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

November 14, 2016

7:30 p.m. **MEETI NG OF THE EUGENE CITY COUNCIL**
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

Meeting of November 14, 2016;
Her Honor Mayor Kitty Piercy Presiding

Councilors

Greg Evans, President	Alan Zelenka, Vice President
George Brown	Mike Clark
George Poling	Chris Pryor
Claire Syrett	Betty Taylor

7:30 p.m. **MEETING OF THE EUGENE CITY COUNCIL**
Harris Hall, 125 East 8th Avenue

1. **PLEDGE OF ALLEGIANCE TO THE FLAG**

2. **PUBLIC FORUM**

3. **CONSENT CALENDAR**
   (Note: Time permitting, action on the Consent Calendar may be taken at the 5:30 p.m. work session.)
   A. Approval of City Council Minutes
   B. Approval of Tentative Working Agenda

4. **PUBLIC HEARING and POSSIBLE ACTION:**
   A Resolution Granting a Measure 49 Claim and Waiving a Provision of Chapter 9 of the Eugene Code, 1971 for Property Located at 1777 E. 30th Avenue, Eugene, Oregon (Assessor's Map 18-03-08-11, Tax Lot 602)

5. **ACTION**
   An Ordinance Concerning Annual Maintenance of the Land Use Code and Amending Sections 9.0500, 9.2160, 9.2451, 9.2461, 9.2600, 9.2620, 9.2750, 9.2777, 9.3165, 9.3210, 9.3215, 9.3970, 9.4130, 9.6210, 9.6640, 9.7000, 9.7015, 9.7230, 9.7405, 9.7505, 9.7810, 9.8005, 9.8085, 9.8090, 9.8215, 9.8220, 9.8320, 9.8325, 9.8360, 9.8423, 9.8430, 9.8440, 9.8445, 9.8515, 9.8520, 9.8705, 9.8710, 9.8750, 9.8755, 9.8760, 9.8810 and 9.8855 of the Eugene Code, 1971

6. **WORK SESSION**
   Human Rights Commission FY 2017 Work Plan and FY 2016 Annual Report

7. **ACTION**
   Initiation of Renaming and Rezoning Process for Broadway Plaza

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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

Pledge of Allegiance to the Flag

Meeting Date: November 14, 2016 | Agenda Item Number: 1
Department: Central Services | Staff Contact: Beth Forrest
www.eugene-or.gov | Contact Telephone Number: 541-682-5882

ISSUE STATEMENT
The Pledge of Allegiance to the Flag will be recited in observance of Veterans Day which is celebrated on November 11.

BACKGROUND
The City Council voted at its June 27, 2011, work session to begin formal council meetings with a voluntary recitation of the Pledge of Allegiance to the Flag at those meetings closest to the following holidays: Memorial Day, Veterans Day, Flag Day, and the Fourth of July. In addition, the council voted to begin a practice of reading from the Declaration of Independence and/or the Constitution of the United States at the beginning of its meeting closest to the Fourth of July.

According to the United States Code, Title 4 (U.S. Flag Code), the Pledge "…should be rendered by standing at attention and facing the flag with the right hand over the heart. When not in uniform, men should remove any non-religious headwear with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute."

The Pledge is as follows: *"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."*

CITY MANAGER'S RECOMMENDATION
No recommendation is necessary.

SUGGESTED MOTION
No motion is necessary.

FOR MORE INFORMATION
Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Public Forum

Meeting Date: November 14, 2016 | Agenda Item Number: 2
Department: Central Services | Staff Contact: Beth Forrest
www.eugene-or.gov | 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: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Approval of City Council Minutes

Meeting Date: November 14, 2016
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 following minutes: October 17. 2016, Work Session, October 19, Joint Elected Officials Meeting, October 24, Work Session and Meeting, and October 26, 2016, Work Session.

ATTACHMENTS
A. October 17. 2016, Work Session
B. October 19, 2016, Joint Elected Officials Meeting
C. October 24, 2016, Work Session and Meeting
D. October 26, 2016, Work Session

FOR MORE INFORMATION
Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

ATTACHMENT A

M I N U T E S

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

October 17, 2016
5:30 p.m.

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, *Mike Clark via phone,* Greg Evans, *Claire Syrett via phone*, Chris Pryor

Councilors Absent: George Poling

Mayor Piercy opened the October 17, 2016, work session of the Eugene City Council.

1. WORK SESSION: Sustainability Commission Work Plan and Annual Report

Sustainability Commission Chair Howard Saxion and Division Manager Mia Cariaga discussed the Sustainability Commission's FY16 annual report and FY17 work plan.

Council discussion:

- The hard work and commitment of the commission is greatly appreciated.
- Suggest having someone come talk to the commission about economic development.
- Council and public needs an up-to-date list of commission members and their wards.
- Vacancies on the commission are an issue; filling them should be a priority.
- Dashboard on climate progress and updates to the community is a great idea.
- The work plan process for streamlining efforts could be a model for other commissions.
- Council needs to ask for more advice and input from commission on decisions
- Element of social equity is missing; needs to be included in commission's work.
- Commission's input on the Beltline expansion/scenario plans is needed.

MOTION AND VOTE: Councilor Evans, seconded by Councilor Zelenka, moved to approve the Sustainability Commission FY17 work plan with the addition of explicit research and actions related to social equity resubmitted to the council. **PASSED 7:0.**

2. WORK SESSION: Downtown Placemaking Initiative

Senior Planner Nan Laurence and Urban Design Planner Will Dowdy gave a PowerPoint presentation discussing direction from City Council, activities, what was learned, and key next steps.

Council discussion:

- Need to take this focus on places and people into discussions with the County.
- Meaningful conversation about the future of the heart of downtown is needed.

- Conversation about heart of downtown and the location of the seat of government is intertwined.
- Concerned that Park Blocks are not a usable space in their current configuration.

3. STAFF UPDATE: Capitol Funding Application for Cultural Advocacy Coalition

LRCS Executive Director Rene Grube shared that the information was too aggressive to respond to; therefore, the grant application was pulled for the time being, but anticipated coming back to council in the next year with the project.

4. COUNCIL UPDATE

Greg Evans was elected to League of Oregon Cities board.

The meeting adjourned at 6:41 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

ATTACHMENT B

M I N U T E S

Joint Meeting of Eugene City Council and
Lane County Board of Commissioners
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

October 19, 2016
12:00 p.m.

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, Mike Clark, Greg Evans, *Claire Syrett via phone*, Chris Pryor

Councilors Absent: George Poling

Mayor Piercy opened the October 19, 2016, meeting of the Eugene City Council.

1. **WORK SESSION:** Report/Update on Joint Task Force on Coordinated Downtown Development

   Council discussion:

   - Support expressed for Option C1.
   - Important to identify where parking would go in these scenarios, to address both public and employee needs.
   - Cost is major factor in any decision about scenarios; important to provide that information up front.
   - Important for city offices to be connected (e.g. sky bridge); benefit for public.
   - Further discussion needed on whether trade would include the old courthouse.
   - Idea of locating city offices in the PSB should be explored further
   - Location of Farmers Market is a priority consideration in this discussion.
   - Cost on refurbishing the courthouse needs to be explored.
   - Suggest looking at values on a priority scale and assigning them to each scenario.

2. **Public Comment**
   1. Angela Norman – Supported keeping Farmers Market at 8th and Oak location.
   2. Linda Perrine – Supported keeping Farmers Market at 8th and Oak location.
   3. Lonnie McCulloch – Opposed to use of Butterfly Lot; government will lose credibility.
   4. Jan Smith – Supported more funding for homeless efforts, not City Hall.
   5. Mike McFadden – Supported keeping Farmers Market at 8th and Oak location.
   6. Bob Cassidy – Supported using the entire block for the County development.
   7. Lee Sutton – Supported looking into future needs as these issues are addressed.

The meeting adjourned at 1:22 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

ATTACHMENT C

M I N U T E S

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

October 24, 2016
5:30 p.m.

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans*, Claire Syrett via phone*, Chris Pryor

Mayor Piercy opened the October 24, 2016, meeting of the Eugene City Council.

1. WORK SESSION: Envision Eugene Multi-Family Housing Strategies

Principal Planner Terri Harding and Planning Director Robin Hostick gave a PowerPoint presentation discussing the Envision Eugene timeline, review of summer engagement results, and council direction on housing strategies.

Council discussion:

- Refinement plans are needed before MUPTE can expand beyond downtown.
- If data submitted by Helickson is valid, none of the proposed options will be needed.
- Review of new data should not occur in a vacuum; not interested in taking more time.
- Moving from 10 to 14 units of allowable housing is a significant increase.
- Re-examining all of the assumptions is not advisable; update has been built into process.
- Endless revisions will cause the State to step in; process cannot drag on indefinitely.
- Support staff recommendations and appreciate efforts in reaching out to underrepresented population.
- Input from affordable housing sector is a very important component of the calculation.

MOTION: Councilor Evans, seconded by Councilor Zelenka, moved to direct staff to prepare the UGB adoption package using the high density residential downtown redevelopment strategy and the medium density residential option B with exemptions for lots under a half an acre in size and subsidized affordable housing development.

MOTION TO SUBSTITUTE: Councilor Brown, seconded by Councilor Taylor, moved to substitute the main motion with a motion to direct the City Manager to come back to the City Council with an analysis of the technical statements in Mr. Helikson's October 22, 2016, letter to the Mayor and Council. **FAILED 2:6,** Councilors Brown and Taylor voted in support.

VOTE ON MAIN MOTION: PASSED 5:3, Councilors Brown, Taylor, and Clark opposed.

The meeting adjourned at 6:34 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

M I N U T E S

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

October 24, 2016
7:30 p.m.

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans*, Claire Syrett via phone*, Chris Pryor

Mayor Piercy opened the October 24, 2016, meeting of the Eugene City Council.

1. CEREMONIAL MATTERS

Mayor Piercy read a proclamation declaring October 2016 to be "Housing America Month" in Eugene.

2. PUBLIC FORUM

1. Jacob Fox – Gave a brief background on Housing America; supported affordable housing efforts.
2. Paul Neville – Thanked Mayor and Council for their support of affordable housing.
3. Emily Reiman – Supported Housing American proclamation and affordable housing.
4. Norton Cabell – Thanked Mayor and Council for their support of affordable housing.
5. Don Griffin – Thanked Mayor and Council for their support of affordable housing.
6. Ralph McDonald – Sustainability Commission supported the resolution on Standing Rock.
7. Shadi Miller – Supported installing a seasonal cover for Amazon Pool.
8. Artemio Paz Jr. – Supported the Climate and Energy Action Plan and climate efforts.
9. Vic Hariton – Supported more efforts to help the homeless.
10. Carolyn DeMarco – Supported more pool space and capacity for Eugene.
11. Dave Hauser – Said he is proud of progress downtown but concerned about public safety.
12. Caroline Cummings – Concerned about public safety in the downtown.
13. Mariah Leung – Concerned about militarization of police and police brutality.
14. Michael Adams – Concerned about public safety in the downtown.
15. Priyamon Makadath – Concerned about public safety in the downtown.
16. Jim Neu – Supported the climate recovery ordinance and efforts.
17. Laurie Powell – Supported the climate recovery ordinance and efforts and the TBL.
18. Coreal Riday-White – Supported the climate recovery ordinance and efforts.
19. Serena Orsinger – Supported the climate recovery ordinance and actions.
20. Sue Sierralupé – Provided an update on Occupy Medical efforts and activities.
21. Mel Hite – Supported more efforts to help the homeless.
22. Bodhi Richards – Supported affordable housing and more efforts to keep up with the need.
23. Wesley Georgiev – Supported Transportation Safety Plan updates for bikes and pedestrians.
24. Thomas Pettus-Czar – Concerned about public safety in the downtown.
25. Donna Riddle – Concerned about the incident with police in the park blocks.
26. Alden McWayne – Supported the climate recovery ordinance and actions.
27. Gwendolyn Iris – Concerned about the incident with police in the park blocks.
28. Michael Carrigan – Supported more efforts for the homeless and rest stops citywide.
29. Shanalea Forrest – Concerned about incident with police in the park blocks.

30. Andrea McKinnon– Supported more pool space and a cover for Amazon Pool.
31. Drix – Supported making connections with other people.
31. Steve Johnson – Supported more pool space and upgraded swimming facilities.
33. Lee Deveau – Concerned about incident with police in the park blocks.
34. Chris Calef – Concerned about incident with police in the park blocks.
35. Eimar Boesjes – Concerned about public safety in the downtown.
36. Ian Curtis – Supported more efforts on climate change.
37. Heidi Fikstad – Supported the 1,000 ft. buffer zone between cannabis dispensaries.
38. Alfredo Gormezano – Concerned about incident with police in the park blocks.
39. Karl Eysenbach – Supported more efforts for the homeless and a shelter.
40. Stefan Strek – Concerned about safety issues in Eugene.

Council discussion:

- Identify creative ways to improve the atmosphere downtown for all.
- Discussion of retail cannabis regulations still needed.
- Addressing criminal behavior is appropriate; different from criminalizing homelessness.
- Concerns about safety issues in downtown are increasing citywide.
- Arrest was precipitated by a drug interaction, not because person was homeless.

3. CONSENT CALENDAR

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Taylor, moved to approve the items on the consent calendar except item C. **PASSED 8:0.**

VOTE ON ITEM C: PASSED 8:0

4. PUBLIC HEARING: An Ordinance Concerning Annual Maintenance of the Land Use Code and Amending Sections 9.0500, 9.2160, 9.2451, 9.2461, 9.2600, 9.2620, 9.2750, 9.2777, 9.3165, 9.3210, 9.3215, 9.3970, 9.4130, 9.6210, 9.6640, 9.7000, 9.7015, 9.7230, 9.7405, 9.7505, 9.7810, 9.8005, 9.8085, 9.8090, 9.8215, 9.8220, 9.8320, 9.8325, 9.8360, 9.8423, 9.8430, 9.8440, 9.8445, 9.8515, 9.8520, 9.8705, 9.8710, 9.8750, 9.8755, 9.8760, 9.8810 and 9.8855 of the Eugene Code, 1971.

1. John Barofsky – Supported changes; concerned with lack of staff in Planning Department.

5. COMMITTEE REPORTS AND ITEMS OF INTEREST FROM MAYOR, CITY COUNCIL AND CITY MANAGER

Nothing was reported.

The meeting adjourned at 9:46 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

ATTACHMENT D

M I N U T E S

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

October 26, 2016
12:00 p.m.

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, *Claire Syrett via phone*, Chris Pryor

Councilors Absent: Greg Evans

Mayor Piercy opened the October 26, 2016, meeting of the Eugene City Council.

1. WORK SESSION: Coordinated Downtown Development

Central Services Executive Director Kristie Hammitt, Assistant City Manager Sarah Medary, and Design and Construction Manager Mike Penwell gave a PowerPoint presentation discussing the process, progress updates, and preliminary development scenarios of the coordinated downtown development plan.

Council discussion:

- Farmer's Market does not want to move from its current location.
- If the entire City Hall lot is given to the County, the City should receive more than just the Butterfly Lot.
- Cost should be a major factor in any decision about scenario preferences.
- Other options exist that haven't been addressed.
- There is still an outstanding court ruling that could change the options significantly.
- General support expressed for option A1 and efforts to keep the Farmers' Market in its current location.

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Taylor, moved to move forward option A1. **PASSED 4:3**, Councilors Taylor, Poling, and Clark opposed.

Council discussion:

- Favor configuration where City Hall phase 2 is across the street and county is all together.
- Favor consolidating and locating City offices on City-owned property.
- Locating phase 2 across 8th Avenue opens up options for Butterfly Lot.

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Taylor, moved to adopt scenario B1 for the City configuration regardless of the County configuration. **PASSED 7:0.**

Council discussion:

- Preference is to consolidate City offices to greatest extent possible.
- Important to consider court decision and potential cost; support idea of a civic plaza.

- Bad idea to remodel a building that isn't big enough to begin with; plan for new building with adequate capacity.
- Land values need to be a part of the conversation.

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Taylor, moved to move forward with Option C2. **PASSED 4:3**, Councilors Brown, Taylor, and Clark opposed.

The meeting adjourned at 1:22 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Approval of Tentative Working Agenda

Meeting Date: November 14, 2016 | Agenda Item Number: 3B
Department: City Manager's Office | Staff Contact: Beth Forrest
www.eugene-or.gov | 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
Staff 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: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL
TENTATIVE WORKING AGENDA

November 9, 2016

NOVEMBER 14 — MONDAY

5:30 p.m. — Joint Work Session w/Lane County
Harris Hall — Expected Absences: Piercy

A. JEO WS: Downtown Planning and Development — 90 mins - CS

7:30 p.m. — Council Meeting
Harris Hall — Expected Absences: Piercy

1. Pledge of Allegiance to the Flag
2. Public Forum
3. Consent Calendar
   a. Approval of City Council Minutes — CS/Forrest
   b. Approval of Tentative Working Agenda — CS/Forrest
4. PH and Action: Resolution on Measure 49 Claim — PDD/CAO-Davies
5. Action: Ordinance Concerning Annual Maintenance of Land Use Code — PDD/Hansen
6. WS: Human Rights Commission Annual Report and Work Plan — CS/Van Der Haeghen
7. Action: Initiation of Renaming and Rezoning Processes for Broadway Plaza

NOVEMBER 16 — WEDNESDAY

Noon — Council Work Session
Harris Hall — Expected Absences: Evans, Taylor

A. WS: OVE and Rest Stop Pilot Programs — 90 mins – CS/Cariaga

NOVEMBER 21 — MONDAY — **NOTE: 5:30 P.M. WORK SESSION ADDED ***

5:30 p.m. — Council Work Session
Harris Hall — Expected Absences:

A. WS: City Hall Update — 90 mins – CS/Hammitt

NOVEMBER 23 — WEDNESDAY

Noon — Council Work Session
Harris Hall — Expected Absences:

A. WS: Downtown Update (if needed) — 45 mins – CS/Medary
B. WS: Council Communications — 45 mins – CS/Ruiz

NOVEMBER 28 — MONDAY

5:30 p.m. — Council Work Session
Harris Hall — Expected Absences: Syrett

A. WS: Contracting Equity Program Update — 45 mins – CS/Silvers
B. WS: Industrial Corridor Community Organization — 45 mins – PDD/Braud

7:30 p.m. — Council Meeting
Harris Hall — Expected Absences: Syrett

1. Public Forum
2. Consent Calendar
   a. Approval of City Council Minutes — CS/Forrest
   b. Approval of Tentative Working Agenda — CS/Forrest
   c. Resolution Approving LIRHPTE for SVDP Youth House-3350 Willamette Street — PDD/Meyi-Galloway
3. PH: Ordinance Concerning Erosion and Sediment Control Program — PW/Gillespie
4. WS: Minutes Recording Update — CS/Cariaga

NOVEMBER 30 — WEDNESDAY

Noon — Council Work Session
Harris Hall — Expected Absences: Syrett

A. WS: Parks and Recreation System Plan — 60 mins – PW/Burke
B. WS: Fireworks — 30 mins – Fire

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL
TENTATIVE WORKING AGENDA

November 9, 2016

DECEMBER 12	MONDAY	
5:30 p.m.	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. WS: Rental Housing Code		45 mins – PDD/Nicholas
B. WS: $15 Minimum Wage for City and Contract Employees		45 mins – CS/Hammitt
7:30 p.m.	**Council Meeting**	
Harris Hall	**Expected Absences:**	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
c. Adoption of Resolution Acknowledging Receipt of CAFR		CS/Lauderbach
d. Approval of Annexation for JLA Investments (A 16-8)		PDD/Sullivan
e. Approval of Annexation for Cowan, Doug (A 16-9)		PDD/Sullivan
3. URA Action: Resolution Acknowledging Receipt of Annual Financial Report		CS/Lauderbach
4. URA PH and Action: Supplemental Budget		CS/Miller
5. PH and Action: Supplemental Budget		CS/Miller
6. Action: Ordinance Concerning Erosion and Sediment Control Program		PW/Gillespie

DECEMBER 14	WEDNESDAY	
Noon	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. WS: South Willamette Next Steps		90 mins – PDD/Harding

COUNCIL BREAK: DECEMBER 15, 2016 – JANUARY 4, 2017

JANUARY 4	WEDNESDAY
5:30 p.m.	**State of the City**
Hult Center Lobby	**Expected Absences:**
A. State of the City	

JANUARY 11	WEDNESDAY
Noon	**Council Work Session**
Harris Hall	**Expected Absences:**
A. Election of 2017 Council Officers	
B. WS:	
C. WS:	

JANUARY 17	TUESDAY
7:30 p.m.	**Council Public Hearing**
Harris Hall	**Expected Absences:**
1. PH:	

JANUARY 18	WEDNESDAY
Noon	**Council Work Session**
Harris Hall	**Expected Absences:**
A. WS:	
B. WS:	

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL
TENTATIVE WORKING AGENDA

November 9, 2016

JANUARY 23	MONDAY	
5:30 p.m.	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. Committee Reports and Items of Interest: HRC, SC, HSC, LCOG, MPC, PSCC		30 mins
B. WS:		
7:30 p.m.	**Council Meeting**	
Harris Hall	**Expected Absences:**	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

JANUARY 25	WEDNESDAY	
Noon	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. WS:		
B. WS:		

FEBRUARY 8	WEDNESDAY	
Noon	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. WS:		45 mins –
B. WS:		45 mins –

FEBRUARY 13	MONDAY	
5:30 p.m.	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. Committee Reports and Items of Interest		
B. WS:		
7:30 p.m.	**Council Meeting**	
Harris Hall	**Expected Absences:**	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

FEBRUARY 15	WEDNESDAY	
Noon	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. WS:		
B. WS:		

FEBRUARY 21	TUESDAY	
7:30 p.m.	**Council Public Hearing**	
Harris Hall	**Expected Absences:**	
1. PH: Enterprise Zone Revised Public Benefit Criteria		PDD/D'Souza

FEBRUARY 22	WEDNESDAY	
Noon	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. WS:		
B. WS:		

A=action; PH=public hearing; WS=work session

EUGENE CITY COUNCIL
TENTATIVE WORKING AGENDA

November 9, 2016

FEBRUARY 27	**MONDAY**	
5:30 p.m.	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. Committee Reports and Items of Interest from Mayor, City Council and City Manager		30 mins
B. WS:		
7:30 p.m.	**Council Meeting**	
Harris Hall	**Expected Absences:**	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

MARCH 8	**WEDNESDAY**
Noon	**Council Work Session**
Harris Hall	**Expected Absences:**
A. WS:	
B. WS:	

MARCH 13	**MONDAY**	
5:30 p.m.	**Council Work Session**	
Harris Hall	**Expected Absences:**	
A. Committee Reports: PC, South Willamette EDC, LTD/EmX, OMPOC, McKenzie Watershed		
B. WS:		
7:30 p.m.	**Council Meeting**	
Harris Hall	**Expected Absences:**	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
3. PH and Action: Capital Improvement Program		CS/Streepey

MARCH 15	**WEDNESDAY**
Noon	**Council Work Session**
Harris Hall	**Expected Absences:**
A. WS:	
B. WS:	

COUNCIL BREAK: MARCH 16, 2017 – APRIL 10, 2017

ON THE RADAR

Work Session Polls/Council Requests	**Status**
1. Inclusionary Zoning (Taylor)	TBD
2. Commercial Setback Code Requirement (Zelenka)	TBD
3. Renter Protection (Syrett)	TBD

A=action; PH=public hearing; WS=work session

J:\CMO\CC\CCAGENDA.docx

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Public Hearing and Possible Action: A Resolution Granting a Measure 49 Claim and Waiving a Provision of Chapter 9 of the Eugene Code, 1971 for Property Located at 1777 E. 30th Avenue, Eugene, Oregon (Assessor's Map 18-03-08-11, Tax Lot 602)

Meeting Date: November 14, 2016 | Agenda Item Number: 4
Department: Planning and Development | Staff Contact: Alissa Hansen
www.eugene-or.gov | Contact Telephone Number: 541-682-5508

ISSUE STATEMENT
The Eugene City Council is scheduled to hold a public hearing on November 14, 2016, regarding a Measure 49 claim submitted by Chad and Katie Wilson for the alleged reduction in fair market value to their property located at 1777 E. 30th Avenue, Eugene, Oregon.

BACKGROUND
Enacted in 2007 to modify Measure 37, Measure 49 (codified as ORS 195.300-195.336) generally grants a property owner of residentially zoned land located within an urban growth boundary the right to compensation or waiver of a regulation (at the option of the government) if five substantive requirements are met. First, the regulation must constitute a "land use regulation" as that term is defined by Measure 49. Second, the public entity against which the claim is made must have enacted the regulation after January 1, 2007, but not more than five years before the date the claim was filed. Third, the regulation must "restrict the residential use" of residentially zoned private property. Fourth, the effect of the regulation must be to cause a reduction of the fair market value of the property. Fifth, the regulation must not fall within one of Measure 49's six exemptions. As detailed in the attached report and recommendation (Attachment A), the City Manager has concluded that the Wilson's claim is valid

This Measure 49 claim seeks a waiver of a land use regulation, adopted in 2014, that limits the height of a detached secondary dwelling unit on the subject property. The property owner asserts that the land use regulation, which limits and prescribes a certain method of measuring the height/sloped setback of detached secondary dwelling units, restricts the residential use of their property, as it prohibits the conversion of the residence built in 2004 into a secondary dwelling. As a result, the property owner asserts that this regulation reduces the fair market value of their property. In lieu of compensation, the City Manager has proposed a waiver of the identified height limit regulations as necessary to allow claimants to convert their existing residence to a detached secondary dwelling unit.

Public notice of the Measure 49 claim was mailed 30 days in advance of the public hearing, consistent with requirements of the statute. No written testimony has been received to date.

A copy of the Measure 49 claim, along with other documents and information related to the issues in the Measure 49 claim, are contained in a notebook that has been placed in the City Manager's Office. Also, a copy of that notebook is available for public inspection at the Eugene Planning and Development Department, First Floor Reception, 99 West 10th Avenue, Eugene, Oregon 97401 between 9:00 a.m. and 5:00 p.m.

Measure 49 requires the Council to adopt a resolution approving or denying the claimants' claim within 180 days of the date the claim was complete, *i.e.*, Council must approve or deny this claim no later than January 21, 2017.

RELATED CITY POLICIES
None.

COUNCIL OPTIONS
After receiving public testimony, the City Council may choose to:
1. Adopt the resolution which would waive the height limitations as necessary for detached secondary dwellings in EC 9.2751(17)(c)9.;
2. Determine that the claim is not valid and deny the claim; or
3. Determine that the claim is valid and that compensation should be paid, rather than a waiver granted.

CITY MANAGER'S RECOMMENDATION
The City Manager recommends a waiver of the height limitation on detached secondary dwelling units in EC 9.2751(17)(c)9. for the existing structure on the subject property.

SUGGESTED MOTION
Move to adopt Resolution 5173 granting a Measure 49 claim and waiving a provision of Chapter 9 of the Eugene Code, 1971, for property located at 1777 E. 30th Avenue, Eugene, Oregon (Assessor's Map 18-03-08-11, Tax Lot 602).

ATTACHMENTS
A. City Manager's Report and Recommendation
B. Proposed Resolution
C. Materials from the Claimant

FOR MORE INFORMATION
Staff Contact: Alissa Hansen, Principal Planner
Telephone: 541-682-5508
Staff E-Mail: alissa.h.hansen@ci.eugene.or.us

ATTACHMENT A

BALLOT MEASURE 49
(ORS 195.300 – ORS 195.336)

CLAIM FOR COMPENSATION

REPORT AND RECOMMENDATION OF THE CITY MANAGER

NAME OF CLAIMANTS:	**Chad and Katie Wilson**
PROPERTY ADDRESS:	**1777 E. 30th Avenue Eugene, OR 97405**
CLAIMANTS' REPRESENTATIVE:	**Bill Kloos**
PROPERTY IDENTIFICATION:	**Tax Lot 602 of Assessor's Map 18-03-08-11**
ZONING:	**Low Density Residential; R-1**

I. Summary of Claim

Chad and Katie Wilson (Claimants) submitted a claim under Ballot Measure 49 for compensation for the alleged reduction in fair market value to their property located at 1777 E. 30th Avenue in Eugene, Oregon. The property currently contains a residence, built in 2004, on the southwest portion of the property. Claimants built the residence with the intention of later converting it to a "secondary dwelling unit" and building a larger, primary residence on the northern portion of the property. Claimants assert that EC 9.2751(17)(c)9., which limits and prescribes a certain method of measuring the height/sloped setback of detached secondary dwelling units, restricts the residential use of their property, as it prohibits them from converting the residence built in 2004 into a secondary dwelling. Claimants contend that EC 9.2751(17)(c)9., enacted in 2014, reduces the fair market value of their property. Claimants assert a $60,000 decline in the value of their property, but do not specifically articulate a request for compensation. Rather, Claimants request that the City waive EC 9.2751(17)(c)9., allowing them to construct a new primary dwelling on their property and to convert the existing dwelling into a legal detached secondary dwelling unit.

II. Summary of City Manager's Recommendation

Measure 49 generally grants a property owner of residentially zoned land located within an urban growth boundary the right to compensation or waiver of the regulation (at the option of the government) if five substantive requirements are met. First, the regulation must constitute a "land use regulation" as that term is defined by Measure 49. Second, the public entity against which the claim is made must have enacted the regulation after January 1, 2007, but not more than five years before the date the claim was filed. Third, the regulation must "restrict the residential use" of residentially zoned private property. Fourth, the effect of the regulation must be to cause

a reduction of the fair market value of the property. Fifth, the regulation must not fall within one of Measure 49's six exemptions.

As discussed below, the regulation that is the subject of this claim qualifies as land use regulations, was enacted after January 1, 2007, and less than five years before the date the claim was filed, effectively restricts a previously allowed residential use on the residentially zoned property, and reduces the property's fair market value. Further, the regulation does not fall within one of Measure 49's six exemptions. Therefore, this report concludes that the claim is valid.

If a claim is determined to be valid under Measure 49, a local government must either (1) compensate the claimant for the reduction in the fair market value of the property, or (2) authorize the claimant to use the property without application of the land use regulation "to the extent necessary to offset the reduction in the fair market value of the property." The Claimants do not specifically request compensation; accordingly, the City Manager recommends that the City Council waive EC 9.2751(17)(c)9. as it relates to the existing structure on the property and to the extent the waiver is needed to allow conversion of that structure to a secondary dwelling unit.

III. Analysis of Claim

A. Ownership

Measure 49 provides for payment of compensation or relief from (waiver of) specific regulations for "owners" as that term is defined by the Measure. Ballot Measure 49, defines "owner" to include "[t]he owner of fee title to the property as shown in the deed records of the county where the property is located[.]" ORS 195.300(18).

Based on the information submitted by the Claimants (Warranty Deed 2003-082408 and Deed 2014-049003), and information from the Lane County Regional Land Information Database (RLID), the City Manager concludes that the subject property was acquired by Claimant Chad Wilson on August 26, 2003, and an undivided one-half interest in the property was transferred to Claimant Katie Wilson on December 9, 2014. Accordingly, both Claimants are owners.

B. "Land Use Regulations"

Measure 49 requires compensation (or waiver) only for those regulations that constitute "land use regulations" as that term is defined by Measure 49. Further, the regulation must have been enacted after January 1, 2007. Measure 49 defines "land use regulation," with respect to cities, as a "provision of a city comprehensive plan, zoning ordinance or land division ordinance that restricts the residential use of private real property zoned for residential use." ORS 195.300(14)(c)

For purposes of Measure 49, EC 9.2751(17)(c)9. is a "land use regulation" if it is a provision of a city zoning ordinance that restricts the residential use of private real property zoned for residential use. EC 9.2751(17)(c)9. is a provision of the city's zoning ordinance, and it regulates residential uses on property zoned for residential uses. This land use regulation was adopted as part of Ordinance No. 20526, which became effective April 12, 2014. Thus, the only question remaining is whether EC 9.2751(17)(c)9. "restricts the residential use" of the subject property.

C. Restriction on Residential Use

A "land use regulation" gives rise to a Measure 49 claim only if the regulation restricts the residential use of private property and thus reduces the fair market value of property. The specific regulation that Claimants point to is EC 9.2751(17)(c)9., which provides a height limit for new attached and detached secondary dwelling units within the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood and proscribes a method for determining the height of a building.[1]

Adopted on March 12, 2014 (by Ordinance No. 20526) and effective on April 12, 2014, EC 9.2751(17)(c)9. establishes the following limitations for detached secondary dwellings in that neighborhood:

> (17) Secondary Dwellings in R-1
>
> . . . .
>
> (c) Area-Specific Secondary Dwelling Standards. The following standards apply to all new attached or detached secondary dwellings in the R-1 zone within the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association:
>
> . . . .
>
> 9. Building Height/Interior Setback. For detached secondary dwellings:
>
> a. The interior yard setback shall be at least 5 feet from the interior lot line. In addition, at a point that is 8 feet above grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally (approximately 40 degrees from horizontal) away from the lot line until a point not to exceed a maximum building height of 18 feet.
>
> b. The allowances for setback intrusions provided at EC 9.6745(3) do not apply within the setback described in 1. above, except that eaves, chimneys and gables are allowed to project into this setback no more than 2 feet.

Prior to the Council's adoption of the above-quoted code provision, the code-prescribed manner for measuring the building height of a detached secondary dwelling would have allowed for the Claimants' existing dwelling to have been converted to a lawful detached secondary dwelling. *See* Section 2 of Ordinance No. 20417. That is, under the code provisions that existed

[1] While Claimants do not provide this information, staff has determined that the subject property falls within the boundaries of the Fairmount Neighbors.

prior to the adoption of Ordinance No. 20526, the Claimants' existing structure met the height requirement for a detached secondary dwelling. However, the code-prescribed manner for measuring the building height of a detached secondary dwelling that went into effect on April 12, 2014 (quoted above), prevents the Claimants from converting the existing structure to a lawful detached secondary dwelling. That is, based on the measuring method adopted in 2014, the Claimants' existing structure exceeds the maximum height allowed for a detached secondary dwelling.

Claimants assert that EC 9.2751(17)(c)9. is a "land use regulation" that "restricts the residential use" of the subject property because their existing structure satisfied the height requirements for a detached secondary dwelling prior to the adoption of Ordinance No. 20526 but no longer satisfied the height requirements after the adoption of Ordinance No. 20526, Stated another way, prior the 2014 adoption of Ordinance No. 20526, Claimants could have converted the existing residence to a detached secondary dwelling unit and constructed another, primary, residence on the subject property. In fact, in June of 2014, Claimants sought a building permit to do just that. However, because Ordinance No. 20526 went into effect on April 12, 2014 (approximately two months prior to the Claimants seeking a building permit), the City could not issue Claimants the building permit to convert the existing residence into a secondary dwelling.

On March 12, 2013 (one year before the regulation was enacted), Claimants could have converted their existing structure into a detached secondary dwelling and constructed a new, larger, primary dwelling on the remainder of their property. The record reflects that the Claimants intended to do so. Following adoption of EC 9.2751(17)(c)9. Claimants could no longer convert the existing dwelling into a detached secondary dwelling unit because, based on the manner in which the structure must be measured, the existing structure is too tall to qualify as a detached secondary dwelling unit. Thus, the residential use currently allowed on the Claimants' property is restricted by EC 9.2751(17)(c)9.,when compared to what was allowed on the Claimants' property prior to the 2014 adoption of Ordinance No. 20526.

D. Reduction in Value

The regulation restricts the residential use of the subject property in such a way that reduces the fair market value of the property. Claimants submitted appraisals of the fair market value of the property one year before the adoption of EC 9.2751(17)(c)9. (March 12, 2013) and one year after the adoption of EC 9.2751(17)(c)9.[2] The March 12, 2013, appraisal provides a property value of $470,000. The March 12, 2015, appraised provides a property value of $410,000. As of the date of this Recommendation, there is nothing in the record that contradicts the accuracy of the appraisals submitted by Claimants. Accordingly, the appraisals confirm that EC 9.2751(17)(c)9., which restricts the residential use of the Claimants' property, reduces the fair market value of the Claimants' property.

E. Exemptions

Finally, a Measure 49 claim is not valid if the challenged regulation falls within one of the exemptions under the Measure. Regulations adopted to protect the public health and safety, prevent nuisances, or comply with federal law are exempt under Measure 49, even if they otherwise constitute "land use regulations" that "restrict the residential use" and "reduce the fair

[2] Measure 49 requires the reduction in fair market value of the property be demonstrated through an appraisal that meets certain requirements. ORS 194.310(2). The appraisal submitted by Claimants satisfies those requirements.

market value" of property. Regulations that (1) restrict or prohibit the use of the property for selling pornography or performing nude dancing, (2) plan and rezone land for industrial zoning to be included in the UGB, or (3) plan and rezone land already within a UGB to industrial zoning, are also exempt under Measure 49. Finally, Measure 49 does not apply to regulations that were enacted before the Claimant(s) acquired the property.

The regulation at issue in this claim does not fall within any of these exemptions.

IV. Conclusion and Recommendation

Based on the analysis set-forth above, the City Manager recommends that the City Council conclude that the subject Measure 49 claim is valid. In lieu of compensation, the City Manager recommends that the City Council waive the height limit provisions of EC 9.2751(17)(c)9. to the extent such waiver is necessary to offset the reduction in fair market value. The scope of the City Manager's recommended waiver addresses only the applicability of EC 9.2751(17)(c)9. to the Claimants' conversion of the existing structure to a lawful detached secondary dwelling. The recommended waiver does not address the applicability of any other provision that might preclude such conversion. Further, the waiver of the height limit in EC 9.27.51(17)(c)9. does not allow further modifications to the Claimants' existing structure that would increase the height of the structure above the height that existed on the date that Claimants' filed their Measure 49 claim with the City (February 24, 2016).

Because the City Manager is recommending that the Council grant the Claimants' a waiver of the height limitation in EC 9.2751(17)(c)9., and Measure 49 authorizes a public hearing by the City Council in such instances, this claim has been scheduled for a public hearing on November 14, 2016.

ATTACHMENT B

RESOLUTION NO. _____

A RESOLUTION GRANTING A MEASURE 49 CLAIM AND WAIVING A PROVISION OF CHAPTER 9 OF THE EUGENE CODE, 1971, FOR PROPERTY LOCATED AT 1777 E. 30TH AVENUE, EUGENE, OREGON (ASSESSOR'S MAP 18-03-08-11, TAX LOT 602).

The City Council of the City of Eugene finds that:

A. Chad and Katie Wilson submitted a claim to the City seeking compensation or a waiver of regulations under Ballot Measure 49. Claimants alleged that the maximum height limit provision in subsection (17)(c)9. of Section 9.2751 of the Eugene Code, 1971 (EC), that applies to detached secondary dwellings on the subject property restricts the residential use of their property and diminished the fair market value of the property at 1777 E. 30th Avenue, Eugene, Oregon (the property).

B. The City Manager has caused an investigation of the claim to be made, has determined the claim to be valid, and has submitted to the Council a Report and Recommendation that EC 9.2751(17)(c)9. be waived. The scope of the City Manager's recommended waiver addresses only the applicability of EC 9.2751(17)(c)9. to the Claimants' conversion of the existing structure to a lawful detached secondary dwelling. The recommended waiver does not address the applicability of any other provision that might preclude such conversion. Further, the waiver of the height limit in EC 9.27.51(17)(c)9. does not allow further modifications to the Claimants' existing structure that would increase the height of the structure above the height that existed on the date that Claimants' filed their Measure 49 claim with the City (February 24, 2016).

C. Considering the City Manager's recommendation and conclusion as to the validity of the claim, and the lack of City funds with which to pay compensation to the claimants, the City Council finds the public interest will be best served by waiving the requirement of EC 9.2751(17)(c)9. as set forth herein.

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, which are adopted, and the analysis contained in the Report and Recommendation of the City Manager, the City Council hereby waives EC 9.2751(17)(c)9. for the property owned by Claimants Chad and Katie Wilson, Assessor's Map 18-03-08-11, Tax Lot 602.

Section 2. A copy of this Resolution shall be forwarded to Chad and Katie Wilson at 1777 E. 30th Avenue, Eugene, Oregon 97405, to their representative, Bill Kloos at 375 W. 4th Street, Suite 204, Eugene, Oregon 97401, and to the City's Planning & Development Department. A copy of this Resolution shall be recorded with the Lane County Records Department.

Section 3. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 14th day of November, 2016.

City Recorder

ATTACHMENT C

LAW OFFICE OF BILL KLOOS PC

OREGON LAND USE LAW
375 W. 4TH AVENUE, SUITE 204
EUGENE, OR 97401
TEL: 541.343.8596
WEB: WWW.LANDUSEOREGON.COM

BILL KLOOS
BILLKLOOS@LANDUSEOREGON.COM

February 24, 2016

Jon Ruiz
Eugene City Manager
125 East 8th Ave., Second Floor
Eugene, OR 97401

Re: Measure 49 Claim; Chad and Katie Wilson; 1777 E. 30th Ave., Eugene 97405

Dear Mr. Ruiz:

Please accept this filing and form as a request for relief (compensation for lost value or waiver) under ORS 195.305 and following. This claim is filed on behalf of the owners of the single family property at the address above.

As best I can tell, the City has not adopted a fee or special procedures for filing a claim like this. Therefore, the information that follows will be organized under the statutory authorization in ORS 195.312(7) and (8). ORS 195.312(7) requires filing with the City Manager. It says:

> **"If a claim under ORS 195.310 is filed with state government, as defined in ORS 174.111, the claim must be filed with the department. If the claim is filed with Metro, a city or a county, the claim must be filed with the chief administrative office of the public entity, or with an individual designated by ordinance, resolution or order of the public entity."**

The balance of this letter is organized to match the statutory requirements for the contents of a claim stated at ORS 195.312(8).

> **(8) A claim filed under ORS 195.310 must be in writing and must include:**
> **(a) The name and address of each owner;**

Chad R. Wilson
Katie A. Wilson
2794 Bowmont Drive
Eugene, OR 97405

> **(c) Evidence of the acquisition date of the claimant, including the instrument conveying the property to the claimant and a report from a title company identifying the person in which title is vested and the claimant's acquisition date and describing exceptions and encumbrances to title that are of record;**

RECEIVED
BY CITY MANAGER

FEB 26 2016

Attached are a 2004 deed for the property to Chad Wilson, and a December 2014 deed from Chad Wilson creating a tenancy by the entirety with his wife, Katie. See Exhibit pages 1 and 2.

Attached, too, is a Status of Record of Title from Cascade Title Company. See Exhibit page 4. As additional information, the RLID detailed property report is attached at Exhibit page 7.

(d) A citation to the land use regulation that the claimant believes is restricting the claimant's desired use of the property that is adequate to allow the public entity to identify the specific land use regulation that is the basis for the claim;

Ordinance No. 20526 (March 12, 2014), effective April 12, 2014, specifically, the new language in Section 9 of the ordinance, adding EC 9.2751(17) limitations for secondary dwellings in the South University Neighborhood.

(e) A description of the specific use of the property that the claimant desires to carry out but cannot because of the land use regulation; and

Prior to the new ordinance, the owners built a small dwelling, about 800 square feet, on the south part of the parcel, which was intended to become a "secondary dwelling" when a standard size residence would be built on the north part of the parcel. After the adoption of the ordinance, the conversion of the small residence to be a secondary dwelling became unlawful, because the existing structure could not meet the new standards for secondary dwellings in this neighborhood. Specifically, it cannot meet the height/sloped setback standards newly adopted in EC 9.2751(17)(i). Under the new code amendments, if a full size dwelling were constructed on the north end of this parcel, the existing structure would have to be converted to an "accessory structure, as defined in the code. The claimants could not use or rent the existing structure as a secondary dwelling.

In summary, the owner would like to build a primary dwelling on the north part of the parcel, adjacent to the golf course, and convert the existing small dwelling to a detached secondary dwelling, as was permitted prior to the restricting ordinance. The owners' inability to do this under the code amendment reduces the value of the property.

(f) An appraisal of the property that complies with ORS 195.310(2) or, for a claim based on a land use regulation described in ORS 195.300 (14)(e), an appraisal that complies with ORS 195.310 (4)(b).

The appraisal requirements of ORS 195.310(2) apply. Submitted with this application are "before regulation" and an "after regulation" appraisals by Duncan and Brown. The before regulation value is $470,000. The after regulation value is $410,000. The before regulation appraisal is at Exhibit page 33. The after regulation appraisal is at Exhibit page 12.

The owners look forward to providing any completeness information you request, and to the hearing on this matter if there is to be one.

Sincerely,

Bill Kloos

Bill Kloos

List of Exhibits:

Page	Title
1	2004 Deed to owner Chad Wilson
2	2014 Tenants by the Entirety Deed to Katie Wilson
4	Status of Record Title Report, Cascade Title Co. (Feb. 16, 2016)
7	RLID Detailed Report on Subject Property
12	Duncan and Brown Appraisal – after regulation
33	Duncan and Brown Appraisal – before regulation

Planning & Development
Planning

City of Eugene
99 West 10th Avenue
Eugene, Oregon 97401
(541) 682-5377
(541) 682-5572 Fax
www.eugene-or.gov

MEASURE 49 CLAIM APPLICATION (For Measure 37 Claims Filed On or Before June 28, 2007)

Please refer to the attached notice for a more detailed description of the requirements below.

Complete the following application checklist in **black ink** and return to the address listed above.

