



April 19, 2024

Maupin City Planning Commission 507 Grant Avenue Maupin, Oregon 97037

RE: McLucas Upriver Estates Final Plat Review

Staff Report

Dear Commissioners:

The primary purpose of the Planning Commission meeting on April 23, 2024, is the review of the Final Plat of the McLucas Upriver Estates Subdivision. This is an administrative procedure, not a public hearing. The Commission is simply reviewing the Final Plat to ensure that it correctly follows the previously approved Preliminary Plat with respect to the lot configurations and dimensions, street design and improvement requirements. The Developer, Mr. Rob Miles, is requesting Final Plat approval so that he may file the Final Plat with the Wasco County 'Clerks Office and thus, create saleable lots. The wastewater collection system has not yet been constructed and Mr. Miles is offering a Bond in lieu of the final construction of that system. This is fairly common practice and is addressed in the City's Subdivision Ordinance. The Developer and the City Engineer have agreed on an estimated construction cost for completing the wastewater collection facilities along with a contingency fund to cover unexpected costs occurring during the actual construction. The completion of the project is tied to a "time and date certain" and must be completed by then, or the City may call in the Bond and complete the work through its own contractor. We should have a copy of the proposed Bond at the Planning Commission Meeting.

It should be noted that the public improvements in this Subdivision Development consist of the domestic water system to the lots and that system has been constructed and inspected and accepted by the City Engineer. The Street serving the lots is privately owned by the developer along with the wastewater collection system. Once the collection system main connects to the existing City System, combination of the two becomes the City's responsibility.

The review of the Final Plat by the City Engineer and City Staff has been completed and the recommendation is for approval by the Planning Commission. A motion to approve the Final Plat and grant the Planning Commission Chair the authority to sign the Final Plat would be in order once any questions or concerns of the Commission are satisfied.

City Representatives sign the Final Plat in three places, the Planning Commission Chair, the Mayor along with a certification by the City Recorder.

This brings up a small issue that needs to be addressed in the City's Subdivision Ordinance. This is a long range issue and this discussion is provided to serve as a reminder that the City needs to address this particular issue. The City's long time Subdivision Ordinance is based upon a Bureau of Governmental Research Model of 50+ years ago. It needs to be updated in several places and the Preliminary Plat and Final Plat processes are a couple of good examples.

Back in the day, the thinking was that a Planning Commission should take the Land Use issues off the City Council's workload. Therefore, the Subdivision Ordinances of that time did not require City Council review of Preliminary Plat or Final Plat approvals. However, in most subdivisions, there are City Streets involved along with public utilities, water, sewer and storm water systems. The City Council should be aware of the direction of the City's services and transportation improvements are moving at the Preliminary Plat stage of a given development. Further, the approval of a Final Subdivision Plat usually means the City will now be responsible for the maintenance of these systems, including the acceptance of new streets and roads into the City's ownership. For many years now, I have always taken the Planning Commission approval of a Preliminary Plat to the City Council of a given City to at least inform the Council of what's the Planning Commission has approved. I've maintained the same practice with the Final Plats and have asked the Mayor to sign the Final Plat as well. The City needs to consider revising these two procedures to include the Council, even if only on an informational basis.

I look forward to seeing all of you on Tuesday.

Sincerely,

AKS ENGINEERING & FORESTRY, LLC

/s/ Dan Meader

Dan Meader, Senior Land Use Planner 3775 Crates Way, The Dalles, OR 97058 (541) 296-9177 | meaderd@aks-eng.com

FOR REVIEW SAVED: 4/17/2024

PLAT OF

McLUCAS UPRIVER ESTATES

LOCATED IN THE N.E. 1/4 N.E. 1/4 SECTION 5, T. 5S., R. 14E., W.M. AND S.E. 1/4 S.E. 1/4 SECTION 32, T. 4S., R.14E., W.M. CITY OF MAUPIN, COUNTY WASCO, STATE OF OREGON

JAN. 30, 2024

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THOSE CERTAIN PARCELS OF LAND CONVEYED TO ROBERT MILES AND SUSAN MILES AND DANIEL CARVER AND EVELYN CARVER, AS DESCRIBED IN WARRANTY DEED, RECORDED JANUARY 8, 2001, INSTRUMENT NO. 20010086, ALONG WITH THAT CERTAIN TRACT CONVEYED TO GLORIA MCLUCAS, TRUSTEE OF THE REVOCABLE LIVING TRUST OF GLORIA JEAN MCLUCAS, AS DESCRIBED IN BARGAIN AND SALE DEED, RECORDED MAY 7, 2012, INSTRUMENT NO. 2012-001597.

