

W. 17. 0.



Lane County

LAND MANAGEMENT DIVISION
125 EAST 8TH AVENUE
EUGENE, OREGON 97401
PHONE: 541-682-3823
FAX: 541-682-3947

AGENDA COVER MEMO

MEMO DATE: November 17, 2005

AGENDA DATE: December 7, 2005

TO: BOARD OF COUNTY COMMISSIONERS

**FROM: BILL VANVACTOR, COUNTY ADMINISTRATOR
KENT HOWE, PLANNING DIRECTOR**

RE: In the Matter of Considering a Ballot Measure 37 Claim and Deciding Whether to Modify, Remove or Not Apply Restrictive Land Use Regulations in Lieu of Providing Just Compensation (PA 05-5946, Maxine Taylor)

I. MOTION

Move to approve the Measure 37 Claim and adopt the order attached as Exhibit "A".

II. ISSUE OR PROBLEM

Shall the Board of County Commissioners compensate an applicant under Ballot Measure 37 and LC 2.700 through 2.770 for the reduction in fair market value of the affected property interest resulting from enactment or enforcement of restrictive land use regulations or modify, remove, or discontinue application of those land use regulations to the subject property to allow Maxine Taylor to use the property as allowed at the time she acquired the property?

III. DISCUSSION

A. Background

Applicant: Maxine Taylor

Current Owner: Maxine Taylor, 84239 Cloverdale Rd, Creswell OR 97426

Agent: Steve Cornacchia, PO Box 1475, Eugene OR 97440

Legal Description of Property: 18-02-32 #400 and 19-02-05 #100.

Acreage: approximately 250 acres

Current Zoning: E-40 (Exclusive Farm Use)

Date Property Acquired: November 24, 1943

Date claim submitted: July 6, 2005 (180 day deadline is January 6, 2006)

Land Use Regulations in Effect at Date of Acquisition: None.

Code 16.212(7). To have a nonfarm dwelling, the applicant must show the dwelling is situated on land that is generally unsuitable for the production of farm crops and livestock. The applicant is requesting a waiver to the minimum lot size, and to the standards for a "Nonfarm Dwelling".

Even though the applicant has not submitted a title report, the tax assessor has maintained a description card for this property that identifies the deeds that have been recorded for this property. The description card for tax lot #400 indicates the property has been owned continuously by Maxine Taylor since 1943. The description card for tax lot #100 is missing. The Board will need to conclude the current E-40 zone has been enacted or enforced since the owner acquired the property.

Regarding #2: The applicant has submitted an appraisal by a certified real estate appraiser. Based on the appraisal, the existing 250 acres is worth \$800,000. If the property was divided into 30 lots that contained five acres apiece, without any improvements, the total value would be \$4,400,000. This results in a reduction of \$3,600,000.

Regarding #3: The E-40 minimum parcel size and dwelling restrictions do not appear to be exempt regulations described in Measure 37 or LC 2.710.

E. Conclusion/County Administrator Recommendation

The claim appears to qualify for compensation consideration based on the evidence provided by the applicant. Because Lane County has not identified funds to compensate land owners for valid Measure 37 claims, the County Administrator recommends the Board waive the restrictive land use regulations of the E-40 (Exclusive Farm Use) zone that prohibit Maxine Taylor from developing her property as allowed at the time she acquired the property.

IV. ALTERNATIVES/OPTIONS

The Board has three options:

1. Determine the application appears valid and adopt an order to that effect for final Board action.
2. Require a title report to that shows continuous ownership by the current owner.
3. Conclude the application is not a valid claim and direct the issuance of a final written decision by the County Administrator denying the Claim.

V. RECOMMENDATION

The County Administrator recommends the Board waive the restrictive land use regulations of the E-40 (Exclusive Farm Use) zone that prohibit Maxine Taylor from developing her property as allowed at the time she acquire the property.

VI. ATTACHMENTS

Order to waive the restrictive land use regulations.

- A. Description card for 18-02-32 #400.
- B. Written claim dated July 6, 2005.

WHEREAS, Maxine Taylor requests either \$3,600,000 as compensation for the reduction in value of her property, or waiver of all land use regulations that would restrict the division of land into thirty lots containing five acres apiece and placement of a dwelling on each lot, uses that could have otherwise been allowed at the time she acquired the property; and

WHEREAS, the Board finds that under LC 2.760(3) the public interest would be better served by modifying, removing or not applying the challenged land use regulations of the E-40 zone to the subject property in the manner and for the reasons stated in the report and recommendation of the County Administrator incorporated here by this reference except as explicitly revised here to reflect Board deliberation and action to allow Maxine Taylor to make application for development of the subject property in a manner similar to what she could have been able to do under the regulations in effect when she acquired the property; and

WHEREAS, this matter having been fully considered by the Lane County Board of Commissioners.

NOW, THEREFORE IT IS HEREBY ORDERED that the applicant Maxine Taylor made a valid claim under Ballot Measure 37 by describing the use being sought, identifying the county land use regulations prohibiting that use, submitting evidence that those land use regulations have the effect of reducing the value of the property, showing evidence that they acquired the property before the restrictive county land use regulations were enacted or enforced and the Board hereby elects not to pay just compensation but in lieu of payment, the request of Maxine Taylor shall be granted and the restrictive provisions of LC 16.212(5), (6), (7) and (9) that limit the development of dwellings and the division of land in the Exclusive Farm Use zone (E-40/RCP) shall not apply to Maxine Taylor, so that she can make application for approval to develop the property at 84239 Cloverdale Road, commonly known as Lane County Assessor map 18-02-32, tax lot 400 and map 19-02-05, tax lot 100, in a manner consistent with the land use regulations in effect when she acquired the property on November 24, 1943.

IT IS HEREBY FURTHER ORDERED that Maxine Taylor still will need to make application and receive approval of a division of the property or placement of a dwelling under the other land use regulations applicable to dividing the property or placing a dwelling that were not specifically identified or established by Maxine Taylor as restricting the division of the property or placement of a dwelling, and it would be premature to not apply those regulations given the available evidence. To the extent necessary to effectuate the Board action to not apply the dwelling or division restrictions of the applicable zone described above, the claimant shall submit appropriate applications for review and approval of land divisions and any new dwellings to show the specific development proposals and in the event additional county land use regulations result in a restriction of those uses that have the effect of reducing the fair market value of the property, the County Administrator shall have the authority to determine those restrictive county land use regulations that will not apply to that development proposal to preclude entitlement to just compensation under Measure 37. All other Lane Code land use and development regulations shall remain applicable to the subject property until such time as they are shown to be restrictive and that those restrictions reduce the fair market value of the subject property.

IT IS HEREBY FURTHER ORDERED that this action making certain Lane Code provisions inapplicable to Maxine Taylor's use of her property does not constitute a waiver or modification of state land use regulations and does not authorize immediate division of the subject property or immediate construction of a dwelling. The requirements of state law, including but not limited to ORS 215.213, Goal 3 and OAR chapter 660, division 33, may contain specific standards regulating development of the subject property and the applicants should contact the Department of Administrative Services (DAS - State Services Division, Risk Management - Measure 37 Unit, 1225 Ferry Street SE, U160, Salem, OR 97301-4292; Telephone: (503) 373-7475; website address: <http://www.oregon.gov/DAS/Risk/M37.shtml>) and have the State of Oregon evaluate a Measure 37 claim and provide evidence of final state action before seeking county land use approval.

IT IS HEREBY FURTHER ORDERED that the other county land use regulations and rules that still apply to the property require that land use, sanitation and building permits be approved by Lane County before any development can proceed. Notice of this decision shall be recorded in the county deed records. This order shall be effective and in effect as described in LC 2.770 and Ballot Measure 37 to the extent permitted by law. This order does not resolve several questions about the effect and application of Measure 37, including the question of whether the right of applicants to build another dwelling can be transferred to another owner. If the ruling of the Marion County Circuit Court in *MacPherson v. Dept. of Administrative Services*, (Marion County Circ. Ct. Case No. 00C15769, October 14, 2005) becomes final and that decision or any subsequent court decision has application to Lane County in a manner that affects the authority of this Board to grant relief under Ballot Measure 37 and LC 2.700 through 2.770 then the validity and effectiveness of this Order shall be governed by LC 2.770 and the ruling of the court.

DATED this _____ day of _____, 2005.

Anna Morrison, Chair
Lane County Board of County Commissioners

APPROVED AS TO FORM

Date 11-29-2005 Lane County

Stephen J. Parker
OFFICE OF LEGAL COUNSEL

#17122

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON.

200 576 049

OLD NUMBER

ACCOUNT NUMBER

TAX LOT		SECTION <u>32</u>	TOWNSHIP <u>18</u> S.	RANGE <u>2</u> W
MAP NO. <u>18-02-32-</u>	PARCEL NO. <u>400</u>			

INDENT EACH NEW COURSE TO THIS POINT	Continued	LEGAL DESCRIPTION Page - 3 -	DEED RECORD		ACR REMAI
			DATE OF ENTRY	DEED NUMBER	

for 1997.	S00°57'W to a point which bears N89°07'30"W 225.05 ft. from the True Point of Beginning; thence S89°07'30"E 225.05 ft. to the True Point of Beginning, in Lane County, Oregon. Containing more or less Except: 303.07 ac to TL 401 by R2264/9709762 Containing more or less			419
				116

17122

OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON

18-02-32
403
SEGREGATE

YEAR	TAX LOT	SECTION	TOWNSHIP	RANGE E. OR W.	DEED RECORD		ACRES REMAININ
	No. 3				32	18 S.	
BEARING		DISTANCE	BEARING REFERENCE OR LEGAL SUBDIVISION				
1949	East	80.06 ch	Commencing at the Northwest corner of the J.B. Thompson DLC (sic) No. 7026 in Section 32 & 33, Township 18 South, Range 2 West, WM, thence				210/692
	South	15.10 ch					thence
	West	25.42 ch	to South line of said claim, thence				
	North	5.00 ch	to East line E.K.'s DLC; thence				
	West	54.65 ch	thence				
	North	10.31 ch	to the point of beginning, containing more or less				95.00
	West		Also: Commencing at the Southeast corner of DLC #78, in Section 32, Township 18 South, Range 2 West, WM, thence				
	North		to the Southwest corner of said claim; thence				
			far enough to include 140 acres, land hereby conveyed being the South 140 acres of said DLC.				
	West	54.90 ch	Also: Commencing on the East line of DLC #78, Township 18 South, Range 2 West, WM, 25.50 chains North of the Southeast corner of said claim, thence				
	North	4.55 ch	to West boundary of said claim, thence				
	East	54.90 ch	thence				
	South	4.55 ch	to East boundary of said claim, thence				
			to the point of beginning.				
			Containing more or less				25.0
			Also: DLC #56, Township 18 South, Range 2 West, WM, containing 319.13 acres, excepting therefrom about 1/2 acre now enclosed as a graveyard which enclosure is now reserved.				
			Also: Lot 3 except a strip of land 116 links wide off the East side thereof in Section 33, Township 18 South, Range 2 West, WM.				
			Also: Lots 2, 3, & 4, Section 32, Township 18 South, Range 2 West, WM; also NW 1/4 NW 1/4 of Section 4; Also Lots 1, 2, 3, 4, 5, in Section 5, Twp. 19 S., R. 2 W., WM.				724.06

SHELTON-TURNBULL-FULLER CO., EUGENE, OREGON 97504 continued

YEAR	TAX LOT No. 3	SECTION 32	TOWNSHIP 18 S.	RANGE 2 W.
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BEARING	DISTANCE	BEARING REFERENCE OR LEGAL SUBDIVISION	
		continued	
		Except- 5.70 acres to Lane County for road purposes by deed 56603, Reel 126. Containing more or less	722.56
		Exc: 296.55 ac. to 19-02-05-100 per F.T.L.P.O. (1949)	716.86
		Exc: 1.12 ac. to 18-02-32-500 per Vol. 440/57 (1949)	
		Cont. m/l	419.19
		ALSO:: THE SOUTH 3.96 feet of the following described property:	R736/11565
		Beginning at at the point where the East line of the William Bowman Donation Land Claim No. 78 intersects the S'ly right of way line of the Willamette Highway No. 58 opposite Engineers Highway Station 236 /46.68 and 90 feet from, when measured at right angles to, the centerline of said highway in Section 29, Township 18 South, Range 2 West of the Willamette Meridian, said point being a 5/8 inch iron bar 86.57 chains North of the SE Corner of said Claim No. 78; thence	
S01°03'30"W	505.00 ft.	to the NW Corner of the William Bristow Donation Land Claim No. 77 of said Township and Range; thence	
R00°52'W	1026.04 ft.	to the True Point of Beginning; thence	
S00°52'W	2183.40 ft.	to a point 1979.34 ft. N00°52'E of the SE Corner of said Claim No. 77; thence along a fence line	
N89°35'W	453.24 ft.	; thence, along a fence	
N00°57'E	3656.42 ft.	to the SW Corner of that tract conveyed to H. L. Kostenko and Vanlce D. Kostenko by a deed recorded March 6, 1968, Reception No. 16491, Lane County Oregon Records; thence	
S89°03'E	160.00 ft.	; thence	
N00°57'E	223.17 ft.	to the S'ly right of way line of Highway No. 58; thence	
S59°59'E	110.79 ft.	; thence	

Continued - Over on Page - 3-

HERSHNER HUNTER^{LLP}

STEVE CORNACCHIA
scornacchia@hershnerhunter.com

July 6, 2005

BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

State of Oregon
Risk Management-State Services Division
1225 Ferry Street. SE, U160
Salem, OR 97301-4292

Re: Maxine Taylor Ballot Measure 37 Claim
Our File No. 31284.00001

We represent Maxine Taylor regarding the aforementioned matter. This letter, and the enclosed M37 Claim Form and attachments thereto, constitute written demand, on behalf of our client, pursuant to Section (4) of Ballot Measure 37 (2004) for compensation for the subject property currently owned by our client.

Our client has owned the subject property continuously since 1943 and has been restricted in the use of that property by Statewide Planning Goals, statutes and administrative rules that implement the Goals and the statutes since at least December 31, 1973. The Goals, statutes and administrative rules are regulations that restrict the use of the subject property and the restrictions remain in force and effect as of the date of this letter.

Accordingly, the offending regulations have caused the fair market value of the subject property to decrease approximately \$3,968,000. This letter constitutes our client's demand for compensation for the loss of fair market value of the subject property.

In the alternative, the offending regulations may be waived and uses may be allowed on the property which could have occurred at the time the property was acquired. Specifically, the property will be put to rural residential use on parcels five acres or larger in size.

COPY

State of Oregon
July 6, 2005
Page 2

Information necessary to establish our client's claim is provided in the enclosed M37 Claim Form and its exhibits, including a copy of the narrative application filed with Lane County for the companion claim with that county.

Please contact me with the response of the State of Oregon or if you have questions regarding this matter.

Best regards,

/s/Steve Cornacchia

STEVE CORNACCHIA

PSC:ss

Enclosures

Cc: Client (with enclosures)



Land Use Application



REQUEST / PROPOSAL FOR:

FILE NO: PA055746
ACTION: _____
FEE: _____

LOCATION (PLEASE PRINT) 180205 400 180232 # 400

TOWNSHIP RANGE SECTION 1/4 SECTION TAX LOT SUBDIVISION / PARTITION LOT / PARCEL BLOCK

EFU 40 TL 400-107 Acres / TL 100-142 Acres

ZONED TAX CODE PLOT # ACERAGE

84239 Cloverdale Rd. Creswell, OR. 97426

LOCATION ADDRESS

None

STRUCTURES NOW ON PROPERTY

APPLICANT / AGENT Steve Cornacchia, Hershner Hunter, LLP

NAME (PLEASE PRINT) DATE

180 E. 11th Avenue (541) 686-8511

ADDRESS PHONE

Eugene, OR 97401

CITY ZIP

OWNER

Maxine S. Taylor

NAME (PLEASE PRINT) DATE

5380 Glenn Ellen 607-6958

ADDRESS PHONE

Eugene, OR. 97402

CITY ZIP

DO YOU OWN ADJACENT PROPERTY? Yes <input type="checkbox"/> No <input type="checkbox"/> MAP, PARCEL NUMBER Township Range Section 1/4 Section Tax Lot _____ Township Range Section 1/4 Section Tax Lot _____ Township Range Section 1/4 Section Tax Lot _____	WATER PUBLIC <input type="checkbox"/> ON-SITE WELL <input type="checkbox"/> COMMUNITY SYSTEM _____
	SEWAGE PUBLIC <input type="checkbox"/> ON-SITE SEPTIC <input type="checkbox"/> COMMUNITY SYSTEM _____
	ROAD STATE <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> EASEMENT <input type="checkbox"/>
FIRE DISTRICT PHRFPD SCHOOL DISTRICT PH No. 1	POWER COMPANY EPUD PHONE COMPANY Qwest

I (We) have completed all the attached application requirements and certify that all statements are true and accurate to the best of my (our) knowledge and belief. I am (We are) so authorized to submit this application as evidenced by the signature of the owner below.

Maxine S. Taylor Date 6-3-05 APPLICANT Signature Date

An accurate Plot Plan must be attached. Ask for a sample Plot Plan

SPECIFIC SECTION OF LANE CODE REQUIRING THIS APPLICATION	RELATED PERMIT #
STAFF COMMENTS:	



M37 Claim Form

INSTRUCTIONS FOR SUBMITTING A CLAIM

This form requests specific information that is required of a claimant by OAR 125.145.0010-.0120. A Claimant must fully complete each box of the claim form and provide all information and evidence to support the claim. In lieu of completing each box or section on this form, a Claimant may attach supplemental documents to provide the requested information. Attached documents shall not be used to complete section 1 and 2, or any section which requires a signature.

- Claims may only be submitted by an Owner or an Authorized Agent of the Owner.
- Claims may only be submitted; in person; by private carrier; by U.S. Postal Service Certified or by Registered Mail to:
Risk Management-State Services Division, 1225 Ferry St. SE, U160, Salem OR 97301- 4292
- Only Original Signed Claims will be accepted, claims submitted electronically or by facsimile, will not be accepted.
- Attach *separate sheet of paper* as needed, with reference to the appropriate **Section number on this form.**
- Claim criteria/requirements may be found in Oregon Administrative Rules 125.145.0010 – 0120

Section 1 NAME AND CONTACT INFORMATION OF CLAIMANT/PROPERTY OWNER

Enter the name and contact information of the PRIMARY property owner who is submitting the claim.

Name of Claimant: Maxine S. Taylor	Day Time Phone #: (541) 337-6623	
Address: 5380 Glenn Ellen		
City: Eugene	State: OR	Zip: 97402

Section 2 NAME AND CONTACT INFORMATION OF PERSON SUBMITTING CLAIM (AGENT)

Enter the name and contact information of the person who is sending the claim for the property owner if different than the name in Section 1 above.

Name of Agent:	Day Time Phone #:	
Address:		
City:	State:	Zip:
Must attach a written notarized statement signed by the owner(s) or a Power of Attorney properly authorizing submittal of this claim. Attachment: Yes <input type="checkbox"/> No <input type="checkbox"/>		

Section 3 NAMES AND CONTACT INFORMATION OF OTHERS WITH INTEREST IN THIS PROPERTY

Enter the name and contact information of every person or entity who has an interest in the property. This includes but is not limited to:

- (a) Every lessee and lessor of the Property;
- (b) Every person or entity holding a lien against, or a security interest in, the Property;
- (c) Every person or entity holding a future, contingent, or other interest of any kind in the Property.

This could be other owners, banks, mortgage companies, state or federal agencies or entities, programs specific to the use of the property and any and all others with any interest in the property. Some examples could be; a USDA program providing funds for an owner not to grow a particular crop on the land, banks with second third or other mortgage interest. If using an attachment, the attachment must be submitted in such a format as to easily distinguish the various owners and interest in the property.

