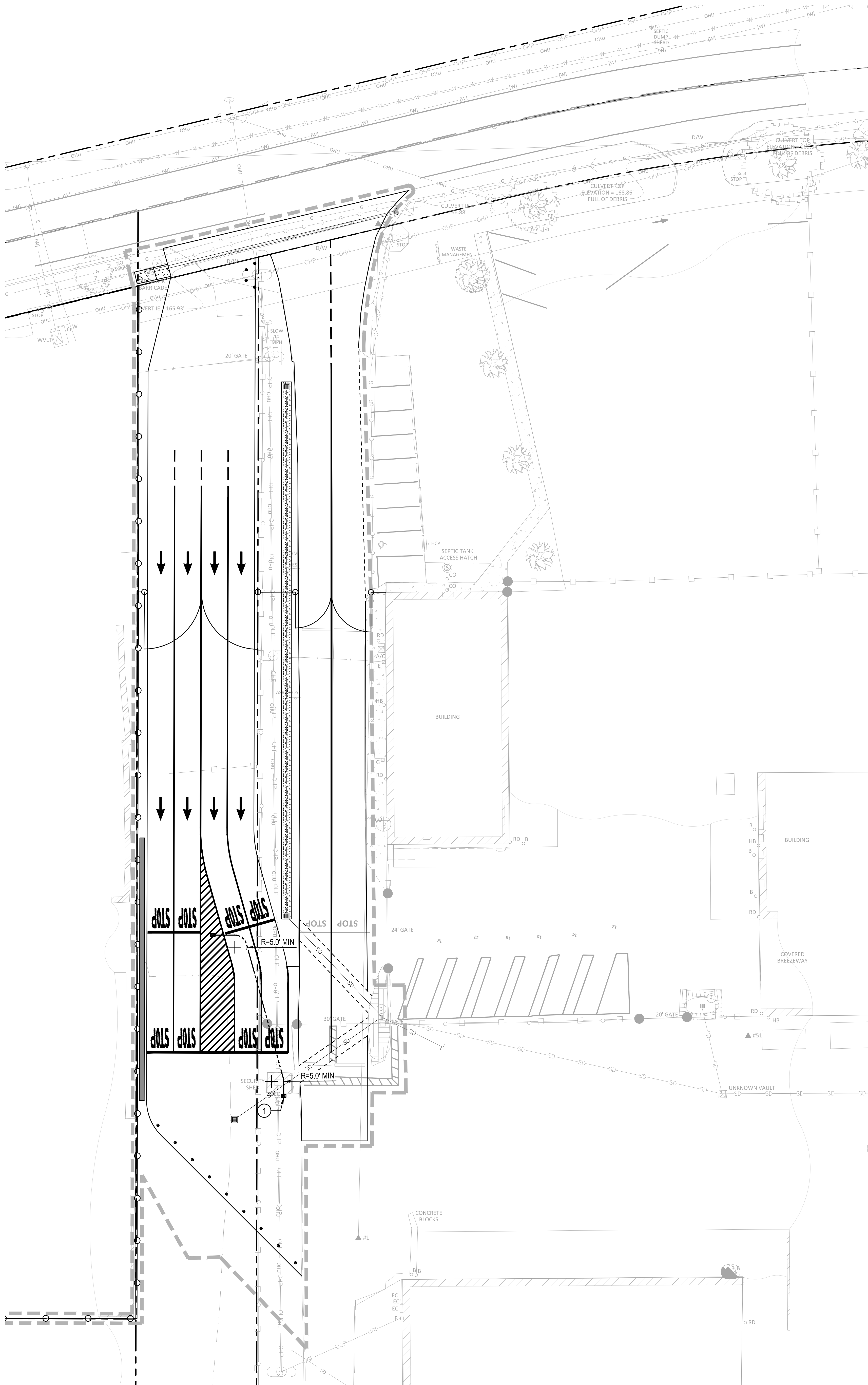
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GRADING & DRAINAGE PLAN

C3.00

PERMIT SET





NOTES

1. SEE SHEET C3.00 FOR STORM DRAINAGE IMPROVEMENTS.

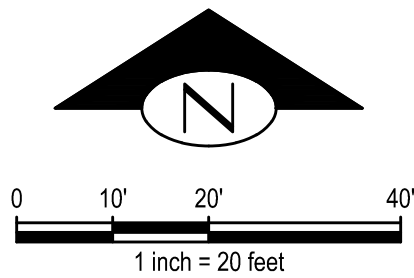
LEGEND

2 X 2-IN PVC CONDUIT (EMPTY)

CONCRETE 16" HANDHOLE WITH H-20 TRAFFIC RATED STEEL COVER, CHRISTY B1017 BOX OR APPROVED EQUIVALENT.

KEY NOTES

1. PULL CONDUIT FROM EXISTING SCALEHOUSE. FIELD VERIFY LOCATION AND CONTACT ENGINEER OF RECORD PRIOR TO UTILITY WORK.



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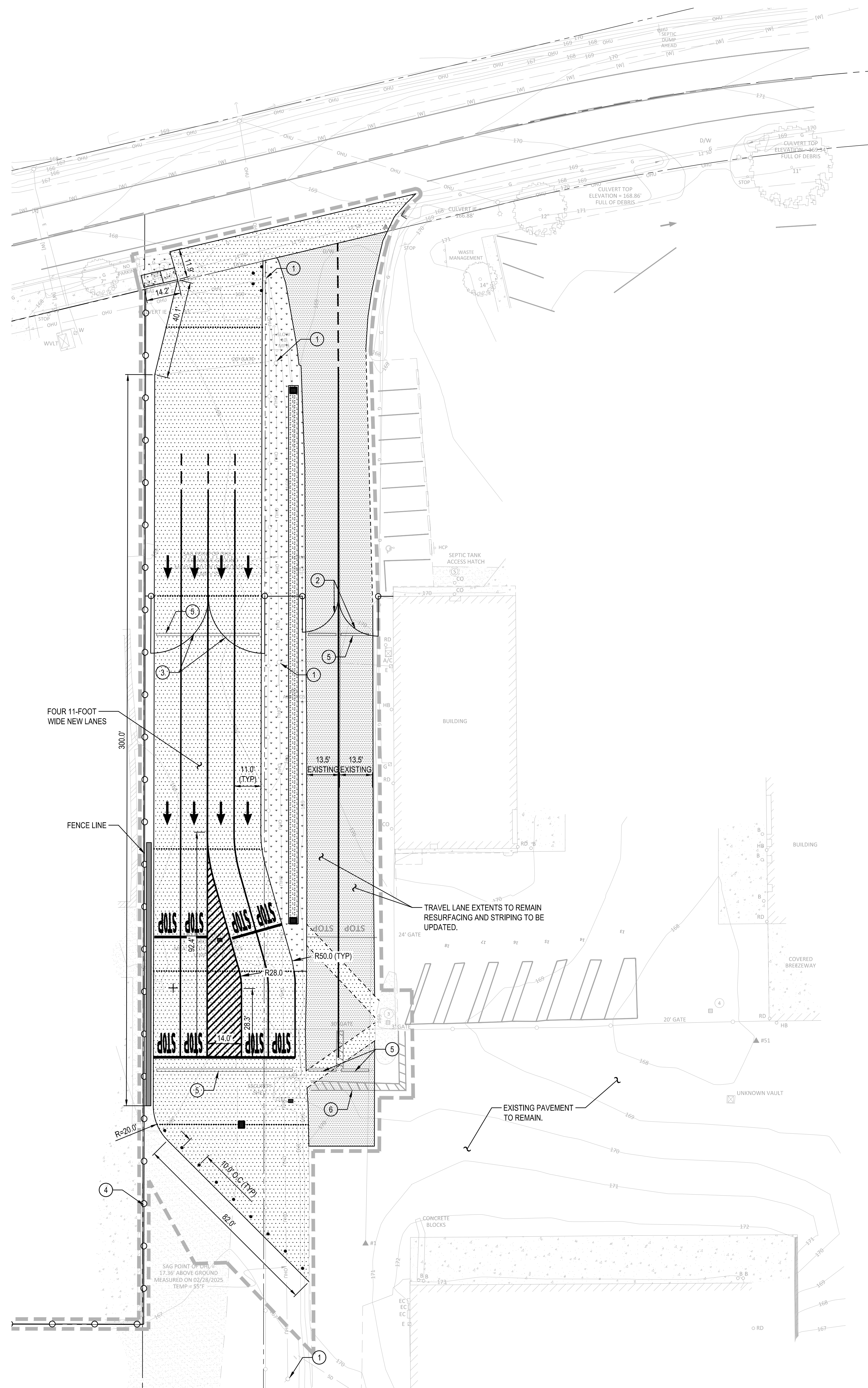
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UTILITY PLAN

