

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 12-11-28-01

IN THE MATTER OF ANNEXING TERRITORY TO  
THE WILLAKENZIE FIRE DISTRICT TO PROVIDE  
FIRE PROTECTION SERVICE TO THE  
ANNEXATION TERRITORY, CONSISTING OF  
ASSESSOR'S MAP 18-03-01 TAXLOTS 2700, 2800,  
2900, 3000, 3100, 3201, AND 3500 ALONG WITH  
MAP 18-02-06 TAXLOT 1500. (FILE NO. F-WK-2012-  
ANX-2)

**WHEREAS**, a petition initiating the annexation of territory to the Willakenzie Fire District was filed with Lane County on April 30, 2012 (the "Petition for Annexation"), in accordance with ORS 198.857(3); and

**WHEREAS**, the territory proposed for annexation is described in Exhibit A and depicted on the map shown on Exhibit B, both of which are attached and incorporated by this reference; and

**WHEREAS**, the Board of Directors of the Willakenzie Fire District adopted a resolution approving the proposed annexation on February 2, 2012 (Resolution No. 10-10-11); and

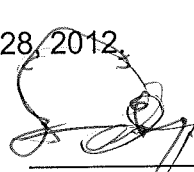
**WHEREAS**, legal notice was provided on November 7, 2012 for a November 28, 2012 public hearing; and


**WHEREAS**, the Board of County Commissioners conducted a public hearing on November 28, 2012, to receive and consider both oral and written evidence.

**NOW, THEREFORE, IT IS ORDERED** as follows:

1. That the findings set forth in Exhibit C are hereby adopted and incorporated by this reference.
2. That based on the findings and evidence submitted, and the applicable law, the Petition for Annexation is hereby approved.
5. That the territory described on Exhibit A and depicted on Exhibit B is hereby annexed to the Willakenzie Fire District and that this annexation is effective as of November 28, 2012, in accordance with ORS 198.747(2).

**ADOPTED** this 28<sup>th</sup> day of November 28, 2012.

  
Sid Leiken, Chairperson  
Lane County Board of Commissioner

11-28-12  


Attachement 1, Exhibit A

Applicant's Legal Descriptions of Annexation Territory

| <u>Map No.</u> | <u>Taxlot</u> |
|----------------|---------------|
| 18-02-06-00    | 1500          |
| 18-03-01-00    | 2700          |
| 18-03-01-00    | 2800          |
| 18-03-01-00    | 2900          |
| 18-03-01-00    | 3000          |
| 18-03-01-00    | 3100          |
| 18-03-01-00    | 3201          |
| 18-03-01-00    | 3500          |