A PORTION OF THE MILES AND CARVER TRACTS WERE PREVIOUSLY SURVEY BY TENNESON ENGINEERING CORPORATION, FILED AS COUNTY SURVEY E-13-15, SAID SURVEY WAS USED TO COMPUTE THE BOUNDARY OF TAX LOTS 5600, 5700 OF WASCO COUNTY ASSESSOR MAP 04S14E32DD ALONG WITH TAX LOTS 1800 AND 1900 OF WASCO COUNTY ASSESSOR MAP 05S14E05AA. MONUMENTS WERE RECOVERED FROM SAID SURVEY, ALONG THE NORTH LINE OF SECTION 5, AND A BRASS CAP, HELD FOR THE SECTION CORNER COMMON TO SECTIONS 4, 5, 32 AND 33. MONUMENTS WERE ALSO RECOVERED AND HELD ALONG THE ABANDONED DESCHUTES RAILROAD, LOCATED ON PREVIOUSLY MENTIONED TAX LOT 1800 AND 1900.

ANOTHER SURVEY PERFORMED BY TENNESON ENGINEERING CORPORATION, FILED AS COUNTY SURVEY BOOK 7, PAGE 8, WAS USED TO COMPUTE THE BOUNDARY OF TAX LOTS 5900 OF WASCO COUNTY ASSESSOR MAP 04S14E32DD, ONE MONUMENT WAS RECOVERED AND HELD FROM SAID SURVEY WHICH WAS LOCATED AT THE SOUTHEAST CORNER OF TAX LOT 5900.

THE RIGHT-OF-WAY OF HIGHWAY 197 WAS COMPUTED BASED ON A SURVEY PERFORMED BY DLC SURVEYING, FILED AS COUNTY SURVEY, BOOK 9, PAGE 120. HIGHWAY 197 RIGHT-OF-WAY WAS COMPUTED AND ORIENTATED ALONG THE COMPUTED NORTH LINE OF SAID SECTION 5, WHICH AGREED WITH RECOVERED MONUMENTS FROM SAID SURVEY.

THE ORDINARY HIGH WATER WAS FIELD TIED ON APRIL 29, 2022, AND USED FOR THE NET AREA CALCULATION FOR LOTS 8, 9, 10 AND 11.

REFERENCED DEEDS

BARGAIN AND SALE DEED, INSTRUMENT NO. 2012-001597 WARRANTY DEED, INSTRUMENT NO. 20010086

REFERENCED SURVEYS

- SURVEY PERFORMED BY DLC SURVEYING; FOR MR. SHAPARD; FILED JAN. 28, 2016; COUNTY SURVEY, BK 9, PG 120
- R2 SURVEY PERFORMED BY TENNESON ENGINEERING CORPORATION: FOR CITY OF MAUPIN; FILED AS COUNTY SURVEY, BK 7, PG. 8
- R3 SURVEY PERFORMED BY TENNESON ENGINEERING; FOR JIM WICKS, FILED AS COUNTY SURVEY, BK. 18, PG. 113
- R4 BOUNDARY LINE ADJUSTMENT PERFORMED BY KLEIN AND ASSOCIATES, FOR BERCKLEY HOMES, FILED AS COUNTY SURVEY
- R5 SURVEY PERFORMED BY TENNESON ENGINEERING, FOR KATHRYN HUITT. FILED AS COUNTY SURVEY BK 4, PG 32
- R6 SURVEY PERFORMED BY TENNESON ENGINEERING & SURVEYING, FOR CLARENCE HUNT, FILED AS COUNTY SURVEY.
- R7 SURVEY PERFORMED BY HORIZON ENGINEERING, FOR MRS. DARLENE O'BRIEN, FILE AS COUNTY SURVEY, F-15-01
- R8 SURVEY PERFORMED BY TENNESON ENGINEERING CORP, FOR THOMAS BALTZ & WALLACE YOST, FILED AS COUNTY SURVEY. E-13-15-A