Subject Site Address(es) (if available):

List all Assessor's Map and Tax Lot numbers of the property included in the claim			
Assessor's Map	**Tax Lot**	**Zoning**	**Existing Use**
18-03-08-11	00602	R-1	800 SQFT SFD

The current land use regulation(s) that allegedly restricts the use of the real property and allegedly causes a reduction in the fair market value of the subject property?
ORD NO. 20526 (MARCH 12, 2014) §9
EC 9.2751.(17)

The total alleged reduction in fair market value of the property due to the land use regulations(s) noted above.
$60,000

General Requirements (Please submit 2 copies)

- ☑ Proof of ownership of the property that is the subject of the claim;
- ☑ Proof that all owners of the property have consented in writing to the claim;
- ☑ Proof that the property is located, in whole or in part, within an urban growth boundary;
- ☑ Proof that on the date claimant acquired the property, claimant was lawfully permitted to establish at least the number of dwellings on the property that are authorized under Section 9 of Measure 49;
- ☑ Proof that the property is zoned for residential use; that is, the property is included in a zoning classification that has as its primary purpose single-family residential use;

☑ Proof that one or more land use regulations prohibit establishing single family dwellings on the property. Measure 49 defines "land use regulation" in part to include a provision of a city comprehensive plan, zoning ordinance or land division ordinance that restricts the residential use of private real property zoned for residential use;

☑ Proof that the establishment of the single-family dwellings is not prohibited by a land use regulation described in ORS 195.305(3) (public health and safety, federal law, etc.);

☑ Proof that the land use regulation prohibiting the establishment of single-family dwellings was enacted after the date the property, or any portion of the property was brought into the City's urban growth boundary and after the property was annexed to the City;

☑ Proof that the enactment of the regulations (other than regulations described in ORS 195.305(3)) that are the basis of the claim has caused a reduction in the fair market value of the property that is equal to greater than the fair market value of the single-family dwellings that may be established on the property under Section 9 of Measure 49;

☐ If your claim was submitted to the City after December 4, 2006, a copy of a final land use decision by the City denying an application for the residential use described in the claim.

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 lead to denial of the claim. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

INTERESTED PARTY #1:
Interest Type: ☒ **Owner** ☐ **Purchaser** ☐ **Trustee** ☐ **Other, specify:** _____

Name (print): CHAD WILSON Phone: 541-914-0519

Address: 2794 BOWMONT DR

City/State/Zip: EUGENE OR 97405 E-mail (if applicable): WILSON HOMES 171806@MSN.COM

Signature: Chad R. Wilson 2/23/2016

INTERESTED PARTY #2:
Interest Type: ☒ **Owner** ☐ **Purchaser** ☐ **Trustee** ☐ **Other, specify:** _____

Name (print): KATIE WILSON Phone: 541-556-6239

Address: 2794 BOWMONT DR.

City/State/Zip: EUGENE, OR 97405 E-mail (if applicable): Katie.wilson@windermere.com

Signature: 2/23/2016

APPLICANT'S REPRESENTATIVE

Name (print): BILL KLOOS

LAW OFFICE OF BILL KLOOS PC

Company/Organization:

Address: 375 W. 4TH ST #204

City/State/Zip: ENGLE OR 97401 E-mail (if applicable): BILLKLOOS@LANDUSEOREGON.COM

Phone: 541-343-8596 Fax: —0—

Signature:

Note: Attach additional sheets if necessary in order to include all owners, purchasers or trustees.

00193832.DOC;1

WARRANTY DEED -- STATUTORY FORM

M & P INVESTMENTS, L.L.C., an Oregon Limited Liability Company, Grantor,

S. 10 12 CRW

conveys and warrants to CHAD R. WILSON, Grantee,

the following described real property, free of encumbrances except as specifically set forth herein, to wit:

PARCEL 1 OF PARTITION PLAN NO. 2002-P1588, RECORDED JULY 19, 2002, DOCUMENT NO. 2002-054696, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON.

Tax Account No(s): NOT YET ASSIGNED
Map/Tax Lot No(s): 18 03 08 11 00602

This property is free from encumbrances, EXCEPT: All those items of record, if any, as of the date of this deed, including any real property taxes due, but not yet payable.

The true consideration for this conveyance is $ 95,000.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 26 day of August, 2003.

M & P INVESTMENTS, L.L.C., AN Oregon LIMITED LIABILITY COMPANY

WILLIAM E. MOODY, MEMBER

THOMAS F. POAGE, MEMBER

STATE OF OREGON, COUNTY OF LANE) SS.

This instrument was acknowledged before me on August 26, 2003 by WILLIAM E. MOODY, MEMBER AND THOMAS F. POAGE, MEMBER OF M & P INVESTMENTS, L.L.C.

(Notary Public for Oregon)
My commission expires

OFFICIAL SEAL
DIANNE M SCHAFER
NOTARY PUBLIC-OREGON
COMMISSION NO. 337778
MY COMMISSION EXPIRES OCT 25, 2004

After recording return to:
WESTERN TITLE & ESCROW COMPANY
497 OAKWAY ROAD, SUITE 340
EUGENE, OR 97401

Until a change is requested all tax statements shall be sent to the following address:
CHAD R. WILSON
39040 HENDRICKS PARK ROAD
SPRINGFIELD, OR 97478

TITLE NO. 30-0410803
ESCROW NO. 30-0410803

Division of Chief Deputy Clerk
Lane County Deeds and Records

2003-082408

$26.00

00479050200300824080010018

08/27/2003 10:34:17 AM

RPR-DEED Cnt=1 Stn=1 CASHIER 04
$5.00 $11.00 $10.00

Western Title & Escrow
Order Number: 93338-DMS

After Recording Return To:
Western Title & Escrow Company
497 Oakway Rd. Suite 340, Eugene, OR 97401

Grantor
Chad R. Wilson 2794 Bowmont Drive Eugene, OR 97405
Grantee
Chad R. Wilson Katie A. Wilson 2794 Bowmont Drive Eugene, OR 97405
Until a change is requested, all tax statements shall be sent to the following address:
Chad R. Wilson Katie A. Wilson 2794 Bowmont Drive Eugene, OR 97405

Lane County Clerk
Lane County Deeds & Records

2014-049003
12/11/2014 02:10:24 PM

RPR-DEED Cnt=1 Sln=6 CASHIER 05 2pages
$10.00 $11.00 $10.00 $21.00 $52.00

Reserved for Recorder's Use

STATUTORY BARGAIN AND SALE DEED

Chad R. Wilson, Grantor(s)
conveys to
Chad R. Wilson and Katie A. Wilson, as tenants by the entirety, Grantees,
the following described real property:

Parcel 1, Land Partition Plat No. 2002-P1588, recorded July 19, 2002, Document No. 2002-054696, Lane County Records, in Lane County, Oregon.

Account: **1717188**
Map & Tax Lot: **18 03 08 11 00602**

The true consideration for this conveyance is **to change vesting.** (Here comply with requirements of ORS 93.030.)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Executed this 9 day of December, 2014

Chad R. Wilson
Chad R. Wilson

State of **Oregon**, County of **Lane**) ss.

This instrument was acknowledged before me on this 9th day of December, 2014 by **Chad R. Wilson**

Notary Public for the State of Oregon
My commission expires: 10-25-16

OFFICIAL SEAL
DIANNE MICHELLE SCHAFER
NOTARY PUBLIC - OREGON
COMMISSION NO. 472555
MY COMMISSION EXPIRES OCTOBER 25, 2016

0294120

STATUS OF RECORD TITLE REPORT

BILL KLOOS
EMAIL: BILLKLOOS@LANDUSEOREGON.COM

Date: FEBRUARY 16, 2016
Our No: 0294120
Your No: EAST 30TH AVENUE
Charge: $300.00

As requested, Cascade Title Co. has searched our tract indices as to the following described real property:

Parcel 1, Land Partition Plat No. 2002-P1588, recorded July 19, 2002, Reception No. 2002-054696, Lane County Deeds and Records, in Lane County, Oregon.

and as of: FEBRUARY 03, 2016 at 8:00 A.M., we find the following:

Vestee:

CHAD R. WILSON AND KATIE A. WILSON
as tenants by the entirety

Said property is subject to the following on record matters:

1. Access Restrictions, including the terms and provisions thereof, contained in deed from W.S. Hayden and Grace B. Hayden, to Lane County, recorded January 30, 1961, Reception No. 21927, Lane County Oregon Deed Records.

2. Conveyance of oil and gas property, including the terms and provisions thereof, granted to Rocket Oil and Gas Company, as set forth in instrument recorded December 14, 1965, Reception No. 29723, Lane County Oregon Deed Records.

   Assignment and conveyance of oil, gas and mineral properties, including the terms and provisions thereof, as set forth in instrument recorded March 21, 2008, Reception No. 2008-016126, Lane County Deeds and Records.

   Affidavit of claim and notice of correction assignment and conveyance of oil, gas and mineral properties, including the terms and provisions thereof, as set forth in instrument recorded July 30, 2009, Reception No. 2009-043717, Lane County Deeds and Records.

   Assignment and conveyance of oil, gas and mineral properties, including the terms and provisions thereof, as set forth in instrument recorded January 26, 2016, Reception No. 2016-002989, Lane County Deeds and Records.

3. Rights of way for ingress and egress, including the terms and provisions thereof, recorded May 11, 1914, in Book 105, Page 215 and 216, Lane County Oregon Deed Records.

4. Warranty Deed and Road Easement along Northerly line, including the terms and provisions thereof, recorded May 12, 1960, Reception No. 99140, Lane County Oregon Deed Records.

5. Easement, including the terms and provisions thereof, granted the City of Eugene, a municipal corporation of Lane County, by instrument recorded August 6, 1974, Reception No. 7433909, Lane County Official Records.

6. Terms and provisions of Private Reciprocal Access Easement and Maintenance Agreement, recorded July 19, 2002, Reception No. 2002-054698, Lane County Deeds and Records.

7. Declaration of a development restriction requirement, including the terms and provisions thereof, recorded July 19, 2002, Reception No. 2002-054699, Lane County Deeds and Records.

8. Conditions and restrictions, including terms and provisions thereof, in Declaration recorded September 12, 2002, reception No. 2002-070515, and Amendment to Declaration, including terms and provisions thereof, recorded January 20, 2004, Reception No. 2004-0003711, Lane County Deeds and Records.

9. Easements, notes, conditions and restrictions shown, set forth, and/or delineated on the recorded Plat.
   In regards to the easements shown on the Plat, a notice of easement termination was recorded August 27, 2003, Reception No. 2003-082407, Lane County Deeds and Records.

10. Deed of Trust, including the terms and provisions thereof, executed by Chad R. Wilson and Katie A. Wilson, Grantor, to Western Title & Escrow Company, Trustee, for the benefit of Mortgage Electronic Registration Systems, Inc., (MERS) acting solely as a nominee for Pinnacle Capital Mortgage Corporation, Beneficiary, dated December 8, 2014, recorded December 11, 2014, Reception No. 2014-049004, Lane County Deeds and Records, to secure payment of a note in the amount of $225,000.00.

NOTE: The property address as shown on the Assessor's Roll is:

1777 East 30th Avenue
Eugene, OR 97405

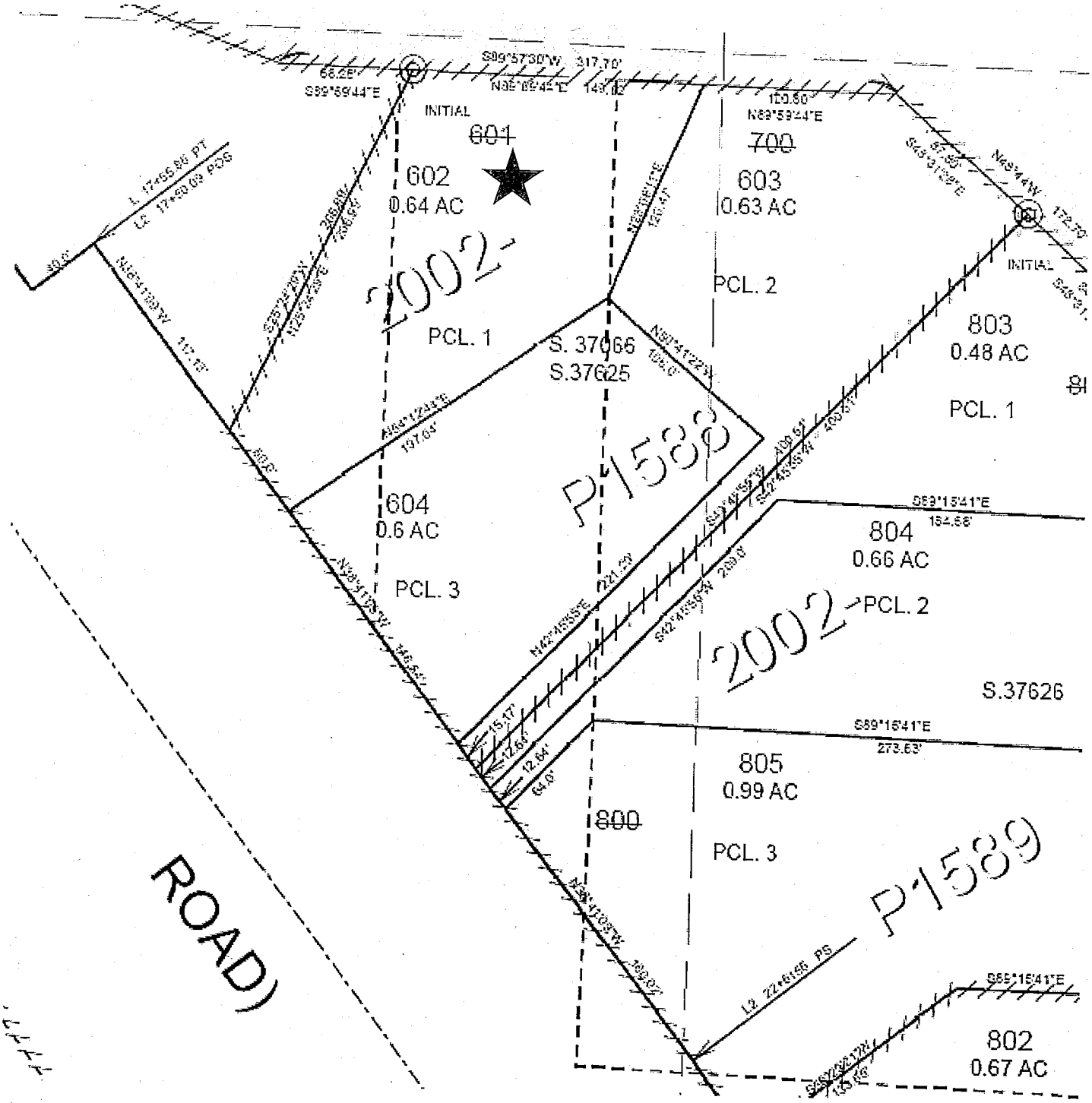
NOTE: Taxes, Account No. 1717188, Assessor's Map No. 18 03 08 1 1, #602, Code 4-00, 2015-2016, in the amount of $3,458.35, PAID IN FULL.

This report is to be utilized for information only. This report is not to be used as a basis for transferring, encumbering or foreclosing the real property described.

The liability of Cascade Title Co. is limited to the addressee and shall not exceed the premium paid hereunder.

CASCADE TITLE CO., by:

kk: Title Officer: MIKE SILVIS


INITIAL
601
602
0.64 AC
2002
PCL. 1
S. 37066
S.37625
P1588
604
0.6 AC
PCL. 3
700
603
0.63 AC
PCL. 2
INITIAL
803
0.48 AC
PCL. 1
804
0.66 AC
PCL. 2
2002
S.37626
805
0.99 AC
800
PCL. 3
P1589
802
0.67 AC
ROAD)

Detailed Property Report

Site Address 1777 E 30TH AVE Eugene, OR 97405-4471
Map & Taxlot# 18-03-08-11-00602
SIC N/A
Tax Account# 1717188

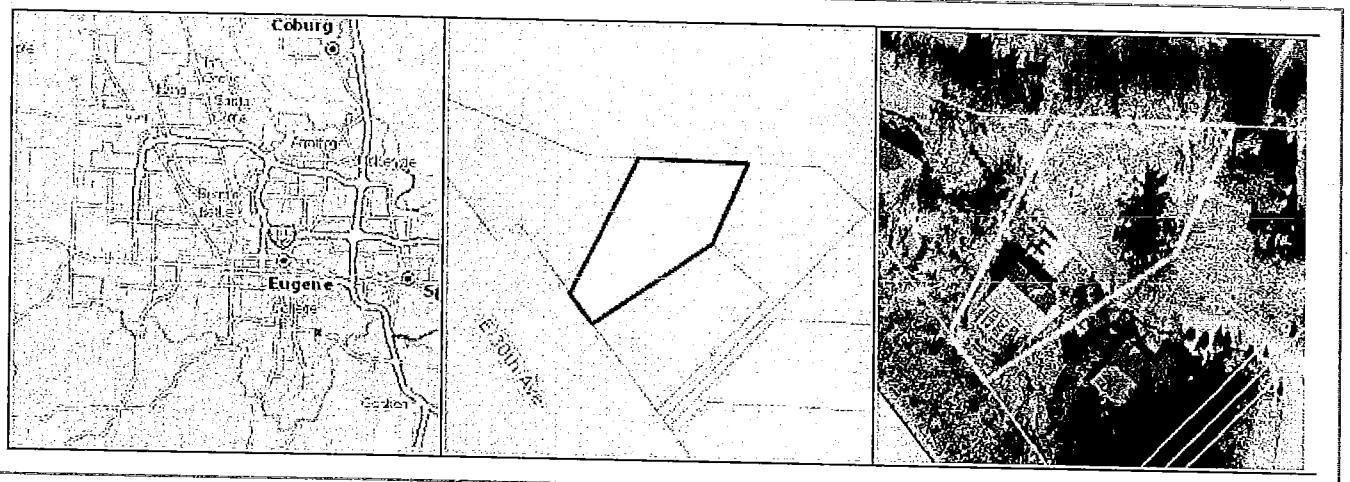
WILSON EXHIBITS - Page 7

Property Owner
WILSON CHAD R & KATIE A
2794 BOWMONT DR
EUGENE, OR 97405

Tax account acreage 0.64
Mapped taxlot acreage† 0.64

† Mapped Taxlot Acreage is the estimated size of a taxlot as derived from the county GIS taxlot layer, and is not to be used for legal purposes.

Map & Taxlot # 18-03-08-11-00602



Business Information

RLID does not contain any business data for this address

Improvements

Dwelling 1 / Building Type » Class 4 dwelling

Assessor Photo sss

Click to enlarge photo

Assessor Sketch

Inspection Date	11/30/2004	Bedrooms	1	Roof Style	Gable
Building Class	4	Full Bath(s)	1	Roof Cover	Comp shingle medium
Year Built	2004	Half Bath(s)	0	Masonry Fireplace(s)	No
Effective Year Built	2004	Depreciation	6%	Improvement Complete	100 %
				Heat	Forced hot air-gas

Floor Characteristics

	Base Sq Ft	Finished Sq Ft	Exterior
1st Floor	808	808	Composition siding
Basement	1304	0	Masonry
Total Sq Ft	2112	808	

Other Square Footage

Detached Garage	N/A	Attached Garage	N/A
Basement Garage	N/A	Carport	N/A
Paved Patio	N/A	Paved Driveway	N/A

Site Address Information

1777 E 30TH AVE
EUGENE, OR 97405-4471

WILSON EXHIBITS - Page 8

House #	1777	Suffix	N/A	Pre-directional	E
Street Name	30TH	Street Type	AVE	Unit type / #	N/A
Mail City	EUGENE	State	OR	Zip Code	97405
Zip + 4	4471	Create Date	Apr 12, 2004	Update Date	Jul 08, 2011

Land Use 1111 Single Family Housing
USPS Carrier Route C015

General Taxlot Characteristics

▫ Geographic Coordinates

X 4245881 **Y** 869329 (State Plane X,Y)
Latitude 44.0235 **Longitude** -123.0680

▫ Zoning

Zoning Jurisdiction Eugene
Eugene
Parent Zone R-1 LOW-DENSITY RESIDENTIAL

▫ Land Use

General Land Use

Code	Description
S	Single Family

Detailed Land Use

Code	Description
1111	Single Family Housing

Taxlot Characteristics

Incorporated City Limits	EUGENE
Urban Growth Boundary	Eugene
Year Annexed	1971
Annexation #	N/A
Approximate Taxlot Acreage	0.64
Approx Taxlot Sq Footage	27,878
2010 Census Tract	4900
2010 Census Block Group	3
Plan Designation	Metro Plan Map
Eugene Neighborhood	Fairmount Neighbors
Metro Area Nodal Dev Area	No
Historic Property Name	N/A
City Historic Landmark?	No
National Historical Register?	No

Service Providers

Fire Protection Provider	Eugene Fire & EMS Department
Ambulance Provider	Eugene Fire & EMS
Ambulance District	WC
Ambulance Service Area	West/Central
LTD Service Area?	Yes
LTD Ride Source?	Yes
Soil Water Cons. Dist/Zone	UPPER WILLAMETTE / data not available
Emerald People's Utility District	N

Environmental Data

FEMA Flood Hazard Zone

Code	Description
X	Areas determined to be outside of 500-year flood.

FIRM Map Number	41039C1139F
Community Number	410122
Post-FIRM Date	09/29/1986
Panel Printed?	Yes

Soils

Soil Map Unit#	Soil Type Description	% of Taxlot	Ag Class	Hydric %
11E	Bellpine silty clay loam, 20 to 30 percent slopes	100%	4	0

Schools

	Code	Name
School District	4J	EUGENE
Elementary School	4739	Camas Ridge
Middle School	526	Roosevelt
High School	539	South Eugene

WILSON EXHIBITS - Page 9

Political Districts

Election Precinct	1345	State Representative District	11
City Council Ward	E3	State Representative	Phil Barnhart
City Councilor	Alan Zelenka	State Senate District	6
County Commissioner District	3 (Eugene-South)	State Senator	Lee Beyer
County Commissioner	Pete Sorenson		
EWEB Commissioner	Dick Helgeson		
LCC Board Zone	5		

Liens

RLID does not contain any lien data for this jurisdiction

Building Permits

Eugene Building Permits

Log Number	Project Description
14-03380-01	New single family dwelling with attached garage. ***This permit also includes conversion to Living Area in a detached structure (Not an SDU) previously permitted under 04-01223-01***
14-03381-01	Erosion Permit for single family dwelling. See 14-03880-01.
14-03407-01	Convert former single family dwelling (built under 04-01223-01) to a Secondary Dwelling Unit ****NEW SINGLE FAMILY DWELLING IS UNDER 14-03380-01*** 6/18/14: APPLICATION CANCELLED, STRUCTURE WILL BECOME ADDITIONAL LIVING AREA TO NEW HOME (NOT AN SDU)
04-01223-01	New shop/home
04-01224-01	erosion prevention

Land Use Applications

None

Petitions

None

Tax Statements (current and previous tax years)

ACCOUNT#: 1717188
View tax statement(s) for: 2015 2014

Owner/Taxpayer

Owners

Owner	Address	City/State/Zip
WILSON CHAD R & KATIE A	2794 BOWMONT DR	EUGENE, OR 97405

Taxpayer

Party Name	Address	City/State/Zip
WILSON CHAD R & KATIE A	2794 BOWMONT DR	EUGENE, OR 97405

Data source: Lane County Assessment and Taxation

Account Status

Status Active Account Current Tax Year

WILSON EXHIBITS - Page 10

Account Status	none
Remarks	none
Special Assessment Program	N/A

Data source: Lane County Assessment and Taxation

General Tax Account Information

Tax Account Acreage	0.64
Fire Acres	N/A
Property Class	101 RESIDENTIAL, IMPROVED
Statistical Class	140 CLASS 4 SINGLE FAMILY DWELLING
Neighborhood Code	411100
Category	Land and Improvements

Data source: Lane County Assessment and Taxation

Township-Range-Section / Subdivision Data

Subdivision Type	Partition Plat	Subdivision Name	2002-P1588	Subdivision Number	N/A
Phase	N/A	Lot/Tract/Unit #	Parcel 1 TL 00602	Recording Number	2002-054696

Data source: Lane County Assessment and Taxation

Property Values & Taxes

The values shown are the values certified in October unless a value change has been processed on the property. Value changes typically occur as a result of appeals, clerical errors and omitted property. The tax shown is the amount certified in October. This is the full amount of tax for the year indicated and does not include any discounts offered, payments made, interest owing or previous years owing. It also does not reflect any value changes.

	Real Market Value (RMV)			Total Assessed Value	Tax
Year	Land	Improvement	Total		
2015	$150,515	$163,151	$313,666	$184,139	$3,458.35
2014	$145,023	$153,338	$298,361	$178,776	$3,388.61
2013	$139,513	$145,045	$284,558	$173,569	$3,296.98
2012	$96,186	$224,386	$320,572	$168,514	$3,032.24
2011	$96,186	$224,215	$320,401	$163,606	$2,974.93
2010	$105,559	$107,060	$212,619	$158,841	$2,886.29
2009	$129,421	$107,060	$236,481	$154,215	$2,859.27
2008	$133,138	$146,290	$279,428	$149,723	$2,688.52
2007	$123,276	$150,810	$274,086	$145,362	$2,624.25
2006	$111,060	$160,440	$271,500	$141,128	$2,713.33
2005	$87,446	$122,486	$209,932	$137,017	$2,627.96
2004	$71,046	$0	$71,046	$50,578	$ 955.10
2003	$0	$0	$0	$0	$ 0.00

Current Year Assessed Value	$184,139
Less Exemption Amount *	N/A
Taxable Value	**$184,139**

* Frozen Assessed Value

Data source: Lane County Assessment and Taxation

Tax Code Area & Taxing Districts

Tax Code Area (Levy Code) for current tax year 00400

Taxing Districts for TCA 00400

CITY OF EUGENE
EUGENE SCHOOL DISTRICT 4J
EUGENE URBAN RENEWAL DOWNTOWN
LANE COMMUNITY COLLEGE
LANE COUNTY
LANE EDUCATION SERVICE DISTRICT

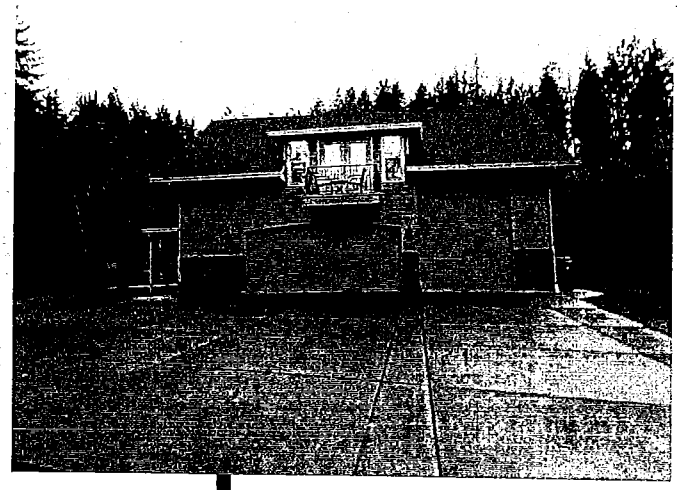
WILSON EXHIBITS - Page 11

Data source: Lane County Assessment and Taxation

Sales & Ownership Changes

Sale Date	Sale Price	Doc #	Image	Analysis Code	Multiple Accts?	Grantor(s)	Grantee(s)
12/09/2014	$0	2014-49003		6	No	WILSON CHAD R	WILSON CHAD R & KATIE A
08/26/2003	$95,000	2003-82408		L	No	M & P INVESTMENTS LLC	WILSON CHAD R

Data source: Lane County Assessment and Taxation



Appraisal Report

1777 E 30th Ave
Eugene, OR 97405

Duncan & Brown, LLC
541-687-1938

Appraised Value as of: 03/12/2014
$ 410,000

FEATURES

Style/Design:	Traditional	Lot Size:	27,878 Sq.Ft.
Living Area (Sq.Ft.):	2,402	Neighborhood:	Laurelwood Golf Course
Total Bedrooms:	4	Total Baths:	2.1
Year Built:	Hypothetically 2014	Effective Age:	0
Condition:	New	Date of Report:	01/25/2016

PREPARED FOR

Client: Chad Wilson
Address: 1777 E 30th Avenue
City: Eugene State: OR Zip: 97405
Phone: 541-914-0519 Fax:
E-mail: wilsonhomes171806@msn.com

PREPARED BY

Name: Brian B. Elliott
Designation: Certified Residential
Certification or License #: CR01011
Expiration Date: 02/29/2016 ST: OR
E-mail: blake@duncanbrown.com

Appraiser's Signature

FILING

Client File #: Wilson
Appraiser File #: R15-309/2

The value opinion expressed above is only valid in conjunction with the attached appraisal report. This value opinion may be subject to Hypothetical Conditions and/or Extraordinary Assumptions as indicated in the body of the report. A true and complete copy of this Summary Appraisal Report contains 22 pages.

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RESIDENTIAL APPRAISAL REPORT

SUBJECT PROPERTY IDENTIFICATION

Property Address: 1777 E 30th Ave City: Eugene
State: OR Zip Code: 97405 County: Lane
Legal Description of Real Property: See Legal Description Pages
Tax Assessor's Parcel #: 1717188 R.E. Taxes: $ 3,388.61 Tax Year: 2014
Special Assessments: $ 0 Current Owner of Record: WILSON CHAD R & KATIE A
Occupancy: ☒ Owner ☐ Tenant ☐ Vacant Current Occupant (if occupied): WILSON CHAD R & KATIE A
Project Type (if applicable): ☐ Planned Unit Development ☐ Condominium ☐ Cooperative ☐ N/A
Home Owners' Association Membership Fees (if applicable): $ N/A ☐ per year ☐ per month
Market Area Name: Laurelwood Golf Course Map Reference: 18-03-08-11-00602 Census Tract: 0049.00

ASSIGNMENT

The purpose of this appraisal is to develop a Current opinion of Market Value (as defined elsewhere in this report).

Property Rights Appraised: ☒ Fee Simple ☐ Leasehold ☐ Leased Fee ☐ Other (describe)
Intended Use: To establish fee simple market value as of 03/12/2014 in order to assist the Client in a Measure 49 claim.
Intended User(s) (by name or type): The intended user is the Client identified in this report and all assigns.
Client: Chad Wilson Address: 1777 E 30th Avenue, Eugene, OR 97405
Appraiser: Brian B. Elliott Address: 260 West 12th Avenue, Eugene, OR 97401

MARKET AREA DESCRIPTION

Location: ☐ Urban ☒ Suburban ☐ Rural Built Up: ☐ Over 75% ☒ 25-75% ☐ Under 25%
Growth Rate: ☐ Rapid ☒ Stable ☐ Slow Property Values: ☐ Increasing ☒ Stable ☐ Declining
Demand/Supply: ☐ Shortage ☒ In Balance ☐ Over Supply Marketing Time: ☒ Under 3 Mos. ☐ 3-6 Mos. ☐ Over 6 Mos.

Typical One-Unit Housing Ranges: Price: ($) Low 180,000 High 1,560,000 Predominant 380,000
Age: (yrs.) Low 0 High 105 Predominant 40

Present Land Use: One-Unit: 65 % 2-4 Unit: 5 % Multi-Unit: 5 % Comm'l: 5 % Vacant/Park 20 %
Change in Land Use: ☒ Not Likely ☐ Likely * ☐ Is Changing * * To:

Market Area Comments:
See attached addenda.

SALE / TRANSFER / LISTING HISTORY OF SUBJECT PROPERTY

My research: ☐ Did ☒ Did not reveal any prior sales or transfers of the subject property for the three years prior to the Effective Date of this appraisal. Data Source(s): Deed records/MLS

	1st Prior Sale / Transfer	2nd Prior Sale / Transfer	3nd Prior Sale / Transfer
Date of Prior Sale / Transfer:			
Price of Prior Sale / Transfer:			
Source(s) of Prior Sale / Transfer Data:			

Analysis of sale / transfer history, any current agreements of sale or listing, and listing history (if relevent):
A search of County Records revealed no prior sales of the subject property in the prior 36 months and no sales or transfers for the comparables within the last 12 months.

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RESIDENTIAL APPRAISAL REPORT

SITE DESCRIPTION

Dimensions: See Site Map Page Site Area: 27,878 Sq.Ft.

Zoning Classification: R-1 Zoning Description: Low Density Residential

Zoning Compliance: ☒ Legal ☐ Legal Non-Conforming (Grandfathered) ☐ Illegal ☐ No Zoning Regulations

Deed Restrictions: Are Covenants, Conditions, & Restrictions (CC&Rs) applicable? ☐ Yes ☐ No ☒ Unknown

Have the documents been reviewed? ☐ Yes ☐ No ☐ N/A Ground Rent (if applicable) $ _____ / _____

Comments:

Highest & Best Use , as improved, is the: ☒ Present use, or ☐ Other use (explain) _____

Characteristics:

Topography:	Gently Sloping	Size:	Typical
Shape:	Irregular	Drainage:	Normal
View:	Residential/Golf Course	Landscaping:	Typical

Other features: ☒ Inside Lot ☐ Corner Lot ☐ Cul de Sac ☐ Underground Utilities ☐

Utilities:	Public	Other	Provider/Description	Off-site Improvements:	Type	Public	Private
Electricity:	☒	☐	EWEB	Street:	Asphalt	☒	☐
Gas:	☒	☐	NW Natural	Curb/Gutter:	None	☐	☐
Water:	☒	☐	EWEB	Sidewalk:	None	☐	☐
Sanitary Sewer:	☒	☐	City of Eugene	Alley:	None	☐	☐

Is the property or the improvements located in a FEMA Special Flood Hazard Area? ☐ Yes ☒ No

FEMA Flood Zone: X FEMA Map # 41039C1139F FEMA Map Date: 6/2/1999

Site Comments:

No adverse easements or encroachments are apparent. Normal residential utility easements are assumed. Site usage is consistent with zoning and neighborhood trends.

DESCRIPTION OF THE IMPROVEMENTS

General Description: # of Units: 1 ☒ + Accessory Unit # of Stories: 1 Design (Style): Traditional

Type: ☒ Detached ☐ Attached ☐ _____ Status: ☒ Existing ☐ Proposed ☐ Under Construction

Actual Age (years): 0 Effective Age (years): 0 Year Built: Hypothetically 2014

Exterior Description:

Foundation:	Concrete	Exterior Walls:	Wood Siding/Brick
Roof Surface:	Composite Shingle	Gutters & Downspouts:	Aluminum
Window Type(s):	Vinyl Clad	Storm / Screens:	Screens
Heating System:	Heat Pump	Cooling System:	Heat Pump

Car Storage: ☐ None ☒ Garage ☐ Carport ☒ Driveway (Surface: Concrete) Total # of Cars: 5

Livable area above grade contains: 7 Rooms, 4 Bedrooms, 2.1 Bath(s), and 2,402 Sq.Ft. of GLA

Describe Additional Features and Improvements:

New construction. Effective age of 0 years. Based on limited plans and specs, the subject appears to be physically and functionally adequate. There is no physical or functional obsolescence noted. Quality of construction is good. The home is considered to be in new condition. All of the home's mechanical systems/utilities are assumed operational as of the effective date of this report.

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309/2

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RESIDENTIAL APPRAISAL REPORT

SALES COMPARISON APPROACH TO VALUE

For the Sales Comparison Approach, the appraiser selects comparable sales that they consider the best matches to the subject in terms of physical characteristics, physical proximity, and time of sale. The appraiser then makes adjustments to the known sale price of each comparable sale to account for differences that are recognized by the market. For example, if the subject has a single bathroom but a comparable has 2, the comparable's sale price would be reduced by the attributable value given to the extra bathroom based on the market's reaction. Likewise, if a comparable sale has a smaller square footage than the subject, its sale price would be adjusted upward in the same manner. By weighting and reconciling these adjusted sales prices together, an opinion of value for the subject can be determined.

FEATURE	SUBJECT	COMPARABLE SALE # 1		COMPARABLE SALE # 2		COMPARABLE SALE # 3	
Address	1777 E 30th Ave Eugene, OR 97405	2723 Augusta St Eugene, OR 97403		33481 Bloomberg Rd Eugene, OR 97405		2933 Central Blvd Eugene, OR 97403	
Proximity to Subject		0.97 miles NE		1.91 miles E		0.48 miles NE	
Sale Price	$		$ 343,000		$ 355,000		$ 436,000
Sale Price / GLA	$ /Sq.Ft.	$ 199.42 /Sq.Ft.		$ 190.76 /Sq.Ft.		$ 175.74 /Sq.Ft.	
Data Source(s)		RMLS#12138533;DOM 36		RMLS#12221406;DOM 11		RMLS#13033778;DOM 32	
ADJUSTMENT ITEMS	DESCRIPTION	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.
Sales or Financing Concessions		FHA 0	0	Conventional 0	0	Conventional 0	0
Date of Sale / Time		03/27/2013		01/18/2013		05/15/2013	
Rights Appraised	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
Location	SE Hills	Hendricks Park	0	SE Hills		SE Hills	
Site	27,878 Sq.Ft.	18,295 sf	0	43,996 sf	-15,000	7,405 sf	0
View	Residential/Golf Course	Residential/Mtn	0	Residential/Mtn	0	Residential/Mtn	0
Design (Style)	Traditional	Traditional		Traditional		Traditional	
Quality of Construction	Good	Good		Good		Superior	-21,800
Age	0	68/Updated	0	73/Updated	0	35/Updated	0
Condition	New	Good	0	Good	0	Good	0
Above Grade Room Count	Total 7 / Bdrms 4 / Baths 2.1	Total 7 / Bdrms 3 / Baths 2.0	+2,500	Total 7 / Bdrms 3 / Baths 2.0	+2,500	Total 7 / Bdrms 4 / Baths 3.0	-2,500
Gross Living Area	2,402 Sq.Ft.	1,720 Sq.Ft.	+34,100	1,861 Sq.Ft.	+27,100	2,481 Sq.Ft.	
Basement Total Area	0 sf	0 sf		0 sf		0 sf	
Basement Finish Area	0 sf	0 sf		0 sf		0 sf	
Functional Utility	Good	Good		Good		Good	
Heating / Cooling	Heat Pump	Wall/None	+5,000	FWA/None	+5,000	Heat Pump	
Energy Efficient Items	Weatherized	Weatherized		Weatherized		Weatherized	
Garage / Carport	5 Car Garage	3 Car Garage	+6,000	2 Car Garage	+9,000	1 Car Garage	+12,000
Porch / Patio / Deck	Porch,Deck	Porch,Deck		Porch,Deck		Porch,Deck	
Additional Features	Studio	Studio		Unfinished Studio	+25,000	Studio	
Net Adjustment (Total)		☒+ ☐–	$ 47,600	☒+ ☐–	$ 53,600	☐+ ☒–	$ -12,300
Adjusted Sale Price of Comparables			$ 390,600		$ 408,600		$ 423,700

Comments on the Sales Comparison Approach:

See attached addenda.

Appraiser's Indicated Value by the Sales Comparison Approach: $ 410,000

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309/2

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RESIDENTIAL APPRAISAL REPORT

RECONCILIATION

Final Reconciliation of the Approaches to Value:

See attached addenda.

This appraisal is made ☒ "as is"; ☐ subject to completion per plans and specifications on the basis of a Hypothetical Condition that the improvements have been completed; ☐ subject to the following repairs or alterations on the basis of a Hypothetical Condition that the repairs or alterations have been completed; ☐ subject to the following required inspection(s) based on the Extraordinary Assumption that the following condition or deficiency does not require alteration or repair:

Hypothetical Conditions: The appraisal is based on a retrospective effective date of 03/12/2014. The appraisal is also based on the hypothetical assumption that the 2,402 sf new home existed on the property as of 03/12/2014. Additionally, the garage and finished apartment are included, but the apartment is not considered a legal dwelling per Measure 49. This space is considered comparable to other studio type additions that are not legal dwellings. This significantly affects the opinion of value.

☐ This report is also subject to other Hypothetical Conditions or Extraordinary Assumptions as specified elsewhere in this report.

ATTACHMENTS

A true and complete copy of this report contains 21 pages, including all exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report.

Attached Exhibits:

☒ Scope of Work	☒ Limiting Cond./Certification	☒ Narrative Addendum	☒ Photograph Addenda
☒ Sketch Addendum	☒ Map Addenda	☐ Cost Addendum	☐ Flood Addendum
☒ Additional Sales	☒ Additional Rentals	☐ Income/Expense Analysis	☒ Hypothetical Conditions
☐ Extraordinary Assumptions	☐	☐	☐

OPINION OF VALUE

This Opinion of Value may be subject to other Hypothetical Conditions and / or Extraordinary Assumptions, if so indicated above. Based on the degree of inspection of the subject property as indicated below; the defined Scope of Work for this appraisal assignment; the attached Statement of Assumptions and Limiting Conditions; and the attached Appraiser's Certifications, my (our) Current Opinion of the Market Value (or value range), as defined elsewhere in this report, of the real property that is the subject of this report is: $ 410,000, as of: 01/16/2016, which is both the Inspection Date and the Effective Date of this appraisal.

SIGNATURES

APPRAISER

Appraiser Name: Brian B. Elliott
Company: Duncan & Brown, LLC
Phone: 541-687-1938 Fax: (541) 683-0932
E-mail: blake@duncanbrown.com
Date of Report (Signature): 01/25/2016
License or Certification #: CR01011 State: OR
Designation: Certified Residential
Expiration Date of License or Certification: 02/29/2016
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)

Supervisory or Co-Appraiser Name: Richard J. Duncan, MAI, SRA
Company: Duncan & Brown, LLC
Phone: (541) 687-1938 Fax: (541) 683-0932
E-mail: rick@duncanbrown.com
Date of Report (Signature): 01/25/2016
License or Certification #: C000106 State: OR
Designation: MAI, SRA
Expiration Date of License or Certification: 07/31/2017
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309/2

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ADDITIONAL COMPARABLE SALES

SALES COMPARISON APPROACH TO VALUE

FEATURE	SUBJECT	COMPARABLE SALE # 4		COMPARABLE SALE # 5		COMPARABLE SALE # 6	
Address 1777 E 30th Ave Eugene, OR 97405		2693 Chula Vista Blvd Eugene, OR 97403		3091 Hendricks Hill Dr Eugene, OR 97403			
Proximity to Subject		0.55 miles N		0.85 miles E			
Sale Price	$		$ 415,000		$ 450,000		$
Sale Price / GLA	$ /Sq.Ft.	$ 160.17 /Sq.Ft.		$ 206.04 /Sq.Ft.		$ /Sq.Ft.	
Data Source(s)		RMLS#11520190;DOM 306		RMLS#13146445;DOM 229			
ADJUSTMENT ITEMS	DESCRIPTION	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.
Sales or Financing Concessions		Cash 0	0	Conventional 0	0		
Date of Sale / Time		07/05/2012		12/23/2013			
Rights Appraised	Fee Simple	Fee Simple		Fee Simple			
Location	SE Hills	University	0	SE Hills			
Site	27,878 Sq.Ft.	5,663 sf	0	9,583 sf	0		
View	Residential/Golf Course	Residential	0	Hills/Trees	0		
Design (Style)	Traditional	Traditional		Traditional			
Quality of Construction	Good	Good		Superior	-22,500		
Age	0	94/Updated	0	30/Updated	0		
Condition	New	Good		Good			
Above Grade Room Count	Total 7 / Bdrms 4 / Baths 2.1	Total 7 / Bdrms 4 / Baths 3.1	-5,000	Total 7 / Bdrms 4 / Baths 3.1	-5,000	Total / Bdrms / Baths	
Gross Living Area	2,402 Sq.Ft.	2,591 Sq.Ft.	-9,500	2,184 Sq.Ft.	+10,900	Sq.Ft.	
Basement Total Area	0 sf	0 sf		0 sf			
Basement Finish Area	0 sf	0 sf		0 sf			
Functional Utility	Good	Good		Good			
Heating / Cooling	Heat Pump	Heat Pump		Heat Pump			
Energy Efficient Items	Weatherized	Weatherized		Weatherized			
Garage / Carport	5 Car Garage	None	+15,000	3 Car Garage	+6,000		
Porch / Patio / Deck	Porch,Deck	Porch,Deck		Porch,Deck			
Additional Features	Studio	2nd Legal Dwelling	-30,000	2nd Legal Dwelling	-30,000		
Net Adjustment (Total)		☐+ ☒–	$ -29,500	☐+ ☒–	$ -40,600	☐+ ☐–	$
Adjusted Sale Price of Comparables			$ 385,500		$ 409,400		$

Comments: See attached addenda.

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309/2

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Supplemental Addendum

File No. R15-309/2

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				

• **GP Consumer Short Form: Market Area Description - Boundaries, Description, Conditions**

The subject is located on Laurelwood Golf Course in the southeast hills of Eugene. The neighborhood is accessed by a small access road off of the north side of 30th Avenue. The neighborhood consists of six custom single family homes on lots that cross the access road and front Laurelwood Golf Course with very marketable views.

The subject extended established area consists of mostly average to good quality, older and mid-life homes. The subject enjoys good convenience to schools, shopping, and employment. Properties in the area exhibit average to good overall appearance.

The market for homes in the area has been active between 2012 and 2014, with some depreciating prices due to the lingering effects of the housing crisis commonly thought to have begun in 2010. Median days on market for the extended neighborhood spanning a one mile radius is 60 days, with some of the most marketable properties selling within 30 days. There appears to have been a balance between supply and demand as of the effective date of the report. Estimated market exposure time is 30-90 days.

