

Application for Preliminary Arcadia Industrial Park Subdivision Plat for Treasure Valley Reload Center (TVRC), Industrial Park, and Farm Land

I. General Summary of Application

Applicant: Malheur County Development Corporation (MCDC)
Grant Kitamura, Chair
522 SW 4th Street
Ontario, Oregon 97914
(541) 889-6216
malheurcountydevelopmentcorp@gmail.com

Owner: Malheur County, Oregon
Dan Joyce, County Judge
251 B. Street West #5
Vale, Oregon 97918
(541) 473-5124
djoyce@malheurco.org

Lienholder: Infrastructure Finance Authority
Oregon Business Development Department
775 Summer St. NE, Suite 200
Salem, Oregon 97301-1280
Attn: Shanna Bailey, Regional Project Manager
(541) 786-4630
Shanna.Bailey@oregon.gov
(will execute an affidavit of consent to accompany final plat to be recorded in the real estate records)

Property Description: Map T19S47E17 Tax lot 100 Reference No. 9641
(the "Property")

Total Size of Property: 291.39 acres
297.60 acres inclusive of road right-of-ways

Partition Size:
Excluding road right-of-ways 65.00 acres for Lot 2 – will be sold to MCDC for TVRC
5.00 acres for Lot 3 – will be sold to Farmer family
142.00 acres for Lots 1 (40 acres), 4 (45 acres), and 5 (56 acres) - for Malheur County Industrial Park
79.39 acres for Lot 6 - County Exclusive Farm Use

Zone: Split zoning
Nyssa Urban Growth Boundary- Industrial (212 acres)
Malheur County – Exclusive Farm Use (79.39 acres)

Water rights: Well (irrigation) and 52 acres of water rights from the Snake River. Well is included in industrial subdivision; water rights may be leased to MCDC from Malheur County, if necessary. Well is located on Lot 4. A second on-site well will be drilled on Lot 2 for industrial use associated with the TVRC. Malheur County has a recorded a first-right-of-refusal to purchase additional Snake River Water rights, if necessary.

Road District: Nyssa – Rural Road District No. 2
Malheur County Road Department
Oregon Department of Transportation (ODOT)

Fire: Nyssa Rural Fire Protection District

Ambulance: Treasure Valley Paramedics for the Nyssa Ambulance Service Area

Zoning History: In joint hearings held by the Nyssa City Planning and Zoning Commission, Nyssa City Council, Malheur County Planning and Zoning Commission and Malheur County Court, in December 2018, approximately 212 acres of the Property was rezoned from Malheur County Exclusive Farm Use to Nyssa Urban Growth Boundary – Industrial. See Nyssa Ordinance No. 663-18; See Malheur County Ordinance 217.

Zoning Regulations: Urban Growth Area Joint Management Agreement between Malheur County and City of Nyssa – Ordinance 48-12/3/85
Nyssa City Ordinance 663-18 (December 2018)
Exhibit 5 – Revised Nyssa Public Facilities Plan
Exhibit 7 – Transportation Impact Study (TIS)
Nyssa City Code Title 9 Chapter 2: Zoning Regulations
Nyssa City Code Title 9 Chapter 3 Article C: Access and Circulation
Nyssa City Code Title 9 Chapter 3 Article F: Public Facilities
Nyssa City Code Title 9 Chapter 4 Article A: Type III Procedure (Quasi-Judicial Review; Public Hearing)

Nyssa City Code Title 9 Chapter 4 Article C: Land Divisions and Property Line Adjustments

- 9-4C-2: General Requirements
- 9-4C-3: Preliminary Plat Approval Process
- 9-4C-4: Preliminary Plat Submission Requirement
- 9-4C-5: Preliminary Plat Approval Criteria
- 9-4C-7: Final Plat Submission Requirements and Approval Criteria
- 9-4C-8: Filing and Recording

Malheur County Code Title 6 Chapter 12 – Quasi-Judicial Land Use Hearings

II. Application Criteria Under Nyssa City Code

9-4C-2C: General Requirements: Future Redivision Plan:

When subdividing or partitioning tracts into large lots (i.e. greater than 3 times or 300 percent of the minimum lot size allowed by the underlying land use district, the lots shall be such size, shape and orientation as to facilitate future redivision and extension of streets and utilities. The applicant shall submit a future redivision plan, or shadow plan, indicating how redivision and oversized lots and extension of planned public facilities to adjacent parcel can occur in the future.

At this time, future redivision is not known and cannot be anticipated as part of the preliminary plat. Potential future redivision will be determined after a written agreement is reached with the operator/shipper for the TVRC, which is slated to be Americold.

The Property may also be leased to industrial users of the TVRC rather than sold.

However, it is known that Lot 2 and Lot 6 will not be redivided. The entire area of Lot 2 is needed for infrastructure, development, construction and rail for the TVRC.

Lot 6 is outside of this application because it is completely within Malheur County's EFU Zone. It is addressed throughout this application because it is included on the plat. Lot 6 meets the minimum parcel size in the EFU Zone. Including road right-of-ways it is 81.50 acres. Oregon State planning and zoning laws currently prevent Lot 6 (zoned EFU) from being redivided. ORS 215.263(2)(a)(C) allows for division of land along the border of EFU and urban growth boundary zoning lines.

Lots 1, 3 and 4 could be redivided at a later date. The size of any redivided lots could vary from as large as 20 acres to as small as the minimum lot size for the Nyssa Industrial Zone of 5,000 square feet. Lot 1 will likely be redivided first.

9-4C-4: Preliminary Plat Submission Requirements:

Applications for preliminary plat approval shall contain all of the following information:

A. General Submission Requirements:

1. Information: Information required for a type III review (see section 9-4A-4 of this chapter); and

Information for Quasi-Judicial Hearing: Contact information, summary of application and applicable code provisions are set forth above. A list of property owners within 100' of the proposed subdivision plat, government agencies and interested persons that are to be notified of this action (See Exhibit A) as well as the notice of hearing are attached (Exhibit B).

2. Public Facilities and Services Impact Study: The impact study shall quantify and assess the effect of the development on public facilities and services. The city shall advise as to the scope of the study, which shall address, at a minimum, the transportation system, including required improvements for vehicles and pedestrians; the drainage system; the parks system (for subdivisions and planned unit developments of 20 or more dwelling units); water system; and sewer system. For each system and type of impact, the study shall propose improvements necessary to meet city standards under adopted ordinances and facility master plans. The city may require a traffic impact analysis pursuant to subsection 9-3F-2A3 of this title.

In April 2020 Malheur County staff contacted the Nyssa City Manager and Nyssa City Attorney on this criterion. It was determined that neither a public facility nor a transportation study are required as part of this application. A current and updated public facility and traffic impact study were both adopted within Nyssa City Ordinance No. 663-18 (December 2018) when the Property was rezoned to Nyssa Urban Growth Boundary- Industrial. The public facility and transportation studies include the maximum and heaviest anticipated uses on the Property, including an industrial park and rail re-load facility. The Revised Nyssa Public Facilities Plan and Transportation Impact Study (TIS) as adopted as part of Nyssa Ordinance No. 663-18 as Exhibits 5 and Exhibit 7 are incorporated herein by reference. Additional public facilities or transportation studies are not needed.

Lot 2 on the preliminary subdivision plat consisting of 65 acres for the TVRC will contain on-site water, on-site septic services and storm drainage.

At this time, extension, development and connection of Nyssa City water and sewer services is not being proposed. However, lines/infrastructure for both services will

be installed on the Property (within the right-of-way of Railcar Avenue and Reload Street) for future expansion of these Nyssa City services.

A private street, Reload Street and measuring 120' wide, will be built within the subdivision for internal access to all Lots. Reload Street will initially be owned by MCDC and part of Lot 2. Perpetual easements will be provided and recorded in the real property records for use and maintenance of Reload Street by all Lot owners. Reload Street will not accommodate farm equipment and will not be used in farming practices. Lot 6 will have farm/ field access from Arcadia Blvd. Until developed for industrial use, Lots 1, 3, 4 and 5 will also be farmed. These farm fields will be accessed from Arcadia, Gamble or Gem. Reload Street also sites a scale and private weigh station (adjacent to Lot 5), which will be available to all Lots as part of a perpetual road easement and maintenance agreement.

A private avenue, Railcar Avenue, measuring 120' wide between Lots 5 and 6 will also be built within the subdivision for internal access to all Lots. Railcar Avenue will initially be owned by MCDC and part of Lot 2. Perpetual easements will be provided and recorded in the real property records for use and maintenance of Railcar Avenue by all Lot owners.

