



COUNCIL RESOLUTION NO. 5385

**RESOLUTION ANNEXING PORTIONS OF THE RIGHTS-
OF-WAY OF RIVER ROAD AND IRVINGTON DRIVE TO
THE CITY OF EUGENE. (AREA IDENTIFIED AS A
PORTION OF THE RIVER ROAD RIGHT-OF WAY
BETWEEN WEDGEWOOD DRIVE AND BEACON DRIVE
(ASSESSOR'S MAP NOS. 17-04-11, 17-04-02 AND 16-04-35),
AND A PORTION OF THE IRVINGTON DRIVE RIGHT-OF-
WAY EXTENDING WEST 350 FEET FROM THE
INTERSECTION OF IRVINGTON DRIVE AND RIVER
ROAD (ASSESSOR'S MAP NO. 17-04-02))**

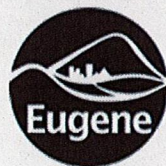
PASSED: 7:0

REJECTED:

OPPOSED:

ABSENT: Keating

CONSIDERED: September 25, 2023



RESOLUTION NO. 5385

RESOLUTION ANNEXING PORTIONS OF THE RIGHTS-OF-WAY OF RIVER ROAD AND IRVINGTON DRIVE TO THE CITY OF EUGENE. (AREA IDENTIFIED AS A PORTION OF THE RIVER ROAD RIGHT-OF-WAY BETWEEN WEDGEWOOD DRIVE AND BEACON DRIVE (ASSESSOR'S MAP NOS. 17-04-11, 17-04-02 AND 16-04-35), AND A PORTION OF THE IRVINGTON DRIVE RIGHT-OF-WAY EXTENDING WEST 350 FEET FROM THE INTERSECTION OF IRVINGTON DRIVE AND RIVER ROAD (ASSESSOR'S MAP NO. 17-04-02))

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by the City of Eugene on May 18, 2023, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of street rights-of-way identified as that portion of the River Road right-of-way between Wedgewood Drive and Beacon Drive (Assessor's Map Nos. 17-04-11, 17-04-02 and 16-04-35) and that portion of the Irvington Drive right-of-way extending west 350 feet from the intersection of Irvington Drive and River Road (Assessor's Map No. 17-04-02).

B. The areas proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the rights-of-way 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 are attached to this Resolution as Exhibit C.

D. On August 25, 2023, a notice containing a description of the street rights-of-way to be annexed and the Planning Director's preliminary recommendation was mailed to the applicant, owners and occupants of properties located within 500 feet of the perimeter of the areas to be annexed, and the Santa Clara Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on September 25, 2023.

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 street rights-of-way identified as that portion of the River Road right-of-way between Wedgewood Drive and Beacon Drive (Assessor's Map Nos. 17-04-11, 17-04-02 and 16-04-35) and that portion of the Irvington Drive right-of-way extending west 350 feet from the intersection of Irvington Drive and River Road (Assessor's Map No. 17-04-02), and which are more particularly described in the attached Exhibit B, are annexed to the City of Eugene.

Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation shall become effective in accordance with State law.

The foregoing Resolution adopted the 25th day of September, 2023.



