

July 11, 2018

CITY HALL
333 Broadalbin Street SW
P.O. Box 490
Albany, OR 97321-0144
www.cityofalbany.net

541-917-7500

CITY MANAGER/
ECONOMIC DEVELOPMENT/
URBAN RENEWAL

541-917-7500
FAX 541-917-7511

FINANCE
Finance/Recorder
541-917-7532
FAX 541-917-7511

Municipal Court
541-917-7740
FAX 541-917-7748

COMMUNITY
DEVELOPMENT
Planning
541-917-7550
FAX 541-791-0150

Building Division
541-917-7553
FAX 541-917-7598

FIRE ADMINISTRATION
541-917-7700
FAX 541-917-7716

HUMAN RESOURCES
541-917-7515
FAX 541-704-2324

INFORMATION TECHNOLOGY
223 Third Avenue SW
541-917-7599
FAX 541-791-0075

PUBLIC WORKS
Engineering
541-917-7676
FAX 541-917-7573

Water/Sewer Billing
541-917-7547
FAX 541-917-7794

Operations
310 Waverly Drive NE
Albany, OR 97321
541-917-7600
FAX 541-917-7615

Call-A-Ride
112 Tenth Avenue SW
Albany, OR 97321
541-917-7770
Fax 541-812-2571
TTD 541-917-7762

Transit
112 Tenth Avenue SW
Albany, OR 97321
541-917-7667
Fax 541-812-2571

Michael Spencer
Tangent I P Inc.
1347 Spencer Mountain Drive
Albany, OR 97321

Dear Michael:

**PROPERTY LINE ADJUSTMENT FOR UNADDRESSED PROPERTIES;
BENTON COUNTY ASSESSOR'S MAP NO. 10S-4W-36DB, TAX LOT 409; AND
10S-4W-36DC, TAX LOT 602; PLANNING FILE LA-04-18**

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

11.120 Review Criteria. 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.**

The property owner is proposing a property line adjustment between two existing lots within the RS-10 zone. No new lots are being created and the existing lots will not be land-locked. Consistent with ADC 11.120(1), the proposed property line adjustment would not create a new lot or a landlocked parcel.

All property that is involved in this Property Line Adjustment request is zoned Residential Single Family (RS-10). The RS-10 zone has a minimum lot size of 10,000 square feet, with a minimum lot width of 65 feet and lot depth of 100 feet. Property "A" is owned by Tangent I P, Inc., and Property "B" is owned by C.D. Spencer Jr. Presently, Tax Lot 409, herein referred to as "Property A," has 56,023 square feet (1.29 acres); and Tax Lot 602, herein referred to as "Property B," has 4,438 square feet (0.10 acres). When their common lot line is reconfigured, Property "A" will have 16,650 square feet (0.39 acres); and Property "B" will have 43,811 square feet (1.00 acres). This is shown in Attachment A.

Given the above, the reconfigured parcels meet minimum lot area, width, and depth standards in the RS-10 zone, and will not otherwise violate standards in the ADC or adopted Building Codes, consistent with ADC 11.120(2), which is provided in Attachment B.

Public Facilities

City utility maps show an 8-inch public sanitary sewer main in Grand Ridge Drive along the full frontages of the subject properties. Both resultant properties will have direct access to the public sanitary sewer main in Grand Ridge Drive.

City utility maps show an 8-inch public water main in Grand Ridge Drive along the full frontages of the subject properties. Both resultant properties will have direct access to the public water main in Grand Ridge Drive.

City utility maps show no piped public storm drainage main in Grand Ridge Drive along the frontages of the subject properties. Grand Ridge Drive is otherwise constructed to city standards with curb and gutter. North Albany Road along the east boundaries of the subject properties has a roadside ditch for collecting and carrying storm water runoff from the street and adjacent properties. Both resultant parcels will have access to public storm drainage facilities.

The proposed lot line adjustment will result in two parcels that will have direct access to public sanitary sewer, water, and storm drainage facilities.

There are no known previous conditions or requirements imposed by a review body that remain to be met.

Conclusion

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

Tangent I P, Inc.

