



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

October 5, 2006

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Dallas Plan Amendment
DLCD File Number 003-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: October 20, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Jason Locke, DLCD Regional Representative
Jerry Wyatt, City of Dallas

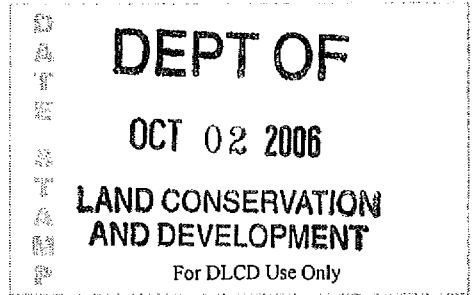
<paa> ya



FOR

2 Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Dallas Local file number: Zone 2-06

Date of Adoption: 9/18/06 Date Mailed: 9/28/06

Date original Notice of Proposed Amendment was mailed to DLCD: 4/12/06

- | | |
|--|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input checked="" type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: _____ |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amend the zoning designation from RHD-Residential High Density to
IL - Industrial Light for tax lot 7.5.32DA 1700/

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

Same.

Plan Map Changed from: _____ to: _____

Zone Map Changed from: RHD-Residential High Density to: IL-Industrial Light

Location: TL 7.5.32DA 1700 Acres Involved: .08

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: 1,2,9

Was an Exception Adopted? YES NO

DLCD File No.: 003-06 (15146)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

- Forty-five (45) days prior to first evidentiary hearing? Yes No
If no, do the statewide planning goals apply? Yes No
If no, did Emergency Circumstances require immediate adoption? Yes No

Affected State or Federal Agencies, Local Governments or Special Districts:

City of Dallas

Local Contact: Jerry Wyatt Phone: (503) 831-3565 Extension: _____
Address: 187 SE Court St. City: Dallas
Zip Code + 4: 97338 - Email Address: jerry.wyatt@ci.dallas.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 1667

An Ordinance changing the zoning designation of a parcel of real property owned by Jeff Thomas from Residential High Density to Light Industrial.

WHEREAS, the above-referenced owner submitted a zone change application to the City requesting that the zoning designation of the real property which is described on Exhibit 1 hereto, and by this reference incorporated herein, be changed from Residential High Density to Light Industrial; and

WHEREAS, after due notice, the Planning Commission held a public hearing on the application on July 11, 2006, and at the conclusion thereof recommended to the City Council that the application be granted; and

WHEREAS, after due notice, the City Council held a public hearing on the application on August 21, 2006, and at the conclusion thereof found that there was substantial evidence that the application met the requirements of the Dallas Development Code and was in compliance with the Comprehensive Plan and that the application should be granted; NOW, THEREFORE,

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. The zoning designation of the real property described on Exhibit 1 hereto is hereby changed from Residential High Density to Light Industrial.

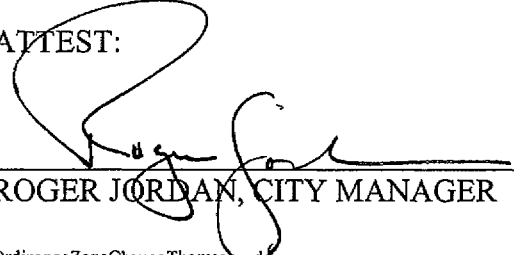
Section 2. The Findings and Conclusions set forth in the staff report on this matter, submitted into the record herein on August 21, 2006, are hereby adopted and approved as the Findings and Conclusions in support of this zone change.

Read for the first time: September 5, 2006
Read for the second time: September 18, 2006
Passed by the City Council: September 18, 2006
Approved by the Mayor: September 18, 2006



JAMES B. FAIRCHILD, MAYOR

ATTEST:



ROGER JORDAN, CITY MANAGER



After recording return to:
Jeff Thomas
1260 Woodrow St NE
Salem, OR 97303


Until a change is requested all tax statements shall be sent to the following address:
Jeff Thomas
1260 Woodrow St NE
Salem, OR 97303

File No.: 7121-763399 (SDT)
Date: February 10, 2006

FIRST AMERICAN TITLE 763399

THIS SPACE RESERVED FOR RECORDER'S USE

RECORDED IN POLK COUNTY **2006-002693**
Valerie Unger, County Clerk

 **\$31.00**

00150984200800028830020022 02/17/2006 04:29:37 PM

REC-WD Cnt=1 Stn=1 K. WILLIAMS
\$10.00 \$10.00 \$11.00

STATUTORY WARRANTY DEED

Michael David Gardner and Sandra Lee Gardner, as tenants by the entirety, Grantor, conveys and warrants to Jeff Thomas, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

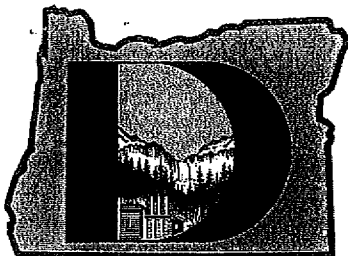
Beginning at an iron pipe driven into the ground at the Northwest corner of Lot lettered "B" in Block Numbered Nine (9), in MILLER'S HOMESTEAD ADDITION TO DALLAS, in the City of Dallas, Polk County, State of Oregon; thence South 45 feet; thence East 80 feet; thence North 45 feet; thence West 80 feet to the place of beginning.

Together with an easement for ingress and egress described as follows: Beginning at the Southeast corner of Lot 5, Block 9, Millers Lacreole Homestead Addition to the Town (now City) of Dallas, Polk County, Oregon; thence North 200.00 feet across the eastern edges of Lot 5, 4,3, and 20.00 feet of Lot 2 at the same point as the Northwest corner of the real property tax lot numbered 1600; thence West 20.00 feet; thence South 200.00 feet to the southern property line of Lot 5; thence East 20.00 feet to the point of beginning.

This property is free from liens and encumbrances, EXCEPT:

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 **\$14,000.00**. (Here comply with requirements of ORS 93.030)



City of Dallas

Office of the City Manager

September 19, 2006

Jeff Thomas
1408 Beaumont NW
Salem, OR 97304

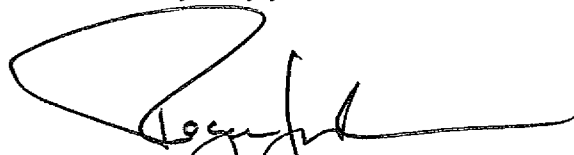
Dear Mr. Thomas:

Enclosed is a copy of City of Dallas Ordinance No. 1667 that changes the zone of your property off Ash Street from Residential High Density to Light Industrial.

This zone change will go into effect on October 18, 2006.

If you have any questions or comments, please feel free to call my office at 503-831-3502.

Very truly yours,



Roger Jordan
City Manager

RJ:meh

cc: Jerry Wyatt, Community Development Director
Fred Braun, Public Works Director
City of Dallas Engineering Department