Name:	Day Time Phone #:	
Address:		
City:	State:	Zip:
Describe Interest in Property:		

Name:	Day Time Phone #:	
Address:		
City:	State:	Zip:
Describe Interest in Property:		

Name:	Day Time Phone #:	
Address:		
City:	State:	Zip:
Describe Interest in Property:		

Name:	Day Time Phone #:	
Address:		
City:	State:	Zip:
Describe Interest in Property:		

Name:	Day Time Phone #:	
Address:		
City:	State:	Zip:
Describe Interest in Property:		

Section 4 PROPERTY FROM WHICH THE CLAIM DERIVES

Enter the location of the property, all contiguous property, upon which the claim is based. This description is by street address, legal description, and other descriptors which allow a concise description of the property allowing its location, size, and other physical attributes to be ascertained. Attachment if Applicable

Street Address: <i>if applicable</i>		City:	
County:	Lane	State: OR	Zip: 97
Tax Lot #:	(see below)	County Tax Assessor's Map Reference # & Date:	
Township:	(see below)		
Range:	(see below)	Section: (see below)	
Other Legal Description Information: Lane County Assessor's Map No.'s 18-02-32-00-00400 and 19-02-05-00-00100			

Section 5 EVIDENCE OF OWNERSHIP

Include evidence or information describing the length and extent of ownership of the property, any encroachments, easements, Covenants Conditions and Restrictions, and federal, state and local restrictions on the Property, including all applicable zoning, comprehensive plan and other land use and development regulations. Examples may include; an owner who lives and works on the property, but does not own the mineral rights or a property owner who has easements for neighbors to use roads and the local power company to traverse the property with power or other cables.

The following is attached as proof of ownership: (list all attachments)	WARRANTY DEED, Dated November 24, 1943, recorded November 24, 1943, as Reception No. 128344, by and between Joyce VanDer Hellen Rose and Clarence W. Rose, husband and wife, Grantors and Maxine S. Taylor, Grantee, attached as Exhibit A.
Date of Acquisition of Property:	November 24, 1943
Nature & Scope of Ownership of Property: <i>Attachment if Applicable</i> <input type="checkbox"/>	FEE
All Encroachments, Easements, etc. (see OAR 125-145-0040 (8) for further information) <i>Attachment if Applicable</i> <input type="checkbox"/>	NONE

Section 6 INTENDED USE OF PROPERTY

What is the intended use of the property that is currently prohibited by state regulations? Residential
on five-acre or larger parcels

Section 7 NATURE AND MANNER OF RESTRICTION

List each Land Use Regulation on which the Claim is based and include evidence or information that demonstrates the manner in which each cited Land Use Regulation restricts the use of the Property compared with how the owner was permitted to use the Property under Land Use Regulations in effect at the time the owner acquired the Property.

Law or Rule: <i>Attachment if Applicable</i> <input type="checkbox"/>	STATEWIDE PLANNING GOAL 3 (Agricultural Land)	Describe how this Land Use Law or Rule restricts the use of this property: Restricts uses and parcel sizes on agricultural land.
Law or Rule: <i>Attachment if Applicable</i> <input type="checkbox"/>	OAR 660-033-00100 to 0160	Describe how this Land Use Law or Rule restricts the use of this property: (Same as above.) Prevents rural residential use on 5-acre parcels.
Law or Rule: <i>Attachment if Applicable</i> <input type="checkbox"/>	OAR 660-015-0000(3)	Describe how this Land Use Law or Rule restricts the use of this property: Same as above.
Law or Rule: <i>Attachment if Applicable</i> <input type="checkbox"/>	ORS 215.203-296	Describe how this Land Use Law or Rule restricts the use of this property: Same as above.
Law or Rule: <i>Attachment if Applicable</i> <input type="checkbox"/>	ORS 197.175, .200, and .250	Describe how this Land Use Law or Rule restricts the use of this property: Same as above.

Section 8 DATE ON WHICH EACH CITED LAND USE REGULATION BEGAN TO APPLY TO SUBJECT PROPERTY

List each Land Use Regulation on which the Claim is based and include evidence or information that demonstrates the date on which each cited Land Use Regulation began to apply to the Property.

Law or Rule: <i>Attachment if Applicable</i> <input type="checkbox"/>	STATEWIDE PLANNING GOAL 3 (Agricultural Lands)	Date of Effect: 12/31/1973
Law or Rule: <i>Attachment if Applicable</i> <input type="checkbox"/>	OAR 660-033-0010 to 0160	Date of Effect: " and thereafter
Law or Rule: <i>Attachment if Applicable</i> <input type="checkbox"/>	OAR 660-015-0000 (3)	Date of Effect: " and thereafter
Law or Rule: <i>Attachment if Applicable</i> <input type="checkbox"/>	ORS 215.203-.296	Date of Effect: " and thereafter
Law or Rule: <i>Attachment if Applicable</i> <input type="checkbox"/>	ORS 197.175, .200 and .250	Date of Effect: "

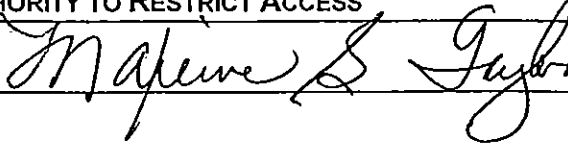
Section 9 AMOUNT OF PROPERTY VALUE REDUCTION

Enter the amount of Fair Market Value reduction to the Property caused by each cited Land Use Regulation. (Refer to Sections 6 & 7 above). Attach evidence or provide information to support the basis and rationale for the reduction in Fair Market Value.

Fair Market Value Reduction Amount \$:3,968,000	Law or Rule Goal 3	Basis of Evaluation: See attached appraisals
Fair Market Value Reduction Amount \$:3,968,000	Law or Rule OAR 660-033-0010 to 0160	Basis of Evaluation: See attached appraisals
Fair Market Value Reduction Amount \$:3,968,000	Law or Rule OAR 660-015-0000(3)	Basis of Evaluation: See attached appraisals
Fair Market Value Reduction Amount \$:3,968,000	Law or Rule ORS 215.203-.296	Basis of Evaluation: See attached appraisals
Fair Market Value Reduction Amount \$:3,968,000	Law or Rule ORS 197.175, .200 and .250	Basis of Evaluation: See attached appraisals

Section 10 AUTHORITY TO ENTER PROPERTY

This section of the form authorizes the Department, the Regulating Entity and their officers, employees, agents, and contractors to enter the Property as necessary to verify information, appraise the property, or conduct other business related to this claim. Each person that can restrict access to the property must sign in the appropriate box in this section.

<p>I/We Affix Our Signature(s) to this Form Granting Access to the Subject Property in ANY Manner or Form Deemed Appropriate by State Agency or Agencies for the Review of the Property in Furtherance of the Processing or Handling of this Claim: SIGNATURES OF ALL OWNERS WITH AUTHORITY TO RESTRICT ACCESS</p>	
Printed Name: Maxine S. Taylor	Signature: 
Interest in Property: FEE OWNER	
Printed Name:	Signature:
Interest in Property:	
Printed Name:	Signature:
Interest in Property:	
Printed Name:	Signature:
Interest in Property:	
Printed Name:	Signature:
Interest in Property:	
Printed Name:	Signature:
Interest in Property:	

Section 11 ATTACHMENTS

Check the appropriate box for all documents, evidence and supporting information that is attached and included as a part of this claim.

Title Report: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Deed: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Appraisal(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Covenants, Conditions & Restrictions: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Affidavits: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Tax Map(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Tax Deferrals: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Tax Reductions: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Participating Federal Programs: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		<input type="checkbox"/> Other Information:(Explain)	
<input type="checkbox"/> Other Information:(Explain)		<input type="checkbox"/> Other Information:(Explain)	

Section 12 OTHER CLAIMS FILED

List all other governmental entities you or someone on your behalf has submitted claims to regarding the Property involved in this claim. List all claims submitted to the state or other entities relating to this property or any portion thereof on anyone's behalf. You must list all entities even if you only submitted a claim to them for a portion of the Property that is the subject of this claim.

Have you submitted a claim to another governmental entity regarding the property listed in this claim?	
No <input type="checkbox"/>	
Yes <input checked="" type="checkbox"/> Date:	To Whom: Lane County
Yes <input type="checkbox"/> Date:	To Whom:
Yes <input type="checkbox"/> Date:	To Whom:
Yes <input type="checkbox"/> Date:	To Whom:

ADDITIONAL INFORMATION THAT MAY BE SUBMITTED IN SUPPORT OF THIS CLAIM

1. A report by a certified appraiser that addresses the Reduction in Fair Market Value of the Property resulting from the enactment or enforcement of the cited Land Use Regulation(s) as of the date the Claim was filed;
2. A statement of the effect of the cited Land Use Regulation(s) on any Owner's tax status, including without limitation any tax deferrals or tax reductions related to the cited Land Use Regulation(s);
3. Citation to each Land Use Regulation(s) in effect at the time the owner acquired the property explaining how the use that is now not permitted by the Land Use Regulation(s) set forth in Oregon Administrative Rules (OAR) 125-145-0040(9) was permitted at the time the owner acquired the property;
4. Names and addresses of Owners of all real property located within 100 feet of the Property if the Property is located in whole or in part in an urban growth boundary, 250 feet of the Property if the Property is located outside an urban growth boundary and not within a farm or forest zone and 750 feet of the Property if the Property is located in a farm or forest zone.

I ATTEST THAT I HAVE FILLED OUT THIS FORM COMPLETELY AND THIS CLAIM IS TRUE AND CORRECT. (Signatures of all parties preparing this form.)

Signature Maxine S. Taylor Date 6 13 05

Signature _____ Date / /

Signature _____ Date / /

Signature _____ Date / /

Signature _____ Date / /

Signature _____ Date / /

State of Oregon

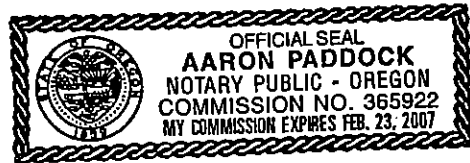
County of Lane

Signed and sworn to before me on 6-3, 2005 by Maxine S. Taylor
(month - day - year)

Aaron Paddock
(Notary Public - State of Oregon)

Notary Seal

My commission expires: Feb-23, 2007



APPLICATION

Applicant: Maxine S. Taylor

Property Owner: Maxine S. Taylor

Property Location: Two parcels, 107.43 acres and 142.17 acres in size, located four miles south of Highway 58 and four miles northeast of Creswell, near 84247 Cloverdale Road.

Assessors Map and Lot: Map 18-02-32-00, Tax Lot 0400 and Map 19-02-05-00, Tax Lot 100. Copies of the Assessor's Maps are attached as Appendix A, and the legal description of the subject property is attached as Appendix B.

Current County Zoning: Exclusive Farm Use 40 Acre Minimum (EFU 40)

Attorney-Consultant: Hershner Hunter, LLP
180 East 11th Avenue, Eugene, OR 97401
P.O. Box 1475, Eugene, OR 97440
Telephone: (541) 686-8511

Submission Date: July 6, 2005

1. INTRODUCTION.

The applicant claims that Lane County's enforcement of land use regulations that restrict the use of her property has reduced the fair market value of her property. The applicant is requesting, pursuant to the provisions added to ORS Chapter 197 by Ballot Measure 37 (November 2, 2004) and Lane Code 2.700, that Lane County pay her just compensation for the reduction in the fair market value of her property resulting from those restrictions on its use. This application constitutes written demand pursuant to Section (4) of Ballot Measure 37 (2004).

In lieu of such payment of just compensation, the applicant request that Lane County waive the offending regulations as provided hereinbelow that prevent the applicant from subdividing the subject property to buildable lots of five acres or greater.

The applicant purchased the subject property on November 24, 1943, and has owned the subject property continuously since that time. The applicant is the sole owner of the subject property. Lane County did not have an adopted zoning ordinance on November 24, 1943, and the subject property was not zoned, or otherwise regulated relative to use, by Lane County on that date.

The property is zoned Exclusive Farm Use 40 Acre Minimum (EFU 40). That zoning will not permit land divisions below 40 acres in size for the resulting parcels and will not permit the placement of more than one dwelling on each of the two tax lots. LC 16.212 does not allow more than one dwelling per parcel in the Exclusive Farm Use zone and then only if certain agricultural production requirements have been met.

2. BACKGROUND INFORMATION.

2.1 General Site Description.

The property subject to this application consists of two parcels, one approximately 107 acres in size and the other approximately 142 acres in size, located four miles south of Highway 58 and four miles northeast of Creswell, near 84247 Cloverdale Road.

The subject property is described as Tax Lot 0400 of Lane County Assessor's Map No. 18-02-32-00 and Tax Lot 100 of Lane County Assessor's Map No. 19-02-05-00.

The subject property is undeveloped.

The subject property receives the following public services: Pleasant Hill School District No. 1 (schools); Emerald Peoples' Utility District (electrical power); Pleasant Hill Rural Fire Protection District (fire and ambulance); Qwest (telephone); LTD (bus service); Lane County Sheriff's Department and Oregon State Police.

2.2 List of Exhibits:

- Exhibit A - Assessor's Maps No. 18-02-32-00 and 19-02-05-00
- Exhibit B - Legal Description
- Exhibit C - Lane County Application Form

- Exhibit D - 1943 Rose/Taylor Warranty Deed
- Exhibit E - Land Use Ordinance No. 194
- Exhibit F - Lane County Zoning and Land Use Regulation Ordinance #4
- Exhibit G - Ordinance No. 884
- Exhibit H - Appraisal Reports prepared by Craig E. McKern, Certified Real Estate Appraiser

3. APPLICABLE CRITERIA. (Lane Code 2.700 – Real Property Compensation/Regulation Application Process)

3.1 Lane Code 2.720 Application for Claim

Lane Code 2.720 requires that the applicant be the present owner of the property that is the subject of the claim at the time the claim is submitted. The applicant is the present and sole owner; of the subject property.

Lane Code 2.720 also contains the required items for a completed application as follows:

- a. A completed application form;**

Response:

A completed application form is attached hereto as Exhibit C.

- b. The name, mailing address, and phone number of the property owner filing the application, and of each of the other owners of the subject property and anyone with any interest in the property, including lien holders, trustees, renters, lessees, and a description of the ownership interest of each, if any, along with the signature of each of the other owners indicating consent to the application claim;**

Response:

The applicant is the sole owner of the property, free and clear of all encumbrances and interests of record other than those of the applicant. The applicant's name, mailing address and phone number are provided in the application form attached hereto. The applicant has signed the application form attached hereto.

- c. A legal description and tax lot number of the subject property as well as a street address for the property (if any);**

Response:

A legal description of the subject property is attached hereto as Exhibit B. The Lane County Assessor's Maps No. for the subject property are 18-02-32-00, Tax Lot 0400 and 19-02-05-00, Tax Lot 0100. The subject property has no street address.

d. A title report issued within 30 days of the application's submittal, including title history and including a statement of the date the applicant acquired ownership of the subject property and showing the ownership interests of all owners of the property or, as an alternative to the title report, a copy of the deed(s) granting all existing ownership interests to the owner(s) of the subject property signing the petition;

Response:

A copy of the original November 24, 1943, Warranty Deed between the applicant, as Grantee, and Joyce Von Der Hellen Rose and Clarence W. Rose, husband and wife, as Grantors, conveying the subject property to the applicant, is attached hereto as Exhibit D.

e. A statement specifically identifying the section of Lane Code or other land use regulation that allegedly restricts the use of the real property and allegedly causes a reduction in the fair market value of the subject property, including the date the regulation was adopted, first enforced or applied to the subject property;

Response:

The subject property is zoned Exclusive Farm Use 40 Acre Minimum (EFU 40) as depicted on Lane County Official Zoning Map Plots 449 and 450, adopted by Lane County as part of Ordinance 884 on February 29, 1984. In addition to Ordinance 884, the primary land use regulations that restrict the use of the subject property are Lane Code 16.212(3)-(7) which restrict the residential use of the subject property and Lane Code 16.212(9) which requires a minimum area requirement of forty acres for the creation of new lots or parcels in the Exclusive Farm Use Zone on property designated as EFU 40 on Lane County Zoning Maps. Those Lane Code provisions and Zoning Map Plots 449 and 450 prevent the applicant from subdividing her property into residentially buildable parcels less than 40 acres in size as was allowed by Lane County regulations (or the lack thereof) prior to the county's adoption of Ordinance 884 and the current code provisions.

On April 7, 1965, Lane County enacted Land Use Ordinance No. 194 that zoned the subject property as AGT, Agriculture, Grazing, Timber Raising District. The legal descriptions included in the ordinance include the subject property. A copy of the ordinance is attached hereto as Exhibit E.

Lane County Zoning and Land Use Regulation Ordinance # 4, adopted by Lane County on May 31, 1949, contains the land use regulations in effect on April 7, 1965, for AGT-zoned property. A copy of that ordinance is attached as Exhibit F.

On February 29, 1984, Lane County adopted Ordinance 884 which further restricted the applicant's use of her property subsequent to her acquisition of it by rezoning it as Exclusive Farm Use, E40, which it remains today. A copy of that ordinance is attached as Exhibit G. If the aforementioned Lane County regulations did not exist, or were consistent with provisions of Lane County regulations preceding 1943, the value of the applicants' property would be considerably higher if divided into five-acre or larger parcels rather than remaining in its current configuration with the aforementioned use and acreage restrictions in place.

In addition to Ordinance 884 and LC 16.212 (3)-(7),(9) and (10), the following Lane County regulations restrict the use of the subject property by the applicant:

- LC 10.100-10, 30 and 40
- LC 13.050(1), (2),(5), and (12)
- LC 15.045(1)
- LC 15.070
- LC 15.080
- LC 15.137
- LC 15.138

f. A copy of a written appraisal by an appraiser licensed by the Appraiser Certification and Licensure Board of the State of Oregon, addressing the requirements of the provisions added to ORS Chapter 197 by Ballot Measure 37 (November 2, 2004) and indicating the amount of the alleged reduction in the fair market value of the property by showing the difference in the fair market value of the property before and after the application of each of the challenged regulations, individually, and after the application of all of the challenged regulations, cumulatively;

Response:

The applicant retained the services of Craig E. McKern, Certified Residential Real Estate Appraiser, to prepare a written appraisal of the subject property indicating the difference in the fair market value of it as currently configured and as if configured into five-acre parcels. Mr. McKern's appraisal is attached hereto as Exhibit H.

g. A written statement addressing the criteria listed in LC 2.740(1)(a) through (d);

LC 2.740(1)(a) through (d) provides the following criteria:

(a) The county has either adopted or enforced a land use regulation that restricts the use of private property or any interest therein:

Response:

The subject property is zoned Exclusive Farm Use 40 Acre Minimum (EFU 40) as depicted on Lane County Official Zoning Map Plots 449 and 450, adopted by Lane County as part of Ordinance 884 on February 29, 1984. In addition to Ordinance 884, the primary land use

regulations that restrict the use of the subject property are Lane Code 16.212(3)-(7), (9) and (10) which requires a minimum area requirement of forty acres for the creation of new lots or parcels and limits the residential use of the subject property. (See discussion above in section 3.1(e))

(b) The restriction on use has the effect of reducing the fair market value of the property or any interest therein, upon which the restriction is imposed;

Response:

See discussion above in sections 3.1(e) and (f) and below in section 3.1(h).

(c) The challenged land use regulation was adopted, enforced or applied after the current owner of the property (the applicant) became the owner, and

Response:

See discussion above in sections 3.1(d) and (e).

(d) The challenged regulation is not an exempt regulation as defined in LC 2.710.

Response:

Ordinance 884, Lane Code 16.212(3)-(7), (9) and (10) and the Lane Code provisions listed in the Response to section 3.1(e) above are land use regulations as defined by provisions added to ORS Chapter 197 by Ballot Measure 37. They do not restrict or prohibit public nuisances, are not public health and safety protection regulations, are not required to comply with federal law, do not relate to the use of the property for pornography or nude dancing and were not enacted prior to the date the applicants acquired the property.

h. A statement by the applicant specifying the amount of the claim, and the fair market value of the property before and after application of the challenged land use regulation(s); and

Response:

The applicant claims from Lane County the sum of \$3,968,000, which represents the reduction in market value of the subject property resulting from Lane County's enforcement of the aforementioned regulations that restrict the use of the property to agricultural use and 40-acre minimum lot sizes. The fair market value of the property before the application of the aforementioned challenged land use regulation is \$800,000. The fair market value of the property after the application of the aforementioned challenged land use regulation is \$4,768,000. The reduction in fair market value of the subject property resulting from Lane County's restrictions on its use totals \$3,968,000, the amount of the claim herein.

i. Copies of any leases or covenants, conditions and restrictions applicable to the subject property if any exist that impose restrictions on the use of the property. Unless waived by the County Administrator, an application shall also include an application fee, in the amount established by Order of the Board, to at least partially cover the County costs of processing the application, to the extent an application fee may be required as a condition of acceptance of filing an application for a claim under the provisions added to ORS Chapter 197 by Ballot Measure 37 (November 2, 2004). The county shall refund the application fee if it is determined by the County or by a court that the applicant is entitled to compensation under the provisions added to ORS Chapter 197 by Ballot Measure 37 (November 2, 2004).

