



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

10/26/2011

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Medford Plan Amendment
DLCD File Number 016-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, November 08, 2011

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Sandra Johnson, City of Medford
Angela Lazarean, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative

Angela Lazarean, DLCD Urban Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE
STAMP

DEPT OF

OCT 19 2011

LAND CONSERVATION
AND DEVELOPMENT
For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Medford**

Local file number: **ZC-11-091**

Date of Adoption: **10/13/2011**

Date Mailed: **8/9/11**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 8/9/2011

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other: **Increase in traffic cap**

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Consideration of a request to increase a traffic cap stipulated in Zone Change ZC-04-029 from 2,400 to 5,900 average daily trips (ADT's) for the US Cellular Community Sports Park, situated on eight lots totaling 150.07 acres, east of South Pacific Highway and west of Interstate 5, within a C-R (Regional Commercial) zoning district.

381W04 TL 201, 202

381W05 TL 106, 107, 601

381W05A TL 100, 200, 1100

Does the Adoption differ from proposal? Please select one

Slight change in acreage due to recalculation

Plan Map Changed from: **NA**

to:

Zone Map Changed from: **NA**

to:

Location: **2929 S. Pacific Highway**

Acres Involved: **150.07**

Specify Density: Previous: **NA**

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD File No. 016-11 (18932) [16802]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

City of Talent, Oregon Department of Transportation, Jackson County

Local Contact: **Sandra Johnson**

Phone: **(541) 774-2380** Extension: **2385**

Address: **200 S Ivy St.**

Fax Number: **541-618-1708**

City: **Medford**

Zip: **97501-**

E-mail Address:

sandra.johnson@cityofmedford.org

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)

per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on **light green paper if available**.
3. Send this Form 2 and **one complete paper copy** (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 16, 2010

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE)
ZC-11-091 APPLICATION FOR A TRIP CAP INCREASE SUBMITTED) ORDER
BY CITY OF MEDFORD PARKS AND RECREATION DEPARTMENT)
AND JACKSON COUNTY)

ORDER granting approval with conditions of a request to increase a traffic cap stipulated in Zone Change ZC-04-029 from 2,400 to 5,900 average daily trips (ADT's) for the US Cellular Community Sports Park and adjacent properties, situated on eight lots totaling 150.7 acres, east of South Pacific Highway and west of Interstate 5, within a CR (Regional Commercial) zoning district.

WHEREAS, the City Planning Commission in the public interest has given consideration to increase a traffic cap stipulated in Zone Change ZC-04-029 from 2,400 to 5,900 average daily trips (ADT's) for the US Cellular Community Sports Park and adjacent properties, situated on eight lots totaling 150.7 acres, east of South Pacific Highway and west of Interstate 5, within a CR (Regional Commercial) zoning district.; and

WHEREAS, the City Planning Commission has given notice of, and held a public hearing, and, after considering all the evidence presented, finds that the traffic cap increase is supported by, and hereby adopts the Planning Commission Report dated September 22, 2011, and the findings contained therein – Exhibit "A", and Legal Description – Exhibit "B", attached hereto and hereby incorporated by reference; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MEDFORD, OREGON, that:

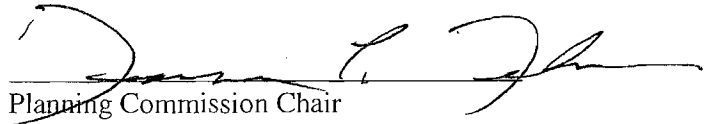
The zoning of the following described area within the City of Medford, Oregon:

- 38 1W 05A Tax Lots 100, 200, 1100
- 38 1W 05 Tax Lots 106, 107, 601
- 38 1W 04 Tax Lots, 201, 202

is hereby changed to increase a traffic cap stipulated in Zone Change ZC-04-029 from 2,400 to 5,900 average daily trips (ADT's) for the US Cellular Community Sports Park and adjacent properties, situated on eight lots totaling 150.7 acres, east of South Pacific Highway and west of Interstate 5, within a CR (Regional Commercial) zoning district.

Accepted and approved this 13th day of October, 2011.

CITY OF MEDFORD PLANNING COMMISSION


Planning Commission Chair

ATTEST:


Planning Department Representative



CITY OF MEDFORD
PLANNING DEPARTMENT

PLANNING COMMISSION REPORT

Date: September 22, 2011
Subject: USC Community Sports Park Trip Cap Increase (ZC-11-091)
City of Medford Parks and Recreation Department and Jackson County,
Applicant
(Peter Young, City of Medford Parks and Recreation, Agent)

BACKGROUND

Proposal

Consideration of a request to increase a traffic cap stipulated in Zone Change ZC-04-029 from 2,400 to 5,900 average daily trips (ADT's) for the US Cellular Community Sports Park and adjacent properties, situated on eight lots totaling 150.7 acres, east of South Pacific Highway and west of Interstate 5, within a C-R (Regional Commercial) zoning district.

Subject Site Zoning, GLUP Designation and Existing Uses

Subject Site Zoning:	C-R (Regional Commercial)
GLUP Designation:	PS (Park/School)
Existing Uses	USC Community Sports Park Vacant Land

Surrounding Property Zoning and Uses

North	C-H (Heavy Commercial); Multi-Family Residential Development SFR-00 (Single Family Residential-one dwelling unit per parcel); Bear Creek Greenway Interstate 5 Freeway SFR-4 (Single Family Residential-4 units per dwelling acre); Rogue Valley Manor Properties
South	SFR-00; Vacant Land, Bear Creek Greenway SFR-10 (Single Family Residential-10 dwelling units per acre); Manufactured Home Park I-L (Light Industrial); Commercial Properties

"Working with the Community to Shape a Vibrant and Exceptional City"

East	Interstate 5 Freeway SFR-4; Rogue Valley Manor Properties SFR-00; Golf Course
West	State Highway 99 County GI (General Industrial); Commercial Uses County LI (Light Industrial); Commercial Uses County GC (General Commercial); Residential and Commercial Uses

Related Projects

- ZC-04-029 Zone Change - County EFU (Exclusive Farm Use) to City
- AC-07-136 USC Community Sports Park Master Plan and Phase 2
- AC-07-291 USC Community Sports Park Phase 3 and Lighting

Applicable Criteria

10.227 ZONE CHANGE APPROVAL CRITERIA

The approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

- (1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.
 - (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
 - (b) Adequate streets and street capacity must be provided in one (1) of the following ways:

- (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or

- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:
 - (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,

ISSUES/ANALYSIS

Background

The scope of this application is limited to increasing the traffic cap that was stipulated for this property through the approval of a zone change in 2004 (ZC-04-029). The City of Medford requested a change of zone from County EFU (Exclusive Farm Use) to C-R (Regional Commercial) on nine parcels totaling 145.07 acres (Exhibit M). As described in the applicant's Findings, the change of zone was determined to result in a net increase of 217,490 average daily trips (ADTs) for the property, and was considered to be a substantial impact on the transportation system (Exhibit D).

To comply with the Transportation Planning Rule, and as provided in OAR 660-12-060 (1)(a), City staff proposed to limit the allowed land use on the properties. Per MLDC Section 10.461, a traffic impact analysis (TIA) was performed, and was based on the number of trips that would be generated by the site plan for a sports park that was proposed by the City Parks and Recreation Department. The Public Works Department indicated that, based on the site plan, the site would generate approximately 2,400 ADTs. The Planning Commission's approval of the zone change included the condition that development on the subject site will be limited to a sports park similar to that which the Parks and Recreation Department was proposing, and that the development, "shall generate no more than 2,400 average daily trips."

The zone change from EFU to C-R was also found to comply with the locational criteria in MLDC Section 10.227, and Category "A" facilities were found to have adequate capacity to serve the development, providing the use was limited to that of a sports park and was expected to generate no more than 2,400 ADTs.

The Planning Commission report for ZC-04-029 contained a table that listed the tax lots included in the application and summarized the total acreage at 145.07 acres (Exhibit M). Since that approval, property line adjustments, updated surveys, and further modifications to the Assessor's map have contributed to the adjustment of the acreage totals on a few of the tax lots. Staff has provided an updated list of the properties associated with this zone change application, and the total acreage has increased per this tabulation to 150.7 acres (Exhibit L).

Trip Cap Increase

Modification of the 2004 stipulation required a new TIA, which was performed in 2011 and is included with this staff report by reference. The TIA examined the impacts of an additional 3,500 daily trips, for a total of 5,900 ADTs. The applicant has provided a copy of a letter that contains the scope of the analysis and summarizes the conclusions (Exhibit E). The executive summary from the TIA echoes the analysis and concludes that all of the intersections studied will operate within mobility standards for all analysis years (Exhibit G). The summary states that no mitigation is required to offset the impacts of the increase in the trip cap for the sports park. A condition is included that requires the applicant to record a restrictive covenant that limits the number of vehicle trips for the subject properties to 5,900 ADTs.

Oregon Department of Transportation

The Oregon Department of Transportation (ODOT) has reviewed the trip cap increase, and has responded with a letter to the applicant, a copy of which was submitted with this application (Exhibit F). The ODOT found that the proposal will not adversely impact the state's transportation facility, OR-99 (South Pacific Highway), which serves as the primary access to the sports park. However, ODOT did provide the following recommendation for consideration:

ODOT recommends the restriction of left turn movements from OR-99 (South Pacific Highway) into the entrance of the Medford Sports Park during those events creating heavy volume movements.

The letter did not provide any further definition regarding the recommendation. The Public Works Department has received a copy of the letter. A discretionary condition requiring compliance is included with this report.

