

**CITY OF PHILOMATH**

# Urban Renewal Area Plan

Original Adoption August 3, 1990

**2010 Amendment**

December 13, 2010

**2015 Amendment**

November 9, 2015

**2016 Amendment**

March 14, 2016

**Prepared for:**

Urban Renewal Agency of

The City of Philomath

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## List of Exhibits

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## Amendments to the Urban Renewal Plan

1. Resolution 97-1 Adopted April 7, 1997: Commits \$50K to Commercial Revolving Loan Fund.
2. Resolution 97-05 Adopted September 8, 1997: Commits \$50K to Commercial Grant.
3. Resolution 98-5 Adopted April 13, 1998: Establishes Maximum Indebtedness of \$4.3 Million, makes an Option 1 district. Ordinance 716 Adopted February 24, 2003: Adjusts boundary to include Storm Drainage Project. Changes effective period of Plan to 2012-13. Adds Project: Storm Drainage Project
4. Ordinance 764 Adopted December 13, 2010: Amending Philomath Urban Renewal Plan to change boundary, update goals. Increases Maximum Indebtedness to 14.3 Million dollars. Deletes duration Provisions and changes definition of substantial amendments to the Plan.
5. Resolution 15-04 Adopted November 9, 2015: Minor Amendment added .24 acres of land into the Urban Renewal Area. Primarily on Main St. above existing sewer lines that are identified for replacement within the Report Accompanying the 2010 Substantial Amendments to the Philomath Urban Renewal Plan.
6. Resolution 16-01 Adopted March 14, 2016: Minor Amendment specifically identifying the property at 1340 and 1348 Main Street, Philomath to be acquired by the Urban Renewal Agency for the construction of downtown off-street parking and a public restroom facility as identified in the Urban Renewal Plan.

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## I. INTRODUCTION

### A. *Statement of Purpose*

The City of Philomath was incorporated in 1881- During the last 100 years the city has generally grown east and west along Main Street. As new development has occurred, especially to the southeast, an urban standard was established for streets and utilities. The areas of the city which were developed earlier were not built to an urban standard and as a result there are many unimproved streets north of Main Street between 8th and 15th Streets.

Because the streets were not improved, adequate storm drainage facilities were not provided and there is an absence of sidewalks. The lack of completed public facilities built to an urban standard has detracted from this area's ability to attract new residential development or provide incentive to many of the existing property owners to maintain and improve their properties. See Exhibit I for Boundary of Urban Renewal Area.

The provision of streets and utility systems is needed to make this area consistent with the remainder of the city and attract new residences as well as encourage the rehabilitation of residences.

In addition to the need to improve this residential area, there is a similar need to assure the viability of the city's commercial district. The recently proposed traffic circulation changes to Highway 20/34 is impacting the ability of businesses to assure adequate access and parking. The provision of parking facilities and other pedestrian amenities and improvements will contribute toward the viability of the downtown district.

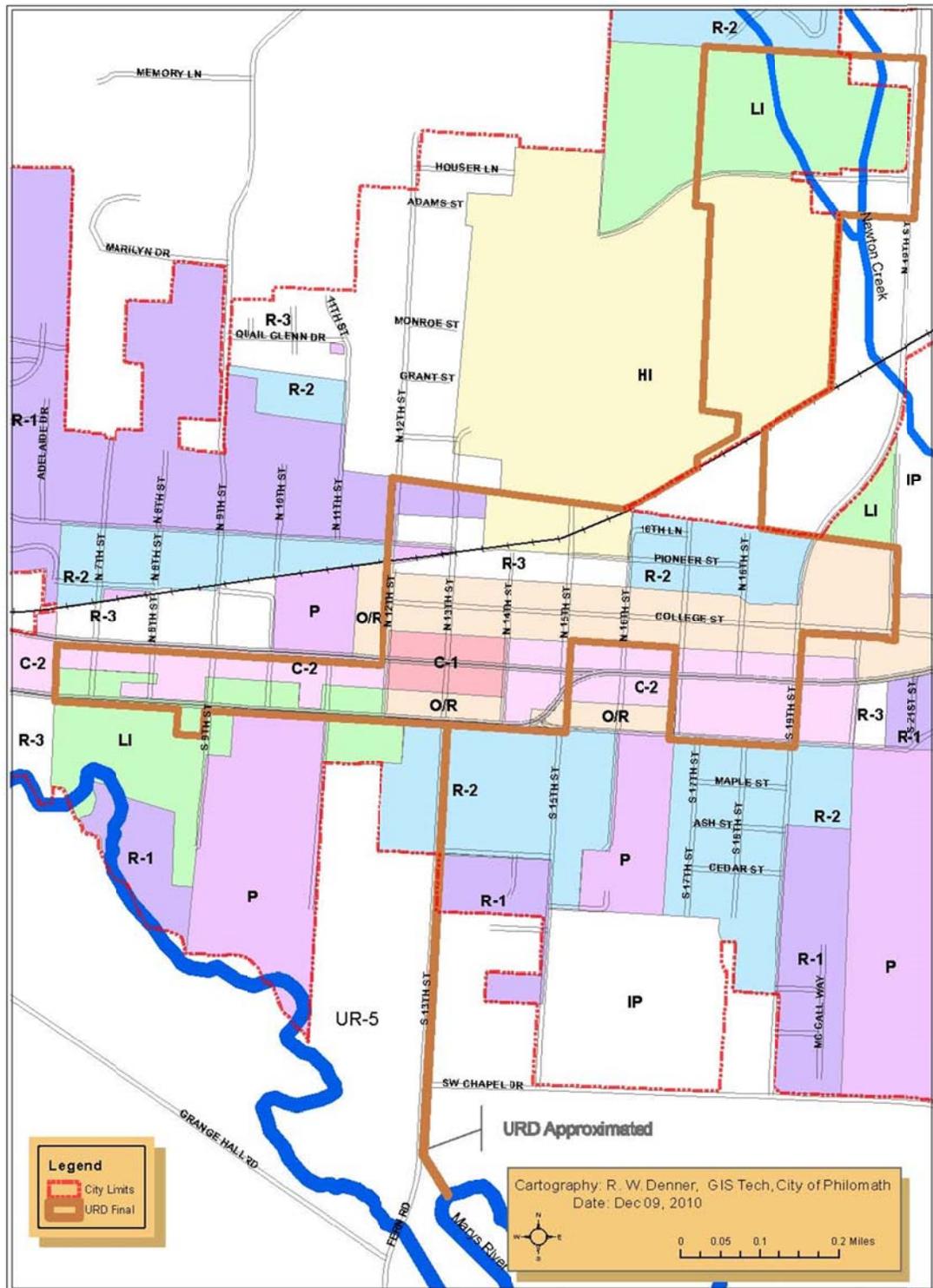
The Philomath Urban Renewal Plan is being prepared to further encourage rehabilitation and development that is consistent with the Comprehensive Plan adopted by the City Council. The Renewal Plan is intended to guide the provision of infrastructure and other public investments necessary for the orderly and proper redevelopment of the area. Through implementation of the Plan, economic development will be stimulated by the elimination of blighting conditions, provision of supporting public facilities, other public investments and general improvements in the overall appearance, condition, and function of the area.<sup>1</sup>

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<sup>1</sup> Added 12/13/2010

Exhibit 1: Urban Renewal Area Boundary

# Philomath Urban Renewal Area



## ***B. Objectives of the Plan***

The following are the original goals and objectives of the Renewal Plan. These goals and objectives are super-ceded by the amended goals and objectives below. However, to demonstrate continuity with the original Renewal Plan and for information purposes only, the original goals and objectives are shown here:

The following objectives have been established for the Philomath Urban Renewal District. See Exhibit 1 for Boundary. The primary goal of the renewal program is to improve the quality of the residential neighborhood north of Main Street. The secondary goal is to improve the availability of parking and provide pedestrian amenities in the downtown.

1. Residential
  - a. Provide streets, curbs, gutters, storm drains and sidewalks to improve the overall quality of the neighborhood and as a means of encouraging new development and fostering rehabilitation and upgrading of existing residences.
  - b. Replace and upgrade sewer and water lines to assure a standard of service consistent with the rest of the City.
  - c. Establish a revolving loan fund for housing rehabilitation. The interest rate will be three percent.
  - d. Consider a loan program to property owners who participate in financing public improvements.
2. Downtown
  - a. Redevelop the southern one half of the City Hall Block for Municipal Services and other downtown supportive uses.
  - b. Improve sidewalks and provide other amenities such as street trees, waste receptacles and benches in the blocks fronting Main Street.
  - c. Consider implementation of a downtown parking program that would include the provision and management of parking facilities for customers and employees.
3. Industrial
  - a. Encourage new and expanding industrial development through the provision of infrastructure and transportation systems,
  - b. Provide utility and street improvements to encourage the expansion of existing businesses and to allow additional industrial growth north of the railroad tracks.
4. Traffic and Circulation
  - a. Provide local streets that serve vacant or undeveloped parcels.
5. Services
  - a. Provide water and sewer service to allow the levels of development consistent with the Comprehensive Plan.
  - b. Provide adequate fire protection to the area.
  - c. Provide storm sewers and storm drainage facilities to the area.

## 2010 Amendment Objectives:

The following goals and objectives of the Renewal Plan are part of the 2010 amendment of the Plan. These goals and objectives will super-cede the original goals and objectives. However, to demonstrate continuity with the original Renewal Plan and for information purposes only, the original goals and objectives are shown above .

### Goals:

1. Take advantage of the positive development impacts of the Highway 34 Couplet project.
2. Promote high quality development, redevelopment and rehabilitation of property in the Urban Renewal Area.
3. Assist in creating a vibrant commercial, civic and residential town center.
4. Design a pedestrian-friendly downtown core district that attracts shoppers and connects the businesses along and between Main Street and Applegate Street.
5. Respect and enhance historic properties.

