

- a. Include appropriate factors to determine what constitutes "commercial" agriculture;
- b. Require that only commercial farm units are used to determine what are the appropriate lot sizes;
- c. Define the area to be considered when making these determinations; and
- d. Remove all provisions that exempt pre-existing lots from review.

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In an inventory of agricultural lands and forest lands there will be many instances where land will meet Goal definitions for both categories. According to Oregon Land Conservation and Development Commission's policy, farm and forestry uses are compatible and either designation may be made without taking an exception to the other Goal. The factors used to select a designation need to be documented in the Plan. The policies within the Plan will support one designation over another depending on the situation.

The County should consider the following items in addressing overlapping lands:

- a. Identify Agricultural and Forest Lands Goal definitions and inventories.
- b. Segregate overlapping lands from single resource lands.
- c. Apply evaluations of local circumstances and Goal factors to overlapping lands to determine appropriate designation.
- d. Designate overlapping lands as agricultural, forest or agricultural/forest through Plan policies and diagrams.
- e. Protect designated lands for appropriate uses through the zoning ordinance and other implementation measures.

It is intended that agricultural and forest practices be able to coexist without mutual interference while conserving those resource lands.

III. FACTORS AFFECTING AGRICULTURE IN LANE COUNTY

A. Natural Characteristics*

1. Physical Setting

Within Lane County, agricultural land is generally located at the

* The following discussion is based on "An Agricultural Atlas of Lane County," "Resource Data for Agricultural Development in Linn, Lane and Benton Counties," and published and unpublished information from the US Soil Conservation Service.

Code Area	Township	Range	Section	1/4	1/4	Parcel Number	Type	Number
	16	01	08	0	0	00700		

Map Number _____ Tax Lot Number _____ Special Interest

#3422 OFFICIAL RECORD History of Parcel Prior to Re-mapping PROPERTIES 16.01 08
 Previous Account Number _____
 OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON 700 079-00

1960 Section 78 Township 16 Range 1 West Lane County, Oregon
 BEARING REPRESENT ON LOCAL SUBDIVISION

1958 Latest Desc. per deed 18536
 Tract #1: R103 18536

North 4.33 ch. to the NW cor. of said claim; run thence
 East 14.00 ch. to the SW cor. of the T. Gray DLC. 42,
 of the same Twp., thence
 North 14.66 ch. thence
 East 69.74 ch. to the W 1/4 line of the Co. Rd., th.
 S. 65° 58' W. 5.65 ch. thence
 S. 42° 30' W. 3.89 ch. "
 S. 25° 08' W. 5.07 ch. "
 S. 30° 24' W. 2.84 ch. "
 S. 51° 06' W. 10.45 ch. "
 S. 48° 13' W. 1.91 ch. to a point 2.92 ch. North & 2.66 East
 of the NW cor. of the heirs of Samuel
 Gray DLC, thence
 N. 80° 45' W. 21.36 ch. thence
 West 41.46 ch. to the POB. In Lane Co. Oregon

Cont. m/l 126.55
 Acreage Correction per #108
 Cont. m/l 127.68
 Except: Tax Lot 701 Cont. 2.21 Ac.
 Cont. W/L 125.47

1961 Remarks
 That portion of Thomas Gray D.L.C. #12 29270
 and of Joseph E. Gray D.L.C. #38, both
 being in Twp. 16 South, Range 1 West,
 W.W., described as follows:
 The Easterly five feet of even width
 of that certain sixty foot strip of
 of land heretofore conveyed to Grantor
 by deed dated May 19, 1960 and recorded
 May 25, 1960, on Reel 153 '60D under
 File #228, Lane County Official Records,
 containing approximately 0.20 acres, of
 which 0.12 acres are in said D.L.C. #12
 and 0.08 acres are in said D.L.C. #38.
 R-177
 125.6

1960-1961 DATE
 MICROFILMED
 Containing more or less
 Except: 0.12 acre to tax lot 701 (continued)

Formerly part of	History of Parcel			Acres Remainr
	Exceptions/Additions	Date of Entry/ Acquisition	Deed Record Volume Page	
ALSO: consol TL701 here at owner request for 94				126.28
		1998 wd	R2469 98-78231	
		2004 wd	2004-023175	

EXHIBIT L

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

CODE NO.

MAP NO.	13-01-02	TAX NO.	700	SECTION		TOWNSHIP		S. RANGE		W.M.		AERIAL PHOTO
ACCOUNT		LOT NO.										
LOT NO.		BLOCK NO.		ADDITION								
LEGAL DESCRIPTION												
DEED RECORD												
DATE OF ENTRY												
DEED NUMBER												
CITY												
ACRES REMAINING												

13-01-02
continued--

Containing more or less

F.L.P.O.

All that portion of the following described property which lies west of County Road #1318:

That portion of those certain strips of land 30 feet and 45 feet in width, respectively, as described under paragraph numbered "L" on Page 2 of that certain Deed dated May 31, 1960 and recorded July 1, 1960 under File #3451 in Reel 155D, Lane County Official Records lying South of the North line and said North line projected West of that certain land described as "Tract #2" of that certain deed to Ray O. Dustrude and Ida K. Dustrude, his wife, dated July 1, 1957, and recorded August 2, 1957 under File #18536 in Reel 101D, Lane County Official Records, and North of a line extending N. 80° 45' West and S. 80° 45' East from a point located North 192.72 feet and East 175.56 feet from the most Northerly Northwest corner of the Samuel Gray J.L.C. #40.

Containing more or less

Less: 0.27 acre in Marcola-Drury Creek Rd. (Co. Rd. No. 1318) dtd 7-12-61 in 1970.

Containing more or less

Average Correction for 1970

Less: 0.22 acre in Marcola-Drury Creek Rd. (Co. Rd. No. 1318) dtd 7-12-61 in 1970.

Containing more or less

-ALSO CONTINUES-

MICROFILMED
DATE

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

CODE NO.

MAP NO.	14-01-08	TAX NO.	700	SECTION		TOWNSHIP		S. RANGE		W.M.		AERIAL PHOTO
ACCOUNT		LOT NO.										
LOT NO.		BLOCK NO.		ADDITION								
LEGAL DESCRIPTION												
DEED RECORD												
DATE OF ENTRY												
DEED NUMBER												
CITY												
ACRES REMAINING												

14-01-08
Except: 0.20 acre added as an also to Reel 700 by deed F.17L, 29270.

MICROFILMED

DATE

ALL that portion of the former Weyerhaeuser Railroad Right of Way as conveyed to 3 C's Investment Inc., by deeds recorded September 12, 1989, Reel 1592, Reception No. 89 40822 and January 16, 1990, Reel 1611, Reception No. 90 02025 between the Northerly and Southerly line of Tract 1 as conveyed to Ray O. Dustrude and Ida M. Dustrude, husband and wife, by deed recorded August 2, 1957, Reel 103, Reception No. 18536, Lane County Oregon Records.

All of that portion of the former Weyerhaeuser Railroad Right of Way as conveyed to 3 C's Investment Inc. by deeds recorded September 12, 1989, Reel 1592, Reception No. 89 40822 and January 16, 1990, Reel 1611, Reception No. 90 02025, Lane County Oregon Records.

Containing more or less

2.13

MICROFILMED
DATE

Order No.

49301

18536
WARRANTY DEED

THIS INDENTURE WITNESSETH: That

J. P. AUSTIN and ELIZABETH AUSTIN, husband and wife,

the Grantors, for and in consideration of the sum of TEN and other ----- DOLLARS
to them paid, do hereby, bargain, sell and convey unto

RAY C. DUSTRIDE and IDA M. DUSTRIDE, husband and wife the grantees,
the following described premises, to-wit:

Tract #1

Beginning at a point on the left line of the road in Lane County, Oregon, in
Land Claim No. 39, Notification No. 3000, in Township 16 South Range 1
West of the Willamette Meridian, 48.07 chains from the Southwest corner
of said claim; and running thence North 2.25 chains to the Southwest
corner of said claim; thence East 14.09 chains to the Southwest corner of
the Thomas Gray Donation Land Claim No. 42, of the same Township; thence
North 14.60 chains; thence East 69.74 chains to the County Road in Lane
County; thence South 9° 07' West 2.25 chains; thence South 85° 33'
West 5.65 chains; thence South 42° 30' West 10.45 chains; thence South
25° 08' West 5.07 chains; thence South 50° 23' West 2.25 chains; thence South
51° 00' West 10.45 chains; thence South 45° 13' West 1.12 chains to the
County Road; thence North 2.25 chains East of the Southwest corner
of Samuel Gray Donation Land Claim; thence North 20° 22' West 11.46 chains;
thence West 41.46 chains to the place of beginning, in Lane County, Oregon.

Tract #2

That portion of the following described premises lying on the
the West side of the Monawk River; beginning at a point on the
the Northeast corner of the Thomas Gray Donation Land Claim; thence running
South 14.60 chains; thence West 5 chains; thence South 22 chains; thence West
22 chains to the center of the County Road on the West side of the Monawk
River; thence up said road in a Northeasterly course to a point due West of
the place of beginning; thence East 5.25 chains to the place of beginning,
in Section 8, Township 16 North Range 1 West of the Willamette Meridian, in
Lane County, Oregon.