Decision: *The Public Works Department supports the condition, and will work with ODOT to better define the parameters of the condition. The Commission added language to the condition requiring such further definition, and language was also added that clarified the particular entrance the condition pertained to.*

Jackson County Roads

Staff received a letter from Jackson County Roads on September 21, 2011; and at the hearing the letter was introduced into the record as Exhibit N. Jackson County owns and maintains a portion of Lowry Lane from its intersection with Highway 99 to 800 feet

**EXHIBIT A-1
Conditions of Approval**

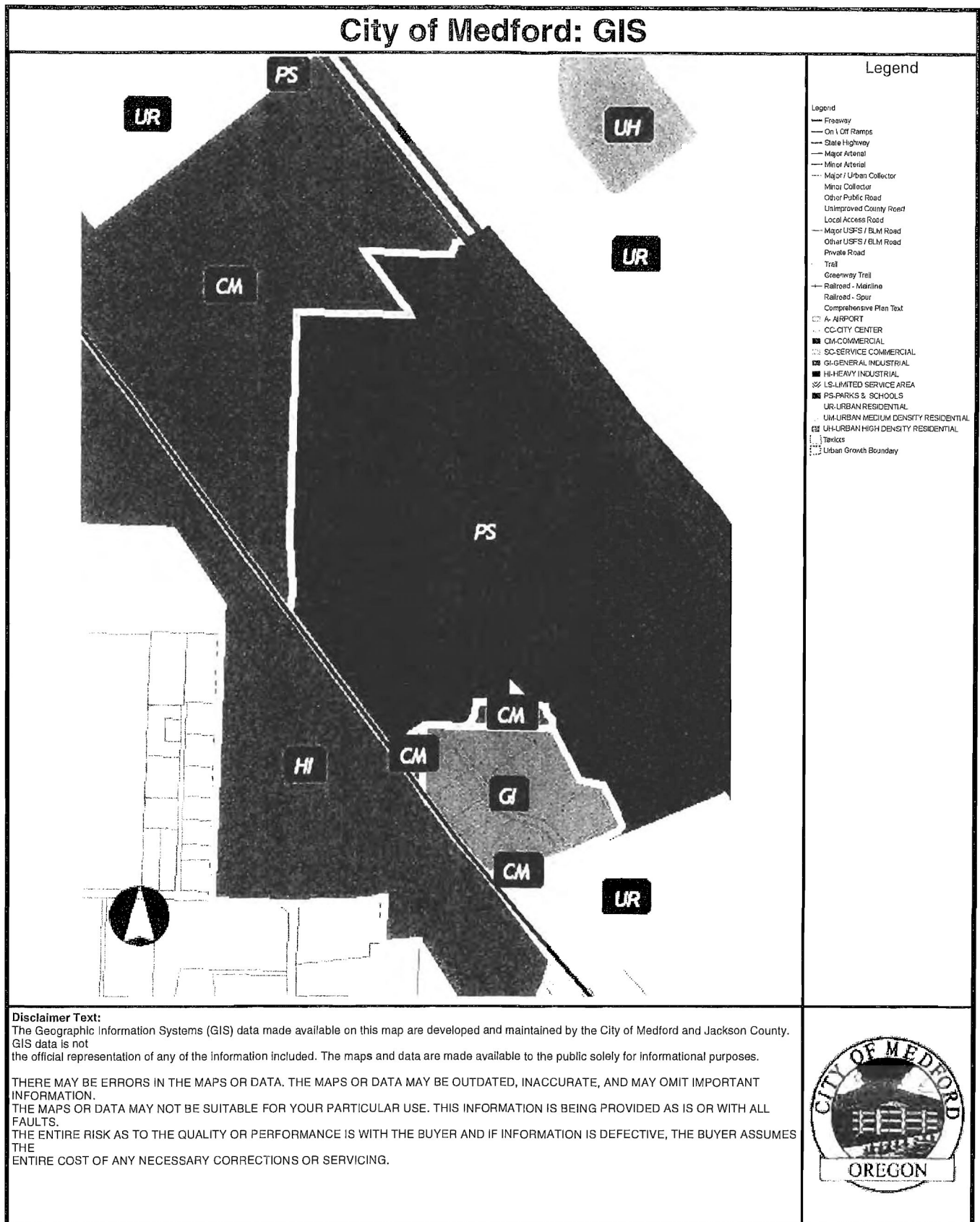
**ZC-11-091
USC Community Sports Park Trip Cap Increase
September 22, 2011**

DISCRETIONARY CONDITIONS

1. Left turn movements from OR-99 (South Pacific Highway) into the unsignalized entrance of the Medford Sports Park shall be restricted during those events creating heavy volume movements. The Public Works Department shall work with the Oregon Department of Transportation to further define "heavy volume" traffic movements.

CODE-REQUIRED CONDITIONS

2. Within 30 days of the Final Order of Approval, the applicant shall provide to the Planning Department, recorded with the County and in a form acceptable to the City Attorney, a restrictive covenant stipulating that the number of vehicle trips for the subject properties will not exceed 5,900 Average Daily Trips (ADTs).



CITY OF MEDFORD
 EXHIBIT # C
 File # 2C-11-091

BEFORE THE PLANNING COMMISSION
OF THE CITY OF MEDFORD
JACKSON COUNTY, OREGON

IN THE MATTER OF AN APPLICATION FOR)
INCREASING A TRAFFIC CAP STIPULATED IN)
THE 2004 APPROVED ZONE CHANGE 04-29)

WITHIN THE CITY OF MEDFORD, JACKSON)
COUNTY, OREGON)

APPLICANT: CITY OF MEDFORD PARKS AND)
RECREATOIN AND JACKSON COUNTY)

AGENT: PETER YOUNG, CITY OF MEDFORD)
PARKS & RECREATOIN)

RECEIVED

JUL 19 2011

PLANNING DEPT.

SCOPE OF APPLICATION

The scope of this Zone Change application is limited to increasing a traffic cap which was stipulated in Zone Change 04-29. All non-traffic Category 'A' services and facilities were found to be adequate in the Zone Change 04-29 approval and will remain un-change with the approval of this current zone change application.

EXHIBITS

Exhibit A -- Summary of JRH 2011 TIA
Exhibit B -- Letter from Oregon Department of Transportation

CITY OF MEDFORD
EXHIBIT # D
File # ZC-11-091

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APPROVAL CRITERIA

This zone change application is limited to increasing the trip cap stipulation of the 2004 approval for ZC 04-29. The specific approval criteria within municipal code 10.227 Zone Change Criteria which must be met, follows:

10.227 Zone Change Criteria

The approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

(1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.

(2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

(a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

(b) Adequate streets and street capacity must be provided in one (1) of the following ways:

(i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity;

FINDINGS OF FACT

The following findings are provided to demonstrate that the transportation services and facilities, governed by Land Development Code Section 10.461 traffic impact analyses (TIA) required in determinations related to development impacts on the street system presently exist and have adequate capacity, meeting the following approval criteria:

10.227 Zone Change Criteria

(1) The proposed zone is consistent with the Transportation System Plan (TSP), and

(i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity;

The scope of this Zone Change application is limited to increasing a traffic cap which was stipulated in Zone Change 04-29. All non-traffic Category 'A' services and facilities were found to be adequate in the Zone Change 04-29 approval and will remain un-change with the approval of this current zone change application.

The 2004 approved Zone Change 04-29 (ZC 04-29) found that the potential traffic generation, changing County EFU (Exclusive Farm Use) to City C-R (Regional Commercial) on 145 acres had the potential (based on commercial property generating approximately 1,500 average daily trips (ADT) per acre) to generate 217,500 ADT. Existing zoning in 2004 was estimated to generate approximately 10 ADT based on one SFR dwelling unit. The net increase in trips to the transportation system from the 2004 approved ZC 04-29 was said to be 217,490 ADT. Based on this and the MLDC, section 10.461, a traffic impact analysis (TIA) was required.

Traffic studies should always evaluate the potential trip generation of a site unless the potential traffic generation cannot be supported by the transportation system and a stipulation is proposed. In this case, the potential traffic generation was 217,500 ADT which would substantially impact the transportation system. Based on this, a stipulation was accepted to evaluate the impacts of the park facility.

The 2004 approved ZC 04-29 "Conclusions of Law" states that:

"All Category 'A' facilities are available or can and will be provided to adequately serve the subject property with the permitted uses allowed in the proposed zoning, with stipulation that the property not generate over 2,400 trips per day. The proposed sports park (US Cellular Community Park) is not proposed to generate more than 2,400 trips per day."

Modification of the 2004 stipulation requires a new TIA. JRH conducted a TIA in 2011 submitted with this application in the form of three volumes. Two volumes, both dated December 14, 2010, the first entitled US Cellular Sports Park Traffic Impact Analysis and the second entitled US Cellular Sports Park Traffic Impact Analysis Appendix; and the third volume dated March 23, 2011 labeled Addendum to U.S. Cellular Sports Park Traffic Impact Analysis are entered into this application as the new TIA.

The new U.S. Cellular Sports Park Traffic Impact Analysis "examines the impacts of the proposed trip cap increase of an additional 3,500 daily trips, to a total of 5,900 daily trips on the roadway system for the year of completion of the project and the end of the City of Medford's transportation planning horizon year."

A summary of JRH's 2011 TIA is also included in the document labeled Exhibit 'A' titled "The US Cellular Sport Park- Traffic Analysis Summary", dated April 11, 2011. You will find the summary states:

"The analysis concludes that all studied intersections will meet the applicable mobility standard requirements for the year of opening and throughout the City of Medford's and ODOT's planning horizon. As such, an increase in the conditioned trip cap does not result in a "significant effect" on the transportation facilities as defined in the TPR. Therefore, no off-site mitigation is necessary to address the impacts of the trip cap increase."

A letter from Oregon Department of Transportation labeled Exhibit 'B' concludes "the trip increase will not further degrade the operation to below the no-build conditions" and the proposal "will not adversely impact the state's transportation facility."