Both Reload Street and Railcar Avenue will serve as a utility corridor for all utility services including power, fiber optic, gas, and future expansion of Nyssa City water and sewer services.

It is anticipated that Railcar Avenue and Reload Street will be dedicated to the public at a future date. For instance, when the Property is annexed into the Nyssa City limits or when deemed in the best interest of the County as determined by Malheur County.

Wetlands on Lot 2 will be mitigated on Lot 2. This is governed by the Joint Permit Application (JPA) process, which requires MCDC to delineate the wetlands (already done) and to mitigate for impacts. The total area of impact is still being determined as part of the overall design process for the TVRC. Thereafter, the mitigation area will be known. The area just south of the existing wetland, between the wetlands and the proposed rail spur, is open for the mitigation area. The area just southwest of the wetland area is also open in the design for the proposed wetland mitigation area.

- B. Preliminary Plat Information: In addition to the general information described in subsection A of this section, the preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information, in quantities determined by city manager:**

1. General Information:

a. Name of subdivision (partitions are named by year and file number). This name shall not duplicate the name of another land division in Malheur County (check with county surveyor);

Name: Arcadia Industrial Park Subdivision. This name was selected in recognition of the location of the industrial subdivision (off Arcadia Boulevard). Also in recognition of the surrounding and historic landmarks such as the old Arcadia School, Nyssa-Arcadia Drainage District and the wetlands within the subdivision are part of Arcadia Pond.

Subdivision Plat # 2020 – _____. This information will be established by the Malheur County Surveyor and Malheur County Clerk.

b. Date, north arrow, and scale of drawing;

**Date: July 28, 2020
North arrow is located on preliminary plat.
Scale: 1"=500'**

c. Location of the development sufficient to define its location in the city, boundaries, and a legal description of the site;

The Property is located outside the Nyssa City limits. The Property can be accessed from, and has frontage on three boundaries consisting of Arcadia Boulevard, Gem Avenue, and Gamble Road.

The legal description and tax map illustrating the Property are attached as Exhibit C.

d. Zoning of parcel to be divided, including any overlay zones; and

The Property is split zoned. Lots 1-5 are located in the Nyssa Urban Growth Boundary and zoned Industrial. Lot 6 is zoned County Exclusive Farm Use. Lot 2 for the TVRC will consist of a rail facility and a freight terminal, including dock, storage, warehousing, wholesale distribution and cold storage, all of which are outright permitted or allowed uses under the Nyssa City Code for the Nyssa Industrial Zone. Lots 1, 3, 4 and 5 will continue to be farmed until the County industrial park is developed. Lot 6 will be farmed. No overlay zones are applicable to the property.

e. A title block including the names, addresses and telephone numbers of the owners of the subject property and, as applicable, the name of the engineer and surveyor, and the date of the survey; and

Owner: Malheur County
Malheur County Court
251 B. Street West #5
Vale, Oregon 97918
(541) 473-5124

Engineer: Anderson Perry & Associates, Inc.
Brad Baird, P.E.
1901 N. Fir Street
LaGrande, Oregon 97850
(541) 963-8309

Surveyor: Anderson Perry & Associates, Inc.
Jeff Madsen, PLS
1901 N. Fir Street
LaGrande, Oregon 97850
(541) 963-8309

**Date of
survey:** July 28, 2020

f. Identification of the drawing as a "preliminary plat".

A clearly marked "preliminary plat" containing the above general information is attached as Exhibit D.

2. Existing Conditions: Except where the manager deems certain information is not relevant, applications for preliminary plat approval shall contain all of the following information on existing conditions of the site:

A "preliminary plat" setting out existing conditions is attached as Exhibit D. These existing conditions are briefly described below.

a. Streets: Location, name, and present width of all streets, alleys and rights of way on and abutting the site;

Arcadia Boulevard - 60' width

Gamble Road – 60' width

Gem Avenue – 60' width.

Union Pacific – 200' width (fee simple ownership)

Arcadia Drain Ditch – 100' width

b. Easements: Width, location and purpose of all existing easements of record on and abutting the site;

Easements of record, to the extent they are plottable and readable from real property records filed in the Malheur County Clerk's office, are listed in the notes and drawn on the preliminary plat.

c. Utilities: Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest one and show how utilities will be brought to standards;

Nyssa City sewer and water lines are not being extended to the Property at this time. If the County is awarded grant funding at a later date, Nyssa City sewer and water lines will be extended over 1 mile along Arcadia Blvd to the Property. Water and sewer lines will be installed along Railcar Avenue and Reload Street.

10" wide public utility easement along south side of Gem Ave. Existing underground fiber optic and overhead power lines.

d. Ground Elevations: Ground elevations shown by contour lines at two foot (2') vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the county surveyor; the planning commission may waive this standard for partitions when grades, on average, are less than six percent (6%);

Grades on average are less than 6%. No contour elevations are shown on the preliminary plat. Applicants request a waiver from showing contour lines at two foot (2') vertical interval.

e. Benchmark: The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);

The benchmark for the site is point #209, A 3 ½ aluminum cap marking the Northeast Corner of Section 17, T 19S, R47E, W.M.: = 2172.34 (Note 8 on preliminary plat).

f. Base Flood Elevation: The base flood elevation, per FEMA flood insurance rate maps, as applicable;

The Property is located in Zone C, areas of minimal flooding. Refer to FEMA flood insurance rate map, (FIRM) 410149 0675 B. Dated September 29, 1986. No base flood elevation is noted on plat.

g. North Arrow And Scale: North arrow and scale; and

North arrow is located on preliminary plat.

Scale: 1"= 500'

Scale for details A – E vary 1" = 20' and 1"=1000'.

h. Other Information: Other information, as deemed necessary by the city manager for review of the application. The city may require studies or exhibits prepared by qualified professionals to address specific site features and code requirements.

None.

3. Proposed Development: Except where the city manager deems certain information is not relevant, applications for preliminary plat approval shall contain all of the following information on the proposed development:

a. Proposed Lots, Streets, Etc.: Proposed lots, streets, tracts, open space and parkland (if any); location, names, right of way dimensions, approximate radius of street curves; and approximate finished street centerline grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;

Reload Street 120' wide (private)

Railroad Avenue 120' wide (private)

Straight with no street curves.

Built at existing grade.

Note 9 on preliminary plat sets out restrictions for use.

b. Easements: Location, width and purpose of all proposed easements;

Additional easements for width are being granted for both Arcadia Blvd. and Gamble Road.

A perpetual easement for use, access and maintenance of Reload Street and Railroad Avenue for all Lots will be recorded with the final plat.

c. Lots And Private Tracts: Lots and private tracts (e.g., private open space, common area, or street); approximate dimensions, area calculation (e.g., in square feet), and identification numbers for all proposed lots and tracts;

	without road ROW	with road ROW
Lot 1 -	40.11 acres	40.92 acres
Lot 2 -	65.00 acres	65.22 acres
Lot 3-	5.00 acres	5.00 acres
Lot 4 -	45.69 acres	46.46 acres
Lot 5 -	56.20 acres	58.50 acres
Lot 6 -	79.39 acres	81.50 acres

d. Proposed Uses Of Property: Proposed uses of the property, including all areas proposed to be dedicated as public right of way or reserved as open space for the purpose of surface water management, recreation, or other use;

Lot 2 for the TVRC will consist of a rail facility and a freight terminal, including dock, storage, warehousing, wholesale distribution and cold storage, all of which are outright permitted or allowed uses under the Nyssa City Code for the Nyssa Industrial Zone.

Lot 3 will be deeded to James and Margaret Farmer and Charles W. Farmer for industrial use.

Lots 1, 4 and 5 will be developed as an industrial park. Lots 1, 3, 4 and 5 will continue to be farmed until the industrial park is developed.

Lot 6 will be farmed.

e. Proposed Public Street Improvements: Proposed public street improvements, pursuant to chapter 3, article F of this title;

None except for additional right-of-way dedicated for Arcadia Blvd. and Gamble Road.

f. Slopes: On slopes exceeding an average grade of ten percent (10%), as determined by the city engineer, the preliminary location of development on lots (e.g., building envelopes), demonstrating that future development can meet minimum required setbacks and applicable engineering design standards;

Not applicable. Grades on average are less than 6%.

g. Extending Utilities: Preliminary design for extending city water and sewer service to each lot, per chapter 3, article F of this title;

None at this time.

h. Stormwater Drainage: Proposed method of stormwater drainage and treatment, if required, pursuant to chapter 3, article F of this title;

On-site storm water to be disposed of via drainage swales as marked on Lot 2 of the plat.

i. Other Utilities: The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable;

Water: on-site Lot 2.