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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 Benton 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 Benton 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.

Sincerely,

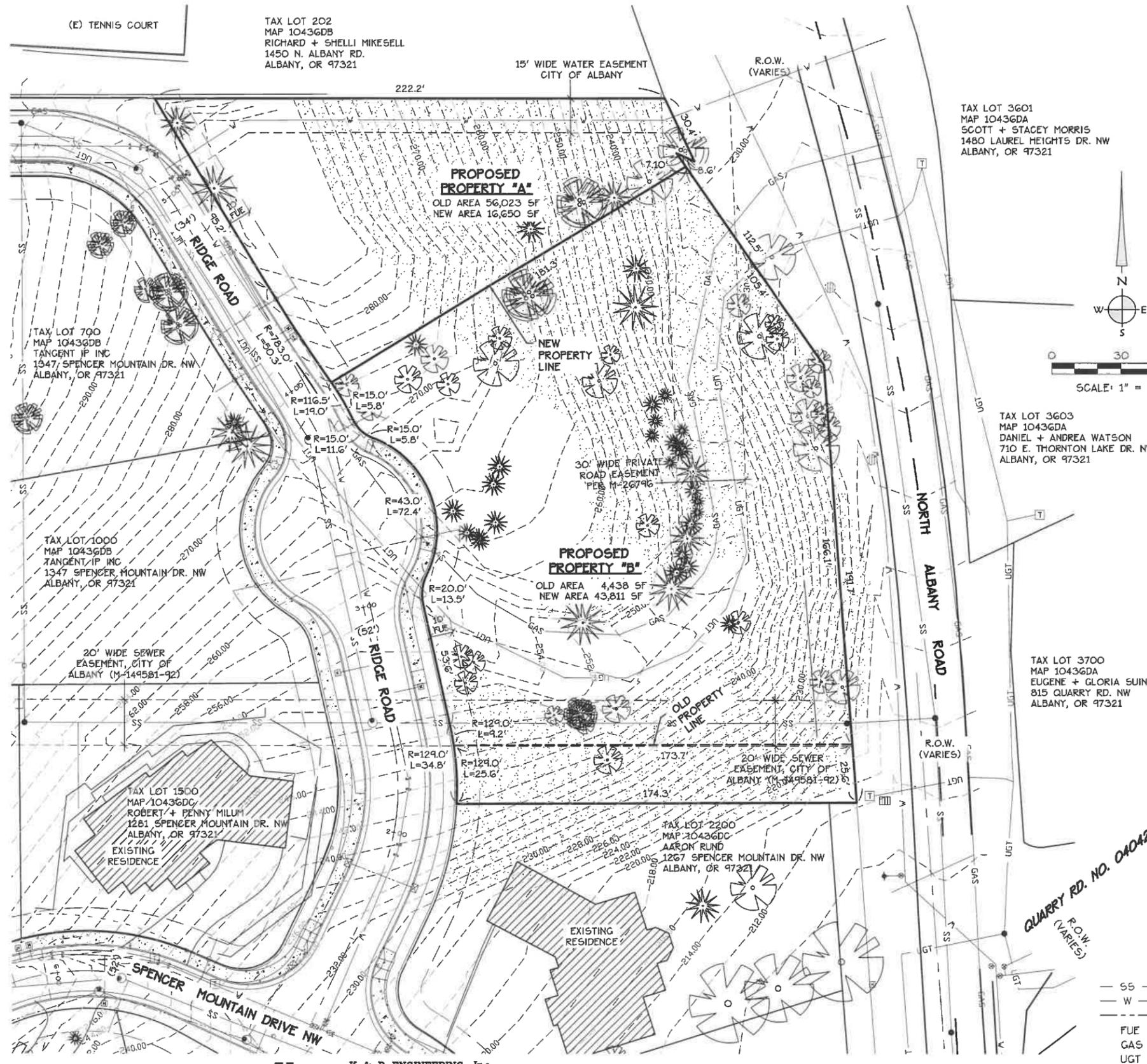
Signature on file

Bob Richardson,
Planning Manager

DM:eo

Enclosure

c: Building Division (Johnathan Balkema)
Finance Department (Denise Valentino)
Public Works Engineering (Gordon Steffensmeier)
Public Works Transportation (Ron Irish)
Fire Services (Lora Ratcliff)
Benton County Surveyor's Office
Benton County Assessor
Jason Cota, K&D Engineering
File: LA-04-18



