

W.H.C.



Memorandum Date: August 22, 2006
Order Date: August 30, 2006

TO: Board of County Commissioners

DEPARTMENT: Public Works Dept./Land Management Division

PRESENTED BY: BILL VANVACTOR, COUNTY ADMINISTRATOR
KENT HOWE, PLANNING DIRECTOR

AGENDA ITEM TITLE: In the Matter of Considering a Ballot Measure 37 Claim and Deciding Whether to Modify, Remove or Not Apply Restrictive Land Use Regulations in Lieu of Providing Just Compensation (PA06-5071, de Palma)

I. MOTION

Move to approve the Measure 37 Claim and adopt the order attached to this memo.

II. AGENDA ITEM SUMMARY

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

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

Applicant: Melissa Sjostrom

Current Owner: Alexandra de Palma

Agent: Joshua Clark

Map and Tax lot: 16-07-11 #800

Acreage: approximately 37 acres.

Current Zoning: E40 (Exclusive Farm Use)

Date Property Acquired: October 10, 1976 (WD #7961778)

Date claim submitted: The applicant submitted this claim on January 13, 2006, and placed it on hold that same day. The 180-day processing deadline is August 30, 2006.

Land Use Regulations in Effect at Date of Acquisition: Unzoned.

Restrictive County land use regulation: Minimum parcel size of forty acres and limitations on new dwellings in the E40 zone (LC 16.212).

B. Policy Issues

This claim does not involve any administrative policy or objective.

C. Board Goals

The public hearing will provide an opportunity for citizen participation in decision making, in conformance with the overall goals of the Lane County Strategic Plan.

D. Financial and/or Resource Considerations

The applicant has requested compensation, of \$165,000 or a waiver of the E40 (Exclusive Farm Use) zone regulations that prohibit the division of the property into lots smaller than forty acres and construction of a dwelling on each lot.

E. Analysis

The applicant has paid the processing fee and submitted information addressing all of the Lane Code submittal requirements, including a title report, deeds and an appraisal.

The property is zoned E40 (Exclusive Farm Use) and contains approximately 37. This zone requires forty acres for new lots and a special use permit for a dwelling. The owner wishes to divide the property into lots containing less than forty acres and place a dwelling on each lot. The property was unzoned when it was acquired in 1976. The minimum lot size and limitation on new dwellings prevent the current owner from developing the property as allowed in 1976.

The current owner is Alexandra de Palma. She acquired an interest in the property on October 10, 1976 (WD 7961778). Ms. de Palma has given her daughter, Melissa Sjostrom, power of attorney, as evidenced by Instrument #2005-073014.

The applicant has stated a specific number of lots will be created. If the Board determines this claim is valid and the order attached to this report is adopted, the minimum lot size of the E40 zone will be waived. This means the size and number of lots that could be created would be limited by

current health and safety regulations, or other regulations that are not identified in this claim as reducing the fair market value of the property.

To have a valid claim against Lane County under Measure 37 and LC 2.700 through 2.770, the applicant must prove:

1. Lane County has enacted or enforced a restrictive land use regulation since the owner acquired the property, and
2. The restrictive land use regulation has the effect of reducing the fair market value of the property, and
3. The restrictive land use regulation is not an exempt regulation as defined in LC 2.710.

Restrictive Regulations

The current owner is Alexandra de Palma. She acquired the property on October 10, 1976, when it was unzoned. The current E40 (Exclusive Farm Use) zone limits dwellings and requires at least 40 acres for new parcels. Because of these limitations, Alexandra de Palma is prevented from developing the site as might have been allowed in when she acquired the property.

The applicant has identified LC 10.100 as the restrictive regulations. According to Ord. No. 884, effective March 29, 1984, LC 16.212 is applicable to this property. LC Chapter 10 is applicable inside an urban growth boundary and is not applicable to the subject property. Despite this, the current E40 (Exclusive Farm Use) zone restrictions appear to be more restrictive than the applicable regulations when Alexandra de Palma acquired the property.

Reduction in Fair Market Value

The applicant has submitted an appraisal by a certified real estate appraiser. Based on the appraisal, the alleged reduction in value is \$165,000. The Board must determine if this evidence demonstrates a reduction in fair market value from enforcement of a restrictive land use regulation.

Exempt Regulations

The E40 (Exclusive Farm Use) zone limitation on new dwellings, and the minimum parcel size of 40 acres do not appear to be exempt regulations described in Measure 37 or LC 2.710.

Conclusion

It appears this is a valid claim if the Board determines the submitted evidence demonstrates a reduction in fair market value resulting from enforcement of a restrictive land use regulation.

F. Alternatives/Options

The Board has these options:

- Determine the application appears valid and adopt the order attached to this report.
- Require more information regarding the reduction in value or ownership.
- Conclude the application is not a valid claim and direct the issuance of a final written decision by the County Administrator denying the Claim.

V. TIMING/IMPLEMENTATION

If the Board determines this is a valid claim and waives a land use regulation, the claimant must receive a similar waiver from the state before a land use application and/or development proposal is submitted.

VI. RECOMMENDATION

If the Board determines the submitted evidence demonstrates a reduction in fair market value resulting from enforcement of a restrictive land use regulation, the County Administrator recommends the Board waive the minimum lot size and dwelling restrictions of the E40 (Exclusive Farm Use) zone.

VII. FOLLOW-UP

No other action is required.

VII. ATTACHMENTS

- Draft order to approve the claim of Alexandra de Palma
- Vicinity Map.
- Submittal dated January 12, 2006.
- Submittal dated May 5, 2006.
- Ord. No. 884 and zoning map #125.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY,
OREGON**

ORDER No.) IN THE MATTER OF CONSIDERING A BALLOT
) MEASURE 37 CLAIM AND DECIDING
) WHETHER TO MODIFY, REMOVE OR NOT
) APPLY RESTRICTIVE LAND USE
) REGULATIONS IN LIEU OF PROVIDING JUST
) COMPENSATION (Alexandra de Palma/
) PA06-5071).

WHEREAS, the voters of the State of Oregon passed Ballot Measure 37 on November 2, 2004, which added provisions to Oregon Revised Statutes (ORS) Chapter 197 to require, under certain circumstances, payment to landowners if a government land use regulation restricts the use of private real property and has the effect of reducing the property value; and

WHEREAS, the Board of County Commissioners of Lane County enacted Ordinance No. 18-04 on December 1, 2004, to establish a real property compensation claim application process in LC 2.700 through 2.770 for Ballot Measure 37 claims; and

WHEREAS, the County Administrator has reviewed an application for a Measure 37 claim submitted by Alexandra de Palma (PA06-5071), the owner of real property described in the records of the Lane County Assessor as map 16-07-11, tax lot 800, consisting of approximately 37 acres in Lane County, Oregon; and

WHEREAS, the County Administrator has determined that the application appears to meet all of the criteria of LC 2.740(1)(a)-(d), appears to be eligible for just compensation and appears to require modification, removal or not applying the restrictive land use regulations in lieu of payment of just compensation and has referred the application to the Board for public hearing and confirmation that the application qualifies for further action under Measure 37 and LC 2.700 through 2.770; and

WHEREAS, the County Administrator has determined under LC 2.740(4) that modification, removal or not applying the restrictive land use regulation is necessary to avoid owners entitlement to just compensation under Ballot Measure 37 and made that recommendation to the Board; and

WHEREAS, the Board has reviewed the evidence and confirmed the application appears to qualify for compensation under Measure 37 but Lane County has not appropriated funds for compensation for Measure 37 claims and has no funds available for this purpose; and

WHEREAS, on August 30, 2006, the Board conducted a public hearing on the Measure 37 claim (PA06-5071) of Alexandra de Palma and has now determined that the restrictive E40 (Exclusive Farm Use) zone dwelling and land division requirements of LC 16.212 were enforced and made applicable to prevent Alexandra de Palma from developing the property as might have been allowed at the time it was acquired on October 10, 1976, and that the public benefit from application of the current E40 restrictions on new dwellings to the applicants' property is outweighed by the public burden of paying just compensation; and

WHEREAS, Alexandra de Palma requests either \$165,000 as compensation for the reduction in value of her property, or waiver of all land use regulations that would prevent the division of the land into lots containing less than 40 acres and placement of a dwelling on each lot, uses that could have otherwise been allowed at the time she acquired the property; and

WHEREAS, the Board finds that under LC 2.760(3) the public interest would be better served by modifying, removing or not applying the challenged land use regulations of the E40 zone to the subject property in the manner and for the reasons stated in the report and recommendation of the County Administrator incorporated here by this reference except as explicitly revised here to reflect Board deliberation and action to allow Alexandra de Palma to make application for development of the subject property in a manner similar to what she could have been able to do under the regulations in effect when she acquired the property; and

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

NOW, THEREFORE IT IS HEREBY ORDERED that the applicant Alexandra de Palma made a valid claim under Ballot Measure 37 by describing the use being sought, identifying the county land use regulations prohibiting that use, submitting evidence that those land use regulations have the effect of reducing the value of the property, showing evidence that she acquired the property before the restrictive county land use regulations were enacted or enforced and the Board hereby elects not to pay just compensation but in lieu of payment, the request of Alexandra de Palma shall be granted and the restrictive provisions of LC 16.212 that prevent the division of the land into lots containing less than forty acres and placement of a dwelling on each lot in the E40 (Exclusive Farm Use) Zone shall not apply to Alexandra de Palma, so that she can make application for approval to develop the property described in the records of the Lane County Assessor as map 16-07-11, tax lot 800, in a manner consistent with the land use regulations in effect when she acquired the property on October 10, 1976.

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

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

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

DATED this _____ day of _____, 2006.