### Objectives:

1. Provide street and streetscape improvements within the Area, and especially to complement the Highway 34 Couplet (Main and Applegate Streets), including Main and College Streets and the connecting north/south streets. These improvements will include but not be limited to:
  - Narrowing Main Street by widening sidewalks
  - Adding “bulb outs“ at intersections
  - Install antique street lighting along the south side of Main Street (continuing the theme from completed improvements to 13<sup>th</sup> Street between Main and College and the north side of Main Street and both sides of Applegate and connecting streets.
  - Install irrigation drip system for flower baskets.
  - Street trees, landscaping
  - Pavers at intersections.
  - Trash receptacles
  - Benches, kiosks
  - Relocation of power lines
2. Provide public spaces such as plazas, parks and restrooms.
3. Provide public parking.
4. Make direct investments in high quality development, redevelopment and rehabilitation via grants and/or loans, including low or no interest loans.
5. Support planning efforts for the Area to achieve a street-oriented, pedestrian- and bicycle-friendly development pattern.<sup>2</sup>

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<sup>2</sup> Added 12/13/2010

### **C. Plan Administration**

The Philomath Urban Renewal Plan consists of the text and exhibits contained in this document and a separate Report. The Plan applies to the specific area outlined in Exhibit 1 and further described in Section II. The Plan has been prepared by the Urban Renewal Agency of Philomath for the Philomath City Council. The Urban Renewal Agency of Philomath shall administer the Plan in accordance with Oregon Revised Statute (ORS) Chapter 457, the Oregon Constitution, and all other applicable laws and ordinances. All such applicable laws are made a part of this Plan by this reference.

### **D. Definitions**

1. **Agency** means the Urban Renewal Agency of the City of Philomath, Oregon.
2. **Advisory Committee** means the Philomath Urban Renewal Advisory Committee/Commission.
3. **Blight** shall have the same meaning in this Plan as defined in ORS 457.010.
4. **Boundary** means the geographic and legal limits which encompasses the Urban Renewal Area.
5. **City** means the City of Philomath, Oregon.
6. **City Council** means the Philomath City Council.
7. **Comprehensive Plan** means the Philomath Comprehensive Plan.
8. **County** means the County of Benton, State of Oregon.
9. **Lot** means a unit of land that is created by a subdivision or platting of land and recorded in the land records of Benton County.
10. **Public Improvement Plan** means drawings, development standards and/or objectives designed to guide the improvement of public facilities and services in the Urban Renewal Area.
11. **ORS** means the Oregon Revised Statutes (State Law) and, specifically, Chapter 457, thereof.
12. **Persons** means any individual, family, business, firm association, or corporate entity.
13. **Plan** means the Philomath Urban Renewal Plan consisting of the text and accompanying exhibits.
14. **Planning Commission** means the Planning Commission of the City or Philomath, Oregon.
15. **Project** means any work or undertaking carried out under ORS 457.170 in an urban renewal area.
16. **Projects or Activities** means the development or improvement projects described in Section III herein.
17. **Property Owner** means any individual who owns property within the Philomath Urban Renewal Area.
18. **Renewal Area** means the Philomath Urban Renewal Area.
19. **State** means the State of Oregon.
20. **Text** means the Urban Renewal Plan Text for the Philomath Urban Renewal Area.

## II. GENERAL DESCRIPTION OF LAND USE PLAN

### A. *Boundary*

The Philomath Urban Renewal Area includes land within the City of Philomath and the County of Benton, State of Oregon and within the boundaries illustrated in Exhibit 1. A legal description of the Urban Renewal Area is included in the Appendix.

### B. *Land Use*

The Land Use Plan consists of the City of Philomath Comprehensive Plan Map as it applies to the applicable areas within the Urban Renewal Area and is incorporated herein by reference. The proposed land uses, maximum densities and building requirements for the Urban Renewal Area shall be governed by the City of Philomath Comprehensive Plan and the City of Philomath Development Code which implements the Comprehensive Plan.<sup>3</sup> See Exhibit 2.

#### 1. Philomath Comprehensive Plan and Development Code<sup>4</sup> - Map Categories

The applicable plan categories are described in the following text.

##### a. Low Density Residential

The Low Density Residential designation provides areas for single family dwellings, duplexes, mobile homes, and home occupations. Uses permitted conditionally include churches, parks, golf courses, community centers, cemeteries, hospitals, mobile home parks, offices, nursery schools, and nursing homes.

##### b. Medium Density Residential

The Medium Density Residential designation provides for single family and limited multiple family residences of two or three family dwellings situated on individual lots. Conditional uses include multi-family dwellings and the conditional uses permitted under the low Density Residential designation.

##### c. High Density Residential

The High Density Residential designation identifies suitable areas for the development of a mix of single and multi-family dwellings to help meet the community's needs of affordable housing. Conditionally permitted uses include offices and membership clubs.

##### d. Office Residential

The Office Residential designation provides for the harmonious development of a mixture of professional office use with medium density residential uses in locations near arterial streets and highways. Uses allowed outright include offices, single family dwellings, duplexes, triplexes and four-plexes, home occupations, multi-family dwellings, family day care centers and parking lots. Uses permitted conditionally include research laboratories, tower water tanks, or similar structures in conjunction with a building on the same lot, funeral parlors, pharmacies, community centers, public buildings, membership clubs, schools,

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<sup>3</sup> Added 12/13/2010

<sup>4</sup> Added 12/13/2010

day care centers, and nursing homes, roll homes, group care homes or other similar facility.

e. Commercial

The Commercial District designation provides land for the expansion of retail and service activities and businesses in locations near arterial streets and highways. There are two commercial districts in the Area in addition to the Office Residential district.

The C-1 Zone is intended to retain the character of the Historic Downtown Commercial area and provide for the expansion and construction of commercial buildings within the downtown area directly adjoining the public road right-of-way. Uses permitted outright include retail sales and service establishments which do not require the outside storage of goods, supplies or equipment, restaurants, including take out only establishments, taverns, offices, banks, public buildings and uses, residences in conjunction with another permitted use, funeral parlors, churches, membership clubs, day care centers and family day care homes, and residential homes for the handicapped.

The C2 General Commercial Zone is intended to provide an area where the greatest concentration of retail sales activities and businesses will be located. The zone will be applied to areas which serve as the community's shopping area. The uses allowed outright and conditionally in the C-1 Downtown Commercial Zone also apply to the C-2 General Commercial Zone.<sup>5</sup>

f. Light Industrial

The Light Industrial designation identifies suitable areas for growth of limited manufacturing warehousing, and similar activities contributing to a diversified local economy.

g. Heavy Industrial

The Heavy Industrial District allows all uses allowed in the Light Industrial District plus allows conditional uses for manufacturing, assembly and processing of raw materials, and other more intense uses as defined in the Development Code.

h. Public

The Public Zone is intended to be applied to publicly owned lands in order to guide the public development of these lands in an appropriate manner that is compatible with adjacent uses.<sup>6</sup>

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<sup>5</sup> Added 12/13/2010

<sup>6</sup> Added 12/13/2010



## 2. Philomath Comprehensive Plan - Goals and Policies

The Comprehensive Plan also provides the community goals and policy recommendations for residential and commercial development in the City of Philomath. The primary goals which support the Plan are listed in this section. Section IV shows the relationship of these goals to the Plan.<sup>7</sup>

### a. Housing Goals and Policies

1. The City of Philomath shall include an adequate supply of buildable residential land within the Urban Growth Boundary in order to accommodate the anticipated housing needs of the planning period. (Policy 1)
2. Residential land shall be designated for either low, medium or high density housing on the plan map. (Policy 2)
3. Housing trends within the City and Urban Growth boundary shall be monitored and evaluated in order to modify policy when necessary. (Policy 3)
4. The City of Philomath shall continue to utilize the Uniform Building Code in order to provide health and safety standards for new housing units. (Policy 4)
5. The City of Philomath shall encourage the development of low cost housing in order to meet the housing needs of elderly, low-income and handicapped persons. (Policy 5)

### b. Commercial Goals and Policies

1. Commercial and industrial development shall be encouraged as a means of expanding the tax base. (Policy 7)
2. The City of Philomath shall promote the viability of the downtown area by providing for the development of off-street parking to off-set the loss of on-street parking caused by the restriping of Main Street. (Policy 12)
3. The City of Philomath shall support the continued viability of the Main Street core area as the community's shopping area by retaining appropriate public use including the post office, city hall and library within the core area. (Policy 16)
4. The City shall require any new commercial development to provide sufficient off-street parking and improvements for a covenant consenting to participate in the improvement of adjoining substandard streets. (Policy 17)
5. The City should encourage the development and expansion of businesses which serve tourists which travel through and visit the community. (Policy 22)
6. The City shall encourage the concentration of commercial uses within and adjoining the developed commercial areas of the City in order to preserve the viability of commerce within the city. (Policy 20)

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<sup>7</sup> Added 12/13/2010

c. Transportation Goals and Policies

1. The City of Philomath shall continue to improve its existing street system as funding is available. The Street Improvement Program shall serve as a guide for implementing these improvement projects. (Policy 7)
2. Sidewalks shall be developed along streets in all new residential and commercial developments in the City. (Policy 3)
3. The City of Philomath shall cooperate with the State Department of Transportation in improving Highway 20 in order for it to serve as a more efficient transportation corridor. (Policy 5)
4. The City shall encourage the State to develop Highway 20/34 as a couplet. (Policy 6)
5. The transportation system shall be developed in a manner that contributes to community livability, recognizes and respects the characteristics of natural features and minimizes the negative effects on abutting land uses. (Policy 10)
6. The transportation system shall be managed to reduce existing traffic congestion and facilitate safe, efficient movement of people and commodities within the community. (Policy 12)
7. The City shall continue to explore reasonable and local methods for upgrading substandard streets to meet city specifications for paving and sidewalks. (Policy 15)<sup>8</sup>

d. Sanitary Sewage Disposal Goals and Policies

1. The City of Philomath shall continue to upgrade its sewage collection system, including interceptor, collector, and lateral lines, in order to reduce flow and infiltration and comply with the Environmental Quality Commission's policy on Sewage Works Planning and Construction. (Policy 4)

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<sup>8</sup> #3 – 7 Added 12/13/2010

### **III. OUTLINE OF PROJECTS AND REDEVELOPMENT ACTIVITIES**

The following projects and activities will be undertaken by the Renewal Agency to achieve the objectives of the Plan. The actions of the Renewal Agency to achieve the objectives will be undertaken in accordance with applicable Federal, State, County, and City laws and policies. The projects and activities are set forth as follows.

