



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

12/01/2008

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Medford Plan Amendment
DLCD File Number 020-08

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: Wednesday, December 10, 2008

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 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Summer Williams, City of Medford
Gloria Gardiner, DLCD Urban Planning Specialist

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FORM 2

DLCD

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

DEPT OF

NOV 21 2008

LAND CONSERVATION
AND DEVELOPMENT
For DLCD Use Only

Jurisdiction: **City of Medford**

Local file number: **ZC-08-115**

Date of Adoption: **11/13/2008**

Date Mailed: **11/18/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 9/12/2008

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☒ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

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

Consideration of a request for a change of zone from City SFR-00 (Single-Family Residential – 1 dwelling unit per existing lot) and City SFR-4 (Single-Family Residential – 4 dwelling units per gross acre) to SFR-6 (Single-Family Residential – 6 dwelling units per gross acre) on three parcels totaling 4.22 acres

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **n/a**

to: **n/a**

Zone Map Changed from: **SFR-00/SFR-4**

to: **SFR-6**

Location: **1995, 2005 & 2020 Sunset Dr., Medford, OR 97501**

Acres Involved: **4**

Specify Density: Previous: **1/4 per acre**

New: **6/acre**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☒	☒	☐	☐	☐	☐	☐	☐	☐	☐	☒	☒	☐	☐	☐	☐	☐	☐	☐

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 # 020-08 (17130)

DLCD file No. _____

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

Local Contact: **Cheryl Adams**

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

Address: **200 S. Ivy St.**

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

City: **Medford**

Zip: **97501-**

E-mail Address:

cheryl.adams@CityofMedford.org

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

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

2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.



CITY OF MEDFORD

PLANNING DEPARTMENT

November 17, 2008

John & Rose Bodenstab
3365 Hyacinth
Medford, OR 97501

Chris Lane
1531 Satellite Dr.
Medford, OR 97504

RE: FILE NO.: ZC-08-115

The Medford Planning Commission at its regular meeting of November 13, 2008, approved the Final Order containing Findings of Fact relating to the approval of the following request: Consideration of a request for a change of zone from City SFR-00 (Single-Family Residential – 1 dwelling unit per existing lot) and City SFR-4 (Single-Family Residential – 4 dwelling units per gross acre) to SFR-6 (Single-Family Residential – 6 dwelling units per gross acre) on three parcels totaling 4.22 acres located on the north and south sides of Sunset Drive approximately 540 feet east of Thomas Road.

This request was granted as per the Planning Commission Report dated October 23, 2008.

The final date for filing an appeal is 21 days from the date of the decision. The written appeal and filing fee must be received by the City Recorder no later than 5:00 p.m. on December 4, 2008. Appeals must be filed in the form prescribed, and will be decided based upon Medford Code Sections 10.051-10.056 (copies available).

A handwritten signature in black ink, appearing to read "John W. Hoke".

John W. Hoke
Interim Planning Director

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Enclosure: Planning Commission Report/Final Order/Legal Description

cc: Stephen Terry, PO Box 8083, Medford, Or 97504
Affected Agency
Interested Parties

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE)
ZC-08-115 APPLICATION FOR A ZONE CHANGE SUBMITTED) **ORDER**
BY JOHN & ROSE BODENSTAB & CHRIS LANE)

ORDER granting approval of a request for changing the zoning from City SFR-00 (Single-Family Residential – 1 dwelling unit per existing lot) and City SFR-4 (Single-Family Residential – 4 dwelling units per gross acre) to SFR-6 (Single-Family Residential – 6 dwelling units per gross acre) on three parcels totaling 4.22 acres located on the north and south sides of Sunset Drive approximately 540 feet east of Thomas Road.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below from City SFR-00 (Single-Family Residential – 1 dwelling unit per existing lot) and City SFR-4 (Single-Family Residential – 4 dwelling units per gross acre) to SFR-6 (Single-Family Residential – 6 dwelling units per gross acre) on three parcels totaling 4.22 acres located on the north and south sides of Sunset Drive approximately 540 feet east of Thomas Road; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented hereby adopts the Planning Commission Report dated October 23, 2008, Applicant's Findings – Exhibit "C-1," and Legal Description 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:

37 2W 35DC Tax Lots 1900, 2100, and 3100

is hereby changed from City SFR-00 (Single-Family Residential - 1 dwelling unit per existing lot) and City SFR-4 (Single-Family Residential - 4 dwelling units per gross acre) to SFR-6 (Single-Family Residential – 6 dwelling units per gross acre) zoning district.

Accepted and approved this 13th day of November, 2008.

CITY OF MEDFORD PLANNING COMMISSION


Planning Commission Chair

ATTEST:


Planning Department Representative



CITY OF MEDFORD

PLANNING DEPARTMENT

PLANNING COMMISSION REPORT

Date: October 23, 2008

Subject: Bodensab & Lane Zone Change (ZC-08-115)
John & Rose Bodensab & Chris Lane, Applicants (Stephen Terry Land
Use Consulting, Inc., Agent)

Background

Proposal

Consideration of a request for a change of zone from City SFR-00 (Single-Family Residential – 1 dwelling unit per existing lot) and City SFR-4 (Single-Family Residential – 4 dwelling units per gross acre) to SFR-6 (Single-Family Residential – 6 dwelling units per gross acre) on three parcels totaling 4.22 acres located on the north and south sides of Sunset Drive approximately 540 feet east of Thomas Road.