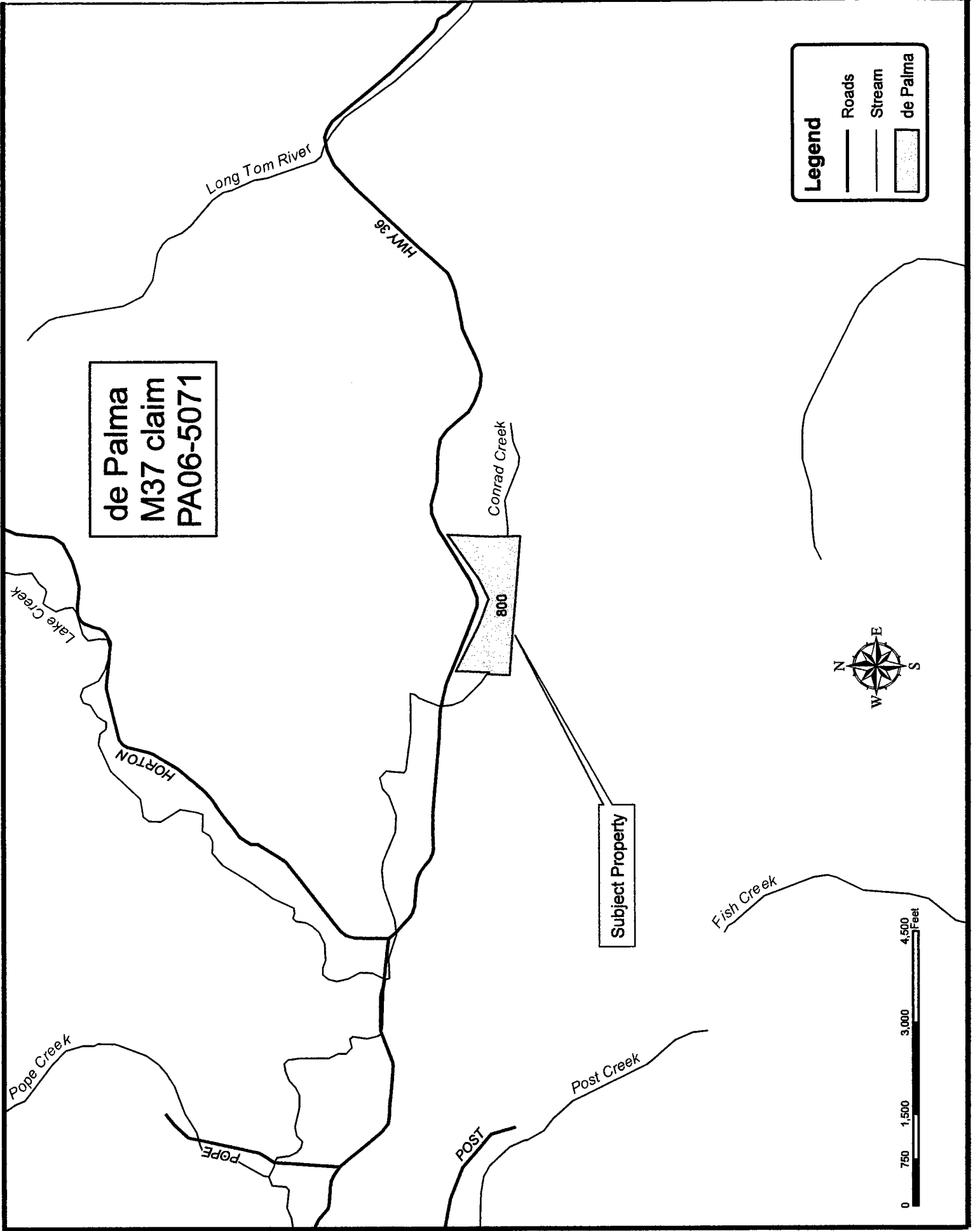
Bill Dwyer, Chair
Lane County Board of County Commissioners

APPROVED AS TO FORM

Date 8-22-2006 Lane County



OFFICE OF LEGAL COUNSEL



de Palma
M37 claim
PA06-5071

Subject Property

POST

Conrad Creek

Fish Creek

Post Creek

Pope Creek

POPE

HORTON

Lake Creek

Long Tom River

HWY 36

Legend

- Roads
- Stream
- de Palma



REC'D JAN 13 2006

Gleaves
Swearingen
Potter &
Scott LLP

January 12, 2006

Lane County Land Management Division
125 East 8th Avenue
Eugene, OR 97401

Re: Measure 37 Claim

Dear Land Management Division:

Enclosed for filing is one completed Measure 37 application (less the fee and appraisal), along with supporting documents and an Agreement To Suspend Timelines In Measure 37 Claim form. Please file the claim and hold for processing, pending the decision on the McPherson case. Please let me know if you need any additional materials at this time, or if you have any questions.

Very truly yours,



Joshua A. Clark
clark@orbuslaw.com

JAC:gdm
Enclosures

cc: Client (w/encls.)

Phone:
(541) 686-8833
Fax:
(541) 345-2034

975 Oak Street
Suite 800
Eugene, Oregon
97401-3156

Mailing Address:
P.O. Box 1147
Eugene, Oregon
97440-1147

Email:
info@orbuslaw.com
Web-Site:
www.orbuslaw.com

Sean M. Bannon
Frederick A. Batson
Jon V. Buerstatte
Joshua A. Clark
A. J. Giustina
Thomas P. E. Herrmann*
Kristin E. Kernutt
Stephen O. Lane
William H. Martin*
Laura T. Z. Montgomery*
Tanya C. O'Neil
Standlee G. Potter
Ian T. Richardson
Martha J. Rodman
Douglas R. Schultz
Malcolm H. Scott
James W. Spickerman
Kate A. Thompson
Jane M. Yates

*Also admitted
in Washington

Application for Claims Under LC 2.700 through 2.770

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

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

1. Applicant/ Agent

Melissa Sjostrom 2412 Highway 36, Blachly, OR 97412 541-925-3130
Applicant Name (Please Print) Mailing Address Phone

Joshua A. Clark 975 Oak Street, Suite 800, Eugene, OR 97401 541-686-8833
Agent Name (Please Print) Mailing Address Phone

2. Property Owner

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

Alexandra de Palma 2412 Hwy 36, Blachly, OR 97412 541-925-3130
Property Owner Name (Please Print) Mailing Address Phone

Property Owner Name (Please Print) Mailing Address Phone

3. Legal Description

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

Assessor Map & Tax Lot Map 16-07-11 #800

Street Address 2412 Hwy 36, Blachly, OR 97412 Legal Description Attached No

4. Identification of Imposed Land Use Regulation

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

EC 10.100 (4, 16.82), LC Revised Subdivision Ordinance, Ordinance 695 (9/10/79);

Ordinance 884 (2/29/84).

5. Title Report

Please attach a Preliminary Title Report showing title history and continuous ownership traced to the earliest family member ownership, the date of current owner(s) acquisition and all current interests of record for the subject property, issued within 30 days of the application submittal. Provide copies of relevant deeds.

Deed attached. Acquisition date October 10, 1976. See also research request letter dated November 9, 2005. (PA 05-6525)

6. Appraisal/Regulatory Effect

Please provide one original, signed appraisal prepared by an appraiser licensed by the Appraiser Certification and Licensure Board of the State of Oregon addressing the requirements of provisions added to ORS Chapter 197 by Ballot Measure 37 (November 2, 2004) and indicating the amount of the alleged reduction in fair market value by showing the difference in the fair market value of the property before and after the application of the challenged regulations as of the date the owner makes written demand for compensation. Include all of the supporting methodology, assumptions and calculations affecting the appraisal.

N/A

7. Leases, Covenants, Conditions and Restrictions

Please provide copies of any leases or covenants, conditions and restrictions applicable to the subject property.

N/A

8. Identification of Relief Sought

Please specifically indicate what relief is being sought, either a monetary value of the claim describing the reduction in fair market value of the property or the specific use authorization sought in any waiver of the land use regulation.

Applicant requests a waiver of the regulations in Section 4 and any other Lane

County land use regulations that would prevent applicant from dividing the subject

property into four parcels for sale.

I (we) have completed all of 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 on behalf of all those with an interest in the property and all the owner(s) agree to this claim as evidenced by the signature of those owner(s) below. Include additional signatures, as necessary.

Entry by County or its designee upon the subject property is authorized by the owner(s) and the owner(s) consent to the application for claims under provisions added to ORS Chapter 197 by Ballot Measure 37 (November 2, 2004).

Alexandra de Palma ~~DTT~~
by Mehna Gostom
Owner(s) Signature Power of Attorney

01/06/06
Date

JOSHUA A. CLARK OSB# 98196 - PHONE 686-8833
JAC
Applicant/Agent Signature

1/12/06
Date

The following contacts are provided to assist you in finding the necessary information for this application.

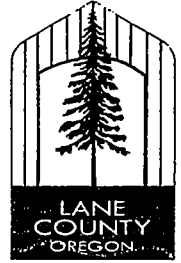
For zoning and land use information, please contact the Land Management Division at 682-3577.

This phone contact is a message line. Please leave a message and a Planner will return your call.

For deeds and records information, please contact Lane County Deeds and Records at 682-3654.

November 9, 2005

Melissa Sjostrom
21412 Highway 36
Blachly, OR 97412



LAND MANAGEMENT DIVISION
http://www.LaneCounty.org/PW_LMC

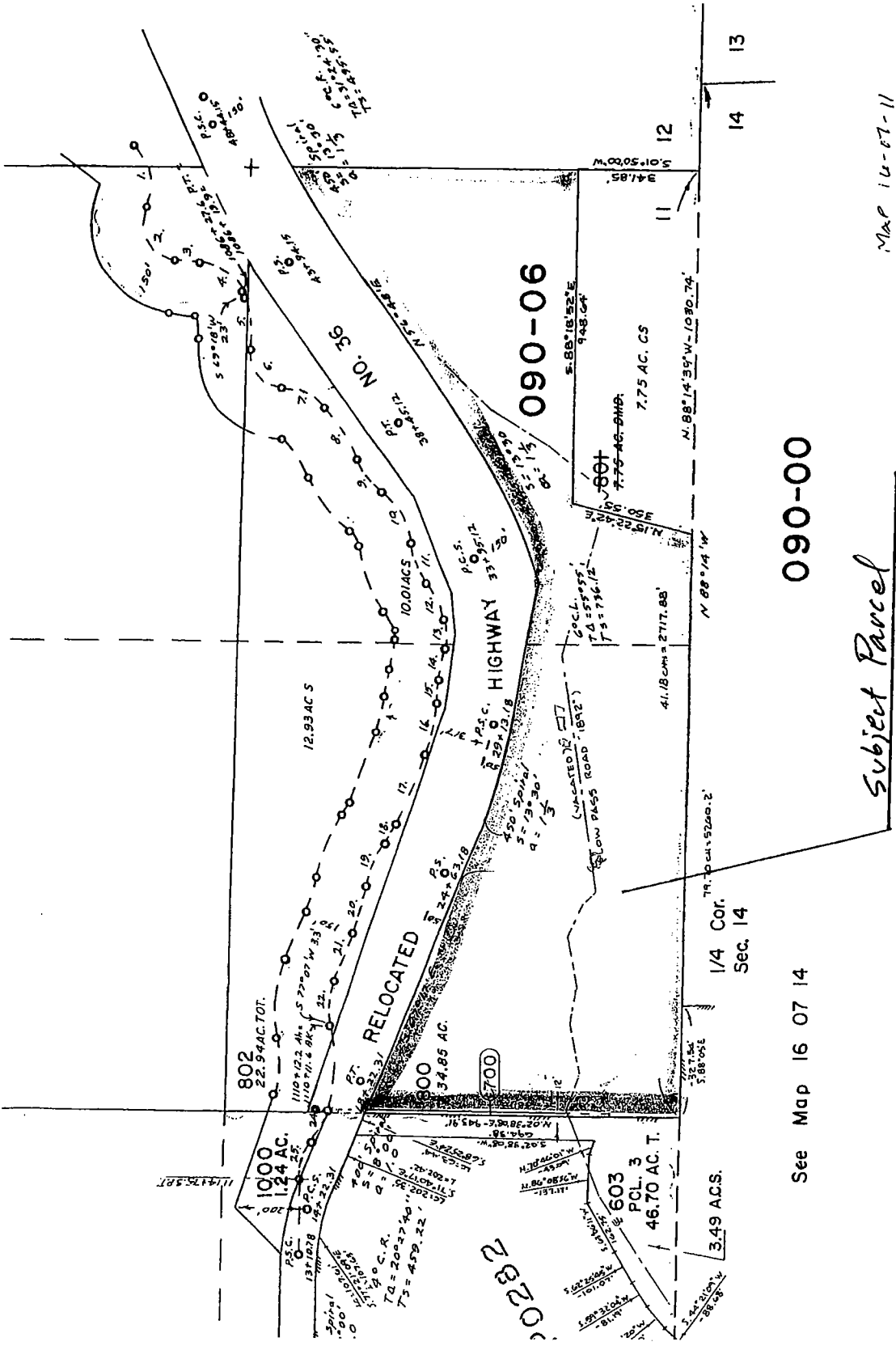
Re: Research Request PA 05-6525
Map 16-07-11 #800

On October 13, 2005 you submitted a "Request for Research of Public Records" to the Land Management Division. The information requested was stated as: "Want to know the zoning prior to 1970 – are looking into separating current property into 4 lots divided amongst family of owner as to Measure 37." I have researched the available records with the following results:

- There were no zoning restrictions in place prior to 1979. Land divisions in excess of 3 parcels per calendar year were regulated by the Lane County Revised Subdivision Ordinance.
- The subject property, Map 16-07-11 #800, was unzoned until the Exclusive Farm Use District (EFU) was applied by Ordinance 695, effective on September 10, 1979. The property was rezoned to its' current zoning, Exclusive Farm Use Zone (E40), by Ordinance 884 on February 29, 1984.