C3.50

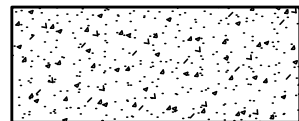
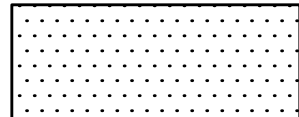
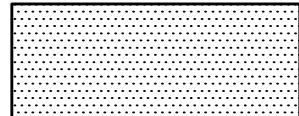
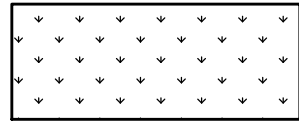
PERMIT SET



NOTES

1. COORDINATE PLANTING REQUIREMENTS WITH OWNER.
2. INSTALL STRIPING AS SHOWN ON PLANS.

LEGEND

- | | |
|---|---|
|  | APPROXIMATE LIMITS OF WORK |
|  | PAVEMENT MARKING. SEE NOTE 2. |
|  | SAWCUT LINE |
|  | FENCE LINE |
|  | NON-CRASH RATED BOLLARD |
|  | TYPE 3 CATCH BASIN PER OREGON
DEPARTMENT OF TRANSPORTATION
STANDARD PLAN RD 378 |
|  | CONCRETE PAVEMENT |
|  | VEHICULAR ASPHALT |
|  | ASPHALT GRIND & OVERLAY |
|  | LANDSCAPE. SEE NOTE 1 |
|  | GATE |
|  | 36-IN REMOVABLE SURFACE MOUNT
FLEXIBLE TRAFFIC DELINEATOR |
|  | 2' x 2' x 6' ECOLOGY BLOCK WALL |

KEY NOTES

- ① PROTECT POWER POLE IN PLACE
- ② 13.5-FT SWING GATE
- ③ 22-FT SWING GATE
- ④ FENCE LINE. SEE FENCE PLAN ON SHEET C4.10 FOR LOCATION AND DETAILS.
- ⑤ INSTALL SPEED BUMPS. REUSE SALVAGED SPEED BUMPS WHERE FEASIBLE.
- ⑥ REPLACE STRIPING IN-KIND



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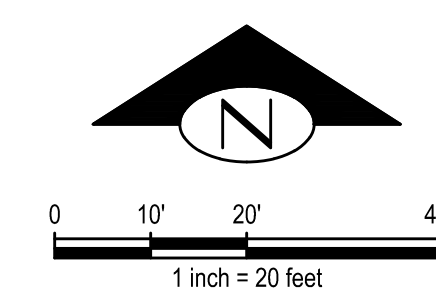
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PAVING PLAN

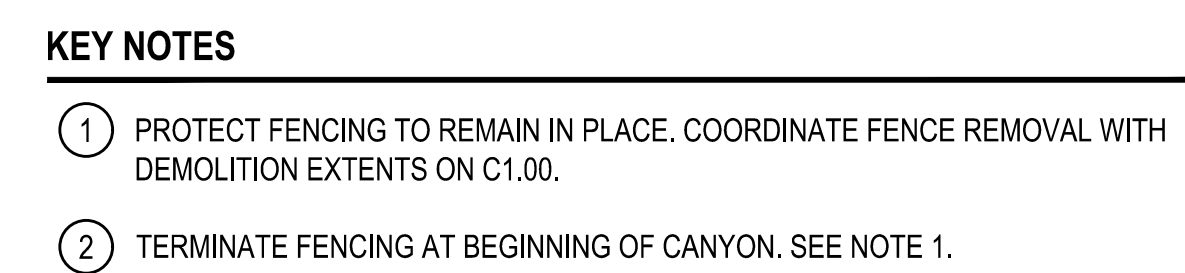
C4.00

PERMIT SET





1. CONFIRM LOCATION WITH OWNER PRIOR TO INSTALLATION.



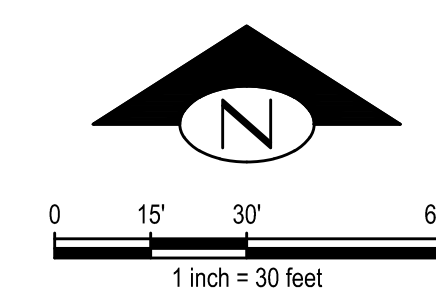
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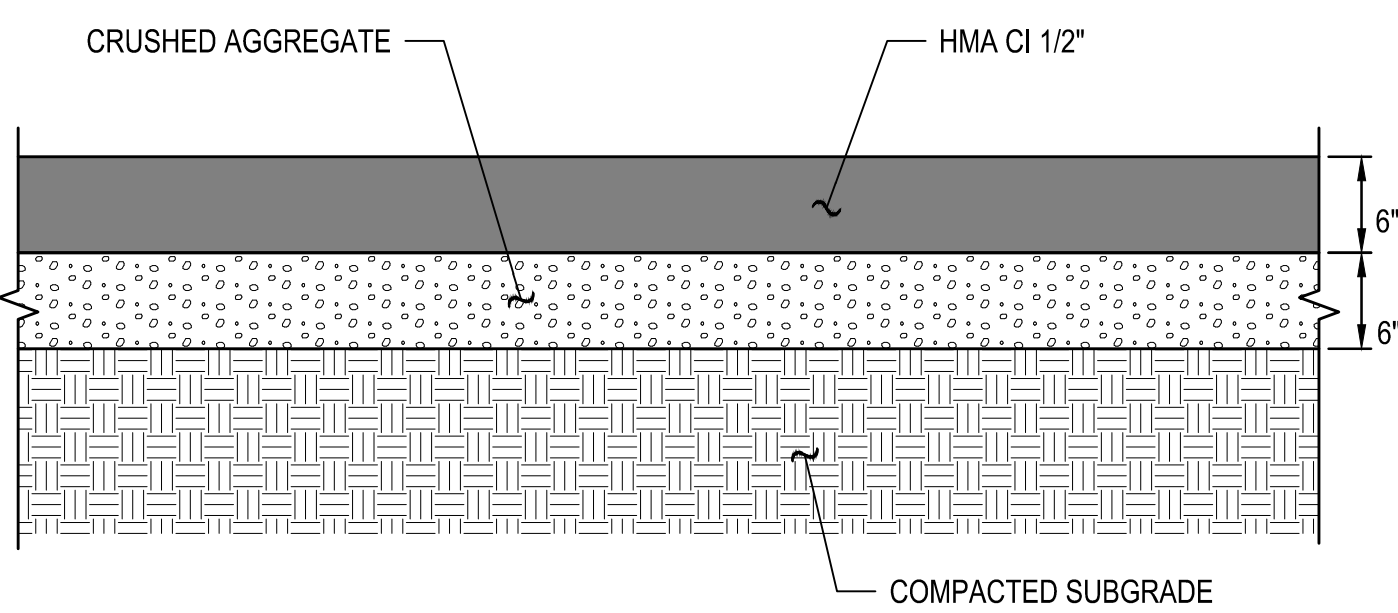
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C4.10