Subject Site Zoning, GLUP Designation and Existing Uses

The Medford General Land Use Plan (GLUP) Map designation for the subject property is UR (Urban Residential). Two of the subject properties are developed with a single family dwelling and accessory structures. There is a garage on Tax Lot 1900.

Surrounding Property Zoning and Uses Tax Lot 1900

- North: Developed land with single family, City zoned SFR-00 (1 dwelling per existing lot)
- South: Developed land with single family, City zoned SFR-00 and SFR-4 (4 dwelling units per gross acre)
- East: Developed land with single family, City zoned SFR-6 (6 dwelling units per gross acre)
- West: Developed land with single family land zoned SR-2.5 (Single-Family Residential – 1 dwelling per 2.5 acres)

Surrounding Property Zoning and Uses Tax Lots 2100 & 3100

- North: Developed land with single family, City zoned SFR-6

South: Developed land with single family, City zoned SFR-4 - The Meadows at Griffin Creek (LDS-99-033)

East: Developed land with single family, County zoned RR-5 (1 dwelling unit per five acres)

West: Developed land with single family, City zoned SFR-4

Related Projects Tax Lot 1900

Annexation (A-04-255 approved October 6, 2005 and effective November 3, 2005).

Related Projects Tax Lots 2100 & 3100

Zone Change (ZC-03-119) final order approved August 14, 2003.

Annexation (A-02-157) approved January 16, 2003 and effective February 20, 2003.

Applicable Criteria

Section 10.227 of the Land Development Code (Exhibit B).

Issues/Analysis

Staff has reviewed the zone change request and found that it meets the approval criteria listed in *Medford Land Development Code* Section 10.227(1)(b)(i). There are adequate infrastructure facilities available to serve the site with the exception of storm drainage. The Public Works Department conditions are included (Exhibit D). A traffic study was not required.

Decision: At the public hearing of October 23, 2008 the Planning Commission received amended findings of fact from the applicant's agent (Exhibit "C-1") which addressed the correction of the street name from Willow Creek to Willow Brook.

No other issues were identified by staff.

RECOMMENDED ACTION

Direct staff to prepare a Final Order for approval of ZC-08-115 per the Planning Commission Report dated October 23, 2008, including Exhibits A through I.

EXHIBITS

- A Conditions of Approval dated October 9, 2008;
- B Approval Criteria;
- C-1 Applicant's Findings of Fact and Conclusions of Law received October 17, 2008;
- D Memorandum from the Medford Engineering Division dated September 9, 2008;
- E Memorandum from the Medford Water Commission dated September 22, 2008;
- F Letter from Jackson County Roads dated September 11, 2008;

- G City of Medford Zoning Map;
- H Jackson County Assessor's Map & Aerial Photograph;
Vicinity Map

MEDFORD PLANNING COMMISSION

A handwritten signature in cursive script, reading "David McFadden", is written over a horizontal line.

David McFadden, Chair

PLANNING COMMISSION AGENDA: October 23, 2008

Notes:

Include reference to the file number of this proposed development (ZC-08-115) in all subsequent submittals to City of Medford Departments.



CITY OF MEDFORD

PLANNING DEPARTMENT

EXHIBIT "A"
ZC-08-115
CONDITIONS OF APPROVAL
October 9, 2008

1. Comply with the Memorandum from the Medford Engineering Division (Exhibit D).

CITY OF MEDFORD
EXHIBIT # "A"
File # ZC-08-115



CITY OF MEDFORD

PLANNING DEPARTMENT

ZC-08-115
ZONE CHANGE CRITERIA
Section 10.227
Medford Land Development Code

The zone change criteria that are not relevant to this particular application are hereby omitted from the following citation. Section 10.227 of the Land Development Code states the following:

"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 Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. (When the City of Medford's Transportation System Plan (TSP) is adopted, 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), and (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.*

- (b) *For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one of the following conditions must exist: (i) At least one parcel that abuts the subject property is zoned the same as the proposed zone; either SFR-6 or SFR-10 respectively; or (ii) The area to be rezoned is five (5) acres or larger; or (iii) The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five (5) acres.*

- (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 the MLDC and Goal 3, Policy 1 of the Comprehensive Plan "Public Facilities Element."*

- (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.*

CITY OF MEDFORD
EXHIBIT # "B"
File # ZC-08-115

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

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

(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.*

AMENDED FINDINGS OF FACT BEFORE THE PLANNING COMMISSION OF THE CITY OF MEDFORD, OREGON, OF AN APPLICATION FOR A ZONE CHANGE OF PROPERTIES DESCRIBED ON THE JACKSON COUNTY ASSESSORS MAPS AS:

T37-R2W-35DC Tax Lots 1900 and 2100 and T37-R2W-35DD Tax Lot 3100 and located on the north and south sides of Sunset Drive approximately 540 feet east of the corner of the intersection of Thomas Road and Sunset Drive and approximately 660 feet west of the intersection of Sunset and Orchard Home Drives.