Please call if I can be of further assistance.

Thom Lanfear
Associate Planner
Land Management Division
(541) 682-4054



090-00

Subject Parcel

See Map 16 07 14

MAP 14-07-11

1/4 Cor.
Sec. 14

11

12

14

13

7961778

WARRANTY DEED - STATUTORY FORM
INDIVIDUAL GRANTOR

Mrs. Thomas F. Alexander (also known as Alexandra) Grantor,
conveys and warrants to her daughter, Alexandra Childress, known also to be
known as Alexandra de Palma (Legal Name Change)
Grantee, the following described real property free of encumbrances
except as specifically set forth herein situated in Clatsop County, Oregon, to-wit:

The home place, tax lot # 16-07-11-00-008-55, 53 Acres
Plus adjoining acreage lot # 16-07-14-00-001-163.35 acres
and all contracts not paid, plus all liens and
possessions, inclusive.

The said property is free from encumbrances except

No exceptions

E 5 • 12-19-1972 0000350

The true consideration for this conveyance is \$10,000 (Here comply with the requirements of ORS 93.030)
and said consideration is being paid for the love and affection of my daughter Alexandra
and myself. Myself and my daughter shall have no further say in this conveyance
shall be liable to have and my wife with her consent and assent
Dated this 10th day of October, 1976

Alexandra Childress

STATE OF OREGON, County of Clatsop, ss. Oct 10, 1976
the above named Mrs. Thomas F. Alexander (Grantor)

and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: Laurie C. Bergeson
Notary Public for Oregon—My commission expires: Mar. 8 - 1978

WARRANTY DEED

GRANTOR

GRANTEE

GRANTEE'S ADDRESS, ZIP

After recording return to:

Alexandra de Palma
Indian Smoke Ranch -
21412 Hwy 36 -
Beachley, Ore - 97412
NAME, ADDRESS, ZIP

Un-
she ALEXANDRA DE PALMA statements
INDIAN SMOKE RANCH ss:
21412 HWY. 36 975-3130
BEACHLEY, ORE. 97412
NAME, ADDRESS, ZIP

STATE OF OREGON

State of Oregon,
County of Lane—ss.
I, D.M. Penfold, Director of the Depart-
ment of General Services, in and for the said
County, do hereby certify that the within
instrument was received for record at

12 OCT 29 1976

1029

Clatsop County OFFICIAL RECORDS
D.M. Penfold, Director of the Department of
General Services.

By [Signature]
Deputy

CR-63

7961778



POWER OF ATTORNEY

Alexandra de Palma
21412 Hwy 36
Blachly OR 97412

To
Melissa Sjoström
21412 Hwy 36
Blachly OR 97412

After recording, return to (Name, Address, Zip):
Melissa Sjoström
21412 Hwy 36
Blachly OR 97412

Division of Chief Deputy Clerk
Lane County Deeds and Records

2005-073014



\$31.00

09/15/2005 04:00:31 PM

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

FOR RECORDER'S USE

No. _____, Records of this County.

Witness my hand and seal of County affixed.

NAME _____ TITLE _____
By _____, Deputy.

KNOW ALL BY THESE PRESENTS, that I, Alexandra de Palma

have made, constituted and appointed, and by these presents do make, constitute and appoint my only child, Melissa Sjoström my true and lawful attorney in fact ("my attorney"), for me and in my name, place and stead, and for my use and benefit:

- (1) To lease, let, grant, bargain, sell, contract to sell, convey, exchange, remise, release and dispose of any real or personal property of which I am now or hereafter may be possessed, or in which I may have any right, title or interest, including rights of homestead, for any price or sum, and upon such terms and conditions as to my attorney may seem proper;
- (2) To take possession of, manage, maintain, operate, repair and improve any and all real or personal property now or hereafter belonging to me, to pay the expense thereof, to insure and keep the same insured, and to pay any and all taxes, charges and assessments that may be levied or imposed upon any thereof;
- (3) To buy, sell and generally deal in and with goods, wares and merchandise of every name, nature and description, and to hypothecate, pledge and encumber the same;
- (4) To buy, sell, assign, transfer and deliver all or any shares of stock in my name in any corporation for any price, and upon such terms as to my attorney may seem proper, and to receive and make payment therefor;
- (5) To borrow any sums of money on such terms and at such rates of interest as to my attorney may seem proper, and to give security for the repayment of the same;
- (6) To ask for, demand, recover, collect and receive all moneys, debts, rents, dues, accounts, legacies, bequests, interests, dividends and claims whatsoever which are now or which hereafter may become due, owing and payable or belonging to me, and to have, use and take all lawful ways and means in my name for the recovery of any thereof by attachments, levies or otherwise;
- (7) To prepare, execute and file any proof of debt and other instruments in any court and to take any lawful proceedings in connection with any sum of money or demand due or payable to me, and in any proceedings, to vote in my name for the election of any trustee(s), and to demand, receive and accept any dividend or distribution whatsoever;
- (8) To adjust, settle, compromise or submit to arbitration any account, debt, claim, demand or dispute, as well as matters which now exist or hereafter may arise between me or my attorney and any other person or persons;
- (9) To sell, discount, endorse, negotiate and deliver any check, draft, order, bill of exchange, promissory note or other negotiable paper payable to me, and to collect, receive and apply the proceeds therefrom for my use for any lawful purpose; to pay to or deposit the same or any other sum of money coming into the hands of my attorney into checking and into savings accounts in my name with any bank or banker of my attorney's selection, and to draw out moneys deposited to my credit with any bank, by check or otherwise, including deposits in savings accounts, and to apply the same for any of the purposes of my business as my attorney may deem proper; to purchase and sell certificates of deposit; to appoint any bank or trust company as escrow agent; to transfer any asset of mine into any form or sort of trust; and, generally, to conduct any and all banking transactions on my behalf;
- (10) To make, execute and deliver any and all manner of contracts with reference to minerals, oil, gas, oil and gas rights, rents and royalties, including agreements facilitating exploration for and discovery of oil, gas, minerals and deposits;
- (11) To commence and prosecute, and to defend against, answer and oppose all actions, suits and proceedings concerning any matters in which I am or hereafter may be interested or concerned;
- (12) To vote any stock in my name as proxy;
- (13) To have access to any safe deposit box which has been or may be rented in my name or in the name of myself and any other person or persons;

(OVER)



(14) In connection with any of the powers herein granted, to sign, make, execute, acknowledge and deliver in my name any and all deeds, contracts, bills of sale, leases, promissory notes, drafts, acceptances, evidences of debt, obligations, mortgages, pledges, satisfactions, releases, acquittances, receipts, bonds, writs and any and all other instruments whatsoever, with such general or special agreements and covenants, including those of warranty, as to my attorney may seem proper;

(15) To employ, pay and discharge any person, including legal counsel, in connection with the exercise of any power granted by this instrument;

(16) To complete, amend, execute and deliver any tax return or form of any nature whatsoever; to pay any tax due or collect any tax refund due; to make and respond to lawful inquiries from any taxing authority in connection with any power granted herein;

(17)

(18) Generally, to conduct, manage and control all of my business and my property, wheresoever situated, as my attorney may deem for my best interests, hereby releasing all third persons from responsibility for the acts and omissions of my attorney.

I hereby give and grant unto my attorney full power and authority freely to do and perform every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes, as I might or could do if personally present, hereby ratifying and confirming all that my attorney shall lawfully do or cause to be done by virtue hereof.

In construing this power of attorney, it is to be understood that the undersigned may be more than one person or a corporation, and where the context so requires, the singular includes the plural, and all grammatical changes shall be implied to make the provisions hereof apply equally to the corporations and to individuals.

This power shall take effect (delete inapplicable phrase):

a) on the date next written below;

~~b) if given by an individual, on the date that individual shall be adjudged incompetent by a court of proper jurisdiction.~~

If neither phrase is deleted, this power shall take effect on the date next written below.

My attorney and all persons unto whom these presents shall come may assume that this power of attorney has not been revoked until given actual notice either of such revocation or of my death.

IN WITNESS WHEREOF, I have signed this instrument, or if a corporation, caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors, on Aug 23, 04

Alexandra de Palma

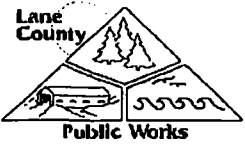
STATE OF OREGON, County of Lane
This instrument was acknowledged before me on August 23rd, 2004
by Alexandra de Palma

This instrument was acknowledged before me on August 23rd, 2004
by Matt Krieger
as Notary Public
of Eugene, OR



Matt Krieger
Notary Public for Oregon
My commission expires Sept 13, 2006

PUBLISHER'S NOTE: Use of this form in connection with real estate may subject the user to real estate licensing requirements. To avoid the need to comply with those requirements: 1) record this form in the county or counties where the real estate is located; 2) specify the address(es) of the property to be managed, controlled, and/or sold; and 3) state that the agent, in dealing with the real property, may not receive any compensation that would require the agent to be licensed under ORS 696 or other applicable law.



LANE COUNTY RECEIPT

RECEIPT NUMBER: R06003148

05-09-2006

PLANNING ACTION #: PA065071

TYPE: Measure 37 Claim
SITE ADDRESS: 21412 HWY 36 BLA
PARCEL: 16-07-11-00-00800
APPLICANT: SJOSTROM MELISSA
CLARK JOSHUA A
2412 HWY 36
BLACHLY OR
97412
925-3130

Type	Method	Description	Amount
Payment	Check	8883	850.00
		Description	Current Pymt
		3040 Planning Hrg Official	850.00

PAID BY: GLEAVES SWEARINGEN POTTER & SCOTT LLP

MAY 9 REC'D

MAY 9 RECD

May 5, 2006

Lane County Land Management Division
125 East 8th Avenue
Eugene, OR 97401

RE: Ballot Measure 37 Claim (PA06-5071, de Palma). Map 16-07-11; tax lot 800

Dear Lane County Land Management:

We received your letter of April 13, 2006, requesting supplemental materials to support the above-referenced claim for processing. Accordingly, we enclosed the following:

1. Land Appraisal Report, by Robert A. Gentile. The appraisal sets forth a value differential of \$165,000, based on the current allowed use versus the proposed development.

2. Status of Record Title Report. The report shows the current land owner as "Juanita Catherine Palmer" aka "Alexandra de Palma", and sets forth exceptions of record. If you need copies of the underlying documents to complete your analysis, let us know and we will order them from Cascade Title Co. You already have a copy of the vesting deed, dated October 10, 1976, which shows when our client acquired her property. There have been no intervening owners - the deed you have is the last deed of record. There are no leases that apply to the property that would affect value.

