

**RESOLUTION NO. 2698**

**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING REMOVAL OF A NON-VEHICULAR ACCESS RESERVE STRIP RECORDED ON THE 2017 ASPEN MEADOWS SUBDIVISION PLAT.**

WHEREAS, in June 2016 the City Council approved a Comprehensive Plan Map Amendment and Zone Map Amendment for the development of the 14-lot Aspen Meadows subdivision; and,

WHEREAS, at the time of development approval future development of the property to the south of Aspen Meadows was not anticipated; and,

WHEREAS, Aspen Meadows includes a residential private access drive to access Lots 5 and 6, as shown in Attachment 1; and,

WHEREAS, pursuant to Wilsonville Code Section 4.001 residential private access drives serve no more than four dwelling units, provide for no through vehicle access, and are not extendable; and,

WHEREAS, pursuant to Wilsonville Code Subsection 4.236 (.06) reserve strips may be required by the Planning Director or Development Review Board to prevent access to adjacent land abutting a street within the land division; and

WHEREAS, reserve strips are placed under jurisdiction of the City Council; and

WHEREAS, a 24-foot non-access line was recorded on Tract A, a private drive tract, of the Aspen Meadows plat (Plat No. 4502, Plat Book 148, Page 003, Clackamas County records) preventing vehicular access across said line, as shown in Attachment 1; and,

WHEREAS, in June 2018 the Development Review Board approved an application for Aspen Meadows No. 2, a five-lot subdivision serving as an extension of Aspen Meadows on the property to the south, contingent upon a Comprehensive Plan Map Amendment and Zone Map Amendment presently under consideration by the City Council; and

WHEREAS, the applicant for the Aspen Meadows No. 2 subdivision proposes a residential private access drive connecting to the residential private access drive in Aspen Meadows, as shown in Attachment 2; and

WHEREAS, connection of the residential private access drives would not provide access to any destination so as to encourage through traffic, would not contribute to the larger public vehicular connectivity network consistent with the intent of residential private access drives, would not serve more than four dwelling units, and would provide for a more coordinated development pattern; and

WHEREAS, the parties controlling the Homeowners Association owning the tract with the non-access line consent to the City of Wilsonville approval to remove this reserve strip.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The Wilsonville City Council authorizes the removal the 24-foot reserve strip recorded on the 2017 Aspen Meadows subdivision plat.
2. This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 6<sup>th</sup> day of August 2018, and filed with the Wilsonville City Recorder this date.

  
Tim Knapp, Mayor

ATTEST:

  
Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Stevens	Excused
Councilor Lehan	Yes
Councilor Akervall	Yes

Attachments:

- Attachment 1: Aspen Meadows Recorded Subdivision Plat
- Attachment 2: Aspen Meadows No. 2 Tentative Subdivision Plat

# Resolution No. 2698 Attachment 1



6445 SW FALLBROOK PLACE, STE. 100  
 BEAVERTON, OREGON 97008  
 TEL: (503) 746-8812  
 FAX: (503) 639-9592  
 www.emeriodesign.com  
 JOB NO. 400-002

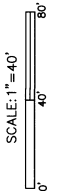
**NARRATIVE**

THE PURPOSE OF THIS SURVEY IS TO PREPARE A PLAT FOR THE SUBDIVISION OF THE LAND DESCRIBED IN DEED DOCUMENT NOS. 2016-068800 AND 2016-068972, CLACKAMAS COUNTY DEED RECORDS.  
 THE BASIS OF BEARINGS AND BOUNDARY DETERMINATION ARE PER SN2016-249, CLACKAMAS COUNTY SURVEY RECORDS.