• **GP Consumer Short Form: Sales Comparison Approach - Comments on Sales Comparison Approach**

The subject is located in a very marketable secluded neighborhood bordering Laurelwood Golf Course. The area is an active market in the southeast hills of Eugene. The majority of the neighborhood features homes that are equal in design and appeal to the subject property, but with few new builds. The subject also features a detached 864 sf separate legal dwelling built in 2004. For the purpose of this appraisal, the separate legal dwelling is not considered a legal dwelling in order to address the Measure 49 claim. Additional dwellings or studios are very unique features within the market.

In order to properly analyze the subject property, the appraiser has canvassed the entire south Eugene market. The appraiser identified recently updated homes that also had some form of a detached or attached dwelling or studio included. It appears that the University area has a higher occurrence of homes with detached dwellings and studios. Through market research, the subject's large lot and Laurelwood Golf Course view are considered equal to the location in the University market as well as the very marketable areas of Hendricks Park, Hendricks Hill and Central Boulevard located just east of Laurelwood Golf Course. No adjustment is needed when size, location and view are all taken into account. The appraiser used the most recent and comparable sales available in the area in this analysis. Only minor adjustments were warranted and all market sensitive factors were bracketed.

Though the subject is new construction, most newer builds within older existing neighborhoods tend to experience some value absorption within the older market. The older homes used in this analysis have all been tastefully updated with higher end materials and marketable designs that appeal to the typical market participant in this time period. There is no adjustment required for age differences.

Comparables #3 and #5 were of superior quality and required a market identified 5% adjustment.

The city of Eugene considers a legal dwelling to have a full functional kitchen and can be rented to persons other than family members. Market evidence has confirmed this to be a very significant value added feature. Comparables #4 and #5 feature legal separate dwellings which required an adjustment identified through a paired sales analysis. Comparables #1, #2 and #3 featured studio buildings that are not legal dwellings and were considered equal to the subject's assumed studio above the detached garage. The value difference is evident.

Ultimately, the appraiser was able to bracket every market sensitive feature and identify a well supported opinion of value. Adjustments are either extracted through paired sales analysis, or applied as a percentage of cost to build.

The subject property is zoned R-1, Low Density Residential. This is a standard single family residential zone in the area. The subject passes all the tests of being at its highest and best use, that is being legally permissible, physically possible, financially feasible and of maximal productivity. The highest and best use as improved is its current use as a single family residential property. The subject dwelling is currently being utilized as a single family dwelling. This is the use reflected in this appraisal.

ASSUMPTIONS & LIMITING CONDITIONS

SUBJECT PROPERTY

Property Address: 1777 E 30th Ave City: Eugene
State: OR Zip Code: 97405 County: Lane

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
- The appraiser may have provided a sketch in the appraisal report to show approximate dimensions of the improvements, and any such sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. Unless otherwise indicated, a Land Survey was not performed.
- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.
- If this appraisal is indicated as subject to satisfactory completion, repairs, or alterations, the appraiser has based his or her appraisal report and valuation conclusion on the assumption that completion of the improvements will be performed in a workmanlike manner.
- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.
- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database.
- An appraisal of real property is not a 'home inspection' and should not be construed as such. As part of the valuation process, the appraiser performs a non-invasive visual inventory that is not intended to reveal defects or detrimental conditions that are not readily apparent. The presence of such conditions or defects could adversely affect the appraiser's opinion of value. Clients with concerns about such potential negative factors are encouraged to engage the appropriate type of expert to investigate.
- In developing this appraisal, the appraiser has incorporated the Sales Comparison and Income approaches to value. The appraiser has excluded the Cost approach. The appraiser has determined that this appraisal process is not so limited that the results of the assignment are no longer credible.

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DEFINITIONS & SCOPE OF WORK

SUBJECT PROPERTY

Property Address:	1777 E 30th Ave			City:	Eugene
State:	OR	Zip Code:	97405	County:	Lane

DEFINITION OF MARKET VALUE *:

Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):

None

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CERTIFICATIONS

SUBJECT PROPERTY

Property Address: 1777 E 30th Ave City: Eugene
State: OR Zip Code: 97405 County: Lane

APPRAISER'S CERTIFICATION

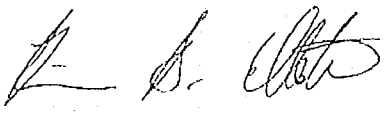
I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.

I have performed no services in the past three years in regard to the subject property.

SIGNATURES

APPRAISER



Appraiser Name: Brian B. Elliott
Company: Duncan & Brown, LLC
Phone: 541-687-1938 Fax: (541) 683-0932
E-mail: blake@duncanbrown.com
Date of Report (Signature): 01/25/2016
License or Certification #: CR01011 State: OR
Designation: Certified Residential
Expiration Date of License or Certification: 02/29/2016
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

SUPERVISORY APPRAISER (if required)
or CO-APPRAISER (if applicable)

Supervisory or
Co-Appraiser Name: Richard J. Duncan, MAI, SRA
Company: Duncan & Brown, LLC
Phone: (541) 687-1938 Fax: (541) 683-0932
E-mail: rick@duncanbrown.com
Date of Report (Signature): 01/25/2016
License or Certification #: C000106 State: OR
Designation: MAI, SRA
Expiration Date of License or Certification: 07/31/2017
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309/2

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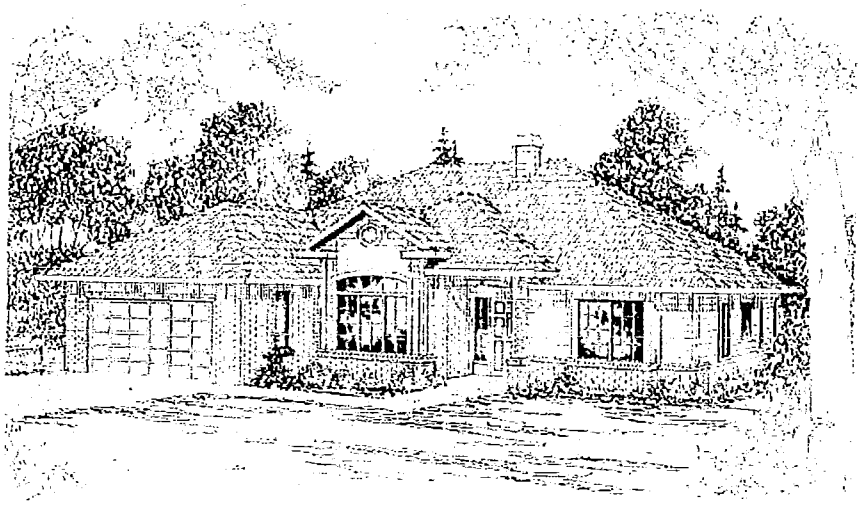
Sketch

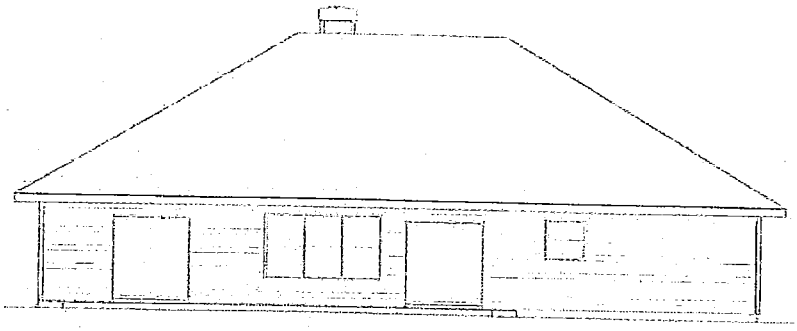
Associated DESIGNS
Find Your Perfect Home Plan
1100 Jacobs Dr., Eugene, Oregon 97402-1983
800-634-8123 · 541-461-2082 · Fax 541-461-1274

Syracuse
30-063



Traditional House Plan - Syracuse 30-063 - Front Elevation

Chad Wilson 541-914-0519
1717 East 30th Ave



Traditional Home Plan - Syracuse 30-063 - Rear Elevation

Plan Details

Building Height: 22'-8"
Wall Types:
2x6 Wood Frame
Primary Roof Pitch:
7/12
Primary Foundation:
Crawl Space
Additional Foundations:
Basement
Concrete Slab
Garage Orientation:
Front-Entry
Bedroom Features:
Main Floor Bedroom & Bath
Main Floor Owners' Suite
Separate Tub & Shower
Walk In Closet
Special Features:
Den, Office, Library, or Study
Formal Dining Room
Fireplace
Great Room
Main Floor Laundry
Mud Room
Large Kitchen
Peninsula Eating Bar
Breakfast Nook

Plan Specs

Living Area:	2402 sq ft
1st Floor:	2402 sq ft
Garage:	514 sq ft
Floors:	1
Bedrooms:	4
Full Baths:	2
Half Baths:	1
Garage Bays:	2

Overall Dimensions:
59'-0" x 58'-0"

Order This Plan

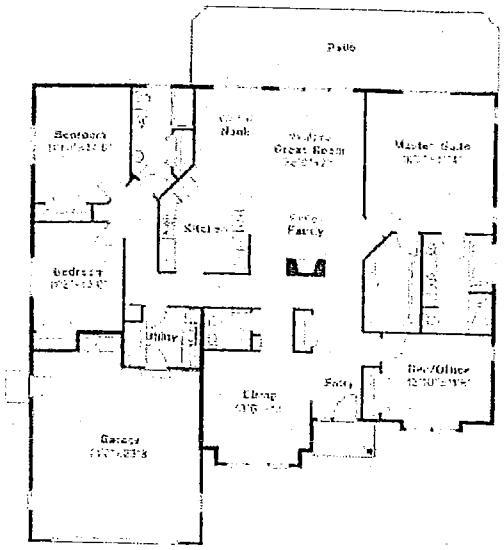
1 Set Study Package
$675.00
5 Set Construction Package
$875.00
8 Set Construction Package
$950.00
PDF Print Set
$925.00
PDF Master
$1,775.00
CAD Electronic Files
$1,875.00

PDF Bid Set:

PDF Bid Set
$75.00

One Additional Build License:

Sketch



Traditional House Plan - Syracuse 30-063 - Floor Plan

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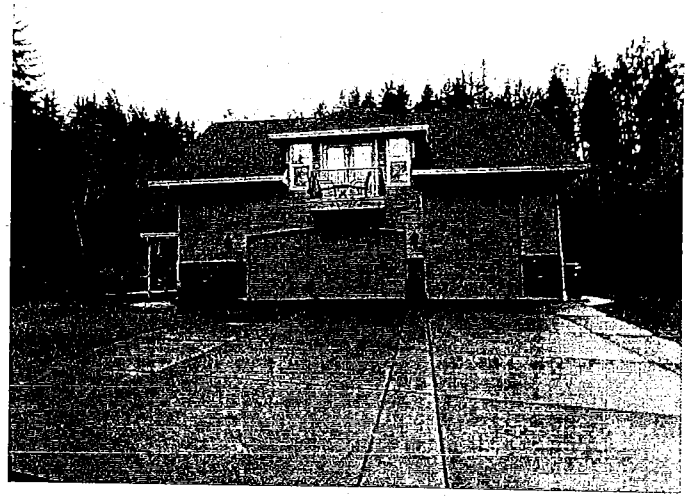
Subject Photo Page

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



Subject Existing Garage/Loft

1777 E 30th Ave

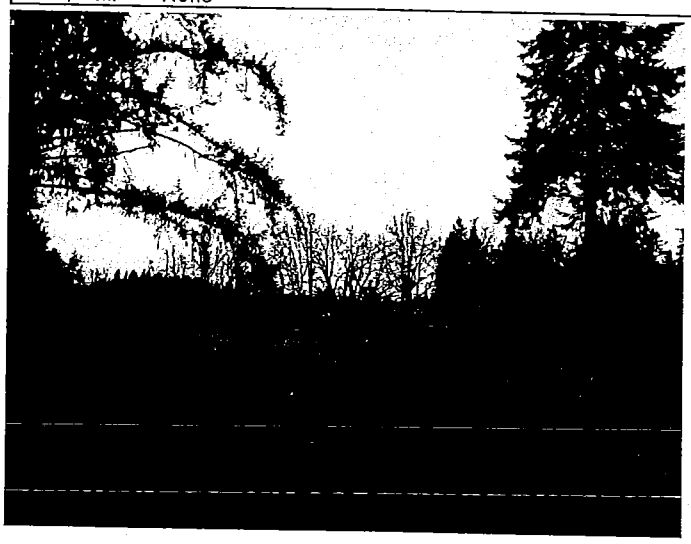
Sales Price	
Gross Living Area	2,402
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	2.1
Location	SE Hills
View	Residential/Golf Course
Site	27,878 Sq.Ft.
Quality	Good
Age	0

Subject Street View

Subject Alternate Street View

Subject Photo Page

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County	Lane	State OR	Zip Code 97405
Lender/Client	None				



Subject Future Home Site

1777 E 30th Ave

Sales Price	
Gross Living Area	2,402
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	2.1
Location	SE Hills
View	Residential/Golf Course
Site	27,878 Sq.Ft.
Quality	Good
Age	0

Subject Golf Course View

Legal Description Map

Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						

Western Title & Escrow
Order Number: 93338-DMS

After Recording Return To:
Western Title & Escrow Company
497 Oakway Rd. Suite 340, Eugene, OR 97401

Grantor
Chad R. Wilson 2794 Bowmont Drive Eugene, OR 97405
Grantee
Chad R. Wilson Katie A. Wilson 2794 Bowmont Drive Eugene, OR 97405
Until a change is requested, all tax statements shall be sent to the following address:
Chad R. Wilson Katie A. Wilson 2794 Bowmont Drive Eugene, OR 97405

Lane County Clerk
Lane County Deeds & Records
2014-049003
12/11/2014 02:10:24 PM
RPR-DEED Cnt=1 Stn=6 CASHIER 05 2pages
$10.00 $11.00 $10.00 $21.00 $52.00

Reserved for Recorder's Use

STATUTORY BARGAIN AND SALE DEED

Chad R. Wilson, Grantor(s)
conveys to
Chad R. Wilson and Katie A. Wilson, as tenants by the entirety, Grantees,
the following described real property:

Parcel 1, Land Partition Plat No. 2002-P1588, recorded July 19, 2002, Document No. 2002-054696, Lane County Records, in Lane County, Oregon.

Account: **1717188**
Map & Tax Lot: **18 03 08 11 00602**

The true consideration for this conveyance is **to change vesting.** (Here comply with requirements of ORS 93.030.)

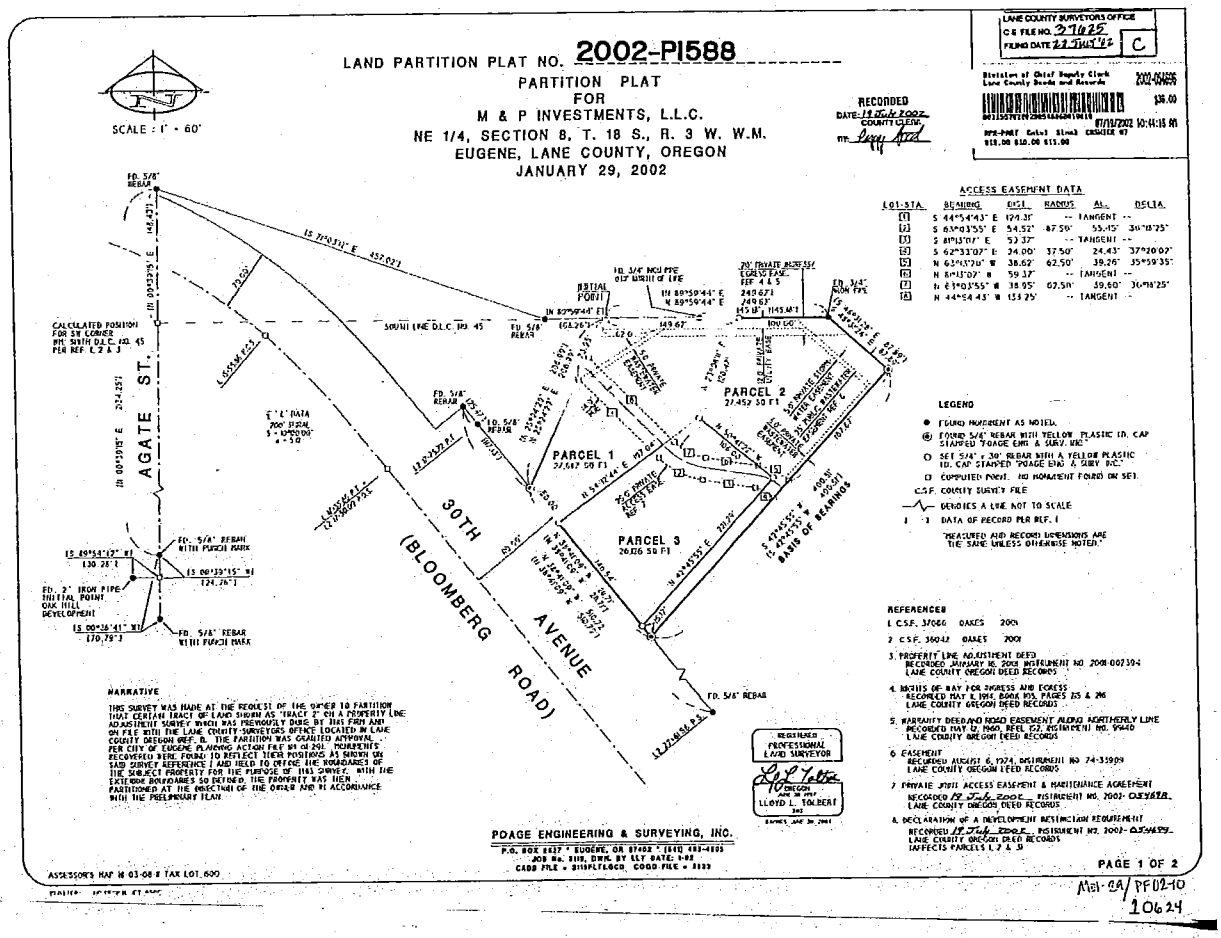
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Executed this 9 day of December, 2014

Chad R. Wilson
Chad R. Wilson

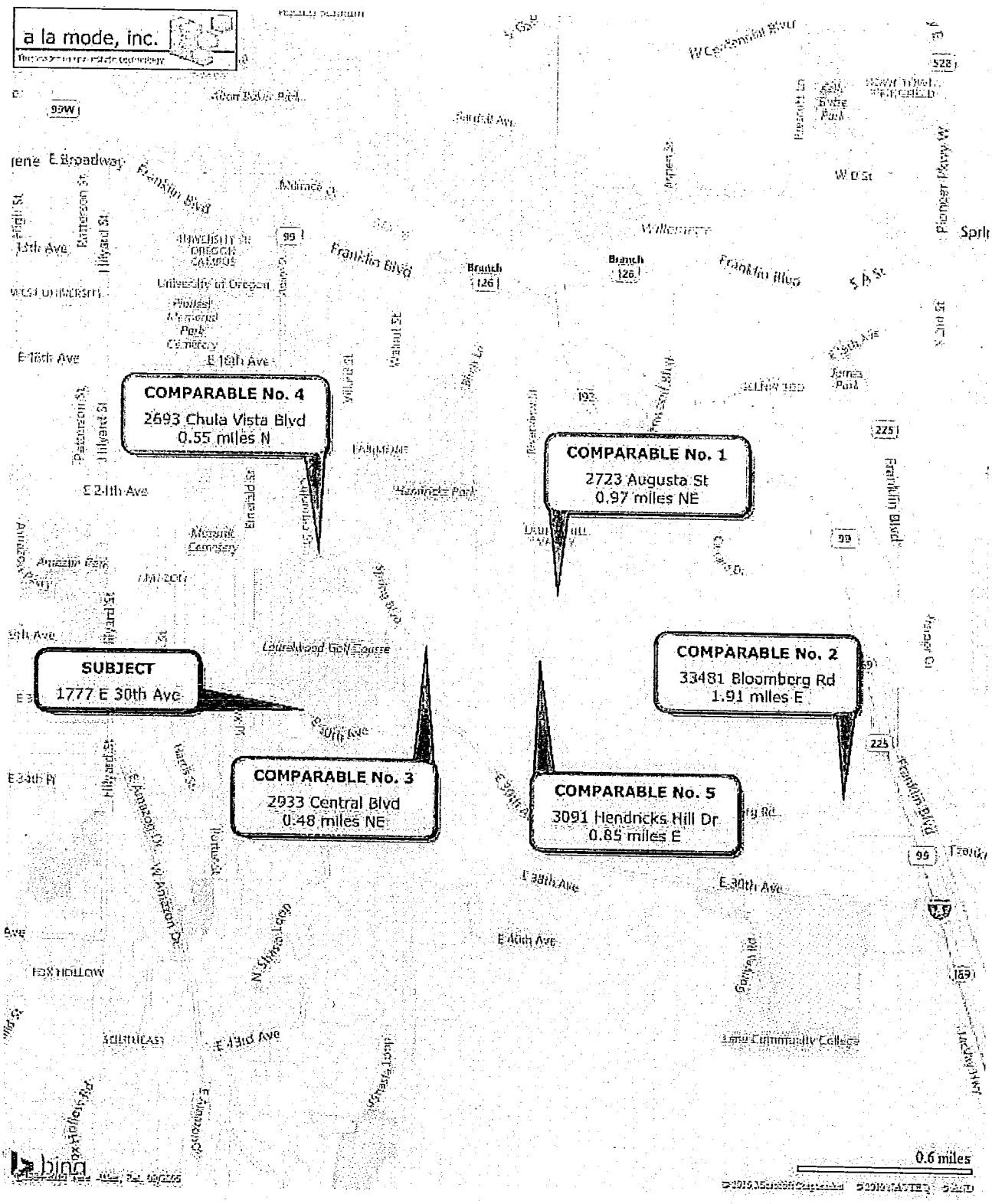
Site Map

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



Location Map

Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						



Comparable Photo Page

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				

Comparable 1

2723 Augusta St

Prox. to Subject	0.97 miles NE
Sale Price	343,000
Gross Living Area	1,720
Total Rooms	7
Total Bedrooms	3
Total Bathrooms	2.0
Location	Hendricks Park
View	Residential/Mtn
Site	18,295 sf
Quality	Good
Age	68/Updated

Comparable 2

33481 Bloomberg Rd

Prox. to Subject	1.91 miles E
Sale Price	355,000
Gross Living Area	1,861
Total Rooms	7
Total Bedrooms	3
Total Bathrooms	2.0
Location	SE Hills
View	Residential/Mtn
Site	43,996 sf
Quality	Good
Age	73/Updated

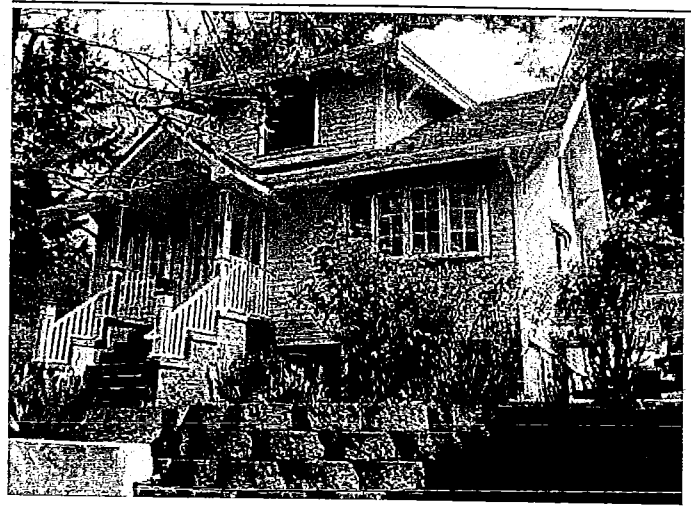
Comparable 3

2933 Central Blvd

Prox. to Subject	0.48 miles NE
Sale Price	436,000
Gross Living Area	2,481
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	3.0
Location	SE Hills
View	Residential/Mtn
Site	7,405 sf
Quality	Superior
Age	35/Updated

Comparable Photo Page

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



Comparable 4

2693 Chula Vista Blvd

Prox. to Subject	0.55 miles N
Sale Price	415,000
Gross Living Area	2,591
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	3.1
Location	University
View	Residential
Site	5,663 sf
Quality	Good
Age	94/Updated

Comparable 5

3091 Hendricks Hill Dr

Prox. to Subject	0.85 miles E
Sale Price	450,000
Gross Living Area	2,184
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	3.1
Location	SE Hills
View	Hills/Trees
Site	9,583 sf
Quality	Superior
Age	30/Updated

Appraiser's License

Appraiser Certification and Licensure Board

State Certified Residential Appraiser

28 hours of continuing education required for renewal

Brian B Elliott
Duncan & Brown LLC
260 W 12th AVE
Eugene, OR 97401

License No.: **CR01011**
Issue Date: **May 8, 2015**
Expiration Date: **February 29, 2016**

Gae Lynne Cooper

Gae Lynne Cooper, Administrator

Appraisers License

Appraiser Certification and Licensure Board

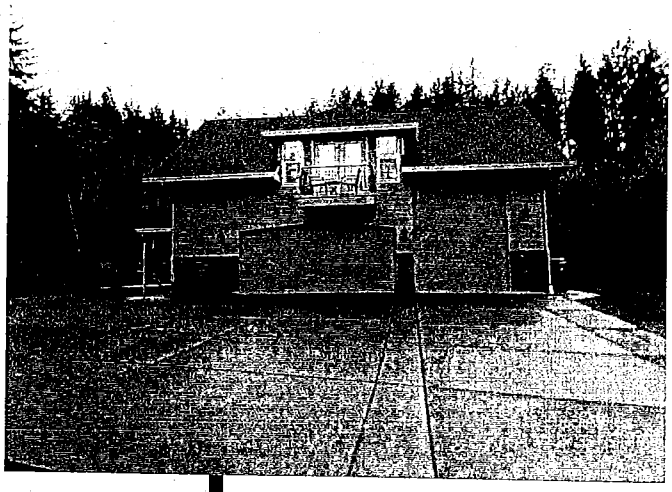
State Certified General Appraiser

28 hours of continuing education required for renewal

Richard J Duncan
Duncan & Brown LLC
260 W 12th AVE
Eugene, OR 97401

License No.: **C000106**
Issue Date: **August 1, 2015**
Expiration Date: **July 31, 2017**

Gae Lynne Cooper, Administrator



Appraisal Report

1777 E 30th Ave
Eugene, OR 97405

Duncan & Brown, LLC
541-687-1938

Appraised Value as of: 03/12/2012
$ 470,000

FEATURES

Style/Design:	Traditional	Lot Size:	27,878 Sq.Ft.
Living Area (Sq.Ft.):	2,402	Neighborhood:	Laurelwood Golf Course
Total Bedrooms:	4	Total Baths:	2.1
Year Built:	Hypothetically 2012	Effective Age:	0
Condition:	New	Date of Report:	01/25/2016

PREPARED FOR

Client: Chad Wilson
Address: 1777 E 30th Avenue
City: Eugene State: OR Zip: 97405
Phone: 541-914-0519 Fax:
E-mail: wilsonhomes171806@msn.com

PREPARED BY

Appraiser's Signature

Name: Brian B. Elliott
Designation: Certified Residential
Certification or License #: CR01011
Expiration Date: 02/29/2016 ST: OR
E-mail: blake@duncanbrown.com

FILING

Client File #: Wilson
Appraiser File #: R15-309

The value opinion expressed above is only valid in conjunction with the attached appraisal report. This value opinion may be subject to Hypothetical Conditions and/or Extraordinary Assumptions as indicated in the body of the report. A true and complete copy of this Summary Appraisal Report contains 22 pages.

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RESIDENTIAL APPRAISAL REPORT

SUBJECT PROPERTY IDENTIFICATION

Property Address: 1777 E 30th Ave City: Eugene
State: OR Zip Code: 97405 County: Lane
Legal Description of Real Property: See Legal Description Pages
Tax Assessor's Parcel #: 1717188 R.E. Taxes: $ 3,032.24 Tax Year: 2012
Special Assessments: $ 0 Current Owner of Record: WILSON CHAD R & KATIE A
Occupancy: ☒ Owner ☐ Tenant ☐ Vacant Current Occupant (if occupied): WILSON CHAD R & KATIE A
Project Type (if applicable): ☐ Planned Unit Development ☐ Condominium ☐ Cooperative ☐ N/A
Home Owners' Association Membership Fees (if applicable): $ N/A ☐ per year ☐ per month
Market Area Name: Laurelwood Golf Course Map Reference: 18-03-08-11-00602 Census Tract: 0049.00

ASSIGNMENT

The purpose of this appraisal is to develop a Current opinion of Market Value (as defined elsewhere in this report).

Property Rights Appraised: ☒ Fee Simple ☐ Leasehold ☐ Leased Fee ☐ Other (describe)
Intended Use: To establish fee simple market value as of 03/12/2012 in order to assist the Client in a Measure 49 claim.
Intended User(s) (by name or type): The intended user is the Client identified in this report and all assigns.
Client: Chad Wilson Address: 1777 E 30th Avenue, Eugene, OR 97405
Appraiser: Brian B. Elliott Address: 260 West 12th Avenue, Eugene, OR 97401

MARKET AREA DESCRIPTION

Location: ☐ Urban ☒ Suburban ☐ Rural Built Up: ☐ Over 75% ☒ 25-75% ☐ Under 25%
Growth Rate: ☐ Rapid ☒ Stable ☐ Slow Property Values: ☐ Increasing ☒ Stable ☐ Declining
Demand/Supply: ☐ Shortage ☒ In Balance ☐ Over Supply Marketing Time: ☒ Under 3 Mos. ☐ 3-6 Mos. ☐ Over 6 Mos.

Typical One-Unit Housing Ranges: Price: ($) Low 160,000 High 1,560,000 Predominant 300,000
Age: (yrs.) Low 0 High 105 Predominant 40

Present Land Use: One-Unit: 65 % 2-4 Unit: 5 % Multi-Unit: 5 % Comm'l: 5 % Vacant/Park 20 %
Change in Land Use: ☒ Not Likely ☐ Likely * ☐ Is Changing * * To:

Market Area Comments:
See attached addenda.

SALE / TRANSFER / LISTING HISTORY OF SUBJECT PROPERTY

My research: ☐ Did ☒ Did not reveal any prior sales or transfers of the subject property for the three years prior to the Effective Date of this appraisal. Data Source(s): Deed records/MLS

	1st Prior Sale / Transfer	2nd Prior Sale / Transfer	3nd Prior Sale / Transfer
Date of Prior Sale / Transfer:			
Price of Prior Sale / Transfer:			
Source(s) of Prior Sale / Transfer Data:			

Analysis of sale / transfer history, any current agreements of sale or listing, and listing history (if relevent):
A search of County Records revealed no prior sales of the subject property in the prior 36 months and no sales or transfers for the comparables within the last 12 months.

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RESIDENTIAL APPRAISAL REPORT

SITE DESCRIPTION

Dimensions: See Site Map Page Site Area: 27,878 Sq.Ft.

Zoning Classification: R-1 Zoning Description: Low Density Residential

Zoning Compliance: ☒ Legal ☐ Legal Non-Conforming (Grandfathered) ☐ Illegal ☐ No Zoning Regulations

Deed Restrictions: Are Covenants, Conditions, & Restrictions (CC&Rs) applicable? ☐ Yes ☐ No ☒ Unknown

Have the documents been reviewed? ☐ Yes ☐ No ☐ N/A Ground Rent (if applicable) $ ____ / ____

Comments:

Highest & Best Use , as improved, is the: ☒ Present use, or ☐ Other use (explain)

Characteristics:

Topography:	Gently Sloping	Size:	Typical
Shape:	Irregular	Drainage:	Normal
View:	Residential/Golf Course	Landscaping:	Typical

Other features: ☒ Inside Lot ☐ Corner Lot ☐ Cul de Sac ☐ Underground Utilities ☐

Utilities:

	Public	Other	Provider/Description
Electricity:	☒	☐	EWEB
Gas:	☒	☐	NW Natural
Water:	☒	☐	EWEB
Sanitary Sewer:	☒	☐	City of Eugene

Off-site Improvements:

	Type	Public	Private
Street:	Asphalt	☒	☐
Curb/Gutter:	None	☐	☐
Sidewalk:	None	☐	☐
Alley:	None	☐	☐

Is the property or the improvements located in a FEMA Special Flood Hazard Area? ☐ Yes ☒ No

FEMA Flood Zone: X FEMA Map # 41039C1139F FEMA Map Date: 6/2/1999

Site Comments:

No adverse easements or encroachments are apparent. Normal residential utility easements are assumed. Site usage is consistent with zoning and neighborhood trends.

DESCRIPTION OF THE IMPROVEMENTS

General Description: # of Units: 1 ☒ + Accessory Unit # of Stories: 1 Design (Style): Traditional

Type: ☒ Detached ☐ Attached ☐ ____ Status: ☒ Existing ☐ Proposed ☐ Under Construction

Actual Age (years): 0 Effective Age (years): 0 Year Built: Hypothetically 2012

Exterior Description:

Foundation:	Concrete	Exterior Walls:	Wood Siding/Brick
Roof Surface:	Composite Shingle	Gutters & Downspouts:	Aluminum
Window Type(s):	Vinyl Clad	Storm / Screens:	Screens
Heating System:	Heat Pump	Cooling System:	Heat Pump

Car Storage: ☐ None ☒ Garage ☐ Carport ☒ Driveway (Surface: Concrete) Total # of Cars: 5

Livable area above grade contains: 7 Rooms, 4 Bedrooms, 2.1 Bath(s), and 2,402 Sq.Ft. of GLA

Describe Additional Features and Improvements:

New construction. Effective age of 0 years. Based on limited plans and specs, the subject appears to be physically and functionally adequate. There is no physical or functional obsolescence noted. Quality of construction is good. The home is considered to be in new condition. All of the home's mechanical systems/utilities are assumed operational as of the effective date of this report.

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309

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RESIDENTIAL APPRAISAL REPORT

SALES COMPARISON APPROACH TO VALUE

For the Sales Comparison Approach, the appraiser selects comparable sales that they consider the best matches to the subject in terms of physical characteristics, physical proximity, and time of sale. The appraiser then makes adjustments to the known sale price of each comparable sale to account for differences that are recognized by the market. For example, if the subject has a single bathroom but a comparable has 2, the comparable's sale price would be reduced by the attributable value given to the extra bathroom based on the market's reaction. Likewise, if a comparable sale has a smaller square footage than the subject, its sale price would be adjusted upward in the same manner. By weighting and reconciling these adjusted sales prices together, an opinion of value for the subject can be determined.

FEATURE	SUBJECT	COMPARABLE SALE # 1		COMPARABLE SALE # 2		COMPARABLE SALE # 3	
Address	1777 E 30th Ave Eugene, OR 97405	1407 E 21st Ave Eugene, OR 97403		955 E 20th Ave Eugene, OR 97405		1910 Potter St Eugene, OR 97405	
Proximity to Subject		0.98 miles N		1.16 miles NW		1.18 miles NW	
Sale Price	$	$ 451,000		$ 415,000		$ 440,000	
Sale Price / GLA	$ /Sq.Ft.	$ 205.94 /Sq.Ft.		$ 228.27 /Sq.Ft.		$ 205.70 /Sq.Ft.	
Data Source(s)		RMLS#10018519;DOM 345		RMLS#11637597;DOM 4		RMLS#11606922;DOM 26	
ADJUSTMENT ITEMS	DESCRIPTION	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.
Sales or Financing Concessions		Conventional 0	0	Conventional 0	0	Conventional 0	0
Date of Sale / Time		03/29/2011		09/09/2011		03/28/2011	
Rights Appraised	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
Location	SE Hills	University	0	University	0	University	0
Site	27,878 Sq.Ft.	5,663 sf	0	8,712 sf	0	5,663 sf	0
View	Residential/Golf Course	Residential	0	Residential	0	Residential	0
Design (Style)	Traditional	Traditional		Traditional		Traditional	
Quality of Construction	Good	Good		Good		Good	
Age	0	84/Updated	0	99/Updated	0	81/Updated	0
Condition	New	Good	0	Good	0	Good	0
Above Grade Room Count (Total / Bdrms / Baths)	7 / 4 / 2.1	7 / 3 / 3.0	-2,500	7 / 4 / 1.1	+5,000	7 / 4 / 2.1	
Gross Living Area	2,402 Sq.Ft.	2,190 Sq.Ft.	+10,600	1,818 Sq.Ft.	+29,200	2,139 Sq.Ft.	+13,200
Basement Total Area	0 sf	624 sf	0	684 sf	0	0 sf	
Basement Finish Area	0 sf	0 sf		0 sf		0 sf	
Functional Utility	Good	Good		Good		Good	
Heating / Cooling	Heat Pump	Wall/None	+5,000	FWA/None	+5,000	FWA/None	+5,000
Energy Efficient Items	Weatherized	Weatherized		Weatherized		Weatherized	
Garage / Carport	5 Car Garage	3 Car Garage	+6,000	None	+15,000	None	+15,000
Porch / Patio / Deck	Porch,Deck	Porch,Deck		Porch,Patio	0	Porch,Patio	0
Additional Features	2nd Legal Dwelling	2nd Legal Dwelling		2nd Legal Dwelling		2nd Lgl Dwl in Bsmt	0
Net Adjustment (Total)		☒+ ☐–	$ 19,100	☒+ ☐–	$ 54,200	☒+ ☐–	$ 33,200
Adjusted Sale Price of Comparables			$ 470,100		$ 469,200		$ 473,200

Comments on the Sales Comparison Approach:

See attached addenda.

Appraiser's Indicated Value by the Sales Comparison Approach: $ 470,000

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309

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RESIDENTIAL APPRAISAL REPORT

RECONCILIATION

Final Reconciliation of the Approaches to Value:

See attached addenda.

This appraisal is made ☒ "as is"; ☐ subject to completion per plans and specifications on the basis of a Hypothetical Condition that the improvements have been completed; ☐ subject to the following repairs or alterations on the basis of a Hypothetical Condition that the repairs or alterations have been completed; ☐ subject to the following required inspection(s) based on the Extraordinary Assumption that the following condition or deficiency does not require alteration or repair:

Hypothetical Conditions: The appraisal is based on a retrospective effective date of 03/12/2012. The appraisal is also based on the hypothetical assumption that the 2,402 sf new home existed on the property as of 03/12/2012. This significantly affects the opinion of value.

☐ This report is also subject to other Hypothetical Conditions or Extraordinary Assumptions as specified elsewhere in this report.

ATTACHMENTS

A true and complete copy of this report contains 22 pages, including all exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report.

Attached Exhibits:

☒ Scope of Work	☒ Limiting Cond./Certification	☒ Narrative Addendum	☒ Photograph Addenda
☒ Sketch Addendum	☒ Map Addenda	☐ Cost Addendum	☐ Flood Addendum
☒ Additional Sales	☒ Additional Rentals	☐ Income/Expense Analysis	☒ Hypothetical Conditions
☐ Extraordinary Assumptions	☐	☐	☐

OPINION OF VALUE

This Opinion of Value may be subject to other Hypothetical Conditions and / or Extraordinary Assumptions, if so indicated above. Based on the degree of inspection of the subject property as indicated below; the defined Scope of Work for this appraisal assignment; the attached Statement of Assumptions and Limiting Conditions; and the attached Appraiser's Certifications, my (our) Current Opinion of the Market Value (or value range), as defined elsewhere in this report, of the real property that is the subject of this report is: $ 470,000 , as of: 03/12/2012 , which is both the Inspection Date and the Effective Date of this appraisal.

SIGNATURES

APPRAISER

Appraiser Name: Brian B. Elliott
Company: Duncan & Brown, LLC
Phone: 541-687-1938 Fax: (541) 683-0932
E-mail: blake@duncanbrown.com
Date of Report (Signature): 01/25/2016
License or Certification #: CR01011 State: OR
Designation: Certified Residential
Expiration Date of License or Certification: 02/29/2016
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 03/12/2012

SUPERVISORY APPRAISER (if required)
or CO-APPRAISER (if applicable)

Supervisory or Co-Appraiser Name: Richard J. Duncan, MAI, SRA
Company: Duncan & Brown, LLC
Phone: (541) 687-1938 Fax: (541) 683-0932
E-mail: rick@duncanbrown.com
Date of Report (Signature): 01/25/2016
License or Certification #: C000106 State: OR
Designation: MAI, SRA
Expiration Date of License or Certification: 07/31/2017
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309

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ADDITIONAL COMPARABLE SALES

SALES COMPARISON APPROACH TO VALUE

FEATURE	SUBJECT	COMPARABLE SALE # 4		COMPARABLE SALE # 5		COMPARABLE SALE # 6	
Address 1777 E 30th Ave Eugene, OR 97405		2662 Potter St Eugene, OR 97405		4451 Dillard Rd Eugene, OR 97405			
Proximity to Subject		0.62 miles NW		1.32 miles S			
Sale Price	$		$ 380,000		$ 390,000		$
Sale Price / GLA	$ /Sq.Ft.	$ 237.50/Sq.Ft.		$ 157.26/Sq.Ft.		$ /Sq.Ft.	
Data Source(s)		RMLS#11148894;DOM 43		RMLS#11405264;DOM 23			
ADJUSTMENT ITEMS	DESCRIPTION	DESCRIPTION	+(-) $ Adjust.	DESCRIPTION	+(-) $ Adjust.	DESCRIPTION	+(-) $ Adjust.
Sales or Financing Concessions		Conventional 0	0	Conventional 0	0		
Date of Sale / Time		11/15/2011		11/18/2011			
Rights Appraised	Fee Simple	Fee Simple		Fee Simple			
Location	SE Hills	University		SE Hills			
Site	27,878 Sq.Ft.	7,841 sf	0	40,950 sf	0		
View	Residential/Golf Course	Residential	0	Mountain	0		
Design (Style)	Traditional	Traditional		Traditional			
Quality of Construction	Good	Good		Good			
Age	0	63	0	64	0		
Condition	New	Good		Good			
Above Grade Room Count	Total 7 / Bdrms 4 / Baths 2.1	Total 7 / Bdrms 3 / Baths 2.0	+2,500	Total 7 / Bdrms 4 / Baths 2.1	0	Total / Bdrms / Baths	
Gross Living Area	2,402 Sq.Ft.	1,600 Sq.Ft.	+40,100	2,480 Sq.Ft.		Sq.Ft.	
Basement Total Area	0 sf	0 sf		0 sf			
Basement Finish Area	0 sf	0 sf		0 sf			
Functional Utility	Good	Good		Good			
Heating / Cooling	Heat Pump	FWA/None	+5,000	Wall/None	+5,000		
Energy Efficient Items	Weatherized	Weatherized		Weatherized			
Garage / Carport	5 Car Garage	None	+15,000	3 Car Carport	+10,500		
Porch / Patio / Deck	Porch,Deck	Porch,Deck		Porch,Patio	0		
Additional Features	2nd Legal Dwelling	Studio	+30,000	Small Studio	+50,000		
Net Adjustment (Total)		☒+ ☐-	$ 92,600	☒+ ☐-	$ 65,500	☐+ ☐-	$
Adjusted Sale Price of Comparables			$ 472,600		$ 455,500		$

Comments: See attached addenda.

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309

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Supplemental Addendum

File No. R15-309

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				

• **GP Consumer Short Form: Market Area Description - Boundaries, Description, Conditions**

The subject is located on Laurelwood Golf Course in the southeast hills of Eugene. The neighborhood is accessed by a small access road off of the north side of 30th Avenue. The neighborhood consists of six custom single family homes on lots that cross the access road and front Laurelwood Golf Course with very marketable views.

The subject extended established area consists of mostly average to good quality, older and mid-life homes. The subject enjoys good convenience to schools, shopping, and employment. Properties in the area exhibit average to good overall appearance.

The market for homes in the area has been active between 2010 and 2012, with some depreciating prices due to the housing crisis commonly thought to have begun in 2010. Median days on market for the extended neighborhood spanning a one mile radius is 60 days, with some of the most marketable properties selling within 30 days. There appears to have been a balance between supply and demand as of the effective date of the report. Estimated market exposure time is 30-90 days.

• **GP Consumer Short Form: Sales Comparison Approach - Comments on Sales Comparison Approach**

The subject is located in a very marketable secluded neighborhood bordering Laurelwood Golf Course. The area is an active market in the southeast hills of Eugene. The majority of the neighborhood features homes that are equal in design and appeal to the subject property, but with few new builds. The subject also features a detached 864 sf separate legal dwelling built in 2004. These two features make the subject very unique.

In order to properly analyze the subject property, the appraiser has canvassed the entire south Eugene market. The appraiser identified recently updated homes that also had some form of a detached dwelling included. It appears that the University area has a higher occurrence of homes with detached dwellings. Through market research, the subject's large lot and Laurelwood Golf Course view are considered equal to the location in the University market. No adjustment is needed when size, location and view are all taken into account. The appraiser used the most recent and comparable sales available in the area in this analysis. Only minor adjustments were warranted and all market sensitive factors were bracketed.

Though the subject is new construction, most newer builds within older existing neighborhoods tend to experience some value absorption within the older market. The older homes used in this analysis have all been tastefully updated with higher end materials and marketable designs that appeal to the typical market participant in this time period. There is no adjustment required for age differences.

The city of Eugene considers a legal dwelling to have a full functional kitchen and can be rented to persons other than family members. Market evidence has confirmed this to be a very significant value added feature. Comparables #1, #2 and #3 all feature legal separate dwellings similar to that of the subject's. Comparables #4 and #5 feature studio buildings that are not legal dwellings. The value difference is evident.

Ultimately, the appraiser was able to bracket every market sensitive feature and identify a well supported opinion of value. Adjustments are either extracted through paired sales analysis, or applied as a percentage of cost to build.