Response:

The subject property is free and clear of any encumbrances that would restrict the use of it.

4. CONCLUSION.

The applicant has demonstrated that Lane County's enforcement of Ordinance 884 and LC 16.212 restricts the use of the subject property to agricultural use on 40-acre minimum parcel sizes and that the restriction reduces the fair market value of the property from what it would be if residential use on five-acre or larger sized parcels was allowed. The applicant has demonstrated compliance and consistency with the provisions added to ORS Chapter 197 by Ballot Measure 37 and LC 2.700. Accordingly, the applicant claims for just compensation for the reduction in the fair market value of here property as a result of the restriction should be paid by Lane County. In lieu of such payment of just compensation, Lane County should waive the offending regulations as provided above that prevent the applicants from subdividing the subject property to five-acre or larger, buildable, lots with residential use.

EXHIBIT B

EXHIBIT "A"

Commencing at the Northwest corner of the J. B. Thompson Donation Land Claim No. 51, Notification No. 7026, in Sections 32 and 33, Township 18 South, Range 2 West of the Willamette Meridian; thence East 80.06 chains; thence South 15.20 chains to the South line of said claim; thence West 25.42 chains to the East line of Eli Keeney's Donation Land Claim; thence North 5.00 chains; thence West 54.64 chains; and thence North 10.31 chains to the place of beginning.

ALSO beginning at the Southwest corner of the William Bowman and wife Donation Land Claim No. 78, Notification No. 7039 in said Township 18 South, Range 2 West of Willamette Meridian; and running thence North on the West line of said claim 30.05 chains; thence East parallel with the South line of said claim 54.90 chains to the East line of said claim; thence South 30.05 chains to the Southeast corner of said claim; and thence West 54.90 chains to the place of beginning.

ALSO the Donation Land Claim of Eli Keeney and wife, Notification No. 6538 in Section 32, Township 18 South, Range 2 West of the Willamette Meridian and in Section 5, Township 18 South, Range 2 West of Willamette Meridian, excepting the one-half acre enclosed as graveyard.

ALSO Lots 1, 3, 4 and 5, Section 5, Township 19 South, Range 2 West of Willamette Meridian.

ALSO the Northwest quarter of the Northwest quarter of Section 4, Township 19 South, Range 2 West of Willamette Meridian.

ALSO Lots 2, 3, 4 of Section 32, Township 18 South, Range 2 West of Willamette Meridian.

ALSO Lot 3, Section 33, Township 18 South, Range 2 West of Willamette Meridian, Lane County, Oregon, EXCEPTIN a strip of land 116 links wide on the East thereof as described in deed given by John R. Sellers, etux to Merrill Bennett recorded in Volume 153, Page 62, Deed Records of Lane County, Oregon, all in Lane County, Oregon.

ALSO The South 3.96 feet of the following described property:

Beginning at the point where the East line of the William Bowman Donation Land Claim No. 78 intersects the Southerly right of way line of the Willamette Highway No. 58 opposite Engineer Highway Station 32+46.68 and 90 feet from, when measured at right angles to, the centerline of said highway in Section 29, Township 18 South, Range 2 West of the Willamette Meridian, said point being a 5/8 inch iron bar 86.57 chains North of the Southeast corner of said Claim No. 78; thence South $1^{\circ} 03' 30''$ West, 505.0 feet to the Northwest corner of the William Bristow Donation Land Claim No. 77 of said Township and Range; thence South $0^{\circ} 52'$ West, 1026.04 feet to the true point of beginning; thence South $0^{\circ} 52'$ West, 2183.4 feet to a point 1979.34 feet North $0^{\circ} 52'$ East of the Southeast corner of said Claim No. 77; thence along a fence line North $89^{\circ} 35'$ West, 453.24 feet; thence along a fence North 0°

CONTINUED

57' East, 3656.42 feet to the Southwest corner of that tract conveyed to H. L. Kostenko and Vanice D. Kostenko by a deed recorded March 6, 1968, Reception No. 16491, Lane County Oregon Records; thence South 89° 03' East, 160.0 feet; thence North 0° 57' East, 223.17 feet to the Southerly right of way line of Highway No. 58; thence South 59° 59' East, 110.79 feet; thence South 0° 57' West to a point which bears North 89° 07' 30" West, 225.05 feet from the true point of beginning; thence South 89° 07' 30" East, 225.05 feet to the true point of beginning, in Lane County, Oregon.

EXCEPTING THEREFROM that portion conveyed to Lane County, a political subdivision of the State of Oregon, by warranty deed recorded January 2, 1959, Reception No. 56603, Deed Records of Lane County, Oregon.

ALSO EXCEPTING that portion conveyed to Robert G. Parsons by warranty deed recorded June 14, 1951, Reception No. 48228, Deed Records of Lane County, Oregon, described as: Beginning at the Southwest corner of the William Bowman and wife Donation Land Claim No. 78, Notification No. 7039, in Township 18 South, Range 2 West of the Willamette Meridian; running thence North 450 feet to the Cloverdale Road; thence in a Southeasterly direction along said roadway 588 feet to the South line of said claim to a point 300 feet East of the place of beginning; thence West along the South line of said claim 300 feet to the place of beginning, in Lane County, Oregon.

ALSO EXCEPTING that portion described in Boundary Agreement recorded December 8, 1992, Reception No. 9269237, Official Records of Lane County, Oregon and conveyed by Maxine S. Taylor to Kenneth a Danstrom, described as follows: Any portion of Government Lots 1 and 2 of Section 5, Township 19 South, Range 2 West of the Willamette Meridian, Lane County, Oregon, which lies South and East of the following described line:

Beginning at a 1976 Lane County Brass Cap marking the East Southeast corner of the Eli Keeney Donation Land Claim No. 49, in Section 5, Township 19 South, Range 2 West, Willamette Meridian, said brass cap also marks the true point of beginning of this fence description; thence North 0° 02' 58" West, along said old established fence line 639.41 feet to a point marked by a 5/8 inch iron pin set in an existing fence corner; thence South 87° 48' 00" East, along said old established fence line, 760 feet, more or less, to the East line of said Section 5, Township 19 South, Range 2 West, Willamette Meridian, and the terminus of this fence description, all being in Lane County, Oregon.

ALSO EXCEPTING that portion conveyed to Linda Beebee, by bargain and sale deed recorded August 8, 1995, Reception No. 9543642, Official Records of Lane County, Oregon, described as follows:

The Northwest one-quarter of the Northwest one-quarter of Section 4, Township 19 South, Range 2 West, Willamette Meridian.

And Government Lot 1, in Section 5, Township 19 South, Range 2 West, Willamette Meridian.

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And a parcel of land lying in the Southeast corner of the Eli Keeney Donation Land Claim No. 49, in Section 5, Township 19 South, Range 2 West, Willamette Meridian, and being more particularly described as follows:

Beginning at a 1976 Lane County Brass Cap marking the South Southeast corner of the Eli Keeney Donation Land Claim No. 49, said brass cap also marks the true point of beginning of this description; thence North 0° 16' 11" West, along the East line of said Donation Land Claim No. 49, 1688.56 feet to a 1" x 1" wooden post marking the North Northeast corner of said Donation Land Claim No. 49; thence North 89° 24' 20" East, along the South line of said Donation Land Claim No. 49, 1659.15 feet to a 1976 Lane County Brass Cap marking the East Southeast corner of said Donation Land Claim No. 49; thence North 0° 02' 58" West, along the East line of said Donation Land Claim No. 49 as marked on the ground by an existing fence line as described in the Boundary Line Agreement recorded on December 8, 1992, on Reel 1809R, Page 92-69237 Lane County Oregon Official Records, for a distance of 639.41 feet to a point marked by a 5/8" iron pin; thence continuing North 0° 02' 58" West, along said East line, 1250.19 feet, more or less, to a point on the North line of said Section 5; thence West, along said North line, 295.57 feet to a point; thence leaving said North line South 2° 00' 00" East, 447.00 feet to a point; thence South 84° 45' 00" West, 1200.00 feet to a point; thence South 0° 16' 11" East, 1248.34 feet to a point; thence South 89° 24' 20" West, 288.85 feet to a point; thence South 0° 16' 11" East, 1790.78 feet to a point on the South line of the Eli Keeney Donation Land Claim No. 49; thence North 88° 08' 06" East, along said South line, 100.04 feet to the point of beginning, all in Lane County, Oregon.

EXCEPTING that portion conveyed to Lane County, a political subdivision of the State of Oregon, by warranty deed recorded October 28, 1996, Reception No. 96-72697, Official Records of Lane County, Oregon.

ALSO EXCEPTING that portion whereas Maxine S. Taylor, as vendor and Aart Falk and Charlene Falk, husband and wife and Dick Olson, as vendees, as disclosed by Memorandum of Land Sale Contract recorded February 13, 1997, Reception No. 9709762, and buyer's interest conveyed to Falk & Olson, an Oregon limited liability company, by warranty deed recorded October 22, 1997, Reception No. 9771988, Official Records of Lane County, Oregon, described as follows:

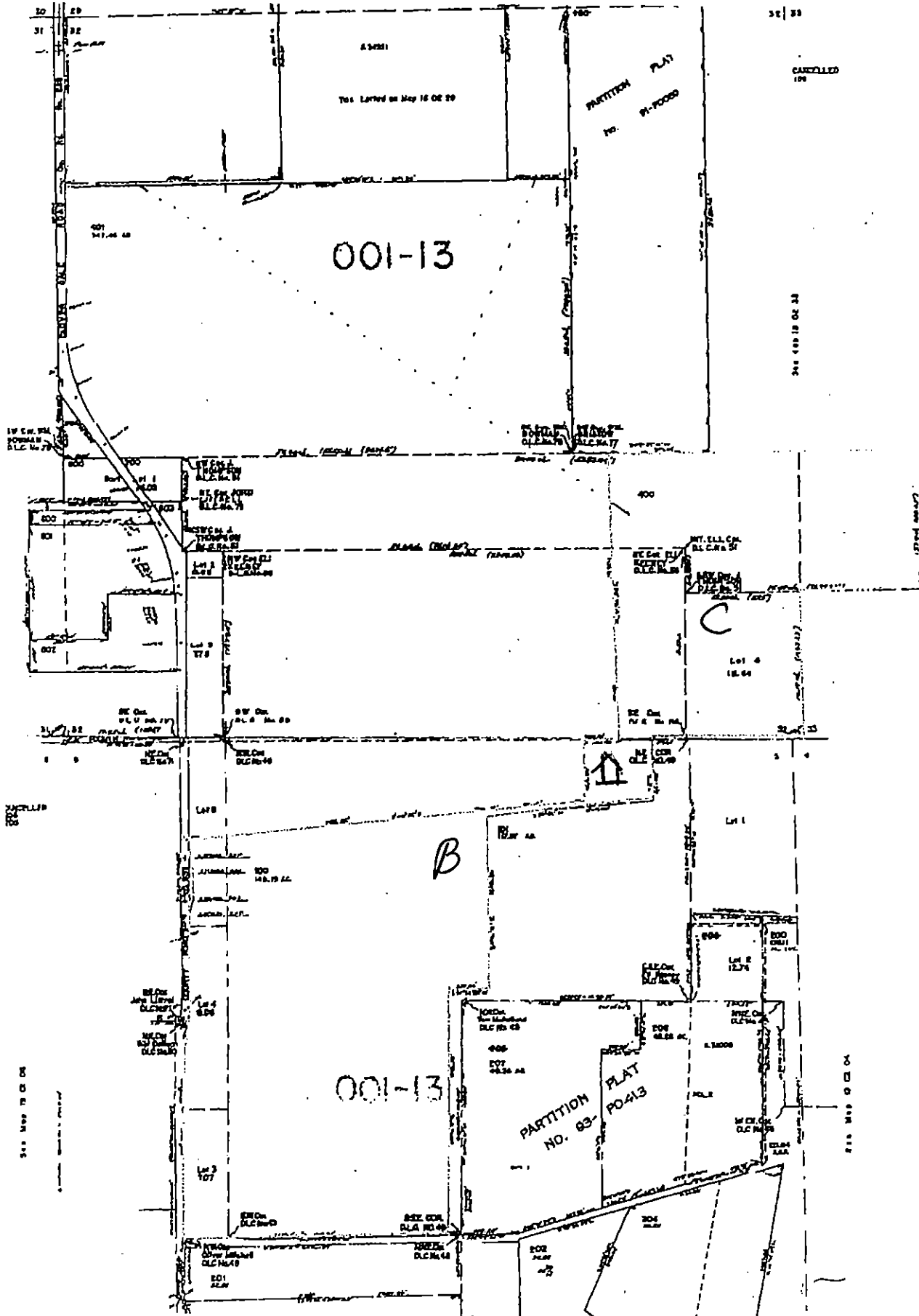
A parcel of land lying in the North ½ of Section 5, Township 19 South, Range 2 West Willamette Meridian and also lying in the South ¾ of Section 32, Township 18 South, Range 2 West of the Willamette Meridian, and being more particularly described as follows:

Beginning at a 1976 Lane County Brass Cap marking the South Southeast corner of the Eli Keeney Donation Land Claim No. 49, Notification No. 6538, in Section 5, Township 19 South, Range 2 West, Willamette Meridian; thence South 88° 08' 06" West, 100.04 feet to a point marked by a 5/8 inch iron pin; thence North 0° 16' 11" West, 1790.78 feet to a point marked by a 5/8 inch iron pin; thence North 89° 24' 20" East, 288.85 feet to a point marked by a 5/8 inch iron pin; thence North 0° 16' 11" West,

CONTINUED

1248.34 feet to a point marked by a 5/8 inch iron pin; thence continuing North 0° 16' 11" West, 40.15 feet to a 5/8 inch iron pin marking the true point of beginning of this property description; thence North 84° 45' 00" East, 706.65 feet to a point marked by a 5/8 inch iron pin; thence North 0° 16' 11" West, 464.35 feet to a point marked by a 5/8 inch iron pin; thence South 89° 34' 11" East, 302.40 feet to a 5/8 inch iron pin set in an existing North-South fence line; thence North 2° 38' 15" West, along said existing fence line, 660.36 feet to a 3/4 inch iron pipe set in a North-South-West fence corner; thence 2° 56' 00" West, along said existing fence line, 1376.86 feet to a 3/4 inch iron pipe set in an existing East-West fence line; said East-West fence line also marks the North boundary of the J. B. Thompson Donation Land Claim No. 51, Notification No. 7026, in Section 32, Township 18 South, Range 2 West, Willamette Meridian; thence South 89° 55' 12" West, along said existing fence line that marks the North line of said Donation Land Claim No. 51, 259.73 feet to a East-North fence corner that marks the Southeast corner of the William Bowman and wife Donation Land Claim No. 78, Notification No. 7039, in Section 32, Township 18 South, Range 2 West, Willamette Meridian; thence North 0° 30' 00" East, along an existing fence line that marks the East boundary of said Donation Land Claim No. 78, 1979.34 feet, more or less, to a North-South-West fence corner; said fence corner marks the Northeast corner of that certain tract of land conveyed to Maxine S. Taylor by Warranty Deed recorded November 24, 1943, in Book 258, Page 250, Land County Oregon Deed Records; thence West, along an existing fence line that marks the North line of said Taylor property, 3656.96 feet, more or less, to a point in the centerline of Lane County Road No. 888 (Cloverdale Road); thence along the centerline of Lane County Road No. 888 as follows: South 0° 36' 27" East 1045.71 feet to a point; thence South 7° 53' 07" East, 239.04 feet to a point; thence South 16° 12' 12" East, 186.03 feet to a point; thence South 22° 41' 26" East, 135.34 feet to a point; thence South 30° 03' 47" East, 213.71 feet to a point; thence South 33° 52' 54" East, 732.33 feet to a point; thence South 27° 16' 27" East, 223.86 feet to a point; thence South 16° 56' 46" East, 202.97 feet to a point; thence South 7° 55' 06" East, 284.38 feet, more or less, to a point that bears South 84° 45' 00" West from the point of beginning; thence leaving the centerline of Lane County Road No. 888, North 84° 45' 00" East, 2156.84 feet, more or less, to the point of beginning, all in Lane County, Oregon.

Map Illustrating the Subject Property



Measure 37 Claim Number: M37-_____

Application for Claims Under LC 2.700 through 2.770

Due to Regulatory Reduction of Property Value Under Provisions Added to ORS Chapter 197 by BM37

Note: This completed form together with the referenced supporting documentation and application fee must be submitted to the Lane County Land Management Division, 125 East 8th Avenue, Eugene, Or., 97401 for all claims subject to the provisions added to ORS Chapter 197 by Ballot Measure 37 (November 2, 2004), to be considered for compensation under LC 2.700 through 2.770. In all cases, the applicant has the burden of demonstrating, with competent evidence, that all applicable criteria are met and the applicant would be entitled to compensation if the land use regulation continues to apply. Use additional paper, if necessary.

1. Applicant/ Agent

		97426
<u>Maxine S. Taylor</u>	<u>84247 Cloverdale Rd., Creswell, OR</u>	<u>(541)337-6623</u>
Applicant Name (Please Print)	Mailing Address	Phone
<u>Hershner Hunter, LLP</u>		
<u>Steve Cornacchia</u>	<u>180 E. 11th Ave., Eugene, OR 97401</u>	<u>(541)686-8511</u>
Agent Name (Please Print)	Mailing Address	Phone

2. Property Owner

Please provide the Name, Mailing Address and telephone number of all property owners of record holding interest in the property that is the subject of this application. Include a complete listing of all lien holders, trustees, renters, lessees or anyone with an interest in the property and describe the ownership interest.

		97426
<u>Maxine S. Taylor</u>	<u>84247 Cloverdale Rd., Creswell, OR</u>	<u>(541) 337-6623</u>
Property Owner Name (Please Print)	Mailing Address	Phone
_____	_____	_____
Property Owner Name (Please Print)	Mailing Address	Phone

3. Legal Description

Please provide an accurate legal description, tax account number(s), map, street address and location of all private real properties that are the subject of this application.

Assessor Map & Tax Lot I8-02-32-00-00400 and 19-02-05-00-00100

Street Address None Legal Description Attached X

4. Identification of Imposed Land Use Regulation

Please identify the Lane Code section or other land use regulation imposed on the private real property that is alleged to restrict the use of the subject property in a manner that reduces the fair market value. Include the date the regulation was first adopted, enforced or applied to the subject property and a written statement addressing all the criteria in LC 2.740(1).

Please see Section 3.1.e of attached narrative application.

5. Title Report

Please attach a Preliminary Title Report showing title history and continuous ownership traced to the earliest family member ownership, the date of current owner(s) acquisition and all current interests of record for the subject property, issued within 30 days of the application submittal. Provide copies of relevant deeds. N/A as narrative application contains warranty deed as Exhibit D pursuant to LC 2340(4).

KNOW ALL MEN BY THESE PRESENTS, That JOYCE VON DER HELLEN ROSE and CLARENCE N. ROSE, Wife and Husband,

in consideration of Ten and no/100 Dollars and other valuable consideration Dollars,

to them paid by MAXINE S. TAYLOR

do hereby grant, bargain, sell and convey unto said MAXINE S. TAYLOR

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

Commencing at the northwest corner of the J. B. Thompson Donation Land Claim No. 51, Notification No. 7026, in sections 32 and 33, Township 18 South Range 2 West of the Willamette Meridian, thence East 80.06 chains, thence South 15.20 chains to the South line of said claim, thence west 25.42 chains to the east line of Eli Keeney's Donation Land Claim, thence North 5.00 chains, thence West 54.64 chains and thence North 10.51 chains to the place of beginning, containing 95 acres more or less.

(Also beginning at the southwest corner of the William Bowman and wife Donation Land Claim No. 78, Notification No. 7039 in said township 18 South Range 2 West of Willamette Meridian, and running thence north on the west line of said claim 30.05 chains, thence east parallel with the south line of said claim 84.90 chains to the east line of said claim, thence south 80.05 chains to the southeast corner of said claim and thence west 54.90 chains to the place of beginning, containing 164.87 acres.)

