

W. H. B.

AGENDA COVER MEMO



Memo Date: September 14, 2009

Public Hearing Date: September 30, 2009

TO: Board of County Commissioners
DEPARTMENT: Public Works, Land Management Division, Planning Department
PRESENTED BY: Stephanie Schulz, Planner
AGENDA ITEM TITLE: Order No. - -2009 In the Matter of Annexing Territory, Identified as T17S R12W S24 Tax Lot 415, to Siuslaw Valley Fire and Rescue Under ORS 198.857 (File No. F SV 2009 – ANX 2, Esch)

I. MOTION

Move to adopt the Order.

II. AGENDA ITEM SUMMARY

The Board is being asked to approve the proposed annexation and adopt an Order that represents the Board's final decision on File No. F SV 2009 – ANX 2 (Esch).

III. BACKGROUND

A. Board Action and Other History

The Board has had the authority to process and make decisions on boundary changes to special districts since January 2008, after passage of Senate Bill (SB) 417 moving the authority for boundary changes from ORS Chapter 199 to ORS Chapter 198. ORS Chapter 198 is used throughout the remainder of the state to process special district boundary changes. Board Order 07-12-12-19 was adopted by the Board on December 10, 2007, to provide guidance for processing applications related to special district boundaries pursuant to SB 417 and ORS Chapter 198. Lane Manual Section 60.812 was amended (February 20, 2008) to include fees for processing special district boundary applications. An annexation instruction packet was developed by staff and is posted on the Lane County website (www.lanecounty.org/Elections/District_Annexations.htm).

This annexation request was initiated by the owner of a parcel of land as authorized by ORS 198.857. Lorraine Esch owns the parcel of land proposed for annexation. The parcel includes one tax lot (Map 17-12-24 Tax Lot 415). A validly signed petition, including all other information required for filing, was submitted by the Ms. Esch and was deemed complete on August 25, 2009. As required by this section of ORS Chapter 198, a public hearing date was set within the required timeframe—not sooner than 20 days (September 14) nor later than 50 days (October 14) from the date the petition, including all submittal materials, was deemed complete. All legal notices were completed by Lane County Land Management Division on September 9, 2009, including legal notice published in *The Register Guard*, notice to all owners within 750 feet of the annexation area, interested parties, and agencies. On September 10, 2009, a letter

acknowledging application completeness and notification of the date of the public hearing was sent to the owner (Lorraine Esch), also the initiator of the annexation. The affected special district (Siuslaw Valley Fire and Rescue) received a copy of the notice.

Siuslaw Valley Fire and Rescue serves other properties in this area located on all sides of the annexation area. The parcel proposed for annexation is adjacent to the existing boundaries of the rural fire protection district along its west, south, and east lot lines. Other owners of land in this area, if so desired, can petition to be annexed to the fire district.

Location, Plan Designation, and Zoning

The proposed annexation is located adjacent to and west of Ben Bunch Road, which is located off of Sutton Lake Road. The property is identified as 89890 Ben Bunch Road, Florence (Map 17-12-24 Tax Lot 415), 4.43 acres in size, and developed with one manufactured dwelling unit. The applicable plan designation is Residential and the zone is RR-5, Rural Residential with 5-acre minimum lot size. It is not located within any city or urban growth boundary.

Site Characteristics

The annexation area is located in area where RR-5 exists to the south and east along Ben Bunch Road. F-1, Non-Impacted Forest Lands, and F-2, Impacted Forest Lands, zoned lands are located to the north, west, and east. Several properties in the surrounding area are developed with single family residential units. Others are vacant and forested.

The annexation area is a forested site developed with one manufactured home. Access to the site is via Ben Bunch Road.

Refer to the map in Attachment 1 (Board Order, Exhibit B).

Referral Comments Received

Comments from the property owner and affected district supporting the annexation are included in the owner's petition/submittal (refer to Attachment 2). Should additional written materials or testimony be produced concerning this item, the information will be delivered to the Board in a supplemental memo or delivered at the hearing.

B. Board Goals

Adoption of this Order after conducting a public hearing supports the following Lane County Strategic Goal adopted by the Board:

- Provide opportunities for citizen participation in decision making, voting, volunteerism and civic and community involvement.

C. Financial Considerations

The petitioner submitted the applicable filing fee to Lane County required for processing a special district boundary change for an annexation area consisting of 5 acres or more but less than 10 acres (\$3,550.00).

After annexation to the fire district, the annexed territory will be taxed for Siuslaw Valley Fire and Rescue beginning in the tax year 2010. The annexed territory will continue to receive timber land coverage from the Western Lane District of the State Forestry Department.

D. Analysis

Decision Criteria – ORS Chapter 198 and Order No. 07-12-12-19 –

1. *The land is not within a district formed under the same principal Act; (ORS 198.720(2))*

The annexation area is not within a rural fire protection district formed under the same principal Act (ORS Chapter 478 – Rural Fire Protection Districts).

Annexation of the affected territory to Siuslaw Valley Fire and Rescue is consistent with this criteria.

2. *The affected territory can reasonably be served or continued to be served by the facilities or services provided by the district; and (ORS 198.720(3))*

The annexation area is located in an area that is already provided fire services by Siuslaw Valley Fire and Rescue. The fire district board of directors endorsed the annexation on July 15, 2009, by adopting Resolution No. 2009-05; refer to Attachment 2 (the applicants' petition and submittal materials). The district indicated the area is contiguous to the district boundaries and it can reasonably be serviced. Siuslaw Valley Fire and Rescue is the only provider of structural fire protection in this area and can reasonably serve the affected territory.