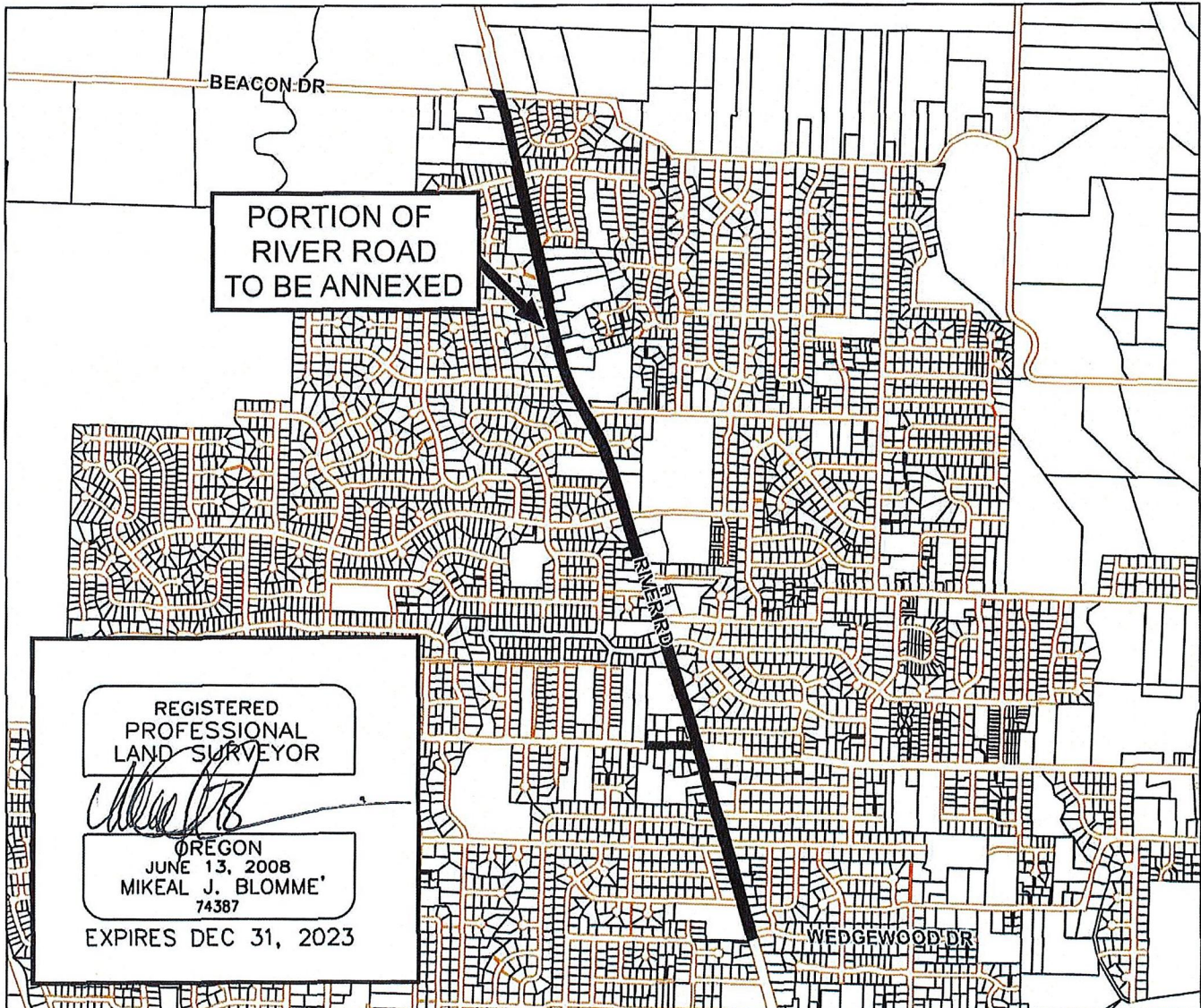
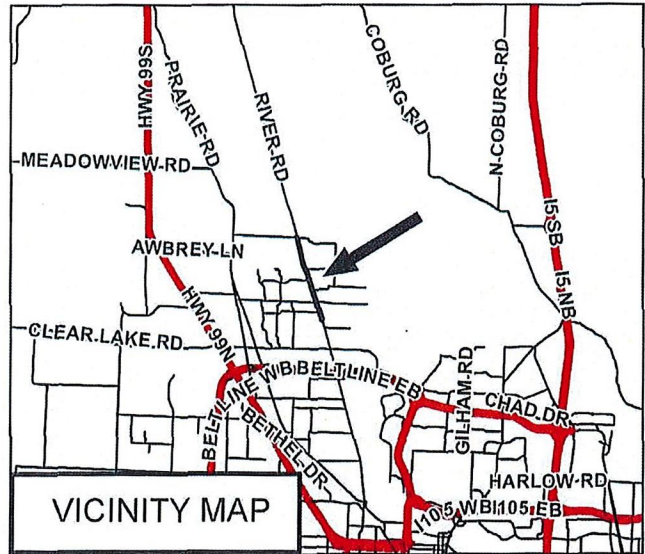
City Recorder

