



Eugene City Council

125 E. 8th Ave., 2nd Floor
Eugene, OR 97401-2793
541-682-5010 • 541-682-5414 Fax
www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

October 8, 2018

7:30 p.m. CITY COUNCIL MEETING
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

Meeting of October 8, 2018;
Her Honor Mayor Lucy Vinis Presiding

Councilors

Mike Clark, President
Greg Evans
Emily Semple
Jennifer Yeh

Betty Taylor, Vice President
Chris Pryor
Claire Syrett
Alan Zelenka

7:30 p.m. CITY COUNCIL MEETING
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

1. CEREMONIAL MATTERS

2. PUBLIC FORUM

3. CONSENT CALENDAR

A. Approval of City Council Minutes

B. Approval of Tentative Working Agenda

C. Approval of a Resolution Annexing Land to the City of Eugene

(Assessor's Map 17-04-23-44, Tax Lots 4300, 4400 and 4500 — located on Filbert Avenue) (City File: Monkey Hero, LLC; A 18-3)

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

For more information, contact the Council Coordinator at 541-682-5010,
or visit us online at ***www.eugene-or.gov***.

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Ceremonial Matters

Meeting Date: October 8, 2018
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This item is to acknowledge awards and achievements and inform the public of proclamations signed by the Mayor. No action is required by the City Council.

BACKGROUND

At its 1997 fall process session, the council agreed to include a monthly agenda item entitled "Ceremonial Matters." From time to time, the Mayor is asked to sign proclamations or acknowledge awards received, which serve to encourage and educate the community about important issues and events.

CITY MANAGER'S RECOMMENDATION

This is an information item only.

ATTACHMENTS

None.

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: bforrest@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Forum

Meeting Date: October 8, 2018
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 2
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on City-related issues and should not address items which have already been heard by a Hearings Official or are on the present agenda as a public hearing item.

SUGGESTED MOTION

No action is required; this is an informational item only.

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: bforrest@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: October 8, 2018
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3A
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes for the September 24, 2018, Work Session and Meeting.

ATTACHMENTS

- A. September 24, 2018, Work Session
- B. September 24, 2018, Meeting

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: bforrest@eugene-or.gov

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**September 24, 2018
5:30 p.m.**

Councilors Present: Emily Semple, Betty Taylor, Jennifer Yeh, Mike Clark, Claire Syrett, Chris Pyror

Councilors Absent: Alan Zelenka, Greg Evans

Mayor Vinis opened the September 24, 2018, Work Session of the Eugene City Council.

1. Committee Reports and Items of Interest

Council Discussion

- Would like to explore the possibility of getting packets and agendas earlier.
- The planters at the bus station are ugly and it would be better to have seats available there.
- Clarified the City's position related to a *Register-Guard* opinion piece and letter to the editor response regarding efforts made to address homelessness crisis.
- City Council adopted \$60,000 in the budget specifically for car camping.
- Human Rights Commission and Sustainability Commission are both working diligently on their work plans for the year.
- The League of Oregon Cities conference will be hosted in Eugene later this week.
- The Housing Tools and Strategies Working Group workshops have started and there are three more scheduled in preparation of City Council work session on December 10th.

2. WORK SESSION: Civilian Review Board and Police Auditor's Office Annual Reports

Civilian Review Board Chair Maurie Denner, Police Auditor Mark Gissiner and Deputy Police Auditor Leia Pitcher presented findings from the Civilian Review Board and Police Auditor's Annual Reports.

Council Discussion

- Appreciate the thorough CRB report and the clarity and transparency that is being provided to the community to highlight where improvements need to be made.
- Questions asked about other jurisdictions related to the Police Auditor model in Eugene.
- The independence of the police auditor's office combined with the CRB makes for a powerful oversight model that fosters community trust.
- Questions asked about when it may be required to use another state agency for certain investigations.
- Service complaints seem to be the number one category of complaints received ;there is a nexus with that relates to police resources.
- One of the purposes of creating the police auditor's office was to make sure the culture of the police department matched the culture of Eugene.
- Important to build partnerships between the police department and the community.

3. ACTION: An Ordinance Changing the Street Name of the Undeveloped Portion of Suzanne Way to Tennyson Avenue, as it Extends North From Crescent Avenue to Tennyson Avenue (City File SC 18-1)

Assistant City Manager Kristie Hammitt introduced the proposed street name change action item.

MOTION AND VOTE: Councilor Clark, seconded by Councilor Taylor, moved to adopt Council Bill 5198, an ordinance changing the street name of the undeveloped portion of Suzanne Way to Tennyson Avenue, as it extends north from Crescent Avenue to Tennyson Avenue. **PASSED 6:0**

4. UPDATE: Emergency Management

Risk Services Director Randi Bowers-Payne gave an emergency management update, highlighting activities that have gone on for September National Preparedness Month and other year-round efforts.

Council Discussion

- Glad to see this issue coming back up again; should be taken very seriously.
- Important to talk about the ability to create sheltering-in-place strategies in neighborhoods.
- Interested in coordinating with the business side of resilience, working with small organizations and businesses to talk about the impact of planning and resilience, perhaps working with the Chamber of Commerce to do this.
- Questions asked about the potential of bridges failing in a disaster and whether there is planning for a temporary ferry or bridge of some sort to be able to cross the river.
- Questions asked about the role of FEMA in a federally declared disaster.
- Questions asked about EWEB's strategy for shifting from one to multiple sources of water and when that plan will be operationalized.
- Clarification requested about throwing the breaker switch at a house in order to shut the valves on a hot water tank to capture the water in a disaster.
- The Great Oregon Shakeout will take place on October 18.

The meeting adjourned at 6:55 p.m.

Respectfully submitted,

Elena Domingo
Deputy City Recorder

Link to the webcast of this City Council meeting: [here](#).

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**September 24, 2018
7:30 p.m.**

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka (*via phone*), Jennifer Yeh, Mike Clark, Claire Syrett, Chris Pyror

Councilors Absent: Greg Evans

Mayor Vinis opened the September 24, 2018, meeting of the Eugene City Council.

1. PUBLIC FORUM

1. Chris Gadsby – thanked the City Manager’s Office for providing a portapotty in the Whiteaker.
2. Debra McGee – asked council to ban gas leaf blowers and make the environment a priority.
3. David Piccioni – spoke about domestic terrorism and practices by the meat and dairy industry.
4. Jennifer Hoover – thanked the City for taking steps in the Whiteaker to address homeless issues.
5. Jim Neu - asked council about the status of the Riverfront Research Park Committee for oversight.
6. Brad Foster - thanked the City Manager’s Office for providing some clean-up in the Whiteaker.
7. Stefan Strek – spoke in favor of legalizing prostitution.
8. Dennis Sandow – shared concerns about an apartment complex being built in his neighborhood.
9. Eric Jackson – talked about homeless concerns particularly in the wake of 9th Circuit Court decision.
10. Shelly – asked council to designate a spot for the homeless.
11. Patrick Starnes – talked about homelessness issues and a shelter plan.

Council Discussion

- Thankful for all of the feedback, thanks, and criticisms communicated this evening.
- Addressed comments related to leaf blowers; at a minimum, the City should stop using them as an example to others.
- Expressed support and a need for State supported shelters.
- There is a significant problem with youth who are sex trafficked and exploited in our community; it is not appropriate to make light of that issue.
- The city needs more available bathrooms.
- Public forums are provided by the council to give people an opportunity to share their opinions; they are not required and the time should not be used to make inappropriate comments.
- The council might benefit from having different rules regarding the public forum that might better determine what is or is not appropriate.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes
 - a. September 10, 2018, Work Session
 - b. September 10, 2018, Meeting
 - c. September 12, 2018, Work Session
- B. Approval of Tentative Working Agenda

MOTION AND VOTE: Councilor Clark, seconded by Councilor Taylor, moved to approve the items on the Consent Calendar. **PASSED 7:0**

3. **ACTION: A Resolution Granting a Measure 49 Claim and Waiving a Provision of Chapter 9 of the Eugene Code, 1971 for Property Located Adjacent to 70 West 24th Place, Eugene, Oregon (Assessor's Map 18-03-06-42, Tax Lot 2700)**

City Manager Jon Ruiz introduced the Measure 49 claim and summarized what happened at the last City Council meeting regarding this item. Assistant Planner Dan Lawler and Senior Planner Gabe Flock were available for questions.

Council Discussion

- Both sides have reasonable arguments; ultimately the use of the property is not being altered.
- Intend to bring a work session poll about revisiting the maximum building size on alley access lots.
- Guidance requested on how to think about the word “use” in this case.
- Questions asked about the appraisal determining the highest and best use of the property.
- The City changed the conditions under which the property owner could build ; a waiver is a reasonable thing to grant in this case.
- Questions asked about a testimonial concern that if council approved this Measure 49 claim it would cause a proliferation of similar claims and whether that would be a reason to deny this claim.
- This seems like an actual restriction on the property owner as she is now unable to create a modest home that can house a family.
- Measure 49 is a poorly crafted law; this is a one-off type exemption request that is reasonable and should be granted.
- Questions asked about time restrictions on filing Measure 49 claims.
- Granting this claim would be the fastest way to fix the problem, but not the right way.
- Granting this claim would not be in line with the intent of Measure 49.
- Questions asked about the difference between a restriction and prohibition of residential use.
- Clarification requested about what the consequences would be of a “no” vote and results of a “yes” vote.

MOTION AND VOTE: Councilor Clark, seconded by Councilor Taylor, moved to adopt the Resolution Granting a Measure 49 Claim for Property Located adjacent to 70 West 24th Place, Eugene Oregon. **FAILED 3:4**, Councilors Zelenka, Syrett, and Pryor in favor.

MOTION: Councilor Clark, seconded by Councilor Taylor, moved to adopt the Resolution Denying a Measure 49 Claim for Property Located adjacent to 70 West 24th Place, Eugene Oregon (Assessors Map 18-03-06-42, Tax Lot 2700).

Council Discussion

- Clarification requested about whether adopting the resolution on the table would mean that the City would have to pay the property owner's claim.

VOTE: PASSED 4:3, Councilors Zelenka, Syrett, and Pryor opposed.

The meeting adjourned at 9:01 p.m.

Respectfully submitted,

Elena Domingo
Deputy City Recorder

Link to the webcast of this City Council meeting: [here](#).

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: October 8, 2018
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 3B
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve City Council Tentative Working Agenda.

BACKGROUND

On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2, notes in part that "The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business." Scheduling of this item is in accordance with the Council Operating Agreements.

RELATED CITY POLICIES

There are no policy issues related to this item.

COUNCIL OPTIONS

The council may choose to approve, amend or not approve the tentative agenda.

