CITY OF Albany OREGON

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Albany, OR 97321-0144
www.cityofalbany.net

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October 26, 2016

James Clark
BPA TERR-Chemewa 2715 Tepper Lane NE
Salem, OR 97303

Mr. Clark:

PROPERTY LINE ADJUSTMENT FOR PROPERTIES LOCATED AT 1999 AND 2101 QUEEN AVENUE SW, LINN COUNTY ASSESSOR'S MAP 11S-04W-13BA, TAX LOT 600; AND 11S-04W-13B, TAX LOT 700 (PLANNING FILE LA-02-16)

City staff has received your request for a property line adjustment affecting the properties addressed above, and evaluated it against the applicable decision making criteria, provided below.

11.120 <u>Review Criteria</u>. The Director will approve, approve with conditions, or deny the request for a property line adjustment based on the following criteria:

1) **The property line adjustment does not create a new lot or a land-locked parcel.**
2) **The adjusted properties are not reduced below the minimum dimensions of the zoning district and do not otherwise violate standards of this Code, or the adopted building codes.**
3) **The adjusted properties are in compliance with any adopted transportation, public facilities, or neighborhood plan.**
4) **The adjusted properties comply with any previous requirements or conditions imposed by a review body.**

Consistent with ADC 11.120(1), the proposed property line adjustment would not create a new lot or a landlocked parcel.

The subject properties consist of two large parcels; one is a parcel developed as an electrical substation owned by the Bonneville Power Administration, Property A. The other is an undeveloped parcel owned by the City of Albany for park land, Property B.

All property that is involved in this Property Line Adjustment request is zoned Low Density Residential (RS-6.5). When reconfigured, Property A (Tax Lot 600) will have 126,725 square feet (2.91 acres) and Property B (Tax Lot 700) will have 769,565 square feet (17.67 acres).

Given the above, both of the resultant parcels will far exceed the minimum lot sizes in the zone, and would otherwise be consistent with standards in the ADC or adopted Building Codes, per ADC 11.120(2).

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City utility maps show a ten-inch public water main in Queen Avenue along the frontage of Property A. While no public water main exists along the Queen Avenue frontage of Property B, the parcel has access to public water facilities near its southeast and southwest corners.

City utility maps show a 12-inch public sanitary sewer main along the Queen Avenue frontage and east boundary of Property A. An eight-inch public sewer main runs along the north boundary of Property A. Property B has access to the public sewer system near its southeast corner.

City utility maps show public storm drainage facilities along the full frontage of both subject parcels in Queen Avenue. The storm drain lines range from 21-inch to 36-inch in diameter.

Public sanitary sewer, water, and storm drainage facilities will be available for each of the resultant parcels.

As described above, the property line adjustment to adjust the property lines of two lots to a more conforming location as proposed would not impact the properties compliance with any adopted transportation, public facilities, or neighborhood plans, in conformance with ADC 11.120(3).

City staff is unaware of any unsatisfied conditions or requirements from previous land use approvals.

Given the above analysis, the proposed property line adjustment complies with all applicable review criteria. The legal requirements that relate to property line adjustments are listed below.

1. The property line adjustment shall occur in substantial conformance to the plans submitted for review. **The Planning Division must approve any changes to the approved plan prior to those changes taking affect.**

2. In all cases, the adjusted property line created by the relocation of the common boundary between tax lots shall be surveyed and documented in accordance with Oregon Revised Statute (ORS), subsection 92.060(3). The map of the survey shall be prepared for recording to comply with ORS 209.250.

3. Conveyance of the property must be executed by deed. The applicants shall cause a deed to be prepared by a title company or an attorney. A legal description shall be prepared for the reconfigured property and for the land being conveyed. The deed shall contain the names of the parties, legal description of the land, references to original recorded documents, and signatures of all parties with proper acknowledgment.

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4. In order to convey (transfer) the property, the deed with the legal description must be recorded with the Linn County Recorder and Surveyor (ADC 11.140). **Prior to recording**, all of the documents shall be reviewed and approved by the City of Albany, Community Development Division. (For City review deeds do not need signatures.)