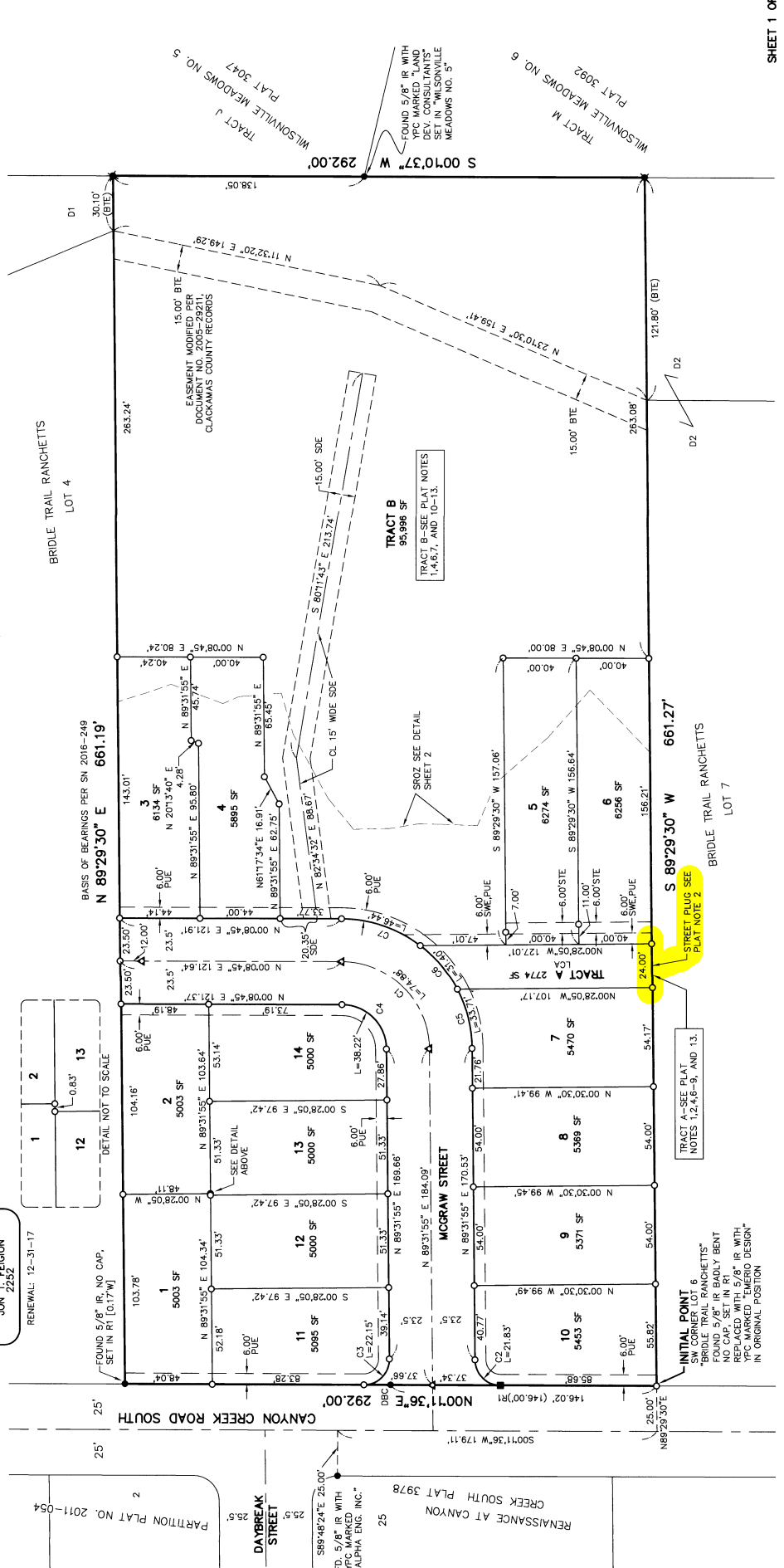
**REGISTERED PROFESSIONAL LAND SURVEYOR**  
*Jon T. Feigson*  
 JON T. FEIGSON  
 JANUARY 15, 1987  
 OREGON 987  
 JON T. FEIGSON  
 2252  
 RENEWAL: 12-31-17