CITY MANAGER'S RECOMMENDATION

The City Manager has no recommendation on this item.

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Beth Forrest

Telephone: 541-682-5882

Staff E-Mail: bforrest@eugene-or.gov



City Council Tentative Agenda

Updated October 3, 2018

Meeting Location: Harris Hall, 125 East 8th Avenue, unless otherwise noted

October 2018						
Date	Day	Time	Title		Length	Dept. Contact
8-Oct	Monday	5:30 pm	 Committee Reports and Items of Interest	60 mins	Chelsea Clinton, CS	
			 Climate Action Plan Update (Work Session)			
			 Railroad Quiet Zone Update (Information Item)			
		7:30 pm	 Ceremonial Matters		Nick Gioello, PDD	
 Public Forum						
 Resolution Annexing Land on Filbert Avenue (Monkey Hero, LLC; A 18-3) (Consent Calendar)						
Expected absences for 10/8: none						
10-Oct	Wednesday	12 pm	 Joint City Council/Lane County Commission – Homeless Services Systems Analysis Interim Update (Work Session)	90 mins	Jason Dedrick, CS	
Expected absences for 10/10: none						
15-Oct	Monday	5:30 pm	 Transit Tomorrow Update (Work Session)	45 mins	Rob Inerfeld, PW	
			 Transportation SDC Methodology (Work Session)	45 mins	Dan Kaler, PW	
		7:30 pm	 TBD (Public Hearing)			
Expected absences for 10/15: none						
17-Oct	Wednesday	12 pm	 Police Commission Annual Report and Work Plan (Work Session)	45 mins	Jeremy Cleversey, EPD	
			 MUPTE Application for Obie Development (Work Session)	45 mins	Amanda Nobel, PDD	
Expected absences for 10/17: none						



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



Ceremonial Matters

October 8, 2018 Pledge of Allegiance

22-Oct	Monday	5:30 pm	 Committee Reports and Items of Interest	90 mins	Michael Kinnison, PDD Denny Braud, PDD Mark Schoening, PW
			 URA Riverfront Update (Work Session and Poss. Action)		
			 Downtown Riverfront Local Improvement District (Action)		
		7:30 pm	 Public Forum		Pam Berrian, CS
 Ordinance Granting Comcast Franchise Extension (Public Hearing)					
Expected absences for 10/22: none					
24-Oct	Wednesday	12 pm	 Joint City Council/Planning Commission Meeting (Work Session)	90 mins	Robin Hostick, PDD
Expected absences for 10/24: none					
31-Oct	Wednesday	12 pm	 River Road/Santa Clara N’hood Plan – Project Update (Work Session)	45 mins	Eric Brown, PDD
			 TBD (Work Session)	45 mins	
Expected absences for 10/31: Taylor, Pryor					

November 2018					
Date	Day	Time	Title	Length	Dept. Contact
13-Nov	Tuesday	5:30 pm	 Committee Reports and Items of Interest  Town Square Update (Work Session)	90 mins	Will Dowdy, PDD
			 Pledge of Allegiance to the Flag  Ceremonial Matters  Public Forum		
		7:30 pm	 Resolution Annexing Land Located at 183 Ferndale Drive, (McGinley A 18-5) (Consent Calendar)		Dan Lawler, PDD
			 Resolution Annexing Land on Owosso Drive, (Day Joint Trust A18-6) (Consent Calendar)		Nick Gioello, PDD
			 Resolution Annexing Land on Spring Blvd South of 43 rd Ave, (Zallon Revocable Trust A18-7) (Consent Calendar)		Nick Gioello, PDD
			 Ordinance Granting Comcast Franchise Extension (Action)		Pam Berrian, CS

Expected absences for 11/13: none					
14-Nov	Wednesday	12 pm	 NW Natural (Work Session)	60 mins	Twylla Miller, CS
			 TBD (Work Session)	30 mins	
Expected absences for 11/14: none					
19-Nov	Monday	5:30 pm	 Human Rights Commission and Sustainability Commission Work Plans (Work Session)	60 mins	Katie Babits, CS Chelsea Clinton, CS
			 TBD (Work Session)	30 mins	
		7:30 pm	 TBD (Public Hearing)		
Expected absences for 10/15: none					
26-Nov	Monday	5:30 pm	 Committee Reports and Items of Interest	45 mins	Jenessa Dragovich, PDD
			 Clear and Objective Housing Approval Criteria Update (Work Session)		
			 TBD (Work Session)	45 mins	
		7:30 pm	 Public Forum		
Expected absences for 11/26: none					
28-Nov	Wednesday	12 pm	 Nuisance Codes (Work Session)	45 mins	Rachelle Nicholas, PDD
			 Recycling Update (Work Session)	45 mins	Michael Wisth, PDD
Expected absences for 11/28: none					

December 2018					
Date	Day	Time	Title	Length	Dept. Contact
10-Dec	Monday	5:30 pm	 Committee Reports and Items of Interest	90 mins	Mike Kinnison, PDD Anne Fifield, PDD
			 Housing Tools and Strategies (Work Session)		
		7:30 pm	 Public Forum		Finn Cronin, CS
			 Resolution Acknowledging Receipt of CAFR (Consent Calendar)		
			 Supplemental Budget (Public Hearing and Action)		Jamie Garner, CS
			 URA Supplemental Budget (Public Hearing and Action)		Jamie Garner, CS

			 URA-Resolution Acknowledging Receipt of URA Annual Financial Report (Action)		Finn Cronin, CS
Expected absences for 12/10: none					
12-Dec	Wednesday	12 pm	 Emergency Operations Center (Work Session)	45 mins	Randi Bowers-Payne, CS
			 TBD (Work Session)	45 mins	
Expected absences for 12/12: none					

Council Break: December 13 – January 3

January 2019						
Date	Day	Time	Title		Length	Dept. Contact
3-Jan	Thursday	5:30 pm	State of the City			
Expected absences for 1/3: none					Soreng Theater, Hult Center	
14-Jan	Monday	5:30 pm	 Committee Reports and Items of Interest			
			 TBD (Work Session)			
			 TBD (Work Session)			
		7:30 pm	 Public Forum			
Expected absences for 1/14: none						
16-Jan	Wednesday	12 pm	 TBD (Work Session)			
			 TBD (Work Session)			
Expected absences for 1/16: none						
22-Jan	Tuesday	5:30 pm	 TBD (Work Session)			
		7:30 pm	 TBD (Public Hearing)			
Expected absences for 1/22: none						
23-Mon	Wednesday	12 pm	 TBD (Work Session)	45 mins		
			 TBD (Work Session)	45 mins		
Expected absences for 1/23: none						

28-Jan	Monday	5:30 pm	 Committee Reports and Items of Interest  TBD (Work Session)  TBD (Work Session)		
		7:30 pm	 Public Forum		
Expected absences for 1/28: none					
30-Jan	Wednesday	12 pm	 TBD (Work Session)  TBD (Work Session)		
Expected absences for 1/30: none					

February 2019						
Date	Day	Time	Title		Length	Dept. Contact
11-Feb	Monday	5:30 pm	 Committee Reports and Items of Interest			
			 TBD (Work Session)			
		 TBD (Work Session)				
		7:30 pm	 Public Forum			
Expected absences for 2/11: none						
13-Feb	Wednesday	12 pm	 TBD (Work Session)			
			 TBD (Work Session)			
Expected absences for 2/13: none						
19-Feb	Tuesday	5:30 pm	 TBD (Work Session)			
		7:30 pm	 TBD (Public Hearing)			
Expected absences for 2/19: none						
20-Feb	Wednesday	12 pm	 TBD (Work Session)	45 mins		
			 TBD (Work Session)	45 mins		
Expected absences for 2/20: none						

25-Feb	Monday	5:30 pm	 Committee Reports and Items of Interest  TBD (Work Session)  TBD (Work Session)		
		7:30 pm	 Public Forum		

Expected absences for 2/25: none

27-Feb	Wednesday	12 pm	 TBD (Work Session)  TBD (Work Session)		
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Expected absences for 2/27: none

March 2019					
Date	Day	Time	Title	Length	Dept. Contact
11-Mar	Monday	5:30 pm	 Committee Reports and Items of Interest  TBD (Work Session)  TBD (Work Session)		
		7:30 pm	 Public Forum		

Expected absences for 3/11: none

13-Mar	Wednesday	12 pm	 TBD (Work Session)  TBD (Work Session)		
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Expected absences for 3/13: none

Council Break: March 14 – April 8

 Work Session	 Action	 Public Hearing	 Public Forum	 Consent Calendar
 Committee Reports/Items of Interest	 Ceremonial Matters	 Pledge of Allegiance		

Approved Work Session Polls to be Scheduled	Councilor	Date Approved
Hwy 99/Bethel Urban Renewal District	Evans	11/9/17
Home Energy Score Policy	Semple	3/9/18
Data Collection Policy/Protection of Individuals and Groups	Syrett	7/19/18
Rest Stop Siting Policy	Evans	11/9/17
Single-Use Plastics Ban	Semple	10/04/18
Follow-Up Work Sessions to be Scheduled		
\$1 Million Shelter		
Commercial Setbacks		
Inclusionary Zoning		

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-23-44, Tax Lots 4300, 4400 and 4500 — located on Filbert Avenue)
(City File: Monkey Hero, LLC; A 18-3)

Meeting Date: October 8, 2018
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 3C
Staff Contact: Nicholas R. Gioello
Contact Telephone Number: 541-682-5453

ISSUE STATEMENT

This item is a request to annex three contiguous vacant properties located on Filbert Avenue. The properties to be annexed total approximately 0.4 acres (17,280 square feet). No public right-of-way is proposed for annexation as part of this request. A vicinity map is provided as Attachment A.

The properties are zoned R-1 Low Density Residential with /UL Urbanizable Land overlay. The properties are designated for low density residential use in the Metro Plan and the applicable refinement plan, the River Road - Santa Clara Urban Facilities Plan. The area of annexation is located within the City's urban growth boundary and is contiguous to the City limits. Annexation will allow for future development consistent with the property's land use designation and the Eugene Code. Specific plans for future development of the site are not included as part of this annexation application.

BACKGROUND

To encourage compact urban growth and sequential development within Eugene's urban growth boundary, the Metro Plan provides that ultimately all land within the UGB will be annexed into the City and provided with a minimum level of urban services.

Approval of annexation requests are based on the criteria at Eugene Code 9.7825 which requires that (1) the land proposed to be annexed is within the City's UGB and is contiguous to the City limits or separated from City limits only by a right-of-way or water body; (2) the proposed annexation is consistent with the applicable policies in the Metro Plan and in any applicable refinement plans; and (3) the proposed annexation will result in a boundary in which the minimal level of key urban facilities and services can be provided in an orderly, efficient, and timely manner. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the attached draft resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice was provided to all owners and occupants of property within 500 feet of the subject property and the affected neighborhood association (River Road

Community Organization), consistent with Eugene Code requirements. No testimony has been received to date regarding the proposed annexation of this property.