Also the Donation Land Claim of Eli Keeney and wife, Notification No. 6538 in Section 32 Township 18 South Range 2 West of Willamette Meridian and in section 5, township 19 south Range 2 West of Willamette Meridian, containing 319.13 acres, excepting one-half acre enclosed as graveyard.

Also lots 1, 3, 4 and 5, section 5, Township 19 South Range 2 West of Willamette Meridian.

Also the northwest quarter of the northwest quarter of section 4, Township 19 South Range 2 West of Willamette Meridian containing 40.58 acres.

Also lots 2, 3, 4 of section 32, township 18 South Range 2 West of Willamette Meridian.

Also lot 5, section 33, Township 18 South Range 2 West of Willamette Meridian, Lane County, Oregon, excepting a strip of land 116 links wide on the east thereof as described in deed given by John R. Sellers et ux to Merrill Bennett recorded in Volume 155 page 62 Deed Records of Lane County, Oregon. All in Lane County, Oregon.

To Have and to Hold, the above described and granted premises unto the said MAXINE S. TAYLOR

her heirs and assigns forever

And JOYCE VON DER HELLEN ROSE AND CLARENCE N. ROSE,

the grantors above named do covenant to and with the above named grantees her heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances.

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

Witness our hand and seal this 24th day of November, 1945 Executed in the Presence of

Joyce von der Hellen Rose (SEAL) Clarence N. Rose (SEAL)



(SEAL)

FILED APR 24 PAGE 867

AT O'CLOCK M

APR 7 1965

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

LANE COUNTY ZONING AND LAND USE ORDINANCE NO. 194

Zoning certain land in Sections 20, 21, 27, 28, 29, 30, 31, 32, 33, 34, 35, Twp 18S, R2W, W.M. and Sections 2, 3, 4, 5, 6, 8, 9, 10, 11 and 14 in Twp 19S, R2W, W.M. to AGT Agriculture, Grazing, Timber Raising District, RA Suburban District, C-1 Limited Commercial District and C-2 Neighborhood Commercial District

ALSO zoning certain land in Section 36, Twp 18S, R2W, W.M. and Section 1, Twp 19S, R3W, W.M. to AGT Agriculture, Grazing, Timber Raising District

The Board of County Commissioners of Lane County ordains as follows:

The following described land, to-wit:

Beginning at the northeast corner of the E. L. Bristow D.L.C. No. 51 in Township 19 South, Range 2 West, Section 5, being in the centerline of County Road 937 (Cloverdale Road) run thence southerly along said centerline to a point 1377.16 feet northerly from the southwest corner of the O. H. MITCHELL D.L.C. No. 48 in Township 19 South, Range 2 West in Section 8; thence easterly 2008.38 feet; thence northerly to the north line of Section 8 in Township 19 South, Range 2 West; thence easterly along the north line of Sections 8 and 9 to a point 407.22 feet west of the west line of the W. Dodson D.L.C. No. 43 in Township 19 South, Range 2 West; thence southerly to the intersection of the centerline of County Road 651 (Enterprise Road) with the south line of the J. T. Gilfrey D.L.C. No. 46 in Section 9 of Township 19 South, Range 2 West; thence easterly along the south line of said D.L.C. No. 46 to the southeast corner thereof; thence northerly along the east line of said D.L.C. No. 46 to a point 1248.72 feet south of the northeast corner of said D.L.C. No. 46; thence east to the centerline of County Road 311; thence southeasterly along the centerline of said road to its intersection with the east line of the E. Conger D.L.C. No. 47 in Section 10, Township 19 South, Range 2 West; thence southerly along said east line to the southwest corner of the NE 1/4 of the SE 1/4 of Section 10, Township 19 South, Range 2 West; thence East 623.45 feet; thence South 0°0'50" West 309.1 feet; thence North 88°42'40" East 623.45 feet to the west line of Section 11; thence southerly along the west line of Sections 11 and 14 to the southwest corner of Section 14; thence east to the 1/4 corner on the south line of Section 14; thence north to the northwest corner of the SW 1/4 of the SE 1/4 of Section 14; thence east to the northeast corner of said SW 1/4 of the SE 1/4; thence north to the southwest corner of the NE 1/4 of the NE 1/4 of Section 14; thence east to the east line of said Section 14; thence north to the northeast corner of Section 14; thence west about 660.0 feet to the west line of the East 1/2 of the East 1/2 of Section 14; thence north about 1980 feet to the south line of the North 1/2 of the North 1/2 of the South 1/2 of Section 11; thence west about 1980 feet to the north-south centerline of said Section 11; thence north to the center of Section 11; thence west on the east and west centerline of said Section 11 about 1320 feet to the east line of the West 1/2 of the NW 1/4 of Section 11; thence north along said line to the northeast corner of the NW 1/4 of the NW 1/4 of Section 11; thence north along the east line of the West 1/2 of the SW 1/4 of Section 2 about 2640 feet to the east and west centerline of said Section 2; thence west along said centerline to the southwest corner of Government Lot 8, in Section 2, Township 19 South, Range 2 West; thence north 2452.56 feet; thence east 1102.2 feet; thence north about 1460 feet across Highway 58 to the centerline of the Old Willamette Highway (County Road 95); thence northwesterly along the centerline of County Road 95 to a point 1426.26 feet west of the centerline of County Road 67 (Pheasant Lane); thence north 20.95 chains; thence east to a point 1000.0 feet west of the centerline of County Road 67; thence northerly about 2800 feet to the north line of the A. Russel D.L.C. No. 59 in Section 26, Township 18 South, Range 2 West; thence westerly along the north line of said

REF. 24 PAGE 863

D.L.C. No. 59 to a point 498.3 feet east of the northwest corner of said D.L.C. No. 59, said point being in the centerline of the Springfield-Creswell Highway, thence northerly along said Highway 811.8 feet; thence west 2322.54 feet; thence north 2932.06 feet to a point in the centerline of County Road No. 67 (Walley Road), thence west along said centerline to a point 921.36 feet east of the southwest corner of the J. Russell D.L.C. No. 72; thence north about 1455 feet to the north line of Section 27; thence westerly along said north line of Sections 27 and 28 to a point 1327.9 feet west of the east line of the Michael Shelley D.L.C. No. 76; thence north to the north line of said D.L.C. No. 76; thence north 89°55' East 16.48 feet along the north line of said D.L.C. No. 76; thence north 823.68 feet; thence west 2790.20 feet; thence north 0°21'45" East 994.12 feet; thence north 5°52' East 1050.9 feet to a point in the centerline of County Road 314; thence westerly to the south southwest corner of the Robert Callison D.L.C. No. 74; thence northerly to a point 1273.8 feet south of the northeast corner of the H. Shelley D.L.C. No. 75; thence west 3350.82 feet; thence south 1280.4 feet; thence west to the center of the Coast Fork of the Willamette River; thence southwesterly along the centerline of said river to the point of intersection with the north line of the E.L. Bristow D.L.C. No. 51 in Section 6, Township 19 South, Range 2 West; thence easterly along the north line of said D.L.C. to the point of beginning in Lane County, Oregon.

is hereby zoned to AGT AGRICULTURE, GRAZING, TIMBER RAISING DISTRICT;

EXCEPT that portion of the above described land being described as follows, to-wit:

Beginning at the intersection of the southerly line of Willamette Highway No. 58 with the east line of Lot 5 of the Plat of Pleasant Hill as platted and recorded in Book 4, Page 71, Lane County Oregon Plat Records; run thence south along the east line of said Lot 5 about 920.0 feet to a point 92.40 feet south of the north line of Lot 6 of said plat; thence east 133.02 feet, thence south parallel to and 338.0 feet distant west of the centerline of County Road No. 1208 (Bristow Road) 1434.61 feet to the south line of said plat; thence east along said line 338.0 feet to the centerline of said County Road No. 1208; thence north along said centerline 819.46 feet; thence east 357.06 feet; thence north 1317.14 feet to the southerly line of said Willamette Highway; thence northwesterly along said line to the place of beginning, being in Sections 33 and 34, Township 19 South, Range 2 West, Willamette Meridian, Lane County, Oregon

AND ALSO:

Blocks 1, 2 and 3 except Lot 1 of Block 3 of El Monte as platted and recorded in Book 31, Page 9, Lane County Oregon Plat Records

AND ALSO:

Beginning at the initial point of Kensington Park as platted and recorded in Book 34, Page 22, Lane County Oregon Plat Records; run thence north 0°52' east along the west line of said Kensington Park and the west line of the 1st Addition to Kensington Park 1651.15 feet to the south line of Zephyr Ridge Subdivision as platted and recorded in Book 17, Page 20, Lane County Oregon Plat Records; thence westerly along said south line 739.9 feet to the east line of Zephyr Ridge 1st Addition as platted and recorded in Book 44, Page 11, Lane County Oregon Plat Records; thence south along said east line and its extension thereof to the northerly line of County Road No. 95 (Old Willamette Highway); thence northwesterly along said line to the west line of said Zephyr Ridge 1st Addition; thence northerly along said west line to the northwest corner thereof; thence east 350.0 feet to the northeast corner thereof, said point being on the west line of said Zephyr Ridge Subdivision; thence northerly along said

24 PAGE 869

line and the west line of the Subdivision of Lot 11 of Zephyr Ridge Subdivision as platted and recorded in Book 26, Page 9, Lane County Oregon Plat Records 1104.39 feet to the northwest corner of said plat; thence easterly 74.74 feet to the northeast corner of Lot 12 of said Zephyr Ridge Subdivision; thence south 429.40 feet to the northwest corner of Lot 13 of said plat; thence easterly along the north line of Lots 13, 14, 15 and 16 of said plat 1902.20 feet to the centerline of County Road No. 1314 (Ridgeway Road); thence southeasterly along said centerline 599.21 feet to the east southeast corner of said plat; thence westerly along the south line of Lots 1, 2, 3, 4 and 5 to the southwest corner of Lot 5 of said plat; thence south 402.16 feet to the southeast corner of Lot 6 of said plat; thence westerly along the south line of said plat about 391.0 feet to the northeast corner of Block 5 of the 1st Addition to Kensington Park; thence southerly along the east line of said Block 5 about 619.17 feet to the angle point therein; thence easterly 711.15 feet to the northeast corner of Block 2 of said plat; thence southerly along the east line of said plat and following the east line of Kensington Park to the northerly line of Willamette Highway No. 58; thence northwesterly along said line to the place of beginning being in Sections 28 and 29, Township 18 South, Range 2 West, Willamette Meridian, Lane County, Oregon

is hereby zoned to RA-SUBURBAN DISTRICT

AND ALSO EXCEPT that portion of the above described land being described as

follows, to-wit:

Beginning at the northeast corner of Lot 1, Block 3 of El Monte as platted and recorded in Book 31, Page 9, Lane County Oregon Plat Records; run thence south 27° 32' 50" west 462.33 feet to the northerly line of a frontage road 50.0 feet in width as shown on said plat; thence north 62° 22' east along said line 139.92 feet to the easterly line of Tillicum Avenue; thence north 27° 38' east 390.65 feet; thence north 24° 39' 30" east 64.35 feet; thence south 65° 20' 30" east 142.76 feet to the place of beginning, being in Section 28, Township 18 South, Range 2 West, Willamette Meridian, Lane County, Oregon

AND ALSO:

Beginning at the northwest corner of the Wm. Bristow D.L.C. No. 77, Township 18 South, Range 2 West, Willamette Meridian; thence north 1° 02' east 527.85 feet along the east line of the Wm. Bowman D.L.C. No. 78, said Township and Range, to a point in the right of way of Oregon State Highway No. 58; thence north 59° 59' west 1784.98 feet to an iron pin set on the southerly line of said right of way and marking the True Point of Beginning; thence south 30° 00' west 364.64 feet; thence south 89° 30' 45" west 135.84 feet; thence north 0° 29' 30" west 503.26 feet to a point on the southerly line of said right of way; thence south 59° 59' east 372.41 feet to the true point of beginning, in Lane County, Oregon containing more or less 2.34 acres

is hereby zoned to C-1 LIMITED COMMERCIAL DISTRICT;

AND ALSO EXCEPT that portion of the above described land being described as

follows, to-wit:

Beginning at the intersection of the northerly line of the Willamette Highway with the westerly line of Tillicum Avenue as shown in El Monte as platted and recorded in Book 31, Page 9, Lane County Oregon Plat Records; run thence north 27° 38' east 250.0 feet to the southeast corner of Lot 1, Block 1 of said plat; thence north 62° 22' west 388.62 feet to the southwest corner of Lot 2, Block 1 of said plat; thence north 340.53 feet; thence westerly 427.02 feet to the centerline of County Road

REEL 24 PAGE 870

No. 314 (Ridgeway Road); thence southerly along said centerline 402.0 feet more or less to the northerly line of said Willamette Highway No. 58; thence southerly along said line to the place of beginning; being in Section 28, Township 18 South, Range 2 West, Willamette Meridian, Lane County, Oregon.

is hereby zoned to C-2 NEIGHBORHOOD COMMERCIAL DISTRICT and each above district being subject to the regulations provided therefor in Lane County Zoning and Land Use Regulation Ordinance No. 4, as amended, known as the "Zoning Plan of the County of Lane, State of Oregon," pursuant to O.R.S. Chapter 215.

Approved and recommended for enactment by the affirmative vote of a majority of the entire membership of the Lane County Planning Commission this 23rd day of March, 1965, after giving due notice of public hearing and holding a public hearing on the 23rd day of March, 1965.

John B. Leahy
Chairman

Howard W. Buford
Secretary

Enacted this 7 day of April, 1965.

Frank A. Smith
Chairman of the Board of County Commissioners of Lane County

Fred J. Smith
Recording Secretary of the board at the meeting at which this ordinance was enacted

IN THE COUNTY COURT OF THE STATE OF OREGON FOR LANE COUNTY
Sitting in and for the Transaction of County Business

In the Matter of an Ordinance to Establish)
a Zoning or Land Use Code to be used in (ORDER
Establishing Land Use Districts)

Zoning and Land Use
Regulation Ordinance #4

Pursuant to the authority vested in the County Court by Chapter 537, Oregon Laws, 1947 and by vote of the people on November 2, 1948, upon the question "Shall the County Court be authorized to enact zoning and land use regulations?" the following ordinance is hereby enacted:

AN ORDINANCE OF THE COUNTY OF LANE, STATE OF OREGON, ADOPTING A PRECISE LAND USE MASTER PLAN TO REGULATE AND RESTRICT THE LOCATION AND USE OF BUILDINGS AND THE USE OF LAND IN THE UNINCORPORATED TERRITORY OF LANE COUNTY BY DIVIDING THE COUNTY INTO LAND USE DISTRICTS; TO LIMIT THE HEIGHT AND BULK OF FUTURE BUILDINGS; TO PROVIDE FOR SETBACK LINES, SIZE OF YARDS, AND OTHER OPEN SPACES; TO ESTABLISH MINIMUM LOT SIZES; TO PROVIDE FOR THE PROTECTION OF FUTURE COUNTRY ROADS AND THE WIDENING OF CERTAIN EXISTING ROADS; TO PROVIDE FOR AUTOMOBILE PARKING FACILITIES, TO PROVIDE FOR THE ENFORCEMENT, ADJUSTMENT, AND AMENDMENT THEREOF; AND TO PRESCRIBE PENALTIES FOR ITS VIOLATION IN THE COUNTY OF LANE, STATE OF OREGON.

THE COUNTY COURT OF THE COUNTY OF LANE, STATE OF OREGON, DOES ORDAIN AS FOLLOWS:

SECTION I. ADOPTION OF ZONING PLAN

A. There is hereby adopted a zoning plan for a portion of the County of Lane, State of Oregon.

B. This ordinance shall consist of the text hereof and maps entitled, "Lane County Zoning Maps," and identified by the approvals and signatures of the County Judge, the chairman of the County Planning Commission, and the County Clerk.

C. This Ordinance is adopted under the provisions of the State Enabling Act establishing County Planning and Zoning, Chapter 537, Oregon Laws, 1947, approved by the Governor of the State of Oregon, April 18, 1947.

SECTION II. TITLE

This Ordinance shall be known as the "Zoning Plan of the County of Lane, State of Oregon."

FILED

AT O'CLOCK M

JUN 2 1949

HARRY L. CHASE
COUNTY CLERK

W. D. Duckworth
DEPUTY

ROOM 27 PG 332

SECTION III. PURPOSE

The purpose of this Ordinance is to establish for the County of Lane, State of Oregon, a comprehensive zoning plan designed to regulate and restrict the location and use of buildings, structures, and land for recreational, educational, residential, commercial and industrial purposes; to regulate and limit the height, number of stories, and percent of lot coverage of buildings and other structures hereafter erected or altered; to establish minimum widths and areas for the subdivision or resubdivision of lots; to provide for the protection of future primary roads and the widening of certain existing roads; and to regulate and establish minimum requirements for private garages or off-street parking facilities according to districts and type of building or structure.

The controls as set forth in this Ordinance are deemed necessary in order to encourage the most appropriate use of the land; to protect the character and the social and economic stability of residential, commercial, industrial, and other areas within the County, and to assure the orderly development of such areas; and to obviate the menace to the public safety resulting from the improper location of buildings and the uses thereof, and the establishment of land uses along primary highways in such manner as to cause interference with existing or prospective traffic movement on said highways.

SECTION IV. DEFINITIONS

A. For the purpose of this Ordinance certain words, terms, and phrases are defined as follows:

B. Words used in the present tense include the future; the singular number includes the plural; and the word "shall" is mandatory and not directory. Whenever the term "this Ordinance" is used herewith it shall be deemed to include all amendments thereto as may hereafter from time to time be adopted. The word "County" as used herein shall mean the County of Lane, State of Oregon; the words "Planning Commission" shall mean the County Planning Commission of the County of Lane, State of Oregon; the word "boundary" shall mean the boundary of the County of Lane, State of Oregon, or the boundary of any incorporated municipality within said County.

ACCESSORY BUILDING shall mean any subordinate building or portion of a main building, the use of which is incidental, appropriate, and subordinate to that of the main building.

ACCESSORY USE shall mean a use incidental, appropriate, and subordinate to the main use of a lot or building.

AGRICULTURE: The tilling of the soil, the raising of crops, horticulture, small livestock farming, dairying and/or animal husbandry. Tracts of land of five acres or less should be, for the purpose of this ordinance, presumed to be non-agriculture, non-grazing, non-horticulture and not used for the growing of timber, unless proved to be otherwise.

SECTION XXIX. VIOLATIONS AND PENALTIES

BOOK 27 PAGE 367

A person, firm, or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than one-hundred dollars (\$100.00) and in default of payment thereof, by imprisonment for one day for each two dollars (\$2.00) of such unpaid fine. Each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Ordinance is committed or continued by such person, firm, or corporation, and shall be punished accordingly.

Approved by the affirmative vote of a majority of the Lane County Planning Commission after due public notices and hearings, this 27th day of May, 1949.

Ralph S. Rogers
Chairman

Howard W. Beaufort
Secretary

Regularly passed and adopted by the County Court of the County of Lane, State of Oregon, this 31st day of May, 1949.

Clinton Hawk
County Judge

W. J. Hollander
County Commissioner

County Commissioner

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. PA 884)
) IN THE MATTER OF APPLYING THE RURAL
) COMPREHENSIVE PLAN DESIGNATIONS AND
) RURAL COMPREHENSIVE PLAN ZONES TO
) RURAL LANE COUNTY OUTSIDE THE
) METROPOLITAN AREA GENERAL PLAN
) BOUNDARY, AND OUTSIDE ALL URBAN
) GROWTH BOUNDARIES, REPEALING PRIOR
) ZONING DISTRICTS AND PLAN DESIGNA-
) TIONS, AND ADOPTING A SAVINGS AND
) SEVERABILITY CLAUSE

WHEREAS, the plan designations and zoning districts applicable to rural Lane County are not in full compliance with the Statewide Goals, and

WHEREAS, the Oregon State Land Conservation and Development Commission has granted Lane County an extension of time to revise its designations and zones to bring them into conformity with the Statewide Planning Goals; and

WHEREAS, the Board of County Commissioners has received from the Lane County Planning Commission and the West Lane County Planning Commission recommended application of the new plan designations and zones, and

WHEREAS, the Board of County Commissioners has conducted a public hearing and is now ready to take action, now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY ORDAINS AS FOLLOWS:

1. The Plan Designation and Zones as set forth on the attached maps (Exhibit "A") are hereby applied to Rural Lane County outside the Metropolitan Area General Plan Boundary and outside all Urban Growth Boundaries as modified by the attached change request summary, Board of County Commissioners action column (Appendix "B").