ROAD ANNEXATION OF RIVER ROAD FROM BEACON DRIVE TO WEDGEWOOD DRIVE

S.W. 1/4 SEC. 35 T.16S. R.4W. W.M. &
SEC. 2 T. 17S. R.4W. W.M. &
N.E. 1/4 SEC. 11 T. 17S. R.4W. W.M.
Eugene, Lane County, Oregon



NO SCALE



ROAD ANNEXATION OF IRVINGTON DRIVE

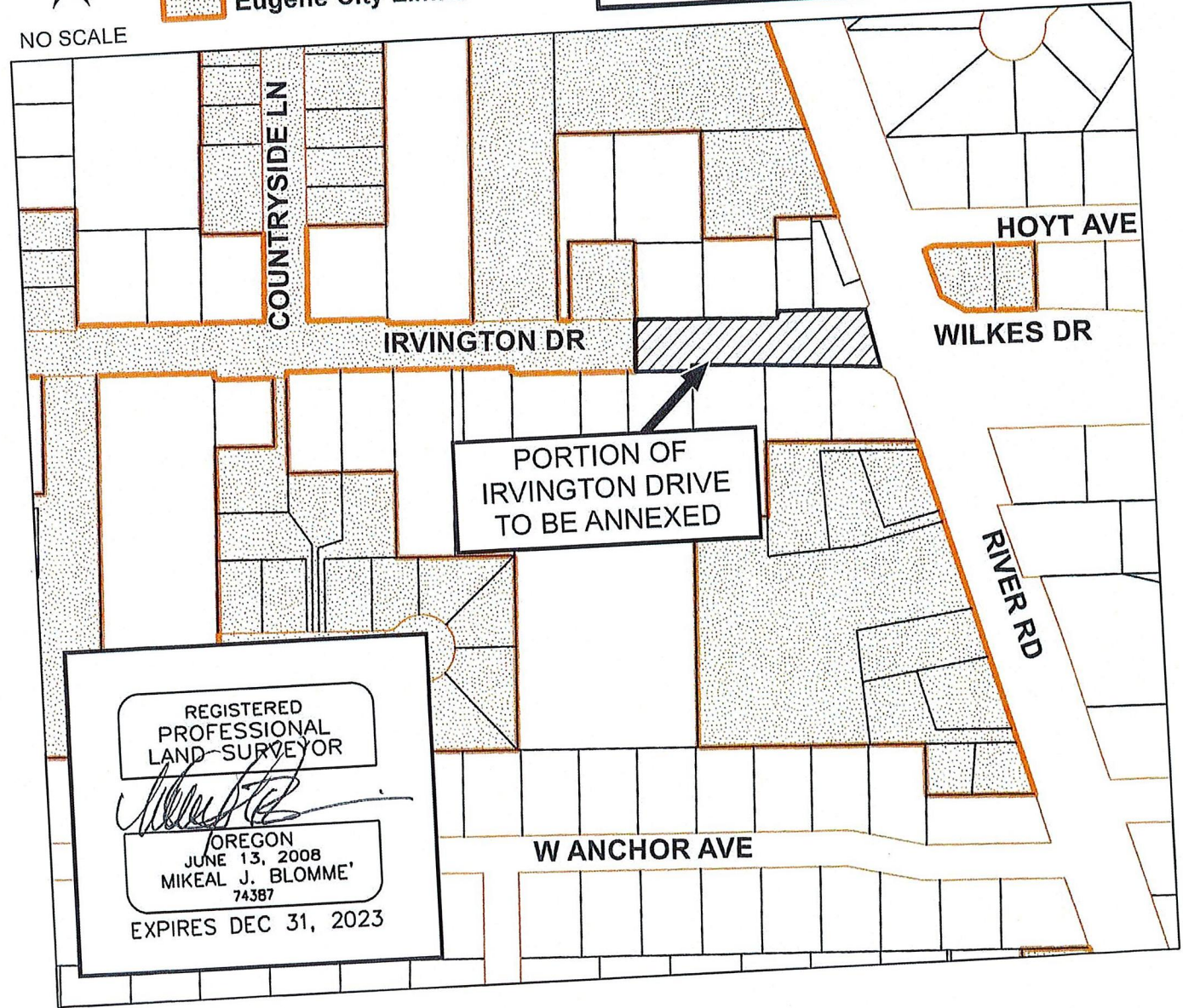
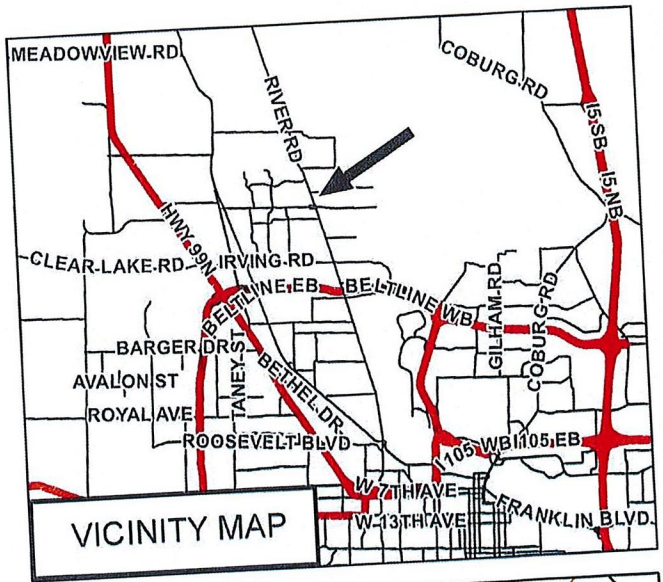
S.1/2 SEC. 2 T.17S. R.4W. W.M.
Eugene, Lane County, Oregon