#### ***A. General Development***

The general approach of the Renewal Plan is to conform with the Comprehensive Plan of the City of Philomath. See Exhibit 2. The Comprehensive Plan encourages industrial development in the northern portion of the Renewal Area and commercial and residential development in the southern portion of the area.

#### ***B. Types of Projects***

To encourage rehabilitation and new development in the residential areas and to retain existing and attract new businesses, the Renewal Agency may improve or construct public facilities and utilities including but not limited to streets, storm drainage, sanitary sewers, water systems, lighting, traffic signalization, landscaping and pedestrian amenities. Improvements may occur within public rights-of-way, easements, or on public property. The Renewal Agency will work with public and private utilities to make necessary modifications and adjustments to implement the objectives of the plan. The Renewal Plan will also call for direct development, rehabilitation and redevelopment assistance in the form of grants and loans, which may be low or no-interest loans.<sup>9</sup>

#### ***C. Renewal Projects***

The following are the original renewal projects of the Renewal Plan. These projects are super-ceded by the amended goals and objectives below. However, to demonstrate continuity with the original Renewal Plan and for information purposes only, the original renewal projects are shown here:

The anticipated projects to implement the objectives of the Plan are described in the following section. The projects have been organized and grouped into three phases over the length of the district. The cost of preparing the Renewal Plan will be repaid to the City during Phase 1.

The projects and phases follow.

##### **1. Phase I**

Phase 1 projects and programs include:

- a. The improvement of College from 12th to 19th Streets. College will be improved to collector street standards. Improvements will require installation of a new base and street surface. Sidewalks and storm drains will be included.
- b. The establishment of a Residential Rehabilitation Revolving Loan Fund. The fund will be available to property owners in the district to improve and rehabilitate their properties.
- c. The preparation of a Plan for providing parking and pedestrian improvements

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<sup>9</sup> Added 12/13/2010

in the downtown. The projects proposed to be accomplished at the earliest in the Plan will be initiated during this phase of the district.

2. Phase II

Phase II projects include improvements to the numbered streets between Main Street and North College- Sanitary Sewer improvements are planned for 12th and 15th Streets.

- a. Street and storm drainage improvement to the 100 block of the following streets. Improvement to these streets will include sidewalks.
  1. 12th thru 15th Streets
  2. 18th Street
  3. 17th Street Resurfacing
- b. Continuing contribution to the Residential Rehabilitation Revolving Loan Fund.
- c. Provision of new parking facilities and other improvements to the blocks fronting Main Street.
- d. The Renewal Plan includes a sharing by the district in the cost of constructing a one million gallon water reservoir.

3. Phase III

Phase III projects include improvements to N. Pioneer Street and the numbered streets north of College Street. A water line replacement is also planned for N. 19th Street.

- a. Street and storm drainage improvements to the 200 and 300 blocks of 12th, 13th and 18th Streets. Improvements to the streets will include sidewalks.
- b. Street and storm drainage improvements to the 200 block of 14th Street. Improvement to the streets will include sidewalks.
- c. Street and storm drainage improvements to the 300 blocks of 16th and 17th Streets. Improvements to the streets will include sidewalks.
- d. Street and storm drainage improvements to the 1200 and the 1700 blocks of N. Pioneer Street. Improvements to the streets will include sidewalks.
- e. Resurfacing of the 200 block of 15th Street.
- f. Continuing contribution to the Residential Rehabilitation Revolving Loan Fund.
- g. Provisions for additional parking and pedestrian improvements to the commercial blocks fronting Main Street.

Administrative costs (staff time consultants, legal, etc.) to implement the program will be incurred. Those costs have been accounted for in the report as part of the project costs but are not specifically identified.

The following projects of the Renewal Plan are part of the 2010 Amendment of the Plan. These projects will super-cede the original projects. However, to demonstrate

continuity with the original Renewal Plan, the original projects are included for information purposes in the Renewal Plan.

1. Street and Utility Improvements

Improve streets and utilities, including water, sanitary sewer and storm water facilities. Especially noted are improvements related to the Highway 34 Couplet project and the 2003 Storm Drainage Project, which is described as follows:

Install approximately 5000 feet of concrete storm drainage pipe from the intersection of North 12<sup>th</sup> and Pioneer Streets, South on North 12<sup>th</sup> Street to Applegate Street, East on Applegate Street to South 13<sup>th</sup> Street, and then down South 13<sup>th</sup> Street to the Mary's River outfall. (2003 Amendment)

2. Main and Applegate Street and Streetscape Improvements

The roadway improvements for the Highway 34 Couplet project have been completed. Sidewalk and streetscape improvements to enhance pedestrian safety and convenience will be undertaken on Main and Applegate Streets.

3. Connecting Streets Street and Streetscape Improvements

Improve street and streetscape on the connecting north/south streets between Main and Applegate Streets.

4. Grant and/or Loan Program for Development, Redevelopment and Rehabilitation

Establish an ongoing program to provide financial assistance via grants and/or loans to property owners within the Area. This program will be governed by rules and regulations adopted by the Urban Renewal Agency. This project includes the commercial revolving loan program authorized by Resolution 9701 of the Urban Renewal Agency and the rehabilitation program authorized by Resolution 97-5 of the Urban Renewal Agency.

5. On- and Off-Street Parking Facilities

Assist in the planning and development of on- and off-street parking to support development within the Area.

6. Public Spaces

Assist in planning and development of spaces for public gatherings and events and for public art.<sup>10</sup>

**D. Acquisition and Disposition of Real Property**

The Renewal Agency shall reserve its authority to acquire property and shall amend the Renewal Plan to identify specific properties prior to acquisition.

1. 1340/1348 Main Street. The Renewal agency desires to acquire this property for the following reasons:
  - a. Remove Blight -the property contains a 1920s era auto repair building, restroom and self-serve car wash. The buildings are in disrepair including, but not limited to, roof damage, siding damage, broken windows, missing gutters and downspouts and a large, ivy-type plant growing up the front of the

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<sup>10</sup> #1 – 6 Added 12/13/2010

structure.

- b. Brownfield Cleanup -the property is known to have been a gas station, auto repair shop and car wash and contains underground fuel tanks and a hydraulic lift pit. There is no record of the tanks or their decommissioning with the Oregon Department of Environmental Quality which oversees the Underground Storage Tank Program.
- c. Downtown Off-street Parking -the creation of downtown off-street parking is identified as part of Project 5 above.
- d. Public Restroom -providing public restrooms is identified as part of Project 6 above and specifically called for in the *Report Accompanying the 2010 Substantial Amendments to the Philomath Urban Renewal Plan*.<sup>11</sup>

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<sup>11</sup> Added 3/14/2016

#### **IV. GENERAL PLANNING ANALYSIS**

The City of Philomath Urban Renewal Plan conforms with the objectives of the City Comprehensive Plan. How the Urban Renewal Plan relates to specific goals and policies of the Comprehensive Plan is addressed below.

##### **A. Philomath Comprehensive Plan**

The applicable goals and polices are:

###### **1. Economy**

The Urban Renewal Area will encourage the retention and possible expansion of lumber and wood product employment within the area by helping to provide an adequate supply of appropriately zoned land with necessary public facilities and services to meet the needs of current and potential lumber manufacturers and associated businesses. (Policies 1-3)

The Renewal Area will encourage further economic diversification in the Area by improving service to suitable sites for development by non-timber dependent industries and secondary wood product manufacturing industries. (Policies 2-3)

Design elements of the Urban Renewal Plan will provide sufficient buffering between future and existing industries and surrounding lands to ensure compatibility between industrial and residential uses. (Policy 4)

All industries within the Urban Renewal Area will continue to be required to assure compliance with DEQ environmental protection standards. (Policy 5)

Public facility Improvements in the Urban Renewal Area will encourage industrial and commercial development which will help expand the city's tax base. (Policies 6-7)

The Renewal Area's plans and policies will complement the City's plans for development along Highway 20/34, for creation of downtown off-street parking, for grounds improvement at the historic Philomath College, and to acquire and develop riverfront property. (Policies 9, 11-14)

The provision of street and sidewalk improvements in the Renewal Area to improve traffic access north of Main Street will enhance the utility of existing commercial and public properties in the downtown core and contribute to retaining the Main Street core area as the community's center for shopping and governmental activities. (Policies 15-18)

The Renewal Plan will not detract from the City's commercial buildable lands inventory nor result in a commercial zone change. (Policies 19-20)

The improvement projects funded under the Urban Renewal Plan will contribute to the physical upgrading of the City required to attract new commercial development. (Policies 21-24)

###### **2. Housing**

The Urban Renewal Area will help to make residential lands within the area more attractive for development and redevelopment as a result of the public infrastructure projects that will be funded in the Renewal Area. (Policy 1)

Housing policies and residential zones will not be altered by the Urban Renewal Area. (Policies 2-9)

### 3. Urbanization

The Urban Renewal Plan will not alter land allocations for various uses designated on the Comprehensive Plan map, nor detract from the city's supply of buildable residential, commercial, and industrial land. (Policies 1-2)

The Renewal Area is located within the Urban Growth Boundary and no changes to the boundary will result from development within the Area. (Policy 3)

Located almost entirely within city boundaries, the Renewal project will not interfere with the Urban Growth Management Agreement between the City and Benton County, nor will it affect the City's ability to annex or provide services to land outside the city limits. (Policies 4-11)

### 4. Public Facilities and Services

The Urban Renewal Plan will provide a means of funding needed infrastructure improvements within the Area. The capital improvement projects will ensure that adequate public facilities exist within the Area to handle the demands of present and future industrial, commercial, and residential land uses. The plan will provide a long range framework for efficient growth which will result in a positive impact on the community as a whole.

#### a. Sewage Collection

A goal of the Urban Renewal Area is to upgrade and extend sewer facilities to the properties within the Renewal Area.