(6) 7-16-57 W (5) 8-16-57



TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s)
their heirs and assigns forever.
And the said Grantor(s) do hereby covenant to and with the said Grantee(s), their heirs and assigns
that they the owners, in fee simple of said premises; and that they are free from all encumbrances

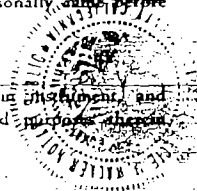
and that they will warrant and defend the same from all lawful claims whatsoever.
IN WITNESS WHEREOF, they have hereunto set their hands and seals this
day of July A.D. 1957

(SEAL) Elizabeth Austin (SEAL)
(SEAL) J. P. Austin (SEAL)
(SEAL) (SEAL)

California
STATE OF OREGON, COUNTY OF Siskiyou ss.
Be it remembered that on this 29th day of July, 1957 personally before me,
me, a Notary Public in and for said county the within named

Elizabeth J. P. Austin
to me personally known to be the identical person as described in and who executed the within instrument, and
acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein
named.

Witness my hand and seal this day and year last above written.
My Commission Expires
Max. 6th 1958
Lucas M. Walker
Notary Public for Oregon
California



Record & Case

29270

59-230

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that WEYERHAEUSER COMPANY, a Washington corporation, whose address is P. O. Box 1645, Tacoma 1, Washington, GRANTOR, in exchange for a conveyance to it by RAY O. DUSTRUDE and IDA M. DUSTRUDE, husband and wife, whose address is Marcola, Oregon, GRANTEES, does hereby grant and convey unto said Grantees, their heirs, administrators and assigns, forever, the following described real property situated in Lane County, Oregon:

That portion of Thomas Gray Donation Land Claim No. 42 and of Joseph E. Gray Donation Land Claim No. 38, both being in Township Sixteen (16) South, Range One (1) West, T. 16 N., described as follows:

The Easterly Five (5) feet of even width of that certain Sixty (60) foot strip of land heretofore conveyed to Grantor by Deed dated May 19, 1960 and recorded May 25, 1960, on Reel 153 '60 D under File No. 228, Lane County Official Records, containing approximately 0.20 acres, of which 0.12 acres are in said D.L.C. No. 42 and 0.08 acres are in said D.L.C. No. 38.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same to the said Grantees, their heirs, administrators and assigns, forever, and the said Grantor does covenant with the said Grantees that it is lawfully seized in fee simple of the above described premises and has the valid right to convey the same; and that the said real property is free from encumbrances; and that it will and its successors and assigns shall warrant and forever defend the same to the said Grantees, their heirs, administrators and assigns, forever, against the lawful claims and demands of all persons whomsoever.

29270

IN WITNESS WHEREOF, Weyerhaeuser Company has caused this instrument to be executed this 13th day of March, 1961.

WEYERHAEUSER COMPANY

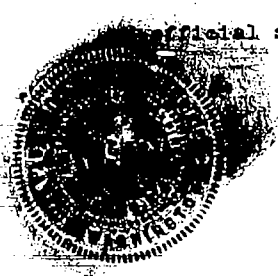
By E. F. Hraco
Vice President Timberland Division

Attest: Robert W. Boyd
Secretary

STATE OF WASHINGTON :
: ss.
COUNTY OF PIERCE :

On this 13th day of March, 1961, before me personally appeared E. F. HRACOX and ROBERT W. BOYD, to me known to be the Vice President Timberland Division and _____ Secretary, respectively of the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of the corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed official seal the day and year first above written.



Robert W. Boyd
Notary Public in and for the State
of Washington, residing at Olympia

20-
10-
20-

9204020

After recording return to:

Evergreen Land Title Co.
E-3062A

Until a change is requested,
mail all tax statements to:

92922 Marcola road
Marcola, OR 97454

BARGAIN AND SALE DEED

2465JAN.23'92H05REC 20.00
2465JAN.23'92H05FFUND 10.00
2465JAN.23'92H05A&T FUND 20.00

3 Cs Investment Co., an Oregon corporation, Grantor,
conveys to Ray Q. Dustrude and Ida M. Dustrude, husband and wife, with
the right of survivorship. Grantee, the following
described real property.

See attached Exhibit A (hereinafter referred to as
"Conveyed Property").

The true consideration for this conveyance is
\$ 562.50.

The Conveyed Property is adjacent to the property owned by
Grantee described by reference on the attached Exhibit A (Grantee
Property). The conveyed Property and the Grantee Property must
hereafter be sold or conveyed as one unit of land which shall
include both the Conveyed Property and the Grantee Property,
unless otherwise approved by the controlling land use governing
body.

Grantor excepts and reserves from the conveyance set forth herein
easements upon the Conveyed Property upon the following terms and
conditions:

1. Grantor shall have easements for the purpose of access
over and across the Conveyed Property to any portion of the real
property described as "The Entire Right-of-Way" on the attached
Exhibit A, for the purpose of removing all of the materials
located on the Conveyed Property (the ownership of which
materials is hereby reserved by Grantor) including, but not
limited to, rails, ties, bridges, tresses, culverts, retaining
walls, ballast, gravel, rock and timber; and for the purpose of
transporting equipment to remove such materials and to haul such
materials from any other portion of the Entire Right-of-Way.

2. These easements are appurtenant to and shall run with
the Entire Right-of-Way.

3. Grantor may engage an independent contractor to
exercise Grantor's rights under the easements set forth herein.

4. Grantor is not required to repair any damage to the
Conveyed Property resulting from the exercise of Grantor's rights
hereunder.

9204020

5. Grantee assumes all risks arising out of Grantor's use of the easements described herein and Grantor shall have no liability to Grantee, Grantee's agents and employees or any other person for any condition existing upon the Conveyed Property or for any condition or incident caused by the exercise of Grantor's rights hereunder.

6. These easements shall terminate at such time as Grantor has removed all materials which Grantor desires to remove and at such time as Grantor does not own any portion of the Entire Right-of-Way. If the conditions set forth in the preceding sentence do not occur, these easements shall be perpetual. These easements shall remain appurtenant to each and every portion of the Entire Right-of-Way.

7. Grantee shall take no action upon the Conveyed Property which would impair in any way Grantor's exercise of its easement rights, including, but not limited to, an absolute prohibition against the construction of any type of fence or other barrier which would impair in any way Grantor's ability to exercise such rights.

8. These easements shall run with and burden the Conveyed Property, until terminated according to the provisions hereof, if ever.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

Dated this 23rd day of Jan, 1992

3 CS INVESTMENT CO.

By Closen F. Christian, Jr.
Closen F. Christian, Jr., President

RAY O. DSTRUDE
92885 Marcola Road
Marcola, OR 97454
Grantor's Name and Address
EDWARD B. FISHER
92922 MARCOLA ROAD
MARCOLA, OR 97454
Grantee's Name and Address

After recording return to:
EVERGREEN LAND TITLE CO.
P.O. BOX 931
SPRINGFIELD, OR 97477

Until a change is requested, all tax statements shall be sent to the following address.

SAME AS GRANTEE

9878231

0870SEP.30'98#07REC 10.00
0870SEP.30'98#07PFUND 10.00

TITLE NO. ELT-28862
ESCROW NO. SP98-E9471
TAX ACCT. NO. 1178787 287206 28710
MAP NO. 16 01 08 00 00700 16 01 08 00 00700

0870SEP.30'98#07A&T FUND 20.

WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL OR CORPORATION)

RETURN TO EVERGREEN LAND TITLE CO.

KNOW ALL MEN BY THESE PRESENTS, That RAY O. DSTRUDE and IDA M. DSTRUDE, husband and wife hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by EDWARD B. FISHER and LILLI A. FISHER, husband and wife hereinafter called grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of LANE and State of Oregon, described as follows, to-wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except

Subject to any and all easements, restrictions and covenants of record

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$342,000.00. ~~*However, the actual consideration consists of or includes other property or value given or promised which is the whole/part of the consideration (indicate which). (The sentence between the symbols *, if not applicable should be deleted. See ORS 93.030.)~~

In construing this deed 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 corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 29th day of September 1998; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

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

Ray O. Dustrude
RAY O. DSTRUDE

Ida M. Dustrude
IDA M. DSTRUDE

STATE OF OREGON, COUNTY OF Lane

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON September 29, 1998, BY RAY O. DSTRUDE and IDA M. DSTRUDE, husband and wife

[Signature]
Notary Public for Oregon My commission expires: 10-16-99

WARRANTY DEED

Edward B. Fisher and Lilli A. Fisher, ("Grantors"), convey and warrant to Ravin Ventures LLC, an Oregon Limited Liability Company ("Grantee"), the real property in Lane County, Oregon, described on Exhibit A, attached hereto and made a part hereof by this reference, free of all encumbrances except as specifically set forth herein:

1. The liability and obligations of Grantors to Grantee and Grantee's assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantors under a standard policy of title insurance, or, if the Grantors have coverage under an extended policy of title insurance, under an extended policy of title insurance. The limitations contained herein expressly do not relieve Grantors of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

2. Liens or encumbrances created or suffered by Grantors.

The true consideration for this conveyance is \$0.00 and other consideration other than in the form of money or money's worth.

