

W. G. C.

AGENDA COVER MEMO

DATE: February 28, 2005 (Date of Memo)
March 16, 2005 (Date of First Reading)
March 30, 2005 (Date of Second Reading / Public Hearing)

TO: LANE COUNTY BOARD OF COMMISSIONERS

FROM: Public Works Department/Land Management Division

PRESENTED BY: Bill Sage, Associate Planner

AGENDA ITEM TITLE: ORDINANCE NO. PA 1211 - IN THE MATTER OF ADOPTING A CONFORMITY DETERMINATION AMENDMENT PURSUANT TO RCP GENERAL PLAN POLICIES – GOAL 2, POLICY 27 a.ii. AND GOAL 4, POLICY 15 TO REZONE 34.2 ACRES FROM NONIMPACTED FOREST LAND (F-1, RCP) TO IMPACTED FOREST LAND (F-2, RCP) FOR A PARCEL IDENTIFIED ON LANE COUNTY ASSESSOR’S MAP 21-01-30 AS TAX LOT 300, AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES. (File: PA 04- 5252, Everett).

I. ISSUE

The applicant, Earl Everett, seeks approval from the Board of County Commissioners for the redesignation of 34.29 acres of tax lot 300 of TRS 21-01-30 from Nonimpacted Forest Land (F-1, RCP) to Impacted Forest Land (F-2, RCP).

This proposal is an amendment from Nonimpacted Forest Land (F1) designation to Impacted Forest Land (F2) based on the creation history of the parcels and whether the land is better characterized by a Nonimpacted or Impacted designation.

Amendment criteria for a zone change from Nonimpacted Forest Land (F1) to Impacted Forest Land (F2) are found in Goal Two - Policy 27 a. ii., and Goal Four – Policy 15, which are reproduced below:

Goal Two - Policy 27 a. ii. Failure to zone a property Impacted Forest Land (F-2, RCP), where maps used by staff to designate the property Nonimpacted Forest Land (F-1, RCP) zone did not display actual existing legal lots adjacent to or within the subject property, and had the actual parcelization pattern been available to County staff, the Goal 4 policies would have dictated the F-2 zone.

Goal Four – Policy 15. Lands designated with the Rural Comprehensive Plan as forest land shall be zoned Non-Impacted Forest Lands (F-1, RCP) or Impacted Forest Lands (F-2, RCP). A decision to apply one of the above zones or both of the above zones in a split zone fashion shall be based upon:

- a. *A conclusion that characteristics of the land correspond more closely to the characteristics of the proposed zoning than the characteristics of the other forest zone. The zoning characteristics referred to are specified below in subsections b.*

and c. This conclusion shall be supported by a statement of reasons explaining why the facts support the conclusion.

b. Non-impacted Forest Land Zone (F-1, RCP) Characteristics:

- (1) Predominantly ownerships not developed by residences or nonforest uses.*
- (2) Predominantly contiguous ownerships of 80 acres or larger in size.*
- (3) Predominantly ownerships contiguous to other lands utilized for commercial forest or commercial farm uses.*
- (4) Accessed by arterial roads or roads intended primarily for forest management. Primarily under commercial forest management.*

c. Impacted Forest Land Zone (F-2, RCP) Characteristics:

- (1) Predominantly ownerships developed by residences or nonforest uses.*
- (2) Predominantly ownerships 80 acres or less in size.*
- (3) Ownerships general contiguous to tracts containing 80 acres and residences and/or adjacent to developed or committed areas for which an exception has been taken in the Rural Comprehensive Plan.*
- (4) Provided with a level of public facilities and services, and roads, intended primarily for direct services to rural residences.*

II. ANALYSIS

Two questions form the basis for making a conformity determination on the proposal:

- (1) Does the pre-1984 parcelization pattern include the subject property as a lawfully created parcel (legal lot)?
- (2) Do the circumstances of this particular proposal predominantly (more closely) comply with Goal 4 –Policy 15.b., for retaining the Nonimpacted Forest Land (F-1) zoning designation; or Policy 15.c., for granting the request for the Impacted Forest Land (F-2) zoning designation?

The PA 04-5252 record provides the documentation for the following review. The applicant's submittal with findings of fact and conclusions of law are included as Attachment "B".

Opposition to the approval for a zone change was entered into the record at the Lane County Planning Commission public hearing on August 3, 2004 by Jim Just representing Goal One Coalition. Mr. Just's comments are included as Attachment "F" to this Memo.

A. Goal Two - Policy 27 a. ii.

Was the subject parcel a "legal lot" in 1984 at the time Lane County was applying zoning designations to resource land?

Finding: LMD staff processed a Legal Lot Verification, PA 03-6005, in 2003-2004 to identify the discrete parcel designated as tax lot 300 of TRS 21-01-30, circa 1921-1972. The verification is included in the applicant's submittal, Attachment "A" Land Use Application PA 04-5252, as "Exhibit 1". The 34.29 acres represent a portion of a metes and bounds description for a parcel that was created on May 9, 1921 through the conveyance by warranty deed from Elmira Isabella Wicks and John F. Wicks (grantors) to Alvis E. Wicks and Raymond E. Wicks (grantees). The warranty deed was recorded in Lane County Deeds and Records in Book 128, Page 452 on May 9, 1921. Staff summarized the complete process for verification of the subject acreage as a legal lot in a report dated March 17, 2004: "The

original parcel (1921) as described within the enclosed deed was later reduced in size by the following: (1) the establishment of T.L. 200 in 1942, Bk 388, Pg 424; (2) the establishment of T. L. 600 in 1939, Bk 199, Pg 578; (3) the establishment of T.L. 1500 in 1951, Bk 443, Pg 429; (4) the establishment of T.L. 301 in 1972, Reel 622R/733855.”

Was the verified description a discrete parcel (legal lot) at the time Lane County adopted the zoning designation by Ordinance No. PA 884 on February 29, 1984?

Finding: During the Lane County Planning Commission public hearing on August 3, 2004, oral testimony was entered into the record claiming that contiguous parcels were merged into one legal lot on January 1st of the calendar year 1984. The testimony further asserted that since the subject parcel was one of several contiguous parcels under one ownership on January 1st, 1984, it therefore did not have discrete status on February 29th, 1984. Thus even though the 1984 maps *did not display actual existing legal lots adjacent to or within the subject property*, the subject property could not qualify for consideration of a zone change because it was not a separate legal lot at the time it was given the designations of F1 in 1984 and could not be considered for qualification under Policy 27.a.ii for a zone change to F2.

LMD staff researched State and County archives to determine the factual basis for land use and land division law and regulations during the period of 1983 through 1986. A staff report on the results of the research was provided the Lane County Planning Commission (LCPC) on October 1, 2004. The report chronicled the Lane Code 13 and Lane Code 16 definitions during the period 1983-1986; the passage of House Bill 2381 in 1985 clarifying ORS 92; and Lane County’s adoption of Ordinance No. 10-86, Ordinance 11-86 and Ordinance PA 921 in 1986. The report is attached as Attachment “C”.

The LCPC reviewed the policy language in a work session and deliberations on October 5, 2004, and approved an interpretation concerning the “legal lot” issue of Policy 27.a.ii. for forwarding to the Board along with their recommendation on this application. The motion “applied a common sense interpretation to the 1983-1986 definition for “legal lot” in Lane Code Chapter 13 and 16, based on the clarification of ORS 92 by HB 2381 in 1985, and Lane County’s adoption of three ordinances in 1986 in response to the enactment of HB 2381, that discrete parcels created lawfully by recorded deed or real estate contract prior to the 1983-1986 period were not merged during that period, and were during that period and are today, discrete legal lots.”

Does the subject parcel qualify it for consideration under Goal 4, Policy 15 characteristics as Impacted Forest Land (F2)?

The LCPC interpretation provided the foundation to determine that the subject parcel, tax lot 300 of TRS map 21-01-30, was a legal lot in 1984 at the time of adoption of the Rural Comprehensive Plan and the designation of the subject property as Nonimpacted Forest Land (F1), and qualified for further review under Goal Four, Policy 15.

B. Goal Four, Policy 15

Goal Four, Policy 15

- a. *A conclusion that characteristics of the land correspond more closely to the characteristics of the proposed zoning than the characteristics of the other forest zone. The zoning characteristics referred to are specified below in subsections b. and*

c. This conclusion shall be supported by a statement of reasons explaining why the facts support the conclusion.

Policy 15. b. and c. require the LCPC to conclude that the subject property is predominantly defined by the characteristics of either F1 Nonimpacted Forest Land or F2 Impacted Forest Land. As a matter of clarification, based on case law (5 Or LUBA 206: Still vs. Marion County), where a test of predominant is required to make a decision, 51% of the criterion or standard being evaluated qualifies.

To assist in comparing the record to the criteria or standards of “b” and “c”, staff has joined the corresponding characteristics of both “F1” and “F2” together and thus reduced the decisions from eight to four. For example, the F1 characteristic “(1)” for “b” is presented along with the F2 characteristic “(1)” for “c” under the common heading **(1) Residences and nonforest uses.**

(1) Residences and nonforest uses:

b. Non-impacted Forest Land Zone (F-1, RCP) Characteristics:

(1) Predominantly ownerships not developed by residences or nonforest uses.

c. Impacted Forest Land Zone (F-2, RCP) Characteristics:

(1) Predominantly ownerships developed by residences or nonforest uses.

PA 04-5252 record: Refer to Applicant’s submittal March 29, 2004, page 5 and page 8. Note citation by Hearing Official on interpreting “ownership” on page 5.

Finding: The subject parcel was developed with electrical power, subsurface sanitation system, water service from the City of Cottage Grove system, 1,183 sq. ft. residence, 16’ x 24’ wood shed, 16’ x 36’ feeder barn, 34’ x 34’ loft barn from 1922 to 1981. The structures were destroyed by fire in November 1981. A special use permit (DSP 83-036) was approved March 24, 1983 for placement of a mobile home to replace of the residence destroyed in 1981. The mobile home was removed from the parcel sometime thereafter and the parcel is currently vacant. The prior parcel address was 37491 Row River Road.

The unincorporated rural community of Dorena is located to the west and south of the subject property. BLM road borders on the east. The O&E RR ownership (now developed with an asphalt bike path, and Row River Road border on the west. A dozen residences align north to south along Row River Road across from the subject parcel and a church is located on a tax lot to the southwest. The abandoned Weyerhaeuser lumber mill is located to the south and zoned Rural Industrial. Two residences are located to the southeast.

LCPC Conclusion: The record supports a determination that the “ownerships”, subject and/or adjacent, are predominantly developed with residences or nonforest uses, thus F-2 Impacted Land was justified under this characteristic.

(2) Acreage of contiguous ownerships:

b. Non-impacted Forest Land Zone (F-1, RCP) Characteristics:

(2) Predominantly contiguous ownerships of 80 acres or larger in size.

c. Impacted Forest Land Zone (F-2, RCP) Characteristics:

(2) Predominantly ownerships 80 acres or less in size.

PA 04-5252 record: Refer to Applicant's submittal March 29, 2004, pages 6-7 and 8.

Finding: LMD staff summary of application and county records indicate the surrounding parcelization is:

<u>Direction</u>	<u>TRS – tax lot</u>	<u>Acres</u>	<u>Zoning</u>
North	21-01-19 1404	9.13	RR10
Northeast	21-01-19 1400	31.80	F2
East	21-01-30 301	54.56	F1
Southeast	21-01-30 1600	101.85	F1
South	21-01-30 1500	0.32	RR2
	21-01-30 1607	2.59	F1
	21-01-30 1605	1.68	F1
	21-01-30 1602	80.92	M3
West	Community of Dorena*		RR2/RR5
Southwest	Community of Dorena		RR2/RR5
Northwest	D & C Area 508*		RR5/RR10

*Dozens of parcels ranging from 0.2 to 8.10 acres)

LCPC Conclusion: The record supports a determination that the “ownerships”, subject and/or adjacent, are predominantly ownerships 80 acres or less in size, thus F-2 Impacted was justified under this characteristic.

(3) Contiguous uses and development:

- b. *Non-impacted Forest Land Zone (F-1, RCP) Characteristics:*
(3) *Predominantly ownerships contiguous to other lands utilized for commercial forest or commercial farm uses.*
- c. *Impacted Forest Land Zone (F-2, RCP) Characteristics:*
(3) *Ownerships generally contiguous to tracts containing less than 80 acres and residences and/or adjacent to developed or committed areas for which an exception has been taken in the Rural Comprehensive Plan.*

PA 04-5252 record: Refer to Applicant's submittal March 29, 2004, pages 7 and 8.

Finding: The applicant has included a substantial amount of exhibits, documentation, and findings of fact in PA 04-5252 addressing this criterion. A thumbnail sketch of the record is:

Two developed & committed exception areas are adjacent to the subject parcel:

- Plot #508 to the west, northwest and north; and
- Plot #509, the unincorporated community of Dorena, to the west southwest and south.

Nonresource lands to the north, west and south are zoned Rural Residential (RR10), Rural Residential (RR5 – RR2), and Rural Residential (RR2), and Rural Industrial (M3), respectively.

Development and uses on the nonresource lands adjacent to the subject property include residences and a church in a rural residential zone (RR5) and an inactive dimensional lumber mill in a rural industrial zone (M3).

Resource lands to the northeast are zoned Impacted Forest Land (F2), and resource lands to the east and southeast are zoned Impacted Forest Land (F2) and Nonimpacted Forest land (F1).

Use of the resource land includes small wood lot management to the northeast and commercial forest management to the east and southeast.

LCPC Conclusion:

The record supports a determination that the subject parcel is contiguous to tracts containing less than 80 acres and residences and adjacent to two developed or committed areas for which an exception has been taken in the Rural Comprehensive Plan, thus Impacted Forest Land (F2) was justified under this characteristic.

(4) Public facilities, services and roads:

- b. *Non-impacted Forest Land Zone (F-1, RCP) Characteristics:*
 - (4) *Accessed by arterial roads or roads intended primarily for forest management. Primarily under commercial forest management.*
- c. *Impacted Forest Land Zone (F-2, RCP) Characteristics:*
 - (4) *Provided with a level of public facilities and services, and roads, intended primarily for direct services to rural residences.*

PA 04-5252 record: Refer to Applicant's submittal March 29, 2004, page 8.

Finding: The subject parcel, tax lot 300, was developed with a residence from 1922 through 1983 and residential access was from the right-of-way of Row River Road.

The west boundary of the subject parcel is parallel to the asphalt bike path within the O&E Railroad right-of-way and parallel to the Row River Road right-of-way. Access is available from Row River Road, a public road also serving residential, commercial and industrial development within the unincorporated rural community of Dorena to the north, west and south.

Existing access roads intersect across the subject parcel from Row River Road to the Bureau of Land Management road to the east.

Electrical service to the residence on the subject parcel was established for decades prior to the loss by fire in 1981. Service was approved for re-establishment in 1983. Water service was provided the prior residential development by the City of Cottage Grove system. There is sufficient evidence in the record to conclude that all of the services and facilities are still available to the parcel.

LCPC Conclusion: The record supports a determination that the subject parcel is provided with a level of public facilities and services, and roads, intended primarily for direct services to rural residences. Thus, predominantly Impacted Forest Land (F2) was justified under this characteristic.

III. LANE COUNTY PLANNING COMMISSION RECOMMENDATION

Based on the findings and conclusions for each of the four characteristics of (F1) and (F2) lands reviewed above, the Lane County Planning Commission unanimously approved a recommendation to the Board of Commissioners that the predominant characteristics of the subject parcel indicated the parcel should be designated as F2 Impacted Forest Land Zone.

IV. IMPLEMENTATION AND FOLLOW-UP

A. Alternatives/Options

1. Approved Ordinance No. PA 1211.
2. Do not approve Ordinance No. PA 1211.
3. Direct staff to provide additional findings and documentation.

B. Recommendation

Staff recommends Option 1.

C. Timing

If approved by the Board, Ordinance No. PA 1211 will go into effect 30 days from the date of adoption.

D. Notice

Notice of the action will be provided to DLCD and parties with standing.

V. ATTACHMENTS

- A. Ordinance No. PA 1211.
- B. Application PA 04-5252 Conformity Determination Amendment (Everett).
- C. LMD staff memorandum to LCPC: October 1, 2004.
- D. Lane County Planning Commission Minutes: August 3, 2004
- E. Lane County Planning Commission Minutes: October 5, 2004.
- F. Written Testimony – Jim Just/Goal One Coalition August 3, 2004

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

**ORDINANCE NO. PA 1211 [IN THE MATTER OF ADOPTING A CONFORMITY
[DETERMINATION AMENDMENT PURSUANT TO RCP
[GENERAL PLAN POLICIES – GOAL 2, POLICY 27a.ii. AND
[GOAL 4, POLICY 15 TO REZONE 34.2 ACRES FROM
[NONIMPACTED FOREST LAND (F-1, RCP) TO IMPACTED
[FOREST LAND (F-2, RCP) FOR A PARCEL IDENTIFIED ON
[LANE COUNTY ASSESSOR’S MAP 21-01-30 AS TAX LOT
[300, AND ADOPTING SAVINGS AND SEVERABILITY
[CLAUSES. (File: PA 04- 5252, Everett).**

WHEREAS, the Board of County Commissioners of Lane County, through enactment of Ordinance No. PA 1192 and amended thereafter, has adopted the Conformity Determination Amendment process as Goal 2, Policy 27 of the General Plan Policies which is a component of the Lane County Rural Comprehensive Plan; and

WHEREAS, Lane Code 16.252 sets forth procedures for rezoning of lands within the jurisdiction of the Rural Comprehensive Plan; and

WHEREAS, on March 29, 2004, a Conformity Determination Amendment application (PA 04-5252 Everett) was submitted to Lane County proposing a zone change from Nonimpacted Forest Land (F-1, RCP) to Impacted Forest Land (F-2, RCP) pursuant to RCP General Plan Policies - Goal Two, Policy 27.a.ii. and Goal 4, Policy 15; and

WHEREAS, the Lane County Planning Commission reviewed the proposal in a public hearing on August 3, 2004; and

WHEREAS, the Lane County Planning Commission on October 5, 2004, recommended approval of an interpretation of Goal Two, Policy 27.a.ii., and recommended approval of the proposed zone change; and

WHEREAS, the proposal was reviewed at a public hearing with the Lane County Board of Commissioners on March 30, 2005; and

WHEREAS, evidence exists within the record indicating that the proposal meets the requirements of Lane Code Chapter 16, and the requirements of applicable state and local law; 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:

Section 1. Tax lot 300 of Lane County Assessor’s map 21-01-30 is rezoned from Nonimpacted Forest Land F-1, RCP (Lane Code 16.210) to Impacted Forest Land F-2, RCP (Lane Code 16.211), such territory depicted on Official Zoning Plot 509 and further identified as Exhibit “A” attached and incorporated herein.

FURTHER, although not a part of this Ordinance, the Board of County Commissioners adopts the findings in support of this action as set forth in the attached Exhibit "B".

The prior policies, zoning base designations and plan diagram base designations repealed or changed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

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 thereof.

ENACTED this _____ day of _____, 2005.

Chair, Lane County Board of County Commissioners

Recording Secretary for this Meeting of the Board

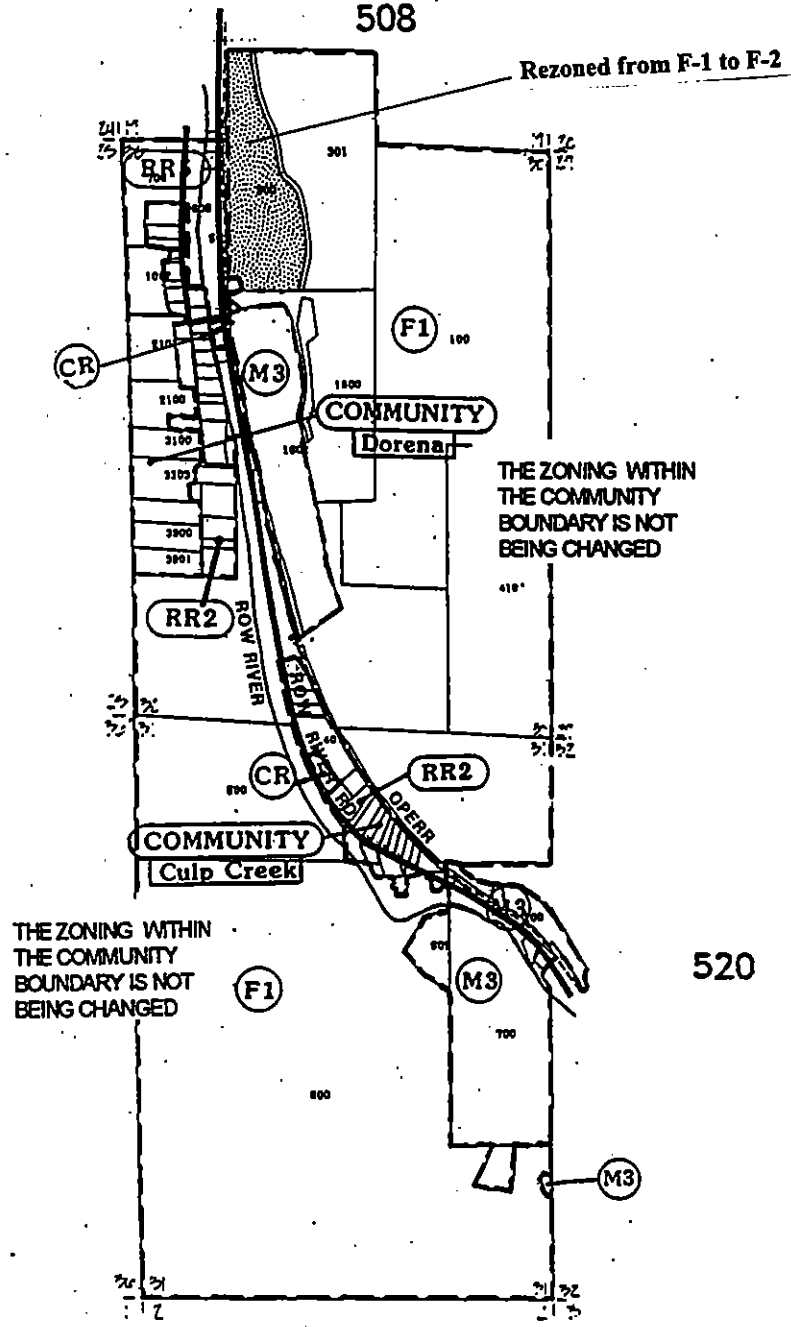
APPROVED AS TO FORM

Date 3-9-2005 Lane County

Stephen J. Cooper
OFFICE OF LEGAL COUNSEL

BOOK 165 PAGE 1431

508



The RR zones on this map are changed as follows:
FROM: RR LC 16.231 TO: RR LC 16.290
The RR zone parcel size remains the same.

The zones on this map are changed as follows:
From: RG, RA To: RR2
From: CR, C1, C2, & C3 To: RC Rural Commercial
From: M1, M2, & M3 To: R1 Rural Industrial
From: PF To: RPF Rural Public Facility
From: PR To: RPR Rural Park & Recreation



OFFICIAL ZONING MAP

PLOT# 509

Township Range Section

21 01 30

21 01 31

Ordinance No. PA 1211
Exhibit "B"
Findings of Fact

Finding 1. Rural Comprehensive Plan – General Plan Policies: Goal Two, Policy 27 provides a conformity determination amendment process for the correction of identified plan or zoning designations in the RCP Official Plan and Zoning Plots resulting from the Official Plan or Zoning Plots not recognizing lawfully existing (in terms of the zoning) uses or from inconsistencies between the Official Plan and Zoning Plots.

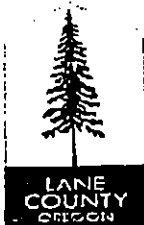
Finding 2. Lane Code 16.252(1): This section of Lane Code requires that as the Rural Comprehensive Plan for Lane County is implemented, changes in zone and other requirements of this chapter will be by ordinances.

Finding 3. Lane Code 16.252(2) requires that rezoning shall be consistent with the specific purposes of the zone classification proposed and Statewide Planning Goals. Based on the findings below, Ordinance No. PA 1211 complies with applicable state laws and Statewide Planning Goals.

- a. Statewide Planning Goal 2 requires, "Opportunities shall be provided for review and comment by citizens during the preparation, review and revision of plans and implementation ordinances." Lane County provided the opportunities identified below for citizens to review and comment on the preparation, review and revision of Ordinance No. PA 1211. These opportunities were adequate to comply with Goal 2.
 - On July 14, 2004, a legal ad was published in *The Register Guard*, providing notice of the Lane County Planning Commission public hearings in Harris Hall of the Lane County Public Service Building on August 3, 2004.
 - On July 15, 2004, LMD mailed to the Oregon Department of Land Conservation and Development (DLCD) a notice of the public hearing and pending adoption, and two copies of the proposed conformity determination amendment.
 - On August 3, 2004, the Lane County Planning Commission (LCPC) conducted a public hearing on the proposed Conformity Determination Amendment (PA 04-5252) Ordinance No. PA 1211 requesting consideration of a change in zoning designation from Nonimpacted Forest Land (F-1, RCP) to Impacted Forest Land (F-2, RCP) pursuant to the qualifying criterion of Goal Two, Policy 27.a.ii:
 - ii. *Failure to zone a property Impacted Forest Land (F-2, RCP), where maps used by staff to designate the property Nonimpacted Forest Land (F-1, RCP) zone did not display actual existing legal lots adjacent to or within the subject property, and had the actual parcelization pattern been available to County staff, the Goal 4 policies would have indicated the F-2 zone.*and, the defining characteristics for F-1 and F-2 lands pursuant to RCP General Plan Policies, Goal Four, Policy 15.
 - On October 5, 2004, the Lane County Planning Commission (LCPC) deliberated in a work session on the policy issue of what constituted a "legal lot" for the purposes of land use actions in 1984, which included qualifying for consideration under Rural Comprehensive Plan – General Plan Policy Two - Policy 27.a.ii.
 - On October 5, 2004, the LCPC approved a motion by unanimous vote (7-0) to apply a common sense interpretation to the 1983-1986 definition for "legal lot" in Lane Code Chapter 13 and 16, based on the clarification of ORS 92 with the enactment of HB 2381 in 1985 by the Oregon Legislative Assembly, and Lane County's adoption of three ordinances in 1986 (Ordinance No. 10-86, Ordinance No. 11-86, and

Ordinance PA 921), that contiguous, discrete parcels created lawfully by recorded deeds or real estate contracts prior to the 1983-1986 period were not merged during that period, and were during that period and are today, discrete legal lots.

- On October 5, 2004, the LCPC reviewed the merits of the proposed amendment application pursuant to Goal Two, Policy 27.a.ii. and Goal Four, Policy 15. The LCPC made the following findings and conclusions:
 1. The LCPC determined that the subject parcel, tax lot 300 of TRS map 21-01-30, was a legal lot in 1984 at the time of adoption of the Rural Comprehensive Plan and the designation of the subject property as Nonimpacted Forest Land (F1), and qualified for further review under Goal Four, Policy 15.
 2. Pursuant to Goal Four, Policy 15b.(1) - the record supports a determination that the “ownerships”, subject and/or adjacent, are predominantly developed with residences or nonforest uses, thus F-2 Impacted Land was justified under this characteristic.
 3. Pursuant to Goal four, Policy 15c.(2) - the record supports a determination that the “ownerships”, subject and/or adjacent, are predominantly ownerships 80 acres or less in size, thus F-2 Impacted was justified under this characteristic.
 4. Pursuant to Goal Four, Policy 15c.(3) - the record supports a determination that the subject parcel is contiguous to tracts containing less than 80 acres and residences and adjacent to two developed or committed areas for which an exception has been taken in the Rural Comprehensive Plan, thus Impacted Forest Land (F2) was justified under this characteristic.
 5. Pursuant to Goal Four, Policy 15c.(4) - the record supports a determination that the subject parcel is provided with a level of public facilities and services, and roads, intended primarily for direct services to rural residences. Thus, Impacted Forest Land (F2) was justified under this characteristic.
 6. Based on the findings and conclusions on the legal lot status and for each of the four characteristics of (F2) lands reviewed above pursuant to RCP General Plan Policies - Goal Four, Policy 15 (a) – (c), the Lane County Planning Commission unanimously approved a recommendation to the Board of Commissioners that the predominant characteristics of the subject parcel indicated the parcel should be designated as F2 Impacted Forest Land Zone.
- On March 2, 2005, a legal ad was published in *The Register Guard* providing notice of the BCC public hearing in Harris Hall of the Lane County Public Service Building at 1:30 PM on March 30, 2005.
- On March 30, 2005, the Board of County Commissioners conducted a public hearing on the proposed Conformity Determination Amendment (PA 04-5252) Ordinance No. PA 1211 requesting consideration of a change in zoning designation from Nonimpacted Forest Land (F-1, RCP) to Impacted Forest Land (F-2, RCP) pursuant to the qualifying criterion of Goal Two, Policy 27.a.ii. and Goal Four, Policy 15.
- b. Ordinance No. PA 1211 acknowledges the written testimony and documentation, and citizen comments received during the LCPC public hearings on August 3, 2004, and submitted into the official record thereafter.
- c. Ordinance No. PA 1211 acknowledges the deliberations of the LCPC on October 5, 2004, and their findings of fact, conclusions, and recommendation to amend the zoning designation of the subject property, tax lot 300 of Lane County Assessor’s Map 21-01-30, from Nonimpacted Forest Land (F1) to Impacted Forest Land (F2), and the Board of County Commissioners adopts the LCPC findings of fact and conclusions as their own.
- d. Ordinance No. PA 1211 acknowledges citizen testimony received during the Lane County Board of Commissioners public hearing on March 30, 2005.



LAND USE APPLICATION

FILE NO. PA045252
ACTION PACDA
FEE 1210 ⁰⁰

REQUEST/PROPOSAL FOR:

ERRORS or Omissions F1 to F2 Zone Change

LOCATION	21-01-30	300	34.29
	ASSESSOR'S MAP NO.	TAXLOT	ACREAGE
SITE ADDRESS	None		
APPLICANT/AGENT	James A. Mann LLL	514-3051	
	NAME	TELEPHONE	
	P.O. Box 51081	jamannllc@comcast.net	
	ADDRESS	E-MAIL	
	Eugene OR	97405-0902	
	CITY / STATE	ZIP CODE	
OWNER	Earl Everett	607-6178	
	NAME	TELEPHONE	
	3352 Admiral St.		
	ADDRESS	E-MAIL	
	Eugene, OR.	97404-1720	
	CITY / STATE	ZIP CODE	
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) authorized to submit this application as evidenced by the signature of the owner below			
		3-29-04	
OWNER Signature		Date	APPLICANT Signature
			Date

STAFF COMMENTS	RELATED PERMIT #

March 29, 2004

Bill Sage, Associate Planner
C/O Lane County Land Management Division
125 East 8th Ave.
Eugene, OR 97401

RE: Errors or Omissions F-1 to F-2 Zone Change
Map 21-03-30, Tax Lot 300 Containing 34.29 acres

Bill,

Attached and from the property owner Earl Everett is an application requesting an errors or omissions zone change from F-1 to F-2 for this property. Lane County's Goal 2 Policy 27a.ii. recognizes and error or omission as, "Failure to zone a property Impacted Forest Land (F-2, RCP), where maps used by staff to designate the property Nonimpacted Forest Land (F-1, RCP) zone did not display actual existing legal lots adjacent to or within the subject property, and had the actual parcelization pattern been available to County staff, the Goal 4 policies would have dictated the F-2 zone." The zoning of the subject property as F-1 qualifies under the above policy as an error or omission for two reasons:

1. The subject property existed as a separate parcel and was not used for commercial forest purposes prior to being purchased by Bohemia Lumber Company. In 1984 when the county-wide legislative zoning was done, the subject property was owned by Bohemia Lumber Company that owned a large contiguous acreage. This Bohemia Lumber Company ownership was zoned F-1 except for a part that had a mill on it that was zoned industrial. Had it been known at the time that the subject property was a separate legal lot with a history of not being used for commercial forest purposes, the subject parcel likely would not have been zoned F-1.
2. The subject parcel is adjacent to the unincorporated community of Dorena. The parcelization pattern of the adjacent community and nearby properties is typical of the pattern of development that exists near F-2 lands. Had it been known at the time that the subject property was located in a parcelized area, the subject parcel likely would not have been zoned F-1.

This application includes findings with extensive documentation that address the compliance of this application with Lane County RCP Goal 4 Policy 15 for F-2 zoning of the subject property. I'll give you a call in the near future to discuss this and see if there is anything else that I should provide.

Thanks,



James A. Mann LLC
P.O. Box 51081
Eugene, OR 97405-0902

Copy to: Earl Everett
3352 Admiral St.
Eugene, OR 97404-1720

**“Application and Findings For Approval Of A
A Zone Change from F-1 to F-2
Map 21-01-30 Tax Lot 300 Containing 34.29 acres”**

Submittal Date:

File No:

I. Property Information

A. Owner & Applicant:

Earl Everett
3352 Admiral St.
Eugene, Oregon
97404-1720

Applicant Agent:

James A. Mann LLC
P.O. Box 51081
Eugene, Oregon 97405-3819
541-514-3051
jmann@nu-world.com

B. Location:

Map: 21-01-30

Tax Lot: 300/34.29 acres

Address: None.

General: About twelve miles east of the city of Cottage Grove, on the east side of Row River Road at the unincorporated community of Dorena.

C. Zoning: Plot 509

Nonimpacted Forest Lands (F-1) as demonstrated by the zoning map in Exhibit A Attachment 3b.

D. Contiguous Property in the Same Ownership:

The owner of the subject parcel is Earl Everett who does not own any adjacent land as demonstrated by the owner’s deed in Exhibit A Attachment 1 and the A&T RLID list of adjacent owners in Exhibit A Attachment 2.

E. Site Characteristics:

Acres: 34.29 acres

Access: The subject parcel fronts Row River Road that is classified as a paved county maintained minor collector road. See LC 15.027 (Sharps Creek Road to Brice Creek Road)

Slope: The subject parcel is flat as demonstrated by the topographic map in Exhibit A Attachment 6.

Vegetation: Since at least 1979, the subject parcel has been cleared and used for pasture and grazing land. Recently, it has become overgrown by brushes and grasses. A small area on the south end of the subject property has been planted in Douglas fir. See the aerial photos in Exhibit A Attachment 4 and the on-site photos in Exhibit A Attachment n11.

Drainage: There are no significant streams on the subject parcel as demonstrated by Lane County Culp Creek Wildlife Map in Exhibit A Attachment 8. There are two identified wetlands on the northern part and northeast side of the subject parcel as demonstrated by the Culp Creek 2 National Wetlands Inventory Map in Exhibit A Attachment 7.

Improvements: None, except for a rocked easement road that runs from west from Row River Road to a rocked easement road that is adjacent to the east side of the subject parcel.

Floodplain: The subject parcel is not in the floodplain as demonstrated by the FEMA Firm Flood Inventory Rate map in Exhibit A Attachment 9.

Soil: Most of the soil of the subject parcel is identified as the "30" Cloquato-Urban land complex soil type that according to the LANE COUNTY FOREST SOILS RATINGS sheet has a forest cubic foot/acre/year rating of 100. The subject parcel contains a small area of "77B" Marcola cobbly silty clay soil type that according to the LANE COUNTY FOREST SOILS RATINGS sheet has a forest cubic foot/acre/year rating of 130. The adjoining lands to the east are comprised of the "89F" Nekia silty clay soil type that according to the LANE COUNTY FOREST SOILS RATINGS sheet has a forestry cubic foot/acre/year rating of 130.

F. Services:

Tax Code: 600 (Vacant Forest)

Fire Protection: Cottage Grove Fire and Ambulance Department

Ambulance: See above

Police Protection: County, State

Water & Sewer: Onsite sewer & water (possibly Cottage Grove Water)

School: 45J South Lane

Telephone:

Power: EPUD

Waste Management Site: Glenwood

G. Surrounding Area:

The subject property is adjacent to the unincorporated community of Dorena and is adjacent to land zoned as follows: R10 to the north, F-1 to the east and south, and RR5 to the west. A large area zoned M3 is located about 200 feet south of the subject parcel. Most of the nearby RR zoned parcels have

dwelling on them. A detailed description of the surrounding property is included in Exhibit A Attachment 2 that includes an Assessment and Taxation map of the surrounding area and a table for the surrounding area that lists the Assessment owners' names and corresponding map and tax lots, sizes in acres, year built for constructed dwellings or if there are mobile homes or manufactured dwellings, the A&T use and property class numbers and the zoning.

II. Application Summary:

This application requests approval of a zone change from F-1 to F-2 for the subject 34.29 acre parcel that is owned by Earl Everett. For the reasons summarized below, there is a strong case that the subject parcel is impacted forest land and should be rezoned to F-2.

- On its entire west and north sides, the subject parcel is adjacent to lands zoned RR. Part of the adjacent land to the west is in the unincorporated community of Dorena. All of the adjacent RR zone parcels and nearby RR parcels on the opposite side of Row River Road are developed with dwellings with the exception of the adjacent TL 1500 that has an actively used church building on it.
- From 1922 to at least 1983, the subject parcel had a dwelling on it. From at least 1979 to the present, the subject parcel has not been forested or managed for forestry. A small, neglected tree farm exists on the south end of the parcel.
- The subject parcel has low quality soils for forestry purposes and a topography that is similar to the adjacent and nearby lands zoned RR and F-2 and that is different than the adjacent F-1 zoned lands to the east that are steep and have better forest soils.

Findings explaining how this application complies with the requirements for a zone change from F-1 to F-2 are provided below, in section III of this report.

III. Approval Requirements and Findings of Fact:

Finding 1: The Requirements for A Zone Change From F1 to F2

A zone change from F1 to F-2 must comply with the requirements identified below.

- Lane Code 16.003
- Lane Code 16.252
- Lane Code 16.211
- Lane County Rural Comprehensive Plan Goal 4 Policies

Lane Code 16.252(2) requires that rezoning be consistent with:

- the general purpose of Chapter 16, "shall not be contrary to the public interest";
- "the specific purposes of the zone classifications proposed"; and

- “the applicable Lane County Rural Comprehensive Plan elements”. The Lane County Rural Comprehensive Plan contains several policies in the Goal 4 element that apply to the proposed rezoning.

Finding 2: Goal 4 Policy 1

Policy 1: “Conserve forest land by maintaining the forest land base and protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.”

- For the following reasons, the proposed change in zoning will not significantly affect the use of the subject parcel for forest production and will not significantly affect the use of nearby lands for forest production.
 1. The subject parcel, as demonstrated by the aerial photographs in Ex. A Att 4 and the onsite photos in Ex. A Att. 11, is not in forest production and has not been in forest production since as far back as at least 1979. The evidence in the record, Ex. A Att. 12 Metsker maps, suggests that before Bohemia Lumber Company acquired ownership to the subject parcel in the late 1970s or early 1980s. Raymond Wilks owned the subject parcel as far back as to at least 1941. Bohemia Lumber Company owned the property in 1984 when it was zoned F-1. It appears that ownership by an industrial forest company was a primary determinant in the application of the F-1 zoning in 1984 rather than the actual use of the parcel.
 2. While the F-2 standard allows some non-forest uses, including dwellings, they are only allowed under conditions that include restrictions on reducing conflicts with forest uses.
 3. As demonstrated by the A&T improvement record in Ex. A Att 15 and the Lane County Land Management Division permit records in Ex. A Att 13, a dwelling existed on the subject parcel from approximately 1920 until 1982 when it was destroyed by fire. A mobile home was placed on the property in 1983 and removed sometime thereafter. The subject property has historically been used for a dwelling with no known conflicts to the forest management of property to the east.
 4. Access to the subject parcel is from direct frontage on Row River Road that does not interfere with the use of the forest road on the east side of the subject parcel. to the dwellings and has not interfered with forest production and has not been in forest production for Applicants introduced evidence of some vandalism on the subject property.
 5. As demonstrated by the RLID data included in Ex A Att 2 and the Lane County addressing map included in Ex A Att, there is a dwelling on the adjacent property to the north of the subject parcel (TL 1404) and a dwelling on the adjacent ownership (Kryl – TLs 1500, 1607 and 1602) to the south of the subject parcel. A dwelling on the subject parcel would be consistent with the dwellings on the

adjacent parcels to the north and south of the subject parcels and should not significantly impact forest management of the F-1 zoned land to the east.

Finding 2: Goal 4 Policy 2

Policy 2: “Forest lands will be segregated into two categories, Non-Impacted and Impacted and these categories shall be defined and mapped by the general characteristics specified in the Non-Impacted and Impacted Forest Land Zones General Characteristics.”

- This policy appears to make reference to the policies set forth in Policy 16.

Finding 3: Goal 4 Policy 15

Policy 15: “Lands designated within the Rural Comprehensive Plan as forest land shall be zoned Non-Impacted (F-1/RCP) or Impacted Forest Land (F-2/RCP). A decision to apply one of the above zones or both in a split zone fashion shall be based upon:

- (a) A conclusion that characteristics of the land correspond more closely to the characteristics of the proposed zoning than the characteristics of the other forest zone. The zoning characteristics referred to are specified below in subsections b and c. This conclusion shall be supported by a statement of reasons explaining why the facts support the conclusion.**
- (b) Non-impacted Forest Land Zone characteristics:**

- (1) Predominantly ownerships not developed by residences or nonforest uses.”**

- Based on the following Hearings Official comments from the West F-1 to F-2 zone change application PA 99-5789, quoted below, this criterion appears to apply to the subject parcel and not to the surrounding property.

“Applicant suggests that this criteria should be read in a manner similar to the Rural Residential rezoning process. The language of the Comprehensive Plan does not support this suggestion. This language was developed to describe the process of designating large areas; as one type of zone or another. When it is applied in a rezoning context, the focus is on this criteria, on the individual parcel itself, not the characteristics of the surrounding area. In this case, the subject property is not developed by a nonforest use and has no residence on it. It therefore meets the criteria to remain zoned F-1.”

- The subject parcel had a dwelling on it from 1922 to 1983. But, it is now vacant and not developed. Therefore, as an undeveloped parcel, the subject parcel meets this characteristic of a non-impacted ownership rather than an impacted ownership.

“(2) Predominantly contiguous, ownerships of 80 acres or larger in size.”

- Based on Hearings Official comments from the West F-1 to F-2 zone change application PA 99-5789, quoted below, this criterion applies to the predominant characteristics of properties that are contiguous to the subject property.

“This criteria can be read in several ways. The measure of divisible Non-impacted Forest Land is 80 acres (see policy 7). For the initial decision concerning the zoning district, the question was whether most of the parcels in the prospective zone were contiguous to each other and were in ownerships of 80 acres or larger. Therefore, this criteria is looking at whether the predominant characteristic of properties that are contiguous to the subject parcel is that the parcels are 80 acres or larger in size. Some of the large tracts have been divided, so that the predominant characteristic of the contiguous properties, resource and non-resource parcels, is that they are of less than 80 acres in size. In this case, the parcelization is such that this criteria points to rezoning the property.”

- “Contiguous” is defined by LC 16.090 as, “Having at least one common property line greater than eight feet in length.”
- The ownership information presented in Ex. A Att 2, that includes an A&T map and RLID ownership data, identifies the contiguous ownerships and their sizes. Based on this information, summarized below, the predominant characteristic of properties that are adjacent to the subject parcel is that there is an even split. Two ownerships contain more than 80 acres and two ownerships contain less than 80 acres. It is noteworthy that all but 2.63 acres of the large Kryl ownership containing 83.55 acres is zoned M3 and is for the most part not forestland.

Assessment Owners' Names	Map & Tax Lot	Tax Lot Acres	Year Built	A&T Use & Property Class Nos.	Zoning
Bertuccelli Cheryl A	21-01-19 1404	10.07	Mf. Dw.	1150 & 409	RR10
Weyerhaeuser Co	21-01-30 301	54.56	vacant	8310 & 600	F-1
Weyerhaeuser Co	21-01-30 1600	34.43	vacant	8310 & 600	F-1
Weyerhaeuser Co	21-01-30 1605	1.65	vacant	1111 & 400	F-1
	TOTAL	90.64			
Row River Baptist Church	21-01-30 1500	.32	Church	6911 & 211	RR5
Kryl Mirka Y	21-01-30 1607	2.63	vacant	9100 & 600	F-1
Kryl Mirka Y	21-01-30 1602	39.09	Mo. Ho.	1150	M3
Kryl Mirka Y	21-01-30 1602	41.83	Industrial	231	M3

	TOTAL	83.55		
Row River Road right-of-way	NA			
Mf. Dw.: Manufactured Dwelling	400: Vacant Tract		1150: Mobile Home	
Mo. Ho.: Mobile Home	401: Improved Tract		6911: Churches, Temples	
101: Residential Improved	409: Tract, Manufactured Structure		8040: Pasture, sheep, cattle	
109: Residential Manufactured Structure	581: Improved Farm		8310: Timberlands	
211: Churches, Temples	600: Forest, vacant		9100: Vacant, undeveloped	
231: Commercial, Improved	1111: Single Family Housing		9999: Needs research	

- Even though the contiguous ownerships are two parcels containing less than 80 acres and two parcels containing more than 80 acres, the subject parcel meets this characteristic of a impacted forest land rather than non-impacted forest land because the large Kryl ownership is industrial land and not forest land. Suppose that the subject parcel was contiguous to only large industrial ownerships containing more than 80 acres. The actual zoning and use of the properties may be more relevant than the 80 acre sizes. This concern is addressed in (3) below.

