




**Legend**

	Taxlots selection		Taxlots		City Limits
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Caution:  
This map is based on imprecise  
source data, subject to change,  
and for general reference only.





## Consent to Annexation

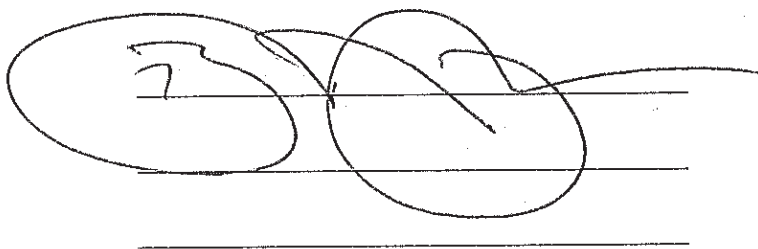
Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-03-08-10-02900/03000 Address: 3510 Walton Lane

**Legal Description:** Beginning at the Easant angle of the Thomas N. Aubrey Donation Land Claim No. 39, in Section 8, Township 17 South, Range 3 West of the Willamette Meridian, run thence South along the west line of said Donation Land Claim No. 39 a distance of 2552.40 feet; thence South 89°54' East 419.67 feet to the TRUE POINT OF BEGINNING; thence South 0°01'00" West 111 feet more or less; thence South 89°54'19" East 179 feet more or less; thence North 0°00'20" East 111 feet more or less; North 89°54'19" West 179 feet more or less to the TRUE POINT OF BEGINNING, in Lane County, Oregon.

In the corporate limits of said city, which is owned by the undersigned

DATED this 15 day of NOV, 2018.



STATE OF OREGON )

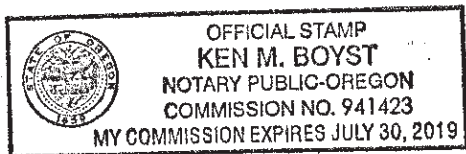
County of Lane )

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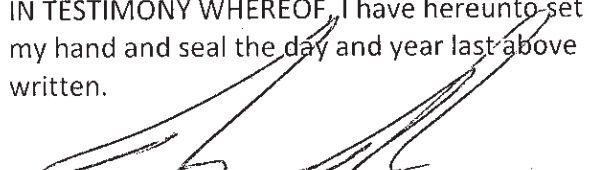
On this 15 day of November, 2018, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Benjamin Bamer as managing member of Red Cedar Capital \* who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

\* Partners as sole Member of LH Fund 3, LLC

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

  
\_\_\_\_\_  
Notary Public for Oregon

My Commission Expires 07/30/19



**COUNCIL RESOLUTION NO. 5260**

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE  
(ASSESSOR'S MAP 17-03-08-31, TAX LOTS 2900 AND 3000 LOCATED  
ON WALTON LANE)**

**PASSED: 5**

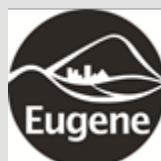
**REJECTED:**

**OPPOSED:**

**ABSENT: Evans, Syrett, Taylor**

**CONSIDERED: March 11, 2019**

**EFFECTIVE DATE: March 11, 2019**



**RESOLUTION NO. 5260**

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE  
(ASSESSOR'S MAP 17-03-08-31, TAX LOTS 2900 AND 3000 LOCATED ON  
WALTON LANE).**

**The City Council of the City of Eugene finds that:**

**A.** An annexation application was submitted on September 27, 2018, by LH Fund 3, LLC, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-03-08-31, Tax Lots 2900 and 3000, to the City of Eugene.

**B.** The property proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the entire property proposed to be annexed is attached to this Resolution as Exhibit B.

**C.** The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Findings and Recommendation is attached as Exhibit C.

**D.** On January 25, 2019, a notice containing, the assessor's map and tax lot number for the property, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicant, owners and occupants of property within 500 feet of the perimeter of the subject property, and the Northeast Neighbors neighborhood organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on February 25.