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

Division of Chief Deputy Clerk
Lane County Deeds and Records

2004-023175



00561828200400231750030034

\$36.00

03/31/2004 03:10:19 PM

RPR-DEED Cnt=1 Stn=1 CASHIER 08
\$15.00 \$11.00 \$10.00

After recording, return to:

Ravin Ventures, LLC
c/o Edward B. Fisher
37803 Upper Camp Creek Road
Springfield, OR 97478

Until a change is requested, all tax statements shall be sent to the following address:

Ravin Ventures, LLC
c/o Edward B. Fisher
37803 Upper Camp Creek Road
Springfield, OR 97478

Exhibit TT is available for review in the
Land Management Division office file record

WORKING PAPER

Agricultural Lands

DRAFT

NOV - 1981
COMPREHENSIVE PLAN REVISION
LANE COUNTY, OREGON

EXHIBIT J

- a. Include appropriate factors to determine what constitutes "commercial" agriculture;
- b. Require that only commercial farm units are used to determine what are the appropriate lot sizes;
- c. Define the area to be considered when making these determinations; and
- d. Remove all provisions that exempt pre-existing lots from review.

Agricultural/Forestry Goal Interrelationship

In an inventory of agricultural lands and forest lands there will be many instances where land will meet Goal definitions for both categories. According to Oregon Land Conservation and Development Commission's policy, farm and forestry uses are compatible and either designation may be made without taking an exception to the other Goal. The factors used to select a designation need to be documented in the Plan. The policies within the Plan will support one designation over another depending on the situation.

The County should consider the following items in addressing overlapping lands:

- a. Identify Agricultural and Forest Lands Goal definitions and inventories.
- b. Segregate overlapping lands from single resource lands.
- c. Apply evaluations of local circumstances and Goal factors to overlapping lands to determine appropriate designation.
- d. Designate overlapping lands as agricultural, forest or agricultural/forest through Plan policies and diagrams.
- e. Protect designated lands for appropriate uses through the zoning ordinance and other implementation measures.

It is intended that agricultural and forest practices be able to coexist without mutual interference while conserving those resource lands.

III. FACTORS AFFECTING AGRICULTURE IN LANE COUNTY

A. Natural Characteristics*

1. Physical Setting

Within Lane County, agricultural land is generally located at the

* The following discussion is based on "An Agricultural Atlas of Lane County," "Resource Data for Agricultural Development in Linn, Lane and Benton Counties," and published and unpublished information from the US Soil Conservation Service.

Code Area	Township	Range	Section	1/4	1/8	Parcel Number	Type	Number
	16	01	08	0	0	00700		

Map Number _____ Tax Lot Number _____ Special Interest

#3422 OFFICIAL RECORD OF PARCEL PLATS TO BE MAPPING PROPERTIES 16-01 08
 Previous Record Number _____ OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON 700
 079-00

1961 SECTION 7-8 TOWNSHIP 16 RANGE 1 EAST 1/4
 BEARING REPRESENT ON LEGAL SURVEY

1958 Latest Desc. per deed 18536
 Tract #1: Beg. at a point on the West line of the J.G. Gray DLC.#38notif,7500, 185,1W,WM, 45.07 ch. North of the SW cor. of said claim; run thence North 4.33 ch. to the NW cor. of said claim; thence East 14.00 ch. to the T.Gray DLC.#42, of the same Twp., thence North 14.66 ch. thence East 69.74 ch. to the W 1/4 line of the Co.Rd., thence S.65°58'W, 5.65 ch. thence S.42°30'W, 3.89 ch. " S.25°08'W, 5.07 ch. " S.30°24'W, 2.84 ch. " S.51°06'W, 10.45 ch. " S.48°13'W, 1.91 ch. to a point 2.92 ch. North & 2.66 East of the NW cor. of the heirs of Samuel Gray DLC. thence N.80°45'W, 21.36 ch. thence West 41.46 ch. to the POB. In Lane Co. Oregon

Code Area	Acres
1958	126.55
	127.68
	125.47

1961
 That portion of Thomas Gray D.I.C.#42 29270 and of Joseph E. Gray D.I.C.#38, both being in Twp.16 South, Range 1 West, W.M., described as follows:
 The Easterly five feet of even width of that certain sixty foot strip of land heretofore conveyed to Grantor by deed dated May 19, 1960 and recorded May 25, 1960, on Reel 153 '60D under File #228, Lane County Official Records, containing approximately 0.20 acres, of which 0.12 acres are in said D.I.C.#42 and 0.08 acres are in said D.I.C.#38.
 Except: 0.12 acre to tax lot 701 (continued)

Code Area	Acres	Remarks
1958	126.55	
	127.68	
	125.47	
1961		

Formerly part of	History of Parcel			Acres Remainir
	Date of Entry/ Acquisition	Deed Record Volume	Page	
ALSO: consol TL701 here at owner request for 94	1998 wd	R2469	98-78231	126.28
	2004 wd	2004	023175	

EXHIBIT L

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

OLD NUMBER 14-01-02 TAX NO. 700 SECTION TOWNSHIP S. RANGE W.M. AERIAL PHOTO

NEW 700 OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON CODE NO. AERIAL PHOTO

MAP NO.	TAX NO.	SECTION	TOWNSHIP	S. RANGE	W.M.	AERIAL PHOTO
14-01-02	700					

MAP NO.	TAX NO.	SECTION	TOWNSHIP	S. RANGE	W.M.	AERIAL PHOTO
14-01-02	700					

DEED F.171, 29271. CONTAINED--
Containing more or less

EXCEPT: 0.20 acre added as an also to parcel 700 by deed F.171, 29270. CONTAINED--
Containing more or less

Also: F.L.P.O.
All that portion of the following described property which lies west of County Road #1318:
That portion of those certain strips of land 30 feet and 45 feet in width, respectively, as described under Paragraph numbered "L" on Page 2 of that certain Deed dated May 31, 1960 and recorded July 1, 1960 under File #3451 in Reel 155D, Lane County Official Records lying south of the North line and said North line projected West of that certain land described as "Tract #2" of that certain deed to Fay O. Dustrude and Ida K. Dustrude, his wife, dated July 1, 1957 and recorded August 2, 1957 under File #18936 in Reel 103D, Lane County Official Records, and North of a line extending N.80°45' West and S.80°45' East from a point located North 192.72 feet and East 175.56 feet from the most Northerly Northwest corner of the Samuel Gray J.L.C. #110.
Containing more or less

Also: All that portion of the former Weyerhaeuser Railroad Right of Way as conveyed to 3 C's Investment Inc., by deeds recorded September 12, 1989, Reel 1592, Reception No. 89 40822 and January 16, 1990, Reel 1611, Reception No. 90 02025 between the Northerly and Southerly line of Tract 1 as conveyed to Ray O. Dustrude and Ida M. Dustrude, husband and wife, by deed recorded August 2, 1957, Reel 103, Reception No. 18536, Lane County Oregon Records.
All of that portion of the former Weyerhaeuser Railroad Right of Way as conveyed to 3 C's Investment Inc. by deeds recorded September 12, 1989, Reel 1592, Reception No. 89 40822 and January 16, 1990, Reel 1611, Reception No. 90 02025, Lane County Oregon Records.
Containing more or less

Less: 0.22 acre in Marcola-Drury Creek Rd.
(Co. Rd. No. 1318) dcd 7-12-61 in 1970.
Containing more or less
Acreage Correction for 1970
125.55
126.08
125.86
124.37
124.15

1992 R1740/920420
2.13
2.13

MICROFILMED DATE
-ALSO CONTINUES-

MICROFILMED
DATE

THIS INDENTURE WITNESSETH: That
J. B. AUSTIN and ELIZAFETH AUSTIN, husband and wife,
the Grantors, for and in consideration of the sum of TEN and other ----- DOLLARS
to them paid, do hereby, bargain, sell and convey unto
RAY C. DUSTERDE and IDA M. DUSTERDE, husband and wife the grantees,
the following described premises, to-wit:

(4) 7-16-14 (5) 8-16-14 (5) 8-16-14 (5) 8-16-14

Tract #1

Beginning at a point on the West line of the Section 1
Land Claim No. 38, Matification No. 1000, in Township 16 South Range 1
West of the Willamette Meridian, 48.07 chains from the Southwest cor-
ner of said claim; and running thence North 4.33 chains to the
corner of said claim; thence East 14.09 chains to the Southwest corner of
the Thomas Gray Donation Land Claim No. 42, of the same Township; thence
North 14.66 chains; thence East 69.74 chains to the westerly line of the
County road; thence South 9°07' West 21.26 chains; thence South 85°03'
West 8.65 chains; thence South 42°30' West 42.49 chains; thence South
25°08' West 8.07 chains; thence South 50°24' West 2.84 chains; thence South
51°06' West 16.45 chains; thence South 45°16' West 11.12 chains; thence
2.92 chains North and 2.66 chains East of the Northwest corner of
of Samuel Gray Donation Land claim; thence North 30°42' West 41.11 chains;
thence West 41.46 chains to the place of beginning, in Lane County, Oregon.