2. With exception of the following:

- (a) Rural Transportation Plan (Adopted by Ordinance No. 3-80).
- (b) Willamette Greenway Plan (Adopted by Ordinance No. 783).
- (c) Parks and Open Space Plan (Adopted by Ordinance No. 850).
- (d) Solid Waste Management Plan (Adopted by Ordinance No. 771 and subsequent amendment).
- (e) Coastal Resources Management Plan (Adopted by Ordinance No. 803) (Amended by Ordinance Nos. 862 and 876).

- (f) Siuslaw River Dredged Material Disposal Plan (Adopted by Ordinance No. 749) (Amended by Ordinance Nos. 861 and 877).
- (g) Housing Plan (Adopted by Ordinance 1-78).

the prior Plan and Zone designations are repealed. However, the prior Plan designations and zoning districts remain in full force and effect to authorize prosecution of persons who violate their provisions prior to the effective date of this Ordinance.

3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any 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.

4. The exceptions to Statewide Goals 3 and 4 are set forth in the attached Exhibit "B".

While not part of this Ordinance, the Board of County Commissioners adopt the Legislative Findings set forth in attached Exhibit "C" in support of this action.

Enacted this 29th day of February, 1984.



Chair, Lane County Board of
Commissioners



Recording Secretary for this
Meeting of the Board

ORDINANCE NO. PA 884 - LEGISLATIVE FINDINGS

Ordinance No. PA 884 is the implementation of the policies adopted in Ordinance No. PA 883. The support documents and Findings adopted in that Ordinance are, therefore, adopted as if fully set forth herein.

Major map changes, based upon a nonresource designation are supported by prior quasi-judicial or current Findings set forth on attached Exhibit "D".

The Diagrams and Zones reflect only one "need" exception arising from a prior quasi-judicial application. We, therefore, readopt the need exception set forth on attached Exhibit "E". Note that pursuant to CPR summary, the new designation is Destination Resort, rather than Commercial Zones. However, the exception to the Goal remains valid. The site review conditions are also readopted.

In addition, map changes occurring on the basis of a Marginal Lands designation are explained in the attached Exhibit "F".

All other changes to the maps from the original staff recommendation are supported by changes to the developed and committed exception and the information and Findings submitted with CPR requests. Because the amount of supporting information is very extensive, it is not possible to set out new Findings for each approval, nor is such analysis appropriate for a legislative Ordinance. However, the basis for the approval exists in the written attachments to the CPR's, public testimony and deliberation. This information is available on request.

EXHIBIT "C"

EGEND

(AO)

ZONES

Airport Operation

COMMERCIAL ZONES

(C1)

Limited Commercial

(C2)

Neighborhood Commercial

(C3)

Commercial

(CR)

Rural Commercial

AGRICULTURAL ZONES

(E25)

Exclusive Farm Use 25

(E30)

Exclusive Farm Use 30

(E40)

Exclusive Farm Use 40

(E60)

Exclusive Farm Use 60

FOREST ZONES

(F1)

Nonimpacted Forest Lands

(F2)

Impacted Forest Lands

INDUSTRIAL ZONES

(M2)

Light Industrial

(M3)

Heavy Industrial

RESOURCE ZONES

(NR)

Natural Resource

(PF)

Public Facility

(PR)

Park & Recreation

(QM)

Quarry & Mining

(SG)

Sand & Gravel

/CP

/ Controlled Processing

RESIDENTIAL ZONES

(RA)

Suburban Residential

(RG)

Garden Apartment

(RR1)

Rural Residential

(RR2)

Rural Residential

(RR5)

Rural Residential

(RR10)

Rural Residential

/SR

/ Site Review

LEGEND

(A)

Agricultural Land

(F)

Forest Land

(R)

Rural Land

COMMUNITY

Community

(PF)

Public Facility

(PR)

Park & Recreation

(C)

Commercial

(I)

Industrial

(+)

Airport

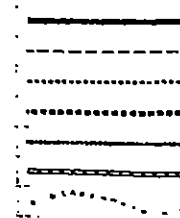
(NR:M)

Natural Resource : Mineral

(NRCA:)

Natural Resource : Conservation Area

Area Subject To Coastal Resources Management Plan



Roadway

Railroad

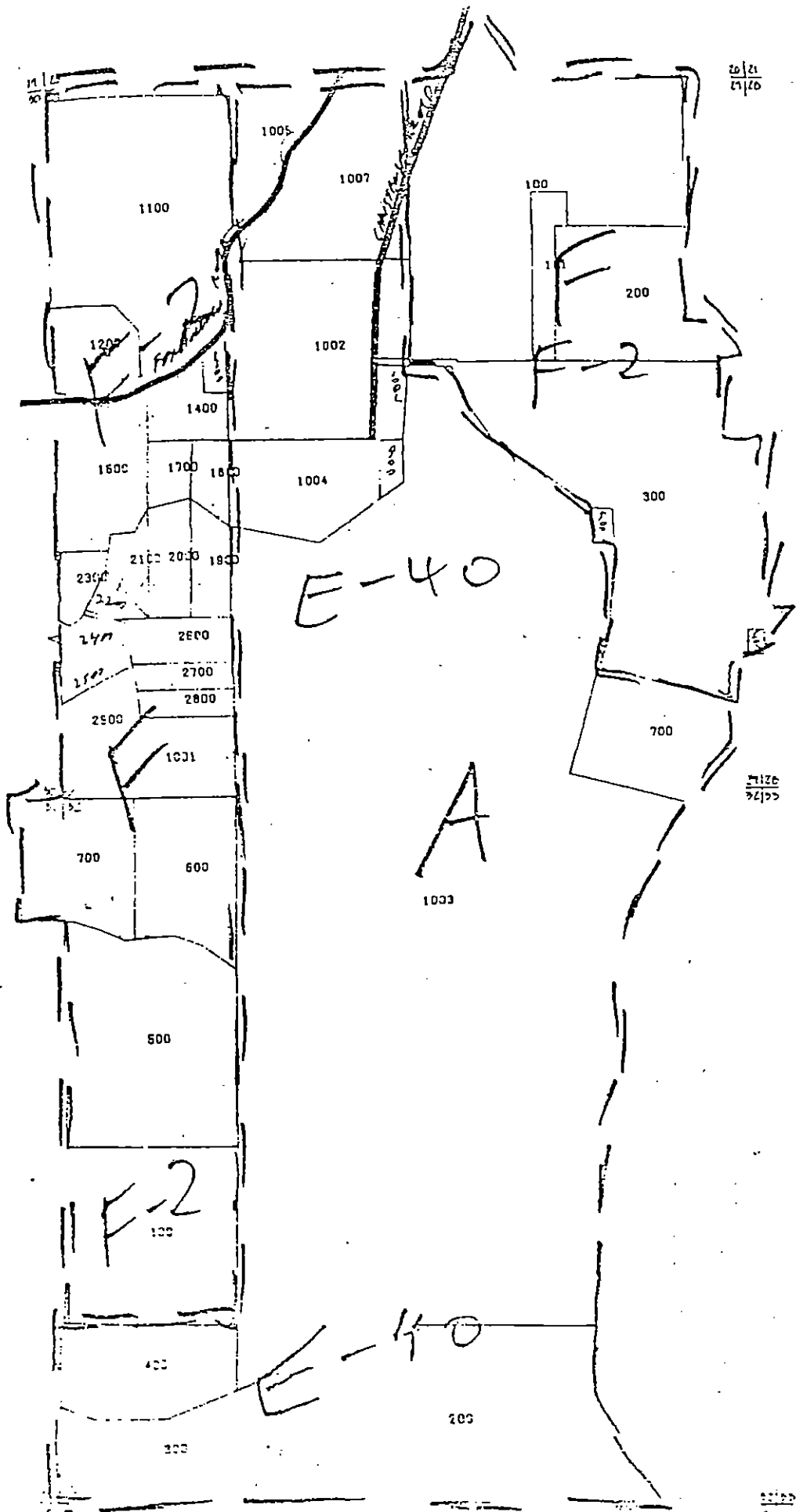
City Limits

Metro Plan Boundary

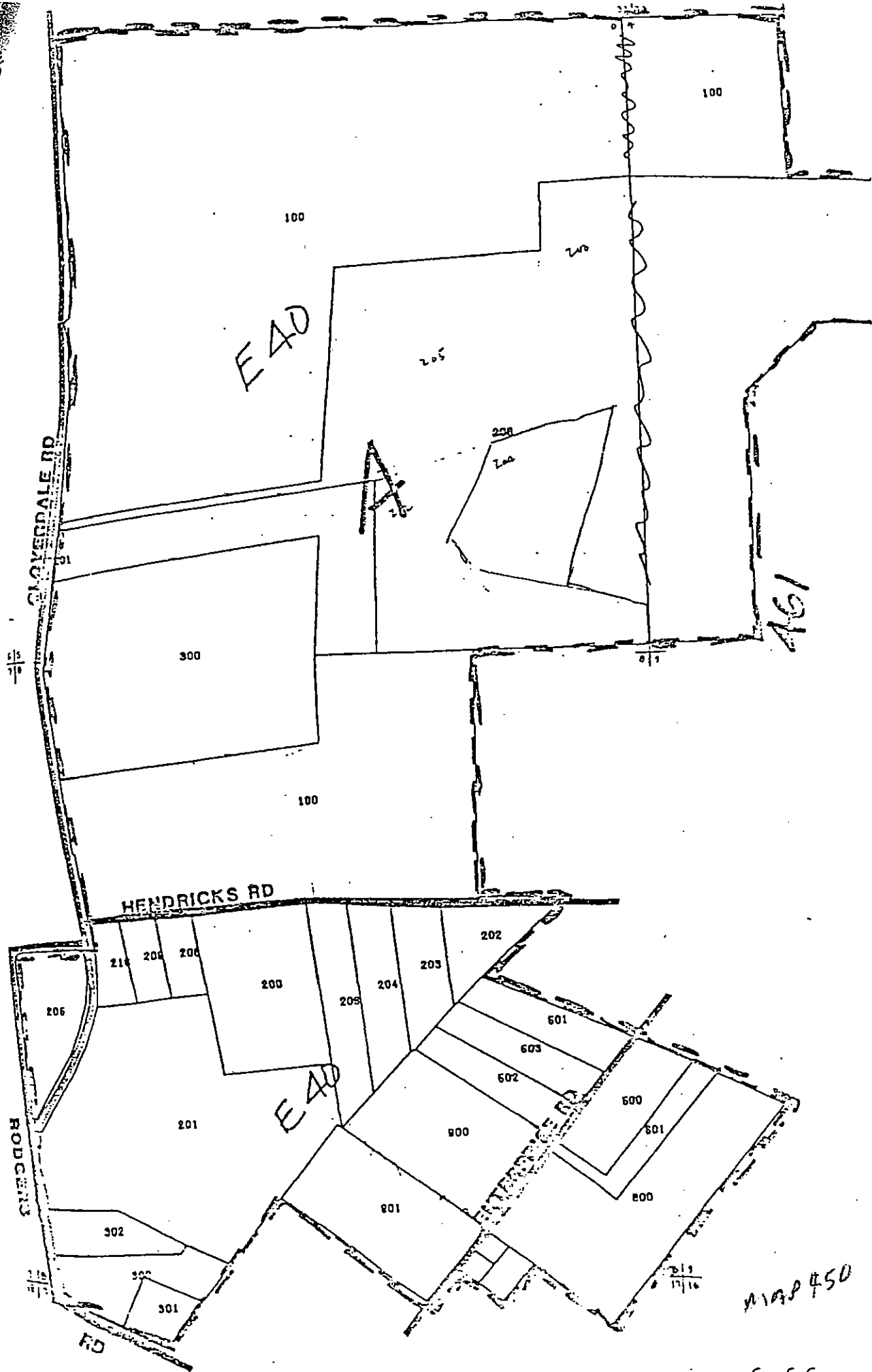
Urban Growth Boundary

County Line

Willamette River Greenway



MAP 365

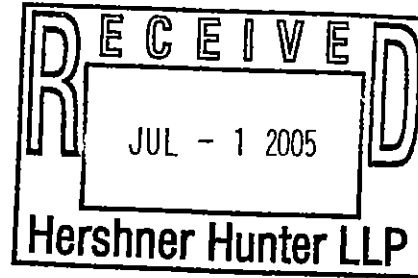


MAP 450

EXHIBIT H
Craig E. McKern, Appraiser, P.C.
State Certified Residential Real Estate Appraiser
Mailing: 1574 Coburg Road, PMB 397, Eugene, Oregon 97401-4802
Telephone 541-345-0744 Facsimile 541-345-0577
email: cem9th@msn.com

June 29, 2005

Maxine S. Taylor c/o Linda Beebee
c/o Steve Cornacchia
Hershner Hunter
180 East 11th Avenue
Eugene, Oregon 97401
RE: Lane Code 2.740 (6)



Steve,

For your files, here is the Ballot Measure 37 summary for the Taylor property at Number Not Assigned, Cloverdale Road, Creswell, Oregon 97426. This includes two tax lots: Tax Lot 18-04-32-00-400, a vacant mainly forested acreage of about 107 acres and Tax Lot 19-02-05-00-00100, of about 142 acres, consisting of mainly slightly sloped to level oak and ash swale, hay and pasture ground and which has an existing home built in 1996.

The assignment consisted of three appraisals:

Estimated value of subject in total "as is" on current 250 acre m/l site -	\$800,000
Estimated value of one hypothetical five acre site on Tax Lot 100 -	\$140,000
Estimated value of one hypothetical five acre site on Tax Lot 400	\$150,000

For purposes of this letter and summary required by the county, it is postulated :

1) ten (10) five acre parcels could be created from 142 acre Tax Lot 100 (leaving about 92 acres of oak and ash swale, hay and pasture ground), and including the present homesite, for a total of \$1,400,000 in "hypothetical" value

2) twenty (20) five acre parcels could be created from 107 acre Tax Lot 400. (leaving about 7 acres for roads and other uses such as a common area park or open space) for a total of \$3,000,000 in "hypothetical" value

Total "hypothetical" created site value = \$4,400,000 less \$800,000 "as is" value = \$3,600,000 plus \$368,000 (residual value of 92 acres at \$4,000 per acre) = \$3,968,000; say, \$4,000,000 gross hypothecated estimated value difference.

Cordially,

A handwritten signature in cursive script that reads "Craig E. McKern".

Craig E. McKern

File No. 051705A, B, C

Three Summary Appraisal Reports of Complete Appraisals of
vacant and improved acreages located at

Tax Lot 19-02-05-00-00100, a 142.17 more or less acre site
and
Tax Lot 18-02-32-00-00400, a 107.43 more or less acre site
A total 249.60 more or less acre site, the "before" instance
(surveyed, one buildable homesite)

AND

Portion of Tax Lot 19-02-05-00-00100
A five acre hypothetical site, an "after" instance
(unsurveyed, not a legal lot or partitioned site at this time)

AND

Portion of Tax Lot 18-02-32-00-00400
A five acre hypothetical site, an "after" instance
(unsurveyed, not a legal lot or partitioned site at this time)

Address:
Number Not Assigned Cloverdale Road
Creswell, Oregon 97426

Client:

Maxine S. Taylor
c/o Linda Beebee, agent
84247 Cloverdale Road
Creswell, Oregon 97426

Purpose of the Appraisal:

To estimate market value of actual and hypothetical parcels subject to certain conditions
outlined in the text and exhibits of the reports 051705A, 051705B and 051705C

Use of the Appraisal:

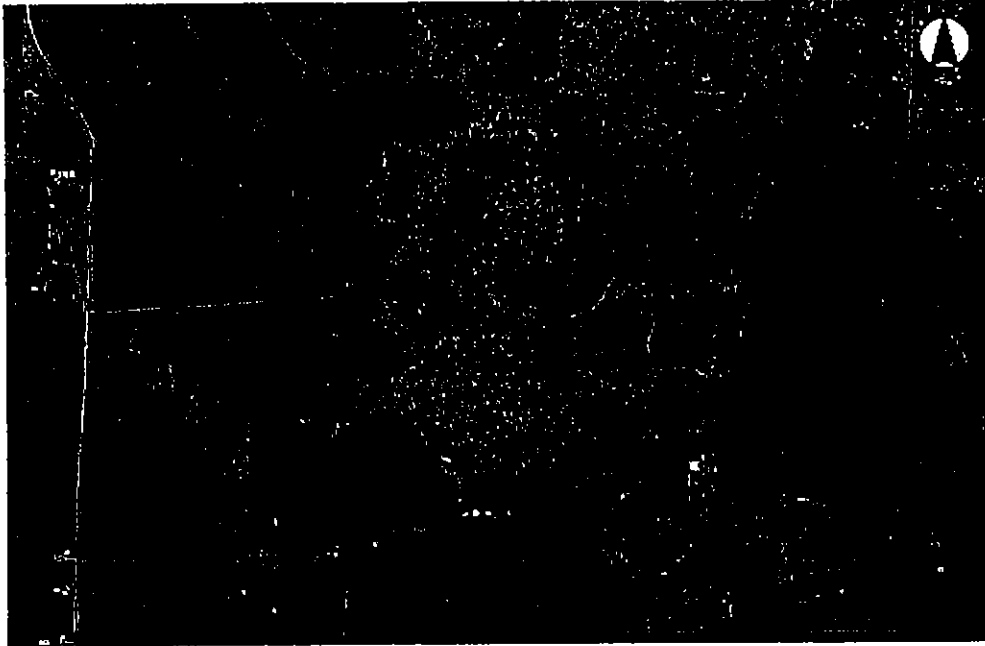
For use in a State Measure 37 proceeding brought by the owner and agent in Lane County, Oregon

Date of Most Recent Inspection
and Effective Date of Report:
June 11, 2005

Report Completion Date:
June 22, 2005

Prepared by:

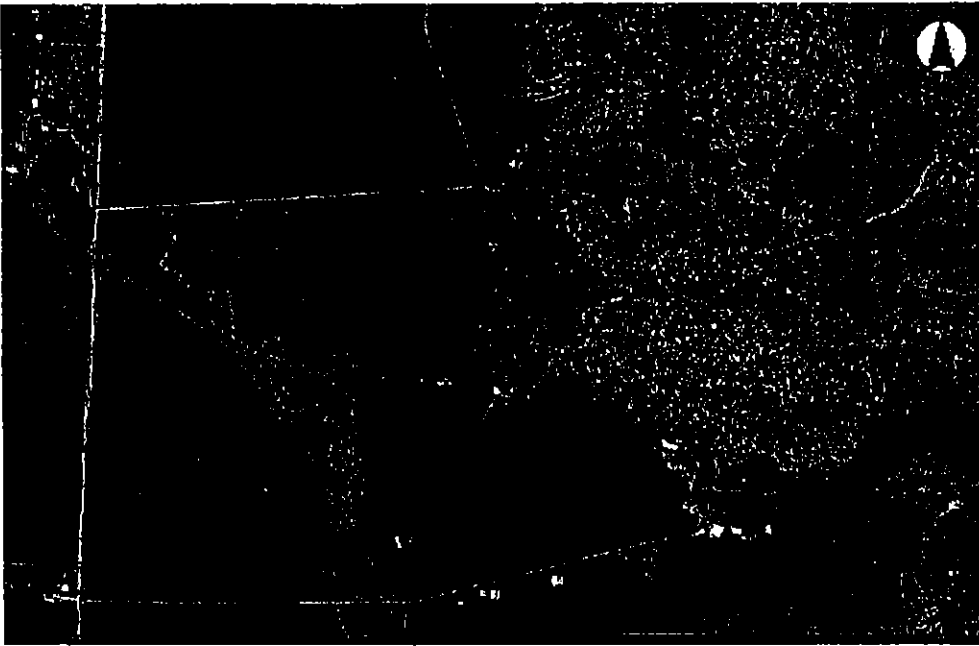
Craig E. McKern, Appraiser, P.C.
Certified Residential Real Estate Appraiser
1574 Coburg Road, PMB 397
Eugene, Oregon 97401-4802
files 051705A, 051705B and 051705C