The Oregon Department of Transportation is recommending the City restrict left turn movements from OR-99 into the entrance of the park during events which create "heavy volume movements" by temporarily closing the southbound left turn lane off of OR-99 into the park in the area just south of the Harry and David Field, opposite the Southern Oregon Nursery.

CONCLUSION OF LAW

The Planning Commission can conclude that the street system has adequate capacity for this proposed zone change, and the traffic impact can be found to be not substantial as a result of approving this zone change request.

SUMMARY

This proposed zone change modifying the trip cap stipulated in ZC 04-29 is consistent with the applicable criteria found in MLDC section 10.227.

EXHIBIT 'A'

ENGINEERS

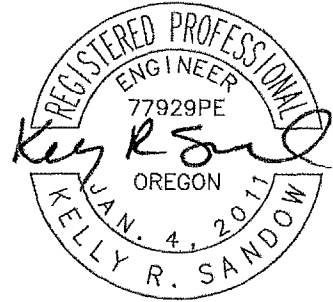
PROJECT MANAGERS

PLANNERS



April 11, 2011

Peter R Young
City of Medford Parks & Recreation
City of Medford



RE: US Cellular Sports Park- Traffic Analysis Summary

RENEWAL 06/30/12

Dear Mr. Young:

As per your request, I am providing you with a summary of findings from the Traffic Impact Analysis prepared for the US Cellular Sports Park on December 14, 2010 and the Addendum to the Traffic Impact Analysis dated March 23, 2011. The Traffic Impact Analysis evaluates the impacts on the adjacent transportation facility from an increase in the conditioned trip cap for the US Cellular Sports Park in Medford, Oregon.

The analysis contained within the two documents examines the operation and performance of studied intersections for the existing conditions, year 2010; year of completion, year 2013; end of City's planning horizon for TPR findings, year 2023; and the future year planning horizon identified in the Oregon Highway Plan, year 2025, for ODOT intersections. Analysis is provided for the following intersections:

- Highway 99 at Stewart Avenue
- Highway 99 at Garfield Street
- Highway 99 at Lowry Lane
- Highway 99 at US Cellular Sports Park driveway
- Highway 99 at South Stage Road
- Garfield Street at Center Drive
- Garfield Street/Highland Drive at South Medford Interchange
- Highland Drive at Barnett Avenue

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JUL 19 2011

PLANNING DEPT.

The analysis concludes that all studied intersections will meet the applicable mobility standard requirements for the year of opening and throughout the City of Medford's and ODOT's planning horizon. As such, an increase in the conditioned trip cap does not result in a "significant effect" on the transportation facilities as defined in the TPR. Therefore, no off-site mitigation is necessary to address the impacts of the trip cap increase.

Please let me know if you have any questions or comments regarding this letter.

Yours Sincerely,

Kelly R Sandow, P.E.

CITY OF MEDFORD
EXHIBIT # E 1/3
File # 3C-11-091

VOICE 541.687.1081

FAX 541.345.6599

WEB JRHWEB.COM

4765 VILLAGE PLAZA LOOP

SUITE 201

EUGENE

OREGON

97401



1.0 INTRODUCTION

This report outlines an addendum to the transportation analysis performed for intersections and roadway networks impacted by a proposed increase in trip cap to the parcels contained within tax lots 201, 202, and 1200 in Township 38 Range 1W Section 04; tax lots 160, 107, and 601 of Township 38 Range 1W Section 05; and tax lots 100, 200, and 1100 of Township 38 Range 1W Section 05A. The analysis performed by JRH Transportation Engineering for the December 14, 2010 TIA examines the impacts of the proposed trip cap increase of an additional 3,500 daily trips, to a total of 5,900 daily trips on the roadway system for the year of completion of the project and the end of the City of Medford's transportation planning horizon year.

ODOT had requested that an analysis be provided as per the requirements of the *Oregon Highway Plan* (OHP). Policy F, Action 1F.2 of the OHP states that "When evaluating highway mobility for amendments to transportation system plans, acknowledged comprehensive plans and land use regulations, use the planning horizons in adopted local and regional transportation system plans or a planning horizon of 15 years from the proposed dated of amendment adoption, whichever is greater."

In the December 15, 2011 TIA, JRH provided analysis and TPR findings throughout the City of Medford's planning horizon in their adopted Transportation System Plan, year 2023. This is 13 years beyond the proposed land use amendment date (year 2010). To be consistent with the OHP, policy ODOT has requested that a year 2025 analysis be provided (15 years beyond year 2010).

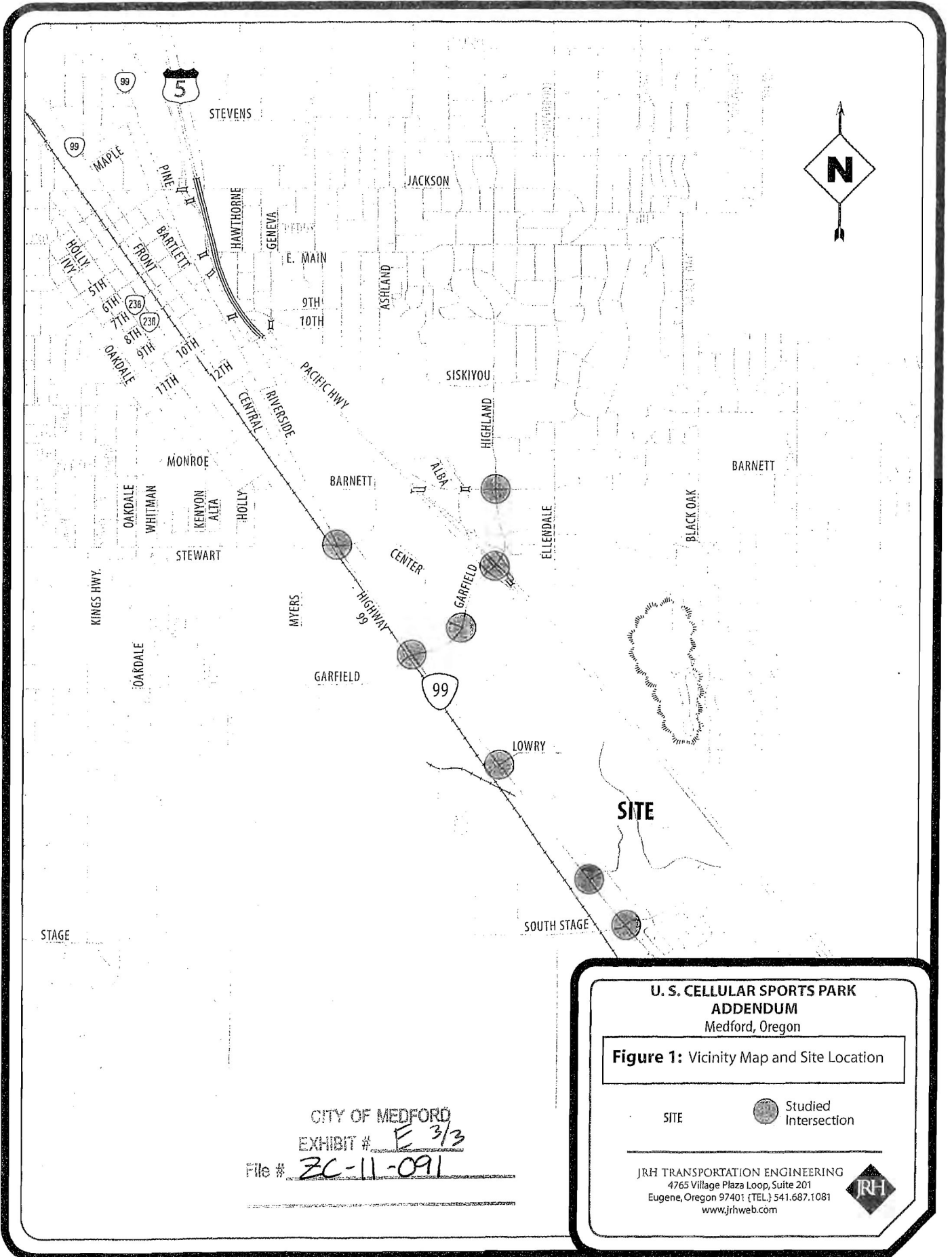
This addendum evaluates the performance of intersections under ODOT's jurisdiction for the year 2025. Analysis was provided for the following intersections

- Highway 99 at Stewart Avenue
- Highway 99 at Garfield Street
- Highway 99 at Lowry Lane
- Highway 99 at US Cellular Sports Park driveway
- Highway 99 at South Stage Road
- Garfield Street at Center Drive
- Garfield Street/Highland Drive at South Medford Interchange (SPUI)
- Highland Drive at Barnett Avenue

Figure 1 includes a vicinity map illustrating the studied intersections and site location.

CITY OF MEDFORD
 EXHIBIT # E 2/3
 File # 3C-11-091


EXHIBIT 'A'




CITY OF MEDFORD
 EXHIBIT # E 3/3
 File # 3C-11-091

**U. S. CELLULAR SPORTS PARK
 ADDENDUM
 Medford, Oregon**

Figure 1: Vicinity Map and Site Location

SITE  Studied Intersection

JRH TRANSPORTATION ENGINEERING
 4765 Village Plaza Loop, Suite 201
 Eugene, Oregon 97401 (TEL) 541.687.1081
 www.jrhweb.com





Oregon

John A. Kitzhaber, MD, Governor

EXHIBIT 'B'

Department of Transportation

Rogue Valley Office
100 Antelope Rd
White City, OR 97503-1674
(541) 774-6299
FAX (541) 774-6349

April 4, 2011

City of Medford Parks and Recreation Department
Attn: Pete Young, Planner
701 North Columbus Ave.
Medford, OR 97501

Re: Medford Sports Park Trip Cap proposed increase.