Referral comments were provided by affected agencies including City of Eugene Public Works, EWEB, and Lane County Public Works. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria. Given the findings of compliance, ability for the provision of key urban services, and lack of testimony received, a public hearing is not recommended in this instance.

Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is also available at the Permit and Information Center located at 99 West 10th Avenue.

RELATED CITY POLICIES

The Metro Plan contains the policies that are related to this annexation request. The applicable refinement plan is the River Road - Santa Clara Urban Facilities Plan. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B).

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the draft resolution
2. Adopt the draft resolution with specific modifications as determined by the City Council
3. Deny the draft resolution
4. Defer action until after the council holds a public hearing on the proposed annexation

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council adopt the resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt the Resolution which approves the proposed annexation request consistent with the applicable approval criteria.

ATTACHMENTS

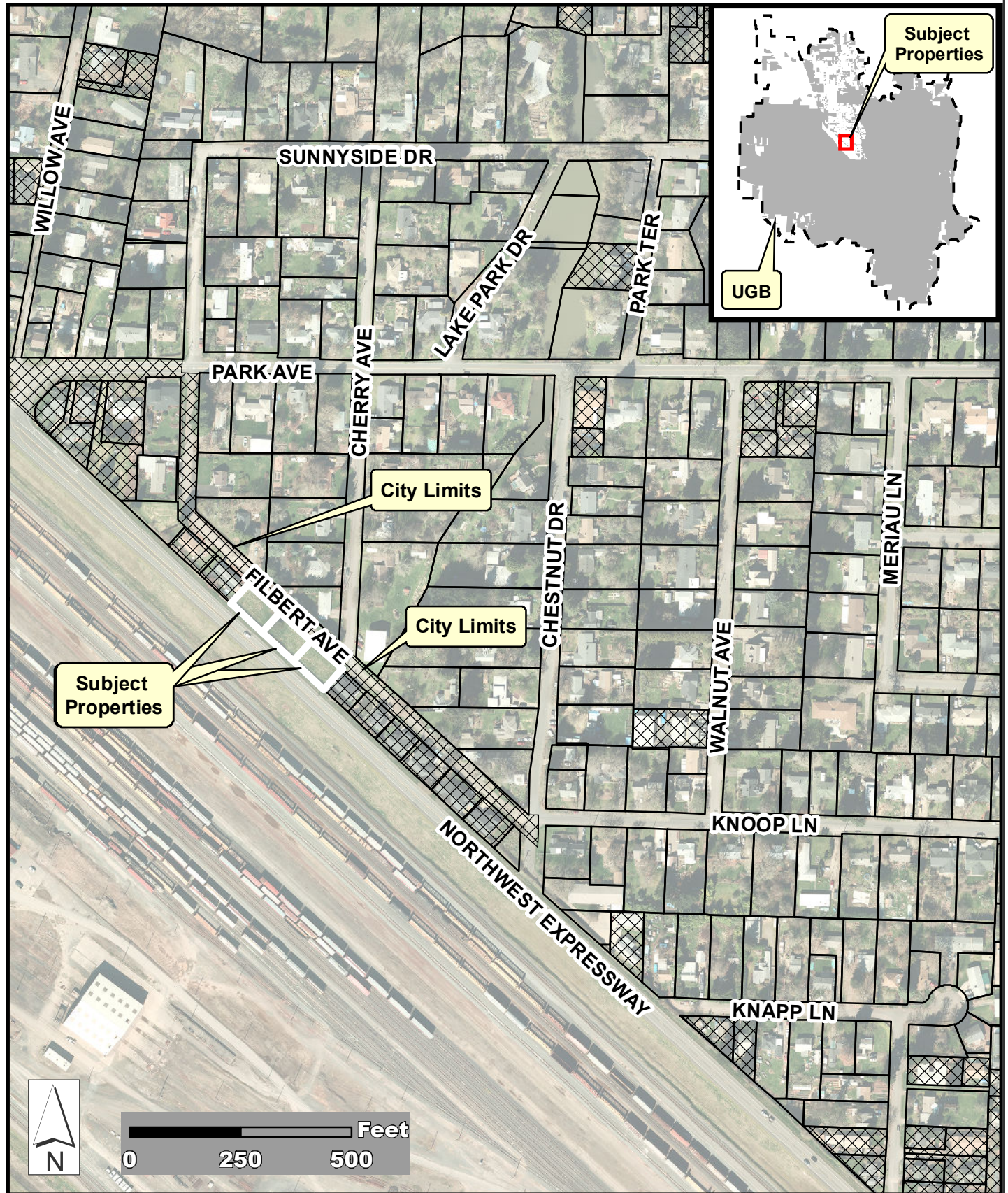
- A. Vicinity Map
- B. Draft Annexation Resolution with Exhibits A through C
 - Exhibit A: Map of Annexation Request
 - Exhibit B: Legal Description
 - Exhibit C: Planning Director Findings and Recommendation
- C. Application Materials for Annexation Request

FOR MORE INFORMATION

Staff Contact: Nicholas R. Gioello
Telephone: 541-682-5453
Staff E-Mail: ngioello@eugene-or.gov

Monkey Hero, LLC (A 18-3)

Attachment A



Legend

 Subject Property	 Taxlots	 City Limits
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Caution:
This map is based on imprecise
source data, subject to change,
and for general reference only.



RESOLUTION NO. ____

APPROVAL OF A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (ASSESSOR'S MAP 17-04-23-44, TAX LOTS 4300, 4400 AND 4500—LOCATED ON THE SOUTH SIDE OF FILBERT AVENUE, NORTH OF NORTHWEST EXPRESSWAY).

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on June 12, 2018, by Monkey Hero LLC, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-23-44, Tax Lots 4300, 4400 and 4500, to the City of Eugene.

B. The property proposed to be annexed is located on the south side of Filbert Avenue, north of Northwest Expressway, and is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit B.

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Findings and Recommendation is attached as Exhibit C.

D. On September 7, 2018, a notice containing the street address and assessor's map and tax lot number, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicant, owners and occupants of property within 500 feet of the perimeter of the subject property, and the River Road Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on October 8, 2018.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

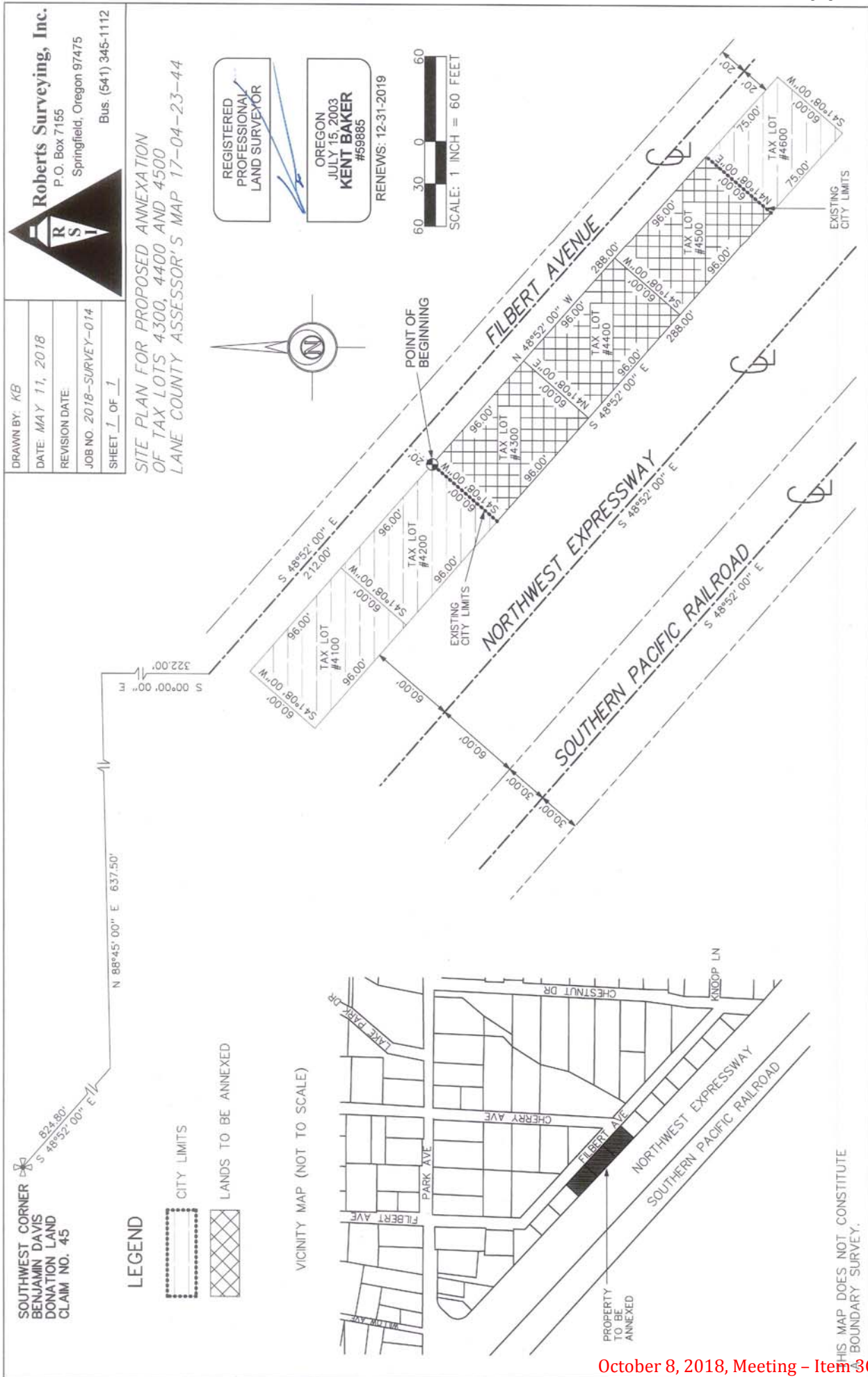
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based on the above findings and the Planning Director's Findings and Recommendation attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-23-44, Tax Lots 4300, 4400 and 4500, depicted on the map attached as Exhibit A, and more particularly described in the attached Exhibit B, is annexed to the City of Eugene.

Section 2. This Resolution is effective immediately upon its adoption by the City Council. The annexation and automatic rezoning of the land from R-1 Low-Density Residential with /UL Urbanizable Lands Overlay to R-1 Low-Density Residential pursuant to EC 9.7820(3) shall become effective in accordance with State law.

The foregoing Resolution adopted the ____ day of October, 2018.