The subject property is zoned R-1, Low Density Residential. This is a standard single family residential zone in the area. The subject passes all the tests of being at its highest and best use, that is being legally permissible, physically possible, financially feasible and of maximal productivity. The highest and best use as improved is its current use as a single family residential property. The subject dwelling is currently being utilized as a single family dwelling. This is the use reflected in this appraisal.

ASSUMPTIONS & LIMITING CONDITIONS

SUBJECT PROPERTY

Property Address: 1777 E 30th Ave City: Eugene
State: OR Zip Code: 97405 County: Lane

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
- The appraiser may have provided a sketch in the appraisal report to show approximate dimensions of the improvements, and any such sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. Unless otherwise indicated, a Land Survey was not performed.
- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.
- If this appraisal is indicated as subject to satisfactory completion, repairs, or alterations, the appraiser has based his or her appraisal report and valuation conclusion on the assumption that completion of the improvements will be performed in a workmanlike manner.
- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.
- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database.
- An appraisal of real property is not a 'home inspection' and should not be construed as such. As part of the valuation process, the appraiser performs a non-invasive visual inventory that is not intended to reveal defects or detrimental conditions that are not readily apparent. The presence of such conditions or defects could adversely affect the appraiser's opinion of value. Clients with concerns about such potential negative factors are encouraged to engage the appropriate type of expert to investigate.
- In developing this appraisal, the appraiser has incorporated the Sales Comparison and Income approaches to value. The appraiser has excluded the Cost approach. The appraiser has determined that this appraisal process is not so limited that the results of the assignment are no longer credible.

GP CONSUMERSF

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DEFINITIONS & SCOPE OF WORK

SUBJECT PROPERTY

Property Address: 1777 E 30th Ave City: Eugene
State: OR Zip Code: 97405 County: Lane

DEFINITION OF MARKET VALUE *:
Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:
1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):
None

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CERTIFICATIONS

SUBJECT PROPERTY

Property Address: 1777 E 30th Ave City: Eugene
State: OR Zip Code: 97405 County: Lane

APPRAISER'S CERTIFICATION

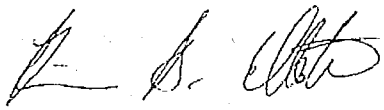
I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.

I have performed no services in the past three years in regard to the subject property.

SIGNATURES

APPRAISER



Appraiser Name: Brian B. Elliott
Company: Duncan & Brown, LLC
Phone: 541-687-1938 Fax: (541) 683-0932
E-mail: blake@duncanbrown.com
Date of Report (Signature): 01/25/2016
License or Certification #: CR01011 State: OR
Designation: Certified Residential
Expiration Date of License or Certification: 02/29/2016
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

SUPERVISORY APPRAISER (if required)
or CO-APPRAISER (if applicable)

Supervisory or
Co-Appraiser Name: Richard J. Duncan, MAI, SRA
Company: Duncan & Brown, LLC
Phone: (541) 687-1938 Fax: (541) 683-0932
E-mail: rick@duncanbrown.com
Date of Report (Signature): 01/25/2016
License or Certification #: C000106 State: OR
Designation: MAI, SRA
Expiration Date of License or Certification: 07/31/2017
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309

GP CONSUMERSF

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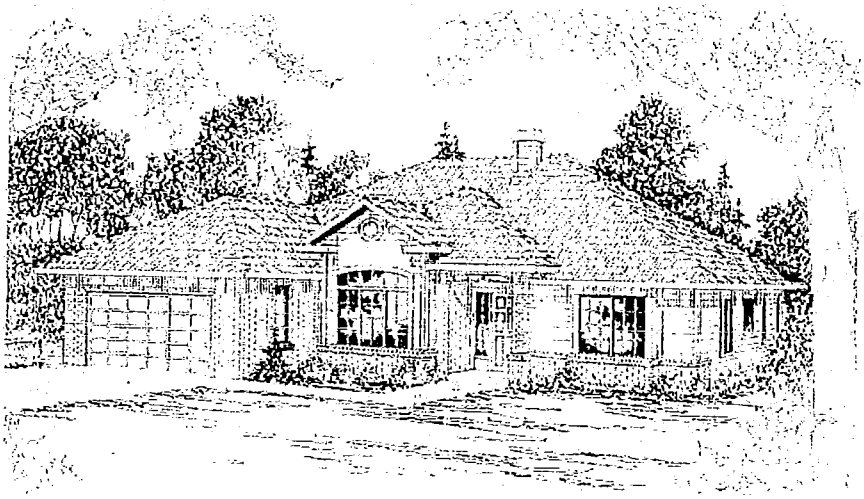
Sketch

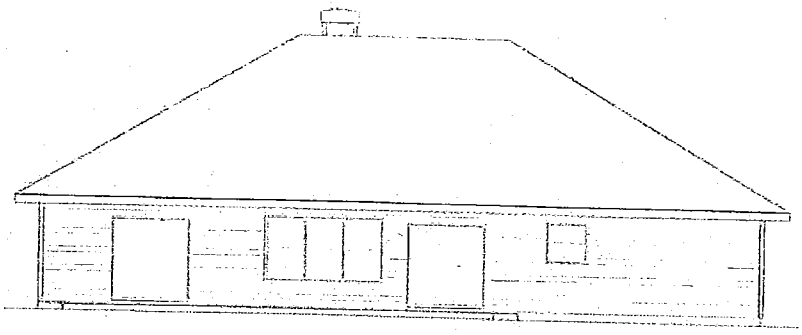
Associated DESIGNS
Find Your Perfect Home Plan
1100 Jacobs Dr., Eugene, Oregon 97402-1983
800-634-8123 · 541-461-2082 · Fax 541-461-1274

Syracuse
30-063



Traditional House Plan - Syracuse 30-063 - Front Elevation

Chad Wilson 541-914-0519
1777 East 30th Ave



Traditional Home Plan - Syracuse 30-063 - Rear Elevation

Plan Details

Building Height: 22'-8"
Wall Types:
2x6 Wood Frame
Primary Roof Pitch:
7/12
Primary Foundation:
Crawl Space
Additional Foundations:
Basement
Concrete Slab
Garage Orientation:
Front-Entry
Bedroom Features:
Main Floor Bedroom & Bath
Main Floor Owners' Suite
Separate Tub & Shower
Walk In Closet
Special Features:
Den, Office, Library, or Study
Formal Dining Room
Fireplace
Great Room
Main Floor Laundry
Mud Room
Large Kitchen
Peninsula Eating Bar
Breakfast Nook

Plan Specs

Living Area:	2402 sq ft
1st Floor:	2402 sq ft
Garage:	514 sq ft
Floors:	1
Bedrooms:	4
Full Baths:	2
Half Baths:	1
Garage Bays:	2

Overall Dimensions:
59'-0" x 58'-0"

Order This Plan

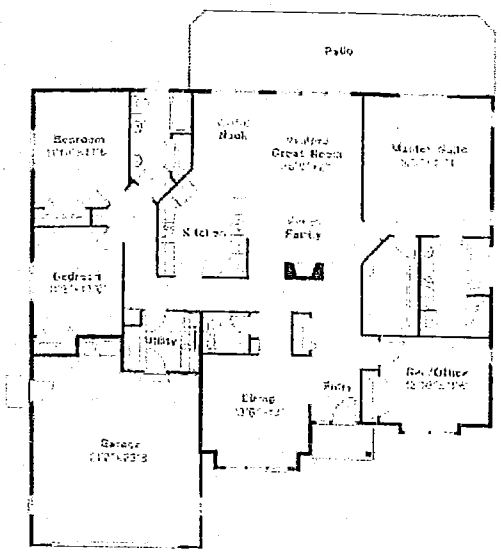
1 Set Study Package
$675.00
5 Set Construction Package
$875.00
8 Set Construction Package
$950.00
PDF Print Set
$925.00
PDF Master
$1,775.00
CAD Electronic Files
$1,875.00

PDF Bid Set:

PDF Bid Set
$75.00

One Additional Build License:

Sketch



Traditional House Plan - Syracuse 30-063 - Floor Plan

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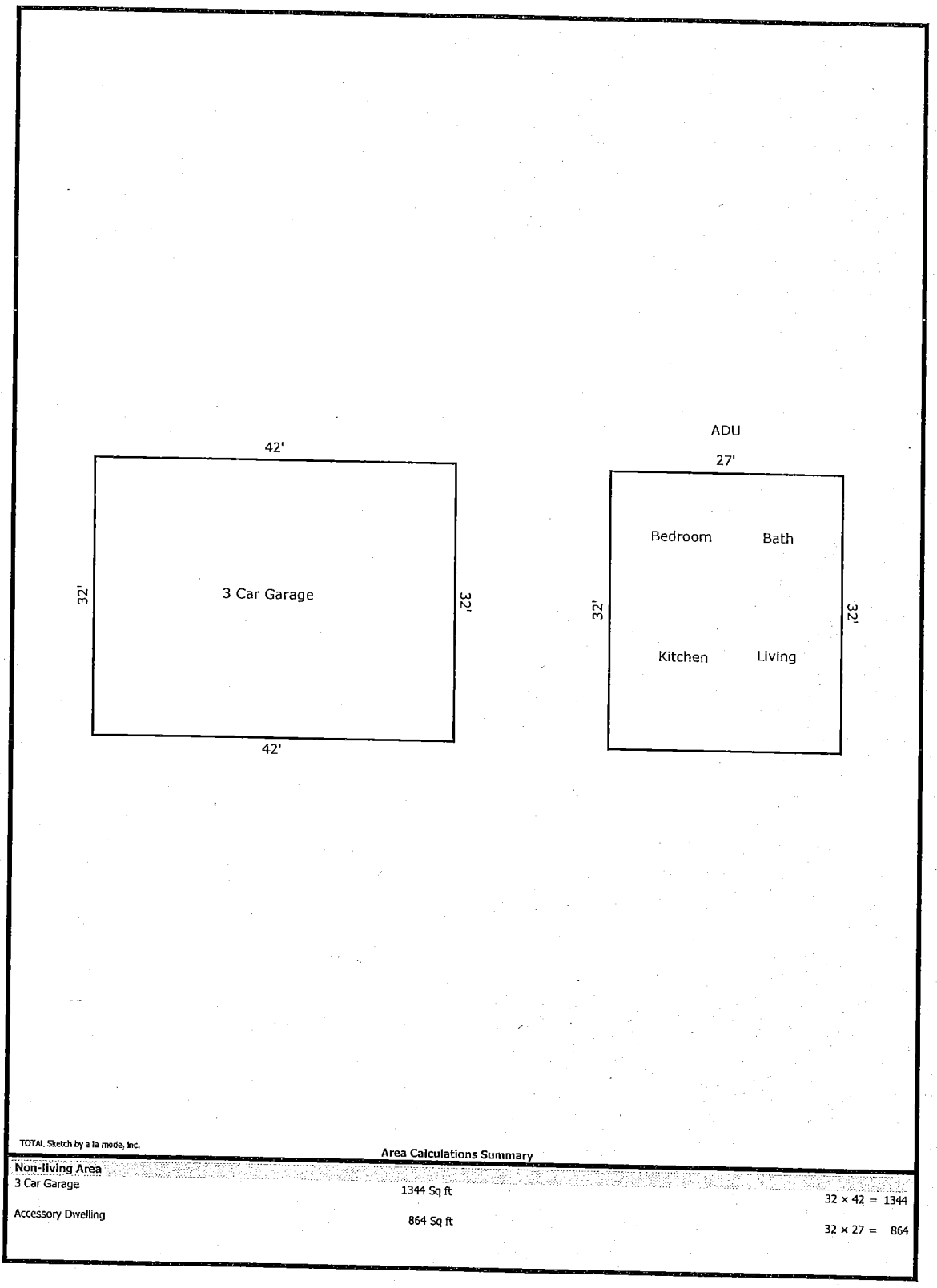
Building Sketch

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



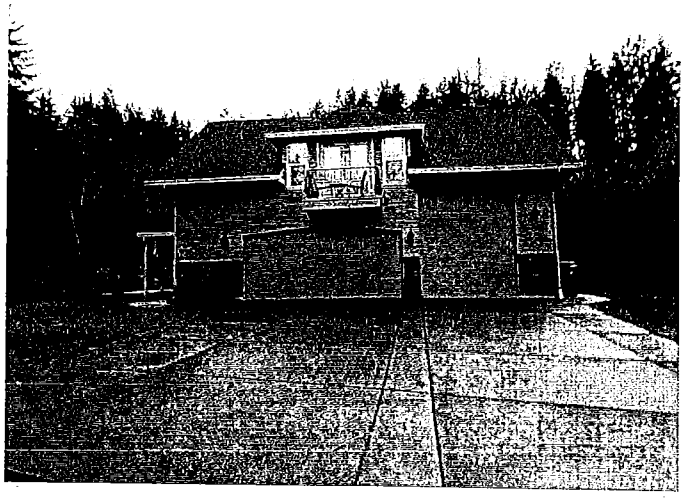
TOTAL Sketch by a la mode, Inc.

Area Calculations Summary

Non-living Area		
3 Car Garage	1344 Sq ft	32 × 42 = 1344
Accessory Dwelling	864 Sq ft	32 × 27 = 864

Subject Photo Page

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				

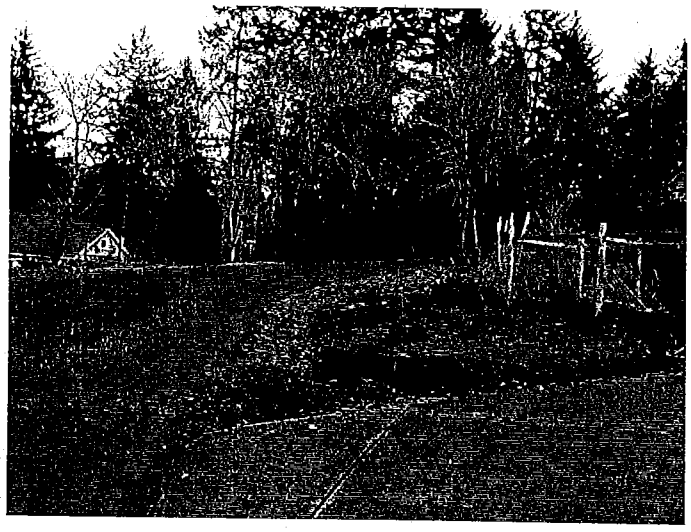


Subject Existing Garage/Loft

1777 E 30th Ave

Sales Price	
Gross Living Area	2,402
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	2.1
Location	SE Hills
View	Residential/Golf Course
Site	27,878 Sq.Ft.
Quality	Good
Age	0

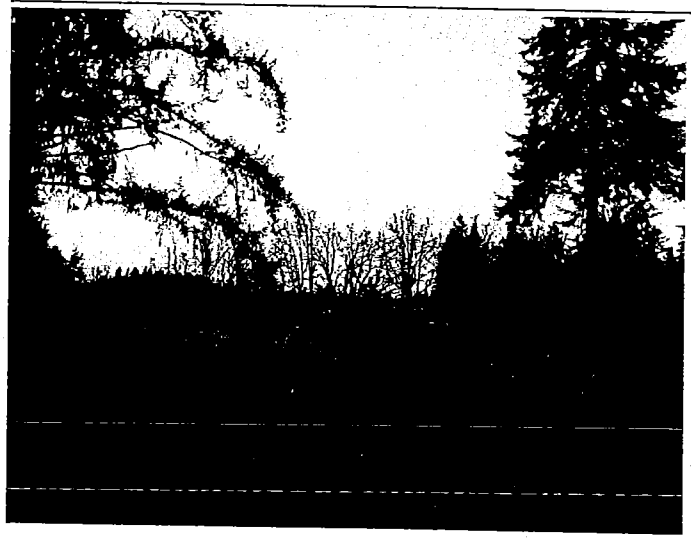
Subject Street View



Subject Alternate Street View

Subject Photo Page

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



Subject Future Home Site

1777 E 30th Ave

Sales Price	
Gross Living Area	2,402
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	2.1
Location	SE Hills
View	Residential/Golf Course
Site	27,878 Sq.Ft.
Quality	Good
Age	0

Subject Golf Course View

Legal Description Map

Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						

Western Title & Escrow
Order Number: 93338-DMS

After Recording Return To:
Western Title & Escrow Company
497 Oakway Rd. Suite 340, Eugene, OR 97401

Grantor

Chad R. Wilson
2794 Bowmont Drive
Eugene, OR 97405

Lane County Clerk
Lane County Deeds & Records
2014-049003
12/11/2014 02:10:24 PM
RPR-DEED Cnt=1 Stn=6 CASHIER 05 2pages
$10.00 $11.00 $10.00 $21.00 $52.00

Grantee

Chad R. Wilson
Katie A. Wilson
2794 Bowmont Drive
Eugene, OR 97405

Until a change is requested, all tax statements shall be sent to the following address:

Chad R. Wilson
Katie A. Wilson
2794 Bowmont Drive
Eugene, OR 97405

Reserved for Recorder's Use

STATUTORY BARGAIN AND SALE DEED

Chad R. Wilson, Grantor(s)
conveys to
Chad R. Wilson and Katie A. Wilson, as tenants by the entirety, Grantees,
the following described real property:

Parcel 1, Land Partition Plat No. 2002-P1588, recorded July 19, 2002, Document No. 2002-054696, Lane County Records, in Lane County, Oregon.

Account: **1717188**
Map & Tax Lot: **18 03 08 11 00602**

The true consideration for this conveyance is **to change vesting.** (Here comply with requirements of ORS 93.030.)

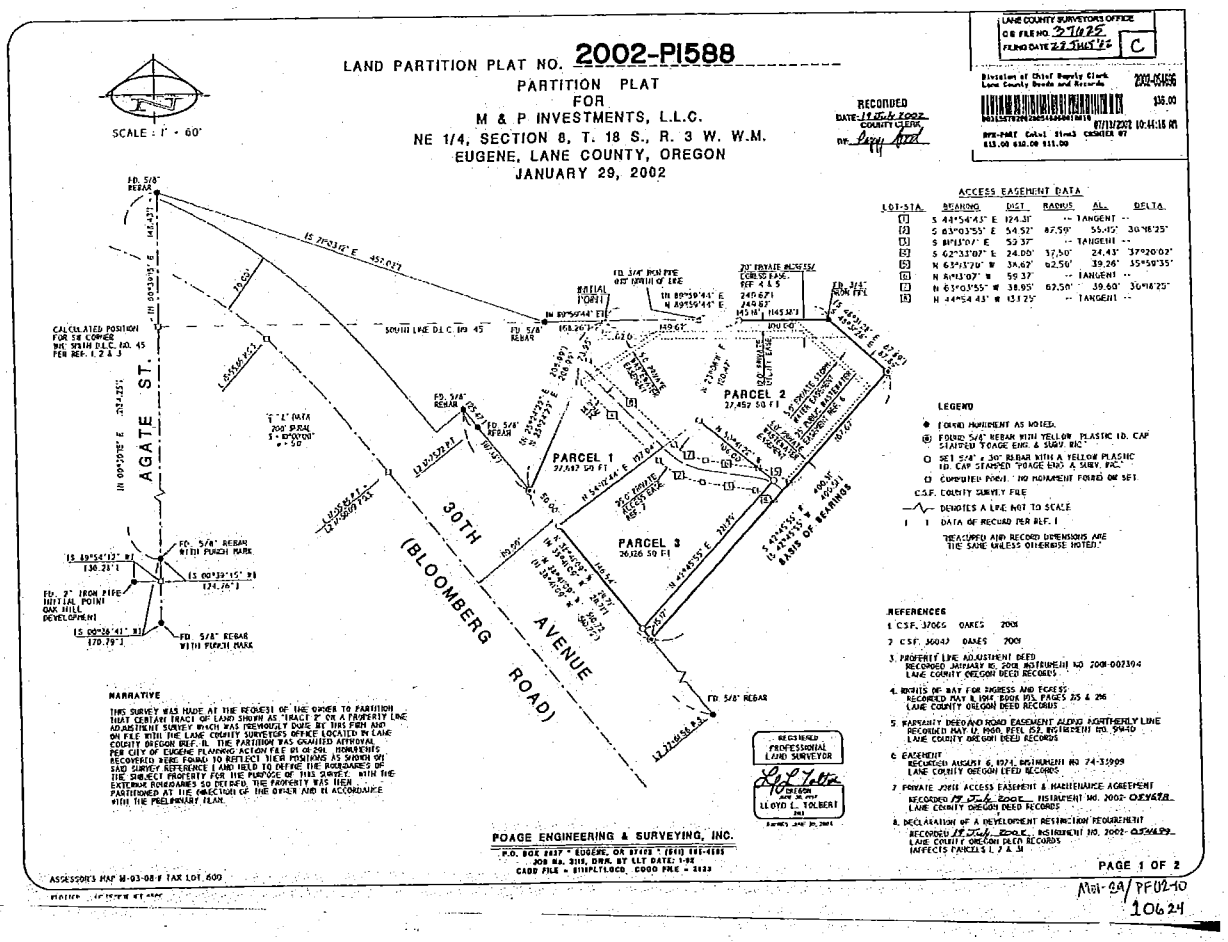
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Executed this 9 day of December, 2014

Chad R. Wilson
Chad R. Wilson

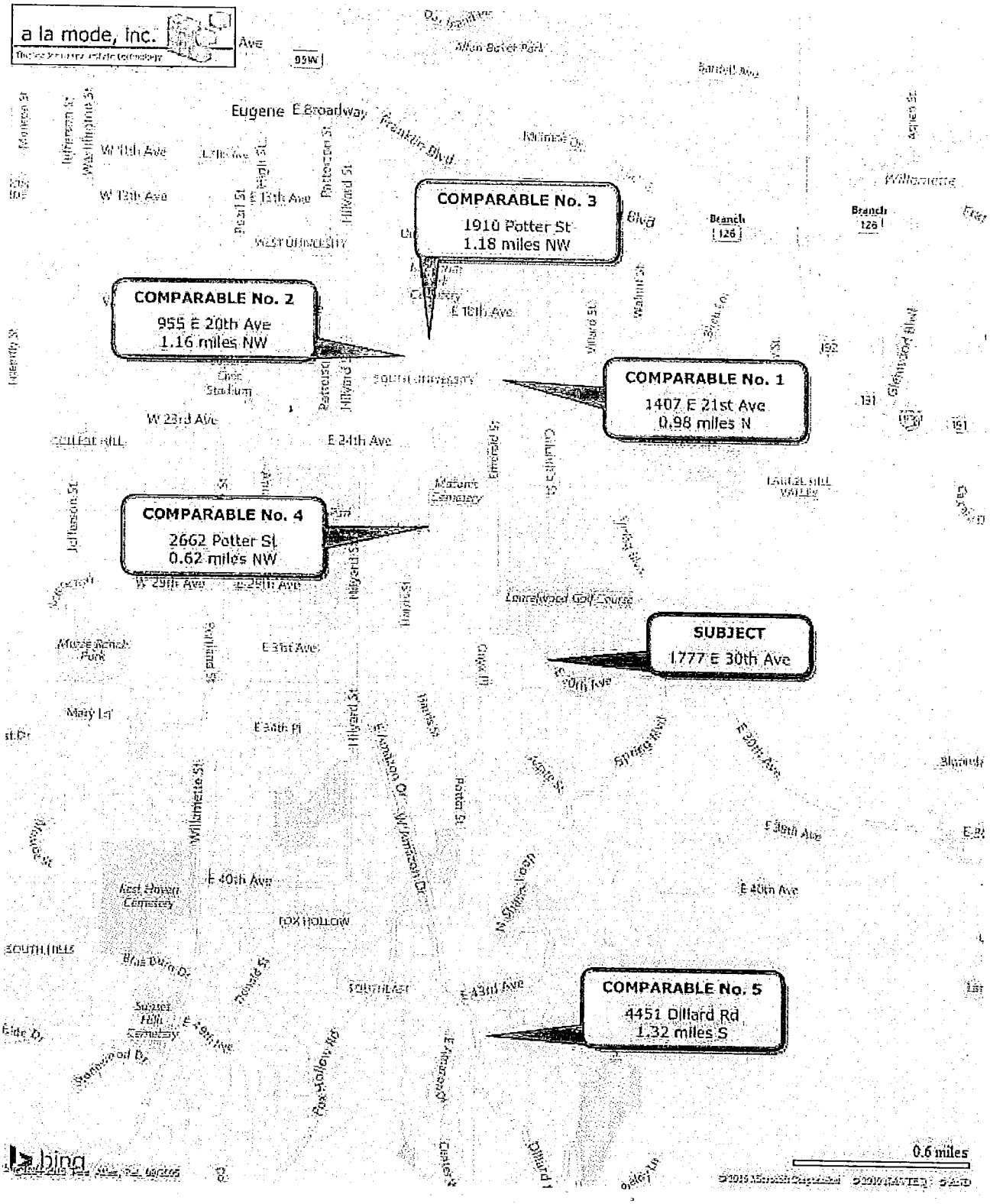
Site Map

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



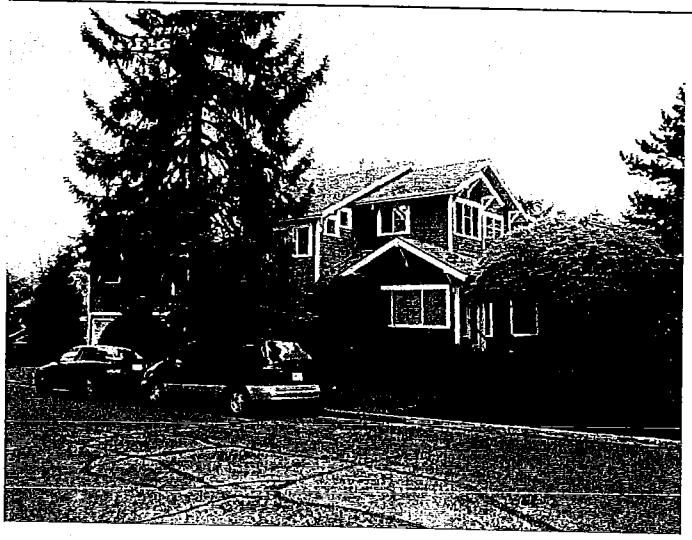
Location Map

Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						



Comparable Photo Page

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



Comparable 1

1407 E 21st Ave

Prox. to Subject	0.98 miles N
Sale Price	451,000
Gross Living Area	2,190
Total Rooms	7
Total Bedrooms	3
Total Bathrooms	3.0
Location	University
View	Residential
Site	5,663 sf
Quality	Good
Age	84/Updated

Comparable 2

955 E 20th Ave

Prox. to Subject	1.16 miles NW
Sale Price	415,000
Gross Living Area	1,818
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	1.1
Location	University
View	Residential
Site	8,712 sf
Quality	Good
Age	99/Updated

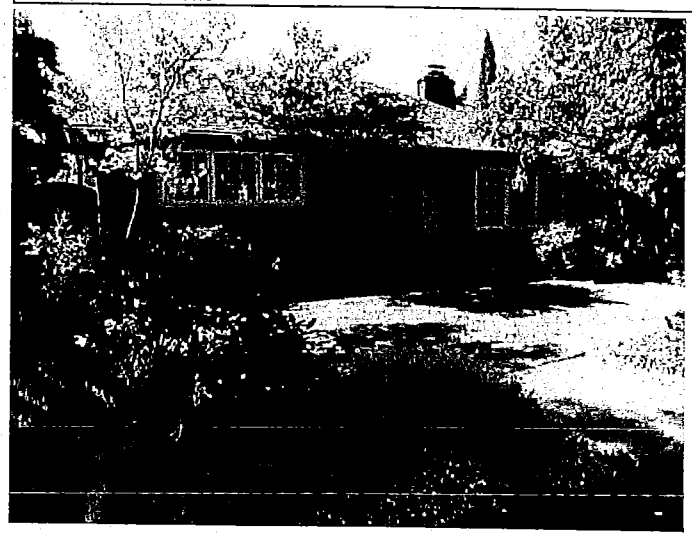
Comparable 3

1910 Potter St

Prox. to Subject	1.18 miles NW
Sale Price	440,000
Gross Living Area	2,139
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	2.1
Location	University
View	Residential
Site	5,663 sf
Quality	Good
Age	81/Updated

Comparable Photo Page

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



Comparable 4

2662 Potter St

Prox. to Subject	0.62 miles NW
Sale Price	380,000
Gross Living Area	1,600
Total Rooms	7
Total Bedrooms	3
Total Bathrooms	2.0
Location	University
View	Residential
Site	7,841 sf
Quality	Good
Age	63

Comparable 5

4451 Dillard Rd

Prox. to Subject	1.32 miles S
Sale Price	390,000
Gross Living Area	2,480
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	2.1
Location	SE Hills
View	Mountain
Site	40,950 sf
Quality	Good
Age	64

Appraiser's License

Appraiser Certification and Licensure Board

State Certified Residential Appraiser

28 hours of continuing education required for renewal

Brian B Elliott
Duncan & Brown LLC
260 W 12th AVE
Eugene, OR 97401

License No.: **CR01011**
Issue Date: **May 8, 2015**
Expiration Date: **February 29, 2016**

Gae Lynne Cooper

Gae Lynne Cooper, Administrator

Appraisers License

Appraiser Certification and Licensure Board

State Certified General Appraiser

28 hours of continuing education required for renewal

Richard J Duncan
Duncan & Brown LLC
260 W 12th AVE
Eugene, OR 97401

License No.: C000106
Issue Date: August 1, 2015
Expiration Date: July 31, 2017

Gae Lynne Cooper, Administrator

LAW OFFICE OF BILL KLOOS PC

OREGON LAND USE LAW
375 W. 4TH AVENUE, SUITE 204
EUGENE, OR 97401
TEL: 541.343.8596
WEB: WWW.LANDUSEOREGON.COM

BILL KLOOS
BILLKLOOS@LANDUSEOREGON.COM

July 25, 2016

Jon Ruiz
Eugene City Manager
125 East 8th Ave., Second Floor
Eugene, OR 97401

Re: Measure 49 Claim; Chad and Katie Wilson; 1777 E. 30th Ave., Eugene 97405
Completeness Review Submittal

Dear Mr. Ruiz:

Thank you for the City's April 20, 2016, completeness review letter on this matter. Please accept this information in support of this application.

This letter is organized to respond to the specific items requested in the City's April 20 letter.

1. Under ORS 195.310(8)(d), a Measure 49 claim must include "a citation to the land use regulation that the claimant believes is restricting the claimant's desired use of the property that is adequate to allow the public entity to identify the specific land use regulation that is the basis for the claim." The Wilson claim identifies Section 9 of Eugene Ordinance No. 20526, which added EC 9.2751(17). Subsection (17) is approximately 5 pages long. Additional, more specific, information should be submitted that more accurately identifies the provision of subsection (17) that is the basis for the claim.

The newly adopted code section that limits the uses allowed on this property is identified and discussed in the City's Proposed Notice of Secondary Dwelling Limitation. This is the document the City provided to the applicant in connection with his submittal of a building permit for a residential dwelling on the subject property. A copy is attached hereto.

2. Under ORS 195.310(8)(d), the claim must include an appraisal that complies with ORS 195.310(2). The alleged reduction in fair market value based on the new land use regulation is "equal to the decrease, if any, in the fair market value of the property from the date that is one year before the enactment of the land use regulation to the date that is one year after the enactment, plus interest." Ordinance No. 20526 was enacted March 12, 2014. Accordingly, the appraisal values that must be provided are for the fair market values on March 12, 2013 and March 12, 2015. The appraisals attached to the claim appear to provide appraised values as of March 12, 2014 and March 12, 2012.

Thank you of the correction on the relevant dates for the appraisals. The before and after appraisals have been amended to reflect the requested dates – March 12, 2013, and March 12, 2015. These show values of $470,000 and $410,000, respectively, for a loss in value of $60,000.

3. Under ORS 195 .310(2)(c), the appraisal must "expressly determine the highest and best use of the property at the time the land use regulation was enacted." The appraisal does not appear to provide that necessary information.

The time one appraisal, at PDF page 6, under "Hypothetical Conditions," assumes that a new single family dwelling would be added the existing site, which already has a single family dwelling. That use is not possible under the new regulation, as stated in the time two appraisal. Under the time two appraisal, the existing dwelling could not be used as a legal dwelling.

The "highest and best use" is discussed in more detail and more explicitly in the last paragraph of the Supplemental Addendum, which appears as PDF page 7 of each appraisal. Again, the time one appraisal reflects the potential for a secondary dwelling under the former regulations. The time two appraisal reflects the loss of the secondary dwelling status.

4. Waiver or just compensation is available under ORS 195.305 where a land use regulation restricts the residential use of property and reduces the fair market value of the property. A complete analysis must include a description of the regulation that was in effect prior to the enactment of the regulation, what uses were allowed under the prior regulation, what uses are allowed under the new provisions, and how the new regulation reduces the fair market value of the property. Under staffs review, it appears that a primary residential use and a secondary dwelling were allowed under the previous regulation, and that the same uses are allowed under Ordinance No. 20526.

Under the time one regulation, the property qualified for a primary dwelling and a secondary dwelling. Under the time two regulations the property qualifies for a primary dwelling and an accessory structure, not a full secondary dwelling. The difference between these allowed uses impacts the highest and best use and the market value, as reflected in the appraisals.

Put differently, under the time one regulations, the owner could have built a full size dwelling and keep the existing structure as a secondary dwelling. Under the time two regulations, if the owner were to build a full size dwelling, under the new regulation the existing dwelling would have to be decommissioned as a secondary dwelling. This impacts the market value, as reflected in the appraisals.

Sincerely,

Bill Kloos

Bill Kloos

List of Exhibits:

City Notice of Secondary Dwelling Limitation

Duncan and Brown Appraisal – after regulation (March 12, 2015)

Duncan and Brown Appraisal – before regulation (March 12, 2013)

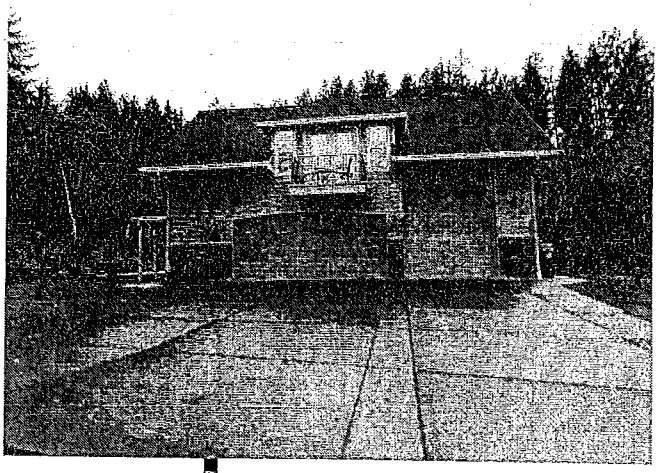
After recording return to:
Chad R. Wilson
2794 Bowmont Drive
Eugene, OR 97405

NOTICE OF Building Permit that does not constitute a Secondary Dwelling Unit

I, Chad R. Wilson, have submitted a building permit to the City of Eugene (City Log # 14-03380-01) for a single family dwelling on a lot which has an existing structure built under building permit #04-01224-01. The existing structure is being converted to a detached accessory structure, and contains a main level garage with stair access to an upper level living area including a bedroom, full bath, living area and area with counters and remote sink. All structures are under the address of 1777 E. 30th Avenue (also known as Assessor's Map 18-03-08-11, Tax Lot 00602). All persons living on the subject property must function as a single family, per Eugene Code 9.0500. The property at 1777 E 30th Avenue is within the corporate limits of the City of Eugene. The legal description of the real property is:

PARCEL 1 OF PARTITION PLAT NO. 2002-P1588, RECORDED JULY 19, 2002, DOCUMENT NO. 2002-054696, LANE COUNTY OREGON PLAT RECORDS, IN LANE COUNTY, OREGON

I have been fully informed by City staff of my inability to legally convert the existing upper living area on this property into a secondary dwelling unit in a manner that would meet Eugene Code Section 9.2751(17)(i), unless such standards change in the future. Specifically, the detached structure does not comply with the building height/sloped setback for detached secondary dwellings. The structure qualifies as a legal accessory structure since it was pre-existing prior to implementation of EC 9.2751(16). I am choosing to NOT create a SDU at this time, and instead use the existing upper space as additional living area to the new home, under City permit#14-03380-01. I understand that I cannot legally use or rent out the detached living area as a separate secondary dwelling unit. If the upper living area on my property is used as a secondary dwelling unit, I will be subject to the imposition of civil penalties (fines) as long as the space is used as a secondary dwelling unit. It is the property owners' responsibility to notify the next owners of the property that the upper detached living area is NOT a legal secondary dwelling unit and cannot be used as such (unless the proper permits for conversion were obtained). This notice will also serve as documentation to future owners of the use limitation on the detached accessory structure. I also understand that City permit records will be retained which reflect my decision to not convert or use the detached accessory structure as a secondary dwelling unit.



Appraisal Report

1777 E 30th Ave
Eugene, OR 97405

Duncan & Brown, LLC
541-687-1938

Appraised Value as of: 03/12/2015
$ 410,000

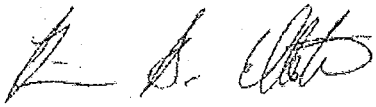
FEATURES

Style/Design:	Traditional	Lot Size:	27,878 Sq.Ft.
Living Area (Sq.Ft.):	2,402	Neighborhood:	Laurelwood Golf Course
Total Bedrooms:	4	Total Baths:	2.1
Year Built:	Hypothetically 2015	Effective Age:	0
Condition:	New	Date of Report:	07/25/2016

PREPARED FOR

Client: Chad Wilson
Address: 1777 E 30th Avenue
City: Eugene State: OR Zip: 97405
Phone: 541-914-0519 Fax:
E-mail: wilsonhomes171806@msn.com

PREPARED BY



Appraiser's Signature

Name: Brian B. Elliott
Designation: Certified Residential
Certification or License #: CR01011
Expiration Date: 02/28/2018 ST: OR
E-mail: blake@duncanbrown.com

FILING

Client File #: Wilson
Appraiser File #: R15-309/2

The value opinion expressed above is only valid in conjunction with the attached appraisal report. This value opinion may be subject to Hypothetical Conditions and/or Extraordinary Assumptions as indicated in the body of the report. A true and complete copy of this Summary Appraisal Report contains 22 pages.

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RESIDENTIAL APPRAISAL REPORT

SUBJECT PROPERTY IDENTIFICATION

Property Address: 1777 E 30th Ave City: Eugene
State: OR Zip Code: 97405 County: Lane

Legal Description of Real Property: See Legal Description Pages

Tax Assessor's Parcel #: 1717188 R.E. Taxes: $ 3,388.61 Tax Year: 2014
Special Assessments: $ 0 Current Owner of Record: WILSON CHAD R & KATIE A

Occupancy: ☒ Owner ☐ Tenant ☐ Vacant Current Occupant (if occupied): WILSON CHAD R & KATIE A

Project Type (if applicable): ☐ Planned Unit Development ☐ Condominium ☐ Cooperative ☐ N/A
Home Owners' Association Membership Fees (if applicable): $ N/A ☐ per year ☐ per month

Market Area Name: Laurelwood Golf Course Map Reference: 18-03-08-11-00602 Census Tract: 0049.00

ASSIGNMENT

The purpose of this appraisal is to develop a Current opinion of Market Value (as defined elsewhere in this report).

Property Rights Appraised: ☒ Fee Simple ☐ Leasehold ☐ Leased Fee ☐ Other (describe)

Intended Use: To establish fee simple market value as of 03/12/2015 in order to assist the Client in a Measure 49 claim.

Intended User(s) (by name or type): The intended user is the Client identified in this report and all assigns.

Client: Chad Wilson Address: 1777 E 30th Avenue, Eugene, OR 97405
Appraiser: Brian B. Elliott Address: 260 West 12th Avenue, Eugene, OR 97401

MARKET AREA DESCRIPTION

Location:	☐ Urban	☒ Suburban	☐ Rural	Built Up:	☐ Over 75%	☒ 25-75%	☐ Under 25%	
Growth Rate:	☐ Rapid	☒ Stable	☐ Slow	Property Values:	☐ Increasing	☒ Stable	☐ Declining	
Demand/Supply:	☐ Shortage	☒ In Balance	☐ Over Supply	Marketing Time:	☒ Under 3 Mos.	☐ 3-6 Mos.	☐ Over 6 Mos.	

Typical One-Unit Housing Ranges: Price: ($) Low 180,000 High 1,560,000 Predominant 380,000
Age: (yrs.) Low 0 High 105 Predominant 40

Present Land Use: One-Unit: 65 % 2-4 Unit: 5 % Multi-Unit: 5 % Comm'l: 5 % Vacant/Park 20 %
Change in Land Use: ☒ Not Likely ☐ Likely * ☐ Is Changing * * To:

Market Area Comments:
See attached addenda.

SALE / TRANSFER / LISTING HISTORY OF SUBJECT PROPERTY

My research: ☐ Did ☒ Did not reveal any prior sales or transfers of the subject property for the three years prior to the Effective Date of this appraisal. Data Source(s): Deed records/MLS

	1st Prior Sale / Transfer	2nd Prior Sale / Transfer	3nd Prior Sale / Transfer
Date of Prior Sale / Transfer:			
Price of Prior Sale / Transfer:			
Source(s) of Prior Sale / Transfer Data:			

Analysis of sale / transfer history, any current agreements of sale or listing, and listing history (if relevent):
A search of County Records revealed no prior sales of the subject property in the prior 36 months and no sales or transfers for the comparables within the last 12 months.

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RESIDENTIAL APPRAISAL REPORT

SITE DESCRIPTION

Dimensions: See Site Map Page Site Area: 27,878 Sq.Ft.

Zoning Classification: R-1 Zoning Description: Low Density Residential

Zoning Compliance: ☒ Legal ☐ Legal Non-Conforming (Grandfathered) ☐ Illegal ☐ No Zoning Regulations

Deed Restrictions: Are Covenants, Conditions, & Restrictions (CC&Rs) applicable? ☐ Yes ☐ No ☒ Unknown

Have the documents been reviewed? ☐ Yes ☐ No ☐ N/A Ground Rent (if applicable) $ /

Comments:

Highest & Best Use , as improved, is the: ☒ Present use, or ☐ Other use (explain) See attached addenda.

Characteristics:

Topography:	Gently Sloping	Size:	Typical
Shape:	Irregular	Drainage:	Normal
View:	Residential/Golf Course	Landscaping:	Typical

Other features: ☒ Inside Lot ☐ Corner Lot ☐ Cul de Sac ☐ Underground Utilities ☐

Utilities:

	Public	Other	Provider/Description
Electricity:	☒	☐	EWEB
Gas:	☒	☐	NW Natural
Water:	☒	☐	EWEB
Sanitary Sewer:	☒	☐	City of Eugene

Off-site Improvements:

	Type	Public	Private
Street:	Asphalt	☒	☐
Curb/Gutter:	None	☐	☐
Sidewalk:	None	☐	☐
Alley:	None	☐	☐

Is the property or the improvements located in a FEMA Special Flood Hazard Area? ☐ Yes ☒ No

FEMA Flood Zone: X FEMA Map # 41039C1139F FEMA Map Date: 6/2/1999

Site Comments:

No adverse easements or encroachments are apparent. Normal residential utility easements are assumed. Site usage is consistent with zoning and neighborhood trends.

DESCRIPTION OF THE IMPROVEMENTS

General Description: # of Units: 1 ☒ + Accessory Unit # of Stories: 1 Design (Style): Traditional

Type: ☒ Detached ☐ Attached ☐ Status: ☒ Existing ☐ Proposed ☐ Under Construction

Actual Age (years): 0 Effective Age (years): 0 Year Built: Hypothetically 2015

Exterior Description:

Foundation:	Concrete	Exterior Walls:	Wood Siding/Brick
Roof Surface:	Composite Shingle	Gutters & Downspouts:	Aluminum
Window Type(s):	Vinyl Clad	Storm / Screens:	Screens
Heating System:	Heat Pump	Cooling System:	Heat Pump

Car Storage: ☐ None ☒ Garage ☐ Carport ☒ Driveway (Surface: Concrete) Total # of Cars: 5

Livable area above grade contains: 7 Rooms, 4 Bedrooms, 2.1 Bath(s), and 2,402 Sq.Ft. of GLA

Describe Additional Features and Improvements:

New construction. Effective age of 0 years. Based on limited plans and specs, the subject appears to be physically and functionally adequate. There is no physical or functional obsolescence noted. Quality of construction is good. The home is considered to be in new condition. All of the home's mechanical systems/utilities are assumed operational as of the effective date of this report.

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309/2

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RESIDENTIAL APPRAISAL REPORT

SALES COMPARISON APPROACH TO VALUE

For the Sales Comparison Approach, the appraiser selects comparable sales that they consider the best matches to the subject in terms of physical characteristics, physical proximity, and time of sale. The appraiser then makes adjustments to the known sale price of each comparable sale to account for differences that are recognized by the market. For example, if the subject has a single bathroom but a comparable has 2, the comparable's sale price would be reduced by the attributable value given to the extra bathroom based on the market's reaction. Likewise, if a comparable sale has a smaller square footage than the subject, its sale price would be adjusted upward in the same manner. By weighting and reconciling these adjusted sales prices together, an opinion of value for the subject can be determined.

