

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

PASSED

IN THE MATTER OF RELEASING, DEDICATING AND ACCEPTING PARCEL "A" OF THE PLAT OF HILL TOP ACRES, FIRST ADDITION, AS RIGHT OF WAY FOR GREEN ACRES LOOP (CO. RD. 1837) (21-03-16)))) ORDER NO.)

11-6-22-4

WHEREAS, by previous action the following land, described as Parcel "A", Hill Top Acres, First Addition, Book 46, Page 19, Lane County, Oregon Plat Records, was conveyed to Lane County, Oregon, by that certain Bargain and Sale Deed, recorded on Reel 271-D, Recorder's Reception Number 14687, Lane County, Oregon Deed Records; and

WHEREAS, the Lane County Planning Commission approved by a majority vote of their entire membership, on August 14, 1975, a resolution delegating authority to recommend the release of reserve strips to the Chairman, Land Development Review Committee; and

WHEREAS, the Lane County Planning Director has requested that said parcel, be released and dedicated to provide access to the adjacent property; and

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

WHEREAS, said parcel need no longer remain as a parcel of County owned Real Estate, but should be dedicated for road purposes; now, therefore, it is hereby

ORDERED, that the Real Estate as described in the attached Dedication, marked as Exhibit "A" and depicted on the attached map be, and is hereby, Released, Dedicated and Accepted as a County Road by this Order; and it is further

ORDERED, that the above Order be entered into the records of the Board of County Commissioner's Journal of Administration and in the road records for County Road Number 1837; and further that the attached Dedication be recorded in the Lane County, Oregon Deed Records, and the Reel and Instrument Number be noted on this Order.

EFFECTIVE DATE : 22nd day of June, 2011.

DEPARTMENT OF PUBLIC WORKS LAND MANAGEMENT DIVISION

LANE COUNTY BOARD OF COMMISSIONERS

Approved June 6, 2011

By Faye Stent Chair

By Matt Laird, Division Manager

Dedication Recorded on Document Number Lane County, Oregon Deed Records.

APPROVED AS TO FORM

Attachment: Map

Date 6-9-11 lane county

DEDICATION OF A PUBLIC ROAD EASEMENT

LANE COUNTY

KNOW ALL MEN BY THESE PRESENTS, that Lane County (Grantor), a political subdivision of the State of Oregon, is the owner of certain real property, and that Lane County acquired title by that certain Bargain and Sale Deed from D. Hugh Peniston and Phrynnette A. Peniston, husband and wife, and Ronald I. Pupke and Gladeus E. Pupke, husband and wife, recorded on Reel 271-D, Recorder's Reception Number 14687 of the Lane County, Oregon Deed Records, and that said Lane County does hereby dedicate to the free use of the public (Grantee), for public road purposes, the following described tract of land, to wit:

Parcel "A", Hill Top Acres, First Addition as platted and recorded in Book 46, Page 19, Lane County Oregon Record of Plats, Lane County, Oregon.

It being the intent to release said parcel and dedicate it to the public as right of way for Green Acres Loop (Co. Rd. 1837). There is no consideration for this dedication.

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

Approved this 22ND day of JUNE, 2011

Faye Stewart
Commissioner
[Signature]
Commissioner

[Signature]
Commissioner

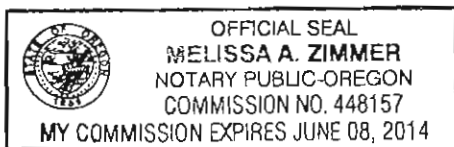
Commissioner

Commissioner

STATE OF OREGON)
COUNTY OF LANE) ss.

On June 22, 2011, personally appeared the above-named Faye Stewart, Sidney W. Leiken, JA / Bozicvich

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



[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: June 8, 2014

T. L.: 21-03-16-00-625

LANE COUNTYNotification of Determination of Amount of Special
Benefit Deposit in Connection with Proposed Release and
Dedication of a control strip pursuant to Lane Manual 60.854.

Pursuant to the provisions of Lane Manual 60.854, my determination of the amount of "Special Benefit" and therefore the amount of deposit required in connection with the proposed release and dedication of Parcel "A" as shown on the plat of Hill Top Acres First Addition, as platted and recorded in Book 46, page 19, of the Lane County, Oregon Plat Records, is \$00.00.