Annexation of the affected territory to Siuslaw Valley Fire and Rescue is consistent with this criteria.

3. *No land included in the affected territory will be removed if the land is benefited. (ORS 198.805(1))*

Since the entire annexation area will benefit from being annexed to Siuslaw Valley Fire and Rescue, no property is proposed for removal.

Annexation of the affected territory, as submitted, to Siuslaw Valley Fire and Rescue is consistent with this criteria.

4. *The boundary change is consistent with the Lane County Rural Comprehensive Plan, other applicable comprehensive plans, and other adopted land use regulations or agreements as required for the county board to adequately evaluate the proposed boundary change. (ORS 198.857(4))*

The Lane County Rural Comprehensive Plan (RCP) is the applicable comprehensive plan. The annexation area is designated Residential in the RCP and is zoned RR-5, rural residential with 5-acre minimum lot size. The provision of structural fire protection is consistent with plan policies (Goal Two: Land Use Planning, 18 and 19; and Goal Eleven: Public Facilities and Services, 6.e.) identifying a rural level of fire service as an appropriate level of service for properties designated rural residential.

Annexation of the affected territory to Siuslaw Valley Fire and Rescue is consistent with this criteria.

E. Alternatives/Options

Option 1. Approve the Order as presented.

Option 2. Revise the Order as directed by the Board and return for approval of the revised Order on a date certain set by the Board.

Option 3. Do not approve the Order and deny the application.

IV. TIMING AND IMPLEMENTATION

After the public hearing, the Board can determine whether to approve the petition based on the Decision Criteria. If the petition is approved, a Board Order will be filed with the necessary filing agencies (e.g., Secretary of State, Department of Revenue, Lane County Assessor, Lane County Clerk, and the affected special district) declaring the land annexed to the district.

Passage of the proposed Board Order will become effective when it is fully signed. Filing of the Order will result in this parcel becoming part of Siuslaw Valley Fire and Rescue and the property will receive the requested public safety service for rural property.

The annexation Order is not impacted by the provisions of ORS 198.747, which causes a delay in the effective date of an annexation due to upcoming elections.

V. RECOMMENDATION

Staff recommends Option 1.

VI. FOLLOW-UP

The Board Order will be sent as required by Oregon law to the Secretary of State, Department of Revenue, Lane County Assessor, Lane County Clerk, and Siuslaw Valley Fire and Rescue (the affected district). Should the Board choose Option 3, an Order with findings setting forth the Board's reasons for denying the Order would be prepared and returned to the Board for adoption on a date certain.

VII. ATTACHMENTS

1. Order No. - -2009
Exhibit A Legal Description
Exhibit B Map
Exhibit C Findings
2. Owner's Petition and Submittal Filing Materials
3. Summary of written comments received into the public record (a supplemental distribution).

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: - -2009 IN THE MATTER OF ANNEXING TERRITORY, IDENTIFIED AS T17S R12W S24 TAX LOT 415, TO SIUSLAW VALLEY FIRE AND RESCUE UNDER ORS 198.857 (FILE NO. F SV 2009 – ANX 2, ESCH)

WHEREAS, a petition requesting annexation to Siuslaw Valley Fire and Rescue, a rural fire protection district, was validly filed on August 25, 2009 by the property owner, Lorraine Esch; and

WHEREAS, the property proposed for annexation consists of approximately 4.43 acres and is identified as T17S R12W S24 Tax Lot 415, 89890 Ben Bunch Road, Florence, more particularly described in Exhibit A attached and shown in Exhibit B attached; and

WHEREAS, the property proposed for annexation is developed with one manufactured home, is designated Residential, and zoned RR-5, Rural Residential with 5-acre minimum lot size; and

WHEREAS, legal notice was provided on September 9, 2009; and

WHEREAS, the Board of County Commissioners conducted a public hearing on September 30, 2009; and

WHEREAS, based on the public record, comments received, and staff recommendation, the Board of County Commissioners approved the annexation and made the findings of fact attached as Exhibit C.

NOW, THEREFORE, IT IS ORDERED that the property identified in the petition for annexation is annexed to Siuslaw Valley Fire and Rescue.

DATED this _____ day of _____, 2009.

**Pete Sorenson, Chairperson
Lane County Board of Commissioners**

9-22-09
[Handwritten Signature]

EXHIBIT A
Legal Description

Parcel 2, Land Partition No. 93-P-350, Lane County Oregon Plat Records, in Lane County, Oregon.