City Recorder



Legal Description of Affected Territory to be Annexed

(Tax Lot #4300, #4400, #4500)

A unit of land being situated in the Southeast 1/4 Section 23, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Commencing at the Southwest corner of the Benjamin Davis Donation Land Claim No. 45 in Township 17 South, Range 4 West of the Willamette Meridian; thence South 48°52'00" East 824.80 feet; thence along the centerline of Park Avenue, North 88°45'00" East 637.50 feet to the intersection of the centerline of Park Avenue with the centerline of Filbert Avenue; thence along the centerline of Filbert Avenue as follows: South 00°00'00" East 322.00 feet; thence South 48°52'00" East 212.00 feet; thence leaving the centerline of Filbert Avenue, South 41°08'00" West 20.00 feet to a point on the southerly right-of-way line of Filbert Avenue, said point being the northwest corner of Tax Lot #4300 and the **POINT OF BEGINNING** of this unit of land;

Thence continuing South 41°08'00" West 60.00 feet to a point on the northerly right-of-way line of Northwest Expressway, said point being the southwest corner of Tax Lot #4300;

Thence along the northerly right-of-way line of Northwest Expressway, South 48°52'00" East 288.00 feet to the southeast corner of Tax Lot #4500;

Thence leaving the northerly right-of-way line of Northwest Expressway, North 41°08'00" East 60.00 feet to a point on the southerly right-of-way line of Filbert Avenue, said point being the northeast corner of Tax Lot #4500;

Thence along the southerly right-of-way line of Filbert Avenue, North 48°52'00" West 288.00 feet to the point of beginning, all in Lane County, Oregon and containing 17,280 square feet (.39 acres) of land, more or less.



**Planning Director's Findings and Recommendation
Annexation Request for Monkey Hero, LLC
(City File: A 18-3)**

Application Submitted: June 12, 2018
Applicant: Monkey Hero, LLC
Property Included in Annexation Request: Tax Lots 4300, 4400 and 4500 of Assessor's Map 17-04-23-44
Zoning: R-1 Low-Density Residential with /UL Urbanizable Land Overlay
Location: South side of Filbert Avenue, north of Northwest Expressway
Representative: Kathy Thomas
Lead City Staff: Nicholas Gioello, City of Eugene Planning Division, 541-682-5453

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

EC 9.7825(1) The land proposed to be annexed is within the city’s urban growth boundary and is:	
(a) Contiguous to the city limits; or	
(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.	
Complies	
☒ YES	☐ NO
Findings: The annexation area is within the City’s urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a).	
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies	
☒ YES	☐ NO
Findings: Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic text</i>):	
<p><i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i></p> <p><i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i></p> <p><i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i></p> <p><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i></p>	

		<p><i>Policy 15. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p> <p>The following policy from the Residential Element of the Metro Plan is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the Metro Plan, and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and UGB until rezoned for urban uses.</i></p> <p>The Metro Plan designates the annexation area as appropriate for low density residential use. The River Road - Santa Clara Urban Facilities Plan (RR/SC UFP) is the adopted refinement plan for the subject properties and also designates the area for residential uses. Consistent with the land use designations, the properties are currently zoned R-1 Low-Density Residential with /UL Urbanizable Land Overlay. The /UL overlay will be automatically removed from the zoning following annexation approval.</p> <p>With regard to applicable policies of the RR/SC UFP, the subject properties are not located within any of the described subareas. Further, none of the general “Residential Land Use Policies” at Section 2.2 appear to be directly applicable to the subject request. The “Public Facilities and Services Element” policies of the RR/SC UFP are directed at local government; however, the premise of these policies (regarding the provision of urban services) is the assumption that property within the UGB will be annexed.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with Metro Plan growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law.</p> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan and RR/SC UFP refinement plan.</p>
EC 9.7825(3)		The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.
Complies ☒ YES	☐ NO	<p>Findings: Consistent with this criterion, the proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:</p> <p><u>Wastewater</u></p> <p>There is an 8-inch public wastewater line to the southeast of the subject properties on the corner of Cherry Avenue and Filbert Avenue. There is also an 8-inch public line to the northwest within Filbert Avenue right-of-way. The neighboring properties to the north and south of the subject properties are connected to the public system. As an</p>

	<p>informational item, there is an on-hold wastewater assessment for Tax Lot 4500, which will need to be paid prior to any development on that tax lot.</p> <p><u>Stormwater</u></p> <p>Public stormwater systems are not available to serve the subject properties. There is an open waterway on the Northwest Expressway side of the properties that flows to the northwest. Records show that the soils in this area are mapped as type C. Infiltration testing may be required at the time of development to demonstrate adequate percolation rates. The applicant must discharge any stormwater runoff from impervious surfaces to an approved point of discharge and demonstrate the downstream capacity for stormwater disposal.</p> <p>Comments from Lane County Transportation Planning indicate stormwater runoff from private property must not be directed to the Lane County road right-of-way or into any Lane County drainage facility, including roadside ditches. Ditches adjacent to County roads are designed solely to accommodate stormwater runoff generated by the roadways themselves, per Lane Manual Chapter 15.515.</p> <p><u>Transportation</u></p> <p>The property abuts the Northwest Expressway to the west, which is an Urban Minor Arterial under the jurisdiction of Lane County Public Works and maintained by the City of Eugene. The subject properties front Filbert Avenue, a paved private road which connects to the Northwest Expressway and River Road (a major arterial) via several other local roads. Access management and street standards will be evaluated at the time of future development.</p> <p>Comments from Lane County Transportation Planning indicate that until annexation of Northwest Expressway occurs, this roadway is subject to the requirements of Lane Code Chapter 15 and direct access to the subject properties must be taken from Filbert Avenue.</p> <p><u>Solid Waste</u></p> <p>Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.</p> <p><u>Water and Electric</u></p> <p>EWEB Water staff state no objection to the annexation. EWEB Electric staff also state no objection to the annexation. Water and electric services can be extended to the subject property in accordance with EWEB policies and procedures.</p> <p><u>Public Safety</u></p> <p>Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by the City of Eugene Fire Department. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield to central Lane County and will continue in the same manner upon annexation.</p>
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		<p><u>Parks and Recreation</u></p> <p>Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p> <p><u>Planning and Development Services</u></p> <p>Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.</p> <p><u>Communications</u></p> <p>A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u></p> <p>The subject property is within Eugene School District 4J and is within the district boundary of River Road Elementary School, Kelly Middle School, and North Eugene High School. As access to schools is evaluated on a district wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p>
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CONCLUSION:

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date is set in accordance with State law.



RECEIVED

JUN 12 2018

CITY OF EUGENE
PLANNING DIVISION

Attachment C

ANNEXATION

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
170423440	4300	L-Low Density Residential	.13
170423440	4400	L-Low Density Residential	.13
170423440	4500	L-Low Density Residential	.13

Property Address: Not yet assigned - Vacant Land

Plans for Future Development & Permit Number (if applicable):

Public Service Districts:

Name			
Parks:	River Road Parks and Recreation		
Electric:	Eugene Water and Electric Board		
Water:	Eugene Water and Electric Board		
Sanitary Sewer:	City of Eugene		
Fire:	River Road WD		
Schools:	Elementary: River Road	Middle: Kelly	High: North Eugene
Other:			

Filing Fee

- ☒ A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- ☒ Submit a detailed written statement describing how this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 11" sheet of paper. Site plans shall include the following information:

- ☒ Show the date & north arrow on site plan.
- ☒ Show the Assessor's Map and Tax Lot number(s) on the site plan.
- ☒ Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- ☒ Show city limits & UGB (if applicable)
- ☒ Clearly label the affected territory and any public right of ways to be annexed.
- ☒ Show all adjacent streets, alleys, and accessways.
- ☒ Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- ☒ Show the location of all existing structures. (VACANT LAND)

Other Application Requirements (Submit 3 paper copies and 1 digital copy of all)

- ☒ Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- ☒ Notarized Consent to Annexation form.
- ☒ A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- ☒ Summary of Urban Service Provision form.
- ☒ Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 1704234404300

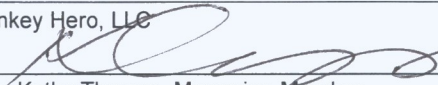
Name (print): Monkey Hero, LLC

Address: 42941 Leaburg Drive

Email: leaburg@gmail.com

City/State/Zip: Leaburg, OR 97489

Phone: 541 896 0408 Fax:

Signature: By:  Monkey Hero, LLC

Date: 6/6/2018

Kathy Thomas, Managing Member

PROPERTY OWNER OF TAX LOT: 1704234404400

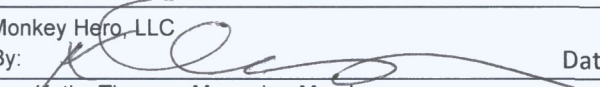
Name (print): Monkey Hero, LLC

Address: 42941 Leaburg Drive

Email: leaburg@gmail.com

City/State/Zip: Leaburg, OR 97489

Phone: 541 896 0408 Fax:

Signature: By:  Monkey Hero, LLC

Date: 6/6/2018

Kathy Thomas, Managing Member

PROPERTY OWNER OF TAX LOT: 1704234404500

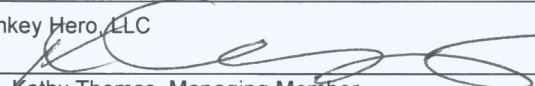
Name (print): Monkey Hero, LLC

Address: 42941 Leaburg Drive

Email: leaburg@gmail.com

City/State/Zip: Leaburg OR 97489

Phone: 541 896 0408 Fax:

Signature: By:  Monkey Hero, LLC

Date: 6/6/2018

Kathy Thomas, Managing Member

SURVEYOR:

Name (print): Kent Baker

Company/Organization: Roberts Surveying, Inc.

Address: P O Box 7155

City/State/Zip: Springfield, OR 97475

Phone: 541 345 1112 Fax:

E-mail: kent@robertssurvey.com

Signature: See Attached

Date:

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

SURVEYOR:

Name (print): Kent Baker

Company/Organization: Roberts Surveying, Inc.

Address: P.O. Box 7155

City/State/Zip: Springfield, OR 97475

Phone: 541-345-1112 Fax: _____

E-mail: kent@robertssurvey.com

Signature: 

Date: May 25, 2018

REPRESENTATIVE (If different from Surveyor):

Name (print):

Company/Organization:

Address:

City/State/Zip:

Phone:

Fax:

E-mail:

Signature:

Date:

****Attached additional sheets if necessary.**

Written Statement of how this request is consistent with all applicable criteria of Section 9.7825 of the Eugene Code

9.7825 Annexation – Approval Criteria. The city council shall approve, modify, or approve a proposed annexation based on the application's consistency with the following:

- (1) The land proposed to be annexed is within the city's urban growth boundary and is:
Contiguous to the city limits.