**E.** After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a  
Municipal Corporation of the State of Oregon, as follows:**

**Section 1.** Based on the above findings and the Planning Director's Findings and Recommendation which are attached as Exhibit C and are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-03-08-31, Tax Lots 2900 and 3000, which is depicted on the map attached as Exhibit A, and more particularly described in the attached Exhibit B, is annexed to the City of Eugene.

**Section 2.** This Resolution is effective immediately upon its passage by the City Council. The annexation and the automatic rezoning of the land pursuant to EC 9.7820(3) from AG Agricultural with /UL Urbanizable Land Overlay to AG Agricultural shall become effective in accordance with State law.

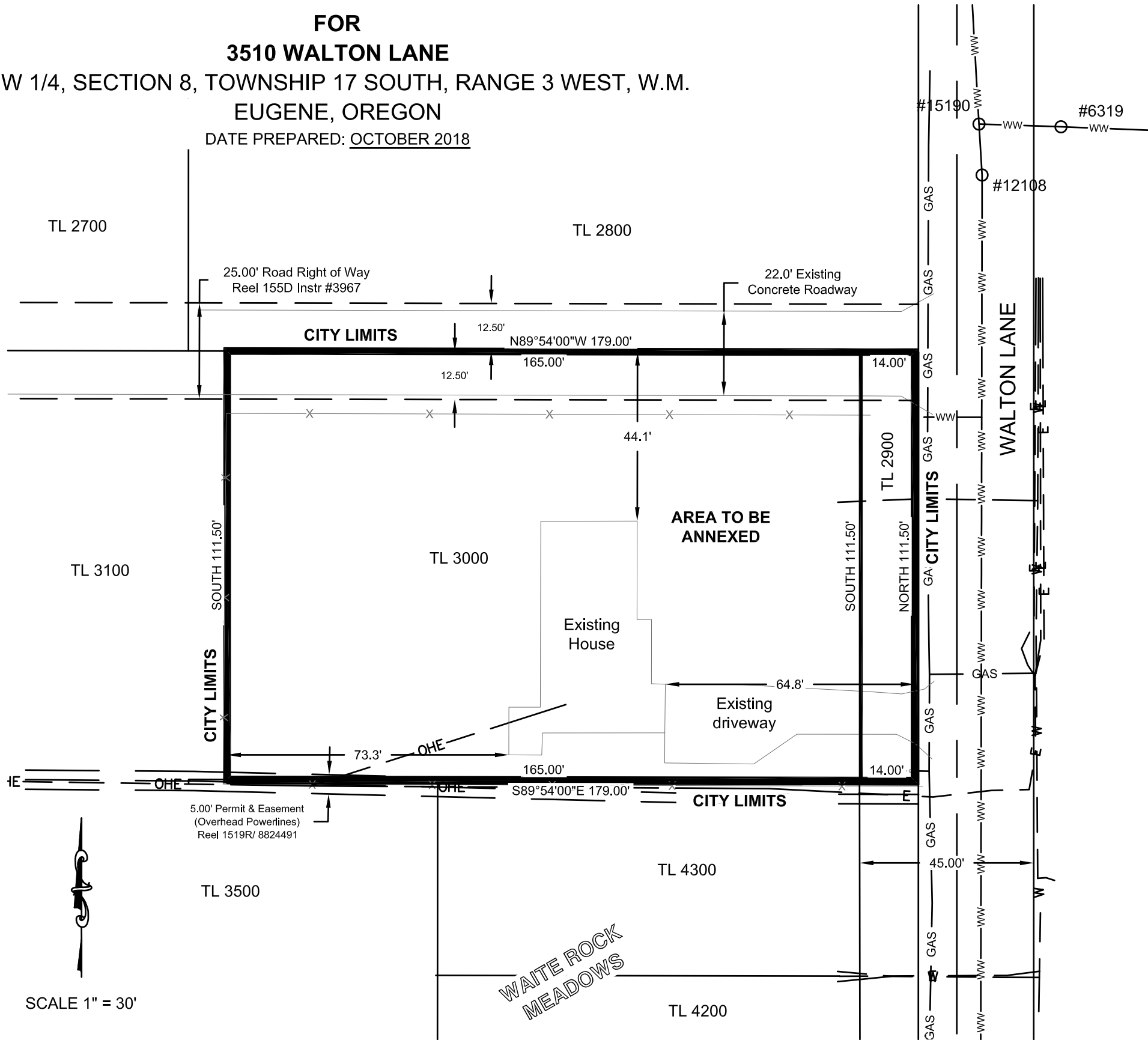
**The foregoing Resolution adopted the 11<sup>th</sup> day of March, 2019.**