APPLICANTS: John and Rose Bodenstab
3365 Hyacinth
Medford, Oregon 97501

Chris Lane
1531 Satellite Drive
Medford, Oregon 97504

PROPERTY OWNERS:	John and Rose Bodenstab 3365 Hyacinth Medford, Oregon 97501	(372W35DC-Tax Lot 1900 (1.87 acres))
	Steven and Angela Lane 2005 Sunset Drive Medford, Oregon 97501	(372W35DC- Tax Lot 2100) (0.93 acres)
	Linda M. Bevard 1995 Sunset Drive Medford, Oregon 97501	(372W35DD- Tax Lot 3100) (1.42 acres)

AGENT: Stephen M. Terry
Stephen M. Terry Land Use Consulting, Inc.
POB 8083
Medford, Oregon 97504

I. BACKGROUND INFORMATION

Acreage: 4.22 acres

Current Zoning: SFR-00 (Single-Family Residential - 1 unit per parcel) (Tax Lot 1900) SFR-4 (Single-Family Residential - 4 units/acre (Tax Lots 2100 and 3100)).

Proposed Zoning: SFR-6 (Single-Family Residential - 6 units per acre)

RECEIVED

OCT 17 2008

PLANNING DEPT.

Present Use: Residential. Two of the subject properties (Tax Lots 2100 and 3100) are developed with a single-family dwellings and accessory outbuildings. There is a garage on Tax Lot 1900.

Proposed Use: The owners intend to develop these properties at urban residential densities in the future.

Comprehensive Plan Designation: Urban Residential (UR)

Access: Sunset and Willow Brook Drives.

Scope and Purpose of the Application:

This application will demonstrate compliance with the relevant zone change criteria for a zone change from City of Medford zoning district SFR- 00 (Single-Family Residential – 00- 1 dwelling unit per parcel) and City of Medford zoning district SFR-4 (Single-Family Residential -4 units per acre) to City of Medford zoning district SFR- 6 (Single-Family Residential -6 units per acre) consistent with the requirements of City of Medford Land Development Code Section 10.227 for the above referenced parcels.

The three parcels are non-contiguous to each other but have access to common public facilities. Tax Lot 1900 has access to public facilities in Sunset Drive and Tax Lot 2100 and 3100 has access to public facilities located in Sunset and Willow Brook Drives. Because Tax Lots 2100 and 3100 have frontage on both Sunset Drive and Willow Brook Drive, it is anticipated that those lots that front on Willow Brook Drive will utilize public facilities located in Willow Brook Drive. There will be two sections that relate to the availability of public facilities for each Sunset and Willow Brook Drives.

Development Background:

The subject properties were previously developed consistent with the development requirements of Jackson County. There are single family residences with accessory structures developed on Tax Lots 3100 and 2100. The dwelling on Tax Lot 1900 was recently demolished and a garage remains.

Public Facilities:

The properties have access to the full spectrum of public facilities. These findings detail the availability of Category "A" public facilities and compliance with the Oregon Transportation Planning Rule.

II. RELEVANT APPROVAL CRITERIA:

Medford Land Development Code (MLDC) Section 10.227 requires that a request for zone change must demonstrate that the request conforms to the following criteria prior to approval by the Planning Commission.

The Criteria for approval are:

1. The proposed zone is consistent with the Oregon Transportation Rule (OAR 660) and the General Land Use Plan Map Designation. Where applicable, the proposed zone shall also be consistent with the additional locational standards. Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria.
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. The minimum standards for Category "A" services and facilities are contained in the MLDC and Goal 3, Policy I of the Comprehensive Plan "Public Facilities Element."

Finding -Oregon Transportation Rule

The proposed zone must be consistent with the Oregon Transportation Rule (OAR 660 Division 12). OAR 660 is designed to assure local agencies comply with State goals and regulations regarding transportation issues and provides an explanation to local agencies to demonstrate compliance with a Transportation System Plan (TSP).

"Cities and counties shall prepare, adopt and amend local TSPs for lands within their planning jurisdiction in compliance with this division: Local TSPs shall establish a system of transportation facilities and services adequate to meet identified local transportation needs and shall be consistent with regional TSPs and adopted elements of the state TSP"

The City of Medford has approved a TSP consistent with the requirements of the State of Oregon. The TSP requires all modes of transportation be considered including rapid transit, air, water, rail, highway, bicycle and pedestrian.

Review of the subject properties has determined that water and rail transportation are not available. Each property has frontage on Sunset Drive. Sunset Drive is designated as a collector street. It is anticipated that Sunset Drive Lane will be developed as a collector street in the future. Tax Lots 2100 and 3100 also have frontage on Willow Brook Drive which is designated as a minor residential street. Future development for Tax Lots 2100 and 3100 will take access from Willow Brook Drive.

Sunset Drive was developed as a county road and does not have sidewalks and is not designated as a bicycle transportation facility. It is anticipated that as Sunset Drive is developed to City of Medford standards, that curbs and gutters with other ancillary improvements will be made. At the time of development, it is anticipated that additional residential streets will be constructed consistent with the requirements of the City of Medford Land Development Code.

Willow Brook Drive was developed as a “half” city street and does not have sidewalks and is not designated as a bicycle transportation facility. It is anticipated that as Willow Brook Drive “half” street portion will be developed to City of Medford standards that curbs and gutters with other ancillary improvements made consistent with the requirements of the City of Medford Land Development Code.

Rapid transit is not currently available from Rogue Valley Transportation District. It should be noted that due to continuous changing in routing by the transportation district, stops may be added or discontinued depending on district planning.

Interstate 5 is approximately 3 miles from the subject properties. Rogue Valley International Airport is approximately 5 miles from the subject properties.

General Land Use Plan Map Designation

"The proposed zone is consistent with the Oregon Transportation Rule (OAR 660) and the General Land Use Plan Map Designation.