Map No. 18-02-06 TL 1500

Beginning at the  $\frac{3}{4}$  inch iron pipe marking the meander corner of the right bank of the 1853 channel of the Willamette River in Section 6 of Township 18 South, Range 2 West of the Willamette Meridian, said point being of record South  $00^{\circ} 28' 45''$  West 1520.07 feet from a  $\frac{5}{8}$  inch iron rod marking the Northeast corner of Government Lot No. 8 in Section 1 of Township 18 South, Range 3 West of the Willamette Meridian; thence along the East line of said Section 1 South  $00^{\circ} 28' 45''$  West 120.68 feet to a point marking the intersection of the East line of said Section 1 and the Northerly boundary of a 40.00 foot roadway as described in Book 203, Page 213 Lane County Oregon Deed Records; thence leaving said East line and running along the Northerly boundary of the said 40.00 foot roadway North  $27^{\circ} 33' 15''$  West 188.50 feet to the True Point of Beginning; leaving the Northerly boundary of said roadway and running North  $24^{\circ} 53' 56''$  East 269.71 feet; thence North  $57^{\circ} 22' 58''$  East 144.78 feet to a point on the meander line of the right bank of the 1853 channel of the Willamette River; thence along the meander line of the right bank of the 1853 channel of the Willamette River North  $20^{\circ} 41' 17''$  East 138.31 feet; thence North  $74^{\circ} 11' 17''$  East 324.82 feet; thence South  $89^{\circ} 18' 43''$  East 136.43 feet; thence South  $76^{\circ} 18' 43''$  East 344.31 feet; thence South  $58^{\circ} 18' 43''$  East 278.05 feet; thence South  $46^{\circ} 18' 43''$  East 324.82 feet; thence South  $27^{\circ} 18' 43''$  East 170.81 feet to a point on the East line of Government Lot 2 in Section 6 of Township 18 South Range 2 West of the Willamette Meridian; thence South  $62^{\circ} 41' 17''$  West 71.26 feet to a point in the centerline of the 1853 meandered channel of the Willamette River; thence along the centerline of the 1853 meandered river channel South  $37^{\circ} 43' 21''$  East 32.66 feet; thence South  $27^{\circ} 19' 04''$  East 88.71 feet; thence South  $3^{\circ} 33' 38''$  East 192.34 feet; thence South  $3^{\circ} 00' 16''$  East 67.09 feet; thence South  $3^{\circ} 41' 23''$  West 53.92 feet; thence South  $34^{\circ} 12' 06''$  West 161.87 feet; thence South  $49^{\circ} 30' 31''$  West 267.81 feet to a point on the right bank of the present channel of the Middle Fork of the Willamette River; thence along the right bank of the present channel of the Middle Fork of the Willamette River North  $4^{\circ} 20' 00''$  East 125.48 feet; thence North  $37^{\circ} 55' 10''$  West 187.23 feet; thence North  $66^{\circ} 32' 35''$  West 149.60 feet; thence North  $72^{\circ} 13' 30''$  West 232.05 feet; thence South  $76^{\circ} 13' 40''$  West 83.49 feet; thence North  $60^{\circ} 38' 45''$  West 92.76 feet; thence South  $63^{\circ} 49' 00''$  West 86.44 feet; thence North  $76^{\circ} 29' 35''$  West 34.90 feet; thence South  $83^{\circ} 39' 25''$  West 319.86 feet; thence South  $47^{\circ} 03' 40''$  West 58.00 feet; thence North  $85^{\circ} 45' 25''$  West 150.70 feet to a point on the East line of Section 1 in Township 18 South Range 3 West of the Willamette Meridian; thence along the East line of said Section 1 North  $00^{\circ} 28' 45''$  East 33.92 feet to the meander corner of the left bank of the 1853 channel of the Willamette River; thence North  $39^{\circ} 19' 00''$  West 156.42 feet to a point in the centerline of the 1853 meandered channel of the Willamette River; thence along the centerline of the 1853 meandered channel North  $50^{\circ} 41' 00''$  East 130.30 feet to a point marking the intersection of the centerline of the 1853 meandered channel and the East line of Section 1 in Township 18 South Range 3 West of the Willamette Meridian; thence along the East line of said Section 1 North  $00^{\circ} 28' 45''$  East 82.89 feet to a point marking the intersection of the East line of said Section 1 and the Northerly boundary of a 40.00 foot roadway as described in a deed recorded in Book 203, Page 213 of the Lane County Oregon Deed Records; thence leaving the East line of said Section 1 and running along the North boundary of said 40.00 foot roadway North  $27^{\circ} 33' 15''$  West 188.50 feet to the True Point of Beginning, all in Lane County, Oregon.

Bearings used hereon are based on C.S.F. No. 26173 on file in the office of the Lane County Surveyor.

Map No. 18-03-01 TL 2700

All that portion of Lot 1, of Section 1, in Township 18 South, Range 3 West of the Willamette Meridian, bounded and described as follows:

Beginning at a point which bears West 393.17 feet (along the South line of the Isaac Briggs Donation Land Claim No. 39) South 0° 39' West 989.72 feet and South 27° 58' East 42.73 feet from the Northeast corner of Lot 8 of Section 1 aforesaid, and running thence South 27° 58' East 812.24 feet, along the Southwesterly line of a 40-foot roadway conveyed to Springfield Sand & Gravel Company by deed recorded in Book 203 at Page 213, of the Deed Records of said Lane County, to a point of intersection with the centerline of the old meander channel of the Willamette River; thence South 50° 41' West along said centerline 788 feet to the Southeast corner of a tract of land conveyed to Sig Moe by deed recorded in Book 206, at Page 271, of the Deed Records of said Lane County; thence North along the East end of said Moe tract, 250 feet to the Northeast corner thereof; thence North 75° 38' West, along the North line of said Moe tract, 732 feet to the Northwest corner thereof, said corner being on the West line of said Lot 1; thence North 0° 04' East, along the West line of said Lot 1, a distance of 607.04 feet; thence along the approximate center of the channel of the present slough, South 84° 40' 36" East 133.05 feet; thence South 45° 05' East 199.96 feet; thence South 49° 02' 30" East 134.63 feet; thence North 60° 17' 42" East 268.01 feet; thence North 42° 07' 54" East 271.36 feet; thence North 59° 53' 15" East 169.54 feet to the Point of Beginning.