Septic: on-site Lot 2.

Power: existing; and along Reload Street and Railcar Avenue.

Fiber Optic: existing; and along Reload Street and Railcar Avenue.

j. Overlay Zones Compliance: Evidence of compliance with applicable overlay zones, including, but not limited to, city floodplain overlay; and

None.

k. Proposed New Street Connections: Evidence of contact with the applicable road authority for proposed new street connections.

Applicant will work with Nyssa Road District No. 2 for the connection of the private street (Reload Street) running north and south through the Property. The connection on the north end of the private street for Reload Street is at Gem Avenue and the connection on the south end of the road is at Gamble Road. Railcar Avenue will be connected from Arcadia following consultation with Nyssa Road District No. 2. At no time will Nyssa Road District No. 2 be responsible for maintenance or construction of private road improvements associated with this plat.

9-4C-5: PRELIMINARY PLAT APPROVAL CRITERIA:

A. Approval Criteria: The planning commission may approve, approve with conditions or deny a preliminary plat. The planning commission decision shall be based on findings of compliance with all of the following approval criteria:

1. The land division application shall conform to the requirements of this article.

2. All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of chapter 2 of this title (zoning), except as modified under subsection B of this section.

Finding: All proposed lots and proposed land uses within the preliminary plat conform to the Nyssa City Code Title 9, Chapter 2 entitled Zoning Regulations.

3. Access to individual lots, and public improvements necessary to serve the development, including, but not limited to, water, sewer and streets, shall conform to chapter 3, "Community Design Standards", of this title.

Finding: Since no public improvements of city water, sewer and streets are proposed as part of the preliminary plat this criterion is not applicable. Infrastructure for water and sewer lines are being constructed on the Property to meet the Community Design Standards, when Nyssa City public improvements are brought to the Property at a future date.

4. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of Oregon Revised Statutes 92.

Finding: The proposed plat name of "Arcadia Industrial Park Subdivision" is approved by the Malheur County Surveyor, is not already recorded for another subdivision and satisfies the provisions of ORS Chapter 92.

5. The proposed streets, utilities, and surface water drainage facilities conform to city adopted master plans and applicable engineering standards, and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications.

Finding: The preliminary plat was drawn in consultation with Nyssa City engineers (Heco), County Surveyor and Professional Engineer (Tom Edwards) as well as the engineer for the Reload Facility (Brad Baird, Anderson, Perry and Associates) for surface water drainage facility and future expansion of City utilities and possible dedication of Reload Street and Railcar Avenue as public roads at a later date. Additional right-of-way is being dedicated for more width to Arcadia Boulevard and Gamble Road. The road and drainage design identified on the preliminary plat will allow for transitions to existing and potential future development on adjacent lands.

6. All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument.

Finding: No common land areas and improvements proposed on the plat are private road improvements consisting of Railcar Avenue and Railroad Street for use by all Lot owners. A Road Maintenance Agreement (RMA) will be recorded with the final plat.

7. Evidence that any required state and federal permits, as applicable, have been obtained or can reasonably be obtained prior to development.

Finding: The required state and federal permits can be reasonable obtained and include:

**Joint Permit Application (JPA) for wetland mitigation
State permit for septic system**

8. Evidence that improvements or conditions required by the city, road authority, Malheur County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met.

Finding: Written notice of this planning and zoning action to consider the preliminary plat was provided to service providers including ODOT, Nyssa Road District No. 2, City of Nyssa, Malheur County, and Nyssa Rural Fire Protection District. Improvements and conditions required by these providers, if any, can be met. This plat and the TVRC project are being funded with \$26 million of awarded ODOT funds to the MCDC.

[Finding may be supplemented based on any responses from service providers]

B. Lot Size Averaging: To allow flexibility in subdivision design and to address physical constraints, such as topography, existing development, significant trees and other natural and built features, the approval body may grant a ten percent (10%) modification to the lot area and/or lot dimension (width/depth) standards in chapter 2, article C of this title; provided, that the overall density of the subdivision does not exceed the allowable density of the district and the approval body finds that all of the following are met:

1. Granting the modification is necessary to achieve planned housing densities, as allowed by the underlying zone, or to improve development compatibility with natural features or adjacent land uses.
2. Where a proposed subdivision would abut an existing subdivision with standard, or larger, sized lots, the perimeter of the proposed subdivision shall contain standard, or larger, sized lots; except that this provision does not apply where the existing lots are larger than twenty thousand (20,000) square feet.

3. The planning commission may require screening, buffering, or other transitions in site design where substandard lots are proposed to abut standard, or larger, sized lots.

Finding: This criterion does not apply. This is not a residential subdivision, mixed use or special use development under Nyssa City Code Title 9 Chapter 2 Article C or Table 9-2B-3. The uses proposed within the plat consisting of an industrial subdivision, railroad facility and freight terminal (including loading docks, storage, warehousing, wholesale distribution, cold storage) are permitted uses. A conditional use or special use permit is not required.

- C. Emergency Vehicle Access: A drive serving more than one lot shall have a reciprocal access and maintenance easement recorded for all lots it serves. No fence, structure or other obstacle shall be placed within the drive area. Where required, emergency vehicle apparatus lanes, including any required turnaround, shall conform to applicable building and fire code requirements. Fire sprinklers may also be required for buildings that cannot be fully served by fire hydrants (i.e., due to distance from hydrant or insufficient fire flow).

Finding: Lots will be accessed from Railroad Street and Railcar Avenue. Both are 120' wide and will meet the requirements for emergency vehicle apparatus. A road maintenance agreement will be recorded for all Lots served by these access roads.

- D. Maximum Drive Lane Length: The maximum length of a drive serving more than one dwelling is subject to requirements of the uniform fire code, but in no case shall it exceed four hundred feet (400').

Finding: This criterion does not apply. All Lots have frontage on a public or private road. Drive lanes to dwelling sites are not proposed.

- E. Conditions Of Approval: The planning commission may attach such conditions as are necessary to carry out provisions of this title, and other applicable ordinances and regulations.

Finding: The following conditions of approval are made:

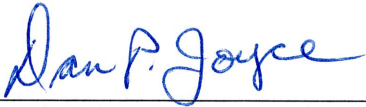
Any conditions TBD in the discretion of the planning and zoning commissions.

Access design from public roads to the proposed private roads of Railroad Street and Railcar Avenue must be approved by Nyssa Road District No. 2

Road, sprinkler, turnaround standards for emergency access must be approved by Nyssa Rural Fire Protection District.

A road maintenance agreement must be filed with the final plat or the internal roads set out as a separate tax lot on the final plat.

A 30' no build area easement is established, in writing (ie. agreement, covenant, easement), for each lot until city water services are brought to the property – per Malheur County Building Official for fire safety.



Dan P. Joyce, Malheur County Court Judge
On behalf of Owner – Malheur County, Oregon

Date: September 23, 2020

EXHIBITS

EXHIBIT A

Nyssa Road District No. 2
Attn: Wes Allison
2296 Kingman Road #R
Nyssa, Oregon 97913

Nyssa Rural Fire Protection District
203 Good Ave.
Nyssa, Oregon 97913

ODOT
1390 SE 1st Ave.
Ontario, Oregon 97914

Oregon Infrastructure Finance Authority of
the Business Department (OBDD)
Attn: Assistant Director
775 Summer Street NE Suite 200
Salem, Oregon 97301-1280

Shanna Bailey
Regional Project Manager
Business Oregon
shanna.bailey@oregon.gov

Malheur County Building Department
Attn: Adele Schaffeld, Building Official
14 S 3rd Street
Nyssa OR 97913

