



# LAND USE APPLICATION

Application Type: UGA Development Permit

## APPLICANT INFORMATION

(Check one box below for designated contact person regarding this application)

☐ Applicant Name: Dorchester Properties, c/o Doug Nelson Daytime Phone: (503) 399-0647  
Mailing Address: 761 Hylo Road SE Fax Number: \_\_\_\_\_  
City/State: Salem, Oregon Zip: 97308 Email: dokayllc@earthlink.net

☐ Property Owner: Same as Above Daytime Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

☒ Agent: Ashley DeForest, Saalfeld Griggs PC Daytime Phone: (503) 399-1070  
Mailing Address: PO Box 470 Fax Number: (503) 371-2927  
City/State: Salem, Oregon Zip: 97308 Email: adeforest@sglaw.com

## PROPERTY INFORMATION

4200 Block of Croisan Creek Road S., Marion County  
(Street Address or Location of Subject Property)

083w08a 1300, 1400 & 1600

083w08b 100

(Assessor Tax Lot Numbers)

Contains an outbuilding and an assortment of paved driveways 58.98 acres  
(Existing Use, Structures, and/or Other Improvements On Site) (Total Size of Subject Property)

## PROPOSED PROJECT INFORMATION

To amend the urban growth management requirements of UGA 98-3 - See attached  
(Describe the Proposed Use or Development of Subject Property) Written Statement.

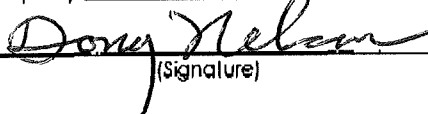
## AUTHORIZATION BY PROPERTY OWNER(S) / APPLICANT

(Property owners and contract purchasers are required to authorize the filing of this application and must sign below)

① I (we) represent that I (we) have full legal authority to file, and hereby do authorize the filing of, this application and certify that the information and exhibits submitted with this filing are true and correct.

② I (we) hereby grant consent to the City of Salem and its officers, agents, employees, and/or independent contractors to enter the property identified above to conduct any and all inspections that are considered appropriate by the City to process this application.

③ I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property: None

	<u>Doug Nelson</u>	<u>2-22-07</u>
(Signature)	(Print Name)	(Date)
_____	_____	_____
(Signature)	(Print Name)	(Date)
_____	_____	_____
(Signature)	(Print Name)	(Date)

STAFF USE ONLY - DO NOT WRITE BELOW - STAFF USE ONLY			
Received By: <u>mc</u>	Date: <u>2/22/07</u>	Receipt No. <u>07-103634</u>	Data Mngmt No. <u>361163</u>
Zone Map No. _____	Ward No. _____	Council Person: _____	Pre-Application File No. _____
NA: _____	Posting Notice/Affidavit: _____	PW/NR Notified: _____	Date App. Complete: _____

# M E M O R A N D U M

To: Judy Copeland

From: Garrett Stephenson

Date: March 15, 2007

Subj: Modification of UGA Development Permit

Will you please set up the file for the following Application (UGA) Modification? The description is as follows:

"A request for an amendment to Urban Growth Area Development Permit 98-3, for property zoned RA (Residential Agriculture) (Salem Area Comprehensive Plan Designation "Developing Residential"), and generally located at the 4200 block of Croisan Creek Road SE (Marion County Assessor's Maps 083W08A, taxlots 1300, 1400, and 1600, and 083W08B, taxlot 100)."

Comp. Plan Designation: "DR"

Zone: "RA"

Many thanks!!!