Tract #2

That portion of the following described premises lying on the
the West side of the Monawk River; beginning at a point 20 chains North of
the Northeast corner of the Thomas Gray Donation Land claim; a line running
South 14.60 chains; thence West 5 chains; thence South 22 chains; thence West
22 chains to the center of the County road on the West side of the Monawk
River; thence up said road in a Northeasterly course to a point due West of
the place of beginning; thence East 5.25 chains to the place of beginning,
in Section 8; Township 16 South Range 1 West of the Willamette Meridian, in
Lane County, Oregon.



TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee &
their heirs and assigns forever.
And the said Grantors do hereby covenant to and with the said Grantee, their heirs and assigns
that they the owners, in fee simple of said premises; and that they are free from all encumbrances

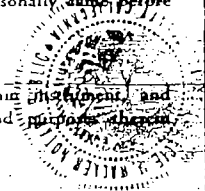
and that they will warrant and defend the same from all lawful claims whatsoever.
IN WITNESS WHEREOF, they have hereunto set their hands and seals this
day of July A.D. 1957

(SEAL) Elizabeth Austin (SEAL)
(SEAL) J. B. Austin (SEAL)
(SEAL) (SEAL)

California
STATE OF OREGON, COUNTY OF Siskiyou
Be it remembered that on this 29th day of July, 1957 personally before
me, a Notary Public in and for said county the within named

Elizabeth & J. B. Austin
to me personally known to be the identical person(s) described in and who executed the within instrument and
acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein
named.

Witness my hand and seal this day and year last above written.
My Commission Expires
Max. 6th 1958
Luce M. Walker
Notary Public for Oregon
California



Record & Issue

29270

59 550

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that WEYERHAEUSER COMPANY, a Washington corporation, whose address is P. O. Box 1645, Tacoma 1, Washington, GRANTOR, in exchange for a conveyance to it by RAY O. DUSTRUDE and IDA M. DUSTRUDE, husband and wife, whose address is Marcola, Oregon, GRANTEES, does hereby grant and convey unto said Grantees, their heirs, administrators and assigns, forever, the following described real property situated in Lane County, Oregon:

That portion of Thomas Gray Donation Land Claim No. 42 and of Joseph E. Gray Donation Land Claim No. 38, both being in Township Sixteen (16) South, Range One (1) West, N. M., described as follows:

The Easterly Five (5) feet of even width of that certain Sixty (60) foot strip of land heretofore conveyed to Grantor by Deed dated May 19, 1960 and recorded May 25, 1960, on Reel 153 '60 D under File No. 228, Lane County Official Records, containing approximately 0.20 acres, of which 0.12 acres are in said D.L.C. No. 42 and 0.08 acres are in said D.L.C. No. 38.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same to the said Grantees, their heirs, administrators and assigns, forever, and the said Grantor does covenant with the said Grantees that it is lawfully seized in fee simple of the above described premises and has the valid right to convey the same; and that the said real property is free from encumbrances; and that it will and its successors and assigns shall warrant and forever defend the same to the said Grantees, their heirs, administrators and assigns, forever, against the lawful claims and demands of all persons whomsoever.

20-
10-
20-

9204020

After recording return to:

Evergreen Land Title Co.
E-3062A

Until a change is requested,
mail all tax statements to:

92922 Marcola Road
Marcola, OR 97454

2485JAN.23'92#05REC 20.00
2485JAN.23'92#05PFUND 10.00
2485JAN.23'92#05A&T FUND 20.00

BARGAIN AND SALE DEED

3 Cs Investment Co., an Oregon corporation, Grantor,
conveys to Ray O. Dustrude and Ida M. Dustrude, husband and wife, with
the right of survivorship, Grantee, the following
described real property.

See attached Exhibit A (hereinafter referred to as
"Conveyed Property").

The true consideration for this conveyance is
\$ 562.50.

The Conveyed Property is adjacent to the property owned by
Grantee described by reference on the attached Exhibit A (Grantee
Property). The conveyed Property and the Grantee Property must
hereafter be sold or conveyed as one unit of land which shall
include both the Conveyed Property and the Grantee Property,
unless otherwise approved by the controlling land use governing
body.

Grantor excepts and reserves from the conveyance set forth herein
easements upon the Conveyed Property upon the following terms and
conditions:

1. Grantor shall have easements for the purpose of access
over and across the Conveyed Property to any portion of the real
property described as "The Entire Right-of-Way" on the attached
Exhibit A, for the purpose of removing all of the materials
located on the Conveyed Property (the ownership of which
materials is hereby reserved by Grantor) including, but not
limited to, rails, ties, bridges, tresses, culverts, retaining
walls, ballast, gravel, rock and timber; and for the purpose of
transporting equipment to remove such materials and to haul such
materials from any other portion of the Entire Right-of-Way.

2. These easements are appurtenant to and shall run with
the Entire Right-of-Way.

3. Grantor may engage an independent contractor to
exercise Grantor's rights under the easements set forth herein.

4. Grantor is not required to repair any damage to the
Conveyed Property resulting from the exercise of Grantor's rights
hereunder.

9204020

5. Grantee assumes all risks arising out of Grantor's use of the easements described herein and Grantor shall have no liability to Grantee, Grantee's agents and employees or any other person for any condition existing upon the Conveyed Property or for any condition or incident caused by the exercise of Grantor's rights hereunder.

6. These easements shall terminate at such time as Grantor has removed all materials which Grantor desires to remove and at such time as Grantor does not own any portion of the Entire Right-of-Way. If the conditions set forth in the preceding sentence do not occur, these easements shall be perpetual. These easements shall remain appurtenant to each and every portion of the Entire Right-of-Way.

7. Grantee shall take no action upon the Conveyed Property which would impair in any way Grantor's exercise of its easement rights, including, but not limited to, an absolute prohibition against the construction of any type of fence or other barrier which would impair in any way Grantor's ability to exercise such rights.


8. These easements shall run with and burden the Conveyed Property, until terminated according to the provisions hereof, if ever.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

Dated this 23rd day of Jan, 1991.

3 Cs INVESTMENT CO.

By 
Closen F. Christian, Jr., President

RAY O. DUSTRUDE
92885 Marcola Road
Marcola, OR 97454

Grantor's Name and Address
EDWARD B. FISHER
92922 MARCOLA ROAD
MARCOLA, OR 97454

Grantee's Name and Address

After recording return to:
EVERGREEN LAND TITLE CO.
P.O. BOX 931
SPRINGFIELD, OR 97477

Until a change is requested, all tax statements shall be
sent to the following address.
SAME AS GRANTEE

9878231

0870SEP.30'98#07REC 10.00
0870SEP.30'98#07PFUND 10.00

TITLE NO. ELT-28862
ESCROW NO. SP98-E9471
TAX ACCT. NO. 1178787 2872066 28710
MAP NO. 16 01 08 00 00700 16 01 08 00 00700

0870SEP.30'98#07A&T FUND 20.

WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL OR CORPORATION)

RETURN TO EVERGREEN LAND TITLE CO.

KNOW ALL MEN BY THESE PRESENTS, That RAY O. DUSTRUDE and IDA M. DUSTRUDE, husband and wife hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by EDWARD B. FISHER and LILLI A. FISHER, husband and wife hereinafter called grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of LANE and State of Oregon, described as follows, to-wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except

Subject to any and all easements, restrictions and covenants of record

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$342,000.00.
~~*However, the actual consideration consists of or includes other property or value given or promised which is (the whole/part of the) consideration (indicate which):*~~ (The sentence between the symbols *, if not applicable should be deleted. See ORS 93.030.)

In construing this deed 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 corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 29th day of September 1998; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

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

Ray O. Dustrude
RAY O. DUSTRUDE

Ida M. Dustrude
IDA M. DUSTRUDE

STATE OF OREGON, COUNTY OF Lane

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON September 29, 1998, BY RAY O. DUSTRUDE and IDA M. DUSTRUDE, husband and wife

[Signature]
Notary Public for Oregon My commission expires: 10-16-99

WARRANTY DEED

Edward B. Fisher and Lilli A. Fisher, ("Grantors"), convey and warrant to Ravin Ventures LLC, an Oregon Limited Liability Company ("Grantee"), the real property in Lane County, Oregon, described on Exhibit A, attached hereto and made a part hereof by this reference, free of all encumbrances except as specifically set forth herein:

1. The liability and obligations of Grantors to Grantee and Grantee's assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantors under a standard policy of title insurance, or, if the Grantors have coverage under an extended policy of title insurance, under an extended policy of title insurance. The limitations contained herein expressly do not relieve Grantors of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

2. Liens or encumbrances created or suffered by Grantors.

The true consideration for this conveyance is \$0.00 and other consideration other than in the form of money or money's worth.