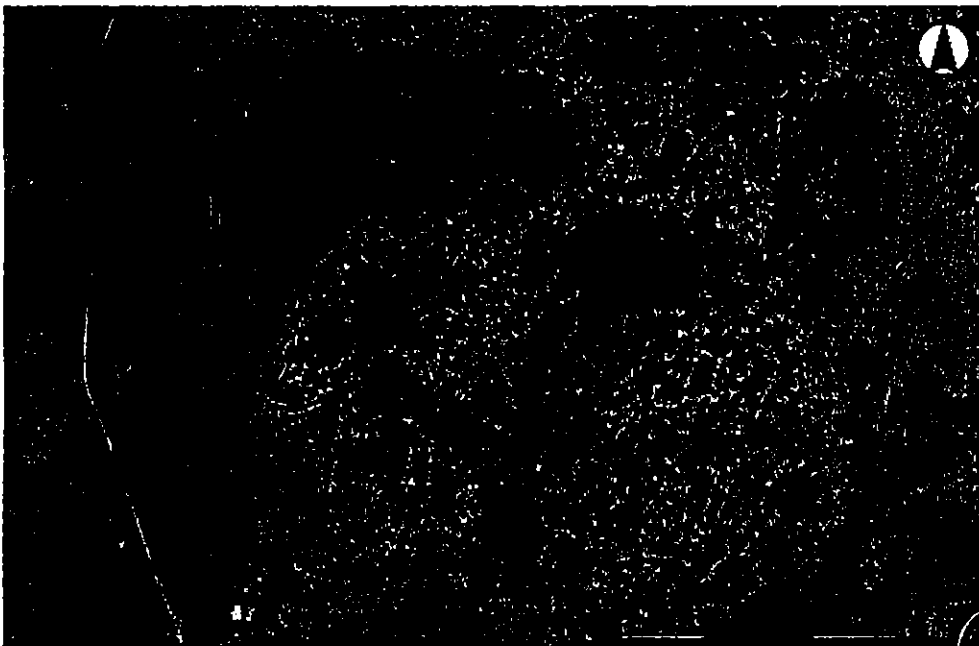
General aerial view from county source with Cloverdale Road along left, Buena Vista Road along bottom, southwest portion to lower left and northeast portion to upper right, driveway to rental dwelling on site running left edge to right center

Detail aerial photos

Borrower/Client	No borrower				
Property Address	Number Not Assigned Cloverdale Road // Tax Lots 18-02-32-00-00400 and Tax Lot 19-02-05-00-00100				
City	Creswell	County	Lane	State	OR
Zip Code	97426				
Lender	Taylor, Maxine S. c/o Linda Beebee				



Detail of southwest portion
(Tax Lot 100) with Cloverdale
Road along left side
Buena Vista Road at bottom
rental dwelling belong upper
center of photo

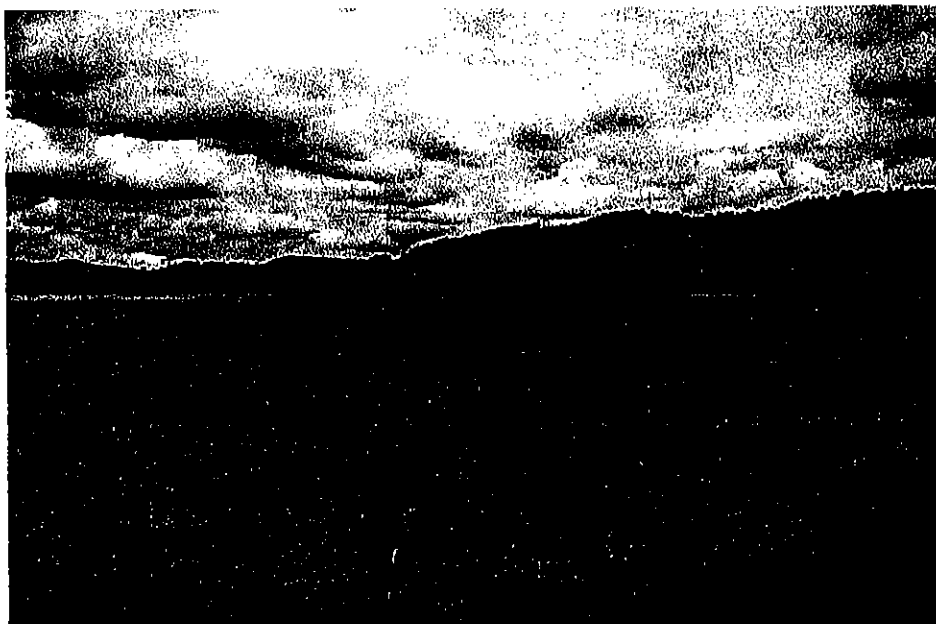


Northeast portion of site
(Tax Lot 400) with rental dwelling
at lower left
Wooded hills and pasture at
upper center

Note faint grey lines for
approximate property lines
See plat map

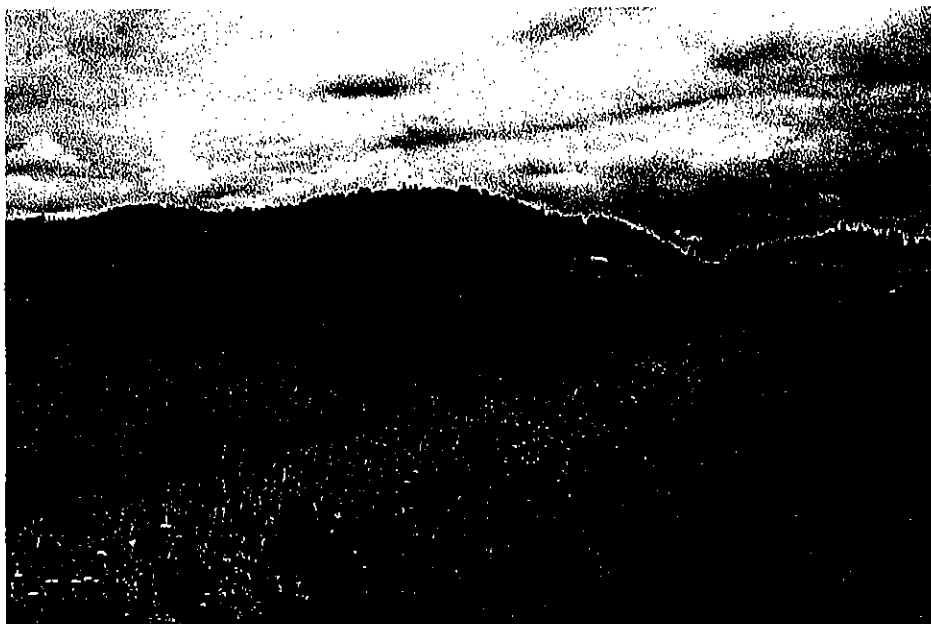
PHOTOGRAPH ADDENDUM One

Borrower/Client	No borrower				
Property Address	Number Not Assigned Cloverdale Road // Tax Lots 18-02-32-00-00400 and Tax Lot 19-02-05-00-00100				
City	Creswell	County	Lane	State	OR
				Zip Code	97426
Lender	Taylor, Maxine S. c/o Linda Beebee				



Looking from southwest corner of Tax Lot 100 open field toward northeast portion Tax Lot 4000 wooded hills

Brush lone in field center runs diagonal southeast to northwest



Looking east on Buena Vista Road south TL 100 on left



Looking north from Buena Vista Road across TL 100, Mt. Pisgah in distance

PHOTOGRAPH ADDENDUM Two

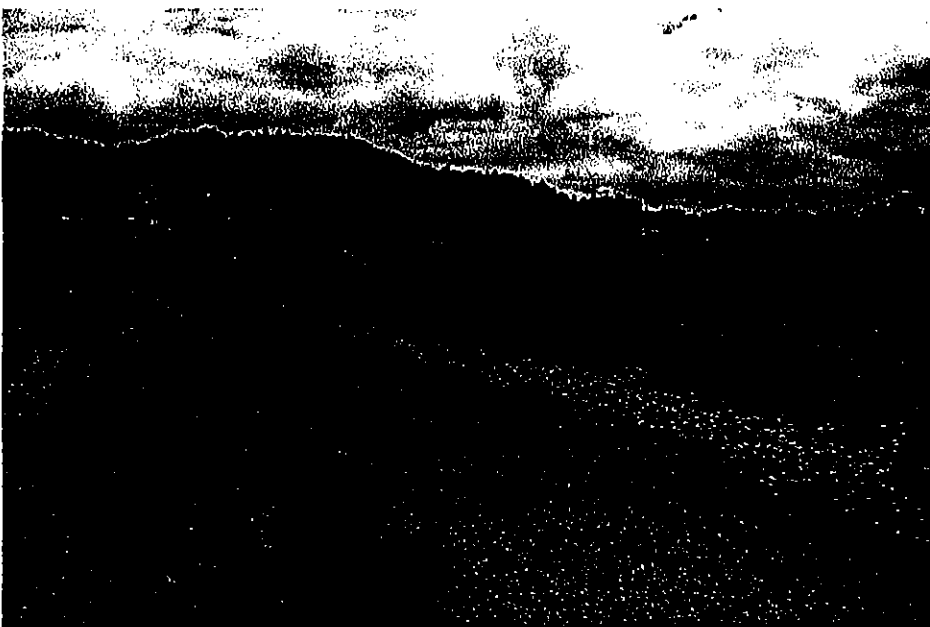
Borrower/Client	No borrower						
Property Address	Number Not Assigned Cloverdale Road // Tax Lots 18-02-32-00-00400 and Tax Lot 19-02-05-00-00100						
City	Crewell	County	Lane	State	OR	Zip Code	97426
Lender	Taylor, Maxine S. c/o Linda Beebee						



Cloverdale Road looking south with northwest corner of Tax Lot 100 on left



Looking southeast across TL 100 toward diagonal brush line

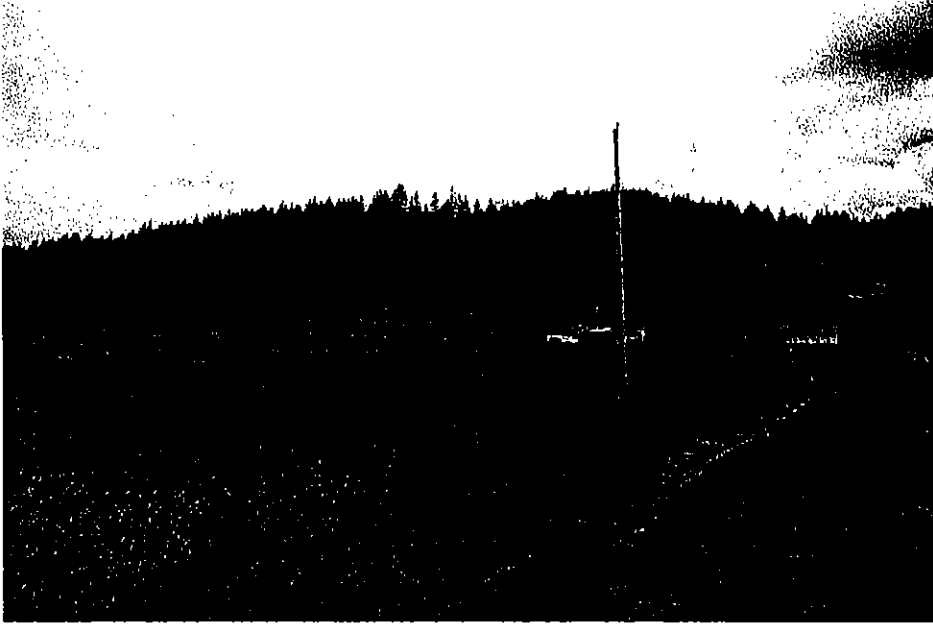


Looking east on access drive, rental dwelling and shed at far left

*"B" Report
AREA*

PHOTOGRAPH ADDENDUM Three

Borrower/Client	No borrower				
Property Address	Number Not Assigned Cloverdale Road // Tax Lots 18-02-32-00-00400 and Tax Lot 19-02-05-00-00100				
City	Creswell	County	Lane	State	OR
Lender	Taylor, Maxine S. c/o Linda Beebee				
				Zip Code	97426



Rental dwelling in square area as shown on plat map, wooded hills of Tax Lot 400 mostly to left of rental dwelling



Rental dwelling and shed/garage



Lower slope of wooded hills of Tax Lot 400 looking north from northeast of rental dwelling

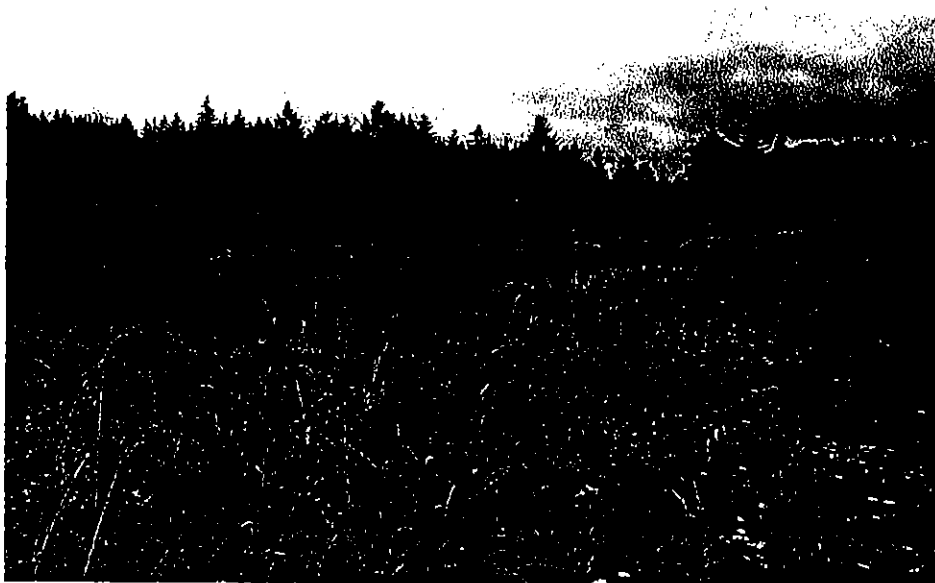
PHOTOGRAPH ADDENDUM Four

Borrower/Client	No borrower						
Property Address	Number Not Assigned Cloverdale Road // Tax Lots 18-02-32-00-00400 and Tax Lot 19-02-05-00-00100						
City	Creswell	County	Lane	State	OR	Zip Code	97426
Lender	Taylor, Maxine S. c/o Linda Beebee						



Northwest corner of Tax Lot 400 looking north

"C" report AREA



Northeast corner of Tax Lot 400 looking northeast



North slope of wooded hills of Tax Lot 400 looking east

LAND APPRAISAL REPORT

Summary Appraisal Report

File No. 051705A

Borrower No borrower, Property Address Number Not Assigned Cloverdale Road // Tax Lot 18-02-32-00-00400 and Tax Lot 19-02-05-00-00100, City Creswell, County Lane, State OR, Zip Code 97426, Sale Price \$ Not Sold, Date of Sale N/A, Loan Term N/A, Property Rights Appraised Fee, Lender/Client Taylor, Maxine S. c/o Linda Beebee, Occupant Tenant/Vacant, Appraiser Craig E. McKern

Location Urban, Suburban, Rural, Built Up Over 75%, 25% to 75%, Under 25%, Growth Rate Fully Dev., Rapid, Steady, Slow, Property Values Increasing, Stable, Declining, Demand/Supply Shortage, In Balance, Oversupply, Marketing Time Under 3 Mos., 4-6 Mos., Over 6 Mos., Present Land Use 80% 1 Family, 2% 2-4 Family, 0% Apts., 0% Condo, 3% Commercial, Change in Present Land Use Not Likely, Likely (*), Taking Place (*), Predominant Occupancy Owner, Tenant, 5% Vacant, Single Family Price Range \$ 150,000 to \$ 1,000,000, Single Family Age <1 yrs. to 100+ yrs.

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise): Subject is located about 4 road miles south of Highway 58 and about 4 road miles northeast of Creswell in south central unincorporated Lane County. The area has developed since the 1850's with a very wide variety of home styles, ages, site sizes, land uses and improvements, typical of suburban locations in the county. This location has good proximity to schools, services, local shopping via Interstate 5 and Highway 58. Larger farm and forest parcels also present.

Dimensions Irregular, see plat map, Zoning classification E40- Exclusive Farm Use 40 acre minimum new site, Highest and best use Present use, Other (specify) potential to partition for smaller sites under present 40 acre minimum zoning & Measure 37, Elec. Gas, Water, San. Sewer, OFF SITE IMPROVEMENTS, Topo Level to rolling hills, Size Larger than typical for area residential parcels, Shape Irregular, View See photographs, Drainage Normally Adequate on hay lands with ditch drainages, Is the property located in a HUD Identified Special Flood Hazard Area? No

Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions): See aerial and other photos and plat map to visualize the acreage in total, which has both fairly level hay and pasture land with oak swales and wooded rolling hillside slopes with views. An older home built in 1966 is tenant occupied, considered an interim use. Road access from Cloverdale Road (public) and Buena Vista Lane (private); graveled road ends at rental house (84239). Driveway shared with Beebee home at 84247 for about 1/2 mile. No adverse factors.

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

Table with 5 columns: ITEM, SUBJECT PROPERTY, COMPARABLE NO. 1, COMPARABLE NO. 2, COMPARABLE NO. 3. Rows include Address, Proximity to Subject, Sales Price, Price, Data Source, Date of Sale and Time Adjustment, Location, Site/View, Dwelling, Outbuildings/Other, Well / Septic, Slope/Soils/Drive, Sales or Financing Concessions, Net Adj. (Total), Indicated Value of Subject.

Comments on Market Data: Extremely limited recent market data for similar and sold large properties in the South Willamette Valley forces the use of two currently listed properties as value indicators. A wide range of other listings, pendings and sales from south Linn County to north Douglas County were also reviewed for per acre and other value indications. Sale 3 was a low indicator at the time of sale and was purchased by ****

Comments and Conditions of Appraisal: The appraisal is made to cash equivalency per USPAP and FIRREA guidelines; USPAP departure provisions do not apply. See attached assumptions, limiting conditions and comments. **** a Realtor for future development (speculation) purposes; it is a long fairly narrow tract with uphill slope, good view of river valley to south. Indicators One and Two appear to be high values per acre but do include some net timber value. As active vacant land listings frequently sell for less than full asking price, value opinion stated is conservative. Final Reconciliation: The market data (sale comparison) approach is the only reliable method of estimating vacant or potentially residential site value. The cost approach is omitted as there is limited present value for the interim use improvements on site. The income approach does not normally apply to vacant land.

I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF June 11, 2005 to be \$ 800,000. The opinion of value stated is within a range of indicated values. Value opinion is provided for comparison purposes in a Measure 37 proceeding only and only an actual open market exposure test can be considered to prove a true market value. Craig E. McKern, Appraiser(s), Review Appraiser (if applicable)

LAND APPRAISAL REPORT

HYPOTHETICAL

File No. 051705B

Summary Appraisal Report

IDENTIFICATION
Borrower No borrower
Property Address Number Not Assigned Cloverdale Road // HYPOTHETICAL PORTION of Tax Lot 19-02-05-00-00100
City Creswell
County Lane
State OR
Zip Code 97426
Legal Description Hypothetical Metes and Bounds Legal Description; see deed or exhibit attached
Sale Price \$ Not Sold
Date of Sale N/A
Loan Term N/A yrs.
Property Rights Appraised [X] Fee [] Leasehold [] De Minimis PUD
Actual Real Estate Taxes \$ TBA (yr)
Loan charges to be paid by seller \$ N/A
Other sales concessions Not Applicable
Lender/Client Taylor, Maxine S. c/o Linda Beebee
Address 84547 Cloverdale Road, Creswell, Oregon 97426
Occupant Vacant
Appraiser Craig E. McKern
Instructions to Appraiser appraise to market value per USPAP standards.
Craig E. McKern, Appraiser, P.C. 1574 Coburg Road, PMB 397, Eugene, Oregon 97401 telephone 541-345-0744 facsimile 541-345-0577

NEIGHBORHOOD
Location [] Urban [X] Suburban [] Rural
Built Up [X] Over 75% [] 25% to 75% [] Under 25%
Growth Rate [] Fully Dev. [] Rapid [X] Steady [] Slow
Property Values [X] Increasing [] Stable [] Declining
Demand/Supply [X] Shortage [] In Balance [] Oversupply
Marketing Time [X] Under 3 Mos. [X] 4-6 Mos. [] Over 6 Mos.
Present Land Use 80% 1 Family 2% 2-4 Family 0% Apts. 0% Condo 3% Commercial
0% Industrial 5% Vacant 10% public, parks, riparian
Change in Present Land Use [] Not Likely [] Likely (*) [X] Taking Place (*)
(*) From vacant/undeveloped To residential
Predominant Occupancy [X] Owner [] Tenant 5 % Vacant
Single Family Price Range \$ 150,000 to \$ 1,000,000 Predominant Value \$ 400,000
Single Family Age <1 yrs. to 100+ yrs. Predominant Age 20-50 yrs.

