

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO:

14-02-11-04

IN THE MATTER OF RELEASING AND DEDICATING  
PARCEL "A" OF THE PLAT OF FIRST ADDITION TO  
AUDEL ESTATES, AS RIGHT OF WAY FOR AUDEL  
AVENUE (CO. RD. NO. 1336) (17-04-23-20)

**WHEREAS**, by previous action the following land, as described as Parcel "A", First Addition to Audel Estates, Book 61, Page 5, Lane County, Oregon Plat Records, was conveyed to Lane County, Oregon by that certain Bargain and Sale Deed, recorded on Reel 555-R, Recorder's Reception Number 70170, Lane County, Oregon Deed Records; and

**WHEREAS**, City of Eugene Public Works Department has requested that the parcel strip be released and dedicated for road purposes to provide access to the adjacent property; and

**WHEREAS**, Lane Manual 15.213 provides guidelines for the acceptance of public roads into the County Road System, and the release, dedication, and acceptance of Parcel "A" of First Addition to Audel Estates, is consistent with those guidelines; and

**WHEREAS**, the Director of Lane County Public Works has provided a written report marked as Exhibit "B", determining that the special benefit to the applicant is de minimis pursuant to Lane Manual 60.854 (8)(c); and

**WHEREAS**, said parcel need no longer remain as a parcel of county owned real estate, but should be dedicated for road purposes.

**NOW, THEREFORE**, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. The real estate, as described in the attached Dedication marked as Exhibit "A", and depicted on the attached map, be released, dedicated, and accepted as County Road right of way.

2. This Order will be entered into the records of the Board of County Commissioner's Journal of Administration and in the road records for County Road Number 1336; and further the attached Dedication be recorded in the Lane County Oregon Deed Records, and the document number be noted on this Order.

ADOPTED this 11<sup>th</sup> day of February, 2014.

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING AND CONSTRUCTION  
SERVICES DIVISION

Approved JAN 23, 2014

By Bill Morgan  
Bill Morgan, Division Manager

LANE COUNTY BOARD OF  
COMMISSIONERS

By Pat Farr  
Pat Farr, Chair

APPROVED AS TO FORM

Date 1/30/14

[Signature]  
LANE COUNTY OFFICE OF LEGAL COUNSEL

Dedication Recorded on Document No. \_\_\_\_\_, Lane County, Oregon Deed Records.

Attachment A: Site Map

DEDICATION OF A PUBLIC ROAD EASEMENT

LANE COUNTY

KNOW ALL MEN BY THESE PRESENTS, that Lane County (Grantor), a political subdivision of the State of Oregon, is the owner of certain real property, and that Lane County acquired title by that certain Bargain and Sale Deed from A. T. Fraedrick and Eloise E. Fraedrick, husband and wife, and recorded on Reel 555-R, Recorder's Reception Number 70170; of the Lane County, Oregon Deed Records, and that said Lane County does hereby dedicate to the free use of the public (Grantee), for public road purposes, the following described tract of land:

Parcel "A", First Addition to Audel Estates, as platted and recorded in Book 61, Page 5, Lane County, Oregon Plat Records, Lane County, Oregon.

It being the intent to release said parcel and dedicate it to the public as right of way for Audel Avenue (Co. Rd. No. 1336). There is no consideration for this dedication.

The Board of Commissioners hereby accepts and approves for recording this dedication as described herein.

Approved this 12<sup>th</sup> day of February 2014

*[Handwritten signature]*

Commissioner

*[Handwritten signature]*

Commissioner

*[Handwritten signature]*

Commissioner

Commissioner

Commissioner

STATE OF OREGON)  
COUNTY OF LANE ) ss.

On February 12, 2014, personally appeared the above-named Pat Farr,

Jay Boziewich, Sid Leiker

County Commissioners of Lane County, Oregon, and acknowledged the foregoing instrument to be their voluntary act before me.



*[Handwritten signature]*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 1/14/2017

MAP No.: 17-04-23-20-00201

## LANE COUNTY

Notification of Determination of Amount of Special Benefit Deposit  
in Connection with a Proposed Release of a reserve strip  
Pursuant to Lane Manual 60.854(8)(c)

Pursuant to the provisions of Lane Manual 60.854(8)(c), my determination of the amount of "Special Benefit" and therefore the amount of deposit required in connection with the proposed release of a reserve strip known as Parcel "A," First Addition to Audel Estates, Book 61, Page 5, Lane County Plat Records, is **\$0.00**.

My determination is based on a Staff Report and recommendation, a copy of which is attached hereto and marked as "Attachment 1".

Dated this 16 day of January, 2014.



Marsha A. Miller, Director  
Lane County Public Works

"Attachment 1"

## STAFF REPORT

Recommendation in the Matter of Determination of Special Benefit  
in Connection with a Proposed Release of a reserve strip  
Pursuant to Lane Manual 60.854(8)(c)

**Date:** January 2, 2014

**Applicant:** Scott Knox

**Proposed Release and Road Dedication:**

The proposed release of a reserve strip is described as Parcel "A," First Addition to Audel Estates, Book 61, Page 5, Lane County Plat Records. The Parcel is un-developed, flat and measures 1 foot by 50 foot. It is held by Lane County in trust for the benefit of the People of Lane County in Bargain and Sales Deed dated October 26, 1971. The release is being requested in conjunction with an approved City of Eugene partition of Map and Tax Lot 17-04-23-20-00201.