Dear Mr. Young,

Thank you for the consideration to provide comment of plans for a proposed increase of a trip cap of an additional 3,500 daily trips from 2,400 ADT to 5,900 ADT on the parcels contained within Tax Lots 201, 202, and 1200 in 38-1-04; and Tax lots 160, 107, and 601 in 38-1-05; and 100, 200 and 111 of 38-1-05A. ODOT staff as reviewed the updated Traffic Impact Analysis and concur the trip increase will not further degrade the operation to below the no-build conditions.

ODOT has reviewed the site plan request and determined this proposal will not adversely impact the state's transportation facility; therefore, these proposed land use actions do not trigger ODOT's review under the Transportation Planning Rule (OAR 660-012-0000), or Access Management Rule under (OAR 734-051-0000).

We do however; provide the following comment for consideration.

1. ODOT recommends the restriction of left turn movements from OR-99 (South Pacific Highway) into the entrance of the Medford Sports Park during those events creating heavy volume movements.

Please enter this letter into the public record for the proposed project and send me a copy of the City's final decision. Please feel free to contact me at (541) 774-6399 if you have any additional comments or concerns.

Respectfully,

Ian K. Horlacher
Development Review Planner

Cc: Alex Georgevitch, City of Medford Public Works
Kelly Sandow, JRH Engineering
RVDRT

CITY OF MEDFORD
EXHIBIT # F
File # ZC-11-091

RECEIVED

JUL 19 2011

PLANNING DEPT.





EXECUTIVE SUMMARY

BACKGROUND

This report outlines the transportation and traffic analysis performed for intersections and roadway networks impacted by an increase in the allocated Trip Cap for the US Cellular Sports Park in Medford, Oregon. The sports park is contained within 145.07 acres described as tax lots 201, 202, and 1200 in Township 38 Range 1W Section 04; tax lots 160, 107, and 601 of Township 38 Range 1W Section 05; and tax lots 100, 200, and 1100 of Township 38 Range 1W Section 05A. These tax lots had previously undergone a zone change in which the parcels were conditioned by ZC 04-29 for a tip cap of 2,400 average daily trips (ADT). To allow the completion of the sports park's master plan, the City is requesting an increase in the conditioned trip cap.

The project is anticipated to be completed by the year 2013. For this analysis, intersections were analyzed for the existing year, year 2010, the year of completion, year 2013, and a future year analysis, year 2023, both with and without the proposed trip cap in place. The Transportation Planning Rule (TPR) requires that the impacts be assessed over the land use authorities planning horizon. For purposes of this analysis a planning horizon of the City of Medford's Transportation System Plan, year 2023, applies.

RESULTS

The intersection performance analysis concludes all of the City of Medford intersections will operate within the mobility standards for all analysis years. The additional traffic from the expansion does not reduce the operation of any of the ODOT intersections to below the no-build operations. Therefore, no mitigation is required to offset the impacts of the increase in the trip cap for the sports park.

The purpose of the 2023 analysis is to establish consistency with the State of Oregon's facility adequacy test embodied in the Transportation Planning Rule found in OAR 660-012-0060 (TPR). Compliance with TPR requires transportation analysis sufficient to identify transportation facilities that will be significantly affected by the proposed land use changes. Significant effects are identified where existing transportation facilities and planned transportation improvements are insufficient to accommodate the proposed land use changes. Significant effects for the purposes of this analysis are based upon trip generation derived from the master site development plan and subsequent increase in trip cap.

As shown, the increase in trip cap allocation for tax lots tax lots 201, 202, and 1200 in Township 38 Range 1W Section 04; tax lots 160, 107, and 601 of Township 38 Range 1W Section 05; and tax lots 100, 200, and 1100 of Township 38 Range 1W Section 05A does not result in a "significant effect" on the transportation facilities as defined in the TPR.

JRH TRANSPORTATION
ENGINEERING

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JUL 19 2011

PLANNING DEPT.



U.S. CELLULAR SPORTS PARK



TRAFFIC **I**MPACT

ANALYSIS

DECEMBER 14, 2010

CITY OF MEDFORD
EXHIBIT # H 1/3
File # ZC-11-091

VOICE 541.687.1081
4765 VILLAGE PLAZA LOOP

FAX 541.345.6599
SUITE 201 EUGENE

WWW.JRHWEB.COM
OREGON 97401

Report Date: August 24, 2011
ZC 11-091

PUBLIC WORKS DEPARTMENT STAFF REPORT

Consideration of a request to increase a traffic cap stipulation in Zone Change ZC 04-029 from 2400 to 5900 average daily trips for the US Cellular Community Sports Park, situated on eight lots totaling 145.07 acres.

Location: East of South Pacific Highway and west of Interstate 5 within a C-R zoning district.

Applicant: City of Medford, Parks & Recreation Department

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AUG 24 2011

PLANNING DEPT.

I. Traffic Cap Stipulation

The Traffic Impact Analysis (TIA) for the proposed increase in the trip cap for the U.S. Cellular Sports Park was prepared by JRH Transportation Engineering, and submitted to Public Works for review. The existing trip cap is 2400 ADT, the proposal is to increase the trip cap by 3500 ADT to 5900 ADT.

Streets expected to be impacted by the proposed development were evaluated with Highway Capacity Manual (HCM) procedures. The study area was roughly bounded by Interstate -5, S. Pacific Hwy (99), Stewart Ave and the South Stage Rd. The Public Works Department concurs with the following findings:

Based on the traffic study, no mitigation is required on City facilities to accommodate the increase in trips. Public Works Department recommends approval with the following stipulation.

1. The developer stipulates that the number of trips generated by the subject properties under the existing C-R zoning will not exceed 5,900 ADT or 590 P.M. Peak hour trips.

Prepared by: Larry Beskow

CITY OF MEDFORD
EXHIBIT # I
File # ZC-11-091



BOARD OF WATER COMMISSIONERS
Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: ZC-11-091
PARCEL ID: 381W04 TL's 201, 202
381W05 TL's 106, 107, 601
381W05A TL's 100, 200, 1100
PROJECT: Consideration of a request to increase a traffic cap stipulated in Zone Change ZC-04-029 from 2,400 to 5,900 average daily trips (ADT's) for the US Cellular Community Sports Park, situated on eight lots totaling 145.07 acres, east of South Pacific Highway and west of Interstate 5, within an C-R (Regional Commercial) zoning district. City of Medford, Parks & Recreation Department, Applicant. Sandra Johnson, Planner.
DATE: August 17, 2011

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AUG 24 2011
PLANNING DEPT.

I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

COMMENTS

1. No comments

CITY OF MEDFORD
EXHIBIT # J
File # ZC-11-091



Medford Fire Department

200 S. Ivy Street, Room #257
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire@ci.medford.or.us

RECEIVED

AUG 24 2011

LAND DEVELOPMENT REPORT - PLANNING PLANNING DEPT.

To: Sandra Johnson

LD Meeting Date: 08/24/2011

From: Kleinberg, Greg

Report Prepared: 08/24/2011

File #: ZC - 11 - 91

Site Name/Description:

Consideration of a request to increase a traffic cap stipulated in Zone Change ZC-04-029 from 2,400 to 5,900 average daily trips (ADT's) for the US Cellular Community Sports Park, situated on eight lots totaling 145.07 acres, east of South Pacific Highway and west of Interstate 5, within an C-R (Regional Commercial) zoning district.

DESCRIPTION OF CORRECTIONS	REFERENCE
----------------------------	-----------

Approved as Submitted

Meets Requirement: No Additional Requirements

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.
Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.
Specific fire protection systems may be required in accordance with the Oregon Fire Code.
This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on the information provided only.
Design and installation shall meet the Oregon requirements of the IBC, IFC, IMC and NFPA standards.

CITY OF MEDFORD
EXHIBIT # K
File # ZC-11-091

ZC-11-091
USC COMMUNITY SPORTS PARK TRIP CAP INCREASE
September 15, 2011

CITY OF MEDFORD AND JACKSON COUNTY PROPERTIES

Map and Tax Lot	Ownership	Acreage
38 1W 04 – 1200	Purged	---
38 1W 04 – 201	City of Medford	3.91
38 1W 04 – 202	Jackson County	1.19
38 1W 05 – 106	City of Medford	124.05
38 1W 05 – 107	Jackson County	1.29
38 1W 05 – 601	Jackson County	15.99
38 1W 05A – 100	City of Medford	1.0
38 1W 05A – 1100	City of Medford	0.63
38 1W 05A – 200	City of Medford	2.64
Total Acreage		150.7

Source: Jackson County Assessor's Maps
Compiled by staff - 8/31/11

CITY OF MEDFORD
EXHIBIT # 6
File # ZC-11-091

19

City of Medford

August 12, 2004

PLANNING COMMISSION REPORT

File No.: ZC-04-29 Exclusive Farm Use to Regional Commercial

Applicant: City of Medford

Request: Consideration of a request for a change of zone from County EFU (Exclusive Farm Use) to City C-R (Regional Commercial) zoning district on nine parcels totaling approximately 145 acres, located between South Pacific Highway and Interstate 5, south of Lowry Lane.

RECEIVED

JUL 15 2011

PLANNING DEPT.

SITE INFORMATION:

The following table indicates the specific parcels to be included in this zone change, the ownership of the parcels, and the acreage.

Map and Taxlot	Ownership	Acreage
381W04 - 201	City of Medford	2.78
381W04 - 202	Jackson County	1.2
381W05A - 100	City of Medford	1.0
381W05A - 1100	City of Medford	1.34
381W05A - 200	City of Medford	2.64
381W05 - 106	City of Medford	118.45
381W05 - 107	Jackson County	1.25
381W04 - 1200	Jackson County	.34
381W05 - 601	Jackson County	16.07
	Total Acreage	145.07

Source: Jackson County Front Counter

BACKGROUND:

The subject property is composed of nine parcels which have been acquired by the City of Medford and/or Jackson County for the purpose of preserving them as a park or part of the Bear Creek Greenway. Tax lot 101 has an existing single-family residence and a barn. It is expected that the house will be converted to a nature center, and the barn may be removed. There is also an existing single-family residence on tax lot 105 which is expected to be demolished. The rest

CITY OF MEDFORD 1
EXHIBIT # M
File # ZC-11-091

6

50.2



JACKSON COUNTY Roads

JC Roads
Engineering

Mike Kuntz
County Engineer

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6228
Fax: (541) 774-6295
kuntzm@jacksoncounty.org

www.jacksoncounty.org

September 20, 2011

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SEP 21 2011

PLANNING DEPT.