COOK, ARLEN F & CINDY R
3311 ARCADIA BLVD
NYSSA, OR 97913

DE LEON, MANUEL
307 S 7TH
NYSSA, OR 97913

FARMER, JAMES & MARGARET
P O BOX 1585
NYSSA, OR 97913

HIATT, EVERET L & JESSICA A
3394 ARCADIA BLVD
NYSSA, OR 97913

MALHEUR COUNTY
251 B STREET W
VALE, OR 97918

MENA, ROBERT
3299 ARCADIA BLVD
NYSSA, OR 97913

PRICE, DENIS D & REBECCA M
426 MORGAN AVE
ONTARIO, OR 97914

SEUBERT EXCAVATORS INC
P O BOX 57
COTTONWOOD, ID 83522

SPARKS, GARY
3225 HWY 201
NYSSA, OR 97913

CHARLES WARREN FARMER
PO BOX 1585
NYSSA OR 97913

EXHIBIT B

NOTICE OF PUBLIC HEARING
JOINT HEARING OF NYSSA CITY AND MALHEUR COUNTY PLANNING AND ZONING
COMMISSIONS TO REVIEW PRELIMINARY PLAT ENTITLED “ARCADIA INDUSTRIAL PARK
SUBDIVISION” TO DIVIDE 297 ACRES PARTIALLY ZONED NYSSA INDUSTRIAL UGA AND
PARTIALLY ZONED MALHEUR COUNTY EFU INTO 6 LOTS: LOT 2: 65 ACRES FOR THE
TREASURE VALLEY RELOAD CENTER (TVRC); LOT 3: 5 ACRES; LOTS 1, 2 AND 4: 147 ACRES FOR
MALHEUR COUNTY INDUSTRIAL PARK; AND LOT 6: 80 ACRES MALHEUR COUNTY EXCLUSIVE
FARM USE SITE

Hearing. Notice is hereby given that the Nyssa City Planning and Zoning Commission and the Malheur County Planning and Zoning Commission will hold a joint public/quasi-judicial hearing via telephonically on November 19, 2020 at 7:30 p.m. Interested persons may appear by voice and/or video by phoning in or by computer and will be provided an opportunity to be heard; and/or written comments may be received prior to the hearing by sending them to: Jim Maret, Nyssa City Manager, 301 Main Street, Nyssa OR 97913 (jmaret@nyssacity.org) or Eric Evans, Planning Director 251 B. Street West #12, Vale OR 97918 (eric.evans@malheurco.org). Directions to join the meeting are: Login by computer/tablet/smartphone: <https://www.GoToMeet.me/MCPZ/PC>; call in (312) 7575-3129 access code 644-177-621. A toll-free number is available upon request by calling the Planning and Zoning Office at (541) 473-5185.

Proposed Action. The proposed action is to approve a preliminary industrial subdivision plat to divide approximately 297 acres owned by Malheur County in 6 Lots. 217 acres are zoned Nyssa Industrial Urban Growth Boundary and 80 acres are zoned Exclusive Farm Use. Lot 2 is 65 acres for the TVRC. Lots 1, 2, 4 and 5 are 147 acres for the Malheur County Industrial Park. Lot 6 is 80 acres for a Malheur County farm site. Lot 3 is 5 acres and will be sold to James, Margaret and Charles Farmer. The plat includes two private streets (Reload Street and Railcar Avenue), scales and a weigh station. Extension, development or widening of Nyssa City streets, water and sewer services are not being proposed as part of the plat. Following final plat approval Lot 2 will be sold the Malheur County Development Corporation for construction of the TVRC. Lot 2 will have on-site water, sewer and storm drainage facilities. Malheur County will retain ownership of Lots 1, 4, 5 and 6, which will be leased out for farming until the Lots can be developed for industrial use.

Site: Map T19S47E17 Tax lot 100 Reference No. 9641

Approximately 1.5 miles north of Nyssa, along Arcadia Boulevard. The Property is also accessed from Gamble Road and Gem Avenue.

Criteria: The criteria for the preliminary partition plat are: Urban Growth Area Joint Management Agreement between Malheur County and City of Nyssa – Ordinance 48-12/3/85; Nyssa City Ordinance 663-18 (December 2018) Exhibit 5 – Revised Nyssa Public Facilities Plan and Exhibit 7 – Transportation Impact Study (TIS); Nyssa City Code Title 9 Chapter 3 Article C: Access and Circulation, Article F: Public Facilities; Nyssa City Code Title 9 Chapter 4 Article A: Type III Procedure (Quasi-Judicial Review; Public Hearing), Article C: Land Divisions and Property Line Adjustments, 9-4C-2 General Requirements, 9-4C-3, Preliminary Plat Approval Process, 9-4C-4 Preliminary Plat Submission Requirement, 9-4C-5 Preliminary Plat Approval Criteria, 9-4C-7, Final Plat Submission Requirements and Approval Criteria and 9-4C-8 Filing and Recording. Malheur County Code Title 6 Chapter 12 – Quasi-Judicial Land Use Hearings.

Testimony, arguments and evidence must be directed toward the criteria set out above, or other substantive criteria in Nyssa or Malheur County’s Comprehensive Plans or land use regulations that the person believes apply to the application. Failure to raise an issue at the hearing, in person, or by letter, or failure to provide sufficient specificity to afford the Planning Commissions an opportunity to respond to the issue precludes an appeal to the Nyssa City Council, County Court or the Land Use Board of Appeals based on that issue.

Procedure For Conduct of Hearing. The procedure for conduct/order of testimony at the hearing will be provided to proponents, opponents, attendees and public agencies at the hearing. The applicant (represented by Anderson Perry) will be allocated up to 20 minutes for initial applicant presentation. The applicant may also present up to 10 minutes for final rebuttal. All others wishing to testify will be given 3 minutes each or 5 minutes if speaking on behalf of a group.

NOTICE TO MORTGAGE, LIENHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRE THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

A copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at the Office of the Nyssa City Manager or on the County website www.malheurco.org/planning-department at no cost. Copies can be provided for \$0.25 per page. In addition, copies of the Staff Report will be available at least seven (7) days prior to the hearing at a reasonable cost or can be viewed on the County's website or in the Office of the City Manager at no cost. Please contact the City Manager Jim Maret at (541)-372-2264 or Eric Evans/Planning Director (541-473-5185) for additional information.

After the closing of the public hearing, the Planning Commissions will issue their decisions. A copy of the decisions will be mailed to anyone who submitted written comments, testified at the hearing or who is otherwise legally entitled to notice.

EXHIBIT C

Exhibit C

Land in Malheur County, Oregon as follows:

In Twp. 19 S., R. 47 E., W.M.:

Sec. 16: All that portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ lying West of the Union Pacific Railroad right of way.

Sec. 17: All that portion of the East $\frac{1}{2}$ lying and being West of the Union Pacific Railroad right of way

EXCEPTING THEREFROM that portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying West of the Arcadia Drain Ditch right of way,

ALSO, a parcel of land in the E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ described as follows:

Beginning at the South $\frac{1}{4}$ corner of said Sec. 17;

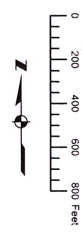
thence N. 0° 14' E., to the Northeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence West, coincident with the North boundary thereof, to the East boundary of the County road;