**LEGEND**

- ★ FOUND 5/8" IR WITH YPC MARKED "EMERIO DESIGN" SET IN SN 2016-249
- FOUND MONUMENT AS NOTED
- SET 5/8" X 30" IR WITH YPC MARKED "EMERIO DESIGN" SET ON 4-18-17
- SET 5/8" X 30" IR WITH YPC MARKED "EMERIO DESIGN" SET ON 4-18-17
- SET 1/2" BRASS DISK MARKED "EMERIO DESIGN" SET ON 4-18-17
- IR IRON ROD
- IP IRON PIPE
- YPC YPC MARKED "EMERIO DESIGN"
- SGF SURVEYOR GENERAL FEASIBILITY CAP
- SN SN SURVEY NUMBER, CLACKAMAS COUNTY SURVEY RECORDS
- SN SURVEY NUMBER, CLACKAMAS COUNTY SURVEY RECORDS
- (H) HELD MONUMENT POSITION
- (M) MONUMENT POSITION
- (L) LATERAL EASEMENT
- SRZ SIGNIFICANT RESOURCE OVERLAY ZONE BOUNDARY (SEE NOTE 11)
- PUE PUBLIC UTILITY EASEMENT
- SWE SIDEWALK EASEMENT
- SDE SIDEWALK EASEMENT
- CL CENTERLINE
- CL PUBLIC STORM DRAINAGE EASEMENT TO THE CITY OF WILSONVILLE
- BITE BRIDLE TRAIL EASEMENT PER PLAT OF "BRIDLE TRAIL RANCHETTS" PLAT 1147
- D1 DEED DOCUMENT NO. 2007-039291
- D2 DEED DOCUMENT NO. 2005-073484
- LC LIMITED COMMON AREA FOR THE USE OF LOTS 5 & 6, SEE NOTE 11.



CURVE	LENGTH	RADIUS	DELTA	CURVE TABLE	CHORD BEARING	CHORD
C1	74.89	48.00	89°23'11"	N44°30'20"E	67.52	
C2	21.83	14.00	89°20'20"	S44°51'46"W	19.68	
C3	22.15	14.00	90°39'40"	S45°08'14"E	19.91	
C4	45.00	29.00	89°20'20"	N44°30'20"E	31.40	
C5	33.71	71.50	25°09'35"	N49°58'15"E	31.15	
C6	31.40	71.50	25°09'35"	N49°58'15"E	31.15	
C7	46.44	71.50	37°12'42"	N18°45'06"E	45.63	



PLAT BOOK 148 PAGE 003 PLAT NO 4502

**ASPEN MEADOWS**

A REPLAT OF LOTS 5 AND 6, "BRIDLE TRAIL RANCHETTS" AND OTHER LAND, LOCATED IN THE N.W. 1/4 OF SEC. 13, T. 3S., R. 1W., W.M. CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON  
 JUNE 12, 2017

# Resolution No. 2698 Attachment 1

PLAT BOOK 148 PAGE 003 PLAT NO 4502

## ASPEN MEADOWS

A REPLAT OF LOTS 5, AND 6, "BRIDLE TRAIL RANCHETTS" AND OTHER LAND LOCATED IN THE WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

N.W. 1/4 OF SEC. 13, T.3S., R.1W., W.M.  
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON  
JUNE 12, 2017

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Emerio Design*  
OREGON  
JANUARY 15, 1987  
JON ZESSI

CITY OF WILSONVILLE APPROVALS  
APPROVED THIS 14th DAY OF June 2017  
BY: *[Signature]*  
CITY OF WILSONVILLE PLANNING DIRECTOR

APPROVED THIS 19th DAY OF June 2017  
BY: *[Signature]*  
CITY OF WILSONVILLE COMMUNITY DEVELOPMENT DIRECTOR

CLACKAMAS COUNTY APPROVALS  
APPROVED THIS 22nd DAY OF June 2017  
BY: *[Signature]*  
CLACKAMAS COUNTY BOARD OF COMMISSIONERS  
DELEGATE PER COUNTY CODE CHAPTER 11.02

