

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 15-03-17-04

IN THE MATTER OF RELEASING, DEDICATING AND
ACCEPTING PARCEL "C" OF THE PLAT OF SILVER
MEADOWS, AS RIGHT OF WAY FOR LENOX ROAD
(COUNTY ROAD NUMBER 1441) (17-04-12)

WHEREAS, by previous action the following land, as described as Parcel "C" of the plat of Silver Meadows, as platted on Book 38, Page 18, Lane County, Oregon Plat Records, was conveyed to Lane County, Oregon by that certain Bargain and Sale Deed, recorded on Reel 224-D, Recorder's Reception Number 20260, Lane County, Oregon Deed Records; and

WHEREAS, the 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 "C" of the plat of Silver Meadows, is consistent with those guidelines; and

WHEREAS, the Director of Lane County Public Works has provided a written report marked as Exhibit "A", 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 Draft Dedication marked as Exhibit "B", and depicted on the attached map marked as Exhibit "C", be released, dedicated, and accepted as County Road right of way.

2. The Board Chair is authorized to execute an original Dedication of Public Road Easement on behalf of the County.
3. 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 1441; 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 17th day of March, 2015.

Department of Public Works
Engineering and Construction Services Division

LANE COUNTY BOARD OF
COMMISSIONERS

Approved March 11, 2015

By Bill Morgan
Bill Morgan, County Engineer

By Jay Bozievich
Jay Bozievich, Chair

APPROVED AS TO FORM
Date 3-11-15
[Signature]
LANE COUNTY OFFICE OF LEGAL COUNSEL

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

EXHIBIT "A"

"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: December 26, 2014

Applicant: Kids Enterprises, LLC

Proposed Release and Road Dedication:

The proposed release of a reserve strip is described as Parcel "C," Silver Meadows , Book 38, Page 18 Lane County Plat Records. The Parcel is undeveloped, flat and contains 148.2 square feet. It is held by Lane County in trust for the benefit of the People of Lane County in Bargain and Sales Deed on Book 38, Page 18, Instrument # 20260, dated July 23, 1963. The release is being requested in conjunction with an approved City of Eugene subdivision of Map and Tax Lot 17-04-12-20-03401 & 3447.

Tax Lots Adjacent to Reserve Strip:

Tax Lots that are adjacent and share the same boundary are Map #17-04-12-20, Tax Lots 3401 and 3447

Nature of Benefit to be Received if Reserve Strip is Released:

Upon the release of the reserve strip, 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 Lots and Map 17-04-12-20, Tax Lots 03401 and 03447.

Value Indication(s) of Properties to be Benefited:

Recent sales and listings of residential land in the Santa Clara Eugene area indicate a site value as high as \$60,000. Sales, listings and adjacent lots to the subject are between 7,841 up to 13,068 square feet each. Thus, the per square foot value for each respective lot is between \$6.81 and \$7.65. A reconciled unit value of \$7.00 per square foot is considered reasonable.

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 at full fee is estimated at **\$1037**. Lane County does not hold fee title and the road interest is estimated to encumber 50% of the bundle of rights (**148.2 SF X \$7.00/SF @ 50% = \$519.00 (r)**).

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.


Mike Davis
Real Property Officer 2

EXHIBIT "A"

"Attachment 1"