The addition of new development within the Renewal Area will not overload the capacity of sewage treatment facilities. (Policies 11-12)

#### b. Water Supply

A goal for the Urban Renewal Area is to assure adequate water facilities and supply to the properties within the Area. (Policy 15)

#### c. Storm Drainage

Needed storm drainage improvements within the Urban Renewal Area will be included in the Public Facilities improvement projects for the area. (Policy 15)

#### d. Parks and Recreation

The needs of bicyclists within the Urban Renewal Area will be accommodated through street improvements throughout the area. (Policy 7)

No park sites are located within the Renewal Area but a proposal for the north central part of the City includes the acquisition and development of mini-parks (about 5,000 - 10,000 sq. ft.) to serve as playgrounds for children living in the immediate vicinity. The Renewal Plan would accommodate such proposals. (Policy 4)

#### e. Police and Fire Protection

The Renewal Plan will not interfere with relocation plans of the police or fire facilities. (Policy 1)

#### f. Library Policy

Not applicable.

g. Schools Policy

No schools are located within the Urban Renewal Area. (Policy 1)

h. Solid Waste Policies

The projects generated within the Urban Renewal area will be compatible with the City's solid waste management policies. (Policy1)

i. Postal Service Policy

The Renewal Plan does not preclude the expansion or relocation of the Post Office facilities. (Policy 1)

j. Other Utilities

The Renewal Area will not interfere with the supplying of telephone service, electrical power, natural gas and cable. Public works projects in the Renewal Area will include encouraging the underground placement of electric, telephone and cable lines when an opportunity arises. (Policies 1-2)

5. Transportation

The Urban Renewal Area will provide financial support for needed transportation system improvements within the Area. The improvements will alleviate public access deficiencies and result in improved circulation that enhances the city's overall transportation network. (Policy 1)

All traffic improvements initiated within the Urban Renewal Area will include the upgrading of railroad crossings, the development of sidewalks, and consideration of bicyclist needs. (Policies 2-4)

The Renewal Plan will not impede State Department of Transportation plans for Highway 20/34, or any other City or County transportation projects. (Policies 5-6)

The road improvement elements in the Renewal Plan will be guided by the City's Street Improvement Program. (Policy 7)

Street Improvements will comply with the bike policies by incorporating bike lanes where feasible within the Area. (Policies 1-5)

Street Improvements will comply with the pedestrian policies by incorporating pedestrian amenities where feasible within the Area. (Policies 1-7)

Street Improvements will comply with the Transit Policies when providing improvements to streets within the Area. (Policies 1-5)

6. Resources and Hazards

a. Open Space

Formation of the Renewal Area will not preclude the City from designating Open Space within the Renewal Area. (Policies 2, 4, 5, 10)

b. Historic Resources

Formation of the Renewal Area will not preclude the City from protecting any historic resources. Access to redevelopment funds through the redevelopment loan/grant program may assist in preserving historic resource. (Policies 4, 7, 8, 10, 11)

c. Scenic Views

Formation of the Renewal Area will not preclude the City from maintaining connectivity and public access between open areas within the city as well as those open space and scenic view areas outside the UGB. (Policy 3)

d. Air, Water and Land Quality

All future development within the Urban Renewal Area will conform with all applicable State and Federal environmental quality standards. (Policies 2-4)

e. Aggregate Resources

The area does not include an identified aggregate resource site. (Policies 1-3)

f. Natural Hazards

Buildings and streets within the Renewal Area will be located outside the 100-year floodplain of Newton Creek, and foundations for buildings on expansive soils will continue to require special design considerations as specified in the Uniform Building Code. (Policies 1-3)

g. Energy Conservation

The Urban Renewal Area will allow Rehabilitation and new construction which will comply with energy efficiency requirements. (Policy 1)

## **V. PROPERTY ACQUISITION AND RELOCATION PLAN**

The establishment of the Renewal Plan provides the opportunity for property in the district to be acquired and redeveloped. In the future, if properties are identified for acquisition by the Renewal Agency, the Plan will be amended to specifically indicate which properties will be acquired. Acquisition and redevelopment may result in the displacement of residents. In the event of displacement, the Renewal Agency will provide assistance in finding replacement facilities to such persons. Prior to displacement, the Renewal Agency will establish regulations and administrative rules relating to relocation payments to persons as a result of any acquisition pursuant to this Plan. These regulations are intended to comply with the requirements of Oregon State Law governing relocation assistance to displace persons and will be in accordance with the requirements of ORS 281.045 to 281.105. The Renewal Agency will prepare and maintain information in its office relating to the relocation program and procedures, including availability of suitable housing, eligibility for and amounts of relocation payments, services available, and other relevant matters.

## **VI. METHODS OF FINANCING REDEVELOPMENT PROJECTS**

### ***A. General Description of Financing Methods***

The Renewal Agency will consider all possible sources of funding in carrying out this Plan. The Agency may borrow and accept advances, loans, grants, and any other form of financial assistance from the federal government, state, city, county or other public body or from any other sources, public or private, including lease or sale of properties to developers for the purpose of undertaking and carrying out this Plan. In addition, the Renewal Agency may obtain financing as authorized under ORS Chapter 457 or any applicable statutes.

Upon request of the Agency, the City Council of the City of Philomath may, as necessary to achieve plan objectives, issue revenue bonds, certificates, notes, improvement warrants, for local improvement or special assessment districts and seek general obligation bonds to assist in completing projects earlier or financing the Plan. For all applicable projects, the agency will consider assessments, and other funding mechanisms that may include participation of the land owners, or the instruments described above. General obligation bonds will be considered last as a funding method.

The funds obtained by the Agency shall be used to pay or repay any cost, expense, advances, or any other indebtedness incurred in planning or undertaking the Plan or in otherwise exercising any of the powers granted by ORS 457.

### ***B. Self-Liquidation or Cost of Projects***

The Plan may be financed, in whole or in part, by self liquidation of costs of the Plan as provided in ORS 457.420 - 457.450. The ad valorem taxes, if any, levied by a taxing body upon taxable real and personal property situated in the Urban Renewal Area, shall be divided as provided in ORS 457.550. That portion of the taxes representing the levy against the assessed value attributable to the Increase, if any, in true cash value of property located in the Renewal Area, or part thereof, over the true cash value specified in the certificate or amendment to the certificate filed under ORS 457.430, shall, after collection by the tax collector, be paid into IA special fund of the agency and shall be used to pay the principal and interest on any indebtedness incurred by the Agency to finance or refinance the carrying out of the Plan.

### ***C. Prior Indebtedness***

Any indebtedness permitted by law and incurred by the Agency or the City in connection with preplanning of this Plan may be repaid by tax increment revenues from the Renewal Area when and if such funds are available as provided by ORS 457.

### ***D. Completion of Projects***

Upon completion of the projects identified in this Plan or subsequent amendments to this Plan, and the satisfaction of all outstanding indebtedness, the division of taxes under ORS 457.420 - 457.450 shall cease as provided by ORS 457.450.

**E. Maximum Indebtedness**

The maximum indebtedness of the Plan is \$14,300,000.<sup>12</sup>

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<sup>12</sup> Added 12/13/2010

## VII. RENEWAL PLAN AMENDMENTS

The Plan anticipates the possibility of both substantial and minor amendments becoming necessary in response to changes in economic conditions, land use and other factors. In accordance with ORS 457.220, any substantial amendment to the Plan shall, before being carried out be approved and recorded in the same manner as called for in the original plans adopted under the requirements of ORS 457.085.

For the purposes of this section, "substantial amendment" *means adding land to the urban renewal area, except for an addition of land that totals not more than one percent of the existing urban renewal area or increasing the maximum indebtedness that can be issued or incurred under the Plan.* (Added 12/13/2010)

Minor amendments to the Plan shall be approved by Resolution of the Renewal Agency.

Presentation of any amendment to the Agency or Council shall be accompanied by the recommendations of staff and/or the Philomath Urban Renewal Advisory Commission.

Any amendments to planned uses which result from amendment of the underlying Comprehensive Plan designation or Zoning District standards will be considered minor amendments to the Renewal Plan, in that the City's process for Code Text and Plan Map amendments requires analysis and public involvement.

**VIII. APPENDIX**

- A. *Legal Description*<sup>13</sup>**
- B. *ORS Requirements***
- C. *Legal Description Amendment*<sup>14</sup>**
- D. *Map Amendment*<sup>15</sup>**

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<sup>13</sup> Updated 12/13/2010

<sup>14</sup> Updated 11/09/2015

<sup>15</sup> Updated 11/09/2015

Appendix A  
ADDITION to the Urban Renewal Area –

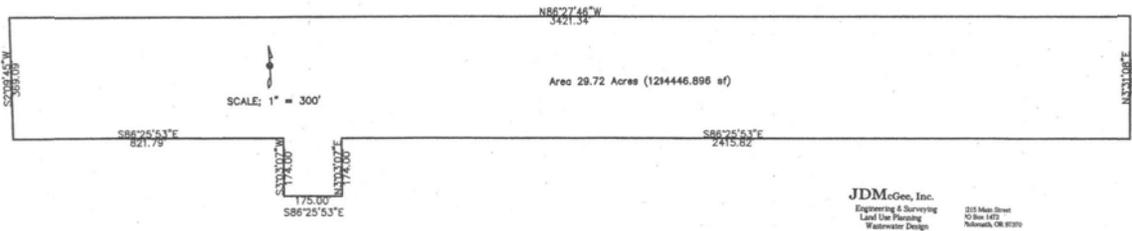
Addition Boundary  
Prepared September 29, 2010

The following area is hereby added to the boundaries of the Renewal Area:

Beginning at a point on the Southerly right-of-way line of Main Street, said point being at the intersection with the easterly right-of-way line of 15<sup>th</sup> Street and located at the Northwest corner of Block 33, Brown's Addition to the City of Philomath, a subdivision of record in Benton County, Oregon; thence North 86°27'46" West along said Southerly right-of-way line of Main Street 3421.34 feet to the Northwest corner of Block 24, City of Philomath, a subdivision of record in Benton County; thence South 2°09'45" East along the west line of said plat boundary 369.09 feet to the south right-of-way line of Applegate Street, said point being the Northwest corner of Lot 1, Martin Hoffmantown, a subdivision of record in Benton County; thence South 86°25'53" East along said southerly right-of-way 821.79 feet to the Northeast corner of Lot 10 of said Martin Hoffmantown subdivision; thence South 3°03'07" West along the east line of said Lot 10 a distance of 174.00 feet; thence South 86°25'53" East 175.00 feet to the Westerly right-of-way of 9<sup>th</sup> Street; thence North 3°03'07" East along said right-of-way line 174.00 feet to the Southerly right-of-way of Applegate Street; thence South 86°25'53" East along said right-of-way line 2415.82 feet to a point at the intersection of the southerly-projected west line of Block 33, Brown's Addition, said west line being the easterly right-of-way line of 15<sup>th</sup> Street; thence North 3°31'08" East along said easterly right-of-way line 370.86 feet to the point of beginning.