EXHIBIT B
Map

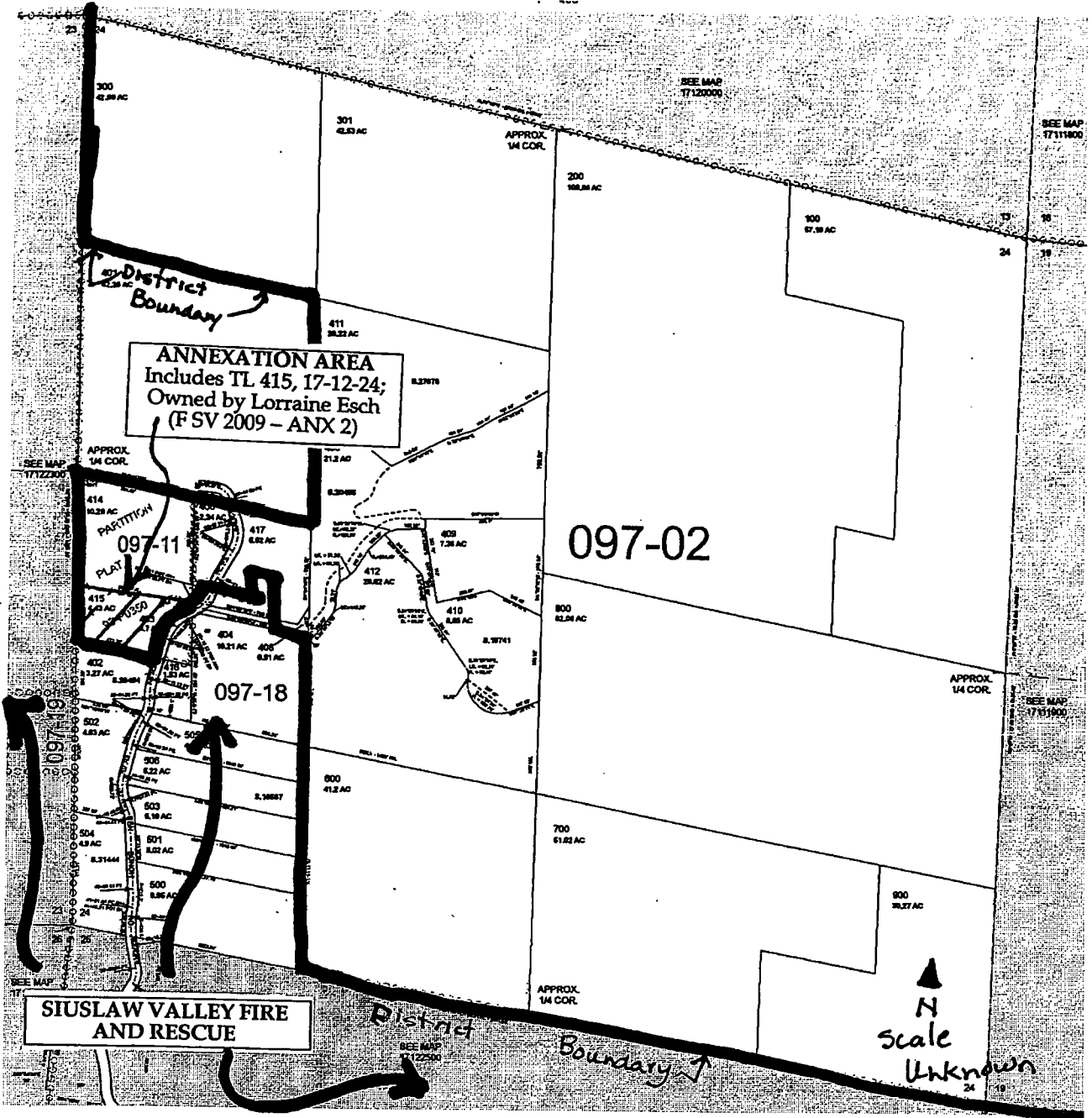


EXHIBIT C
Findings of Fact

1. The annexation of land to Siuslaw Valley Fire and Rescue was initiated by the owner as authorized by ORS 198.857. Lorraine Esch consented in writing as the owner of parcel T17S R12W S24 Tax Lot 415 (89890 Ben Bunch Road, Florence).
2. The annexation application was deemed complete by Lane County Land Management Division on August 25, 2009.
3. Legal notice of the public hearing occurred on September 9, 2009.
4. The public hearing required by ORS 198.857 was held on September 30, 2009.
5. The Decision Criteria analysis considered by the Board of County Commissioners follows.

The land is not within a district formed under the same principal Act; (ORS 198.720(2))

The annexation area is not within a rural fire protection district formed under the same principal Act (ORS Chapter 478 – Rural Fire Protection Districts).

The affected territory can reasonably be served or continued to be served by the facilities or services provided by the district; and (ORS 198.720(3))

The annexation area is located in an area that is already provided fire services by Siuslaw Valley Fire and Rescue. The fire district board of directors endorsed the annexation on July 15, 2009, by adopting Resolution No. 2009-05. The district indicated the area is contiguous to the district boundaries and it can reasonably be serviced. Siuslaw Valley Fire and Rescue is the only provider of structural fire protection in this area and can reasonably serve the affected territory.

No land included in the affected territory will be removed if the land is benefited. (ORS 198.805(1))

Since the entire annexation area will benefit from being annexed to Siuslaw Valley Fire and Rescue, no property is proposed for removal from the affected territory.

The boundary change is consistent with the Lane County Rural Comprehensive Plan, other applicable comprehensive plans, and other adopted land use regulations or agreements as required for the county board to adequately evaluate the proposed boundary change. (ORS 198.857(4))

The Lane County Rural Comprehensive Plan (RCP) is the applicable comprehensive plan. The annexation area is designated Residential in the RCP and is zoned RR-5, rural residential with 5-acre minimum lot size. The provision of structural fire protection is consistent with plan policies (Goal Two: Land Use Planning, 18 and 19; and Goal Eleven: Public Facilities and Services, 6.e.) identifying a rural level of fire service as an appropriate level of service for properties designated rural residential.

6. Annexation to Siuslaw Valley Fire and Rescue is consistent with the Decision Criteria, Lane County Rural Comprehensive Plan, Lane Code, and Oregon Law.

BEFORE THE LANE COUNTY BOARD OF COMMISSIONERS, OREGON

This PETITION is filed pursuant to ORS 198.705 to 198.955.