“(3) Predominantly ownerships contiguous to other land utilized for commercial forest or commercial farm uses.”

- The uses of contiguous ownerships are predominantly not commercial forest or farm uses based on the information provided below. Therefore, the subject parcel meets the characteristics of impacted forestland.
 - ✓ It is necessary to provide evidence to support whether or not the contiguous parcels in the area are utilized for commercial forest or commercial farm purposes. “Contiguous” can be interpreted consistently with the “contiguous” definition in LC 16.090 to mean sharing a common boundary line. The applicant has submitted several reliable sources of information to document the uses of contiguous ownerships. This information includes Ex. A Attachment 2 that identified the ownerships and the use description assigned to the term by A&T. Other sources include the aerial photos submitted as Ex A. Att 4 and the onsite photos submitted as Ex A Att 11.
 - ✓ Tax Lot 1500 has a church building on it and is used for gathering and worship purposes.
 - ✓ Tax Lot 1404 has dwelling on it and is used for accessory residential uses.
 - ✓ The large Kryl ownership is used for a dwelling, has a large industrial land building on it and is mostly vacant land not in forest use.
 - ✓ The large Weyerhaeuser ownership is industrial forestland as evidenced by the A&T data, aerial photos and onsite photos.
 - ✓ The subject parcel is contiguous to Row River Road that in turn, on the opposite side of the road, is contiguous to rural residential parcels with dwellings on them.

“(4) Accessed by arterial roads or roads intended primarily for forest

management.”

- Row River Road is classified as a Minor Collector road. Therefore, this criteria suggests the property should be redesignated.”

“(5) Primarily under commercial forest management.”

- The information submitted by the applicant in Finding 2 above clearly indicates that the subject parcel is not “primarily under forest management” and has been managed as primarily pasture and grazing for since at least 1979. The property is now primarily neglected and left in brushes and grasses.

“c. Impacted Forest Land Zone (F-2, RCP) Characteristics

(1) Predominantly ownerships developed by residences or nonforest uses.”

- This criterion is the mirror image of criterion (b)(1). In this case, the property is not developed with residential or nonforest uses and therefore the evidence does not support redesignation.”

“(2) Predominantly ownerships 80 acres or less in size.”

- The wording of this criterion points to the individual parcel, different from the criteria of (b)(2). This individual parcel is less than 80 acres. Therefore this criterion suggests the subject parcel should be redesignated.

“(3) Ownerships generally contiguous to tracts containing less than 80 acres and residences and/or adjacent to developed or committed areas for which an exception has been taken in the Rural Comprehensive Plan.”

- The subject parcel is contiguous to two exception areas. One area is the Community of Dorena that is contiguous to the subject parcel on the west side. There is a separate exception area for the RR zoned property contiguous to the north side of the subject property. The subject parcel is contiguous on its south side to a large ownership that is primarily committed and zone M3. This information presented to address this criteria points supports redesignation.”

“(4) Provided with a level of public facilities and services, and roads, intended primarily for direct services to rural residences.”

- The subject parcel has access to the level of service normally provided to rural residences, including road access. This criteria supports redesignation.

Finding 4: Goal 4 Policy 15a

The decisive criterion is contained in subsection a quoted in Finding 3 above and restated as follows:

“(a) A conclusion that characteristics of the land correspond more closely to the characteristics of the proposed zoning than the characteristics of the other forest zone.”

- The zoning characteristics referred to are specified above in subsections b and c. This conclusion shall be supported by a statement of reasons explaining why the facts support the conclusion. These characteristics are not clearly written so that they can easily apply to a question of redesignation. They appear to have been written to describe the original designation process, which looks at larger swaths of territory. In this case the characteristics of the subject parcel correspond more to the characteristics of F-2 than F-1. Of the five F-1 characteristics, (1) and (2) suggest retaining the F-1 zoning, in varying degrees of strength. Three of the five F-1 characteristics point in favor of redesignation. Of the four F-2 criteria, the evidence indicates that redesignating the subject parcel to F-2 meets three of the four criteria. Rezoning requires that the original process of designation be revisited to see if the factors that originally supported designation as F-1 have changed to such an extent that a change to F-2 is now justified. What appears to be the case here is that more information is available that was not available when the subject parcel was originally designated F-1. There is strong evidence on the issue. In presence of strong evidence that the subject parcel is impacted, the law favors redesignating the subject parcel. The request for redesignation must be approved.

Exhibit A List of Attachments

1. Legal Lot Verification Application
2. Composite Lane County A&T Maps 21-01-19 & 30 & Related Data
3. Composite of Lane County Plan Diagram & Zoning Plot Maps 508 & 509
4. 1979 & 2000 BLM Aerial Photos
5. NRCS Soils Map & Related Data
6. Topography Map & Related Data
7. National Wetlands Inventory Map #
8. Lane County Culp Creek Wildlife Habitat Map
9. FEMA Firm Flood Inventory Rate Map Panel 2425 of 2975
10. Lane County Addressing Maps
11. Site Photos
12. Metsker Maps
13. Lane County Property File Information
14. Lane County Subarea Plan Map & Related Information
15. Assessment & Taxation Improvement Detail Record



Date: MARCH 17 2004

APPLICANT: JAMES MANH LLC.
P.O. BOX 21081
EUGENE, OR. 97455-3819

EXHIBIT 1

OWNER: EARL EVERETT
3352 ADMIRAL STREET
EUGENE, OR. 97454-1720

PA: 034005

RE: Report and Verification of a Legal Lot
Tax Map: 21-01-30-00 Taxlot: 300

A more exact description by reference to Deed or Land Sales Contract
is BOOK 128 PAGE 452.

Based upon the Findings provided in this report, the above referenced property
constitutes a legal lot, which means:

1. Ownership to this property may be conveyed with the assurance that such a conveyance would not require approval by Lane County land division regulations; and
2. Lane County recognizes this property as a legally separate unit of land for the purposes of development. Development would still be subject to applicable zoning, sanitation, access and building regulations.

Findings

1. The subject property was created as a separate parcel on MAY 9 1971
See attached instruments BOOK 128 PAGE 452
2. The creation of the subject property as a separate parcel complied with all effective land division, zoning and comprehensive plan regulations, and it therefore constitutes a legal lot:

a. Land division regulations:

When the subject parcel was created, there were not land division regulations in effect to govern its creation. Lane County did not adopt applicable regulations for this kind of division until MARCH 26 1975.

There were land division regulations in effect governing the creation of this parcel, and the creation of this parcel was specifically exempted by these regulations from compliance because _____



b. Zoning regulations:

- When the subject parcel was created, there were no zoning regulations in effect at this time. The zoning for this property was adopted on AUGUST 29 1978
- When the subject parcel was created, there were the following zoning regulations in effect which the parcel complied with because _____

c. Additional Comments:

THE ORIGINAL PARCEL AS DESCRIBED WITHIN THE ENCLOSED MAP WAS LATER REDUCED IN SIZE BY THE FOLLOWING:

- ① THE ESTABLISHMENT OF TL 700 ON 1942, BK 388 PG 44
- ② THE ESTABLISHMENT OF TL 1600 ON 1939, BK 199 PG 57
- ③ THE ESTABLISHMENT OF TL 1800 ON 1951, BK 448 PG 429
- ④ THE ESTABLISHMENT OF TL 300 ON 1972, BK 602 PG 13855.

THE REMAINDER, BEING TL 300 IS A LEGAL LOT, WITH NO APPARENT ACCESS TO A LEGAL ACCESS.

"This is a preliminary indication that the above referenced property, as further designated on the enclosed map, is a legal lot. The decision that this property constitutes a legal lot will be made at the time of the first permit or application action where a legal lot is required. If the boundaries of this legal lot have changed at the time of a permit or application which requires a legal lot, a new Legal Lot Verification will be required."

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "D. G. Nickell".

D. G. NICKELL P.L.S.O.
Engineering Associate
541-682-3989

ATTACHMENTS

CC: TRS File

Elmira Isabella Wicks, et al
to
Alvis E. Wicks, et al

Wicks for Record May 9, 1921, 2:05 o'clock P.M.
R. S. Bryson, County Clerk
By S. E. Stone, Deputy

DEED

THIS INSTRUMENT WITNESSETH: That Elmira Isabella Wicks and John P. Wicks, her husband for and in consideration of the sum of SEVEN HUNDRED AND FIFTY and no/100 Dollars to them paid do hereby bargain, sell and convey unto Alvis E. Wicks and Raymond E. Wicks, the following described premises to-wit:

All of the Lorenzo Vanenburg Donation Land Claim No. 37, Notification, 6272 being parts of Section nineteen (19) and Thirty (30) in Township Twenty-one (21) south of Range One (1) West Willamette Meridian, more particularly described as follows, to-wit:
(1) West Willamette Meridian, more particularly described as follows, to-wit:
Beginning at a point Thirteen (13) chains North and Nineteen (19) chains five (5) links east of the Northwest corner of said section Thirty (30); thence East twenty-eight (28) chains four (4) links; thence South thirty-one (31) chains and Eighty-three (83) links; thence West twenty-two (22) chains thence North twenty (20) chains and twenty (20) links; thence West six (6) chains; thence North forty one (41) chains and Twenty five (25) links; to the place of beginning, being 160.59 acres. Also

All of lots one (1), Two (2) and Three (3) and the Northwest quarter of the Southwest quarter (NW 1/4) of said section Thirty (30) being 125.19 acres. Excepting from the foregoing an easement for a right of way heretofore conveyed to the Oregon & Southeastern Railroad Co., also the easement heretofore conveyed to the City of Cottage Grove, for right of way for pipe line and also excepting therefrom that portion of Lot Three (3) in said Section Thirty (30) lying on the East side of the Oregon & Southeastern Railroad Company's right of way (about three (3) acres) heretofore conveyed to George Fetty, containing in all Two hundred and seventy (270) acres.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantees their heirs and assigns forever.

In witness whereof we have hereunto set our hands and seals this 9th day of May 1921
Elmira Isabella Wicks (Seal)
John P. Wicks (Seal)
In presence of
E. O. Potter
James H. Spahr
SARVES OF OREGON

1-21 U. S. I. P
Stamp Cancelled

COUNTY OF LANE } SS
Be it remembered that on this 9th day of May 1921 personally came before me a Notary Public in and for said county the within named Elmira Isabella Wicks and John P. Wicks, her husband, to me personally known to be the identical persons described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

E. O. Potter
Notary Public for Oregon
My Commission Expires 11/21/24

Notarial Seal

J. G. Allen, et ux
to
Absalom Laffoon, et ux

Filed for Record May 10, 1921, 8:48 o'clock A. M.
R. S. Bryson, County Clerk
By S. E. Stone, Deputy

(No Stamp)

KNOW ALL MEN BY THESE PRESENTS: That J. G. Allen, of the County of Lane and State of Oregon, for and in consideration of the sum of One Thousand and No/100 (\$1,000.00) Dollars, in hand paid, do hereby grant, bargain, sell, convey and confirm unto Absalom Laffoon, and Matilda Laffoon, his wife, of the County of Linn and State of Oregon the following described real estate situated in Cottage Grove, in Lane County and State of Oregon, to-wit:

Lot 7 and 8 in Block One (1) in Block addition to Cottage Grove, Oregon, all in Cottage Grove, Lane County, Oregon.

TO HAVE AND TO HOLD the premises above described together with all the Tenements, Hereditaments and Appurtenances thereto belonging unto the said Absalom Laffoon and Matilda Laffoon, his wife and to his heirs and assigns forever.

And they hereby covenant with the said Grantee and with his heirs and assigns, that lawfully seized of said premises; that they are free from encumbrance, and they have good right and lawful authority to sell the same; and no person shall be able to warrant and defend the title to said premises against the lawful claim of all persons whomsoever.

And the said J. G. Allen hereby relinquished all rights in and to the above described premises.

Signed this 26 day of Feb. A. D. 1921
In presence of
M. Z. Glass
C. I. Laffoon
J. G. Allen
Mary E. Allen

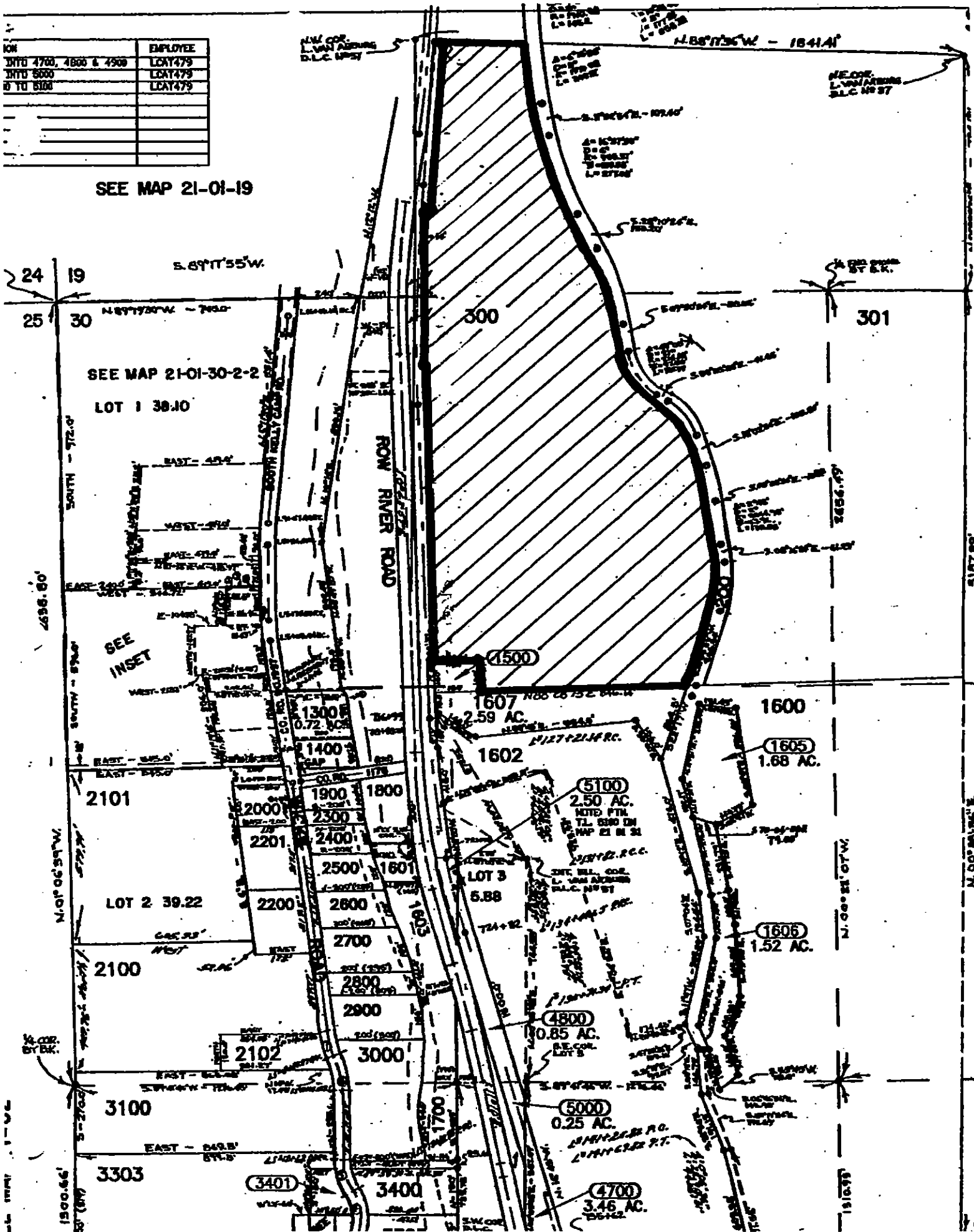
State of Oregon } SS
Lane County

On this 26 day of Feb. A. D. 1921 before me the undersigned N. E. Glass a Notary Public duly commissioned and qualified for and residing in said County, personally came J. G. Allen and Mary E. Allen, his wife, to me known to be the identical persons whose names are affixed to the foregoing instrument as grantor, and acknowledged the same to be their voluntary act and deed.

Witness my hand and Notarial Seal the day and year last above written.
N. E. Glass
Notary Public
My Commission Expires 101

ION	EMPLOYEE
INTU 4700, 4800 & 4900	LEAT479
INTU 5000	LEAT479
INTU 5100	LEAT479

SEE MAP 21-01-19



SEE MAP 21-01-30-2-2

LOT 1 38.10

SEE
INSET

2101

LOT 2 39.22

2100

3100

3303

3401

3400

LOT 3
5.88

1602

1607
2.59 AC.

1600

1605
1.68 AC.

1606
1.52 AC.

5100
2.50 AC.

4800
0.85 AC.

5000
0.25 AC.

4700
3.46 AC.

N.W. COR.
L. VAN ALBEMarle
D.L.C. 1957

N.E. COR.
L. VAN ALBEMarle
D.L.C. 1957

N.W. COR.
L. VAN ALBEMarle
D.L.C. 1957

N. 88°17'36\"/>

N. 87° 57' 57\"/>

S. 69°11'55\"/>

N. 89°17'30\"/>

24 19

25 30

301

300

ROW RIVER ROAD

1500

1607 N 88 26 15 E 0.10 AC.

N 88 26 15 E 0.10 AC.

N 88 26 15 E 0.10 AC.

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N 88 26 15 E 0.10 AC.



LANE COUNTY RECEIPT

RECEIPT NUMBER: R03005257

10-03-2003

PLANNING ACTION #: **PA036005**

TYPE: LEGAL LOT VERIFICATION
SITE ADDRESS: 37491 ROW RIVER RD DOR
PARCEL: 21-01-30-00-00300
APPLICANT: MANN JAMES
PO BOX 51081
EUGENE OR
97405
541-514-3051

Type	Method	Description	Amount
Payment	Check	1069	466.00

	Description	Current Pymt
2000	New Technology Fee	10.00
2100	Administrative Fee	57.00
3060	Planning Admin Approvals	380.00
3065	Long Range Planning Surc	19.00

PAID BY: EVERETT EARL



LAND USE APPLICATION

REQUEST / PROPOSAL FOR:

LEGAL LOT VERIFICATION

FILE NO.

ACTION

FEE

LOCATION	21-01-30	300	34.29
	ASSESSOR'S MAP NO.	TAXLOT	ACREAGE
SITE ADDRESS	None		
APPLICANT/AGENT	James A. Mann LLC	514-3051	
	NAME	TELEPHONE	
	P.O. BOX 51081	jmann@nu-world.com	
	ADDRESS	E-MAIL	
	Eugene / OR.	97405-3819	
	CITY / STATE	ZIP CODE	
OWNER	Earl Everett	607-6118	
	NAME	TELEPHONE	
	3352 Admiral St.		
	ADDRESS	E-MAIL	
	Eugene / OR	97404-1720	
	CITY / STATE	ZIP CODE	
<p>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) authorized to submit this application as evidenced by the signature of the owner below.</p>			
OWNER Signature	Date	APPLICANT Signature	Date

STAFF COMMENTS	RELATED PERMIT #

**Legal Lot Verification Application For
Map 21-03-30 Tax Lot 300**

Summary.

The owner of the subject property is Earl Everett who purchased the subject property on August 21, 2003 by bargain and sale deed 2003-083827. The subject property is Tax Lot 300 of Map 21-03-30, hereafter referred to as "TL 300".

This application seeks recognition from Lane County that TL 300 is a legal lot and provides the necessary information for the legal lot recognition. TL 300 was initially created as a separate parcel in 1940 by deed 196/511. Portions of TL 300 were then conveyed by deeds to other persons ending with the last conveyance on December 29, 1972 with warranty deed R622/3885 (less .39 acres that was deeded out as a boundary line adjustment for Row River Road in 1979 by R953/76673). The current configuration of TL 300 was therefore established on December 29, 1972 less the .39 acres conveyed for Row River Road right-of-way.

Lane County first adopted countywide partition regulations applicable to TL 300 on March 26, 1975. TL 300 is a legal lot because it was lawfully created by deeds prior to March 26, 1975.

The information included with this application is:

- A copy of the applicant's deed for TL 300;
- A copy of the Lane County Assessment and Taxation "PARCEL RECORD" for TL 300;
- Copies of the deeds listed in the PARCEL RECORD for TL 300; and
- A copy of A&T map 21-03-30.

After recording return to
and mail tax statements to:

Earl Everett
3352 Admiral St.
Eugene, OR 97404

Division of Chief Deputy Clerk
Lane County Deeds and Records

2003-083827



\$31.00

00480787200300838270020023

08/29/2003 12:47:48 PM

RPR-DEED Cnt=1 Stn=8 CASHIER 05
\$10.00 \$11.00 \$10.00

BARGAIN AND SALE DEED

McDOUGAL BROS., INC., Grantor, conveys to EARL EVERETT, Grantee, all its right,
title, and interest in the real property situated in Lane County, Oregon, described as:

Exhibit A, attached hereto and made a part hereof.

The true and actual consideration for this transfer is \$30,000.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT
IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR
ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD
CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES
AND DETERMINE ANY LIMITS OR LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED
IN ORS 10.930.

DATE: August 21, 2003.

McDOUGAL BROS., INC.

By: Norman McDougal

STATE OF OREGON)
) ss.
County of Lane)

The foregoing instrument was acknowledged before me this 21st day of
August 2003, by NORMAN McDOUGAL as
PRESIDENT of McDougal Bros., Inc.



Maggie Turner
Notary Public for Oregon
My Commission Expires: 5/13/05

EXHIBIT A

All that part of the Lorenzo Van Arburg Donation Land Claim No. 37, in Section 19 and 30, Township 21 South, Range 1 West of the Willamette Meridian, lying West of the strip of land 50 feet wide conveyed to Booth-Kelly Lumber Company by deed recorded December 11, 1952, Reception No. 92043, Lane County Oregon Deed Records, and North of the North line of that tract described in deed to Row River Lumber Company recorded December 30, 1939, in Book 199, Page 578, Lane County Oregon Deed Records, in Lane County, Oregon; EXCEPTING that part conveyed to Row River Valley Church by deed recorded August 16, 1951, in Book 443, Page 429, Lane County Oregon Deed Records, in Lane County, Oregon; ALSO EXCEPTING that portion lying within the Oregon-Pacific and Eastern Railway right-of-way, in Lane County, Oregon; ALSO EXCEPTING that portion lying within the right-of-way of the County Road, in Lane County, Oregon; ALSO EXCEPTING that portion described in deed to Lane County, Oregon recorded November 20, 1978, Reception No. 7876673, Lane County Oregon Records, in Lane County, Oregon.

RESERVING, unto the Grantor, its successors and assigns, a perpetual, nonexclusive easement and right to use the roadway on a strip of land described in Easement dated September 30, 1983, recorded October 6, 1983 in Reel 1265R as instrument 8335964, together with the right to keep a gate on said easement area, for which Grantor shall provide a key to Grantee or Grantor shall provide Grantee the choice of installing its own lock on said gate. This reservation of easement shall be appurtenant to the lands now owned or hereafter acquired by Grantor.

SUBJECT TO:

1. As disclosed by the tax rolls, the premises herein described have been zoned or classified as forest lands. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest pursuant to the provisions of ORS Chapter 321.
2. Truck Road Agreement as set forth in instrument recorded April 10, 1971, in Book 210, Page 265, and on February 3, 1949, in Book 389, Page 648, Lane County Oregon Deed Records.
3. Easement agreement, including the terms and provisions thereof, between Thelma Wicks Johnson and Georgia-Pacific Corporation, recorded December 27, 1972, Reception No. 34096, and as amended January 22, 1973, Reception No. 3075, Lane County Official Records.
4. Road easement, including the terms and provisions thereof, granted Rex Timber Inc., by instrument recorded October 6, 1983, Reception No. 8335964, Lane County Oregon Deed Records.
5. Road easement, including the terms and provisions thereof, granted WHW Corporation by instrument recorded February 20, 1987, Reception No. 8707979, Lane County Official Records.
6. Covenants, conditions, and restrictions, including the terms and provisions thereof in easement from Oregon Pacific and Eastern Railway Company, (but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons) as set forth by instrument recorded March 30, 1987, Reception No. 8713306, Lane County Official Records.
7. Easement, including the terms and provisions thereof, granted Row River Baptist Church, by instrument recorded July 12, 1994, Reel No. 1971, Reception No. 9451383, Lane County Official Records.

After recording return to
and mail tax statements to:



\$36.00

McDougal Bros., Inc.
PO Box 518
Creswell, OR 97426

08/29/2003 12:47:48 PM
RPR-DTR Cnt=1 Stn=8 CASHIER 05
\$15.00 \$10.00 \$11.00

TRUST DEED

PARTIES: Earl Everett, Grantor

Fidelity National Title Co., Trustee

McDougal Bros., Inc., an Oregon corporation, Beneficiary

Grantor conveys to Trustee, in trust, with power of sale, the real property described on Exhibit A, which is not currently used for agricultural, timber or grazing purposes.

This Trust Deed shall secure payment and performance of a Promissory Note of even date together with any and all additional and prior advances or loans from Beneficiary to or on behalf of Grantor. The principal amount of the Promissory Note is \$30,000.00, which, together with accrued interest, is due on or before August 20, 2004.

Grantor warrants and covenants that Grantor owns the property free and clear of encumbrances except easements, conditions, and restrictions of record.

Grantor shall pay the Promissory Note and all other advances in accordance with its agreement with Beneficiary and shall pay when due all taxes, assessments, and other charges that may be levied against the property. Grantor shall keep any buildings now on the premises or which may hereafter be placed thereon insured against loss or damage by fire, with extended coverage, for their full insurable value with Beneficiary listed as a named insured or loss payee. Grantor shall keep improvements on the premises in good repair and will not commit or suffer any waste thereof or of the premises.

Time is of the essence hereof. Default by Grantor of any of Grantor's obligations in the Promissory Note or other loan agreements with Beneficiary, or this Trust Deed will entitle Beneficiary to declare the full unpaid balance of the promissory note, together with any other sums secured by this Trust Deed, immediately due and payable, in which case failure of the Grantor to pay the full amount declared to be due within ten (10) days from the date of such declaration shall be a material breach of this Trust Deed.

Should Grantor default, Beneficiary, in addition to any other legal or equitable remedies, may deliver to its Trustee a written notice of default and election to sell the property. Upon such delivery, the Beneficiary shall deposit with the Trustee this Trust Deed and all

promissory notes and documents evidencing expenditures secured hereby, whereupon the Trustee shall fix the time and place of sale and give notice thereof as then required by law.

If legal expenses are incurred in a trustee's sale of the property, the Trustee and Beneficiary shall be entitled to recover such expenses. If litigation arises from this document, the prevailing party shall be entitled to recover attorney fees at all levels of litigation.

Date: August 21, 2003.

GRANTOR:

Earl Everett
EARL EVERETT

STATE OF OREGON)
) ss.
County of Lane)

The foregoing instrument was acknowledged before me this 21st day of August, 2003, by Earl Everett, Grantor.



Maggie Turner
Notary Public for Oregon
My Commission Expires: 5/13/05

Code Area	Township	Range	Section	1/4	1/2	3/4	Parcel Number	Type	Number	Formerly part of			History of Parcel			Acres Remaining		
										Map Number	Tax Lot Number	Special Interest	Exceptions/Additions	Date of Entry/ Acquisition	Volume		Page	Deed Record
	21	01	30	0	0	0	00300											
<p>History of Parcel Prior to Re-mapping</p> <p>Previous Tax Lot Number</p> <p>OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES 21.01.30</p> <p>OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON 300</p>																		
1	21	01	30	0	0	0	00300											
<p>DEED RECORDS</p> <p>TOWNSHIP 21</p> <p>RANGE 1</p> <p>SECTION 30</p> <p>DEED RECORDS VOL. PAGE</p> <p>188/432</p> <p>196/511</p> <p>197/588</p> <p>1959</p> <p>112.76</p> <p>96.22</p> <p>84.63</p> <p>84.38</p> <p>32.63</p> <p>34.68</p> <p>D.L.C. #37 not 6274 110</p> <p>ALSO: All that part of S. 700 ft. lot 4 Sec. 19 E. N. Row River except tax lot 241 (200) containing more or less</p> <p>EXCEPT: T. 2-2 (1500) 0110</p> <p>T. 3 (1600) 0110</p> <p>Containing more or less</p> <p>Correction in acreage</p> <p>EXCEPT: 0.25 acres T. 1. 400 by R587/434 in 1973. 0110</p> <p>Containing more or less</p> <p>EXCEPT: 51.75 acres out to new T.L. 301 per R622/385 for 1973-74.</p> <p>Acreage correction for 1974-75 cont m/1</p> <p>CANCELLED</p> <p>All that part of the Lorenzo Van Arburg 764/111535 DLC No 37, in Section 19 and 30, Tship 21 South, Range 1 West of the W. lying West of the strip of land 50 feet wide conveyed to Booth-Kelly Lumber Co by deed recorded December 11, 1952, Re-ception No 52013, and North of the North line of that tract described in deed to Row River Lumber Co recorded Dec. 30, 1939, in Book 199, Page 578, Lane Co. Oregon Deed Records, in Lane County, Oregon; CANCELLED EXCEPTING that part conveyed to Row River Valley Church by deed recorded August 16, 1951, in Book 113, Page 129 Lane County Oregon Deed Records, in Lane County, Oregon;</p>																		
75																		
<p>Remarks</p>																		
0-303-050 (3-87)																		

FOR ASSESSMENT AND TAXATION USE ONLY

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES
 OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON 21.01.30 300

TAX LOT	SECTION	TOWNSHIP	RANGE E	OR W	W. M.	ACRES
NO.	DISTANCE	929 156				REMAINING
BEARING	BEARING REFERENCE OR LEGAL SUBDIVISION					
	ALSO EXCEPT THAT portion lying within the Oregon-Pacific and Eastern Railway right of way, in Lane County, Oregon;					
	ALSO EXCEPT that portion lying within the right of way of the County Road, in Lane County, Oregon; CANCELLED PARCEL 2 Beginning in the center of Row River on the South line of Lot 4, in Section 19, Township 21 South, Range 1 West of the 11th; thence East to the Southeast corner of said Lot 4; thence Northerly on the East line of said Lot 4, 700 feet; thence West to the center line of said Row River; thence up the center of said Row River to the place of beginning, in Lane County, Oregon. CANCELLED EXCEPT that portion of the Hilford Road of way, and the County Road extending across said described premises in a Northerly and Southerly direction in Lane County, Oregon; ALSO EXCEPT; Beginning at the intersection of the West line of County Road No 1009 and the North line of Section 30, Township 21 South, Range 1 West of the 11th; running thence North 75 feet; thence West 150 feet, more or less, to the center of the channel of Row River; thence Southerly along the center line of Row River to the North line of said Section 30; thence East along said Section 30 to the point of beginning, in Lane County, Oregon. Containing more or less EXCEPT: 0.39 acres out to Row River Road (County Road No 1009) for 1979 by R953/76673 Containing more or less				34.68	
						34.29

SECTION 19-21S-21W-11E-1009

CT 209100(1)

After recording, return to:
Willamette Valley Lumber Company
P.O. Box 907
Albany, Oregon 97321

Send tax statements to:
Willamette Valley Lumber Company
1300 SW Fifth Avenue Suite 3800
Portland, Oregon 97201
Map 21-01-30-300 929156

9700717

BARGAIN AND SALE DEED

WILLAMETTE INDUSTRIES, INC., an Oregon corporation, Grantor, hereby bargains, sells, and conveys to WILLAMETTE VALLEY LUMBER COMPANY, an Oregon corporation, Grantee, and to Grantee's heirs, successors, and assigns all Grantor's right, title and interest in a parcel of land, described in the attached Exhibit A located in Lane County, Oregon.

The true consideration for this conveyance is Five Thousand Nine Hundred Sixty-Two and no/100ths dollars (\$5,962.00).

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

Dated this 20 day of Dec, 1996

WILLAMETTE INDUSTRIES, INC.
By [Signature]
Title V.P.

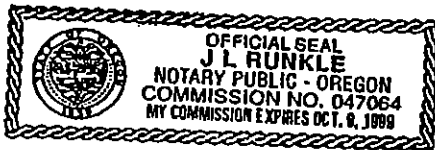
[Signature]
By
Title Exec. V.P.

7635JAN.06'97#08REC 10.00
7635JAN.06'97#08PFUND 10.00
7635JAN.06'97#08A&T FUND 20.00

State of Oregon)
) ss
County of Linn)

On this 20th day of December, 1996, personally appeared Floyd Vike and Duane C. McDougall known to me to be the Executive Vice President and Vice President of WILLAMETTE INDUSTRIES, INC. an Oregon corporation, who did acknowledge this instrument to be executed by authority of its Board of Directors and to be their voluntary act and deed.

J.L. Runkle
Notary Public for Oregon
My commission expires: October 9, 1999



21 01 30 0 0 00300
Acct. #200 929 156
Pg. 3

9700717

EXHIBIT A

U 209100 U

BSD

All that part of the Lorenzo Van Arburg Donation Land Claim No. 37, in Section 19 and 30, Township 21 South, Range 1 West of the Willamette Meridian, lying West of the strip of land 50 feet wide conveyed to Booth-Kelly Lumber Company by deed recorded December 11, 1952, Reception No. 92043, Lane County Oregon Deed Records, and North of the North line of that tract described in deed to Row River Lumber Company recorded December 30, 1939, in Book 199, Page 578, Lane County Oregon Deed Records, in Lane County, Oregon; EXCEPTING that part conveyed to Row River Valley Church by deed recorded August 16, 1951, in Book 443, Page, 429, Lane County Oregon Deed Records, in Lane County, Oregon; ALSO EXCEPTING that portion lying within the Oregon-Pacific and Eastern Railway right-of-way, in Lane County, Oregon; ALSO EXCEPTING that portion lying within the right-of-way of the County Road, in Lane County, Oregon; ALSO EXCEPTING that portion described in deed to Lane County, Oregon recorded November 20, 1978, Reception No. 7876673, Lane County Oregon Records, in Lane County, Oregon.

RESERVING, unto the Grantor, its successors and assigns, a perpetual, nonexclusive easement and right to use the roadway on a strip of land described in Easement dated September 30, 1983, recorded October 6, 1983 in Reel 1265R as Instrument 8335964, together with the right to keep a gate on said easement area, for which Grantor shall provide a key to Grantee or Grantor shall provide Grantee the choice of installing its own lock on said gate. This reservation of easement shall be appurtenant to the lands now owned or hereafter acquired by Grantor.

SUBJECT TO:

1. As disclosed by the tax rolls, the premises herein described have been zoned or classified as forest lands. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest pursuant to the provisions of ORS Chapter 321.
2. Truck Road Agreement as set forth in instrument recorded April 10, 1971, in Book 210, Page 265, and on February 3, 1949, in Book 389, Page 648, Lane County Oregon Deed Records.
3. Easement agreement, including the terms and provisions thereof, between Thelma Wicks Johnson and Georgia-Pacific Corporation, recorded December 27, 1972, Reception No. 34096, and as amended January 22, 1973, Reception No. 3075, Lane County Official Records.
4. Road easement, including the terms and provisions thereof, granted Rex Timber Inc., by instrument recorded October 6, 1983, Reception No. 8335964, Lane County Oregon Deed Records.
5. Road easement, including the terms and provisions thereof, granted WHW Corporation by instrument recorded February 20, 1987, Reception No. 8707979, Lane County Official Records.
6. Covenants, conditions, and restrictions, including the terms and provisions thereof in easement from Oregon Pacific and Eastern Railway Company, (but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons) as set forth by instrument recorded March 30, 1987, Reception No. 8713306, Lane County Official Records.
7. Easement, including the terms and provisions thereof, granted Row River Baptist Church, by instrument recorded July 12, 1994, Reel No. 1971, Reception No. 9451383, Lane County Official Records.

21 01 30 0 0 00300
Acct. #200 929 156
Pg. 4

CE Base 152-dg
CT 12 10 13
11

8031923

STATUTORY WARRANTY DEED

THELMA WICKS JOHNSON (formerly Thelma Wicks, the surviving spouse of Raymond E. Wicks, Deceased), Grantor, conveys and warrants to BOHEMIA INC., an Oregon corporation, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

PARCEL 1

D 5 • 1610 0851 •••00760

All that part of the Lorenzo Van Arburg Donation Land Claim No. 37, in Section 19 and 30, Township 21 south, Range 1 West of the Willamette Meridian lying West of the strip of land 50 feet wide conveyed by Booth-Kelly Lumber Company by deed recorded December 11, 1952, Reception No. 92043, and North of the North line of that tract described in deed to Row River Lumber Company recorded December 30, 1939, in Book 199, Page 578, Lane County Oregon Deed Records, in Lane County, Oregon;

EXCEPTING that part conveyed to Row River Valley Church by deed recorded August 16, 1951, in Book 443, Page 429, Lane County Oregon Deed Records, in Lane County, Oregon;

ALSO EXCEPT that portion lying within the Oregon-Pacific and Eastern Railway right of way, in Lane County, Oregon.

ALSO EXCEPT that portion lying within the right of way of the County Road, in Lane County, Oregon.

PARCEL 2

Beginning in the center of Row River on the South line of Lot 4, in Section 19, Township 21 South, Range 1 West of the Willamette Meridian; thence East to the Southeast corner of said Lot 4; thence Northerly on the East line of said Lot 4, 700 feet; thence West to the center line of said Row River; thence up the center of said Row River to the place of beginning, in Lane County, Oregon;

EXCEPTING THEREFROM the railroad right of way, and the County Road extending across said described premises in a Northerly and Southerly direction all in Lane County, Oregon;

UNTIL A CHANGE IS REQUESTED,
MAIL ALL TAX STATEMENTS TO:

Bohemia Inc.
P.O. Box 1819
Eugene, OR 97401

8031923

ALSO EXCEPT: Beginning at the intersection of the West line of County Road No. 1009 and the North line of Section 30, Township 21 South, Range 1 West of the Willamette Meridian; running thence North 75 feet, thence West 150 feet, more or less, to the center of the channel of Row River; thence Southerly along the center line of Row River to the North line of said Section 30; thence East along said Section line to the point of beginning, in Lane County, Oregon.

SUBJECT TO:

1. Truck road agreement as set forth in instrument recorded April 10, 1971, in Book 210, Page 265, and on February 3, 1949, in Book 389, Page 648, Lane County Oregon Deed Records.
2. Easement agreement with Georgia-Pacific Corporation recorded December 27, 1972, Reception No. 34096, and as amended January 22, 1973, Reception No. 3075, Lane County Oregon Records.

The true consideration for this conveyance is \$60,500.00.

Dated this 13th day of October, 1975.

Thelma Wicks Johnson
Thelma Wicks Johnson

STATE OF OREGON)
) ss.
County of Lane)

October 13, 1975.

Personally appeared the above-named Thelma Wicks Johnson and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

Thelma Wicks Johnson
Notary Public for Oregon
My Commission Expires: 11/14/77



7876673

BARGAIN AND SALE DEED.
CORPORATION

BOHEMIA INC., an Oregon corporation,

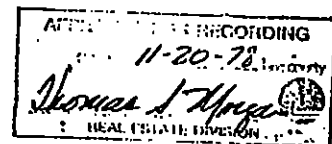
hereinafter called GRANTOR(s), convey to LANE COUNTY, a political subdivision of the State of Oregon, GRANTEE, all that real property situated in Lane County, State of Oregon, described as:

A parcel of land lying in the Southwest one-quarter (SW 1/4) of Section 19 and the Northwest one-quarter (NW 1/4) of Section 30, Township 21 South, Range 1 West, of the Willamette Meridian, Lane County, Oregon, and being all that portion of the tract of land conveyed to THELMA L. WICKS by that certain deed recorded May 1, 1940 in Book 197, Page No. 588, and by that certain Land Sales Contract to BOHEMIA, INC. recorded October 14, 1975 on Reel 764, Records Reception No. 7544536, Lane County Oregon Deed Records; included in a strip of land 60 feet in width lying 30 feet on the Easterly side and 30 feet on the Westerly side of the centerline of the Row River Road (County Road No. 1009) survey as said road has been relocated, the centerline and widths in feet being described as follows:

Beginning at Engineers Centerline Station L³⁹⁷+39.31 P.C., said station being 662.28 feet North and 74.60 feet East of the brass cap marking the Northwest corner of the Lorenzo Van Arburg Donation Land Claim No. 37 in Section 19, Township 21 South, Range 1 West, Willamette Meridian, Lane County, Oregon; run thence on a 7639.44 foot radius curve right (the long chord of which curve bears South 5° 17' 21" West 1122.99 feet) a distance of 1124.00 feet. Thence on a 2864.79 foot radius curve left (the long chord of which curve bears South 4° 23' 08" West 511.18 feet) a distance of 511.86 feet. Thence South 0° 43' 59" East 1345.97 feet to Engineers Centerline Station L³¹²⁷+21.14 P.C. and there ending in Lane County, Oregon.

The Westerly line of the above described strip of land crosses Grantors most Northerly and most Westerly property lines opposite approximate Engineers Centerline Station L³¹⁰⁵+66 P.O.C. and L³¹¹¹+86 P.O.C., respectively.

PAGE 1 - BARGAIN & SALE DEED - CORPORATION
Row River Road (County Road No. 1009)
21-01-30-300
REG



7876673

The parcel of land to which this description applies contains 0.39 acres, more or less, exclusive of existing right of way.

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

The true and actual consideration for this transfer is \$200.00.

Signed by authority of the Board of Directors, with the seal of said corporation affixed, this 9th day of November, 1978.



BOHEMIA INC.

By: S. E. Pittman
President

By: Gayle A. Hescok
Assistant Secretary

STATE OF OREGON }
County of Lane } ss.

On November 9, 1978, personally appeared the above-named
S. E. Pittman and Gayle A. Hescok

who being sworn, stated that they are the _____ President
and _____ Assistant Secretary of said corporation, and that the
seal affixed hereto is its seal and that this dedication was voluntarily signed and
sealed in behalf of the corporation by authority of its Board of Directors. Before me:

NOTARY PUBLIC FOR OREGON
My Commission Expires:

Alice M. Denham
ALICE M. DENHAM
Notary Public-Oregon
My Commission Expires 7/4/82

Page 2 - Bargain & Sale Deed - Corporation
Row River Road (County Road No. 1009)
21-01-30-300
REG

CT-121212 (See 152)

(X-1) 19-21-11

(2) 30-21-11

7544536

CONTRACT OF SALE

DATED: July 7, 1975

BETWEEN: THELMA WICKS JOHNSON (formerly Thelma Wicks the surviving spouse of Raymond E. Wicks, Deceased), whose address is 1720 Anthony Court, Cottage Grove, Oregon 97424, hereinafter called "Seller,"

AND: BOHEMIA INC., whose address is P.O. Box 1819, Eugene, Oregon 97401, hereinafter called "Purchaser."

WITNESSETH

Seller agrees to sell to Purchaser and Purchaser agrees to purchase from Seller for the price and on the terms and conditions set forth below that certain real property, together with all improvements thereon, situated in the County of Lane, State of Oregon, described as follows:

PARCEL 1

*Row River
Deed
1939*

All that part of the Lorenzo Van Arburg Donation Land Claim No. 37, in Section 19 and 30, Township 21 South, Range 1 West of the Willamette Meridian lying West of the strip of land 50 feet wide conveyed to Booth-Kelly Lumber Company by deed recorded December 11, 1952, Reception No. 92043, and North of the North line of that tract described in deed to Row River Lumber Company recorded December 30, 1939, in Book 199, Page 578, Lane County Oregon Deed Records, in Lane County, Oregon;

EXCEPTING that part conveyed to Row River Valley Church by deed recorded August 16, 1951, in Book 443, Page 429, Lane County Oregon Deed Records, in Lane County, Oregon;

ALSO EXCEPT that portion lying within the Oregon-Pacific and Eastern Railway right of way, in Lane County, Oregon;

ALSO EXCEPT that portion lying within the right of way of the County Road, in Lane County, Oregon.

PARCEL 2

Beginning in the center of Row River on the South line of Lot 4, in Section 19, Township 21 South, Range 1 West of the Willamette Meridian; thence East to the Southeast corner of said Lot 4; thence Northerly on the East line of said Lot 4,

1 - Contract of Sale
UNTIL FURTHER NOTICE, MAIL TAX STATEMENTS TO: Bohemia Inc., P.O. Box 1819 Eugene, OR 97401

7544536

700 feet, thence west to the center line of said Row River; thence up the center of said Row River to the place of beginning, in Lane County, Oregon.