Subject to the rights of the public in the existing county road along the west line of the tract above described.

Map No. 18-03-01 TL 2800

A tract of land in Section 1, Township 18 South, Range 3 West of the Willamette Meridian, more particularly described as follows:

Commencing at a point in the center of the meandered channel of the Middle Fork of the Willamette River South  $50^{\circ} 40'$  West 11.97 chains from a point 17.68 chains South of the  $\frac{1}{4}$  Section corner of the East line of Section 1 of Township 18 South Range 3 West of Willamette Meridian and running thence North  $75^{\circ} 38'$  West 732 feet; thence North 250 feet; thence South  $75^{\circ} 38'$  East 732 feet; thence South 250 feet to the Point of Beginning in Lane County, Oregon.

Map No. 18-03-01 TL 2900

All that parcel of land in Section 1, Township 18 South, Range 3 West of the Willamette Meridian, bounded and described as follows:

Beginning at the intersection of the East line of Lot 2 and the North meander line of the Willamette River in Section 1, Township 18 South, Range 3 West of the Willamette Meridian, said intersection being South  $0^{\circ} 04'$  West 1933.68 feet and West 2869.01 feet from the Southeast corner of the Isaac Briggs Donation Land Claim No. 83, and running thence along the old Government meander line North  $35^{\circ}$  West 299.64 feet to a point; thence North  $15^{\circ}$  West 168.98 feet to a point; thence East 216.08 feet to the East line of said Lot 2; thence South  $0^{\circ} 04'$  West 408.67 feet to the place of beginning in Lane County, Oregon.

Subject to the rights of the public in the existing county road along the east line of the tract above described.

Map No. 18-03-01 TL 3000

A tract of land in Section 1, Township 18 South, Range 3 West of the Willamette Meridian, more particularly described as follows:

All that portion of the following described real property lying north of the existing channel of the Middle Fork of the Willamette River, subject to easements, reservations, and restrictions of record.

Beginning at a point in the center of the meandered channel of the Middle Fork of the Willamette River which point is South 50° West 11.97 chains from a point on the East line of Section 1, of Township 18 South, Range 3 West of the Willamette Meridian, 17.68 chains South of the  $\frac{1}{4}$  Section corner on the East line of said Section 1; and run thence along the center of the meandered channel North 75° 38' West 732 feet; thence North 51° West 241 feet; thence North 18° 30' West 495 feet; thence North 87° West 145 feet; thence North 63° 40' West 604 feet; thence South 60° 40' West 424.5 feet; thence South 5° 15' West 310.2 feet; thence South 13° 40' West 308.2 feet; thence East 183.5 feet; thence South 81° 30' East 670 feet; thence South 57° 07' East 782.8 feet; thence South 50° East 200 feet; thence North 80° 06' East 564.3 feet; thence North 300 feet to the Point of Beginning, in Lane County, Oregon.

Map No. 18-03-01 TL 3100

A strip of land 63 feet in width extending along and parallel to the following described meander line from Point A to Point B and bounded on the Easterly and Southerly sides by said meander line.

Beginning at the  $\frac{3}{4}$ " iron pipe marking the Northeast corner of the Northwest Quarter of the Southwest Quarter of Section 1 in Township 18 South Range 3 West of the Willamette Meridian, said pipe bearing South  $87^{\circ} 43' 00''$  East 1358.16 feet from the West one-quarter corner of said Section 1; and run thence South  $87^{\circ} 43' 00''$  East 929.57 feet along the North line of Lot 3 of said Section 1 to a  $\frac{5}{8}$ " pin; thence South  $09^{\circ} 51' 00''$  East 907.60 feet to a point; thence South  $89^{\circ} 51' 00''$  East 63.41 feet to a point on the meander line of the right bank of the Willamette River hereinafter referred to as Point A; thence following said meander line South  $01^{\circ} 43' 52''$  West 277.81 feet to a point; thence South  $26^{\circ} 43' 52''$  West 394.05 feet to a point; thence South  $36^{\circ} 43' 52''$  West 737.77 feet to a point; thence South  $78^{\circ} 43' 52''$  West 554.78 feet to a point on the West line of said Lot 3 hereinafter referred to as Point B; all in said Section 1, Lane County, Oregon.