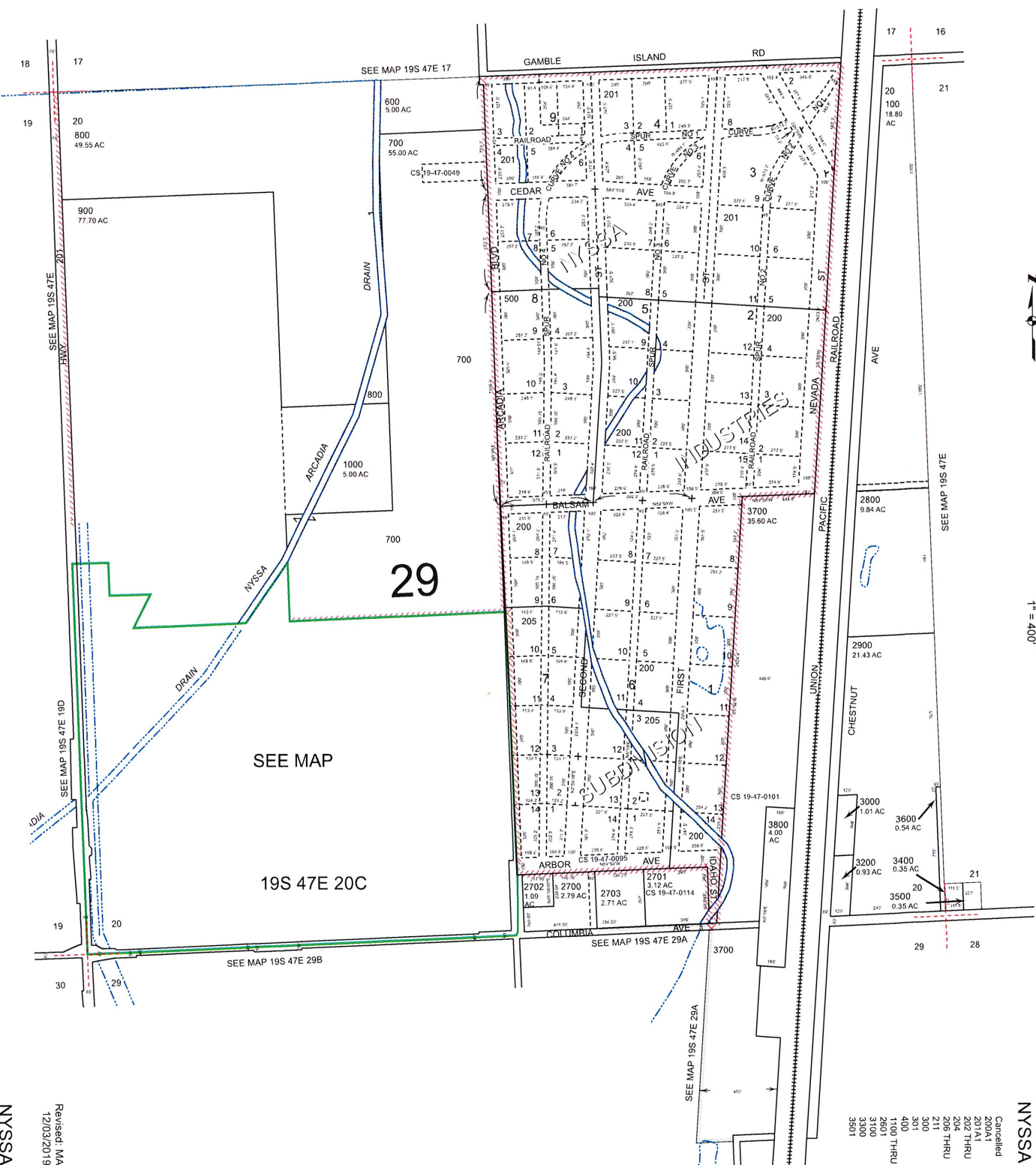
thence S. 0° 51' W., coincident with the said East right of way, to the South boundary of said Sec. 17;

thence S. 89° 46' E., 67 feet to the Point of Beginning.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



SECTION 20 T. 19S. R. 47E. W.M.
MALHEUR COUNTY
1" = 400'



- 19S47E20
& INDEX
NYSSA
- Cancelled
 - 200A1
 - 200A2
 - 200A3
 - 200A4
 - 200A5
 - 200A6
 - 200A7
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 - 200A98
 - 200A99
 - 200A100

NYSSA
& INDEX
19S47E20

Revised: MA
12/03/2019



Oregon Statewide Imagery Program (OSIP) - Oregon Imagery Framework Implementation Team

EXHIBIT D

PRELIMINARY PLAT - ARCADIA INDUSTRIAL PARK SUBDIVISION

LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16, THE EAST 1/2 OF THE SOUTHWEST 1/4, THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 & THE EAST 1/2 OF SECTION 17, TOWNSHIP 19 SOUTH, RANGE 47 EAST, WILLAMETTE MERIDIAN, MALHEUR COUNTY, OREGON

NOTES:

- THIS SUBDIVISION IS BEING DONE AT THE REQUEST OF MALHEUR COUNTY DEVELOPMENT CORPORATION IN PREPARATION FOR FUTURE DEVELOPMENT.
- PROPERTY TO BE SUBDIVIDED IS LOCATED WITHIN MALHEUR COUNTY, OREGON, IT CONTAINS APPROXIMATELY 297.58 ACRES.
- THIS PROPERTY IS CURRENTLY USED FOR FARMING.
- THIS SUBDIVISION IS LOCATED WITHIN THE BOUNDARIES OF THE NYSSA RURAL FIRE DISTRICT.
- THIS SUBDIVISION IS LOCATED WITHIN THE BOUNDARIES OF THE NYSSA SCHOOL DISTRICT NO. 29.
- THIS PROPERTY IS LOCATED IN ZONE C. AREAS OF MINIMAL FLOODING, REFER TO FEMA FLOOD INSURANCE RATE MAP, FIRM 410149 0475 B, DATED SEPTEMBER 29, 1996. NO DASH FLOOD ELEVATION NOTED.
- THE BENCHMARK FOR THE SITE IS POINT 8209. A 3 1/2" ALUMINUM CAP MARKING THE NORTHEAST CORNER OF SECTION 17, T19S, R47E, W1M. ELEVATION = 2172.34.
- LOT 6 IS ZONED C-1. COUNTY EXCLUSIVE FARM USE; LOTS 1 - 5 ARE ZONED H-UGA-1. NYSSA UGA INDUSTRIAL.
- GRADES ON AVERAGE ARE LESS THAN 0.5% NO CONTOUR ELEVATIONS ARE SHOWN.
- THE NORTH AND SOUTH LINES OF THE PROPERTY ARE PORTIONS OF THE NORTH AND SOUTH SECTION LINES OF SECTION 17 AND A PORTION OF THE NORTH LINE OF SECTION 16, HOWEVER, THE PROPERTY IS SUBJECT TO STREETS, ROADS AND HIGHWAYS (SEE DEED 2020-0140).
- POWER LINE EASEMENT IN THE W 1/2, NW 1/4, SE 1/4, SEC. 17, BK. 61, PG 345; NOT PLOTTABLE.
- POWER LINE EASEMENT IN THE SE 1/4, SE 1/4, SEC. 17, BK. 74, PG 252; NOT PLOTTABLE.
- POWER LINE EASEMENT, BK. 111, PG 224; DOCUMENT'S SCAN QUALITY IS TOO POOR TO READ.
- PIPELINE EASEMENT FROM THE SNAKE RIVER; INST. NO. 2005-7769; GENERAL LOCATION PLOTTED FROM EXHIBIT C OF SAID DOCUMENT.
- OIL AND GAS LEASE; INST. NO. 2014-1613; BLANKET IN NATURE, NOT PLOTTABLE.
- PUBLIC UTILITY EASEMENT; INST. NO. 2016-1791; PLOTTED.
- BEARINGS SHOWN ARE GOOD BEARINGS BASED ON THE OREGON STATE PLANE COORDINATES SYSTEM, SOUTH ZONE, BASES 2011; DISTANCES ARE GROUND DISTANCES; ANY ELEVATIONS SHOWN ARE NAVD83 BASED ON GEOID10.
- STATE AND FEDERAL PERMITS TO BE COMPLETED AS A PART OF THE TREASURE VALLEY RELOAD CENTER.
- ON-SITE STORM WATER TO BE DISPOSED OF VIA DRAINAGE SWALES.
- GRANT OF PERPETUAL EASEMENT TO PRIVATE STREETS - RELOAD STREET, INCLUSIVE OF SCALES, AND RAILCAR AVENUE. EACH AND EVERY LOT, INCLUDING ANY REMAINING LAND OR REMAINT LOT, CREATED NOW OR BY FURTHER RE-DIVISION, PLAT OR SUBDIVISION, SHALL HAVE PERPETUAL INGRESS AND EGRESS TO RELOAD STREET, INCLUSIVE OF SCALES, AND RAILCAR AVENUE.

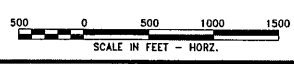
INGRESS AND EGRESS OF FARM EQUIPMENT AND MACHINERY FOR FARM OPERATIONS CONDUCTED ON ANY LOT IS SPECIFICALLY EXCLUDED FROM THIS EASEMENT. THIS EASEMENT SHALL ALSO PROVIDE FOR THE BENEFIT OF ALL LOTS FOR FUTURE FACILITIES PROVIDING CABLE, GAS, TELEPHONE, ELECTRIC, WATER, SEWER AND OTHER SERVICE TO THE LOTS.