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

Dated this 2nd day of June, 2011.



Marsha A. Miller,
Director of Public Works

ATTACHMENT 1

STAFF REPORT

Recommendation in the Matter of Determination of Special Benefit
in Connection with a Proposed Release and Dedication of "Parcel A"
as shown on the plat of Hill Top Acres First Addition.

Date: May 31, 2011

Applicant: Greenhill Acres, LLC

Proposed Release: Access control strip, 1' wide by approximately 565' long located on the north side of Green Acres Loop off London Road and shown as Parcel "A" on Plat of Hill Top Acres First Addition, as platted and recorded in Book 46, Page 19, of the Lane County, Oregon Deed Records, and as shown on the legal description attached hereto and marked as "Exhibit A".

Tax Lots Adjacent to Proposed Release: Map 21-03-16-00, Tax Lot 625


Nature of Benefit to be Received if Proposed Release is Approved: Release of the control strip will allow the property to be divided and utilized as two homesites versus the existing single homesite use, by allowing the present 15 foot access width to be increased to 30 feet.

Value Indication of Property to be Benefited: The total land area of the access strip proposed for Release is approximately 565 square feet, all of which lies within Lane County's RR-5 (Rural Residential, 5-acre minimum) zoning designation. Release of the access strip will allow the existing 15-foot wide access off Green Acres Loop to be expanded to 30 feet and allow development of a second homesite from the existing 13.25-acre Parent Parcel (Tax Lot 625). At face value, release of the access strip would appear to create a substantial benefit to the property owner in terms of creating and allowing access to two buildable homesites versus the single existing parcel and this theory would be applicable were alternate access points not available.

In this case, two alternate access points, both off London Road, could provide access to the new parcel in the event release of the access strip was not approved. (See attached Exhibit B) One access would be directly off London Road, near the Green Acres Loop intersection and the second alternative access would also be off London Road, though approximately 500 feet north of Green Acres, and through a contiguous parcel owned by this applicant, specifically Map 21-03-09-00, Tax Lot 2007. Based on an on-site inspection, the appraiser noted no significant topographical differences between the Green Acres Loop area and potential London Road approaches that would dictate a measureable increase in cost for constructing either the proposed or potential alternative approaches. A search of recent rural residential sale and listing properties indicated no quantifiable value differences between rural residential parcels accessed via intersecting roads versus those with direct access to major arterials.

ATTACHMENT 1

Summary and Recommendation of Special Benefit: Based on a review of recent rural residential land sales and listings, the appraiser finds no measureable distinctions in market value between parcels accessed from a major arterial versus an intersecting collector. Under Lane Code 15.137 (c), access for corner lots is limited to the intersecting street with the lowest expected traffic volume. London Road is classified as a Rural Major Collector, while Green Acres Loop is a lower functional class and is classified as Rural Local. For the safety of the traveling public, the preferred access point would be Green Acres Loop. As part of the planning process, release of the strip will require it be dedicated and accepted as public right-of-way. The land owner would not gain any property but would acquire the ability to have additional access to the property that is, under present zoning, legally dividable into a second homesite. Based on the availability of alternative access points, denial of the release request would not constitute limiting access to or use of the property. It would, however, initiate a subsequent request for access to London Road, which would not be the preferred access by Lane County. As market data reveals no measureable indication of a "special benefit" accruing as a result of the Release, the appraiser recommends no consideration be required.