The property to be annexed is within the urban growth boundary and not separated by any boundary. See Tax Map 17-04-23-44, Tax Lots 4300, 4400, 4500.

- (2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.

The property is within the Metro Plan and the River Road Santa Clara Urban Facilities Plan. The Metro Plan designation is Low Density Residential with Urbanizable Land and Commercial Airline Safety Overlays.

No policies from the River Road Santa Clara Urban Facilities Plan address annexation.

The subject property is not located within a defined subarea of the RR/SC UFP. None of the general "Residential Land Use Policies" listed in Section 2.2 are directly applicable to the annexation. The "Public Facilities and Services Element" policies of the RR/SC UFP are directed at local government; however the premise of these policies (regarding the provision of urban services) is the assumption that the properties within the UGB will be annexed.

As further detailed in subsection (3), the proposed annexation is consistent with the Metro Plan growth management policies and can be served by the minimum level of key urban services.

Several other policies from the Metro Plan provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section:

Policy 8: Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:

- a. *A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner*
- b. *There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to the urban shall also be consistent with the Metro Plan (page 11-C-4).*

Policy 10: Annexation to a city through normal process shall continue to be the highest priority, (Page 11-C-5).

Policy 15: Ultimately, land with the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services.

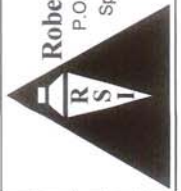
While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (Page 11-C-5)

- (3) The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.

As discussed below, public services are in place and readily available to the properties proposed for annexation. Because of the proximity to the surrounding urban facilities, services can be provided in an orderly, efficient, and timely manner.

- *Electrical service is provided by EWTB. Overhead wires exist on Filbert Avenue, running across the eastern perimeter of the property, allowing underground service to these taxlots, at some future date, in order to serve any future housing.*
- *Water service is provided by EWEB. A 6-inch cast iron water main is available for connection on East side of Filbert Avenue.*
- *An 8-inch sewer line exists at the intersection Cherry Avenue and Filbert Avenue diagonal to tax lot 4500. The City of Eugene allows for the extension of this service by a six inch pipe lot 4500 and then north to tax lots 4400 and 4300.*
- *The City of Eugene does not currently have any storm sewer facilities in the area. Therefore, any future development will need to treat and retain the stormwater on-site. If full infiltration is not an option, post development run off will need to mimic pre-development rates and locations.*
- *River Road Fire and EMS currently provides fire service to the area.*
- *The site has frontage along Filbert Avenue, allowing transportation access to the property.*

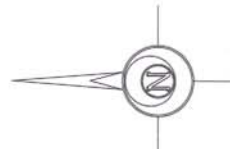
- *The property is within the Eugene School District 4J and is within the district boundaries of River Road Elementary, Kelly Middle School and North Eugene High School.*
- *Garbage collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.*
- *Police protection can be extended to this site upon annexation consistent with service provision throughout the City.*
- *Emergency medical services are currently provided by River Road Fire & EMS.*
- *A minimum level of park service can be provided to the proposal area as prescribed in the Metro Plan, by River Road Parks and Recreation.*
- *Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property, upon annexation.*
- *A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.*



Roberts Surveying, Inc.
P.O. Box 7155
Springfield, Oregon 97475
Bus. (541) 345-1112

DRAWN BY: *KEB*
DATE: *MAY 11, 2018*
REVISION DATE:
JOB NO. *2018-SURVEY-014*
SHEET *1* OF *1*

SITE PLAN FOR PROPOSED ANNEXATION
 OF TAX LOTS 4300, 4400 AND 4500
 LANE COUNTY ASSESSOR'S MAP 17-04-23-44



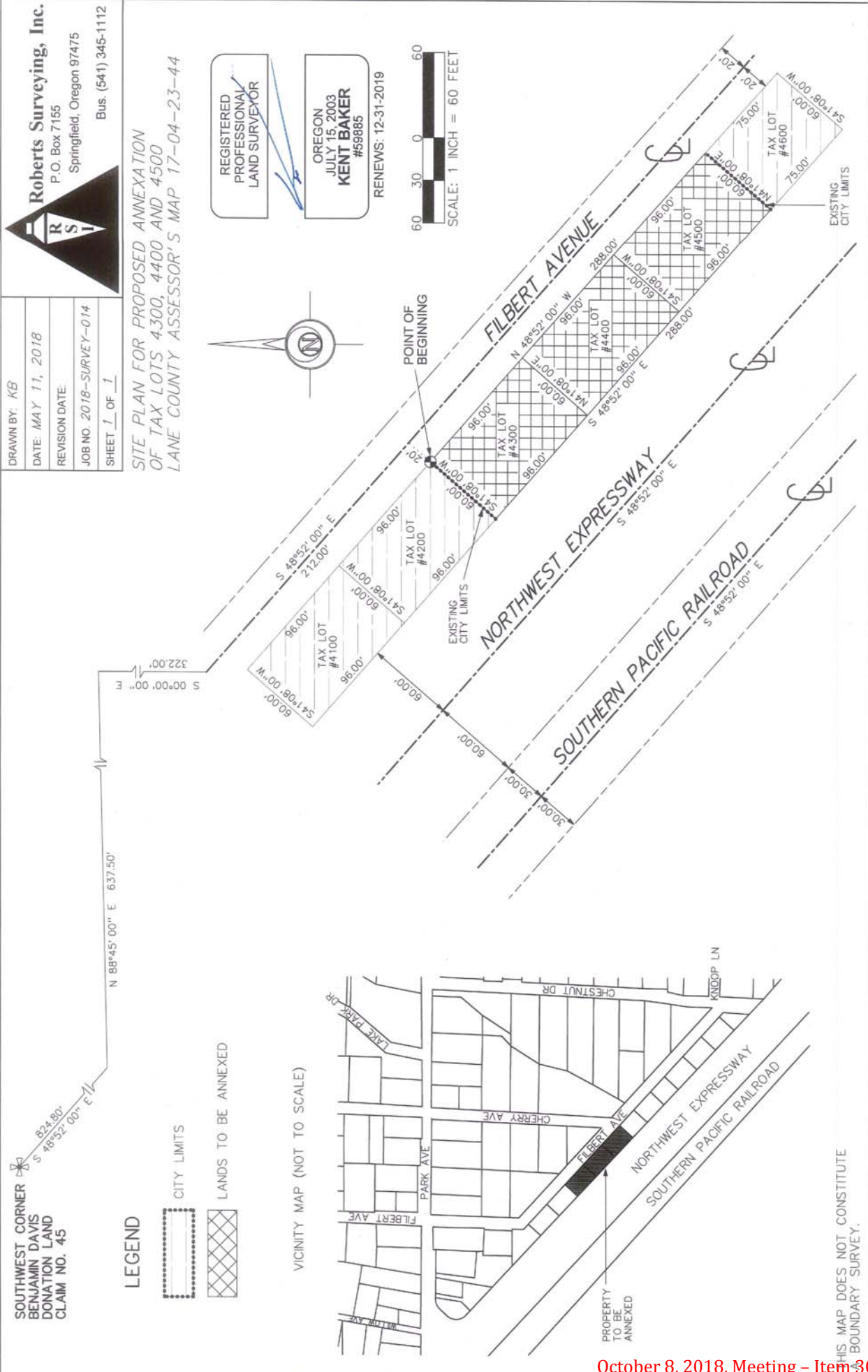
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 15, 2003
KENT BAKER
#59885
RENEW: 12-31-2019



SCALE: 1 INCH = 60 FEET





CITY LIMITS



LANDS TO BE ANNEXED

VICINITY MAP (NOT TO SCALE)



THIS MAP DOES NOT CONSTITUTE
 A BOUNDARY SURVEY.

Legal Description of Affected Territory to be Annexed

(Tax Lot #4300, #4400, #4500)

A unit of land being situated in the Southeast 1/4 Section 23, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Commencing at the Southwest corner of the Benjamin Davis Donation Land Claim No. 45 in Township 17 South, Range 4 West of the Willamette Meridian; thence South 48°52'00" East 824.80 feet; thence along the centerline of Park Avenue, North 88°45'00" East 637.50 feet to the intersection of the centerline of Park Avenue with the centerline of Filbert Avenue; thence along the centerline of Filbert Avenue as follows: South 00°00'00" East 322.00 feet; thence South 48°52'00" East 212.00 feet; thence leaving the centerline of Filbert Avenue, South 41°08'00" West 20.00 feet to a point on the southerly right-of-way line of Filbert Avenue, said point being the northwest corner of Tax Lot #4300 and the **POINT OF BEGINNING** of this unit of land;

Thence continuing South 41°08'00" West 60.00 feet to a point on the northerly right-of-way line of Northwest Expressway, said point being the southwest corner of Tax Lot #4300;

Thence along the northerly right-of-way line of Northwest Expressway, South 48°52'00" East 288.00 feet to the southeast corner of Tax Lot #4500;

Thence leaving the northerly right-of-way line of Northwest Expressway, North 41°08'00" East 60.00 feet to a point on the southerly right-of-way line of Filbert Avenue, said point being the northeast corner of Tax Lot #4500;

Thence along the southerly right-of-way line of Filbert Avenue, North 48°52'00" West 288.00 feet to the point of beginning, all in Lane County, Oregon and containing 17,280 square feet (.39 acres) of land, more or less.

* CB = Coburg
CR = Creswell
FL = Florence
OA = Oakridge
CG = Cottage Grove
EU = Eugene
JC = Junction City
SP = Springfield

PETITION
Petition Signature Sheet
Annexation by Individuals

We, the following property owners/electors, consent to the annexation of the following territory to the City of (Insert Name of City):

EUGENE

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	Land Owner	Reg Voter	Acres (qty)
1. <u>[Signature]</u>	6/12/18	Marker Haco, LLC	N/A	1704234404300	✓	✓	0.13
2. <u>[Signature]</u>	6/12/18	Monkey Haco LLC	N/A	1704234404400	✓	✓	0.14
3. <u>[Signature]</u>	6/12/18	Monkey Haco LLC	N/A	1704234404500	✓	✓	0.14
4. <u>[Signature]</u>							
5. <u>[Signature]</u>							

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Kathleen M. Thomas (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.

X [Signature] (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 1040. I hereby certify that this petition includes 100 (%) valid signatures representing 100 (%) of the total active registered voters that are registered in the proposed annexation.