FEATURE	SUBJECT	COMPARABLE SALE # 1		COMPARABLE SALE # 2		COMPARABLE SALE # 3	
Address	1777 E 30th Ave Eugene, OR 97405	2723 Augusta St Eugene, OR 97403		33481 Bloomberg Rd Eugene, OR 97405		2933 Central Blvd Eugene, OR 97403	
Proximity to Subject		0.97 miles NE		1.91 miles E		0.48 miles NE	
Sale Price	$	$ 343,000		$ 355,000		$ 436,000	
Sale Price / GLA	$ /Sq.Ft.	$ 199.42/Sq.Ft.		$ 190.76/Sq.Ft.		$ 175.74/Sq.Ft.	
Data Source(s)		RMLS#12138533;DOM 36		RMLS#12221406;DOM 11		RMLS#13033778;DOM 32	
ADJUSTMENT ITEMS	DESCRIPTION	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.
Sales or Financing Concessions		FHA 0	0	Conventional 0	0	Conventional 0	0
Date of Sale / Time		03/27/2013		01/18/2013		05/15/2013	
Rights Appraised	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
Location	SE Hills	Hendricks Park	0	SE Hills		SE Hills	
Site	27,878 Sq.Ft.	18,295 sf	0	43,996 sf	-15,000	7,405 sf	0
View	Residential/Golf Course	Residential/Mtn	0	Residential/Mtn	0	Residential/Mtn	0
Design (Style)	Traditional	Traditional		Traditional		Traditional	
Quality of Construction	Good	Good		Good		Superior	-21,800
Age	0	68/Updated	0	73/Updated	0	35/Updated	0
Condition	New	Good	0	Good	0	Good	0
Above Grade Room Count (Total / Bdrms / Baths)	7 / 4 / 2.1	7 / 3 / 2.0	+2,500	7 / 3 / 2.0	+2,500	7 / 4 / 3.0	-2,500
Gross Living Area	2,402 Sq.Ft.	1,720 Sq.Ft.	+34,100	1,861 Sq.Ft.	+27,100	2,481 Sq.Ft.	
Basement Total Area	0 sf	0 sf		0 sf		0 sf	
Basement Finish Area	0 sf	0 sf		0 sf		0 sf	
Functional Utility	Good	Good		Good		Good	
Heating / Cooling	Heat Pump	Wall/None	+5,000	FWA/None	+5,000	Heat Pump	
Energy Efficient Items	Weatherized	Weatherized		Weatherized		Weatherized	
Garage / Carport	5 Car Garage	3 Car Garage	+6,000	2 Car Garage	+9,000	1 Car Garage	+12,000
Porch / Patio / Deck	Porch,Deck	Porch,Deck		Porch,Deck		Porch,Deck	
Additional Features	Studio	Studio		Unfinished Studio	+25,000	Studio	
Net Adjustment (Total)		☒+ ☐–	$ 47,600	☒+ ☐–	$ 53,600	☐+ ☒–	$ -12,300
Adjusted Sale Price of Comparables		Net 13.9 % Gross 13.9 %	$ 390,600	Net 15.1 % Gross 23.5 %	$ 408,600	Net 2.8 % Gross 8.3 %	$ 423,700

Comments on the Sales Comparison Approach:

See attached addenda.

Appraiser's Indicated Value by the Sales Comparison Approach: $ 410,000

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309/2

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ADDITIONAL COMPARABLE SALES

SALES COMPARISON APPROACH TO VALUE

FEATURE	SUBJECT	COMPARABLE SALE # 4		COMPARABLE SALE # 5		COMPARABLE SALE # 6	
Address	1777 E 30th Ave Eugene, OR 97405	1808 E 28th Ave Eugene, OR 97403		2590 Augusta St Eugene, OR 97403			
Proximity to Subject		0.55 miles N		0.85 miles E			
Sale Price	$	$ 369,000		$ 359,000		$	
Sale Price / GLA	$ /Sq.Ft.	$ 115.10/Sq.Ft.		$ 198.12/Sq.Ft.		$ /Sq.Ft.	
Data Source(s)		RMLS#14161257;DOM 11		RMLS#14458719;DOM 101			
ADJUSTMENT ITEMS	DESCRIPTION	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.
Sales or Financing Concessions		Conventional 0	0	Conventional 0	0		
Date of Sale / Time		05/23/2014		10/13/2014			
Rights Appraised	Fee Simple	Fee Simple		Fee Simple			
Location	SE Hills	SE Hills		Residential			
Site	27,878 Sq.Ft.	20,038 sf	0	10,890 Sq.Ft.	+15,000		
View	Residential/Golf Course	Residential/Golf Course		Residential	0		
Design (Style)	Traditional	Traditional		Traditional			
Quality of Construction	Good	Good		Good			
Age	0	68/Updated	0	7	0		
Condition	New	Average-Good	+36,900	Good			
Above Grade Room Count	Total Bdrms Baths 7 4 2.1	Total Bdrms Baths 7 4 3.1	-5,000	Total Bdrms Baths 7 3 3.0	-2,500	Total Bdrms Baths	
Gross Living Area	2,402 Sq.Ft.	3,206 Sq.Ft.	-40,200	1,812 Sq.Ft.	+29,500	Sq.Ft.	
Basement Total Area	0 sf	0 sf		0 sf			
Basement Finish Area	0 sf	0 sf		0 sf			
Functional Utility	Good	Good		Good			
Heating / Cooling	Heat Pump	Radiant/None	+5,000	Wall/None	+5,000		
Energy Efficient Items	Weatherized	Weatherized		Weatherized			
Garage / Carport	5 Car Garage	2 Car Garage	+9,000	None	+15,000		
Porch / Patio / Deck	Porch,Deck	Patio,Deck	0	Porch,Deck			
Additional Features	Studio	Studio		Studio			
Net Adjustment (Total)		☒+ ☐–	$ 5,700	☒+ ☐–	$ 62,000	☐+ ☐–	$
Adjusted Sale Price of Comparables		Net 1.5 % Gross 26.0 %	$ 374,700	Net 17.3 % Gross 18.7 %	$ 421,000	Net % Gross %	$

Comments: See attached addenda.

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309/2

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RESIDENTIAL APPRAISAL REPORT

RECONCILIATION

Final Reconciliation of the Approaches to Value:

See attached addenda.

This appraisal is made ☒ "as is"; ☐ subject to completion per plans and specifications on the basis of a Hypothetical Condition that the improvements have been completed; ☐ subject to the following repairs or alterations on the basis of a Hypothetical Condition that the repairs or alterations have been completed; ☐ subject to the following required inspection(s) based on the Extraordinary Assumption that the following condition or deficiency does not require alteration or repair:

Hypothetical Conditions: The appraisal is based on a retrospective effective date of 03/12/2015. The appraisal is also based on the hypothetical assumption that the 2,402 sf new home existed on the property as of 03/12/2015. Additionally, the garage and finished apartment are included, but the apartment is not considered a legal dwelling per Measure 49. This space is considered comparable to other studio type additions that are not legal dwellings. This significantly affects the opinion of value.

☐ This report is also subject to other Hypothetical Conditions or Extraordinary Assumptions as specified elsewhere in this report.

ATTACHMENTS

A true and complete copy of this report contains 22 pages, including all exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report.

Attached Exhibits:

☒ Scope of Work	☒ Limiting Cond./Certification	☒ Narrative Addendum	☒ Photograph Addenda
☒ Sketch Addendum	☒ Map Addenda	☐ Cost Addendum	☐ Flood Addendum
☒ Additional Sales	☒ Additional Rentals	☐ Income/Expense Analysis	☒ Hypothetical Conditions
☐ Extraordinary Assumptions	☐	☐	☐

OPINION OF VALUE

This Opinion of Value may be subject to other Hypothetical Conditions and / or Extraordinary Assumptions, if so indicated above. Based on the degree of inspection of the subject property as indicated below; the defined Scope of Work for this appraisal assignment; the attached Statement of Assumptions and Limiting Conditions; and the attached Appraiser's Certifications, my (our) Current Opinion of the Market Value (or value range), as defined elsewhere in this report, of the real property that is the subject of this report is: $ 410,000 , as of: 03/12/2015 , which is both the Inspection Date and the Effective Date of this appraisal.

SIGNATURES

APPRAISER

Appraiser Name: Brian B. Elliott
Company: Duncan & Brown, LLC
Phone: 541-687-1938 Fax: (541) 683-0932
E-mail: blake@duncanbrown.com
Date of Report (Signature): 07/25/2016
License or Certification #: CR01011 State: OR
Designation: Certified Residential
Expiration Date of License or Certification: 02/28/2018
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 03/12/2015

SUPERVISORY APPRAISER (if required)
or CO-APPRAISER (if applicable)

Supervisory or
Co-Appraiser Name: Richard J. Duncan, MAI, SRA
Company: Duncan & Brown, LLC
Phone: (541) 687-1938 Fax: (541) 683-0932
E-mail: rick@duncanbrown.com
Date of Report (Signature): 07/25/2016
License or Certification #: C000106 State: OR
Designation: MAI, SRA
Expiration Date of License or Certification: 07/31/2017
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309/2

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Supplemental Addendum

File No. R15-309/2

Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						

• **GP Consumer Short Form: Market Area Description - Boundaries, Description, Conditions**
The subject is located on Laurelwood Golf Course in the southeast hills of Eugene. The neighborhood is accessed by a small access road off of the north side of 30th Avenue. The neighborhood consists of six custom single family homes on lots that cross the access road and front Laurelwood Golf Course with very marketable views.

The subject extended established area consists of mostly average to good quality, older and mid-life homes. The subject enjoys good convenience to schools, shopping, and employment. Properties in the area exhibit average to good overall appearance.

The market for homes in the area has been active between 2012 and 2014, with some depreciating prices due to the lingering effects of the housing crisis commonly thought to have begun in 2010. Median days on market for the extended neighborhood spanning a one mile radius is 60 days, with some of the most marketable properties selling within 30 days. There appears to have been a balance between supply and demand as of the effective date of the report. Estimated market exposure time is 30-90 days.

• **GP Consumer Short Form: Sales Comparison Approach - Comments on Sales Comparison Approach**
The subject is located in a very marketable secluded neighborhood bordering Laurelwood Golf Course. The area is an active market in the southeast hills of Eugene. The majority of the neighborhood features homes that are equal in design and appeal to the subject property, but with few new builds. The subject also features a detached 864 sf separate legal dwelling built in 2004. For the purpose of this appraisal, the separate legal dwelling is not considered a legal dwelling in order to address the Measure 49 claim. Additional dwellings or studios are very unique features within the market.

In order to properly analyze the subject property, the appraiser has canvassed the entire south Eugene market. The appraiser identified recently updated homes that also had some form of a detached or attached dwelling or studio included. It appears that the University area has a higher occurrence of homes with detached dwellings and studios. Through market research, the subject's large lot and Laurelwood Golf Course view are considered equal to the location in the University market as well as the very marketable areas of Hendricks Park, Hendricks Hill and Central Boulevard located just east of Laurelwood Golf Course. No adjustment is needed when size, location and view are all taken into account. The appraiser used the most recent and comparable sales available in the area in this analysis. Only minor adjustments were warranted and all market sensitive factors were bracketed.

Though the subject is new construction, most newer builds within older existing neighborhoods tend to experience some value absorption within the older market. The older homes used in this analysis have all been tastefully updated with higher end materials and marketable designs that appeal to the typical market participant in this time period. There is no adjustment required for age differences.

Comparable #3 was of superior quality and required a market identified 5% adjustment.

The city of Eugene considers a legal dwelling to have a full functional kitchen and can be rented to persons other than family members. Market evidence has confirmed this to be a very significant value added feature. All comparable sales featured only studio buildings that are not legal dwellings and were considered equal to the subject's converted legal dwelling to simple studio space above the detached garage per Eugene Code as of 03/12/2015.

Ultimately, the appraiser was able to bracket every market sensitive feature and identify a well supported opinion of value. Adjustments are either extracted through paired sales analysis, or applied as a percentage of cost to build.

The subject property is zoned R-1, Low Density Residential. This is a standard single family residential zone in the area. The subject passes all the tests of being at its highest and best use, that is being legally permissible, physically possible, financially feasible and of maximal productivity.

• **GP Consumer Short Form: Highest & Best Use Explanation**
The Highest and Best Use of the subject property, per Eugene Code as of 03/12/2015, is for the construction of the proposed new home, with the legal secondary dwelling above the detached garage to be converted to a studio without the kitchen and any rentable rights. The only existing structure on the property as of 03/12/2015 was the detached garage with the legal dwelling above. As of 03/12/2015, the owner of the subject property no longer had the right per Eugene Code, to build the proposed new home and have the legal secondary dwelling above the garage remain. The appraiser has valued the subject property under these hypothetical circumstances.

The lot is split by a private access road of 30th Avenue. The Appraisal Institute defines highest and best use as follows: The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The existing garage with the secondary dwelling above is located on the south end of the lot that does not front on Laurelwood Golf Course. The owner planned the development of the lot in phases,

Supplemental Addendum

File No. R15-309/2

Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						

with the first being the construction of the detached garage and secondary dwelling above. In order to maximize the potential of the property, the second phase of development was for the construction of the new home on the north end of the lot overlooking Laurelwood Golf Course, which holds the most value due to the golf course views. If the property was to remain in its current state, with only the detached garage and secondary dwelling above located on the south side of the lot, the north side of the lot that fronts the golf course would be considered under-developed with the majority of the property's potential value going unrecognized. Before the ordinance the value of the site would have been maximized having a high value home with a secondary dwelling constructed on this valuable lot.

ASSUMPTIONS & LIMITING CONDITIONS

SUBJECT PROPERTY

Property Address:	1777 E 30th Ave			City:	Eugene
State:	OR	Zip Code:	97405	County:	Lane

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
- The appraiser may have provided a sketch in the appraisal report to show approximate dimensions of the improvements, and any such sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. Unless otherwise indicated, a Land Survey was not performed.
- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.
- If this appraisal is indicated as subject to satisfactory completion, repairs, or alterations, the appraiser has based his or her appraisal report and valuation conclusion on the assumption that completion of the improvements will be performed in a workmanlike manner.
- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.
- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database.
- An appraisal of real property is not a 'home inspection' and should not be construed as such. As part of the valuation process, the appraiser performs a non-invasive visual inventory that is not intended to reveal defects or detrimental conditions that are not readily apparent. The presence of such conditions or defects could adversely affect the appraiser's opinion of value. Clients with concerns about such potential negative factors are encouraged to engage the appropriate type of expert to investigate.
- In developing this appraisal, the appraiser has incorporated the Sales Comparison and Income approaches to value. The appraiser has excluded the Cost approach. The appraiser has determined that this appraisal process is not so limited that the results of the assignment are no longer credible.

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DEFINITIONS & SCOPE OF WORK

SUBJECT PROPERTY

Property Address:	1777 E 30th Ave			City:	Eugene
State:	OR	Zip Code:	97405	County:	Lane

DEFINITION OF MARKET VALUE *:

Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):

None

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CERTIFICATIONS

SUBJECT PROPERTY

Property Address: 1777 E 30th Ave City: Eugene
State: OR Zip Code: 97405 County: Lane

APPRAISER'S CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.

I have performed no services in the past three years in regard to the subject property.

SIGNATURES

APPRAISER

Appraiser Name: Brian B. Elliott
Company: Duncan & Brown, LLC
Phone: 541-687-1938 Fax: (541) 683-0932
E-mail: blake@duncanbrown.com
Date of Report (Signature): 07/25/2016
License or Certification #: CR01011 State: OR
Designation: Certified Residential
Expiration Date of License or Certification: 02/28/2018
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)

Supervisory or Co-Appraiser Name: Richard J. Duncan, MAI, SRA
Company: Duncan & Brown, LLC
Phone: (541) 687-1938 Fax: (541) 683-0932
E-mail: rick@duncanbrown.com
Date of Report (Signature): 07/25/2016
License or Certification #: C000106 State: OR
Designation: MAI, SRA
Expiration Date of License or Certification: 07/31/2017
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309/2

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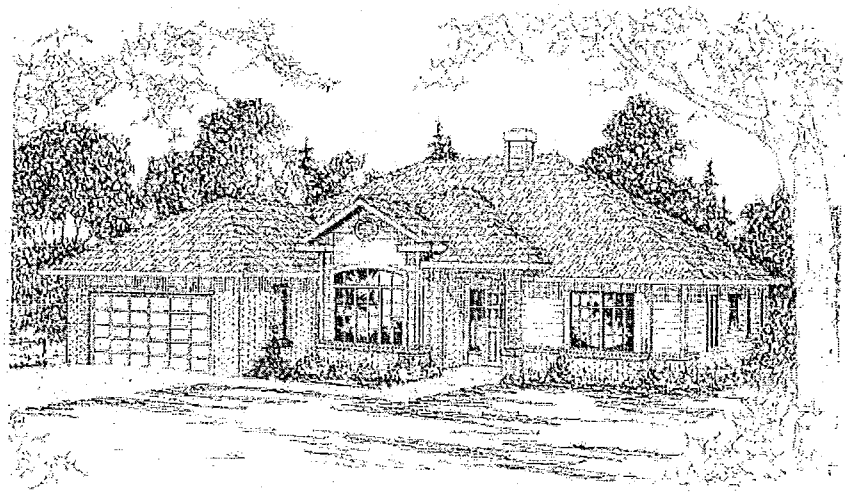
Sketch

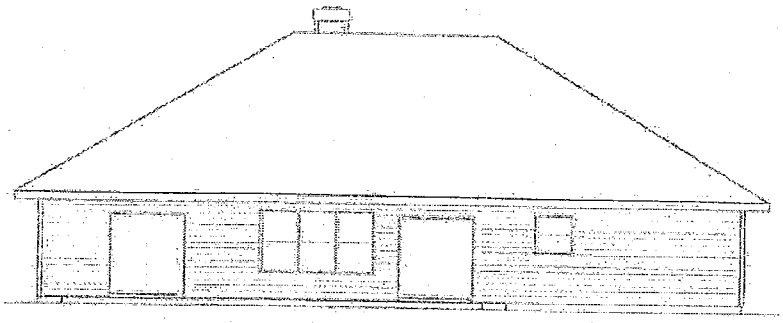
Associated DESIGNS
Find Your Perfect Home Plan
1100 Jacobs Dr., Eugene, Oregon 97402-1983
800-634-0123 · 541-461-2062 · Fax 541-461-1274

Syracuse
30-063



Traditional House Plan - Syracuse 30-063 - Front Elevation

Chad Wilson 541-914-0519
1777 East 30th Ave



Traditional Home Plan - Syracuse 30-063 - Rear Elevation

Plan Details

Building Height: 22'-8"
Wall Types:
2x6 Wood Frame
Primary Roof Pitch:
7/12
Primary Foundation:
Crawl Space
Additional Foundations:
Basement
Concrete Slab
Garage Orientation:
Front-Entry
Bedroom Features:
Main Floor Bedroom & Bath
Main Floor Owners' Suite
Separate Tub & Shower
Walk In Closet
Special Features:
Den, Office, Library, or Study
Formal Dining Room
Fireplace
Great Room
Main Floor Laundry
Mud Room
Large Kitchen
Peninsula Eating Bar
Breakfast Nook

Plan Specs

Living Area:	2402 sq ft
1st Floor:	2402 sq ft
Garage:	514 sq ft
Floors:	1
Bedrooms:	4
Full Baths:	2
Half Baths:	1
Garage Bays:	2

Overall Dimensions:
59'-0" x 58'-0"

Order This Plan

1 Set Study Package
$675.00

5 Set Construction Package
$875.00

8 Set Construction Package
$950.00

PDF Print Set
$925.00

PDF Master
$1,775.00

CAD Electronic Files
$1,875.00

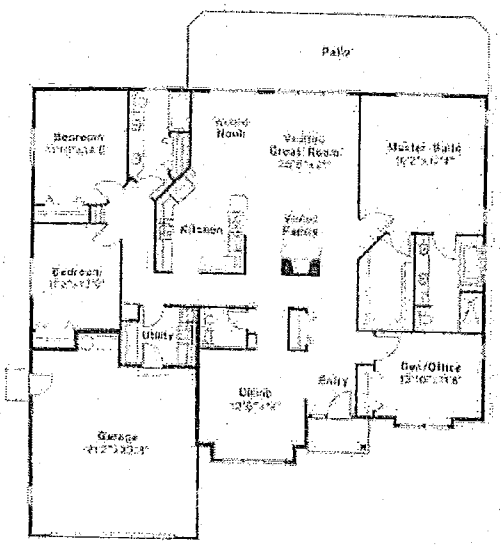
PDF Bid Set:

PDF Bid Set
$75.00

One Additional Build License:

Sketch

Print Plan - Associated Designs



Traditional House Plan - Syracuse 30-063 - Floor Plan

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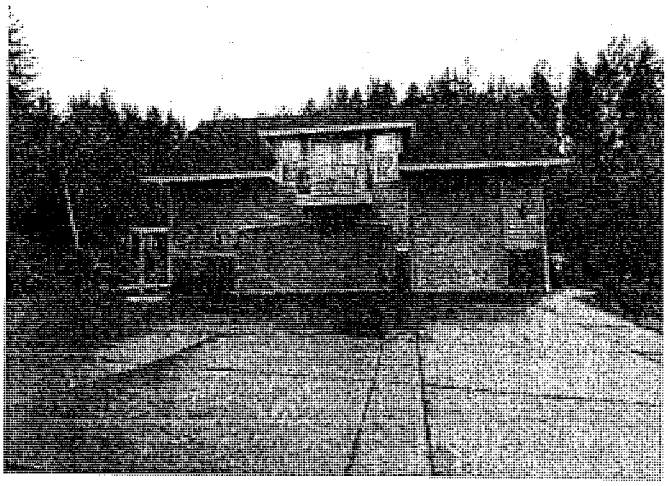
Subject Photo Page

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



Subject Existing Garage/Loft

1777 E 30th Ave

Sales Price	
Gross Living Area	2,402
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	2.1
Location	SE Hills
View	Residential/Golf Course
Site	27,878 Sq.Ft.
Quality	Good
Age	0

Subject Street View

Subject Alternate Street View

Subject Photo Page

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				

Subject Future Home Site

1777 E 30th Ave

Sales Price	
Gross Living Area	2,402
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	2.1
Location	SE Hills
View	Residential/Golf Course
Site	27,878 Sq.Ft.
Quality	Good
Age	0

Subject Golf Course View

Legal Description Map

Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						

Western Title & Escrow
Order Number: 93338-DMS

After Recording Return To:
Western Title & Escrow Company
497 Oakway Rd. Suite 340, Eugene, OR 97401

Grantor
Chad R. Wilson
2794 Bowmont Drive
Eugene, OR 97405

Lane County Clerk
Lane County Deeds & Records
2014-049003
12/11/2014 02:10:24 PM
RPR-DEED Cnt=1 Stn=6 CASHIER 05 2pages
$10.00 $11.00 $10.00 $21.00
$52.00

After Recording, Grantee's Address
Chad R. Wilson
Katie A. Wilson
2794 Bowmont Drive
Eugene, OR 97405

Until a change is requested, all tax statements shall be sent to the following address:
Chad R. Wilson
Katie A. Wilson
2794 Bowmont Drive
Eugene, OR 97405

Reserved for Recorder's Use

STATUTORY BARGAIN AND SALE DEED

Chad R. Wilson, Grantor(s)
conveys to
Chad R. Wilson and Katie A. Wilson, as tenants by the entirety, Grantees,
the following described real property:

Parcel 1, Land Partition Plat No. 2002-P1588, recorded July 19, 2002, Document No. 2002-054696, Lane County Records, in Lane County, Oregon.

Account: **1717188**
Map & Tax Lot: **18 03 08 11 00602**

The true consideration for this conveyance is **to change vesting.** (Here comply with requirements of ORS 93.030.)

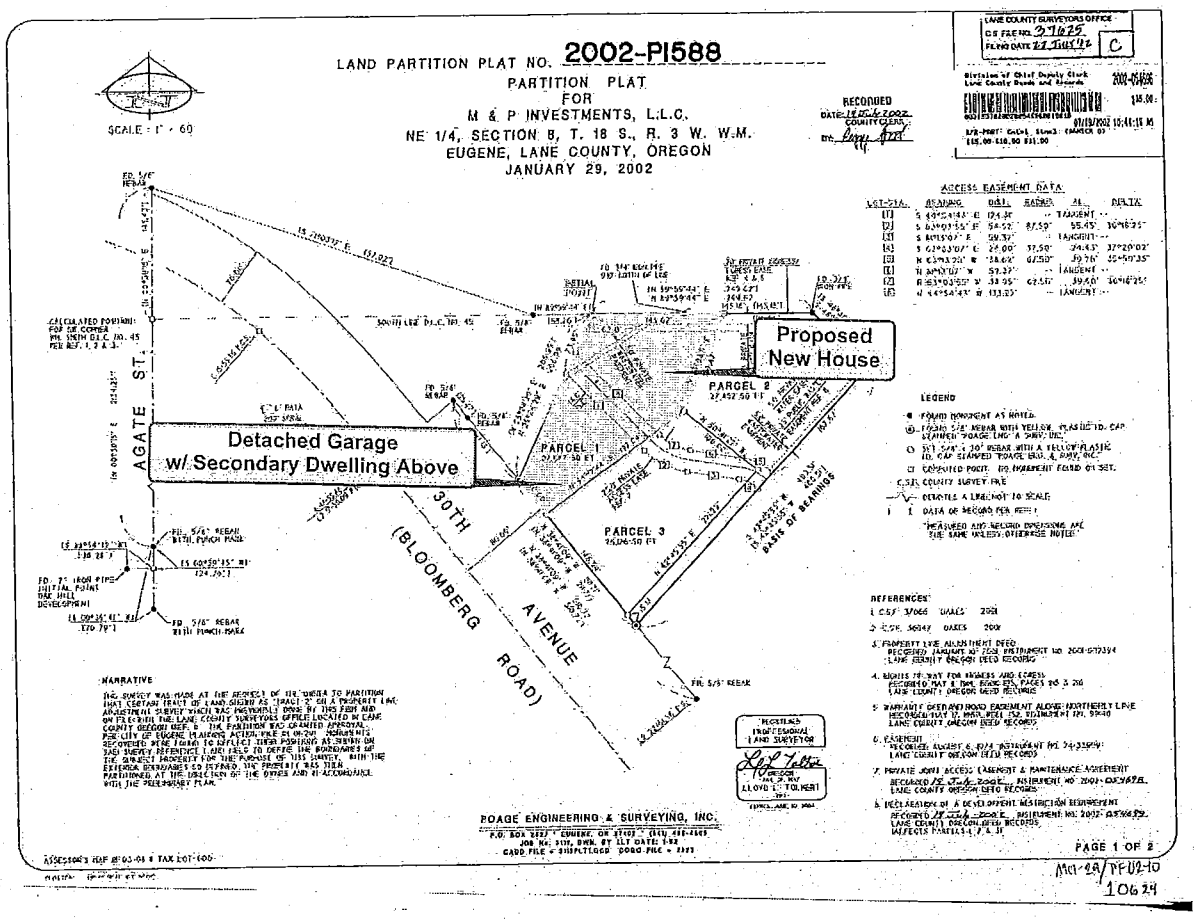
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Executed this 9 day of December, 2014

Chad R. Wilson
Chad R. Wilson

Site Map

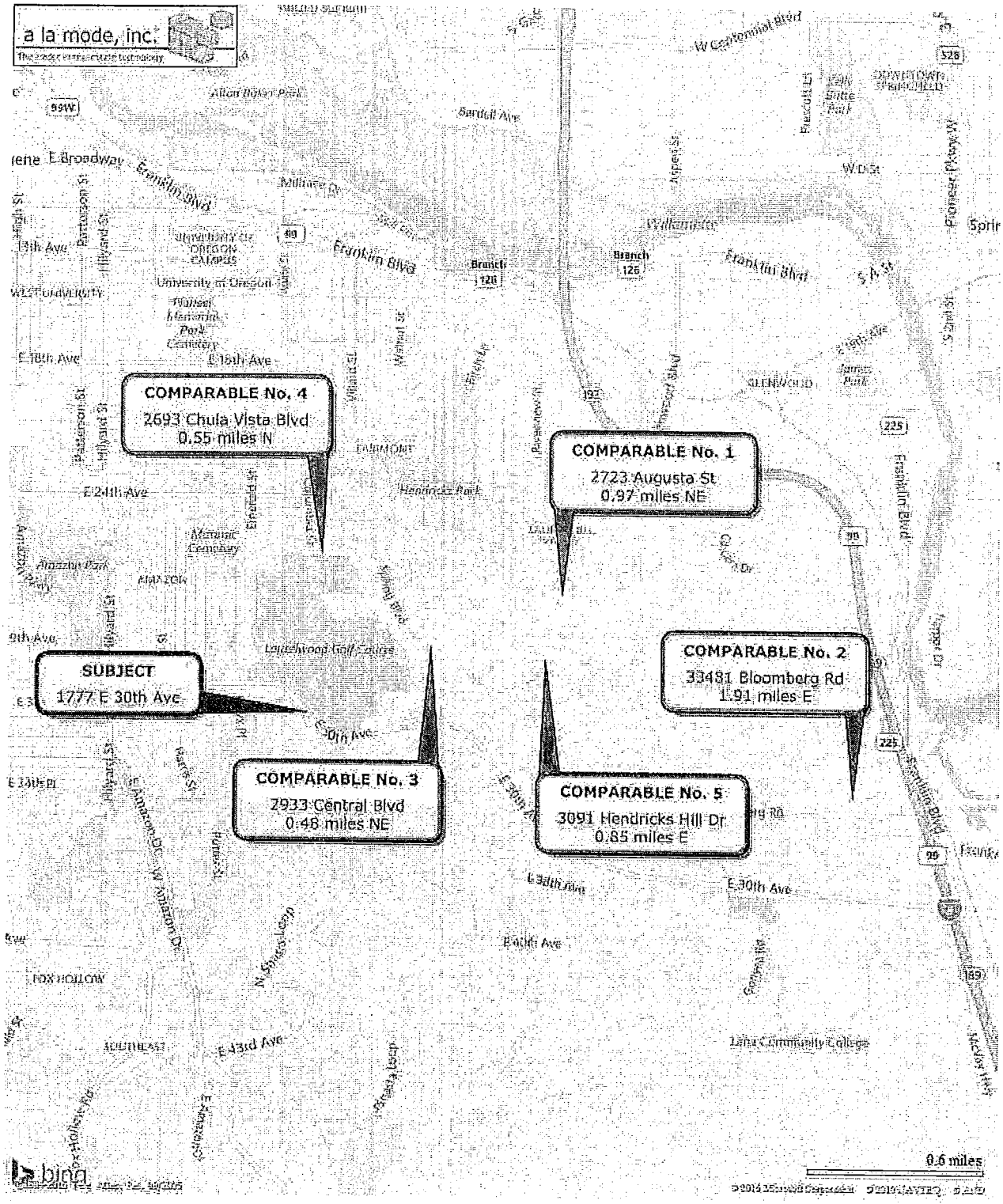
Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						



Form MAP_LT.SITE - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

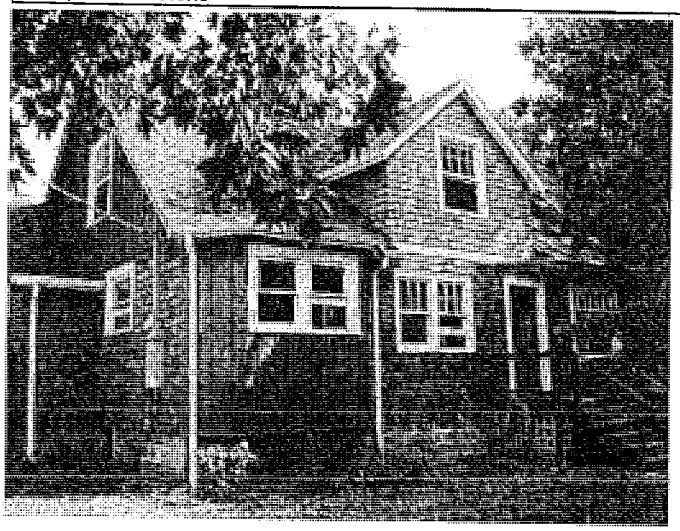
Location Map

Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						



Comparable Photo Page

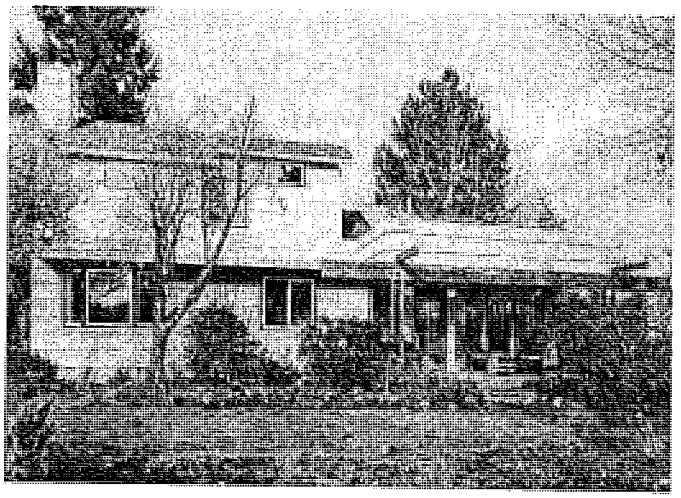
Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



Comparable 1

2723 Augusta St

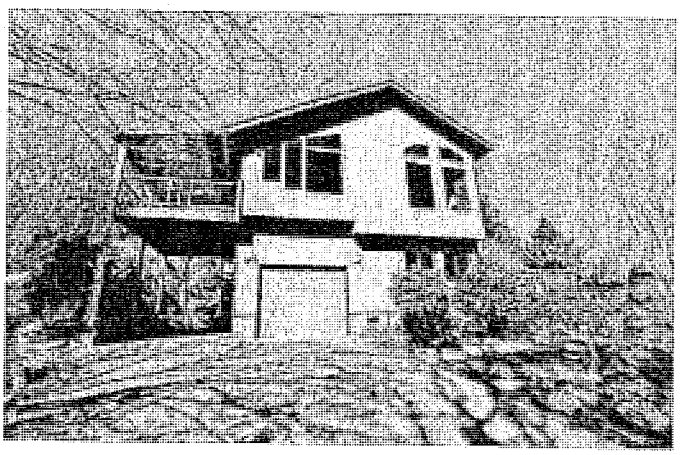
Prox. to Subject	0.97 miles NE
Sale Price	343,000
Gross Living Area	1,720
Total Rooms	7
Total Bedrooms	3
Total Bathrooms	2.0
Location	Hendricks Park
View	Residential/Mtn
Site	18,295 sf
Quality	Good
Age	68/Updated



Comparable 2

33481 Bloomberg Rd

Prox. to Subject	1.91 miles E
Sale Price	355,000
Gross Living Area	1,861
Total Rooms	7
Total Bedrooms	3
Total Bathrooms	2.0
Location	SE Hills
View	Residential/Mtn
Site	43,996 sf
Quality	Good
Age	73/Updated



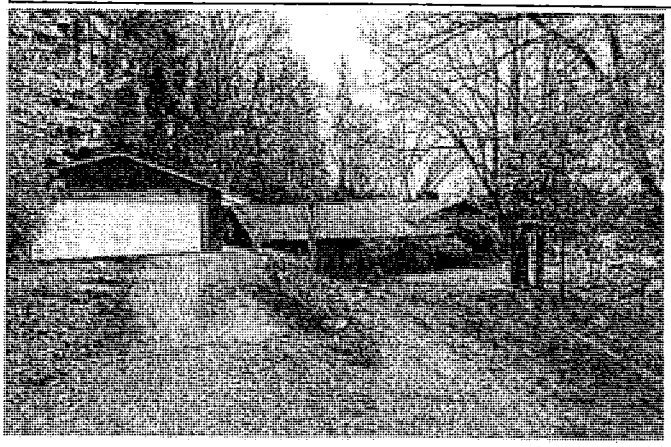
Comparable 3

2933 Central Blvd

Prox. to Subject	0.48 miles NE
Sale Price	436,000
Gross Living Area	2,481
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	3.0
Location	SE Hills
View	Residential/Mtn
Site	7,405 sf
Quality	Superior
Age	35/Updated

Comparable Photo Page

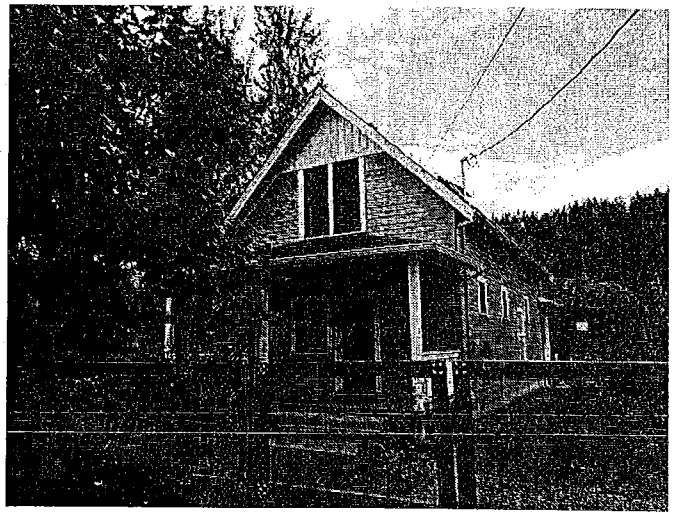
Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						



Comparable 4

1808 E 28th Ave

Prox. to Subject	0.55 miles N
Sale Price	369,000
Gross Living Area	3,206
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	3.1
Location	SE Hills
View	Residential/Golf Course
Site	20,038 sf
Quality	Good
Age	68/Updated



Comparable 5

2590 Augusta St

Prox. to Subject	0.85 miles E
Sale Price	359,000
Gross Living Area	1,812
Total Rooms	7
Total Bedrooms	3
Total Bathrooms	3.0
Location	Residential
View	Residential
Site	10,890 Sq.Ft.
Quality	Good
Age	7

Appraiser's License

Appraiser Certification and Licensure Board

State Certified Residential Appraiser

28 hours of continuing education required for renewal

Brian B Elliott
Duncan & Brown LLC
260 W 12th AVE
Eugene, OR 97401

License No.: CR01011
Issue Date: March 1, 2016
Expiration Date: February 28, 2018

Gae Lynne Cooper, Administrator

Appraisers License

Appraiser Certification and Licensure Board

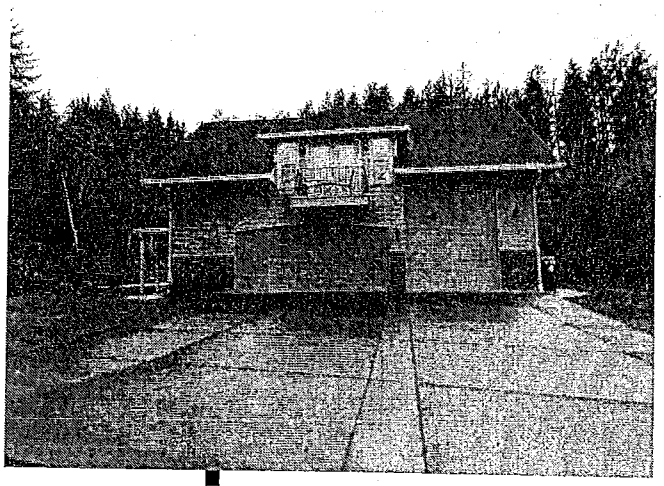
State Certified General Appraiser

28 hours of continuing education required for renewal

Richard J Duncan
Duncan & Brown LLC
260 W 12th AVE
Eugene, OR 97401

License No.: C000106
Issue Date: August 1, 2015
Expiration Date: July 31, 2017

Gae Lynne Cooper, Administrator



Appraisal Report

1777 E 30th Ave
Eugene, OR 97405

Duncan & Brown, LLC
541-687-1938

Appraised Value as of: 03/12/2013
$ 470,000

FEATURES

Style/Design:	Traditional	Lot Size:	27,878 Sq.Ft.
Living Area (Sq.Ft.):	2,402	Neighborhood:	Laurelwood Golf Course
Total Bedrooms:	4	Total Baths:	2.1
Year Built:	Hypothetically 2013	Effective Age:	0
Condition:	New	Date of Report:	07/25/2016

PREPARED FOR

Client: Chad Wilson
Address: 1777 E 30th Avenue
City: Eugene State: OR Zip: 97405
Phone: 541-914-0519 Fax:
E-mail: wilsonhomes171806@msn.com

PREPARED BY

Name: Brian B. Elliott
Designation: Certified Residential
Certification or License #: CR01011
Expiration Date: 02/28/2018 ST: OR
E-mail: blake@duncanbrown.com

Appraiser's Signature

FILING

Client File #: Wilson
Appraiser File #: R15-309

The value opinion expressed above is only valid in conjunction with the attached appraisal report. This value opinion may be subject to Hypothetical Conditions and/or Extraordinary Assumptions as indicated in the body of the report. A true and complete copy of this Summary Appraisal Report contains 22 pages.

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Form GPCSF_LT - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE 10/2007

RESIDENTIAL APPRAISAL REPORT

SUBJECT PROPERTY IDENTIFICATION

Property Address: 1777 E 30th Ave City: Eugene
State: OR Zip Code: 97405 County: Lane
Legal Description of Real Property: See Legal Description Pages
Tax Assessor's Parcel #: 1717188 R.E. Taxes: $ 3,032.24 Tax Year: 2012
Special Assessments: $ 0 Current Owner of Record: WILSON CHAD R & KATIE A
Occupancy: ☒ Owner ☐ Tenant ☐ Vacant Current Occupant (if occupied): WILSON CHAD R & KATIE A
Project Type (if applicable): ☐ Planned Unit Development ☐ Condominium ☐ Cooperative ☐ N/A
Home Owners' Association Membership Fees (if applicable): $ N/A ☐ per year ☐ per month
Market Area Name: Laurelwood Golf Course Map Reference: 18-03-08-11-00602 Census Tract: 0049.00

ASSIGNMENT

The purpose of this appraisal is to develop a Current opinion of Market Value (as defined elsewhere in this report).
Property Rights Appraised: ☒ Fee Simple ☐ Leasehold ☐ Leased Fee ☐ Other (describe)
Intended Use: To establish fee simple market value as of 03/12/2013 in order to assist the Client in a Measure 49 claim.
Intended User(s) (by name or type): The intended user is the Client identified in this report and all assigns.
Client: Chad Wilson Address: 1777 E 30th Avenue, Eugene, OR 97405
Appraiser: Brian B. Elliott Address: 260 West 12th Avenue, Eugene, OR 97401

MARKET AREA DESCRIPTION

Location:	☐ Urban	☒ Suburban	☐ Rural	Built Up:	☐ Over 75%	☒ 25-75%	☐ Under 25%
Growth Rate:	☐ Rapid	☒ Stable	☐ Slow	Property Values:	☐ Increasing	☒ Stable	☐ Declining
Demand/Supply:	☐ Shortage	☒ In Balance	☐ Over Supply	Marketing Time:	☒ Under 3 Mos.	☐ 3-6 Mos.	☐ Over 6 Mos.

Typical One-Unit Housing Ranges: Price: ($) Low 160,000 High 1,560,000 Predominant 300,000
Age: (yrs.) Low 0 High 105 Predominant 40
Present Land Use: One-Unit: 65 % 2-4 Unit: 5 % Multi-Unit: 5 % Comm'l: 5 % Vacant/Park 20 %
Change in Land Use: ☒ Not Likely ☐ Likely * ☐ Is Changing * * To:
Market Area Comments:
See attached addenda.

SALE / TRANSFER / LISTING HISTORY OF SUBJECT PROPERTY

My research: ☐ Did ☒ Did not reveal any prior sales or transfers of the subject property for the three years prior to the Effective Date of this appraisal. Data Source(s): Deed records/MLS

	1st Prior Sale / Transfer	2nd Prior Sale / Transfer	3nd Prior Sale / Transfer
Date of Prior Sale / Transfer:			
Price of Prior Sale / Transfer:			
Source(s) of Prior Sale / Transfer Data:			

Analysis of sale / transfer history, any current agreements of sale or listing, and listing history (if relevent):
A search of County Records revealed no prior sales of the subject property in the prior 36 months and no sales or transfers for the comparables within the last 12 months.

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RESIDENTIAL APPRAISAL REPORT

SITE DESCRIPTION

Dimensions: See Site Map Page | Site Area: 27,878 Sq.Ft.

Zoning Classification: R-1 | Zoning Description: Low Density Residential

Zoning Compliance: ☒ Legal ☐ Legal Non-Conforming (Grandfathered) ☐ Illegal ☐ No Zoning Regulations

Deed Restrictions: Are Covenants, Conditions, & Restrictions (CC&Rs) applicable? ☐ Yes ☐ No ☒ Unknown

Have the documents been reviewed? ☐ Yes ☐ No ☐ N/A Ground Rent (if applicable) $ ____ / ____

Comments:

Highest & Best Use , as improved, is the: ☒ Present use, or ☐ Other use (explain) See attached addenda.

Characteristics:

Topography:	Gently Sloping	Size:	Typical
Shape:	Irregular	Drainage:	Normal
View:	Residential/Golf Course	Landscaping:	Typical

Other features: ☒ Inside Lot ☐ Corner Lot ☐ Cul de Sac ☐ Underground Utilities ☐

Utilities:	Public	Other	Provider/Description
Electricity:	☒	☐	EWEB
Gas:	☒	☐	NW Natural
Water:	☒	☐	EWEB
Sanitary Sewer:	☒	☐	City of Eugene

Off-site Improvements:	Type	Public	Private
Street:	Asphalt	☒	☐
Curb/Gutter:	None	☐	☐
Sidewalk:	None	☐	☐
Alley:	None	☐	☐

Is the property or the improvements located in a FEMA Special Flood Hazard Area? ☐ Yes ☒ No

FEMA Flood Zone: X FEMA Map # 41039C1139F FEMA Map Date: 6/2/1999

Site Comments:

No adverse easements or encroachments are apparent. Normal residential utility easements are assumed. Site usage is consistent with zoning and neighborhood trends.