LINE	BEARING	DISTANCE
L1	S64°59'10"W	423.82'
L2	N03°37'14"E	488.12'
L3	S68°22'46"W	30.62'
L4	N03°37'14"E	203.73'
L5	S66°22'50"W	400.92'
L6	S03°35'42"W	469.23'
L17	N64°59'10"E	34.20'
L18	N03°37'14"E	764.00'

LEGEND

- SET 3/8" x 30" REBAR WITH 1 1/2" ALUMINUM CAP MARKED "MFA 60000.5"
 - SET MONUMENT AS NOTED
 - FOUND MONUMENT AS NOTED
 - COMPUTED POSITION, NOTHING FOUND OR SET
 - EXISTING WELL
 - FIELD APPROACH FOR FARM EQUIPMENT
 - RECORD INFORMATION
- ADJACENT BOUNDARY LINE
 - EXISTING SECTIONAL LINE
 - PROPERTY LINE
 - SUBDIVISION LOT LINE
 - RIGHT-OF-WAY
 - RIGHT-OF-WAY CENTERLINE
 - EXISTING EASEMENT LINE
 - DITCH RIGHT-OF-WAY

SURVEYOR:
ANDERSON PERRY & ASSOCIATES, INC.
1901 N. FIFTH STREET
LA GRANDE, OREGON 97630
1-541-963-8309



MALHEUR COUNTY SURVEYOR
(OR 209-200)
BY: _____
RECEIVED: _____
FILED: _____
SURVEY NO.: _____
DWG NO.: _____

PRELIMINARY PLAT - ARCADIA INDUSTRIAL PARK SUBDIVISION
IN THE NW. 1/4 OF THE NW. 1/4 OF SECTION 16; ALSO IN THE E. 1/2 OF THE SW. 1/4; THE SE. 1/4 OF THE NW. 1/4 & THE E. 1/2 OF SECTION 17, T. 19S., R. 47E., W.M. MALHEUR CO. OREGON

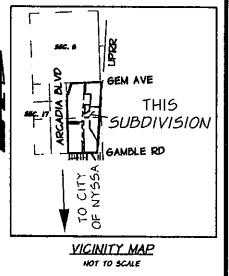
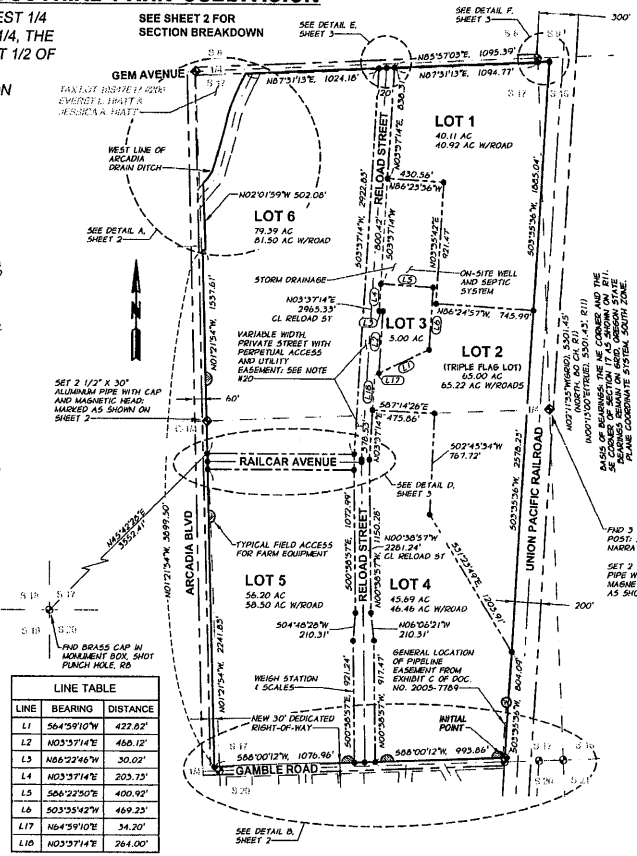
MALHEUR COUNTY DEVELOPMENT CORP. 2020-0140

SCALE: 1" = 500'
DATE: AUG. 25, 2020
JOB NO. 1199-680 (101)

Anderson Perry & Associates, Inc.
REGISTERED PROFESSIONAL LAND SURVEYOR
JULY 13, 2008
JEFFREY A. MADSEN
60000E
EXPIRES: 7/23/2020
S1618018/25/2020

MALHEUR COUNTY CLERK
RECORDING INFORMATION

PLAT C.B.: _____ SLIDE: _____



RECORD LEGAL DESCRIPTION
(ALSO SHOWN IN SURVEYOR'S CERTIFICATE)

SECTION 16: ALL THAT PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 LYING WEST OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY.

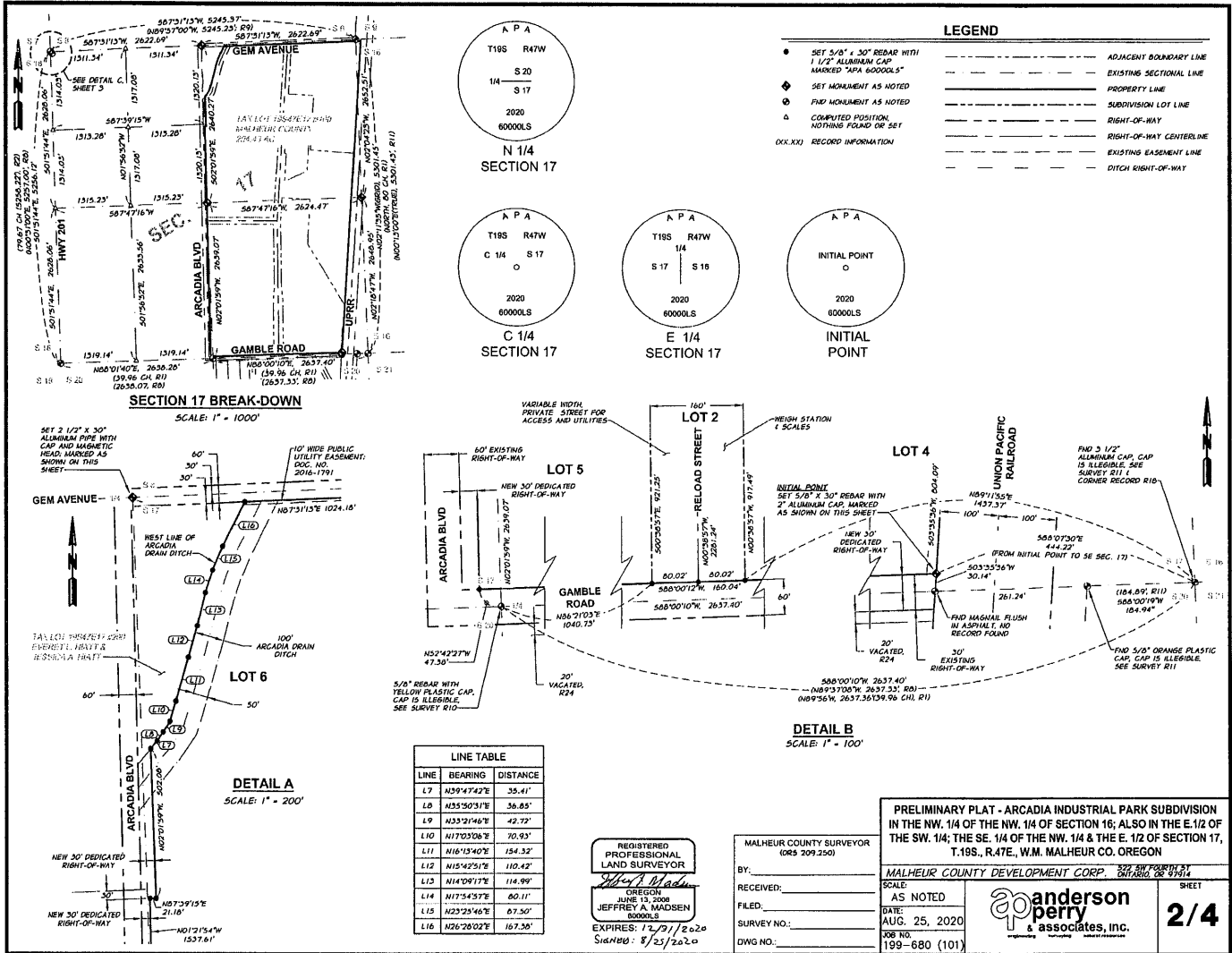
SECTION 17: ALL THAT PORTION OF THE EAST 1/2 LYING AND BEING WEST OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY.

EXCEPTING THEREFROM THAT PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 LYING WEST OF THE ARCADIA DRAIN DITCH RIGHT-OF-WAY.