RENEWAL DATE 12/31/2010



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 Estimator Design  
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 LAND SURVEYOR

OREGON  
 FEB. 8, 2000  
**JOHN D. MCGEE**  
 #58902

RENEWAL DATE 12/31/2010

(7) That redevelopment and urban renewal activities will stimulate residential construction which is closely correlated with general economic activity; that undertakings authorized by this chapter will aid the production of better housing and more desirable neighborhood and community development at lower costs and will make possible a more stable and larger volume of residential construction, which will assist materially in maintaining full employment.

(8) That the necessity in the public interest for this chapter is a matter of legislative determination. [Amended by 1957 c.456 §2; 1979 c.621 §11]

**457.025 Powers supplemental to other laws.** The powers conferred by this chapter are in addition and supplemental to the powers conferred by any other law. [Formerly 457.110]

**457.030** [Amended by 1957 c.456 §18; repealed by 1979 c.621 §28]

#### URBAN RENEWAL AGENCIES; PLANS; ACTIVITIES

**457.035 Urban renewal agencies; creation; ordinance to exercise powers; jurisdiction.** (1) In each municipality, as defined in ORS 457.010, there hereby is created a public body corporate and politic to be known as the "urban renewal agency" of the municipality. However, the urban renewal agency shall not exercise its powers until or unless the governing body of the municipality, by nonemergency ordinance, declares that blighted areas exist in the municipality and that there is need for an urban renewal agency to function in the municipality and elects to have the powers of an urban renewal agency exercised in any of the three ways provided in ORS 457.045.

(2) An urban renewal agency, upon activation under subsection (1) of this section, shall have authority to exercise its powers within the same area of operation given a housing authority of the municipality under ORS 456.060. [Formerly 457.130]

**457.040** [Repealed by 1979 c.621 §28]

**457.045 Election of method of exercise of urban renewal agency's powers.** The governing body of a municipality shall, in the ordinance adopted under ORS 457.035, elect to have the powers of an urban renewal agency under this chapter exercised in one of the following ways:

(1) By a housing authority of the municipality established pursuant to the Housing Authorities Law in which case the name of the body corporate and politic shall be the "housing authority and urban renewal agency" of the municipality.

(2) By appointing a board or commission composed of not less than three members.

(3) By the governing body, itself, provided, however, that any act of the governing body acting as the urban renewal agency shall be, and shall be considered, the act of the urban renewal agency only and not of the governing body. [Formerly 457.140]

**457.050** [Amended by 1953 c.230 §3; 1957 c.456 §19; repealed by 1979 c.621 §28]

**457.055 Transfer of agency powers.** At any time following adoption of the ordinance under ORS 457.035, or for urban renewal agencies activated before October 3, 1979, at any time following adoption of a proper resolution or ordinance of the governing body of the municipality, the governing body of a municipality may, by ordinance, transfer the authority to exercise the powers of the urban renewal agency to any other body authorized to exercise those powers under ORS 457.045. All duties and obligations of the urban renewal agency shall thereafter be assumed by the body to which those powers are transferred. [1979 c.621 §16 (enacted in lieu of 457.145)]

**457.060** [Repealed by 1979 c.621 §28]

**457.065 Advisory board for housing authority acting as urban renewal agency.** For the purpose of coordinating its activities and undertakings under this chapter with the needs and undertakings of other local organizations and groups, a housing authority exercising the powers of an urban renewal agency under ORS 457.045 shall establish an advisory board consisting of the chairperson of the authority, who shall be chairperson of the advisory board, and of sufficient members, to be appointed by the chairperson, to represent as far as practicable:

(1) The general public and consumers of housing.

(2) General business interests.

(3) Real estate, building and home financing interests.

(4) Labor.

(5) Any official planning body in the locality.

(6) Church and welfare groups. [Formerly 457.100]

**457.070** [Repealed by 1979 c.621 §28]

**457.075 Termination of urban renewal agency.** If the governing body of a municipality which has an urban renewal agency under ORS 457.035 finds that there no longer exists a need for an urban renewal agency in the municipality, the governing body shall provide, by ordinance, for a termination of the agency and a transfer of the agency's facilities, files and personnel to the municipality. The termination of an urban renewal

APPENDIX B

457.085

PUBLIC HEALTH AND SAFETY

agency shall not affect any outstanding legal actions, contracts or obligations of the agency and the municipality shall be substituted for the agency and, for the purpose of those legal actions, contracts or obligations, shall be considered a continuation of the urban renewal agency and not a new entity. No urban renewal agency shall be terminated under this section unless all indebtedness to which a portion of taxes is irrevocably pledged for payment under CRS 457.420 to 457.460 is fully paid. [1979 c.621 §6; 1991 c.459 §331; 1997 c.541 §443]

457.080 [Repealed by 1979 c.321 §28]

**457.085 Urban renewal plan requirements; accompanying report; contents; approval required.** (1) An urban renewal agency shall provide for public involvement in all stages in the development of an urban renewal plan.

(2) An urban renewal plan proposed by an urban renewal agency shall include all of the following:

(a) A description of each urban renewal project to be undertaken.

(b) An outline for the development, redevelopment, improvements, land acquisition, demolition and removal of structures, clearance, rehabilitation or conservation of the urban renewal areas of the plan.

(c) A map and legal description of the urban renewal areas of the plan.

(d) An explanation of its relationship to definite local objectives regarding appropriate land uses and improved traffic, public transportation, public utilities, telecommunications utilities, recreational and community facilities and other public improvements.

(e) An indication of proposed land uses, maximum densities and building requirements for each urban renewal area.

(f) A description of the methods to be used for the temporary or permanent relocation of persons living in, and businesses situated in, the urban renewal area of the plan.

(g) An indication of which real property may be acquired and the anticipated disposition of said real property, whether by retention, resale, lease or other legal use, together with an estimated time schedule for such acquisition and disposition.

(h) If the plan provides for a division of ad valorem taxes under ORS 457.420 to 457.460, the maximum amount of indebtedness that can be issued or incurred under the plan.

(i) A description of what types of possible future amendments to the plan are substantial amendments and require the same notice, hearing and approval procedure

required of the original plan under ORS 457.095 as provided in ORS 457.220, including but not limited to amendments:

(A) Adding land to the urban renewal area, except for an addition of land that totals not more than one percent of the existing area of the urban renewal area.

(B) Increasing the maximum amount of indebtedness that can be issued or incurred under the plan.

(j) For a project which includes a public building, an explanation of how the building serves or benefits the urban renewal area.

(3) An urban renewal plan shall be accompanied by a report which shall contain:

(a) A description of physical, social and economic conditions in the urban renewal areas of the plan and the expected impact, including the fiscal impact, of the plan in light of added services or increased population;

(b) Reasons for selection of each urban renewal area in the plan;

(c) The relationship between each project to be undertaken under the plan and the existing conditions in the urban renewal area;

(d) The estimated total cost of each project and the sources of moneys to pay such costs;

(e) The anticipated completion date for each project;

(f) The estimated amount of money required in each urban renewal area under ORS 457.420 to 457.460 and the anticipated year in which indebtedness will be retired or otherwise provided for under ORS 457.420 to 457.460;

(g) A financial analysis of the plan with sufficient information to determine feasibility;

(h) A fiscal impact statement that estimates the impact of the tax increment financing, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the urban renewal area; and

(i) A relocation report which shall include:

(A) An analysis of existing residents or businesses required to relocate permanently or temporarily as a result of agency actions under ORS 457.170;

(B) A description of the methods to be used for the temporary or permanent relocation of persons living in, and businesses situated in, the urban renewal area in accordance with ORS 35.500 to 35.530; and

(C) An enumeration, by cost range, of the existing housing units in the urban renewal

areas of the plan to be destroyed or altered and new units to be added.

(4) An urban renewal plan and accompanying report shall be forwarded to the planning commission of the municipality for recommendations, prior to presenting the plan to the governing body of the municipality for approval under ORS 457.095.

(5) An urban renewal plan and accompanying report shall be forwarded to the governing body of each taxing district affected by the urban renewal plan and the agency shall consult and confer with the taxing districts prior to presenting the plan to the governing body of the municipality for approval under ORS 457.095. Any written recommendations of the governing body of each taxing district shall be accepted, rejected or modified by the governing body of the municipality in adopting the plan.