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

Division of Chief Deputy Clerk
Lane County Deeds and Records

2004-023175



\$36.00

00561828200400231750030034

03/31/2004 03:10:19 PM

RPR-DEED Cnt=1 Stn=1 CASHIER 08

\$15.00 \$11.00 \$10.00

After recording, return to:

Until a change is requested, all tax statements shall be sent to the following address:

Ravin Ventures, LLC
c/o Edward B. Fisher
37803 Upper Camp Creek Road
Springfield, OR 97478

Ravin Ventures, LLC
c/o Edward B. Fisher
37803 Upper Camp Creek Road
Springfield, OR 97478

940.9'
S 01° 07' W
NORTH 14.66 CHS

SW Cor.
Thomas Grig
D.L.C. No. 42
E 1382488.7
N 1382488.7

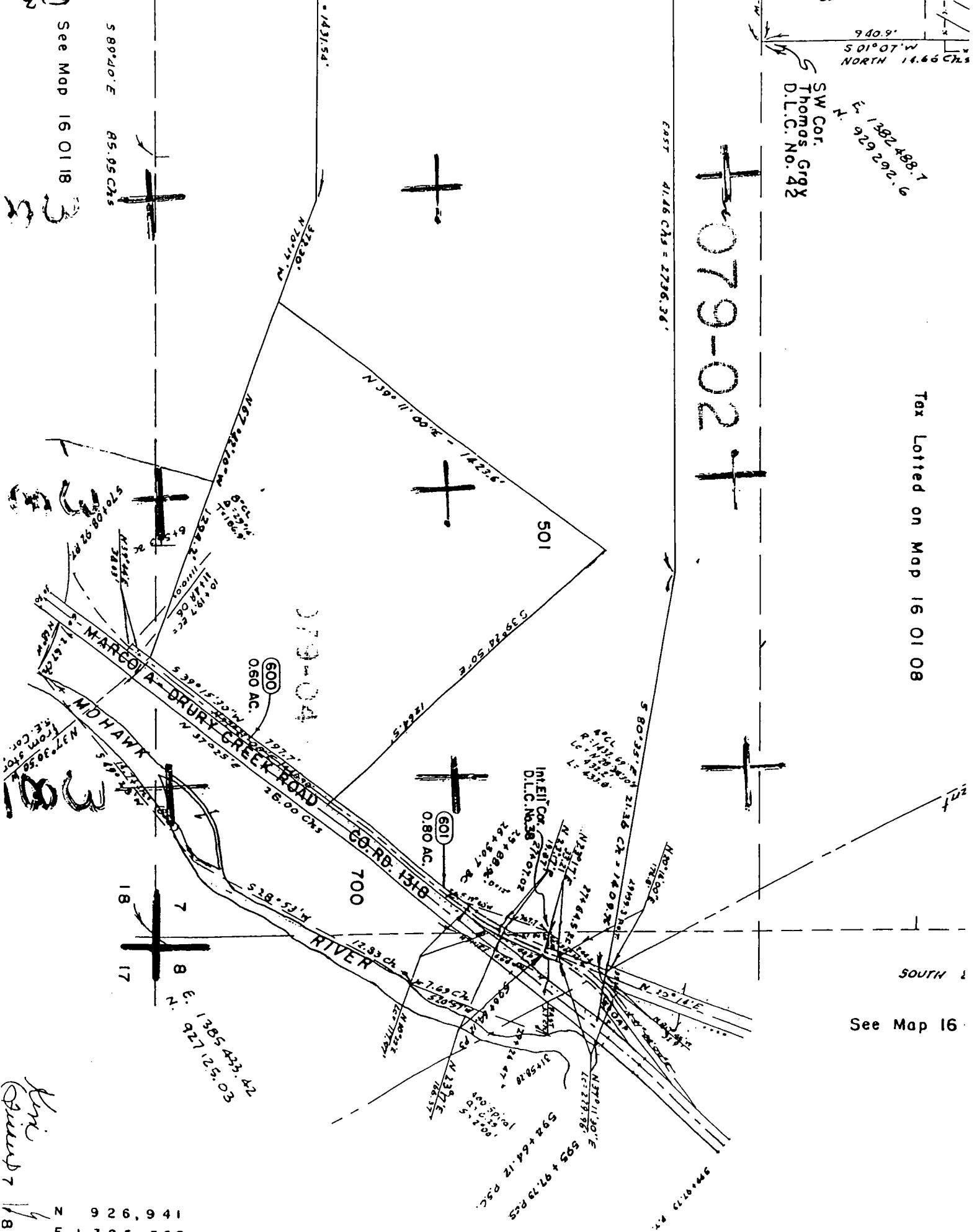
Tax Lotted on Map 16 01 08

079-02

EAST 41.46 CHS = 2796.36'

SOUTH

See Map 16



See Map 16 01 18

926,941
1,385,552

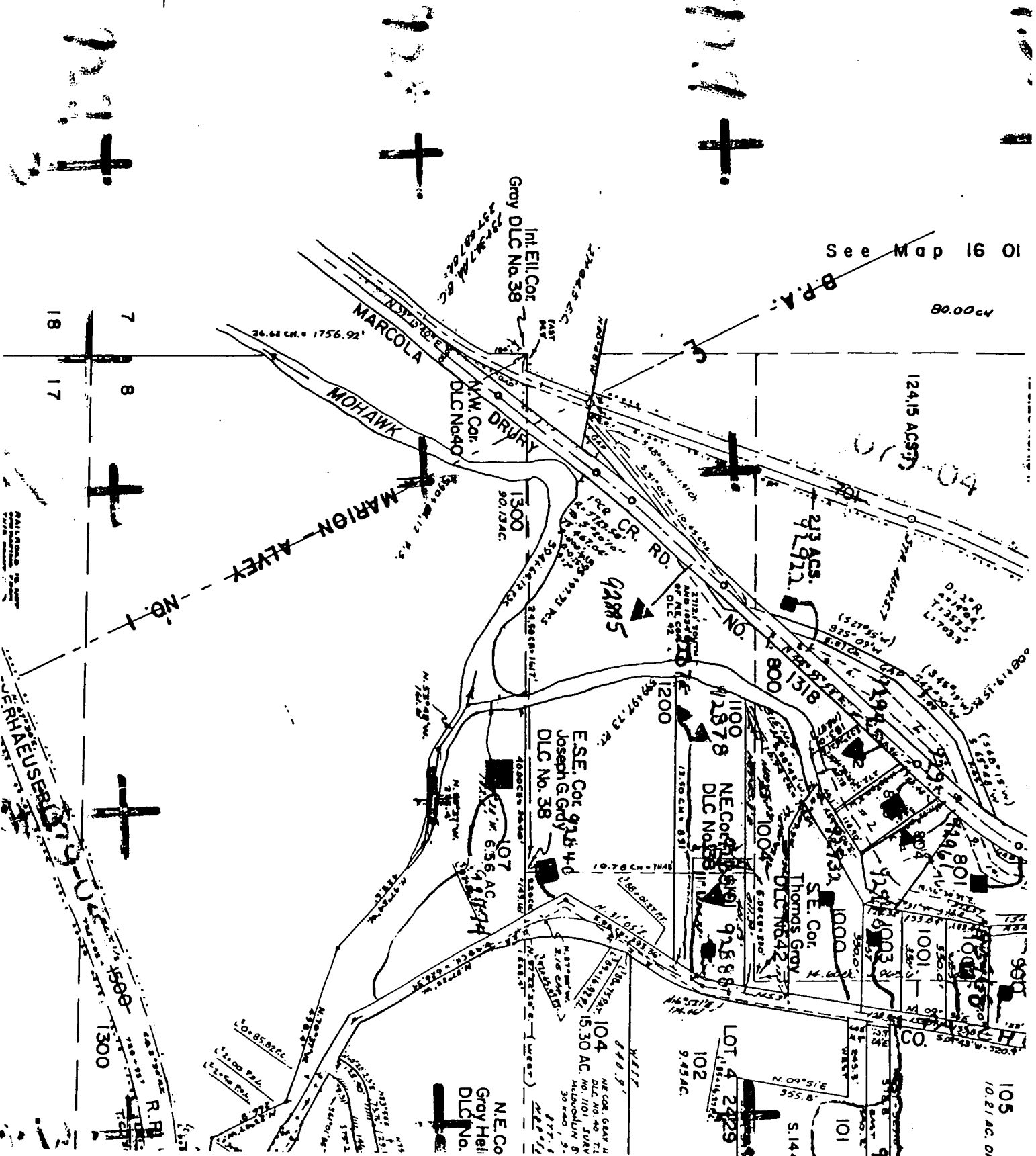
Eric
Green

N 926,941
E 1,385,552

7
8
17
18

See Map 16 01

80.00 ac



7
8
17
18

1500
1300
R.R.

NECO
Gray Hill
DLC No.