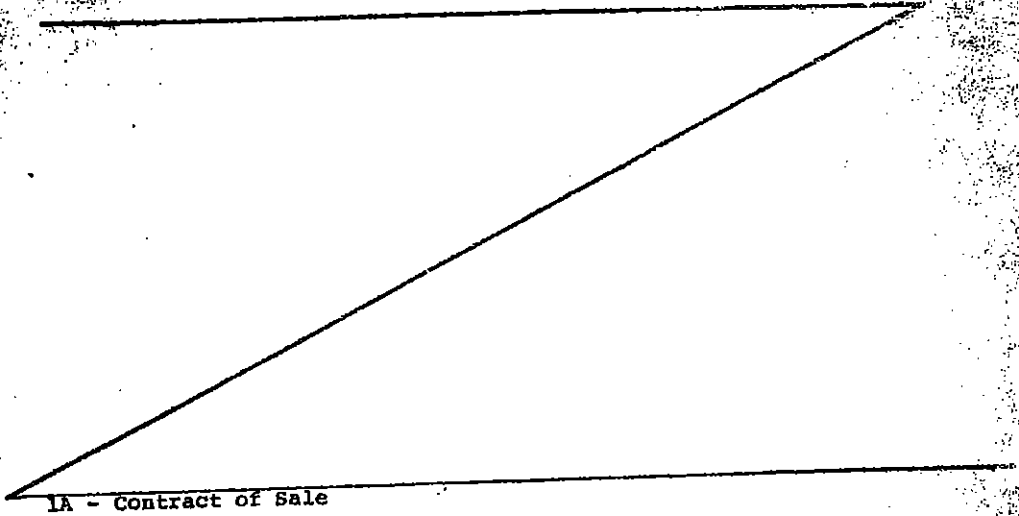
EXCEPT THE RAILROAD RIGHT OF WAY, AND THE COUNTY ROAD EXTENDING ACROSS SAID DESCRIBED PREMISES IN A NORTHERLY AND SOUTHERLY DIRECTION ALL IN LANE COUNTY, OREGON.

ALSO EXCEPT, Beginning at the intersection of the West line of County Road No. 1609 and the North line of Section 30, Township 21 South, Range 1 West of the Willamette Meridian, running thence North 75 feet; thence West 150 feet, more or less, to the center of the channel of Row River; thence South along the center line of Row River to the North line of said Section 30; thence East along said Section line to the point of beginning, in Lane County, Oregon.

39

Said property is herein referred to as "the Property."

1. PURCHASE PRICE AND PAYMENT. Purchaser promises to pay as the total purchase price for the property the sum of \$60,500.00. Purchaser has paid to the Seller the sum of Five Hundred and No/100 Dollars.



1A - Contract of Sale

7544536

(\$500) as earnest money. The balance of the purchase price shall be paid as follows:

1.1 The sum of \$17,545, the balance of the down payment herein, to be paid upon the execution of this agreement.

1.2 The remaining balance of \$42,455 shall be paid in five annual installments of \$8,491, the first payment due on July 7, 1976, and a like payment on or before the 7th day of July each year thereafter, until paid in full.

1.3 The unpaid balance of the purchase price shall bear interest until paid at the rate of 8% per annum, and shall be in addition to and payable at the time of making the annual installment payments. Interest shall accrue from July 7, 1975.

1.4 Payments to Third Parties. In the event Purchaser fails to pay, when due, any amounts required of it to be paid to third parties hereunder, Seller may pay any or all such amounts. If Seller makes any such payments, the amounts thereof shall be immediately due and payable. Until paid, such amounts shall be secured by this contract and shall bear interest at the same rate as provided above. Seller's election to make such payments shall not constitute a waiver of Seller's right to declare Purchaser to be in default under this contract.

1.5 All payments to Seller hereunder shall be made to Seller through Cascade Title Company until further notice has been given in writing by Seller to Purchaser. In the event, however, a judgment lien is entered against Seller at any time during the term of this contract, until such time as the lien is satisfied, Purchaser may elect to make payments hereunder.

7544536

directly to the judgment creditor for Seller's account, in which case such payments shall be credited toward the balance of the purchase price hereunder.

2. PREPAYMENT PRIVILEGE. Purchaser shall not be permitted to make any additional payments to Seller during calendar year 1975. In the event Purchaser elects to prepay the total balance due to Seller prior to the maturity of this Contract, Purchaser agrees to pay to Seller a penalty in the amount of \$950, said payment to be made at the time and in addition to the total balance then owing.

3. TAXES, LIENS, INSURANCE, AND OTHER CHARGES

3.1 All taxes levied against the Property for the current year shall be prorated between Seller and Purchaser as of July 1, 1975. Purchaser agrees to pay when due all taxes and assessments which are hereafter levied against the Property, but may elect to pay assessments in accordance with any available installment method. If Purchaser objects in good faith to the validity or amount of any such tax or assessment, Purchaser, at its sole expense, may contest the validity of amount of the tax or assessment. Purchaser shall otherwise keep the Property free from all public, municipal, and statutory liens which may be hereafter lawfully imposed upon the Property.

3.2 All closings hereunder shall be in escrow, the cost of which shall be evenly divided. Seller shall pay the title premium as described in Section 6 below, and Purchaser shall pay the recording fees for any deeds.

3.3 It is further agreed that Purchaser shall keep all improvements now existing or which shall hereafter be placed on the Property insured against fire and other casualties covered

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by a standard policy of fire insurance with extended coverage endorsements. The policy shall be written to the full replacement value with loss payable to Seller and Purchaser as their respective interests may appear, and certificates evidencing the policies shall be delivered to Seller and shall contain a stipulation providing that coverage will not be cancelled or diminished without a minimum of 10 days written notice to Seller. In the event of loss, Purchaser shall give immediate notice to Seller. Seller may make proof of loss if Purchaser fails to do so within 15 days of the casualty.

3.4 Seller shall deliver to Cascade Title Company, as escrow agent, the deed described in Section 7, together with suitable instructions authorizing delivery after all payments due have been made and all other obligations of Purchaser under this contract have been fulfilled. Cost of setting up such escrow shall be paid by Purchaser.

4. POSSESSION.

Purchaser shall be entitled to possession of the premises as of July 7, 1975.

5. COVENANTS OF SELLER.

Seller covenants that Seller is the owner of good and marketable title to the Property free of all liens and encumbrances except:

A. Truck road Agreement as set forth in instrument recorded April 10, 1971, in Book 210, Page 265, and on February 3, 1949, in Book 389, Page 648, Lane County Oregon Deed Records.

B. Easement agreement with Georgia Pacific Corporation recorded December 27, 1972, Reception No. 34096, and as amended January 22, 1973, Reception No. 3075, Lane County Oregon Records.

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representatives insofar as the property is concerned.

19. NUMBER, GENDER AND CAPTIONS

As used herein the singular shall include the plural, and the plural the singular. The masculine and neuter shall each include the masculine, feminine and neuter, as the context requires. All captions used herein are intended solely for convenience of reference and shall in no way limit any of the provisions of this contract.

IN WITNESS WHEREOF, the parties have caused this contract to be executed in duplicate as of the day and year first above written.

SELLER:

Thelma Wicks Johnson
Thelma Wicks Johnson

NOTE: A CHANGE IS REQUESTED. ALL TAX STATEMENTS SHOULD BE SENT TO THE FOLLOWING ADDRESS:
PURCHASER:

✓ BOHEMIA INC.

By *Fredrick B. Smith*
Its: Sr. Vice President/Finance
M/A: P. O. Box 1819
Eugene, OR. 97401

STATE OF OREGON)

ss.

County of Lane)

I, *Marie J. Gilbert*, do hereby certify that the above named Thelma Wicks Johnson and acknowledge the foregoing instrument to be her voluntary act and deed. Before me:



Marie J. Gilbert
Notary Public for Oregon
My Commission Expires: 2-14-77

FOR VALUE RECEIVED

THELMA WICKS JOHNSON formerly known as Thelma Wicks, widow and surviving spouse of Raymond S. Wicks, deceased,
herein joined as grantor hereby grants, sells, conveys and assigns

AUGUSTUS J. STOR

herein referred to as grantor, the following described property, with tenements, hereditaments, and appurtenances, to wit:

That portion of the Lorenzo Van Aarburg Donation Land Claim No. 17, in Sections 19 and 30, Township 21 South, Range 1 West, Willamette Meridian, Lane County, Oregon lying East of the strip of land 60 feet wide conveyed by Raymond S. Wicks and Thelma Wicks, grantors, to the Booth-Kelly Lumber Co., an Oregon Corporation, by Warranty Deed dated 3rd day of December, 1952, and recorded on the 7th day of December, 1952, under Lane County Clerk Reception Number 47083, Lane County official records, and north of the north line of that tract described in Deed to Row River Lumber Company, recorded December 30, 1939, in Book 199 on page 578, Lane County Oregon Deed Records, and that tract conveyed to Row River Valley Church by Deed recorded August 16, 1951, in Book 443 on page 429 Lane County Oregon Deed Records, all in Lane County Oregon, subject to easements and restrictions of record in Lane County Oregon.

Grantor reserving to herself, her heirs and assigns an easement for water pipe across the above described land to a spring and small stream thereon from which water has been drawn since about 1937, said water to be used for garden, yard and livestock purposes, and Grantor has right to enter upon said land to maintain said water line and waterworks for this water supply with hand tools, this easement being appurtenant to land retained by Grantor to the West of the above land.

TO HAVE AND TO HOLD the said premises unto said Grantee, their heirs and assigns forever. And the said Grantor hereby covenants that they are lawfully seized in fee simple of said premises; that they are free from all incumbrances, except easements and restrictions of record in Lane County Oregon.

and that they will warrant and defend the above granted premises against all lawful claims whatsoever, except as above stated.

The true and actual consideration for this transfer is \$ 68,000.00

Dated December 29 19 72

_____(Seal) *Thelma Wicks Johnson* (Seal)
Thelma Wicks Johnson
_____(Seal) _____(Seal)

STATE OF OREGON, County of Lane, ss.
Thelma Wicks Johnson

Personally appeared the above named

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

Dated December 29 A.D. 19 72

Arthur Beckel
Notary Public for Oregon

My Commission Expires

73 3855
Cascadia Title Company
Eugene, Oregon
WARRANTY DEED

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

973 JAN 26 PM 1 02

Reel 622 R

Lane County OFFICIAL RECORDS.

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

By *D. M. Penfold* Deputy
625-083-05

Return To:

CASCADE TITLE COMPANY
JAN-26-72

200 7 8 2 1 5 Y 1 - 18 e

91-01-30 300

434 MEMORANDUM OF LAND SALE CONTRACT

amended May 20, 1972

PT 26367

BE IT REMEMBERED That on December 1st, 1971, THELMA WICKS JOHNSON,

formerly THELMA L. WICKS and hereinafter known

as SELLERS, and JOHN LEE BROWN and JO ANN BROWN, husband and wife hereinafter known as BUYERS, made and entered into a certain agreement wherein and whereby the SELLERS agreed to sell and the BUYERS agreed to purchase the following described real property, to-wit:

Beginning at a point on the North line of Section 30, Township 21 South, Range 1 West of the Willamette Meridian, at the intersection of said line with the West line of the County Road, thence South following the West line of the County Road 100 feet, thence West 150 feet, more or less, to the center of the channel of Row River; thence North down the center of the channel of Row River to the North line of said Section 30, thence East on the North line of said Section 30 about 150 feet to the place of beginning, all in Lane County, Oregon.

Parcel 2: Beginning at the intersection of the West line of County Road No. 1009 and the North line of Section 30 Township 21 South, Range 1 West, Willamette Meridian, running thence North 75 feet; thence West 150 feet, more or less, to the center of the channel of Row River; thence Southerly along the center line of Row River to the North line of said Section 30; thence East along said Section line to the point of beginning, all in Lane County, Oregon.

Subject to rights of the public in and to that portion lying below the high water mark of the Row River.
Subject to easement of record.

The terms and conditions of said sale are fully set forth in said agreement and reference thereto is hereby made.

IN WITNESS WHEREOF the parties hereto have executed this instrument on the date and year first above written:

Thelma Wicks Johnson
(Seller)

John Lee Brown
(Buyer)

(Seller)

Jo Ann Brown
(Buyer)

BUYERS ADDRESS: JOHN LEE BROWN, P. O. Box 191, Cottage Grove, Ore.

STATE OF OREGON, County of Lane, ss.

Personally appeared the above named THELMA WICKS JOHNSON, formerly, THELMA WICKS and acknowledged the foregoing instrument to be her voluntary act and deed. Before me:

Dated May 20 A.D. 1972

Betty J. Madeline
Notary Public for Oregon

My Commission expires: 9-10-72

CASCADE TITLE COMPANY

83847

WARRANTY DEED BOOK 443 PAGE 429

KNOW ALL MEN BY THESE PRESENTS, That RAYMOND E. WICKS and THELMA WICKS, his wife, grantors, in consideration of One and no/100 (\$1.00) Dollar to them paid by ROW RIVER VALLEY CHURCH, a non-profit corporation, grantee, do hereby grant, bargain, sell and convey unto the said grantee, 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:

No Revenue Stamps Required.
This is a gift.

Beginning at the southeast corner of the Donation Land Claim of Lorenzo Vanarburg No. 37, in Township 21 South Range 1 West of the Willamette Meridian, Lane County, Oregon, run thence North along the East line of said Donation Land Claim 1770 feet, thence North 89° 30' West 1770 feet to an iron pipe in the ground on the easterly boundary of the Oregon and Southeastern Railroad Company right of way, which is the true point of beginning, thence North 89° 30' East 150 feet, thence North 3' West 100 feet, thence North 89° 30' West 150 feet to the East boundary of the right of way of Oregon and Southeastern Railroad Company right of way, thence southerly along said east boundary 100 feet, more or less to the place of beginning, being in Section 30, Township 21 South, Range 1 West of the Willamette Meridian, in Lane County, Oregon.

Subject to the following: The interest of The Booth-Kelly Lumber Company by reason of the indefiniteness in the Deed from Row River Lumber Company, a corporation, duly organized under and by virtue of the laws of the State of Oregon, to The Booth-Kelly Lumber Company, an Oregon Corporation, dated Dec. 30, 1948 recorded Jan. 11, 1949 at pages 424-437 of Volume 388 under Clerk's filing No. 84383, Lane County Oregon Deed Records, and preceding deeds. (line on the east side 1770 feet and on the west side 1878.3 feet)

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

And the grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances up to and including taxes due and payable for period ending June 30, 1951, and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hands and seals this 31st day of July, 1951.

Raymond E. Wicks (SEAL)
Thelma Wicks (SEAL)

Witness my hand and seal this 3rd day of November, A.D. 1938.

Frank I. Kinney
Notary Public for Oregon
My Commission Expires Dec. 16th, 1938.

Notarial Seal

LLF
D E E D 87188

Raymond E. Wicks)
to)
Thelma Wicks)

Filed for Record Dec 28, 1938; 11:48 o'clock A. M.
W. B. Dillard, County Clerk
By Eva L. Duckworth, Deputy (No Stamps)

THIS INDENTURE WITNESSETH: That the grantor herein, Raymond E. Wicks, and the grantee herein, Thelma Wicks, both of legal age, are husband and wife, and that I, Raymond E. Wicks, the owner, for and in consideration of, other good and valuable consideration and, One Dollar, to me paid, do hereby bargain, sell and convey unto my said wife, Thelma Wicks, grantee, an undivided one half interest in and to the following described real property and retaining unto myself a like undivided one-half interest, title and possession in said real property, it being intended hereby Dollars to create an estate in entirety to take immediate effect and possession to as said wife in entirety in and to ~~the following described real property, to-wit:~~ all the following described real property, to-wit:

All of the Lorenzo Vanarburg Donation Land Claim No. 37, Notification No. 627, being parts of Sections Nineteen and Thirty, Township Twenty-one South, Range One, West of the Willamette Meridian, in Lane County, Oregon.

All of Lots, One, Two and Three, and The Northwest Quarter of the Southwest quarter of said Section Thirty, Township Twenty-one South Range One, West of the Willamette Meridian, in Lane County, Oregon.

Excepting from the above described premises that certain tract conveyed to George Petty by deed recorded at Page 529, Book 76 deed records of Lane County, Oregon.

Also except that certain tract conveyed to the Oregon and Southeastern Railroad Company by deed recorded at Page 345 of Book 56 deed records of Lane County, Oregon.

Also except that certain tract conveyed to the Oregon and Southeastern Railroad Company by deed recorded at Page 162 of Book 56 deed records of Lane County, Oregon.

Subject to right of way for pipe line granted to City of Cottage Grove, by deed recorded in Book 87 of deeds at Page 117, records of Lane County, Oregon.

This deed is made subject to the terms, conditions and agreements of certain indebtedness, the balance due and to become due on a certain mortgage to, The Federal Land Bank of Spokane, a corporation, principal place of business, Spokane, Washington, said mortgage of date Dec. 1, 1935, Recorded Jan. 3rd, 1934, in Book 89, Page 21, mortgage records of Lane County, Oregon, together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. ~~and interest in and to the same~~

TO HAVE AND TO HOLD, the above described and granted premises unto the said grantee, her heirs and assigns forever.

~~And the said grantee, her heirs and assigns, shall and lawfully shall, in and to the said premises, unto the said grantee, her heirs and assigns, forever, and shall and lawfully shall, in and to the said premises, unto the said grantee, her heirs and assigns, forever, and shall and lawfully shall, in and to the said premises, unto the said grantee, her heirs and assigns, forever.~~

IN WITNESS WHEREOF, I have set my hand and seal this 28th day of December, 1938.

Executed in presence of: Raymond E. Wicks (Signed)

STATE OF OREGON)
COUNTY OF) ss.

On this 28th day of December, 1938, personally came before me, a notary public in and for said County and State, the within named Raymond E. Wicks (husband of Thelma Wicks) to me personally known to be the identical person described in and who executed the within instrument and who acknowledged to me to be executed the same freely and voluntarily for the uses and purposes herein named.

Witness my hand and seal this 28th day of December, 1938:
Alta King
Notary Public for Oregon
(My Commission expires Dec. 8-1940).

Notarial Seal

LLF
D E E D 87190

Sarah Ellen Crocker)
to)
Ingeborg Sundvold)

Filed for Record Dec 28, 1938; 8:18 o'clock P. M.
W. B. Dillard, County Clerk
By Eva L. Duckworth, Deputy

THIS INDENTURE WITNESSETH, That Sarah Ellen Crocker, widow, and her wife for the consideration of the sum of Eleven hundred twenty two (\$1122.00) Dollars, to her paid, has bargained and sold, and by these presents does bargain, sell and convey unto Ingeborg Sundvold, the following described premises, to-wit:

Beginning at a point on the west line of Lincoln Street in the City of Eugene, Lane County, Oregon, 288 feet west of the west line of Malignan's Addition to Eugene City on the west, as

THIS INDENTURE WITNESSETH that we G. G. Stadden and Esther Stadden his wife.

for and in consideration of the sum of ... other valuable consideration and Ten Dollars ... to us paid ... hereby ... Sell and Convey unto Raymond E. Nicks and Thelma N. Nicks, husband and wife, and for the survivor the following described premises, to-wit:

Beginning in the center of Row River, on the South line of Lot 4, in Sec. 19, Twp. 21 S. R. 1, West of W.M., thence East to the Southeast corner of said Lot 4, thence Northerly on the east line of said Lot 4, 700 feet, thence West to the center line of said Row River, thence up the center of said Row River to the place of beginning, excepting therefrom the Railroad Right of Way, and the County Road, extending across said described premises in a northerly and southerly direction, all in Lane County, Oregon.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said grantees, their heirs and assigns forever

And the said grantors, do hereby covenant to and with the said grantees, their

heirs and assigns, that they are the owners in fee simple of said premises that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever

IN WITNESS WHEREOF we have hereunto set our hands and seal this 13th day of April, A.D., 1940. Done in the Presence of:

(1-50¢ U. S. I. R.) G. G. Stadden (SEAL)
Stamp G. G. Stadden (SEAL)
(SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF OREGON)
COUNTY OF LANE) as ... on this 13th day of April, A.D. 1940, personally came before me, a Notary Public in and for said county the within named G. G. Stadden and Esther Stadden, husband and wife,

to me personally known to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named. Witness my hand and seal this 13th day of April, A. D. 1940.

Alta King
Notary Public for Oregon
My Commission Expires Dec. 2, 1940. 18
Notarial Seal

platted and recorded, and 127 feet south of the south line of Eighth Street and running thence west parallel with Eighth Street 53 feet; thence North parallel with Lincoln Street 48 feet; thence east parallel with Eighth Street 53 feet to the west line of Lincoln Street; and thence south along the west line of Lincoln Street to the place of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Ingeborg Sundvold, her heirs and assigns forever, and the said Sarah Ellen Crocker, does hereby covenant to and with the said Ingeborg Sundvold, her heirs and assigns, that she is the owner in fee simple of said premises; that they are free from all incumbrances, and that she will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 19th day of December, A.D.

1938.

Done in the presence of
A. J. Demorest
Frank Brooks

(1-41 & 1-50)
(U. S. I. R.)
(Stamps Cancelled)

Sarah Ellen Crocker

(Seal)

ACKNOWLEDGMENT

STATE OF OREGON)
County of Yamhill Multnomah) SS.

On this 19th day of December, A.D. 1938, personally came before me, a Notary Public in and for said County and State, the within-named Sarah Ellen Crocker, a widow and his-wife to me personally known to be the identical person described in and who executed the within instrument, and acknowledged to me that she executed the same freely for the uses and purposes therein named.

WITNESS my hand and Notarial Seal this 19th day of December, A.D. 1938.

A. J. Demorest

Notary Public for Oregon

My Commission Expires May 2, 1939.

Notarial Seal

WARRANTY DEED

67200

Hiram E. Lee, et ux)
to)
Judy Brumbaugh)

Filed for Re-Record Dec 28, 1938; 3:55 o'clock P. M.

W. B. Dillard, County Clerk

By Eva L. Duckworth, Deputy (No Stamps)

WARRANTY DEED

THIS INDENTURE WITNESSETH, That we, Hiram Lee and Susan J. Lee, his wife, for and in consideration of the sum of Nine Hundred and fifty Dollars, to us paid, do hereby Bargain, Sell and Convey unto Judy Brumbaugh, the following described premises, to-wit:

The N. W. 1/4 of S. W. 1/4 of Section 18, Tp. 21, S. R. 2 West Also beginning at the S. E. corner of said N. W. 1/4 of S. W. 1/4 Section 18, thence South 25 rods, thence North 8 1/2 degrees East 72 rods, thence North 25 degrees West 20 rods, thence North 26 degrees West to the North line of N. E. 1/4 of S. E. 1/4 of said Section 18, thence West to N. E. corner of said N. W. 1/4 of S. W. 1/4 said Section 18, thence South to the place of beginning, all in said Section 18 Tp. 21, S. R. 2 West in Lane County, Oregon.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Judy Brumbaugh, her heirs and assigns forever.

And the said Hiram Lee and Susan J. Lee, do hereby covenant to and with the said Judy Brumbaugh, her heirs and assigns that they are the owners in fee simple of said premises, and they are free from all incumbrances, and that they WARRANT AND DEFEND the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 11th day of June, A.D.

1908.

Done in presence of
A. H. King
Cora Scott

his
Hiram E. X Lee
Susan J. mark
mark

(Seal)

(Seal)

STATE OF OREGON)
COUNTY OF LANE) SS.

On this, the 11th day of June, A.D. 1908, personally came before me, a Notary Public in and for said county and State, the within named Hiram Lee and Susan J. Lee his wife, to me personally known to be the identical persons described in, and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and seal this 11th day of June, A.D. 1908.

A. H. King
Notary Public for Oregon

Notarial Seal

Endorsed
STATE OF OREGON)
County of Lane) ss.

I certify the within instrument was filed for record the 8th day of Dec. 1900, 1:30 P.M. and recorded in Book 78 of Deeds, page 183.

E. U. Lee County Clerk
By F. G. Stickels, Deputy

10479
Deed
Filed for Record May 9, 1921, 3:08 o'clock P.M.
Elmira Isabella Wicks, et vir }
to } R. S. Bryson, County Clerk
Alvis E. Wicks, et al. } By S. E. Skeno, Deputy

DEED
THIS INSTRUMENT WITNESSETH: That Elmira Isabella Wicks and John F. Wicks, her husband for and in consideration of the sum of SEVEN HUNDRED AND FIFTY and no/100 Dollars to them paid do hereby bargain, sell and convey unto Alvis E. Wicks and Raymond E. Wicks, the following described premises to-wit:

All of the Lorenzo Vamburg Donation Land Claim No. 37, Notification No. 6274 being parts of section nineteen (19) and Thirty (30) in Township Twenty-one (21) South of Range One (1) West Willamette Meridian, more particularly described as follows, to-wit:
(1) Beginning at a point Thirteen (13) chains North and Nineteen (19) chains five (5) links east of the Northwest corner of said section Thirty (30); thence East twenty-eight (28) chains; four (4) links; thence South sixty-one (61) chains and Eighty-three (83) links; thence West six (6) chains; thence North forty one (41) chains and Twenty five (25) links; to the place of beginning being 160.59 acres. Also

All of lots one (1), Two (2) and Three (3) and the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4) of said section Thirty (30) being 125.19 acres. Excepting from the foregoing an easement for a right of way heretofore conveyed to the Oregon & Southeastern Railroad Co., also the easement heretofore conveyed to the City of Cottage Grove, for right of way for pipe line and also excepting therefrom that portion of Lot Three (3) in said section Thirty (30) lying on the East side of the Oregon & Southeastern Railroad Company's right of way (about three (3) acres) heretofore conveyed to George Potty, containing in all Two hundred and seventy (270) acres.

TO HAVE AND TO HOLD THE said premises with their appurtenances unto the said Grantees their heirs and assigns forever.

In Witness Whereof we have hereunto set our hands and seals this 9th day of May 1921
Elmira Isabella Wicks (Seal)
John F. Wicks (Seal)
In presence of
E. O. Patter
James H. Spahr
STATE OF OREGON)
COUNTY OF LANE) SS

Be it remembered that on this 9th day of May 1921 personally came before me a Notary Public in and for said county the within named Elmira Isabella Wicks and John F. Wicks, her husband to me personally known to be the identical persons described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and seal this 9th day of May A.D. 1921
E. O. Patter
Notary Public for Oregon
My Commission expires 11/21/24

Notarial Seal
-17-
WARRANTY DEED
40483

J. G. Allen, et ux }
to } Filed for Record May 10, 1921, 8:48 o'clock A. M.
Absalom Laffoon, et ux } R. S. Bryson, County Clerk
By S. E. Skeno, Deputy (No Stamps)

KNOW ALL MEN BY THESE PRESENTS: That J. G. Allen, of the County of Lane and State of Oregon, for and in consideration of the sum of One Thousand and No/100 (\$1,000.00) Dollars, in hand paid, do hereby grant, bargain, sell, convey and confirm unto Absalom Laffoon, and Matilda Laffoon, his wife, of the County of Lane and State of Oregon the following described real estate situated in Cottage Grove, in Lane County and State of Oregon, to-wit:

Lot eight (8) in Block One (1) Lakes addition to Cottage Grove, Oregon, all in Cottage Grove, Lane County, Oregon.

TO HAVE AND TO HOLD the premises above described together with all the Tenements, Hereditaments and Appurtenances thereunto belonging unto the said Absalom Laffoon and Matilda Laffoon, his wife and to his heirs and assigns forever.

And they hereby covenant with the said Grantee and with his heirs and assigns, that lawfully seized of said premises; that they are free from encumbrance and that they have good right and lawful authority to sell the same, and do hereby covenant to warrant and defend the title to said premises against the lawful claim of all persons whomsoever.

And the said J. G. Allen hereby relinquishes all rights in and to the above described premises.
Signed this 26 day of Feb. A. D. 1921
In presence of
H. E. Glass
C. I. Laffoon
State of Oregon)
Lane County) SS

On this 26 day of Feb. A. D. 1921 before me the undersigned H. E. Glass a Notary Public duly commissioned and qualified for and residing in said County, personally saw J. G. Allen and Mary E. Allen, his wife, to me known to be the identical persons whose names are affixed to the foregoing instrument as grantor, and acknowledged the same to be their voluntary act and deed.

Witness my hand and Notarial Seal the day and year last above written.
H. E. Glass
Notary Public
My Commission expires 191

FOR ASSESSMENT
AND TAXATION
ONLY

SECTION 19 T.21S. R.1W. W.M
LANE COUNTY

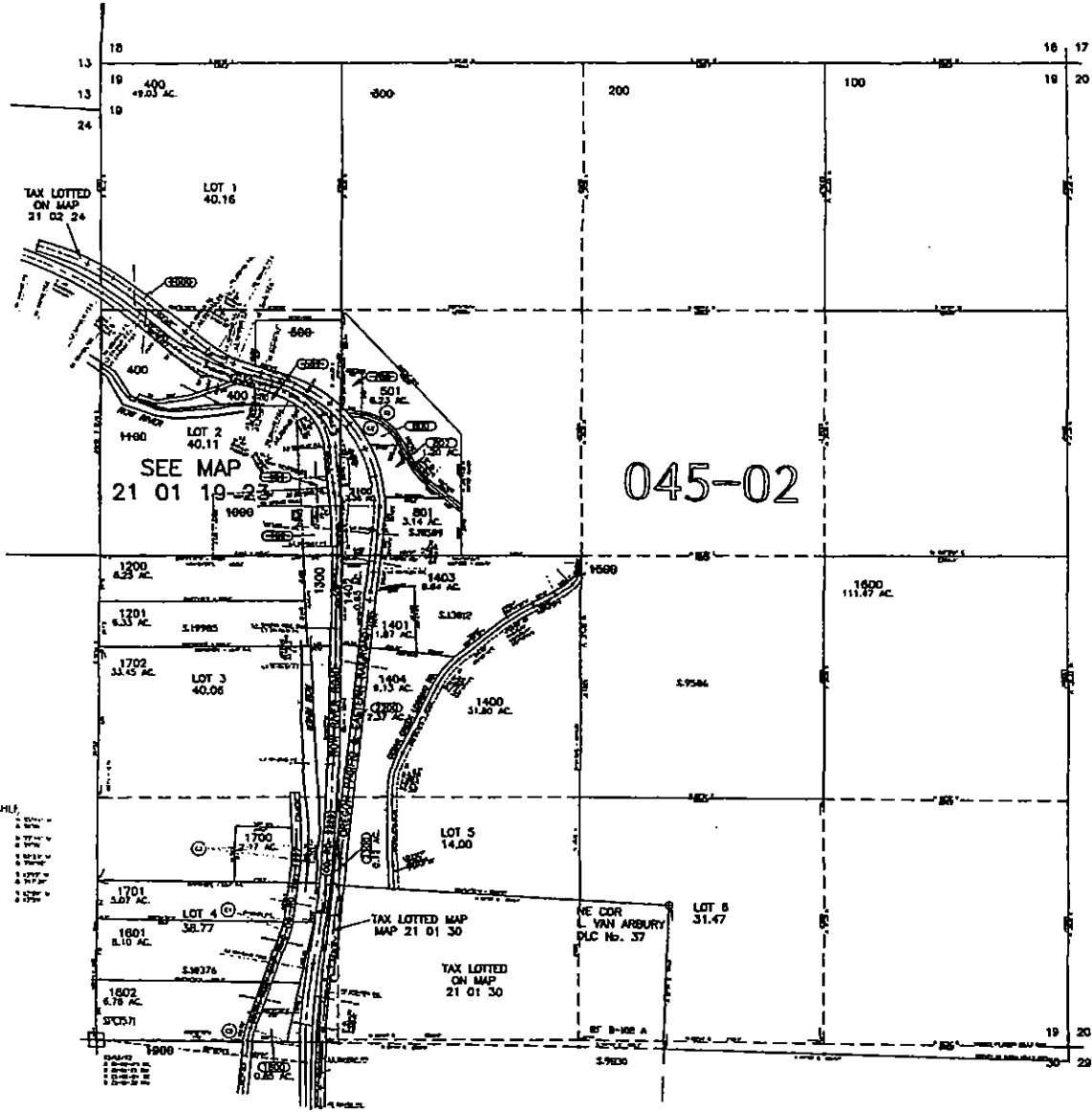
SCALE 1" = 400'
SEE MAP 21 01 00 00

DATE	DESCRIPTION	BY

21 01 19

C.A.D. SYS.

CANCELLED
1000
1100
1200
1300
1400
1500
1600
1700
1800
1900



SEE MAP 21 02 24 00

SEE MAP 21 01 00 00

LINK TABLE

1	1300	3.71 AC
2	1400	3.71 AC
3	1500	3.71 AC
4	1600	3.71 AC
5	1700	3.71 AC
6	1800	3.71 AC
7	1900	3.71 AC

SEE MAP 21 01 30 00

21 01 19

DATE	REVISION	EMPLOYEE
8/23/00	PTN 20033600-2100 INTO 4700, 4800 & 4900	LCAT479
4/19/01	PTN 20033600-2100 INTO 5000	LCAT479
4/19/01	REMAP 20033600-2100 TO 5100	LCAT479

SEE MAP 21-01-19

COR. BY B.K. 24 19 S. 69°17'55"W.

25 30 N. 89°19'30"W. - 745.0'

SEE MAP 21-01-30-2-2

LOT 1 38.10

SOUTH - 972.0'

2638.60'

N. 01°06'59"W.

1/4 COR. BY B.K.

1300.66' (319)

E MAP 21-02

LS 15°58'52.92" W.
 4334.67' P.C.
 2599.65' 10" W.
 1267.10' W.
 1277.60'

1. N. 03°58' E. - 24.43'
 2. EAST - 112.28'
 3. S. 0°11'30" W. - 28.75'
 4. N. 01°13'0" E. - 30.10'
 5. S. 05°58' W. - 30.06'

719.47'
 72.84'

N.W. COR. L. VAN ARBURG D.L.C. N957

ROW RIVER ROAD

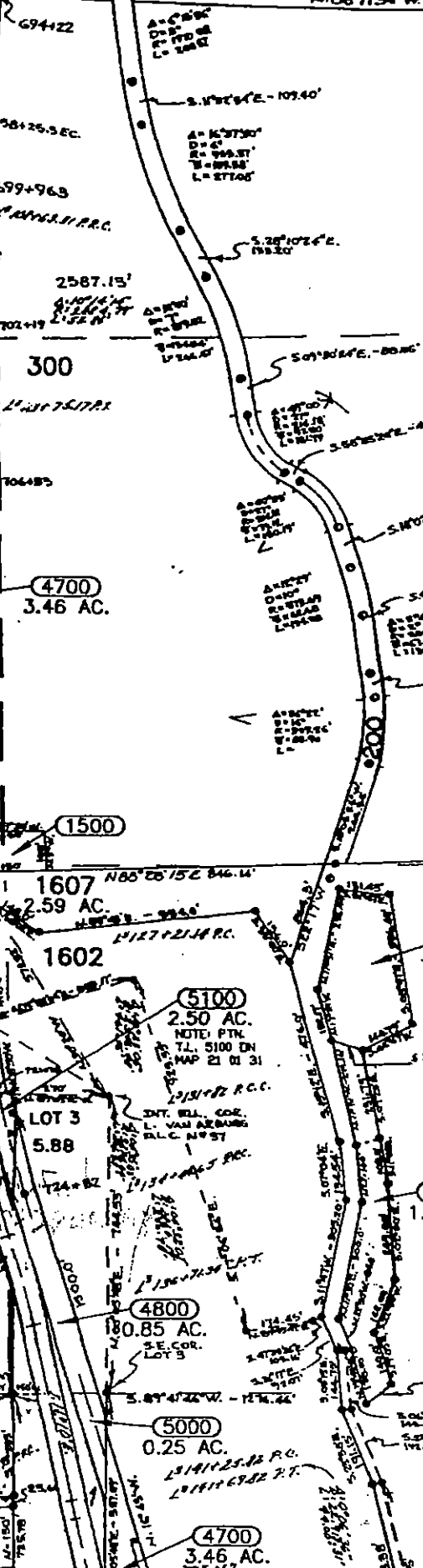
LOT 3 5.88

1607 N 85° 20' 15" E 846.4'

1602

1601

1600



4700 3.46 AC.

1500

1607 2.59 AC.

1602

1601

1600

2101

2100

2102

3100

3303

3401

3400

5100 2.50 AC. NOTE: PTN T.L. 5100 ON MAP 21 01 31

4800 80.85 AC. S.E. COR. LOT 3

5000 0.25 AC.

4700 3.46 AC.

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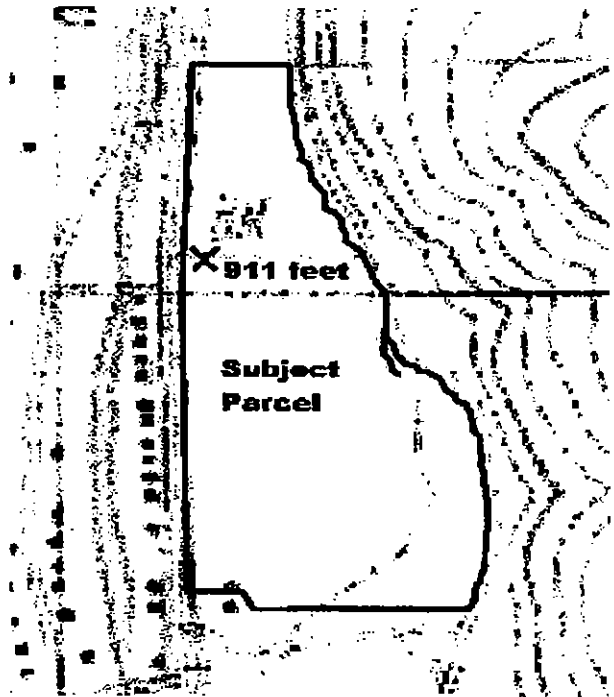
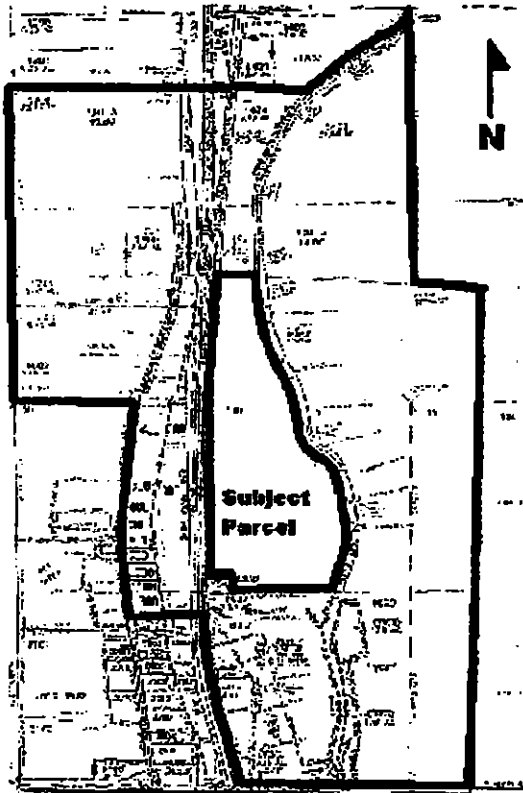
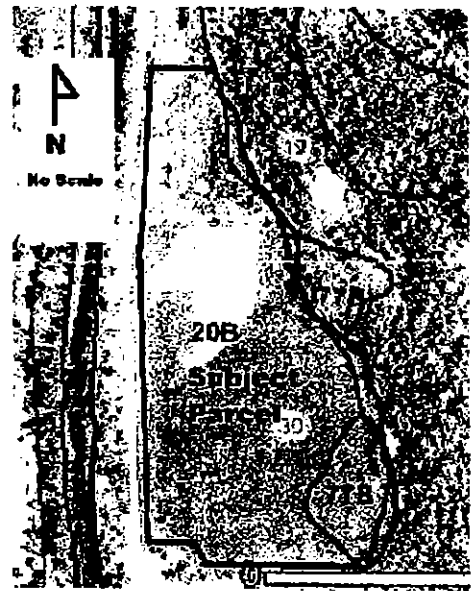
160

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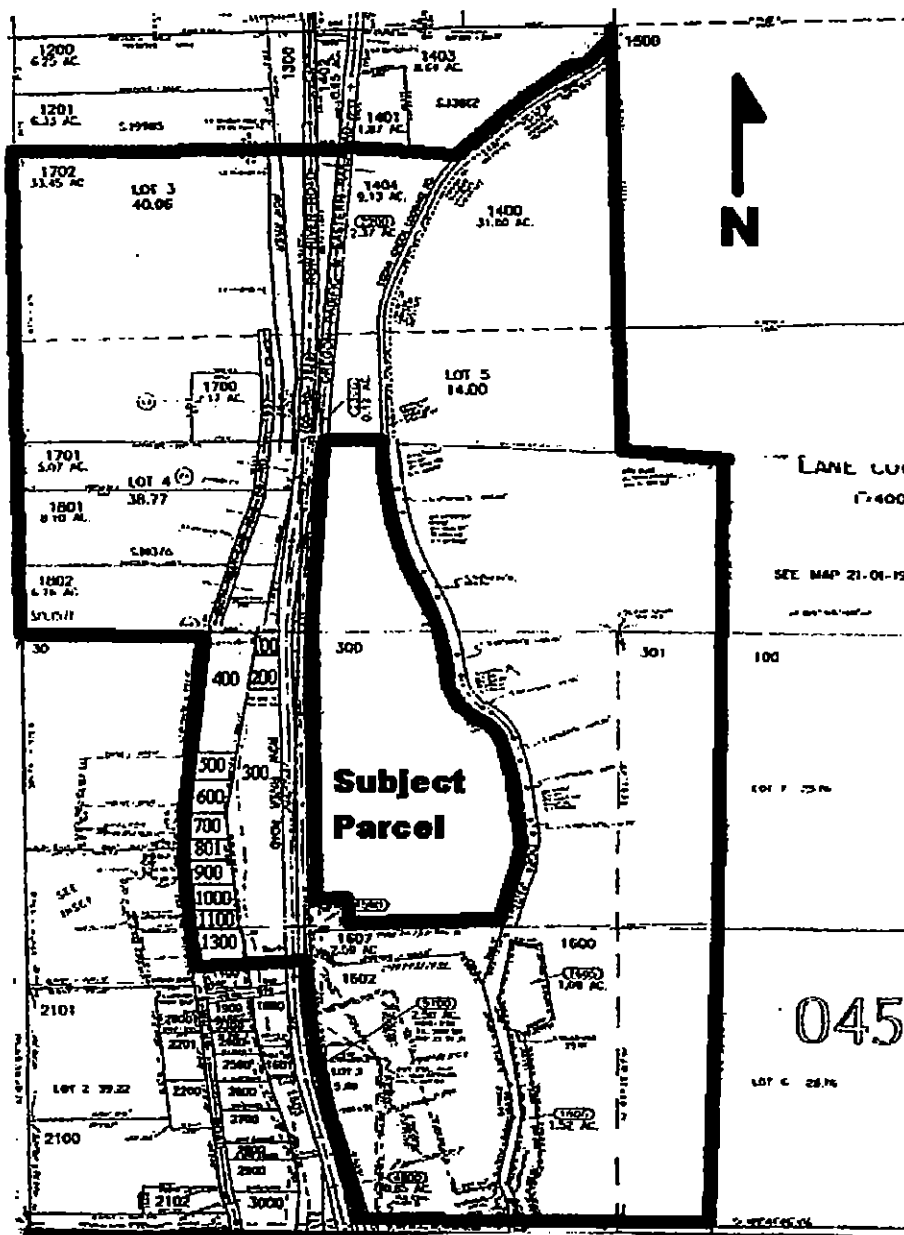
Earl Everett Zone Change Application F1 to F2 Map 21-01-30 Tax Lot 300

EXHIBIT 2



Prepared By James A. Mann, L.P.
Land Use Planning & Development Permit Service

Earl Everett Exhibit A Attachment 2
Lane County Assessment & Taxation Maps 21-01-19 & 30 & Related Information



The subject parcel is identified as Tax Lot 300 of Lane County Assessment & Taxation (LCA&T) Map 21-01-30 and is outlined in red on the above composite map of LCA&T Maps 21-01-19 & 30. Tax lots that are adjacent to or near the subject parcel are between the red and blue outlines on this map and are more specifically described on the next page of this attachment. *Note: The above map and the information on the next page is for the illustrative purposes of the subject parcel and this zone change application. Persons wishing to verify zoning or tax assessment information for their property should contact the Lane County Planning Department or Assessment and Taxation Department and rely on the official documents on file with Lane County.*

**Earl Everett Exhibit A Attachment 2
Lane County Assessment & Taxation Maps 21-01-19 & 30 & Related Information**

Assessment Owners' Names	Map & Tract Lot	Ex. Lot Area	Year Built	A&T Use & Property Class	Zone
Dent D Douglas & Jeanne A	21-01-19 1400	33.43	vacant	8310 & 600	F2
Bertuccelli Cheryl A	21-01-19 1404	10.07	Mf. Dw.	1150 & 409	RR10
Rigsby Lawrence J	21-01-19 1701	6.27	1963	1111 & 401	RR5
Woolhouse Kristine L	21-01-19 1702	35.45	1935	1111 & 581	E40
Kris Woolhouse Properties LLC	21-01-19 1700	6.76	1950	1111 & 401	E40
Anderson Arnold & Claudette	21-01-19 1700	6.76	Mf. Dw.	9100 & 109	E40
	21-01-19 1700	6.76	Mf. Dw.	9100 & 109	E40
Teel Marvin L	21-01-19 1801	8.47	1962	8040 & 109	RR5
Leonard Raymond C & Judith J	21-01-19 1802	6.82	1948	1111 & 401	RR5
Weyerhaeuser Co	21-01-30 301	54.56	vacant	8310 & 600	F1
Row River Baptist Church	21-01-30 1500	.32	Church	6911 & 211	RR5
Kryl Mirka Y	21-01-30 1607	2.63	vacant	9100 & 600	F1
Kryl Mirka Y	21-01-30 1602	39.09	Mo. Ho.	1150	M3
Kryl Mirka Y	21-01-30 1602	41.83	Industrial	231	M3
Weyerhaeuser Co	21-01-30 1600	34.43	vacant	8310 & 600	F1
Weyerhaeuser Co	21-01-30 1605	1.65	vacant	1111 & 400	F1
Segarra-fritz Gloria & Charles Fritz	210130-22 100	.52	Mf. Dw.	1150 & 401	RR5
Greenpoint Mortgage Funding Inc	210130-22 200	.53	1948	1111 & 101	RR5
Mccammon William Manon	210130-22 300	6.76	1940	1111 & 401	RR5
Humphreys Lavon & Vickie	210130-22 400	2.32	1993	1111 & 401	RR5
Mazurek Michael G & Debra Jo	210130-22 500	.51	Mo. Ho.	1150 & 109	RR5
Hefner Gene E & Patricia J	210130-22 600	.55	Mf. Dw.	1111 & 409	RR5
Baum Frederick C & Andrea M	210130-22 700	.37	Mo. Ho.	1150 & 401	RR5
Wolf Robert	210130-22 801	.33	Mo. Ho.	1150 & 409	RR5
Ruiz Frank Jr & Kathleen	210130-22 900	.41	Mf. Dw	9999 & 409	RR5
Field Elmer Calvin & Regina Gail	210130-22 1000	.42	1997	1111 & 409	RR5
Brown Harry	210130-22 1100	.37	Mf. Dw.	1150 & 409	RR5
Lounsbury Donald R V M	210130-22 1300	.85	1948	1111 & 401	RR2

Mf. Dw.: Manufactured Dwelling

Mo. Ho.: Mobile Home

101: Residential Improved

109: Residential Manufactured Structure

211: Churches, Temples

231: Commercial, Improved

400: Vacant Tract

401: Improved Tract

409: Tract, Manufactured Structure

581: Improved Farm

600: Forest, vacant

1111: Single Family Housing

1150: Mobile Home

6911: Churches, Temples

8040: Pasture, sheep, cattle

8310: Timberlands

9100: Vacant, undeveloped

9999: Needs research

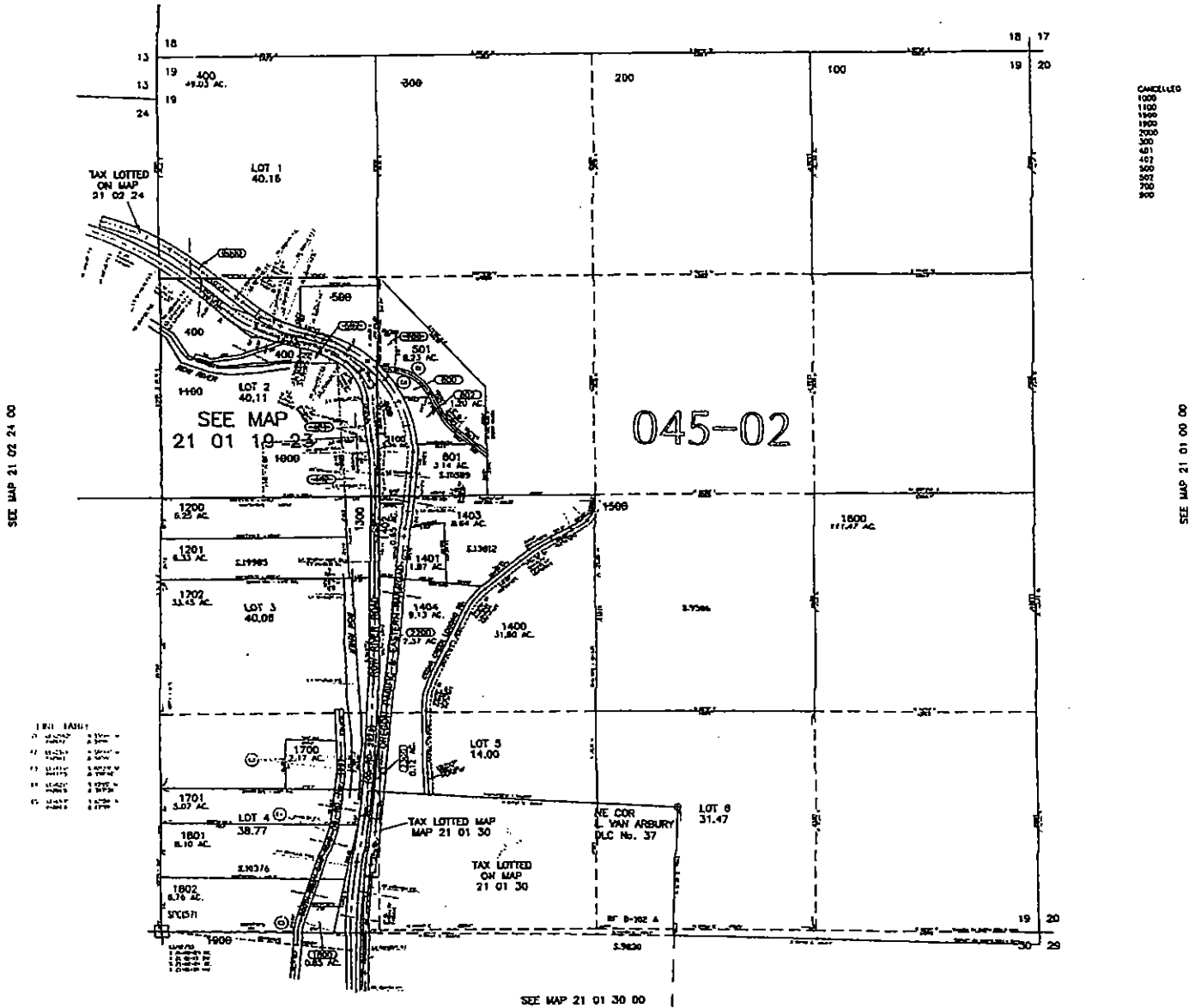
FOR ASSESSMENT
AND TAXATION
ONLY

SECTION 19 T.21S. R.1W. W.M
LANE COUNTY

SCALE 1" = 400'
SEE MAP 21 01 00 00

DATE	REVISION	BY
12/21/17	NEW MAP FOR TAX MAP	12/21/17
12/21/17	REVISION TO CORRECT AREA	12/21/17
12/21/17	REVISION TO CORRECT AREA	12/21/17
12/21/17	REVISION TO CORRECT AREA	12/21/17
12/21/17	REVISION TO CORRECT AREA	12/21/17

21 01 19
C.A.D. SYS.