Attention: Sandra Johnson
Planning Department
City of Medford
200 South Ivy Street, Lausmann Annex, Room 240
Medford, OR 97501

RE: Zone Change off Lowry Lane – a county-maintained section of road.
Planning File: ZC-11-091.

Dear Sandra:

The Zone Change off Lowry Lane has just come to our attention through an article in the Mail Tribune. Jackson County Roads request the opportunity to comment on this increase to the traffic cap stipulated in Zone Change ZC-04-029 from 2,400 to 5,900 average daily trips (ADT's) for the US Cellular Community Sports Park, situated on eight lots totaling 145.07 acres, east of South Pacific Highway and west of Interstate 5, within a C-R (Regional Commercial) zoning district. Jackson County Roads has the following comments:

1. Lowry Lane is a County Local Road and is county-maintained from Highway 99 to approximately 800 feet northeast. The County portion of the road had a cape seal done in 2009 and is maintained as a local road with curb and gutter. The City of Medford has allowed the Charles Point Plan Unit Development and the US Cellular Community Sports Park to take access off it, thus increasing the ADT, making it a collector road. Please note the County does not get any of the SDC or road improvement fees from the City of Medford. Jackson County Roads recommends the City of Medford take jurisdiction of this road if the traffic cap is increased.

If you have any questions or need further information feel free to call me at 774-6255.

Sincerely,

Mike Kuntz
County Engineer

CC: LARRY BESKOW

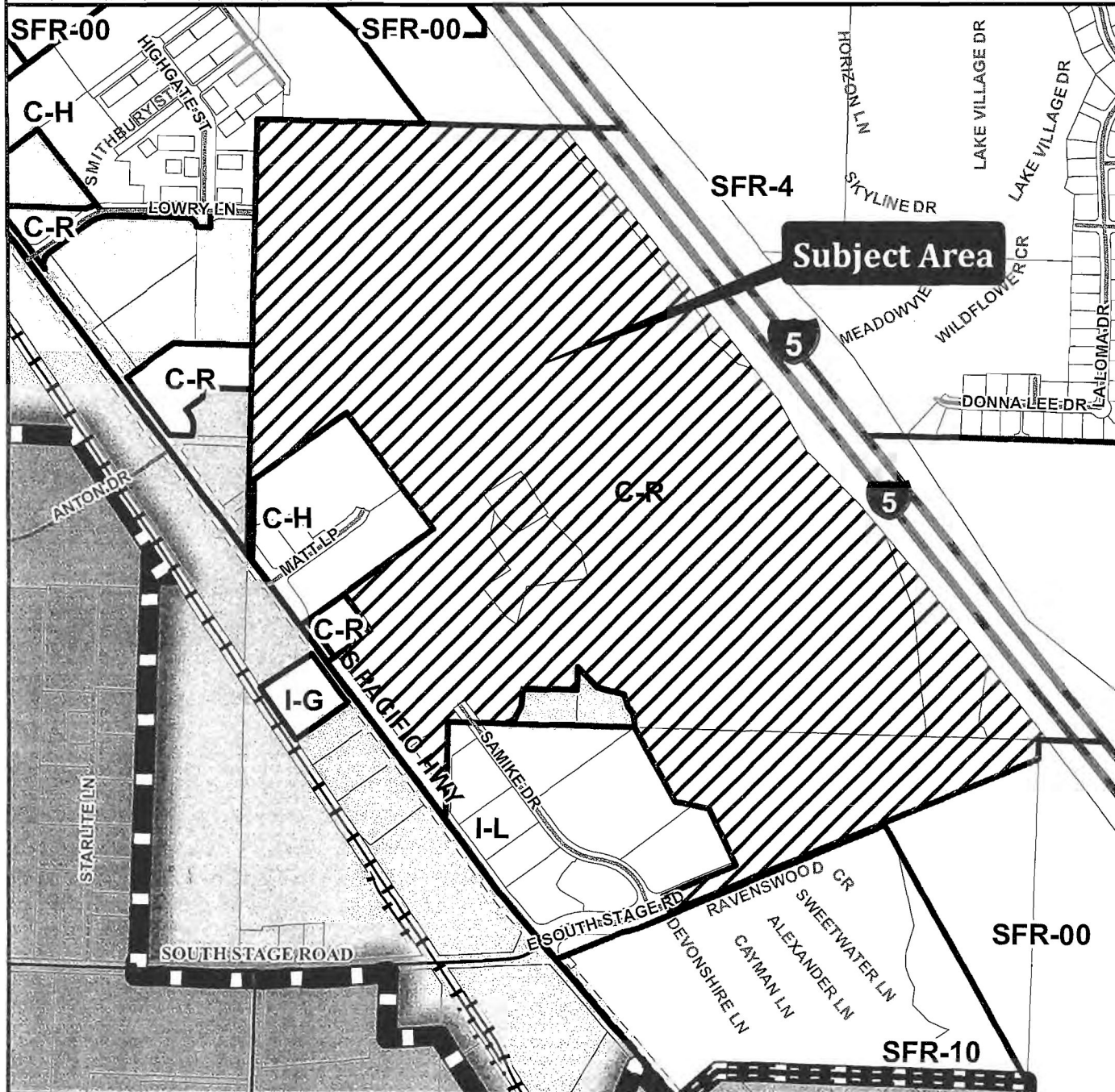
CITY OF MEDFORD

EXHIBIT # N

File # ZC-11-091

CITY OF MEDFORD  PLANNING DEPARTMENT

Vicinity Map








Description:
US Cellular Sports Park

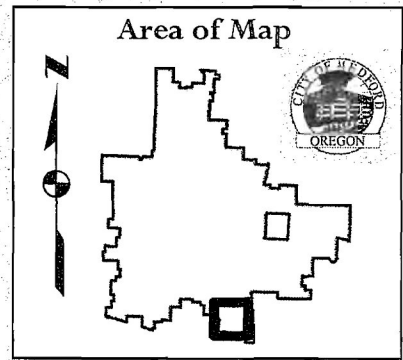
Proposal:
Trip Cap Increase

File Number:
ZC-11-091

Applicant:
**City of Medford
 Jackson County**

Map/Taxlot:
 381W04 TL's: 201, 202
 381W05 TL's: 106, 107, 601
 381W05A TL's: 100, 200, 1100

-  Medford Zoning
-  Subject Area
-  UGB
-  Tax Lots
-  City Limits



9/1/2011

EXHIBIT B
Legal Description
October 13, 2011

ZC-11-091
City of Medford Parks and Recreation Department
Jackson County

Please see attached legal descriptions for the following tax lots:

38 1W 05A Tax Lots 100, 200, 1100

38 1W 05 Tax Lots 106, 107, 601

38 1W 04 Tax Lots 201, 202

ZC-11-091
 USC COMMUNITY SPORTS PARK TRIP CAP INCREASE
 September 15, 2011

CITY OF MEDFORD AND JACKSON COUNTY PROPERTIES

Tax Lot

Map and Tax Lot	Ownership	Acreage	JC OR (Description)
	Purged	---	
④ 38 1W 04 - 1200	City of Medford	3.91	DESC IN DOC 2008-013864
③ 38 1W 04 - 202	Jackson County	1.19	DESC IN DOC 1992-28113 Parcel 3
② 38 1W 05 - 106	City of Medford	124.05	DESC IN DOC 2662-51211 2008-013863
① 38 1W 05 - 107	Jackson County	1.29	DESC IN DOC 2005-024514
38 1W 05 - 601	Jackson County	15.99	DESC. IN DOCS 67-08372 & 67-08373 LESS AREA DESC. IN DOC 96-16332
38 1W 05A - 100	City of Medford	1.0	THESE 2 PARCELS ARE WITHIN THE DESC. OF TAX LOT 106
38 1W 05A - 1100	City of Medford	0.63	
38 1W 05A - 200	City of Medford	2.64	DESC IN DOC 2002-51316
Total Acreage		150.7	