PERMIT SET

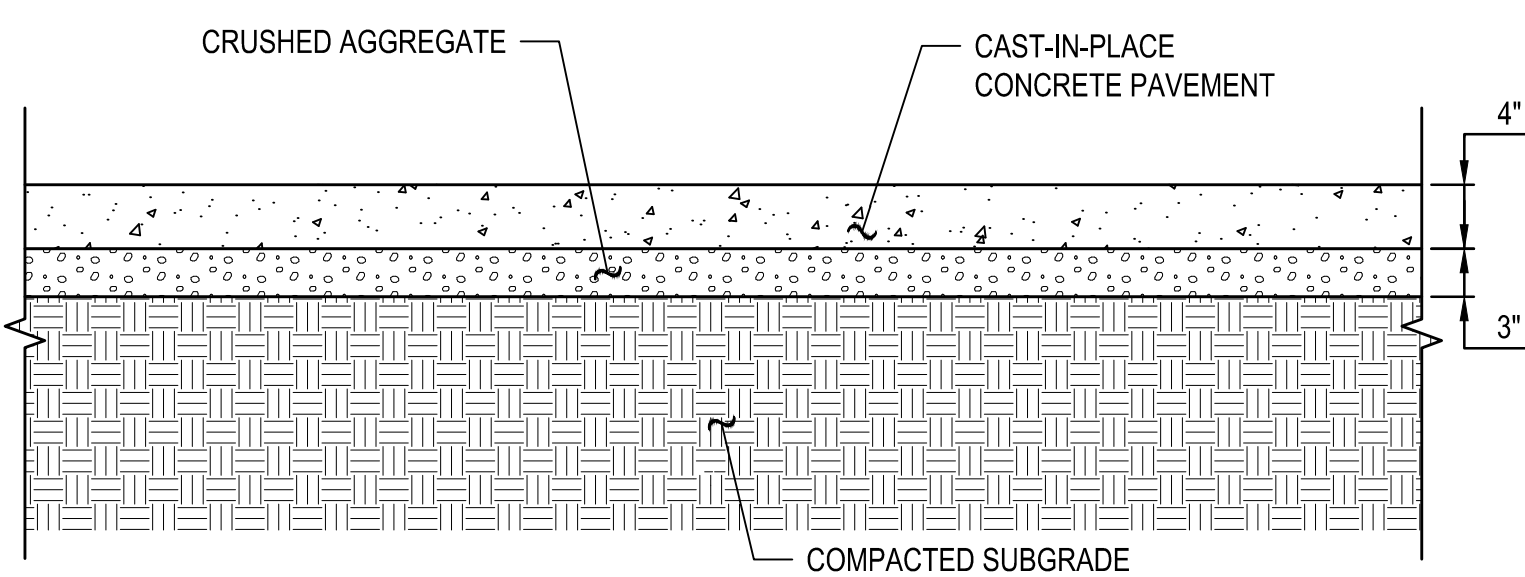




VEHICULAR ASPHALT

SCALE: 1" = 1'

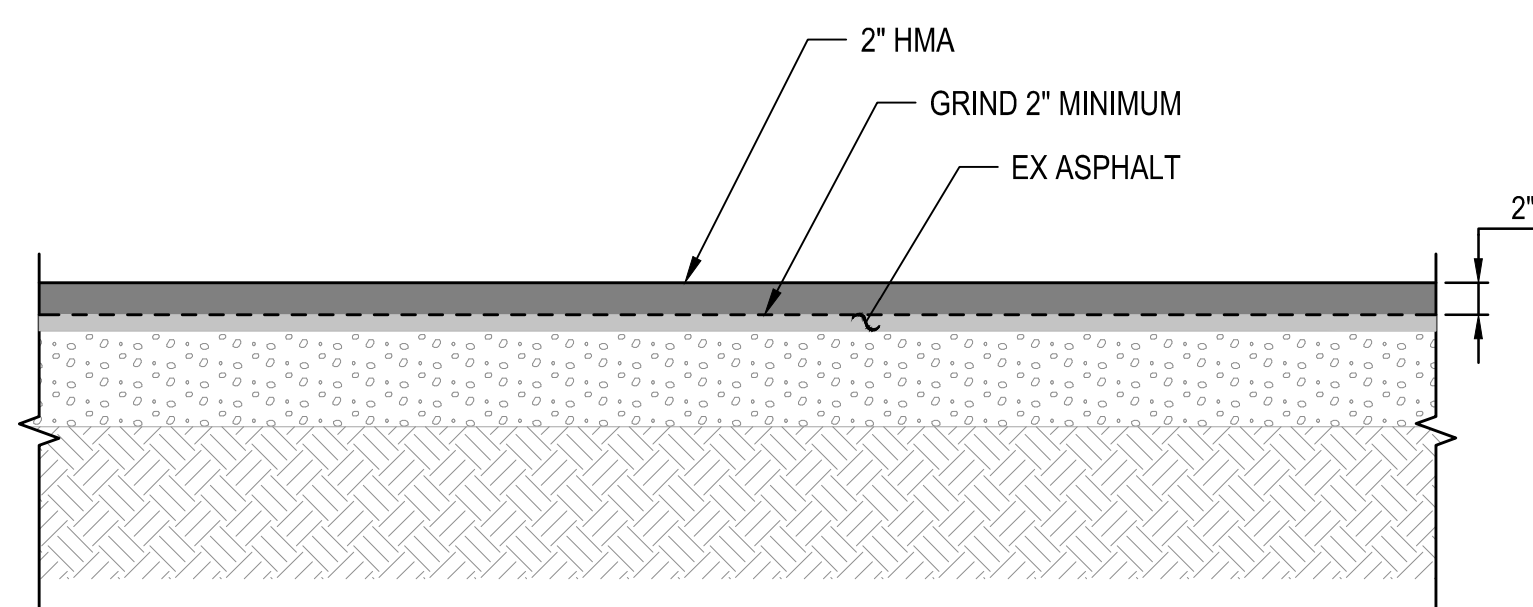
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C2.00