**Tax Lots Adjacent to Proposed Vacation:**

Tax Lots that are adjacent and share the same boundary are Map #17-04-23-20, Tax Lots 115, 116 and 201

**Nature of Benefit to be Received if Proposed Vacation is Approved:**

Upon the release of the reserve strip, ownership will revert back to the respective subdivision lot owners. Once released, it will be dedicated as a public road and opened for public travel. These actions will result in legal access from a public street to Tax Lot and Map 17-04-23-20-00201.

**Value Indication(s) of Properties to be Benefited:**

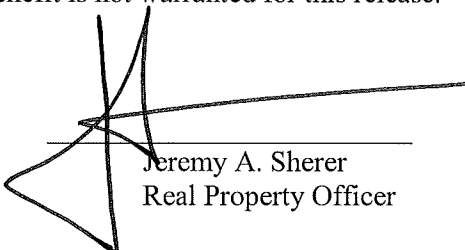
Recent sales of residential land in the River Road area of Eugene indicate a site value of between \$30,000 and \$40,000. Lots adjacent to the subject are 11,761 and 13,504 square feet each. Thus, the high and low per square foot value is between \$2.22 and \$3.40.

**Summary and Recommendation of Special Benefit:**

The purpose of this reserve strip is to control access to the public street by placing it under the trust of the County. It was conveyed to Lane County with no consideration paid to the owner. Typically, the owner bears all the cost of construction and passes the cost to the buyers of each sold lot.

Pursuant Lane Manual 60.853, a special benefit must be determined. Based on "over the fence" estimation of value and under the highest and best use premise of adjacent land, the "special benefit" to the adjacent property is estimated at a high end of **\$170** (50 SF X\$3.40/SF = \$170).

As the value added is less than the \$2,500 *de minimus value* required by Lane Manual 60.854(8)(c), the appraiser concludes that a payment for Special Benefit is not warranted for this release.

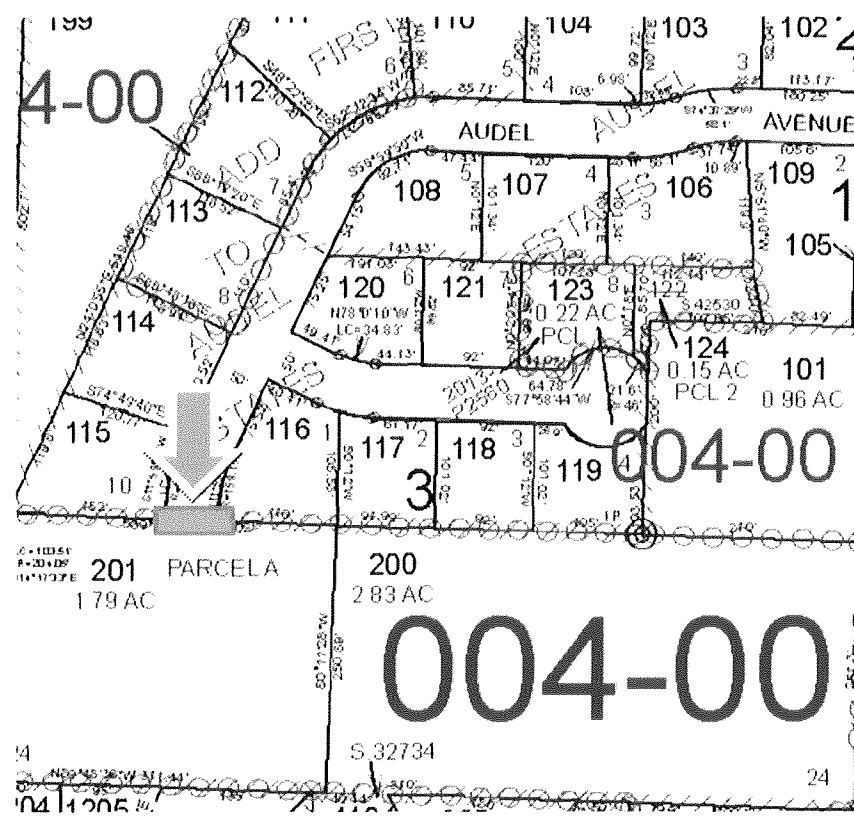
  
Jeremy A. Sherer  
Real Property Officer

"Attachment 1"

**Google Road View of Subject Property and Area to be Released**



**Lane County Assessor's Map 17-04-23-20-00201**



ATTACHMENT

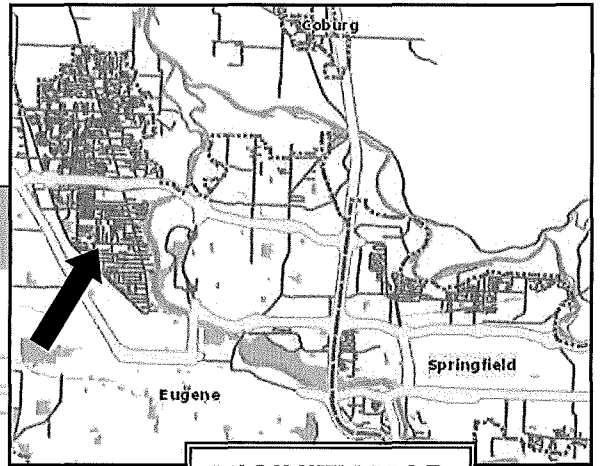


**Release, Dedication and Acceptance of Parcel "A"**  
**First Addition to Audel Estates**

PORTION OF COUNTY ROAD NUMBER 1336

**NW ¼ Section 23, T. 17 S., R. 4 W. W.M.**  
**Lane County**

NO SCALE



**VICINITY MAP**