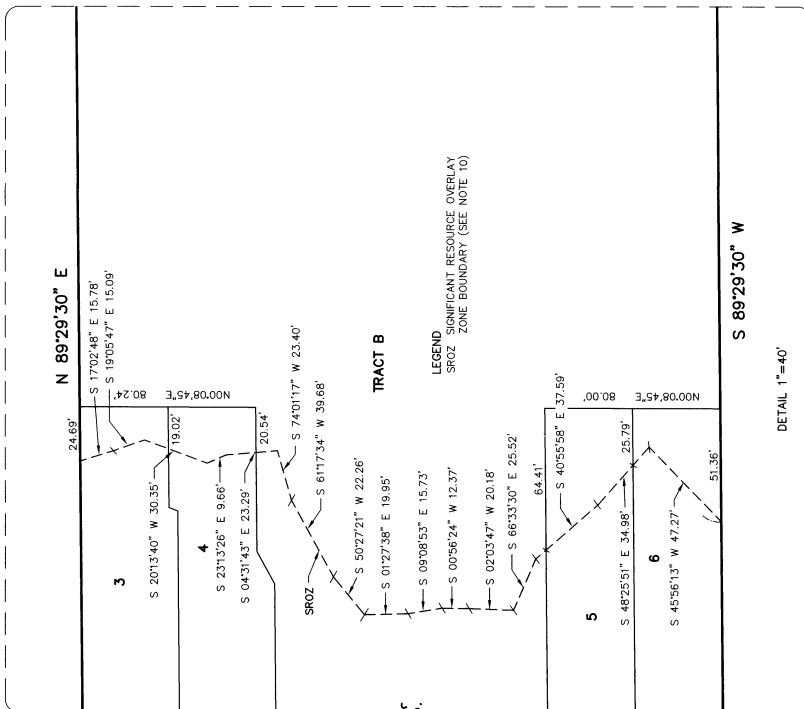
ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID THROUGH JUNE 30, 2017  
APPROVED THIS 27th DAY OF June 2017  
BY: *[Signature]*  
CLACKAMAS COUNTY ASSESSOR AND TAX COLLECTOR

STATE OF OREGON }  
COUNTY OF CLACKAMAS } SS  
I, DO HEREBY CERTIFY THAT THE ATTACHED PLAT WAS RECEIVED FOR RECORD ON THE 27th DAY OF June 2017 AT 3:16 O'CLOCK P.M.  
AS PLAT NO. Book 4502  
DOCUMENT NO. 2017-0432411  
SHERRY HALL, CLACKAMAS COUNTY CLERK  
BY: *[Signature]*  
DEPUTY



6445 SW FALLBROOK PLACE, STE. 100  
BEAVERTON, OREGON 97008  
TEL: (503) 746-8812  
FAX: (503) 639-9592  
www.emeriodesign.com  
JOB NO. 400-002

**CONSENT AFFIDAVIT**  
A SUBDIVISION CONSENT AFFIDAVIT BY BRUCE AND TRISH MARTIN, BERT AND APRIL GALING LIMITED PARTNERSHIP, IRA SERVICES TRUST COMPANY CEO KAREN WEND IRA 528638, RICHARD H. AND ROSE MARIE D. VAN DER PEYL, LINDA JOHANSEN, JOHN R. RIAL, JENNIFER MARTIN, SEE INVESTMENT INSTRUMENT NO. 2014-06880, AND OTHER INTERESTS OF PARTIES HAS BEEN RECORDED AS DOCUMENT NO. 2017-0432411 IN CLACKAMAS COUNTY DEED RECORDS.