The General Land Use Plan Map (GLUP) designation for the subject property is Urban Residential (UR). The General Land Use Plan contained in The Medford Comprehensive Plan specifies the requested SFR- 6 (Single-Family Residential -6 units per acre) zoning district is appropriate within the Urban Residential (UR) designation. A GLUP map is included as part of this application.

This application is requesting the SFR-6 for the subject properties. This request can be found to be appropriate and consistent with the GLUP designation.

Locational Standards

Where applicable, the proposed zone shall also be consistent with the City of Medford Land Development Code Section 10.227 (1)(b)(i) states:

"At least one parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively."

Finding/Conclusion

The Planning Commission can find the property is currently served with adequate transportation facilities as required by Oregon Transportation Rule (OAR 660

Division 12). As required in the TPR, the Planning Commission can find the change to the transportation plan is not substantial as a result of approval of the requested zone change.

Approval of the proposed zone change will not create a negative impact that was not anticipated by the Urban Residential designation indicated on the GLUP map.

As described in the Medford Land Development Code, the requested SFR-6 zoning district is an appropriate zoning district for the Urban Residential (UR) GLUP designation. The requested zone change is consistent with the approval criteria 10.227 (1)(b)(i) of the City of Medford Land Development Code requiring that a rezoned parcel to abut a parcel within the requested zoning district. The subject parcels abut the SFR- 6 zoning designation to the east (Tax Lot 1900) and north (Tax Lots 2100 and 3100).

Relevant Approval Criteria -Category "A" Urban Services

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 properties 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 the MLDC and Goal 3, Policy 1 of the Comprehensive Plan " Public Facilities Element. "

(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 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
- (ii) Existing and new streets that will serve the subject property will be improved and or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued, or
- (iii) It is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded.

A street project is deemed to be fully funded when one of the following occurs:

- (a) The project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
- (b) When an applicant funds the improvement through a reimbursement district pursuant to the MLDC The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
- (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.

Findings- Category "A" Urban Services

Storm Drainage:

The properties are is within the Elk Creek Drainage Basin. The properties are currently served by a drainage ditch at the property frontages on Sunset Drive and Willow Brook Drive. Tax Lot 1900 has granted a public drainage easement that is contiguous with another easement to the north (Tax Lot 700) that accesses Elk Creek as part of ZC-07-265. Tax Lots 2100 and 3100 are served by a drainage ditch on the north portion fronting Sunset Drive. There is a 12-inch storm drainage line located in Willow Brook Drive. According the City of Medford Engineering Department the existing storm drainage facilities will be required to meet the City's storm sewer requirements. At the time for development the applicants shall demonstrate that the following conditions can be met:

- A. Downstream facilities shall be improved to carry the additional flows resulting from the development under the new zoning district; or
- B. An engineer licensed in the State of Oregon shall perform a study, including modeling and/or calculations subject to the approval of the City

of Medford Engineering Division, to demonstrate that the downstream facilities are adequate to accommodate the additional flows from the development; or

- C. An engineer licensed in the State of Oregon shall prepare a report, which includes testing, plans and calculations necessary to demonstrate post-construction runoff would be limited to the current or predeveloped runoff rate. The report shall be submitted to the City of Medford Engineering Division for review and approval.

Future development conditions for the subject properties will include a drainage plan to comply with all City of Medford Drainage Master Plan, Medford Building Division, and Ground Water Drainage requirements, ordinances, and codes.

Finding/Conclusion:

At the time of development, conditions will be required in compliance with all applicable City of Medford Drainage Master Plan and Building Division Codes, and Storm and Ground Water Drainage requirements of Chapter 11 of the Uniform Plumbing Code.

Sanitary Sewer Service:

The subject properties are served by the Rogue Valley Sewer Service via an existing 8-inch sanitary sewer line located in Sunset Drive. Additional facilities (8-inch) are available to the rear of Tax Lots 2100 and 3100 located in Willow Brook Drive. Future development will require connection to either of these facilities. It is anticipated that as these properties develop that additional sanitary sewer lines may be constructed to the specifications of Rogue Valley Sewer Service requirements.

The City of Medford Regional Waste Water Treatment Plant provides sewage treatment. The plant presently serves approximately 115,000 persons. The treatment capacity of the plant is 190,800 persons at 20 million gallons per day.

Finding/Conclusion:

The property is currently served by an 8-inch sanitary sewer lines in Sunset and Willow Brook Drives with adequate capacity by Rogue Valley Sewer Services. Sanitary sewage collection and treatment is adequate for the purpose of the proposed zone change.

Water Service:

The subject properties are not currently served by the Medford Water Commission. Future development will require extension and connection. There is an existing 8-inch water line located in Willow Brook Drive. There is a 12-inch water line planned for

Sunset Drive that will extend from the subject properties to the each to Orchard Home Drive. Future development of the subject properties will require the extension of water lines in Sunset Drive to Orchard Home Drive. Parcels that front on Willow Brook Drive will be required to connect to the water line located in Willow Brook Drive.

According to the Medford Water Commission, future development of the subject properties will be able to connect to this water line.

Water supply from the Medford Water Commission is adequate to meet the needs of the region. This is based on a service population of 100,000 persons with a present maximum daily consumption of 50 million gallons daily (summer months) and 20 million gallons daily (winter months). The present system has a capacity of 56.4 million gallons of treated gallons per day and 91 million untreated gallons per day. Water is provided from Big Butte Springs. The Rogue Treatment Plant provides water for the summer month's consumption.

