

Modifications to Revised Development Agreement (R2019-589657).

- The following modifications to the Revised Development Agreement (*recorded as 2019-589657, Benton County deed records*) are hereby approved by the City of Philomath, and shall be applicable to the revised phases 3 & 4 under this major modification approval.
 - **Recital #1.** This recital is modified to reflect the change from 166 lots (*in the full development*) to 194 lots (*in the full development*).
 - **Agreement #2.** The first sentence is modified to reflect the approval for 194 lots (*in the full development*). The second sentence is modified to read as follows (*new language is underlined*): Except as approved by the City for townhouse lots in the reconfigured Phase 3 & 4, this agreement precludes construction of duplexes, triplexes, zero lot line homes, townhomes, and apartment complexes, and limits development to “detached single family units” within the project boundaries.
 - **Agreement #3.** The first sentence is modified to read as follows (*new language is underlined*): Except as approved by the City for townhouse lots in the reconfigured Phase 3 & 4, lots created by the subdivision shall have a minimum area of 5000 square feet and shall not exceed 7500 square feet.
 - **Agreement #12.** Since the annexation has already occurred, this paragraph no longer applies to the reconfigured Phase 3 & 4.
 - **Agreement #13a.** Add the following wording to the beginning of this sentence: “Except as approved by the City for townhouse lots in the reconfigured Phase 3 & 4,” . . .
 - **Agreement #13c.** Add the following wording to the beginning of this sentence: “Except as approved by the City for townhouse lots in the reconfigured Phase 3 & 4,” . . . Also modify the language referencing the shallow lots to reference only Lot 130 as shown on the revised preliminary plat.
 - **Agreement #18.** Modify heading of this section to reflect the number of lots in the new approved Phase 3.
 - **Agreement #18a.** Modify wording to reflect that public parking will be provided along the south side of the new park (*rather than the east side as noted*).
 - **Agreement #19.** Modify heading of this section to reflect the number of lots in the new approved Phase 4.
 - **Agreement #19a, b & c.** Move these paragraphs up to be under Agreement #19 (*to be completed as part of Phase 3*), and reword #19c to reference Phase 3.
 - **Agreement #20.** Delete this paragraph (*there is no longer a Phase 5 proposed*).
 - **Agreement #21.** Maximum height shall be no more than 30 feet.