**SURVEYOR'S CERTIFICATE**  
I, JON T. OREGON, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED ON THE ANNEKED MAP OF "ASPEN MEADOWS" BEING A REPLAT OF LOTS 5 AND 6, "BRIDLE TRAIL RANCHETTES" LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1, WEST OF THE WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE INITIAL POINT WHERE I SET 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "EMERIO DESIGN" ON THE EAST RIGHT OF WAY LINE OF CANYON CREEK ROAD SOUTH (25.00 FEET FROM CENTERLINE), SAID INITIAL POINT BEARS SOUTH 89°48'24" EAST, 25.00 FEET; SOUTH 00°11'36" WEST, 179.11 FEET; AND NORTH 89°29'30" EAST, 25.00 FEET TO POINT OF BEGINNING; THENCE ALONG SAID CANYON CREEK ROAD SOUTH, THENCE ALONG SAID EAST BIGHT OF WAY LINE, NORTH 07°57'25" RENAISSANCE AT CANYON CREEK SOUTH, THENCE ALONG SAID EAST BIGHT OF WAY LINE, NORTH 00°11'36" EAST, 292.00 FEET TO THE NORTHWEST CORNER OF LOT 5, "BRIDLE TRAIL RANCHETTS"; THENCE ALONG THE NORTH LINE OF SAID LOT 5 AND ITS EASTERLY EXTENSION, NORTH 89°29'30" EAST, 661.19 FEET TO THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 13; THENCE ALONG SAID EAST LINE, SOUTH 00°10'37" WEST, 292.00 FEET TO THE EAST LINE OF SAID SECTION 13; THENCE ALONG SAID EAST LINE, SOUTH 00°10'37" WEST, 292.00 FEET TO THE SOUTH LINE OF SAID LOT 6, SOUTH 89°29'30" WEST, 661.27 FEET TO THE INITIAL POINT.  
CONTAINING 193,068 SQUARE FEET (4.43 ACRES), MORE OR LESS.

**PLAT NOTES AND RESTRICTIONS**  
1. TRACT B IS AN OPEN SPACE. TRACT A IS A PRIVATE STREET. TRACTS A AND B ARE OWNED BY THE ASPEN MEADOWS HOME OWNERS ASSOCIATION PER DOCUMENT NO. 2017-0432411, CLACKAMAS COUNTY RECORDS. MAINTENANCE OF TRACT A IS ASSIGNED IN THE CONDITIONS, COVENANTS AND RESTRICTIONS. TRACT B WILL BE MAINTAINED BY THE ASPEN MEADOWS HOME OWNERS ASSOCIATION.

2. A 24.00' NON-ACCESS LINE SHALL EXIST ALONG THE SOUTH BOUNDARY OF TRACT A. NO VEHICULAR ACCESS SHALL BE PERMITTED ACROSS SAID LINE. THIS LINE IS CONTROLLED BY THE CITY OF WILSONVILLE AND CAN ONLY BE REMOVED BY ACTION OF THE CITY COUNCIL.

3. A 6.00' FOOT WIDE STREET TREE EASEMENT FOR THE BENEFIT OF THE CITY OF WILSONVILLE SHALL EXIST ON LOTS 5 AND 6 TO PLANT, REMOVE OR MAINTAIN STREET TREES. LOTS 5 AND 6 ARE SUBJECT TO A STREET TREE EASEMENT AGREEMENT PER DOCUMENT NO. 2017-0432411, CLACKAMAS COUNTY RECORDS.

4. THIS SUBDIVISION IS SUBJECT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ASPEN MEADOWS AS RECORDED IN DOCUMENT NO. 2017-0432411, CLACKAMAS COUNTY RECORDS.

5. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL PER THE CITY OF WILSONVILLE PLANNING CASE FILE NO. DB15-0108, DB15-0109, DB15-0110, DB15-0111, DB15-0112, DB15-0113, DB15-0114, AND DB15-00115.

6. TRACT A IS SUBJECT TO A STORM PIPELINE EASEMENT TO BENEFIT THE CITY OF WILSONVILLE OVER ITS ENTIRETY, TRACTS A AND B ARE SUBJECT TO A STORM PIPELINE EASEMENT AGREEMENT PER DOCUMENT NO. 2017-0432411, CLACKAMAS COUNTY RECORDS.

7. TRACT A IS SUBJECT TO A PUBLIC ACCESS EASEMENT OVER ITS ENTIRETY, TRACT A, TRACT B AND PORTIONS OF LOTS 5 AND 6 ARE SUBJECT TO A PUBLIC ACCESS EASEMENT AGREEMENT PER DOCUMENT NO. 2017-0432411, CLACKAMAS COUNTY RECORDS. THE PUBLIC ACCESS EASEMENT AGREEMENT INCLUDES THE PUBLIC SIDEWALK EASEMENT ALONG PORTIONS OF LOTS 5 AND 6, AND TRACT B AS SHOWN ON THE PLAT.