RECEIVED

Lane County Department of Assessment and Taxation **JUN 12 2018**

Lane County
Assessment & Taxation

Date Certified 6-12-18

[Signature]

Lane County Clerk or Deputy Signature

Date Certified 6/12/18

Summary of Urban Service Provision

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name:

Monkey Hero, LLC

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation

(For example: Map 17-03-19-31, Tax Lot 100)

17-04-23-44, Tax Lot 4300

17-03-23-44, Tax Lot 4400

17-04-23-44, Tax Lot 4500

Wastewater -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

 will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:

 will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

From: The intersection of Filbert and Cherry

When: At some date, following annexation, in conjunction with the City of Eugene, per the direction of Catherine Zunno, City Planning Permit Technician, Catherine.C.Zunno@ci.eugene.or.us, a six inch line will be extended to Tax Lot 4500 with a line extending to the two other lots. Monkey Hero, LLC will hire a licensed, bonded, insured plumbing contractor to install the wastewater line.

Stormwater -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

No.

If yes,
location? _____

If no, how will stormwater be handled after development? -

When the properties are eventually developed, the building permits will specify the stormwater solution, according to the City of Eugene Building Code. At this point, rain gardens are a possible choice.

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. These three lots are on Filbert Avenue in the City of Eugene.

Will dedication for additional street right-of-way be required upon further development of this site?

_____ Yes XX No _____ Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

_____ Yes XX No _____ Unknown

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

River Road Parks and Recreation

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

For River Road/Santa Clara area-

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services (Please indicate which fire district serves subject property.)

_____ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

XX River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

Emergency medical transport (i.e., ambulance) services are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

Planning and Development Services -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

EWEB (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

Electric Service -- Which electric company will serve this site?

Eugene Water and Electric Board.

Water Service -- Please provide the size and location of the water main closest to your property._____.

4 inch cast iron water pie on the south side of Filbert Avenue right of way, which runs along the north side of the taxlots to be annexed.
_____.

Solid Waste -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 1704234404300 Address: _____

Legal Description: 1704234404400
1704234404500

See Attached

In the corporate limits of said city, which is owned by the undersigned

DATED this 16th day of MAY, 2018.

Monkey Hen, LLC

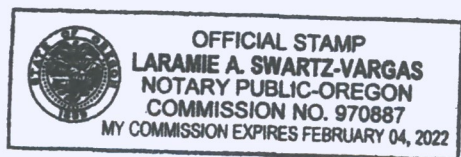
BY *[Signature]*
managing member

STATE OF OREGON)

County of Lane)ss
)

On this 16 day of May, 2018, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Kathy Thomas, Managing Member of Monkey Hen, LLC, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Laramie Swartz-Vargas
Notary Public for Oregon
My Commission Expires 2-4-22

28270

127,753

KNOW ALL MEN BY THESE PRESENTS, That EDGAR H. LUNDBERG and
NELLIE M. LUNDBERG, husband and wife,

in consideration of Eleven Thousand and No/100 -----Dollars,

to them paid by LANE COUNTY, A Political Subdivision of the State of Oregon, Grantee,

do hereby grant, bargain, sell and convey unto said Grantee, its successors

~~shall~~ and assigns, all the following real property, with the
tenements, hereditaments and appurtenances situated in the County of LANE
and State of Oregon, bounded and described as follows, to-wit:

12⁰
Beginning at the Southwest corner of the Benjamin Davis Donation
Land Claim No. 45, Township 17 South, Range 4 West of Willamette Mer-
idian and running thence South 48° 52' East 824.8 feet; thence North
88° 45' East along the centerline of Park Avenue 637.5 feet, thence
South 322 feet, thence South 48° 52' East 212 feet to the beginning
or initial point for the description for this tract, and the North-
west corner thereof, and running thence South 41° 08' West 200 feet;
to the Easterly right of way line of the S.P.R.R., thence along said
right of way South 48° 52' East 96 feet, thence North 41° 08' East
200 feet, thence North 48° 52' West 96 feet to the place of beginning,
in Lane County, Oregon, excepting a 20 foot strip off the Northeast
side thereof for a roadway and other public uses,



To Have and to Hold, the above described and granted premises unto the said Grantee its

successors ~~and assigns forever.~~

And

the grantors
above named do covenant to and with the above named granted successors ~~heirs and assigns~~ that
they lawfully seized in fee simple of the above granted premises, that the above granted premises
are free from all encumbrances, except conditions and restrictions and easement
of record,

and that they will and their heirs, executors and administrators, shall warrant and forever defend the
above granted premises, and every part and parcel thereof, against the lawful claims and demands of all
persons whomsoever,

Witness their hands and seals this first day of December, 1955.

Executed in the Presence of

Edgar H. Lundberg (SEAL)
Nellie M. Lundberg (SEAL)
(SEAL)
(SEAL)

28270

STATE OF OREGON,

County of LANE

}

BE IT REMEMBERED, That on this first day of December, 1965, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Edgar H. Lundberg and Nellie M. Lundberg

known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Sally M. Hitchcock
Notary Public for Oregon.
My Commission expires 11-17-68



28270

WARRANTY DEED

3415 Lundberg

44

State of Oregon,
County of Lane—ss.

I, Ima Randolph, Director of the Department of Records and Elections, in and for the said County, do hereby certify that the within instrument was received for record at

863 DEC 2 PM 3 51 A

Reel

277 D

Lane County OFFICIAL RECORDS.

IMA RANDOLPH, Director of the Department of Records & Elections.

By *Ima Randolph*
C28-083-05
Deputy

WHEN RECORDING RETURN TO

Yasue County
W. J. [unclear]
County Clerk
Clatsop County
W. J. [unclear]
W. J. [unclear]

W. J. [unclear]

Real Property Tax Lot Record

Lane County Assessment and Taxation
Print Date: May 31, 2018



In preparation of these records, every effort has been made to offer the most current, correct, and clearly expressed information possible. Nevertheless, inadvertent errors in information may occur. In particular but without limiting anything here, Lane County disclaims any responsibility for typographical errors and accuracy of this information. The information and data included on Lane County servers have been compiled by Lane County staff from a variety of sources, and are subject to change without notice to the User. Lane County makes no warranties or representations whatsoever regarding the quality, content, completeness, suitability, adequacy, sequence, accuracy, or timeliness of such information and data.

The legal descriptions contained herein are for tax lot purposes only.

Included in this report:

1. A listing of documents affecting ownership and/or property boundary changes.
2. The scanned tax lot record image and any legal description changes made since .

Map & Tax Lot 1704234404300		Current Parcel/Account		Current TCA
Status	Active	0427763		00412
Document #	Type	Date	Effective Year	Tax Lot Acres
2018-021241	Bargain and Sale Deed	04/17/2018	2018	0.13
Comments:				
	Description Card			0.13
Comments:				

#12286

8300-48

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES 17 04 23 44

OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON

4-12 4300

YEAR	TAX LOT No.	SECTION	TOWNSHIP	RANGE	W.M.	DEED RECORD VOL. PAGE	ACRES REMAINING
	59-48	23	427 763 17	4	W. M.		
YEAR	BEARING	DISTANCE	BEARING REFERENCE OR LEGAL SUBDIVISION				ACRES REMAINING
1945			Beginning at the southwest corner				
			of the Benjamin Davis Donation Land				
			Claim No. 45, Township 17 South, Range				
1946			4 West of Willamette Meridian and run-				
			ning thence South 48°52' East 824.8 feet,				291/39
			thence North 88°45' East along the cent-				293/657
1966			er line of Park Avenue 637.5 feet, thence				
			South 322 feet, thence South 48°52' East				R277/
			212 feet to the beginning or initial				28270
			point for the description for this				
			tract, and the Northwest corner thereof,				
			and running thence				
	S.41°08'W.	200.0 ft	to the easterly right of way line of				
			the S. P. R. R., thence along said				
			right of way				
	S.48°52'E.	96.0 ft	thence				
	N.41°08'E.	200.0 ft	thence				
	N.48°52'W.	96.0 ft	to the place of beginning, in Lane				
			County, Oregon, excepting a 20 foot				
			strip off the northeast side thereof				
			for a roadway and other public uses.				
			Containing more or less				0.41
			Assessment Card Shows 0.40 acres				
			EXCEPT: A PORTION OUT TO ROAD FOR 2004				
			by 93-1530902				
			cont m/l				0.13

OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON

October 8, 2018, Meeting – Item 3C

#12286

8300-48-

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES 17 04 23 44

OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON

412 4300

YEAR	TAX LOT No. 59-48	SECTION 23	427 763 TOWNSHIP 17 S. RANGE E. OR W. 4 W. M.	DEED RECORD VOL. PAGE	ACRES REMAINING
	BEARING	DISTANCE	BEARING REFERENCE OR LEGAL SUBDIVISION		
1945			Beginning at the southwest corner of the Benjamin Davis Donation Land Claim No. 45, Township 17 South, Range 4 West of Willamette Meridian and run-		
1946			ning thence South 48°52' East 824.8 feet,	291/39	
			thence North 88°45' East along the cent-	293/657	
1966			er line of Park Avenue 637.5 feet, thence South 322 feet, thence South 48°52' East	R277/ 28270	
			212 feet to the beginning or initial point for the description for this tract, and the Northwest corner thereof, and running thence		
	S.41°08'W.	200.0 ft	to the easterly right of way line of the S. P. R. R., thence along said right of way		
	S.48°52'E.	96.0 ft	thence		
	N.41°08'E.	200.0 ft	thence		
	N.48°52'W.	96.0 ft	to the place of beginning, in Lane County, Oregon, excepting a 20 foot strip off the northeast side thereof for a roadway and other public uses.		
			Containing more or less		0.41
			Assessment Card Shows 0.40 acres		
			EXCEPT: A PORTION OUT TO ROAD FOR 2004 by 93-1530902		
			cont m/l		0.13

158136

Warranty Deed

FROM

TO

State of Oregon,
County of Lane--ss.I, W. B. Dillard, County Clerk and ex
officio Recorder of Conveyance, in and for
said County, do hereby certify that the within
instrument was received for record at

JUN 28 1945 PM

and
Recorded

In Book 291 on Page 38-9

Lane County D E E D Records
W. B. DILLARD, County ClerkBy *W. B. Dillard* Deputy*Barry Kuehn*100-800645
Spec

ADMINISTRATRIX DEED.