ALSO A PARCEL OF LAND IN THE EAST 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SEC. 17; THENCE N01°14'E TO THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE WEST, CONSISTENT WITH THE NORTH BOUNDARY THEREOF, TO THE EAST BOUNDARY OF THE COUNTY ROAD; THENCE S03°1'N, CONSISTENT WITH THE SAID EAST RIGHT-OF-WAY, TO THE SOUTH BOUNDARY OF SAID SEC. 17; THENCE S09°46'E, 67 FEET TO THE POINT OF BEGINNING.

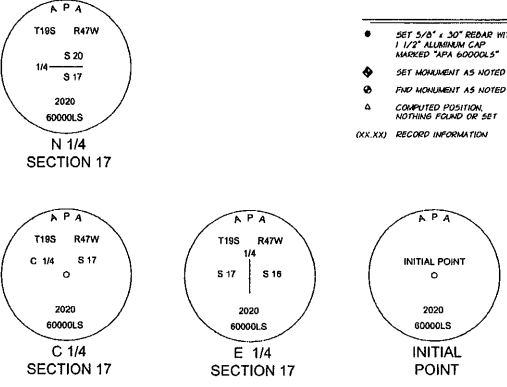
REGISTERED PROFESSIONAL LAND SURVEYOR
Jeffrey A. Madsen
OREGON
JUNE 13, 2008
JEFFREY A. MADSEN
60000E
EXPIRES: 7/23/2020
S1618018/25/2020

MALHEUR COUNTY CLERK
RECORDING INFORMATION

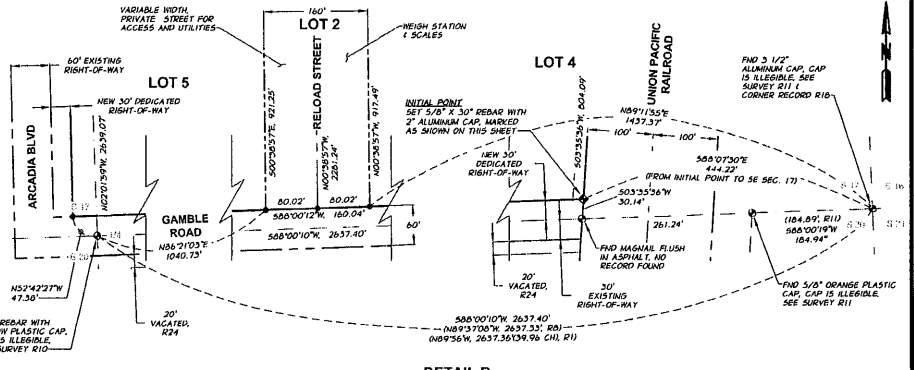
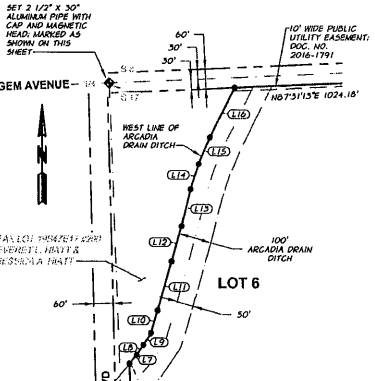


LEGEND

- SET 5/8" x 30" REBAR WITH 1/2" ALUMINUM CAP MARKED "APA 60000LS" ADJACENT BOUNDARY LINE
- ◆ SET MONUMENT AS NOTED EXISTING SECTIONAL LINE
- PIP MONUMENT AS NOTED PROPERTY LINE
- △ COMPUTED POSITION, NOTHING FOUND OR SET SUBDIVISION LOT LINE
- (XX.XX) RECORD INFORMATION RIGHT-OF-WAY
- EXISTING EASEMENT LINE
- RIGHT-OF-WAY CENTERLINE
- DITCH RIGHT-OF-WAY



SECTION 17 BREAK-DOWN
 SCALE: 1" = 1000'



LINE TABLE

LINE	BEARING	DISTANCE
L7	N39°47'42"E	35.41'
L8	N35°50'51"E	36.85'
L9	N33°21'46"E	42.72'
L10	N77°03'08"E	70.93'
L11	N16°13'40"E	154.32'
L12	N15°42'51"E	110.42'
L13	N14°09'17"E	114.99'
L14	N17°54'57"E	60.11'
L15	N23°25'46"E	67.50'
L16	N26°26'02"E	167.30'

REGISTERED PROFESSIONAL LAND SURVEYOR
Jeffrey A. Madson
 OREGON
 JEFFREY A. MADSEN
 60000LS
 EXPIRES: 12/31/2020
 SIGNATURE: 8/25/2020

MALHEUR COUNTY SURVEYOR
 (ORS 209.250)
 BY: _____
 RECEIVED: _____
 FILED: _____
 SURVEY NO.: _____
 DWG NO.: _____

PRELIMINARY PLAT - ARCADIA INDUSTRIAL PARK SUBDIVISION
 IN THE NW 1/4 OF THE NW 1/4 OF SECTION 16; ALSO IN THE E 1/2 OF THE SW 1/4; THE SE 1/4 OF THE NW 1/4 & THE E 1/2 OF SECTION 17, T.19S., R.47E., W.M. MALHEUR CO. OREGON

MALHEUR COUNTY DEVELOPMENT CORP. 2020 217 209 250
 SCALE: AS NOTED
 DATE: AUG. 25, 2020
 JOB NO. 199-680 (101)

apanderson
 & associates, inc.

SHEET
2/4

A. Malheur County Surveyor's Office, Malheur County, Oregon, 2020. All rights reserved. No part of this document may be reproduced without the written permission of the Malheur County Surveyor's Office.

SURVEYOR'S CERTIFICATE

I, JEFFREY A. MADSEN, OREGON REGISTERED LAND SURVEYOR NO. 60000LS, DO HEREBY CERTIFY AND SAY THAT I HAVE CORRECTLY SHOWN THE RECORD BOUNDARIES OF THIS PLAT, AND THAT I HAVE CORRECTLY SURVEYED AND MONUMENTED WITH PROPER MONUMENTS THE BOUNDARIES OF THE LAND REPRESENTED ON THE THIS PLAT AND HAVE MONUMENTED WITH A PROPER MONUMENT THE INITIAL POINT OF THIS SUBDIVISION WITH A 5/16" X 30" IRIDIAN AND 2" ALUMINUM CAP, MARKED "A" INITIAL POINT 60000LS, FROM WHICH THE SOUTHWEST CORNER OF SECTION 17, MARKED BY A 3 1/2" ALUMINUM CAP, BEARS S00°07'30"E, 444.22 FEET IN ACCORDANCE WITH THE PROVISIONS OF O.R.S. CHAPTER 93 AND THE REQUIREMENTS OF MALHEUR COUNTY.

DESCRIPTION

SECTION 16: ALL THAT PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 LYING WEST OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY.
SECTION 17: ALL THAT PORTION OF THE EAST 1/2 LYING AND BEING WEST OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY EXCEPTING THEREFROM THAT PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 LYING WEST OF THE ARCADIA DRAIN DITCH RIGHT-OF-WAY.

ALSO, A PARCEL OF LAND IN THE EAST 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SEC. 17, THENCE N01°14'E, TO THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, THENCE WEST, CONCORDANT WITH THE NORTH BOUNDARY THEREOF, TO THE EAST BOUNDARY OF THE COUNTY ROAD, THENCE S05°1'N, CONCORDANT WITH THE SAID EAST RIGHT-OF-WAY, TO THE SOUTH BOUNDARY OF SAID SEC. 17, THENCE S89°48'E, 67 FEET TO THE POINT OF BEGINNING.

OWNER'S DECLARATION

KNOW ALL MEN BY THESE PRESENTS:

WE, DAN JOYCE, LARRY WILSON AND DON HODGE, THE MALHEUR COUNTY COURT FOR MALHEUR COUNTY, BEING THE OWNER IN FEE TITLE OF THE LAND SHOWN HEREIN, HEREBY DECLARE THAT WE HAVE CAUSED THIS PLAT TO BE PREPARED AND THIS LAND SUBDIVIDED INTO LOTS AS SHOWN IN ACCORDANCE WITH THE PROVISIONS OF O.R.S. CHAPTER 93 AND THAT THIS DIVISION OF LAND, PLATED AS ARCADIA INDUSTRIAL PARK SUBDIVISION, IS A LEGAL PLAT AND HAS BEEN MADE WITH OUR FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES. WE HEREBY DEDICATE TO THE PUBLIC AS RIGHT-OF-WAY, THE WESTERLY 30' FOR ARCADIA BOULEVARD AND THE SOUTHWEST 30' FOR GAMBLE ROAD, AS SHOWN. THE STREETS - RELOAD STREET AND RAILCAR AVENUE ARE HEREBY CREATED AS PRIVATE STREETS TOGETHER WITH A PERPETUAL EASEMENT FOR ACCESS AND UTILITIES.