NO SCALE

Legend

 Eugene City Limits



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 13, 2008
MIKEAL J. BLOMME
74387
EXPIRES DEC 31, 2023

River Road (County Road No. 200)
Legal Description for Annexation
L3 179+50.00 POT (South of Wedgewood Dr.) to L3 264+53.24 (UGB Line)

A strip of land variable feet in width lying on both sides of the centerline of River Road, County Road No. 200, in Sections 2 and 11, Township 17 South, Range 4 West of the Willamette Meridian, and Section 35, Township 16 South, Range 4 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 1991, 1995, and 2004; the centerline and widths in feet being described as follows:

Beginning at Engineers' Centerline Station L3 179+50.00 POT, said station being North 14°17'15" East 504.63 feet and North 16°03'25" West 2152.18 feet from a found brass cap marking the Southwest Corner of the L. Poindexter Donation Land Claim No. 52, Township 17 South, Range 4 West of the Willamette Meridian; run thence North 16°03'25" West 1888.57 feet to a point of curvature; thence along a 0°30' degree curve left (the long chord of which bears North 16°43'44" West 268.72 feet), an arc distance of 268.72 feet to a point of tangency; thence North 17°24'02" West 2692.21 feet to a point of curvature; thence along the arc of a 4° degree curve left (the long chord of which bears North 23°12'36" West 289.97 feet) an arc distance of 290.47 feet to a point of tangency; thence North 29°01'09" West 423.41 feet to a point of curvature; thence along the arc of a 4°30' degree curve right (the long chord of which bears North 21°05'31" West 351.20 feet), an arc distance of 352.33 feet to a point of tangency; thence North 13°09'52" West 1923.04 feet to a point of curvature; thence along the arc of a 0°10' degree curve left (the long chord of which bears North 14°11'22" West 1229.93 feet), an arc distance of 1230.00 feet to Engineer's Centerline Station L3 270+18.75 PT and there ending, all in Lane County, Oregon.