SEE MAP 21 02 24 00

SEE MAP 21 01 00 00

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SEE MAP 21 01 30 00

21 01 19

PROPERTY REPORT - LANE COUNTY

Account # 0929040

Map, Tax Lot, & SIC # 21-01-19-00-01401

Site Address: 37467 ROW RIVER RD DORENA OR 97434	
Owner Name & Address: Leach Vernon L PO Box 43 Dorena , OR 97434	Taxpayer Name & Address: Leach Vernon L PO Box 43 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC: 4023006	

Approximate Tax Lot Acres	2.03 88,427'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR10
Statistical Class:	140 Class 4 Single Family Home
Land Use:	1111 Single Family Housing
Property Class:	401 Tract, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value	
			Real Market	Assessed
2002	\$64,900	\$158,530	\$223,430	\$180,416
2001	\$56,930	\$158,530	\$215,460	\$175,161
2002 Taxable Value		2002 Taxes	Tax Code Area	
\$ 0		\$56.00	04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
05-31-2000	\$14,800	Lane Co Dept Of Assessment & Taxatio	Leach Vernon L	20-01-076233
03-21-2000	\$14,800	Lane Co Dept Of Assessment & T	Lane Co Dept Of Assessment & Taa	20-00032867

Residential Building # 1 (of 1) Characteristics 41 stat 140

		Square feet		
		Base	Finished	
Year Built:	1972	Basement	600	600
Bedrooms	4	First	1128	1128
Full Baths	2	Second		
Half Baths	1	Attic		
% Improvmt Complete	100	Total	1728	1728
		Bsmt Garage Sqft		
		Att Garage Sqft		552
		Det Garage Sqft		
		Att Carport Sqft		

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 0929032

Map, Tax Lot, & SIC # 21-01-19-00-01400

Site Address:	
Owner Name & Address: Dent D Douglas & Jeanne A PO Box 1099 Prineville , OR 97754	Taxpayer Name & Address: Dent D Douglas & Jeanne A PO Box 1099 Prineville , OR 97754
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax	33.43	Subdivision Name:		School District:	South Lane
Lot Acres	1,456,211'	Phase:		Elem	
Inc City:		Lot #		Middle	
UGB:		Recording #		High	
Census Tr/BlkGrp:	1400/2				

Zoning: Parent/Overlay	F2
Statistical Class:	
Land Use:	8310 Timberlands
Property Class:	600 Forest, Vacant

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$120,659	\$0	\$120,659	\$41,218
2001	\$112,570	\$0	\$112,570	\$40,018
	2002 Taxable Value \$ 41,218	2002 Taxes \$411.83	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
10-19-1987	\$172,800	Mountain Fir Lbr Co Inc		87-04667300
03-13-1987	\$140,000	Whw Corp		87-01135000

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.](#)

PROPERTY REPORT - LANE COUNTY

Account # 1031416

Map, Tax Lot, & SIC # 21-01-19-00-01404

Site Address: 37475 ROW RIVER RD DORENA OR 97434	
Owner Name & Address: Bertuccelli Cheryl A 10183 Old River Rd Forestville , CA 95436	Taxpayer Name & Address: Minnick John H 10183 Old River Rd Forestville , CA 95436
Multiple Owners? Yes.*	
Additional Account Numbers for this Tax Lot & SIC: 4015267	

Approximate Tax Lot Acres	10.07 438,650'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR10
Statistical Class:	
Land Use:	1150 Mobile Home - Not In Mobile Home Park
Property Class:	409 Tract, Manufactured Structure

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value	
			Real Market	Assessed
2002	\$95,440	\$0	\$95,440	\$44,530
2001	\$83,720	\$0	\$83,720	\$43,233
	2002 Taxable Value	2002 Taxes	Tax Code Area	
	\$ 44,530	\$474.69	04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
07-27-2000	\$133,000	Huth Marilyn	Minnick John H	20-00043487
08-23-1999	\$75,350	Cave Jack A & Elizabeth J	Huth Marilyn	99-073374

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.](#)

PROPERTY REPORT - LANE COUNTY

Account # 0929073

Map, Tax Lot, & SIC # 21-01-19-00-01600

Site Address:	
Owner Name & Address: Dept Of Interior BLM O&C PO Box 10226 Eugene , OR 97440	Taxpayer Name & Address: US Government Dept Of Interior BLM O&C PO Box 10226 Eugene , OR 97440
Multiple Owners? Yes.*	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax	113.10	Subdivision Name:		School District:	South Lane
Lot Acres	4,926,636'			Phase:	
Inc City:		Lot #		Middle	
UGB:		Recording #		High	
Census Tr/BlkGrp:	1400/2				

Zoning: Parent/Overlay	F1
Statistical Class:	
Land Use:	8310 Timberlands
Property Class:	600 Forest, Vacant

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$71,569	\$0	\$71,569	\$33,387
2001	\$62,780	\$0	\$62,780	\$32,415
	2002 Taxable Value \$ 0	2002 Taxes \$0.00	Tax Code Area 04502	

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					

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 0929099

Map, Tax Lot, & SIC # 21-01-19-00-01701

Site Address: 75904 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Rigsby Lawrence J PO Box 127 Dorena , OR 97434	Taxpayer Name & Address: Rigsby Mary L PO Box 127 Dorena , OR 97434
Multiple Owners? Yes.*	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	6.27 273,122'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	120 Class 2 Single Family Home
Land Use:	1111 Single Family Housing
Property Class:	401 Tract, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value	
			Real Market	Assessed
2002	\$81,562	\$60,450	\$142,012	\$125,964
2001	\$71,547	\$97,510	\$169,057	\$122,295
	2002 Taxable Value	2002 Taxes	Tax Code Area	
	\$ 125,964	\$1,240.38	04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
12-19-2002	\$0	Rigsby Mary L	Rigsby Lawrence J	20-02-101090
03-26-1999	\$136,900	Kenneth Wayne Nowak Liv Tr	Rigsby Mary L & James H	25-33/99029080

Residential Building # 1 (of 1) Characteristics 21 stat 110 or 120

		Square feet		
		Base	Finished	
Year Built:	1963	Basement		Bsmt Garage Sqft
Bedrooms	3	First	1200 1200	Att Garage Sqft
Full Baths	1	Second		Det Garage Sqft
Half Baths		Attic		Att Carport Sqft
% Improvmt Complete	100	Total	1200 1200	

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 0929099

Map, Tax Lot, & SIC # 21-01-19-00-01701

Site Address: 75904 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Rigsby Lawrence J PO Box 127 Dorena , OR 97434	Taxpayer Name & Address: Rigsby Mary L PO Box 127 Dorena , OR 97434
Multiple Owners? Yes.*	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	6.27 273,122'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	120 Class 2 Single Family Home
Land Use:	1111 Single Family Housing
Property Class:	401 Tract, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$81,562	\$60,450	\$142,012	\$125,964
2001	\$71,547	\$97,510	\$169,057	\$122,295

2002 Taxable Value
\$ 125,964

2002 Taxes
\$1,240.38

Tax Code Area
04502

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
12-19-2002	\$0	Rigsby Mary L	Rigsby Lawrence J	20-02-101090
03-26-1999	\$136,900	Kenneth Wayne Nowak Liv Tr	Rigsby Mary L & James H	25-33/99029080

Residential Building # 1 (of 1) Characteristics 21 stat 110 or 120

		Square feet		
		Base	Finished	
Year Built:	1963	Basement		Bsmt Garage Sqft
Bedrooms	3	First	1200 1200	Att Garage Sqft
Full Baths	1	Second		Det Garage Sqft
Half Baths		Attic		Att Carport Sqft
% Improvmt Complete	100	Total	1200 1200	

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 4028369

Map, Tax Lot, & SIC # 21-01-19-00-01700

Site Address:	
Owner Name & Address: Owner Unknown Address Unknown Unknown , OR	Taxpayer Name & Address: Owner Unknown Address Unknown Unknown , OR
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC: 0929081, 4129472	

Approximate Tax Lot Acres	6.76 294,466'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	E40
Statistical Class:	190 Manufactured Home On Real Property
Land Use:	9100 Vacant, Unused, Undeveloped Land
Property Class:	109 Residential, Manufactured Structure

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$0	\$610	\$610	\$610
2001	\$0	\$740	\$740	\$639
	2002 Taxable Value \$ 610	2002 Taxes \$10.70	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
11-18-1998	\$0	Boyd Charley Dean	Boyd Mary E	20-00025927

Manufactured Structure

Model Year:	1958	Make:	Travelite
Serial Number:	10435	Plate Number:	X074038
Length:	46	Width:	10
Model:			

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 0929081

Map, Tax Lot, & SIC # 21-01-19-00-01700

Site Address: 75952 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Kris Woolhouse Properties Llc PO Box 119 Dorena , OR 97434	Taxpayer Name & Address: Kris Woolhouse Properties Llc PO Box 119 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC: 4028369, 4129472	

Approximate Tax	6.76	Subdivision Name:		School District:	South Lane
Lot Acres	294,466'				
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	E40
Statistical Class:	120 Class 2 Single Family Home
Land Use:	1111 Single Family Housing
Property Class:	401 Tract, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$67,978	\$49,620	\$117,598	\$105,936
2001	\$59,630	\$80,030	\$139,660	\$102,850
	2002 Taxable Value \$ 105,936	2002 Taxes \$1,047.29	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
11-15-2002	\$0	Bernard Walter D & Woolhouse Kristin	Kris Woolhouse Properties Llc	20-02-089364
10-15-2002	\$0	Kris Woolhouse Properties Llc	Woolhouse Kristine L	20-02-080417

Residential Building # 1 (of 1) Characteristics 21 stat 110 or 120

		Square feet		
		Base	Finished	
Year Built:	1950	Basement		Bsmt Garage Sqft
Bedrooms	3	First	1288 1288	Att Garage Sqft
Full Baths	2	Second		Det Garage Sqft
Half Baths		Attic		Att Carport Sqft
% Improvmt Complete	100	Total	1288 1288	

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 4129472

Map, Tax Lot, & SIC # 21-01-19-00-01700

Site Address:	
Owner Name & Address: Anderson Arnold & Claudette PO Box 75 Dorena , OR 97434	Taxpayer Name & Address: Anderson Arnold & Claudette PO Box 75 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC: 0929081, 4028369	

Approximate Tax Lot Acres	6.76 294,466'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	E40
Statistical Class:	
Land Use:	9100 Vacant, Unused, Undeveloped Land
Property Class:	109 Residential, Manufactured Structure

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$0	\$0	\$0	\$0
2001	\$0	\$0	\$0	\$0
	2002 Taxable Value	2002 Taxes	Tax Code Area	
	\$ 0	\$0.00	04502	

Two Most Recent Sales

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

Manufactured Structure

Model Year:	1980	Make:	Hillcrest
Serial Number:	50612	Plate Number:	X167265
Length:		Width:	
Model:			

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 1412418

Map, Tax Lot, & SIC # 21-01-19-00-01702

Site Address: 75976 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Woolhouse Kristine L PO Box 119 Dorena , OR 97434	Taxpayer Name & Address: Woolhouse Kristine L PO Box 119 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax	35.60	Subdivision Name:		School District:	South Lane
Lot Acres	1,550,736'	Phase:		Elem	
Inc City:		Lot #		Middle	
UGB:		Recording #		High	
Census Tr/BlkGrp:	1400/2				

Zoning: Parent/Overlay	E40
Statistical Class:	120 Class 2 Single Family Home
Land Use:	1111 Single Family Housing
Property Class:	581 Farm, Mult. Spec. Assmts, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$170,825	\$42,890	\$213,715	\$95,900
2001	\$164,150	\$69,170	\$233,320	\$93,128

2002 Taxable Value
\$ 95,900

2002 Taxes
\$965.24

Tax Code Area
04502

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
01-31-2001	\$0	Bernard, Walter D	Woolhouse Kristine L	20-01-006841
03-04-1999	\$210,000	Furtado Michele	Bernard Walter D	12-643

Residential Building # 1 (of 1) Characteristics 21 stat 110 or 120

		Square feet	Base	Finished		
Year Built:	1935	Basement			Bsmt Garage Sqft	
Bedrooms	3	First	942	942	Att Garage Sqft	
Full Baths	1	Second			Det Garage Sqft	
Half Baths		Attic	360	360	Att Carport Sqft	216
% Improvmt Complete	100	Total	1302	1302		

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 4038095

Map, Tax Lot, & SIC # 21-01-19-00-01801

Site Address:	
Owner Name & Address: Teel Marvin L 20224 Rancho Villa Rd Ramona , CA 92065	Taxpayer Name & Address: Teel Marvin L 20224 Rancho Villa Rd Ramona , CA 92065
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC: 0929115	

Approximate Tax Lot Acres	8.47 368,954'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	199 Manufactured Home In A Park
Land Use:	8040 Pasture, Cows, Sheep, Cattle
Property Class:	109 Residential, Manufactured Structure

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$0	\$5,150	\$5,150	\$5,150
2001	\$0	\$6,210	\$6,210	\$6,210

**2002 Taxable Value
\$ 5,150**

**2002 Taxes
\$51.35**

**Tax Code Area
04502**

Two Most Recent Sales

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

Manufactured Structure

Model Year:	1962	Make:	Nashua
Serial Number:	07301	Plate Number:	X200209
Length:	52	Width:	10
Model:			

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 0929123

Map, Tax Lot, & SIC # 21-01-19-00-01802

Site Address: 75846 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Leonard Raymond C & Judith J PO Box 82 Dorena , OR 97434	Taxpayer Name & Address: Leonard Raymond C & Judith J PO Box 82 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	6.82 297,080'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	120 Class 2 Single Family Home
Land Use:	1111 Single Family Housing
Property Class:	401 Tract, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value	
			Real Market	Assessed
2002	\$92,488	\$31,240	\$123,728	\$87,641
2001	\$81,130	\$50,390	\$131,520	\$85,088
	2002 Taxable Value \$ 87,641	2002 Taxes \$880.04	Tax Code Area 04502	

Two Most Recent Sales

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

Residential Building # 1 (of 1) Characteristics 21 stat 110 or 120

		Square feet		
		Base	Finished	
Year Built:	1948	Basement		Bsmt Garage Sqft
Bedrooms	2	First	880	880
Full Baths	1	Second		
Half Baths	1	Attic	150	150
% Improvmt Complete	100	Total	1030	1030
				Att Garage Sqft
				Det Garage Sqft
				Att Carport Sqft

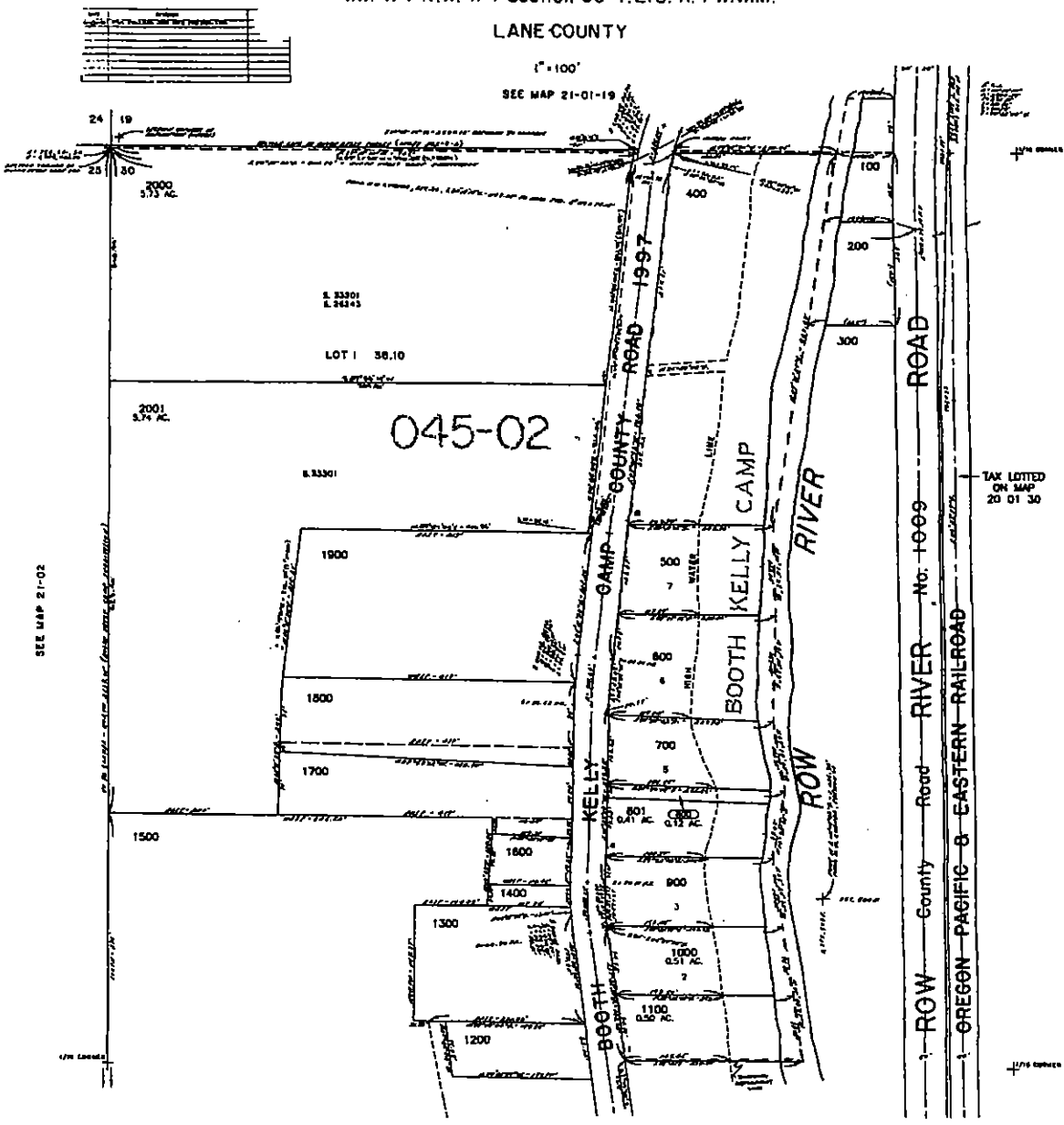
Comments:

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

LANE COUNTY

(1"=100')

SEC MAP 21-01-19



SEE MAP 21-02

SEE MAP 21-01-30

SEE MAP 21-01-30

CANCELLED

TAX LOTTED ON MAP 20 01 30

PROPERTY REPORT - LANE COUNTY

Account # 0929164

Map, Tax Lot, & SIC # 21-01-30-22-00100

Site Address: 37514 ROW RIVER RD DORENA OR 97434	
Owner Name & Address: Segarra-fritz Gloria G & Charles R Fritz 37514 Row River Rd Dorena , OR 97434	Taxpayer Name & Address: Segarra-fritz Gloria G & Charles R Fritz 37514 Row River Rd Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	.52 22,652'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	190 Manufactured Home On Real Property
Land Use:	1150 Mobile Home - Not In Mobile Home Park
Property Class:	401 Tract, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$38,805	\$19,720	\$58,525	\$46,179
2001	\$34,040	\$31,800	\$65,840	\$44,834
	2002 Taxable Value \$ 46,179	2002 Taxes \$434.20	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
04-12-1999	\$0	Segarra Gloria G	Segarra-fritz Gloria G & Charles R	25-38/99032977
10-02-1997	\$22,000	Petrone, Ramona June		97-07065100

Manufactured Structure

Model Year:	2002	Make:	Marlette
Serial Number:	H020793AB	Plate Number:	EM46110
Length:		Width:	
Model:			

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 0929172

Map, Tax Lot, & SIC # 21-01-30-22-00200

Site Address: 37520 ROW RIVER RD DORENA OR 97434	
Owner Name & Address: Greenpoint Mortgage Funding Inc PO Box 84013 Columbus , GA 31908	Taxpayer Name & Address: Greenpoint Mortgage Funding Inc PO Box 84013 Columbus , GA 31908
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	.53 23,087'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	120 Class 2 Single Family Home
Land Use:	1111 Single Family Housing
Property Class:	101 Residential, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$43,821	\$38,530	\$82,351	\$67,786
2001	\$38,440	\$62,150	\$100,590	\$65,812
	2002 Taxable Value \$ 67,786	2002 Taxes \$693.36	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
03-19-2003	\$79,850	First American Title Insurance Co	Greenpoint Mortgage Funding Inca	20-03-024873
08-24-2001	\$110,000	Schmidt Jerrilee M Estate Of	Wicks Raymond E	20-01-056406

Residential Building # 1 (of 1) Characteristics 21 stat 110 or 120

		Square feet			
		Base	Finished		
Year Built:	1948	Basement		Bsmt Garage Sqft	
Bedrooms	3	First	1312	1312	Att Garage Sqft
Full Baths	1	Second			Det Garage Sqft
Half Baths		Attic			Att Carport Sqft
% Improvmt Complete	100	Total	1312	1312	

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 0929180

Map, Tax Lot, & SIC # 21-01-30-22-00300

Site Address: 37528 ROW RIVER RD DORENA OR 97434	
Owner Name & Address: Mccammon Williams Manon 2385 Bailey Hill Rd Eugene , OR 97405	Taxpayer Name & Address: Mccammon Williams Manon 2385 Bailey Hill Rd Eugene , OR 97405
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC: 4067292	

Approximate Tax Lot Acres	6.76 294,466'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	110 Class 1 Single Family Home
Land Use:	1111 Single Family Housing
Property Class:	401 Tract, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$111,982	\$178,230	\$290,212	\$290,212
2001	\$98,230	\$287,460	\$385,690	\$297,556
	2002 Taxable Value \$ 290,212	2002 Taxes \$2,611.90	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
03-04-1991	\$159,090	Mc Mammon, Manon		91-01766500

Residential Building # 1 (of 10) Characteristics 21 stat 110 or 120

		Square feet			
		Base	Finished		
Year Built:	1940	Basement		Bsmt Garage Sqft	
Bedrooms	2	First	576	576	Att Garage Sqft
Full Baths	1	Second			Det Garage Sqft
Half Baths		Attic			Att Carport Sqft
% Improvmt Complete	100	Total	576	576	

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 1383932

Map, Tax Lot, & SIC # 21-01-30-22-00400

Site Address: 75859 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Humpherys Lavon & Vickie PO Box 123 Dorena , OR 97434	Taxpayer Name & Address: Humpherys Lavon & Vickie PO Box 123 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	2.32 101,060'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	130 Class 3 Single Family Home
Land Use:	1111 Single Family Housing
Property Class:	401 Tract, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$63,030	\$52,790	\$115,820	\$115,820
2001	\$55,290	\$85,140	\$140,430	\$120,246

2002 Taxable Value
\$ 115,820

2002 Taxes
\$1,020.03

Tax Code Area
04502

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
01-17-2001	\$0	Humpherys Lavon	Humpherys Lavon & Vickie	20-01-004561
05-23-2000	\$0	Humpherys Vickie/benton	Humpherys Lavon	20-0029186

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

		Square feet	Base	Finished		
Year Built:	1993	Basement			Bsmt Garage Sqft	
Bedrooms	2	First	896	896	Att Garage Sqft	
Full Baths	1	Second			Det Garage Sqft	
Half Baths		Attic			Att Carport Sqft	
% Improvmt Complete	100	Total	896	896		

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 1383932

Map, Tax Lot, & SIC # 21-01-30-22-00400

Site Address: 75803 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Humpherys Lavon & Vickie PO Box 123 Dorena , OR 97434	Taxpayer Name & Address: Humpherys Lavon & Vickie PO Box 123 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax	2.32	Subdivision Name:		School District:	South Lane
Lot Acres	101,060'			Elem	
Inc City:		Phase:		Middle	
UGB:		Lot #		High	
Census Tr/BlkGrp:	1400/2	Recording #			

Zoning: Parent/Overlay RR5	
Statistical Class:	130 Class 3 Single Family Home
Land Use:	1150 Mobile Home - Not In Mobile Home Park
Property Class:	401 Tract, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$63,030	\$52,790	\$115,820	\$115,820
2001	\$55,290	\$85,140	\$140,430	\$120,246
	2002 Taxable Value \$ 115,820	2002 Taxes \$1,020.03	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
01-17-2001	\$0	Humpherys Lavon	Humpherys Lavon & Vickie	20-01-004561
05-23-2000	\$0	Humpherys Vickie/benton	Humpherys Lavon	20-0029186

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

		Square feet			
		Base	Finished		
Year Built:	1993	Basement		Bsmt Garage Sqft	
Bedrooms	2	First	896	Att Garage Sqft	
Full Baths	1	Second		Det Garage Sqft	
Half Baths		Attic		Att Carport Sqft	
% Improvmt Complete	100	Total	896		

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 1383940

Map, Tax Lot, & SIC # 21-01-30-22-00500

Site Address: 75801 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Mazurek Michael G & Debra Jo PO Box 931 Cottage Grove , OR 97424	Taxpayer Name & Address: Mazurek Michael G & Debra Jo PO Box 931 Cottage Grove , OR 97424
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	.51 22,216'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	190 Manufactured Home On Real Property
Land Use:	1150 Mobile Home - Not In Mobile Home Park
Property Class:	109 Residential, Manufactured Structure

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$38,577	\$94,490	\$133,067	\$73,270
2001	\$33,840	\$85,900	\$119,740	\$71,136
	2002 Taxable Value \$ 73,270	2002 Taxes \$688.92	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
07-01-1996	\$26,000	Moore, Cheryl L		96-04617100
06-07-1990	\$4,000	Bohemia Inc		90-02677400

Residential Building # 1 (of 1) Characteristics 11 manufactured structure

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

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 1383957

Map, Tax Lot, & SIC # 21-01-30-22-00600

Site Address:	
Owner Name & Address: Hefner Gene E & Patricia J PO Box 64 Dorena , OR 97434	Taxpayer Name & Address: Hefner Gene E & Patricia J PO Box 64 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC: 4173769	

Approximate Tax Lot Acres	.55 23,959'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	
Land Use:	1111 Single Family Housing
Property Class:	409 Tract, Manufactured Structure

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$41,815	\$0	\$41,815	\$19,511
2001	\$36,680	\$0	\$36,680	\$18,943
	2002 Taxable Value \$ 19,511	2002 Taxes \$183.45	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
08-05-1996	\$62,500	Dials, William D		96-05384400
07-27-1993	\$0	Bohemia Inc		93-05025700

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.](#)

PROPERTY REPORT - LANE COUNTY

Account # 1383965

Map, Tax Lot, & SIC # 21-01-30-22-00700

Site Address: 75767 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Baum Frederick C & Andrea M PO Box 103 Dorena , OR 97434	Taxpayer Name & Address: Baum Frederick C & Andrea M PO Box 103 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	.37 16,118'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	190 Manufactured Home On Real Property
Land Use:	1150 Mobile Home - Not In Mobile Home Park
Property Class:	401 Tract, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$36,856	\$8,010	\$44,866	\$29,527
2001	\$32,330	\$11,120	\$43,450	\$28,667
	2002 Taxable Value \$ 29,527	2002 Taxes \$277.63	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
03-25-1996	\$0	Holmes, Lavern H		96-01922600
05-16-1989	\$9,650	Bohemia Inc		89-02118300

Residential Building # 1 (of 1) Characteristics 11 manufactured structure

	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	100				
		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.](#)

PROPERTY REPORT - LANE COUNTY

Account # 1383973

Map, Tax Lot, & SIC # 21-01-30-22-00800

Site Address:	
Owner Name & Address: Baum Frederick C Jr & A M PO Box 103 Dorena , OR 97434	Taxpayer Name & Address: Baum Frederick C Jr & A M PO Box 103 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	.08 3,485'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	
Land Use:	9999 Needs Research
Property Class:	400 Tract, Vacant

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$6,862	\$0	\$6,862	\$3,193
2001	\$6,020	\$0	\$6,020	\$3,100
	2002 Taxable Value \$ 3,193	2002 Taxes \$30.02	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
10-05-1993	\$0	Bohemia Inc		93-07014700
06-01-1989	\$19,259	Bohemia Inc		89-03456900

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.](#)

PROPERTY REPORT - LANE COUNTY

Account # 1523115

Map, Tax Lot, & SIC # 21-01-30-22-00801

Site Address: 75757 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Wolfe Robert PO Box 128 Dorena , OR 97434	Taxpayer Name & Address: Wolfe Robert PO Box 128 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC: 4192587, 4194377	

Approximate Tax Lot Acres	.33 14,375'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	
Land Use:	1150 Mobile Home - Not In Mobile Home Park
Property Class:	409 Tract, Manufactured Structure

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$32,604	\$0	\$32,604	\$15,212
2001	\$28,600	\$0	\$28,600	\$14,769
	2002 Taxable Value \$ 15,212	2002 Taxes \$143.03	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
04-08-2002	\$15,000	Baum Frederick C Jr & A M	Wolfe Robert	20-02-029723
10-05-1993	\$9,630	Bohemia Inc		93-07015000

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.](#)

PROPERTY REPORT - LANE COUNTY

Account # 1383981

Map, Tax Lot, & SIC # 21-01-30-22-00900

Site Address:	
Owner Name & Address: Ruiz Frank Jr & Kathleen 855 N 17th St San Jose , CA 95112	Taxpayer Name & Address: Ruiz Frank Jr & Kathleen 855 N 17th St San Jose , CA 95112
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	.41 17,860'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	
Land Use:	9999 Needs Research
Property Class:	409 Tract, Manufactured Structure

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$35,169	\$0	\$35,169	\$16,401
2001	\$30,850	\$0	\$30,850	\$15,923
	2002 Taxable Value \$ 16,401	2002 Taxes \$154.21	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
11-25-1994	\$21,000	Getty, George M		94-08573600
08-08-1991	\$12,500	Holmes, Lavern		91-04094400

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.](#)

PROPERTY REPORT - LANE COUNTY

Account # 1383999

Map, Tax Lot, & SIC # 21-01-30-22-01000

Site Address:	
Owner Name & Address: Field Elmer Calvin & Regina Gail PO Box 177 Dorena , OR 97434-0177	Taxpayer Name & Address: Field Elmer Calvin & Regina Gail PO Box 177 Dorena , OR 97434-0177
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC: 4252266	

Approximate Tax Lot Acres	.42 18,296'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	190 Manufactured Home On Real Property
Land Use:	1111 Single Family Housing
Property Class:	409 Tract, Manufactured Structure

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$21,717	\$0	\$21,717	\$10,130
2001	\$19,050	\$0	\$19,050	\$9,835

2002 Taxable Value
\$ 10,130

2002 Taxes
\$95.25

Tax Code Area
04502

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
06-13-2000	\$25,000	Cissney, Ronald L	Field Elmer Calvin & Regina Gail	20-00033558
05-24-2000	\$25,000	Cissney, Ronald L	Field Elmer Calvin & Regina Gail	20-00029392

Manufactured Structure

Model Year:	1997	Make:	Fuqua
Serial Number:		Plate Number:	EM36189
Length:	52	Width:	27
Model:			

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 1384005

Map, Tax Lot, & SIC # 21-01-30-22-01100

Site Address: 75731 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Brown Harry 7064 Gumwood Cir CitrUS Heights , CA 95621	Taxpayer Name & Address: Brown Harry 7064 Gumwood Cir CitrUS Heights , CA 95621
Multiple Owners? Yes.*	
Additional Account Numbers for this Tax Lot & SIC: 4199723	

Approximate Tax Lot Acres	.37 16,118'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR5
Statistical Class:	
Land Use:	1150 Mobile Home - Not In Mobile Home Park
Property Class:	409 Tract, Manufactured Structure

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$34,530	\$0	\$34,530	\$16,109
2001	\$30,290	\$0	\$30,290	\$15,640
	2002 Taxable Value \$ 16,109	2002 Taxes \$151.46	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
05-23-2002	\$25,000	Cissney Ronald L	Brown Jennifer Lynn	20-02-040176
05-10-2002	\$0	Field Regina Gail & Elmer Calvin	Cissney Ronald L	20-02-037135

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.](#)

PROPERTY REPORT - LANE COUNTY

Account # 0929305

Map, Tax Lot, & SIC # 21-01-30-22-01300

Site Address: 75740 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Lounsbury Donald R & V M PO Box 6 Dorena , OR 97434	Taxpayer Name & Address: Lounsbury Donald R & V M PO Box 6 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	.85 37,026'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	RR2
Statistical Class:	120 Class 2 Single Family Home
Land Use:	1111 Single Family Housing
Property Class:	401 Tract, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value	
			Real Market	Assessed
2002	\$56,544	\$49,300	\$105,844	\$96,593
2001	\$49,600	\$79,520	\$129,120	\$93,780
	2002 Taxable Value	2002 Taxes	Tax Code Area	
	\$ 96,593	\$896.95	04502	

Two Most Recent Sales

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

Residential Building # 1 (of 1) Characteristics 21 stat 110 or 120

		Square feet		
		Base	Finished	
Year Built:	1948	Basement		Bsmt Garage Sqft
Bedrooms	3	First	1447	1447
Full Baths	1	Second		
Half Baths	1	Attic	192	0
% Improvmt Complete	100	Total	1639	1447
				Att Garage Sqft
				672
				Det Garage Sqft
				Att Carport Sqft

Comments:

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

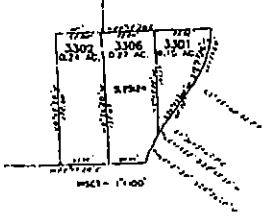
LANE COUNTY

(1"=400')

Area	Acres
3302	0.74
3306	0.77
3301	0.75
3303	0.76
3304	0.77
3305	0.78
3307	0.79
3308	0.80
3309	0.81
3310	0.82
3311	0.83
3312	0.84
3313	0.85
3314	0.86
3315	0.87
3316	0.88
3317	0.89
3318	0.90
3319	0.91
3320	0.92
3321	0.93
3322	0.94
3323	0.95
3324	0.96
3325	0.97
3326	0.98
3327	0.99
3328	1.00

SEE MAP 21-01-19

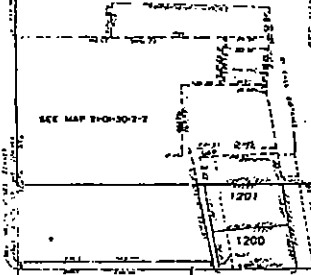
SEE MAP 21-01-19



SCALE = 1"=400'

1. All areas shown on this map are subject to the provisions of the Oregon Land Use Decree Act, ORS 215.001 to 215.080.
 2. This map is a preliminary map and is not intended to be used as a legal document.
 3. The boundaries shown on this map are based on the best available information and are not guaranteed.
 4. The areas shown on this map are subject to change without notice.
 5. The areas shown on this map are subject to the provisions of the Oregon Land Use Decree Act, ORS 215.001 to 215.080.