Google Road View of Subject Property and Approx. Area to be Released



Lane County Assessor's Map 17-04-12-20

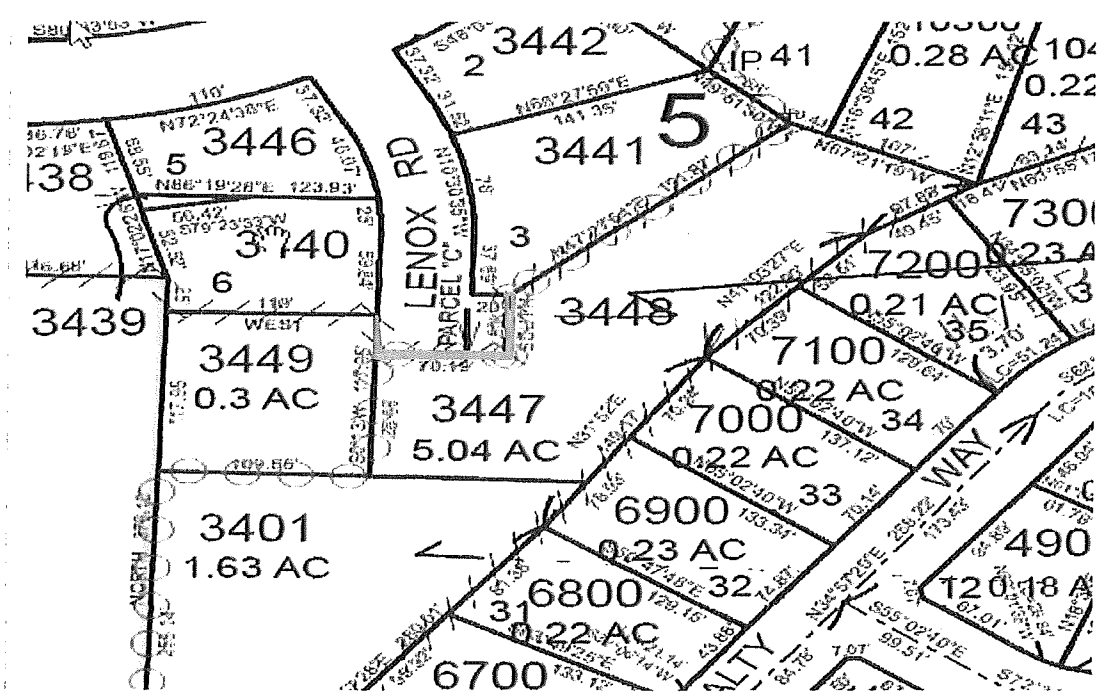


EXHIBIT "B"

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 Lane County Title Company, as Trustee, S.H. Seashore, President and Esther Sanders, Secretary, recorded on Reel 224-D, Recorder's Reception Number 20260; 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 "C", of Silver Meadows, as platted and recorded in Book 38, Page 18, 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 Lenox Road (Co. Rd. No. 1441). There is no consideration for this dedication.

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

Approved this _____ day of _____, 2015.

Jay Bozievich
Chair, Lane County Board of Commissioners

STATE OF OREGON)
COUNTY OF LANE) ss.

On _____, 2015, personally appeared the above-named Jay Bozievich, as Chair of the Lane County Board of Commissioners, and acknowledged the foregoing instrument to be their voluntary act before me.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

EXHIBIT "C"

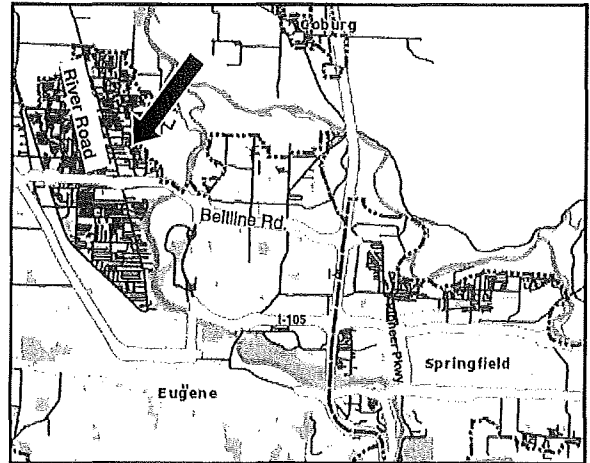
Release, Dedication, and Acceptance
Parcel "C" of Silver Acres