(6) No urban renewal plan shall be carried out until the plan has been approved by the governing body of each municipality pursuant to ORS 457.095 and 457.105. [1979 c.621 §2; 1983 c.544 §1; 1987 c.668 §1; 1987 c.447 §130; 1991 c.459 §332; 1997 c.541 §444]

457.090 [Repealed by 1979 c.621 §28]

**457.095 Approval of plan by ordinance; required contents of ordinance; notice.** The governing body of the municipality, upon receipt of a proposed urban renewal plan and report from the municipality's urban renewal agency and after public notice and hearing and consideration of public testimony and planning commission recommendations, if any, may approve the urban renewal plan. The approval shall be by nonemergency ordinance which shall incorporate the plan by reference. Notice of adoption of the ordinance approving the urban renewal plan, and the provisions of ORS 457.135, shall be published by the governing body of the municipality in accordance with ORS 457.115 no later than four days following the ordinance adoption. The ordinance shall include determinations and findings by the governing body that:

- (1) Each urban renewal area is blighted;
- (2) The rehabilitation and redevelopment is necessary to protect the public health, safety or welfare of the municipality;
- (3) The urban renewal plan conforms to the comprehensive plan and economic development plan, if any, of the municipality as a whole and provides an outline for accomplishing the urban renewal projects the urban renewal plan proposes;
- (4) Provision has been made to house displaced persons within their financial means in accordance with ORS 35.500 to 35.530 and, except in the relocation of elderly individuals or individuals with disabilities,

without displacing on priority lists persons already waiting for existing federally subsidized housing;

(5) If acquisition of real property is provided for, that it is necessary;

(6) Adoption and carrying out of the urban renewal plan is economically sound and feasible; and

(7) The municipality shall assume and complete any activities prescribed it by the urban renewal plan. [1979 c.621 §3; 1989 c.224 §121; 2007 c.70 §263]

457.100 [Amended by 1979 c.621 §12; renumbered 457.065]

**457.105 Approval of plan by other municipalities.** In addition to the approval of a plan by the governing body of the municipality under ORS 457.095, when any portion of the area of a proposed urban renewal plan extends beyond the boundaries of the municipality into any other municipality and, in the case of a proposed plan by a county agency, when any portion of such area is within the boundaries of a city, the governing body of the other municipality may approve the plan and may do so by resolution, rather than by ordinance. A proposed plan for an urban renewal area which is wholly within the boundaries of a city, or which is wholly within the boundaries of a county and does not include any area within the boundaries of a city, must be approved only by the governing body of the municipality in accordance with ORS 457.095. [1979 c.621 §3a; 1987 c.668 §2]

457.110 [Renumbered 457.025]

**457.115 Manner of newspaper notice.** Notice of adoption of an urban renewal plan required under ORS 457.095 and notice of filing of an annual financial statement required under ORS 457.460 shall be published in the newspaper, as defined in ORS 193.010, having the greatest circulation in the municipality and which is published within the municipality. If no newspaper is published within the municipality, the required notice shall be published in the newspaper having greatest circulation within the municipality published nearest to the municipality. [1979 c.621 §3b]

**457.120 When additional notice required; to whom sent; content; notice by publication.** (1) In addition to any required public notice of hearing on a proposed urban renewal plan or substantial amendment or change to a plan, as described in ORS 457.085 (2)(i) and 457.220, the municipality shall cause notice of a hearing by the governing body on a proposed plan for a new urban renewal area or on a proposed change containing one of the types of amendments specified in ORS 457.085 (2)(i) to be mailed

to each individual or household in one of the following groups:

- (a) Owners of real property that is located in the municipality;
- (b) Electors registered in the municipality;
- (c) Sewer, water, electric or other utility customers in the municipality; or
- (d) Postal patrons in the municipality.

(2) If the urban renewal area governed by the plan or substantial amendment thereof extends beyond the boundaries of the municipality, notice shall also be sent to each individual in the selected group who is located in the urban renewal area.

(3) The notice required by this section shall contain a statement in plain language that:

(a) The governing body, on a specified date, will hold a public hearing and consider an ordinance adopting or substantially amending an urban renewal plan;

(b) The adoption or amendment may impact property tax rates;

(c) States the proposed maximum amount of indebtedness that can be issued or incurred under the plan or amendment;

(d) The ordinance, if approved, is subject to referendum; and

(e) A copy of the ordinance, urban renewal plan and accompanying report can be obtained by contacting a designated person within the municipality.

(4) If the municipality which activated the urban renewal agency is a county:

(a) The notice required by subsection (1) of this section shall be sent to each individual or household in one of the groups listed in subsections (1)(a) to (d) of this section, except that the notice need be sent only to those individuals or households located in a school district with territory affected or to be affected by the tax increment financing for the new urban renewal area or proposed change.

(b) In addition to the notice under paragraph (a) of this subsection, the county shall cause notice to be published in a paper of general circulation throughout the county. The published notice shall contain the information described in subsection (3) of this section, be published in an advertisement not less than three inches in height and three inches in width and be located in a general interest section of the newspaper other than the classified advertisement section. [1991 c.459 §335f; 1997 c.541 §445]

**Note:** 457.120 was added to and made a part of ORS chapter 457 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

**457.125 Recording of plan upon approval.** A copy of the ordinance approving an urban renewal plan under ORS 457.095 shall be sent by the governing body of the municipality to the urban renewal agency. A copy of the resolution approving an urban renewal plan under ORS 457.105 shall be sent by the governing body of a municipality to the urban renewal agency. Upon receipt of the necessary approval of each municipality governing body, the urban renewal plan shall be recorded by the urban renewal agency with the recording officer of each county in which any portion of an urban renewal area within the plan is situated. [1979 c.621 §4]

**457.130** [1957 c.456 §§4,5; 1979 c.621 §13; renumbered 457.035]

**457.135 Conclusive presumption of plan validity.** After October 3, 1979, any urban renewal plan purported to be adopted in conformance with applicable legal requirements shall be conclusively presumed valid for all purposes 90 days after adoption of the plan by ordinance of the governing body of the municipality. No direct or collateral attack on the action may thereafter be commenced. [1979 c.621 §5]

**457.140** [1957 c.456 §6; 1975 c.246 §1; 1979 c.621 §14; renumbered 457.045]

**457.145** [1967 c.311 §2; repealed by 1979 c.621 §15 (457.055 enacted in lieu of 457.145)]

**457.150** [1957 c.456 §8; repealed by 1979 c.621 §28]

**457.160 Exception to plan requirements for disaster areas.** Notwithstanding any other provisions of ORS chapters 455 and 456 or this chapter and ORS 446.515 to 446.547, where the governing body of a municipality certifies that an area is in need of redevelopment or rehabilitation as a result of a flood, fire, hurricane, earthquake, storm or other catastrophe respecting which the Governor has certified the need for disaster assistance under federal law, the governing body may declare a need for an urban renewal agency, if necessary, and may approve an urban renewal plan and an urban renewal project for such area without regard to the provisions requiring:

(1) That the urban renewal plan conform to the comprehensive plan and economic development plan, if any, for the municipality as a whole.

(2) That the urban renewal area be a blighted area. [1957 c.456 §15; 1979 c.621 §18; 1993 c.18 §114]

**457.170 Urban renewal agency's powers in planning or undertaking an urban renewal project.** An urban renewal agency may plan or undertake any urban renewal project to carry out an approved urban renewal plan. In planning or undertaking an

urban renewal project, the urban renewal agency has the power:

(1) To carry out any work or undertaking and exercise any powers which a housing authority is authorized to perform or exercise under ORS 453.055 to 456.235, subject to the provisions of this chapter provided, however, that ORS 456.155 and 456.160 do not limit the power of an agency in event of a default by a purchaser or lessee of land in an urban renewal plan to acquire property and operate it free from the restrictions in those sections.

(2) To carry out any rehabilitation or conservation work in an urban renewal area.

(3) To acquire real property, by condemnation if necessary, when needed to carry out the plan.

(4) To clear any areas acquired, including the demolition, removal or rehabilitation of buildings and improvements.

(5) To install, construct or reconstruct streets, utilities and site improvements in accordance with the urban renewal plan.

(6) To carry out plans for a program of the voluntary repair and rehabilitation of buildings or other improvements in an urban renewal area in accordance with the urban renewal plan.

(7) To assist in relocating persons living in, and property situated in, the urban renewal area in accordance with the approved urban renewal plan and to make relocation payments.

(8) To dispose of, including by sale or lease, any property or part thereof acquired in the urban renewal area in accordance with the approved urban renewal plan.

(9) To plan, undertake and carry out neighborhood development programs consisting of urban renewal project undertakings in one or more urban renewal areas which are planned and carried out on the basis of annual increments in accordance with the provisions of this chapter for planning and carrying out urban renewal plans.

(10) To accomplish a combination of the things listed in this section to carry out an urban renewal plan. [1957 c.456 §7; 1969 c.225 §2; 1969 c.539 §1; 1979 c.62; §19; 1995 c.79 §268]

**457.180 Powers of urban renewal agencies in general.** An urban renewal agency, in addition to its other powers, may:

(1) Make plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements.

(2) Make plans for the enforcement of laws, codes and regulations relating to:

(a) The use of land.

(b) The use and occupancy of buildings and improvements.

(c) The repair, rehabilitation, demolition or removal of buildings and improvements.

(3) Make plans for the relocation of persons and property displaced by an urban renewal project.

(4) Make preliminary plans outlining urban renewal activities for neighborhoods to embrace two or more urban renewal areas.

(5) Conduct preliminary surveys to determine if the undertaking and carrying out of an urban renewal project is feasible.

(6) Develop, test and report methods and techniques and carry out demonstrations and other activities for the prevention and the elimination of urban blight.

(7) Engage in any other housing or community development activities specifically delegated to it by the governing body of the municipality including but not limited to land acquisition and disposition, conservation and rehabilitation, residential or business relocation, construction, leasing or management of housing, and the making of grants and loans from any available source. [1957 c.456 §10; 1975 c.382 §1]

**457.190 Acquisition of funds by urban renewal agency; maximum amount of indebtedness.** (1) An urban renewal agency may borrow money and accept advances, loans, grants and any other form of financial assistance from the federal government, the state, county or other public body, or from any sources, public or private, for the purposes of undertaking and carrying out urban renewal projects.

(2) An urban renewal agency may do all things necessary or desirable to secure such financial aid, including obligating itself in any contract with the federal government for federal financial aid to convey to the federal government the project to which the contract relates upon the occurrence of a substantial default thereunder, in the same manner as a housing authority may do to secure such aid in connection with blighted area clearance and housing projects under the Housing Authorities Law.

(3)(a) Each urban renewal plan adopted by ordinance on or after July 14, 1997, that provides for a division of taxes pursuant to ORS 457.440 shall include in the plan the maximum amount of indebtedness that may be issued or incurred under the plan. Notwithstanding subsection (1) of this section, if a maximum amount of indebtedness is not included in the plan, the urban renewal agency may not issue indebtedness for which taxes divided under ORS 457.440 are to be pledged to carry out the plan.

(b) Each urban renewal plan adopted by ordinance on or after December 6, 1996, and before July 14, 1997, that provides for a division of taxes pursuant to ORS 457.440 but does not include a maximum amount of indebtedness that may be issued or incurred under the plan shall be changed, by substantial plan amendment pursuant to ORS 457.220, to include the maximum amount of indebtedness that may be issued or incurred under the plan before July 1, 2000. Notwithstanding subsection (1) of this section, if a maximum amount of indebtedness is not included in the plan on or before July 1, 2000, the urban renewal agency may not on or after July 1, 2000, issue indebtedness for which taxes divided under ORS 457.440 are to be pledged to carry out the plan.