E.S.E. Cor
Joseph G. Gandy
DLC No. 38

LOT 4
2429
102
945AC

SE. Cor.
Thomas Gray
DLC No. 42

124.15 ACST

105
10.21 AC. DA

FOR ASSESSMENT
AND TAXATION
USE ONLY

Sect 18 T1E

LANE C

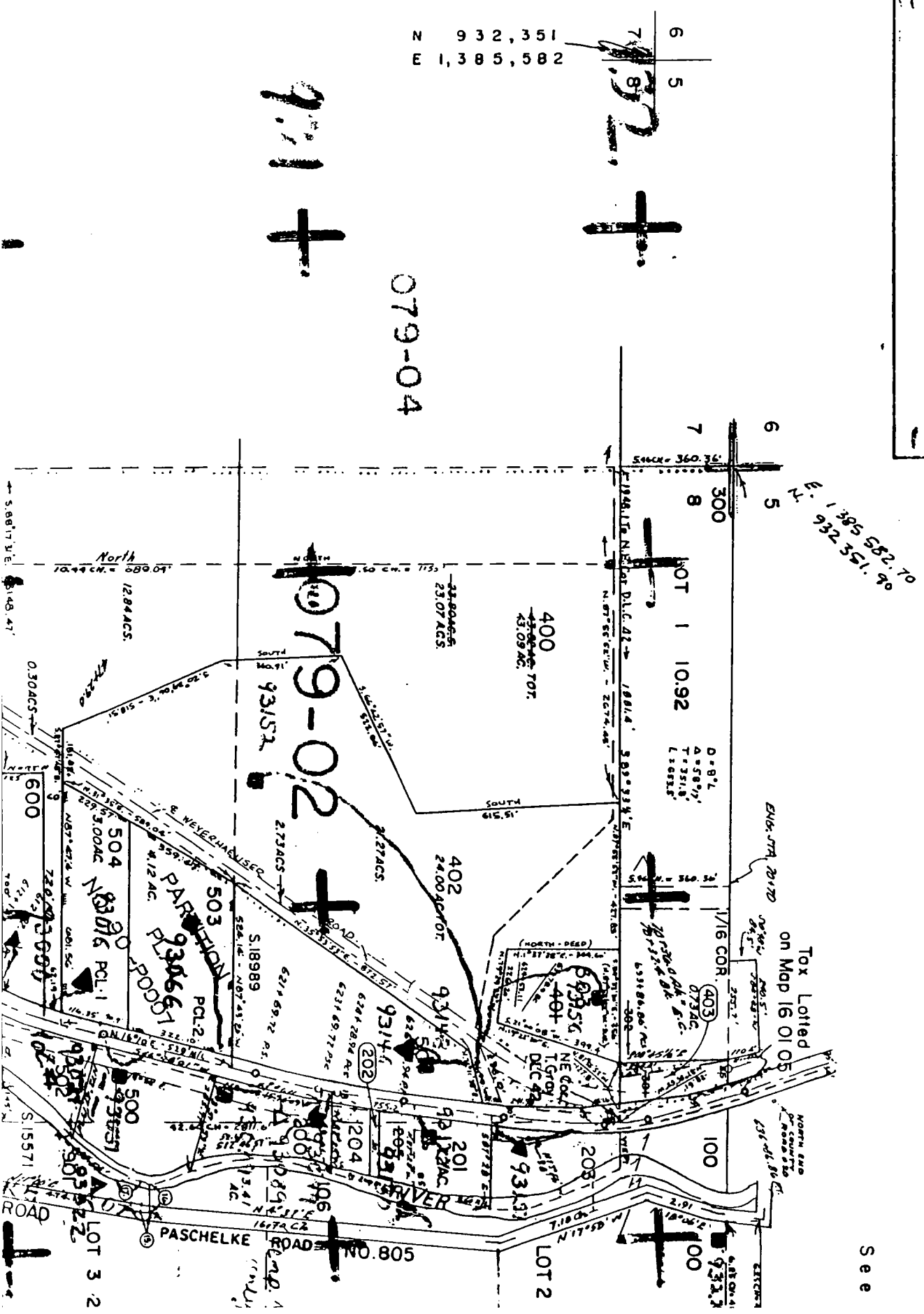
1" = 4'

See

N 932,351
E 1,385,582

921 +

079-04



E. 1385 582.70
N. 932 351.90

6 5
7 8
300

079-02 +

TOX LOTTED
on Map 16 01 05

1/16 COR

400
43.09 ACS

402
24.00 ACS

93152

2.73 ACS

1284 ACS

0.30 ACS

600

500

500

500

S. 8817.31 E. 3148.47'

S. 15571

LOT 3 2

PASCHELKE ROAD

NO. 805

LOT 2

LOT 1

NEVERMAN ROAD

TOX LOTTED

1/16 COR

403

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414

415

416

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674

675

90.9' 501°07'W NORTH 14.60 CHS

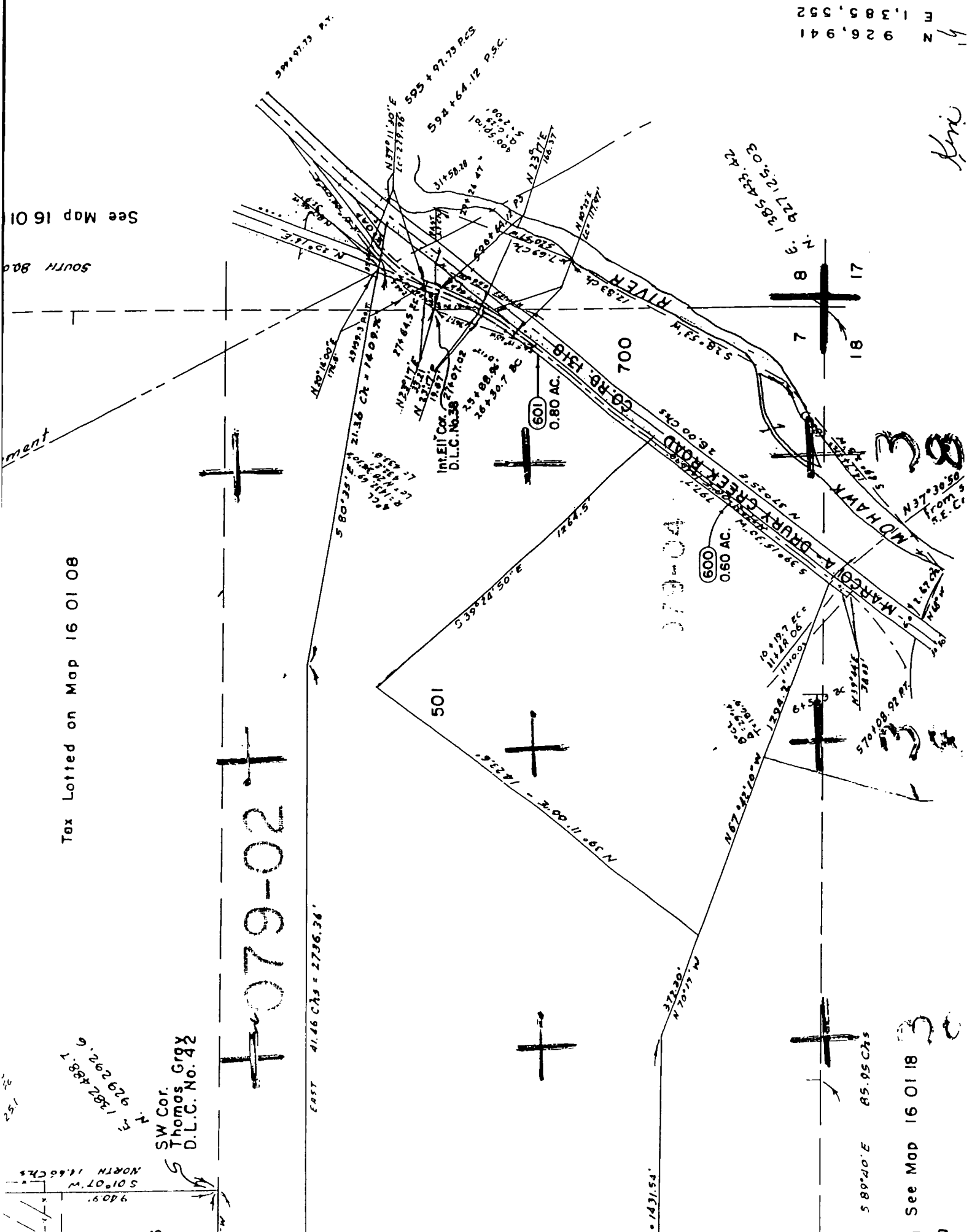
Tax Lotted on Map 16 01 08

See Map 16 01 SOUTH 80.0'

SW Cor. Thomas GrqX D.L.C. No. 42

079-021

EAST 41.46 CHS = 2736.36'