The widths in feet of the strip of land herein described are as follows:

<u>STATION TO STATION</u>		<u>WIDTH ON WESTERLY SIDE OF CENTERLINE</u>
L3 179+50.00 POT	L3 184+25.00 POT	50.00 feet
L3 184+25.00 POT	L3 184+35.50 POT	50.00 feet tapering on a straight line to 55.00 feet
L3 184+35.50 POT	L3 184+86.40 POT	55.00 feet tapering on a straight line to 50.00 feet
L3 184+86.40 POT	L3 199+33.00 POC	50.00 feet
L3 199+33.00 POC	L3 199+53.00 POC	50.00 feet tapering on a straight line to 64.00 feet
L3 199+53.00 POC	L3 200+28.80 POC	64.00 feet tapering on a straight line to 70.00 feet
L3 200+28.80 POC	L3 200+40.00 POC	70.00 feet tapering on a straight line to 50.00 feet
L3 200+40.00 POC	L3 214+69.45 POT	50.00 feet

STATION TO STATION**WIDTH ON WESTERLY
SIDE OF CENTERLINE**

L3 214+69.45 POT	L3 215+20.61 POT	50.00 feet tapering on a straight line to 60.00 feet
L3 215+20.61 POT	L3 215+28.00 POT	60.00 feet tapering on a straight line to 50.00 feet
L3 215+28.00 POT	L3 222+37.00 POT	50.00 feet
L3 222+37.00 POT	L3 222+48.02 POT	50.00 feet tapering on a straight line to 60.00 feet
L3 222+48.02 POT	L3 223+08.02 POT	60.00 feet
L3 223+08.02 POT	L3 222+18.00 POT	60.00 feet tapering on a straight line to 50.00 feet
L3 222+18.00 POT	L3 228+91.69 POC	50.00 feet
L3 228+91.69 POC	L3 229+03.45 POC	50.00 feet tapering on a straight line to 60.00 feet
L3 229+03.45 POC	L3 229+66.76 POC	60.00 feet
L3 229+66.76 POC	L3 229+75.52 POC	60.00 feet tapering on a straight line to 50.00 feet
L3 229+75.52 POC	L3 263+71.39 POT	50.00 feet
L3 263+71.39 POT	L3 263+95.74 POC	50.00 feet tapering on a straight line to 65.70 feet
L3 263+95.74 POC	L3 264+74.32 POC	65.70 feet tapering on a straight line to 66.13 feet (to UGB line)
L3 264+74.32 POC	L3 264+53.24 POC	66.13 feet tapering back on a straight line to 0.00 feet (along UGB line)

STATION TO STATION**WIDTH ON EASTERLY
SIDE OF CENTERLINE**

L3 179+50.00 POT	L3 211+81.88 POT	50.00 feet
L3 211+81.88 POT	L3 212+47.21 POT	50.00 feet tapering on a straight line to 60.00 feet