Map No. 18-03-01 TL 3201

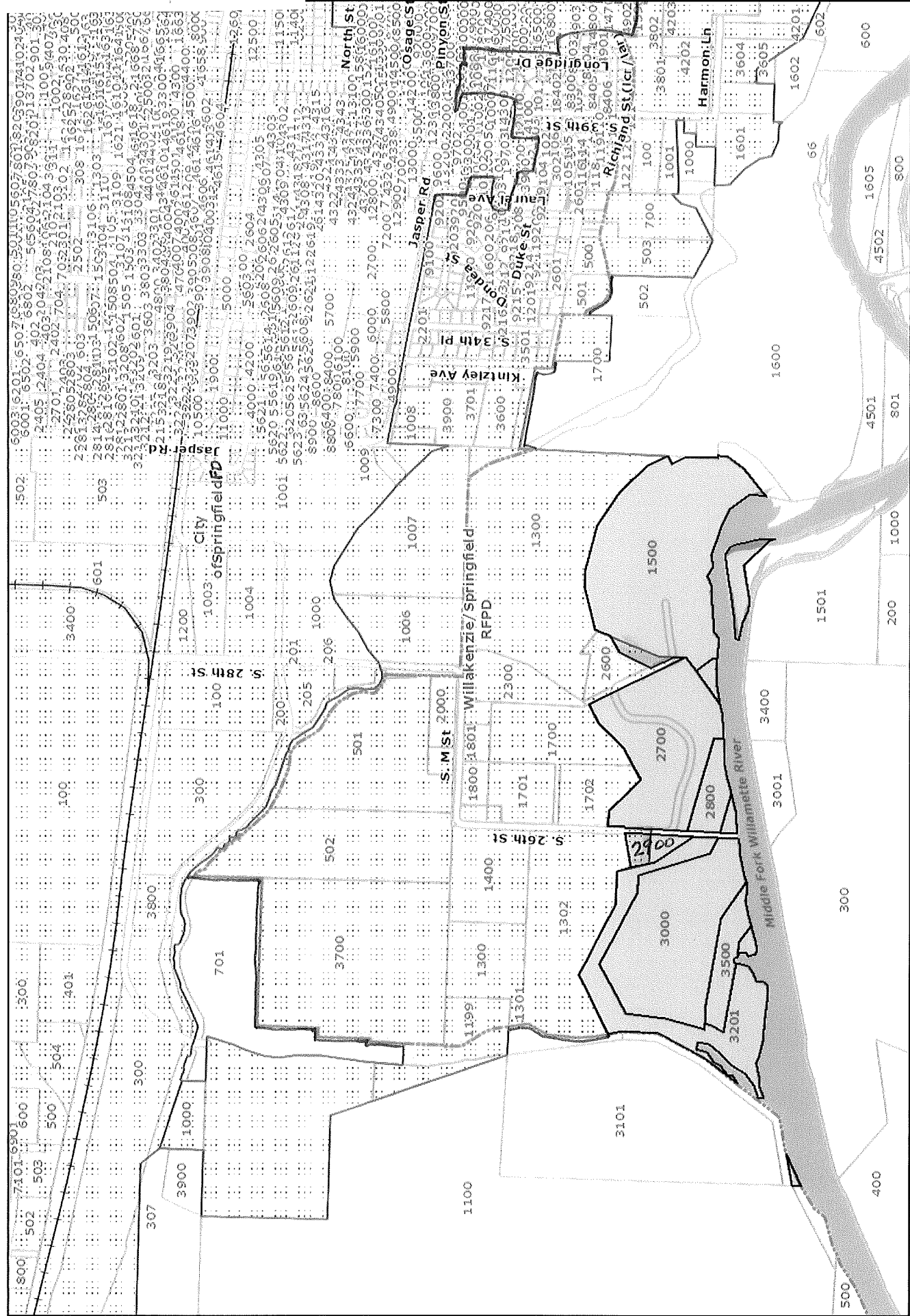
That land lying East of the West line of Lot 3 of Section 1, Township 18 South, Range 3 West of the Willamette Meridian and inside the meander line of the Willamette River in Section 1, Township 18 South, Range 3 West of the Willamette Meridian, in Lane County, Oregon.