SEE MAP 21-02



SCALE = 1"=200'

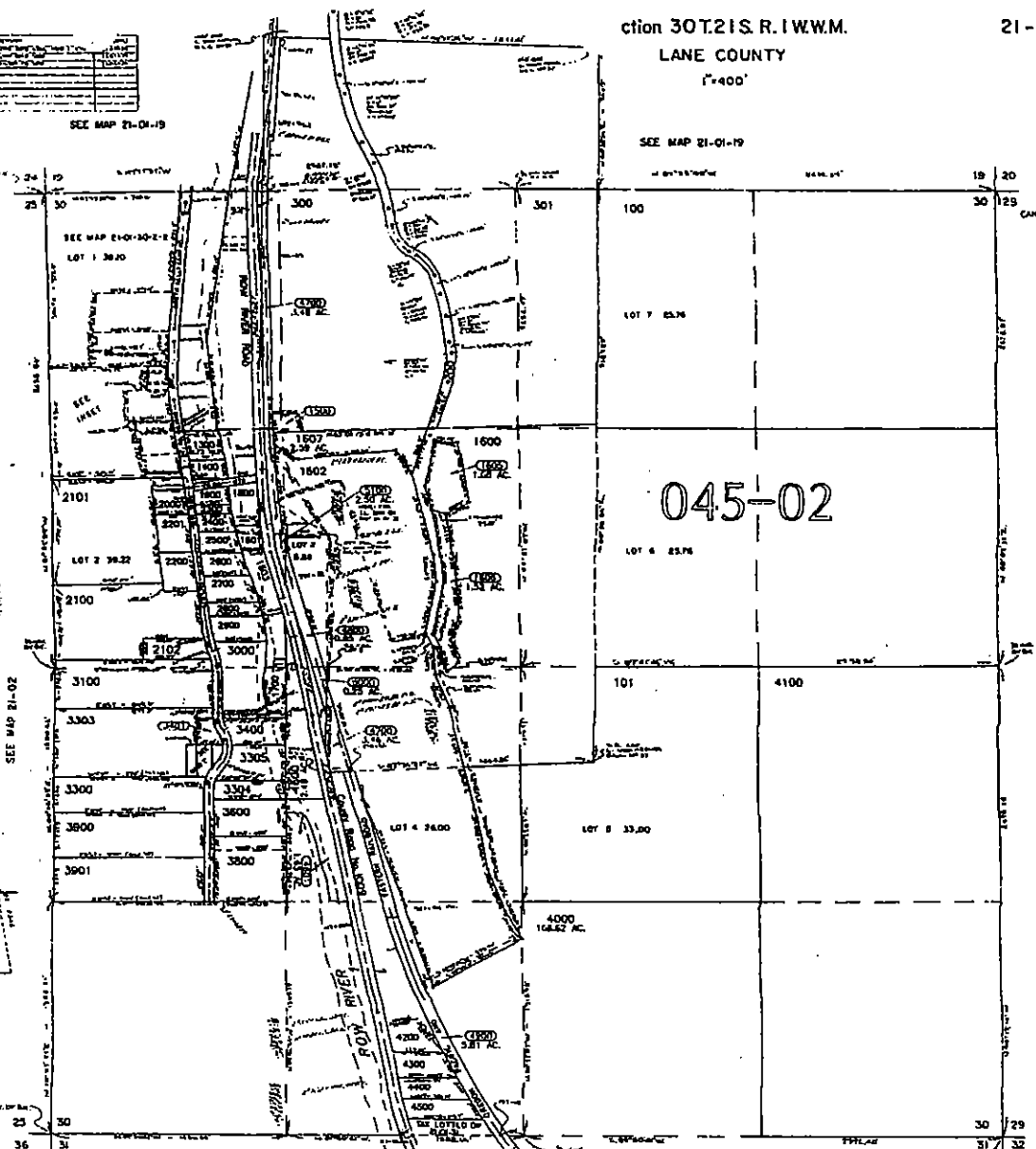
Area	Acres
3302	0.74
3306	0.77
3301	0.75
3303	0.76
3304	0.77
3305	0.78
3307	0.79
3308	0.80
3309	0.81
3310	0.82
3311	0.83
3312	0.84
3313	0.85
3314	0.86
3315	0.87
3316	0.88
3317	0.89
3318	0.90
3319	0.91
3320	0.92
3321	0.93
3322	0.94
3323	0.95
3324	0.96
3325	0.97
3326	0.98
3327	0.99
3328	1.00

SEE MAP 21-01-31

SEE MAP 21-01-31

SEE MAP 21-01

CANCELLED



PROPERTY REPORT - LANE COUNTY

Account # 1056074

Map, Tax Lot, & SIC # 21-01-30-00-00301

Site Address:	
Owner Name & Address: Weyerhaeuser Co PO Box 9777 Federal Way , WA 98063	Taxpayer Name & Address: Weyerhaeuser Co PO Box 9777 Federal Way , WA 98063
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax	54.56	Subdivision Name:		School District:	South Lane
Lot Acres	2,376,634'			Elem	
Inc City:		Phase:		Middle	
UGB:		Lot #		High	
Census Tr/BlkGrp:	1400/2	Recording #			

Zoning: Parent/Overlay	F1
Statistical Class:	
Land Use:	8310 Timberlands
Property Class:	600 Forest, Vacant

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$163,316	\$0	\$163,316	\$13,085
2001	\$152,367	\$0	\$152,367	\$12,705
	2002 Taxable Value \$ 13,085	2002 Taxes \$121.84	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
06-30-2002	\$0	Willamette Industries Inc	Weyerhaeuser Co	

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					

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 0929339

Map, Tax Lot, & SIC # 21-01-30-00-01300

Site Address: 75711 BOOTH KELLY CAMP RD DORENA OR 97434	
Owner Name & Address: Bird Kenneth R & Janeen PO Box 114 Cottage Grove , OR 97424	Taxpayer Name & Address: Bird Kenneth R & Janeen PO Box 114 Cottage Grove , OR 97424
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax	.76	Subdivision Name:		School District:	South Lane
Lot Acres	33,106'	Phase:		Elem	
Inc City:		Lot #		Middle	
UGB:		Recording #		High	
Census Tr/BlkGrp:	1400/2				

Zoning: Parent/Overlay	RR2
Statistical Class:	130 Class 3 Single Family Home
Land Use:	1111 Single Family Housing
Property Class:	401 Tract, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$37,209	\$50,390	\$87,599	\$87,599
2001	\$32,640	\$81,270	\$113,910	\$99,493
	2002 Taxable Value \$ 87,599	2002 Taxes \$771.49	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
05-29-1996	\$0	Cissney, Dessie		96-03588600
05-28-1996	\$0	Cissney, Dessie		96-03588500

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

		Square feet	Base	Finished		
Year Built:	1995	Basement			Bsmt Garage Sqft	
Bedrooms	3	First	1196	1196	Att Garage Sqft	
Full Baths	1	Second			Det Garage Sqft	
Half Baths		Attic			Att Carport Sqft	
% Improvmt Complete	100	Total	1196	1196		

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 0929354

Map, Tax Lot, & SIC # 21-01-30-00-01500

Site Address: 37553 ROW RIVER RD DORENA OR 97434	
Owner Name & Address: Row River Baptist Fellowship PO Box 2 Dorena , OR 97434	Taxpayer Name & Address: Row River Baptist Fellowship PO Box 2 Dorena , OR 97434
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax	.32	Subdivision Name:		School District:	South Lane
Lot Acres	13,940'	Phase:		Elem	
Inc City:		Lot #		Middle	
UGB:		Recording #		High	
Census Tr/BlkGrp:	1400/2				

Zoning: Parent/Overlay	RR5
Statistical Class:	499 Not Otherwise Specified
Land Use:	6911 Churches, Temples, Sunday School Facilit
Property Class:	211 Commercial, Residential Zone, Improved

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$35,872	\$63,880	\$99,752	\$75,038
2001	\$33,842	\$60,260	\$94,102	\$72,852
	2002 Taxable Value \$ 0	2002 Taxes \$0.00	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
09-06-1990	\$0	Campbell, Thelma Wicks		90-04388100
08-24-1989	\$1	Row River Valley Church/dorena Inc		89-03818600

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.](#)

PROPERTY REPORT - LANE COUNTY

Account # 0929362

Map, Tax Lot, & SIC # 21-01-30-00-01600

Site Address:	
Owner Name & Address: Weyerhaeuser Co PO Box 9777 Federal Way , WA 98063	Taxpayer Name & Address: Weyerhaeuser Co PO Box 9777 Federal Way , WA 98063
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax	34.43	Subdivision Name:		School District:	South Lane
Lot Acres	1,499,771'			Elem	
Inc City:		Phase:		Middle	
UGB:		Lot #		High	
Census Tr/BlkGrp:	1400/2	Recording #			

Zoning: Parent/Overlay	F1
Statistical Class:	
Land Use:	8310 Timberlands
Property Class:	600 Forest, Vacant

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$37,373	\$0	\$37,373	\$14,820
2001	\$34,867	\$0	\$34,867	\$14,389
	2002 Taxable Value \$ 14,820	2002 Taxes \$137.95	Tax Code Area 04502	

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.](#)

LANE COUNTY REGIONAL LAND INFORMATION DATABASE

Site Address: 37583 ROW RIVER RD

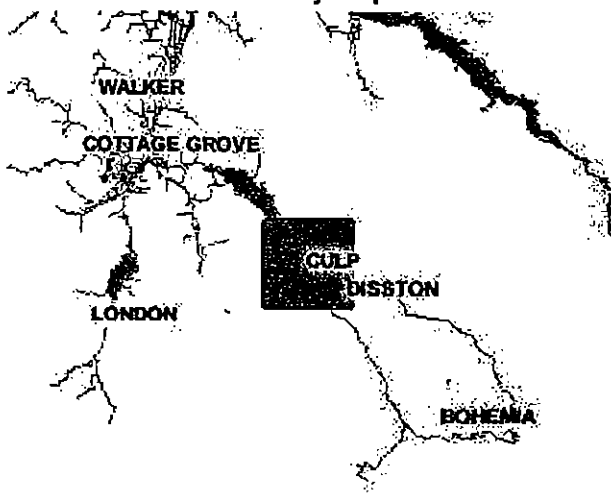
Map & Tax Lot #: 21-01-30-00-01602

Special Interest Code:

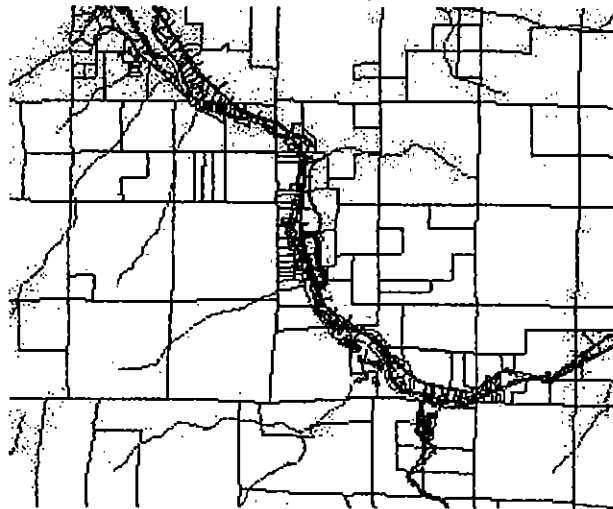
A & T Account #: 0929388



Vicinity Map



Detail Map



Site Address State Plane Coordinates

X-Coord: 1376376

Y-Coord: 755619

Site Address Information

House	Suffix	Predir.	Street Name	PostDir.	Street Type	Unit Type	Unit
37583			ROW RIVER		RD		
	Mailing City		State	Zip Code	Zip+4	Carrier Route	
	DORENA		OR	97434	9702	H073	
	Create Date: 1983-08-07			Update Date:			

Land Use

Land use information has not been field verified.

Land Use Code and Description:

Code: 1150

Description:

MOBILE HOME - NOT IN MOBILE HOME PARK

Use Code and Description:

X

MOBILE HOMES

Zoning

Please verify zoning information with local jurisdiction. Lane County overlay zones are not currently shown in RLID.

Zoning Jurisdiction:

Code:

Description:

LC

LANE COUNTY

Parent Zone 1:

RI

RURAL INDUSTRIAL

Boundary Information

General

Incorporated City Limits:

Urban Growth Boundary:

Fire Protection Providers:

Plan Designation:

Node:

N

2000 Census Tract:

1400

2000 Block Group:

2

EWEB Commissioner District:

Lane County Assessor's Office | Account Number: 0929388 | Map & Tax Lot: 21-01-30-00-01602

Property Owner

Owner1 Name: **KRYL MIRKA Y**

Owner Address: **3474 SPRING BLVD**

City	State	Country	Zip Code
EUGENE	OREGON	UNITED STATES	97405

Taxpayer

Taxpayer Name: **KRYL MIRKA Y**

Taxpayer Address: **3474 SPRING BLVD**

City	State	Country	Zip Code
EUGENE	OREGON	UNITED STATES	97405

Remarks:

Converted Record

Property Legal Description

Not Available

Property Value and Taxes

	Land Value	Improvement Value	Total Value	
	Real Market	Real Market	Real Market	Assessed
2002	103,118	720	103,838	103,838
2001	133,920	930	134,850	134,850
2000	144,000	1,000	145,000	145,000
1999	119,380	41,360	160,740	160,740
1998	119,380	45,960	165,340	165,340
1997	118,200	45,500	163,700	163,700
1996	104,600	50,000	154,600	154,600
1995	251,480	56,540	308,020	308,020

103,838	0	0
Taxable Value	Exemption Amount Regular (EAR)	Frozen Assessed Value (FZNPU)

Tax Year

Tax Year	Tax (See Explanation of Tax)
2002	914.50
2001	1,181.29
2000	1,284.10
1999	1,079.19
1998	1,114.15
1997	1,108.41
1996	1,031.66
1995	2,035.92

Explanation of Tax

The tax shown is the amount of tax which currently exists with Lane County's Department of Assessment and Taxation. It is possible there is a pending value change on this account. To determine this, please refer to the Account Status indicators to see if Pending Value change is selected. If a value change has already been processed for this account and year in question, the tax currently showing may not match what was certified for that particular year.

Account Status

Active for the 2002 Tax Year

PROPERTY REPORT - LANE COUNTY

Account # 1083615

Map, Tax Lot, & SIC # 21-01-30-00-01605

Site Address:	
Owner Name & Address: Weyerhaeuser Co PO Box 9777 Federal Way , WA 98063	Taxpayer Name & Address: Weyerhaeuser Co PO Box 9777 Federal Way , WA 98063
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	1.65 71,874'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	F1
Statistical Class:	
Land Use:	1111 Single Family Housing
Property Class:	400 Tract, Vacant

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$59,511	\$0	\$59,511	\$33,855
2001	\$52,203	\$0	\$52,203	\$32,869
	2002 Taxable Value \$ 33,855	2002 Taxes \$318.32	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
06-30-2002	\$0	Willamette Industries Inc	Weyerhaeuser Co	

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					

Comments:

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

PROPERTY REPORT - LANE COUNTY

Account # 1416138

Map, Tax Lot, & SIC # 21-01-30-00-01607

Site Address:	
Owner Name & Address: Kryl Mirka Y 3474 Spring Blvd Eugene , OR 97405	Taxpayer Name & Address: Kryl Mirka Y 3474 Spring Blvd Eugene , OR 97405
Multiple Owners? No.	
Additional Account Numbers for this Tax Lot & SIC:	

Approximate Tax Lot Acres	2.63 114,563'	Subdivision Name:		School District:	South Lane
Inc City:		Phase:		Elem	
UGB:		Lot #		Middle	
Census Tr/BlkGrp:	1400/2	Recording #		High	

Zoning: Parent/Overlay	F1
Statistical Class:	
Land Use:	9100 Vacant, Unused, Undeveloped Land
Property Class:	600 Forest, Vacant

Property Value and Taxes

	Land Value Real Market	Improvement Value Real Market	Total Value Real Market	Assessed
2002	\$9,272	\$0	\$9,272	\$100
2001	\$8,650	\$0	\$8,650	\$97
	2002 Taxable Value \$ 100	2002 Taxes \$0.93	Tax Code Area 04502	

Two Most Recent Sales

Date	Price	Grantor	Grantee	Instrument #
01-02-2002	\$128,604	Kryl Peter J Custodian	Kryl Mirka Y	20-02-044956
04-07-1999	\$145,000	Willamette Industries Inc	Kryl Peter J Cust- Dryl Renee L	25-43/99038259

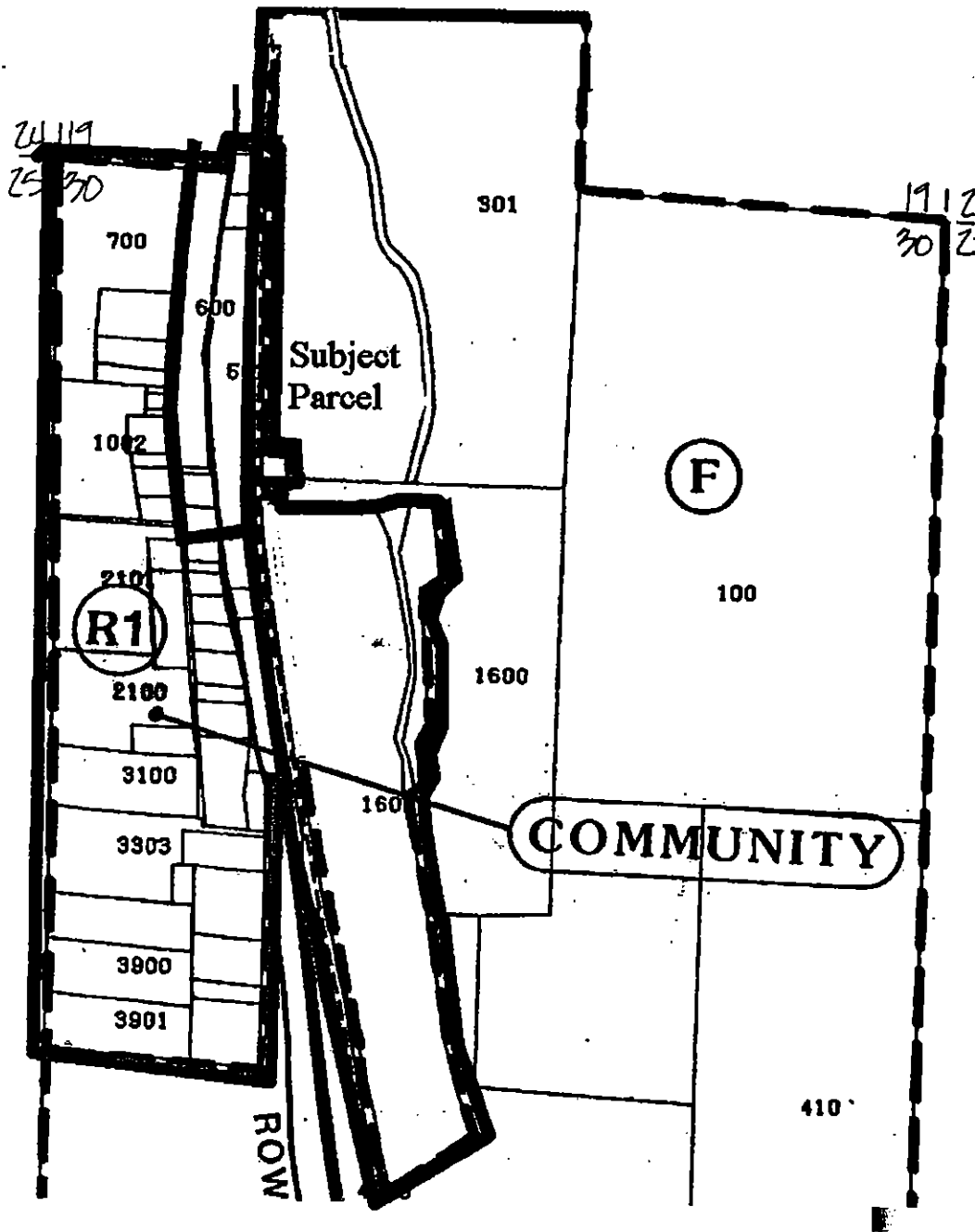
Residential Building # 0 (of 0) Characteristics

	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					

Comments:

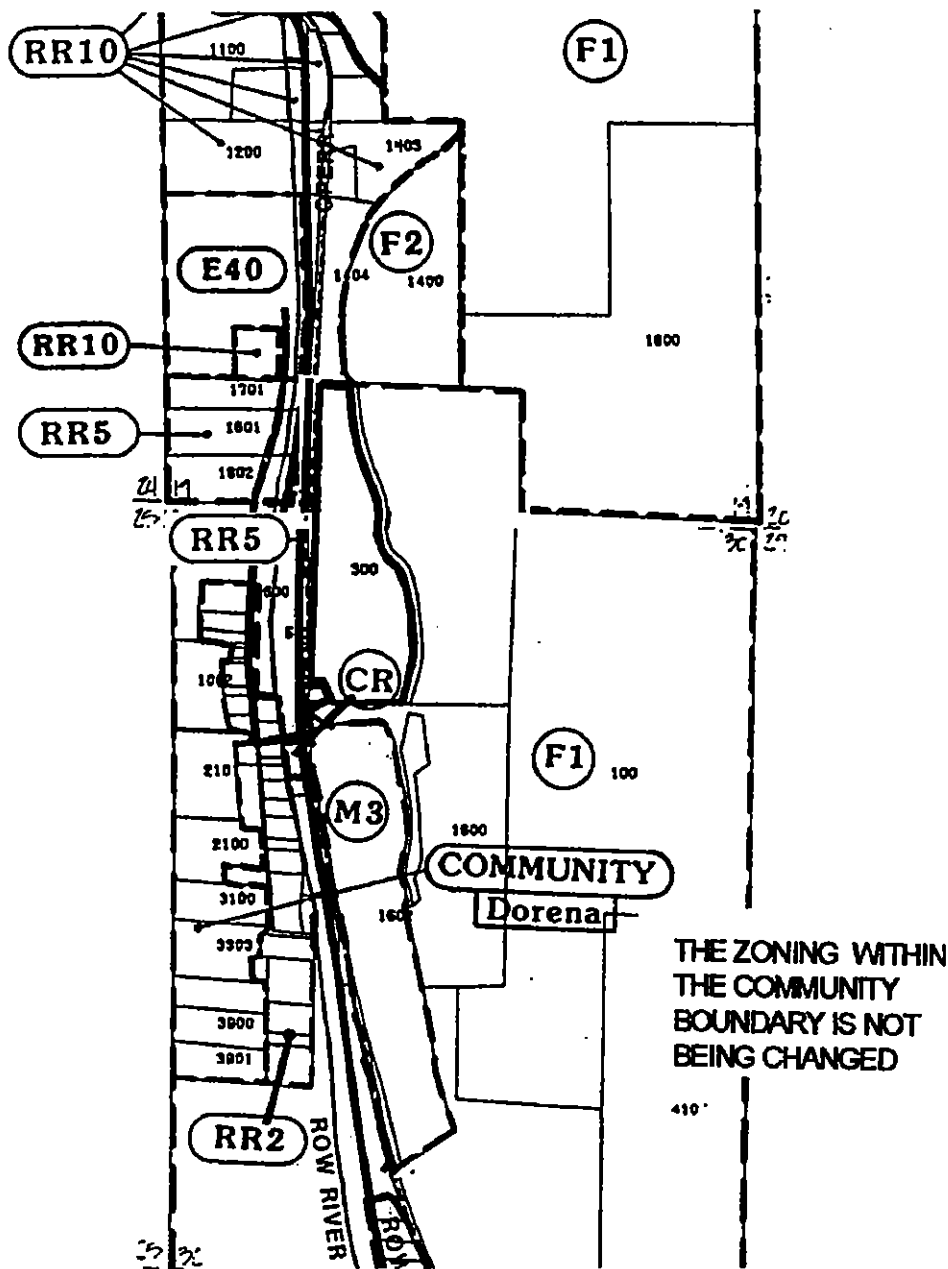
*This report extracts commonly used information from the Detailed Property Report. [Click here for the full Detailed Property Report.](#)

Earl Everett Exhibit A Attachment 3a: Plan Diagram Map
A&T Map 21-01-30 Tax Lot 300



This map is a copy of part of Lane County Plan Diagram Plot Map 509 showing the subject parcel shaded in yellow and the community boundaries of Dorena colored in red. The subject parcel, on its west side, is located adjacent to the community boundaries of Dorena and is designated as Forestland (F). *Note: This map is for the illustrative purposes of the subject parcel and this zone change application. Persons wishing to verify the plan designations of their property should contact the Lane County Planning Department and rely on the official documents on file with Lane County.*

Earl Everett Exhibit A Attachment 3b Composite Zoning Plot Map
A&T Map 21-01-30 Tax Lot 300



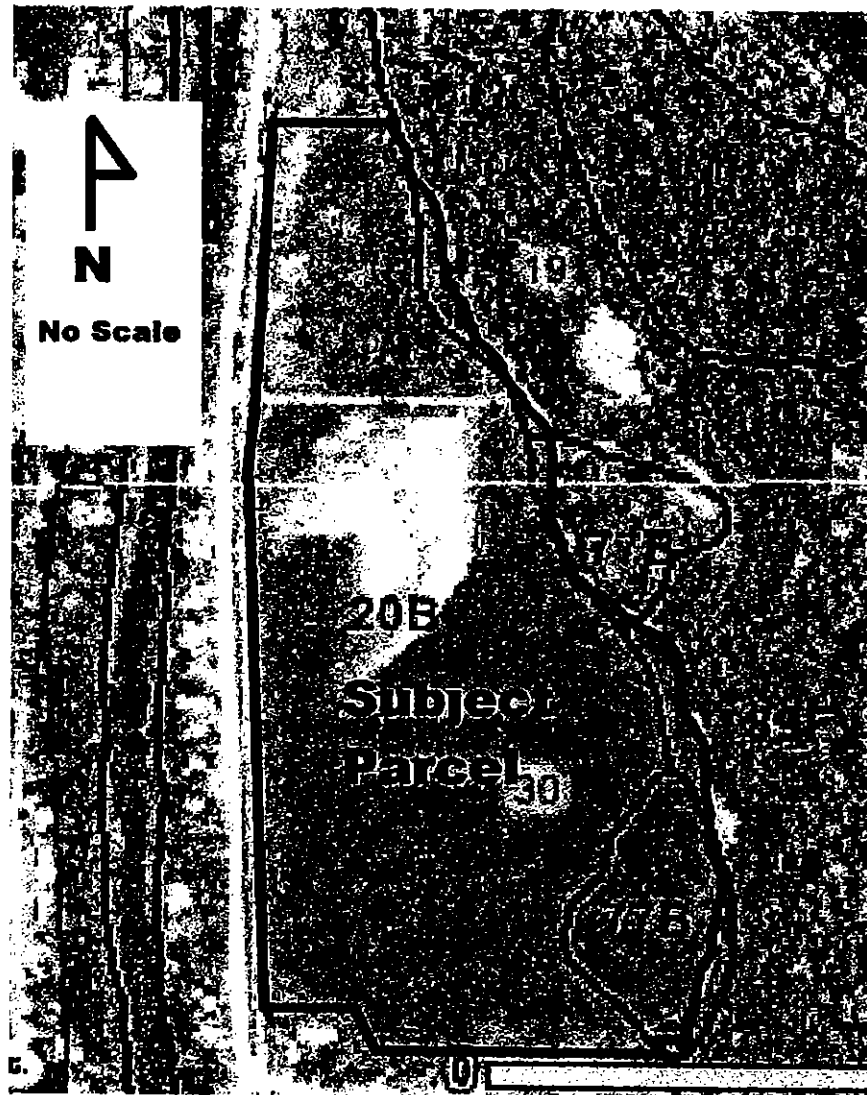
This map is a composite of parts of Lane County Zoning Plot Maps 508 and 509 showing the approximate boundaries of the subject parcel plotted in red. The subject parcel is located adjacent to land zoned as follows: F2 & RR10 to the north, F1 to the east and south, and RR5 to the west. A large area zoned M3 is located about 200 feet south of the subject parcel. *Note: This map is for the illustrative purposes of the subject parcel and this zone change application. Persons wishing to verify the zoning of their property should contact the Lane County Planning Department and rely on the official documents on file with Lane County.*

**Earl Everett Exhibit A Attachment 4
1979 & 2000 BLM Aerial Photo Comparison
Map 21-01-30 Tax Lot 300**



The aerial photo on the above left is part of a 1979 BLM aerial photo. The aerial photo on the right is part of 2000 BLM aerial photo. The approximate boundaries of the subject parcel have been outlined in red on each photo. The 1979 aerial photo shows structures on the subject parcel that are not seen in the 2000 aerial photo. Both photos show that the subject parcel is an open field that is not being managed for commercial forest purposes. The 2000 aerial photo shows a small area on the south part of the subject parcel that was a tree farm. By comparing these two photos, it can be seen that the subject parcel was not stocked or managed for commercial forestry during the 31 years between 1979 and 2000.

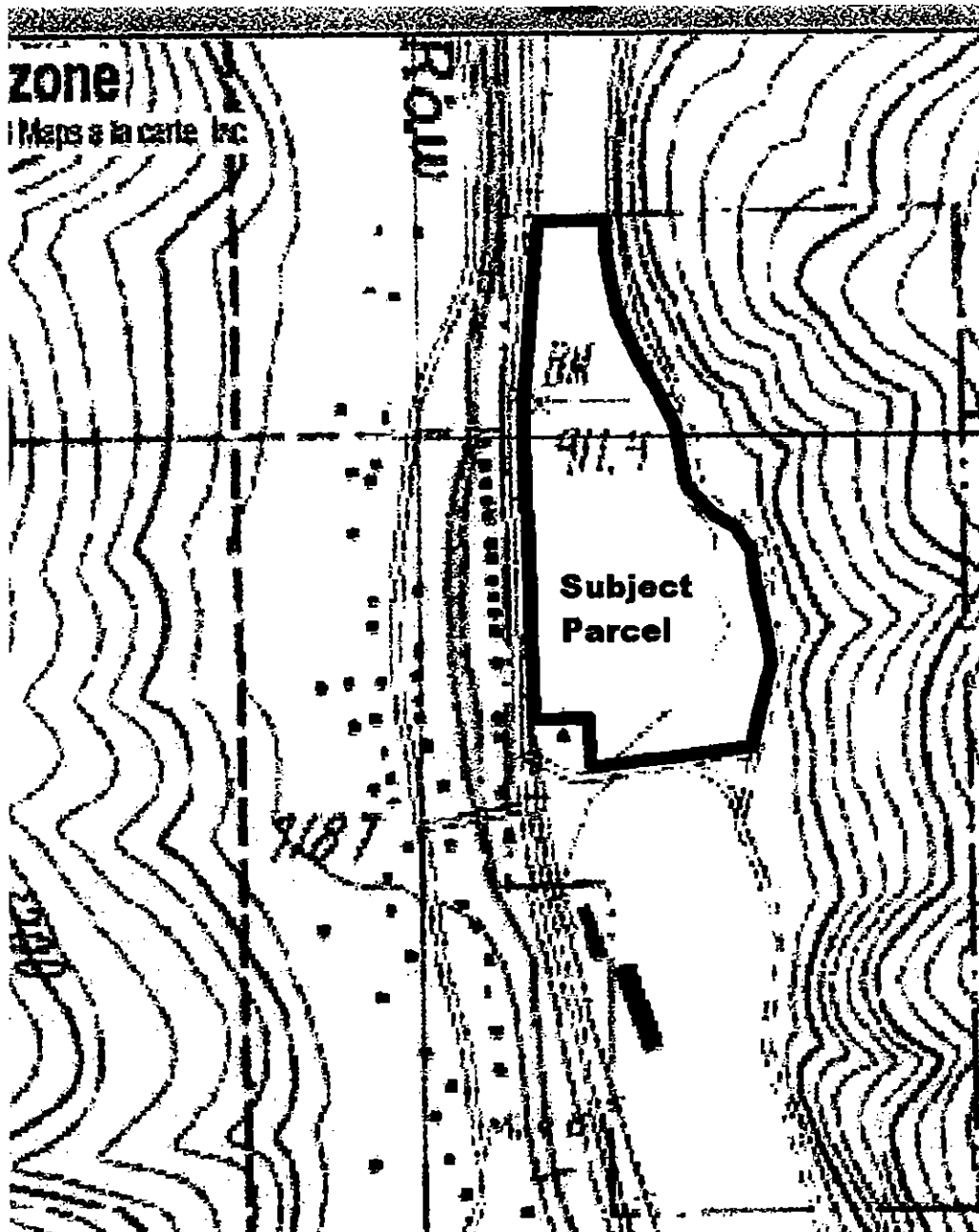
Earl Everett Exhibit A Attachment 5
NRCS Soils Map
Map 21-01-30 Tax Lot 300



The boundaries of the subject parcel are plotted in red on this NRCS map. Most of the soil of the subject parcel is identified as the "30" Cloquato- Urban land complex soil type that according to the LANE COUNTY FOREST SOILS RATINGS sheet has a forest cubic foot/acre/year rating of 100. The subject parcel contains a small area of "77B" Marcola cobbly silty clay soil type that according to the LANE COUNTY FOREST SOILS RATINGS sheet has a forest cubic foot/acre/year rating of 130. The adjoining lands to the east are comprised of the "89F" Nekia silty clay soil type that according to the LANE COUNTY FOREST SOILS RATINGS sheet has a forestry cubic foot/acre/year rating of 130.

Earl Everett Exhibit A Attachment 6: Topography Map

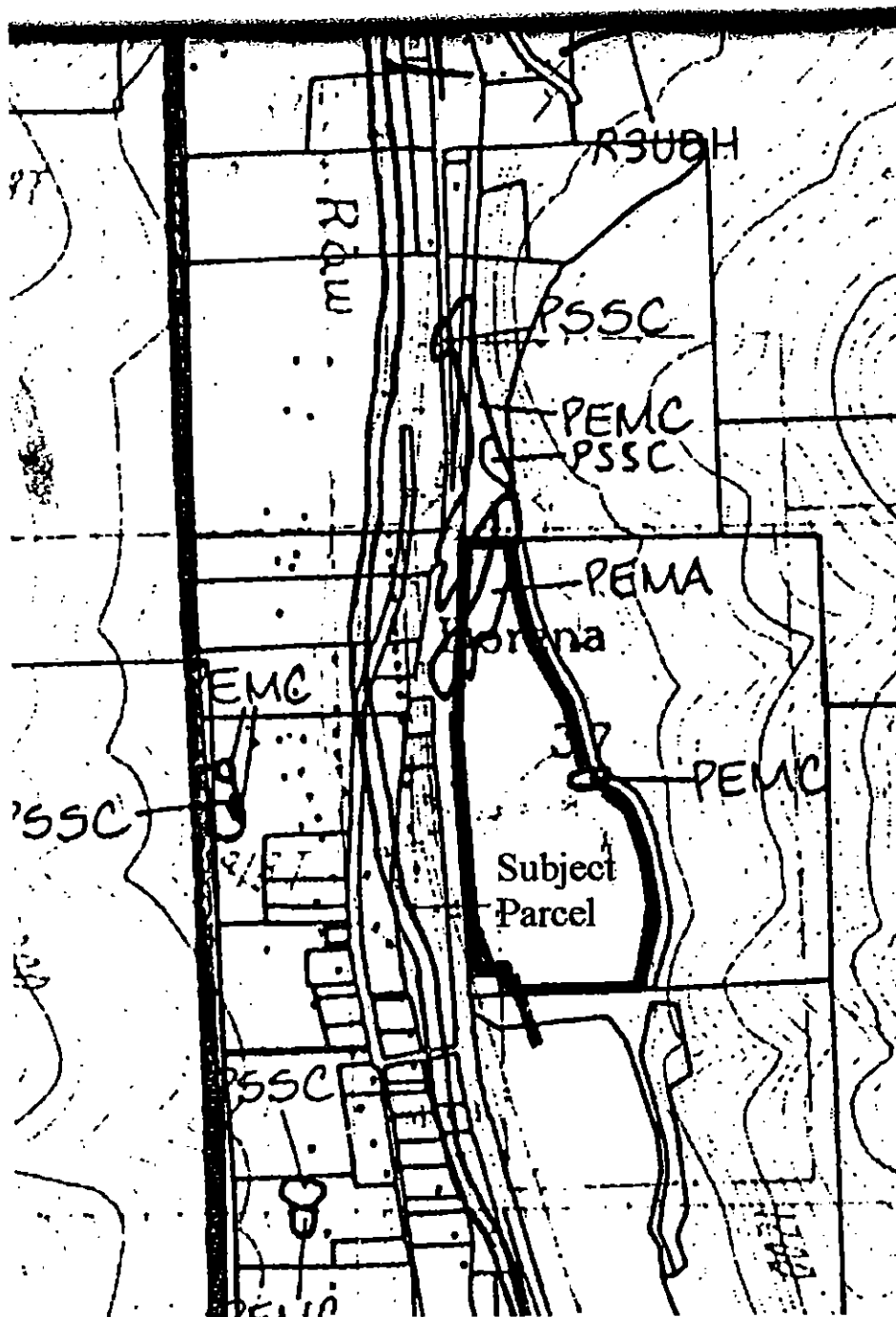
Map 21-01-30 Tax Lot 300



This topographic map is from the "TopoZone" website, a source of topographic maps on the web, and is identified as part of "UTM 10 511198E 4840723N (NAD27) Culp Creek quad". The approximate boundaries of the subject parcel are outlined in red on this map. The map shows that the subject parcel has an approximate elevation above mean sea level of 911 feet and that it is relatively level. By comparison, the map shows the adjacent property to the east is relatively steep. The map also shows that there are numerous structures on nearby lands.

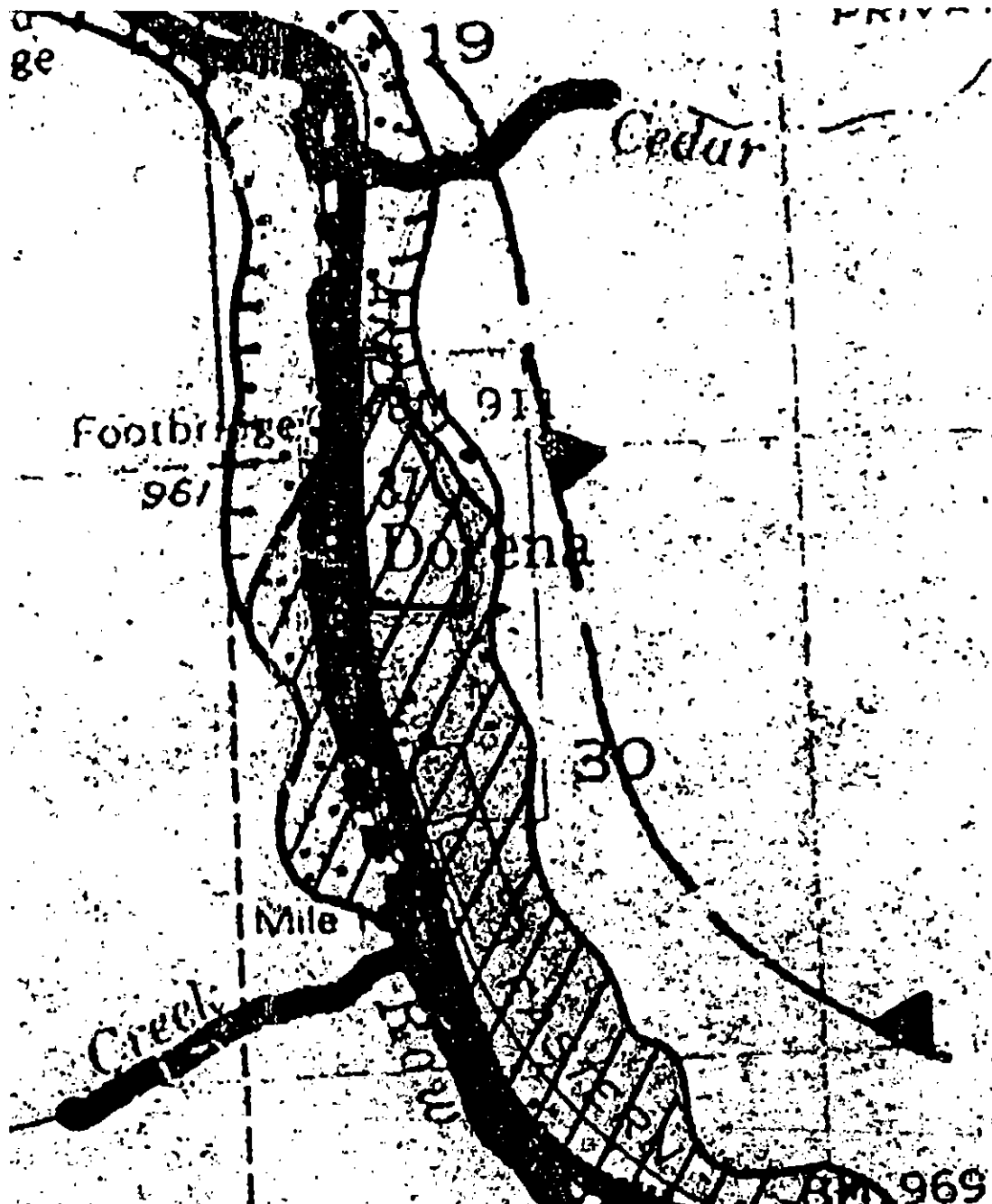
Prepared by James A. Mann LLC
Land Use Planning & Development Permit Services

Earl Everett Exhibit A Attachment 7: Wetlands Map
A&T Map 21-01-30 Tax Lot 300



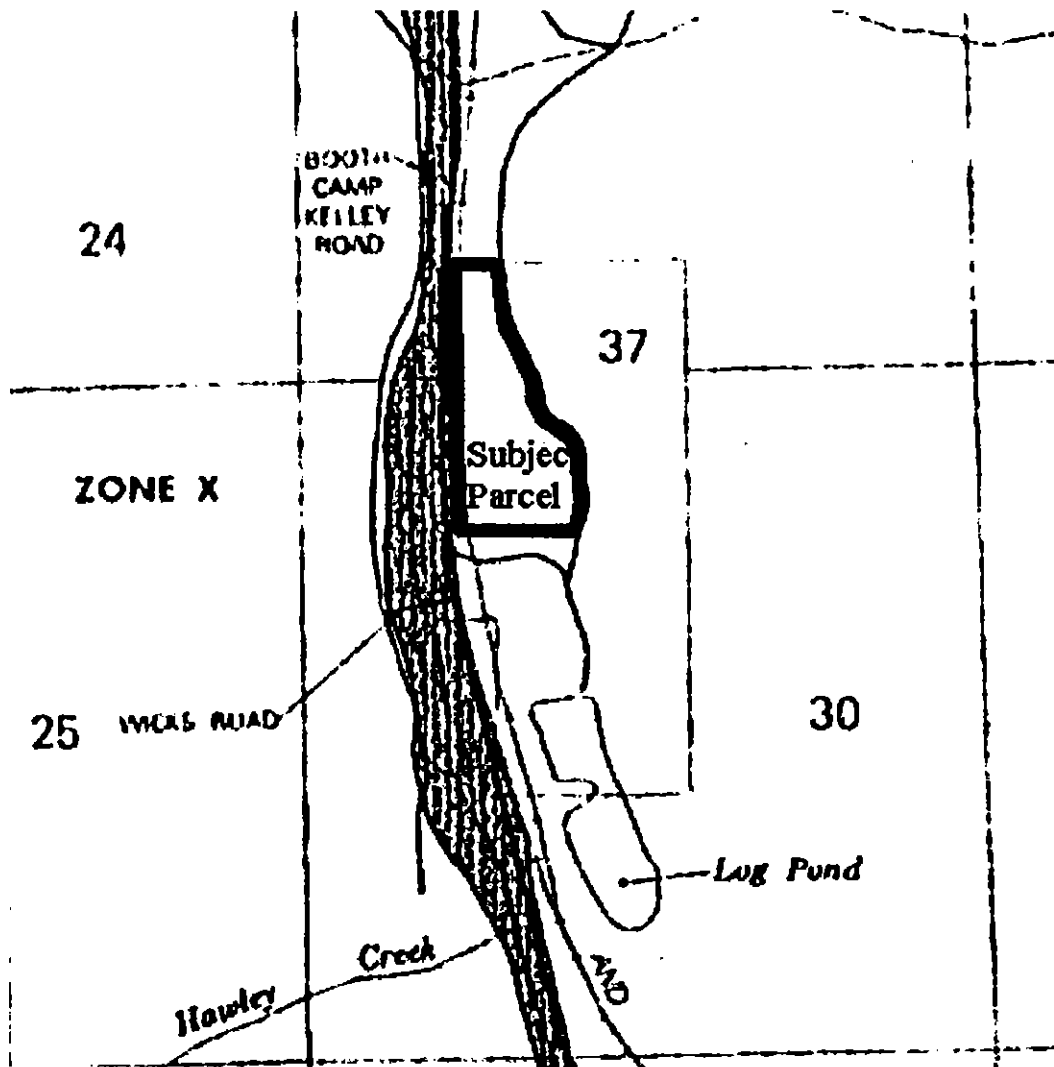
This map is a copy of part of National Wetlands Inventory Map Culp Creek 2. The approximate boundaries of the subject parcel are outlined in red on this map. The map shows two wetland areas on the subject parcel: area "PEMA" on the north end and area "PEMC" on the mid eastern side. *This map is for the illustrative purposes of the subject parcel and this zone change application. Persons wishing to verify wetlands on their property should contact the Lane County Planning Department and rely on the official documents on file with Lane County.*

Earl Everett Exhibit A Attachment 8: wildlife map
A&T Map 21-01-30 Tax Lot 300



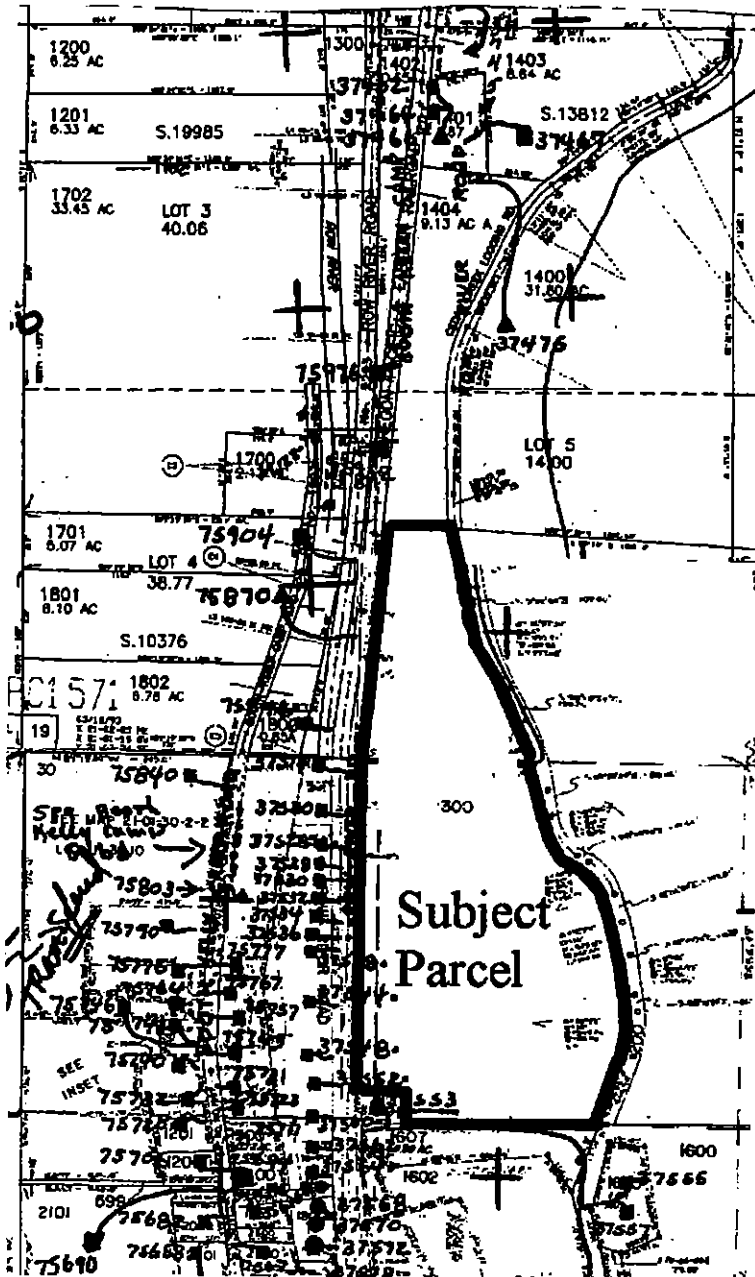
This map is a part of Lane County "Culp Creek" Wildlife Habitat Map showing the approximate boundaries of the subject parcel plotted in red. The subject parcel is located in an area marked with cross hatches and designated as an "Impacted" Big Game area.
Note: This map is for the illustrative purposes of the subject parcel and this zone change application. Persons wishing to verify the wildlife habitat designation of their property should contact the Lane County Planning Department and rely on the official documents on file with Lane County.