PRELIMINARY PROPERTY LINE ADJUSTMENT
 FOR
MIKE SPENCER
 LOCATED IN THE
 SE 1/4 OF SEC. 36, T. 10 S., R. 4 W., W.M.
 IN THE
 CITY OF ALBANY, BENTON COUNTY, OREGON
 APRIL 19, 2018

ENGINEER/SURVEYOR:
 K+D ENGINEERING, INC.
 276 NW HICKORY STREET
 ALBANY, OREGON 97321
 (541) 928-2583

APPLICANT:
 TANGENT I P INC
 MIKE SPENCER
 1347 SPENCER MOUNTAIN DR.
 NW ALBANY, OREGON 97321

TOTAL GROSS AREA:
 60,461 SQUARE FEET
 1.39 ACRES

ZONING:
 ALL PROPERTY WITHIN 100 FEET OF,
 AND INCLUDING SUBJECT PROPERTIES
 IS: R5-10 - RESIDENTIAL SINGLE
 FAMILY (5 UNITS PER ACRE)

PROPERTY "A" INFORMATION:
PROPERTY OWNER:
 TANGENT I P INC
 1347 SPENCER MOUNTAIN DR.
 NW ALBANY, OREGON 97321

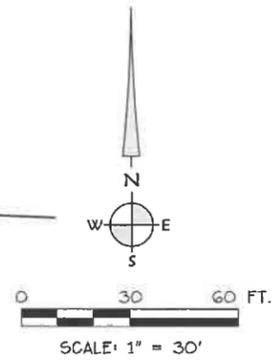
SITE ADDRESS:
 NO SITE ADDRESS
TAX LOT:
 TAX LOT 409 [105-4W-36DB]
CURRENT USE:
 TAX LOT 409: VACANT

PARCEL SIZE:
 OLD AREA = 56,023 SF - 1.29 AC
 - ADJ AREA = 39,373 SF - 0.90 AC
 NEW AREA = 16,650 SF - 0.39 AC

PROPERTY "B" INFORMATION:
PROPERTY OWNER:
 C D SPENCER JR.
 1347 SPENCER MOUNTAIN DR.
 NW ALBANY, OREGON 97321

SITE ADDRESS:
 NO SITE ADDRESS
TAX LOT:
 TAX LOT 602 [105-4W-36DC]
CURRENT USE:
 TAX LOT 602: VACANT

PARCEL 1 SIZE:
 OLD AREA = 4,438 SF - 0.10 AC
 + ADJ AREA = 39,373 SF - 0.90 AC
 NEW AREA = 43,811 SF - 1.00 AC



TAX LOT 3603
 MAP 10436DA
 DANIEL + ANDREA WATSON
 710 E. THORNTON LAKE DR. NW
 ALBANY, OR 97321

TAX LOT 3700
 MAP 10436DA
 EUGENE + GLORIA SUING
 815 QUARRY RD. NW
 ALBANY, OR 97321

- LEGEND:**
- SS — SANITARY SEWER LINE (ALL MAINS 8" DIAMETER)
 - W — WATER LINE (ALL MAINS 8" DIAMETER)
 - S --- STORM DRAIN LINE
 - - - FUE - FRANCHISE UTILITY EASEMENT
 - - - GAS - NATURAL GAS LINE
 - - - UGT - UNDERGROUND TELEPHONE LINE
 - ▨ AREA OF STEEP SLOPE (PER ALBANY GIS DATA)

Date: 4/20/2018 Time: 9:43
 Scale: 1"=1(F5)
 File: c:\2018\18-76\18-76-pla app.dwg (George)

K & D ENGINEERING, Inc.
 276 N.W. Hickory Street P.O. Box 726
 Albany, Oregon 97321
 (541) 928-2583