PEDESTRIAN CONCRETE PAVEMENT

NTS

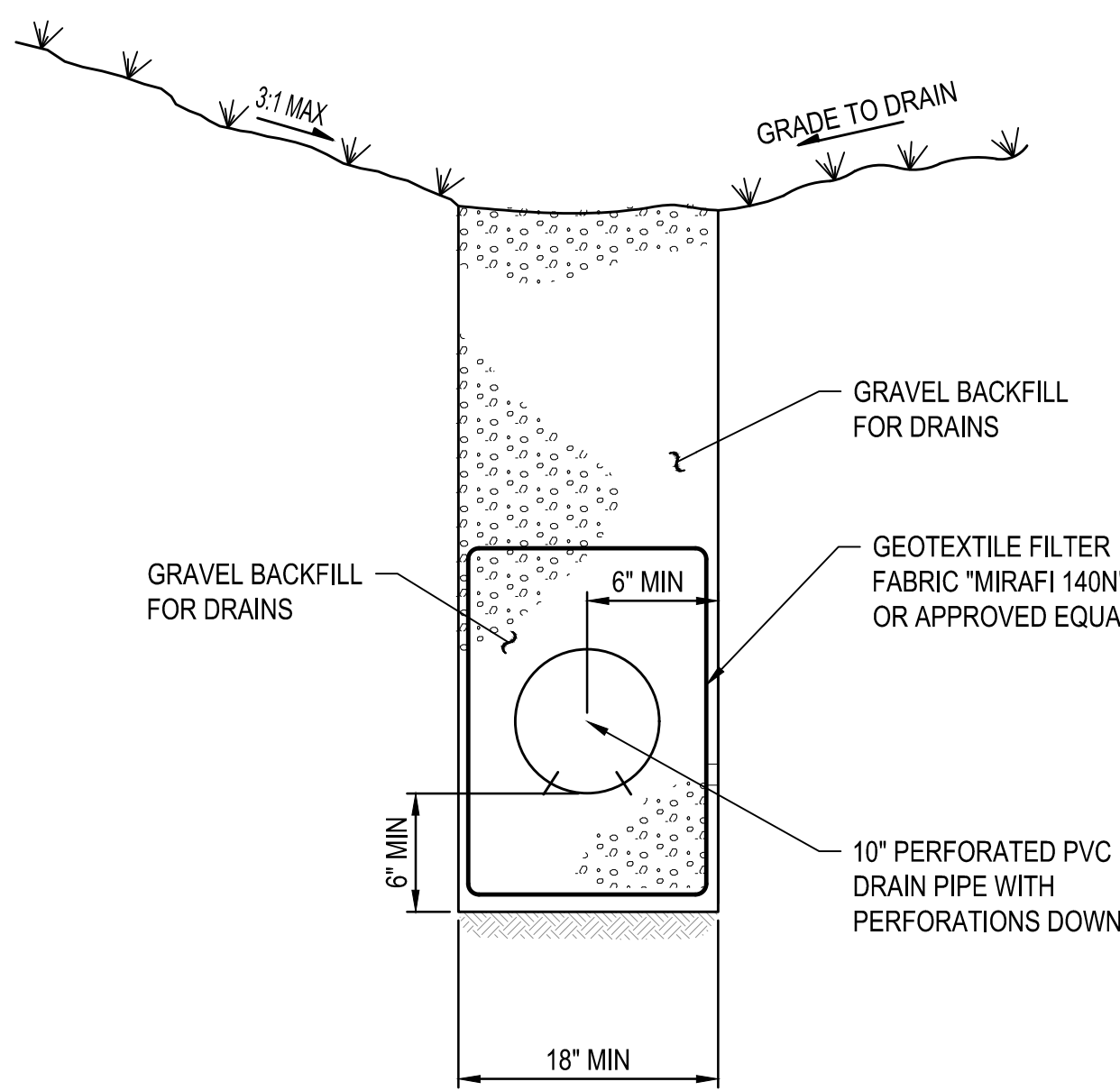
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C4.00



ASPHALT GRIND & OVERLAY

NTS

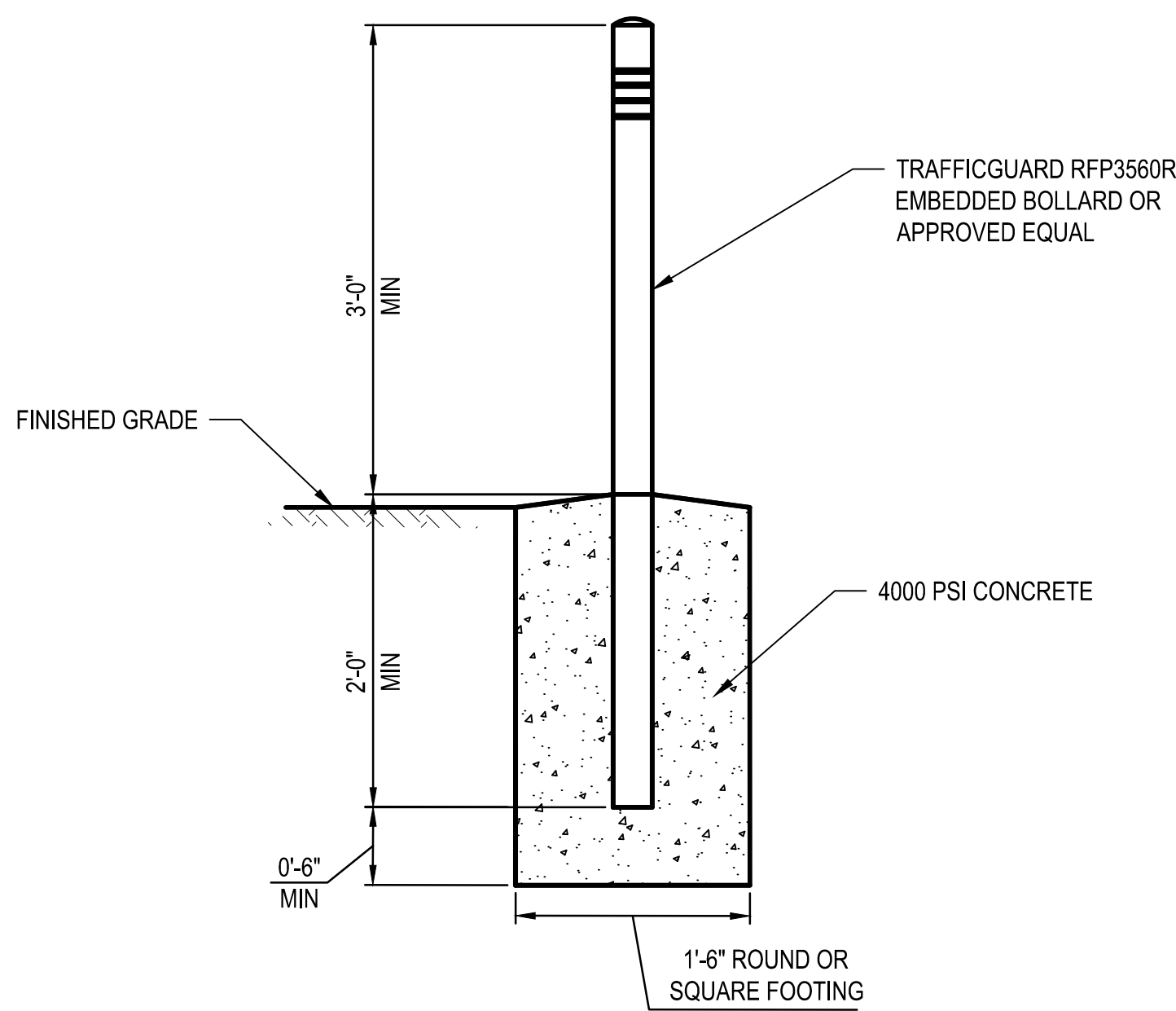
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C3.00