8. TRACT A IS SUBJECT TO A WATER PIPELINE EASEMENT TO BENEFIT THE CITY OF WILSONVILLE OVER ITS ENTIRETY. TRACT A IS SUBJECT TO A WATER PIPELINE EASEMENT AGREEMENT PER DOCUMENT NO. 2017-0432411, CLACKAMAS COUNTY RECORDS.

9. TRACT A IS SUBJECT TO A SANITARY SEWER PIPELINE EASEMENT TO BENEFIT THE CITY OF WILSONVILLE OVER ITS ENTIRETY. TRACT A IS SUBJECT TO A SANITARY SEWER PIPELINE EASEMENT AGREEMENT PER DOCUMENT NO. 2017-0432411, CLACKAMAS COUNTY RECORDS.

10. A SIGNIFICANT RESOURCE OVERLAY ZONE AS DEFINED IN CITY OF WILSONVILLE DEVELOPMENT CODE SECTIONS 4.139 THROUGH 4.142, AND OTHER EASEMENTS REFERRED TO IN PARAGRAPHS 4.2, 4.7, AND 4.9 WILL BE CREATED PER CONDITIONS OF THE OVERLAY ZONE BOUNDARY.

11. TRACT B IS A COMMON AREA FOR THE USE OF ALL OWNERS PER THE CONDITIONS, COVENANTS AND RESTRICTIONS PARAGRAPHS 4.3 AND 4.4. TRACT C IS A LIMITED COMMON AREA FOR THE USE OF LOTS 5 AND 6. LOT OWNERS' RIGHTS TO COMMON AREAS AND LIMITED COMMON AREAS ARE ASSIGNED IN THE CONDITIONS, COVENANTS AND RESTRICTIONS PER PARAGRAPH 4.3.

12. ALL EASEMENTS ON TRACT B ARE COMMON EASEMENT AREAS AS DEFINED IN THE CONDITIONS, COVENANTS AND RESTRICTIONS (PARAGRAPH 4.8).

13. THE EASEMENTS SHOWN ON THIS PLAT ARE REFERRED TO IN THE CONDITIONS, COVENANTS AND RESTRICTIONS PARAGRAPHS 4.3 AND 4.4. OTHER EASEMENTS REFERRED TO IN PARAGRAPHS 4.2, 4.7, AND 4.9 WILL BE CREATED PER CONDITIONS, COVENANTS AND RESTRICTIONS PARAGRAPH 5.2(E).

**DECLARATION**  
KNOW ALL PEOPLE BY THESE PRESENTS THAT JB CUSTOM HOMES, LLC, AN OREGON LIMITED LIABILITY COMPANY, IS THE OWNER OF THE PROPERTY SHOWN ON THIS PLAT. THE PLAT WAS PREPARED AND THE PROPERTY SUBDIVIDED IN ACCORDANCE WITH O.R.S. CHAPTER 92. ALL STREETS ARE HEREBY DEDICATED TO THE PUBLIC AND THE PROPERTY SUBDIVIDED IN ACCORDANCE WITH O.R.S. CHAPTER 92. ALL STREETS ARE HEREBY DEDICATED TO THE PUBLIC AND ALL EASEMENTS ARE HEREBY GRANTED AS SHOWN OR NOTED HEREON. THIS PLAT IS SUBJECT TO RESTRICTIONS AS NOTED HEREON.

*[Signature]*  
NATHAN JUNKIN, MANAGER  
JB CUSTOM HOMES, LLC

**ACKNOWLEDGEMENT**  
STATE OF OREGON }  
COUNTY OF Washington } SS  
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON June 15, 2017  
BY NATHAN JUNKIN, AS MANAGER OF JB CUSTOM HOMES, LLC  
AN OREGON LIMITED LIABILITY COMPANY, ON BEHALF OF SAID COMPANY.