Earl Everett Exhibit A Attachment 9: FEMA Map
A&T Map 21-01-30 Tax Lot 300



This map is a part of FEMA Firm Flood Inventory Rate Map Panel 2425 of 2975. The approximate boundaries of the subject parcel are outlined in red on this map. The subject parcel is located in an area identified as "ZONE X" that, according to the FIRM map legend, applies to "Areas determined to be outside the 500 year flood plain." *Note: This map is for the illustrative purposes of the subject parcel and this zone change application. Persons wishing to verify the flood status of their property should contact the Lane County Planning Department and rely on the official documents on file with Lane County.*

Earl Everett Exhibit A Attachment 10: Addressing Map
A&T Map 21-01-30 Tax Lot 300



This map is a composite of two Lane County addressing maps, 21-01-30 and 21-01-19. The approximate boundaries of the subject parcel are outlined in red on this map. The subject parcel is located in an area with numerous addressed structures on adjacent or nearby lands. *This map is for the illustrative purposes of the subject parcel and this zone change application. Persons wishing to verify addresses for their property should contact the Lane County Planning Department and rely on the official documents on file with Lane County.*

Earl Everett Exhibit A Attachment 11: Site Photos
A&T Map 21-01-30 Tax Lot 300



Photo 1: This photo shows the Row River Baptist Church building that is located on TL 1500 (21-01-30), adjacent to the southwest corner of the subject parcel next to Row River Road. Part of the subject parcel is shown in this photo and is the level brush and tree covered area beyond the church building.

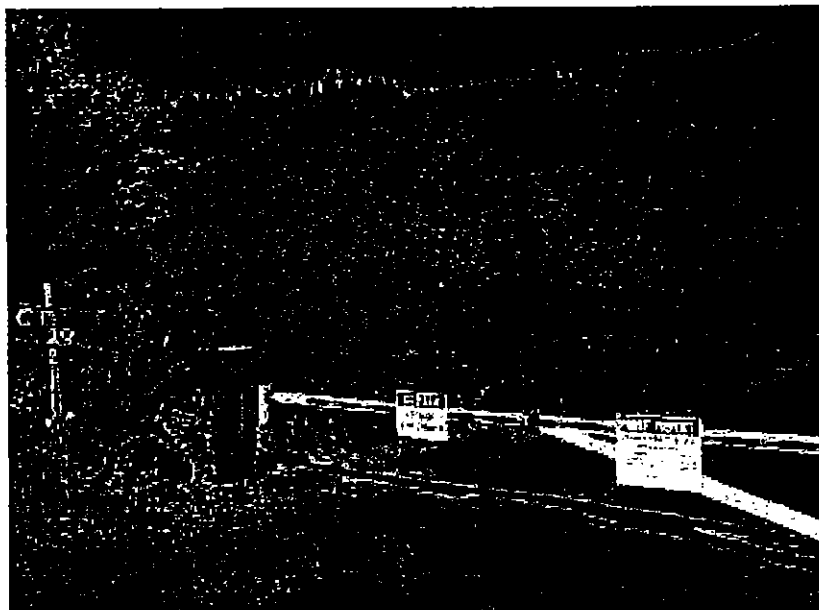


Photo 2: A view of the south, middle side of the subject parcel as seen from the private road that fronts the south side of the subject parcel.

Earl Everett Exhibit A Attachment 11: Site Photos
A&T Map 21-01-30 Tax Lot 300

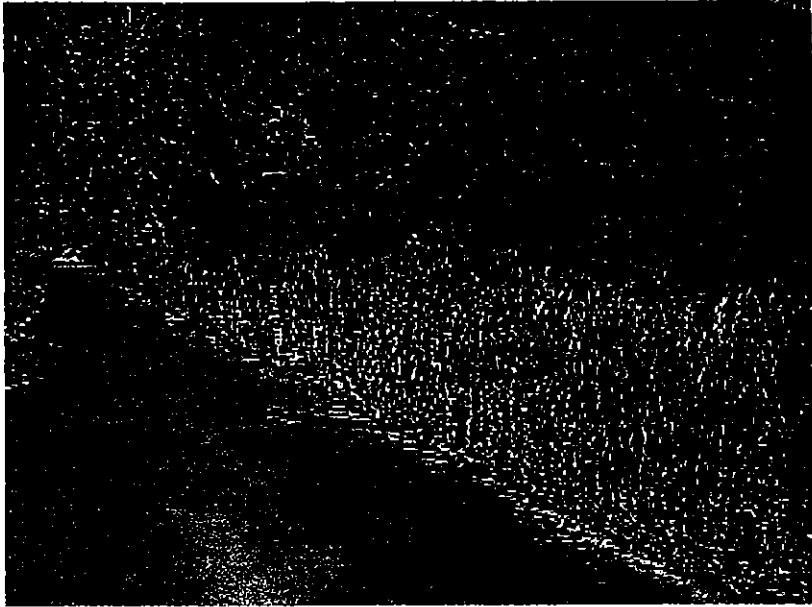


Photo 3: This is a southeasterly view of the subject parcel from the private road that intersects the north portion of subject parcel. The subject parcel includes the level areas on each side of the road. The hillside in the background is property in another ownership that adjoins the subject parcel on its east side.

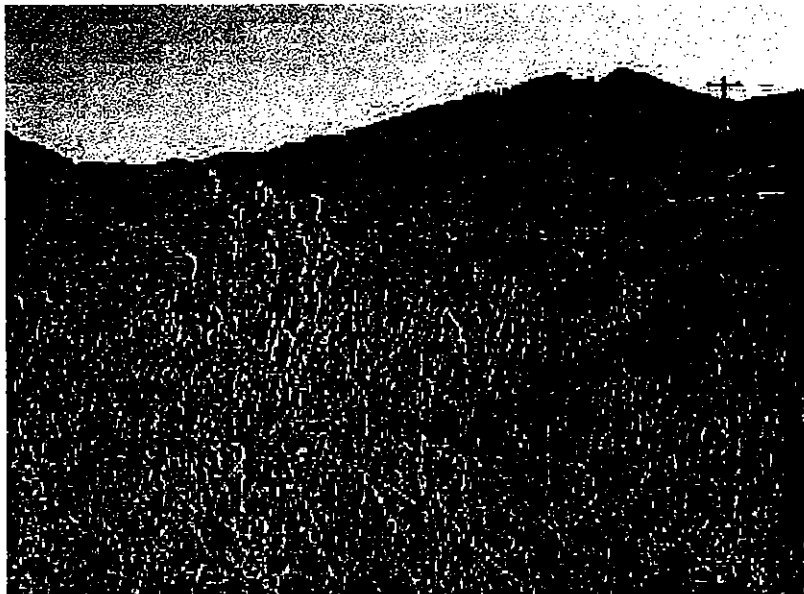


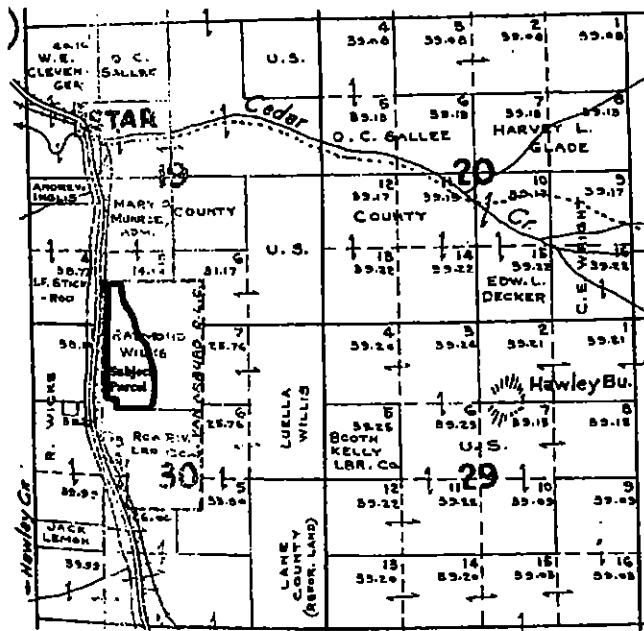
Photo 4: This is a south facing view of the subject parcel taken from the private road that intersects the north portion of subject parcel. The level, brushy areas are included in the subject parcel.

Earl Everett Exhibit A Attachment 11: Site Photos
A&T Map 21-01-30 Tax Lot 300

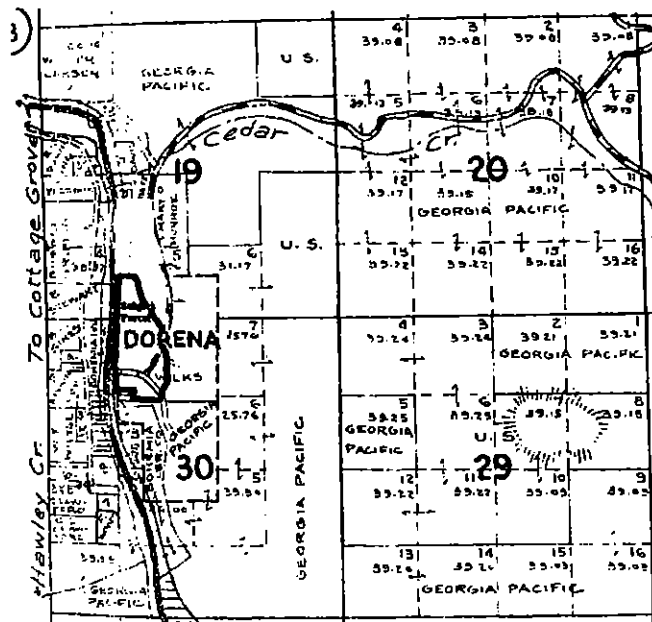


Photo 5: This is a north facing view of the subject parcel taken from the private road that intersects the north portion of subject parcel. The level, brushy areas are included in the subject parcel.

Earl Everett Exhibit A Attachment 12: Metsker Maps A&T Map 21-01-30 Tax Lot 300



Map 1: This is part of a 1941 METSKER'S OF LANE COUNTY OREGON map on file with the Lane County Surveyor's Office that has the approximate boundaries of the subject parcel plotted on it in red. The Metsker's maps were made using county assessment maps that had the assessment ownerships plotted on them and therefore provide a good picture in time of the ownership and parcelization patterns.



Map 1: This is part of a 1968 METSKER'S OF LANE COUNTY OREGON map on file with the Lane County Surveyor's Office that has the approximate boundaries of the subject parcel plotted on it in red.

March. 3, 1983

Earl Everett Exhibit A Attachment 13
Lane County Property File Information

Map 21-01-30 Tax Lot 300

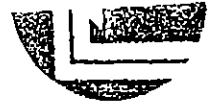
Application No. DSP 83-036

11 pages

(Applicant) Lavern Holmes

(Address) General Delivery, Dorena OR 97434

(Map & Tax Lot) 21-01-30/300



The above referenced application to allow A-2 special permit for a dwelling (replace house that burned in 1981).

has been:

approved with the stipulations and conditions stated below.

denied.

The decision was based on the findings of this office (~~copy enclosed~~) in accordance with the provisions of Lane Code 10.107. The decision will become final on 3/14/83 unless appealed to the Hearings Official, via the Planning Division on or before that date. An appeal may be filed by you, your representative, or any other property owner impacted by the decision in accordance with the provisions of Lane Code 14.010. * The appeal is to be filed with this office and must state how the decision is in error. If an appeal is filed, you and the adjacent property owners will be advised of the date, time and place of the hearing before the Hearings Official.

David H. Krogh, Planner

*Your appeal must be accompanied by a \$ 195.00 filing fee.

cc: Map & Tax Lot File

CONDITIONS OF APPROVAL

1. Proper permits for construction/sanitation shall be obtained prior to development.

SSP 83-0

Receipt

OFFICE USE ONLY			
	Date	By	Comments/Decisions
#20380	Feb 20	DLM	
Pre-App Info. Given			
Fee of \$ Rec'd.			
Written Findings done:			
Notices sent			
Appeal Received			
B/CC Hearing			
Written Findings			
Final Order Signed			

(Complete by typing or printing; add additional pages if necessary.)

I. APPLICANT AND OWNERSHIP IDENTIFICATION

- Name of Applicant Lavern H. Holmes Phone None
 Mailing Address General Del.
 City Dorena OR. Zip Code 97434
- Legal Interest of Applicant (check one): titleholder _____; contract purchaser _____; lessee ; other (specify) _____
- Name of Titleholder Bohemia INC. Phone 342-62
 Mailing Address Same as below
 City Eugene OR. Zip Code 97441
- Name of Contract Purchaser (if any) _____ Phone _____
 Mailing Address _____
 City _____ Zip Code _____
- Will a representative or agent assist the applicant? TELEX 364
 If yes; Name Hal McCall Phone 342-62
 Address Po. Box 1819
 City Eugene OR. Zip Code 97441

Bohemia INC.'s
 Property
 Manager →

II. PROPERTY

- (1) Assessor Map No. (Township, Range, Section) and Tax Lot(s) Township 21
Range 01 Section 30 Tax Lot 300 Zoning FF2
 Tax Code No. ?
- (2) Property Address 37491 Row River Rd.
 City Dorena OR. 97434
- (3) Describe how to find the property: 13 mi. East of Cottage Grove OR.
Above Dorena Lake on Row River Rd. About 1/2 mi. past
Dorena School on Left - 1/8 mi. before Row River Store + Dorena P.O.
- (4) Do you own any other property abutting or on the opposite side of a public road which is not included as a part of this application? Yes No . If yes, identify the property as follows: Assessor Map No. (Township, Range, Section) and Tax Lot(s)
- (5) Size of subject property in acres or square feet ^{APPROX.} 683' Long 400' deep. Size of the total ownership in acres or square feet ?
- (6) Access (Name of Road) Row River Rd.
 Road Status: Public : Private : Easement
- (7) Structures on the property: NONE - House burned Nov-1981
- (8) Present use of property: NONE
- (9) Physical features of property: Pasture Not in use. And burn Site
of X House.

III. A-1/A-2 SPECIAL USE PERMIT LEGAL CRITERIA

- (1) I plan to: build a dwelling on the property.
 (check one) place a mobile home on the property.
 If a special use proposed is not a dwelling, please specify:
- (2) I have filled out a "Request for Special Use or Permit Exemption" form which has determined this proposal to be non-farm related (check one):
 yes
 no

If no. fill out : submit the above form prior to submitting this application. Special Use Permits are required for non-farm related dwellings but not for farm related dwellings. (Note: If proposal is not for a non-farm related dwelling, go on to Step (3)).

- (3) What is the Comprehensive Plan designation for this property? A Home

How does the proposal conform to the plan designation (refer to plan text)?

?

- (4) Explain how the use of subject property will not detrimentally affect adjacent and area farm operations through increased use of roads, interference with farm uses or demand for public facilities, etc. It has Row River Rd. In the front. and in the back and on East side has Georgia Pacific Log Roads. It only joins property on one side. that property already has Road into it.

- (5) What is the overall land use pattern of the area? For Rural Home Sites

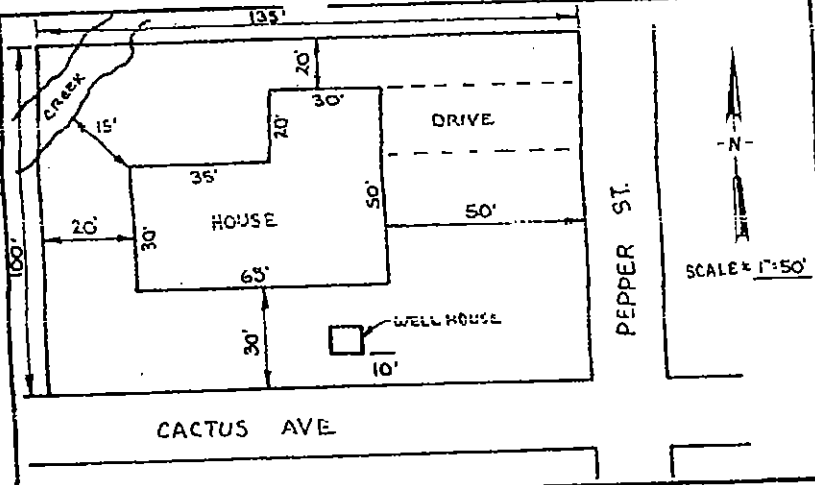
- (6) Is the proposal to be placed upon land generally unsuitable for farm production? If so, please describe site. If not, indicate why unsuitable land is not available? Site has Approximately 2 acres of pasture Land. - a old Small Orchard and Home Garden Site.

- (7) Complete the attached plot plan.

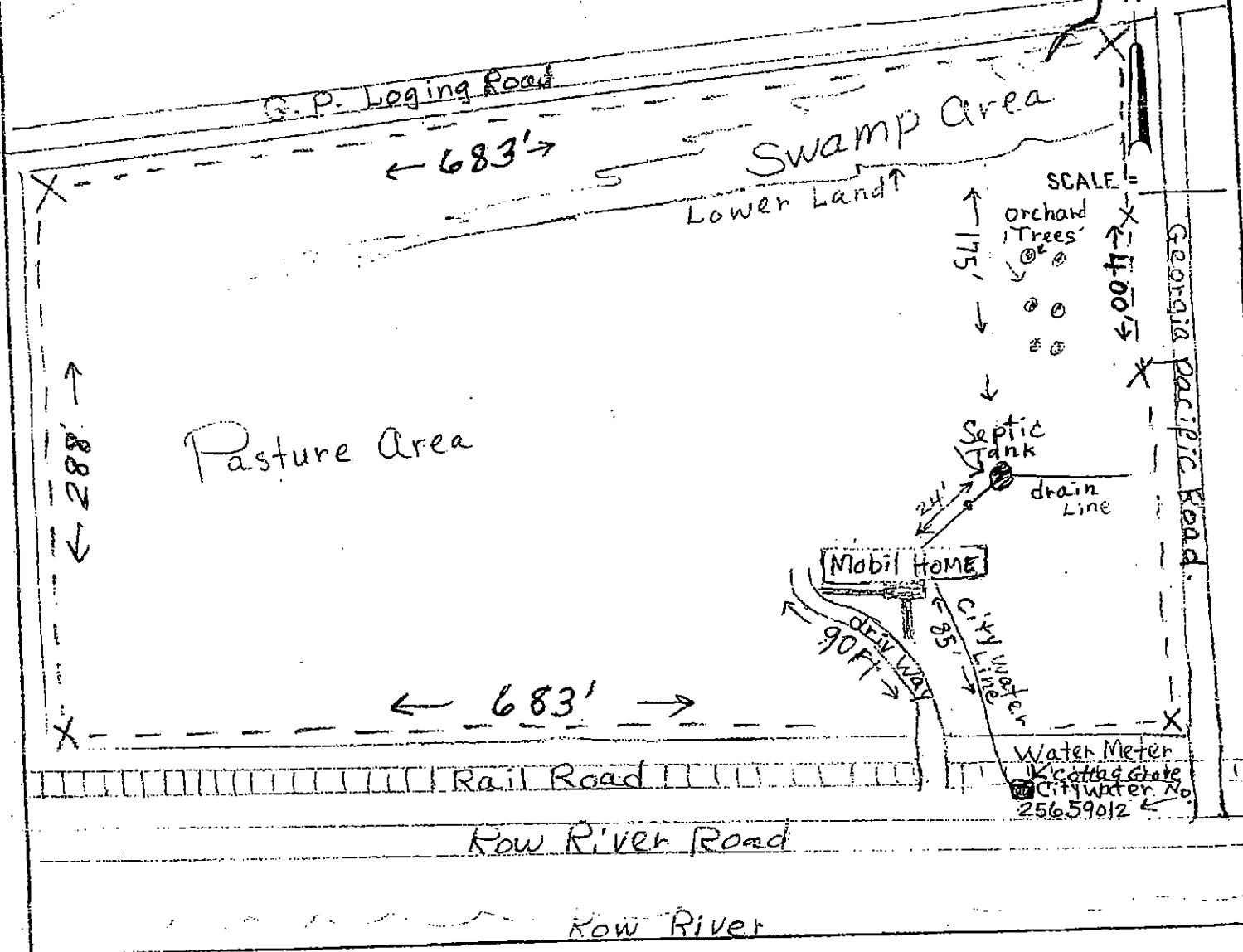
BUILD 3 & TOPOGRAPHICAL FEATURE LOCATION PLAN

Information Needed: Drawn to scale showing the actual shape and dimensions of the subject property, the sizes and shapes of the existing and proposed structures, location of existing or proposed roads, distinguishing vegetation, and outstanding topographical features.

If necessary to give the necessary detail, a separate drawing containing the above information may be attached.

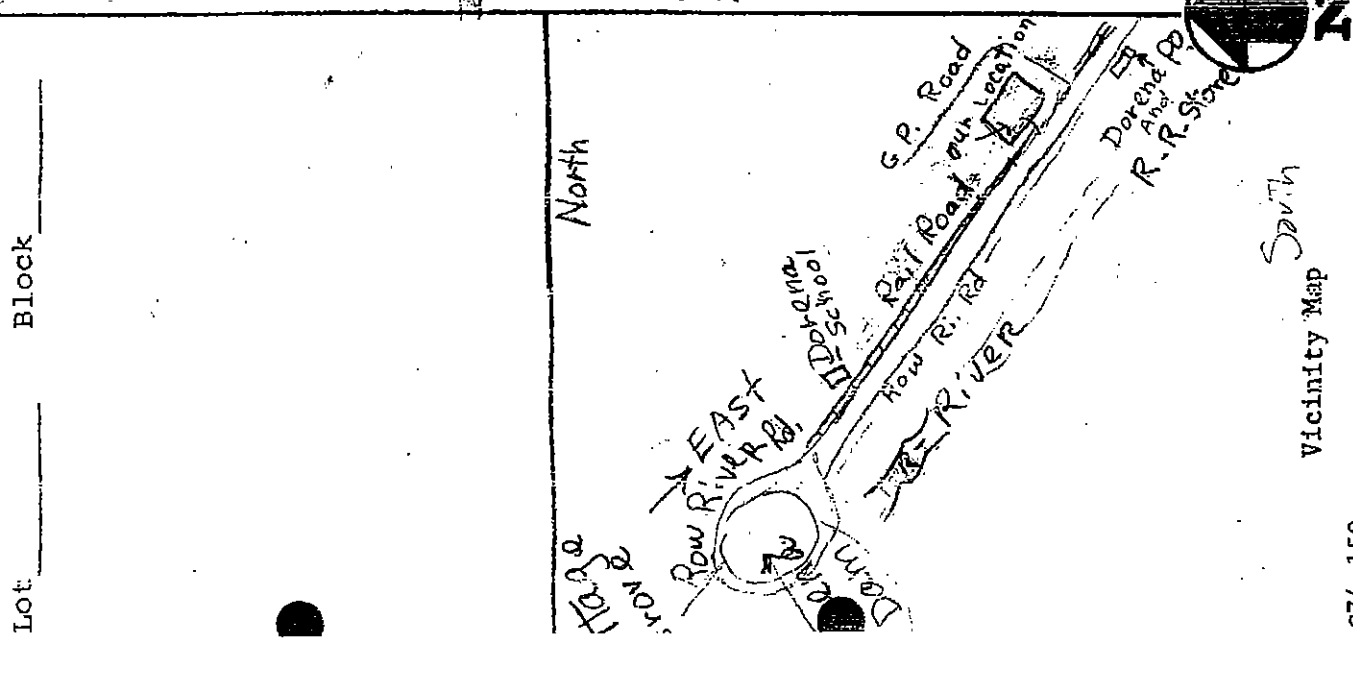
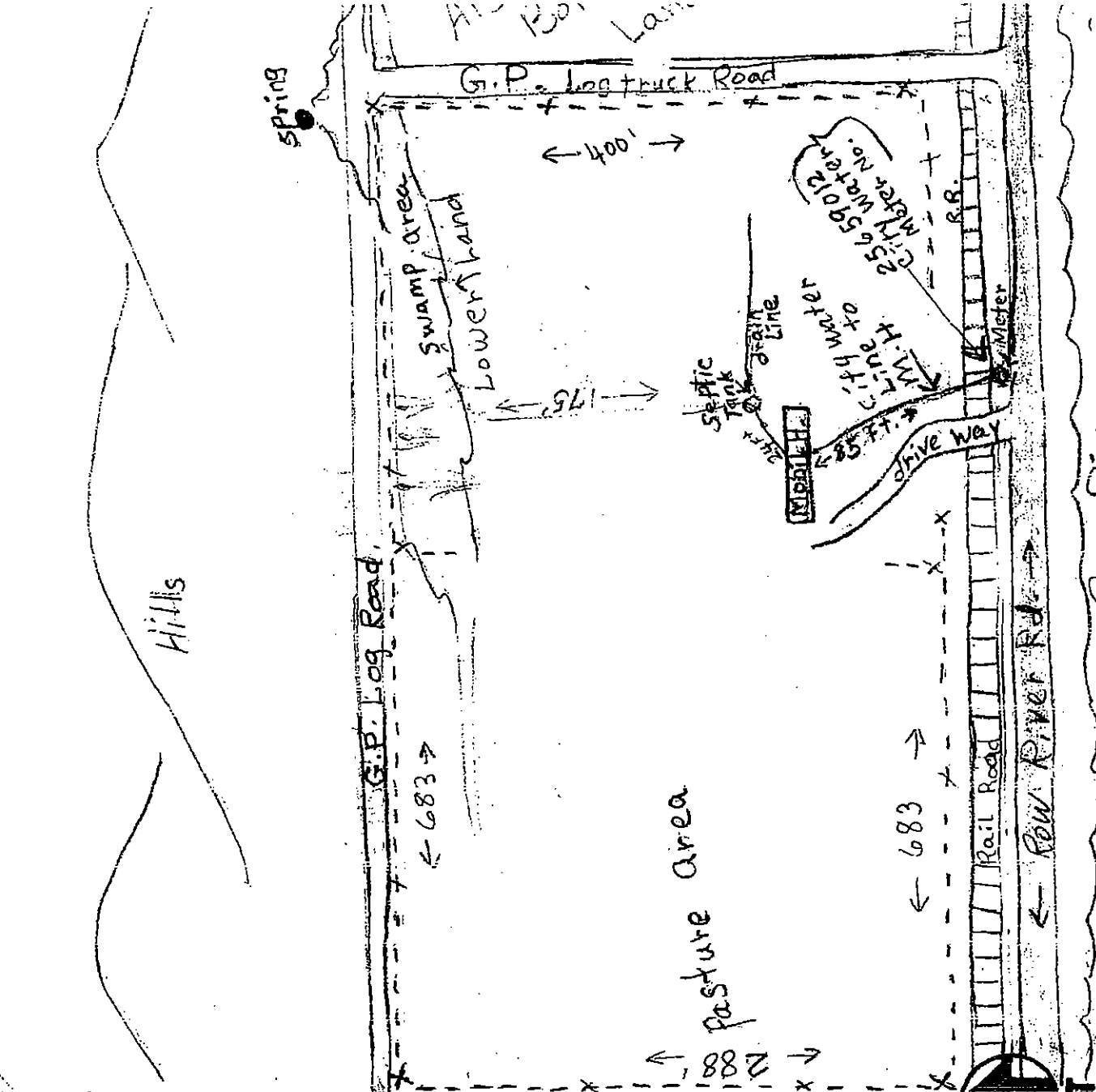


Spring on hill behind site



Permit # _____ For _____
 Permit # _____ For _____
 Permit # _____ For _____
 Permit # _____ For _____
 Permit # _____ For _____
 Permit # _____ For _____

Subdivision _____
 Lot _____ Block _____



Vicinity Map

BOHEMIA INC.



2280 OAKMONT WAY EUGENE, OREGON 97401
P.O. BOX 1819 EUGENE 97440
TELEPHONE (503) 342-6262 TELEX 364-442

February 23, 1983

Lane County Planning Department
County Court House
Eugene, OR 97401

Gentlemen:

The following is information that you have requested regarding a mobile home site. An assessor's tax map is attached indicating the location of the site, T21, R1WW, S30, TL300.

This parcel consists of 34.29 acres approximately five acres of which has been and hopefully will continue to be, used as a home site. The area basically lies between the northern property line of tax lot 300 and extends south to a roadway that dissects tax lot 300, from the OP&E railroad tracks on the west to a road way shown as tax lot 200 on the east.

This parcel was purchased by Bohemia in 1975 with a house on the property, however, we do not know the age of the structure. The house burned down in November of 1982. We have maintained the City of Cottage Grove water service to the site.

During the seven years that Bohemia managed a rental on this property, we did not encounter any problems with the existing septic tank or drain field.

As stated before, this property is owned by Bohemia Inc., and it is our intent to retain this ownership indefinitely.

Sincerely,

BOHEMIA INC.

Hal McCall
Property Manager

HM:ah
Enclosure



Lane County Authorization for:

Mobile Home Placement

FOR OFFICE USE ONLY

Application Permit # 365-83

- Two Copies of Plans
- Three Copies of Plot Plans
- Mech/Plumbing Checklist
- Legal Interest Document
- Plan Check Info Sheet

TOWNSHIP 21 RANGE 01 SECTION 30 TAX LOT 300 OUT OF 1

BDIVISION/PARTITION (if applicable) _____ LOT/PARCEL _____ BLOCK _____

CATION ADDRESS 37491 Red King Rd, Veneta, 97434 CITY VENETA ZIP 97434

PROPOSED USE OF PROPERTY
 Residential Industrial
 Commercial Public

STRUCTURES CURRENTLY ON PROPERTY
No structures currently on property

DIRECTIONS TO SITE
13 miles from St. Joe on Red King Rd. Property is about 1/8 mile before Red King Stone & Veneta Post Office

DESCRIPTION OF PROPOSED WORK - BE SPECIFIC
Mobile Home Placement & Utility Hookup

DECLARED \$ VALUE _____

OF BEDROOMS 3 # OF STORIES N/A # OF EMPLOYEES N/A WATER SUPPLY _____

Proposed Existing

OWNER'S NAME AND ADDRESS
Belmont Lumber Co, 5450 Camp Creek, Veneta, Oregon

TELEPHONE NUMBER 342-6262

CONTRACTOR'S NAME AND ADDRESS
Stephen J. Holmes, Red King Rd, Veneta, Oregon

TELEPHONE NUMBER 369-4442

PERMIT TO BE MAILED TO (NAME AND ADDRESS)
Veneta, Oregon 97434

TELEPHONE NUMBER _____

I HAVE CAREFULLY EXAMINED THE COMPLETED APPLICATION FOR PERMIT, and do hereby certify that all information hereon is true and correct, and that I have the following legal interest in the property: owner of record; contract purchaser; authorized agent with evidence of authority attached. I further certify that any and all work performed shall be done in accordance with the Ordinances of Lane County and the Laws of the State of Oregon relating to the work described herein, and that NO OCCUPANCY will be made of any structure without the permission of the Building Division. I further certify that registration with the Builder's Board is in full force and effect as required by ORS 701.055, that if exempt the basis for exemption is noted hereon, and that only subcontractors and employees who are in compliance with ORS 701.055 will be used on this project. I HAVE READ AND CHECKED THIS APPLICATION THOROUGHLY.

MARY HOLMES NAME (please print) Mary Holmes SIGNATURE 3-15-83 DATE

READ THIS SECTION CAREFULLY. YOUR AUTHORIZATION HAS BEEN BASED ON THE FOLLOWING CONDITIONS!

PLANNING/ZONING: Zone FF/20 Partition # _____ Parcel # _____ Parcel Size 3429A
 Minimum Setbacks: front 20' P.H.C.L. side _____ interior 15' rear 20'
 COMMENTS: DSP # 83-036 approved 3-14-83

FLOODPLAIN: In flood hazard area? No Yes, SEE ATTACHED SHEET. Date: _____

SANITATION: S. I. # _____ B. P. Mohrwood Installation Record Issued? Yes No
 Installation Specifications: 1000 Gallon Tank 300 Lineal Feet of Drainfield 24" Maximum Depth of Trenches

COMMENTS: Install a serial distribution system on the highest ground area south of proposed mobile home. Stay 10' from property line. See approved plan dated 3-23-83 Date: 3-23-83
 Use MH

PLANS EXAMINATION: Type _____ Group _____ Use _____
 COMMENTS: SEE REVERSE SIDE OF PERMIT AND ENCLOSURES FOR INSTALLATION REQUIREMENTS.
 PERMITS FOR ALL ELECTRICAL WORK SHALL BE SECURED FROM THE STATE OF OREGON, DEPARTMENT OF COMMERCE, ELECTRICAL SECTION.
 Date: 3/24/83

Mobile Home Placement & Water Hookup

OF BEDROOMS 3 # OF STORIES 1 1/2 # OF EMPLOYERS 1 1/2 WATER SUPPLY Spring

Proposed Existing

OWNER'S NAME AND ADDRESS: Home Supply Co., Sub Creek, Oregon TELEPHONE NUMBER: 342-6262

TRACTOR'S NAME AND ADDRESS: John & John, Low Road Rd. Central Valley TELEPHONE NUMBER: 369-4442

TO BE MAILED TO (NAME AND ADDRESS): Perma, Oregon 97434 TELEPHONE NUMBER: _____

I HAVE CAREFULLY EXAMINED THE COMPLETED APPLICATION FOR PERMIT, and do hereby certify that all information hereon is true and correct, and that I, the following legal interest in the property: Owner of record; contract purchaser; authorized agent with evidence of authority attached. I further certify that any and all work performed shall be done in accordance with the Ordinances of Lane County and the Laws of the State of Oregon relating to the work described herein, and that NO OCCUPANCY will be made of any structure without the permission of the Building Division. I further certify that registration with the Builder's Board is in full force and effect as required by ORS 701.055, that if exempt the basis for exemption is noted hereon, and that only subcontractors and employees who are in compliance with ORS 701.055 will be used on this project. I HAVE READ AND UNDERSTOOD THIS APPLICATION THOROUGHLY.

MARY HOLMES NAME (please print) Mary Holmes SIGNATURE 3-15-83 DATE

READ THIS SECTION CAREFULLY. YOUR AUTHORIZATION HAS BEEN BASED ON THE FOLLOWING CONDITIONS!

PLANNING/ZONING: Zone FF/20 Partition # _____ Parcel # _____ Parcel Size 3429A

Minimum Setbacks: front 20' P.H.C. side _____ interior 15' rear 20'

COMMENTS: DSP # 83-036 approved 3-14-83

FLOODPLAIN: In flood hazard area? No Yes, SEE ATTACHED SHEET. Date: 3-15-83

SANITATION: S. I. # _____ B. P. Not needed Installation Record Issued? Yes No

Installation Specifications: 1000 Gallon Tank 300 Lineal Feet of Drainfield 24" Maximum Depth of Trenches

COMMENTS: Install a serial distribution system on the highest ground area south of proposed mobile home. Stay 10' from property lines. See approved plan dated 3-23-83. Date: 3-23-83

PLANS EXAMINATION: Type _____ Group _____ Use MH

COMMENTS: SEE REVERSE SIDE OF PERMIT AND ENCLOSURES FOR INSTALLATION REQUIREMENTS.

PERMITS FOR ALL ELECTRICAL WORK SHALL BE SECURED FROM THE STATE OF OREGON, DEPARTMENT OF COMMERCE, ELECTRICAL SECTION.

Date: 3/24/83

TOTAL VALUATION \$		CONSTRUCTION AUTHORIZED BY THIS PERMIT		
Description	Sq. Ft.	Fixed Fee/ Unit Cost		
<u>Placement of Mobile Home</u>				\$ <u>W/n</u>
<u>14'x70' - Western 1973</u>				\$ <u>50.00</u>
<u>Authorization Plate</u>				\$ <u>62.50</u>
				\$ <u>80.00</u>
				\$ <u>19.50</u>
				\$ <u>3.90</u>
				\$ <u>5.00</u>
				\$ <u>172.65</u>

PERMIT APPROVED BY BUILDING OFFICIAL/DESIGNER (per ORS 456.805 (1)) White DATE 3/24/83

Site Plan

Block _____

#365-83

Job Location (Address) 37491 Row River Rd. Dorena OR 97-34

Permit # _____	For _____	Permit # _____	For _____
Permit # _____	For _____	Permit # _____	For _____
Permit # _____	For _____	Permit # _____	For _____

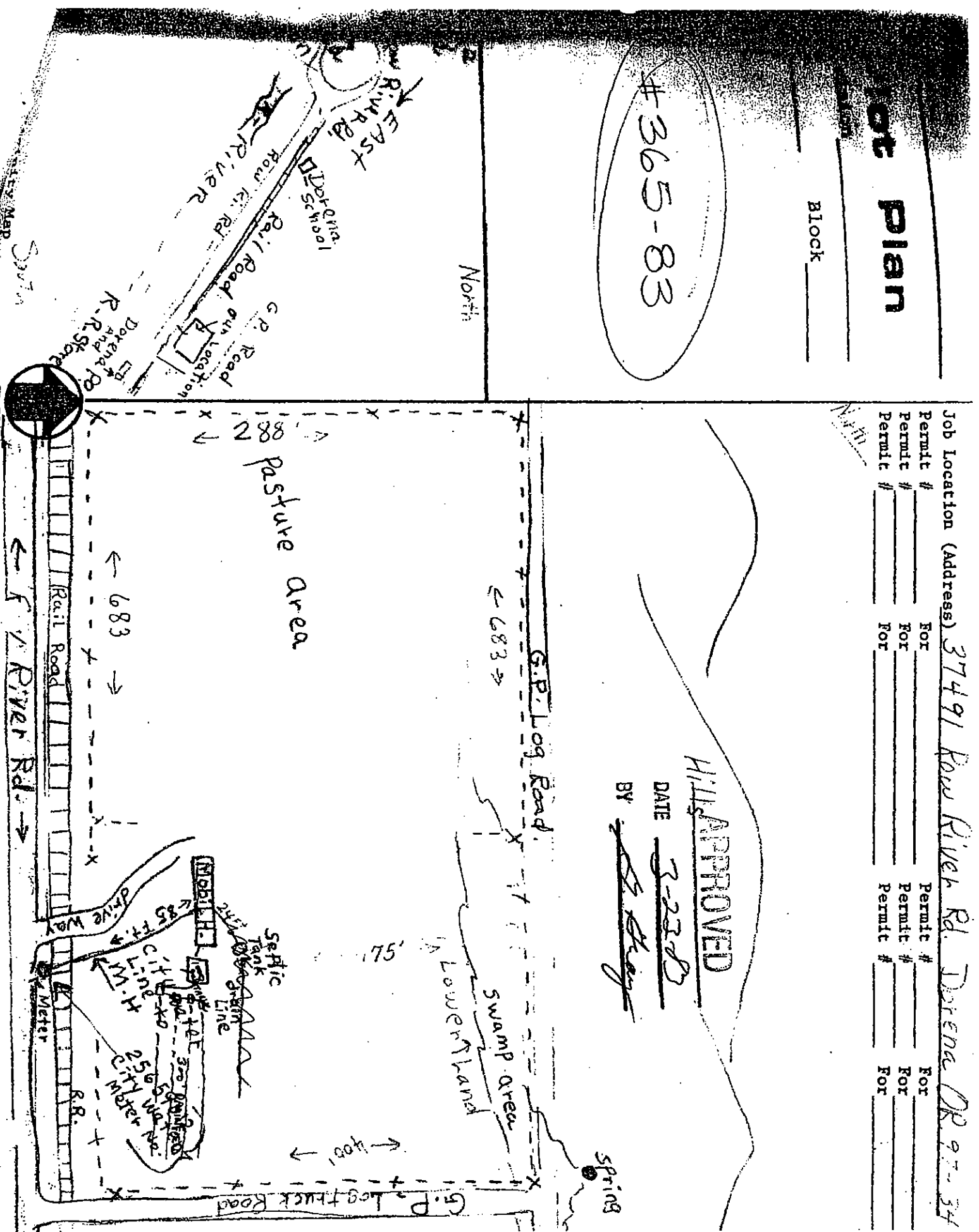
HILL APPROVED

DATE

3-23-83

BY

[Signature]



10-12
1-3

PLANNING & COMMUNITY DEVELOPMENT
ACTIVITY INFORMATION SHEET



COMPLETE THIS SECTION. INCOMPLETE FORMS WILL BE REJECTED!

1. Mailing Address Now
 Lavern H. Holmes PERSON MAKING REQUEST ✓
 Bohemia L.B.R. Co. Culp Creek OK. PROPERTY OWNER
 Row River Rd. General Del MAILING ADDRESS
 37491 Dorena OR 97434 Culp Creek OR 97427
 CITY STATE ZIP CODE CITY STATE ZIP CODE
 If any questions call Hal McCall Bohemia's Land Manager
 342-6262 TELEX 364-442
 BUSINESS TELEPHONE # HOME TELEPHONE # BUSINESS TELEPHONE # HOME TELEPHONE #

2. PROPERTY ADDRESS 37491 Row River Rd. Dorena OR 97434
 (IF DIFFERENT FROM MAILING ADDRESS)

3. MAP & PARCEL NUMBER (REQUIRED INFORMATION) (from tax maps in Department of Assessment and Taxation or from tax statement)

Make by Barrington make Weston year 1973 Size 14x70 of mh.	21	01	30	300	FF20
	TOWNSHIP	RANGE	SECTION	TAX LOT(S) OR PARCEL #	ZONING
	TOWNSHIP	RANGE	SECTION	TAX LOT(S) OR PARCEL #	ZONING
	TOWNSHIP	RANGE	SECTION	TAX LOT(S) OR PARCEL #	ZONING

TOTAL CONTIGUOUS PROPERTY IN SAME OWNERSHIP: _____ ACRES

4. SUBDIVISION (if applicable) _____ LOT _____ BLOCK _____

5. REQUEST (state exactly what you plan to do) put a 14x70' Mobil Home on this site where A farm house burned completely down 15 months ago. City water and septic tank are already there.

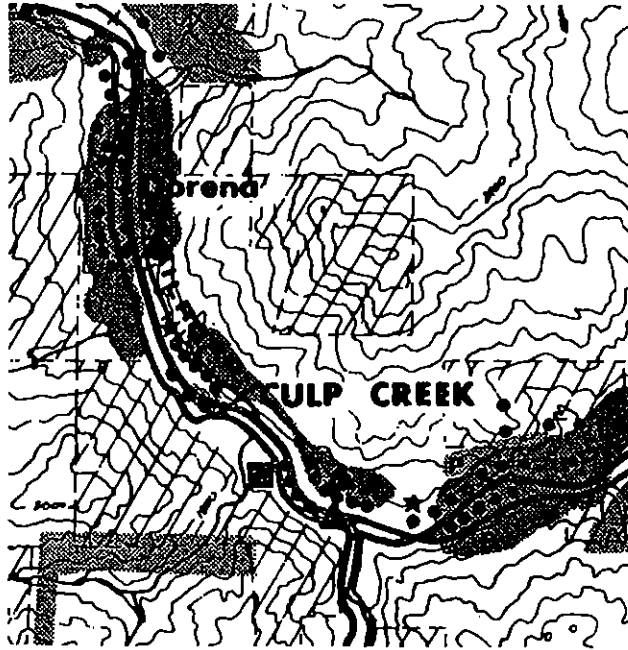
6. DIRECTIONS TO SITE: go 13 mi. from Cottage Grove on Row River Rd. Above Dorena Residence. Property is about 1/8 of a mile before Row Ri. stor & Dorena P.O.

** FOR STAFF USE ONLY **

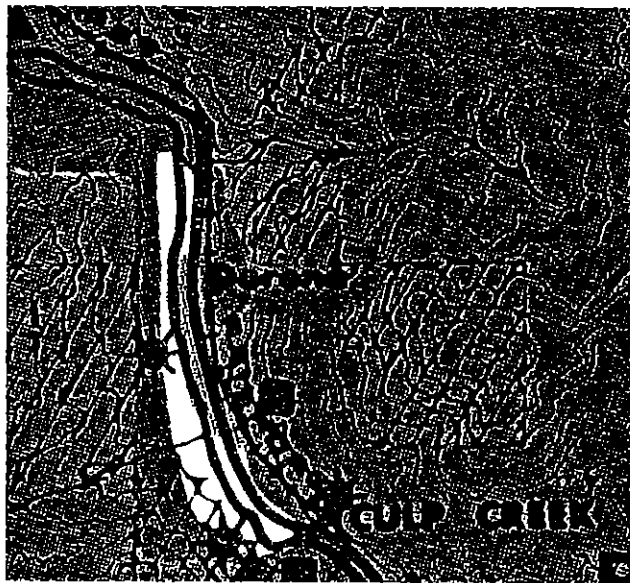
DSP 83-036 NUMBER _____
 ZONE/LAND USE: _____ DATE _____
 BY: _____ DATE: _____ TIME IN: _____ OUT: _____

Earl Everett Exhibit A Attachment 14: Subarea Plan
A&T Map 21-01-30 Tax Lot 300

7 pages



Map 1: This is a copy of a portion of the land use inventory map from A COMPREHENSIVE LAND USE PLAN FOR THE ROW RIVER LONDON SUBAREA developed by Lane County in 1975 and adopted on 6/29/77. A red "X" has been placed on the map to locate the subject parcel that is included in a shaded developed area with dots that signify dwellings and squares that signify industrial development.



Map 2: This is a copy of a portion of the plan diagram map from A COMPREHENSIVE LAND USE PLAN FOR THE ROW RIVER LONDON SUBAREA developed by Lane County in 1975 and adopted on 6/29/77. A blue "X" has been placed on the map to located the subject parcel that is included in a red brown shaded area designated as "Rural, Woodland and Grazing". The square to the south of the subject parcel signifies industrial development.

The Plan Diagram

CONTINUED

on the Plan Diagram. If the proposed use conforms to the primary use shown on the Diagram, normal land development procedures are followed. If the proposed use is either Potential or Low-Potential Conformity, the criteria shown below the Table 2 matrix are applied by the County Planning Commission and Board of Commissioners to determine if the proposed use is acceptable in the primary category. If so, normal procedures again apply. If the proposed use is shown on Table 2 as a Nonconforming use, development cannot occur unless the Plan is changed.