PETITION FOR ANNEXATION to the Siuslaw Valley Fire & Rescue (District Name)

- The principle Act of this district is ORS Chapter 478
- The names of all other governments that provide services within the annexing district: (example: Lane County, Community College, School, or other special districts)

District/County Name	Principle Act
<u>U. SIUSLAW SCHOOL DIST.</u>	<u>329</u>
<u>U. LANE EDUCATION SERVICE DIST.</u>	<u>203</u>
<u>U. LANE COMMUNITY COLLEGE</u>	<u>341</u>
<u>WESTERN LANE AMBULANCE DIST. 20</u>	<u>443</u>
<u>U. WESTERN LANE AMBULANCE DIST.</u>	<u>440</u>
<u>U. PORT OF SIUSLAW</u>	<u>399</u>
<u>U. LANE COUNTY</u>	<u>203</u>
<u>U. SIUSLAW SCHOOL DIST BOND</u>	<u>310</u>
<u>U. LANE COUNTY BOND</u>	<u>203</u>
<u>U. LANE COMMUNITY COLLEGE BOND</u>	<u>341</u>
<u>MECETA WATER DIST BOND</u>	<u>269</u>
<u>FIRE PATROL EMERGENCY WEST</u>	<u>478</u>
<u>FIRE PATROL WEST</u>	<u>478</u>

- Proposed territory to be annexed is:
 - Inhabited Uninhabited

- Any known terms and conditions associated with this petition: NONE

• Is any of the annexation area within any city? YES NO (If yes, city resolution required.)

• The following petitioner(s) request that annexation proceedings be taken for the territory proposed.

<u>Lorraine M. Esch</u>	<u>89890 Ben Bunch Rd. Florence, Or.</u>	<u>6-4-09</u>
Name	Address	Date
Name	Address	Date
Name	Address	Date

App # F-SV-2009-ANX-2
(completed by County Staff)

Single Property Owner Aff.

PETITION SIGNATURE SHEET / DISTRICT ANNEXATION

App # F-5V-2009-ANX-2
(completed by County Staff)

Proposed Annexation to DUNSLAW VALLEY FIRE & RESCUE (Name of District)

To give consent to annex a particular piece of property, persons who own an interest in the property, or who are purchasers of property on a contract sale that is recorded with Lane County, must sign the annexation petition. Generally, this means that both husband and wife should sign. In the case of a corporation or business, the person who is authorized to sign legal documents for the firm may sign the annexation petition.

Signature	Date Signed m/d/y	Print Name	Residence Address street, city, zip code	Map & Tax Lot # township/range/section/lot #	Land Owner	Acres (qty)	Reg Voter
<u>Berraine M. Esch</u>	<u>6-3-09</u>	<u>BERRAINE M. ESCH</u>	<u>88890 BEN BARNER RD.</u>	<u>17-18-34-00-00415</u>	<input checked="" type="checkbox"/>	<u>5.2</u>	<input checked="" type="checkbox"/>

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, LEO J. STABLETON (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
X Leo J. Stableton (signature of circulator)

CERTIFICATION OF ELECTORS

The total number of active registered voters in the proposed district annexation are _____. I hereby certify that this petition includes _____ valid signatures representing _____ (%) of the total active registered voters that reside in the proposed annexation.

Lane County Clerk or Deputy Signature

Date Certified

CERTIFICATION OF PROPERTY OWNERS

According to the Lane County Assessment and Taxation records, the total number of landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total percent of 100 (%) landowners and 100 (%) acres as determined by the map and tax lots attached to the filed petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

Amelia Curran
Lane County Department of Assessment and Taxation or Lane County Clerk or Deputy on behalf of A&T