DESCRIPTION OF THE IMPROVEMENTS

General Description: # of Units: 1 ☒ + Accessory Unit # of Stories: 1 Design (Style): Traditional

Type: ☒ Detached ☐ Attached ☐ ____ Status: ☒ Existing ☐ Proposed ☐ Under Construction

Actual Age (years): 0 Effective Age (years): 0 Year Built: Hypothetically 2013

Exterior Description:

Foundation:	Concrete	Exterior Walls:	Wood Siding/Brick
Roof Surface:	Composite Shingle	Gutters & Downspouts:	Aluminum
Window Type(s):	Vinyl Clad	Storm / Screens:	Screens
Heating System:	Heat Pump	Cooling System:	Heat Pump

Car Storage: ☐ None ☒ Garage ☐ Carport ☒ Driveway (Surface: Concrete) Total # of Cars: 5

Livable area above grade contains: 7 Rooms, 4 Bedrooms, 2.1 Bath(s), and 2,402 Sq.Ft. of GLA

Describe Additional Features and Improvements:

New construction. Effective age of 0 years. Based on limited plans and specs, the subject appears to be physically and functionally adequate. There is no physical or functional obsolescence noted. Quality of construction is good. The home is considered to be in new condition. All of the home's mechanical systems/utilities are assumed operational as of the effective date of this report.

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309

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RESIDENTIAL APPRAISAL REPORT

SALES COMPARISON APPROACH TO VALUE

For the Sales Comparison Approach, the appraiser selects comparable sales that they consider the best matches to the subject in terms of physical characteristics, physical proximity, and time of sale. The appraiser then makes adjustments to the known sale price of each comparable sale to account for differences that are recognized by the market. For example, if the subject has a single bathroom but a comparable has 2, the comparable's sale price would be reduced by the attributable value given to the extra bathroom based on the market's reaction. Likewise, if a comparable sale has a smaller square footage than the subject, its sale price would be adjusted upward in the same manner. By weighting and reconciling these adjusted sales prices together, an opinion of value for the subject can be determined.

FEATURE	SUBJECT	COMPARABLE SALE # 1		COMPARABLE SALE # 2		COMPARABLE SALE # 3	
Address	1777 E 30th Ave Eugene, OR 97405	1407 E 21st Ave Eugene, OR 97403		955 E 20th Ave Eugene, OR 97405		1910 Potter St Eugene, OR 97405	
Proximity to Subject		0.98 miles N		1.16 miles NW		1.18 miles NW	
Sale Price	$		$ 451,000		$ 415,000		$ 440,000
Sale Price / GLA	$ /Sq.Ft.	$ 205.94/Sq.Ft.		$ 228.27/Sq.Ft.		$ 205.70/Sq.Ft.	
Data Source(s)		RMLS#10018519;DOM 345		RMLS#11637597;DOM 4		RMLS#11606922;DOM 26	
ADJUSTMENT ITEMS	DESCRIPTION	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.
Sales or Financing Concessions		Conventional 0	0	Conventional 0	0	Conventional 0	0
Date of Sale / Time		03/29/2011		09/09/2011		03/28/2011	
Rights Appraised	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
Location	SE Hills	University	0	University	0	University	0
Site	27,878 Sq.Ft.	5,663 sf	0	8,712 sf	0	5,663 sf	0
View	Residential/Golf Course	Residential	0	Residential	0	Residential	0
Design (Style)	Traditional	Traditional		Traditional		Traditional	
Quality of Construction	Good	Good		Good		Good	
Age	0	84/Updated	0	99/Updated	0	81/Updated	0
Condition	New	Good	0	Good	0	Good	0
Above Grade Room Count (Total / Bdrms / Baths)	7 / 4 / 2.1	7 / 3 / 3.0	-2,500	7 / 4 / 1.1	+5,000	7 / 4 / 2.1	
Gross Living Area	2,402 Sq.Ft.	2,190 Sq.Ft.	+10,600	1,818 Sq.Ft.	+29,200	2,139 Sq.Ft.	+13,200
Basement Total Area	0 sf	624 sf	0	684 sf	0	0 sf	
Basement Finish Area	0 sf	0 sf		0 sf		0 sf	
Functional Utility	Good	Good		Good		Good	
Heating / Cooling	Heat Pump	Wall/None	+5,000	FWA/None	+5,000	FWA/None	+5,000
Energy Efficient Items	Weatherized	Weatherized		Weatherized		Weatherized	
Garage / Carport	5 Car Garage	3 Car Garage	+6,000	None	+15,000	None	+15,000
Porch / Patio / Deck	Porch,Deck	Porch,Deck		Porch,Patio	0	Porch,Patio	0
Additional Features	2nd Legal Dwelling	2nd Legal Dwelling		2nd Legal Dwelling		2nd Lgl Dwl in Bsmt	0
Net Adjustment (Total)		☒+ ☐–	$ 19,100	☒+ ☐–	$ 54,200	☒+ ☐–	$ 33,200
Adjusted Sale Price of Comparables		Net 4.2 % Gross 5.3 %	$ 470,100	Net 13.1 % Gross 13.1 %	$ 469,200	Net 7.5 % Gross 7.5 %	$ 473,200

Comments on the Sales Comparison Approach:

See attached addenda.

Appraiser's Indicated Value by the Sales Comparison Approach: $ 470,000

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309

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ADDITIONAL COMPARABLE SALES

SALES COMPARISON APPROACH TO VALUE

FEATURE	SUBJECT	COMPARABLE SALE # 4		COMPARABLE SALE # 5		COMPARABLE SALE # 6	
Address	1777 E 30th Ave Eugene, OR 97405	2693 Chula Vista Blvd Eugene, OR 97403		2662 Potter St Eugene, OR 97405		4451 Dillard Rd Eugene, OR 97405	
Proximity to Subject		0.55 miles N		0.62 miles NW		1.32 miles S	
Sale Price	$		$ 415,000		$ 380,000		$ 390,000
Sale Price / GLA	$ /Sq.Ft.	$ 160.17/Sq.Ft.		$ 237.50/Sq.Ft.		$ 157.26/Sq.Ft.	
Data Source(s)		RMLS#11520190;DOM 306		RMLS#11148894;DOM 43		RMLS#11405264;DOM 23	
ADJUSTMENT ITEMS	DESCRIPTION	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.	DESCRIPTION	+(–) $ Adjust.
Sales or Financing Concessions		Cash 0		Conventional 0	0	Conventional 0	0
Date of Sale / Time		07/05/2012		11/15/2011		11/18/2011	
Rights Appraised	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
Location	SE Hills	University		University		SE Hills	
Site	27,878 Sq.Ft.	5,663 sf	0	7,841 sf	0	40,950 sf	0
View	Residential/Golf Course	Residential	0	Residential	0	Mountain	0
Design (Style)	Traditional	Traditional		Traditional		Traditional	
Quality of Construction	Good	Good		Good		Good	
Age	0	94/Updated		63	0	64	0
Condition	New	Average-Good	+41,500	Good		Good	
Above Grade Room Count	Total 7 / Bdrms 4 / Baths 2.1	Total 7 / Bdrms 4 / Baths 3.1	-5,000	Total 7 / Bdrms 3 / Baths 2.0	+2,500	Total 7 / Bdrms 4 / Baths 2.1	0
Gross Living Area	2,402 Sq.Ft.	2,591 Sq.Ft.	-9,500	1,600 Sq.Ft.	+40,100	2,480 Sq.Ft.	
Basement Total Area	0 sf	0 sf		0 sf		0 sf	
Basement Finish Area	0 sf	0 sf		0 sf		0 sf	
Functional Utility	Good	Good		Good		Good	
Heating / Cooling	Heat Pump	Heat Pump		FWA/None	+5,000	Wall/None	+5,000
Energy Efficient Items	Weatherized	Weatherized		Weatherized		Weatherized	
Garage / Carport	5 Car Garage	None	+15,000	None	+15,000	3 Car Carport	+10,500
Porch / Patio / Deck	Porch,Deck	Porch,Deck		Porch,Deck		Porch,Patio	0
Additional Features	2nd Legal Dwelling	2nd Legal Dwelling		Studio	+30,000	Small Studio	+50,000
Net Adjustment (Total)		☒+ ☐–	$ 42,000	☒+ ☐–	$ 92,600	☒+ ☐–	$ 65,500
Adjusted Sale Price of Comparables		Net 10.1 % Gross 17.1 %	$ 457,000	Net 24.4 % Gross 24.4 %	$ 472,600	Net 16.8 % Gross 16.8 %	$ 455,500

Comments: See attached addenda.

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309

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RESIDENTIAL APPRAISAL REPORT

RECONCILIATION

Final Reconciliation of the Approaches to Value:

See attached addenda.

This appraisal is made ☒ "as is"; ☐ subject to completion per plans and specifications on the basis of a Hypothetical Condition that the improvements have been completed; ☐ subject to the following repairs or alterations on the basis of a Hypothetical Condition that the repairs or alterations have been completed; ☐ subject to the following required inspection(s) based on the Extraordinary Assumption that the following condition or deficiency does not require alteration or repair:

Hypothetical Conditions: The appraisal is based on a retrospective effective date of 03/12/2013. The appraisal is also based on the hypothetical assumption that the 2,402 sf new home existed on the property as of 03/12/2013. This significantly affects the opinion of value.

☐ This report is also subject to other Hypothetical Conditions or Extraordinary Assumptions as specified elsewhere in this report.

ATTACHMENTS

A true and complete copy of this report contains 22 pages, including all exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report.

Attached Exhibits:

☒ Scope of Work	☒ Limiting Cond./Certification	☒ Narrative Addendum	☒ Photograph Addenda
☒ Sketch Addendum	☒ Map Addenda	☐ Cost Addendum	☐ Flood Addendum
☒ Additional Sales	☒ Additional Rentals	☐ Income/Expense Analysis	☒ Hypothetical Conditions
☐ Extraordinary Assumptions	☐	☐	☐

OPINION OF VALUE

This Opinion of Value may be subject to other Hypothetical Conditions and / or Extraordinary Assumptions, if so indicated above. Based on the degree of inspection of the subject property as indicated below; the defined Scope of Work for this appraisal assignment; the attached Statement of Assumptions and Limiting Conditions; and the attached Appraiser's Certifications, my (our) Current Opinion of the Market Value (or value range), as defined elsewhere in this report, of the real property that is the subject of this report is: $ 470,000 as of: 03/12/2013, which is both the Inspection Date and the Effective Date of this appraisal.

SIGNATURES

APPRAISER

Appraiser Name: Brian B. Elliott
Company: Duncan & Brown, LLC
Phone: 541-687-1938 Fax: (541) 683-0932
E-mail: blake@duncanbrown.com
Date of Report (Signature): 07/25/2016
License or Certification #: CR01011 State: OR
Designation: Certified Residential
Expiration Date of License or Certification: 02/28/2018
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 03/12/2013

SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)

Supervisory or Co-Appraiser Name: Richard J. Duncan, MAI, SRA
Company: Duncan & Brown, LLC
Phone: (541) 687-1938 Fax: (541) 683-0932
E-mail: rick@duncanbrown.com
Date of Report (Signature): 07/25/2016
License or Certification #: C000106 State: OR
Designation: MAI, SRA
Expiration Date of License or Certification: 07/31/2017
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309

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Supplemental Addendum

File No. R15-309

Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						

• **GP Consumer Short Form: Market Area Description - Boundaries, Description, Conditions**
The subject is located on Laurelwood Golf Course in the southeast hills of Eugene. The neighborhood is accessed by a small access road off of the north side of 30th Avenue. The neighborhood consists of six custom single family homes on lots that cross the access road and front Laurelwood Golf Course with very marketable views.

The subject extended established area consists of mostly average to good quality, older and mid-life homes. The subject enjoys good convenience to schools, shopping, and employment. Properties in the area exhibit average to good overall appearance.

The market for homes in the area has been active between 2010 and 2012, with some depreciating prices due to the housing crisis commonly thought to have begun in 2010. Median days on market for the extended neighborhood spanning a one mile radius is 60 days, with some of the most marketable properties selling within 30 days. There appears to have been a balance between supply and demand as of the effective date of the report. Estimated market exposure time is 30-90 days.

• **GP Consumer Short Form: Sales Comparison Approach - Comments on Sales Comparison Approach**
The subject is located in a very marketable secluded neighborhood bordering Laurelwood Golf Course. The area is an active market in the southeast hills of Eugene. The majority of the neighborhood features homes that are equal in design and appeal to the subject property, but with few new builds. The subject also features a detached 864 sf separate legal dwelling built in 2004. These two features make the subject very unique.

In order to properly analyze the subject property, the appraiser has canvassed the entire south Eugene market. The appraiser identified recently updated homes that also had some form of a detached dwelling included. It appears that the University area has a higher occurrence of homes with legal secondary dwellings. Through market research, the subject's large lot and Laurelwood Golf Course view are considered equal to the location in the University market. No adjustment is needed when size, location and view are all taken into account. The appraiser used the most recent and comparable sales available in the area in this analysis. Due to the uniqueness f the subject property, dated sales were necessarily used. The overall market at this point in time experienced stagnant values, providing no market basis for a market time adjustment. Only minor adjustments were warranted and all market sensitive factors were bracketed.

Though the subject is new construction, most newer builds within older existing neighborhoods tend to experience some value absorption within the older market. The older homes used in this analysis have all been tastefully updated with higher end materials and marketable designs that appeal to the typical market participant in this time period. There is no adjustment required for age differences.

The city of Eugene considers a legal dwelling to have a full functional kitchen and can be rented to persons other than family members. Market evidence has confirmed this to be a very significant value added feature. Comparables #1, #2, #3 and #4 all feature legal separate dwellings or space similar to that of the subject's. Comparables #5 and #6 feature studio buildings that are not legal dwellings. The value difference is evident.

Ultimately, the appraiser was able to bracket every market sensitive feature and identify a well supported opinion of value. Adjustments are either extracted through paired sales analysis, or applied as a percentage of cost to build.

The subject property is zoned R-1, Low Density Residential. This is a standard single family residential zone in the area. The subject passes all the tests of being at its highest and best use, that is being legally permissible, physically possible, financially feasible and of maximal productivity.

• **GP Consumer Short Form: Highest & Best Use Explanation**
The Highest and Best Use of the subject property, per Eugene Code as of 03/12/2013, is for the construction of the proposed new home on the north portion of the lot fronting Laurelwood Golf Course, and to include the existing detached garage with a legal secondary dwelling above currently located on the south portion of the lot to remain as a livable, rentable, separate dwelling with the kitchen and all existing areas left fully intact and functioning as originally intended. The only existing structure on the property as of 03/12/2013 was the detached garage with the legal dwelling above. As of 03/12/2013, the owner of the subject property had the right per Eugene Code, to build the proposed new home and have the legal secondary dwelling above the garage remain. The owner planned the development of the lot in phases, with the first being the construction of the detached garage and secondary dwelling above. In order to maximize the potential of the property, the second phase of development was for the construction of the new home on the north end of the lot overlooking Laurelwood Golf Course, which holds the most value due to the golf course views. The appraiser has valued the subject property under these hypothetical circumstances.

ASSUMPTIONS & LIMITING CONDITIONS

SUBJECT PROPERTY

Property Address:	1777 E 30th Ave			City:	Eugene
State:	OR	Zip Code:	97405	County:	Lane

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
- The appraiser may have provided a sketch in the appraisal report to show approximate dimensions of the improvements, and any such sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. Unless otherwise indicated, a Land Survey was not performed.
- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.
- If this appraisal is indicated as subject to satisfactory completion, repairs, or alterations, the appraiser has based his or her appraisal report and valuation conclusion on the assumption that completion of the improvements will be performed in a workmanlike manner.
- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.
- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database.
- An appraisal of real property is not a 'home inspection' and should not be construed as such. As part of the valuation process, the appraiser performs a non-invasive visual inventory that is not intended to reveal defects or detrimental conditions that are not readily apparent. The presence of such conditions or defects could adversely affect the appraiser's opinion of value. Clients with concerns about such potential negative factors are encouraged to engage the appropriate type of expert to investigate.
- In developing this appraisal, the appraiser has incorporated the Sales Comparison and Income approaches to value. The appraiser has excluded the Cost approach. The appraiser has determined that this appraisal process is not so limited that the results of the assignment are no longer credible.

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DEFINITIONS & SCOPE OF WORK

SUBJECT PROPERTY

Property Address:	1777 E 30th Ave			City:	Eugene
State:	OR	Zip Code:	97405	County:	Lane

DEFINITION OF MARKET VALUE *:

Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):

None

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CERTIFICATIONS

SUBJECT PROPERTY

Property Address: 1777 E 30th Ave City: Eugene
State: OR Zip Code: 97405 County: Lane

APPRAISER'S CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.

I have performed no services in the past three years in regard to the subject property.

SIGNATURES

APPRAISER

Appraiser Name: Brian B. Elliott
Company: Duncan & Brown, LLC
Phone: 541-687-1938 Fax: (541) 683-0932
E-mail: blake@duncanbrown.com
Date of Report (Signature): 07/25/2016
License or Certification #: CR01011 State: OR
Designation: Certified Residential
Expiration Date of License or Certification: 02/28/2018
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

SUPERVISORY APPRAISER (if required)
or CO-APPRAISER (if applicable)

Supervisory or
Co-Appraiser Name: Richard J. Duncan, MAI, SRA
Company: Duncan & Brown, LLC
Phone: (541) 687-1938 Fax: (541) 683-0932
E-mail: rick@duncanbrown.com
Date of Report (Signature): 07/25/2016
License or Certification #: C000106 State: OR
Designation: MAI, SRA
Expiration Date of License or Certification: 07/31/2017
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: 01/16/2016

Client: Chad Wilson Client File No.: Wilson Appraiser File No.: R15-309

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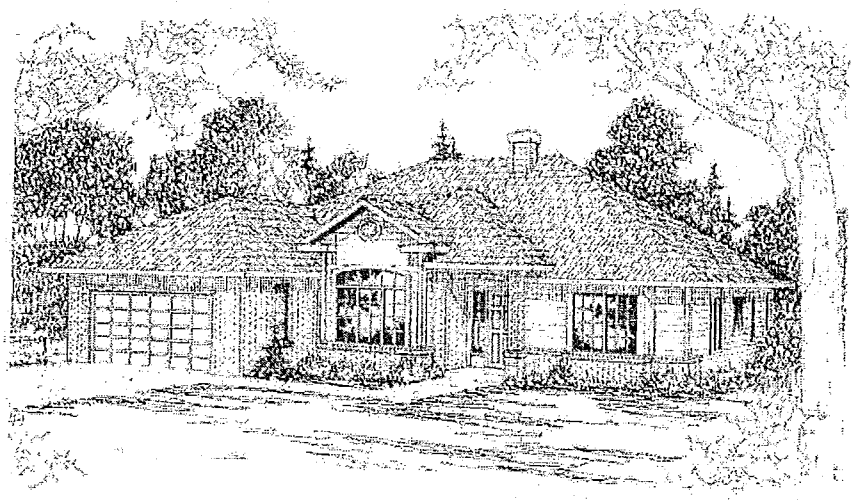
Sketch

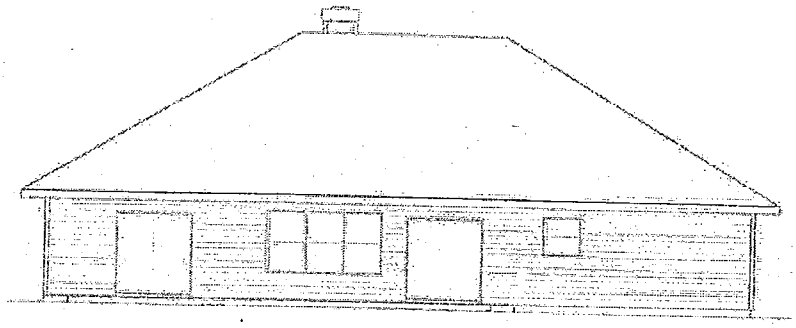
Associated DESIGNS
Find Your Perfect Home Plan
1180 Jacobs Dr., Eugene, Oregon 97402-1983
800-634-0123 • 541-461-2082 • Fax 541-461-1274

Syracuse
30-063



Traditional House Plan - Syracuse 30-063 - Front Elevation

Chad Wilson 541-914-0519
1777 East 30th Ave



Traditional Home Plan - Syracuse 30-063 - Rear Elevation

Plan Details

Building Height: 22'-8"
Wall Types:
2x6 Wood Frame
Primary Roof Pitch:
7/12
Primary Foundation:
Craw Space
Additional Foundations:
Basement
Concrete Slab
Garage Orientation:
Front-Entry
Bedroom Features:
Main Floor Bedroom & Bath
Main Floor Owners' Suite
Separate Tub & Shower
Walk In Closet
Special Features:
Den, Office, Library, or Study
Formal Dining Room
Fireplace
Great Room
Main Floor Laundry
Mud Room
Large Kitchen
Peninsula Eating Bar
Breakfast Nook

Plan Specs

Living Area:	2402 sq ft
1st Floor:	2402 sq ft
Garage:	514 sq ft
Floors:	1
Bedrooms:	4
Full Baths:	2
Half Baths:	1
Garage Bays:	2

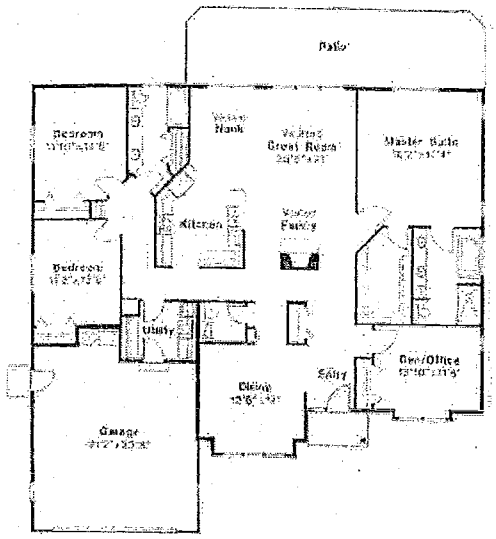
Overall Dimensions:
59'-0" x 58'-0"

Order This Plan

1 Set Study Package
$675.00
5 Set Construction Package
$875.00
8 Set Construction Package
$950.00
PDF Print Set
$925.00
PDF Master
$1,775.00
CAD Electronic Files
$1,875.00
PDF Bid Set:
PDF Bid Set
$75.00
One Additional Build License:

Sketch

Print Plan - Associated Designs



Traditional House Plan - Syracuse 30-063 - Floor Plan

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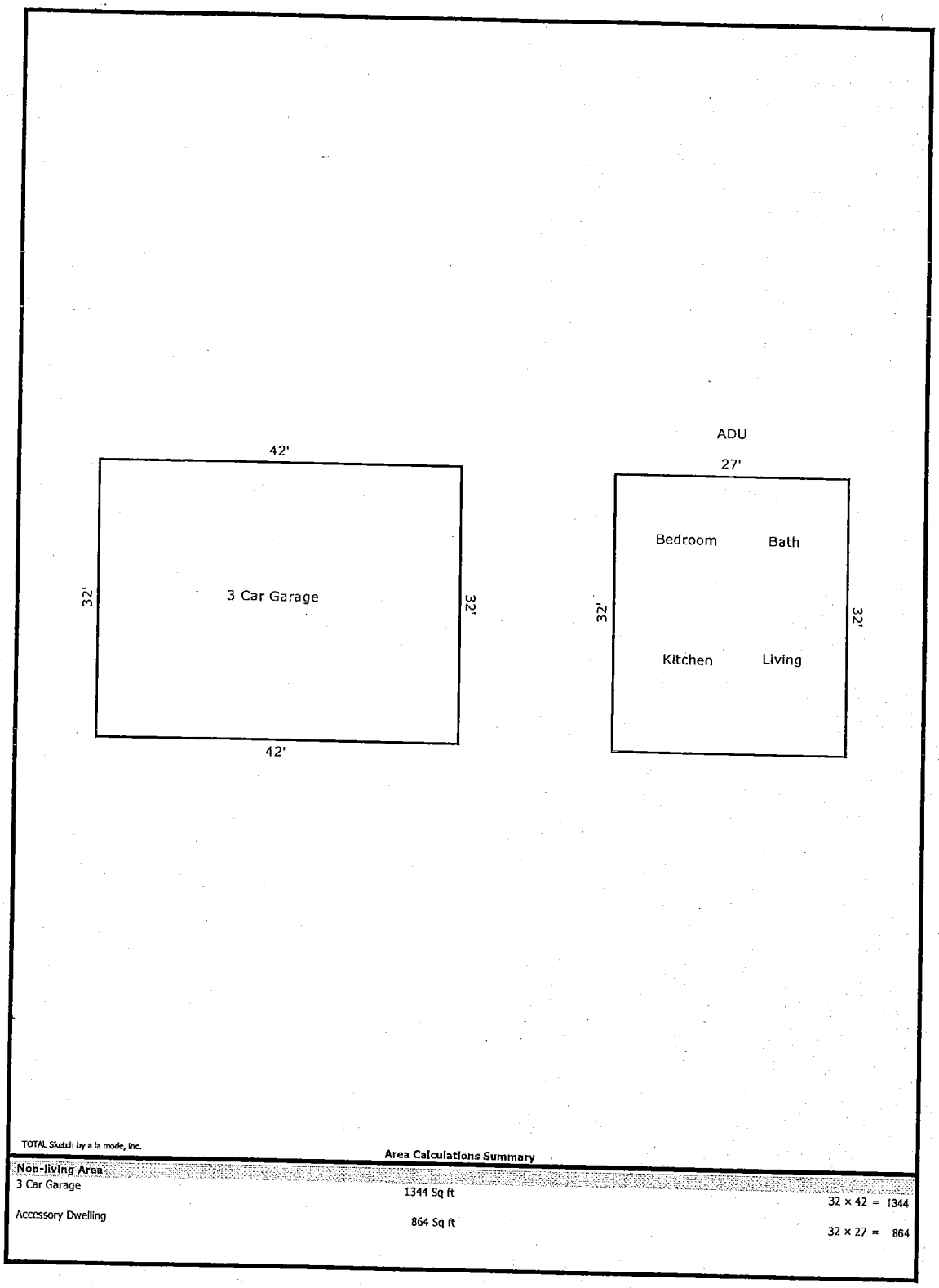
Building Sketch

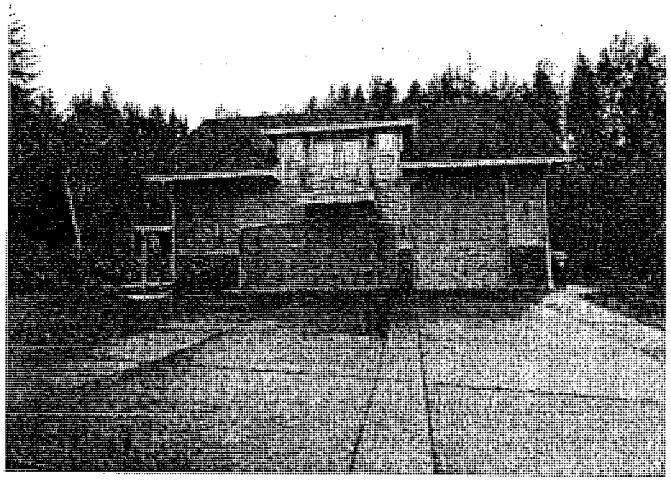
Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



Form SKT.BLDSKI - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

Subject Photo Page

Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County	Lane	State OR	Zip Code 97405
Lender/Client	None				



Subject Existing Garage/Loft

1777 E 30th Ave

Sales Price	
Gross Living Area	2,402
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	2.1
Location	SE Hills
View	Residential/Golf Course
Site	27,878 Sq.Ft.
Quality	Good
Age	0

Subject Street View

Subject Alternate Street View

Subject Photo Page

Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						

Subject Future Home Site

1777 E 30th Ave

Sales Price	
Gross Living Area	2,402
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	2.1
Location	SE Hills
View	Residential/Golf Course
Site	27,878 Sq.Ft.
Quality	Good
Age	0

Subject Golf Course View

Legal Description Map

Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						

Western Title & Escrow
Order Number: 93338-DMS

After Recording Return To:
Western Title & Escrow Company
497 Oakway Rd. Suite 340, Eugene, OR 97401

Grantor
Chad R. Wilson 2794 Bowmont Drive Eugene, OR 97405
Grantee
Chad R. Wilson Katie A. Wilson 2794 Bowmont Drive Eugene, OR 97405
Until a change is requested, all tax statements shall be sent to the following address:
Chad R. Wilson Katie A. Wilson 2794 Bowmont Drive Eugene, OR 97405

Lane County Clerk
Lane County Deeds & Records
2014-049003
12/11/2014 02:10:24 PM
RPR-DEED Cnt=1 Stn=6 CASHIER 05 2pages
$10.00 $11.00 $10.00 $21.00
$52.00

Reserved for Recorder's Use

STATUTORY BARGAIN AND SALE DEED

Chad R. Wilson, Grantor(s)
conveys to
Chad R. Wilson and Katie A. Wilson, as tenants by the entirety, Grantees,
the following described real property:

Parcel 1, Land Partition Plat No. 2002-P1588, recorded July 19, 2002, Document No. 2002-054696, Lane County Records, in Lane County, Oregon.

Account: **1717188**
Map & Tax Lot: **18 03 08 11 00602**

The true consideration for this conveyance is **to change vesting.** (Here comply with requirements of ORS 93.030.)

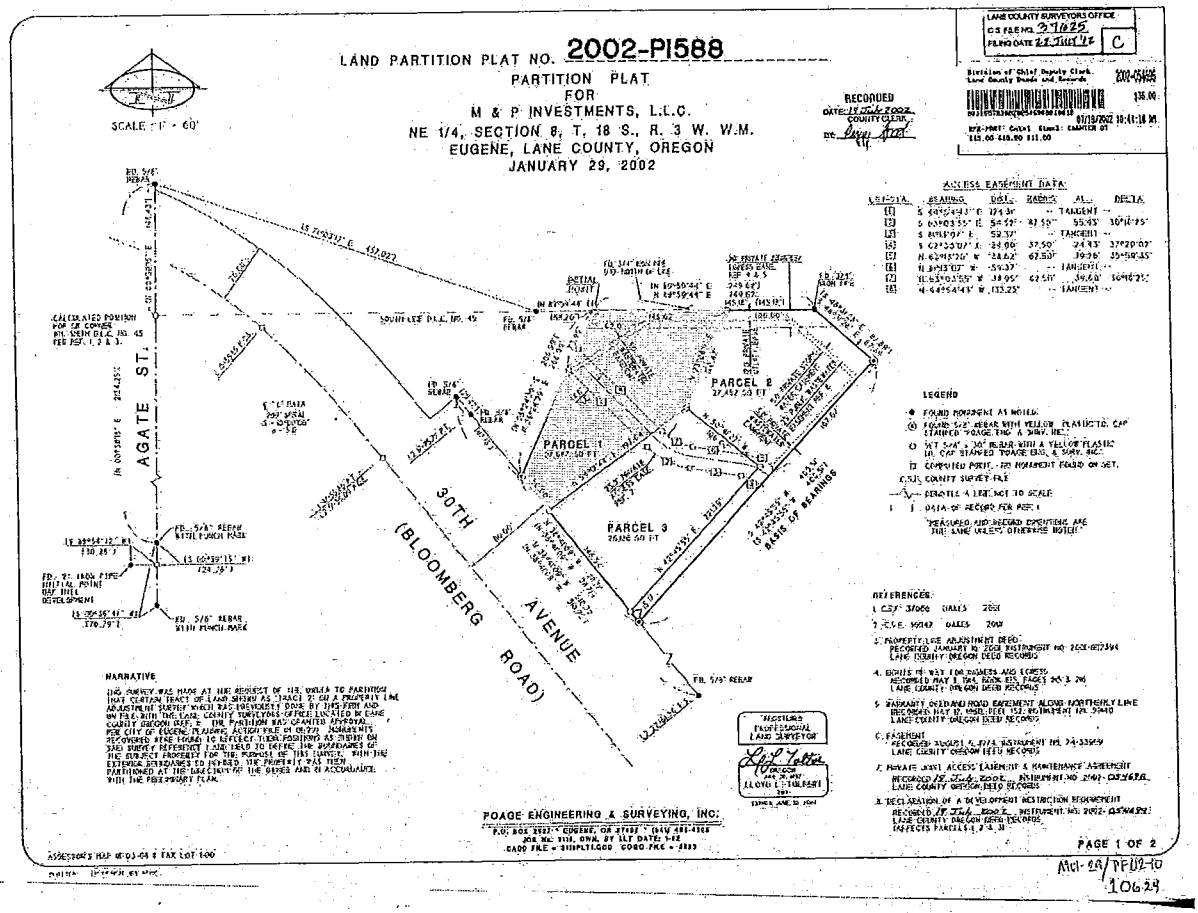
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Executed this 9 day of December, 2014

Chad R. Wilson
Chad R. Wilson

Site Map

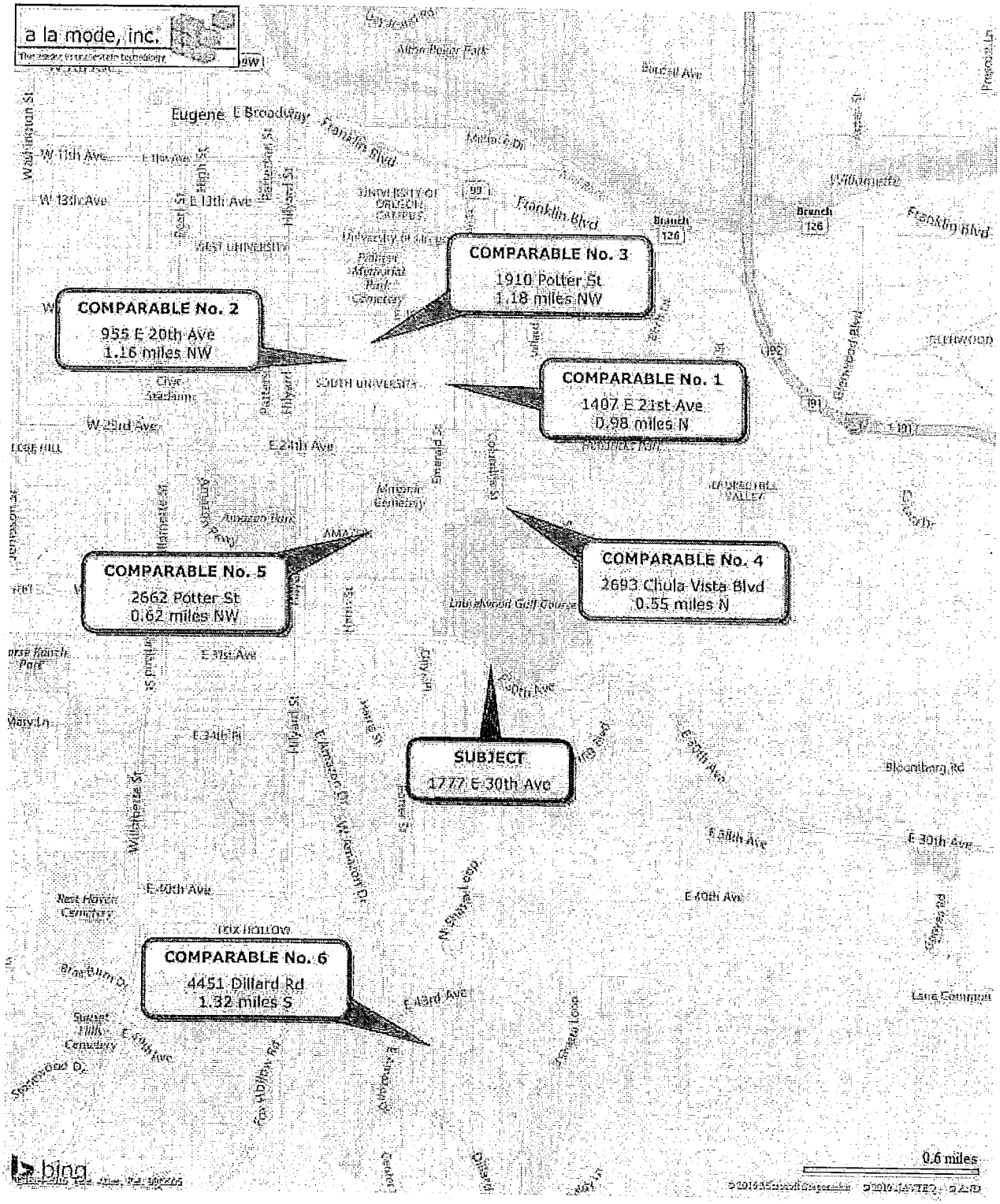
Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



Form MAP_LT.SITE - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

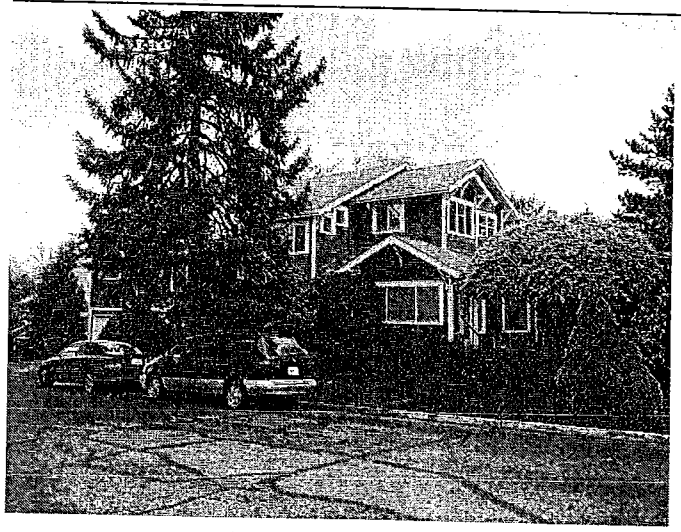
Location Map

Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						



Comparable Photo Page

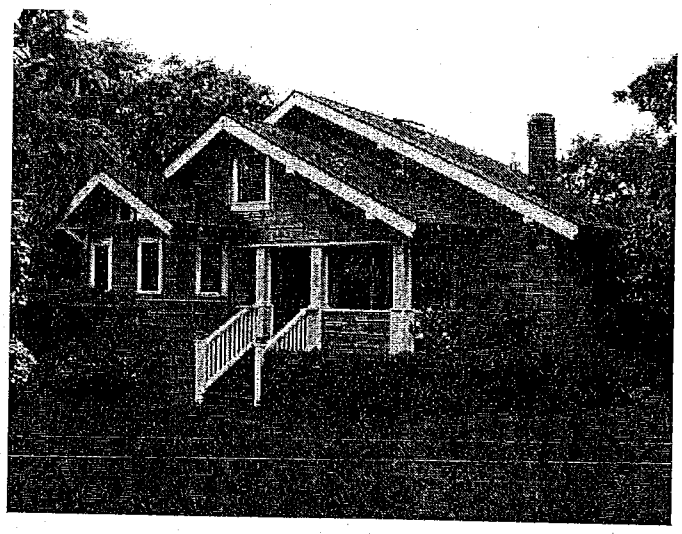
Borrower	None						
Property Address	1777 E 30th Ave						
City	Eugene	County	Lane	State	OR	Zip Code	97405
Lender/Client	None						



Comparable 1

1407 E 21st Ave

Prox. to Subject	0.98 miles N
Sale Price	451,000
Gross Living Area	2,190
Total Rooms	7
Total Bedrooms	3
Total Bathrooms	3.0
Location	University
View	Residential
Site	5,663 sf
Quality	Good
Age	84/Updated



Comparable 2

955 E 20th Ave

Prox. to Subject	1.16 miles NW
Sale Price	415,000
Gross Living Area	1,818
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	1.1
Location	University
View	Residential
Site	8,712 sf
Quality	Good
Age	99/Updated

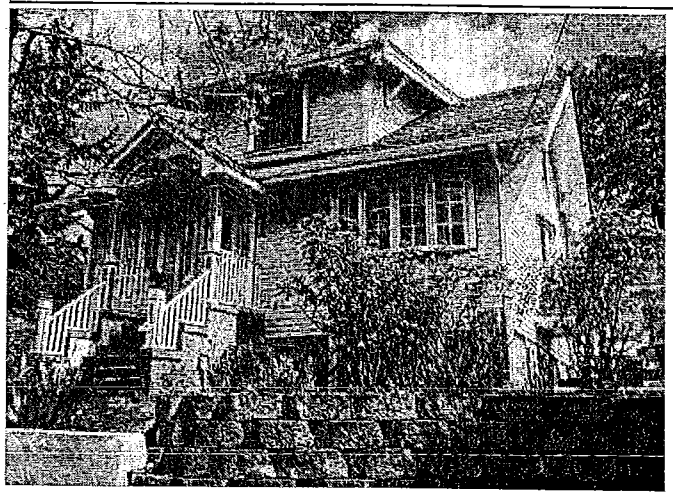
Comparable 3

1910 Potter St

Prox. to Subject	1.18 miles NW
Sale Price	440,000
Gross Living Area	2,139
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	2.1
Location	University
View	Residential
Site	5,663 sf
Quality	Good
Age	81/Updated

Comparable Photo Page

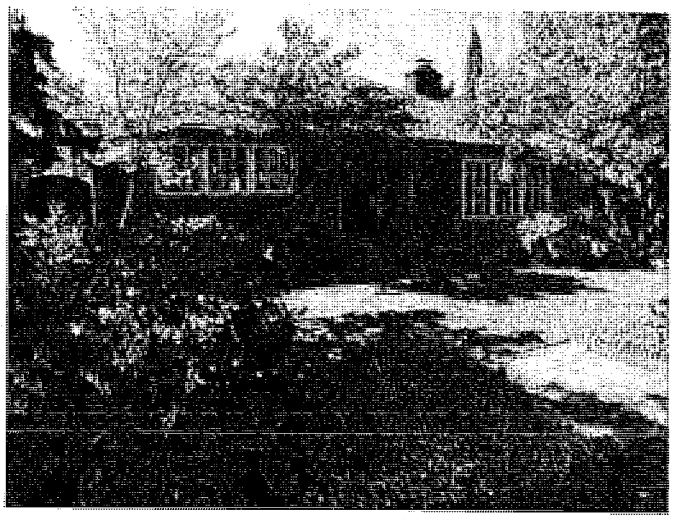
Borrower	None				
Property Address	1777 E 30th Ave				
City	Eugene	County Lane	State OR	Zip Code 97405	
Lender/Client	None				



Comparable 4

2693 Chula Vista Blvd

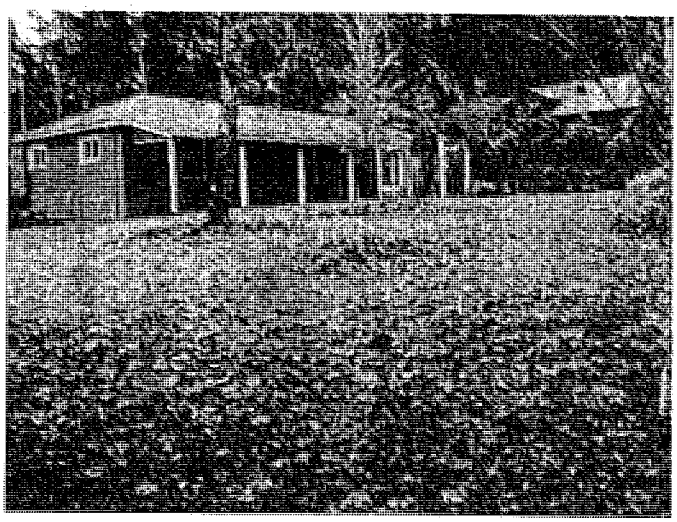
Prox. to Subject	0.55 miles N
Sale Price	415,000
Gross Living Area	2,591
Total Rooms	7
Total Bedrooms	4
Total Bathrooms	3.1
Location	University
View	Residential
Site	5,663 sf
Quality	Good
Age	94/Updated



Comparable 5

2662 Potter St

Prox. to Subject	0.62 miles NW
Sale Price	380,000
Gross Living Area	1,600
Total Rooms	7
Total Bedrooms	3
Total Bathrooms	2.0
Location	University
View	Residential
Site	7,841 sf
Quality	Good
Age	63



4451 Dillard Rd

	1.32 miles S
	390,000
	2,480
	7
	4
	2.1
	SE Hills
	Mountain
	40,950 sf
	Good
	64

Appraiser's License

Appraiser Certification and Licensure Board

State Certified Residential Appraiser

28 hours of continuing education required for renewal

Brian B Elliott
Duncan & Brown LLC
260 W 12th AVE
Eugene, OR 97401

License No.: CR01011
Issue Date: March 1, 2016
Expiration Date: February 28, 2018

Gae Lynne Cooper

Gae Lynne Cooper, Administrator

Appraisers License

Appraiser Certification and Licensure Board

State Certified General Appraiser

28 hours of continuing education required for renewal

Richard J Duncan
Duncan & Brown LLC
260 W 12th AVE
Eugene, OR 97401

License No.: C000106
Issue Date: August 1, 2015
Expiration Date: July 31, 2017

Gae Lynne Cooper, Administrator

LAW OFFICE OF BILL KLOOS PC

OREGON LAND USE LAW
375 W. 4TH AVENUE, SUITE 204
EUGENE, OR 97401
TEL: 541.343.8596
WEB: WWW.LANDUSEOREGON.COM

BILL KLOOS
BILLKLOOS@LANDUSEOREGON.COM

October 3, 2016

Jon Ruiz
Eugene City Manager
125 East 8th Ave., Second Floor
Eugene, OR 97401

Re: Measure 49 Claim; Chad and Katie Wilson; 1777 E. 30th Ave., Eugene 97405
Completeness Review Submittal
Supplemental Letter

Dear Mr. Ruiz:

With this letter I would like to provide a bit of clarity to the applicant's response to the first request for more information in the City's April 20 letter.

