



00059255201900042440060061

I, Gayle V. Trotter, County Clerk for Malheur County,
Oregon certify that the instrument identified herein was
recorded in the Clerk records.

Gayle V. Trotter - County Clerk

NOOTE

ORDINANCE #2766-2019

An Ordinance Amending the City of Ontario Comprehensive Plan and Zoning Maps by Expanding the Urban Growth Boundary to Change the Designation of Certain Land from County Exclusive Farm Use (C-A1) to Ontario Urban Growth Area (UGA); Rezoning said Certain Land to Urban Growth Area – Residential (UGA-R); and Declaring an Emergency

- WHEREAS,** The City of Ontario (City) proposes to amend its urban growth boundary to include approximately 0.94 contiguous acres in Malheur County generally described as follows (subject property): Statutory Warranty Deed #2013-1192, Exhibit "1".
Ref#: 7685; Map: 18S47E06D; Tax Lot 200 0.94 acres zoned County EFU; and
- WHEREAS,** The City has demonstrated that the proposed amendment meets all applicable local and state laws and rules; and
- WHEREAS,** Once in the urban growth boundary all uses and development of the above referenced property shall comply with City of Ontario plans, ordinances and zoning texts; which the County adopts herein by reference; and
- WHEREAS,** Once the subject property is within the UGB it shall be rezoned to Ontario UGA-Residential (UGA-R); and
- WHEREAS,** The City Planning Commission and County Planning Commission considered the proposed amendments at a public hearing on October 24, 2019; and
- WHEREAS,** The City Council and County Court considered the proposed amendments through a joint quasi-judicial hearing on November 7, 2019; and
- WHEREAS,** The City Planning Commission and County Planning Commission have voted to recommend the approval of the proposed amendments and forward them to the Malheur County Court for consideration; and
- WHEREAS,** The Malheur County Court and the Ontario City of Ontario reviewed the record and concurs with the findings and concludes the public will benefit from the amendment to the City's UGB; and
- WHEREAS,** The Malheur County Court and the Ontario City Council deliberated on the amendment to the County's Comprehensive Plan and Zoning maps after a public hearing on November 7, 2019; and
- WHEREAS,** The Malheur County Court after deliberation Approved County Ordinance No. 221; and

WHEREAS, In order to alleviate the current public health risk due to a failing onsite wastewater treatment system, it is necessary for this Ordinance to be effective immediately upon adoption.

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

1. ADOPTION. The Ontario City Council adopts the Findings, conclusions, maps, exhibits, and information within the Malheur County Ordinance No. 221 approved on November 7, 2019 herein by reference only.
2. ADDITION TO ONTARIO URBAN GROWTH BOUNDARY. The subject property, generally described as Assessor's Map: 18S47E06D, tax lot 200, Exhibit "2", more formally described in the deed recorded with the Malheur County Clerk's Office as instrument #2013-1192, Exhibit "1", is added to the Ontario Urban Growth Boundary.
3. AMENDMENT TO COMPREHENSIVE PLAN AND ZONING MAP. The City of Ontario Comprehensive Plan and Zoning Map are amended to change the designation of the subject property shown in attached Exhibit 3 and described above from County Exclusive Farm Uses (C-A1) to Ontario Urban Growth Area (UGA) with a zone of Residential (UGA-R).
4. EMERGENCY. This Ordinance, being immediately necessary for the preservation of the public peace, health and safety, an emergency is declared to exist and this Ordinance shall take effect immediately upon its passage.
5. Record. The City Planner shall submit to the Oregon Secretary of State (1) a copy of this Ordinance, (2) a copy of the statement of consent of the landowner in the territory of this action; and (3) Shall send a description by metes and bounds, or legal subdivision, and a map depicting the new boundaries of the City within 10 days of the effective date of annexation to the Malheur County Assessor, Malheur County Clerk and the State Department of Revenue.