G:\Group\CD\PLANNING\Garrett\Casefile Start Memos\4200 Croisan Creek UGA Amendment.wpd



555 Liberty ST SE  
Room 320  
Salem, OR 97301

Sequence #: 07-103634-GP

Payment #: 9966070

Date: Feb 22, 2007

Check #: 4663

## GENERAL PAYMENTS

## RECEIPT

### Customer

DORCHESTER PROPERTIES LTD  
761 HYLO RD SE  
SALEM, OR 97306

Payment For Address:

Description	Billed Fees	Previously Paid	Today's Payment	Balance Due
Processing Fee - B	\$12.50			
Mod. of App. Requiring Renotice	\$374.00			
Automation Fee	\$2.50			
<b>Total for Bill # 544348:</b>	<b>\$389.00</b>	\$0.00	\$389.00	\$0.00

<b>RECEIPT TOTAL:</b>	\$389.00	\$0.00	<b>\$389.00</b>	\$0.00
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**Total Paid: \$389.00**

February 22, 2007

**Hand Delivered**

Brandie Dalton  
Acting Senior Planner  
Planning Division  
City of Salem  
555 Liberty Street SE, Room 305  
Salem, Oregon 97306

RE:     Dorchester Properties UGA Amendment Application  
          Our File No. 09135

To Whom It May Concern:

Attached please find our UGA Amendment Application package, which includes the following:

- ◆ Land Use Application Form;
- ◆ Check for Filing Fee in the amount of \$389.00;
- ◆ Recorded Deeds;
- ◆ Urban Growth Area Preliminary Declaration No. 98-3, dated January 11, 1999;
- ◆ Vicinity Map (11 x 17); and
- ◆ Vicinity Map (Full Size).

Thank you for your attention to this matter, and please feel free to contact me with any questions or concerns you may come across during the completeness review of this application package.

Sincerely,



ASHLEY J. DEFOREST  
LAND USE PLANNER  
adeforest@sglaw.com  
Voice Message #333

AJD:tms  
Enclosures  
cc:     Doug Nelson  
          Multi-Tech Engineering

H:\Docs\9000-9499\9135\Letter.City.UGA Amendment App.Doc



**PERSONAL REPRESENTATIVE DEED**

THIS INDENTURE, made this 17 day of May, 1993, by and between DOUGLAS T. NELSON AND NANN T. OLSON, the duly appointed, qualified, and acting PERSONAL REPRESENTATIVES OF THE ESTATE OF CHET I. NELSON, DECEASED, hereinafter called the "Grantor," and DORCHESTER PROPERTIES LIMITED PARTNERSHIP, an Oregon limited partnership, hereinafter called the "Grantee."

This deed is executed by Grantor to Grantee as part of Grantee's distributive share of estate and trust assets, and the true and actual consideration stated in terms of dollars is NONE.

The Grantor does hereby grant, bargain, sell, and convey unto the Grantee and Grantee's successors-in-interest and assigns, all the estate, right, and interest of the said deceased at the time of the decedent's death, and all the right, title, and interest that the said estate of the said deceased by operation of law or otherwise may have thereafter acquired in that certain real property situate in the county of Marion, and state of Oregon, described as follows, to wit:

Parcel 1. An undivided one-half interest in the following described real property: (Approximately .08 acres of land located along Croisan Creek Road, known as Marion County Tax Account No. 85560-340.)

Beginning at a point in the centerline of County Road No. 808 (Croisan Creek Road), said point being South 89°29'30" East 1664.32 feet and South 01°43'30" West 70.26 feet and South 20°56'30" West 407.39 feet and South 02°04' East 100.00 feet and South 02°04' East 281.56 feet and South 07°06' West 65.17 feet and North 82°54' West 20.97 feet from the Northwest corner of Lot 13, Sunnyside Fruit Farms No. 1, Marion County, Oregon; thence from said point of beginning South 42°55' West 123.00 feet, more or less, to a point on the South line of Lot 15, Sunnyside Fruit Farms No. 1; thence Easterly along the South line of the above mentioned Lot 15 to the West line of County Road No. 808; thence in a Northerly direction along said West line to the point of beginning, all lying and being situated in Marion County, Oregon.

Parcel 2. (Real property located on Homestead Road South, Salem, Marion County Tax Account No. 58706-001.) The Northeast one quarter (1/4) of the Northwest one quarter (1/4) of Section 8, Township 8 South, Range 3 West of the Willamette Meridian, Marion County, Oregon.