Table with 4 columns: Good, Avg., Fair, Poor. Rows include Employment Stability, Convenience to Employment, Convenience to Shopping, Convenience to Schools, Adequacy of Public Transportation, Recreational Facilities, Adequacy of Utilities, Property Compatibility, Protection from Detrimental Conditions, Police and Fire Protection, General Appearance of Properties, Appeal to Market.

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise): Subject is located about 4 road miles south of Highway 58 and about 4 road miles northeast of Creswell in south central unincorporated Lane County. The area has developed since the 1850's with a very wide variety of home styles, ages, site sizes, land uses and improvements, typical of suburban locations in the county. This location has good proximity to schools, services, local shopping via Interstate 5 and Highway 58. Larger farm and forest parcels also present.

SITE
Dimensions 467' x 467' more or less = 5.0 Sq. Ft. or Acres [] Corner Lot
Zoning classification E40- Exclusive Farm Use 40 acre minimum new site Present Improvements [] do [X] do not conform to zoning regulations
Highest and best use [] Present use [X] Other (specify) potential to partition for smaller sites under Ballot Measure 37 guidelines
Elec. [X] Gas [] Water [] San. Sewer []
Off Site Improvements: Street Access [X] Public [X] Private, Surface Asphalt/Gravel, Maintenance [X] Public [X] Private, Storm Sewer [] Curb/Gutter, Sidewalk [] Street Lights
Topo Slight slope to west
Size Typical for area residential parcels
Shape Arbitrarily square
View Fields below, distant hills
Drainage Adequate by slope, ditch drainages
Is the property located in a HUD Identified Special Flood Hazard Area? [X] No [] Yes

Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions): See plat map and sketch for outline of this HYPOTHETICAL site (the "after" instance) located off private access road to 84239 and 84247 Cloverdale Road. Hypothetical site is placed in slightly sloped Hazelair silty clay loam Class IIIe soils at the southwest toeslope of Sellers Butte and about 200 yards southwest of the existing rental house and backing to the west side of Tax Lot 19-02-05-00-00101, belonging to Linda Beebee. See comment belows for rationale.

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

MARKET DATA ANALYSIS table with columns: ITEM, SUBJECT PROPERTY, COMPARABLE NO. 1, COMPARABLE NO. 2, COMPARABLE NO. 3. Rows include Address, Proximity to Subject, Sales Price, Price, Data Source, Date of Sale and Time Adjustment, Location, Site/View, Dwelling, Outbuildings/Other, Well / Septic, Slope/Crops/Drive, Sales or Financing Concessions, Net Adj. (Total), Indicated Value of Subject.

Comments on Market Data: Adequate sold, pending sale and active listing market data at this time in the Creswell, Pleasant Hill, Cottage Grove areas from which to draw a reasonable value conclusion. Sales 1 and 2 are located off Highway 58 with northerly to northwesterly views. Sale 3 has a westerly view and is about 1/2 mile from Interstate 5 with background traffic noise; rated "average plus" due to this factor.

Comments and Conditions of Appraisal: The appraisal is made to cash equivalency per USPAP and FIRREA guidelines; USPAP departure provisions do not apply. See attached assumptions, limiting conditions and comments. Site is a hypothetical assumption of one of a number of possible 5 acre parcels proposed to be created from the 250+/- acre total subject acreage (the "before" instance). Additional factors are soil types and slope and ease of driveway access at sale, affecting buildability.

Final Reconciliation: The market data (sale comparison) approach is the only reliable method of estimating vacant residential site value. The cost approach is omitted as there are no improvements on site. The income approach does not normally apply to vacant land.

RECONCILIATION
I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF June 11, 2005 to be \$ 140,000
The opinion of value stated is within a range of indicated values. Value opinion is provided for comparison purposes in a Measure 37 proceeding only and only an actual open market exposure test can be considered to prove a true market value.
Craig E. McKern [Signature] [] Did [] Did Not Physically Inspect Property
Appraiser(s) Review Appraiser (if applicable)

Borrower No borrower
 Property Address Number Not Assigned Cloverdale Road // HYPOTHETICAL PORTION of Tax Lot 19-02-05-00-00400
 City Creswell
 County Lane
 State OR
 Zip Code 97426
 Hypothetical Metes and Bounds Legal Description: see deed or exhibit attached
 Date of Sale N/A
 Loan Term N/A
 Property Rights Appraised Not Applicable
 Fee
 Leasehold
 De Minimis PUD
 Sale Price \$ Not Sold
 Actual Real Estate Taxes \$ TBA
 Loan charges to be paid by seller \$ N/A
 Other sales concessions Not Applicable
 Address 84547 Cloverdale Road, Creswell, Oregon 97426
 Lender/Client Taylor, Maxine S. c/o Linda Beebe
 Appraiser Craig E. Mckern
 Occupant Vacant
 Appraisal Craig E. Mckern, P.C. 1574 Coburg Road, PMB 397, Eugene, Oregon 97401 telephone 541-345-0744 facsimile 541-345-0577

Location	<input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural
Built Up	<input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25% to 75%
Growth Rate	<input type="checkbox"/> Fully Dev. <input checked="" type="checkbox"/> Rapid <input checked="" type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining <input type="checkbox"/> Slow
Property Values	<input checked="" type="checkbox"/> Under 3 Mos. <input checked="" type="checkbox"/> 3-6 Mos. <input type="checkbox"/> Over 6 Mos.
Demand/Supply	<input checked="" type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input type="checkbox"/> Oversupply
Marketing Time	<input checked="" type="checkbox"/> Under 3 Mos. <input type="checkbox"/> 3-6 Mos. <input type="checkbox"/> Over 6 Mos.
Present Land Use	80% 1 Family 2% 2-4 Family 0% Apts. 3% Condo 0% Commercial
Change in Present Land Use	<input type="checkbox"/> Not Likely <input checked="" type="checkbox"/> Likely (*) <input checked="" type="checkbox"/> Taking Place (*)
Predominant Occupancy	(*) From vacant/undeveloped To residential <input type="checkbox"/> Owner <input type="checkbox"/> Tenant 5% Vacant
Single Family Price Range	\$ 150,000 to \$ 1,000,000 Predominant Value \$ 400,000
Single Family Age	< 1 yrs to 100+ yrs. Predominant Age 20-50 yrs.

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise). Subject is located about 4 road miles south of Highway 58 and about 4 road miles northeast of Creswell in south central unincorporated Lane County. The area has developed since the 1850's with a very wide variety of home styles, ages, site sizes, land uses and improvements, typical of suburban locations in the county. This location has good proximity to schools, services, local shopping via Interstate 5 and Highway 58. Larger farm and forest parcels also present. Dimensions 467' x 467' more or less = 5.0 Sq. Ft. or Acres
 Zoning classification E40 - Exclusive Farm Use 40 acre minimum new site
 Highest and best use Present use
 Other (specify) potential to partition for smaller sites under Ballot Measure 37 guidelines
 Corner Lot
 Present improvements do do not conform to zoning regulations
 Public Other (Describe)
 Off Site Improvements
 Street Access Public Private
 Shape Arbitrarily square
 View Wooded, Fields below, distant hills
 Drainage Adequate by slope
 Etc. Public
 Gas Private
 Water Public
 San. Sewer Private
 assumed
 Etc. Public
 Storm Sewer
 Sidewalk
 Street Lights
 Curb/Gutter
 Street
 Other (Describe)
 Present use
 Other (specify) potential to partition for smaller sites under Ballot Measure 37 guidelines
 Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions):
 See plat map and sketch for outline of this
 Hypothetical site (the "after" instance) located off private access road to 84239 Cloverdale Road. Hypothetical site is placed on moderate slope northwest side of Sellers Butte and about 200 yards north of dwelling at 84239 Cloverdale Road. Soils are mainly Steiwer loam, 3% to 12% slopes, Class III, with 20 to 40 inch depth to bedrock; timber yield is typically in lower ranges versus Lane County timberlands generally.
 The undersigned has checked three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject. If a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	NNA Cloverdale Road	37026 Highway 58	Pleasant Hill/ asking \$165,000	Tax Lot 20-03-11-00-00115 Cottage Grove/ asking \$140,000
Proximity to Subject	5 air miles northeast	4 air miles northeast	3 air miles southeast	
Sales Price	Not Sold	\$ 154,750	\$ 165,000	\$ 138,900
Price				
Data Source	Inspection/County	Inspection/County/Realtor	Observation/County/Realtor	Observation/County/Realtor
Date of Sale and Time Adjustment	06-11-2005	03-2005 (COE)	04-2005 (COE)	01-2005 (COE)
Location	Above Average	Above Average	Above Average	Average plus
Site/View	5 ac/Valley, Woods	9.3 ac/Valley, Wds	5 acres/Hills, Wds	5.9 acres/Hills, Wds
Dwelling	None	None	None	None
Outbuildings/Other	None	None	None	None
Well / Septic	None/Assm'd Permit	Installed/Installed	Permitted/Permitted	Permitted/Permitted
Slope/Crops/Dive	Slight Wds/Available	Rolling/Trees/Rough	Rolling/Trees/Rough	Rolling/Trees/Rough
Sales or Financing Concessions	Cash to Seller	New Const. Loan	\$35Mdn, N&TD, 7%	New Const. Loan
Net Adj. (Total)	\$ -	\$ -	\$ -	\$ -
Indicated Value of Subject	\$ 143,750	\$ 150,000	\$ 152,900	\$ 152,900

Comments on Market Data:	Adequate sold, pending sale and active listing market data at this time in the Creswell, Pleasant Hill, Cottage Grove areas from which to draw a reasonable value conclusion. Sales 1 and 2 are located off Highway 58 with northerly to northwesterly views. Sale 3 has a westerly view and is about 1/2 mile from Interstate 5 with background traffic noise; rated "average plus" due to this factor.
Comments and Conditions of Appraisal:	The appraisal is made to cash equivalency per USPAP and FIRREA guidelines. USFAP departure provisions do not apply. See attached assumptions, limiting conditions and comments. Site is a hypothetical assumption of one of a number of possible 5 acre parcels proposed to be created from the 250+/- acre total subject acreage (the "before" instance"). Additional factors are soil types and slope and ease of driveway access at sale, affecting buildability.
Final Reconciliation:	The market data (sale comparison) approach is the only reliable method of estimating vacant residential site value. The cost approach is omitted as there are no improvements on site. The income approach does not normally apply to vacant land.
I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF	June 11, 2005 to be \$ 150,000
The opinion of value stated is within a range of indicated values. Value opinion is provided for comparison purposes in a Measure 37 proceeding only and only an actual open market exposure test can be considered to prove a true market value.	
Appraiser(s)	Craig E. Mckern
Review Appraiser (if applicable)	

RECONCILIATION
 Final Reconciliation: The market data (sale comparison) approach is the only reliable method of estimating vacant residential site value. The cost approach is omitted as there are no improvements on site. The income approach does not normally apply to vacant land.

MARKET DATA ANALYSIS
 Comments on Market Data: Adequate sold, pending sale and active listing market data at this time in the Creswell, Pleasant Hill, Cottage Grove areas from which to draw a reasonable value conclusion. Sales 1 and 2 are located off Highway 58 with northerly to northwesterly views. Sale 3 has a westerly view and is about 1/2 mile from Interstate 5 with background traffic noise; rated "average plus" due to this factor.

Borrower No borrower File No. 051705A
 Property Address Number Not Assigned Cloverdale Road // Tax Lot 18-02-32-00-00400 and Tax Lot 19-02-05-00-00100
 City Creswell County Lane State OR Zip Code 97426
 Lender Taylor, Maxine S. c/o Linda Beebee

APPRAISAL AND REPORT IDENTIFICATION

This appraisal conforms to one of the following definitions:

- Complete Appraisal (The act or process of estimating value, or an opinion of value, performed without invoking the Departure Rule.)
 Limited Appraisal (The act or process of estimating value, or an opinion of value, performed under and resulting from invoking the Departure Rule.)

This report is one of the following types:

- Self Contained (A written report prepared under Standards Rule 2-2(a) of a Complete or Limited Appraisal performed under STANDARD 1.)
 Summary (A written report prepared under Standards Rule 2-2(b) of a Complete or Limited Appraisal performed under STANDARD 1.)
 Restricted (A written report prepared under Standards Rule 2-2(c) of a Complete or Limited Appraisal performed under STANDARD 1, restricted to the stated intended use by the specified client or intended user.)

Comments on Standards Rule 2-3

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

The statements of fact contained in this report are true and correct.

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 (or the specified) personal interest with respect to the parties involved.

I have no bias with respect to the property that is the subject of this report or 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.

I have made a personal inspection of the property that is the subject of this report.

No one provided significant real property appraisal assistance to the person signing this certification. (If there are exceptions, the name of each individual providing significant real property appraisal assistance must be stated.)

I have made a personal interior inspection of the subject property.

There is no guarantee from the appraiser that the attached report(s) will be found fully satisfactory to the Lane County jurisdiction for handling Measure 37 claims, as these requirements may change due to court ordered or Legislature passed modifications. The owners of the subject are represented by able counsel.

Comments on Appraisal and Report Identification

Note any departures from Standards Rules 1-3 and 1-4, plus any USPAP-related issues requiring disclosure:

This appraisal report is complete on the basis of the full site inspection, not the extent of commentary attached.

The appraised value includes a realty fee as did the sale prices of the comparables, unless otherwise stated.

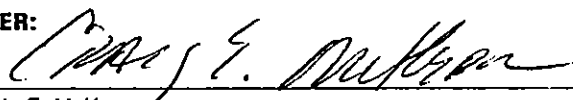
There were directly observed toxic materials or hazardous substances in the immediate area of the subject and these are assumed to be safely stored and used according to label directions. A specific search for and recognition of toxic waste and hazardous materials such as might be found in a farm and ranch environment (a Level I assessment) is beyond the scope of the appraiser's training and knowledge.

Common household, shop and garden chemicals and substances found in most homes and garages, including those of the reader, are assumed to exist around the site. These common toxic materials and hazardous substances include chemicals such as fertilizers, weed killers, pest poisons and sprays, bleach, detergent, oils, cleansers, solvents and fuels, among other solid, liquid and paste substances, and are assumed to be used according to label directions and Federal, state and local regulations unless otherwise specifically noted in this report.

It is specifically assumed there is no toxic mold or fungus manifest on the site which would affect livability or marketability.

See attached supplemental addendum. This report has been prepared for use in a State Measure 37 proceeding and is restricted to that use only. See the cover letter page for brief explanations of the use and purpose of this report 051705A in conjunction with reports 051705B for a hypothetical five acre parcel and report 051705C for a second hypothetical five acre parcel out of the 250 acres of the report in hand in order to provide "before and after" scenarios. The actual legality, validity and application of State Measure 37 is still in question with present and future court and Legislature involvements a certainty.

APPRAISER:

Signature: 
 Name: Craig E. McKern
 Date Signed: June 22, 2005
 State Certification #: CR00024
 or State License #: _____
 State: Oregon
 Expiration Date of Certification or License: 09-30-2006

SUPERVISORY APPRAISER (only if required):

Signature: _____
 Name: _____
 Date Signed: _____
 State Certification #: email: cem9th@msn.com
 or State License #: phone 541-345-0744/fax 541-345-0577
 State: _____
 Expiration Date of Certification or License: _____

Did Did Not Inspect Property

SUPPLEMENTAL ADDENDUM

File No. 051705A

File No. 051705A

Borrower/Client	No borrower		
Property Address	Number Not Assigned Cloverdale Road // Tax Lot 18-02-32-00-00400 and Tax Lot 19-02-05-00-00100		
City	Creswell	County	Lane
		State	OR
		Zip Code	97426
Lender	Taylor, Maxine S. c/o Linda Beebee		

Appraisal Development and Reporting Process:

As per prior agreement with the client named on the cover sheet and first form page of this report, the level of appraisal service requested is a Summary Appraisal Report of a Complete Appraisal of the subject property to include in addition two hypothetical parcels of five acres each. This level of service has, in the past, been known as a "form appraisal" using standard FNMA or FHLMC forms to convey information to the reader. This level of appraisal service is for the most part the same as past "form appraisals".

This report is a Summary Appraisal Report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2b of the Uniform Standards of Professional Appraisal Practice (USPAP) for a Summary Appraisal Report. As such, it represents only summary discussions of the data, reasoning and analyses used in the appraisal process to develop the appraiser's opinion of value stated elsewhere. Supporting documentation that is not provided with this report concerning the data, reasoning and analyses has been retained in the appraiser's file copy. The depth of the discussion contained in this report is specific to the needs of the client and for the intended use of this report stated below.

Scope of Work:

In preparing this report, the appraiser inspected the subject site and the improvements on June 11, 2005. Relevant information on comparable land and improved site sales, construction costs and accrued depreciation were also gathered, verified and considered.

All three approaches to value were considered; the sales comparison approach only was developed. The cost approach does not apply to unimproved land.

A land value range was also determined by appraisal of two hypothetical portions of the total subject site; see reports 051705B and 051705C attached.

The income approach, along with rents, comparative rental data and calculated formulas and multipliers, is used ONLY IF the subject is likely to remain a rental income property in the foreseeable future, which is the case for the subject dwelling on Tax Lot 100 at this time. However, the appraiser considers the rental dwelling would be an interim use and that no prospective purchaser of the subject in total would consider the rental income provided by the dwelling a decisive factor in the decision.

Purpose of the Appraisal and Use of the Report:

The purpose of this appraisal report is to estimate the market value as defined on the attached certification/limiting conditions addendum included with the 1004 form and in the attached USPAP addendum.

This appraisal report is intended ONLY for the use of the client named for the purpose of establishing a fair market value by an independent third party for Measure 37 proceedings. The use of this report is restricted to the clients, Maxine Taylor and Linda Beebee, the owner and her agent, and their legal counsel Steve Cornacchia, for this purpose only. Duly constituted Lane County committees or courts for Measure 37 appeals are also an expected reader of this report but Lane County is not a client of the appraiser.

This report in its present configuration is not intended for any financing purpose whatsoever. Any other authorized use of this report will be stated either below or in the letter of engagement.

The appraiser is not and will not become responsible for any unauthorized use. Errors and omissions insurance is not extended to a future third party lender and the appraiser must be notified, timely and in writing, of any future transfer/assignment of this report to any third party.

Supplemental Certifications:

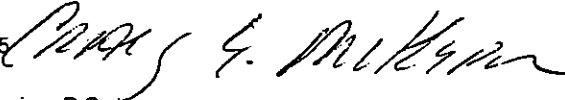
I certify that the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

In addition, I certify that, to the best of my knowledge and belief, the reported analyses, opinions and conclusions were developed, and this report prepared, with conformity to the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.

signed and dated June 22, 2005

Craig E. McKern

president, Craig E. McKern Appraiser P.C.



Borrower/Client	No borrower		
Property Address	Number Not Assigned Cloverdale Road // Tax Lot 18-02-32-00-00400 and Tax Lot 19-02-05-00-00100		
City	Creswell	County	Lane
State	OR	Zip Code	97426
Lender	Taylor, Maxine S. c/o Linda Beebee		

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All three approaches to value were considered; the sales comparison approach only was developed. The cost approach does not apply to unimproved land.

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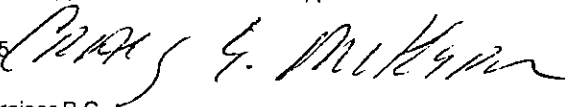
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Supplemental Certifications:

I certify that the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

In addition, I certify that, to the best of my knowledge and belief, the reported analyses, opinions and conclusions were developed, and this report prepared, with conformity to the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.

signed and dated June 22, 2005
 Craig E. McKern
 president, Craig E. McKern Appraiser P.C.