(c)(A) Each existing urban renewal plan that provides for a division of taxes pursuant to ORS 457.420 to 457.460 may be changed by substantial amendment no later than July 1, 1998, to include a maximum amount of indebtedness that may be issued or incurred under the plan determined as described in subparagraph (B) of this paragraph. The additional notices required under ORS 457.120 are not required for an amendment adopted pursuant to this paragraph.

(B) The maximum amount of indebtedness that may be issued or incurred under the plan, as determined for purposes of meeting the requirements of this paragraph, shall be based upon good faith estimates of the scope and costs of projects, including but not limited to increases in costs due to reasonably anticipated inflation, in the existing urban renewal plan and the schedule for their completion as completion dates were anticipated as of December 5, 1996. The maximum amount of indebtedness shall be specified in dollars and cents.

(C) Notwithstanding subsection (1) of this section, if a maximum amount of indebtedness is not adopted for an existing urban renewal plan as described in this paragraph before July 1, 1998, the urban renewal agency may not collect funds under ORS 457.435. [1957 c.456 §14; 1991 c.459 §333; 1997 c.541 §446; 2007 c.306 §12]

**Note:** Section 335e, chapter 459, Oregon Laws 1991, provides:

**Sec. 335e. Bonded indebtedness if project agreed to prior to September 29, 1991.** Notwithstanding ORS 457.190, an urban renewal agency may issue bonded indebtedness to undertake an urban renewal project to carry out an urban renewal plan if, prior to September 29, 1991, a written contract or other written agreement for the project was made, the instrument setting forth the contract or agreement was executed and the parties were bound. The urban renewal agency of the municipality may use any of the money available to it from the issuance of the bonds for carrying out the project in accordance with the contract or agreement. [1991 c.459 §335e; 1997 c.541 §446a]

**457.210 Applicability of housing cooperation law to urban renewal projects; delegation of powers and functions.** (1) Any state public body, as defined in ORS 456.305, shall have the same rights and powers to cooperate with and assist urban renewal agencies with respect to urban renewal projects that such state public body has pursuant to ORS 456.305 to 456.325 to cooperate and assist housing authorities with respect to housing projects in the same manner as though those sections were applicable to urban renewal agencies and projects under this chapter.

(2) Any state public body, as defined in ORS 456.305, hereby is authorized to enter into agreements with any other public body, including an urban renewal agency, respecting action to be taken pursuant to any of the powers granted by this chapter, including, but not limited to, the furnishing of funds or other assistance in connection with an urban renewal plan or urban renewal project.

(3) An urban renewal agency hereby is authorized to delegate any of its powers or functions to the municipality or other state public body, as defined in ORS 456.305, with respect to the planning or undertaking of an urban renewal project in the area in which such municipality or other state public body is authorized to act. The municipality, or other state public body to which the powers or functions are delegated hereby is authorized to carry out or perform such powers or functions. [1957 c.456 §11]

**457.220 Plan amendment; limit on additional land.** (1) Except for the provisions of subsection (2) of this section, an urban renewal agency shall carry out the urban renewal plan approved under ORS 457.095.

(2) Any substantial change made in the urban renewal plan shall, before being carried out, be approved and recorded in the same manner as the original plan.

(3) No land equal to more than 20 percent of the total land area of the original plan shall be added to the urban renewal areas of a plan by amendments. [1957 c.456 §9; 1979 c.621 §20]

**457.230 Disposition of land in urban renewal project; determination of value; obligations of purchaser or lessee; recodation.** (1) The urban renewal agency shall, in accordance with the approved urban renewal plan, make land in an urban renewal project available for use by private enterprise or public agencies. Such land shall be made available at a value determined by the urban renewal agency to be its fair reuse value, which represents the value, whether expressed in terms of rental or capital price, at which the urban renewal agency in its discretion determines such land should be

## Appendix C

### City of Philomath – Urban Renewal Area Description

A two foot wide strip of land, centered on a sanitary sewer pipe line, being more particularly described as:

Beginning at a point that is North  $86^{\circ}00'58''$  West 1688.42 feet from the Northwest corner of Block 33, Brown's Addition to Philomath, said point herein referred to as Point "S0" and being centered in a sanitary sewer manhole; thence North  $86^{\circ}07'18''$  West 9.13 feet to a sewer pipe connection point, said point herein referred to as Point "S1"; thence North  $86^{\circ}07'18''$  West 6.89 feet to a sewer pipe connection point, said point herein referred to as Point "S2"; thence North  $86^{\circ}07'18''$  West 106.92 feet to a sewer pipe connection point, said point herein referred to as Point "S3"; thence North  $86^{\circ}07'18''$  West 63.37 feet to a sewer pipe connection point, said point herein referred to as Point "S4"; thence North  $86^{\circ}07'18''$  West 34.24 feet to a sewer pipe connection point, said point herein referred to as Point "S5"; thence North  $86^{\circ}07'18''$  West 90.29 feet to a sewer angle point in the center of a sanitary sewer manhole, said point herein referred to as Point "S6"; thence North  $1^{\circ}03'58''$  East 44.17 feet to a sewer angle point in the center of a sanitary sewer manhole, said point herein referred to as Point "S7"; thence North  $86^{\circ}33'20''$  West 30.95 feet to a sewer pipe connection point, said point herein referred to as Point "S8"; thence North  $86^{\circ}33'20''$  West 122.51 feet to a sewer pipe connection point, said point herein referred to as Point "S9"; thence North  $86^{\circ}33'20''$  West 77.20 feet to a sewer pipe connection point, said point herein referred to as Point "S10"; thence North  $86^{\circ}33'20''$  West 165.49 feet to the center of a sanitary sewer manhole, said point herein referred to as Point "S11"; thence North  $86^{\circ}33'20''$  West 76.82 feet to a sewer pipe connection point, said point herein referred to as Point "S12"; thence North  $86^{\circ}33'20''$  West 18.12 feet to a sewer pipe connection point, said point herein referred to as Point "S13"; thence North  $86^{\circ}33'20''$  West 153.18 feet to a sewer pipe connection point, said point herein referred to as Point "S14"; thence North  $86^{\circ}33'20''$  West 15.49 feet to a sewer pipe connection point, said point herein referred to as Point "S15"; thence North  $86^{\circ}33'20''$  West 129.56 feet to a sewer pipe angle point in the center of a sanitary sewer manhole, said point herein referred to as Point "S16"; thence North  $2^{\circ}53'17''$  West 22.13 feet to the terminus at the north right-of-way line of Main Street.

TOGETHER WITH a two foot wide strip of land centered on the following described sewer pipe segments, which terminate at the right-of-way line of Main Street:

- Beginning at Point "S1"; thence South 1°34'51" West 13.23 feet.
- Beginning at Point "S2"; thence South 2°26'21" West 13.26 feet.
- Beginning at Point "S3"; thence South 2°02'20" West 13.90 feet.
- Beginning at Point "S4"; thence South 0°00'00" West 14.30 feet.
- Beginning at Point "S5"; thence South 1°34'38" West 14.49 feet.
- Beginning at Point "S6"; thence South 3°32'14" West 15.01 feet.
- Beginning at Point "S7"; thence North 3°32'14" East 20.85 feet.
- Beginning at Point "S8"; thence North 3°13'44" East 20.90 feet.
- Beginning at Point "S9"; thence North 4°03'07" East 21.10 feet.
- Beginning at Point "S10"; thence North 4°34'01" East 21.23 feet.
- Beginning at Point "S11"; thence North 3°32'14" East 21.49 feet.
- Beginning at Point "S12"; thence North 3°50'00" East 21.62 feet.
- Beginning at Point "S13"; thence North 3°20'28" East 21.65 feet.
- Beginning at Point "S14"; thence North 4°13'51" East 21.90 feet.
- Beginning at Point "S15"; thence North 5°17'52" East 21.93 feet.

TOGETHER WITH eight-foot wide by eight-foot long square tracts of land, with sides oriented north-south or east-west, centered on a point; said point being more particularly described as:

- Point "S0".
- Point "S6".
- Point "S7".
- Point "S11".
- Point "S16".

ALSO TOGETHER WITH a two foot wide strip of land, centered on a sanitary sewer pipe line, being more particularly described as:

Beginning at a point on the south right-of-way line of Main Street that is North 86°27'46" West 3148.53 feet from the Northwest corner of Block 33, Brown's Addition to Philomath, said point being the end of a city sanitary sewer pipe; thence North 3°19'32" East 58.16 feet to a sewer

pipe angle point in the center of a sanitary sewer manhole, said point herein referred to as Point "S17"; thence North  $87^{\circ}37'50''$  West 121.70 feet to a sewer pipe connection point, said point herein referred to as Point "S18"; thence North  $87^{\circ}37'50''$  West 90.35 feet to a sewer pipe angle point in the center of a sanitary sewer manhole, said point herein referred to as Point "S19"; thence North  $5^{\circ}33'31''$  East 25.76 feet to the terminus at the north right-of-way line of Main Street.

TOGETHER WITH a two foot wide strip of land beginning at Point "S18"; thence North  $3^{\circ}46'42''$  East 24.45 feet to the terminus on the north right-of-way line of Main Street.

TOGETHER WITH eight-foot wide by eight-foot long square tracts of land, with sides oriented north-south or east-west, centered on a point; said point being more particularly described as:

Point "S17".

Point "S19".