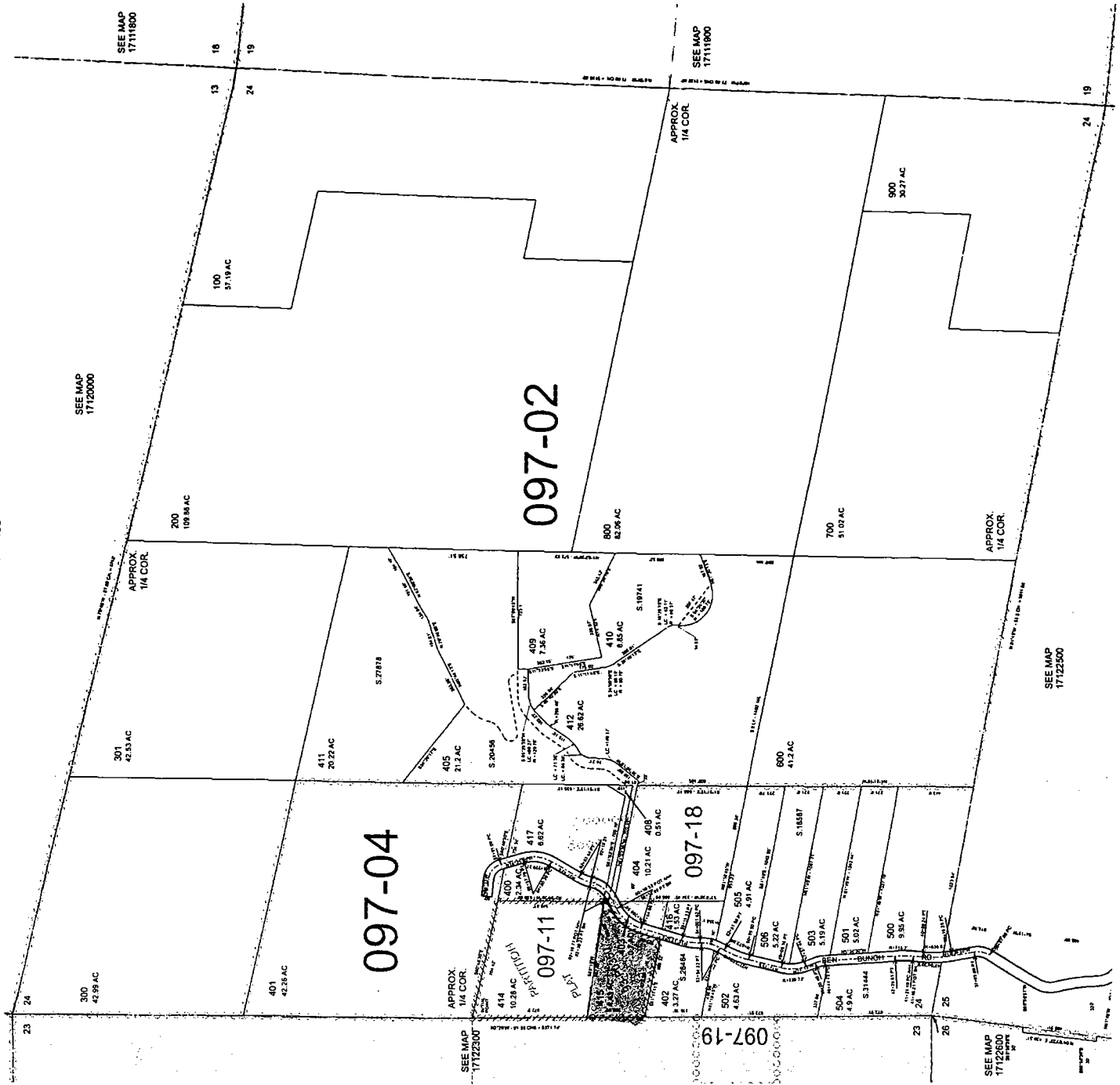
8/12/09
Date Certified

SECTION 24 T17S R12W W.M.
Lane County
1" = 400'

FOR ASSESSMENT AND
TAXATION ONLY

GIS DATA
8/15/2008 12:07:29 PM
CANCELLED:
413

REVISIONS
LOCUS, SEC 11, CO. 2E
T17S, R12W, W.M. 18
T17S, R12W, W.M. 19
T17S, R12W, W.M. 20
T17S, R12W, W.M. 21
T17S, R12W, W.M. 22
T17S, R12W, W.M. 23
T17S, R12W, W.M. 24



097-11

PLAT

62+16.77 POT AH=
62+35.22 PT BK

S89°10'W
687.62'

415
4.43 AC

93-P0350

100.68'
64.27'

62+93.44 PT

62+18.21

S81°03'38"E - 700.19'

N81°03'38"W - 700.35'

403
0.7 AC

404
10.21 AC

408
0.51 AC



472.29'

S81°11'11"E

698.32'

402
3.27 AC

S.28464

416
1.53 AC

55+11.13 PT

R=268.59'
57+64.66 PC
60+10.52 POT AH=
59+57.89 PT BK

336.36'

53+94.22 PT

54+001.62 PC

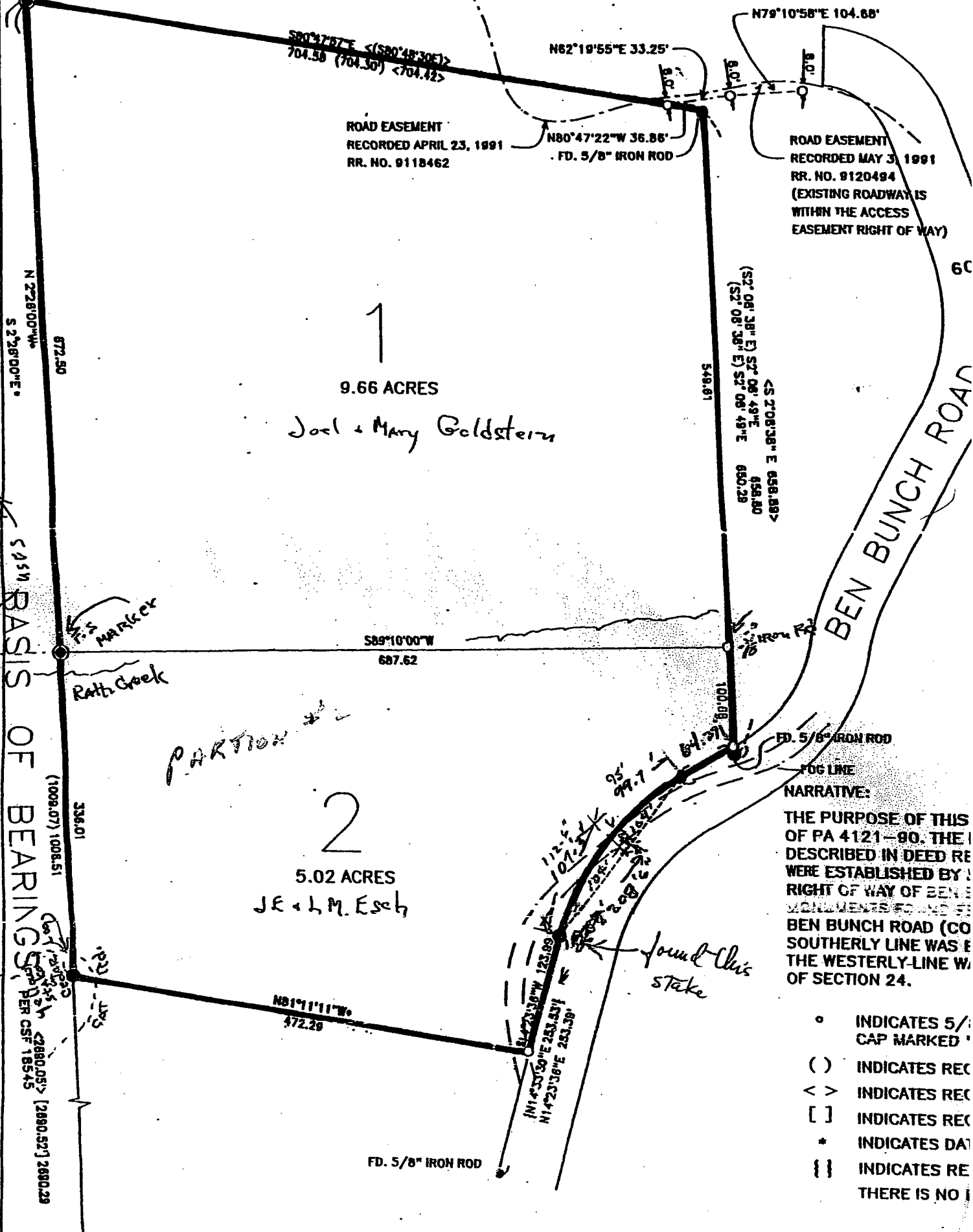
8"W - 334.45'