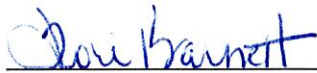
PASSED AND ADOPTED by the Common Council of the City of Ontario this 7th day of November, 2019, by the following vote:

AYES: CRUME, RODRIGUEZ, CAPRON, HILL, JUSTUS, BRADEN, PALOMO
NAYS: NONE
ABSENT: NONE

APPROVED by the Mayor this 7th day of November, 2019.



Riley J. Hill, Mayor

ATTEST: **2019-4244**
MALHEUR COUNTY, OREGON


Tori Barnett, MMC, City Recorder

Exhibit "1"
Property Description

THIS SPACE RESERVED FOR RECORDER'S USE



After recording return to:
William F. Hart
PO Box 26
Cloverdale, OR 97112

Until a change is requested all tax statements shall be sent to the following address:
William F. Hart
PO Box 26
Cloverdale, OR 97112

Escrow No. ONM07999
Title No. 0007999
SWD r.020212

MALHEUR COUNTY, OR 2013-1192
DST WD 03/12/2013 3:42:10 PM
Cnt=1 Pgs=2 Total:\$52.00



I, Deborah R. DeLong, County Clerk for Malheur County, Oregon certify that the instrument identified herein was recorded in the Clerk records.
Deborah R. DeLong - County Clerk

Chulob

STATUTORY WARRANTY DEED

Mark R. Wada, Successor Trustee of The Emle Wada Family Trust, u/t/d September 15, 2008,

Grantor(s), hereby convey and warrant to

William F. Hart and Sherri L. Reif-Hart, husband and wife,

Grantee(s), the following described real property in the County of MALHEUR and State of Oregon free of encumbrances except as specifically set forth herein:

Land in Malheur County, Oregon, as follows:
In Twp. 18 S., R. 47 E., W.M.:

Sec. 6: A parcel of land in the SE 1/4 SE 1/4, of said Section 6, more particularly described as follows:

Beginning at the Southwest corner of the SE 1/4 SE 1/4, of said Section 6;
Thence N. 02 degrees 29' 52" W., along the West boundary of said SE 1/4 SE 1/4,
A distance of 290.50 feet;
Thence N. 87 degrees 51' 26" E., a distance of 147.85 feet;
Thence S. 03 degrees 19' 00" E., a distance of 290.56 feet;
Thence S. 87 degrees 51' 26" W., a distance of 152.00 feet to a point on the
West boundary of said SE 1/4 SE 1/4, and the Point of Beginning.
SUBJECT TO Southwest 4th Avenue, right of way.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:
Ref. #7685/Code 15 Map 184706D/Lot 200

The true and actual consideration for this conveyance is \$140,000.00.
The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

2013-1192

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 8th day of March, 2013

The Emie Wada Family Trust, w/d September 15, 2008

BY: Mark R. Wada
Mark R. Wada, Successor Trustee

State of Oregon

County of Malheur

This instrument was acknowledged before me on March 8, 2013 by Mark R. Wada as Successor Trustee of The Emie Wada Family Trust, w/d September 15, 2008.

[Signature]
(Notary Public for Oregon)

My commission expires 2-16-14



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MALHEUR COUNTY, OREGON

2013-1192

END OF DESCRIPTION

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MALHEUR COUNTY, OREGON

Exhibit "2"