ALSO TOGETHER WITH a two foot wide strip of land, centered on a water pipe line, being more particularly described as:

Beginning at a point that is North  $84^{\circ}18'46''$  West 1237.00 feet from the Northwest corner of Block 33, Brown's Addition to Philomath, said point being the end of a city water pipe; thence North  $86^{\circ}26'07''$  West 3.54 feet to a water pipe connection point, said point herein referred to as Point "W1"; thence North  $86^{\circ}26'07''$  West 23.15 feet to a water pipe connection point, said point herein referred to as Point "W2"; thence North  $86^{\circ}26'07''$  West 7.48 feet to a water pipe connection point, said point herein referred to as Point "W3"; thence North  $86^{\circ}26'07''$  West 77.92 feet to a water pipe connection point, said point herein referred to as Point "W4"; thence North  $86^{\circ}26'07''$  West 7.49 feet to a water pipe connection point, said point herein referred to as Point "W5"; thence North  $86^{\circ}26'07''$  West 75.66 feet to a water pipe connection point, said point herein referred to as Point "W6"; thence North  $86^{\circ}26'07''$  West 40.30 feet to a water pipe connection point, said point herein referred to as Point "W7"; thence North  $86^{\circ}26'07''$  West 77.11 feet to a water pipe connection point, said point herein referred to as Point "W8"; thence North  $86^{\circ}26'07''$  West 65.78 feet to a water pipe connection point, said point herein referred to as Point "W9"; thence North  $86^{\circ}26'07''$  West 12.71 feet to a water pipe connection point, said

point herein referred to as Point "W10"; thence North 86°26'07" West 31.94 feet to a water pipe connection point, said point herein referred to as Point "W11"; thence North 86°26'07" West 70.31 feet to a water pipe connection point, said point herein referred to as Point "W12"; thence North 86°26'07" West 50.50 feet to a water pipe connection point, said point herein referred to as Point "W13"; thence North 86°26'07" West 81.90 feet to a water pipe connection point, said point herein referred to as Point "W14"; thence North 86°26'07" West 64.99 feet to a water pipe connection point, said point herein referred to as Point "W15"; thence North 86°26'07" West 62.16 feet to a water pipe connection point, said point herein referred to as Point "W16"; thence North 86°26'07" West 0.58 feet to a water pipe connection point, said point herein referred to as Point "W17"; thence North 86°26'07" West 32.45 feet to a water pipe connection point, said point herein referred to as Point "W18"; thence North 86°26'07" West 188.87 feet to a water pipe connection point, said point herein referred to as Point "W19"; thence North 86°26'07" West 88.89 feet to a water pipe connection point, said point herein referred to as Point "W20"; thence North 86°26'07" West 54.94 feet to a water pipe connection point, said point herein referred to as Point "W21"; thence North 86°26'07" West 122.69 feet to a water pipe connection point, said point herein referred to as Point "W22"; thence North 86°26'07" West 24.30 feet to a water pipe connection point, said point herein referred to as Point "W23"; thence North 86°26'07" West 111.11 feet to a water pipe connection point, said point herein referred to as Point "W24"; thence North 86°26'07" West 51.49 feet to a water pipe connection point, said point herein referred to as Point "W25"; thence North 86°26'07" West 56.40 feet to a water pipe connection point, said point herein referred to as Point "W26"; thence North 86°26'07" West 78.94 feet to a water pipe connection point, said point herein referred to as Point "W27"; thence North 86°26'07" West 34.47 feet to a water pipe connection point, said point herein referred to as Point "W28"; thence North 86°26'07" West 73.33 feet to a water pipe connection point, said point herein referred to as Point "W29"; thence North 86°26'07" West 32.81 feet to a water pipe connection point, said point herein referred to as Point "W30"; thence North 86°26'07" West 36.45 feet to a water pipe connection point, said point herein referred to as Point "W31"; thence North 86°26'07" West 43.28 feet to a water pipe connection point, said point herein referred to as Point "W32"; thence North 86°26'07" West 64.58 feet to a water pipe connection point, said point herein referred to as Point "W33"; thence North 86°26'07" West 71.42 feet to a water pipe connection point, said point herein referred to as Point "W34".

TOGETHER WITH a two foot wide strip of land centered on the following described water pipe segments, which terminate at the right-of-way line of Main Street:

- Beginning at Point "W1"; thence North 3°41'39" East 33.59 feet.
- Beginning at Point "W2"; thence South 3°01'32" West 46.42 feet.
- Beginning at Point "W3"; thence South 2°42'04" West 46.43 feet.
- Beginning at Point "W4"; thence South 3°32'14" West 46.46 feet.
- Beginning at Point "W5"; thence South 3°15'27" West 46.47 feet.
- Beginning at Point "W6"; thence North 3°37'56" East 33.50 feet.
- Beginning at Point "W6"; thence South 3°37'56" West 46.50 feet.
- Beginning at Point "W7"; thence North 3°06'30" East 33.48 feet.
- Beginning at Point "W8"; thence South 2°20'46" West 46.57 feet.
- Beginning at Point "W9"; thence North 3°06'18" East 33.41 feet.
- Beginning at Point "W10"; thence North 3°33'09" East 33.41 feet.
- Beginning at Point "W11"; thence South 1°46'39" West 46.63 feet.
- Beginning at Point "W12"; thence South 2°36'55" West 46.65 feet.
- Beginning at Point "W13"; thence North 4°07'11" East 33.33 feet.
- Beginning at Point "W14"; thence South 2°15'43" West 46.72 feet.
- Beginning at Point "W15"; thence South 3°55'51" West 46.74 feet.
- Beginning at Point "W16"; thence North 2°18'29" East 33.24 feet.
- Beginning at Point "W17"; thence South 2°07'48" West 46.78 feet.
- Beginning at Point "W18"; thence North 3°01'38" East 33.22 feet.
- Beginning at Point "W19"; thence North 2°35'23" East 33.13 feet.
- Beginning at Point "W20"; thence North 3°04'01" East 33.08 feet.
- Beginning at Point "W21"; thence North 3°32'14" East 33.06 feet.
- Beginning at Point "W21"; thence South 3°32'14" West 46.94 feet.
- Beginning at Point "W22"; thence North 3°14'26" East 33.00 feet.
- Beginning at Point "W23"; thence North 2°24'25" East 33.00 feet.
- Beginning at Point "W24"; thence North 1°18'58" East 32.96 feet.
- Beginning at Point "W25"; thence North 1°17'31" East 32.93 feet.
- Beginning at Point "W26"; thence North 1°39'14" East 32.90 feet.
- Beginning at Point "W27"; thence North 1°52'05" East 32.86 feet.
- Beginning at Point "W28"; thence South 1°50'26" West 47.19 feet.

Beginning at Point "W29"; thence South  $3^{\circ}53'56''$  West 47.21 feet.

Beginning at Point "W30"; thence North  $3^{\circ}31'0''$  East 32.78 feet.

Beginning at Point "W31"; thence North  $2^{\circ}45'47''$  East 32.76 feet.

Beginning at Point "W32"; thence South  $2^{\circ}10'50''$  West 47.28 feet.

Beginning at Point "W33"; thence South  $2^{\circ}16'10''$  West 47.30 feet.

Beginning at Point "W34"; thence North  $0^{\circ}59'44''$  East 32.70 feet.

Beginning at Point "W34"; thence South  $0^{\circ}59'44''$  West 47.37 feet.

The area herein described containing 0.24 acres, more or less.

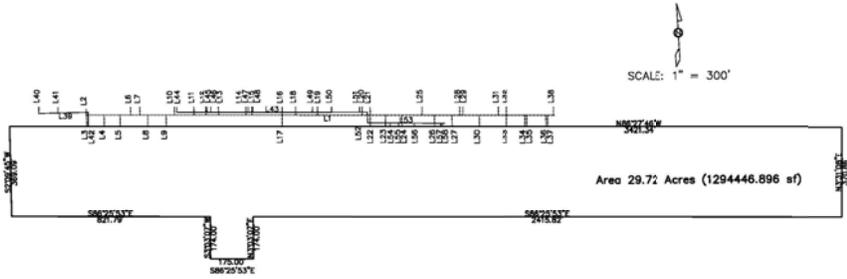
Appendix D – Addition to the Urban Renewal Area

WATER LINE TABLE [---]

NUM	BEARING	DISTANCE
L1	N86°28'07"W	1919.91'
L2	N0°59'44"E	22.90'
L3	S0°59'44"W	47.34'
L4	S21°16'10"W	46.42'
L5	S21°10'50"W	47.21'
L6	N2°45'47"E	31.52'
L7	N3°31'00"E	31.93'
L8	S3°53'56"W	47.21'
L9	S1°50'26"W	47.02'
L10	N1°52'05"E	31.96'
L11	N1°39'14"E	32.63'
L12	N11°17'31"E	32.43'
L13	N11°18'58"E	32.47'
L14	N2°24'25"E	32.45'
L15	N3°14'26"E	32.73'
L16	N3°32'14"E	31.52'
L17	S3°32'14"W	46.70'
L18	N3°04'01"E	32.54'
L19	N2°35'23"E	32.31'
L20	N3°01'38"E	32.94'
L21	N2°18'29"E	31.77'
L22	S2°07'48"W	46.18'
L23	S3°55'51"W	44.96'
L24	S2°15'43"W	45.23'
L25	N4°07'11"E	33.01'
L26	S2°36'55"W	45.68'
L27	S1°46'39"W	46.00'
L28	N3°33'09"E	33.20'
L29	N3°06'18"E	33.36'
L30	S2°20'46"W	46.42'
L31	N3°06'30"E	33.62'
L32	N3°37'56"E	33.46'
L33	S3°37'56"W	46.06'
L34	S3°15'27"W	46.04'
L35	S3°32'14"W	45.92'
L36	S2°42'04"W	45.99'
L37	S3°01'32"W	46.26'
L38	N3°41'39"E	33.38'

SEWER LINE TABLE [---]

NUM	BEARING	DISTANCE
L39	N87°37'50"W	212.05'
L40	N5°33'31"E	25.76'
L41	N3°46'42"E	23.32'
L42	S3°19'32"W	58.16'
L43	N86°33'20"W	789.32'
L44	N2°53'17"E	20.04'
L45	N51°7'52"E	21.67'
L46	N4°13'51"E	21.38'
L47	N3°20'28"E	21.59'
L48	N3°50'00"E	21.48'
L49	N4°34'01"E	20.58'
L50	N4°03'07"E	20.60'
L51	N3°13'44"E	20.61'
L52	N1°03'58"E	44.17'
L53	N86°07'18"W	310.83'
L54	S1°34'38"W	12.82'
L55	S0°00'00"W	13.00'
L56	S2°02'20"W	12.51'
L57	S2°26'21"W	12.06'
L58	S1°34'51"W	12.18'



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