STATION TO STATION**WIDTH ON EASTERLY
SIDE OF CENTERLINE**

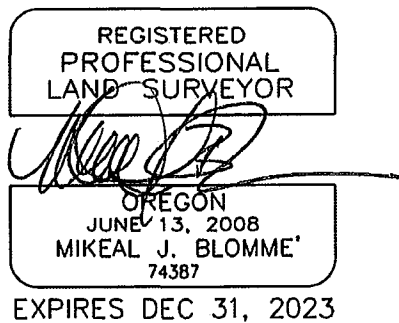
L3 212+47.21 POT	L3 212+65.00 POT	60.00 feet tapering on a straight line to 50.00 feet
L3 212+65.00 POT	L3 216+05.00 POT	50.00 feet
L3 216+05.00 POT	L3 216+08.00 POT	50.00 feet tapering on a straight line to 53.00 feet
L3 216+08.00 POT	L3 216+20.00 POT	53.00 feet
L3 216+20.00 POT	L3 216+56.87 POT	53.00 feet tapering on a straight line to 60.00 feet
L3 216+56.87 POT	L3 216+70.00 POT	60.00 feet tapering on a straight line to 50.00 feet
L3 216+70.00 POT	L3 229+05.00 POC	50.00 feet
L3 229+05.00 POC	L3 229+04.01 POC	50.00 feet tapering on a straight line to 60.00 feet
L3 229+04.01 POC	L3 229+62.62 POC	60.00 feet
L3 229+62.62 POC	L3 229+73.00 POC	60.00 feet tapering on a straight line to 50.00 feet
L3 229+73.00 POC	L3 232+05.00 POT	50.00 feet
L3 232+05.00 POT	L3 232+15.00 POT	50.00 feet tapering on a straight line to 61.52 feet
L3 232+15.00 POT	L3 233+17.93 POT	61.52 feet tapering on a straight line to 40.00 feet
L3 233+17.93 POT	L3 243+93.52 POT	40.00 feet
L3 243+93.52 POT	L3 243+93.52 POT	40.00 feet tapering on a straight line to 50.00 feet
L3 243+93.52 POT	L3 257+97.81 POC	50.00 feet
L3 257+97.81 POC	L3 257+98.29 POC	50.00 feet tapering on a straight line to 48.26 feet
L3 257+98.29 POC	L3 262+46.72 POC	48.26 feet tapering on a straight line to 51.49 feet

STATION TO STATION**WIDTH ON EASTERLY
SIDE OF CENTERLINE**

L3 262+46.72 POC	L3 263+62.83 POC	51.49 feet tapering on a straight line to 53.29 feet
L3 263+62.83 POC	L3 264+25.24 POC	53.29 feet tapering on a straight line to 54.75 feet
L3 264+25.24 POC	L3 264+40.57 POC	54.75 feet tapering on a straight line to 39.86 feet (to UGB line)
L3 264+40.57 POC	L3 264+53.24 POC	39.86 feet tapering on a straight line to 0.00 feet (along UGB line)

EXCEPT: All that portion of right of way within the above described that has been previously annexed into the city limits of the City of Eugene.

Bearings, distances, and stationing are based on County Survey File (CSF) No's 29884 through 29887, CSF No's 32647 through 32654, and CSF 38844, as recorded in office of the Lane County Surveyor.



Irvington Drive (County Road No. 540)
Legal Description for Annexation
City Limits to River Road

A strip of land variable feet in width lying on both sides of the centerline of Irvington Drive, in the South one-half of Section 2, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 2005; the centerline and widths in feet being described as follows:

Beginning at Engineers' Centerline Station L 72+77.76 PT, said station being South 88°06'16" East 3321.09 feet from the Northeast Corner of the James Peek Sr. Donation Land Claim No. 50, Township 17 South, Range 4 West of the Willamette Meridian; thence South 87°32'15" East, 323.95 feet to a point of curvature; thence along the arc of a 2296.59 foot radius curve left (the long chord of which bears South 88°28'09" East 74.69 feet), a distance of 74.69 feet to a point of tangency; thence South 89°24'03" East 109.78 feet to Engineers' Centerline Station L 77+86.18 EOP and there ending, all in Lane County, Oregon.

The widths in feet of the strip of land herein described are as follows:

<u>STATION TO STATION</u>		<u>WIDTH ON NORTH SIDE OF CENTERLINE</u>
L 72+77.76 PT	L 73+91.34 POT	32.81 feet
L 73+91.34 POT	L 74+85.14 POT	32.81 feet tapering on a straight line to 31.63 feet
L 74+85.14 POT	L 75+86.93 POT	31.63 feet tapering on a straight line to 32.70 feet
L 75+86.93 POT	L 75+86.82 POT	32.70 ft. tapering on a straight line to 42.82 feet
L 75+86.82 POT	L 77+12.79 POT	42.82 feet tapering on a straight line to 41.68 feet
L 77+12.79 POT	L 77+22.34 POT	41.68 feet tapering on a straight line to 0.00 ft.