FRENCH DRAIN

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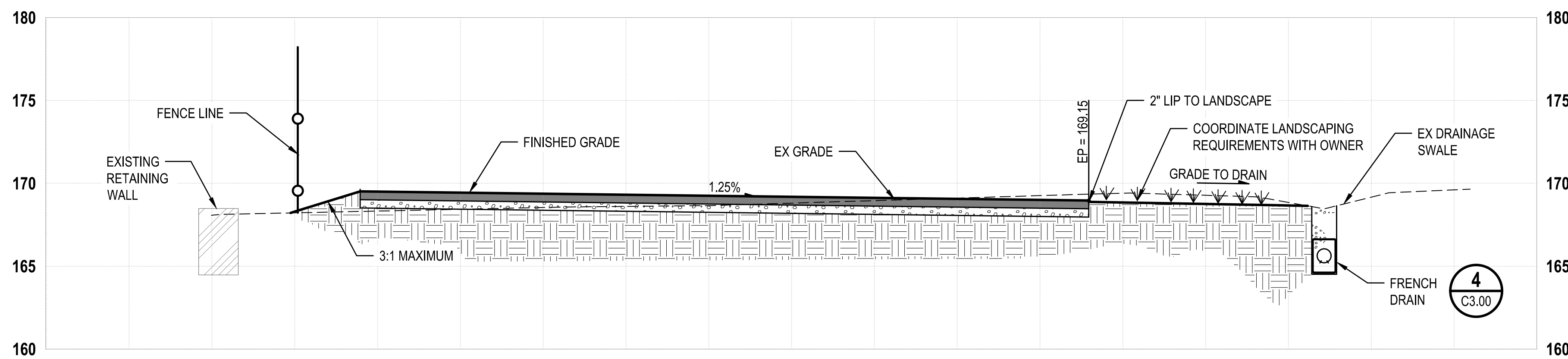
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NON-CRASH RATED BOLLARD

SCALE: 1" = 1'

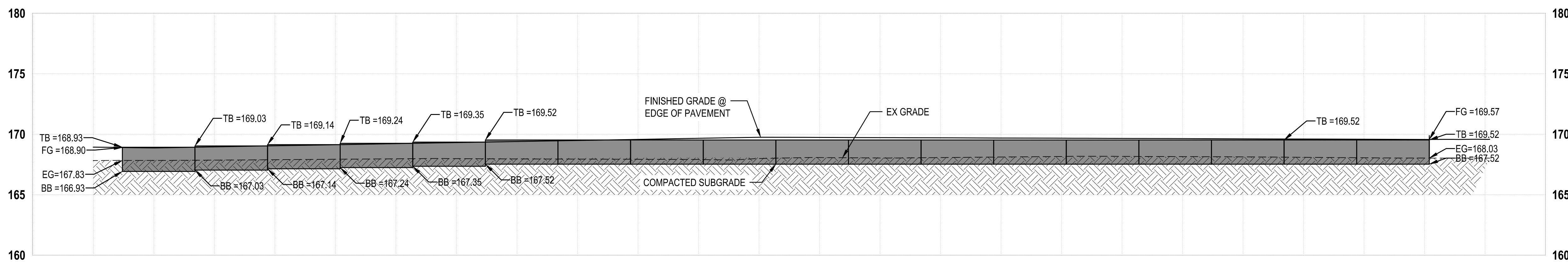
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C2.00



TYPICAL DRIVE LANE SECTION

SCALE: 1"=5' (H), 1"=5' (V)

A
C3.00



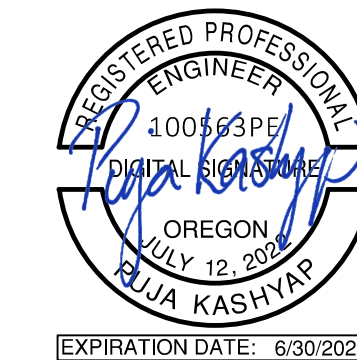
WALL SECTION

SCALE: 1"=5' (H), 1"=5' (V)

B
C3.00

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DETAILS

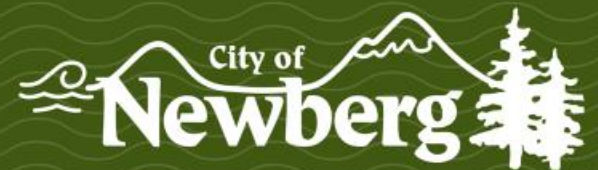
C5.00

PERMIT SET



Waste Transfer Station Queueing Lanes at 2904 NE Wynooski Rd Recommendation

City Council Public Hearing
July 20, 2026



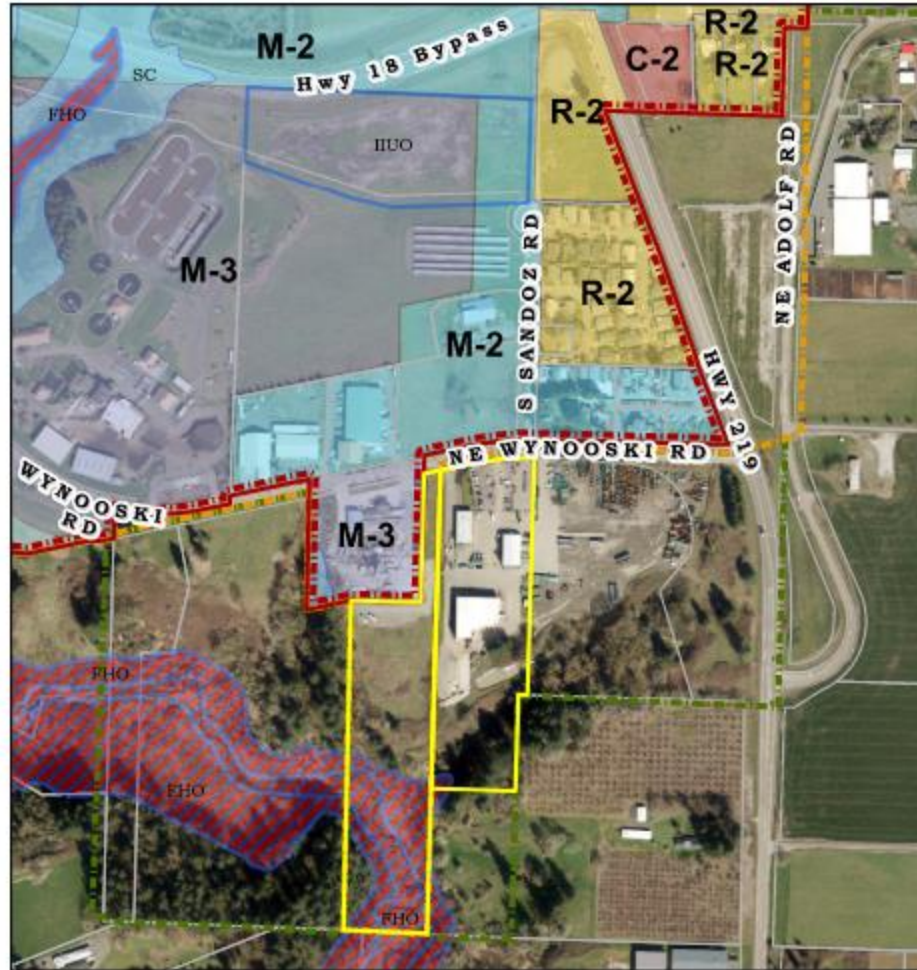
Staff Recommendation

- Adopt Resolution No. 2026-4037.

Background

- Known issues regarding queuing at existing transfer station at 2904 NE Wynooski Rd
- Proposed 4 new queuing lanes and existing lane reconfiguration with associated site improvements (i.e. stormwater)
- Newberg Urban Area Management Agreement requires the City to make a recommendation on “items having a substantial impact upon land use” under the jurisdiction of Yamhill County within Newberg’s Urban Reserve Area and Urban Growth Boundary
- Yamhill County will make the final decision.