Finding/Conclusion:

The Medford Water Commission has an adequate supply of water and requisite facilities to serve the subject properties at the time of development.

Streets:

The properties currently take access from Sunset Drive. According to the City of Medford Engineering Department, Sunset Drive is classified as a collector street. The City of Medford Engineering Department has indicated that adequate street capacity exists to serve the subject properties at the time of zone change and future development. Future development of the area may necessitate dedication of right-of-way on street frontages to conform to the street right-of-way requirements on Willow Brook Drive for Tax Lots 2100 and 3100.

Finding/Conclusion:

According to the City of Medford Engineering Department, the street system has adequate street capacity for the zone change and future development of the subject properties.

Traffic Impact Analysis

TIA Calculation Summary

Parcels proposed to be zoned from SFR-4 to SFR-6

372W35DD Tax Lot 3100 (SFR-4)	= 1.42 acres + 0.18 ac r-o-w	= 1.60 acres
372W35DC Tax Lot 2100 (SFR-4)	= 0.93 acres + 0.12 ac r-o-w	= 1.05 acres

Total proposed average daily trips (adt) generated at SFR-6 = $2.65 \text{ ac} \times 6 \text{ units/acre} \times 9.57 \text{ adt/unit} = \underline{144 \text{ adt}}$.

The total adt generated at *current* SFR-4 zoning is 77 adt ($2.65 \text{ ac} \times 4 \text{ units/acre} = 10 \text{ units} \times 9.57 \text{ adt/unit} = 96 \text{ adt}$ less 19 adt for two (2) existing units).

The net total trips generated is 29 adt ($144 \text{ adt} - 77 \text{ adt}$) for these parcels being zoned from SFR-4 to SFR-6.

Parcel proposed to be zoned from SFR-00 to SFR-6

372W35DC Tax Lot 1900(SFR-00) = 1.87 acres + .012 ac r-o-w = 1.99 acres

Total average daily trips (adt) generated at SFR-6 = $1.99 \text{ ac} \times 6 \text{ units/acre} \times 9.57 \text{ adt/unit} = \underline{105 \text{ adt}}$.

The total net change in traffic generation is 134 adt for this zone change application.

Because the number of vehicles does not exceed the requirement of 250 ADT threshold, a traffic study is not required. A form provided as part of the requirement for application for a zone change with the required signature by a representative of the City of Medford, is provided as part of this application indicating that a traffic study is not required.

Finding/Conclusion:

The street system has adequate street capacity for the zone change and future development of the subject properties.

Finding/Conclusion:

The Planning Commission can find that the applicant has demonstrated that Category "A" urban services and facilities are currently available, or will be available at the time of development, to adequately serve the subject parcel with the permitted uses allowed under the proposed SFR-6 zoning designation.

Summary and Conclusion

The Planning Commission can find the property is currently served with adequate transportation facilities as required by Oregon Transportation Rule (OAR 660 Division 12). Approval of the proposed zone change will not create an impact that was not anticipated by the Urban Residential designation indicated on the GLUP map.

As required in the TPR, the Planning Commission can find the impacts to the transportation plan are not substantial as a result of approval of the requested zone change.

The requested zone change is consistent with the locational approval criteria stated in City of Medford Land Development Code section 10.227 (1)(b)(i) requiring the rezoned parcels to abut a parcel within the requested zoning district of SFR-6. Tax Lot 1900 abuts the SFR-6 zoning district to the east. Tax Lots 2100 and 3100 abut the SFR-6 zoning district to the north.

As described in the Medford Land Development Code, the requested Urban Residential zoning district is an appropriate zoning district for the Urban Residential (UR) GLUP designation. The subject parcels are within the UR designation.

The Planning Commission can also find the applicant has demonstrated that Category "A" urban services and facilities are currently available, or can be made available at the time of development, to adequately serve the subject properties with the permitted uses allowed under the proposed SFR-6 zoning district and the traffic study is not required.

I respectfully request the approval of this request for a zone change of the subject properties to the City of Medford SFR-6 (Single-Family Residential -6 units per acre) zoning district as demonstrated in the findings included with this application.

Stephen M. Terry
Agent for the Applicants

Amended 10/17/08

CITY OF MEDFORD
INTER - OFFICE MEMORANDUM

TO: Planning Department

FROM: Engineering Division

SUBJECT: Zone Change Request, File No. ZC-08-115

DATE: September 9, 2008

1. Sanitary Services:

A. Currently serviced by: This site lies within the Rogue Valley Sewer Service area.
Contact Rogue Valley Sewer Service for sanitary sewer issues.

2. Streets:

A. Current condition of nearest street:

Sunset Drive, a designated Major Collector Street, is an existing 2-lane paved roadway with no curb and gutter along the frontage of this site.

Willow Brook Drive, a designated Minor Residential Street, is an existing 2-lane paved roadway with no curb and gutter along the frontage of this site.

B. Who has maintenance responsibilities:

Sunset Drive - Jackson County

Willow Brook Drive - is currently a Local Access Street, maintained by the residents that front on the street.