N 926,941 E 1,383,532

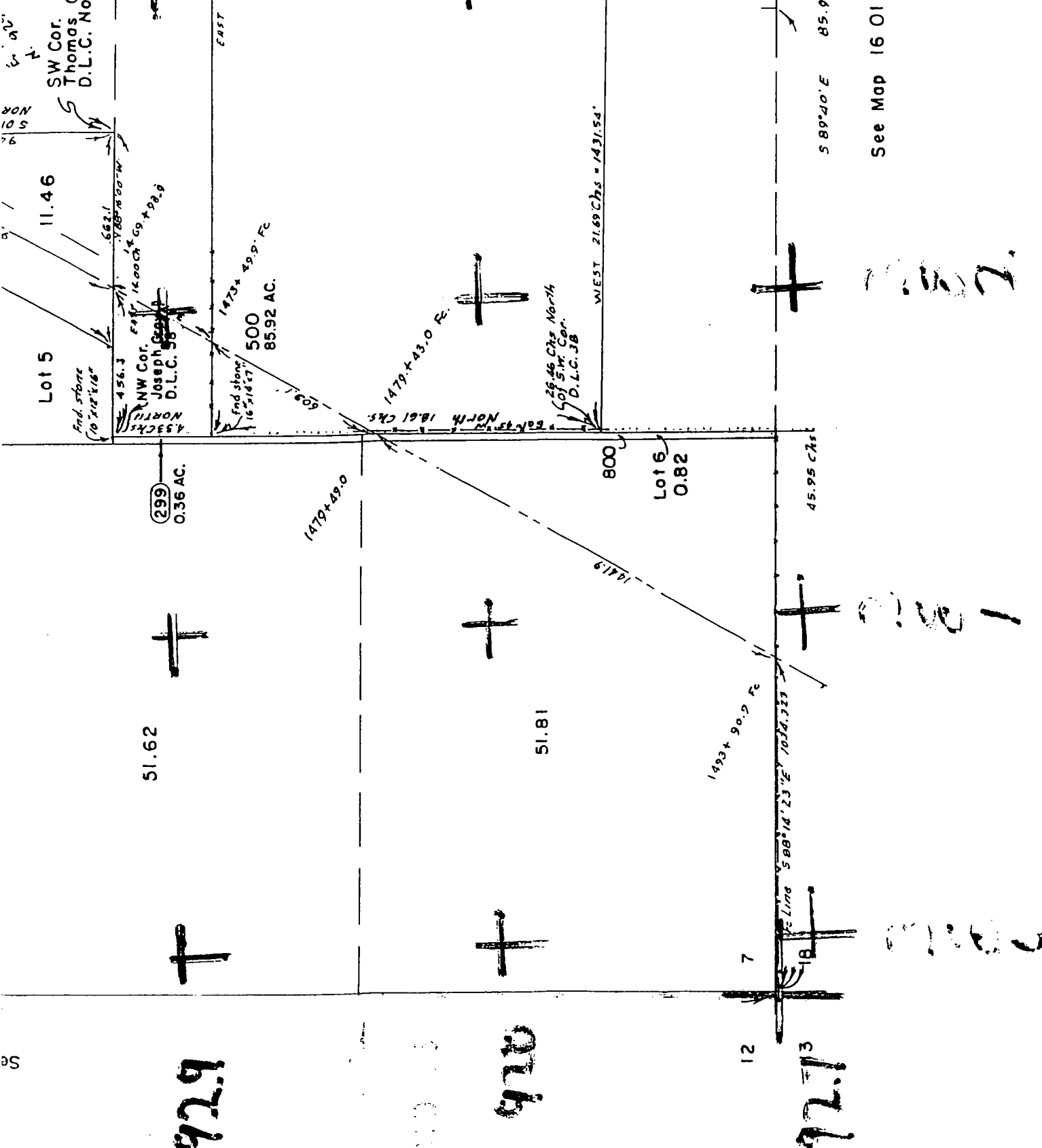
Ami

5 89°40'E 85.95 CHS

See Map 16 01 18

30

2



SW Cor. Thomas (D.L.C. No. 501)

NW Cor. Joseph (D.L.C. No. 500)

299
0.36 AC.

51.62

9229

9273

9277

12 7
13 18

N 927.165
E 1,379.802

See Map 16 01

USE ONLY

See Map 16 0106

N 932,440
E 1,380,017

12
1
6
7
932

931

930

Map 16 0212

OUTH 80.00 Chs

1
6
7
300

51.24

51.43

400

45.57 Chs

TOP-04

Lot 3 32.00

Lot 4 29.00

389°35'E 85.57'

NW Cor.
Thomas Gr
D.L.C. No. 2

SOUTH 28.00 Chs = 1848.00'
= N 01°07'E 1889.64'

07' W
14.66 Chs

777.6'
N 88°07'E
1459' ± 17.5' ±
1450' ± 17.5' ±
1450' ± 17.5' ±
1450' ± 17.5' ±

182,488

EXHIBIT A

PA 1057-91
June 14, 1991
Page 1 of 5

LANE COUNTY HEARINGS OFFICIAL APPROVAL OF A REZONING OF TAX LOTS 1601, 1602, 1603, ASSESSOR'S MAP 17-16-31 FROM F-1 NON-IMPACTED FOREST DISTRICT TO F-2 IMPACTED FOREST DISTRICT

(UNCONTESTED)

Application Summary

Thelma Baker-Fisk, 22124 Highway 126, Noti, OR 97461. Request for a rezoning of tax lots 1601, 1602 and 1603, assessor's map 17-06-31 from F-1 to F-2.

Parties of Record

Thelma Baker-Fisk

Calvin Fisk

Application History

Hearing Date: June 6, 1991

Decision Date: June 14, 1991

Appeal Deadline: June 24, 1991

Statement of Criteria

Lane County Rural Comprehensive Plan
Lane Code 16.210
Lane Code 16.211

Findings of Fact

1. The property subject to the proposed rezoning, hereinafter referred to as "the subject property," can be identified as tax lots 1601, 1602 and 1603, assessor's map 17-06-31, and is located on the west side of Crow-Vaughn Road, about 2 miles south of Noti. The subject property is 10.07 acres in size and is currently vacant.
2. The subject property is designated as Forest Lands by the Rural Comprehensive Plan and is zoned F-1 Non-Impacted Forest Lands.
3. The subject property consists of 93 Nestucca silt loam (50%), 104E and 104G Peavine silty clay loam (40%) and 128B Veneta loam (10%) soil. With the exception of the Peavine soil, which has a site index of 124, these soils are not very productive for woodland management purposes.
4. The subject property receives fire protection from the Oregon State Police and the Lane County Sheriff's Department and fire protection from the Fern Ridge Fire District (non-structural). Telephone is provided by U.S. West and electricity is available from the Lane Electric Cooperative. Water and sewerage would be provided through individual, on-

EXHIBIT P

site systems. Access is on to Crow-Vaughn Road, a Major Collector. The subject property lies within the Fern Ridge School District.

5. The subject property is bordered on the west by the Southern Pacific Railroad and right-of-way. On the north and south it is bordered by parcels zoned RR-5. On the east, the property is bordered by Crow-Vaughn Road and Noti Creek, a small Class I stream.

To the east, across the railroad, lies land zoned F-1 and in commercial forest management. Access to this property, however, is not available to the subject property. To the north are four parcels zoned RR-5; tax lots 1700, 2100, 2101 and 2102. All of these parcels are developed with residences. Tax lot 1700, in particular, is developed with four residences. Farther north, there are another 6 residences between Crow-Vaughn Road and the railroad.

To the south lies tax lot 700, which is developed with a residence. Further south and also located between the railroad and Crow-Vaughn Road lies tax lot 500 and 400; both parcels occupied with dwellings. A small portion of the subject property borders Crow-Vaughn Road on the east. A majority of the eastern perimeter of the subject property is adjacent to Veneta Creek. Beyond the creek, but to the west of Crow-Vaughn Road, lies a portion of tax lot 800. This tax lot, which is larger than 80 acres, lies on both sides of Crow-Vaughn Road and is zoned F-1. The portion of tax lot 800 located on the eastern side of Crow-Vaughn Road is in commercial timber management. There are 18 tax lots that border or are very close to the subject property. Ten of these parcels are occupied with dwellings.

6. The subject property lies within a flood hazard area (See PA 1058-91) but no other natural hazards have been identified.

Decision

THE REQUEST (PA 1057-91) TO REZONE TAX LOTS 1601, 1602, & 1603, ASSESSOR'S MAP 17-06-31 FROM F-1 TO F-2 IS APPROVED

Justification for the Decision (Conclusion)

I. PLAN CONFORMITY

The subject property is designated "Forest Lands" by the Rural Comprehensive Plan. Goal #4 Policies #19(b) and (c) describe the characteristics of F-1 and F-1 properties, respectively. Policy #19(a) implies that the zoning should reflect a conclusion that the characteristics of the land correspond more closely to the characteristics of the proposed zoning (F-1) than the characteristics of the other forest zone (F-1).

Policy #19(b) Non-Impacted Forest Land Zone

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

The subject property is not developed by a residence or nonforest use although 10 of the 18 surrounding parcels are developed with a residence. The subject property shares this characteristic.

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

Only one parcel, tax lot 800 to the east, is 80 acres or larger in size. The subject parcel does not share this characteristic.