1. Under ORS 195.310(8)(d), a Measure 49 claim must include "a citation to the land use regulation that the claimant believes is restricting the claimant's desired use of the property that is adequate to allow the public entity to identify the specific land use regulation that is the basis for the claim." The Wilson claim identifies Section 9 of Eugene Ordinance No. 20526, which added EC 9.2751(17). Subsection (17) is approximately 5 pages long. Additional, more specific, information should be submitted that more accurately identifies the provision of subsection (17) that is the basis for the claim.

My July 25 Completeness Review letter said:

> The newly adopted code section that limits the uses allowed on this property is identified and discussed in the City's Proposed Notice of Secondary Dwelling Limitation. This is the document the City provided to the applicant in connection with his submittal of a building permit for a residential dwelling on the subject property. A copy is attached hereto.

To be more clear, the language that would limit the current dwelling to being an accessory dwelling if a main house were constructed on this property was adopted by Ordinance No. 20526, enacted March 12, 2014, effective April 12, 2014, Section 9, which adopted EC 9.2751(17)(i):

> (i) Building Height/Interior Sloped Setback. For detached secondary dwellings:
>
> 1. The interior yard setback shall be at least 5 feet from the interior lot line. In addition, at a point that is 8 feet above grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally (approximately 40 degrees

from horizontal) away from the lot line until a point not to exceed a maximum building height of 18 feet.

2. The allowances for setback intrusions provided at EC 9.6745(3) do not apply within the setback described in 1. above, except that eaves, chimneys and gables are allowed to project into this setback no more than 2 feet.

This language is now appears to be codified at EC 9.2751(17)(c)(9) in the online version of the code.

Sincerely,

Bill Kloos

Bill Kloos

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Action: An Ordinance Concerning Annual Maintenance of the Land Use Code and Amending Sections 9.0500, 9.2160, 9.2451, 9.2461, 9.2600, 9.2620, 9.2750, 9.2777, 9.3165, 9.3210, 9.3215, 9.3970, 9.4130, 9.6210, 9.6640, 9.7000, 9.7015, 9.7230, 9.7405, 9.7505, 9.7810, 9.8005, 9.8085, 9.8090, 9.8215, 9.8220, 9.8320, 9.8325, 9.8360, 9.8423, 9.8430, 9.8440, 9.8445, 9.8515, 9.8520, 9.8705, 9.8710, 9.8750, 9.8755, 9.8760, 9.8810 and 9.8855 of the Eugene Code, 1971.
(City File CA 16-3)

Meeting Date: November 14, 2016 | Agenda Item Number: 5
Department: Planning & Development | Staff Contact: Alissa Hansen
www.eugene-or.gov | Contact Telephone Number: 541-682-5508

ISSUE STATEMENT
The City Council will take action on land use code amendments related to annual maintenance of the code (Chapter 9).

BACKGROUND
Last year, in recognition of the need to regularly improve and maintain the land use code, City Council initiated the annual code maintenance program. This program addresses corrective or legal issues, which, if left unaddressed, pose a challenge in the administration of the land use code. The first set of code maintenance amendments was approved by City Council in July 2015.

Consistent with the program intent, this year's set of amendments consists of a modest number of discrete amendments that address:

- Corrective amendments that are intended to fix errors or conflicts by correcting code references, removing obsolete language or adding language that was inadvertently omitted. These amendments do not affect policy or the intent of the code.
- Legal amendments that respond to changes in state law (such as revisions to Oregon Revised Statutes) to remove conflicts between provisions in the code and state regulations.

A summary of the proposed amendments and draft code language is provided as Attachment A.

Code maintenance amendments will be brought forward on an annual basis. To ensure that the code maintenance amendments remain manageable within existing resources, the amendments do not address policy issues or topics associated with other Planning Division work program

items. Future amendments that do address policy issues or other Planning Division work program items will be brought forward separately as part of the code improvement program following adoption of the Eugene-specific urban growth boundary. Staff will engage the Planning Commission to help prioritize the topics and return to City Council to seek initiation before proceeding with future amendments under the code improvement program.

At the Planning Commission's July 12, 2016 public hearing on the code maintenance amendments no testimony was provided. Immediately following the hearing, the Planning Commission voted unanimously (6-0) to recommend approval of the land use code amendments with one slight modification related to the determination of park classifications. At the October 24, 2016 City Council public hearing, one person spoke in support of the amendments. No written testimony has been received to date.

A complete set of record materials are available for review on line at www.eugene-or.gov/codeamendments.

RELATED CITY POLICIES
Findings addressing consistency with related City policies, including provisions of the Metro Plan, are included as an exhibit to the proposed ordinance (Exhibit A of Attachment B).

COUNCIL OPTIONS
The City Council may consider the following options:
1. Adopt the ordinance.
2. Adopt the ordinance with specific modifications as determined by the City Council.
3. Deny the ordinance.

CITY MANAGER'S RECOMMENDATION
The City Manager recommends adoption of the ordinance as provided in Attachment B.

SUGGESTED MOTION
Move to adopt the ordinance as provided in Attachment B.

ATTACHMENTS
A. Summary of Annual Code Maintenance Amendments
B. Proposed Ordinance

FOR MORE INFORMATION
Staff Contact: Alissa Hansen
Telephone: 541-682-6508
Staff E-Mail: alissa.h.hansen@ci.eugene.or.us

Annual Maintenance of the Land Use Code

Proposed Amendments – October 2016

1. Definition of Reconfiguration

Type: Legal

Issue: State law has changed to allow removal of a platted lot or parcel line through a property line adjustment (as opposed to a replat). Currently, applications for property line adjustments must be consistent with the definition of "reconfiguration of a lot or parcel" which precludes the removal of a platted lot line. For consistency with state law, this portion of the definition needs to be removed.

Proposed Change:

9.0500 **Definitions**. A[-]s used in this land use code, unless the context requires otherwise, the following words and phrases mean:

Reconfiguration of Lots or Parcels. Changes to legal lot lines that result in any of the following:

(A) Creation of an additional lot or parcel;

(B) More than 2 changes to any of the boundaries of an individual lot or parcel within 1 calendar year;

(C) A change in the size of a lot or parcel by more than 200 percent; ***or***

(D) Creation of substandard public facilities or services, including, but not limited to, streets (access and widths), access easements, and public utility easements[~~; or~~

~~(E) A change in the number of platted lots and parcels~~].

2. Commercial Zone Land Uses and Permit Requirements

Type: Corrective

Issue: Per Table 9.2160, parks and non-publicly owned open spaces are allowed in the C-2, C-3 and GO zones, subject to (8) of the Special Use Limitations. However, (8) is no longer the correct reference, due to the addition of a new (8) as part of the Employment/Industrial Zone Code Amendments (Ordinance No. 20528). The reference needs be corrected to reflect the update.

Additionally, as part of the Employment/Industrial Zone Code Amendments, the allowance for a new homeless shelter (subject to a conditional use permit), as well as

Proposed Change:

Table 9.2160 Commercial Zone Land Uses and Permit Requirements

	C-1	C-2	C-3	GO
Entertainment and Recreation				
Park and Non-Publicly Owned Open Space Use (See EC 9.2620): Uses not specifically listed in this Table 9.2160 that are listed under the "Entertainment and Recreation" category in Table 9.2630.		S[~~(8)~~] ***(9)***	S[~~(8)~~] ***(9)***	S[~~(8)~~] ***(9)***
Lodging				
[~~Homeless Shelter not in existence as of January 1, 1984~~]				

the allowance for regional distribution centers and wholesale trade were removed from the C-4 Commercial/Industrial zone, when the C-4 zone was changed to the E-2 Mixed Use Employment zone (the uses are allowed in the E-2 zone). However, the use listings were not removed from the commercial zone table, and need to be corrected.	

Trade (Retail and Wholesale)				
[~~Regional Distribution Center~~]				
[~~Wholesale Trade (excluding regional distribution center)~~]				

3. Employment and Industrial Zone Land Use and Permit Requirements	**Type:** Corrective
Issue: Certain commercial uses, such personal services and wholesale and retail trade are allowed in the E-2 Mixed Use Employment zone if the property is located on a major arterial street. Although the intent of this provision to allow these uses only on properties with frontage on a major arterial street is documented as part of the record for the adoption process for the Employment/Industrial Zone Code Amendment, there has been confusion as to the standard for lots that do not front such streets. As such, this section needs to be amended to clarify the applicability. Additionally, the provision needs to clarify that the 30,000 square foot limitation specifically relates to the size of a building, not the entire use (which would include parking areas, associated landscaping, etc).	**Proposed Change:** **9.2451** **<u>Special Use Limitations for Table 9.2450</u>.** **(2) Special Allowances for properties with frontage on major arterial streets in the E-2 zone.** On lots with frontage on a major arterial street, the uses allowed in Table 9.2450 subject to this standard shall not exceed 30,000 square feet ***of building area*** per development site. This square footage limitation shall apply only to new development, and it shall not preclude reuse of existing buildings. ***Such uses are not allowed on lots without frontage on major arterial streets.***

4. Employment and Industrial Zone Development Standards | **Type:** Corrective

Issue: As part of the Employment/Industrial Zone Code Amendments, Table 9.2461 was amended to require the High *Wall* Landscape (L-3) standard in I-2 and I-3 zones adjacent to a street, to screen outdoor storage. However, the intended standard is the High *Screen* Landscape Standard (L-3) (not High Wall, which is L-4). To correct this internal inconsistency, the name of the landscape standard needs to be corrected.

Proposed Change:

Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping

		E-1	E-2	I-2	I-3
Outdoor Storage					
Adjacent to a street.	Permitted:	Yes	Yes	Yes	Yes
	Setback:	20 feet	15 feet	10 feet	10 feet
	Landscape:	Low Screen Landscape Standard – (L-2)	Low Screen Landscape Standard – (L-2)	High [~~Wall~~] ***Screen*** Landscape Standard – (L-3)	High [~~Wall~~] ***Screen*** Landscape Standard – (L-3)

5. Park, Recreation and Open Space Zone | **Type:** Corrective

Issue: The Eugene Parks and Recreation Plan was repealed in 2006 (Ordinance No. 20362). However, two references to this plan remain in the land use code, and need to be removed.

Proposed Change:

9.2600 **Purpose of PRO Park, Recreation, and Open Space Zone.** The Park, Recreation, and Open Space Zone (PRO) is intended to accomplish all of the following:

(1) Implement the Metro Plan [~~, Eugene Parks and Recreation Plan,~~] and other applicable plans by providing areas that will conserve and preserve a variety of parks, recreation areas, and open spaces to maintain livability of the metropolitan area.

9.2620 **PRO Zone Terms.** The determination of park classification shall be based on [~~the Eugene Parks and Recreation Plan or~~] ***Eugene's applicable parks plan, or in the absence of a plan,*** by the city manager. As used with reference to this zone, unless the context requires otherwise, the following words and phrases mean:

6. Residential Zone Development Standards — **Type:** Corrective

Issue: New standards for existing alley access lots in the R-1 Low Density Residential zone were adopted as part of the Single Family Code Amendments (Ordinance No. 20541). These standards were intended to only apply in the R-1 zone, and the special development standards are titled "Alley Access Lots in R-1" (see EC 9.2751(18)). However, the table preceding these specific standards did not provide the same clarity regarding applicability to R-1. As such, the table needs to be revised consistent with the standards.

Proposed Change:

Table 9.2750 Residential Zone Development Standards
(See EC 9.2751 Special Development Standards for Table 9.2750.)

	R-1	R-1.5	R-2	R-3	R-4
Maximum Building Height (2), (3), (4), (5), (16), (17), (18)					
Main Building. Does not include main building on Alley Access Lot ***in R-1***	30 feet	35 feet	35 feet	50 feet	120 feet
Main Building on Alley Access Lot ***in R-1***	See (18)	--	--	--	--
Maximum Lot Coverage *(17)*, (18)					

7. Duplex Division - Average Lot Width — **Type:** Corrective

Issue: The method for measuring lot width was revised several years ago to eliminate the use of "average" lot width. However, one reference to average lot width remains and needs to be deleted.

Proposed Change:

9.2777 <u>Duplex Division Lot Standards</u>.

(2) Land Division Regulations. All applicable regulations for the type of land division process being used must be met except where the duplex division lot standards create different requirements.

(a) The existing lot must contain at least 8,000 square feet.
(b) The resulting lots will be relatively equal in size with the maximum difference equal to 10 percent or less of the total area of the original lot.
(c) The [~~average~~] lot width is at least 40 feet.
(d) The minimum lot area is at least 3,600 feet.

8. Bicycle Parking Requirements - References — **Type:** Corrective

Issue: When the bicycle parking standards were revised in conjunction with the multi-family standards (Ordinance No. 20492)

Proposed Change:

9.3165 <u>S-DR Downtown Riverfront Special Area Zone Parking Requirements</u>.

some of the code sections within the bicycle parking standards were renumbered. Two references to these standards found elsewhere in the land use code were not changed accordingly. These sections need to be updated to reflect the correct code references.

(3) Bicycle Parking. The minimum and maximum parking standards in Table EC 9.3165(3) apply instead of the standards in Table 9.6105[~~(4)~~]***(5)***.

9.3970 S-WS Walnut Station Special Area Zone Development Standards Applicable to All Properties in the Walnut Station Special Area Zone.

(4) Parking Requirements.

(e) Bicycle parking. The following minimum bicycle parking standards apply instead of the standards in Table 9.6105[~~(4)~~]***(5)***. Uses shall provide a minimum number of bicycle parking spaces as designated in Table 9.3970(4)(e) below. Where two options are provided (*e.g.*, 4 spaces, or 1 per dwelling), the option resulting in more bicycle parking shall be used. The remaining standards in EC 9.6105 [~~(1-3)~~]***(1-4)*** and EC 9.6110 are applicable within the S-WS zone.

9. Downtown Westside Special Area Zone Uses and Permit Requirements | **Type:** Corrective

Issue: Within the Downtown Westside Special Area Zone (S-DW zone), a bed and breakfast is a permitted use subject to the Bed and Breakfast Standards at EC 9.5100. However, EC 9.5100 provides standards for bed and breakfasts in the AG, R-1, R-2, R-3 and R-4 zones only (not the S-DW zone). To clarify which of the standards are intended to apply in Downtown Westside, the reference in the table needs to be revised. In this case, because the S-DW provides that residential development be subject to the standards established for the R-4 zone, the standards for R-4 zone (High Density Residential) apply.

Proposed Change:

Table 9.3210 S-DW Downtown Westside Special Area Zone Uses and Permit Requirements

	S-DW
Lodging	
Bed and Breakfast ([~~See~~] ***Comply with*** EC 9.5100***(3) for the R-4 zone***)	S

10. Downtown Westside Special Area Zone Development Standards | **Type:** Corrective

Issue: The Downtown Westside Special Area Zone requires that 20 percent of a development site be landscaped with living plant material. Table 9.3215 provides this standard for Minimum Landscape Area, and specifically excludes required landscaping for parking areas from counting towards this minimum requirement. However, the special standards associated with this table conflict with this provision, and state that any required landscaping, such as for off-street parking areas, can be applied towards minimum landscape requirements. To resolve this conflict, the table needs to be amended to be consistent with the special standards.

Proposed Change:

Table 9.3215 S-DW Downtown Westside Special Area Zone Development Standards

	S-DW
Minimum Landscape Area (8) ([~~Excludes required landscaping for parking areas.~~] Landscape areas may include rooftops or terraces accessible to building occupants.)	20% of development site

9.3216 **Special Development Standards for Table 9.3215.**

(8) Landscape Standards.

(a) Minimum Landscape Area Required. At least 20% of the development site shall be landscaped with living plant materials. All required landscaping shall comply with landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. Any required landscaping, such as for required front yard setbacks or off-street parking areas, shall apply toward the minimum landscape requirements for the development site.

11. Commercial Airport Safety Overlay Zone | **Type:** Corrective

Issue: The height limitations in the Commercial Airport Safety overlay zone reference Runway 3-21, which has been decommissioned, per the Eugene Airport Master Plan. As such, reference to it needs to be removed.

Proposed Change:

9.4130 **Use Limitations.** In the Commercial Airport Safety overlay zone, the following limitations and standards apply to all uses permitted outright or conditionally in the base zone to which the overlay is applied:

(3) Height.

[~~Runway 3-21 Approach Sectors. Runway 3-21 is a non-precision runway. The inner edge of the runway's approach sectors coincide with the width of the runway's primary surface and are 500 feet wide. The approach sectors expand outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Their centerlines are a continuation of the runway centerline beginning at the centerpoint coordinates. The surfaces of the Runway 3-21 approach sectors slope 34 feet outward for each 1 foot upward beginning at the end of and at the same elevation as the primary surface and extend to a horizontal distance of 10,000 feet along the extended runway centerline.~~]

12. Low Screen Landscape Standards	**Type:** Corrective
Issue: Because the Low Screen Landscape Standard is required along both streets lot lines and interior lot lines, depending on the circumstance, the word "street" needs to be removed for clarification.	**Proposed Change:** **9.6210 <u>Description of Landscape Standards</u>.** **(2) Low Screen Landscape Standard (L-2).** (a) <u>Required Plant Materials</u>. Low Screen Landscape Standard (L-2) requires the installation and maintenance of all of the following: 1. Low shrubs to form a continuous screen at least 30 inches high within 3 years and maintained at a height not to exceed 42 inches. 2. 1 canopy tree per 30 linear feet as measured along the [~~street~~] lot line. 3. Living plant materials covering a minimum of 70 percent of the required landscape area within 3 years of planting.
13. Application Completeness Review	**Type:** Corrective
Issue: Consistent with changes to state law, final plat applications for partitions or subdivisions became subject to the Type I (administrative review) land use application requirements several years ago. Previously they were subject to the Type II (Planning Director review) requirements. As a result of this change in process, and recognition that the requirement for completeness review is not practical because these applications are not technically complete until the official final plat is ready to be signed and recorded (which is at the very end of the review process and can often take more than 180 days), final plat applications need to be exempt from this requirement.	**Proposed Change:** **9.7015 <u>Application Completeness Review</u>.** The city shall review an application***, other than a partition or subdivision final plat,*** and, within 30 days of its receipt, notify the applicant as to whether the application is complete. If the city determines that the application contains sufficient information for review, the city shall advise the applicant in writing that the application is deemed complete and begin the application review process. If the city determines that the application is incomplete, the city shall advise the applicant in writing of the necessary missing information. The city shall begin review of the application either: **(1)** Upon receipt of all of the missing information requested by the city; or **(2)** Upon receipt of some of the missing information and a written statement from the applicant indicating that none of the other missing information will be provided; or **(3)** Upon receipt of a written statement from the applicant indicating that none of the missing information will be provided. On the 181st day after being first submitted, the application will be void if the applicant has been notified of the missing information and has not complied with (1), (2), or (3) of this section.

14. Type II Application Expiration	**Type:** Corrective
Issue: Site review and standards review application approvals are effective for 18 months. This is problematic when these applications are processed concurrently with tentative subdivisions or planned unit developments, which are effective for 36 months. This can result in a situation where an approved subdivision or planned unit development is in effect, but the concurrent approved site review or standards review applications have expired, and new application must be submitted and approved before the concurrent subdivision or planned unit development can be implemented. The proposed change is similar to that already provided for adjustment reviews and traffic impact analysis applications processed currently with other land use applications.	**Proposed Change:** **9.7230** **Expiration.** **(6)** ***Approvals for*** [~~S~~]***s***ite review and standards review [~~approvals~~] ***not considered as part of another land use application*** and modifications of such approvals shall be effective for 18 months after the effective date of approval. Within that time, the applicant shall submit a final plan and an application for a development permit. Prior to the expiration date, the applicant may submit a modification requesting a change to the commencement or expiration time period. ***Site review or standards review approvals that are considered as part of another land use application shall be effective for the same time period as the primary land use application.***

15. Type IV Application Requirements and Criteria	**Type:** Legal
Issue: To be consistent with state law (and current practice), this section needs to be revised to provide for site specific code amendments as Type IV applications, as opposed to a Type V or legislative application process.	**Proposed Change:** **9.7405** **Type IV Application Requirements and Criteria Reference.** The following applications are reviewed under the Type IV review process according to the requirements and criteria set forth for each application as reflected in the beginning reference column in Table 9.7405.

Table 9.7405 Type IV Application Requirements and Criteria

Type IV Applications	**Beginning Reference**
Refinement Plan Amendment, Site Specific Change	EC 9.8421
Land Use Code Amendment, Site Specific Change	***EC 9.8060***

Street Name Change	EC 9.8475
Zone Changes Processed Concurrent with a site specific Refinement Plan amendment*	EC 9.8850

*A zone change to apply the /ND overlay zone shall be processed according to EC 9.4260.

9.7505 **Type V Application Requirements and Criteria Reference.** The following applications are reviewed under the Type V review process according to the requirements and criteria set forth for each application as reflected in the beginning reference column in Table 9.7505:

Table 9.7505 Type V Application Requirements and Criteria

Type V Applications	**Beginning Reference**
Land Use Code Amendments ***that are not limited to a specific site***	EC 9.8060
Refinement Plan Amendments to policies and/or maps that are not limited to a specific site	EC 9.8421
Refinement Plan Adoption or Update	EC 9.8421
Zone Change concurrent with a Code Amendment	EC 9.8850
Special Area Zone Establishment or Amendment	EC 9.3000
Zone Change to apply the /ND Overlay Zone to Nodal Development Areas concurrent with a Metro Plan diagram amendment to apply the ND Nodal Development designation	EC 9.4260

9.8855 **Applicability.** Changes in zoning, including the application of or change of an overlay zone or special area zone shall be processed as a Type III application as provided in EC 9.7300 through EC 9.7340 Type III Application Procedures, with the following exceptions:

(4) The proposed zone change is processed concurrently with an amendment to this land use code; in which case, the zone change shall be processed as a ***Type IV or*** Type V application as provided ***in EC 9.7400 through EC 9.7455 Type IV Application Procedures*** [~~for in~~] and EC 9.7500 through EC 9.7560 Type V Application Procedures.

16. Annexation Application Requirements | **Type:** Corrective

Issue: Applications for annexations are required to include a full-sized cadastral map from Lane County Assessment and Taxation for noticing the Oregon Department of Revenue at the end of the process. Due to a change in state process,

Proposed Change:

9.7810 **Annexation – Application Requirements.** An application for annexation under the provisions of EC 9.7800 – 9.7835 may be initiated by motion of the city council or by the filing of an application for an annexation. In addition to the provisions in EC 9.7010 Application Filing, an application for annexation shall include the following:

(8) [~~A county assessor's cadastral map of the land proposed for annexation.~~]

*Renumber remainder of section

this map is no longer needed and reference to it needs be removed.	

17. Walnut Station Special Area Zone References	**Type:** Corrective

Issue: As a result of the Walnut Station Special Area Zone being added to the land use code (Ordinance No. 20460), sections EC 9.3950 through EC 9.3980 were added at the end of the alphabetical listing of all base zones. Numerous references to all base zones (which previously were EC 9.2000 Agricultural Zone through EC 9.3915 Whiteaker Special Area Zone) need to be changed to include the Walnut Station Special Area Zone standards. As such, there are a number of references to EC 9.3915 that need to be changed to EC 9.3980.

Proposed Change:

9.6640 General Provisions.

(4) Location Standards.

(a) Setbacks. All signs shall comply with the setback requirements beginning at EC 9.2000 through EC [~~9.3915~~] ***9.3980*** and EC 9.6745 Setbacks - Intrusions Permitted. Signs may be installed up to 5 feet into the required front yard setback except that freestanding signs up to 5 feet in height in the E-1 zone may be installed at least 5 feet from the front property line.

9.8005 Applicability and Effect of Application Requirements, Criteria, and Concurrent Review.

(1) Additional provisions addressing the applicability of sections 9.8000 through 9.8865 are found in EC 9.2000 through [~~9.3915~~] ***9.3980***, which identify various uses that require approval of a particular land use application. Land use applications referred to in EC 9.8000 through 9.8865 are subject to the procedural requirements in EC 9.7000 through 9.7885, Application Procedures, and any additional requirements of EC 9.8000 through 9.8865. To the extent there is a conflict, the provisions in EC 9.8000 through 9.8865 control.

9.8090 Conditional Use Permit Approval Criteria - General. A conditional use permit shall be granted only if the proposal conforms to all of the following criteria:

(8) The proposal complies with all applicable standards, including but not limited to:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions, solar standards, and density requirements for the subject zone;

9.8215 Partition, Tentative Plan Approval Criteria- General. The planning director shall approve, approve with conditions, or deny a partition, with findings and conclusions. Approval, or approval with conditions, shall be based on compliance with the following criteria:

(1) The proposed partition complies with all of the following, unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:

(a) Lot standards of EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding applicable parcel dimensions and density requirements. Within the /WR Water Resources Conservation Overlay Zone or the /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

9.8220 **<u>Partition, Tentative Plan Approval Criteria- Needed Housing</u>.** The planning director shall approve, conditionally approve, or deny the partition application. Unless the applicant elects to use the general criteria contained in EC 9.8215 <u>Partition, Tentative Plan Approval Criteria-General</u>, where the applicant proposes needed housing, as defined by the State statutes, the planning director shall approve or approve with conditions a partition based on compliance with the following criteria:

(2) The proposed partition complies with all of the following:

(a) Lot standards of EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding applicable parcel dimensions and density requirements. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

9.8320 **<u>Tentative Planned Unit Development Approval Criteria- General</u>**. The hearings official shall approve, approve with conditions, or deny a tentative PUD application with findings and conclusions. Decisions approving an application, or approving with conditions shall be based on compliance with the following criteria:

(10) The PUD complies with all of the following:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions and density requirements for the subject zone. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

9.8325 **<u>Tentative Planned Unit Development Approval Criteria - Needed Housing</u>.** The hearings official shall approve, conditionally approve, or deny the PUD application with findings and conclusions. Unless the applicant elects to use the general criteria contained in EC 9.8320 <u>Tentative Planned Unit Development Approval Criteria - General</u>, where the applicant proposes needed housing, as defined by the State statutes, the hearings official shall approve or approve with conditions a PUD based on compliance with the following criteria:

(7) The PUD complies with all of the following:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions and density requirements for the subject zone. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

9.8440 **<u>Site Review Approval Criteria-General</u>**. The planning director shall approve, conditionally approve, or deny the site review application. Approval or conditional approval shall be based on compliance with the following criteria:

(5) The proposal complies with all of the following standards:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions and density requirements for the subject zone.

9.8445 **<u>Site Review Approval Criteria- Needed Housing</u>.** The planning director shall approve, conditionally approve, or deny the site review application. Unless the applicant elects to use the general criteria contained in EC 9.8440 <u>Site Review Approval Criteria - General</u>, where the applicant proposes needed housing, as defined by the State statutes, the planning director shall approve or approve with conditions a site review based on compliance with the following criteria:

(4) The proposal complies with all of the following standards:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions and density requirements for the subject zone.

9.8515 **<u>Subdivision, Tentative Plan Approval Criteria - General</u>.** The planning director shall approve, approve with conditions, or deny a proposed subdivision. Approval, or approval with conditions shall be based on compliance with the following criteria:

(1) The proposed subdivision complies with the following, unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions and density requirements for the subject zone. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

9.8520 **<u>Subdivision, Tentative Plan Approval Criteria - Needed Housing</u>.** The planning director shall approve, conditionally approve, or deny the subdivision application. Unless the applicant elects to use the general criteria contained in EC 9.8515 <u>Subdivision, Tentative Plan Approval Criteria-General</u>, where the applicant proposes needed housing, as defined by the State statutes, the planning director shall approve or approve with conditions a subdivision based on compliance with the following criteria:

(3) The proposed subdivision complies with all of the following, unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions and density requirements for the subject zone. Within the /WR Water Resources Conservation

	Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either: **9.8750** **Purpose of Variances**. The provisions of EC 9.5750(9), 9.6708, and 9.8750 through 9.8760 allow for partial or full exemption from specific land use code standards only when, because of special circumstances applicable to the property, including location, shape, size, surroundings, or topography, the strict application of those regulations would deny the property owner uses enjoyed by other property owners in the vicinity and under identical zones. Any variance granted shall be subject to conditions that ensure the variance does not constitute a granting of special uses inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated. The city shall not grant variances which allow uses not on the applicable list of allowed uses specified in EC 9.2000 through [~~9.3915~~] ***9.3980*** of this land use code. **9.8755** **Applicability.** Unless specified otherwise in another land use code section, the planning director may grant variances only to the standards prescribed in: **(1)** EC 9.2000 to [~~9.3915~~] ***9.3980*** for the following: (a) Building Height. (b) Fences and Walls. (c) Front Yard Setbacks. (d) Interior Yard Setbacks. **9.8760** **Approval Criteria for Variances.** The planning director shall approve, conditionally approve, or deny a variance, with findings and conclusions thereon following a Type II process. Approval, or conditional approval shall be based on compliance with all the following criteria: **(4)** In addition to the above criteria, the following 3 criteria apply to variances from code sections that apply to EC 9.6410 Motor Vehicle Parking Standards, and from EC 9.2000 to [~~9.3915~~] ***9.3980*** base zone regulations as applied to fences and walls.
18. Final Planned Unit Development Application Requirements	**Type:** Corrective
Issue: The requirements for a final planned unit development (PUD) application stipulate that individual phases of a PUD may not be submitted for final approval until the phases are legal lots. For PUDs that are intended to create separate	**Proposed Change:** **9.8360** **Planned Unit Development, Final Plan Application Requirements.** In addition to the provisions in EC 9.7010 Application Filing, the following specific requirements apply to PUD final plan applications: **(1)** Applications shall contain final maps and supplemental materials required to demonstrate compliance with tentative plan conditions of approval.

lots (such as a residential PUD), this creates a situation that is impossible to meet, as the subdivision (which creates the legal lots) cannot be approved until the implementing PUD is finalized. The approved plans for a final PUD are intended to set up the phase boundaries, to be implemented though the subsequent subdivision process. Accordingly, this provision needs to be removed.	**(2)** Final PUD plans may be submitted in phases, if such phases were approved as part of the tentative PUD consideration. The boundaries of each phase of the final PUD plans shall coincide with the boundaries of the phasing areas approved at the tentative plan stage. Requests to extend the time frame for a specific phase shall be subject to EC 9.7340 Expiration. **(3)** ~~[Individual phases of a PUD may not be submitted for final PUD review until the boundaries of the phases are legal lots as defined in this land use code, and documents necessary to assure permanent maintenance, at no expense to the city, of buildings, common use facilities, landscaping, open space, and outdoor living areas have been executed and recorded.]~~ *renumber remaining section
19. Metro Plan Amendment Process References	**Type:** Corrective
Issue: As a result of the Metro Plan Amendment Process Code Amendments (Ordinance No. 20400) EC 9.7800 through 9.7885 were repealed, and new sections EC 9.7800 through 9.7835 were added. There are several references to EC 9.7885 throughout the code that need to be amended to EC 9.7835, to reflect these changes.	**Proposed Change:** **9.7000** **Introduction.** Review of an application to annex property, divide land, develop or use property, or amend this land use code, the Metro Plan, or a refinement plan, shall be processed as provided in sections 9.7000 through [~~9.7885~~] ***9.7835***. **9.8005** **Applicability and Effect of Application Requirements, Criteria, and Concurrent Review.** **(1)** Additional provisions addressing the applicability of sections 9.8000 through 9.8865 are found in EC 9.2000 through 9.3915, which identify various uses that require approval of a particular land use application. Land use applications referred to in EC 9.8000 through 9.8865 are subject to the procedural requirements in EC 9.7000 through [~~9.7885~~] ***9.7835***, Application Procedures, and any additional requirements of EC 9.8000 through 9.8865. To the extent there is a conflict, the provisions in EC 9.8000 through 9.8865 control. **9.8085** **Conditional Use Permit Application Requirements.** Conditional use applications shall be processed in accordance with the application procedures contained in EC 9.7000 through [~~9.7885~~] ***9.7835***, Application Procedures. When a conditional use permit is required for the proposed use, no development permit application shall be accepted by the city until the hearings official or planning commission approves the conditional use permit, and then only in accordance with the terms and conditions of that conditional use permit. If the proposal includes needed housing, as defined by state statutes, the written statement submitted with the conditional use permit application shall clearly state whether the applicant is electing to use the general approval criteria

in EC 9.8090 Conditional Use Permit Approval Criteria - General instead of the approval criteria found in EC 9.8100 Conditional Use Permit Approval Criteria - Needed Housing.

9.8423 **General Requirements.** Applications for refinement plan amendments shall be submitted on a form approved by the city manager and reviewed under a Type IV process for site specific amendments or otherwise, a Type V process according to EC 9.7000 through [~~9.7885~~] ***9.7835*** Application Procedures.

9.8705 **Applicability of Vacation Procedures.**

(3) Vacation of public ways and public easements may be applied for by private citizens, public agencies, or the city council in accordance with EC 9.7000 through [~~9.7885~~] ***9.7835*** Application Procedures.

9.8710 **Vacations, Application Requirements.**

(1) Vacation of unimproved public easements shall be considered in accordance with the Type I Application Procedures contained in EC 9.7000 through [~~9.7885~~] ***9.7835*** and the approval criteria contained in EC 9.8715. In the case of public utility easements, statements of concurrence with the vacation from affected utility providers must be submitted with the application.

(2) Vacation of improved public easements, unimproved public right-of-way, and vacation and rededication of unimproved public rights-of-way, except improved public easements and public right-of-way located within undeveloped subdivision or partition plats, shall be considered in accordance with the Type II Application Procedures contained in EC 9.7000 through [~~9.7885~~] ***9.7835*** and the approval criteria contained in EC 9.8720. In the case of public utility easements, letters of concurrence to the vacation from affected utility providers must be submitted with the application.

9.8810 **General Requirements.**

(1) Willamette Greenway permit applications shall be considered in accordance with the Type III application procedures contained in EC 9.7000 through EC [~~9.7885~~] ***9.7835*** Application Procedures unless considered concurrently with a Type IV or Type V application.

20. Site Review Applicability	**Type:** Legal
Issue: The requirement that applications proposing needed housing (including conditional use permits, partitions, subdivisions and planned unit developments) also complete a site review application is redundant, and results in unreasonable cost and delay, which is inconsistent with state law. As such, this provision needs to be removed.	**Proposed Change:** **9.8430** **Applicability**. Site review provisions shall be applied when any of the following conditions exist: **(1)** Property is zoned with the /SR overlay zone and the proposal would result in either of the following: (a) New development of vacant sites (excluding partitions and any development that consists only of new or expanded parking areas). (b) An expansion of 20 percent or more of the total existing building square footage on the development site. **(2)** The proposed use on the property is identified as a use which requires site review under other provisions of this land use code and the proposal would result in either of the following: (a) New development of vacant sites (excluding development that consists only of new or expanded parking areas). (b) An expansion of 20 percent or more of the total existing building square footage on the development site. [~~**(3)** The application proposes needed housing, as defined by State statutes. Applications proposing needed housing shall be reviewed through the Type II site review procedures utilizing the criteria at EC 9.8445~~ Site Review Approval Criteria - Needed Housing ~~unless the applicant specifically request in the application that the city apply the criteria at EC 9.8440~~ Site Review Approval Criteria - General~~.~~] In lieu of site review, an application that falls within (1)[~~,~~]***or*** (2)[~~, or (3)~~]above, may obtain approval through the Planned Unit Development process. No development permit shall be issued by the city prior to approval of the site review application, or the final planned unit development application.

ORDINANCE NO. _____

AN ORDINANCE CONCERNING ANNUAL MAINTENANCE OF THE LAND USE CODE AND AMENDING SECTIONS 9.0500, 9.2160, 9.2451, 9.2461, 9.2600, 9.2620, 9.2750, 9.2777, 9.3165, 9.3210, 9.3215, 9.3970, 9.4130, 9.6210, 9.6640, 9.7000, 9.7015, 9.7230, 9.7405, 9.7505, 9.7810, 9.8005, 9.8085, 9.8090, 9.8215, 9.8220, 9.8320, 9.8325, 9.8360, 9.8423, 9.8430, 9.8440, 9.8445, 9.8515, 9.8520, 9.8705, 9.8710, 9.8750, 9.8755, 9.8760, 9.8810 AND 9.8855 OF THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The definition of "Reconfiguration of Lots or Parcels" in Section 9.0500 of the Eugene Code, 1971, is amended to provide as follows:

9.0500 **Definitions**. As used in this land use code, unless the context requires otherwise, the following words and phrases mean:

Reconfiguration of Lots or Parcels. Changes to legal lot lines that result in any of the following:

(A) Creation of an additional lot or parcel;
(B) More than 2 changes to any of the boundaries of an individual lot or parcel within 1 calendar year;
(C) A change in the size of a lot or parcel by more than 200 percent; ***or***
(D) Creation of substandard public facilities or services, including, but not limited to, streets (access and widths), access easements, and public utility easements[~~; or~~
~~(E) A change in the number of platted lots and parcels~~].

Section 2. The entry for "Park and Non-Publicly Owned Open Space Use" in the "Entertainment and Recreation" section of Table 9.2160 of the Eugene Code, 1971, is amended as set out below. The entries for "Homeless Shelter not in existence as of January 1, 1984" in the "Lodging" section, and "Regional Distribution Center," and "Wholesale Trade (excluding regional distribution center)" in the "Trade (Retail and Wholesale)" section of that Table, are repealed.

Table 9.2160 Commercial Zone Land Uses and Permit Requirements				
	C-1	**C-2**	**C-3**	**GO**
Entertainment and Recreation				
Park and Non-Publicly Owned Open Space Use (See EC 9.2620): Uses not specifically listed in this Table 9.2160 that are listed under the "Entertainment and Recreation" category in Table 9.2630.		S[~~(8)~~] ***(9)***	S[~~(8)~~] ***(9)***	S[~~(8)~~] ***(9)***
Lodging				
[~~Homeless Shelter not in existence as of January 1, 1984~~]				
Trade (Retail and Wholesale)				
[~~Regional Distribution Center~~]				
[~~Wholesale Trade (excluding regional distribution center)~~]				

Section 3. Subsection (2) of Section 9.2451 of the Eugene Code, 1971, is amended to provide as follows:

9.2451 Special Use Limitations for Table 9.2450.

(2) Special Allowances for properties with frontage on major arterial streets in the E-2 zone. On lots with frontage on a major arterial street, the uses allowed in Table 9.2450 subject to this standard shall not exceed 30,000 square feet ***of building area*** per development site. This square footage limitation shall apply only to new development, and it shall not preclude reuse of existing buildings. ***Such uses are not allowed on lots without frontage on major arterial streets.***

Section 4. The entry for "Adjacent to a street" in the "Outdoor Storage" section of Table 9.2461(8) of the Eugene Code, 1971, is amended to provide as follows:

Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping					
		E-1	**E-2**	**I-2**	**I-3**
Outdoor Storage					
Adjacent to a street.	Permitted: Setback:	Yes 20 feet	Yes 15 feet	Yes 10 feet	Yes 10 feet

Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping					
		E-1	**E-2**	**I-2**	**I-3**
	Landscape:	Low Screen Landscape Standard – (L-2)	Low Screen Landscape Standard – (L-2)	High [~~Wall~~] ***Screen*** Landscape Standard – (L-3)	High [~~Wall~~] ***Screen*** Landscape Standard – (L-3)

Section 5. Subsection (1) of Section 9.2600 of the Eugene Code, 1971, is amended to provide as follows:

9.2600 **Purpose of PRO Park, Recreation, and Open Space Zone.** The Park, Recreation, and Open Space Zone (PRO) is intended to accomplish all of the following:

(1) Implement the Metro Plan [~~, Eugene Parks and Recreation Plan,~~] and other applicable plans by providing areas that will conserve and preserve a variety of parks, recreation areas, and open spaces to maintain livability of the

Section 6. The introductory paragraph of Section 9.2620 of the Eugene Code, 1971, is amended to provide as follows:

9.2620 **PRO Zone Terms.** The determination of park classification shall be based on [~~the Eugene Parks and Recreation Plan or~~] ***Eugene's applicable parks plan, or in the absence of a plan,*** by the city manager. As used with reference to this zone, unless the context requires otherwise, the following words and phrases mean:

Section 7. The entries for "Main Building" and "Main Building on Alley Access Lot" in the "Maximum Building Height" section of Table 9.2750 of the Eugene Code, 1971, and the "Maximum Lot Coverage" section title of that Table, are amended to provide as follows:

Table 9.2750 Residential Zone Development Standards (See EC 9.2751 Special Development Standards for Table 9.2750.)					
	R-1	**R-1.5**	**R-2**	**R-3**	**R-4**
Maximum Building Height (2), (3), (4), (5), (16), (17), (18)					
Main Building. Does not include main building on Alley Access Lot ***in R-1***	30 feet	35 feet	35 feet	50 feet	120 feet
Main Building on Alley Access Lot ***in R-1***	See (18)	--	--	--	--
Maximum Lot Coverage *(17),* (18)					

Section 8. Subsection (2) of Section 9.2777 of the Eugene Code, 1971, is amended to provide as follows:

9.2777 Duplex Division Lot Standards.

(2) Land Division Regulations. All applicable regulations for the type of land division process being used must be met except where the duplex division lot standards create different requirements.

(a) The existing lot must contain at least 8,000 square feet.

(b) The resulting lots will be relatively equal in size with the maximum difference equal to 10 percent or less of the total area of the original lot.

(c) The [~~average~~] lot width is at least 40 feet.

(d) The minimum lot area is at least 3,600 feet.

Section 9. Subsection (3) (excluding Table 9.3165(3)) of Section 9.3165 of the Eugene Code, 1971, is amended to provide as follows:

9.3165 S-DR Downtown Riverfront Special Area Zone Parking Requirements.

(3) Bicycle Parking. The minimum and maximum parking standards in Table EC 9.3165(3) apply instead of the standards in Table 9.6105[~~(4)~~]***(5)***.

Section 10. The "Lodging" section of Table 9.3210 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3210 S-DW Downtown Westside Special Area Zone Uses and Permit Requirements

	S-DW
Lodging	
Bed and Breakfast ([~~See~~] ***Comply with*** EC 9.5100***(3) for the R-4 zone***)	S

Section 11. The "Minimum Landscape Area (8)" section of Table 9.3215 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3215 S-DW Downtown Westside Special Area Zone Development Standards

	S-DW
Minimum Landscape Area (8) ([~~Excludes required landscaping for parking areas.~~] Landscape areas may include rooftops or terraces accessible to building occupants.)	20% of development site

Section 12. Subsection (4)(e) of Section 9.3970 of the Eugene Code, 1971, is amended to provide as follows:

9.3970 S-WS Walnut Station Special Area Zone Development Standards Applicable to All Properties in the Walnut Station Special Area Zone.

(4) Parking Requirements.

(e) Bicycle parking. The following minimum bicycle parking standards apply instead of the standards in Table 9.6105[~~(4)~~]***(5)***. Uses shall provide a minimum number of bicycle parking spaces as designated in Table 9.3970(4)(e) below. Where two options are provided (*e.g.,* 4 spaces, or 1 per dwelling), the option resulting in more bicycle parking shall be used. The remaining standards in EC 9.6105 [~~(1-3)~~]***(1-4)*** and EC 9.6110 are applicable within the S-WS zone.

Section 13. The "Runway 3-21 Approach Sectors" section in subsection (3) of Section 9.4130 of the Eugene Code, 1971, is repealed.

9.4130 Use Limitations. In the Commercial Airport Safety overlay zone, the following limitations and standards apply to all uses permitted outright or conditionally in the base zone to which the overlay is applied:

(3) Height. The maximum height of structures and objects shall normally be the same as the zones to which the commercial airport safety overlay zone is added. However, no structure shall be erected, altered, or maintained, and no vegetation shall be allowed to penetrate the surface heights of the various sectors as described below and shown on the Airspace plan. These sectors include all land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to the Eugene Airport. An area located in more than one sector is considered to be only in the sector with the most restrictive height limit. For purposes of this overlay zone, to determine height limits, the datum is mean sea level elevation unless otherwise specified.

[~~Runway 3-21 Approach Sectors. Runway 3-21 is a non-precision runway. The inner edge of the runway's approach sectors coincide with the width of the runway's primary surface and are 500 feet wide. The approach sectors expand outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Their centerlines are a continuation of the runway centerline beginning at the centerpoint coordinates. The surfaces of the Runway 3-21 approach sectors slope 34 feet outward for each 1 foot upward beginning at the end of and at the same elevation as the primary surface and extend to a horizontal distance of 10,000 feet along the extended runway centerline.~~]

Section 14. Subsection (2)(a) of Section 9.6210 of the Eugene Code, 1971, is amended to provide as follows:

9.6210 Description of Landscape Standards.

(2) Low Screen Landscape Standard (L-2).

(a) Required Plant Materials. Low Screen Landscape Standard (L-2) requires the installation and maintenance of all of the following:

1. Low shrubs to form a continuous screen at least 30 inches high within 3 years and maintained at a height not to exceed 42 inches.
2. 1 canopy tree per 30 linear feet as measured along the [~~street~~] lot line.
3. Living plant materials covering a minimum of 70 percent of the required landscape area within 3 years of planting.

