

O R D I N A N C E   N O.   808

AN ORDINANCE PROVIDING A TIME AND PLACE CERTAIN FOR A HEARING CONCERNING WHETHER OR NOT CERTAIN REAL PROPERTY OWNED BY WALTER E. NIEDERMEYER, AND CERTAIN OTHER REAL PROPERTY ADJACENT THERETO, OWNED BY ANTON STEHLIK AND E. R. LEYTHAM, SHOULD HAVE ITS ZONE CLASSIFICATION CHANGED FROM R-7 UNDER THE ZONING CODE OF WASHINGTON COUNTY, OREGON, TO MULTI-FAMILY RESIDENTIAL ZONE UNDER THE ZONING ORDINANCES OF THE CITY OF BEAVERTON, AND WHETHER OR NOT TO GRANT AND ALLOW A CONDITIONAL USE UPON UPON THE PORTION OF SAID REAL PROPERTY TO PERMIT THE DEVELOPMENT AND MAINTENANCE OF MULTI-FAMILY RESIDENTIAL UNITS IN EXCESS OF ONE UNIT FOR EACH 2000 SQUARE FEET OF LAND CONTAINED THEREIN, AND DECLARING AN EMERGENCY.

WHEREAS, the owners of the hereinafter described real property have requested that a zone classification change be granted and allowed as hereinabove and hereinafter mentioned, and the Planning Commission after consideration of the applications has recommended to the Council of this City that said zone change be granted and allowed, and a conditional use upon a portion thereof as hereinafter set forth, and

WHEREAS, pursuant to the laws of the State of Oregon, and the ordinances of this City, it is essential that a hearing be held thereon prior to action being taken by the Council, now therefore,

THE CITY OF BEAVERTON DOES ORDAIN AS FOLLOWS:

SECTION 1. That the 6th day of July, 1964, commencing at the hour of 8:00 p.m. of said day, in the Council Chambers, located in the City Hall at the address of 450 South Hall Street, Beaverton, Oregon, is hereby fixed and determined as the time and place for hearing any and all objections, opinions or remonstrances, if any there be, concerning whether or not the real property hereinafter described should have its zone classification changed from Residential District, R-7, under the zoning code of Washington County, Oregon, to Multi-Family Residential Zone, under the zoning ordinances of the City of Beaverton, Oregon.

That said real property is located in the City of Beaverton, County of Washington, State of Oregon, and more particularly bounded and described as follows:

PARCEL I: A tract of land located in Section 16, Township 1 South, Range 1 West, Willamette Meridian, being a portion of a tract of land conveyed to J.W. Benson et ux, by a deed recorded in Book 257, at Page 127, Deed Records of Washington County, Oregon; beginning at the Southwest corner of said Benson tract, and running thence North  $00^{\circ} 30'$  East, along the westerly line thereof, being also the easterly line of Covell's addition, a subdivision of record, 239.70 feet; thence North  $89^{\circ} 40'$  East 471.04 feet to the easterly line of said Benson tract; thence South  $01^{\circ} 00'$  West, along the said easterly line, 40.0 feet to the Northeast corner of that tract of land conveyed to Franklin G. Nagy, et ux, by deed recorded in Book 445, Page 288, said Deed Records; thence South  $89^{\circ} 40'$  West, along the northerly line of said Nagy tract, 130.0 feet to the Northwest corner thereof; thence South  $01^{\circ} 00'$  West, along the westerly line of said Nagy tract and the westerly line of that tract of land conveyed to George L. Moir, et ux, by deed recorded in Book 271, Page 173, said Deed Records, 200.0 feet to the Southwest corner of said Moir tract, a point on the northerly line of that tract of land conveyed to Lawrence C. Gisi, et ux, by deed recorded in Book 330, Page 575, said Deed Records; thence South  $89^{\circ} 42'$  West, along said northerly line and the southerly line of said Benson tract, 338.92 feet to the point of beginning.

PARCEL II: That tract of land located in Section 16, Township 1 South, Range 1 West, Willamette Meridian, conveyed to Virginia Weaver by deed recorded in Book 244, Page 85, Washington County, Oregon, Deed Records; beginning at the Southwest corner of said Weaver tract and running thence North  $00^{\circ} 37'$  East along the westerly line thereof, 403.74 feet to the Northwest corner thereof; thence North  $89^{\circ} 42'$  East, along the northerly line of said Weaver tract and the southerly line of that tract of land conveyed to J.W. Benson, et ux, by deed recorded in Book 257, Page 127, said Deed Records, 356.39 feet to the Northwest corner in that tract of land conveyed to Lawrence C. Gisi, et ux, by deed recorded in Book 330, Page 575, said Deed Records; thence along the boundary of said Gisi tract, South  $01^{\circ} 00'$  West 95.0 feet and North  $89^{\circ} 40'$  East 79.26 feet to the Northwest corner of that tract of land conveyed to John V. Yenny, et ux, by deed recorded in Book 346, Page 318, said Deed Records; thence South  $01^{\circ} 00'$  West, along the westerly line of said Yenny tract and the westerly lines of those tracts of land conveyed to Don E. Waters, et ux, by deed recorded in Book 320, Page 128, and to E.D. Knauf, et ux, by deed recorded in Book 346, Page 211, said Deed Records, 250.4 feet to the Southwest corner of said Knauf tract, a point on the southerly line of said Weaver tract; thence along the boundary of said Weaver tract, South  $89^{\circ} 40'$  West 85.0 feet, South  $01^{\circ}$

02' West 59.83 feet, and South 89° 56' West 347.88 feet to the point of beginning.

PARCEL III: All of Lots 7 and 12, Spencer's Homestead, excepting therefrom the southerly 223.9 feet of said Lot 12,

and further, whether or not a conditional use should be allowed and permitted pursuant to the provisions of Paragraph (2) of Section 22, Paragraph (1) of Section 24, of Ordinance No. 550 of this City authorizing the construction and maintenance thereon of multi-family residential units in a number that would exceed one unit for each 2000 square feet of land contained in said parcel, (III) providing, however, that not more than 132 units be constructed or maintained upon said parcel.

SECTION 2. The City Recorder is hereby authorized and directed to cause notice of said hearing to be published in the Valley Times, a newspaper of general circulation in the County of Washington and State of Oregon, and one that is published within the City of Beaverton, on its issues to be published on the 11th and 18th days of June, 1964, and further to post notice of said hearing on or before the 19th day of June, 1964, in four conspicuous public places within the City of Beaverton, Oregon, and further by mailing notice of said hearing to all of the owners of real property within an area bounded by lines that are 200 feet distance from and parallel with the exterior boundaries of the real property hereinabove described on or before the 25th day of June, 1964.

SECTION 3. That the Council hereby finds and determines that it is necessary and expedient that the provisions of this ordinance go into effect forthwith for the preservation of the peace, health and safety of the City of Beaverton, and the inhabitants thereof, for the reason that it is essential to determine at the earliest possible date the extent of use to which the real property hereinabove described will be developed and used, in order to make

adequate provisions for street access to and within the area of land concerned thereby alleviating and preventing hazardous traffic congestions and conditions, now therefore, AN EMERGENCY IS HEREBY DECLARED TO EXIST, and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council this 1st day of June, 1964.

Approved by the Mayor this 3rd day of June, 1964.

Steven Lay  
Mayor

ATTESTED:

Patricia J. Oberlander  
Recorder