C. Transportation analysis for potential impacts to the surrounding street system and anticipated road improvements are stated below:

Land Development Code Section 10.461 gives the City the authority to require a traffic impact report to determine development impacts on the street system. The proposed zone change from SFR-4 (Single Family Residential –4 units per acre) to City SFR – 6 (Single-Family Residential – 6 units per acre) on two lots totaling 2.35 acres (2.65 gross acres) and from City SFR-00 (Single Family Residential –1 dwelling unit per existing lot) to

City SFR – 6 (Single-Family Residential – 6 units per acre) on one lot totaling 1.87 acres (1.99 gross acres) for a total of 4.22 acres (4.64 gross acres) has the potential to develop 25 SFR dwelling units or a net increase of 14 SFR dwelling units. The net increase in average daily trips (ADT) to the transportation system is 133 ADT. Based on this and the MLDC, section 10.461, a traffic impact analysis (TIA) is not required. Public Works also concludes that there is no evidence that there is or will be insufficient street capacity on Sunset Drive as a result of this application.

At the time of any site development the City of Medford will recommend, in conjunction with Jackson County, any necessary improvements and or dedications along this proposed zone change's frontage of Sunset Drive and Willow Brook Drive.

3. Drainage:

This site lies within the Elk Creek Drainage Basin. The City's current Drainage Master Plan indicates improvements are required in the downstream storm drainage system to meet current design standards for this basin. As a zone change is not allowable without adequate storm drain facilities, the following criteria must be met prior to issuance of a development permit or a building permit for vertical construction:

a) An engineer registered in the State of Oregon shall prepare a report which includes testing, plans and calculations necessary to provide a storm detention system designed to limit post development storm water discharge to 0.25 C.F.S. per acre for the 10 year storm event and 0.35 C.F.S. for the 25 year storm event. The report will be submitted to the City of Medford Engineering Division for review and approval.



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

FROM: Rodney Grehn P.E., Water Commission Staff Engineer

SUBJECT: ZC-08-115

PARCEL ID: 372W35DC TL's 1900 & 2100, and 372W35DD TL 3100

PROJECT: Consideration of a request for a change of zone from City SFR-00 (Single-Family Residential – 1 dwelling unit per existing lot) and City SFR-4 (Single-Family Residential – 4 dwelling units per gross acre) to SFR-6 (Single-Family Residential – 6 dwelling units per gross acre) on three parcels totaling 4.22 acres located on the north and south sides of Sunset Drive, approximately 540 feet east of Thomas Road; John/Rose Bodensstab/Chris Lane, Applicants, (Stephen Terry, Agent). Summer Williams, Planner

DATE: September 22, 2008

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction may be required depending on future land development review. At time of future land development a 12" water line will be required to be installed in Sunset Drive from Orchard Home Drive to the west property line of tax lot 1900.
5. On-site water facility construction may be required depending on future land development review.
3. MWC-metered water service does not exist to this property.
4. Access to MWC water lines is available. An 8" water line is located in Willow Brook Drive, and a 12" water line is located in Orchard Home Drive.



JACKSON COUNTY

Roads

Roads Engineering

James Philp
Traffic & Development Engineer

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6236
Fax: (541) 774-6295
philpjm@jacksoncounty.org

www.jacksoncounty.org

September 11, 2008

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

RE: Zone Change off Sunset Drive – a county-maintained road.
Planning File: ZC-08-049

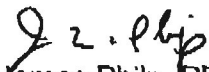
Dear Summer:

Thank you for the opportunity to comment on this request for a change of zone from City SFR-00 (Single-Family Residential – one dwelling unit per existing lot) and City SFR-4 (Single-Family Residential – 4 dwelling units per gross acre) to SFR-6 (Single-Family Residential – 6 dwelling units per gross acre) on three parcels totaling 4.22 acres located on the north and south sides of Sunset Drive, approximately 540 feet east of Thomas Road. Jackson County Roads has the following comments:

1. Sunset Drive, County Collector, is a county-maintained road with a sixty foot right-of-way.
2. All proposed access roads or frontage improvements shall be permitted and inspected by the City.
3. Future construction plans shall be submitted to Roads, so we may determine if county permits will be required.

If you have any questions or need further information feel free to call me at 774-6236.

Sincerely,


James Philp, PE

Traffic & Development Engineer



CITY OF MEDFORD

EXHIBIT # "C"

File # 2C-08-115

Boxard

[illegible]

CITY OF MEDFORD

EXHIBIT # 4

File # 75-08-115

pg 1 of 3



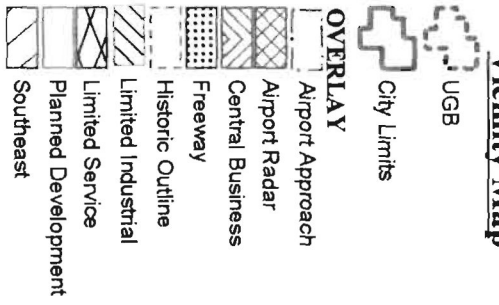
CITY OF MEDFORD

EXHIBIT # "H"