Source: Jackson County Assessor's Maps
 Compiled by staff - 8/31/11

EXHIBIT A

Beginning at the northwest corner of Donation Land Claim No. 40, Township 38 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence along the north boundary of said claim, South 89°55'33" East 2419.53 feet; thence North 23°13' West 52.53 feet; thence North 60°33'09" West 29.02 feet; thence North 7°28'20" East 275.81 feet to intersect the southwesterly right-of-way line of Interstate Highway No. 5; thence along said highway line North 39°45'33" West a more-or-less distance of 483.00 feet to a 5/8" rebar with red plastic cap; thence North 69°23'06" West 79.99 feet; thence North 50°16'30" West 53.70 feet; thence North 40°53'56" West 136.14 feet; thence North 21°31'39" West 166.35 feet to a 5/8" rebar with red plastic cap located on the southwesterly right-of-way line of Interstate Highway No. 5; thence along said highway line North 39°45'33" West a more-or-less distance of 64.00 feet to an angle point on said highway right-of-way line; thence along said highway line, North 46°24'22" West 302.20 feet; thence along said highway line, North 30°40'28" West 253.33 feet; thence along said highway line North 39°45'33" West a more-or-less distance of 182.00 feet to a 5/8" rebar with red plastic cap; thence North 71°26'56" West 79.85 feet; thence North 47°55'01" West 79.71 feet; thence North 53°30'38" West 85.41 feet; thence North 21°21'07" West 105.38 feet; thence North 39°28'29" West 1027.21 feet to intersect the north boundary of Donation Land Claim No. 48 of Township 37 South, Range 1 West of said Willamette Meridian; thence North 89°59' West 1347.8 feet, more or less to the northwest corner of said Claim No. 48; thence South 0°02'35" East to and along the west boundary of Donation Land Claim No. 38 of Township 38 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon for a distance of 1874.33 feet to intersect the re-located northeasterly right-of-way line of the South Pacific Highway No. 99; thence along said re-located highway line, South 37°49'35" East 41.06 feet to intersect the west boundary of tract described in Volume 333, page 139 of the Deed Records of Jackson County, Oregon; thence along the west boundary of said tract, North 0°06'20" West (record = North 0°03' West) 299.55 feet; thence along the northwesterly boundary of said tract North 52°05'40" East 506.03 feet (record = North 52°09' East 506.06 feet); thence along the northeasterly boundary of said tract, South 37°54'20" East (record = South 37°51' East) 650.00 feet; thence along the southeasterly boundary of said tract, South 52°05'40" West (record = South 52°09' West) 690.20 feet to intersect the re-located northeasterly right-of-way line of said South Pacific Highway No. 99; thence along said re-located highway line South 37°49'35" East 1030.51 feet to the west boundary of said Donation Land Claim No. 40; thence along said claim boundary north 0°16'58" East 387.05 feet to the point of beginning. EXCEPTING THEREFROM that tract conveyed to Dieter H. Trost, et ux described in instrument No. 91-22040 of the Official Records of Jackson County, Oregon. ALSO EXCEPTING THEREFROM the following: A tract of land located in Donation Land Claim No. 38 in Section 5, Township 38 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, more particularly described as follows: Beginning at the most southerly corner of the property described in the deed recorded as No. 99-23219 of the Official Records of Jackson County, Oregon; thence North 52°09' East, along the southeasterly boundary of the property described in said deed, a distance of 200.0 feet; thence South 37°51' East, parallel to the northeasterly line of the Pacific Highway, a distance of 200.0 feet; thence South 52°09' West a distance of 200.0 feet to a point on the northeasterly line of the Pacific Highway; thence North 37°51' West, along the northeasterly line of the Pacific Highway, a distance of 200.0 feet to the point of beginning.

(Code 4-03, Account #1-080571-1, Map #381W04, Tax Lot #201)
 (Code 4-05, Account #1-080569-9, Map #381W04, Tax Lot #201)
 (Code 4-05, Account #1-001928-3, Map #381W05, Tax Lot #101)
 (Code 4-05, Account #1-080011-2, Map #381W05, Tax Lot #104)
 (Code 4-05, Account #1-080014-7, Map #381W05, Tax Lot #105)
 (Code 4-03, Account #1-001759-1, Map #381W05, Tax Lot #106)

02 51316

(Continued)

(Code 4-05, Account #1-080570-2, Map #381W05, Tax Lot #106)

Subject to;

1. 2002-03 taxes, a lien in an amount to be determined, but not yet payable.
2. The premises herein described have been zoned or qualified for "Farm Use" tax assessment. At such time as said land is disqualified for such "Farm Use", the property will be subject to additional taxes and interest, and possible statutory penalty. (Affects Tax Lots 201, 104 and 106)
3. Any adverse claim based on the assertion that any portion of the subject property has been created by artificial means or has accreted to such portions so created, or based upon the provisions of ORS 274.905 through 274.940.
4. Any adverse claim based on the assertion that some portion of the subject property has been removed from or brought within the property's boundaries by an avulsive movement of Gore Creek, or has been formed by the process of accretion or reliction.
5. The rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation and other rights of the public or governmental bodies in and to the waters of Gore Creek and Bear Creek.
6. The effect of said property, or any part thereof, lying within the Medford Irrigation District, and subject to all water and irrigation rights, easements for ditches and canals, and all regulations of said District, including any and all assessments, liens and charges assessed, and to be assessed.
7. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Bear Creek Valley Sanitary Authority.
8. Right of way for ditch and dam, together with rights of ingress and egress, and rights in connection therewith, as granted to the Town (now City) of Medford by instrument recorded September 10, 1888 in Volume 16, page 369 of the Deed Records of Jackson County, Oregon. (Not locatable of record)
9. Right(s) of way for the transmission and distribution of electricity, and for other purposes, granted to PacifiCorp, an Oregon corporation, or its predecessor in interest, by instrument(s) recorded May 17, 1951 in Volume 351, page 279, recorded January 2, 1953 in Volume 375, page 362 and recorded May 18, 1959 in Volume 472, page 256, of the Deed Records of Jackson County, Oregon. (Not locatable of record)
10. Perpetual easement and right of way for sanitary sewer lines and rights in connection therewith, granted to South Bear Creek Sanitary District, a municipal corporation, by instrument recorded June 29, 1956 in Volume 428, page 217 of the Deed Records of Jackson County, Oregon.

02 51316

(Continued)

11. Perpetual easement and right of way for water transmission lines and rights in connection therewith, granted to Charlotte Ann Water District, a municipal corporation, recorded February 20, 1957 in Volume 438, page 247 of the Deed Records of Jackson County, Oregon. (Affects westerly line adjacent to U.S. Highway 99) (Tax Lot 106)

12. Perpetual easement and right of way for water transmission lines and rights in connection therewith, granted to Charlotte Ann Water District, a municipal corporation, recorded February 20, 1957 in Volume 438, page 254 of the Deed Records of Jackson County, Oregon. (Affects southerly portion of Tax Lot 106)

13. Non-exclusive easement, 20.0 feet wide, for ingress, egress and for domestic water supply pipe, as granted in deed recorded June 7, 1968 as No. 68-05775 of the Official Records of Jackson County, Oregon.

14. Permanent right of way and easement for sewer lines and rights in connection therewith, granted to Bear Creek Valley Sanitary Authority, by instrument recorded December 9, 1969 as No. 69-11245 of the Official Records of Jackson County, Oregon. Corrected by instrument recorded March 26, 1970 as No. 70-02388 said Official Records. (Affects Tax Lot 101)

15. Permanent easement for right of way purposes over an existing road, 30.0 feet in width, granted by instrument recorded March 13, 1970 as No. 70-02032 of the Official Records of Jackson County, Oregon. (Over Tax Lot 106 to benefit Tax Lot 101, but not locatable of record)

16. Permanent right of way and easement for sewer line and rights in connection therewith, granted to Bear Creek Valley Sanitary Authority, by instrument recorded May 22, 1970 as No. 70-05268 of the Official Records of Jackson County, Oregon.

17. Right(s) of way for the transmission and distribution of electricity, and for other purposes, granted to PacifiCorp, an Oregon corporation, or its predecessor in interest, by instrument(s) recorded July 16, 1971 as No. 71-08831 of the Official Records of Jackson County, Oregon. (Not locatable of record)

18. Easement and right of way over and across presently existing roadways, for access to an interception sewer line, granted to Bear Creek Valley Sanitary Authority, recorded July 19, 1971 as No. 71-08913 of the Official Records of Jackson County, Oregon. (Not locatable of record)

19. Right(s) of way for the transmission and distribution of electricity, and for other purposes, granted to PacifiCorp, an Oregon corporation, or its predecessor in interest, by instrument(s) recorded November 25, 1986 as No. 86-24003 of the Official Records of Jackson County, Oregon. (Not locatable of record)

20. Permanent easement for slopes, television cables, telephone and electric powerline facilities, and rights in connection therewith, as granted to the State of Oregon, by and through its Department of Transportation, Highway Division, by instrument recorded December 29, 1986 as No. 86-26579 of the Official Records of Jackson County, Oregon. (Variable in width, located adjacent to Old Pacific Highway)

02 51316

(Continued)

21. Permanent easement for drainage facilities and highway signs and rights in connection therewith, as granted to the State of Oregon, by and through its Department of Transportation, Highway Division, by instrument recorded December 29, 1986 as No. 86-26579 of the Official Records of Jackson County, Oregon. (Variable in width, located adjacent to Old Pacific Highway)

22. Perpetual and non-exclusive easement for sewer lines and rights in connection therewith, granted to Bear Creek Valley Sanitary Authority, by instrument recorded July 27, 1995 as No. 95-20614 of the Official Records of Jackson County, Oregon.

23. Perpetual easement for storm drain and rights in connection therewith, as granted to the City of Medford by instrument recorded July 27, 1995 as No. 95-20613 of the Official Records of Jackson County, Oregon. Revised by instrument recorded January 24, 1996 as No. 96-02562 of the Official Records of Jackson County, Oregon. (Affects the southerly corner of Tax Lot 104)

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

SEP 27 2002

2:10 PM
[Signature]
COUNTY CLERK

02 51316

32

91644aw

25
10
11

After recording return to:
Jackson County Title
Division of Lawyers Title Insurance Corporation
1555 E. McAndrews Road, Suite 100
Medford OR 97504
Until a change is requested, all tax statements
shall be sent to Grantee at the following address:
411 W 8th Street
Medford OR 97501

STATUTORY WARRANTY DEED

Martin D. Heitkamp and Linda K. Heitkamp, as tenants in common, as to Tax Lots 101 and 105; and
Martin D. Heitkamp and Rose Marie Leeever, as tenants in common, as to Tax Lots 104, 106 and 201

, Grantor, conveys and warrants to
City of Medford

, Grantee, the following described real property free of encumbrances except as specifically set forth herein:
See Exhibit "A" attached hereto and made a part hereof

This property is free of encumbrances, EXCEPT:
See Exhibit "A" attached hereto and made a part hereof

The true consideration for this conveyance is \$ 4,800,000.00. "This consideration shown herein has been paid
to an Accommodator pursuant to an IRC S1031 exchange."