Newberg Transfer Station New Lanes

Subject Properties

Taxlots

ZONING

C-2 Community Commercial

M-2 Light Industrial District

M-2/RD Light Industrial - Riverfront District

M-3 Heavy Industrial District

R-2 Medium Density Residential

Boundary

City Limit; Newberg

UGB

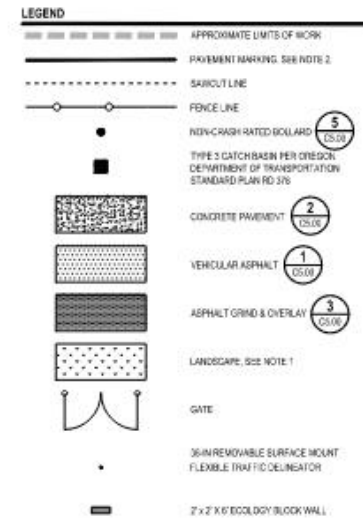
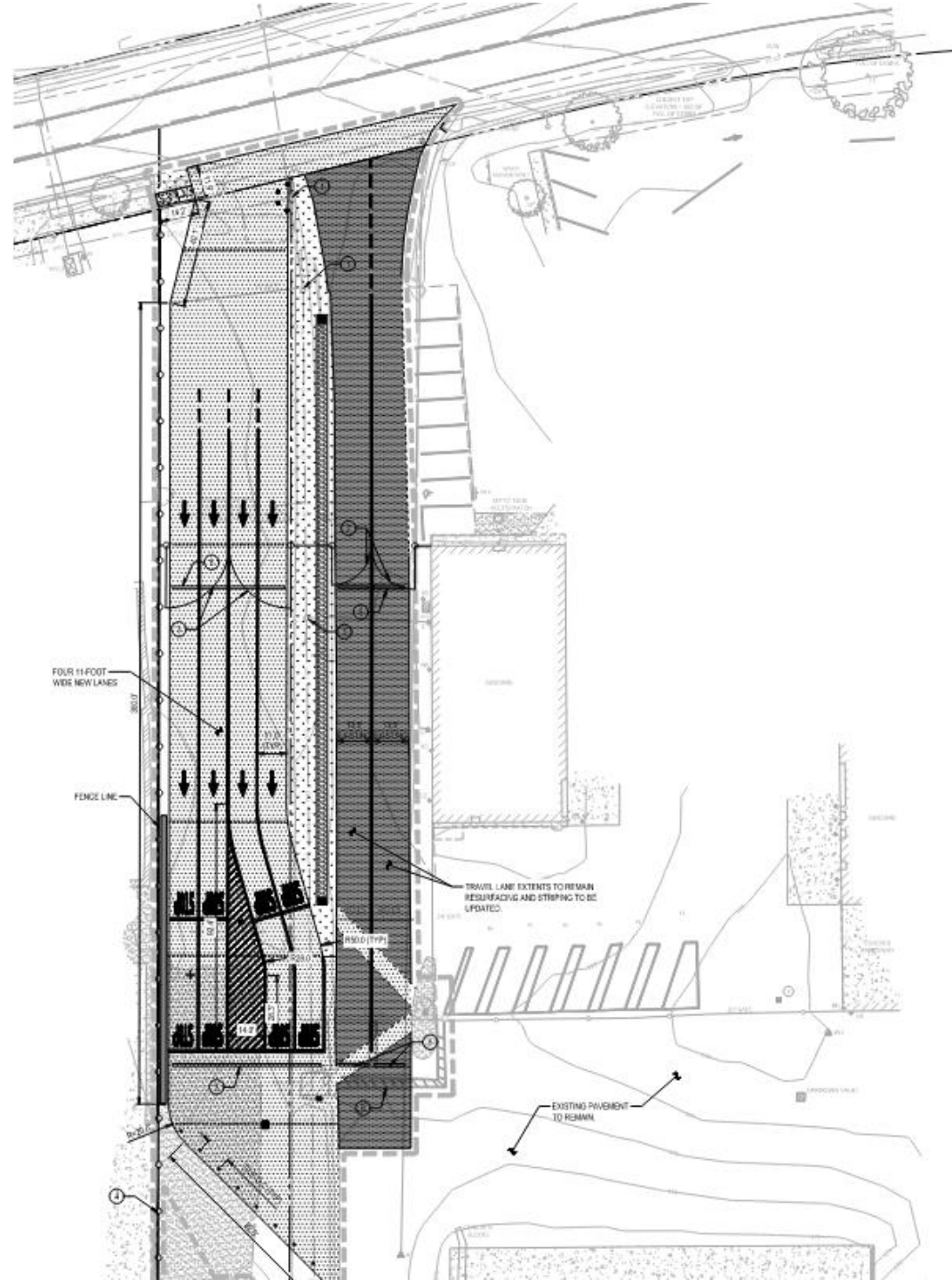
URA

Interim Industrial Use Overlay

Stream Corridor

Special Flood Hazard





- KEY NOTES**
- PROTECT POWER POLE IN PLACE
 - 13.5-FT SWING GATE
 - 22-FT SWING GATE
 - FENCE LINE: SEE FENCE PLAN ON SHEET CA-10 FOR LOCATION AND DETAILS
 - INSTALL SPEED BUMPS. REUSE SALVAGED SPEED BUMPS WHERE FEASIBLE
 - REPLACE STRIPING PAVING



**WASTE MANAGEMENT TRANSFER STATION
ENTRANCE RECONFIGURATION
NEWBERG, OREGON**

2904 WYNKOOSKI ST,
NEWBERG OR 97132

REVISIONS		
NO.	DATE	DESCRIPTION

DATE:	05/21/2025
JOB NUMBER:	25060257
DESIGNED BY:	EE
DRAWN BY:	DC
CHECKED BY:	PMC
APPROVED BY:	PK

PAVING PLAN

Criteria

Future Development Plan: The City Council shall recommend approval, recommend approval with conditions, or recommend against the future development plan in accordance with the following criteria:

- a) The current development shall not cause more than 10 percent of the property to be used for site improvements including buildings, parking areas, improved recreation areas, and storage areas, unless the City agrees the development intensity will not prohibit future urban development.*
- b) The future development plan shall allow for the efficient future urban development of the remainder of the property. It shall allow for construction of future urban streets and utilities, and shall allow for required setbacks to current and future property lines.*
- c) The plan is consistent with adopted plans and policies for the area, such as street or utility plans and policies in this agreement.*

Staff Recommendation

- Adopt Resolution No. 2026-4037
 - *This recommends that Yamhill County approve Waste Management's land use application for additional queueing lanes with conditions of approval requiring a sidewalk improvement and additional transportation mitigation measures.*

Thank you!

Questions?



July 13, 2026

Mr. Will Worthey
City Manager of Newberg
414 E. First Street
Newberg, Oregon 97132

Dear Will,

We appreciate the opportunity to attend the July 20 City Council meeting and provide an update on the actions taken since our annual report to the City on June 15.

Over the past 30 days, we have implemented several operational improvements designed to address safety concerns on Wynooski Road, reduce customer wait times, and improve the overall efficiency of the facility. These actions include:

1. **Establishing a new unloading area for smaller residential loads.**

We identified and developed a new dumping area at the south end of the property, behind the existing transfer station (pictured below). This area is designed to accommodate up to six pickup-sized loads at a time, helping reduce congestion in existing unloading areas. To support safe operations, new safety railings were installed and collection boxes were added to properly manage inbound material.

2. **Increasing outbound transportation capacity.**

Our third-party transportation partner has worked closely with us to provide additional transfer trailers, increasing our capacity to stage and move outbound material more efficiently. We have already received two additional trailers and expect three more within the next month. This added capacity will help improve material flow through the facility and reduce delays.

3. **Adding operational staffing resources.**

We have increased staffing levels to support daily operations and improve customer service. Additional personnel also provide flexibility to assist with on-site traffic direction during periods of higher volume, helping improve traffic flow and enhance safety for customers entering and exiting the facility.

These improvements reflect our commitment to being responsive to community concerns and working collaboratively with the City to address the impacts of increased customer volumes at the site. Our primary goals are to improve safety, reduce traffic-related impacts, enhance the customer

experience, and ensure the facility continues to operate efficiently for the benefit of Newberg residents.