5. When the legal documents are recorded, that portion being removed from one tax lot must be consolidated with the other. Consolidation is done by the Linn County Tax Assessor. Before the county tax assessor's office can approve a consolidation, the applicants must present evidence to it that the following are met:

   a) The ownership interest must be exactly the same on each parcel involved (i.e., one cannot be contract purchaser on one parcel and deed holder of the other).
   b) Taxes must be paid in full; no taxes can be owed on the parcels involved.
   c) A tax lot under a mortgage **will not** be combined with a tax lot that is not covered by a mortgage, unless approved by the mortgage holder.

Contact the Linn County Assessor's office for additional information or assistance with the consolidation.

6. Prior to issuance of any building permits on the properties covered by this application, the applicants must return a copy of the recorded deed to the Planning Division.

7. This proposal must be initiated within three years of the date of this letter of approval, or the approval will expire.

Sincerely,

Robert Richardson

Bob Richardson, Planning Manager

ML:eo
Enclosure (Tentative Plat map)
c: James Clark (Bonneville Power Admin.)
Parks and Recreation Department (Ed Hodney)
Building Division (Gary Stutzman)
Finance Department (Denise Valentino)
Linn County Surveyor's Office
Linn County Assessor
File: LA-02-16

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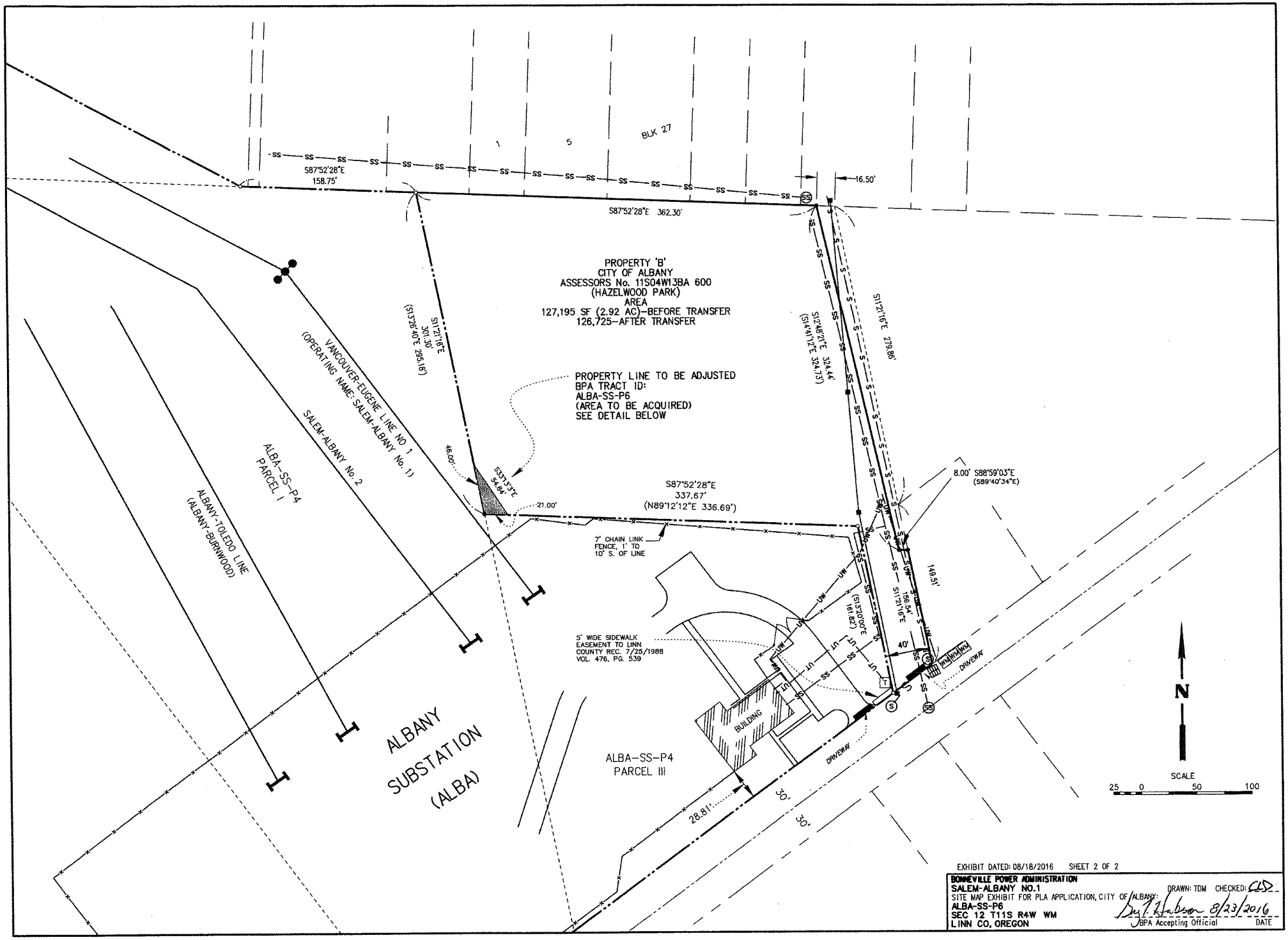
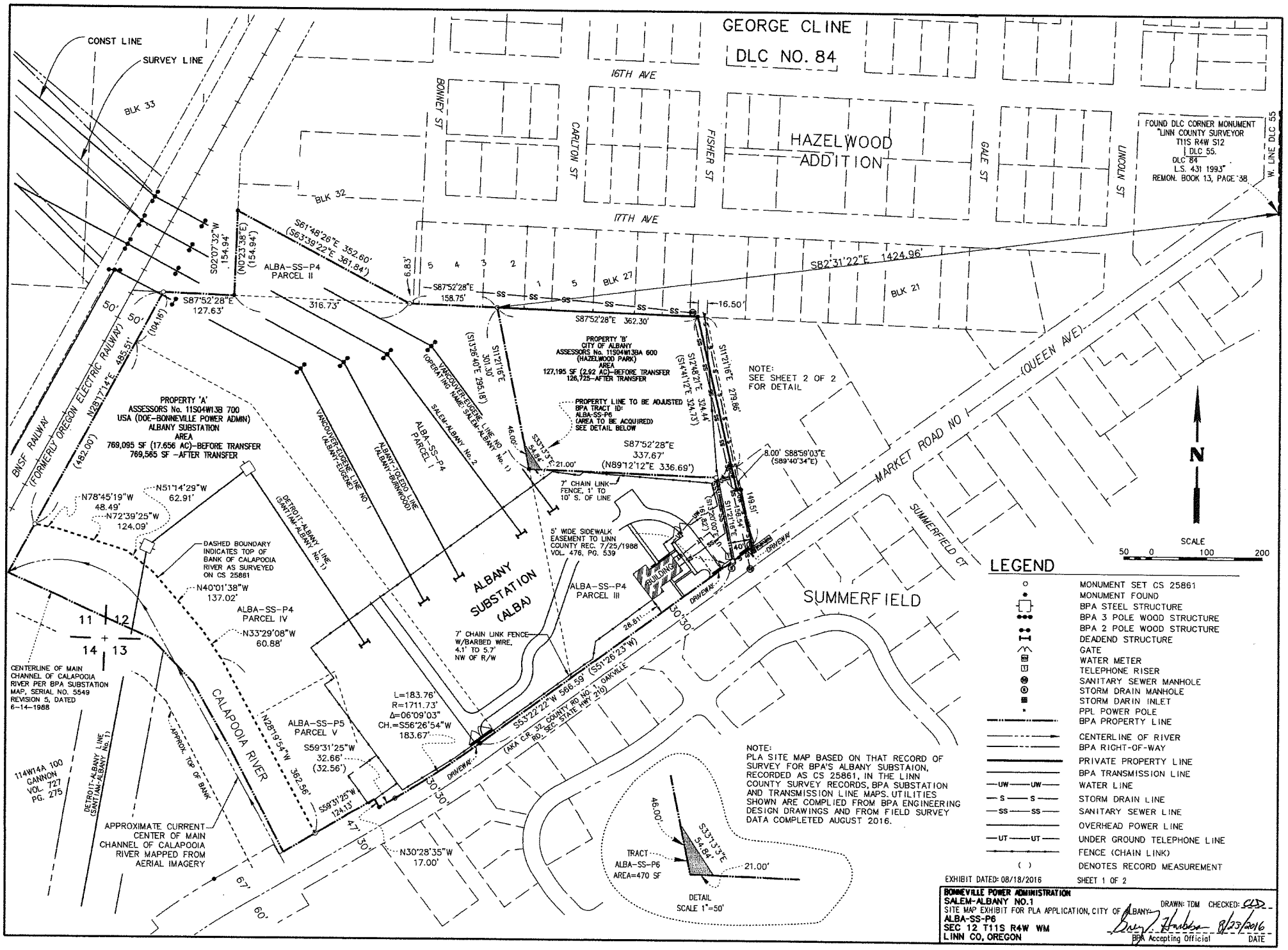