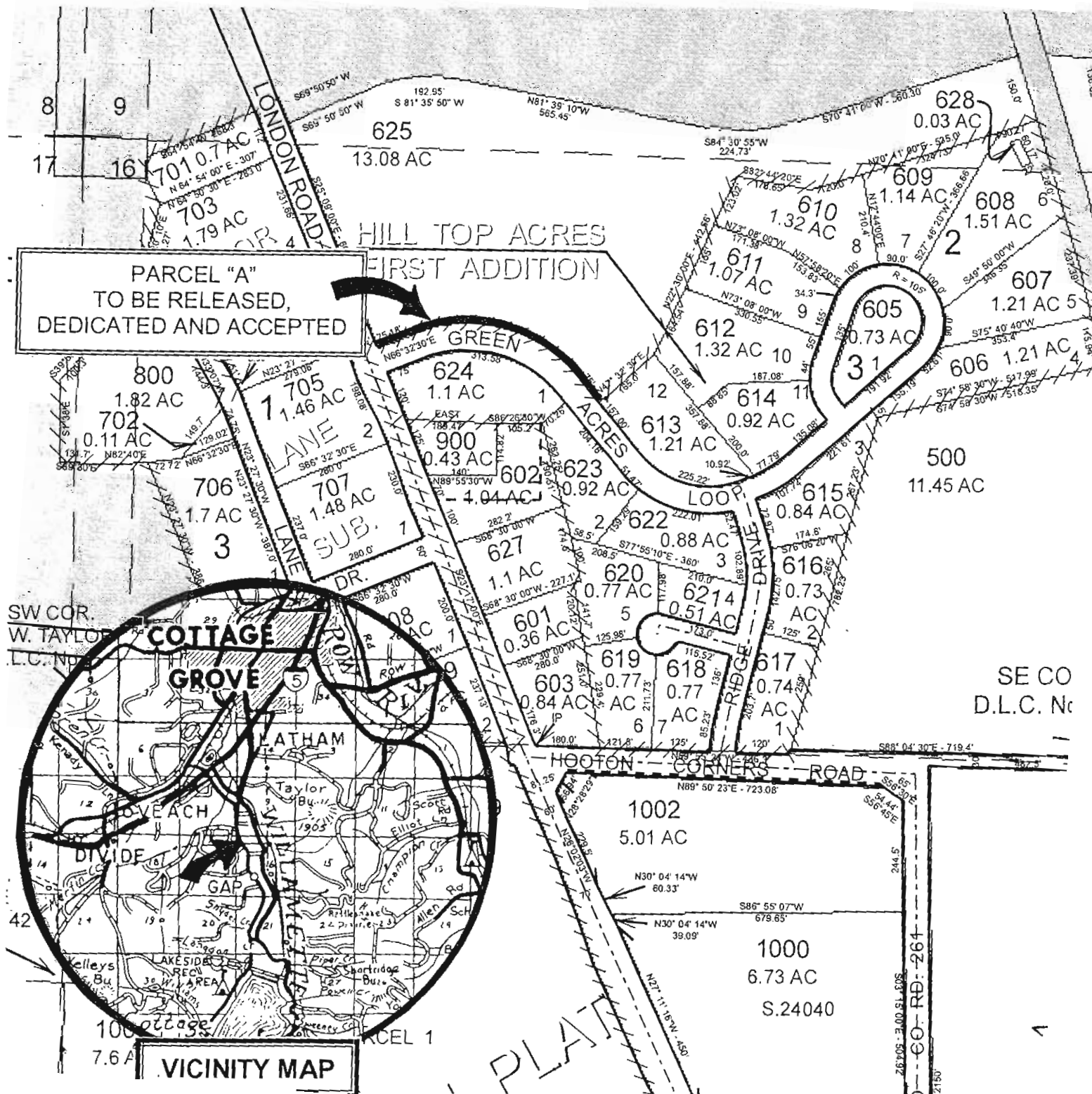
Doug Freeman,
Sr. Real Property Officer
Lane County Public Works
(A.I.C. for Frank Simas,
Right of Way Manager)

ORIGINAL



ATTACHMENT
GREEN ACRES LOOP
Release, Dedication and Acceptance of Parcel "A"
PORTION OF COUNTY ROAD NUMBER 1837

NW 1/4 Section 16, T. 21 S., R. 3 W. W.M.
Lane County



PARCEL "A"
TO BE RELEASED,
DEDICATED AND ACCEPTED

HILL TOP ACRES
FIRST ADDITION

GREEN
ACRES
LOOP

COTTAGE
GROVE

VICINITY MAP

SE CO
D.L.C. No

PASSED

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

11-6-22-8

IN THE MATTER OF AUTHORIZING THE TRANSFER, FOR \$500 CONSIDERATION, OF SURPLUS COUNTY OWNED REAL PROPERTY TO THE DEXTER SANITARY DISTRICT - MAP NO. 19-01-16-20-01100, ADJACENT TO 38863 MATHEWS DRIVE, DEXTER

WHEREAS this matter now coming before the Lane County Board of Commissioners and said Board deeming it in the best interest of Lane County to transfer the following real property which was acquired through tax foreclosure, to wit:

Lot 28, HART PARK, as platted and recorded in Book 14, Page 20, Lane County Oregon Plat Records, Lane County Oregon.