A masonry wall or a berm between 30 and 42 inches high shall be permitted as a substitute for the required low shrubs, but the trees and other plant materials are still required. When applied along street lot lines, the masonry wall is to be placed farthest from the street with the required landscaping in between the wall and street. When applied along an abutting property the masonry wall may be placed along the interior lot line. **(See Figure 9.6210(2) Low Screen Landscape L-2.)**

Section 15. Subsection (4)(a) of Section 9.6640 of the Eugene Code, 1971, is amended to provide as follows:

9.6640 General Provisions.

(4) Location Standards.

(a) Setbacks. All signs shall comply with the setback requirements beginning at EC 9.2000 through EC [~~9.3915~~] ***9.3980*** and EC 9.6745 Setbacks - Intrusions Permitted. Signs may be installed up to 5 feet into the required front yard setback except that freestanding signs up to 5 feet in height in the E-1 zone may be installed at least 5 feet from the front property line.

Section 16. Section 9.7000 of the Eugene Code, 1971, is amended to provide as follows:

9.7000 Introduction. Review of an application to annex property, divide land, develop or use property, or amend this land use code, the Metro Plan, or a refinement plan, shall be processed as provided in sections 9.7000 through [~~9.7885~~] ***9.7835***.

Section 17. Section 9.7015 of the Eugene Code, 1971, is amended to provide as follows:

9.7015 Application Completeness Review. The city shall review an application***, other than a partition or subdivision final plat,*** and, within 30 days of its receipt, notify the applicant as to whether the application is complete. If the city determines that the application contains sufficient information for review, the city shall advise the applicant in writing that the application is deemed complete and begin the

application review process. If the city determines that the application is incomplete, the city shall advise the applicant in writing of the necessary missing information. The city shall begin review of the application either:

(1) Upon receipt of all of the missing information requested by the city; or

(2) Upon receipt of some of the missing information and a written statement from the applicant indicating that none of the other missing information will be provided; or

(3) Upon receipt of a written statement from the applicant indicating that none of the missing information will be provided.

On the 181st day after being first submitted, the application will be void if the applicant has been notified of the missing information and has not complied with (1), (2), or (3) of this section.

Section 18. Subsection (6) of Section 9.7230 of the Eugene Code, 1971, is amended to provide as follows:

9.7230 Expiration.

(6) ***Approvals for*** [~~S~~]***s***ite review and standards review [~~approvals~~] ***not considered as part of another land use application*** and modifications of such approvals shall be effective for 18 months after the effective date of approval. Within that time, the applicant shall submit a final plan and an application for a development permit. Prior to the expiration date, the applicant may submit a modification requesting a change to the commencement or expiration time period. ***Site review or standards review approvals that are considered as part of another land use application shall be effective for the same time period as the primary land use application.***

Section 19. Section 9.7405 of the Eugene Code, 1971, is amended to provide as follows:

9.7405 Type IV Application Requirements and Criteria Reference. The following applications are reviewed under the Type IV review process according to the requirements and criteria set forth for each application as reflected in the beginning reference column in Table 9.7405.

Table 9.7405 Type IV Application Requirements and Criteria	
Type IV Applications	**Beginning Reference**
Refinement Plan Amendment, Site Specific Change	EC 9.8421
Land Use Code Amendment, Site Specific Change	***EC 9.8060***
Street Name Change	EC 9.8475
Zone Changes Processed Concurrent with a site specific Refinement Plan amendment*	EC 9.8850

*A zone change to apply the /ND overlay zone shall be processed according to EC 9.4260.

Section 20. Section 9.7505 of the Eugene Code, 1971, is amended to provide as follows:

9.7505 Type V Application Requirements and Criteria Reference. The following applications are reviewed under the Type V review process according to the requirements and criteria set forth for each application as reflected in the beginning reference column in Table 9.7505:

Table 9.7505 Type V Application Requirements and Criteria	
Type V Applications	**Beginning Reference**
Land Use Code Amendments ***that are not limited to a specific site***	EC 9.8060
Refinement Plan Amendments to policies and/or maps that are not limited to a specific site	EC 9.8421
Refinement Plan Adoption or Update	EC 9.8421
Zone Change concurrent with a Code Amendment	EC 9.8850
Special Area Zone Establishment or Amendment	EC 9.3000

Section 21. Subsection (8) of Section 9.7810 of the Eugene Code, 1971, is repealed and the subsequent subsections are renumbered to provide as follows:

9.7810 Annexation – Application Requirements. An application for annexation under the provisions of EC 9.7800 – 9.7835 may be initiated by motion of the city council or by the filing of an application for an annexation. In addition to the provisions in EC 9.7010 Application Filing, an application for annexation shall include the following:

[~~**(8)** A county assessor's cadastral map of the land proposed for annexation.~~]

(~~9~~*8*) A list of the public service districts presently providing services to the land proposed for annexation (See EC 9.7835).

(~~10~~9) A written narrative addressing the proposal's consistency with the approval criteria set out at EC 9.7825.

Section 22. Subsection (1) of Section 9.8005 of the Eugene Code, 1971, is amended to provide as follows:

9.8005 Applicability and Effect of Application Requirements, Criteria, and Concurrent Review.

(1) Additional provisions addressing the applicability of sections 9.8000 through 9.8865 are found in EC 9.2000 through [~~9.3915~~] ***9.3980***, which identify various uses that require approval of a particular land use application. Land use applications referred to in EC 9.8000 through 9.8865 are subject to the procedural requirements in EC 9.7000 through [~~9.7885~~] ***9.7835***, Application Procedures, and any additional requirements of EC 9.8000 through 9.8865. To the extent there is a conflict, the provisions in EC 9.8000 through 9.8865 control.

Section 23. Section 9.8085 of the Eugene Code, 1971, is amended to provide as follows:

9.8085 Conditional Use Permit Application Requirements. Conditional use applications shall be processed in accordance with the application procedures contained in EC 9.7000 through [~~9.7885~~] ***9.7835***, Application Procedures. When a conditional use permit is required for the proposed use, no development permit application shall be accepted by the city until the hearings official or planning commission approves the conditional use permit, and then only in accordance with the terms and conditions of that conditional use permit. If the proposal includes needed housing, as defined by state statutes, the written statement submitted with the conditional use permit application shall clearly state whether the applicant is electing to use the general approval criteria in EC 9.8090 Conditional Use Permit Approval Criteria - General instead of the approval criteria found in EC 9.8100 Conditional Use Permit Approval Criteria - Needed Housing.

Section 24. Subsection (8)(a) of Section 9.8090 of the Eugene Code, 1971, is amended to provide as follows:

9.8090 Conditional Use Permit Approval Criteria - General. A conditional use permit shall be granted only if the proposal conforms to all of the following criteria:

(8) The proposal complies with all applicable standards, including but not limited to:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions, solar standards, and density requirements for the subject zone;

Section 25. Subsection (1)(a) of Section 9.8215 is amended to provide as follows:

9.8215 Partition, Tentative Plan Approval Criteria- General. The planning director shall approve, approve with conditions, or deny a partition, with findings and conclusions. Approval, or approval with conditions, shall be based on compliance with the following criteria:

(1) The proposed partition complies with all of the following, unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:

(a) Lot standards of EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding applicable parcel dimensions and density requirements. Within the /WR Water Resources Conservation Overlay Zone or the /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

1. The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward beyond the conservation setback; or
2. The /WQ Management Area.

Section 26. Subsection (2)(a) of Section 9.8220 of the Eugene Code, 1971, is amended to provide as follows:

9.8220 **Partition, Tentative Plan Approval Criteria- Needed Housing.** The planning director shall approve, conditionally approve, or deny the partition application. Unless the applicant elects to use the general criteria contained in EC 9.8215 Partition, Tentative Plan Approval Criteria- General, where the applicant proposes needed housing, as defined by the State statutes, the planning director shall approve or approve with conditions a partition based on compliance with the following criteria:

(2) The proposed partition complies with all of the following:

(a) Lot standards of EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding applicable parcel dimensions and density requirements. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

1. The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward beyond the conservation setback; or
2. The /WQ Management Area.

Section 27. Subsection (10)(a) of Section 9.8320 of the Eugene Code, 1971, is amended to provide as follows:

9.8320 **Tentative Planned Unit Development Approval Criteria- General**. The hearings official shall approve, approve with conditions, or deny a tentative PUD application with findings and conclusions. Decisions approving an application, or approving with conditions shall be based on compliance with the following criteria:

(10) The PUD complies with all of the following:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions and density requirements for the subject zone. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

1. The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward beyond the conservation setback; or
2. The /WQ Management Area.

Section 28. Subsection (7)(a) of Section 9.8325 of the Eugene Code, 1971, is amended to provide as follows:

9.8325 **Tentative Planned Unit Development Approval Criteria - Needed Housing.** The hearings official shall approve, conditionally approve, or deny the PUD application with findings and conclusions. Unless the applicant elects to use the general criteria contained in EC 9.8320 Tentative Planned Unit Development Approval Criteria -

General, where the applicant proposes needed housing, as defined by the State statutes, the hearings official shall approve or approve with conditions a PUD based on compliance with the following criteria:

(7) The PUD complies with all of the following:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions and density requirements for the subject zone. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

1. The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward beyond the conservation setback; or
2. The /WQ Management Area.

Section 29. Subsection (3) of Section 9.8360 of the Eugene Code, 1971, is repealed and the subsequent subsections are renumbered to provide as follows:

9.8360 **Planned Unit Development, Final Plan Application Requirements.** In addition to the provisions in EC 9.7010 Application Filing, the following specific requirements apply to PUD final plan applications:

[~~**(3)** Individual phases of a PUD may not be submitted for final PUD review until the boundaries of the phases are legal lots as defined in this land use code, and documents necessary to assure permanent maintenance, at no expense to the city, of buildings, common use facilities, landscaping, open space, and outdoor living areas have been executed and recorded.~~]

(~~4~~*3*) When a PUD or any phase thereof is submitted for final approval, each design team member shall provide written certification that the portion of the project in which he or she was involved continues to comply with the approved tentative plan conditions of approval.

(~~5~~*4*) Public improvements as required by this land use code or as a condition of tentative plan approval have been completed, or:

(a) A performance bond or suitable substitute as agreed upon by the city has been filed with the city finance officer in an amount sufficient to assure the completion of all required public improvements; or

(b) A petition for public improvements and for the assessment of the real property for the improvements has been signed by the property owner seeking the subdivision, and the petition has been accepted by the city engineer.

Section 30. Section 9.8423 of the Eugene Code, 1971, is amended to provide as follows:

9.8423 **General Requirements.** Applications for refinement plan amendments shall be submitted on a form approved by the city manager and reviewed under a Type IV process for site specific amendments or otherwise, a Type V process according to EC 9.7000 through [~~9.7885~~] ***9.7835*** Application Procedures.

Section 31. Subsection (3) of Section 9.8430 of the Eugene Code, 1971, is repealed.

9.8430 **Applicability**. Site review provisions shall be applied when any of the following conditions exist:

[~~**(3)** The application proposes needed housing, as defined by State statutes. Applications proposing needed housing shall be reviewed through the Type II site review procedures utilizing the criteria at EC 9.8445 Site Review Approval Criteria - Needed Housing unless the applicant specifically request in the application that the city apply the criteria at EC 9.8440 Site Review Approval Criteria - General.~~]

Section 32. Subsection (5)(a) of Section 9.8440 of the Eugene Code, 1971, is amended to provide as follows:

9.8440 **Site Review Approval Criteria-General**. The planning director shall approve, conditionally approve, or deny the site review application. Approval or conditional approval shall be based on compliance with the following criteria:

(5) The proposal complies with all of the following standards:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions and density requirements for the subject zone.

Section 33. Subsection (4)(a) of Section 9.8445 of the Eugene Code, 1971, is amended to provide as follows:

9.8445 **Site Review Approval Criteria- Needed Housing.** The planning director shall approve, conditionally approve, or deny the site review application. Unless the applicant elects to use the general criteria contained in EC 9.8440 Site Review Approval Criteria - General, where the applicant proposes needed housing, as defined by the State statutes, the planning director shall approve or approve with conditions a site review based on compliance with the following criteria:

(4) The proposal complies with all of the following standards:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions and density requirements for the subject zone.

Section 34. Subsection (1)(a) of Section 9.8515 of the Eugene Code, 1971, is amended to provide as follows:

9.8515 **Subdivision, Tentative Plan Approval Criteria - General.** The planning director shall approve, approve with conditions, or deny a proposed subdivision. Approval, or approval with conditions shall be based on compliance with the following criteria:

(1) The proposed subdivision complies with the following, unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions and density requirements for the subject zone. Within the /WR Water

Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

1. The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward beyond the conservation setback; or
2. The /WQ Management Area;

Section 35. Subsection (3) of Section 9.8520 of the Eugene Code, 1971, is amended to provide as follows:

9.8520 Subdivision, Tentative Plan Approval Criteria - Needed Housing. The planning director shall approve, conditionally approve, or deny the subdivision application. Unless the applicant elects to use the general criteria contained in EC 9.8515 Subdivision, Tentative Plan Approval Criteria- General, where the applicant proposes needed housing, as defined by the State statutes, the planning director shall approve or approve with conditions a subdivision based on compliance with the following criteria:

(3) The proposed subdivision complies with all of the following, unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:

(a) EC 9.2000 through [~~9.3915~~] ***9.3980*** regarding lot dimensions and density requirements for the subject zone. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

1. The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward beyond the conservation setback; or
2. The /WQ Management Area.

Section 36. Subsection (3) of Section 9.8705 of the Eugene Code, 1971, is amended to provide as follows:

9.8705 Applicability of Vacation Procedures.

(3) Vacation of public ways and public easements may be applied for by private citizens, public agencies, or the city council in accordance with EC 9.7000 through [~~9.7885~~] ***9.7835*** Application Procedures.

Section 37. Subsections (1) and (2) of Section 9.8710 of the Eugene Code, 1971, are amended to provide as follows:

9.8710 Vacations, Application Requirements.

(1) Vacation of unimproved public easements shall be considered in accordance with the Type I Application Procedures contained in EC 9.7000 through

[~~9.7885~~] ***9.7835*** and the approval criteria contained in EC 9.8715. In the case of public utility easements, statements of concurrence with the vacation from affected utility providers must be submitted with the application.

(2) Vacation of improved public easements, unimproved public right-of-way, and vacation and rededication of unimproved public rights-of-way, except improved public easements and public right-of-way located within undeveloped subdivision or partition plats, shall be considered in accordance with the Type II Application Procedures contained in EC 9.7000 through [~~9.7885~~] ***9.7835*** and the approval criteria contained in EC 9.8720. In the case of public utility easements, letters of concurrence to the vacation from affected utility providers must be submitted with the application.

Section 38. Section 9.8750 of the Eugene Code, 1971, is amended to provide as follows:

9.8750 **Purpose of Variances**. The provisions of EC 9.5750(9), 9.6708, and 9.8750 through 9.8760 allow for partial or full exemption from specific land use code standards only when, because of special circumstances applicable to the property, including location, shape, size, surroundings, or topography, the strict application of those regulations would deny the property owner uses enjoyed by other property owners in the vicinity and under identical zones. Any variance granted shall be subject to conditions that ensure the variance does not constitute a granting of special uses inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated. The city shall not grant variances which allow uses not on the applicable list of allowed uses specified in EC 9.2000 through [~~9.3915~~] ***9.3980*** of this land use code.

Section 39. Subsection (1) of Section 9.8755 of the Eugene Code, 1971, is amended to provide as follows:

9.8755 **Applicability.** Unless specified otherwise in another land use code section, the planning director may grant variances only to the standards prescribed in:

(1) EC 9.2000 to [~~9.3915~~] ***9.3980*** for the following:

(a) Building Height.
(b) Fences and Walls.
(c) Front Yard Setbacks.
(d) Interior Yard Setbacks.

Section 40. Subsection (4) of Section 9.8760 of the Eugene Code, 1971, is amended to provide as follows:

9.8760 **Approval Criteria for Variances.** The planning director shall approve, conditionally approve, or deny a variance, with findings and conclusions thereon following a Type II process. Approval, or conditional approval shall be based on compliance with all the following criteria:

(4) In addition to the above criteria, the following 3 criteria apply to variances from code sections that apply to EC 9.6410 Motor Vehicle Parking Standards,

and from EC 9.2000 to [~~9.3915~~] ***9.3980*** base zone regulations as applied to fences and walls.

(a) Neither present nor anticipated future traffic volumes generated by the use of the site or uses of the sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation.

(b) The granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.

(c) The granting of the variance will not create a safety hazard or any other condition inconsistent with the objectives of this land use code.

Section 41. Subsection (1) of Section 9.8810 of the Eugene Code, 1971, is amended to provide as follows:

9.8810 General Requirements.

(1) Willamette Greenway permit applications shall be considered in accordance with the Type III application procedures contained in EC 9.7000 through EC [~~9.7885~~] ***9.7835*** Application Procedures unless considered concurrently with a Type IV or Type V application.

Section 42. Subsection (5) of Section 9.8855 of the Eugene Code, 1971, is amended to provide as follows:

9.8855 Applicability. Changes in zoning, including the application of or change of an overlay zone or special area zone shall be processed as a Type III application as provided in EC 9.7300 through EC 9.7340 Type III Application Procedures, with the following exceptions:

(5) The proposed zone change is processed concurrently with an amendment to this land use code; in which case, the zone change shall be processed as a ***Type IV or*** Type V application as provided ***in EC 9.7400 through EC 9.7455 Type IV Application Procedures*** [~~for in~~] and EC 9.7500 through EC 9.7560 Type V Application Procedures.

Section 43. The findings set forth in Exhibit A attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 44. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 45. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 46. This Ordinance shall take effect pursuant to Section 32 of the Eugene Charter 2002, or on the date of its acknowledgement as provided in ORS 197.625, whichever is later.

Passed by the City Council this

___ day of _____, 2016

_____
City Recorder

Approved by the Mayor this

____ day of _____, 2016

_____
Mayor

EXHIBIT A

Findings

Annual Maintenance of the Land Use Code
(City File CA 16-3)

Findings

Eugene Code Section 9.8065 requires that the following approval criteria (in ***bold italics***) be applied to a code amendment:

(1) The amendment is consistent with applicable statewide planning goals adopted by the Land Conservation and Development Commission.

Goal 1 - Citizen Involvement. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The City has acknowledged provisions for citizen involvement which insure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The amendments do not amend the citizen involvement program. The process for adopting these amendments complied with Goal 1 because it is consistent with the citizen involvement provisions.

A Notice of Proposed Amendment was filed with the Oregon Department of Land Conservation and Development on June 6, 2016. A public hearing was scheduled before the Planning Commission on July 12, 2016. A public hearing before the City Council was held October 24, 2016. Consistent with code requirements, the Planning Commission public hearing and the City Council public hearing on the proposal was duly noticed to all neighborhood organizations in Eugene, community groups and individuals who have requested notice. In addition, notice of the Planning Commission public hearing was also published in the Register Guard. Information concerning the proposed amendments, including the dates of the public hearings, were posted on the City of Eugene websites.

These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the ordinance is consistent with Statewide Planning Goal 1.

Goal 2 - Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.

Eugene's land use code specifies the procedure and criteria that were used in considering these amendments. The record shows that there is an adequate factual base for the amendments. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens.

To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with all of the affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development. There are no exceptions to Statewide Planning Goal 2 required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Lands. *To preserve agricultural lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Statewide Planning Goal 3 does not apply.

Goal 4 - Forest Lands. *To conserve forest lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for forest use. Therefore, Statewide Planning Goal 4 does not apply.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources. *To conserve open space and protect natural and scenic resources.*

OAR 660-023-0250(3) provides: Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;

(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or

(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.

These amendments do not create or amend the City's list of Goal 5 resources, do not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, do not allow new uses that could be conflicting uses with a significant Goal 5 resource site and do not amend the acknowledged urban growth boundary. Therefore, Statewide Planning Goal 5 does not apply.

Goal 6 - Air, Water and land Resource Quality. *To maintain and improve the quality of the air, water and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. The amendments to not affect the City's ability to provide for clean air, water or land resources. Therefore, Statewide Planning Goal 6 does not apply.

Goal 7 - Areas Subject to Natural Disasters and Hazards. *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The Goal prohibits a development in natural hazard areas without appropriate safeguards. The amendments do not affect the City's restrictions on development in areas subject to natural disasters and hazards. Further, the amendments do not allow for new development that could result in a natural hazard. Therefore, Statewide Planning Goal 7 does not apply.

Goal 8 - Recreational Needs. *To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. The amendments do not affect the City's provisions for or access to recreation areas, facilities or recreational opportunities. Therefore, Statewide Planning Goal 8 does not apply.

Goal 9 - Economic Development. *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Goal 9 requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The amendments do not impact the supply of industrial or commercial lands. Therefore, the amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing. *To provide for the housing needs of citizens of the state.*

Goal 10 requires communities to provide an adequate supply of residential buildable land to accommodate estimated housing needs for a 20-year planning period. The amendments do not impact the supply of residential buildable land. No land is being re-designated from residential use to a nonresidential use, and the amendments do not otherwise diminish the lands available for residential use. Therefore, the amendments are consistent with Statewide Planning Goal 10.

Goal 11- Public Facilities and Services. *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The amendments do not affect the City's provision of public facilities and services. Therefore, Statewide Planning Goal 11 does not apply.

Goal 12- Transportation. *To provide and encourage a safe, convenient and economic transportation system.*

The Transportation Planning Rule (OAR 660-012-0060) contains the following requirement:

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- *(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- *(b) Change standards implementing a functional classification system; or*
- *(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
  - *(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
  - *(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
  - *(C) Degrade the performance of an existing or planned transportation facility that is otherwise*

projected to not meet the performance standards identified in the TSP or comprehensive plan.

The amendments do not change the functional classification of a transportation facility, change the standards implementing a functional classification system or degrade the preformation of a facility otherwise projected to not meet performance standards. Therefore, the amendments do not have a significant effect under (a), (b) or (c). Therefore, the amendments do not significantly affect any existing or future transportation facilities. Based on the above findings, the amendment is consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation. *To conserve energy.*

The amendments do not impact energy conservation. Therefore, Statewide Planning Goal 13 does not apply.

Goal 14 - Urbanization. *To provide for an orderly and efficient transition from rural to urban land use.*

The amendments do not affect the City's provisions regarding the transition of land from rural to urban uses. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway. To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

The amendments do not contain any changes that affect the Willamette River Greenway regulations, therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.

There are no coastal, ocean, estuarine, or beach and dune resources related to the property effected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(2) The amendment is consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.

The amendments do not include any change in adopted land use designations or policy, nor does it change any requirements in the City's land use code concerning compliance with the Metro Plan and applicable refinement plans. There are no policies or other applicable provisions in the Metro Plan or adopted refinement plans that specifically serve as mandatory approval criteria in this instance or otherwise limit the expiration period for approved land use applications. Therefore, the amendments comply with the above criterion.

(3) The amendment is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone, in the case of establishment of a special area zone.

The amendments do not establish a special area zone. Therefore, this criterion does not apply.

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Work Session: Human Rights Commission FY 2017 Work Plan and FY 2016 Annual Report

Meeting Date: November 17, 2016 | Agenda Item Number: 6
Department: Central Services | Staff Contact: Jennifer Lleras Van Der Haeghen
www.eugene-or.gov | Contact Telephone Number: 541-682-5619

ISSUE STATEMENT
The Human Rights Commission's (HRC) enabling ordinance, adopted in December 1990, requires that it develop a work plan for City Council review and approval and annually report on work plan progress. Attached is a report on the FY 2016 Work Plan and the Proposed FY 2017 Work Plan.

BACKGROUND
FY 2016 Work Plan Report:
The HRC was very active during FY 2016, contributing hundreds of hours of volunteer time beyond business meetings serving the community by hosting and attending community events, providing input to Council on human rights and social justice issues, and engaging in collaborative work with other Boards and Commissions, City staff, and community partners. The attached FY 2016 Annual Report provides specifics on the group's achievements and commitments in achieving its work plan goals over the past year.

FY 2017 Work Plan Details:
The HRC held two work planning sessions in August and unanimously approved the FY 2017 plan in September 2016.

The three proposed work plan goals are :

Goal 1: Take a leadership role in fostering respect for social equity, civil rights, and human rights in the community by engaging in education, outreach, listening and collaboration.

Goal 2: Maintain strategic HRC liaisons and engage in cooperative endeavors with the community and with City of Eugene advisory groups that support civil and human rights and social equity.

Goal 3: Study and recommend actions on civil and human rights and social equity issue areas of concern to the community and City organization.

The specific objectives and strategies identified to implement these goals are described in more detail in the attached Human Rights Commission FY 2017 Work Plan.

RELATED CITY POLICIES

Eugene Code

2.280 Human Rights Commission – Work Plan and Task Groups.

(1) The Commission shall create a work plan that is reviewed by the City Manager and approved by the Mayor and City Council.

(3) The Commission shall present its work plan accomplishments and work plan status annually to the City Council.

COUNCIL OPTIONS

The council may:

1. Approve the proposed FY2016 Work Plan as presented
2. Approve the work plan with changes
3. Request changes to the work plan before approval

CITY MANAGER'S RECOMMENDATION

The City Manager recommends approving the Human Rights Commission FY2017 work plan as presented.

SUGGESTED MOTION

Move to approve the Human Rights Commission FY2017 work plan.

ATTACHMENTS

A. Human Rights Commission FY 2016 Report
B. Human Rights Commission FY 2017 Work Plan

FOR MORE INFORMATION

Staff Contact: Jennifer Lleras Van Der Haeghen
Telephone: 541-682-5619
Staff E-Mail: jennifer.e.vanderhaeghen@ci.eugene.or.us

City of Eugene

Human Rights Commission

FY 2016 Work Plan Report

Summary

This is the report from the Human Rights Commission FY 2016 Work Plan. The work plan was approved by City Council in September of 2015.

Below are highlights from the past year, followed by detailed charts of progress on implementing the work plan.

Highlighted Work

Events
To help raise awareness, foster respect, create community dialogue, and increase education on human rights issues the Human Rights Commission (HRC) hosted, assisted with organization and participated in several events:

- International Human Rights Day Event
- Human Rights Youth Homelessness event
- Community Focus Groups (5 focus groups completed in FY 2016 – Latino, Latino Families, Lesbian, Gay, Bisexual and Queer (LGBQ), Transgender, Asian American)

Funding and other support was also provided for community events organized by community groups. The HRC supported 15 community events with endorsement, sponsorship, and/or volunteer work:

- Transgender Day of Remembrance
- Youth Empowerment Symposium (YES!)
- Vocabulary of Change film and discussion
- Martin Luther King Jr. Awards
- Blacks in Government (BIG) dinner
- NAACP Dinner
- The Archaeology Channel International Film Fest
- Yes In My Backyard (YIMBY)
- Showing up for Racial Justice Cracking the Code film showing
- DisOrient Film Festival
- HIV Alliance Health Fair
- Community Alliance of Lane County Film Showing
- Courageous Conversations Youth Summit
- Nightingale Collective Peer Support Training
- Ending Veteran Homelessness Celebration of Success

Training and Development

In October of 2015 a Human Rights Commission representative, Human Rights and Neighborhood Involvement Staff, Eugene Police and community partners attended a Department of Justice Training on Hate Crimes.

In May of 2016 Human Rights Commission representative attended a Human Rights City Gathering in DC.

Key Partnerships

The HRC has actively worked to increase communication and collaboration with other City Boards and Commissions, staff, and community groups over the past year to promote human rights and social equity.

Boards and Commissions

- **Police Commission:** The HRC has a permanent seat on the Police Commission and so shares one voting member. Additionally the HRC and Police Commission held a joint meeting to discuss Rights of Way Prohibited Camping and to receive an update on the Community Justice Program.
- **Civilian Review Board (CRB):** The HRC has a liaison assigned to and from the CRB to share information and highlight issues of mutual concern.
- **Community Development Block Grant:** The HRC has one member on the CDBG Committee that focuses on housing and related issues. The HRC liaison participates in the annual competitive process where applicants seek funding for specific projects.
- **Equity and Human Rights Board (EHRB):** The HRC participates on the City's EHRB that focuses on leadership and organizational commitment to diversity and equity to ensure services are accessible, inclusive and equitably provided in a work environment that supports all employees. This year the EHRB's work has focused on the development of the Equity and Human Rights Strategic Plan development and city wide implementation process.
- **Poverty and Homelessness Board:** The HRC monitors the work of the Board and presented information about criminalization of homelessness.
- **Boards and Commission Recruitment:** The HRC actively promoted participation in the board and commissions recruitment process and made recommendations on filling vacancies on the HRC.

Department Collaborations

- **Healthy Downtown:** Communicated with planning staff about potential impacts and concerns related to a Smoke Free Downtown policy. A special focus was paid to impacts on protected classes and communities experiencing homelessness.
- **Rail Road Quiet Zone:** Received information about the RRQZ and weighed in on potential Human Rights impacts and outreach plans.

- **Parks and Recreation System Plan:** Staff provided an update on the Needs Assessment and initial round of community engagement. The HRC participated in a discussion to provide input into the process in advance of the crafting of recommendations.
- **Moving Ahead:** HRC participated on the Community Sounding Board for Moving Ahead—a collaborative effort of the City of Eugene and LTD to make our transportation system safe and accessible for people traveling by foot, bicycle, a bus, or in a car along our main streets while supporting great neighborhoods.
- **Hate and Bias Reporting and Response:** The HRC tracked hate and bias incidents reported to the City, began exploring a more active role with hate and bias response and supported other community organizations concerned with local efforts at militia recruitment.

Community

- Awarded the MLK Jr. Community Leadership Award at the conclusion of the NAACP Martin Luther King Jr. Day march.
- **Integration Network for Immigrants of Lane County (IN):** Compiled and presented results on from the surveys on Latino immigrants' experience in the work place. Hosted guest speakers on workers' rights and associated resources. Developed a media campaign "Build Bridges Not Walls" to help support a welcoming community for immigrants.

Recommendations to Policy Makers

Correspondence on the following topics was submitted to local, state and national policy makers during FY 2016.

City Council

- **City Council and Human Rights Commission Joint Work Session on Homelessness** – Requested and participated in a Joint Work Session with City Council to discuss the
    - **Housing First Resolution** – Offered feedback on draft language and recommended the passage of the Housing First Resolution.
    - **Motion addressing the elimination of barriers** – Requested action be taken to engage local, state and federal partners to address barriers facing homeless communities.
- **Indigenous Peoples' Day Resolution** – Worked with community members to craft the resolution language and recommended the passage of the resolution to council.
- **Recommendations to fill HRC vacancies** – Supported recruitment of applicants to apply for HRC Vacancies, reviewed applications and recommended top candidates to council.

State

- **Attorney General Ellen Rosenblum** – Expressed concern for the Oregon Department of Justice's conduct regarding digital surveillance on Oregonians because of their use of the Black Lives Matter hashtag on social media.

Members Who Served

We are deeply grateful to all of the commissioners who served during this work plan and would like to recognize their service.

Councilor Greg Evans: 1/2013-1/2016

Councilor Chris Pryor: 1/2016 - present

Ken Neubeck: 6/2011-present

Andrew Thomson: 6/2011-present

Chris Nunes: 6/2012- 8/2016

Edward Goehring: 7/2013- 6/2016

Philip Carrasco: 9/2013 – 6/2016

Arun Toke: 7/2013 – 6/2016

Debra Merskin: 1/2014 – 6/2016

Jennifer Frenzer: 6/2014 – present

Bonnie Souza: 7/ 2015 – present

Edward McGlone: 7/ 2015 – present

The Human Rights Commission relies on the generous contribution of time from commissioners and also many engaged community members that collaborate on HRC related work. In total more than 500 hours were logged by commissioners alone over the past year.

FY 2016 Human Rights Commission Work Plan

Objective 1: Maintain effective relationships; advise and advocate on human rights issues with City Council, other City advisory bodies, staff, community organizations and institutions.	
Objective Leads: Andrew Thomson, Chris Nunes	
Action 1.1	**Advise City Council on human rights issues; advocate for human rights perspective.**
✓ Task 1	Quarterly meetings between HRC chairs and Mayor
Action 1.2	**Advise, Collaborate and Educate City staff on human rights issues within the City organization**
✓ Task 1	Quarterly meetings between HRC chairs and City Manager
✓ Task 2	Advocate for diverse applicant pool within the HRC, boards and commissions and other City departments
Task 3	Request hiring data and demographic statistics from HR Director
Task 4	Request diversity training curriculum for review
Action 1.3	**Support work of other community organizations and institutions that further the mission of the HRC.**
✓ Task 1	Funding requests and co-sponsorships
✓ Task 2	Endorsements (non-funding support, joint statements, tabling etc.)
✓ Task 3	Track where funding requests go, which groups do not approach us and advertise for diversity

Key:

- ✓ Complete
- ➢ Progress Made
  No Progress Made

FY 2016 Human Rights Commission Work Plan

Objective 2: Proactively address and respond to discrimination, hate and bias activity and violence; including systemic and individual racism.	
Objective Leads: Edward McGlone, Ken Neubeck and Bonnie Souza	
Action 2.1	**Ally Building and Collaborations**
Task 1	Ally building training for the HRC
✓ Task 2	Strengthen ally relationships through proactive outreach to organizations/activists of color/LGBTQ organizations and activists.
➢ Task 3	Work with government and community organizations on issues of concern to LGBT youth and youth of color
Action 2.2	**Policy Analysis and Advising**
➢ Task 1	Study causes and trends in hate/bias activity and recommend actions to address them
➢ Task 2	Develop specific roles for HRC response and plan of action to execute when hate crimes or bias incidents occur
✓ Task 3	Familiarize HRC with new state law on profiling and keep up to date on EPD implementation
Action 2.3	**Education, Outreach and Events**
➢ Task 1	Participate in First Fridays Communities of Color and Allies Network to listen and promote the HRC
➢ Task 2	Encourage new alliances among groups working on civil and human rights
➢ Task 3	Propose an event that promotes freedom from discrimination as a human right

FY 2016 Human Rights Commission Work Plan

Objective 3: Respond to, advocate and educate on community issues of economic inequality, poverty and homelessness.	
Objective Leads: Jennifer Frenzer and Debra Merskin	
Action 3.1	**Monitor, advise and advocate ways to respond to poverty and homelessness including collaborating with community organizations**
✓ Task 1	Advise Council on pressing issues and support/advocate for City efforts to implement a local Housing First Model responsive to area needs for adequate affordable housing options and expanding Emergency Shelter Options.
✓ Task 2	Monitor and report on activities of the Lane County Poverty and Homelessness Board and Lane County Human Services Commission and other relevant agencies and governing bodies.
✓ Task 3	At work group meetings, host monthly presentations from community organizations and local agencies and, in turn, attend their organizing meetings to improve understanding of the issues facing the homeless and increase collaborating on community responses to homeless issues.
Action 3.2	**Address civil and human rights of people who are homeless and or living in poverty**
Task 1	Continue work on a protected class designation for people who are homeless under Criminal Code Intimidation 2 and the Human Rights Ordinance.
➢ Task 2	Renew efforts with state and regional housing campaigns to enact a local homeless bill of rights, expand community education and outreach, and build alliances with community groups.
✓ Task 3	Engage and consult public officials and educate community members about the local laws and policies that criminalize homelessness and/or create barriers to survival. Ally-build for a change to criminalization.
➢ Task 4	Coordinate with our Police Commission liaisons and members of other HRC work groups doing outreach to our local police force in order to improve interactions between people who are homeless and police officers.
Action 3.3	**Advocate for expansion of shelter and affordable housing options** (deleted the word "emergency" before the word shelter)
✓ Task 1	Advocate for expansion of car camping, rest stops, micro housing villages and other innovative and effective shelter programs and assess gaps in emergency shelter options.
Task 2	Complete assessment and track the Mayor's Opportunity Eugene Task Force on Homelessness recommendations.
➢ Task 3	Continue efforts to bring public attention to youth homelessness and initiate outreach work about seniors, women and disabled people who are homeless as well as other vulnerable groups of homeless populations.

FY 2016 Human Rights Commission Work Plan

Objective 4: Develop and strengthen the capacity of the HRC by exploring new opportunities, creating a leadership development pipeline and supporting the working groups of the HRC.	
Objective Leads: Phil Carrasco, Jennifer Frenzer, Andrew Thompson and Chris Nunes	
Action 4.1	**Provide support to the HRC and Working Groups to maximize the implementation of the work plan.**
➢ Task 1	Ensure agenda items for upcoming meetings are sent to the HRC group by Tuesday before each meeting taking place.
➢ Task 2	Attend workgroup meetings as needed.
➢ Task 3	Check in with working group leads
Action 4.2	**Identify training and resources for HRC and Working Group members that will increase shared human rights framework and necessary skills.**
✓ Task 1	Seek out and participate in human rights training opportunities
Task 2	Share meeting facilitation techniques and project management
Action 4.3	**Explore the development of a Human Rights Youth Commission in order to build a larger community of Human Rights leaders, increase input and leadership of youth and provide opportunities for mentorship.**
➢ Task 1	Meet with stakeholders (youth and mentors) and research best practices for youth commissions
Task 2	Have a stakeholders forum where we will identify next steps, process and retention strategies for youth.
Task 3	Have community conversations lead by youth, build an exploratory committee and establish two liaisons from the HRC.

Objective 5: Bring forward work requests for emerging issues within the Eugene community and City organization that alight with the HRC Mission and capacity of the commission.	
Objective Leads:	
Action 5.1	
Action 5.2	
Action 5.3	

City of Eugene

Human Rights Commission

FY 2017 Work Plan

Eugene Human Rights Commission FY 2017 Roster

Office of Human Rights & Neighborhood Involvement | 99 W. 10th Avenue, Suite 116, Eugene, OR 97401
541.682-5177 | www.eugene-or.gov/hrc | hrni@ci.eugene.or.us

Position	Name	Date Appointed	Term Expires
Position 1	Bonnie Souza	7/1/15	6/30/18
Position 2	OPEN		
Position 3	Ken Neubeck	6/27/11	6/30/17
Position 4	Jennifer Frenzer	6/9/2014	6/30/17
Position 5	Aria Seligmann	7/1/2016	6/30/19
Position 6	Julia Johnson	7/1/2016	6/30/2019
Position 7	Aimee Walsh	7/1/16	6/30/18
Position 8	Andrew Thomson	6/27/11	6/30/18
Position 9	Joel Iboa	7/25/16	6/30/18
Position 10	Edward McGlone	7/1/15	6/30/18
Position 11	Councilor Chris Pryor	1/2016	

Human Rights Commission
FY 2017 Work Plan Goals

Goal 1

Take a leadership role in fostering respect for social equity, civil rights, and human rights in the community by engaging in education, outreach, listening and collaboration.

Goal 2

Maintain strategic HRC liaisons and engage in cooperative endeavors with the community and with City of Eugene advisory groups that support civil and human rights and social equity.

Goal 3

Study and recommend actions on civil and human rights and social equity issues in areas of concern to the community and City organization.

FY 2016 Human Rights Commission Work Plan

Objective 1: Advise and advocate on human rights issues and build productive relationships with City Council, other City advisory bodies, staff, community organizations and institutions. Advise City Council on human rights impacts in other policy areas.	
Objective Leads: Ken Neubeck, Jennifer Frenzer and Edward McGlone	
Action 1.1	**Advise City Council on human rights issues; advocate for taking a human rights perspective.**
Action 1.2	**Advise and collaborate with City staff, advisory bodies, and the City organization on human rights issues.**
Action 1.3	**Support work of other community organizations and institutions that further the mission of the HRC.**

Objective 2: Identify and implement strategies to help deter or respond to violence, hate and bias activity, and discrimination, including systemic and individual racism.	
Objective Leads: Ken Neubeck and Bonnie Souza	
Action 2.1	**Ally Building and Collaborations**
Action 2.2	**Policy Analysis and Advising**
Action 2.3	**Education, Outreach and Events**

Objective 3: Inform the community on issues of economic inequality, poverty and homelessness by studying, researching, analyzing and proposing solutions to the City Council.	
Objective Leads: Jennifer Frenzer and Aria Seligmann	
Action 3.1	**Monitor, advise and advocate for ways to respond to poverty and homelessness, including collaboration with community organizations.**
Action 3.2	**Address civil and human rights of people who are homeless and/or living in poverty.**
Action 3.3	**Advocate for expansion of shelter, affordable housing options and community-wide resources and services.**
Action 3.4	**Inform the community of the commission's work on objective 3 and develop liaison relationships with existing groups.**

FY 2016 Human Rights Commission Work Plan

Objective 4: Create a leadership development pipeline and support for the working groups of the HRC, developing and strengthening the capacity of the HRC by exploring new opportunities.	
Objective Leads: Joel Iboa and Julia Johnson	
Action 4.1	**Provide support to the HRC and Work Groups to maximize the implementation of the work plan.**
Action 4.2	**Identify training and resources for HRC and Work Group members that will increase use of the human rights framework and develop skills.**
Action 4.3	**Explore the development of a Human Rights Youth Commission in order to build a larger community of Human Rights leaders, increase input and leadership of youth, and provide opportunities for mentorship.**

Objective 5: Inform the community on issues of accessibility for people with disabilities* by researching, analyzing and proposing solutions to City Council.	
Objective Leads: Andrew Thomson and Joel Iboa	
Action 5.1	**Track ADA Implementation and complaints**
Action 5.2	**Connect and collaborate with stakeholder groups. (i.e. organizations, professionals and other individuals)**
Action 5.3	**Address current issues and propose solutions to staff and City Council**

Objective 6: Bring forward work requests for emerging issues within the Eugene community and City organization that alight with the HRC Mission and capacity of the commission.
Objective Leads:

Name of Group	Description	Time Commitment	Currently Held By and When Appt.
LIAISONS FROM HRC TO OTHER BOARDS, COMMITTEES OR COMMISSIONS			
Community Development Block Grant	**Info:** Eugene receives federal funds which are awarded to agencies that support a variety of community needs related to housing and other issues. During an annual competitive process, applicants vie for CDBG funding for specific projects. https://www.eugene-or.gov/281/CDBG-Program	2 hour monthly meetings typically during 6 months out of the year, when they are working on funds distribution and projects. Additional meetings and trainings throughout the year as necessary. 1 year term with possibility to serve 3 terms.	1 Aimee Walsh Back up: Aria Seligmann
Moving Ahead Transportation Panel	The Vision Zero Task Force will guide the Eugene Vision Zero Action Plan. Members will work together to guide the development of the Plan's goals, policies, actions and performance measures. Individuals serving on the Task Force will act as liaisons to the communities, organizations, and agencies they represent. http://www.movingahead.org/	Meetings as scheduled	1 Andrew Thomson 2 Aimee Walsh Back up: Julia Johnson
Vision Zero Task Force	The Vision Zero Task Force will be charged with developing a Vision Zero Action Plan and will be comprised of both community stakeholders and staff from the City and other agencies. https://www.eugene-or.gov/3320/Community-Engagement	Meets monthly	1 Aria Seligmann Back up: Edward McGlone

Police Commission	**Mission:** The Police Commission mission is to recommend to the City Council, the City Manager, the Police Department, and the people, the resources, preferred policing alternatives, policies and citizens' responsibilities needed to achieve a safe community. We strive to create a climate of mutual respect and partnership between the community and the Police Department that helps achieve safety, justice and freedom for all people in Eugene.	Meets monthly 2nd Thursday, 5:30 – 8:30 p. This has a term of 4 years or as long as a single commissioner term - typically 3 years.	1 Edward McGlone Back up: Joel Iboa
Council Liaison	City Councilor Liaison from HRC to City Council	1 year, appointed by Mayor	Councilor Pryor
Meet with City Manager and Mayor	Mayor and City Manager meet with HRC Chairs and Equity and Human Rights staff	2 hours quarterly	Chair and Vice Chair
Civilian Review Board	To increase transparency and public confidence in the police complaint process. We evaluate the work of the independent Police Auditor, from a civilian perspective, about whether the complaint was handled fairly and with due diligence.	Meets monthly, 2nd Tuesday, 3 hours	1 Bonnie Souza Back up: Julia Johnson
E&HR Board	Help guide the work of the DESP	2 hour meetings every other month - daytime	1 Ken Neubeck Back Up: Jen Frenzer

Reports are expected from liaisons to keep the full HRC updated on any issues with the groups you are working with. You are representing the Commission in these meetings, please check in with the group.

Human Rights Commission | 2016-2017 CALENDAR

JULY 2016

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AUGUST 2016

1 HRC Work Planning
13 Eugene/Springfield Pride
16 HRC Work Planning

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SEPTEMBER 2016

5 Labor Day
20 HRC Meeting
21 International Day of Peace

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OCTOBER 2016

10 Indigenous People's Day
18 HRC Meeting
31 Halloween

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NOVEMBER 2016

11 Veterans Day
15 HRC Meeting
13 CALC Anniversary Gala
20 Transgender Day of Remembrance
24 Thanksgiving Day

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DECEMBER 2016

10 International Human Rights Day

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JANUARY 2017

16 M.L. King Day
17 HRC Meeting

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FEBRUARY 2017

21 HRC Meeting
3 Blacks in Government Annual Black History Month Banquet

- NAACP Freedom Fund Dinner
- Asian Celebration

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MARCH 2017

21 HRC Meeting

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APRIL 2017

18 HRC Meeting

- DisOrient Film Festival

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MAY 2017

16 HRC Meeting

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JUNE 2017

20 HRC Meeting

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