EXHIBIT DATED: 08/18/2016 SHEET 2 OF 2

BONNEVILLE POWER ADMINISTRATION
SALEM-ALBANY NO.1
SITE MAP EXHIBIT FOR PLA APPLICATION, CITY OF ALBANY
ALBA-SS-P6
SEC 12 T11S R4W WM
LINN CO, OREGON

DRAWN: TDM CHECKED: CLD

BPA Accepting Official DATE 8/23/2016


GEORGE CLINE
DLC NO. 84
HAZELWOOD ADDITION
16TH AVE
17TH AVE
BONNEY ST
CARLTON ST
FISHER ST
GALE ST
LINCOLN ST
FOUND DLC CORNER MONUMENT "LINN COUNTY SURVEYOR T11S R4W S12 | DLC 55. DLC 84 L.S. 431 1993" REMON. BOOK 13, PAGE 38
W. LINE DLC 55
CONST LINE
SURVEY LINE
BLK 33
BLK 32
BLK 27
BLK 21
S82°31'22"E 1424.96'
S61°48'26"E 352.60' (S63°39'22"E 361.84')
S02°07'32"W 154.94'
(N0°23'38"E) (154.94')
ALBA-SS-P4 PARCEL II
S87°52'28"E 158.75'
S87°52'28"E 362.30'
S87°52'28"E 127.63'
316.73'
16.50'
PROPERTY 'B' CITY OF ALBANY ASSESSORS No. 11S04W13BA 600 (HAZELWOOD PARK) AREA 127,195 SF (2.92 AC)-BEFORE TRANSFER 126,725-AFTER TRANSFER
PROPERTY LINE TO BE ADJUSTED BPA TRACT ID: ALBA-SS-P6 (AREA TO BE ACQUIRED) SEE DETAIL BELOW
NOTE: SEE SHEET 2 OF 2 FOR DETAIL
S11°21'16"E 279.86'
S11°21'16"E 301.30' (S13°26'40"E 295.18')
S17°48'21"E (S14°44'12"E 324.73') 324.44'
S87°52'28"E 337.67' (N89°12'12"E 336.69')
8.00' S88°59'03"E (S89°40'34"E)
7' CHAIN LINK FENCE, 1' TO 10' S. OF LINE
5' WIDE SIDEWALK EASEMENT TO LINN COUNTY REC. 7/25/1988 VOL. 476, PG. 539
149.51'
(S11°20'00"E 149.82')
BUILDING
DRIVEWAY
PROPERTY 'A' ASSESSORS No. 11S04W13B 700 USA (DOE-BONNEVILLE POWER ADMIN) ALBANY SUBSTATION AREA 769,095 SF (17.656 AC)-BEFORE TRANSFER 769,565 SF -AFTER TRANSFER
BNSF RAILWAY (FORMERLY OREGON ELECTRIC RAILWAY)
N28°17'14"E 485.51' (482.00')
(104.16')
50'
N78°45'19"W 48.49'
N72°39'25"W 124.09'
N51°14'29"W 62.91'
N40°01'38"W 137.02'
N33°29'08"W 60.88'
DASHED BOUNDARY INDICATES TOP OF BANK OF CALAPOOIA RIVER AS SURVEYED ON CS 25861
ALBA-SS-P4 PARCEL IV
VANCOUVER-EUGENE LINE NO 1 (ALBANY-EUGENE)
ALBANY-TOLEDO LINE (ALBANY-BURNWOOD)
ALBA-SS-P4 PARCEL I
VANCOUVER-EUGENE LINE NO 1 (OPERATING NAME: SALEM-ALBANY No. 2)