*[Signature]*  
NOTARY SIGNATURE  
Sun Jae Yu  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 946650  
MY COMMISSION EXPIRES: Jan. 21, 2020

# Resolution No. 2698 Attachment 2

FILED: 1461-002 Canyon Creek S Ph 2 (map) 1461-002, Original Layout: 08 PRELIMINARY PLAT, Plat Date: 5/9/2018 2:22 PM by Russell Walker

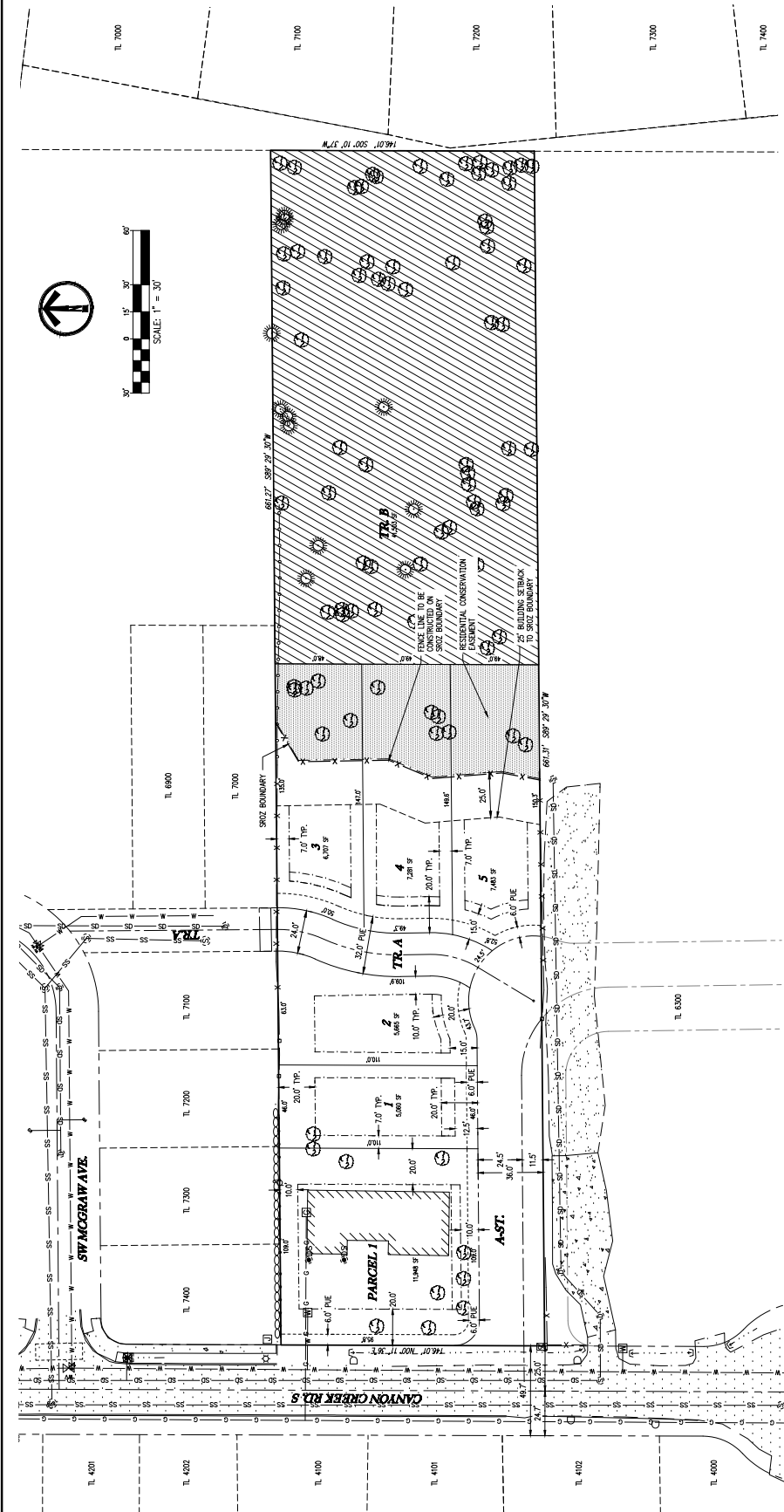
CANYON CREEK SOUTH  
TAX MAP 31W138D  
NW 1/4 OF SEC. 13, T.35 R.1W W.M.  
WILSONVILLE, OREGON