- (3) **Predominantly ownerships contiguous to other lands utilized for commercial forest or commercial farm uses.**

The subject property is not directly contiguous to lands utilized for commercial forest or farm uses. The F-1 properties to the west are separated by the intervention of the Southern Pacific Railroad and access to these properties is not directly available. While the subject property is contiguous to tax lot 800, which is zoned F-1, only that portion of tax lot 800 located on the east side of Crow-Vaughn Road is utilized for commercial forest purposes.

- (4) **Accessed by arterial roads or roads intended primarily for forest management.**

The subject property is accessed by Crow-Vaughn Road, a Minor Collector.

- (5) **Primarily under commercial forest management**

The subject property is not currently under commercial forest management. About 60 percent of its soils do not have a high or moderate level of woodland productivity and the presence of Veneta Creek reduces the manageable portion of the subject property (A 50-foot setback must be maintained from Class I streams according to the Oregon Forest Practices Act.)

Policy #19(c) Impacted Forest Land Zone

- (1) **Predominantly ownerships developed with residences or nonforest use.**

The parcel is not developed with a residence or a nonforest use.

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

The property is 10 acres in size and meets this test.

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

All but three of the surrounding 18 parcels are less than 80 acres in size and 10 of these parcels are developed with residences. The subject property meets this characterization.

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

The subject property has access to a full range of services normally available to a rural residence, except rural fire protection, electricity and telephone. Annexation to a rural fire

protection district would be a requirement for any non-forest residence placed upon the subject property. The subject property also is adjacent to Crow-Vaughn Road, a Major Collector.

The subject property meets at all of the five characteristics attributed to property that should be zoned F-1 and all of the four characteristics ascribed to F-2 zoned property. It appears unlikely that the subject property can be used in conjunction with a large commercial forestry operation even though intensive management of the subject property for forestry purposes is quite feasible. Given this situation, it is likely that the subject property will not be intensively managed for forestry unless the applicant is allowed to construct a dwelling on it. The recent changes in the F-2 District allow only forestry-related dwellings and require a forest management plan. Given these facts, it appears that the subject property more closely fits the Rural Comprehensive Plan's profile of F-2 land.

II. ZONE CONFORMITY

Lane Code 16.252(2) requires that rezonings be consistent with the general purposes of Chapter 16, not be contrary to the public interest, be consistent with the general purposes of the proposed zoning district and be consistent with applicable Rural Comprehensive Plan elements.

1. Consistent with the general purposes of Chapter 16

The following general purposes statements of Lane Code 16.003 are arguably applicable to the proposed rezoning:

- (4) **Conserve farm and forest lands for the production of crops, livestock and timber products.**

The proposed zoning district is designated as forest land but recognizes that smaller forest parcels normally require a dwelling to ensure that they are managed efficiently.

- (2) **To facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks and other public improvements.**

A full range of rural services are available to the subject property, except for structural fire protection, and reflect that the area bordering the subject property on the north and south are heavily impacted by residential development.

- (4) **To secure from fire, panic, flood, and other dangers.**

The subject property is within a flood hazard area (PA 1058-91) and a flood hazard special use permit will have to be issued for the development of a dwelling. No other natural hazards are present. The property lies within a rural fire protection district.

2. Not contrary to the public interest.

It is the intent of the Forest Lands policies of the Rural Comprehensive Plan that lands with the potential for forest management be allowed to realize that potential and that forest lands

that are limited by size and residential impacts may have to be occupied with a dwelling before their potential can be met.

(3) Consistency with the proposed zone.


The purpose of the Impacted Forest Lands Zone, as stated by Lane Code 16.211(1), is to implement the forest land policies of the Lane County Rural Comprehensive Plan, that recognize that forest lands impacted by nonforest uses should be treated differently than nonimpacted forest lands, and to conserve forest land for forest uses. A rezoning will formally implement the above-state recognition of the Rural Comprehensive Plan and the placement of a forest-related dwelling on the subject property will allow the most efficient forest management of that property.

(4) Conformity with the Comprehensive Plan.

The analysis in the PLAN CONFORMITY section of this decision affirmatively concludes that a rezoning to F-2 best reflects the character of the subject property.

The Hearings Official concludes that the proposed rezoning is consistent with applicable approval criteria of Lane Code Chapter 10.

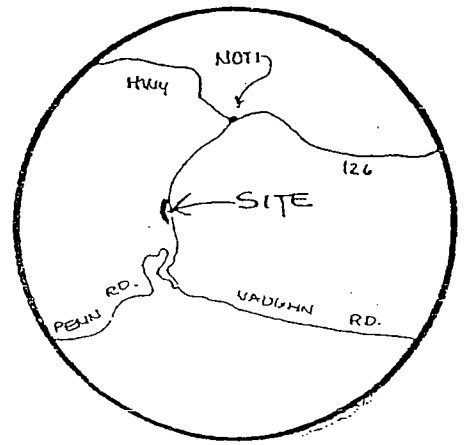
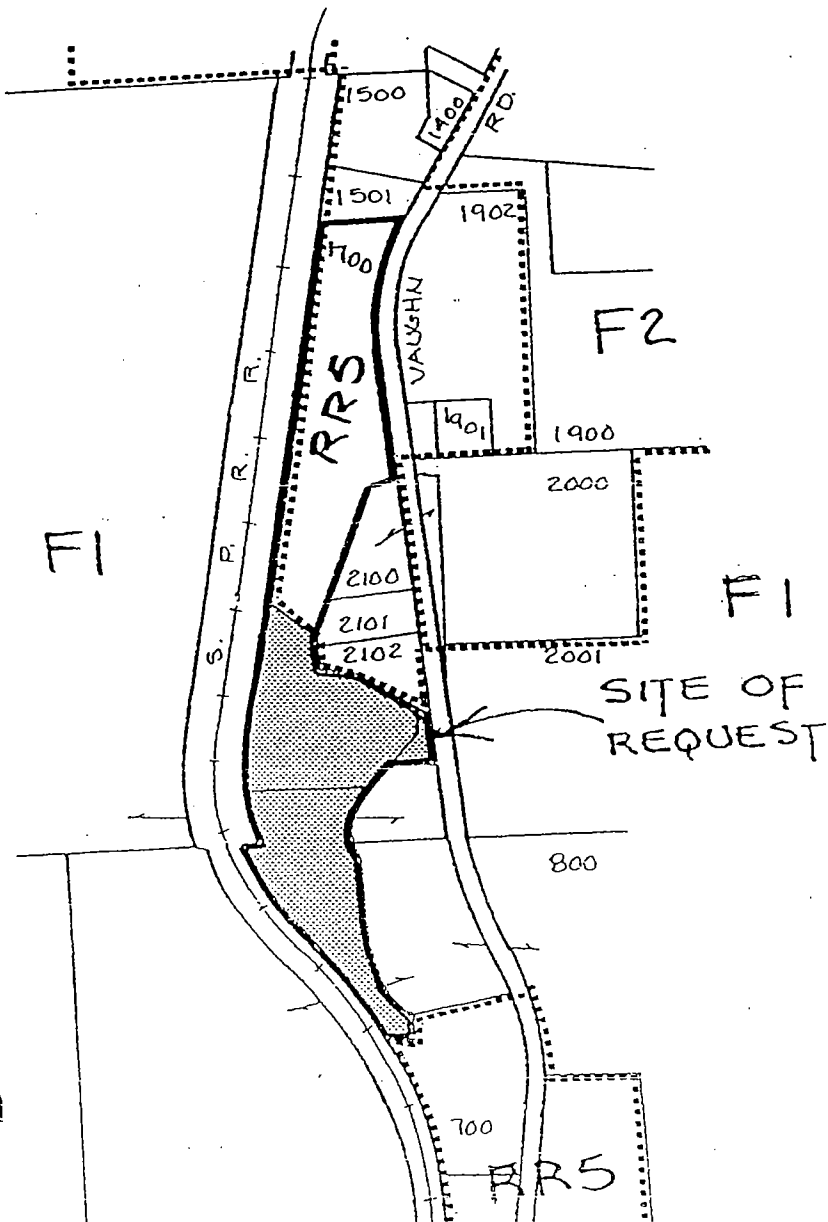
Respectfully Submitted,



Gary Darnielle
Lane County Hearings Official

EXHIBIT B

Assessor's Map 17-06-31,
Tax Lots 1601, 1602 & 1603



VICINITY MAP
NO SCALE



Lane Council of Governments
125 East Eighth Avenue, Eugene, Oregon 97401 (541) 682-4283 Fax: (541) 682-4099 TTY: (541) 682-4567

November 2, 1999

Mr. Kent Howe
Lane County Land Management Division
Public Service Building
125 East Eighth Avenue
Eugene, OR

Re: PA 99-5789 (West)

Dear Mr. Howe:

Enclosed is the Lane County Hearings Official's decision denying on reconsideration a request for a redesignation of property from Non-Impacted Forest Use to Impacted Forest Use (F-1 to F-2). The property is located along Poodle Creek Road and is designated as tax lot 3800, assessor's map 16-06-Index. The property is owned by Tony and Tammie West. The matter was contested.

Please contact me if you have any questions.

Sincerely,

Milo Mecham
Lane County Hearings Official