097-18

S1°51'15"E - 655.11'

5"E - 655.11'

★ subject property



ROAD EASEMENT
RECORDED APRIL 23, 1991
RR. NO. 9118462

ROAD EASEMENT
RECORDED MAY 31, 1991
RR. NO. 9120494
(EXISTING ROADWAY IS
WITHIN THE ACCESS
EASEMENT RIGHT OF WAY)

9.66 ACRES

Joel + Mary Goldstein

5.02 ACRES

JE + L.M. Esch

BEN BUNCH ROAD

WAS ON BASIS OF BEARINGS

PARTITION

Found this Stake

NARRATIVE:
THE PURPOSE OF THIS
OF PA 4121-90. THE
DESCRIBED IN DEED RE
WERE ESTABLISHED BY
RIGHT OF WAY OF BEN
MONUMENTS TO AND BE
BEN BUNCH ROAD (CO
SOUTHERLY LINE WAS E
THE WESTERLY LINE W
OF SECTION 24.

- INDICATES 5/8" CAP MARKED
- () INDICATES REC
- < > INDICATES REC
- [] INDICATES REC
- * INDICATES DAT
- { } INDICATES RE
- THERE IS NO I

10.0' RIGHT OF WAY E
MARCH 10, 1955, RR.
THERE ARE NO WATT-

2
10
20

LEGAL DESCRIPTION

9415144

TITLE NO. FTE-1647
ESCROW NO. FL94-0642
TAX ACCT. NO. PTN 1437902
TAX MAP NO. 17-12-24-00-00413

WARRANTY DEED -- STATUTORY FORM
(INDIVIDUAL OR CORPORATION)

JOEL A. GOLDSTEIN and MARY A. M. GOLDSTEIN, husband and wife,
Grantor,

conveys and warrants to

JOHN E. ESCH and LORRAINE M. ESCH, husband and wife, Grantee,

the following described real property free of encumbrances except as specifically set forth herein:

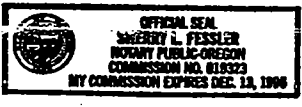
Parcel 2, LAND PARTITION PLAT NO. 93-P-350, Lane County Oregon Plat
Records, in Lane County, Oregon.
5326MAR.01*94H04REC 5.00
5326MAR.01*94H04PFUND 10.00
5326MAR.01*94H04A&T FUND 20.00

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 practice as defined in ORS 30.390.

Encumbrances: Covenants, conditions, restrictions and easements of record

The true consideration for this conveyance is \$59,000.00 (Here comply with the requirements of ORS 93.030*).

Dated this 28 day of February, 1994; if a corporate grantor, it has caused its name to be signed by order of its board of directors.



Joel A. Goldstein
JOEL A. GOLDSTEIN
Mary A. M. Goldstein
MARY A. M. GOLDSTEIN

STATE OF OREGON, County of Lane) ss.

This instrument was acknowledged before me on 2/28, 1994, by JOEL A. GOLDSTEIN and MARY A. M. GOLDSTEIN

Sherry L. Fessler
Notary Public for Oregon

My commission expires: 12/13/96

JOEL A. GOLDSTEIN
89970 BRN BUNCH RD.
FLORENCE, OR 97439

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

*** SAME AS GRANTEE ***

JOHN E. ESCH
PO BOX 65
FLORENCE, OR 97439
GRANTEE'S NAME AND ADDRESS

After recording return to:
FLORENCE TITLE AND ESCROW, INC. OF OREGON
1225 HIGHWAY 101 STREET
FLORENCE, OR 97439

for the said
has the within
record at

ds.

CADASTRAL MAP

LAND PARTITION PLAT NO. **93-P0350**

IN PLAT

LANE COUNTY SURVEYORS OFFICE
C.S. FILE NO. 31265
FILING DATE 5-21-93 C

Y A.M. GOLDSTEIN
, R 12 W, W.M.
EGON

I, THE UNDERSIGNED HEREBY CERTIFY THAT THIS IS
AN EXACT COPY OF THE FINAL PLAT AS SHOWN.