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

Dated this 27th day of Sept., 2002.

Martin D. Heitkamp
MARTIN D HEITKAMP

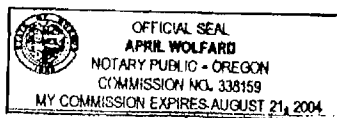
Linda K. Heitkamp
LINDA K HEITKAMP

Rose Marie Leeever
ROSE MARIE LEEVER

STATE OF OREGON, COUNTY OF Jackson

The foregoing instrument was acknowledged before me this 27th day of Sept. 2002 by
MARTIN D. HEITKAMP, LINDA K. HEITKAMP, ROSE MARIE LEEVER

April Wolfard
Notary Public for Oregon
My commission expires 8/21/04



11/16

2005-024514

38S1W05 TL 107

2

2

EXHIBIT A

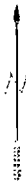
Commencing at the South Southeast corner of Donation Land Claim No. 51, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence along the South boundary of said claim, North 89° 59' West, 66.20 feet to intersect the Southwesterly right of way line of Interstate Highway No. 5, for the true point of beginning; thence continue along said claim boundary, North 89° 59' West, 45.78 feet to a 5/8 inch rebar with plastic cap; thence South 39° 28' 29" East 1027.21 feet to a 5/8 inch rebar with plastic cap; thence South 21° 21' 07" East 105.38 feet to a 5/8 inch rebar with plastic cap; thence South 53° 30' 38" East 85.41 feet to a 5/8 inch rebar with plastic cap; thence South 47° 55' 01" East 79.71 feet to a 5/8 inch rebar with plastic cap; thence South 71° 26' 56" East 79.85 feet to a 5/8 inch rebar with plastic cap set on the Southwesterly right of way line of Interstate Highway No. 5; thence along said Highway line North 39° 45' 33" West 1327.70 feet to the true point of beginning.

38S1W05 TL 107

2



3



Jackson County Official Records 2005-024514
R-QCD
Cnt=1 Str=10 CUTTING 04/28/2005 10:59:03 AM
\$15.00 \$5.00 \$11.00 Total:\$31.00



I, Kathleen S. Beckett, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Kathleen S. Beckett - County Clerk

After Recording Return To:
City of Medford
411 W. 8th Street
Medford, OR 97501

Attention: City Manager

Quitclaim Deed

Pursuant to ORS 275.030(2) and ORS 271.330(3), Jackson County, a political subdivision of the State of Oregon, Grantor, releases and quitclaims to the City of Medford, an Oregon municipal corporation, Grantee, a fee simple determinable in the property described in Exhibit A attached hereto and incorporated by reference herein (the "Property"), for so long as the Property is used for open space, a park or a natural area for perpetual public use, and retaining in the Grantor a possibility of reverter such that when the Property is no longer so used for open space, a park or a natural area, the interest of the Grantee and its assigns or successors shall automatically terminate, and fee simple title shall revert to the grantor and its successors and assigns.

The true and actual consideration for this conveyance is \$0. Other property or value was either part or the whole consideration.

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

City of Medford
411 W. 8th Street
Medford, OR 97501

Attention: City Manager

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 PROTECTION AS DEFINED IN ORS 30.930.

This conveyance was authorized by Order No. 115-05, dated 3-23-05, 2004, and entered on Page 1311-1319 of Volume 212 of the Journal of the Jackson County Board of Commissioners.

Dated this 23RD day of March, 2004⁵ at Medford, Oregon.

JACKSON COUNTY, OREGON, a political subdivision of the State of Oregon

By: [Signature]
Name: Jack Walker By: DAVE GILMOUR
Its: Chair, Board of Commissioners

Acting

State of Oregon)
) ss.
County of Jackson)

The foregoing instrument was acknowledged before me on March 23RD, 2005, ~~2004~~, by ~~the~~ Chair of the Board of Commissioners of Jackson County, Oregon, a political subdivision of the State of Oregon, on behalf of the County.

DAVE Gilmour, Acting

[Signature]
Notary Public for Oregon
My Commission Expires: 03-23-09



[Signature]
Douglas M. McGary
Assistant County Counsel

3

JCOE

92-28113

EXHIBIT "A"

PARCEL 1:

Commencing at the South Southeast corner of Donation Land Claim No. 51, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence along the South boundary of said claim, North 89° 59' West, 66.20 feet to intersect the Southwesterly right of way line of Interstate Highway No. 5, for the true point of beginning; thence continue along said claim boundary, North 89° 59' West, 45.78 feet to a 5/8 inch rebar with plastic cap; thence South 39° 28' 29" East 1027.21 feet to a 5/8 inch rebar with plastic cap; thence South 21° 21' 07" East 105.38 feet to a 5/8 inch rebar with plastic cap; thence South 53° 30' 38" East 85.41 feet to a 5/8 inch rebar with plastic cap; thence South 47° 55' 01" East 79.71 feet to a 5/8 inch rebar with plastic cap; thence South 71° 26' 56" East 79.85 feet to a 5/8 inch rebar with plastic cap set on the Southwesterly right of way line of Interstate Highway No. 5; thence along said Highway line North 39° 45' 33" West 1327.70 feet to the true point of beginning.

PARCEL 2:

Commencing at the South Southeast corner of Donation Land Claim No. 51, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence South 1635.96 feet; thence East 1288.37 feet to a 5/8 inch rebar with plastic cap set on the Southwesterly right of way line of Interstate Highway No. 5, for the true point of beginning; thence South 21° 31' 39" East 166.35 feet to a 5/8 inch rebar with plastic cap; thence South 40° 53' 56" East 136.14 feet to a 5/8 inch rebar with plastic cap; thence South 50° 16' 30" East, 53.70 feet to a 5/8 inch rebar with plastic cap; thence South 69° 23' 06" East 79.99 feet to a 5/8 inch rebar with plastic cap set on the Southwesterly right of way line of Interstate Highway No. 5; thence along said Highway line, North 39° 45' 33" West 416.44 feet to the true point of beginning.

PARCEL 3:

Commencing at the Northwest corner of Donation Land Claim No. 40, Township 38 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence along the North boundary of said claim, South 89° 55' 33" East, 2689.26 feet to an intersection with the Southwesterly right of way line of Interstate Highway No. 5 for the true point of beginning; thence along said Highway line North 39° 45' 33" West, 437.545 feet to a 5/8 inch rebar with plastic cap; thence South 7° 28' 20" West 200.0 feet to a 5/8 inch rebar with plastic cap; thence continue South 7° 28' 20" West, 75.81 feet; thence South 60° 33' 09" East, 29.02 feet; thence South 23° 13' East 52.53 feet to intersect the North boundary of said Donation Land Claim No. 40; thence along said claim boundary, South 89° 55' 33" East, 269.73 feet to the true point of beginning.

Describes
TL 202

3

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

4:37 SEP 16 1992 P M.

KATHLEEN S. BECKETT
CLERK and RECORDER

By *[Signature]* Deputy

OK

92-28113

WARRANTY DEED

4:37

KNOW ALL MEN BY THESE PRESENTS, That MARTIN D. HEITKAMP AND ROSE MARIE LEEVER

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JACKSON COUNTY A MUNICIPAL CORPORATION, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of JACKSON and State of Oregon, described as follows, to-wit: AS PER ATTACHED EXHIBIT "A"

APPROVED AS TO FORM.

Georgia L. Daniels

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances 92-93 taxes, farm land, BCVSA: MID: CHARLOTTE ANN WATER DISTRICT: EASEMENTS OF RECORD

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 3,220.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 14 day of August, 1992, if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer of other person duly authorized to do so by order of its board of directors.

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

Martin D. Heitkamp
Rose Marie Leever

STATE OF OREGON, County of Jackson ss.
This instrument was acknowledged before me on 8/14, 1992, by Martin D. Heitkamp and Rose Marie Leever
This instrument was acknowledged before me on , 19, by as of



Georgia L. Daniels
Notary Public for Oregon
My commission expires 7/4/93

Form with fields for GRANTOR'S NAME AND ADDRESS, GRANTEE'S NAME AND ADDRESS, NAME, ADDRESS, ZIP, and a note: 'Until a change is requested all tax statements shall be sent to the following address.'

STATE OF OREGON, ss.
County of
I certify that the within instrument was received for record on the day of 19, at o'clock M., and recorded in book/reel/volume No. on page or as fee/title/instrument/microfilm/reception No. Record of Deeds of said county.
Witness my hand and seal of County affixed.
By Deputy

AUTHORIZED FOR RECORDING WITHOUT FEE: [Signature]

Disc
TE 201

4

4

Jackson County Official Records 2008-013864
R-LLA
Cnt=1 SIn=10 ALONZOR 04/11/2008 02:54:50 PM
\$5.00 \$5.00 \$5.00 \$11.00 Total: \$26.00



01317885200800138840010013

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

BARGAIN AND SALE DEED
"Property Line Adjustment"

CITY OF MEDFORD, a municipal corporation, Grantor, conveys to CITY OF MEDFORD, Grantee, all of the real property situated in the County of Jackson, State of Oregon, described as follows;

REVISED TAX LOT 1200, 38-1W-04:

Commencing at the northwest corner of Donation Land Claim No. 40 in Township 38 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, thence along the north boundary of said claim, South 89°55'51" East 2419.39 feet (deed record South 89°55'33" East 2419.53 feet) to the southeast corner of the tract described in deed recorded as No. 2002-51316 of the Official Records of Jackson County, Oregon, for the **true point of beginning**; thence North 89°55'51" West, along said north claim boundary, 275.00 feet; thence North 07°50'24" West 588.24 feet; thence North 22°33'49" West 362.67 feet to intersect the southwestern right of way of Interstate Highway No. 5; thence South 39°45'35" East (deed record South 39°45'33" East), along said right of way line, 757.01 feet to the most easterly northeast corner of said described tract; thence along the eastern boundary of said described tract as follows: thence South 07°26'37" West 275.81 feet (deed record South 07°28'20" West 275.81 feet); thence South 60°30'48" East 29.02 feet (deed record South 60°33'09" East 29.02 feet; thence South 23°13'00" East 52.53 feet (deed record South 23°13'00" East 52.53 feet to the true point of beginning.
Containing 3.913 acres, more or less.