NEW EASEMENTS NOTES

- 1. 20-FOOT PUBLIC UTILITY EASEMENT (PUE)
- 2. NEW 15-FOOT PUBLIC WATERLINE EASEMENT GRANTED TO THE CITY OF MAUPIN
- 3. NEW PRIVATE VARIED WIDTH ACCESS EASEMENT FOR THE BENEFIT OF LOTS 1-7, 10 AND 11 AND A PUBLIC UTILITY EASEMENT
- 4. NEW 10 FOOT NON-EXCLUSIVE PEDESTRIAN ACCESS EASEMENT

SURVEYOR'S CERTIFICATE EASEMENTS AND ENCUMBRANCES

EXCEPTIONS LISTED BELOW ARE EASEMENTS ONLY AND DOES NOT INCLUDED EXCEPTIONS 1-5 AND 18-20 OF THOSE CERTAIN RECORD MATTERS, LISTED ON STATUS OF RECORD TITLE REPORT, PREPARED BY AMERTITLE, TITLE NO. 623820AM, DATED MARCH 15, 2024

- RIGHTS OF THE PUBLIC AND OF GOVERNMENTAL BODIES IN AND TO THAT PORTION OF THE PREMISES HEREIN DESCRIBED LYING BELOW THE LOW/HIGH WATER MARK OF DESCHUTES RIVER.
- 7) EASEMENT FOR EXISTING PUBLIC UTILITIES IN VACATED AREA BY COUNTY COURT AND THE CONDITIONS. DATED JANUARY 2, 1935.
- 8) PRIVATE AGREEMENT BETWEEN ARABELLE S STAATS AND WILLIAM H STAATS HER HUSBAND AND OREGON TRUNK RAILWAY, RECORDED DECEMBER 24, 1917 IN BOOK 63, PAGE 386
- 9) PUBLIC ROADWAY AND BRIDGE EASEMENT IN FAVOR OF WASCO COUNTY RECORDED AUGUST 28, 1928 IN BOOK 80, PAGE 199, (AS SHOWN)
- 10) EXCEPTIONS AND RESERVATION BY UNION PACIFIC RAILROAD CO.. RECORDED MAY 4, 1938 IN BOOK 89, PAGE 206. NOT SHOWN IN THIS SURVEY
- 11) PUBLIC ROADWAY EASEMENT, 60' IN WIDTH IN FAVOR OF WASCO COUNTY, RECORDED AUGUST 12, 1941 IN BOOK 92, PAGE 619. (AS SHOWN)
- 12) PRIVATE DRAINAGE FIELD FOR SEPTIC TANK EASEMENT, RECORDED MARCH 3, 1958 IN BOOK 136, PAGE 514. UNKNOWN LOCATION
- 13) PUBLIC SEWER EASEMENT IN FAVOR OF THE TOWN OF MAUPIN, RECORDED MARCH 13, 1978 IN MICROFILM 780770. (AS SHOWN)
- 14) AN EASEMENT IN FAVOR OF CHARLES L. HOLMES AND LORITA D. HOLMES, RECORDED MAY 25, 1978 IN MICROFILM 781653.
- 15) EASEMENT IN FAVOR OF THE TOWN OF MAUPIN, RECORDED MAY 25, 1978 IN MICROFILM 784151. (AS SHOWN)
- 16) MATTERS AS DISCLOSED BY SURVEY E-13-15A
- 17) AN EASEMENT AN EASEMENT IN FAVOR OF WASCO ELECTRIC COOPERATIVE, RECORDED FEB. 14, 2006, IN MICROFILM 2006-000958 (BLANKET EASEMENT NOT LOCATABLE)

(NOT DISCLOSED IN TITLE REPORT) PRIVATE INGRESS AND EGRESS EASEMENT SOUTHERLY 25 FEET OF PARCEL 1 AND 2 AS DESCRIBE IN WARRANTY DEED, INSTRUMENT NO.