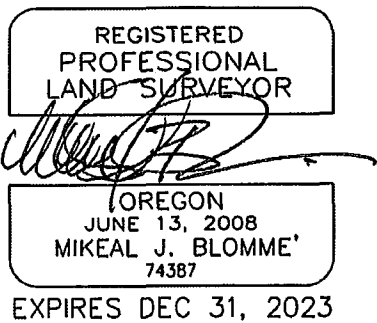
<u>STATION TO STATION</u>		<u>WIDTH ON SOUTH SIDE OF CENTERLINE</u>
L 72+77.76 PT	L 74+67.59 POT	40.96 feet tapering on a straight line to 38.98 feet
L 74+67.59 POT	L 74+67.51 POT	38.98 feet tapering on a straight line to 32.81 feet

STATION TO STATION**WIDTH ON SOUTH
SIDE OF CENTERLINE**

L 74+67.51 POT	L 76+59.81 POC	32.81 feet
L 76+59.81 POC	L 76+59.81 POC	32.81 feet tapering on a straight line to 37.37 feet
L 76+59.81 POC	L 77+31.25 POT	37.37 feet tapering on a straight line to 38.87 feet
L 77+31.25 POT	L 77+22.34 POT	38.87 feet tapering on a straight line to 0.00 feet

EXCEPT: All that portion of above described right of way previously annexed into the city limits of the City of Eugene, specifically being that portion of road lying west of the southerly extension of the easterly line of that property described in Warranty Deed 2014-001032, Lane County Oregon Deed and Records, Lane County, Oregon.

Basis of Bearing: County Survey File No. 39144, on file at the Lane County Surveyor's Office, Lane County, Oregon. Metric stationing and offsets from said survey have been converted to feet.





**Planning Director's Findings and Recommendation:
Annexation Request for River Road
(City File: A 23-3)**

Application Submitted: May 18, 2023
Applicant: Jonathan Patrick, City of Eugene Public Works Engineering; 541-682-6854
Property Included in Annexation Request: River Road right-of-way from Wedgewood Drive to Beacon Drive, and 350 feet of Irvington Drive right-of-way located west of River Road
Zoning: No applicable zoning (public street right-of-way)
Lead City Staff: Nicholas Gioello, Associate Planner, City of Eugene Planning Division, 541-682-5453

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.

EC 9.7825(1) The land proposed to be annexed is within the city's urban growth boundary and is: (a) Contiguous to the city limits; or (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.						
<table border="1" style="width: 100%;"> <tr> <td colspan="2">Complies</td> <td rowspan="2">Findings: The annexation area is within the Urban Growth Boundary and is contiguous to City limits, consistent with subsection (a).</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/> YES</td> <td style="text-align: center;"><input type="checkbox"/> NO</td> </tr> </table>		Complies		Findings: The annexation area is within the Urban Growth Boundary and is contiguous to City limits, consistent with subsection (a).	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Complies		Findings: The annexation area is within the Urban Growth Boundary and is contiguous to City limits, consistent with subsection (a).				
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO					
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.						
<table border="1" style="width: 100%;"> <tr> <td colspan="2">Complies</td> <td rowspan="2"> Findings: Several policies from the <u>Metro Plan</u> 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>): <i>Policy 1. The UGB and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of all urban services shall be concentrated inside the UGB. (page II-C-4)</i> <i>Policy 9. A full range of key urban facilities and services shall be provided to urban areas according to demonstrated need and budgetary priorities. (page II-C-5)</i> <i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i> </td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/> YES</td> <td style="text-align: center;"><input type="checkbox"/> NO</td> </tr> </table>		Complies		Findings: Several policies from the <u>Metro Plan</u> 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>): <i>Policy 1. The UGB and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of all urban services shall be concentrated inside the UGB. (page II-C-4)</i> <i>Policy 9. A full range of key urban facilities and services shall be provided to urban areas according to demonstrated need and budgetary priorities. (page II-C-5)</i> <i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
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<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO					