3. Our client's development plans are described in the Appraisal. In short, they wish to divided the current 37.12 parcel into four parcels, three of roughly 7+/- acres, and one (with the existing home site) of roughly 16.12 acres. They intend to build homes on the smaller parcels and sell them to family members or third parties.

4. Also enclosed is the initial \$850 application processing fee.

We will also be filing a claim with the State of Oregon. We look forward to receiving your preliminary decision and encourage you to contact us to discuss any

Gleaves
Swearingen
Potter &
Scott LLP



ATTORNEYS
AT LAW

Phone:
(541) 686-8833
Fax:
(541) 345-2034

975 Oak Street
Suite 800
Eugene, Oregon
97401-3156

Mailing Address:
P.O. Box 1147
Eugene, Oregon
97440-1147

Email:
info@orbuslaw.com
Web-Site:
www.orbuslaw.com

Sean M. Bannon
Frederick A. Batson
Jon V. Buerstatte
Joshua A. Clark
A. J. Giustina
Thomas P. E. Herrmann*
Kristin E. Kernutt
Stephen O. Lane
William H. Martin*
Laura T. Z. Montgomery*
Tanya C. O'Neil
Standlee G. Potter
Ian T. Richardson
Martha J. Rodman
Douglas R. Schultz
Malcolm H. Scott
James W. Spickerman
Kate A. Thompson
Jane M. Yates

*Also admitted
in Washington

Lane County Land Management Division

May 5, 2006

Page - 2

aspect of this claim. We would be happy to provide you with any additional information you may need to complete your analysis.

Very truly yours,

A handwritten signature in black ink, appearing to read 'JAC', with a long horizontal flourish extending to the right.

Joshua A. Clark
clark@orbuslaw.com

JAC:gdm
Enclosures

cc: Client (w/o encls.)



MAY 9 REC'D

STATUS OF RECORD TITLE REPORT

GLEAVES, SWEARINGEN, POTTER & SCOTT, LLP
ATTN: JOSH CLARK
975 OAK STREET, SUITE 800
EUGENE, OR 97401

Our No: CT-0250198
Date: APRIL 28, 2006
Charge: \$200.00
Government Service Fee: \$25.00

As requested, Cascade Title Co. has searched our tract indices as to the following described real property:

(A T T A C H E D)

and as of: APRIL 25, 2006, at 8:00 A.M. we find the following:

Vestee:

JUANITA CATHERINE PALMER,
also known as ALEXANDRA DE PALMA

Said property is subject to the following on record matters:

- 1. Taxes, Account No. 1395092, Assessor's Map No. 16 07 11, #800, Code 90-06, 1990-1991, in the amount of \$883.76;
1991-1992, in the amount of \$722.33, BOTH DUE PLUS INTEREST.
2005-2006, in the amount of \$660.43, PAID IN FULL.
Taxes, Account No. 1471646, Assessor's Map No. 16 07 11, #800, Code 90-00, 2004-2005, in the amount of \$23.70;
2005-2006, in the amount of \$24.90, BOTH DUE PLUS INTEREST.
Taxes, Account No. 4229637, Assessor's Map No. 16 07 11, #800, Code 90-06, 2003-2004, in the amount of \$60.50;
2004-2005, in the amount of \$62.61;
2005-2006, in the amount of \$81.28, ALL DUE PLUS INTEREST. (Manufactured structure)

NOTE: Taxes, Account No. 0070332, Assessor's Map No. 16 07 11, #800, Code 90-00, 2005-2006, in the amount of \$58.41, PAID IN FULL.

Taxes, Account No. 1471638, Assessor's Map No. 16 07 11, #800, Code 90-06, 2005-2006, in the amount of \$30.59, PAID IN FULL.

- 2. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.

continued-

MAIN OFFICE * 811 WILLAMETTE ST. * EUGENE, OREGON 97401 * PH: (541) 687-2233
FLORENCE * 1901 HWY 101 - S. 2 * FLORENCE, OREGON 97439 * PH: (541) 997-8417
EUGENE FAX: 485-0307 * E-MAIL: info@cascadetitle.com * FLORENCE FAX: 997-8246

3. Lien Claim by the State of Oregon, Department of Revenue, by reason of Senior Citizens Deferral pursuant to the provisions of ORS 311.666 through 311.735, as disclosed by instrument recorded June 25, 1992, Reel No. 1771, Reception No. 9234803, Lane County Official Records.
4. Access Restrictions, including the terms and provisions thereof, contained in deed from D. D. Andrews, a single man, to the State of Oregon, by and through its State Highway Commission, recorded September 17, 1952, Reception No. 85255, Lane County Deeds and Records.
5. Easement, including the terms and provisions thereof, granted Bohemia, Inc., a corporation, by instrument recorded June 5, 1987, Reel No. 1461, Reception No. 8724012, Lane County Official Records.
6. Easements for utilities over and across the premises formerly included within the boundaries of Low Pass Road, now vacated, if any such exist, as disclosed by Lane County Tax Map.
7. Terms and provisions of reservation, set forth in Deed to Bohemia, Inc., recorded June 5, 1987, Reel No. 1461, Reception No. 8724012, Lane County Official Records.
8. Farm Use and Forest Management Easement, including the terms and provisions thereof, recorded September 16, 2004, Reception No. 2004-072497, Lane County Deeds and Records.
9. Right, title and interest of Melissa Melinda Sjostrom and Jeffery Shawn Sjostrom, disclosed by Lane County Assessment Records.
10. The interest, if any, disclosed in Item No. 9, is subject to the following:

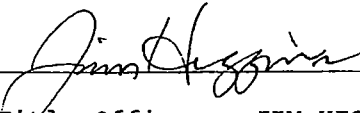
Lane County Warrant for collection of delinquent taxes on personal property, against Melissa Melinda Sjostrom & Jeffery Shawn Sjostrom, Warrant No. 340,567, recorded July 21, 2004, Reception No. 2004-057160, Lane County Official Records, in the amount of \$79.52, plus interest.

Lane County Warrant for collection of delinquent taxes on personal property, against Melissa Melinda Sjostrom & Jeffery Shawn Sjostrom, Warrant No. 345,133, recorded July 21, 2005, Reception No. 2005-055142, Lane County Official Records, in the amount of \$81.77, plus interest.

This report is to be utilized for information only. Any use of this report as a basis for transferring, encumbering or foreclosing the real property described will require prior notification to the undersigned and payment in an amount equivalent to applicable title insurance premiums as required by the rating schedule on file with the Oregon Insurance Division.

The liability of Cascade Title Co. is limited to the addressee and shall not exceed the premium paid hereunder.

CASCADE TITLE CO., by:


lw/Title Officer: JIM HIGGINS

PROPERTY DESCRIPTION

The South one-half of the Southeast one-quarter of Section 11, Township 16 South, Range 7 West, of the Willamette Meridian, in Lane County, Oregon.

EXCEPT: Commencing at the County Road on the South side of Section 11, Township 16 South, Range 7 West, of the Willamette Meridian, on the one-quarter line; run thence North 48 rods; thence East 12 feet on the one-quarter line; thence South 48 rods; thence West 12 feet to the point of beginning, in Lane County, Oregon, in Quitclaim Deed to Martha Pope, recorded January 13, 1915, in Book 105, Page 577, Lane County Oregon Deed Records.

EXCEPT: That portion conveyed to the State of Oregon, as recorded May 23, 1940, in Book 204, Page 306, Lane County Oregon Deed Records.

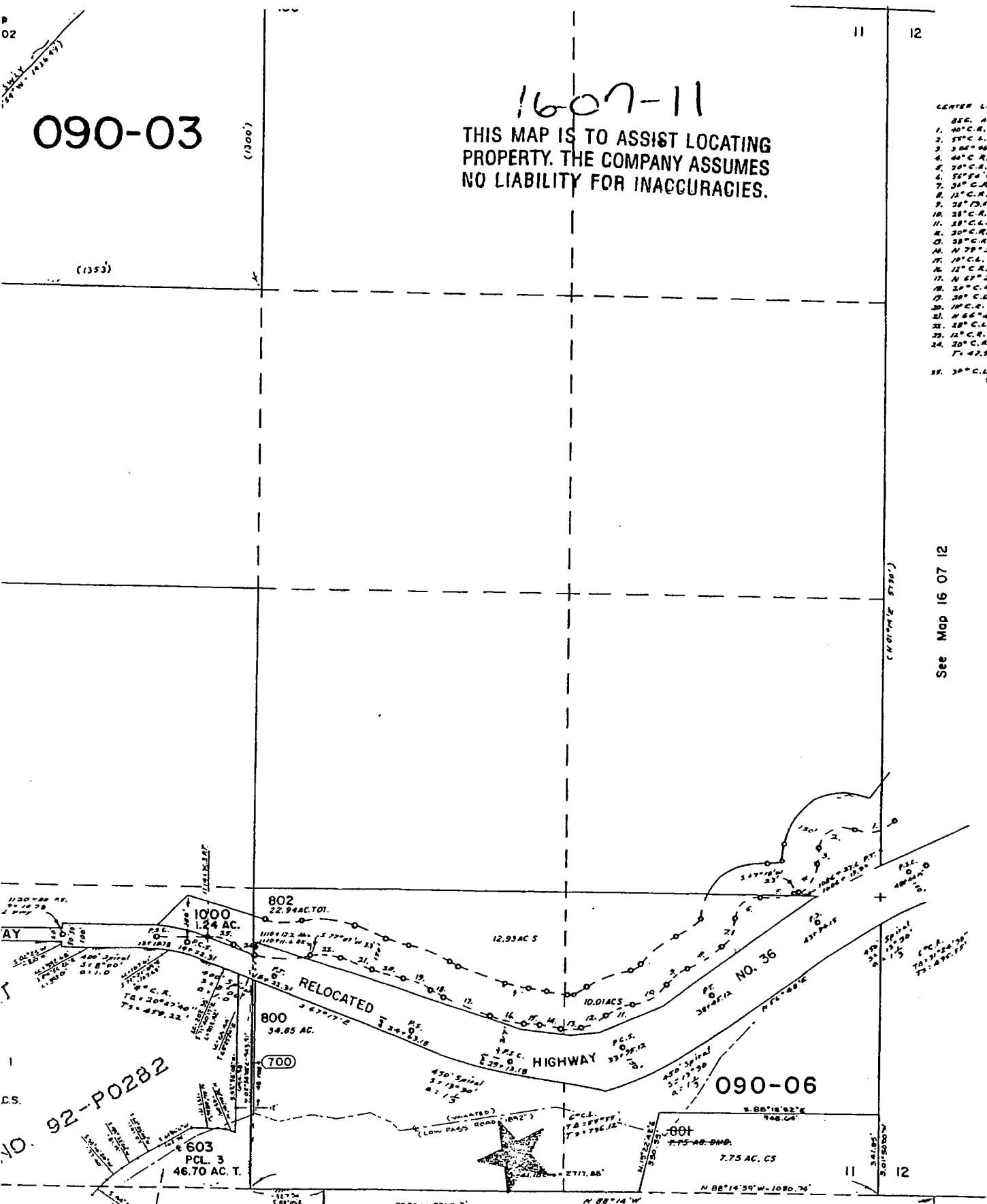
ALSO EXCEPT: That portion conveyed to the State of Oregon, by instrument recorded September 17, 1952, Reception No. 85255, Deed Records of Lane County, Oregon.