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM, NORTH ZONE, GRID NORTH, GROUND DISTANCE, ESTABLISHED BY G.PS. OBSERVATION BETWEEN SURVEY MONUMENT POINT (1577) AND (253) BEARS N89°01'13"W

SHEET INDEX

SHEET 1: SIGNATURES, NARRATIVE, NOTES, AND SURVEYORS CERTIFICATE

SHEET 2: EXTERIOR BOUNDARY SHEET 3: LOT DETAIL

SHEET 4: EASEMENTS

OWNERS

ROB & SUSAN MILES DANIEL & EVELYN CARVER GLORIA MCLUCAS

I, JAMES M. KLEIN, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED ON THE PLAT OF MCLUCAS UPRIVER ESTATES. LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 14 EAST, AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTERS OF SECTION 32, TOWNSHIP 4 SOUTH, RANGE 14 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, OREGON, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 32 TOWNSHIP 4 SOUTH, RANGE 14 EAST; THENCE NORTH 01'20'00" EAST, 483.53 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32 TO THE INITIAL POINT BEING A 5/8" REBAR WITH A YELLOW PLASTIC CAP INSCRIBED "KLEIN & ASSOC. 59002 PLS; THENCE SOUTH 01"18"34" WEST, A DISTANCE OF 31.93 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, HAVING A RADIUS OF 1306.94 FEET, A RADIAL THAT BEARS SOUTH 48'10'59" EAST, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY OF BAKEOVEN ROAD; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF BAKEOVEN ROAD ON A CURVE RIGHT, THROUGH A CENTRAL ANGLE OF 25.58'12", AN ARC LENGTH OF 592.38 FEET, AND WHOSE LONG CHORD BEARS SOUTH 54'48'07" WEST FOR A DISTANCE OF 587.32 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE SOUTH 67'48'47" WEST, 206.41 FEET, ALONG THE NORTHERLY RIGHT-OF-WAY OF BAKEOVEN ROAD TO THE INTERSECTION WITH RIGHT-OF-WAY OF THE DALLES-CALIFORNIA (US-HWY 197); THENCE SOUTH 66'40'53" WEST, 241.02 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF THE DALLES-CALIFORNIA (US-HWY 197); THENCE SOUTH 66.53'24" WEST, 363.81 FEET ALONG THE NORTHERLY RIGHT-OF-WAY OF THE DALLES-CALIFORNIA (US-HWY 197); THENCE NORTH 22'33'03" WEST, 88.93 FEET; THENCE SOUTH 67'26'03" WEST, 73.96 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5; THENCE NORTH 0017'52" EAST, 171.99 FEET, ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF GOVERNMENT LOT 1: THENCE WESTERLY ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4 TO THE INTERSECTION WITH THE CENTER CHANNEL OF THE DESCHUTES RIVER; THENCE NORTHEASTERLY DOWN STREAM ALONG THE CENTER CHANNEL OF THE DESCHUTES RIVER TO THE NORTHEAST CORNER OF PARCEL 5, AS DESCRIBED IN WARRANTY DEED, RECORDED JAN. 8, 2001, IN INSTRUMENT 20010086, WASCO COUNTY RECORDS, WHICH POINT BEARS NORTH 40°54'13" WEST, FROM A 5/8" REBAR LOCATED AT THE SOUTHEAST CORNER OF SAID PARCEL 5; THENCE SOUTH 40°54'13" EAST, 320 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF SAID PARCEL 5 AND THE BEGINNING OF A NON-TANGENTIAL CURVE, HAVING A RADIUS OF 1498.92, A RADIAL THAT BEARS SOUTH 38'24'12" EAST; THENCE ALONG SAID CURVE THE LEFT, THROUGH A CENTRAL ANGLE OF 03'32'36", AN ARC LENGTH OF 92.69 FEET, AND WHOSE LONG CHORD BEARS NORTH 49'41'09" EAST, 92.68 FEET BACK TO POINT OF BEGINNING. REGISTERED

JAMES M. KLEIN PLS. 59002

PROFESSIONAL LAND SURVEYOR OREGON JAMES M. KLEIN Expires 6-30-2025

WASCO COUNTY

SURVEYOR'S OFFICE

SURVEY NO.