A full detailed description of the system and how it functions are available in the Planning Division offices and are also printed in the full Subarea Plan document.

PLAN DIAGRAM RECOMMENDATIONS FOR THE LOWER COAST FORK SUBAREA

Several proposed land use categories are included on the Plan Diagram. These include the following:

- Yellow* -- Rural Residential: A residential category to be located primarily around community centers. Recommended parcel sizes range from 2 to 5 acres per dwelling unit, with less than 2 acres recommended where "infilling" of partially-developed areas is necessary.
- Red / Brown* -- Rural, Woodland and Grazing: A residential category with low densities, to be located in the rural portions of the Subarea, especially where development constraints exist. Recommended parcel sizes are around 20 acres per dwelling unit, although 10 acres per dwelling unit is possible provided that criteria can be met (see Table 1).
- Commercial: Large-scale commercial development is recommended only within established communities. Where needed to serve the day-to-day needs of neighborhood residents, small-scale neighborhood commercial development is recommended. Tourist-commercial development is recommended where needed to serve visitors and the motoring public.
- Purple / Square* -- Industrial: Existing industrial development is accommodated on the Plan Diagram, with provisions made for expansion.

The Plan Diagram

CONTINUED

- Natural Resource: This designation identifies and recommends preservation of important natural resources, including timber, mineral deposits, sand and gravel sites, and other specialized resources.
- Conservation/Recreation/Open Space: A category reflecting areas which are now or are expected to be used for recreational purposes or preserved in open space. This includes public parks, boat landings, and historical sites. In some cases, public use would not occur at all, but the land would continue to exist in a natural, undeveloped condition.
- Agriculture: Where lands with a good potential for agricultural production exist, whether being actively farmed at present or not, the agricultural category is applied. It is designed to promote use of the land for farming, preservation of the land resource, and maintenance of the "rural atmosphere". Recommended parcel sizes are 20 acres per (farm) dwelling unit, or greater.

* Rural Service Centers

Sixteen communities have been designated as rural service centers. They are: Marcola, Dexter, McKenzie Bridge, Vida, Leaburg, Walterville, Cheshire, Alvadore, Crow, Lorane, Goshen, Pleasant Hill, Culp Creek, Noti, Triangle Lake and Swisshome.

With few exceptions, local employment possibilities are limited in these communities and there is a minimum of investment in public facilities to serve increased population. The designation of "rural service center" would allow for the provision of limited services, particularly commercial services, to serve the local population. Some infilling of development on lots of one acre or more may be possible in some communities if subsurface sewage disposal can be accommodated. However, the creation of small lots and acreages around these communities should be discouraged.

Separate land use plans have been identified for each of the major and minor development centers, plus the rural service centers of Marcola and Dexter.

The combination of the rural subarea plans and the community plans represent the first county effort at identifying courses of action which will hopefully lead to the accommodation of change and growth in a manner which will not be detrimental to the liveability and attractiveness of rural Lane County.

THE SETTING: ROW RIVER-LONDON SUBAREA

The Row River-London Subarea occupies about 550 square miles of south central and southeastern Lane County (see Figure "A" and Map 1). It is bounded on the west and south by the Lane/Douglas County line; on the northeast and east by the Umpqua/Willamette National Forest Boundary; and on the northwest by a line traveling from the County line due east, just downstream of Cottage Grove Reservoir, to approximately Mosby Creek, then due north across the Row River Valley to approximately Gettings Creek, then due east until it turns to the northeast to intersect Bear Mountain and complete the boundary (this northwest boundary interfaces with those of the Lower Coast Fork Subarea and the City of Cottage Grove Urbanizing Area).

The Subarea forms the upper part of the Coast Fork Willamette River drainage basin. The subareas adjoining this one are the Lower Coast Fork Willamette River Subarea to the northwest, the Lower Middle Fork Subarea to the north, and the Upper Middle Fork Subarea to the northeast and east.

The Subarea is primarily composed of forest land, a great deal of which is publicly owned, and is generally undeveloped in terms of urban uses. Fifty-nine percent of the land in the Subarea is publicly owned. The bulk of this ownership (42 percent) is taken by the Umpqua National Forest, which occupies the part of the Subarea generally east of the Willamette Meridian; the balance is BLM land. Another 32 percent of the area is held by major timber companies in large acreages. Other than Culp Creek and Dorena, small linked communities located on the Row River, there are presently only scattered residences dotting the river and creek valleys at low densities. The nearest urban center is the City of Cottage Grove (Pop. 6000, 1970 Census) which is just to the north of the Subarea.

CONCLUSION

The recommendations which follow in the Plan Report* vary in their scope and implications. Some call for immediate action; others call for lengthy study aimed at developing more specific recommendations later on; and still others suggest or take the form of policy statements. The common theme of all the recommendations is (upon Plan adoption) acceptance of them as suitable approaches toward problem-solving, goal realization, and so on. Other valid approaches may exist and may at any time be put into the Plan through amendment procedures. Adoption of the Plan does not necessarily commit the County to immediately carry out each recommendation to the letter, but does put the County on record as having recognized the validity of the recommendations and the decisions or actions they imply. The County can then begin to carry out the recommendations to the best of its ability, given sufficient time and resources.

This entire plan (Parts I and II) should be considered as 1) a statement of desired goals and policies of Subarea residents, 2) a body of technical information about the Subarea, and 3) a set of recommended actions to reach the goals and resolve issues and problems uncovered by the analysis. It should be used as a basic reference by those who must make decisions affecting the people of the Row River-London Subarea.

* Chapters III, IV, and V, specifically.

land uses. The Conservation/Recreation/Open Space designation implies that, like the Agricultural designation, no development beyond that normally associated with resource based activities will occur.

The principal lands of this type in the Subarea is the existing park development and reservation around the two reservoirs and individual park sites scattered throughout the Subarea.

Another feature which may fall into this category is the proposed Willamette Greenway corridor along the Coast Fork of the Willamette River, downstream from Cottage Grove Dam. Lane County expects to complete its portion of the Willamette Greenway (as mandated by the State Legislature) in the summer of 1977, which will act as a refinement study to this Subarea Plan upon adoption.

Summary

The Diagram, and the land use designations which are shown on it, are flexible. They can be changed and improved, to either more accurately reflect specific conditions within the Subarea or to reflect changed goals or attitudes of Subarea residents. The general character of the Subarea planning study and Diagram is in accordance with the expressed goals and desires of the Subarea residents: limited high-density development, protection of the resource base, preservation of the rural atmosphere. If these goals change, the Plan, Plan Diagram and land use designations should be updated to reflect them. In this way, the Plan will continue to be a viable tool in the future.

COMMUNITY CENTERS

Culp Creek/Dorena

As has been noted throughout the Subarea planning study, one designated community center exists in the Subarea -- Culp Creek/Dorena. This community is designated as a "Rural Service Center" by the "community development concept" within the growth strategy of the Lane County General Plan. Each type of community center is classified according to its residents, and on the basis of growth potential. All centers are expected to absorb some population growth, with Rural Service Centers experiencing only infilling as public facilities and services allow, as opposed to actual physical expansion.

Although Culp Creek/Dorena does have existing investments and services that lend themselves to supporting the present development -- including an employment base in the wood products industry, some existing public water service from the Cottage Grove municipal system, an elementary school, a post office, a solid waste rural transfer site, and some commercial activity -- these are limited and the establishment of further urban services is not anticipated in the near future. Any significant growth in population will present problems for the community.

Expansion is hampered by several factors. There is no sewer system, and mixed with soils that are suitable for development there are soils with constraints for septic tank disposal systems. There is some evidence of septic tank failure in the area. Groundwater supplies are generally poor in quantity with potential quality problems. The present policy of Cottage Grove is to provide no additional water service for this area. The buildable land is generally confined to the narrow valley floor which constricts expansion, and at the same time has contributed to a linear development pattern. This linear pattern has tended to result in a number of direct access situations along Row River Road, which begins to conflict with traffic. Police protection is limited and fire protection is virtually non-existent for the community.

Accordingly, this community has been designated Rural Residential, as previously discussed, to acknowledge the existing development, and to allow some limited infilling -- with the stipulation that each specific situation must be subject to careful review to ensure adequate sewage disposal, potable water supply, and compatible traffic flow within the community.

Furthermore, it should be noted that while it makes sense for Culp Creek/Dorena to be designated as a place in the Subarea which can absorb and sustain some limited growth -- given existing services, investments, and the lack of development constraints on particular parcels -- such growth should be carefully directed in its form and considered an "act of repair" to improve the existing development pattern, which creates potential conflict between traffic on Row River Road and other community functions. Further in-depth study in the form of a community plan should be done to attend to these problems -- and to subsequently establish a "holding capacity," and an appropriate, more specific, area designation for the rural residential land use category -- before any substantial growth occurs.

HOLDING CAPACITY

One of the final tests of a plan or Plan Diagram is an examination of the "holding capacity," or number of dwelling units (and people living within them), the Subarea could accommodate without conflicting with the recommendations of the plan and the goals of the Subarea's residents.

Any calculation of holding capacity must of necessity make certain assumptions. For example, in a Rural Residential designation, it is assumed that all lands within that designation will be developed, most of them in five-acre parcels, but some of them in one, two or three-acre parcels. Thus, a "range" of potential dwelling units is produced, to which population can be assigned. The information is obviously generalized, but does give a reasonably clear picture of holding capacity.

MAP & LOT NO. 21 1 30 300
 ADDRESS JOHNSON THF YA WIGKS
 APPR NO. 23/961 DATE 8-14-78
 CYCLE 5

(220)
 5-11-8

ACCT. NO. 924156
 CODE 45-02
 CARD OF

Earl Everett Exhibit A Attachment 15
Lane County Assessment & Taxation Improvement Detail
Map 21-03-30 Tax Lot 300

COMPLETE _____ %

PROP CLASS 43 / STAT CLAS
 CLASS R1-3 QUAL AD.
 STORIES 1 SHAPE A1
 SQ FTG 1ST FLOOR 1183
 YEAR BUILT 19 20
 EFFECTIVE AGE
 REMODELED NO
 YEAR 19 PERMIT NO.
 RENTAL \$ MO.
 SOLD 19 AMOUNT \$

CLASS OF BUREAU IMPRY IV 4
 NBRHOOD LOCATION INT INSPECTED YES No

FUNCTIONAL LOCATIONAL PERCENT GOOD 65 %

COST INDEX YEAR 19 78 INDEX 125 %

VACANT

FOUNDATION	PARTITIONS	F	U	A	B	VALUE SUMMARY	
CONCRETE	PLASTER					BASE VALUE	20060
CONC BLOCK	DRYWALL					UPPER FLOORS	1130
CONC SLAB	COMPO	X				SHAPE ADJ	ATTIC
BRICK	CLD & PA	X		X		NET LUMP SUM	1220
STONE	T & G					QUALITY ADJ	
FRAME -40	PLYWOOD					TOTAL REPLACEMENT COST	22410
WD BLOCK	FUR'D					PERCENT GOOD	65 %
	PANELING					DEPR REPLACEMENT COST	14570
	TRIM: FIR	X		X		GARAGE DEPR. REPL COST	350
	HD WOOD					OTHER IMPROVEMENTS DRC	300
						19 78 COST INDEX	125 %
						TOTAL DEPRECIATED REPL COST	19030

EXTERIOR	FLOORS	F	U	A	B	HEATING	BUILT - INS	APPLIANCES
WOOD FRAME	DOUBLE	X				CLASS R1-3	CLASS R1-3	CLASS
DOUBLE	SINGLE			X		SQ FT 1183	CABINETS	GAS
SINGLE						ELECTRIC	FIR	ELECTRIC
SHEATHG ONLY						GAS	ND. WOOD	OVEN-SGL
						OIL	METAL	OVEN-DBL
BEVEL						HARD FUEL	CAB. TOPS	COOKTOP
RUSTIC						FISHER 5 1/2" 2 NYC	FORMICA	RANGE
VERT						CEIL CABLE	LINO	DISHWASHER
B & B						BSBD/W. UNITS	PLASTIC	GARB DISP
WD SHAKE SHGL						NO. WALL UNIT	VAC CLNR	HOOD & FAN
ASD SHAKE						HEAT PUMP	INTERCOM	FAN - KIT
STUCCO						CEN AIR C		FAN - BATH
COMP SHGL						NO. TONS		
METAL						F. AIR		
PLYWOOD						FL/W FURN		
MASONRY						HOT WATER		
BRICK VEN						GRAVITY		
BRICK						CEN. HEAT		
STONE						CHIMNEY		
CONC BLK						PORTABLE		
PAINT						RENTAL		
FUR'D								
STUCCO								

ROOF	ROOMS	F	U	A	B	ADJ \$
GABLED	LIVING					
HIP	DINING					
	DINING AREA					
	KITCHEN					
	FAM/REC/STUDY					
	BED ROOMS					
	FULL BATHS					
	HALF BATHS					
	UTILITY ROOM					
	OTHER					

UPPER FLOOR	CLASS	SQ FT	ADJ \$
SEALED			
FULL FINISH			
ATTIC			
UNFINISHED			
SEALED No HEAT	R1-3	666	130 ±
FULL FINISH			
Very Low Qual Finx 1-70			

BASEMENT	CLASS	SQ FT	ADJ \$
TOTAL			
SEALED			
FULL FINISH			

SITE AND AREA INFLUENCES	
VIEW	STR TYPE
X NONE	X MAIN
SI	SEC
MOD	RES
WID	CUL
PAN	TRAFFIC
X ZONE CON	X MOD
YES	MIN
NO	

CONTOUR	
X POS	NO EFF
NEG	SITE DRAIN
POOR	FAIR
X AVE	GOOD

REMARKS	
IMPROVEMENT VALUE SUMMARY	
COST APPROACH: D.R.C.	19030
INCOME APPROACH: IMPROVEMENTS	

45-02

S 410

EXTERIOR
WOOD FRAME
DOUBLE
SINGLE
SHEATHG ONLY

UPPER
ERT
B
ID SHAKE SHGL
SD SHAKE
TUCCO
OMP SHGL
METAL
LYWOOD
ASONRY
RICK VEN
RICK
STONE
CONC BLK
PAINT
FUR'D
STUCCO

ROOF
GABLED
HIP

BUILT-UP ROCK
FLAT
COMPLEX
EXP BEAM
PITCH
LOW
AVE
STEEP

WOOD
COMPO
METAL
SHAKES
ROLLED ROOFG
BAR TILE

DORMERS
L FT

SITE IMPRV

PAVED ACCESS
GRAVEL ACCESS
DIRT ACCESS
CURBS
GUTTERS
SIDEWALKS
WATER SERV
SAN SEWERS
STORM SEWERS
UND CABLES
STREET LIGHTS

TRIM:	FIR	X	X
	HD WOOD		

GARAGE DEPR. REPL U
OTHER IMPROVEMENTS LRC
1978 COST INDEX 125% 15320 19030
TOTAL DEPRECIATED REPL COST

FLOORS	F	U	A	B
DOUBLE	X			
SINGLE			X	
FIR	X		X	
HDWOOD				
TILE				
CONCRETE				
CARPET				
PLYWOOD				
LINO	X		X	
SUB ONLY				

ROOMS	F	U	A	B
LIVING				
DINING				
DINING AREA				
KITCHEN				
FAM/REC/STUDY				
BED ROOMS				
FULL BATHS				
HALF BATHS				
UTILITY ROOM				
OTHER				

HEATING
CLASS R1-3
SQ FT 1183
ELECTRIC
GAS
OIL
HARD FUEL
FISHFR 51 Me. N.C.
CEIL CABLE
BSBD/W. UNITS
NO. WALL UNIT
HEAT PUMP
CEN AIR C
NO. TONS
F. AIR
FL/W FURN
HOT WATER
GRAVITY
CEN HEAT
CHIMNEY
PORTABLE
RENTAL
ADJ \$ 930+

BUILT-INS
CLASS R1-3
CABINETS
FIR
HD. WOOD
METAL
CAB. TOPS
FORMICA
LINO
PLASTIC
OIL CLOTH
VAC CLRNR
INTERCOM

ELECTRICAL
CLASS R1-3

PLUMBING
CLASS R1-3
CL EXTRAS R1-3
LAVATORY
TOILET
W. HUNG

BATHTUB
SOT
ST SH CER
ST SH FIB
ST SH METAL

GLS DOOR
SINK, KIT
SINK, W. BAR

WATER HTR
LAUN FAC
LAUN TUB

ADJ \$ 160+

APPLIANCES
CLASS
GAS
ELECTRIC
OVEN-SGL
OVEN-DBL
COOKTOP
RANGE
DISHWASHER
GARB DISP
HOOD & FAN
FAN - KIT
FAN - BATH

FIREPLACE
CLASS R1-3

1 STRY SGL
1 STRY BKD
2 STRY SGL
2 STRY STKD
NO. OPENINGS
PLAIN
BRICK MANTLE

ELABORATE
ADJ \$ 600+

SPEC IMPRV
CONC DRIVE
B. T. DRIVE
PORCH
COVERED
ENCLOSED
PATIO
COVERED
EXT DECK
SW. POOL
BUR. SP. SYS.
OTHER IMPVTS.

UPPER FLOOR	CLASS	SQ FT	ADJ \$
SEALED			
FULL FINISH			
ATTIC	CLASS	SQ FT	ADJ \$
UNFINISHED			
SEALED NO HEAT	R1-3	666	130+
FULL FINISH			
Very Low Qual FWH 1.70			

BASEMENT	CLASS	SQ FT	ADJ \$
TOTAL			
SEALED			
FULL FINISH			

SITE AND AREA INFLUENCES		
VIEW	STR TYPE	CONTOUR
X NONE	X MAIN	X POS
SI	SEC	NO EFF
MOD	RES	NEG
WID	CUL	SITE DRAIN
PAN	TRAFFIC	POOR
ZONE CON	X HVY	FAIR
X YES	MOD	AVE
NO	MIN	GOOD
NEIGH TR	LOT TYPE	LANDSCAPING
TR	REAR	X POOR
X INT	X IN	FAIR
ST	CNR	AVE
DIS	LOT SHAPE	GOOD
NEIGH/DES	X REG	
HI	1/G	
AV	1/B	
X LOW		

REMARKS	
IMPROVEMENT VALUE SUMMARY	
COST APPROACH: D.R.C.	19030
INCOME APPROACH: IMPROVEMENTS	
MARKET APPROACH: IMPROVEMENTS	
IMPROVEMENT VALUE CONCLUSION	19030
AS OF APPRAISAL DATE 1-1-	79

GAR/PORT	FOUN	FLOOR	ROOF	EX WALL	INT WALL	MISC	DIMEN	AREA	LUMP	QUAL	REPL	PHYS %	D.R.C.
CLASS R1-3	FR	DIRT	GA										
BLT 1920(EST)			SHAKE	DBL X	UNFIN X	NO. CARS	16X36	576				50	
ATT			COMPO X	SGL	FIN	No Driv,						90	
DET	X		WOOD	BEV	DRY/PL	PART USE AS							
BSMT				SHK	LC WB	Shop							
												45	350

FOR ASSESSMENT AND TAXATION

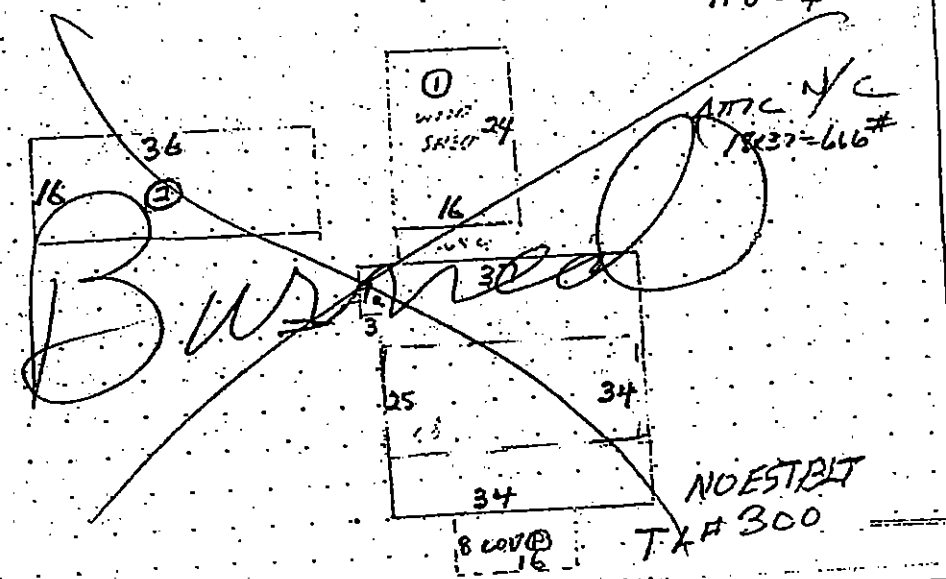
19030
54420
SEP 22 1989 4 07

21-01-30-0-0
45-02
300
929158

DIST = MCKJ

4

1183#



NO.	TYPE		DESCRIPTION				DIMENSIONS	AREA SF. BASE ADJ. BASE	REPL. COST LUMP SUM TOTAL	QUAL. INDEX	REPL. COST	DEF. PAYS USE GOOD	DEF. REF. CO.
	USE	FOUND	FLOOR	ROOF	WALLS	MISC.							
1	WOOD SHED	FR	WD	GA-WDSCL	WD SFL	LEANING BARN	16 x 24	384					NI
2	FEEDER BARN (CHICKEN HOUSE)	CC	DIRT	GA-WDSB	SS-BEV		20 x 48	960			DRC		10
3	LOFT BARN	FR+CC	DIRT	GA-WDSB	PA		48 x 25	3600			DRC		20
4													
5													
6													
7													

OUTBUILDINGS & OTHER IMPROVEMENTS TOTAL D.R.C. \$ 30

RECORD OF LAND APPRAISAL

SUB TOTAL "A"	50520 50920												
SUB TOTAL "B"													
	±8 AC	3500											
TOTAL APPR. VAL.	54020 54420	5.00 AC	BARR	4100	1.00					4100	205	300	
APPR. BY 286	DATE 12-19-78	29.29	1.25	1025						1025	304		

REMARKS:
FLAT, PASTURE (HAY)
7/16 portion out to road n/r
950 7-2-79

TYPE	DESCRIPTION					DIMENSIONS	AREA SF BASE ADJ BASE	REPL COST LUMP SUM TOTAL	QUAL INDEX	REPL COST	DEPR % PHYS USE GOOD	DEPR REPL COST
	USE	FOUND	FLOOR	ROOF	WALLS							
SHED	FR	WD	GA-WDSH	WD-FR	LEANING BARK	16 x 24	384					N/C
FEDOR BARN (CHICKEN HOUSE)	CG	DIRT	GA-WDSH	SS-BEV		20 x 48	960			DRC		100
LOFT BARN	FR+CG	DIRT	GA-WDSH	DRS		48 x 75	3600			DRC		200
OUTBUILDINGS & OTHER IMPROVEMENTS										TOTAL D.R.C. \$	300	

RECORD OF LAND APPRAISAL

TOTAL "A"	50520	REMARKS:							
SUB TOTAL "B"	50920	FLAT, PASTURE (HAY)							
		M/LB portion out to Road n/r							
		950 7.2.79							
	4500								
TOTAL APPR. VAL.	54020	DIMENSIONS OR ACRES	LAND CLASS	BASIC UNIT VALUE	ADJUSTMENT FACTORS	ADJUSTED UNIT VALUE	TOTAL VALUE		
	54420	5.00 AC	BARR	4100	1.00	4100	2050		
		34.29	1.00 AC	1025		1025	3000		
		29.98					3042		
		24.68 AC							
APPR. BY	236	DATE	12-19-75						
COMP. BY	236	DATE	12-19-75						
ZONING	FF-20	WTR.	ELEC.	SWR.	STREETS				
AREA IMPROVEMENTS									
INCREMENTS TO LAND "B"									
WATER RIGHTS	PERMIT NO.								
NATURAL RESERVES	TYPE								
SUB TOTAL "B"		34.29	TOTAL ACRES		SUB TOTAL "A" (TRANSFER TO VALUE SUMMARY)		50920		
		24.68 AC					50920		

Foundation: Desc Area Factor _____ x _____ x _____
 Floor: _____ Area: _____
 Roof/mat: _____ Appr drc: _____
 Ext Wall: _____ Factor: _____
 Wall Height: _____ Qual adj: _____
 Finish: _____ % Complete: _____
 Misc: _____ Misc drc: _____
 _____ % Physical: _____
 _____ % Use: _____
 _____ % Good: _____

Oth Imp No: _____ Type: _____ Class: _____ Use: _____ Year Built: _____

Foundation: Desc Area Factor _____ x _____ x _____
 Floor: _____ Area: _____
 Roof/mat: _____ Appr drc: _____
 Ext Wall: _____ Factor: _____
 Wall Height: _____ Qual adj: _____
 Finish: _____ % Complete: _____
 Misc: _____ Misc drc: _____
 _____ % Physical: _____
 _____ % Use: _____
 _____ % Good: _____

Oth Imp No: _____ Type: _____ Class: _____ Use: _____ Year Built: _____

Foundation: Desc Area Factor _____ x _____ x _____
 Floor: _____ Area: _____
 Roof/mat: _____ Appr drc: _____
 Ext Wall: _____ Factor: _____
 Wall Height: _____ Qual adj: _____
 Finish: _____ % Complete: _____
 Misc: _____ Misc drc: _____
 _____ % Physical: _____
 _____ % Use: _____
 _____ % Good: _____

LAND INFORMATION

Prop Class: 600 Zoning: F 1 Owner: BOHEMIA INC
 Appr No: 236432 Date: 12/19/75 YRLA 1991 1979 P O BOX 1819
 Neighborhood: 5501D Base Code: 050 Chart: 91 EUGENE OR 97440
 Well: X Septic: 1 Landscape: AN Co-owned w/: _____
 Cost to Develop: _____ Co-computed HS Acres: _____
 Land drc: _____ Street: _____ Tains Acres: 34.29
 Remarks: _____

Type	Wth	x	Dth	Sqft	Acres	Base	Cht	Adj1	Adj2	Adj3	Adj4	Value	
HS		x			5.00	34.29		1.00	1.00	1.00	1.00		
1QTR		x			29.29			1.00	1.00	1.00	1.00		
		x											
		x											
		x											
Cost to dev:								1.00	sd:	Total Land:			

FOR ASSESSMENT AND TAXATION

1QTR

CAAS FIELD DOCUMENT

Acct: 929156
 Cycle: 5
 Levy: 04502
 Built: 1920

Map: 21 01 30 00 00300 000
 Status: FOREST, FIRE, PMH, SADJ
 Factor Year: 1989 Neighborhood: 5501D
 Eff Yr Blt: 1920 Situs: 37491 ROW RIVER RD

Imp: 0 0 of 1

DOR

Appr: 209 Inspected: ___/___/___ Interior: ___/___/___ Yr Imp Appraised: ___
 Stat: ___ Qual Adjust: 1.05 Shape Adjust: 1.00 Percent Complete: 100
 Prop: 600 Market % Good: 60 Func: 100 Econ: 100 Remodeled: ___

Sale Price: ___ New Permit: ___ Taims Land: 5380 CAAS Land: 44580
 Sale Date: ___/___/___ Call Back: ___ Taims Impr: ___ CAAS Impr: 0
 Rej: ___ CAAS Tot: 44580

First Floor: _____	Area	Foundation: _____	Area
Second Floor: _____		Ext Material: _____	Brick: _____
Finished Attic: _____		Roof Type: _____	Roof Cover: _____
Low Cost Attic: _____		Partition A: _____	Partition B: _____
Finished Basement: _____		Floor A: _____	Floor B: _____
Low Cost Basement: _____		Heat A: _____	
Total Living Area: _____		Heat B: _____	
Unfinished Attic: _____		Built Ins	
Unfinished Basement: _____		Cabinets: _____	Counters: _____
Total Basement Area: _____		Other: _____	

Bedrooms: _____	Full Baths: _____	Half Baths: _____	
Plumbing Stat: _____	Tub: _____	Tub Surround a: _____	b: _____
Tile Shower: _____	Fiberglass Shower: _____	Metal Shower: _____	Lavatory: _____
Toilet: _____	Bidet: _____	Kitchen Sink: _____	Bar Sink: _____
Water Heater: _____	Laundry Tub: _____		

Appliance Stat: _____	Range: _____	Oven sgl: _____	Oven dbl: _____
Cooktop: _____	Cooktop w/ built-in	Exhaust & Grill: _____	Hood & Fan: _____
Dishwasher: _____	Microwave: _____	Disposal: _____	
Trash Compactor: _____	Other: _____		

Fireplace Stat: _____	Single: _____	Backed: _____	Stacked: _____
See thru: _____	Pre-fab: _____	Flue & Backing: _____	

Gar/Port: _____	Stat Cls: _____	Type: _____	Yrblt: _____	Eff Yrblt: _____
Area: _____		Attic area: _____		Mkt % good: _____
Found: _____		Floor: _____		% Use: _____
Roof type: _____		Roofcover: _____		% Econ: _____
Openers: _____		Extwall: _____		% Good: _____
		Intwall: _____		
Appr Adjust: _____		Appr drc: _____		

No.	Drive: _____	Size: _____	%gd	Area	Factor	Adj
___	Drive: _____		x	___	x	___
___	Patio: _____		x	___	x	___
___	Deck: _____		x	___	x	___

Screen/Field _____ Remark _____

Land only

21-01-30-30

Assessment & Taxation

3-15-82
Date

Director, Dept. of Assessment & Taxation
Lane County Courthouse
Eugene, Oregon 97401

Dear Sir:

This is to certify that the following described buildings were removed or destroyed by fire.

1. Description and dimensions of building(s) House
9 BARN Dimensions unknown

2. Identification number or location of buildings on property
Acct. No 929156

3. Date buildings destroyed BARN - Feb. 1981 - House Nov. 1981

Legal description of property:
Township 31 Range 01 Section 30 1/4 Section 0
116 Section 0 Tax lot (parcel) number 300

5. Owner of property Bohemia Inc.

6. Address 2280 OAKMONT WAY Eugene OR 97401

I hereby swear or affirm that the foregoing affidavit is true and accurate.

Signature [Signature]

Address 2280 OAKMONT WAY Eugene ORC.

(Please return both copies)

**FOR ASSESSMENT
AND TAXATION
USE ONLY**



LANE COUNTY RECEIPT

03-30-2004

RECEIPT NUMBER: R04001475

PLANNING ACTION #: **PA045252**
TYPE: Conformity Determination Amend
SITE ADDRESS: 37491 ROW RIVER RD DOR
PARCEL: 21-01-30-00-00300
APPLICANT: MANN JAMES
PO BOX 51081
EUGENE OR
97405
541-514-3051

Type	Method	Description	Amount
Payment	Check	4014	1,210.00

	Description	Current Pymt
2000	New Technology Fee	10.00
2100	Administrative Fee	150.00
3050	Planning Plan Amendments	1,000.00
3065	Long Range Planning Surc	50.00

PAID BY: EARL EVERETT

Attachment C. LMD staff memorandum to LCPC - October 1, 2004.

DATE: October 1, 2004
TO: Lane County Planning Commission
FROM: Bill Sage
RE: Guidelines for evaluation of RCP Goal Two, Policy 27.a.ii.
FILES: PA 04-5252 (Everett/Mann)
PA 04-5276 (Kronberger/Couper)

This memorandum is intended as guidelines for the Lane County Planning Commission to review and evaluate the policy issues surrounding RCP General Plan Policies, Goal Two, Policy 27.a.ii.

The LCPC needs to adopt a recommendation to the Board of County Commissioners concerning the status of contiguously owned legal lots during the 1984 period of adoption of zoning designations throughout Lane County rural areas.

Criteria

On October 5th, the LCPC will deliberate during the work session on two applications, PA 04-5252 (Everett/Mann) and PA 04-5276 (Kronberger/Couper). Both applications were initially submitted under *RCP Goal 2, Policy 27. a. ii:*

“(ii). Failure to zone a property Impacted Forest Land (F-2, RCP), where maps used by staff to designate the property Nonimpacted Forest Land (F-1, RCP) zone did not display actual existing legal lots adjacent to or within the subject property, and had the actual parcelization pattern been available to County staff, the Goal 4 policies would have dictated the F-2 zone.”

The two applications were heard by the LCPC on August 3rd, and the written record is closed for both applications.

Under *Policy 27. a. ii.*, the LCPC has two decisions to make to recommend approval of an application and one decision to recommend denial.

To find in favor of the request, the application must qualify under (ii) “. . . *did not display actual existing legal lots adjacent to or within the subject property . . .*”, and then prevail under *Goal 4, Policy 15. a.*, which requires:

- “a. A conclusion that characteristics of the land correspond more closely to the characteristics of the proposed zoning than the characteristics of the other forest zone. The zoning characteristics referred to are specified below in subsections b and c. This conclusion shall be supported by a statement of reasons explaining why the facts support the conclusion.”*
- b. Non-impacted Forest Land Zone (F-1, RCP) Characteristics:*
 - (1) Predominantly ownerships not developed by residences or nonforest uses.*
 - (2) Predominantly contiguous ownerships of 80 acres or larger in size.*
 - (3) Predominantly ownerships contiguous to other lands utilized for commercial forest or commercial farm uses.*
 - (4) Accessed by arterial roads or roads intended primarily for forest management. Primarily under commercial forest management.*
- c. Impacted Forest Land Zone (F-2, RCP) Characteristics:*
 - (1) Predominantly ownerships developed by residences or nonforest uses.*
 - (2) Predominantly ownerships 80 acres or less in size.*

- (3) *Ownerships generally contiguous to tracts containing less than 80 acres and residences and/or adjacent to developed or committed areas for which an exception has been taken in the Rural Comprehensive Plan.*
- (4) *Provided with a level of public facilities and services, and roads, intended primarily for direct services to rural residences.*

To find against the request, the LCPC could find that the application did not qualify under *Goal 2, Policy 27. a. ii.* for consideration of a zone change; or the application did qualified under *Goal 2, Policy 27. a. ii.* for consideration, but did not qualify under *Goal 4, Policy 15. a.-c.* for the requested change.

Policy 15. b. and c. require the LCPC to conclude that the subject properties are predominantly defined by the characteristics of either F1 Nonimpacted Forest Land or F2 Impacted Forest Land. As a matter of clarification, LMD staff wrote an interpretation of what was meant by the term "Predominantly" on May 2, 1985. Based on case law (*5 Or LUBA 206: Still vs. Marion County*), where a test of predominant is required to make a decision, 51% of the criterion or standard being evaluated qualifies.

Both applications (PA 04-5252 and PA 04-5276) have presented findings of fact and documentation addressing the characteristics of the ownerships (as referenced in *Policy 15*) or legal lots (as referenced in *Policy 27*) in 1984. No application can be decided pursuant to *Policy 27.a.ii.*, until a common policy issue is discussed and a recommendation forwarded to the Board of Commissioners concurrently with the individual decision for the application. These two applications have a common factor. The subject parcels for both PA 04-5252 and PA 04-5276 were a portion of larger contiguous ownerships when the zoning designations were adopted by Lane County in 1984.

In Mr. Couper's final rebuttal for PA 04-5276 dated September 21, 2004, he has requested that his applicant's request for zone change be subject to *Policy 27.a.vii.*, "*Correction of an inconsistency between the text of an order or ordinance adopted by the Board of Commissioners and an Official Plan or Zoning Diagram.*" Findings of fact and conclusions were presented in the original application addressing *Policy 27.a.vii.* as well as *Policy 27.a.ii.* LCPC will review those findings and that provision in deliberations on the 5th of October.

Background

Opposition to one of the applications, PA 04-5276, was heard during the August 3, 2004, public hearing based on the opinion that in 1984, Lane Code 13.010 definitions of "tract" disqualified the four legal lots for consideration as F2 land within the metes and boundary of tax lot 401 of TRS 19-01-17 (circa 1984). The cited definition was: "*Tract*" was defined as "*A lot, parcel or unsubdivided or unpartitioned land under the same ownership. Contiguous units of unsubdivided or partitioned land under the same ownership shall be considered a single tract.*" (The written testimony from Thom Lanfear dated August 12, 2004, was provided to LCPC as Exhibit "A" in my memorandum dated August 19, 2004). Mr. Lanfear's rationale for disqualification of the four legal lots was identified in his oral testimony on August 3rd as Lane Code Chapter 13. A copy of LD Land Division provided by Mr. Lanfear to me and was received as part of the record and, in turn, I provided it to LCPC and the parties-with-standing as "Exhibit H – LD Land Divisions, Lane County, Oregon, October 1978, "Definitions" Chapter 13.010-13.025", in my correspondence dated August 19th, 2004. Notations on the pages of the "Exhibit H" document indicate it was adopted as Ordinance No. 5-75 on March 26, 1975.

Mr. Lanfear's opinion was that the four legal lots documented by LMD staff in 2000 per legal lot verifications PA 00-6492, PA 00-6493, PA 00-6494, and PA 00-6495 were not "legal lots" in 1984 because they were in one ownership and considered to be a "tract", and thus would have been for the purposes of land use planning, in this case determining a zoning designation, a "single legal lot".

The referenced "LD Land Divisions, Lane County, Oregon, October 1978" above, does not include a definition for "tract" however there are numerous uses of the phrase "an area or tract of land" in the 1975-1978 era document. The phrase closest to the quoted definition is for "Partition Land" and reads: "Partition Land. Divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year . . ." No definition for "legal lot" is found in "LD Land Divisions, Lane County, Oregon, October 1978".

LCPC must look elsewhere for a determination of what constituted a "legal lot" in February through September of 1984, when the two planning commissions and the Board of Commissioners were adopting zoning designations for rural properties. This requires a trek through the hectic 1983-1984 year when Lane County was adopting multiple ordinances concurrently or shortly after adopting zoning designations on a countywide basis.

1983

Let us begin with the submittal from Jim Mann (agent for PA 04-5252) dated on September 14, 2004, which I forwarded to the LCPC as Exhibit "A" in my memorandum dated September 28, 2004. Mr. Mann states in his written testimony that the applicable regulations in place during the time period from September 14, 1983 through February 1984, were Lane Code Chapter 10 and Lane Code Chapter 13 adopted by the Board of County Commissioners in Ordinance No. 16-83 on September 14, 1983. Ordinance No. 16-83 amended sections of Lane Code 10 (Land Use), Lane Code 13 (Land Divisions), and Lane Code 14 (Application Review and Appeal Procedures). At the time of adoption, which was before adoption of Lane Code 16 for rural areas under the RCP in September 1984, Lane Code 10 applied in the rural areas of Lane County.

Lane Code 13.010 (per Ordinance No. 16-83) defined five terms pertinent to this discussion.

Lot. *A unit of land that is created by a subdivision of land.*

Parcel. *A unit of land that is created by a partitioning of land.*

Partition Land. *Divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous unit of land under single ownership at the beginning of such year.*

Subdivide Land. *To divide an area or tract of land into four or more lots within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.*

Tract. *A lot, parcel or unsubdivided or unpartitioned land under the same ownership. Contiguous units of unsubdivided or partitioned land under the same ownership shall be considered a single tract.*

The text of the ordinance defined "Tract" as "*Contiguous units of unsubdivided or partitioned land under the same ownership shall be considered a single tract*". The definition and the other four definitions above addressed division of land by either partitioning or subdividing. The relationship between "tract" and "lot" or "parcel" accomplished two purposes:

- (1) Limited partitioning of contiguously owned area or "tract" land within a calendar year to a maximum of three, and
- (2) Required a subdivision plat if four or more were proposed for creation within a calendar year.

The definitions did not address the lawfully created status of existing lots or parcels. It did not mysteriously undo the legally created status of properties on the first of each calendar year that had been created by land sales contract or deed prior to March 26, 1975. It did not invalidate the lawfully created status of existing "lots" or "parcels" of platted and recorded partitions and subdivision. It simply stated that for the purposes of dividing land within a calendar year, the owner of contiguous lands that were not within recorded subdivisions had to consider the whole of the contiguous ownership in determining the number of new metes and bounds descriptions they could plat under a new partition. This was done at the time to curtail the "serial partitioning" of land.

As an example, the practice of "serial" partitions could be illustrated by citizen "Joe Land" filing a partition to create two new 20-acre parcels out of his 160 acres ownership on February 1, 1981 and recording of the plat on May 1, 1981. With the recording of the plat, "Joe Land" then owned three contiguous parcels; two parcels (Parcel 1 and Parcel 2) at 20 acres and one parcel (Parcel 3) at 120 acres. On June 1, 1981, one month later, "Joe Land" would file a second partition plat to create two additional 20-acre parcels out of the 120 acres of Parcel 3 of the previous May 1981 partition. On August 1, 1981, this "second" partition plat is recorded and the end result of the two actions within one calendar year was the creation of four 20-acre parcels and one 80-acre parcel through a series of two partitions for a total of five parcels and thus circumventing the requirements for a subdivision and creating a de facto subdivision. The definitions in Ordinance No. 16-83 simply limited "Joe Land" to one partition with a maximum of three parcels on all contiguously owned land per calendar year or the option of filing a more extensive subdivision plat. It ended "serial partitioning" by requiring that "Joe Land" account for all his contiguous ownerships each year to determine whether he was complying with the subdivision and partition limitation on numbers of newly created parcels. No where do these definitions deny the legal status of lawfully created properties whether they created as *parcels*, *lots*, or lawfully deeded land under applicable regulations.

1984

The next actions by the Board of County Commissioners (BCC) were in 1984. The BCC adopted two ordinances implementing the new Lane Code Chapter 16 in the "rural" areas of Lane County as part of the Rural Comprehensive Plan. The two actions were Ordinance No. 1-84 enacting Lane Code 16 as adopted on February 29, 1984, and Ordinance No. 11-84 revising Lane Code 16 with amendments to Ordinance No. 1-84 as adopted on September 12, 1984.

Ordinance No. 1-84 is attached as Exhibit "A" to this memorandum. At some point between September 1983 and February 1984, some party within LMD decided to create a new term, "legal lot". The new term, "legal lot" in Ordinance No. 1-84 began with "*A tract of land . . .*" in the definitions being proposed for Lane Code Chapter 16. ORS 92 Subdivisions and Partitions did not use the term "legal lot". That was a creation of Lane County in Ordinance No. 1-84. The definition for "legal lot" is found on pages 16-15 and 16-16. The definition of "tract" is found on pages 16-21 and 16-22. Both definitions are reproduced below:

Legal Lot. A tract of land which has been legally created in compliance with Lane County land division regulations and ORS Chapter 92:

- (1) Any lot within a subdivision plat approved by the Board and recorded with Lane County Clerk.*
- (2) Any lot within a minor subdivision plat endorsed and dated by the Secretary of the Lane County Planning Commission.*
- (3) Any parcel within a final partition map approved and recorded by Lane County.*
- (4) A tract of land created as a result of a deed or real estate sales contract, which was not created as a result of (1)-(3) above, but which at the date the conveyance occurred, the creation of the tract was not subject to any Lane County land division regulations. However, contiguous units of unsubdivided or unpartitioned land under the same ownership shall constitute a single legal lot."*

"Tract. A lot, parcel or unsubdivided or unpartitioned land under the same ownership. Contiguous units of unsubdivided or partitioned land under the same ownership shall be considered a single tract."

Lane County's confusion of Oregon Revised Statute (ORS) 92 "single tract" provisions intended for subdivision and partition regulations (Lane Code Chapter 13) and the elimination of serial partitions within a calendar year, were erroneously included in the "definitions" section of Lane Code Chapter 16 for "legal lot". Lane County did not have a mandate from the Legislature or ORS to consolidate development rights of lawfully created properties on the first of each calendar year. And the County erred in assuming it did.

"Legal lots" have been created as discrete metes-and-bounds descriptions in recorded partitions and subdivisions in Lane County during the last century and before. Prior to March 26, 1975, a "legal lots" were also created by the conveyance of a metes-and-bounds by real estate contract or deed that was recorded in Lane County Deed and Records. The metes-and-bounds descriptions created prior to March 26, 1975, were and are today, considered to be "legal lots" for the purposes of re-conveyance under real estate law and land use development under Lane Code Chapter 10 (pre-1984) and since under Lane Code Chapter 16.

If LCPC takes the position that "legal lots" created by deeds or real estate contracts prior to March 16, 1975 were invalid if held in common ownership with an adjacent legal lot or parcel during the passage of the New Year; then there have been truly thousands of illegally developed properties in Lane County during the past 25 years.

The four legal lots per PA 04-5276 verified by LMD in 2000 within the subject parcel, tax lot 401 of TRS 19-01-17, were originally created as four separate conveyances by deeds in 1887, 1896, 1902 and 1903. The four legal lots were bought and sold as recorded metes-and-bounds descriptions and were discrete properties at the time of origin, under a consolidated ownership in 1984, and today.

The legal lot per PA 04-5252 verified by LMD (PA 03-6005) in 2003 for the subject parcel, tax lot 300 of TRS 21-01-30, was originally created by warranty deed on May 9, 1921. The legal lot was bought and sold as the recorded metes and bounds description and was a discrete parcel at the time of origin, under a consolidated ownership in 1984, and today.