File # 72-08-115

Pg 393

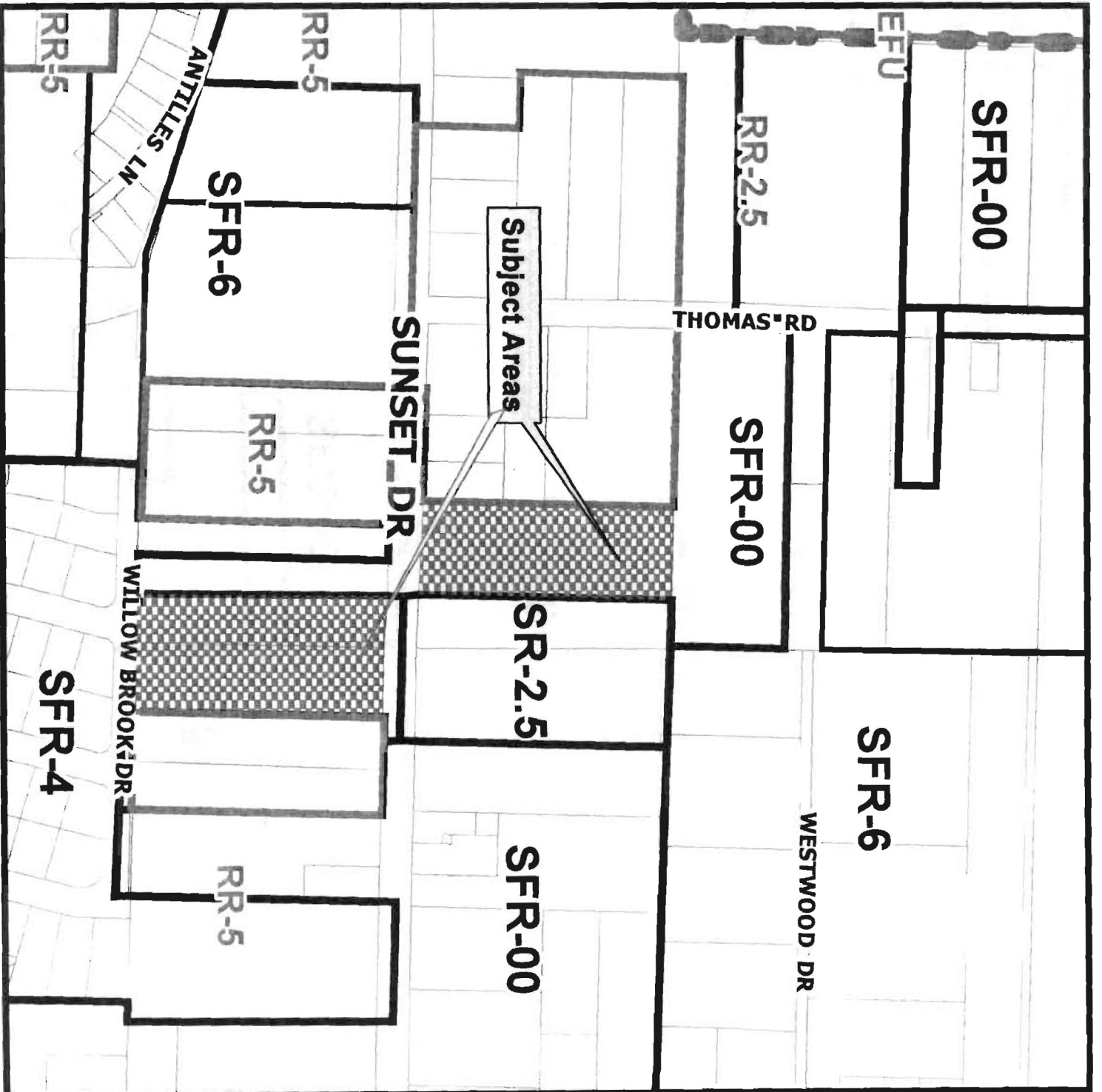
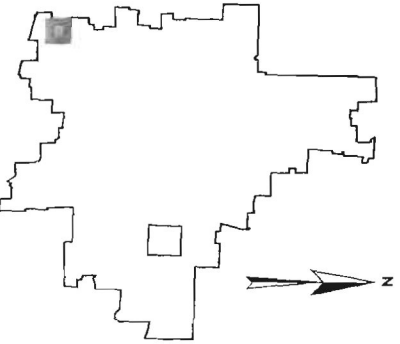
Vicinity Map