WHEREAS, the main sewer line of the Dexter Sanitary District bisects the property and


WHEREAS said real property is owned by Lane County and not in use for County purposes, and the transfer of said property would benefit the citizens of Lane County and

WHEREAS a public hearing was held on the matter on June 22, 2011 with notice of said hearing duly published in the "Eugene Register Guard" on June 6, 2011 and June 13, 2011.

IT IS HEREBY ORDERED that, pursuant to ORS 271.330 and Lane Manual 21.430, the real property described above, and also identified as Assessor's map # 19-01-16-20-01100, be transferred to the Dexter Sanitary District for \$500 consideration, that the Quitclaim Deed be executed by the Board and that said deed include conditions as required by statute that the property shall be used for public purposes for a minimum of 20 years from the date of transfer or be subject to reversion to the County.

IT IS FURTHER ORDERED, that this Order shall be entered into the records of the Board of Commissioners of the County.

DATED this 22nd day of June, 2011.



Faye Stewart, Chair, Board of County Commissioners

APPROVED AS TO FORM

Date 6-9-11 lane county



OFFICE OF LEGAL COUNSEL

IN THE MATTER OF AUTHORIZING THE TRANSFER, FOR \$500 CONSIDERATION, OF SURPLUS COUNTY OWNED REAL PROPERTY TO THE DEXTER SANITARY DISTRICT - MAP NO. 19-01-16-20-01100, ADJACENT TO 38863 MATHEWS DRIVE, DEXTER

QUITCLAIM DEED

11-6-22-8

LANE COUNTY, a political subdivision of the State of Oregon, pursuant to Order No. _____ of the Board of County Commissioners of Lane County, releases and quitclaims to:

Dexter Sanitary District

all its right, title and interest in that real property situated in Lane County, State of Oregon, described as:

Lot 28, HART PARK, as platted and recorded in Book 14, Page 20, Lane County Oregon Plat Records, Lane County Oregon (map # 19-01-16-20-01100).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009

The true and actual consideration for this transfer is: \$500.00

This transfer is made pursuant to ORS 271.330 and is conditioned upon use of the herein conveyed property by Grantee for public purposes for a minimum of 20 years from the date of transfer. The herein conveyed property is subject to reversion to Grantor if said property is not used in a manner consistent with the conditions of its transfer.

LANE COUNTY BOARD OF COMMISSIONERS

This space reserved for recording sticker

Handwritten signatures of Lane Stewart and Jay Boziewicz over horizontal lines.

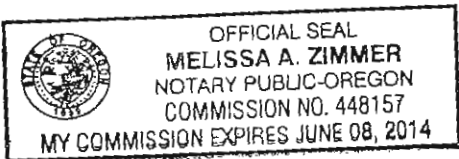
STATE OF OREGON)
) ss
COUNTY OF LANE)

On June 22, 2011 personally appeared KAYE STEWART
SIDNEY W. LEIKEN, JAY, BOZIEVICH

County Commissioners for Lane County, and acknowledged the foregoing instrument to be their voluntary act. Before me:

After recording, return to/taxes to:
Dexter Sanitary District
PO Box 90, Dexter, OR 97431

Handwritten signature of Melissa A. Zimmer
Notary Public for Oregon
My Commission Expires June 8, 2014



PL 114 ME 832

ORIGINAL
FILED

IN THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, OREGON, AT _____ O'CLOCK _____ M

JUN 28 1982

IS THE MATTER OF GRANTING A CERTAIN TEMPORARY CONSTRUCTION EASEMENT OVER County-owned parcel in the southeast quarter of Section 14, Township 19 South, Range 4 West of the Willamette Meridian.