Eugene M. Wobbe

OWNER & PARTITIONER: JOEL A. GOLDSTEIN AND MARY A.M. GOLDSTEIN
89970 BEN BUNCH ROAD
FLORENCE, OR 97439

SURVEYOR: EUGENE M. WOBBE, PLS, WRE.
WOBBE & ASSOCIATES, INC.
510 KINGWOOD ST./ P.O. BOX 1136
FLORENCE, OREGON 97439

ZONING: SINGLE FAMILY RESIDENTIAL / RR5

DATE SUBMITTED: APRIL 14, 1993

FILED
MAY 8 1993
COUNTY CLERK
Therese D. White

LANE COUNTY APPROVALS:

K. Robert Egell
LANE COUNTY SURVEYOR 5-19-93
DATE

John S. Tolch
DIRECTOR LAND MANAGEMENT DIVISION
FOR ROY BURNS MAY 18, 1993
DATE

\$33496

SURVEYORS CERTIFICATE:

I, EUGENE M. WOBBE, A REGISTERED PROFESSIONAL LAND SURVEYOR DO
HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED AND MARKED
WITH PROPER MONUMENTS THE FOLLOWING DESCRIBED PLAT AND THAT
THE INITIAL POINT IS MARKED BY A BRASS CAP.

BEGINNING AT THE WESTERLY 1/4 OF SECTION 24, TOWNSHIP 17 SOUTH, RANGE
12 WEST, W.M.. THENCE SOUTH 80°42'57" EAST 704.58 FEET; THENCE SOUTH
2°08'49" EAST 650.29 FEET TO THE WESTERLY RIGHT OF WAY OF BEN BUNCH
ROAD; THENCE ALONG SAID RIGHT OF WAY SOUTH 59°54'06" WEST 64.27 FEET;
THENCE ALONG THE ARC OF A 268.59 FOOT RADII CURVE (THE CHORD OF WHICH
BEARS SOUTH 36°58'51" WEST 206.53 FEET) A DISTANCE OF 211.77 FEET;
THENCE SOUTH 14°23'56" WEST 123.99 FEET; THENCE LEAVING SAID RIGHT OF
WAY NORTH 81°11'11" WEST 472.29 FEET TO THE WEST LINE OF SAID SECTION 24;
THENCE ALONG SAID WEST LINE NORTH 2°26'00" WEST 1008.51 FEET TO THE
POINT OF BEGINNING IN LANE COUNTY, OREGON.

CORNERS
PARCEL
3124324
3545. THE
OM
MAP FOR
22-76. THE
ED BEARING.
Y LINE



Eugene M. Wobbe
P.L.S. EXPIRATION DATE 12-31-94

DW PLASTIC

OWNERS DECLARATION:

KNOW ALL MEN THAT JOEL A. GOLDSTEIN AND MARY A.M. GOLDSTEIN ARE THE
OWNERS OF THE LAND DESCRIBED HEREON AND DID CAUSE THE SAME TO BE
PARTITIONED AND PLATTED AS HEREON SHOWN ACCORDING TO THE PROVISIONS
OF THE OREGON REVISED STATUTES, CHAPTER 92.

Joel A. Goldstein
JOEL A. GOLDSTEIN

Mary A.M. Goldstein
MARY A.M. GOLDSTEIN

CH ROAD)

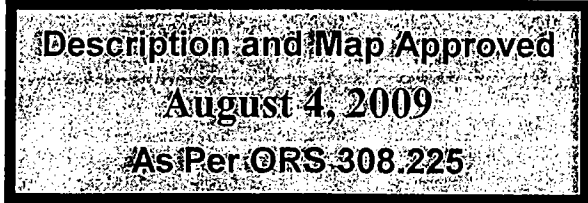
Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

Siuslaw Valley Fire and Rescue
2625 Highway 101 North
Florence, OR 97439



Description Map received from: John D. Buchanan
On: 6/5/2009

This is to notify you that your boundary change in Lane County for

Annexation into Siuslaw Valley Fire and Rescue

RES #2009-02

has been: Approved 8/4/2009
 Disapproved

Notes:

Department of Revenue File Number: 20-1822-2009

Prepared by: Matthew Taylor 503-947-2162

Boundary: Change Proposed Change
The change is for:

- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge
- Establishment of Tax Zone

SIUSLAW VALLEY FIRE AND RESCUE

"Protection with Pride"

Resolution No. 2009-05

A Resolution Approving a Petition to Annex

WHEREAS, Lorraine Esch has filed a petition with Siuslaw Valley Fire and Rescue (District) to annex to the District the property, more particularly described as:

Exhibit 'A' Attached

WHEREAS, the petitioner is the legal owner of the property; and

WHEREAS, the property is contiguous to the District; and

WHEREAS, the Fire Chief has determined that the District can reasonably provide services to the property.

THEREFORE BE IT RESOLVED THAT the Board of Directors of Siuslaw Valley Fire and Rescue does hereby approve the above referenced petition for annexation, and does hereby authorize the Fire Chief or other personnel to provide a copy of this resolution to the petitioners and appropriate officials with Lane County.

PASSED AND ADOPTED this 15th day of July, 2009.


Steve Olienyk, Board President



John S. Scott, Board Member

Exhibit 'A'

LEGAL DESCRIPTION

BEGINNING AT THE WESTERLY $\frac{1}{4}$ OF SECTION 24, TOWNSHIP 17 SOUTH, RANGE 12 WEST, W.M., THENCE SOUTH $80^{\circ}47'57''$ EAST 704.58 FEET; THENCE SOUTH $2^{\circ}08'49''$ EAST 650.29 FEET TO THE WESTERLY RIGHT OF WAY OF BEN BUNCH ROAD; THENCE ALONG SAID RIGHT OF WAY SOUTH $59^{\circ}34'06''$ WEST 64.27 FEET; THENCE ALONG THE ARC OF A 268.59 FOOT RADIUS LEFT (THE CHORD OF WHICH BEARS SOUTH $36^{\circ}58'51''$ WEST 206.33 FEET) A DISTANCE OF 211.77 FEET; THENCE SOUTH $14^{\circ}23'36''$ WEST 123.99 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH $81^{\circ}11'11''$ WEST 472.29 FEET TO THE WEST LINE OF SAID SECTION 24; THENCE ALONG SAID WEST LINE NORTH $2^{\circ}26'00''$ WEST 1008.51 FEET TO THE POINT OF BEGINNING IN LANE COUNTY, OREGON.