SAVE AND EXCEPT that tract of land described in Reel 156, page 160, Marion County Records, being more particularly described as follows:

Beginning at a point which is North 0°12' West 653.87 feet from the Southwest corner of the Northeast one quarter (1/4) of the Northwest one quarter (1/4) of Section 8 in Township 8 South, Range 3 West of the Willamette Meridian in

**MAIL TAX STATEMENTS TO:**

Dorchester Properties Limited Partnership  
PO Box 3223  
Salem, OR 97302

**AFTER RECORDING RETURN TO:**

Daniel A. Ritter, P.C.  
530 Center Street NE, Suite 700  
Salem, OR 97301-3740

Marion County, Oregon; thence North 0°12' West 184.70 feet; thence South 51°55'38" East 378.63 feet to a point on a proposed road right-of-way; thence South 38°04'22" West 145.00 feet along said proposed right-of-way; thence North 51°55'38" West 264.22 feet to said point of beginning and containing 1.07 acres, more or less.

FURTHER SAVE AND EXCEPT the following described tract of land:

Beginning at an iron rod which is South 60°14'22" West 780.86 feet from the North one quarter (1/4) corner of Section 8, Township 8 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; thence South 42°04' West 149.98 feet to an iron rod; thence North 47°55'18" West 124.76 feet to the centerline of a 30 foot wide access easement as described in Reel 156, page 160, Marion County Records; thence North 14°53'03" West, along said centerline 32.50 feet to an angle in said centerline; thence North 34°22'35" East, along said centerline 110.37 feet to an angle in said centerline; thence North 20°29'45" East, along said centerline 19.49 feet; thence South 49°29'27" East 174.01 feet to the place of beginning and containing 0.54 acres of land, more or less.

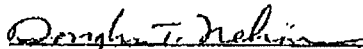
SUBJECT TO AND TOGETHER WITH an access easement or easements of record.


To Have and To Hold the same unto the said Grantee, and Grantee's heirs, successors-in-interest, and assigns forever.

The following is the notice as required by Oregon law: "THIS INSTRUMENT WILL 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 APPROVED USES."

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, Grantor has hereunto caused this deed to be executed the day and year first hereinabove written.

  
Douglas J. Nelson

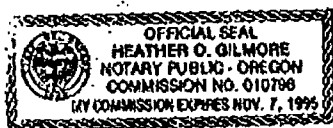
  
Nann T. Olson  
Personal Representatives of the Estate of  
Chet I. Nelson, Deceased

STATE OF OREGON

County of Marion

} ss.

On this 17 day of May, 1993, personally appeared before me the above named DOUGLAS T. NELSON, one of the Personal Representatives of the Estate of Chet I. Nelson, Deceased, and acknowledged the foregoing instrument to be his voluntary act and deed.



Heather O. Gilmore  
Notary Public for Oregon  
My Commission Expires: Nov. 7, 1995

STATE OF OREGON

County of Marion

} ss.

On this 18 day of May, 1993, personally appeared before me the above named NANN T. OLSON, one of the Personal Representatives of the Estate of Chet I. Nelson, Deceased, and acknowledged the foregoing instrument to be her voluntary act and deed.

Judy K. Snider  
Notary Public for Oregon  
My Commission Expires: June 15, 1995



STATE OF OREGON

County of Marion

REEL PAGE  
1061 346

I hereby certify that the within was received and duly recorded by me in Marion County records:

MAY 18 4 05 PM '93

Page 3 - Personal Representative Deed  
PRW133PR.DED

Fee \$ 45  
Hand Returned ☐

ALAN E. DAVIDSON  
MARION COUNTY CLERK  
BY HO

1 27 82

01936

REEL PAGE  
272 375

JAN 27 1982

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That CHET I. NELSON and DORATHY S. NELSON, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell, and convey unto CHET I. NELSON and DORATHY S. NELSON, co-partners dba DORCHESTER PROPERTIES, hereinafter called grantee, and unto grantee's successors and assigns all of that certain real property with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, situated in the county of Marion, state of Oregon, described as follows, to wit:

Parcel 1: A Fraction of Lots 5 and 6, Block 16, GEO. H. JONES ADDITION to Salem, Marion County, Oregon, more particularly described in Volume 600, page 104, Marion County Records.