This Bargain and Sale Deed is given solely for the purpose of effecting a PROPERTY LINE ADJUSTMENT. This deed describes the adjusted location of TAX LOT 1200, 38-1W-04 with the intent of eliminating TAX LOT 201, 38-1W-04.
The actual consideration for this conveyance is \$0 and other good and valuable consideration.

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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

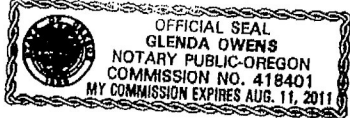
Dated this 3 day of April, 2008.

CITY OF MEDFORD, GRANTOR

By: [Signature]
Mayor

STATE OF OREGON)
) ss.
County of Jackson)

The foregoing instrument was acknowledged before me this 3 day of April, 2007, by Gary H. Wheeler, as Mayor of the City of Medford, Oregon.



[Signature]
Notary Public for Oregon
My Commission expires: 8-11-11

TL 601 12 LESS
THIS DEED

(5)

96-16332

EXHIBIT "A"

Commencing at the Northwest corner of Donation Land Claim No. 40, Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence, along the Northerly boundary of said Claim. South 89° 55' 00" East 2647.60 feet to a point for the Northeast corner of PEPPER AND TAYLOR SUBDIVISION, according to the Official Plat thereof, now of record in said Jackson County, said point also being the Northeasterly corner of tract as described in Instrument No. 67-08373 of Jackson County Deed Records; thence South 65° 43' 25" West along the Northwesterly boundary of said tract, 2370.04 feet to a point on the Northeasterly boundary of Rogue Valley Highway for the POINT OF BEGINNING, said point being the Southwest-erly corner of tract as described in Instrument No. 89-06759 of said Deed Records; thence, along the boundary of said tract, along said Highway boundary, being 35.00 feet Northeasterly of, when measured at right angles to, the Engineers Centerline as described in Volume 374, Page 314 of the Deed Records of said Jackson County, North 42° 50' 04" West 104.54 feet; thence South 77° 53' 17" East 31.10 feet; thence North 69° 32' 49" East 60.10 feet; thence along the arc of a 326.48 foot radius curve to the right (the long chord to which bears North 76° 39' 00" East 185.45 feet) an arc distance of 188.04 feet; thence along the arc of a 369.26 foot radius curve to the left (the long chord to which bears North 79° 26' 13" East 175.05 feet) an arc distance of 176.73 feet to a point on the aforementioned Northwesterly boundary of tract described in Instrument No. 67-08373 of the Jackson County Deed Records; thence North 65° 43' 25" East, along said boundary, 141.37 feet; thence South 24° 16' 35" East 80.00 feet to a point on the Southeasterly boundary of said tract; thence South 65° 43' 25" West, along said boundary, 236.67 feet; thence, leaving said boundary, along the arc of a 459.26 foot radius curve to the right (the long chord to which bears South 85° 25' 30" West 123.44 feet) an arc distance of 123.81 feet; thence, along the arc of a 236.48 foot radius curve to the left (the long chord to which bears South 78° 43' 41" West 117.80 feet) an arc distance of 119.05 feet; thence along the arc of a 50.00 foot radius curve to the left (the long chord to which bears South 10° 43' 23" West 80.47 feet) an arc distance of 93.52 feet; thence South 42° 51' 37" East 2.32 feet to a point on the aforemen-tioned Southeasterly boundary of tract described in Instrument No. 67-08373, said Deed Records; thence South 65° 43' 25" West along said boundary, 5.28 feet to a point on the aforementioned Northeasterly boundary of Rogue Valley Highway; thence North 42° 51' 37" West, along said Highway boundary, 84.40 feet to the Point of Beginning. Containing 1.17 acres, more or less.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

MAY 20 1996

11:00 AM
Richard J. Coe
County Clerk

2-

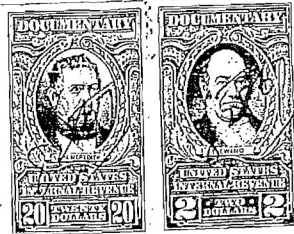
67-08372

KNOW ALL MEN BY THESE PRESENTS, That we, RAYMOND R. RETER and JOAN RETER, husband and wife,

in consideration of Ten and No/100ths Dollars, and other valuable consideration, to us paid by JACKSON COUNTY, OREGON,

do hereby grant, bargain, sell and convey unto the said grantee its successor grantee and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit:

Commencing at the northwest corner of Donation Land Claim No. 40, Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence along the north boundary of said Claim, South 89°55' East, 835.00 feet to the true point of beginning; thence continuing along said Claim boundary, South 89°55' East, 1812.60 feet to the northeast corner of PEPPER AND TAYLOR SUB-DIVISION, according to the official plat thereof, now of record in said County; thence South 65°43'25" West, 1473.95 feet; thence North 27°21'30" West, 270.65 feet; thence North 79°13' West, 155.00 feet; thence North 29°33' West, 390.00 feet to the true point of beginning.



To Have and to Hold the above described and granted premises unto the said grantee its successor and assigns, forever.

And the grantor do covenant that we are lawfully seized in fee simple of the above granted premises free from all incumbrances, except easements, rights of way and the effect of lying within the Medford Irrigation District.

and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hand and seal this 8th day of August, 1967

Handwritten signatures of Raymond R. Reter and Joan Reter with notary seals.

STATE OF OREGON, County of Jackson ss.

BE IT REMEMBERED, That on this 8th day of August, A. D. 1967, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Raymond R. Reter and Joan Reter, husband and wife,

who are known to me to be the identical individual.s described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

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

Notary signature: Georgia W. Hess, Notary Public for Oregon. My Commission Expires Sept. 14, 1967.

WARRANTY DEED

Courtesy of JACKSON COUNTY TITLE CO. 502 W. Main Medford, Oregon Phone 779-2811

State of Oregon } County of Jackson } ss. I hereby certify that the within instrument of writing was received and filed at 4:08 o'clock P.M. the 28 day of August 1967 and is recorded in Official Records for Jackson County, Oregon. County Clerk By [Signature] Deputy

RETURN TO [Signature]

ES C R O W S TITLE INSURANCE

67-08372

24 fee 94011

5 Deed To 601
LESS JC OR 96+1633/2

67-08373

KNOW ALL MEN BY THESE PRESENTS, That we, RAYMOND R. RETER and JOAN RETER, husband and wife, grantor.s. in consideration of Ten and No/100ths Dollars, and other valuable consideration, to us. paid by JACKSON COUNTY, OREGON, do hereby grant, bargain, sell and convey unto the said grantee, its successors, heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit:

Commencing at the northwest corner of Donation Land Claim No. 40, Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence along the north boundary of said Claim, South 89°55' East, 2647.60 feet to the northeast corner of PEPPER AND TAYLOR SUBDIVISION, according to the official plat thereof, now of record in said County, for the true point of beginning; thence South 65°43'25" West, 2370.04 feet to the northeasterly boundary of Rogue Valley Highway; thence along said Highway boundary being 35.00 feet Northeasterly at right angles from Engineer's centerline as described in Volume 374, page 314 of the Deed Records of Jackson County, Oregon, South 42°50'20" East, 84.39 feet; thence North 65°43'25" East, 2306.85 feet to the Easterly boundary of said PEPPER AND TAYLOR SUBDIVISION; thence along said Subdivision boundary, North 0°09'10" East, 87.87 feet to the true point of beginning.



To Have and to Hold the above described and granted premises unto the said grantee, its successors, heirs and assigns, forever.

And the grantor.s. do covenant that we are lawfully seized in fee simple of the above granted premises free from all incumbrances, except easements, rights of way and the effect of lying within the Medford Irrigation District,

and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hand.s and seal.s this 8th day of August, 1967. Raymond R. Reter (SEAL) Joan Reter (SEAL) Joan Reter

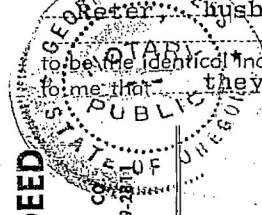
STATE OF OREGON, } ss. County of Jackson

BE IT REMEMBERED, That on this 8th day of August, A. D. 1967, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Raymond R. Reter and Joan Reter, husband and wife,

who are known to me to be the identical individual.s. described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

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

Georgia W. Hess Notary Public for Oregon. My Commission Expires Sept. 14, 1967



WARRANTY DEED
67-08373
Courtesy of JACKSON COUNTY TITLE CO. 502 W. Main Medford, Oregon Phone 779-2811

State of Oregon } ss. County of Jackson
I hereby certify that the within instrument of writing was received and filed at 4:08 o'clock P.M. the 28 day of August 1967 and is recorded in Official Records for Jackson County, Oregon. J. M. Mulder County Clerk By Leta Wyatt Deputy

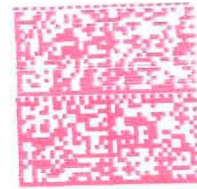
RETURN TO
J. C. Carter

ES C R O W S
I N S U R A N C E
T I T L E

OFORD
ARTMENT
STREET
R 97501



7010 2780 0000 5871 0424



016H2650/632
Hasler
\$08.070
10/18/2011
Mailed From 97501
US POSTAGE

ATTN: PLAN AMENDMENT SPECIALIST
DEPT. OF LAND CONSERVATION AND
DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OR 97301-2540

RETURN RECEIPT
REQUESTED