SALEM-ALBANY No. 1
DETROIT-ALBANY LINE (SANTIAM-ALBANY No. 1)
ALBANY SUBSTATION (ALBA)
ALBA-SS-P4 PARCEL III
7' CHAIN LINK FENCE W/BARBED WIRE, 4.1' TO 5.7' NW OF R/W
28.81'
S53°22'22"W 566.59' (S51°25'23"W)
(AKA C.R. 32 COUNTY RD. NO. 1, OAKVILLE RD., SEC. STATE HWY 210)
L=183.76' R=1711.73' Δ=06°09'03" CH.=S56°26'54"W 183.67'
ALBA-SS-P5 PARCEL V
S59°31'25"W 32.66' (32.56')
S59°31'25"W 124.13'
N28°19'54"W 362.56'
CALAPOOIA RIVER
APPROX. TOP OF BANK
CENTERLINE OF MAIN CHANNEL OF CALAPOOIA RIVER PER BPA SUBSTATION MAP, SERIAL NO. 5549 REVISION 5, DATED 6-14-1988
114W14A 100 GANNON VOL. 727 PG. 275
DETROIT-ALBANY LINE (SANTIAM-ALBANY No. 1)
APPROXIMATE CURRENT CENTER OF MAIN CHANNEL OF CALAPOOIA RIVER MAPPED FROM AERIAL IMAGERY
N30°28'35"W 17.00'
30'
47'
67'
60'
MARKET ROAD NO 1
(QUEEN AVE)
SUMMERFIELD CT
SUMMERFIELD
N
SCALE
50 0 100 200
NOTE: PLA SITE MAP BASED ON THAT RECORD OF SURVEY FOR BPA'S ALBANY SUBSTAION, RECORDED AS CS 25861, IN THE LINN COUNTY SURVEY RECORDS, BPA SUBSTATION AND TRANSMISSION LINE MAPS. UTILITIES SHOWN ARE COMPLIED FROM BPA ENGINEERING DESIGN DRAWINGS AND FROM FIELD SURVEY DATA COMPLETED AUGUST 2016.
46.00'
S33°13'13"E 54.84'
21.00'
TRACT ALBA-SS-P6 AREA=470 SF
DETAIL SCALE 1"=50'
LEGEND
MONUMENT SET CS 25861
MONUMENT FOUND
BPA STEEL STRUCTURE
BPA 3 POLE WOOD STRUCTURE
BPA 2 POLE WOOD STRUCTURE
DEADEND STRUCTURE
GATE
WATER METER
TELEPHONE RISER
SANITARY SEWER MANHOLE
STORM DRAIN MANHOLE
STORM DARIN INLET
PPL POWER POLE
BPA PROPERTY LINE
CENTERLINE OF RIVER
BPA RIGHT-OF-WAY
PRIVATE PROPERTY LINE
BPA TRANSMISSION LINE
WATER LINE
STORM DRAIN LINE
SANITARY SEWER LINE
OVERHEAD POWER LINE
UNDER GROUND TELEPHONE LINE
FENCE (CHAIN LINK)
( ) DENOTES RECORD MEASUREMENT
EXHIBIT DATED: 08/18/2016
SHEET 1 OF 2
BONNEVILLE POWER ADMINISTRATION
SALEM-ALBANY NO.1
SITE MAP EXHIBIT FOR PLA APPLICATION, CITY OF ALBANY
ALBA-SS-P6
SEC 12 T11S R4W WM
LINN CO, OREGON
DRAWN: TDM CHECKED: CLD
BPA Accepting Official
8/23/2016
DATE