THIS INDEBTURE Made this 8th day of June, 1945, by and
between Marie C. Schmitz, as the duly appointed, qualified and
acting administratrix of the Estate of Ernst J. Brunner, or
E. J. Brunner as he was sometimes known, deceased, and Marie C.
Schmitz as the widow of said deceased, party of the first part and
Raymond E. Foster, party of the second part,

WITNESSETH: That, Whereas, on the 4th day of August, 1939,
the County Court of the State of Oregon, for Lane County, made
an order authorizing said administratrix to sell certain real
property of said deceased, upon the terms and conditions of said
order set out, which said order of sale is entered in Volume 37,
of the Journal of said County Court on page 332 thereof,

And, Whereas, under and by virtue of said order of sale, and
pursuant to legal notice given thereof, the said party of the
first part did on the 20th day of October, 1945, sell the herein-
after described real property, subject to the confirmation of
said County Court, unto Raymond E. Foster for the sum of Four
Hundred and no/100 Dollars, (\$400.00) he being the highest and best
bidder therefor,

And, Whereas, the said County Court upon due and legal return
made by said party of the first part under said order of sale,
did on the 22nd day of January, 1945 make an order confirming
said sale and directing a conveyance to be made to said purchaser
which said order of confirmation is entered in Volume 40 of the
Journal of said County Court on page 523 thereof,

NOW THEREFORE, the said party of the first part, pursuant
to the order last aforesaid, and for and in consideration of the
sum of Four Hundred Dollars to her in hand paid by the said
party of the second part, the receipt whereof is hereby acknowl-
edged, has granted, bargained, sold and conveyed unto said party
of the second part, his heirs and assigns forever, all the right,

1 title, interest and estate of said Ernest J. Brunner or E. J.
 2 Brunner, as he was sometimes known, deceased, at the time of his
 3 death and all the right, title and interest that the said estate
 4 by operation of law or otherwise may have acquired other than
 5 or in addition to that of said intestate at the time of his death,
 6 and all the right, title and interest of said Marie C. Schmitz,
 7 as the widow of said deceased in and to that certain lot, place
 8 or parcel of land situated, lying and being in the County of
 9 Lane, State of Oregon, and described as follows:-

10 Beginning at the Southwest corner of the Benjamin Davis
 11 Donation Land Claim No. 45 Township 17 South, Range 4 West
 12 of Willamette Meridian and running thence South 48° 52'
 13 East 824.8 feet, thence North 88° 45' East along the cen-
 14 ter line Park Avenue 637.5 feet, thence South 322 feet,
 15 thence South 48° 52' East 212 feet to the beginning or
 16 initial point for the description for this tract and the
 17 Northwest corner thereof, and running thence South 41° 08'
 18 West 200 feet, to the Easterly right of way line of the
 19 S. P. R. R. thence along said right of way South 48° 52'
 20 East 96 feet, thence North 41° 08' East 200 feet, thence
 21 North 48° 52' West 96 feet, to the place of beginning con-
 22 taining 0.45 of an acre, more or less, in Lane County,
 23 Oregon. Reserving to the grantor 20 feet off the Northeast
 24 side thereof for a roadway and other public uses.

18 Said parcel of real property is sold subject to the fol-
 19 lowing reservations and restrictions:

19 The right is reserved to lay and maintain sewer and water
 20 pipes and to erect and maintain light and telephone poles
 21 or cables across said premises to serve this and adjacent
 22 properties.

22 Said premises shall be used for residence purposes only
 23 and uses incident thereto, and no building to be erected
 24 closer to the front line of the property than 30 feet, and
 25 no dwelling erected costing less than \$2000.00 and not more
 26 than one residence to the tract.

25 together with the tenements and hereditaments and appurtenances
 26 whatsoever thereunto belonging or in anywise appertaining.

27 TO HAVE AND TO HOLD the same unto the said Raymond E.
 28 Foster, his heirs and assigns forever.

29 IN WITNESS WHEREOF the said Marie C. Schmitz, as admin-
 30 istratrix of the Estate of said deceased as aforesaid and in-
 31 dividually as the widow of said deceased, has executed these
 32 presents the day and year first above written.

Warranty Deed

BOOK 293 PAGE 657

THIS INDENTURE WITNESSETH: That Raymond E. Foster, and Molly B. Foster,
husband and wife

the Grantors, for and in consideration of the sum of - - - - Ten - - - - - DOLLARS

to them paid, do hereby, bargain, sell and convey unto Edgar E. Lundberg, and

Nelle M. Lundberg, husband and wife

the grantees

the following described premises, to-wit:

Beginning at the southwest corner of the Benjamin Davis Donation Land Claim No. 45, Township 17 South Range 4 West of Willamette Meridian and running thence south $48^{\circ} 52'$ east 824.8 feet, thence north $88^{\circ} 45'$ east along the center line of Park Avenue 637.5 feet, thence south 322 feet, thence south $48^{\circ} 52'$ east 212 feet to the beginning or initial point for the description for this tract, and the northwest corner thereof, and running thence south $41^{\circ} 08'$ west 200 feet, to the easterly right-of-way line of the S. P. R. R., thence along said right of way south $48^{\circ} 52'$ east 36 feet, thence north $41^{\circ} 08'$ east 200 feet, thence north $48^{\circ} 52'$ west 36 feet to the place of beginning, in Lane County, Oregon, excepting a 20 foot strip off the northeast side thereof for a roadway and other public uses.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantees

their heirs and assigns forever

And the said Grantors do hereby covenant to and with the said grantees their

heirs and assigns that they are the owners of the above described premises and that

they are free from all encumbrances except conditions and restrictions in the deed from Marie C. Schmitz, administratrix of the estate of Ernest J. Brunner or E. J. Brunner, deceased, and Marie S. Brunner, wife of said deceased, to Raymond E. Foster recorded June 20, 1945, Clerk's filing No. 153137, Lane County Oregon, Deed Records, and also except taxes not yet payable,

and that they will warrant and defend the same from all other claims and demands.

IN WITNESS WHEREOF, they have hereunto set their hands and seals this

6th day of August

In the presence of



STATE OF OREGON,
COUNTY OF Lane

Be it remembered that on this 6th day of August 1945
personally came before me, a Notary Public in and for said county, the within named Raymond E.

Foster and Molly B. Foster, husband and wife

to me personally known to be the identical person s
instrument, and acknowledged to me that they

described in and who executed the within
executed the same freely and voluntarily for

Witness my hand and seal this day and year last above written.



Expires March 19, 1945

[Signature]
Notary Public for Oregon

WARRANTY DEED

25606

RAILROAD BLVD.
127,614

KNOW ALL MEN BY THESE PRESENTS, That IVAN W. BLOOD and LELA R. BLOOD,
aka Lela J. Blood, husband and wife,
in consideration of Twenty Seven Thousand and No/100 - - - - - Dollars,
to them paid by LANE COUNTY, A Political Subdivision of the State of Oregon
do hereby grant, bargain, sell and convey unto the said grantee/successors, heirs and assigns, all
the following real property, with the tenements, hereditaments and appurtenances, situated in the County
of LANE and State of Oregon, bounded and described as follows, to-wit:

29th
Beginning at the Southwest corner of the Benjamin Davis Donation
Land Claim No. 45 in Township 17 South, Range 4 West of the Willamette
Meridian, and running thence South 48° 52' East 824.8 feet; thence
North 88° 45' East along the center of Park Avenue 637.5 feet; thence
South 322 feet; thence South 48° 52' East 308 feet to the beginning or
initial point for the description for this property and the Northwest
corner thereof, and running thence South 41° 08' West 200 feet to the
Easterly right of way line of the S. P. R. R.; thence along said right
of way, South 48° 52' East 96 feet; thence North 41° 08' East 200 feet;
thence North 48° 52' West 96 feet to the place of beginning, in Lane
County, Oregon.

To Have and to Hold the above described and granted premises unto the said grantee/successors
heirs and assigns forever.

And the grantor/s do covenant that they lawfully released in fee simple of the above
granted premises from all encumbrances, except conditions and restrictions and
easements of record.

and that they will and their heirs, executors and administrators, shall warrant and forever
defend the above granted premises, and every part and parcel thereof, against the lawful claims and
demands of all persons whomsoever.

Witness OUR hands and seals, this 8th day of November, 1965.

STATE OF OREGON,

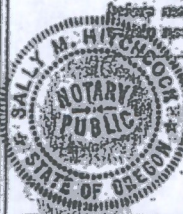
County of LANE

On this 8th day of November, 1965,

I, the undersigned, a Notary Public in and for said County and State, personally appeared the
Ivan W. Blood and Lela J. Blood

who are

known to me to be the identical individuals described in and who executed the within
instrument, and acknowledged to me that they executed the same freely and voluntarily.
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year last above written.



Sally M. Hitchcock
Notary Public for Oregon
My Commission expires 11-12-68

WARRANTY DEED

STATE OF OREGON.

TO

AFTER RECORDING RETURN TO
Lane County
County Courthouse
Eugene, Oregon

DO NOT
CHANGE
FOR RE
LARGE
TICK
50

State of Oregon,
County of Lane--ss.

I, Inn Randolph, Director of the
Department of Records and Elections,
in and for the said County, do hereby
certify that the within instrument was
received for record at

1965 NOV 9 PM 4 07 D

Reel

276 D

Lane County OFFICIAL Records.

INA RANDOLPH, Director of the
Department of Records & Elections.

By: [Signature] Deputy

C29-083-05

#12314

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

17 04 23 44

OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON

4400 4-12

YEAR	TAX LOT	SECTION	427 771	TOWNSHIP	17 S.	RANGE E.	OR W.	4 W. M.	DEED RECORD		ACRES REMAINING
	NO. 59-72		23						17	VOL.	
	BEARING	DISTANCE	BEARING REFERENCE OR LEGAL SUBDIVISION								
1948			Beginning at the Southwest corner of the Benjamin Davis D.L.C. No. 45 in Township 17 South, Range 4 West, WM., and running thence South 48° 52' East 824.8 feet, thence North 88° 45' East along the center of Park Avenue 637.5 feet, thence South 322 feet, thence South 48° 52' East 308 feet to the beginning or initial point for the description for this property and the Northwest corner thereof and running thence to the Easterly right of way line of the S. P. R. R., thence along said right of way, thence thence to the place of beginning, containing more or less Excepting a strip of land 20 feet wide off the Northeast side thereof for roadway and other public uses. EXCEPT: PORTION OUT TO ROAD FOR 2004 by 93-1530902 cont m/l								
1949											
1966											
	S.41°08'W.	200.0 ft									
	S.48°52' E	96.0 ft									
	N.41°08'E.	200.0 ft									
	N.48°52'W.	96.0 ft									
									324/396		0.45
									R276/25606		0.13

324 11690

ADMINISTRATRIX DEED.