Except that portion conveyed from the State of Oregon, acting by and through the Division of State Lands, to W. J. Reeves and Molly K. Reeves, husband and wife, by Deed recorded January 16, 1978, Reception No. 78-03246, Lane County Oregon Records.

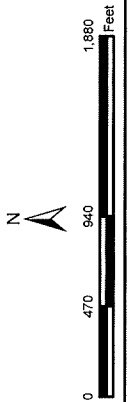
Map No. 18-03-01 TL 3500

Beginning at a point in the middle of the Thompson Slough 1.5 chains West of the Southeast corner of the North half of the Northwest quarter of Section 12, Township 18 South, Range 3 West of the Willamette Meridian; and running thence along the middle of the slough N 6° West 2.7 chains; thence North 35° West 7.10 chains; thence North 20° East 9.00 chains; thence South 80° West 9.70 chains; thence North 50° West 8.00 chains to the North line of said Section 12; thence West 4.54 chains to the meander corner on the left bank of the Willamette River, between Sections 1 and 12 of said Township and Range; thence along the meander line North 70 1/2° East 16.20 chains; thence North 27° East 623.72 feet to the True Point of Beginning of the following described tract:

From said beginning point run North 27° East 102.28 feet; thence North 15° East 54.12 feet to the South boundary of land conveyed to Sigvald B. Moe and Recorded in Book 293, Page 549, Lane County Oregon Records; thence East 141.9 feet; thence South 81° 30' East 670.0 feet; thence South 57° 07' East 364.63 feet; thence South 84° 00' West 348.75 feet; thence North 57° 07' West 160.0 feet; thence North 81° 30' West 697.61 feet to the True Point of Beginning, in Lane County, Oregon.



The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions, or potential inaccuracies in the digital data or the underlying information. Current and accurate information should be obtained from the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.



Springfield Urban Growth Boundary  
Willakenzie RFPD  
Lane County, Oregon  
Annexation Territory

## FINDINGS OF FACT AND CONCLUSION OF LAW

1. The annexation of territory to the Willakenzie Fire District was initiated on April 30, 2012 by a petition by the property owner of the proposed territory to be annexed, as authorized by ORS 198.857(3).
2. The application for annexation, map and legal description indicate that the territory proposed for annexation is currently not within the existing fire district boundary.
3. Legal notice was made on November 7, 2012 for the public hearing on November 28, 2012.
4. The public hearing required by ORS 198.800 was held on November 28, 2012.
5. The decision criteria analysis considered by the Board of County Commissioners follows.

**(A) The land is not within a district formed under the same principal Act;**

Finding 6(A): The proposal meets this criterion. The property proposed for annexation to Willakenzie Fire District is not located within any other Fire District boundaries.

**(B) The annexation area can reasonably be served or continued to be served by the facilities or services provided by the district;**

Finding 6(B): The proposal meets this criterion. The Willakenzie Fire District verified in Resolution No. 02022012 that the properties can be served by the fire district.

**(C) No land included in the annexation area will be removed if the land is benefited; and**

Staff Finding 6(C): The proposal meets this criterion. As proposed, no land in the annexation area will be removed if the land is benefited.

**(D) The boundary change is consistent with the Lane County Rural Comprehensive Plan, other applicable refinement plans, and other adopted land use regulations or agreements.**

Staff Finding 6(D): The proposal meets this criterion. The territory is located within the Eugene-Springfield Metropolitan Plan Area General Plan:

**G. Public Facilities and Services Element:**

**Goals**

- 1. Provide and maintain public facilities and services in an efficient and environmentally responsible manner.**
- 2. Provide public facilities and services in a manner that encourages orderly and sequential growth.**

The subject properties are owned by the public utility Springfield Utility Board. One of the taxlots included in this annexation houses their water treatment facility. It is important for these properties to be served by the Willakenzie Fire District to protect such an important public facility.

No other refinement plans, adopted land use regulations or agreements have been identified that conflict with this proposal.