We appreciate the feedback and constructive suggestions we have received from City staff, Council members, and the community. We remain committed to evaluating additional opportunities for improvement and welcome continued dialogue as we move forward.

We would also welcome the opportunity to return to City Council in the coming months to provide a follow-up report on the effectiveness of these measures and any additional improvements that have been implemented.



Sincerely,

Dave Huber, Sr. Manager Public Sector
Waste Management of Oregon Inc.

Cc: Jason Wille

REQUEST FOR COUNCIL ACTION



Date Action Requested: July 20, 2026

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐

No. 2026-4043

Subject: Library Internet Policy

Staff: Korie Buerkle
Department: Library

Business Session

Order On Agenda:

Hearing Type: Administrative

Is this item state mandated? Yes ☐ No ☒

If yes, please cite the state house bill or order that necessitated this action:

Recommendation: The Library Director recommends the City Council approve the updated Internet Policy as reviewed by Legal Counsel. The Library Advisory Board approved the policy before slight changes were made by Legal Counsel. The policy will go back to the Library Advisory Board in June, 2026.

Executive Summary:

- The library's Internet Policy has not been refreshed in seven years.
- Language has been updated to reflect current vernacular for the internet.
- The policy has been updated to reflect the library's Courtesy Policy, Tech Help Agreement, and to address other issues that may arise.

Fiscal Impact: No fiscal impact expected.

Council Goals:

This policy fits Council goals two and three.

- Goal 2: Enhance community safety.
- Goal 3: Create and maintain a high level of transparency with our residents in order to build trust.

REQUEST FOR COUNCIL ACTION

RESOLUTION NO. 2026-4043



A Resolution

Recitals:

1. The Newberg Public Library provides a space for the community to access the internet for research and general interest.
2. Before accessing the internet on library computers, library patrons must agree to the library's Internet Policy.
3. The refreshed Internet Policy brings the policy into alignment with the library's Courtesy Policy and provides needed updates.

The City of Newberg Resolves as Follows:

1. To approve the updated Library Internet Policy as seen in Exhibit A.

Effective Date of this resolution is the day after the adoption date, which is: July 8, 2026.

Adopted by the City Council of Newberg, Oregon, this 20 day of July, 2026.

Rachel Thomas, City Recorder

Attest by the Mayor this 20 day of July, 2026.

Bill Rosacker, Mayor



Internet Policy

Authority: Newberg City Council

Update history: Adopted March 1997, Revised November 2000, Reviewed and Affirmed August 2002, Revised by Library Board August 2019, Approved by City Council November 2019: Resolution No. 2019-3612, June 2026: Resolution 2026-4043

The Newberg Public Library makes information available in a variety of formats, from print to internet. The library does not monitor or have control over the information accessed through the internet and is not responsible for its content.

The library may place software or other automated devices (such as filters) on workstations placed in departments specifically devoted to serving youth. These devices, while designed to eliminate material of a sexual nature from appearing on screens, do not remove everything which some might find objectionable. Parents are responsible for monitoring and supervising their children's use of the internet.

The library strives to serve people of all ages at all levels of need and endorses the Library Bill of Rights and the Freedom to Read documents as they apply to the use of electronic information. The Newberg Public Library also endorses the American Library Association's document Access to Digital Resources and Services: An Interpretation of the Library Bill of Rights.

Inappropriate use of the internet may result in a cancellation of access for a period of time consistent with the severity of the inappropriate use, as decided by supervising staff. Examples of inappropriate use include, but are not limited to, the following:

- Harassment of other users
- Viewing sexually explicit sites
- Sexual conduct or sexualized behavior
- Libeling or slandering other users
- Violation of another user's privacy
- Destruction of or damage to equipment, software, or data belonging to the library or other users
- Disruption or unauthorized monitoring of electronic communications
- Unauthorized copying of copyright-protected material
- Unauthorized use of computer accounts, access codes, or network ID numbers assigned to others
- Use of sounds and visuals which might be disruptive or harmful to others
- Misrepresentation of age or identity

Internet use will be managed in a manner consistent with the library's Courtesy Policy as posted in the library. Illegal acts involving library computing resources may also be subject to prosecution by local, state or federal authorities.

The library's staff will assist patrons with internet use as time permits. Patrons may schedule a Tech Help appointment at the Information Desk for basic computer questions requiring more than fifteen minutes. For a general list of what library staff can and cannot help with please refer to the Tech Help Agreement Form.

REQUEST FOR COUNCIL ACTION



Date Action Requested: July 20, 2026

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐	
No. 2026-4039	
Subject: Resolution approving the IGA for Dundee Court to be processed by Newberg Court.	Staff: Kady Strode Department: Finance
Business Session	Order On Agenda:
Hearing Type: Administrative	

Is this item state mandated? Yes ☐ No ☒

If yes, please cite the state house bill or order that necessitated this action: N/A

Recommendation: Adopt Resolution 2026-4039.

Executive Summary: Newberg and Dundee are neighboring cities and currently Newberg provides contracted police services to Dundee. Over the last several years Newberg has invested in new technology and has upgraded many of their current systems such as the court system (now on Tyler Technologies Municipal Justice) as well as the police e-ticketing system (Tyler Technologies Brazos) which both systems integrate for optimal performance and time-saving capabilities.

Citations issued by NDPD within the boundaries of Dundee must be paid to Dundee court and citations issued within Newberg are paid to Newberg court.

Dundee City Manager Patterson and NDPD Chief Kosmicki both believe that better service would be provided to residents of both cities if they were cited to pay fines and appearances scheduled to one court vs. two separate courts. Since NDPD officers write tickets for both cities using the same e-ticketing software this transition to Newberg Court should be simple. The number of citations written to Dundee Court varies between 25-100 per month, which can easily be absorbed by current staff in Newberg Court.

Fiscal Impact: For the first year Dundee citation revenue is estimated to be approximately \$55,000 based on prior years. NDPD expects similar citations issued as previous years. Dundee and Newberg have agreed to a 70/30 split of the revenue with a flat rate remitted monthly to Dundee in the amount of \$3,200 (yearly total of \$38,400). All other citation revenue collected above this total will be retained by Newberg as an administrative fee. Based on prior years we expect Newberg's share to be approximately \$16,000-\$18,000.

Council Goals: This aligns with Council Goal 3 Enhance Community Safety to help enhance public safety of NDPD and Newberg Court.

REQUEST FOR COUNCIL ACTION

RESOLUTION NO. 2026-4039



A Resolution approving the IGA for Dundee Court to be processed by Newberg Court.

Recitals:

1. Newberg and Dundee currently both have their own respective courts. Dundee contracts with NDPD for police services.
2. City of Dundee and City of Newberg have agreed to a 70/30 split of citation revenues based on prior citation revenue. Newberg will remit \$3,200 monthly to Dundee and will retain any additional citation revenue as an administrative fee.
3. All citations issued by NDPD will be paid through Newberg Court.

The City of Newberg Resolves as Follows:

1. City of Newberg adopts the IGA with the City of Dundee for Newberg Court to process Dundee Court (Exhibit A).

Effective Date of this resolution is the day after the adoption date, which is: July 21, 2026.

Adopted by the City Council of Newberg, Oregon, this 20th day of July, 2026.

Rachel Thomas, City Recorder

Attest by the Mayor this _____ day of _____, 2026.