APPROVALS

FILE NO	
VASCO COUNTY COMMISSIONER	DATE
VASCO COUNTY COMMISSIONER	DATE
VASCO COUNTY COMMISSIONER	DATE
HIS PLAT OF "McLUCAS UPRIVER ESTATES" IN WASCO COL AND APPROVED BY:	UNTY, OREGON WAS EXAMINED
VASCO COUNTY SURVEYOR	DATE
HEREBY CERTIFY THIS PLAT OF "MCLUCAS UPRIVER ESTATIVAS EXAMINED AND APPROVED AS OF DAY OF	
TTEST BY: CITY RECORDER	DATE
TY OF MAUPIN - MAYOR	DATE
TY OF MAUPIN PLANNING COMMISSION CHAIR	DATE
HEREBY CERTIFY THIS PLAT OF "McLUCAS UPRIVER ESTAT IAS EXAMINED AND APPROVED AS OF DAY OF	, 2024

I HEREBY CERTIFY THAT I HAVE EXAMINED THE PLAT OF "McLUCAS UPRIVER

A PROPER NAME AND NOT INCLUDED IN ANY OTHER SUBDIVISION IN WASCO

DATE

DATE

REQUIRED BY LAW AND I HEREBY APPROVE SAID PLAT.

WASCO COUNTY ASSESSOR

WASCO COUNTY TAX COLLECTOR

DOCUMENT NO	
SLIDE NO.	

DECLARATION

KNOW ALL PERSONS BY THESE PRESENT THAT WE, THE OWNERS OF THE LAND SHOWN ON THE PLAT OF "McLUCAS UPRIVER ESTATES" AND DO HEREBY MAKE, ESTABLISH AND DECLARE THAT THIS PLAT MAP IS A TRUE AND CORRECT MAP OF THE LAND OWNED AND LAID OUT BY THIS PLAT OF "McLUCAS UPRIVER ESTATES". SAID PLAT BEING MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE.

WE HEREBY DECLARE THAT THIS PLAT IS A EGAL PLAT AND HAS BEEN MADE WITH OUR FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES. THIS PLAT COMPLIES WITH CHAPTER 92 AND 97 OF THE OREGON REVISED STATUES FURTHERMORE WE HEREBY GRANT THE PRIVATE ACCESS EASEMENT AND PUBLIC UTILITY EASEMENTS SHOWN HEREUNTO.

ROB MILES	DATE
SUSAN MILES	DATE
DANIEL CARVER	DATE
EVELYN CARVER	DATE
GLORIA McLUCAS, TRUSTEE	DATE

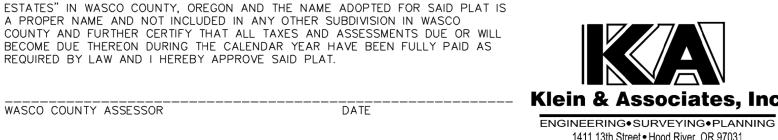
ACKNOWI FDCMFNT

ACKNOWLEDGMENT
THIS INSTRUMENT WAS ACKNOWLEDGED BEFOR
ME ON 2024, BY ROB MILES, SUSAN MILES, DANIEL CARVEI AND EVELYN CAVER,
NOTARY SIGNATURE
NOTARY PUBLIC-(NAME)
STATE OF
COUNTY OF
COMMISSION NO
MY COMMISSION EXPIRES

ACKNOWLEDGMENT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE
ME ON
REVOCABLE LIVING TRUST OF GLORIA MCLUCAS

NOTARY SIGNATURE
NOTARY PUBLIC-(NAME)
STATE OF
COUNTY OF
COMMISSION NO.
MY COMMISSION EXPIRES



TEL: 541-386-3322 • FAX: 541-386-2515

SHEE		OF	4
	COUNTY		ON
1/4	SEC	T.	R

-	1/4	SEC	T.	R.
		5	<u>5S.</u>	<u>14E.</u>
		32	<u>4S.</u>	<u>14E.</u>

SURVEY PERFORMED FOR: CLIENT NAME: ROB MILES DATE OF MONUMENTS: DEC. 10, 2023 PROJECT: 22-04-18 DRAFT: TA, GD FILE: 220418.DWG LAYOUT TAB: LAYOUT1

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