090-03

1607-11

THIS MAP IS TO ASSIST LOCATING PROPERTY. THE COMPANY ASSUMES NO LIABILITY FOR INACCURACIES.

- CENTER LINE - OLD
1. 40° C.R. 01 79° 01'
 2. 50° C.R. 01 111° 33'
 3. 30° C.R. 01 144° 30'
 4. 40° C.R. 01 22° 32'
 5. 20° C.R. 01 22° 35'
 6. 50° C.R. 01 22° 35'
 7. 30° C.R. 01 22° 35'
 8. 15° C.R. 01 21° 16'
 9. 20° C.R. 01 20° 30'
 10. 25° C.R. 01 19° 45'
 11. 20° C.R. 01 33° 56'
 12. 30° C.R. 01 23° 00'
 13. 20° C.R. 01 22° 02'
 14. 20° C.R. 01 22° 02'
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 23. 20° C.R. 01 22° 02'
 24. 20° C.R. 01 22° 02'
 25. 20° C.R. 01 22° 02'



See Map 16 07 12

LAND APPRAISAL REPORT

File No.

Borrower DePalma, Alexandra Census Tract 270123-00 Map Reference 160711 800
 Property Address 21412 HIGHWAY 36
 City Blachly County Lane State Or Zip Code 97412
 Legal Description Attached w/Deed
 Sale Price \$ Not Sold Date of Sale _____ Loan Term _____ yrs. Property Rights Appraised Fee Leasehold De Minimis PUD
 Actual Real Estate Taxes \$ 660.43 (yr) Loan charges to be paid by seller \$ Assume Other sales concessions _____
 Lender/Client Estate of Sjostrom Address c/o 21412 Highway 36, Blachly, Or 97412
 Occupant DePalma, Alexandra Appraiser Robert A. Gentile Instructions to Appraiser Market value of land assuming as is parcel size and completion of proposed division into 3 seven acre sites and 1 sixteen acre site remainder.

Location Urban Suburban Rural
 Built Up Over 75% 25% to 75% Under 25%
 Growth Rate Fully Dev. Rapid Steady Slow
 Property Values Increasing Stable Declining
 Demand/Supply Shortage In Balance Oversupply
 Marketing Time Under 3 Mos. 4-6 Mos. Over 6 Mos.

Present Land Use 10% 1 Family % 2-4 Family % Apts. % Condo % Commercial
% Industrial % Vacant 90% Vacant
 Change in Present Land Use Not Likely Likely (*) Taking Place (*)
 (*) From _____ To _____
 Predominant Occupancy Owner Tenant % Vacant
 Single Family Price Range \$ 65 to \$ 500+ Predominant Value \$ 200
 Single Family Age 0 yrs. to 100+ yrs. Predominant Age 20-60 yrs.

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

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise); See attached addenda.

Dimensions Metes and Bounds Attached = 37.12 Sq. Ft. or Acres Corner Lot
 Zoning classification E40 Exclusive Farm Use Present Improvements do do not conform to zoning regulations
 Highest and best use Present use Other (specify) See attached addenda.
 ELEC. Public Other (Describe) _____
 Gas None
 Water Private Source
 San. Sewer Private Septic Undergound Elect. & Tel.
 OFF SITE IMPROVEMENTS
 Street Access Public Private
 Surface Asphalt Street
 Maintenance Public Private
 Storm Sewer Curb/Gutter
 Sidewalk Street Lights

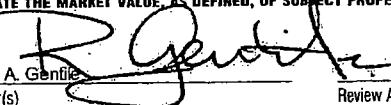
Topo Gentle mixed slope. Level and rolling.
 Size 37.13 Compatible with area mix.
 Shape Irregular
 View Local/Wooded
 Drainage Mixed good to poor. Mostly average to good. Typical for area.
 Is the property located in a HUD Identified Special Flood Hazard Area? No Yes

Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions): See attached addenda.

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

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	21412 HIGHWAY 36 Blachly, Oregon 97412	24763 Hall Road Cheshire, Oregon 97419	23850 Hwy 36 Cheshire, Oregon 97419	92600 Vogt Road Junction City, Oregon 97448
Proximity to Subject		8.48 miles	4.82 miles	6.56 miles
Sales Price	\$ Not Sold	\$ 125,000	\$ 82,000	\$ 259,000
Price	\$	\$	\$	\$
Data Source	County, Owner	Mls 4008219, Drive-by, County	Mls 5081703, Appraisal, County	
Date of Sale and Time Adjustment	DESCRIPTION 3/20/2006 Doa	DESCRIPTION 10/04 Cl 191 Dom	DESCRIPTION 1/06 Cl 7 Dom	DESCRIPTION Conventional
Location	Avg Rural	Closer Rural	Closer Rural	Closer in Rural
Site/View	7.0 Acres	5.02 Acres	28 Acres	25.5 Acres
Other	Level/Rolling	Level/Rolling	Level	Level/Rolling
Other	Local/Wooded View	Elevated/Local/Wdd	Local/Wooded View	Comparable
Other	Assume None	WII/Sptc/Pwr/Drwy	WII/Sptc/Drwy	WII/Sptc/Pwr/Drwy
Other			Shop	
Sales or Financing Concessions	Assume None Assume Cash Sale	None Cash to Seller	None Cash to Seller	None Cash to Seller
Net Adj. (Total)		<input type="checkbox"/> + <input type="checkbox"/> - : \$	<input type="checkbox"/> + <input type="checkbox"/> - : \$	<input type="checkbox"/> + <input type="checkbox"/> - : \$
Indicated Value of Subject		\$ 125,000	\$ 82,000	\$ 259,000

Comments on Market Data: See addenda discussing various programs of utilization and discussion of comparables.
 Comments and Conditions of Appraisal: Assumes division of site as described in addenda sections of this report

Final Reconciliation: Market value based on buyer/seller interaction (sales data) is the most reliable indicator of value and will be used to estimate the value of the subject. Contractors bids were not available for this assignment. Office records supported the estimate noted. The income approach to value was not completed. Supporting data incomplete. None of the sales reviewed were purchased for passive income production.
 I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF 3/20/2006 to be \$ 215,000
 Robert A. Gentile  Did Did Not Physically Inspect Property
 Appraiser(s) Review Appraiser (if applicable)

MAY

NEIGHBORHOOD

SITE

MARKET DATA ANALYSIS

RECONCILIATION

MAY 9 9:00 AM '06

Supplemental Addendum

File No.

Borrower/Client	DePalma, Alexandra		
Property Address	21412 HIGHWAY 36		
City	Blachly	County	Lane
		State	Or
		Zip Code	97412
Lender	Estate of Sjostrom		

• Land : Neighborhood Market Factors

Neighborhood Boundaries and Characteristics

Suburban and rural area extending from Elmira in the south, Monroe in the north, Noti/Walton/Horton/Triangle Lake in the west, and Highway 99 in the east. Includes the communities of Veneta, Elmira, Cheshire, Noti & various unincorporated communities along Hwy 36 and Hwy 126. This is a very large geographic area predominantly unincorporated and held in larger timber production and agricultural parcels.

Neighborhood Market Factors

The subject located in the unincorporated area west of Cheshire @ Mp 17 of Hwy 36. Much of the area is in held in larger tracts used for grazing or timber production (including x-mas trees). Small and medium size homesite parcels are typically located along the highway. Residential densities are low. Restrictive zoning will preclude significant increased in density. The area is served with private wells or springs for domestic water and private sewage disposal systems. Public bus transport beyond school buses is not available. Police protection is provided by Lane County and the Oregon State Police. Assessors records indicate the subject has a fire levy included in the annual tax amount. Volunteer fire departments serve the area. Such service levels are typical of unincorporated locations within Lane County. With the exception of convenience stores shopping and employment require travel to Eugene or Junction City. This is still a reasonable commute but it is certainly at the limit of what most would consider reasonable. Many do make the commute. This is clearly a rural area with many of the amenities provided by such a location.

The subjects immediate location is highly typical of many sections of the defined neighborhood. Site built and manufactured housing is interspersed on various size parcels. Consistent timber/agricultural and grazing usages noted in area. Subject site fronts on south side of HWY36 @ MP 17+. No adverse influences identified or expected. Typical location and site for area. Access to services is typical for the defined area. This is a gently rolling site with seasonal creeks bisecting portions of the site. Gentle rolling land. a slightly rolling irregularly shaped site. Contour not adverse. A year round creek bisects the subject site.

Effective demand for improved small acreage home site within a reasonable commuting distance to Eugene and Springfield has been and continues to be strong. Restrictive zoning make creation of new parcels difficult at best thereby increasing effective demand for existing properties. The subject should be readily received by the market if offered for sale. There are no adverse influences affecting the subject residence.

• Land : Other Highest & Best Use Explanation

Purpose of appraisal is to determine and compare values "as is" and assuming division of site into a total of 4 parcels as follows: Three 7+- acres homesites from the current 37.12 acre homesite leaving approximately 16.12 acres with the existing home. Its the appraisers understanding that my client is the current owner of the property and that this report is being competed to support a Measure 37 petition filed on behalf of the current owner of the subject property. This report is not being completed for mortgage lending purposes and should not be used for that purpose.

The current use is an allowable and replaceable use that satisfied all tests of highest and best use given current zoning.

• Land : Site Comments

Generally level and slightly rolling irregularly shaped parcel on south side of HWY 36 at mile post 37. Gravel and asphalt drive. Private well and septic systems were installed and are said to function properly for domestic use and to be wholly located on the subject site. Owner indicated both systems function properly. That is assumed accurate.

There were no obvious adverse easements or encroachments noted by the appraiser or related by the owner/occupant at time of inspection. Normal residential utility easements are assumed.

There is a second living unit on the subject site. Owner indicated it is a temporary hardship use for the benefit of the owners parent. This use does not effect value, marketability or highest and best use of the site.

The subjects current single family use reflects an allowable use of the site.

Further division of the site would create significantly higher land value. Reasonableness of further division is the subject of the Measure 37 claim filed by the owner of the subject property. All other tests of highest and best use are satisfied except government approval of the proposed division into additional building sites.

Multiple values will be estimated to reflect the varied usages possible.

• URAR: Condition of Improvements

A land report is being submitted with this measure 37 request.

Appraiser recognizes an improvement with remaining economic life and value exists on the site. The building is described below.

For the purposes of this appraisal request valuation of the improvements should not be necessary. The issue is value based upon various usages of the subject site.

Those varied usages are described elsewhere and are described as various additional building sites from the current 37.12 acre parcel.

1930 date of construction per county assessors records. Various portions of the building are in differing states of repair and effective age. Kitchen/dining/utility/bath/rec area have been renovated fairly recently. Some decking and exterior improvements

Supplemental Addendum

File No.

Borrower/Client	DePalma, Alexandra		
Property Address	21412 HIGHWAY 36		
City	Blachly	County	Lane
		State	Or
		Zip Code	97412
Lender	Estate of Sjostrom		

have been updated or are newer. Other portions of the home are in average condition and some are in below average to poor cosmetic condition. So its a mixed bag of condition, features and livability. Its a good prospect for completion of the renovation thats been started in the kitchen/dining room area.

Private well and septic systems assumed to function properly. Owners representative indicated absence of encroachments, easements or other encumbrances to use or utility of site.