In the latter part of 1983 and early 1984, Lane County conducted numerous public hearings to designate land within the rural area and conducted supplemental hearings for the Comprehensive Plan Review amendment requests from over 1,500 landowners of those preliminary designations. The initial Plan Diagrams and Zoning Diagrams were adopted in Ordinance No. PA 884 on

February 29, 1984. Thereafter, Lane County conducted public hearings and adopted Ordinance No. PA 891 on September 12, 1984, that amended Ordinance No. PA 884 in response to DLCD compliance reports dated June 28, 1984 and July 19, 1984. The zoning designations for the subject parcels of PA 04-5252 and PA 04-5276 were adopted with Ordinance No. PA 891.

In summary, nothing in the referenced definitions of Ordinance No. 1-84 had the authority to undo the "legal lot" status of any lawfully created parcel. Any lawfully created parcel was still a discrete metes-and-bounds description, e.g., a legal lot.

The only time the definition of "tract" was intended to be considered was in the event a property owner elected to further divide his contiguously-owned properties. Then all contiguous land was considered for the purpose of division and compliance with the number of parcels within a calendar year came into play to assure the allowable number of newly created parcels did not exceed the maximum.

However, for some unknown reason, the phrase "single tract" was rewritten as "single legal lot". Again, ORS 92 did not use the phraseology "legal lot" or require it to be included in Lane County's land use definitions. ORS 92 simply said abide by the restriction on the number of new parcels or lots a property owner can create by partition in a calendar year. It was an erroneous interpretation in 1984 and it is an erroneous interpretation today.

There is nothing in the definitions to compel the reader to believe that the legal lot status of three or four lawfully created, contiguous properties disappeared on New Year's Eve and on January 1st of each calendar year the prior lawful creation of properties by fifty-year old deeds or contracts were rolled into one "single legal lot" with the prior development rights flushed down the tubes. In fact, property owners in Lane County continued to sell legal metes and bounds descriptions exactly as they had previously acquired them in pre-1983 transactions. The poorly conceived definition of "legal lot" was even more grievous because it arbitrarily singled out property rights of individuals who met the letter of the law prior to March 16, 1975, when it was lawful to create, sell and acquire land by contract or deed. The last category in the definition states, *"(4) A tract of land created as a result of a deed or real property sales contract, which was not created as a result of (1)-(3) above, but which at the date the conveyance occurred, the creation of the tract was not subject to any Lane County land division regulations. However, contiguous units of unsubdivided or unpartitioned land under the same ownership shall constitute a single legal lot."*

1985

The Oregon Legislative Assembly took note of the misinterpretation of ORS 92 by some jurisdictions including Lane County, and passed revisions to the ORS 92 statute in 1985. I provided the legislative history of House Bill 2381 (1985) from the Oregon State Archives to you at the September 7th work session. To understand the legislature's original intent in curtailing "serial partitioning" and the legislature's reaction to some local jurisdiction's misinterpretation of division standards as land use restrictions, you should read re-read Representative Al Young's written testimony before the Senate Committee concerning House Bill 2381. Representative Young's statements included the following:

"The intent of HB 2381 is twofold: First, it clarifies that units of land created under current subdivision and partition regulations remain recognized units of land until their description is lawfully changed, by vacation, replatting or other means; and second, it recognizes units of

land that were lawfully created prior to the enactment of current subdivision and partition statutes.”

“As I said, the second element of the bill deals with units of land that were legally created prior to the existence of subdivision and partition statutes. When these statutes were enacted in 1973, they did not address units of land that were created before that date. Neither has legislation since 1973.”

“HB 2381 replaces references to specific statutes with language that, essentially, says that if a lot or parcel was created in a lawful manner—meaning according to laws in existence at the time it was created—it is still recognized as a legitimate lot or parcel, and does not need to be reevaluated under current law to be recognized as such.”

“An important point I need to make about this bill is that it in no way gives new development rights to anyone. Development of property affected by this bill remains subject to current state and local land use and zoning laws, ordinances and regulations. The practical effect of the bill is to allow units of land that were lawfully created over the years to be sold, and in so doing, provides for equitable treatment of property owners who have not been well treated under current law.”

Representative Young acknowledged that some local jurisdictions were using “common sense” in interpreting the statutes and asked the Senate Committee to do the same in enacting HB 2381.

1986

Immediately following the passage of HB 2381, Lane County acted to amend Lane Code to eliminate the misinterpretation in Lane Code Chapter 13 and Chapter 16 definitions. I provided you the memorandum between County Counsel and the Board of Commissioners dated July 30, 1986 and the two ordinances that amended Chapter 13 definitions (Ordinance No. 10-86) and Chapter 16 definitions (Ordinance No. 11-86) adopted on September 10, 1986, as Exhibits “D”, “E” and “F” respectively, in my memorandum to LCPC dated August 19, 2004.

The effect of the two ordinances in 1986 was to recognize that a lawfully created property by either contract or deed prior to March 26, 1975, or a parcel in a recorded partition, or a lot in a recorded subdivision, was a discrete “legal lot” pursuant to both Lane Code Chapter 13 and Lane Code Chapter 16. What was lawful in the past is lawful today. There was no caveat in the definitions of either ordinance that said “except between February 1984 and September 1986.” Lane County applied common sense, corrected their regulations, and moved on to correct another error in application of the previous definitions. On the same date, the Board of County Commissioners adopted Ordinance PA 921 that repealed the original “Errors or Omission” Policy 21 (Land Use Planning - Goal 2) and re-enacted Policy 21 (Land Use Planning - Goal 2) for a time period from September 10, 1986 through December 31, 1989. A copy of Ordinance PA 921 was provided LCPC at the September 7th work session.

Ordinance PA 921 applied “common sense” to the previous text of Policy 21.c. *“c. Identified failure to zone F-2, where maps used by staff to designate F-1 zone did not display actual existing legal lots adjacent to the subject property, and had the actual parcelization pattern been available to County staff, the Goal 4 policies would have dictated the F-2 zone.”* Ordinance PA 921 adopted a revised condition for consideration under Policy 21.D.(2) which eliminated all

references to “maps” or “legal lots” as qualifiers and simply required review under Goal 4, Policy 19(c) (circa 1986) and now Goal 4, Policy 15(c):

“(2) Inappropriate F-1 zoning, where the criteria of RCP Forest Land Policy 19(c) indicate that F-2 zoning is more suitable.”

Ordinance PA 921, for one reason or another, none of which are known, “got lost”. It was adopted, recorded in Deeds and Records, and in effect for three years. Applications were processed under the re-enacted Policy 21 during the extended time period by two associate planners who are no longer working for Lane County. I have not found any complete paper copies of the RCP General Plan Policies from that period or thereafter that included the re-enacted Policy 21. It did not resurface during the 1989 to 2004 period until I discovered a research note last month in a 1989 application file for the processing of a subsequent Ordinance under the re-enacted Errors and Omission Policy. The signed, original copy of Ordinance PA 921 was located in the County Administration archives of orders and ordinances. Had LMD known of the revised language for Policy 21, we would have included the 1986 text in the implementation of Policy 27.a.ii, in 2004.

Policy decision

The Planning Commission has two options when reviewing the pending applications under Policy 27.a.ii:

1. Apply a strict interpretation of the 1983-1986 definition for “legal lot” in Lane Code Chapter 13 and 16, and make a finding that during that period of time, all discrete metes-and-bounds descriptions lawfully created by deed or real estate contract prior to March 16, 1875, that were held in a contiguous ownership, “lost” their discrete legal lot status on January 1st of each calendar year and were merged into a “single legal lot”.
2. Apply a common sense interpretation to the 1983-1986 definition for “legal lot” in Lane Code Chapter 13 and 16, based on the clarification of ORS 92 by HB 2381 in 1985, and Lane County’s adoption of three ordinances in 1986 in response to the enactment of HB 2381, that discrete parcels created lawfully by recorded deed or real estate contract prior to the 1983-1986 period were not merged during that period, and were during that period and are today discrete legal lots.

If the Planning Commission elects to apply option #2, then it can rely on the LMD legal lot determinations cited on page 5 of this memorandum for the subject legal lot of PA 04-5252 and the four legal lots of PA 04-5276, and proceed to evaluate the two applications on the merits pursuant to the characteristics of Goal 4, Policy 15.b and c.

Recommendation

A precedent was set in 1986 by the Board of County Commissioners when they adopted the three ordinances to correct a imposed on a select group of property owners in Lane County: When Ordinance No. 10-86, Ordinance No. 11-86 and Ordinance PA 921 were adopted on September 10, 1986, the Board of Commissioners relieved the owners of contiguous legal lots from the three years of unwarranted restrictions. They elected to undo the misinterpretation of ORS Chapter 92 and honor the legal lot status of lawfully created parcels by real estate deeds or contracts. There

had never been any merger of lawfully created, discrete metes-and-bounds descriptions under state law and the County erred in attempting to do so in Ordinance 1-84 in 1984.

- (1) Staff recommends that the LCPC forward a recommendation to the Board of County Commissioners to amend Policy 27.a.ii., to read identical to Policy 21.D.(2):

“(2) Inappropriate F-1 zoning, where the criteria of RCP Forest Land Policy 19(c) indicate that F-2 zoning is more suitable.”

- (2) If the LCPC elects to forward the above recommendation, that the LCPC conditionally use the definition for evaluation of the legal lot status of the subject parcels in determining whether or not the parcels qualify for consideration under Goal 4, Policy 15 b. and c.

Once the LCPC has arrived at a decision on the policy issue, LCPC will be in a position to decide on the merits of the singular applications, PA 04-5252 and PA 04-5276, pursuant to Policy 27.a.ii. and Policy 27.a.vii., respectively.

MINUTES

Lane County Planning Commission
Harris Hall - Lane County Courthouse

August 3, 2004
7:00 p.m.

PRESENT: Ed Becker, Mark Herbert, Juanita Kirkham, Steve Dignam, James Carmichael, members;
Bill Sage, Kent Howe, Staff

ABSENT: Jacque Betz, Marion Esty

Ms. Kirkham convened the meeting at 7:00 pm. She called for public comment on issues not being covered by the commission that evening. Seeing no one she moved to the first agenda item.

I. PUBLIC HEARING: PA 04-5252

Bill Sage provided the staff report. He went through the process of errors and omissions and noted that the procedure applied to all three public hearings. He said there were several circumstances, under Policy 27, for requesting a conformity application. He said certain properties in 1984 may not have been recognized for uses, development, or management practices that would have put them into a certain category. He said the evening's hearings were the first hearings to be heard under the new errors and omissions policy in Policy 27. He outlined the criteria for the hearings. He said there were six or seven categories that had to be met before consideration under Policy 27 could be considered. He said once the criteria for Policy 27 were met then criteria for Goal 4 Policy 15 would have to be met. He said there were three general situations for the policy development.

1. Obvious Error - readily perceived as a necessary change that could be approved outright by the reviewer;
2. Subjective Determination – sufficient and verifiable documentation and findings of fact in the applicant's submittal for most reviewers to support a recommendation for approval; or
3. Marginal Circumstances – contested or soft facts where the review process could equally lead to a decision to approve or deny.

Mr. Sage stressed that the commission should not worry about setting precedent by their decisions since each application would be reviewed on the merits of the record and on a site specific basis. They should be aware that there were some situations where the decision could go either way depending on the individual philosophies of the members and the lack of compelling evidence for either approval or denial. He urged the commission members to vote as their individual backgrounds and experience in land use issues dictated.

Ms. Kirkham called for declarations of *ex parte* contacts or conflicts of interest. None were declared.

Ms. Kirkham opened the public hearing.

Jim Mann spoke as the applicant's representative. He said the application to make a correction from F1 zoning to F2 was clear and obvious. He outlined the characteristics of F1 and F2 zoning.

Showing an overhead projection of the property, Mr. Mann showed how the property had been cleared of a dwelling and accessory structures and outlined its topographic features and boundaries. He showed numerous photos of the property and noted that nearby properties were owned by large corporations and were not residential in nature. He said the Dorena area was more resource based in nature. He said the 1970's planning recognized the natural resource nature of the area. He acknowledged that there was some development along the roads but noted that nearby property was zoned F2. He said, in 1984 the Planning Commission did not have the information available that the current commission had access to.

In response to a question from Mr. Dignam regarding the tree plantation on the property, Mr. Mann said the plantation was 15 years old and had not been thinned or actively managed. He surmised that they were originally Christmas trees that had not been harvested. He said the untended plantation was now reduced to approximately seven acres.

In response to a question from Mr. Dignam regarding the topography of the site, Mr. Mann said the entire site was flat.

In response to a question from Ms. Kirkham regarding the size of the adjoining forest properties, Mr. Mann called attention to the application. He said lots owned by Weyerhaeuser to the east were 34, 1.5, and 55 acres. He added that the other site was 33.4 acres.

In response to a question from Ms. Kirkham regarding soil type on the site, Mr. Mann said almost all of the property was classified as Soil Type 20b. (Silty Clay with a forestry cubic foot per acre per year rating of 130)

Jim Just, 39625 Almond Drive, Lebanon, spoke for Goal One Coalition and Land Watch Lane County. He distributed written material to the commission. He said the thing that was most relevant was the ownerships of the properties in the area in 1984. He said the subject parcel had been part of a much larger site, owned by Bohemia Lumber Company, in 1984 that had been primarily forest use.

Mr. Just said the sites contiguous to the parcel were also part of a much larger contiguous ownership. He noted that the lot had not had legal access and stressed that there was nothing on the record of the use of the property other than being part of a large forest operation. He said the land had been correctly zoned F1 in 1984.

In response to a question from Mr. Becker regarding whether the land could support forest timber productivity, Mr. Just said the land was capable of producing forests even if the predominate use of the land had not been forest use in 1984. He said there was nothing in the policy criteria that addressed soil types. He noted that a farm operation could be counted as a forest use. He reiterated that the land was part of a forest operation if it had been used for forest purposes.

Mr. Becker clarified that Mr. Just was saying that the land, in 1984, more resembled F1 than F2 zoning because it was part of a large forest operation that had no non forest uses on the property.

Laurie Segel, 120 West Broadway, spoke on behalf of 1000 Friends of Oregon. She requested a continuance of the hearing because she had not received notice. She acknowledged that she was not part of the legal notice required of staff but noted that she had been confused by the way the hearings had been posted. She said she wanted time to prepare her information.

Mr. Sage said the County was required under state law to provide the following notice of hearings:

1. Notice in *the Register Guard* 20 days prior to the hearing. Mr. Sage noted that notice had been posted in that paper on July 14.
2. Post the Notice on the Property which had occurred.
3. A Mailing List of surrounding Property Owners which had occurred.

Mr. Sage noted that all of these notice requirements had been met. He said the record showed that staff had met the requirements of the law but noted that the commission could grant a continuance if it so desired. He added that the written record could be left open but noted that the applicant would have a chance to rebut any new evidence. He said the commission could also vote that the requirements of notice had been met. He stressed that one of the statewide planning goals and one role of the planning commission was to provide opportunity for citizen involvement.

Ms. Kirkham called for rebuttal from the applicant.

Mr. Becker noted that he had not seen the planning commission meeting in the events section of the *Register Guard* that day. He noted that this had been a point of confusion for him.

Mr. Mann said he was not opposed to leaving the record open for seven days but reserved the right to address any new evidence submitted. He added that there *was* access to the subject property contrary to the testimony of Mr. Just. He said there had been a dwelling there at one time that had access to the county road. He noted that there was frontage all along that county Road. He added that the owners would have to work with County Public Works to decide where a new driveway would be located.

Mr. Mann called attention to criteria for F1 zoning. He said F1 referred to commercial forestry. He said F2 zoning did not specify commercial forest uses. He said the applicant had shown that the property had not, in the recent past been under commercial forest management.

In response to a question from Mr. Carmichael regarding whether changing zoning because the land had not been used was setting precedent, Mr. Sage said Goal 4, Policy 15 required that that non forest uses had been present on or adjacent to the property. He reiterated that site by site assessments had to be made and added that decisions were not precedent setting but were based on compliance with criteria and standards that would eventually establish a clearer policy. He said evaluation of this particular site was what was required from the commission at this point.

Mr. Herbert suggested leaving the record open for seven days but said he was not interested in continuing the hearing.

Mr. Dignam, seconded by Mr. Herbert, moved to leave the record open for seven days with a further seven days for the applicant to rebut newly submitted information.

Mr. Dignam urged the public to be cautious when relying for information on public hearings in the general announcement sections of the newspapers.

The motion passed unanimously.

Mr. Sage said the written record would remain open until August 10, at 5 pm. He said the applicant would have until August 17, at 5 pm. to address any new evidence. He said the commission would deliberate on September 7, during its 5:30 work session.

II. PUBLIC HEARING: PA 04-5276

Ms. Kirkham called for declarations of *ex parte* contacts or conflicts of interest. None were declared.

Ms. Kirkham opened the public hearing.

Al Couper spoke as the applicant's representative. He noted that F1 and F2 were distinctive in that F1 was owned by large firms and access by logging roads with no utilities or services. He said F2 land was much more intensely developed. He showed an overhead projection of the land in question. He said the land had been zoned F2 originally.

Mr. Couper said Lane County had passed an ordinance in 1984, which changed the designation on the subject property. He said the ordinance contained a numerical list of tax lots that were intended to be changed. He said the one of the tax lots of the contiguously owned properties, (tax lot 400), had been left off the list.

Mr. Couper said the County had used assessor's maps as a basis for parcelization and had made an error in changing the zoning. He noted that the subject property was actually seven tax lots and three as the county had assumed in 1984. He showed a map of the current parcelization of the property that was on record with the county. He said the parcels were made in full conformance with state law. He said none of the parcels were more than 80 acres.

Mr. Couper said the language of the characteristics for F1 and F2 were unclear and confusing. He said numerous hearings officials were on record complaining about the language. He outlined the criteria, once again, for the commission.

Mr. Couper showed an overhead projection of a map of the area. He said 79 percent of the parcels contiguous to the subject property were 10 acres or less with rural residential and commercial development. He noted that the zoning map supported his statements.

Mr. Couper said he supported the Lane County regulations that stated that residential development could not occur on F1 lands.

In response to a question from Mr. Becker regarding whether the land in question had a road system intended for forest management, Mr. Couper said there was not. He noted that the property had been logged and had remnant logging roads.

There was some question over the definition of roads on the property.

Mr. Becker said it was clear that the property had been intensively used for forestry.

Jim Just, Goal One Coalition and Land Watch Lane County, 39625 Almond Drive, Lebanon, distributed written material to the commission. He called attention to the last page of his material, he said the lists of the tax lots was not official and was not complete or definitive. He said the control document was the zoning map that was approved by the Board of Commissioners and LCDC.

Mr. Just said the property line adjustments done on the site were not legal and would be illegal in Coos County. He said the property line adjustments were in fact re-platting and was not a legal act.

Laurie Segel 120 West Broadway, spoke on behalf of 1000 friends of Oregon. She said the land in question had the characteristics of the land in 1984 that were predominately F1 in nature. She stated no residences currently existed on the land in question and none existed in 1984. She said the entire site had been under one ownership and was approximately 300 acres in size. She said the ownership of the area in 1984 showed a commercial forest use. She said the development outside the site was not relevant to the question. She said the available evidence also showed that the site was contiguous to other forest use lands in 1984.

Ms. Segel stressed that, since the applicant was alleging that an error was made in 1984, the commission should look at what existed in the area in 1984. She noted that no services were available to the subject area. She said the facts showed that in 1984 the area in question fit the description of F1 lands.

Gwendolyn Farnsworth, Rattlesnake Road, displayed photos of the land taken in 1986 showing that the land was forested at that time. She showed photos of the surrounding properties and their uses. She said there was no access to the property other than logging roads and emphasized that there were no services available on the subject site. She said the surrounding properties were not relevant to the issue. She submitted her photos into the record.

In response to a question from Mr. Becker regarding the timber harvesting on the subject property, Ms. Farnsworth said the subject property had been logged as one entity and came out to the north on Rattlesnake Road.

Ms. Farnsworth requested that the record be left open for seven days.

Thom Lanfear, 38019 Lobo Lane, spoke as an abutting land owner. He said policy 27 would have the commission process the application based on an error made in 1984. He said there was no error made at that time. He said it was doubtful that the issue should even be in front of the commission. He said it would be a good future discussion for the commission to talk about the intent of the Board of Commissioners in the matter. He reiterated that staff had made the correct decision in 1984. He said there was no real staff perspective on whether the lot line adjustments were done correctly.

Mr. Lanfear suggested that if the commission was going to base a decision on the current lot lines, then it should look at individual lots.

In response to a question from Mr. Dignam regarding the reason why he thought staff had not made an error, Mr. Lanfear read law as it was in 1984. He said the legal lots had not shown up until 1985 when the law changed in Oregon.

Ms. Kirkham called for applicant rebuttal.

Mr. Couper asked that two additional weeks be granted to both sides so all legal questions could be addressed. He stressed that the property line adjustments done on the site were done legally. He acknowledged that the law had been changed since that time. He stressed that there was no re-plat in the case. He said he would be happy to submit to another legal lot verification process. He said services were available in the neighborhood of the lot.

Mr. Couper said F2 land provided 16 percent of the harvested timber in the State.

Mr. Sage said staff needed to review all of the new information submitted into the record. He suggested allowing the two-week time periods for submittals requested. He said the written record could close on August 17, and final rebuttal could be due on September 7. He suggested that the Commission deliberate on October 5, at the 5:30 work session.

Mr. Herbert, seconded by Mr. Dignam, moved to accept Mr. Sage's recommendation. The motion passed unanimously.

III. PUBLIC HEARING: Request for approval of a conformity determination amendment the Rural Comprehensive Plan

Ms. Kirkham opened the public hearing.

Mr. Sage said there was a scrivener's error that needed to be corrected within Zoning Plot 525 for the rural community of Waltherville. He called attention to exhibit C of the staff report which showed the error which occurred when McKenzie Watershed Zoning Plots were readopted in May 2002. He said the line around the subject property, tax lot 204, was what needed to be corrected. He recommended that the commission approve the correction to comply with the correctly drawn zoning boundary from 1984 to 2002.

Jim Just, , asked that the record be left open for seven days to confirm that the zone change was consistent with the plan map.

Laurie Segel, 120 West Broadway, complained that she had not known about the hearing. She suggested DLCDC be notified about county planning hearings.

Mr. Sage said, if the commission wished to grant the request for leaving the record open, the Plan Map could be put into the record in the first seven days. He said the issue could be added to the deliberations on September 7, 2004.

Mr. Becker applauded the County staff for correcting errors. He suggested that the property owners be notified.

Mr. Herbert said it would be in the best interest of all concerned if the property owner were notified, as a party of interest that their property had been inadvertently zoned incorrectly and there was a public hearing on correcting the matter.

Mr. Dignam suggested that there be less process to correct a simple error. He said keeping the record open would add no benefit.

Mr. Dignam, seconded by Mr. Becker, moved to approve the correction of the scrivener's error on zoning map plot 525.

Mr. Becker added a friendly amendment, which was accepted, to have staff insure that the plan map definitely agreed with the zoning map.

Mr. Sage said the record should be left open if the request were not frivolous. He stressed that one of the basic goals of the commission was to insure public input and noted that there was no rush on the particular item.

Mr. Herbert said the request of leaving the record open was a reasonable one and was not onerous to grant.

The motion passed 3:1:1 with Ms. Kirkham voting in opposition and Mr. Herbert abstaining.

Planning Director Kent Howe noted that it was required to leave the record open if it had been requested. The motion was withdrawn.

Ms. Kirkham, seconded by Ms. Esty, moved to keep the record open until August 10, 2004 with deliberation in September. The motion passed 4:1 with Mr. Dignam voting in opposition.

The meeting adjourned at 9:30 pm.

(Recorded by Joe Sams)
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MINUTES
Lane County Planning Commission

October 5, 2004, 5:30 p.m

PRESENT: Juanita Kirkham, Chair; Ed Becker; Jacque Betz; Marion Esty; Mark Herbert;
Steve Dignam, James Carmichael, members; Kent Howe, Bill Sage, Staff
ABSENT: NA

I. WORK SESSION:

Ms. Kirkham convened the meeting at 5:30 pm. She called for public comment on matters that were not on the night's agenda.

Laurie Segel, 1000 Friends of Oregon, urged the commission to quickly fill its vacancies.

Jozef Siekiel-Zdzienicki asked for information on whether the by-laws of the commission were available to the public.

Planning Director Kent Howe affirmed that they were available and explained the process for obtaining them.

The commission reviewed the Minutes of March 2,

Mr. Herbert, seconded by Mr. Carmichael, moved to approve the minutes of March 2, May 18, and September 7.

Mr. Dignam commented on the lack of specific enough minutes and asked that his expressed rationale for supporting or opposing a motion be clearly stated in future minutes.

The motion passed unanimously.

Deliberations session: PA 04-5252 and PA 04-5276.

Bill Sage thanked the Commission members for being flexible by receiving the packet of policy and archive materials during the previous week. He said it was important that the Commission had taken the opportunity to complete the record of information on policy issues prior to tonight's deliberations on the two separate applications. He said the first thing the Commission needed to do that evening was to have a policy discussion on the intent of specific language in Lane Code 13 and Lane Code 16 during the 1984-1986 period and to and adopt an interpretation of Policy 27a.ii. that they could use as a basis for making their recommendations to the Board on the merits of the two site-specific applications. He briefly outlined the memorandum they had received on Policy 27.a.ii. and distributed summaries of the records and guidelines the commission could use that evening to make their decisions on each of the applications.

He said the guidelines for PA 04-5252 (Mann-Everett) summarizes the findings and documentation they had previously received on the parcel history and land use development of

that subject property. The factors under consideration specific to the application and the characteristics between F1 and F2 land designations were addressed in the guidelines.

He discussed the guidelines for PA 04-5276 (Couper/Kronberger) summarized the process for deciding between discrepancies of code text and actual zoning maps that the Commissioners would be using for making a determination in the second application to be reviewed that evening. He noted that there had previously been a trend toward favoring maps in making that distinction but stressed that this was not a required course of action by the Commission.

Summarizing the memorandum previously distributed to the commission, Mr. Sage said Policy 27 was a 2004 policy that was used to correct errors and omissions to maps made in the past that were found during periodic review. He stressed the importance of knowing the chronological pattern of how original policies that were adopted and asked the Commission to think about the policy that had been written in 2003 and use *that* policy to interpret present policy.

Mr. Herbert said he felt there was fairly clear direction to rely on precedent and common sense in the absence of clear language. He said it was clear to him that he would be most in favor of policy option number "2" as presented in the staff memorandum that was to rely on common sense. He said to not do that would set a dangerous precedent.

Ms. Esty and Ms. Betz agreed with Mr. Herbert's statements.

In response to a question from Ms. Esty regarding clarification of his statements, Mr. Herbert said Option 2 allowed a look at the intent of the drafters of documents and make a common sense interpretation. He said the other option was too narrow and would not allow the use of good judgment.

Mr. Dignam said his support of Option 2 was predicated on a statement from Mr. Sage regarding erroneously included statements in Lane Code. He asked for the definition of erroneous in that case.

Mr. Sage said both land use law and personal experience were a factor. He said that in the early 1980s the "legal lot" definition in Lane Code 16 had been created by County staff out of the definition of "tract" in the ORS rulemaking concerning partitioning and subdivision standards that was applicable in Lane Code 13 that was retroactively very restrictive on property owners who had purchased their property by deed prior to 1975. In turn, the County had for a short period between 1983-1986 erroneously applied that as a factor in drafting a policy. He stressed that General Plan Policies are separate from implementing regulations and often require interpretation of the intent and as occurred in 1986, revisions to correct. He said that again the Commission needed to interpret this policy under today's common sense approach.

Mr. Sage stressed that a large amount of policy had been passed at that time in a very rapid manner. He said there was really no opportunity for in-depth analysis of that policy before decisions were made in the rush to adopt the General Plan Policies in the Rural Comprehensive Plan and zoning designations in 1983-84.

Mr. Herbert, seconded by Ms. Betz, moved to apply a common sense interpretation to Policy 27 that a legal lot today was a legal lot in 1984, based on the spirit of the law rather than a strict interpretation on the text language.

(Staff note to the record: This motion was based on the Commission's review of the clarification of ORS 92 by HB 2381 in 1985, and Lane County's adoption of three ordinances in 1986 in response to the enactment of HB2381, that discrete parcels created lawfully by recorded deed or real estate contract prior to the 1983-1986 period were not merged during that period, and were during that period, and are today, discrete legal lots.)

Mr. Dignam said he would support the motion because it appeared that there had been a misinterpretation of state law in drafting Lane Code in the 1983-84 period.

Mr. Carmichael questioned whether there would be any requirements under Goal 4.

Mr. Sage said the commission would still have to consider qualifications of individual cases under the conformity determination policy 27 before considering Goal 4, policy 15 characteristics.

Mr. Carmichael said the two applications being deliberated on that evening were getting more and more complicated. He read from County policy that said County policy provided direction for policy makers. He said the facts in these types of situations were better considered under Goal 4.

The motion passed unanimously.

Rather than 'common sense' Mr. Herbert said the argument could be framed as strict interpretation versus the spirit of the policy.

Mr. Herbert, seconded by Ms. Betz, moved to forward a recommendation to the Board of County Commissioners to amend the RCP General Plan Policies Goal Two, Policy 27(a)(ii) to read similar to Policy 21(d)(2) as adopted in Ordinance PA 921 on September 10, 1986 and the current goal 4 policy, 15(b) and (c) criteria substituted for "19(c)"; "(2): *Inappropriate F-1 zoning where the criteria of RCP Forest Land Policy 19(c) [15(b) and (c)] indicate that F-2 zoning is more suitable.*"

The motion passed unanimously.

II. Deliberation; PA 04-5252

Mr. Sage outlined the Deliberations Checklist distributed to the commissioners. He said the commission would have to make a decision, not just on 1983 policy, but also today whether the parcel was better zoned under F1 or F2.

Mr. Carmichael said he was ready to make a decision on that particular piece of property.

There was general consensus to review the checklist before making a decision.

Mr. Herbert said he was satisfied that the parcel was a developed piece of property in 1981.

Mr. Carmichael stressed that it was not important to agree on each point of the checklist.

Members took a few minutes to review the checklist document.

In response to a question from Mr. Dignam regarding whether it was necessary for the application to meet all of F1 or F2 criteria, Mr. Sage said it was a decision that had to be made at the commission level whether the characteristics of one or the other were predominant. He said 51 percent one way or the other was all that was necessary.

Mr. Becker said considered F2 the predominate characteristic for all the list items.

Mr. Carmichael said he was not convinced that there was a residence on the policy. He said F2 Impacted Forest LandLand zone predominated.

Ms. Esty agreed and said F2 ImpactedImpacted zone was her interpretation for the entire list.

Mr. Herbert and Ms. Betz agreed as well.

Mr. Dignam said F2 was his determination.

Ms. Kirkham agreed and said she had come to the same determination.

Mr. Becker, seconded by Ms. Esty, moved to forward a recommendation to the Board of County Commissioners for approval of a conformity determination amendment to the Rural Comprehensive Plan (RCP) pursuant to RCP General Plan Policies - Goal 2, Policy 27 (a)(ii) to redesignate 34.2 acres from non Impacted Forest LandLand (F-1, RCP) to Impacted Forest Land (F-2, RCP) for a parcel identified on the Lane County Assessor's Map 21-01-30 as tax lot 300.

The motion passed unanimously.

III. Continuation of Deliberations: PA 04-5276

Mr. Sage said the applicant's representative had made two arguments when submitting the application. He said the applicant contended that a discrepancy between a map that was adopted for zoning and a reference in the ordinance which delineated a list of parcels that were supposed to be included in the zoning decision. He said the parcel had been delineated F-2 on the map and had then been rezoned F-1 on the interim map. He said the second zoning put in place included everything that had been reviewed by LCDC and said, for clarification, "Exhibit C" needed to be reviewed. He noted that the subject property, "tax lot 400" had not been put on that list. He said all this had been substantiated in the final rebuttal attached to the meeting packet.

Mr. Sage said the decision was to decide whether the map of the area or the text of the ordinance were predominant. He said the myth was that maps rule but noted that this was not necessarily the case. He said there was no absolute dominance between map and text. He said the commission needed to make a policy decision as to which represented the appropriate zoning.

In response to a question from Ms. Betz regarding how often maps were changed, Planning Director Kent Howe said text amendments usually had to do with Lane Code. He said the text in this case, had to do with township-range-section and specific tax lots. He said the text was generally considered to be findings that supported the data on the maps.

Mr. Carmichael clarified that the text argument meant changing to F2 and the map argument meant leaving the property F1.

In response to a question from Mr. Dignam regarding the reason why the same checklist was not being used, Mr. Sage said the applicant had made a case for both sides. He added that in the final rebuttal there was a desire to use the "mapping error" criteria policy.

Mr. Dignam clarified that it was staff's intent that the matter be evaluated under the discrepancy between map and text policy.

Mr. Herbert commented that the staff recommendation was going against the policy discussion in the first hour of the meeting. He said the error was made in the text & should properly remain F1.

Mr. Becker said he was also convinced that the land should remain zoned F1.

Mr. Carmichael said, in this instance, there appears to have been an intent to dupe the commission. He said any rational person could see that F1 was what the land should be appropriately zoned. He said the property should stay F1, but noted that there should be a process for the applicant to return in the future.

Mr. Dignam asked what data Mr. Herbert's comments were based on.

Mr. Herbert called attention to "Figure 1" of the map. He said "Figure 2" showed that tax lot 400 had not been included in that. He said if the sole criteria was to decide whether the map or the code text was wrong, then he thought it was a text error.

In response to the comments made by Mr. Carmichael, Mr. Herbert said planning consultants had to advocate for their clients within the context of the law. He said he had to look at the spirit of the intent at the time of the zoning.

Mr. Dignam said he was inclined to support the map under the approach taken by Mr. Herbert. He said he found several aspects of the application that could in the future lead him to support changing the zoning to F2 but not under the criteria used for the decision that evening.

Mr. Dignam, seconded by Mr. Herbert, moved to forward a recommendation to the Board of County Commissioners for denial of a conformity determination amendment to the Rural Comprehensive General Plan Policies - Goal 2, Policy 27(a)(vii) to redesignate 82.6 acres from non impacted Forest land (f-1, RCP) to Impacted Forest Land (F-2 RCP) for a portion of the parcel identified on the Lane County Assessor's Map 19-01-17 as tax lot 401.

The motion passed unanimously.

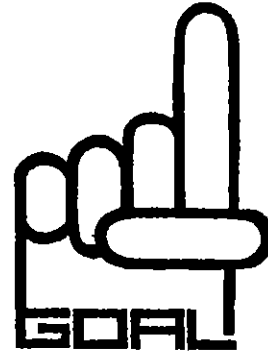
Planning Director Howe said a joint meeting with the Board of County Commissioners was scheduled for November 9 at 5:30 pm. He said Region 2050 would be the topic. He said it would be a dinner work session.

The meeting adjourned at 7 pm.

(Recorded by Joe Sams)
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GOAL ONE COALITION

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August 3, 2004

Lane County Planning Commission
125 East 8th Avenue
Eugene, OR 97401

RE: PA 04-5252, Everett

Members of the Commission:

The Goal One Coalition (Coalition) is a nonprofit organization whose mission is to provide assistance and support to Oregonians in matters affecting their communities. The Coalition is appearing in these proceedings at the request of and on behalf of its membership residing in Lane County. Mr. Just is representing the Coalition, LandWatch Lane County, and himself.

This request is to redesignate 34.29 acres identified as Map 21-01-30 TL 401 from Nonimpacted Forest Land (F-1, RCP) to Impacted Forest Land (F-2, RCP). The owner of the subject property is Earl Everett who purchased the property on August 21, 2003.

In 1984 when the county-wide legislative zoning was done, the subject property was owned by Bohemia Lumber Company that owned a large contiguous acreage. The Bohemia Lumber Company ownership was zoned F-1 except for a part that had a mill on it that was zoned industrial.

The proposed zone change is a Minor Amendment subject to LC 16.400(6)(h) criteria and LC 16.252 processes. Applicable amendment criteria include, in relevant part:

“Goal Two – Policy 27: Errors or Omissions. Lane County will annually initiate and process applications to correct identified errors or omissions in the RCP Official Plan and Zoning Plots resulting from the Official Plan or Zoning Plots not recognizing lawfully existing (in terms of zoning) uses or from inconsistencies between the Official Plan and Zoning Plots. Changes to correct errors or omissions shall comply with the procedures and requirements of Lane Code Chapter 12 (Comprehensive Plan), Chapter 14 (Application Review and Appeal Procedures), and Chapter 16 (Land Use & Development Code), except as provided for in 27 c. and d. below.

“a. Circumstances qualifying for consideration by the Board of Commissioners under the Errors or Omission Policy may include one or more of the following:

“* * *

“ii. Failure to zone a property Impacted Forest Land (F-2, RCP), where maps used by staff to designate the property Nonimpacted Forest Land (F-1, RCP) zone did not display actual existing legal lots adjacent to or within the subject property, and had the actual parcelization pattern been available to County staff, the Goal 4 policies would have dictated the F-2 zone.”

Goal Four, Policy 16:

“Lands designated with the Rural Comprehensive Plan as forest land shall be zoned Non-Impacted Forest Lands (F-1, RCP) or Impacted Forest Lands (F-2, RCP). A decision to apply one of the above zones or both of the above zones in a split zone fashion shall be based upon:

“a. A conclusion that characteristics of the land correspond more closely to the characteristics of the proposed zoning than the characteristics of the other forest zone. The zoning characteristics referred to are specified below in subsections b and c. This conclusion shall be supported by a statement of reasons explaining why the facts support the conclusion.

“b. Non-impacted Forest Land Zone (F-1, RCP) Characteristics:

- “(1) Predominantly ownerships not developed by residences or nonforest uses.
- “(2) Predominantly contiguous, ownerships if 80 acres or larger in size.
- “(3) Predominantly ownerships contiguous, to other lands utilized for commercial forest or commercial farm uses.
- “(4) Accessed by arterial roads or roads intended primarily for forest management.
- “(5) Primarily under commercial forest management.

“c. Impacted Forest Land Zone (F-2, RCP) Characteristics

- “(1) Predominantly ownerships developed by residences or nonforest uses.
- “(2) Predominantly ownerships 80 acres or less in size.
- “(3) Ownerships generally contiguous to tracts containing less than 80 acres and residences and/or adjacent to developed or committed areas for which an exception has been taken in the Rural Comprehensive Plan.
- “(4) Provided with a level of public facilities and services, and roads, intended primarily for direct services to rural residences.”

1. The 1984 parcelization pattern dictated the F-1 F-2 zone rather than the F-2 zone.

The fact that the subject parcel was a legal lot in 1984 is not relevant to any determination of whether an error or omission was made in 1984 when the TL 300 was zoned F-1. Three of the four factors regarding both F-1 and F-2 lands address *ownerships*, not parcels.

In 1984 TL 300 was under a common ownership. The analysis required by Goal 4 Policy 27 must be based on that ownership, not on the actual or presumed existence of legal lots within that ownership.

Question: in 1984 did the characteristics of the land proposed to be rezoned more closely resemble the characteristics of F-1 or F-2 lands?

Factor 1:

"Predominantly ownerships not developed by residences or nonforest uses."

or

"Predominantly ownerships developed by residences or nonforest uses."

In 1984 the ownership was predominantly in forest uses. A letter dated February 23, 1983 from Bohemia Inc. to the Lane County Planning Department states that there was no house on TL 300 after November 1982.. Factor 1 dictates that the F-1 zone would have been imposed on TL 300.

Factor 2:

"Predominantly contiguous ownerships of 80 acres or larger in size."

or

"Predominantly ownerships 80 acres or less in size."

The subject TL 301 was part of a contiguous ownership in 1984. The size of that ownership has not been established in the record, but certainly far exceeded 80 acres in size. Factor 2 dictates that the F-1 zone would have been imposed on TL 300.

This factor clearly looks at the ownerships of the subject area. In the context of the errors and omissions policy, the question is whether the ownership pattern of the area proposed for zoning would, in 1984, have led to a decision to zone the property F-1 or F-2. The subject area was, in 1984, undisputedly part of a much larger ownership used for commercial forest purposes.

The applicant errs in equating parcelization with ownerships. The subject area was in one ownership in 1984, as part of a much larger ownership. The relevant date is 1984, when the Board of Commissioners is purported to have erred in applying the F-2 rather than the F-1 zone.

Factor 3:

"Predominantly ownerships contiguous to other lands utilized for commercial forest or commercial farm uses."

or

"Ownerships general (sic) contiguous to tracts containing 80 acres and residences and/or adjacent to developed or committed areas for which an exception has been taken in the Rural Comprehensive Plan."

TTL 300 is contiguous to other lands used for commercial forest uses in 1984. The applicant's information addresses current ownerships. For purposes of Plan Policy 27, the relevant date is 1984 when the error was alleged to have been made.

TL 300 is contiguous to large parcels zoned F-1 to the east and south. The ownership of those parcels in 1984 is not discussed in the applicant's materials. It appears that the ownership was likely Bohemia Lumber Company.

A large area zoned M-3 containing a mill site is located about 200 feet south of TL 300. A mill site that is a forest use under OAR 660-006-0025(4)(a).

The property contiguous to TL 300 at its northern boundary is currently zoned F-2. The zoning in 1984 is not discussed. The ownership and use in 1984 has not been identified.

The applicant errs in considering the parcelization pattern of nearby properties in the community of Dorena. Factor 3 looks only at contiguous or adjacent areas. The legal lot verification states that "the remainder, being TL 300 is a legal lot, with no apparent access to a legal access." The meaning of this is unclear, but may mean that TL 300 was not adjacent to or contiguous with the community of Dorena which lies on the opposite side of Row River Road. Regardless, TL 300 was predominantly contiguous to other lands utilized for commercial forest or commercial farm uses

There is no evidence provided as to the existence of residences on contiguous properties in 1984.

The applicant concedes that commercial farm or forest uses predominate on adjacent properties, and therefore that Factor 3 dictates that the F-1 zone would have been imposed on the area currently identified as TL 401.

Factor 4:

"Accessed by arterial roads or roads intended primarily for forest management. Primarily under commercial forest management."

or

"Provided with a level of public facilities and services, and roads, intended primarily for direct services to rural residences."

The subject area was isolated from Row River Road by the OP&E railroad tracks. A road shown as TL 200 on the east provided access to the Bohemia lands,

Factor 4 dictates that the F-1 zone would have been imposed on the TL 300 in 1984.

CONCLUSION

The fact that TL 300 may be a legal lot does not affect factors of Plan Goal 4 Policy 15. Therefore the requirements Plan Policy 27(a)(ii) are not satisfied, and the requested rezoning may not be approved.

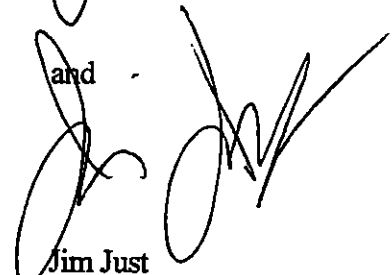
Therefore this request to rezone the subject lands from F-1 to F-2 must be rejected.

Respectfully submitted,



Jim Just
Executive Director

and



Jim Just
as an individual

AGENDA COVER MEMO

DATE: February 28, 2005 (Date of Memo)
March 16, 2005 (Date of First Reading)
March 30, 2005 (Date of Second Reading / Public Hearing)

TO: LANE COUNTY BOARD OF COMMISSIONERS

FROM: Public Works Department/Land Management Division

PRESENTED BY: Bill Sage, Associate Planner

AGENDA ITEM TITLE: ORDINANCE NO. PA 1213 - IN THE MATTER OF ADOPTING A CONFORMITY DETERMINATION AMENDMENT PURSUANT TO RCP GENERAL PLAN POLICIES – GOAL 2, POLICY 27 a.iv., TO CORRECT A SCRIVENER ERROR ON THE OFFICIAL ZONING MAP – PLOT # 525, AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES. (Lane County LMD).

I. ISSUE

In December 2003, the Board of County Commissioners adopted a “Conformity Determination Amendment” process in the Rural Comprehensive Plan – General Policies, as Policy 27 to the Goal Two Policies. The process provides for eight circumstances under which an amendment could be brought to the Lane County Planning Commission for review and recommendation to the Board. One of the circumstances was to correct scrivener errors on an adopted Official Plan or Zoning Plot. The provision is Policy 27, a. iv.:

- 27. *Conformity Determination. Lane County will annually initiate and process applications to correct identified plan or zoning designations in the RCP Official Plan and Zoning Plots resulting from the Official Plan or Zoning Plots not recognizing lawfully existing (in terms of the zoning) uses or from inconsistencies between the Official Plan and Zoning Plots. Changes to correct nonconformities shall comply with the procedures and requirements of Lane Code Chapter 12 (Comprehensive Plan), Chapter 14 (Application Review and Appeal Procedures), and Chapter 16 (Land Use & Development Code), except as provided for in 27 c. and d., below.*
 - a. *Circumstances qualifying for consideration by the Board of Commissioners under the Conformity Determinations Policy may include one or more of the following:*
 - iv. *Correction of a scrivener error on an adopted Official Plan or Zoning Plot.*

During the adoption of Official Zoning Plots for the McKenzie Watershed Periodic Review Work Tasks in May 2002, a scrivener error occurred on Zoning Plot No. 525. The diagonal community boundary line on the southern right-of-way of Highway 126 was drawn incorrectly and resulted in a property that had been designated as Rural Residential RR2 being inadvertently designated as Exclusive Farm Use E30. The error was not detected until the McKenzie Watershed work tasks were acknowledged by DLCD.