Bill Rosacker, Mayor

Exhibit A
Resolution 2026-4039

**INTERGOVERNMENTAL AGREEMENT
FOR MUNICIPAL COURT SERVICES**

BETWEEN THE CITY OF DUNDEE AND THE CITY OF NEWBERG

THIS INTERGOVERNMENTAL AGREEMENT FOR MUNICIPAL COURT SERVICES (this “Agreement”) is effective as of July 1st , 2026 (the “Effective Date”), by and between the following municipalities.

City of Dundee
PO Box 220
Dundee, OR 97115
(503) 538-3922

City of Newberg
PO Box 970
Newberg, OR 97132
(503) 538-9421

City of Dundee is hereinafter referred to as “Dundee.”
City of Newberg is hereinafter referred to as “Newberg.”

RECITALS:

1. Dundee currently operates a municipal court under the provision of ORS 221.339.
2. The Parties have an existing, independent contract where the Newberg-Dundee Police Department provides full law enforcement within Dundee’s geographic boundaries.
3. The Parties desire to achieve administrative efficiency and Dundee is desirous of using the Newberg Municipal Court for traffic violations within the boundaries of Dundee.
4. Newberg has agreed to render such services on the terms and conditions hereinafter set forth.
5. Such contracts are authorized and provided for by the provisions of ORS 190.010 and ORS 221.355.
6. The Mayor and City Manager of Newberg will execute the agreement on behalf of Newberg pursuant to their delegated authority in Resolution No. 2026-4039, which is attached as Attachment “A.”
7. The Mayor and City Administrator of Dundee will execute the agreement on behalf of Dundee pursuant to their delegated authority in Resolution No. 2026-12 which is attached as Attachment “B.”

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, it is mutually agreed as follows:

1. **Term:** The term of this agreement and subsequent renewals for additional terms is as follows:

Exhibit A
Resolution 2026-4039

- a. Present Term – The term of this agreement shall run from the Effective Date until June 30, 2031 (the “Term”).
- b. Renewal – The terms and conditions of this agreement shall automatically renew for subsequent five (5) year terms unless either party notifies the other party of their intent not to renew or desire to renegotiate the agreement.
- c. Notice of Intent – A notice of intent not to renew or desire to renegotiate must be delivered to the other party at least six (6) months prior to the expiration of the Term.

2. **Proceeds:**

- a. The parties intend to compensate Newberg for operating costs to collect charges and administer Dundee’s court. For administrative simplicity the “Compensation” will be estimated by the following formula:
$$(\text{Dundee estimated fee revenue} \times 70\%) / 12 = \text{Dundee Remittance}$$

All proceeds above that amount shall be retained by Newberg as the Compensation.
- b. For the first year, Dundee fee revenue is estimated at \$55,000. Therefore, Newberg shall remit to Dundee \$3,200 each month. Above that amount, Newberg shall retain Dundee’s portion of revenue from fines, fees, forfeitures, and other monies imposed by the municipal court. The retained portion shall constitute the Compensation. After June 30, 2027, the Compensation will be adjusted as described in Section 2(c).
- c. The Remittance will increase on July 1st of each fiscal year, running from July 1 to June 30, during the Term by an amount equal to the product of (i) estimated revenue in the following fiscal year (ii) seventy percent (70%). The Parties will mutually agree on estimated revenue based on actual revenue collected in the previous fiscal year. Newberg shall produce reports that clearly show actual Dundee revenue collected year to date. The Dundee City Administrator and Newberg Finance Director or designee are delegated authority to negotiate the estimated revenue.

3. **Municipal Court Services:** Newberg shall provide municipal court administration for Dundee. These services include:

- a. The Newberg Municipal Court judge will preside over all Dundee violations except Dundee ordinance violations. In accordance with Newberg Charter Section 36, the Newberg City Council shall appoint the Municipal Judge.
- b. Newberg court staff will manage the active docket, handle public records requests, track compliance, and process fine payments for Dundee cases. Newberg will be

Exhibit A
Resolution 2026-4039

responsible for the provision of adequate staffing for all services to be provided herein. Should Newberg feel the need to reduce or increase staffing levels, Dundee will be notified of the change, and an appropriate adjustment will be made to the annual fee through negotiation between the Parties.

- c. Newberg will provide facilities, technology, security, citations, and all other logistics necessary to administer municipal court.
- d. Dundee will adjudicate Dundee ordinance violations.
8. **Indemnification:** Subject to the limits of the Oregon Constitution and the Oregon Tort Claims Act or successor statute, Newberg agrees to indemnify, save harmless and defend Dundee, its officers, elected officials, agents and employees from and against all costs, losses, damages, claims or actions, and all expenses incidental to the investigation and defense thereof, arising out of or based upon damages or injuries to persons or property resulting from the performance of the law enforcement services by Newberg or its officers, employees, or agents or anyone over which Newberg controls.
- Subject to the limits of the Oregon Constitution and the Oregon Tort Claims Act or successor statute, Dundee agrees to indemnify, save harmless and defend Newberg, its officers, elected officials, agents and employees from and against all costs, losses, damages, claims or actions and all expenses incidental to the investigation and defense thereof arising out of or based upon injuries to persons or property caused by the negligent or willful acts of Dundee or its officers, elected officials, employees, agents, or anyone over which Dundee controls.
9. **Dundee Case Disputes & Litigation Costs:** If any legal action, lawsuit, writ of review, appeal, constitutional challenge, or formal dispute arises out of or relates to a Dundee case, Dundee shall be solely responsible for all costs to defend the action. This responsibility includes, but is not limited to, Newberg's attorney fees, court costs, expert witness fees, and any damages or settlements awarded, except to the extent that such dispute is caused by the sole negligence or willful misconduct of Newberg court personnel. Newberg shall have discretion to use the Newberg or Dundee City Attorney.
10. **Termination for Cause:** Either party may terminate this agreement for cause after giving a ninety (90) day, written notice to the other party and stating the reason for termination. If the party receiving the notice of termination corrects the matter within the ninety (90) days, the agreement shall continue. The parties agree to meet and discuss any cause for termination prior to giving notice of termination pursuant to this paragraph.
11. **Notices:** Any notice required to be given by the terms and conditions of this agreement shall be given to the other party either by personal service or registered mail, returned receipt requested to the following persons at the listed address:

City of Newberg	City of Dundee
City Manager Will Worthey and Finance Director Kady Strode or their successors	City Administrator Courtney Patterson or successor

Exhibit A
Resolution 2026-4039

PO Box 970	PO Box 220
Newberg, OR 97132	Dundee, OR 97115

12. **Miscellaneous:** Any amendments or modifications hereto shall be made in writing as approved and signed by Newberg and Dundee.
13. **Entire Agreement:** This Agreement represents the entire and integrated agreement between Newberg and Dundee and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended or modified only by a written amendment signed by Newberg and Dundee.
14. **Counterparts:** This Agreement may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. Signatures transmitted electronically, whether sent via facsimile or as attached files (e.g., .pdf), will be acceptable to bind Newberg and Dundee, respectively, and will not in any way affect the validity of this Agreement. Newberg and Dundee intend to confirm any electronically transmitted signatures by exchanging ink-signed originals, but the failure to do so does not affect this Agreement's validity in any way.

IN WITNESS WHEREOF, this instrument has been executed in duplicate pursuant to resolutions heretofore duly and legally adopted by each of the parties hereto.

CITY OF NEWBERG

CITY OF DUNDEE

Bill Rosacker, Mayor

Date

David

Ford, Mayor

Date

ATTEST:

Exhibit A
Resolution 2026-4039

Will Worthey

Date

Courtn
ey Patterson
Date

City Manager
Approved by Resolution No.4039

City Administrator
Approved by Resolution No. 2026-12

APPROVED AS TO FORM & CONTENT:

Ashley Wigod

Date

Dundee City Attorney