DAN JOYCE, MALHEUR COUNTY COURT JUDGE

LARRY WILSON, MALHEUR COUNTY COMMISSIONER

DON HODGE, MALHEUR COUNTY COMMISSIONER

ACKNOWLEDGEMENT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE DAY OF 2020, BY DAN JOYCE, LARRY WILSON AND DON HODGE, THE MALHEUR COUNTY BOARD OF COMMISSIONERS.

NOTARY SIGNATURE

NOTARY PUBLIC PRINTED NAME

STATE OF

COUNTY OF

COMMISSION NO.

MY COMMISSION EXPIRES

REGISTERED PROFESSIONAL LAND SURVEYOR
Jeffrey A. Madsen
OREGON
JUNE 13, 2008
JEFFREY A. MADSEN
60000LS
EXPIRES: 12/31/2023
S(P)RB: 8/25/2020

RAILCAR AVENUE - LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTH ONE-HALF OF SECTION 17, TOWNSHIP 19 SOUTH RANGE 47 EAST, WILLAMETTE MERIDIAN, MALHEUR COUNTY, OREGON AND BEING A PORTION OF THE PROPERTY DESCRIBED IN THAT WARRANTY DEED TO MALHEUR COUNTY, OREGON, A POLITICAL SUBDIVISION OF THE STATE OF OREGON, RECORDED JANUARY 13TH, 2020 AS DOCUMENT NO. 2020-0140, SAID PARCEL BEING THAT PORTION OF SAID PROPERTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17, MARKED BY A BRASS CAP IN MONUMENT BOX AS SHOWN ON MALHEUR COUNTY SURVEY NO. 19-47-0156; THENCE N45°42'29"E, 3552.41 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ARCADIA (AS DEDICATED BY THIS PLAT) AND THE TRUE POINT OF BEGINNING; THENCE N00°00'00"E, 1129.09 FEET; THENCE S00°42'47"W, 120.01 FEET; THENCE N0°00'00"W, 1124.74 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°21'54"W, 120.03 FEET TO THE POINT OF BEGINNING.
CONTAINING 3.10 ACRES MORE OR LESS.

RELOAD STREET - LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE EAST ONE-HALF OF SECTION 17, TOWNSHIP 19 SOUTH RANGE 47 EAST, MALHEUR COUNTY, OREGON AND BEING A PORTION OF THE PROPERTY DESCRIBED IN THAT WARRANTY DEED TO MALHEUR COUNTY, OREGON, A POLITICAL SUBDIVISION OF THE STATE OF OREGON, RECORDED JANUARY 13TH, 2020 AS DOCUMENT NO. 2020-0140, MALHEUR COUNTY DEED RECORDS, SAID PARCEL BEING THAT PORTION OF SAID PROPERTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BEN AVENUE, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 17 MARKED BY A 3 1/2" ALUMINUM CAP AS SHOWN ON MALHEUR COUNTY SURVEY NO. 19-47-0194, BEARS N83°33'03"E, 1095.59 FEET; THENCE LEAVING SAID RIGHT-OF-WAY, S03°37'14"W, 1042.45 FEET; THENCE S86°22'46"E, 300.02 FEET; THENCE S03°37'14"W, 466.12 FEET; THENCE S64°39'10"W, 34.20 FEET; THENCE S03°37'14"W, 264.00 FEET; THENCE S03°37'14"W, 376.53 FEET; THENCE S00°30'57"E, 1150.28 FEET; THENCE S04°08'51"E, 210.31 FEET; THENCE S00°30'57"E, 917.47 FEET MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY LINE OF GAMBLE ROAD (AS DEDICATED BY THIS PLAT), FROM WHICH A 3 1/2" ALUMINUM CAP AS SHOWN ON MALHEUR COUNTY SURVEY NO. 19-47-0199, MARKING THE SOUTHWEST CORNER OF SAID SECTION 17 BEARS N89°11'55"E, 1437.57 FEET; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S88°00'10"W, 160.04 FEET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, N00°38'37"W, 521.25 FEET; THENCE N04°48'29"E, 210.31 FEET; THENCE N00°38'37"W, 1072.99 FEET TO THE SOUTHWEST CORNER OF SAID RAILCAR AVENUE; THENCE ALONG THE EASTERLY LINE OF SAID RAILCAR AVENUE, N00°42'47"E, 120.01 FEET; THENCE N03°37'14"E, 2922.63 FEET MORE OR LESS TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF BEN AVENUE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, N03°37'15"E, 120.66 FEET TO THE POINT OF BEGINNING.
CONTAINING 15.72 ACRES MORE OR LESS.

SAID PARCEL'S DEEDS SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS OF RECORD OR IN VIEW.

APPROVALS

MALHEUR COUNTY PLANNING AND ZONING

I HEREBY CERTIFY THIS SUBDIVISION WAS EXAMINED AND APPROVED AS OF THIS _____ DAY OF _____, 2020

MALHEUR COUNTY PLANNING AND ZONING DIRECTOR

MALHEUR COUNTY SURVEYOR

I HEREBY CERTIFY THIS SUBDIVISION WAS EXAMINED AND APPROVED AS OF THIS _____ DAY OF _____, 2020

MALHEUR COUNTY SURVEYOR

MALHEUR COUNTY ASSESSOR & TAX COLLECTOR

I HEREBY CERTIFY THIS SUBDIVISION WAS EXAMINED AND APPROVED AS OF THIS _____ DAY OF _____, 2020

MALHEUR COUNTY ASSESSOR

MALHEUR COUNTY TAX COLLECTOR

MALHEUR COUNTY COURT

WE HEREBY CERTIFY THIS SUBDIVISION WAS EXAMINED AND APPROVED AS OF THIS _____ DAY OF _____, 2020

MALHEUR COUNTY COURT JUDGE

MALHEUR COUNTY COMMISSIONER

MALHEUR COUNTY COMMISSIONER

REFERENCE MATERIAL

SURVEY RECORDS
R1. OLD SURVEY - APPROVED 03-06-1975
R2. 60 RESURVEY - APPROVED 06-26-1931
R3. 10-47-0005
R4. 10-47-0001
R5. 10-47-0011
R6. 10-47-0095
R7. 10-47-0122
R8. 10-47-0156
R9. 10-47-0165
R10. 10-47-0194
R11. 10-47-0199
R12. 10-47-0226
R13. 10-47-0228
R14. NITSA INDUSTRIES SUBDIVISION

CONVENE RECORDS
R15. INDEX 3-5, DATED 8/06/99, DANNY K. CLARKINS
R16. INDEX 2-9, DATED 3/20/99, DANNY K. CLARKINS
R17. INDEX N-7, DATED 1/11/90, JIM KIMBLELING
R18. INDEX N-9, DATED 1/17/90, D. TERRY FRISH

DEED RECORDS

R19. BOOK 10, PAGE 45
R20. BOOK 61, PAGE 345
R21. BOOK 74, PAGE 252
R22. BOOK 111, PAGE 224
R23. 2005-7760
R24. 2009-1610
R25. 2014-1612
R26. 2016-1191
R27. 2020-0140

PRELIMINARY TITLE REPORT (APPROVED)
R28. ORDER NO. 33617, EFFECTIVE DATE: APRIL 6, 2020

MALHEUR COUNTY SURVEYOR
(ORS 209.250)

BY: _____
RECEIVED: _____
FILED: _____
SURVEY NO.: _____
DWS NO.: _____

PRELIMINARY PLAT - ARCADIA INDUSTRIAL PARK SUBDIVISION
IN THE NW 1/4 OF THE NW 1/4 OF SECTION 16; ALSO IN THE E. 1/2 OF THE SW 1/4; THE SE. 1/4 OF THE NW 1/4 & THE E. 1/2 OF SECTION 17,
T.19S., R.47E., W.M. MALHEUR CO. OREGON
MALHEUR COUNTY DEVELOPMENT CORP. 522 3RD FLOOR ST
ONTARIO, OR 97114 SHEET
SCALE: AS NOTED
DATE: AUG. 25, 2020
JOB NO. 199-680 (101)
Spanderson & associates, inc.
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