*Deputy* Samantha Roberts  
City Recorder

# ANNEXATION- SITE PLAN

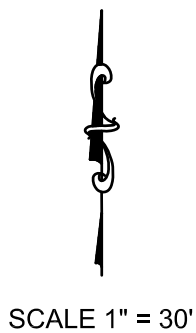
FOR  
**3510 WALTON LANE**  
 SW 1/4, SECTION 8, TOWNSHIP 17 SOUTH, RANGE 3 WEST, W.M.  
 EUGENE, OREGON

DATE PREPARED: OCTOBER 2018



VICINITY MAP  
 NOT TO SCALE

- EXISTING ELECTRIC LINE AND POLE LOCATIONS ARE FROM SURVEY FIELD DATA.
- EXISTING WATER LINE LOCATIONS ARE PER SURVEY FIELD DATA.
- EXISTING WASTEWATER LOCATIONS PER CITY OF EUGENE SEWER INFRASTRUCTURE MAP AND AS-BUILDS.
- EXISTING STORM WATER LOCATIONS ARE PER CITY OF EUGENE SEWER INFRASTRUCTURE MAP AND AS-BUILDS.
- EXISTING GAS LINES ARE PER SURVEY FIELD DATA, AND NORTHWEST NATURAL GAS FACILITIES PLAT MAP.



ASSESSORS MAP: 17-03-08-31 TAX LOTS: 2900 & 3000



**METRO PLANNING, INC**  
 370 Q STREET  
 SPRINGFIELD, OR. 97477  
 541-302-9830  
 JOB NO. 18-014

## Certification of Description

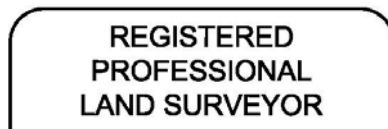
Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature:   
Registered Land Surveyor

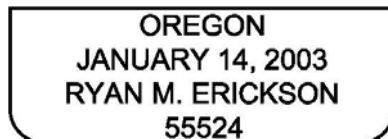
Print Name: Ryan Erickson, PLS

Date: September 20, 2018

Seal:



DIGITALLY SIGNED



EXPIRES: 12/31/2019

Exhibit B, page 2

Beginning at the Re-Entrant angle of the Thomas N. Aubrey Donation Land Claim No. 39, in Section 8, Township 17 South, Range 3 West of the Willamette Meridian, run thence South along the west line of said Donation Land Claim No. 39 a distance of 2552.40 feet; thence South 89°54'00" East 419.67 feet to the TRUE POINT OF BEGINNING; thence South 111.50 feet; thence South 89°54'00" East 179.00 feet; thence North 111.50 feet; North 89°54'00" West 179.00 feet to the TRUE POINT OF BEGINNING, in Lane County, Oregon.





