

PRESENTATION OUTLINE - QUIET WATER

JULY 17, 1987

The following is a summary of an oral presentation to be made by Yachats Trading Company, involving Quiet Water, on July 17, 1987.

By way of disclosure, Yachats Trading Company questions the necessity of appearance, and reserves the right to so object to the proceedings in the future, based upon Yachats Trading Company's position that the hearing of the 17th of July is not necessary. Appearance is as a result of interpretation of ordinances by the city Attorney and therefore, in keeping with the past good working relationship between the City and Yachats Trading Company, we will appear at the hearing. This is subject to the reservations stated.

HISTORY

STEP ONE. 3/24/80. An original planned unit development with CC&Rs is approved by the City.

Subsequent thereto, and as a result thereof, the original plat is filed with the County after State approval, with a standard single-family dwelling lot configuration.

STEP TWO. Marketing does not meet expectations, so applicants apply to modify the planned unit development to allow the "cluster concept".

STEP THREE. 3/29/84. City approves new planned unit development, which had proposed to cluster the entire subdivision. At or shortly after this time, Phases One, Two and Three are allowed.

New plats showing cluster concepts Phases One, Two and Three filed with County after State approval. (By recordation of cluster plats, underlying lot configuration wiped out for Phases One, Two and Three.

STEP FOUR. Marketing proved favorable on this concept for clusters along the river, so Phase Four appeared timely.

STEP FIVE. 9/19/85. city approves Phase Four for the west half of the Village Center portion of the original plat.

subsequently recorded in the county Records, again eliminating underlying lot configuration for land under Phase Four.

STEP SIX. Marketing of cluster concept other than along the river stagnates, and it appears that, once again, the single-family lot concept is needed.

YACHATS TRADING COMPANY'S

PROPOSED STEP SEVEN • No building permits have been issued for any phases of the cluster concept beyond Phase Four. Therefore, pursuant to section 7.040-1b, the remaining phases after Phase Four automatically expire on September 19, 1987, and no further action is necessary or required.

County Plat Records reflect single-family lot configurations on all but four approved and recorded phases.

CITY ATTORNEY'S

PROPOSED STEP SEVEN. Despite the existence of the section cited, the City Attorney maintains that a hearing is necessary to, I assume, ratify the automatic termination, and to declare that the original planned unit development is in place with single-family lot configuration, as originally proposed (other than Phases One-Four).

No effect of this procedure upon county Plat.

ADDED POINTS TO REMEMBER

1. The original planned unit development, with single-family lot configurations, had building permits within the required time period of 7.0401b, and therefore, never automatically terminated.

2. PRESENTATION OUTLINE - QUIET WATER - July 17, 1987.

2. until such time as a new plat is filed in the County Deed Records and approved by the state of Oregon, the single-family lot configuration will prevail, and be, in effect, recognized by both the County and the state.

3. The original lot configuration has never been abandoned, because the streets, utilities and all of the aspects of platting that subdivision (planned unit development) were completed within five years as required by section 7.040-2.

4. The only thing that Yachats Trading Company feels is necessary in the form of a request to the City is an extension of time under section 7.040-1b, if there have been no building permits issued in Phase Four, because there have been lot sales in Phase Four.