The appraiser has not had access to title, structural, mechanical, environmental or termite and dry rot reports. The appraiser is not aware of any reports that have been completed. The appraiser is not an expert in any of these areas and cannot warrant the subject to be free of defect in any of these areas. During the course of the normal appraisal inspection significant defect was not noted by the appraiser in any of these areas. Given the age and apparent condition of the residence appraiser strongly recommends whole house inspection by professional licensed in the State of Oregon to perform such inspections. A signed off building permit is assumed for all additions and/or upgrades were such permitting and inspection is normally required. Composition building materials are present in various areas of the subjects construction. In some cases these materials have proven problematic. The appraiser is not an expert in these matters and cannot warrant the building to be free of defect. Appraiser is required to rely upon statements, maps and information provided by third party sources including the owner of the property. That information is assumed to be accurate and reliable but is not warranted by appraiser.

Land Sales and Land Value Estimate

Division of site is an assumption of this report. That assumption must include assumption of septic suitability of all proposed sites and completion of county partitioning process. Given the size of the original parcel, proposed parcels and observed characteristics of the site, septic suitability shouldn't be a problem. Survey work has not been completed. General location of proposed sites have been generally described to appraiser at time of inspection.

The following site sales were considered to support estimates of site values contained in this report:

26317 Alpine Road 3.75 acre site with home of no value, Alpine area
 18 06 17 403, 18.49 acre forest resource parcel, Cheshire/Junction City area
 18 07 05 502, 5.88 acre parcel, Walton area
 17 06 06 1700 + 1800, 9.83 parcel, Noti area
 18 08 07 150, 7.49 acre, Deadwood area
 17 08 04 1100, 7.34 acres Greenleaf area
 16 05 19 520, 5 acre, Cheshire/Junction City area
 15 06 36 602, 2.63 acre, Cheshire/Junction City area
 17 03 30 1403, 7.49 acres, Noti area
 16 06 27 906, Parcel #2, 4.15 acres, Cheshire/Junction City area
 16 06 13 315, 5.02 acres, Cheshire/Junction City area
 16 05 08 2500, 21.28 acres, Cheshire/Junction City area
 16 06 34 200, 28.04 acres, Cheshire/Blachly area

Sale #1 is a panhandle site with well, septic and residential utilities installed. Site more elevated than any portion of the subject site. Overstates value of proposed 7 acre sites due to due to location and residential amenities.

Sale #2 is an agricultural parcel with residential utilities installed and a mid life shop/barn. Residential improvements of little contributory value due to lack of allowable homesite utility. This parcel had its residential building permit revoked and site reverted to resource use only. Sold with the resource use as the highest and best use of site. Good sale to estimate value of excess acreage in the subjects area. Somewhat closer to HWY 99 but still a considerable commute.

Sale #3 is an agricultural parcel much closer to Eugene and Junction City. Residential improvements in place.

Sale #4 is a level parcel in Noti, Oregon. Septic approved. Rough driveway in Well drilled. Closer into Eugene. Older sale.

Sale #5 is further from Eugene. Remote area. Expired conditional use permit and septic suitability test. Lake Creek frontage.

These sales were not adjusted. They represent some of the data reviewed. They are presented to offer some discussion as to the basis of the estimated values of the proposed and residual parcels as discussed earlier.

Value of the proposed 7+- acre sites to be created are estimated to have a market value of between \$65,000 and \$80,000. Appraiser recognizes this represents the low end of the indicated range of value. Given the subjects location at MP 17 of Hwy 36 and the distances to shopping/employment opportunities and comparable sales data for properties in similar locations this value range is most reasonably supported. Please note sales reviewed included both higher land lower cost parcel. Given that specific parcel perimeters have not been identified an estimated value of \$72,500 per parcel is estimated. That indicates \$217,500 estimated market value for the 3 proposed 7+- acre sites. Development costs such as county fees for partition and septic suitability and associated survey and recording fees should be deducted. Estimates by county and surveyors should be acquired. Also, this is not a case where selling costs will be incurred. Parcels are being distributed to family members. Marketing costs would be included in the estimated value but the only cost to be actually incurred would be one or more of the following fees: title, escrow and recording fees.

The remaining 16.21 +- acre site is estimated at \$150,000 to \$175,000, say \$162,500, based upon comparables noted.

Total land value assuming program of utilization described is estimated at \$380,000 which includes costs to create parcels. A present value would deduct those costs. Estimates of costs should be acquired from county and surveyor engineers.

The estimated value of the 37.12 acre site is it currently exists assuming absence of site Development is placed at \$210,000 and \$220,000, say \$215,000.

LAND APPRAISAL REPORT MARKET DATA ANALYSIS

File No.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 4	COMPARABLE NO. 5	COMPARABLE NO. 6
Address	21412 HIGHWAY 36 Blachly, Oregon 97412	Noti Loop Noti Noti, Oregon 97487	170804 Tt1100, Hwy 36 Greenleaf, Oregon 97445	
Proximity to Subject		6.23 miles		
Sales Price	\$ Not Sold	\$ 77,500	\$ 60,000	\$
Price	\$	\$	\$	\$
Data Source	County, Owner	Mis 4049786, County, Drive-by	Mis 6914672, County, Drive-by	
Date of sale and Time Adjustment	DESCRIPTION	DESCRIPTION + (-)\$ Adjust.	DESCRIPTION + (-)\$ Adjust.	DESCRIPTION + (-)\$ Adjust.
	3/20/2006 Doa	11/04 Cl 66 Dom	4/05 Cl 406 Dom	
Location	Avg Rural	Closer Avg Rural	Avg Rrl, Further Out	
Site/View	7.0 Acres	7.49 Acres Mis	7.34 Acres Mis	
Other	Level/Rolling	Level	Level	
Other	Local/Wooded View	Local/Wooded View	Local/Wooded View	
Other	Assume None	Well Drilled	None	
Other				
Sales or Financing Concessions	Assume None Assume Cash Sale	None Known Cash to Seller	None Known Cash to Seller	
Net Adj. (Total)		<input type="checkbox"/> + <input type="checkbox"/> - \$	<input type="checkbox"/> + <input type="checkbox"/> - \$	<input type="checkbox"/> + <input type="checkbox"/> - \$
Indicated Value of Subject		\$ 77,500	\$ 60,000	\$
Comments:	<div style="display: flex; align-items: flex-start;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold; margin-right: 5px;">COMMENTS</div> <div style="border: 1px solid black; flex-grow: 1;"> <!-- This area is intentionally left blank for user input --> </div> </div>			

Subject Photo Page

Borrower/Client DePalma, Alexandra			
Property Address 21412 HIGHWAY 36			
City Blachly	County Lane	State Or	Zip Code 97412
Lender Estate of Sjostrom			

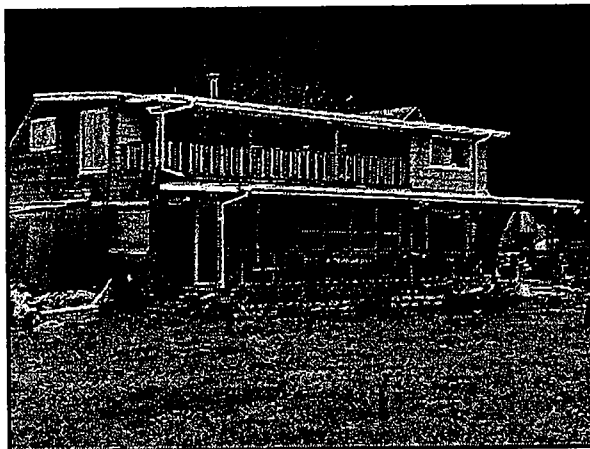


Subject Front

21412 HIGHWAY 36	
Sales Price	Not Sold
Gross Living Area	2,450
Total Rooms	8
Total Bedrooms	4
Total Bathrooms	3
Location	Avg Rural
View	7.0 Acres
Site	37.12 Acres
Quality	Average/Better
Age	1930



Subject Rear



Subject Street

Subject Photo Page

Borrower/Client DePalma, Alexandra				
Property Address 21412 HIGHWAY 36				
City Blachly	County Lane	State Or	Zip Code 97412	
Lender Estate of Sjostrom				



Subject Front

21412 HIGHWAY 36
Sales Price Not Sold
Gross Living Area 2,450
Total Rooms 8
Total Bedrooms 4
Total Bathrooms 3
Location Avg Rural
View 7.0 Acres
Site 37.12 Acres
Quality Average/Better
Age 1930



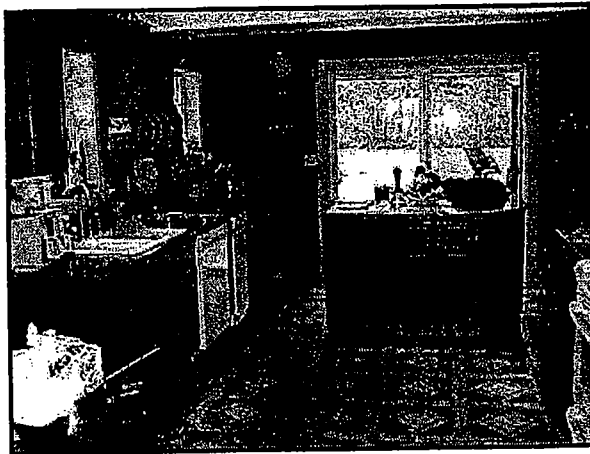
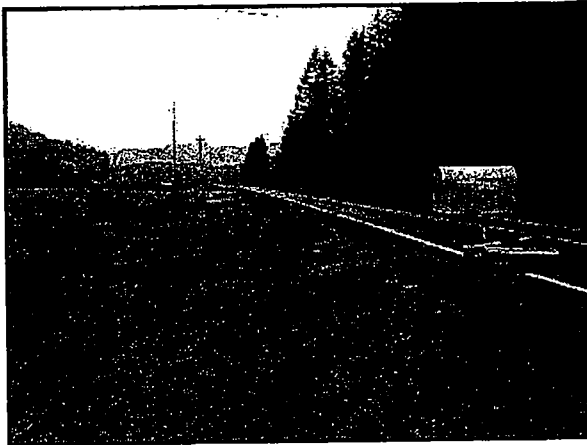
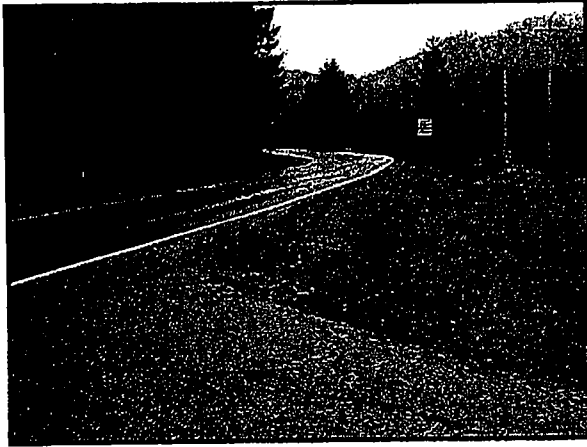
Subject Rear