**Exhibit C**  
**Planning Director’s Findings and Recommendation**  
**Annexation Request for LH Fund 3**  
**(City File: A 18-8)**

<b>Application Submitted:</b> September 27, 2018
<b>Applicant:</b> LH Fund 3, LLC
<b>Property Included in Annexation Request:</b> Tax Lots 2900 & 3000 of Assessor’s Map 17-03-08-31
<b>Zoning:</b> AG Agricultural with /UL Urbanizable Land Overlay
<b>Location:</b> 3510 Walton Lane, west side of Walton Lane between Clemson Way and Ashbury Drive
<b>Representative:</b> Sophie McGinley; Metro Planning, Inc.
<b>Lead City Staff:</b> Rodney Bohner, City of Eugene Planning Division, 541-682-5437

**EVALUATION:**

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

<b>EC 9.7825(1) The land proposed to be annexed is within the city’s urban growth boundary and is:</b>	
<b>(a) Contiguous to the city limits; or</b>	
<b>(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.</b>	
<b>Complies</b>	<b>Findings:</b> The annexation area is within the City’s urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a).
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
<b>EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.</b>	
<b>Complies</b>	<b>Findings:</b> Several policies from the Metro Plan provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic text</i> ):
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
	<p><i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i></p> <p style="margin-left: 40px;"><i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i></p> <p style="margin-left: 40px;"><i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i></p> <p><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i></p>

		<p><i>Policy 15. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p> <p>The following policy from the Residential Element of the Metro Plan is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the Metro Plan, and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and UGB until rezoned for urban uses.</i></p> <p>The Metro Plan designates the property to be annexed as appropriate for low-density residential use. The Willakenzie Area Plan (WAP) is the adopted refinement plan for the subject properties and also designates the area low density residential development. The property is currently zoned AG Agricultural and /UL Urbanizable Land Overlay. The /UL overlay will be automatically removed from the zoning following annexation approval. It is noted that prior to development consistent with the plan designation, the properties will need to be rezoned to R-1 Low-Density Residential Zone.</p> <p>With regard to applicable policies of the WAP, the subject property is located within the North Region, Unincorporated Subarea. None of the listed policies for this subarea appear to be directly applicable to the subject property. The proposed annexation does not appear to conflict with any of the Land Use Policies or Residential Policies. The “Public Facilities and Services Element” policies of the WAP are directed at local government; however, the premise of these policies (regarding the provision of urban services) is the assumption that the properties within the UGB will be annexed.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with Metro Plan growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law.</p> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan and refinement plan.</p>
<p><b>EC 9.7825(3)</b></p>		<p><b>The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.</b></p>
<p><b>Complies</b></p> <p><input checked="" type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>		<p><b>Findings:</b> Consistent with this criterion, the proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:</p> <p><u>Wastewater</u></p> <p>There is an 8-inch public wastewater line in Walton Lane on the eastern boundary of the subject property. The property located adjacent this lot to the south (3470 Walton) and</p>

directly across the street to the east (3487 Walton) are connected to the 8" line. The related assessments are paid.

#### Stormwater

There is a public stormwater system to the north within Walton Lane (10-inch diameter with inlets #75991 and #75990) where more recent development appears to be located as well as a 15" line to the South at the Honeywood intersection. All the inlets and weep holes are on the east side of this portion of Walton; across the street from the subject lots. The west side of Walton between Ashbury Drive and 3355 Walton Ln appears to have roadside ditches for conveyance of run off. The soil type for these lots is mapped as being Type B, indicating high infiltration rates. On-site management of stormwater runoff from future development of the site appears to be feasible.

#### Transportation

Tax lots 2900 & 3000 can be accessed via a private drive. There is no frontage on Walton Lane. Future development will comply with access and frontage requirements.

#### Solid Waste

Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

#### Water and Electric

EWEB Water staff state no objection to the annexation. EWEB Electric staff also state no objection to the annexation. Water and electric services can be extended to the subject property in accordance with EWEB policies and procedures.

#### Public Safety

Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by Eugene Springfield Fire. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield and will continue in the same manner upon annexation.

#### Parks and Recreation

Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.

#### Planning and Development Services

Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.

#### Communications

A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.

		<p><u>Public Schools</u></p> <p>The subject property is within Eugene School District 4J and is within the district boundary of Gilham Elementary School, Cal Young Middle School, and Sheldon High School. As access to schools is evaluated on a district wide basis, the properties' location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p>
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**CONCLUSION:**

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date is set in accordance with State law.