Parcel 2: A fraction of Lot 5, Block 16, GEO. H. JONES ADDITION to Salem, Marion County, Oregon, more particularly described in Volume 458, page 231, Marion County Records.

Parcel 3: A fraction of Lot 6, Block 16, GEO. H. JONES ADDITION to Salem, Marion County, Oregon, more particularly described in Reel 100, page 1113, Marion County Records.

Parcel 4: Lot 10, Block 3, B. T. RANDALL ADDITION to Salem, Marion County, Oregon, more particularly described in Volume 586, page 603, Marion County Records.

Parcel 5: Lot 11, Block 3, B. T. RANDALL ADDITION to Salem, Marion County, Oregon, more particularly described in Volume 549, page 214, Marion County Records.

Parcel 6: Lots 5 and 6, Block 3, B. T. RANDALL ADDITION to Salem, Marion County, Oregon, more particularly described in Volume 530, page 659, Marion County Records.

MAIL TAX STATEMENTS TO:

No change from previous notification

AFTER RECORDING RETURN TO:

Chet I. and Dorothy S. Nelson  
P. O. Box 3223  
Salem, OR 97302



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01936

REEL PAGE  
272 376

JAN 27 1982

Parcel 7: Lots 7 and 8, Block 3, B. T. RANDALL  
ADDITION to Salem, Marion County, Oregon, more particularly described in Volume 478, page 590, Marion County Records.

Parcel 8: Lots 3 and 4, Block 26, GEO. H. JONES  
ADDITION to Salem, Marion County, Oregon, more particularly described in Volume 533, pages 453 and 455, Marion County Records.

Parcel 9: A fraction of Lots 3, 4, 5, and 6,  
Blocks 27, 28, 30, 31, and 32, NOB HILL ADDITION  
(amended plat) to Marion County, Oregon (known as 2020  
and 2060 Commercial Street, S.E., Salem, Oregon).

Parcel 10: All of that real property described in  
that certain deed recorded September 13, 1962, in  
Volume 563, page 450, Marion County Records, known as  
2806 Homestead Road, South, Salem, Oregon, and con-  
sisting of approximately 30.19 acres.

Parcel 11: All of that real property described in  
that certain deed recorded in Volume 428, page 26,  
Marion County Records, known as 4138 Homestead Road,  
South and Croisan Ridge, Salem, Oregon, and consisting  
of approximately 38.93 acres: TOGETHER WITH an  
easement described in Volume 430, page 129, Marion  
County Records, SAVE AND EXCEPT approximately 1.07  
acres conveyed to Nann T. Olson and Dennis Olson.

Parcel 12: All of that real property described in  
Volumes 326, page 551, 365, page 523, and 330, page  
485, Marion County Records, consisting of approxi-  
mately 18.79 acres in Sunnyside Fruit Farms No. 1.

Parcel 13: All of that real property described in  
Volume 763, page 225, Marion County Mortgage Records,  
subject to contract vendees' rights.

To Have and to Hold the same unto the said grantee and gran-  
tee's successors and assigns forever.

This deed is executed as contribution to the capital of  
grantee partnership and no monetary consideration has passed.

In construing this deed the singular includes the plural as  
the circumstances may require.

1 27 82

01936

REEL 272 PAGE 377

JAN 27 1982

WITNESS grantor's hand this 27 day of January, 1982.

Chet I. Nelson  
Chet I. Nelson

Dorothy S. Nelson  
Dorothy S. Nelson

STATE OF OREGON,

County of Marion.

ss.

On this 27th day of January, 1982, personally appeared the above named CHET I. NELSON and DORATHY S. NELSON, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



Daniel A. Ritter  
Notary Public for Oregon  
My commission expires: Aug. 8, 1982

STATE OF OREGON

01936

County of Marion

JAN 27 4 25 PM '82

I hereby certify  
that the within was  
received and duly  
recorded by me  
in Marion County  
records:

EDWIN P. MERRAN  
MARION COUNTY CLERK  
BY AS DEPUTY

Reel 272 Page 375

13.00