D. M. PERKINS, Director of the Dept. of Capital Services of Lane County
ORDER No. _____
2 12 7

THIS ORDER now coming before the Board of County Commissioners of Lane County, Oregon, and Lane County owning land within Lane County, upon grants into the Dexter Sanitary District, a municipality of the State of Oregon, a easement for the purpose of locating, surveying and designing a community sewer facility, over the following described property:

Assessors Map No. 19-01-14-2, Tax Lot No. 1100, legally described as:

Lot 10, Hart Park, as platted and returned in Book 19, Page 20, Lane County, Oregon plat records, in Lane County, Oregon.

and the Board of County Commissioners deems it proper and for the benefit of the general public; it is hereby

ORDERED that this Order be entered in the records of the Board of County Commissioners' Journal of Administration.

THIS ORDER was given and signed on _____ day of _____, 1982.

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, OREGON.

Donald H. Rust, Jr.
Chairman

Received Record Office 2218720
Date 6/28/82
Date Recorded June 28, 1982

[Handwritten signature]

6-28-82
[Handwritten signature]

ORDER - Granting a certain easement

8218720

AT 10 O'CLOCK A.M.

JUN 20 1982

TEMPORARY CONSTRUCTION EASEMENT

D. M. PENFOLD, Clerk of the
Dist. of General Services of Lane County

LANE COUNTY, a political subdivision of the State of Oregon, GRANTOR, hereby grants to DEXTER SANITARY DISTRICT, a municipality of the State of Oregon, GRANTEE, a Temporary Construction Easement for the purpose of locating, surveying and designing a Community Sewer Facility on the following described real property in Lane County, Oregon:

Assessors Map No. 19-01-16-2, Tax Lot No. 1100, Legally described as:

Lot 28, Hart Park as platted and recorded in Book 14, Page 26, Lane County, Oregon plat records, in Lane County, Oregon.

1) The Easement for inspection and valuation shall include the ability of contractors working for or on behalf of the GRANTEE either directly or under an inter-governmental agreement to enter the premises at reasonable times and after notice to the owner for the purpose of inspecting existing sanitary systems, lines or surveying the new systems or lines. Any and all such work shall be done at no cost to the GRANTOR.

2) The GRANTEE may use such roads as exist on the above-described properties for access for all purposes mentioned herein, and if no road exists, shall use a route as shall occasion the least damage and inconvenience to the GRANTOR. The GRANTOR agrees not to erect any structure or excavate or substantially add to or diminish the ground cover within ten (10) feet of any septic/interceptor tank or drainfield facilities or within five (5) feet of any service lines installed by the District.

3) The Easement shall expire July 1, 1983.

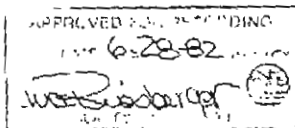
4) GRANTOR makes no warranty as to title. GRANTEE shall defend, indemnify and hold GRANTOR harmless from any claims arising from this easement or GRANTEE's use of the premises.

The rights, conditions and provisions of this easement shall be binding upon the heirs, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have subscribed their names this 16th day of JUNE, 1982.

BOARD OF COUNTY COMMISSIONERS,
LANE COUNTY, OREGON.

Gerald H. Rust, Jr.
Vance L. Freeman



State of Oregon }
County of Lane } ss.

On June 16, 1982, personally appeared the above-named Gerald H. Rust, Jr.
Vance L. Freeman
County Commissioners of Lane County, and acknowledge the foregoing instrument to be their voluntary act. Before me: [Signature] 6/24/82
Notary Public for Oregon My Commission Expires



Dexter Sanitary District

P.O. Box 90 • Dexter, Oregon 97431

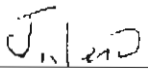
April 12, 2011

Jeff Turk
Property Management Office
Lane County Management Services
125 East Eighth Avenue
Eugene, OR 97401

RE: Property 19-01-16-20-01100

This letter is a request that Lane County transfer the title to the above listed lot to the Dexter Sanitary District in accordance with ORS 271.330.

The property will be used for public purposes by the District for at least twenty years.



John Klest
Board President
Dexter Sanitary District

Date 4/12/2011