Subject Street

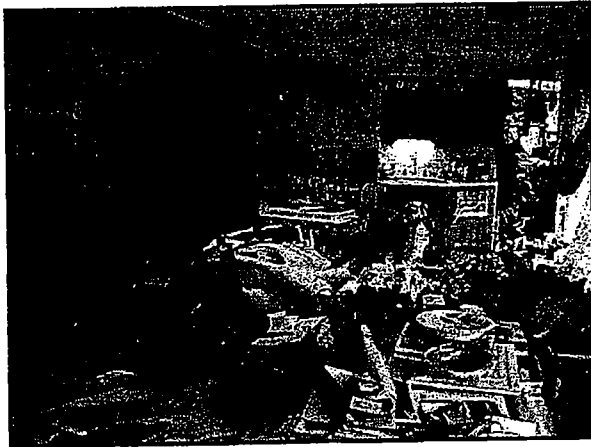
PHOTOGRAPH ADDENDUM

Borrower/Client	DePalma, Alexandra						
Property Address	21412 HIGHWAY 36						
City	Blachly	County	Lane	State	Or	Zip Code	97412
Lender	Estate of Sjostrom						



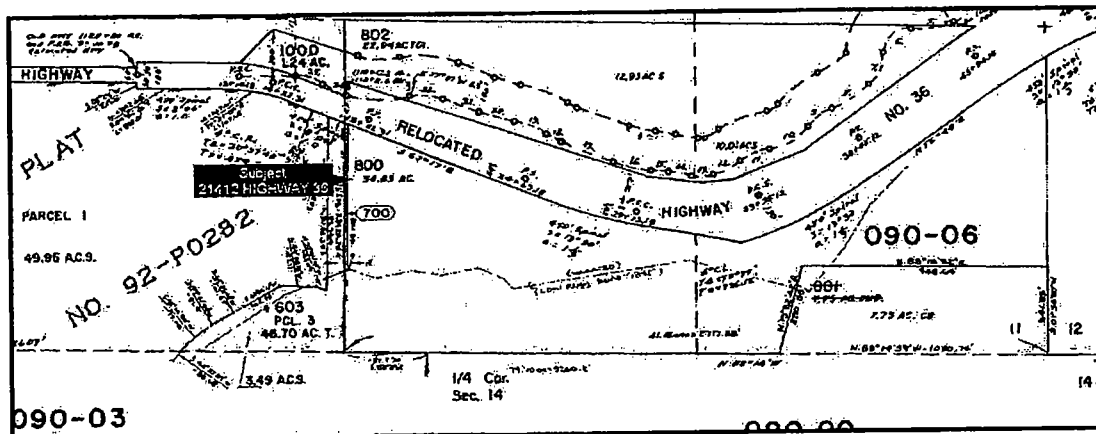
PHOTOGRAPH ADDENDUM

Borrower/Client	DePalma, Alexandra						
Property Address	21412 HIGHWAY 36						
City	Blachly	County	Lane	State	Or	Zip Code	97412
Lender	Estate of Sjoström						



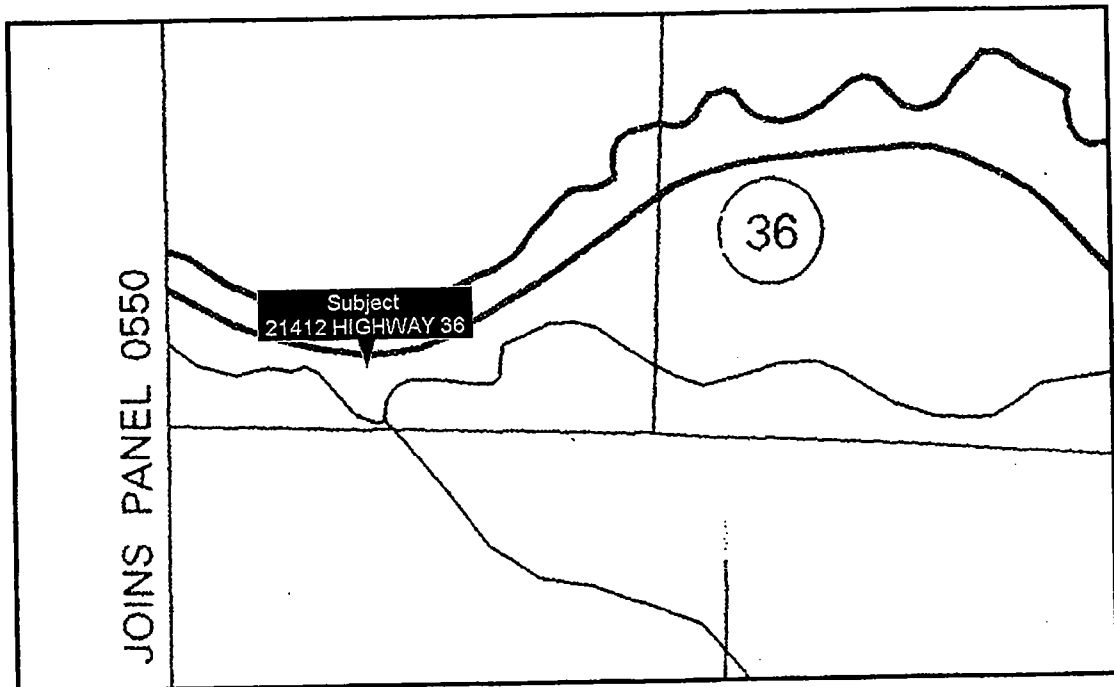
Plat Map

Borrower/Client DePalma, Alexandra				
Property Address 21412 HIGHWAY 36				
City Blachly	County Lane	State Or	Zip Code 97412	
Lender Estate of Sjostrom				



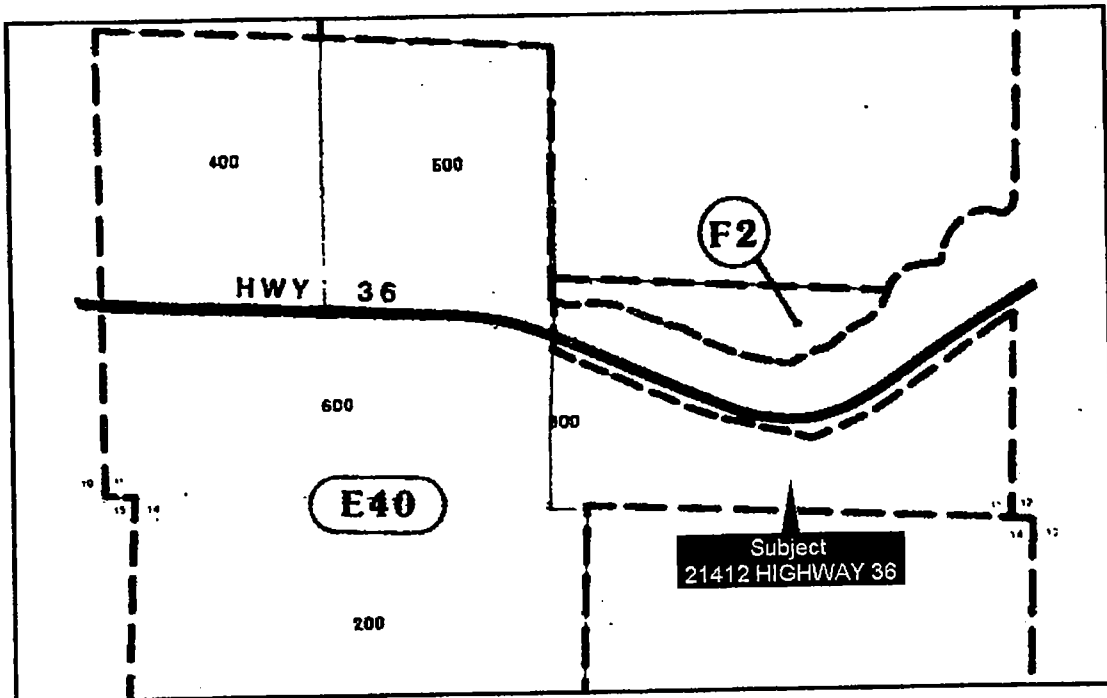
Flood Map

Borrower/Client DePalma, Alexandra			
Property Address 21412 HIGHWAY 36			
City Blachly	County Lane	State Or	Zip Code 97412
Lender Estate of Sjostrom			



Zoning Map

Borrower/Client DePalma, Alexandra			
Property Address 21412 HIGHWAY 36			
City Blachly	County Lane	State Or	Zip Code 97412
Lender Estate of Sjosrom			



Appraisers License

Borrower/Client DePalma, Alexandra				
Property Address 21412 HIGHWAY 36				
City Blachly	County Lane	State Or	Zip Code 97412	
Lender Estate of Sjoström				



Legal Description from Assessors Records

Borrower/Client DePalma, Alexandra			
Property Address 21412 HIGHWAY 36			
City Blachly	County Lane	State Or	Zip Code 97412
Lender Estate of Sjostrom			

APR 5 2005 2:51PM NO 9776 P 7/2

Exhibit A
OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES 16.07.11
 OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON 97401

YEAR	TAX LOT	SECTION	RANGE	TOWNSHIP	ACRES	PERCENT REMAINING
1961		13	070 33E	14N 25W		
1974						
1980						
S1/2 of Section 11, Township 16 South, Range 7 West, N1. No tied Ref Probate #2045B						
Except: Commence N. County Road or South side of Section 11, Township 16 South, Range 7 West, N1., on 1/2 line, thence North 48 1/2 ft East 12 ft South 48 1/2 ft West 12 ft to beginning, containing more or less 6.21 acres.						
Except: 17.06 acres to State of Oregon, as recorded in Volume 804 Page 500, Lane County Deed Records.						
Containing more or less						52.95
Less 7.22 additional acres State Highway #36						55.55
EXCEPT: 7.75 ac to parcel 801 per para 1 R1461/R724012 for 1988						
cont m/l						47.78
EXCEPT: 12.95 ac to parcel 802 by para 3 R1461/3724012 for 1988						
cont m/l						34.86

FOR ASSESSMENT
 AND TAXATION
 USE ONLY

MULTI-PURPOSE SUPPLEMENTAL ADDENDUM FOR FEDERALLY RELATED TRANSACTIONS

Appraisal Services of Eugene (541) 686-9002

Borrower/Client <u>DePalma, Alexandra</u>			
Property Address <u>21412 HIGHWAY 36</u>			
City <u>Blachly</u>	County <u>Lane</u>	State <u>Or</u>	Zip Code <u>97412</u>
Lender <u>Estate of Sjostrom</u>			

This Multi-Purpose Supplemental Addendum for Federally Related Transactions was designed to provide the appraiser with a convenient way to comply with the current appraisal standards and requirements of the Federal Deposit Insurance Corporation (FDIC), the Office of the Comptroller of Currency (OCC), The Office of Thrift Supervision (OTS), the Resolution Trust Corporation (RTC), and the Federal Reserve.

This Multi-Purpose Supplemental Addendum is for use with any appraisal. Only those statements which have been checked by the appraiser apply to the property being appraised.

PURPOSE & FUNCTION OF APPRAISAL

The purpose of the appraisal is to estimate the market value of the subject property as defined herein. The function of the appraisal is to assist the above-named Lender in evaluating the subject property for lending purposes. This is a federally related transaction.