Subject property

MAP 18S4706D Tax Lot 200

CS 18-47-0381
18-47-0863

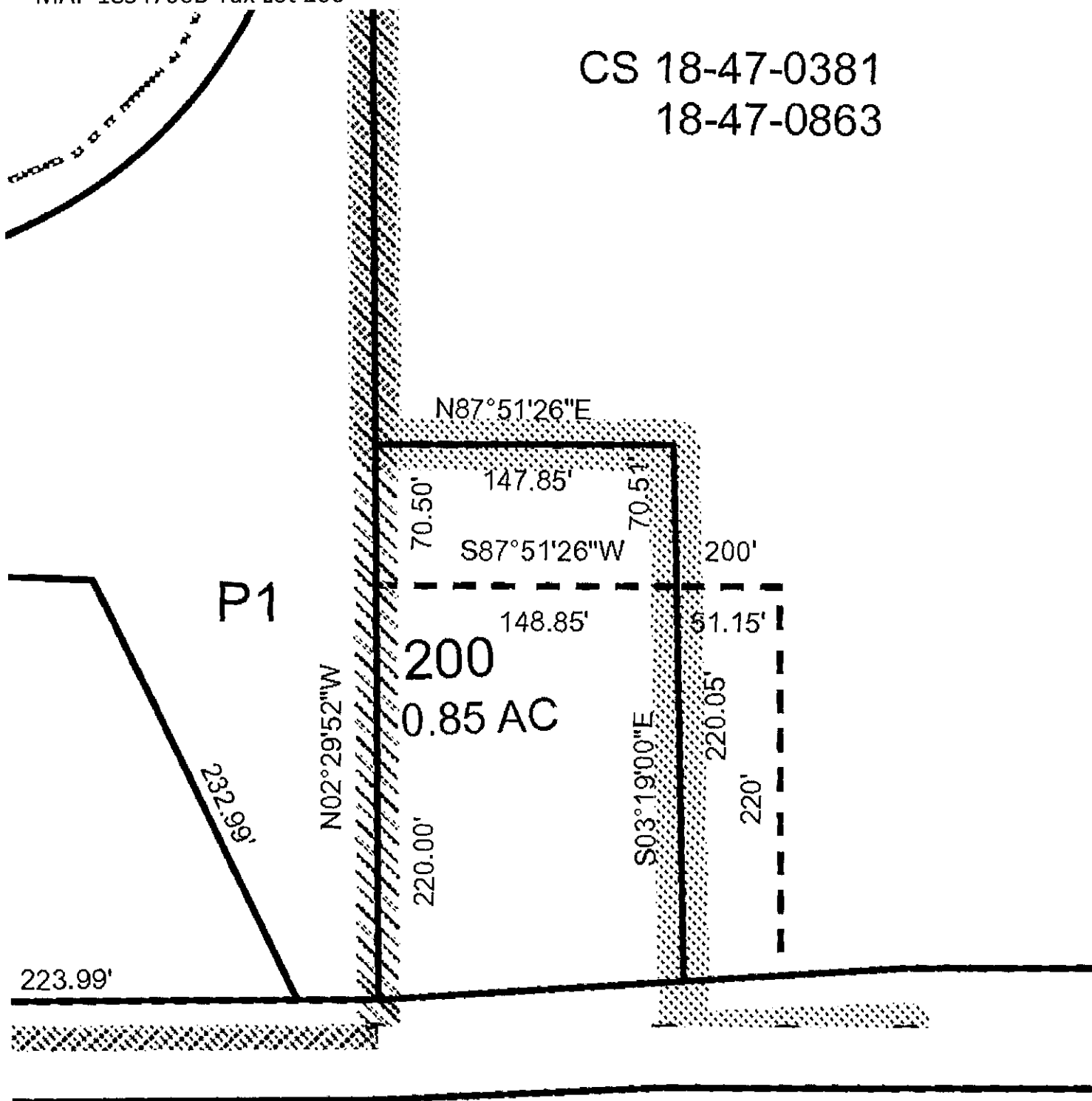
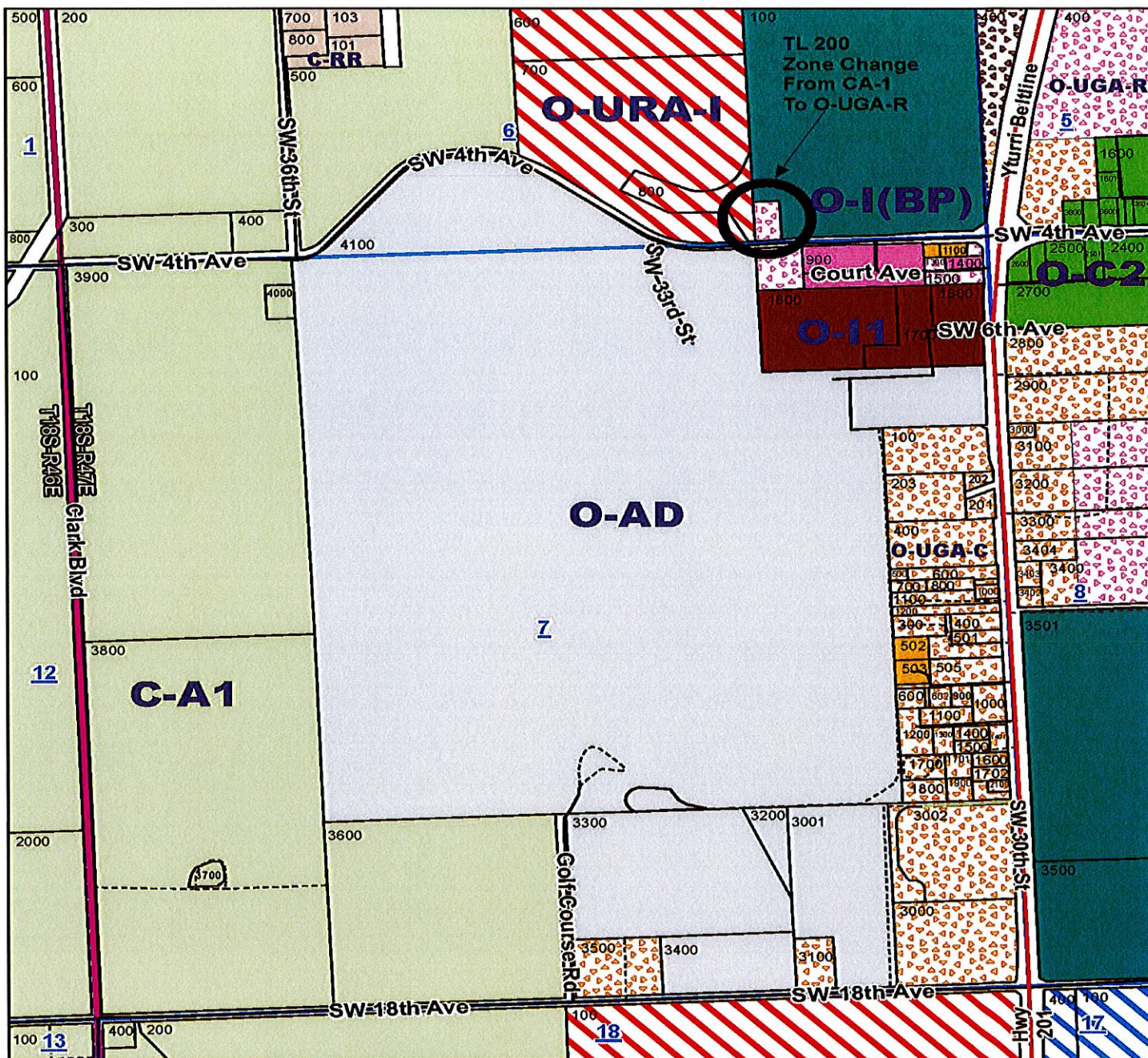


Exhibit "3"

UGA Map



Zone Change_Hart_Ref#7685

Legend

C-A1 EXCLUSIVE FARM USE	O-I1 ONTARIO LIGHT INDUSTRIAL	O-UGA-R ONTARIO UGA RESIDENTIAL
C-RR COUNTY RURAL RESIDENTIAL	O-I2 ONTARIO HEAVY INDUSTRIAL	O-URA-C(BP) ONTARIO URA COMMERCIAL BUSINESS PARK
O-AD ONTARIO AIRPORT DEVELOPMENT	O-RMH ONTARIO RESIDENTIAL MOBILE HOME	O-UGA-C ONTARIO UGA COMMERCIAL
O-C2 ONTARIO GENERAL COMMERCIAL	O-RS ONTARIO SINGLE FAMILY RESIDENTIAL	O-UGA-C(BP) ONTARIO UGA COMMERCIAL BUSINESS PARK
O-C2H ONTARIO GENERAL HEAVY COMMERCIAL		
O-I(BP) ONTARIO INDUSTRIAL BUSINESS PARK		

Map is prepared for assessment purposes only