To whom it may concern:

When we purchased the property we assumed it was in the Siuslaw Valley Fire and Rescue District. I just found out that my property is not in the district, and I have a large desire to get into the Siuslaw Valley and Rescue District. My property is not in the city or even in the urban growth boundary , it's in a rural area.

1. This land is not within a district formed under the same principal

Act.

2. This land can reasonably be served by the Siuslaw Fire and Rescue

District. There is a fire hydrant within 300 ft. of the home.

3. No land included in the annexation will be removed if the land is benefited.

4. The boundary change is consistant with the lane county rural comprehensive

Plan, other applicable refinement plans, or other adopted land

Use regulations or agreements.

Yours Truly,

Lorraine M. Esch

**Lorraine Esch
PO Box 65
Florence, Oregon 97439**

**Resident Address
89890 Ben Bunch Rd.**

*Florence, OR
97439*

**LANE COUNTY
SUPPLEMENTAL ANNEXATION
INFORMATION FORM**

(Complete all the following questions and provide all the requested information. This form will be used to determine whether or not the application can be considered a land use decision and for the purpose of analysis and decision making by the Lane County Board of Commissioners. Attach any responses that require additional space, restating the question or request for information on additional sheets.)

Contact Person: LORRAINE M. ESCH
Mailing Address: P.O. BOX 65
City/Zip: Florence, OR 97439
Phone #: 541-997-2649
E-Mail: NONE

The attached petition is for annexation to Siuslaw ^{VALLEY FIRE & RESCUE} FIRE (district name).

Supply the following information regarding the annexation area.

- Estimated Population (at present): 1
- Number of Existing Residential Units: 1
- Land Area: 5.02 total acres
- Existing Plan Designation(s): NONE
- Existing Zoning(s): RR5
- Existing Land Use(s): Rural Residential
- Existing improvements (public or private); water; streets; ~~sanitary sewer; storm drainage~~; parks; fire protection (both structural and timberland); electrical:
Fire Patrol Emergency West
- Applicable Comprehensive Plan(s): RR5 RESIDENCE
- Provide evidence that the annexation is consistent with the applicable comprehensive plan(s) and any associated refinement plans.
This tax lot was not existing when fire district annexation existed
- Are there development plans associated with this proposed annexation?
Yes _____ No
If yes, describe.

- Is the proposed use or development allowed on the property under the current plan designation and zoning?
Yes No _____

- Indicate whether a change of zoning, a Conditional Use Permit or a Special Use Permit is required to allow the proposed use or development.

Zone Change: Yes _____ No ✓
 Conditional Use Permit: Yes _____ No ✓
 Special Use Permit: Yes _____ No ✓

- Does this application include all contiguous property under the same ownership?
 Yes ✓ No _____
 If no, state the reasons why all property not included?

- Names of persons to whom staff notes and notices should be sent, in addition to applicant(s), such as an agent or legal representative.

LORRAINE M. ESCH
 (Name)
89890 Ben Bunch Rd.
 (Address)
Florence, OR 97439
 (City) (Zip)

LEO STAPLETON
 (Name)
89839 BEN BUNCH Rd.
 (Address)
FLORENCE OR 97439
 (City) (Zip)

 (Name)

 (Address)

 (City) (Zip)

 (Name)

 (Address)

 (City) (Zip)

(The Section Below is for Land Management Staff Use Only)

Application Initiated by (refer to Instructions for Filing Application by Individuals):

- A-Single Property Owner [ORS 198.857]
- B-All Property Owners [ORS 198.855(3)]
- C-Electors and Owners [ORS 198.855(3)]
- D-Electors and Owners [ORS 198.855(1)]

Date received from Lane County Clerk: 8-14-09

Annexation Request Applies to Land Use:

- YES
- NO

Stephanie Schub
 Planner, Land Management Division

9/11/09
 Date Signed

App # FSV 2009-ANX 2
 (completed by County Staff)

FSV 2009-ANX 2

The following form is a sample. All applications must include a hard copy of this completed form reflecting all properties and owners within the annexation area. An electronic copy in Excel must also be submitted whenever there are 10 or more owners or tax lots within the annexation area. An electronic copy of this form can be obtained from the County Clerk.

Sample Map & Tax Lots List for proposed annexation to Siuslaw Valley Fire & Rescue DISTRICT NAME

(Completed by County Staff)

*All persons who own an interest in the property, or who are purchasers of property on a contract sale that is recorded with Lane County, are to be listed separately on each line, even if the same property is listed more than once. *Generally, this means that both husband and wife would be listed separately, if both names on the deed. In the case of a corporation or business, all owners listed on the Assessment and Taxation records or current recorded property transactions should be listed.

Property Owner *	Site Address (indicate if vacant land)		T	Map & Tax Lot #s			Acres (qty)	Assessed Value Current Tax Rolls 2008	Land Owner	Reg Voter
	Street #	Street Name		City, Zip, and Unit	R	S				
Lorraine Esch (PO Box 05 97439)	89890	Ben Bunch Rd	Flurence OR 97439	17S	12W	24 415	502	63,299	✓	✓

Completed Aug 2008