PORTION OF LENOX ROAD—COUNTY ROAD NUMBER 1441

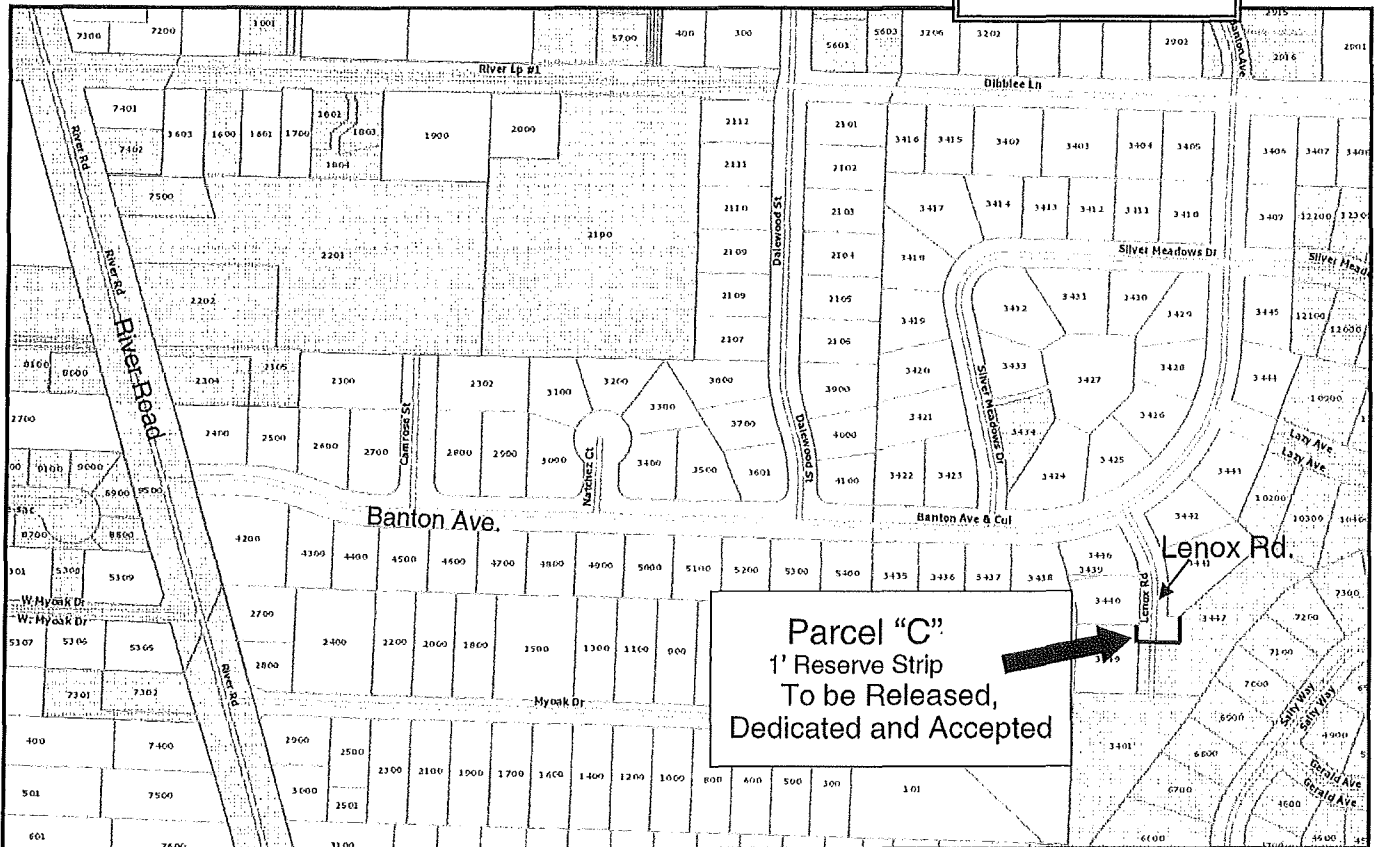
NW ¼ Section 12, T. 17 S., R. 4 W. W.M.
Lane County



NO SCALE



VICINITY MAP



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Approved this 17th day of March, 2015



Jay Bozievich
Chair, Lane County Board of Commissioners



STATE OF OREGON)
COUNTY OF LANE) ss.

On 3/17, 2015, personally appeared the above-named Jay Bozievich, as Chair of the Lane County Board of Commissioners, and acknowledged the foregoing instrument to be their voluntary act before me.



NOTARY PUBLIC FOR OREGON
My Commission Expires: 5/30/2016