EXTENT OF APPRAISAL PROCESS

- The appraisal is based on the information gathered by the appraiser from public records, other identified sources, inspection of the subject property and neighborhood, and selection of comparable sales within the subject market area. The original source of the comparables is shown in the Data Source section of the market grid along with the source of confirmation, if available. The original source is presented first. The sources and data are considered reliable. When conflicting information was provided, the source deemed most reliable has been used. Data believed to be unreliable was not included in the report nor used as a basis for the value conclusion.
- The Reproduction Cost is based on _____ supplemented by the appraiser's knowledge of the local market.
- Physical depreciation is based on the estimated effective age of the subject property. Functional and/or external depreciation, if present, is specifically addressed in the appraisal report or other addenda. In estimating the site value, the appraiser has relied on personal knowledge of the local market. This knowledge is based on prior and/or current analysis of site sales and/or abstraction of site values from sales of improved properties.
- The subject property is located in an area of primarily owner-occupied single family residences and the Income Approach is not considered to be meaningful. For this reason, the Income Approach was not used.
- The Estimated Market Rent and Gross Rent Multiplier utilized in the Income Approach are based on the appraiser's knowledge of the subject market area. The rental knowledge is based on prior and/or current rental rate surveys of residential properties. The Gross Rent Multiplier is based on prior and/or current analysis of prices and market rates for residential properties.
- For income producing properties, actual rents, vacancies and expenses have been reported and analyzed. They have been used to project future rents, vacancies and expenses.

SUBJECT PROPERTY OFFERING INFORMATION

- According to Owner and MLS records _____ the subject property:
- has not been offered for sale in the past: 30 days 1 year 3 years.
 - is currently offered for sale for \$ _____
 - was offered for sale within the past: 30 days 1 year 3 years for \$ _____
 - Offering information was considered in the final reconciliation of value.
 - Offering information was not considered in the final reconciliation of value.
 - Offering information was not available. The reasons for unavailability and the steps taken by the appraiser are explained later in this addendum.

SALES HISTORY OF SUBJECT PROPERTY

- According to Owner and last deed from title company _____ the subject property:
- Has not transferred in the past twelve months. in the past thirty-six months. in the past 5 years.
 - Has transferred in the past twelve months. in the past thirty-six months. in the past 5 years.
 - All prior sales which have occurred in the past _____ are listed below and reconciled to the appraised value, either in the body of the report or in the addenda.
- | Date | Sales Price | Document # | Seller | Buyer |
|------|-------------|------------|--------|-------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

FEMA FLOOD HAZARD DATA

- Subject property is not located in a FEMA Special Flood Hazard Area.
 - Subject property is located in a FEMA Special Flood Hazard Area.
- | Zone | FEMA Map/Panel # | Map Date | Name of Community |
|------|------------------|----------|---------------------|
| X | 41039C0575F | 6/2/1999 | Lane County, Oregon |
- The community does not participate in the National Flood Insurance Program.
 - The community does participate in the National Flood Insurance Program.
 - It is covered by a regular program.
 - It is covered by an emergency program.

CURRENT SALES CONTRACT

- The subject property is currently not under contract.
- The contract and/or escrow instructions were not available for review. The unavailability of the contract is explained later in the addenda section.
- The contract and/or escrow instructions were reviewed. The following summarizes the contract:

Contract Date	Amendment Date	Contract Price	Seller

- The contract indicated that personal property was not included in the sale.
- The contract indicated that personal property was included. It consisted of _____ Estimated contributory value is \$ _____
- Personal property was not included in the final value estimate.
- Personal property was included in the final value estimate.
- The contract indicated no financing concessions or other incentives.
- The contract indicated the following concessions or incentives: _____
- If concessions or incentives exist, the comparables were checked for similar concessions and appropriate adjustments were made, if applicable, so that the final value conclusion is in compliance with the Market Value defined herein.

MARKET OVERVIEW Include an explanation of current market conditions and trends.

1-4 months is considered a reasonable marketing period for the subject property based on Information reviewed during this appraisal process.

ADDITIONAL CERTIFICATION

The Appraiser certifies and agrees that:

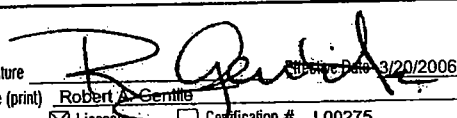
- (1) The analyses, opinions and conclusions were developed, and this report was prepared, in conformity with the Uniform Standards of Professional Appraisal Practice ("USPAP"), except that the Departure Provision of the USPAP does not apply.
- (2) Their compensation is not contingent upon the reporting of predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- (3) This appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

ADDITIONAL (ENVIRONMENTAL) LIMITING CONDITIONS

The value estimated is based on the assumption that the property is not negatively affected by the existence of hazardous substances or detrimental environmental conditions unless otherwise stated in this report. The appraiser is not an expert in the identification of hazardous substances or detrimental environmental conditions. The appraiser's routine inspection of and inquiries about the subject property did not develop any information that indicated any apparent significant hazardous substances or detrimental environmental conditions which would affect the property negatively unless otherwise stated in this report. It is possible that tests and inspections made by a qualified hazardous substance and environmental expert would reveal the existence of hazardous substances or detrimental environmental conditions on or around the property that would negatively affect its value.

ADDITIONAL COMMENTS

APPRAISER'S SIGNATURE & LICENSE/CERTIFICATION

Appraiser's Signature  Effective Date 3/20/2006 Date Prepared 4/06/2006
Appraiser's Name (print) Robert A. Gentile Phone # (541) 686-9002
State OR License Certification # L00275 Tax ID # _____

CO-SIGNING APPRAISER'S CERTIFICATION

- The co-signing appraiser has personally inspected the subject property, both inside and out, and has made an exterior inspection of all comparable sales listed in the report. The report was prepared by the appraiser under direct supervision of the co-signing appraiser. The co-signing appraiser accepts responsibility for the contents of the report including the value conclusions and the limiting conditions, and confirms that the certifications apply fully to the co-signing appraiser.
- The co-signing appraiser has not personally inspected the interior of the subject property and:
 - has not inspected the exterior of the subject property and all comparable sales listed in the report.
 - has inspected the exterior of the subject property and all comparable sales listed in the report.
- The report was prepared by the appraiser under direct supervision of the co-signing appraiser. The co-signing appraiser accepts responsibility for the contents of the report, including the value conclusions and the limiting conditions, and confirms that the certifications apply fully to the co-signing appraiser with the exception of the certification regarding physical inspections. The above describes the level of inspection performed by the co-signing appraiser.
- The co-signing appraiser's level of inspection, involvement in the appraisal process and certification are covered elsewhere in the addenda section of this appraisal.

CO-SIGNING APPRAISER'S SIGNATURE & LICENSE/CERTIFICATION

Co-Signing Appraiser's Signature _____ Effective Date _____ Date Prepared _____
Co-Signing Appraiser's Name (print) _____ Phone # _____
State _____ License Certification # _____ Tax ID # _____

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

* Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower, the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

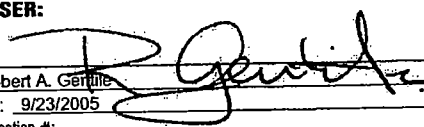
APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

SUPERVISORY APPRAISER'S CERTIFICATION: If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

ADDRESS OF PROPERTY APPRAISED: 21412 HIGHWAY 36, Blachly, Or 97412

APPRAISER:

Signature: 
Name: Robert A. Gentile
Date Signed: 9/23/2005
State Certification #: _____
or State License #: L00275
State: Or
Expiration Date of Certification or License: 09/30/2005

SUPERVISORY APPRAISER (only if required):

Signature: _____
Name: _____
Date Signed: _____
State Certification #: _____
or State License #: _____
State: _____
Expiration Date of Certification or License: _____

Did Did Not Inspect Property

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

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

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

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

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

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

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

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

2. With exception of the following:

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

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

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

3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

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

Enacted this 29th day of February, 1984.



Chair, Lane County Board of
Commissioners



Recording Secretary for this
Meeting of the Board

Effective date 3/29/84

ORDINANCE NO. PA 884 - LEGISLATIVE FINDINGS

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

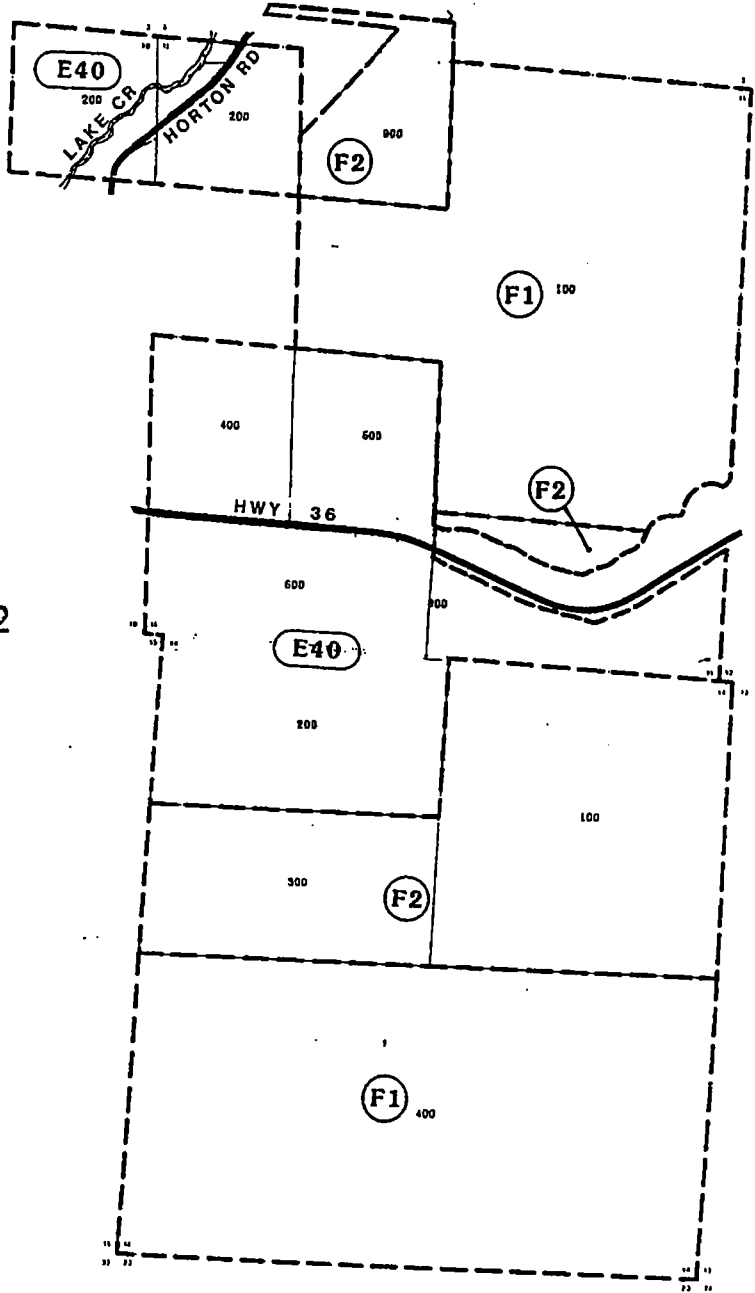
Major map changes, based upon a nonresource designation are supported by prior quasi-judicial or current Findings set forth on attached Exhibit "D".

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

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

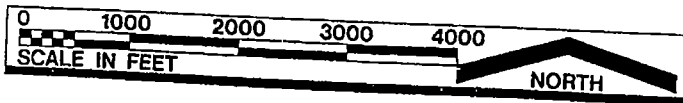
All other changes to the maps from the original staff recommendation are supported by changes to the developed and committed exception and the information and Findings submitted with CPR requests. Because the amount of supporting information is very extensive, it is not possible to set out new Findings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

124



128

122



lane county



OFFICIAL ZONING MAP

PLOT# 125

Township Range Section

16 07 11

16 07 14

ORIGINAL ORD. # PA 884

DATE 2/29/1984 FILE #

REVISION #