		<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>As discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with <u>Metro Plan</u> growth management policies. The proposed annexation of sections of River Road and Irvington Drive will increase the effectiveness and efficiency of services provided by the City, and the allocation of municipal resources as discussed below.</p> <p>The <u>River Road - Santa Clara Urban Facilities Plan</u> is the adopted refinement plan for the subject street annexation. Regarding applicable policies within the refinement plan, a portion of the street annexation is within the River Road/Wilkes subarea; however, none of those subarea policies are applicable to the request. The City's proposed street annexation is consistent with the following policy under Section 3.8 Police Protection:</p> <p><i>Policy 1. As annexation occurs, Eugene shall provide for a level of police service comparable to that received in the remainder of the City. (page 3-25)</i></p> <p>Annexation of this section of River Road and Irvington Drive will create clear boundaries for police and other City services, which increases the effectiveness and efficiency of these services and the allocation of municipal resources. With the proposed annexation, traffic regulations on this section of River Road and Irvington Drive can now be enforced by the City of Eugene Police Department, which is currently not the case. Annexation will also allow for future City street maintenance and improvements for this section of River Road and Irvington Drive that will benefit residents and businesses in the area.</p> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u> and the applicable refinement plan.</p>
<p>EC 9.7825(3) 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.</p>		
<p>Complies</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>		<p>Findings: 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> Wastewater facilities owned and maintained by the City currently exist within the right-of-way. The proposed annexation will not necessitate any new wastewater service extensions or affect the ownership and maintenance of the wastewater facilities in place.</p> <p><u>Stormwater</u> There are existing public stormwater lines within River Road and Irvington Drive that are owned by Lane County. After the annexation of this section of River Road and Irvington</p>

	<p>Drive, a jurisdictional transfer will take place. The jurisdictional transfer will allow the City to assume ownership, maintenance and operational responsibility for the stormwater infrastructure within the annexed right-of-way.</p> <p><u>Transportation</u></p> <p>The proposed annexation will have no effect on these sections of River Road and Irvington Drive, which will continue to operate as key transportation facilities.</p> <p><u>Solid Waste</u></p> <p>Collection service is provided by private firms. Regional disposal sites are operated by Lane County. The proposed annexation will have no effect on these services.</p> <p><u>Water and Electric</u></p> <p>Eugene Water and Electric Board (EWEB) currently has overhead power lines within the proposed annexation area and a 10-inch water main within this section of River Road. The proposed annexation will have no effect on these facilities.</p> <p><u>Public Safety</u></p> <p>Police protection will be extended upon annexation consistent with service provision throughout the City. Fire protection will continue to be provided by the Eugene Springfield Fire Department. Emergency medical services are currently provided on a regional basis and will also continue in the same manner upon annexation.</p> <p><u>Parks and Recreation</u></p> <p>Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject area in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p> <p><u>Planning and Development Services</u></p> <p>Planning and building permit services are already provided for all areas located within the Urban Growth Boundary by the City of Eugene.</p> <p><u>Communications</u></p> <p>Communications infrastructure and service already exists within the street right-of-way. The proposed annexation will have no effect on these facilities. Any future communication facilities or infrastructure will require a right-of-way permit and approval by the Public Works Maintenance Division of the City of Eugene.</p> <p><u>Public Schools</u></p> <p>The majority of the subject annexation area is within Eugene School District 4J and is within the district boundaries of Awbrey Park Elementary School, Madison Middle School, and North Eugene High School. As access to schools is evaluated on a district wide basis, the annexation area's location within a 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 of the annexation will be set in accordance with State law.

INFORMATIONAL ITEMS:

Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.