PROPERTY REPORT - LANE COUNTY

Account # 0825008

Map, Tax Lot, & SIC # 19-02-05-00-00100

Site Address:	
Owner Name & Address: Taylor Maxine S 5380 Glenn Ellen Dr Eugene , OR 97402	Taxpayer Name & Address: Taylor Maxine S 5380 Glenn Ellen Dr Eugene , OR 97402
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	142.17 6,192,925'	Subdivision Name:		School District:	Pleasant Hill
Inc City:		Phase:		Elem	
UGB:		Lot #	TL 00100	Middle	
Census Tr/BlkGrp:	1700/4	Recording #		High	

Zoning: Parent/Overlay	E40
Statistical Class:	130 Class 3 Single Family Home
Land Use:	8040 Pasture, Cows, Sheep, Cattle
Property Class:	551 Farm, Efu, Improved

Property Value and Taxes

	Land Value <u>Real Market</u>	Improvement Value <u>Real Market</u>	Total Value	
			<u>Real Market</u>	<u>Assessed</u>
2004	\$370,452	\$116,070	\$486,522	\$150,156
2003	\$311,281	\$108,990	\$420,271	\$145,890
	2004 Taxable Value \$ 150,156	2004 Taxes \$2,612.27	Tax Code Area 00113	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
10-28-1996	\$1,900	Taylor, Maxine S		96-07269700
07-28-1995	\$0	Taylor, Maxine S		95-04161000

Residential Building # 1 (of 1) Characteristics 31 stat 130

		Square feet		
		Base	Finished	
Year Built:	1966	Basement		Bsmt Garage Sqft
Bedrooms	3	First	1498 1498	Att Garage Sqft
Full Baths	1	Second		Det Garage Sqft
Half Baths	1	Attic		Att Carport Sqft
% Improvmt Complete	100	Total	1498 1498	

Comments:

*This report extracts commonly used information from the Detailed Property Report. [Click here for the full Detailed Property Report.](#)

KNOW ALL MEN BY THESE PRESENTS, that Waldo W. Taylor and Maxine S. Taylor, in consideration of One and no/100----- Dollars, to them paid by Lane County, a political subdivision of the State of Oregon do hereby grant, bargain, sell and convey unto said Lane County, a political subdivision of the State of Oregon, its successors and assigns all the following real property, with the tenements, hereditaments and appurtenances situated in the County of Lane and State of Oregon, bounded and described as follows, to-wit:

A parcel of land lying in the West one-half of Section 32, Township 18 South, Range 2 West and West one-half of Section 5, Township 17 South, Range 2 West, Willamette Meridian, Lane County, Oregon, and being a portion of that property conveyed by that deed to Waldo Taylor and Maxine S. Taylor, husband and wife, and recorded in Book 252, Page 250, and Reel 53-550, Instrument No. 50338, of Lane County Record of Deeds; The said parcel being that portion of said property included in a strip of land variable feet in width on each side of the center line of the Cloverdale Road as said road has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station L² 1108.02 P.T., said Station being 210.55 feet South and 534.55 feet West of the Southeast corner of The Thomas M. Whitmore Donation Land Claim No. 23, Township 18 South, Range 2 West, Willamette Meridian, Lane County, Oregon; thence run South 1°25'50" West 1868.24 feet; thence on spiral curve left (the long chord of which spiral bears South 1°53'10" East 399.46 feet) a distance of 400.00 feet; thence on a 1145.92 foot radius curve left (the long chord of which bears South 15°18'25" East 249.54 feet) a distance of 270.17 feet; thence on a spiral curve left (the long chord of which spiral bears South 28°43'40" East 399.46 feet) a distance of 400.00 feet; thence South 32°03'40" East 400.27 feet; thence on a spiral curve right (the long chord of which spiral bears South 28°43'40" East 399.46 feet) a distance of 400.00 feet; thence along the arc of a 1145.92 foot radius curve right (the long chord of which bears South 14°57'25" East 283.44 feet) a distance of 224.17 feet; thence on a spiral curve right (the long chord of which spiral bears South 1°11'10" East 399.46 feet) a distance of 400.00 feet to Engineer's Station L² 1059.10 P.T. (Ex.)=L 1059.10 P.O.T. (Ah.), said Station being 597.14 feet South and 21.39 feet West of the Southwest corner of The Jeremiah B. Thomson Donation Land Claim No. 51, Township 18 South, Range 2 West, Willamette Meridian, Lane County, Oregon; thence South 2°03'50" West 2237.37 feet; thence along the arc of a 11,459.10 foot radius curve right (the long chord of which bears South 3°55'20" West 709.89 feet) a distance of 210.00 feet; thence South 5°41'50" West 21.22 feet; thence along the arc of a 11,459.10 foot radius curve left (the long chord of which bears South 3°59'35" West 211.83 feet) a distance of 215.00 feet; thence South 1°37'20" West 1,124.94 feet to Engineer's center line Station L 155+00.00 P.O.T.; the Easterly line of said strip of land crosses the North and South lines of said property approximately opposite center line Stations L² 1108 and L 150+00, respectively.

The width in feet of the strip of land above referred to are as follows:

STATION TO STATION	WIDTH ON WESTLY SIDE OF C/L	WIDTH ON EASTERLY SIDE OF C/L
L ² 1108.02 to L ² 1059.10	30.0	45.0
L ² 1059.10 to L ² 83+23	30.0	Tapers on spiral 30' to 32'
L ² 83+23 to L ² 21+35.56	30.0 tapering to 46'	Tapers on spiral 32' to 30'
L ² 21+35.56 to L ² 25+77	45' tapering to 82'	30.0
L ² 25+77 to L ² 91+07.03	22' tapering to 30'	30.0
L ² 91+07.03 to L ² 97+52	30.0	30.0
L ² 97+52 to L ² 100+11.00	30.0	30' tapering to 20'
L ² 100+11.00 to L ² 102+83	30.0	20' tapering to 30'
L ² 102+83 to L 128+29.24	30.0	30.0
L 128+29.24 to L 131+08	30.0	30' tapering to 42'
L 131+08.00 to L 134+91.00	30.0	42.0
L 134+91.00 to L 134+97.00	30.0 tapering to 57.0	42.0
L 134+97.00 to L 135+00.00	57.0 tapering	42.0
L 135+00.00 to L 135+50.00	Tapering	42.0 tapering to 30.0
L 135+50.00 to L 141+00.00	Tapering to 30.0	30.0
L 141+00.00 to L 155+00	30.0	30.0

The parcel of land to which this description applies contains 5.70 acres, of which 5.20 acres lie within the existing right of way, title to which hereby is acknowledged to be in the public, and 0.50 acres lie outside of the existing right of way.

The bearings used herein are based on The Oregon State Coordinate System, South Zone.

56603

To Have and to Hold, the above described and granted premises unto the said
Lane County, a political subdivision of the State of Oregon ^{its successors} and assigns forever.

And Waldo W. Taylor and Maxine S. Taylor. the grantor &
above named do covenant to and with the above named grantee, its ^{successors} and
assigns that they are lawfully seized in fee simple of the above granted premises,
that the above granted premises are free from all encumbrances,

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

Witness our hands and seals this 18th day of December, 1958

Executed in the Presence of

_____	<u>Waldo W. Taylor</u> (Seal)
_____	<u>Maxine S. Taylor</u> (Seal)
_____	_____ (Seal)
_____	_____ (Seal)

56603
✓ 2222 - Taylor

444

State of Oregon
County of Lane
I, Harry L. Chan, County Clerk and
ex-officio Recorder of Conveyances, do
and for said County, do hereby certify
that the within instrument was received
for record at

1979 JAN 2 PM 2 16

REEL 126 59 D

Lane County, Oregon
HARRY L. CHAN, County Clerk

[Signature]

refer



FOR ASSESSMENT
AND TAXATION
USE ONLY

Section 5 T19S. R.2W.W.M.
LANE COUNTY
1"=400'

B-15-97
- PLAN. THE ... RD.

19 02 05
10/13/07
00 100 ...
401 (18-02-32)
2/2/98
01/2/98
Bay Collection
L 100, 101

See Map 18 02 32

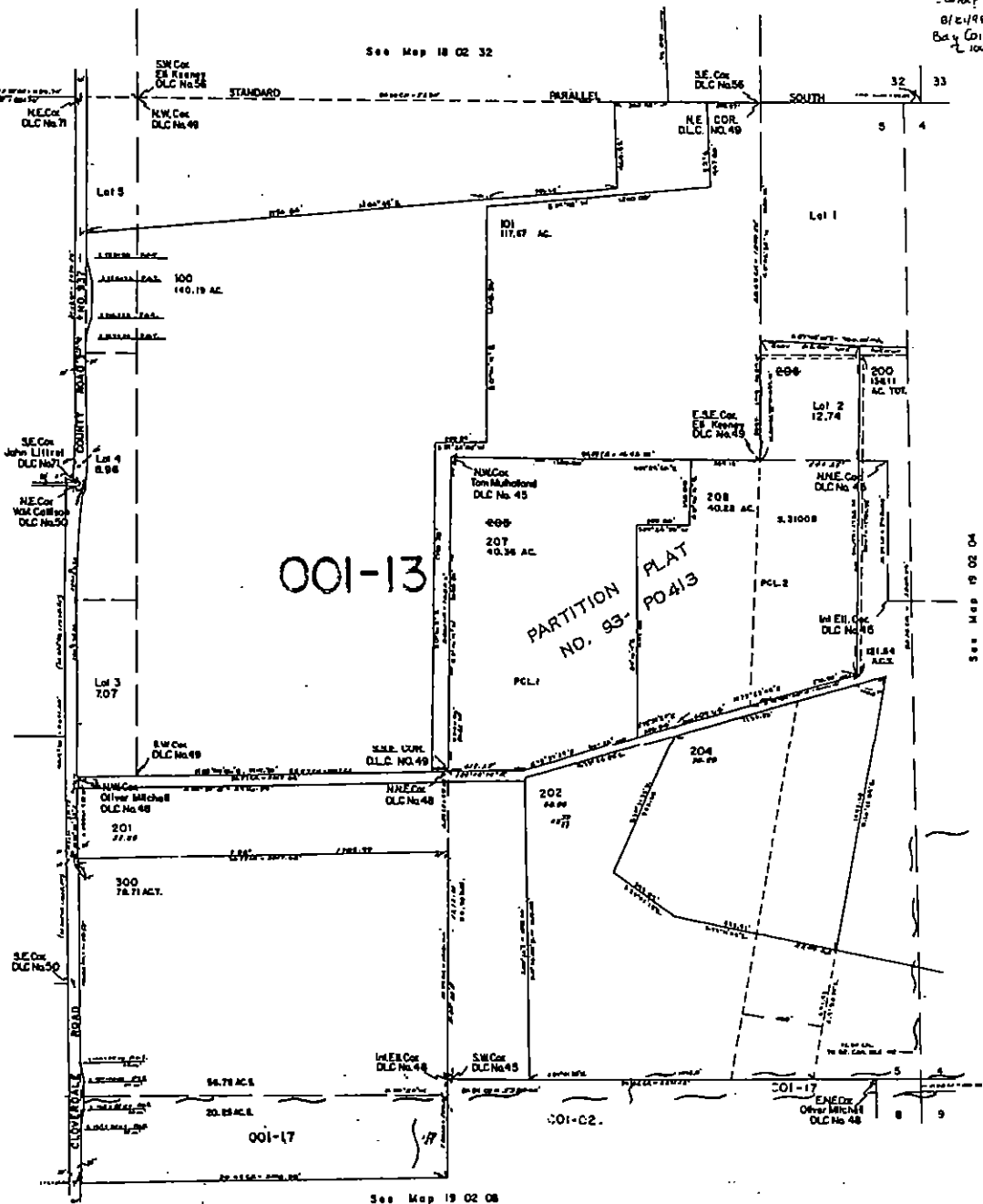
CANCELLED
205
206

See Map 19 02 08

See Map 19 02 04

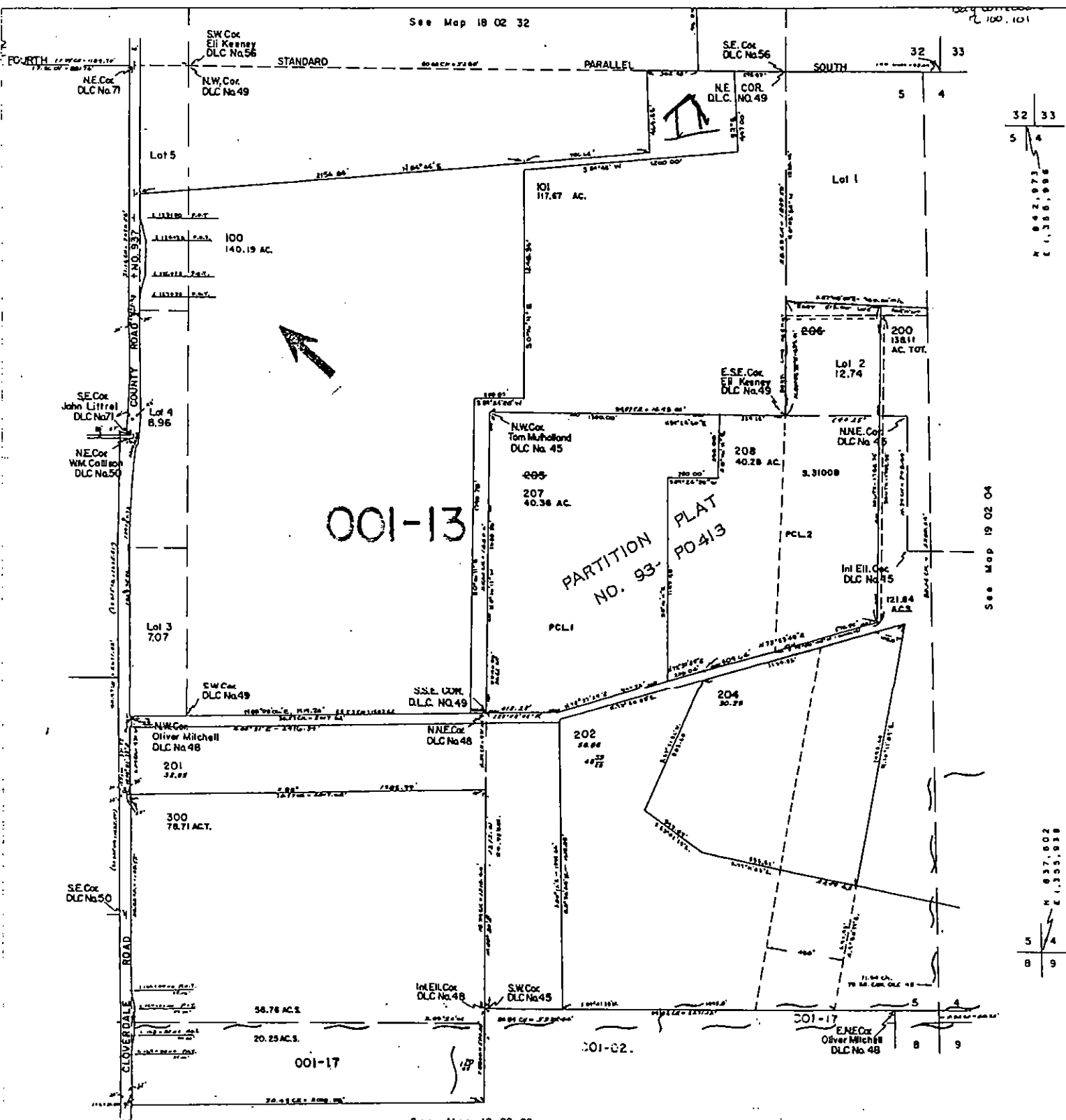
See Map 19 02 08

CODE LINES
 - - - - CITY LIMITS
 W W W SCHOOL BOUNDARY
 ALL OTHER CODES



See Map 19 02 32

Doc. 100, 101

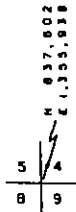


001-13

PARTITION NO. 93-PO413

See Map 19 02 04

See Map 19 02 08



PROPERTY REPORT - LANE COUNTY

Account # 0576049

Map, Tax Lot, & SIC # 18-02-32-00-00400

Site Address:	
Owner Name & Address: Taylor Maxine S 5380 Glenn Ellen Dr Eugene , OR 97402	Taxpayer Name & Address: Taylor Maxine S 5380 Glenn Ellen Dr Eugene , OR 97402
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax	107.43	Subdivision Name:		School District:	Pleasant Hill
Lot Acres	4,679,651'	Phase:		Elem	
Inc City:		Lot #	TL 00400	Middle	
UGB:		Recording #		High	
Census Tr/BlkGrp:	1700/4				

Zoning: Parent/Overlay	E40
Statistical Class:	
Land Use:	8040 Pasture, Cows, Sheep, Cattle
Property Class:	680 Forest, Mult. Spec. Assmts, Vacant

Property Value and Taxes

	Land Value <u>Real Market</u>	Improvement Value <u>Real Market</u>	Total Value	
			<u>Real Market</u>	<u>Assessed</u>
2004	\$269,473	\$0	\$269,473	\$12,773
2003	\$265,651	\$0	\$265,651	\$14,917
	2004 Taxable Value \$ 12,773	2004 Taxes \$139.28	Tax Code Area 00113	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
------	-------	---------	---------	--------------

Residential Building # 0 (of 0) Characteristics

	Square feet	Base	Finished	
Year Built:				Bsmt Garage Sqft
Bedrooms				Att Garage Sqft
Full Baths				Det Garage Sqft
Half Baths				Att Carport Sqft
% Improvmt Complete				
	Basement			
	First			
	Second			
	Attic			
	Total			

Comments:

*This report extracts commonly used information from the Detailed Property Report. [Click here for the full Detailed Property Report.](#)

Section 32 T.18S. R2W.WM.

LANE COUNTY

1"=400'

See Map 18 02 29

18 02 32

3-5-91

CAV. 72-20

MTD 12-

(Reg. App. 101000000

on 1/20/24

2324 each

29 28
32 33

29 2
32 3

CANCELLED
100

PARTITION
PLAT
NO. 91-PO060

001-13

33231

Tax Listed on Map 18 02 29

401
349.46 AC

See Map 18 02 31

See Map 18 02 33

SW Cor. W.M.
BOWMAN
D.L.C. No. 78

SE Cor. W.M.
BOWMAN
D.L.C. No. 76

SW Cor. W.M.
BRISTOL
D.L.C. No. 77

SW Cor. J.
THOMPSON
D.L.C. No. 51

NE Cor. JOHN
LITRELL
D.L.C. No. 79

NSW Cor. J.
THOMPSON
D.L.C. No. 52

NW Cor. ELI
KEENEY
D.L.C. No. 58

NE Cor. ELI
KEENEY
D.L.C. No. 56

NE Cor. ELLCO
D.L.C. No. 51

SW Cor. J.
THOMPSON
D.L.C. No. 51

SE Cor.
D.L.C. No. 78

SW Cor.
D.L.C. No. 58

SE Cor.
D.L.C. No. 56

NE Cor.
E Keene
D.L.C. No. 48

SE Cor.
D.L.C. No. 78

SW Cor.
D.L.C. No. 48

SE Cor.
D.L.C. No. 48

NE Cor.
J. Litrell
D.L.C. No. 77

SW Cor.
D.L.C. No. 48

NE Cor.
E Keene
D.L.C. No. 48

FOR ASSESSMENT,
AND TAXATION
USE ONLY

30 29
31 32

31 32
6 5

32 33
5 4

FOURTH STANDARD PARALLEL SOUTH
See Map 18 02 08

OF WM.
YMAN
No. 78

SW Cor. WM.
BRISTOW
D.L.C. No. 77

58° 27' 10" W
985.05

ch. (5283.96')

400

INT. ELL Cor.
D.L.C. No. 51

NE Cor. ELL
KEENEY
D.L.C. No. 56

S.SW Cor. J
THOMPSON
D.L.C. No. 51

25.42 ch. (1477.72')

1250 ch. (825')

1520 ch. (1023.2')

1326 ch.
N 02° 36' 15" W

21.77 ch

Lot 4
18.64

16.77 ch. (1067.22')

SE Cor.
DLC No. 56

32	33
5	4

302.40'
S 89° 54' 11" E

32, 33
5, 4
(9509)

NE Cor.
E Keeney
DLC No. 49

N 842,966