THIS INDENTURE made this 7th day of January 1946, by and between Marie C. Schmitz, as the duly appointed, qualified and acting administratrix of the Estate of Ernest J. Brunner or E.J. Brunner, as he was sometimes known, deceased, and Marie C. Schmitz, as the widow of said deceased, party of the first part and Ivan W. Blood and Lela R. Blood, husband and wife, parties of the second part,

WITNESSETH: That, whereas, on the 4th day of August 1939 the County Court of the State of Oregon for Lane County made an order authorizing said administratrix to sell certain real property of said deceased, upon the terms and conditions of said order set out, which said order of sale is entered in Volume 27 of the Journal of said County Court on page 332 thereof,

And, whereas, under and by virtue of said order of sale and pursuant to legal notice given thereof, the said party of the first part did, on the 10th day of Dec. 1945, sell the hereinafter described real property, subject to confirmation of the County Court, unto Ivan W. Blood and Lela R. Blood, husband and wife, for the sum of Five Hundred dollars they being the highest and best bidders and that being the highest and best bid therefor,

And, whereas, the said County Court upon due and legal return made by said party of the first part under said order of sale did on the 1st day of January 1946 make an order confirming said sale and directing a conveyance to be made to said purchasers which order of confirmation is entered in Volume 43 of said Court at page 479 thereof,

NOW THEREFORE, the said party of the first part, pursuant to the order last aforesaid, and for and in consideration of the sum of Five Hundred (\$500.00) Dollars to her in hand paid by

BROWNELL & GOMERS
ATTORNEYS AT LAW
302 TIFFANY BLDG.
EUGENE, OREGON

1 the said parties of the second part, the receipt whereof is
 2 hereby acknowledged, has granted, bargained, sold and conveyed
 3 unto said parties of the second part, their heirs and assigns
 4 forever, all the right, title, interest and estate which the said
 5 Ernest J. Brunner or E.J. Brunner, as he was sometimes known,
 6 deceased, had at the time of his death and all the right, title
 7 and interest that the said estate, by operation of law or other-
 8 wise may have acquired other than or in addition to that of said
 9 intestate at the time of his death, and all the right, title
 10 and interest of Maria M. Schmitz, as the widow of said deceased
 11 in and to that certain lot, piece or parcel of land situated,
 12 lying and being in the County of Lane, State of Oregon, and
 13 described as follows, to-wit:

14 Beginning at the Southwest corner of the
 15 Benjamin Davis Donation Land Claim No. 45
 16 in Township 17 South Range 4 East of Willa-
 17 mette Meridian, and running thence South 48°
 18 11' East 111.8 feet, thence North 88°41' East
 19 along the center of Clark Avenue 334.5 feet,
 20 thence South 332 feet, thence South 48°42'
 21 East 200 feet to the beginning or initial
 22 point for the description for this property
 23 and the Northeast corner thereof and running
 24 thence South 41°23' West 210 feet to the
 25 Easterly right of way line of the N.P.W.
 26 thence, along said right of way South 43°
 27 11' East 101 feet, thence North 41°05' East
 28 200 feet, thence North 48°41' West 96 feet
 29 to the place of beginning, containing 0.45
 30 of an acre, more or less, in Lane County,
 31 Oregon, excepting a strip of land 20 feet
 32 wide off the Northeast side thereof for a
 road and other public uses.

Said tract of land is sold subject to the
 following reservations and restrictions:

The right is reserved to lay and maintain
 sewer and water pipes and to erect and
 maintain light and telephone poles or
 cables across said premises to serve this
 and adjacent properties.

Said premises shall be used for residence
 purposes only and uses incident thereto
 and no dwelling to be erected closer to the
 front line thereof than thirty feet and no
 dwelling to be erected costing less than
 \$2000.00, and not more than one residence
 to the tract.

48200

WARRANTY DEED

WILLA McWHORTER

hereinafter called Grantor, convey to LANE COUNTY, a political subdivision of the State of Oregon, all that real property situated in Lane County, State of Oregon, described as:

Beginning at the Southwest corner of the Benjamin Davis Donation Land Claim No. 45, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon and run thence South 48° 52' East 824.80 feet; thence North 88° 45' East along the center of Park Avenue, 637.50 feet; thence South 322 feet; thence South 48° 52' East 404 feet to the beginning or initial point of this tract and the Northwest corner thereof; and run thence South 41° 08' West 200 feet to the Easterly right of way line of the Southern Pacific Railroad; thence along said right of way line South 48° 52' East 96 feet; thence North 41° 08' East 200 feet; thence North 48° 52' East 96 feet to the point of beginning.

Except a strip of land 20 feet wide off the Northeasterly side thereof for a roadway and other public uses.

and covenants the GRANTOR is (are) the owner of the above-described property, free of all encumbrances

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$10,964.00

Ten Thousand Nine Hundred Sixty Four and no/100 Dollars

DATED this 16 day of May, 1971.

Willa McWhorter

STATE OF OREGON)
COUNTY OF LANE) ss.

On May 16th, 1971, personally appeared the above named

Willa McWhorter

and acknowledged the foregoing instrument to be her voluntary act. Before me:

H. J. Johnson
Notary Public for Oregon

My Commission Expires: 2-6-73

not for (Lanes: 7th)



State of Oregon,
County of Lane—ss.

I, D. M. Penfold, Director of the Department of Records and Elections, in and for the said County, do hereby certify that the within instrument was received for record at

1971 MAY 26 AM 11 31 5

Reel 533-R

Lane County OFFICIAL Records.

D. M. PENFOLD, Director of the Department of Records & Elections.

By *[Signature]* Deputy
C29-083-05

#12275

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

17 04 23 44

OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON

4500 4-12

YEAR	TAX LOT		SECTION	427 789	TOWNSHIP	17 S.	RANGE E.	OR W.	4 W. M.	DEED RECORD		ACRES REMAINING
	No.	59-39								VOL.	PAGE	
1945			23									
1965												
1971												
<p>Beginning at the Southwest corner of the Benjamin Davis D.L.C. No. 45 in Township 17 South, Range 4 West, WM, in Lane County, Oregon, and running thence South 48°52' East 824.8 feet, thence North 88°45' East along the center of Park Avenue 637.5 feet, thence South 322 feet, thence South 48°52' East 404 feet to the beginning point, and the Northwest corner thereof, and running thence to the Easterly right of way line of the S.P.R.R., thence</p> <p>S.41°08'W. 200.00 ft</p> <p>S.48°52'E. .96.00 ft</p> <p>N.41°08'E. 200.00 ft</p> <p>N.48°52'W. 96.00 ft</p> <p>thence</p> <p>thence</p> <p>to the place of beginning, containing more or less</p> <p>Except a strip of land 20 feet wide off the Northeasterly side thereof for a roadway and other public uses.</p> <p>Assessment Card shows 0.53 acre</p> <p>EXCEPT: PORTION OUT TO ROAD FOR 2004 by 93-1530902</p> <p>cont m/l</p>												
										276	271	
										R246/62451		
										R538/48200		
												0.45
												.53
												0.13

KNOW ALL MEN BY THESE PRESENTS, That BOOK 276 PAGE 271
a single man, I, Theodore J. Schmitz,
in consideration of Ten
and other good and valuable considerations Dollars,
to me paid by H. J. Donaldson
do hereby grant, bargain, sell and convey unto said H. J. Donaldson
his heirs and assigns, all the following real property, with the ten-
ements, hereditaments and appurtenances situated in the Lane
County of Lane and State of Oregon, bounded and described as follows, to-wit:

Beginning at the Southwest corner of the Benjamin Davis Donation
Land Claim No. 45 in Township 17 South Range 4 West of Willamette
Meridian in Lane County, Oregon, and running thence south 43°52' East
824.8 feet; thence North 83° 45' East along the center of Park Avenue
637.5 feet, thence South 322 feet; thence South 48°52' East 404 feet,
to the beginning or initial point of this tract, and the Northwest
corner thereof and running thence South 41° 08' West 200 feet to the
Easterly right of way line of the S. P. R. R. thence along said right
of way line South 48°52' East 96 feet; thence North 41°08' east 200
feet thence North 48° 52' West 96 feet to the place of beginning con-
taining 0.45 of an acre more or less in Lane County, Oregon, except
a strip of land 20 feet wide off the northeasterly side thereof for
a roadway and other public uses.

Said parcel of real property is sold subject to the following reser-
vations and restrictions:

The right is reserved to lay and maintain sewer and water pipes and to
erect and maintain light and telephone poles or cables across said
premises to serve this and adjacent properties.

Said premises shall be used for residence purposes only and uses incident
thereto, and no building to be erected closer to the front line of the
property than thirty feet and no dwelling to be erected costing less
than \$2000.00 and not more than one residence to the tract.

To Have and to Hold, the above described and granted premises unto the said
H. J. Donaldson
his heirs and assigns forever

And I
above named do covenant to and with the above named grantee the grantor
that I am lawfully seized in fee simple of the above granted premises, that the above
granted premises are free from all encumbrances, his heirs and assigns

and that I will and my heirs, executors and administrators, shall warrant and forever
defend the above granted premises, and every part and parcel thereof, against the lawful claims and
demands of all persons whomsoever.

Witness my hand and seal this 11th day of September, 1944
Executed in the Presence of

Theodore J. Schmitz (SEAL)
(SEAL)
(SEAL)
(SEAL)

48200

WARRANTY DEED

WILLA McWHORTER

hereinafter called Grantor, convey to LANE COUNTY, a political subdivision of the State of Oregon, all that real property situated in Lane County, State of Oregon, described as:

Beginning at the Southwest corner of the Benjamin Davis Donation Land Claim No. 45, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon and run thence South 48° 52' East 824.80 feet; thence North 88° 45' East along the center of Park Avenue, 637.50 feet; thence South 322 feet; thence South 48° 52' East 404 feet to the beginning or initial point of this tract and the Northwest corner thereof; and run thence South 41° 08' West 200 feet to the Easterly right of way line of the Southern Pacific Railroad; thence along said right of way line South 48° 52' East 96 feet; thence North 41° 08' East 200 feet; thence North 48° 52' East 96 feet to the point of beginning.

Except a strip of land 20 feet wide off the Northeasterly side thereof for a roadway and other public uses.

and covenants the GRANTOR is (are) the owner of the above-described property, free of all encumbrances

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$10,964.00

Ten Thousand Nine Hundred Sixty Four and no/100 Dollars

DATED this 10th day of May, 1971.

Willa McWhorter

STATE OF OREGON)
COUNTY OF LANE)ss.

On May 10th, 1971, personally appeared the above named

Willa McWhorter

and acknowledged the foregoing instrument to be her voluntary act. Before me:

H. J. Johnson
Notary Public for Oregon
My Commission Expires: 2-6-73

note (Lane Co. Feb)



48200

State of Oregon,
County of Lane—ss.

I, D. M. Penfold, Director of the
Department of Records and Elections,
in and for the said County, do hereby
certify that the within instrument was
received for record at

1971 MAY 26 AM 11 31.5

Recd

533-R

Lane County OFFICIAL RECORDS.

D. M. PENFOLD, Director of the
Department of Records & Elections.

Deputy

C29-083-05