## PRELIMINARY PLAT

NO.	DATE	DESCRIPTION
0	5/9/2018	1ST SUBMITTAL

**EMERIO**  
6445 SW FALLBROOK PLACE, SUITE 100  
BEASLEY, OREGON 97105  
TEL: (503) 746-8812  
FAX: (503) 639-9992  
www.emerio.com

SHEET **90** OF **10**



- NOTES:**
- SW CANYON CREEK ROAD SOUTH AND SW FALLBROOK STREET ARE PUBLIC STREETS UNDER THE JURISDICTION OF THE CITY OF WILSONVILLE. THE ADJACENT PUBLIC STREET 'X' WILL ALSO BE UNDER WILSONVILLE'S JURISDICTION.
  - FOR ALL PUBLIC PLANNING APPROVAL AND REGULATIONS, AND APPROVAL OF REQUIRED CONSTRUCTION DRAWINGS THE FOLLOWING IMPROVEMENTS WILL BE INSTALLED: PUBLIC STREET 'A', PRIVATE STREET, SIDEWALKS ALONG ALL STREET FRONTAGES, PARKING SPACES, TRASH ENCLOSURES, AND LANDSCAPING PLAN. PLAN, MANHOLE IN PARK AS SHOWN ON LANDSCAPING PLAN AND BOOK PATHWAY, ASSOCIATED UTILITIES.
  - UNDERGROUND INSTALLATION OF UTILITIES SHALL TAKE PLACE IN ACCORDANCE WITH WILSONVILLE'S CODE REQUIREMENTS.
  - CROSSWALKS (WHERE A PATHWAY CROSSES A PARKING AREA OR DRIVEWAY) SHALL BE CLEARLY MARKED WITH CONTRASTING PAINT OR PAVING MATERIALS (E.G. PAVEMENT LIGHT-COLOR CONCRETE INLAY BETWEEN ASPHALT, OR SIMILAR CONTRAST).
  - STREET TREE PLACEMENT SHALL MEET THE STANDARDS OF PUBLIC WORKS DEPARTMENT.

**SITE DATA**

ZONE:	FRS-3
TOTAL SITE AREA:	2.27 ACRES (98,547 SQ. FT.)
RESIDUAL AREA:	1.22 ACRES (53,534 SQ. FT.)
NON-RESIDUAL AREA:	1.05 ACRES (45,013 SQ. FT.)
LOT(S) TO BE SPLIT:	5,960 SQ. FT.
MINIMUM LOT SIZE:	11,948 SQ. FT.
AVG. LOT SIZE:	7,190 SQ. FT.

**TRACT 'B' DATA**

USABLE AREA:	0.08 ACRES (3,403 SQ. FT.)
NON-USABLE AREA:	1.12 ACRES (48,134 SQ. FT.)

**MINIMUM SETBACKS**

FRONT:	10'
REAR:	10'
LEFT SIDE:	12.5'
RIGHT SIDE:	12.5'
STREET SIDE:	10'
CHARGE DOOR:	20'
MAX. HEIGHT:	35'
MAX. LOT COVERAGE:	MAXIMUM 45% (LESS THAN 7,000 SQ. FT. LOTS)
MAX. LOT COVERAGE:	MAXIMUM 40% (8,000-10,000 SQ. FT. LOTS)
MAX. LOT COVERAGE:	MAXIMUM 35% (10,000-15,000 SQ. FT. LOTS)
MIN. LOT WIDTH:	40'

**PARCEL DATA**

AREA:	2.27 AC.
PROPOSED ZONING:	FRS-3
TAX MAP:	31W138D
TAX LOTS:	6200
NO. OF LOTS:	5
PROBABLE:	1

**LEGEND**

[Hatched Box]	RESIDENTIAL CONSERVATION EXEMPT ON LOTS 4, 5 AND 6
[Dotted Box]	NON-USABLE AREA SROZ
[Dashed Line]	6' P.U.L.E.
[Solid Line]	SETBACK LINES
[Dotted Line]	BOUNDARY LINES
[Dash-dot Line]	RIGHT-OF-WAY LINE
[Thin Solid Line]	LOT LINE
[X-Mark]	PROPOSED FENCE