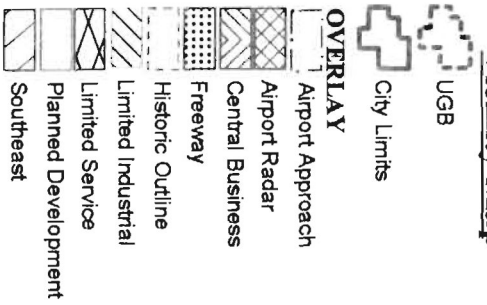
FILE NUMBER:
 ZC-08-115

APPLICANTS:
 John & Rose
 Bodenstab &
 Chris Lane

MAP: 372W35DC
 TL's: 1900, 2100 & 3100



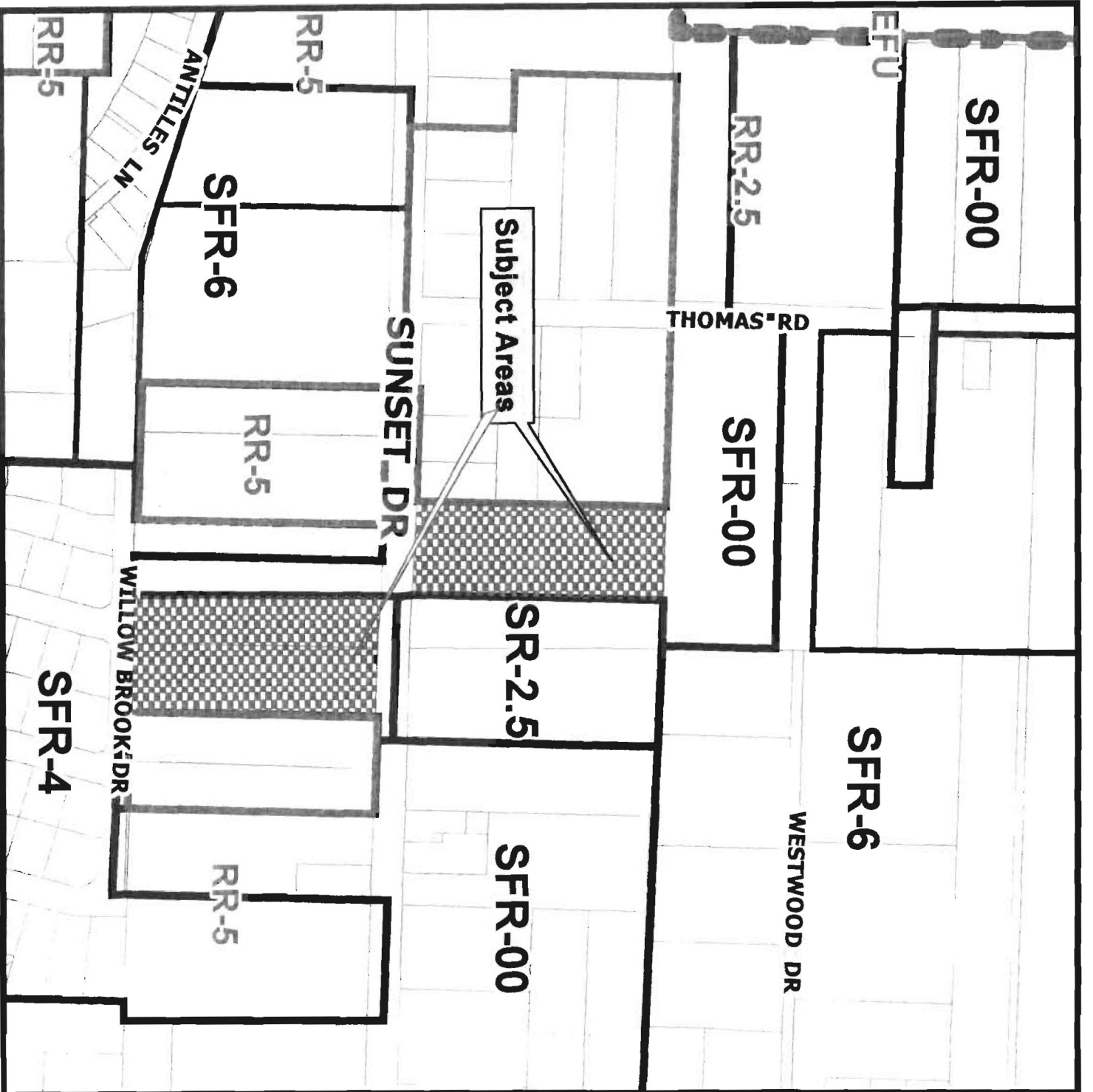
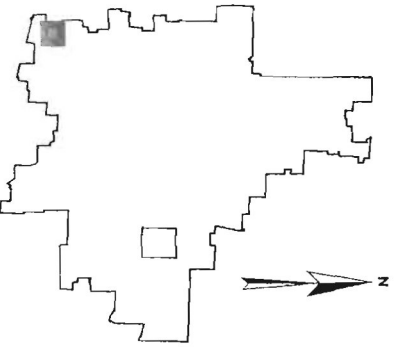
Vicinity Map



FILE NUMBER:
ZC-08-115

APPLICANTS:
John & Rose
Bodenstab &
Chris Lane

MAP: 372W35DC
TL's: 1900, 2100 & 3100





First American Title Insurance Company of Oregon

CRATER TITLE DIVISION

Main Office
300 West Main • P.O. Box 250
Medford, Oregon 97501
(541) 779-7250 • FAX (541) 779-4013

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WARRANTY DEED

Order # 20012034DEW

KNOW ALL MEN BY THESE PRESENTS, That ROSEMARY LOGAN, Grantor, conveys and warrants to STEVEN J. LANE and ANGELA LANE, Husband and Wife, as tenants by the entirety, Grantee, the following described real property, together with appurtenances, free of encumbrances except as specifically set forth herein, situated in Jackson County, Oregon, described as follows, to-wit:

See Exhibit A attached hereto and made a part hereof.

SUBJECT TO:

Subject to the statutory powers of the Bear Creek Valley Sanitary Authority. Levies and assessments thereof, water and irrigation rights, easements for ditches and canals and regulations concerning the Medford Irrigation District. Easements of record.

The true consideration paid for this conveyance is One Hundred Forty-Four Thousand Nine Hundred And 00/100 DOLLARS \$144,900.00.

☐ However, the whole consideration includes other value given or promised (check if other consideration statement applies).

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 9 day of April 2002

Rosemary Logan
ROSEMARY LOGAN

STATE OF OREGON)

County of Jackson) ss.

This instrument was acknowledged before me on the 9 day of April 2002 by ROSEMARY LOGAN.



Dian E. Weiberg
Notary Public for Oregon
My commission expires: 12/26/05

Until a change is requested,
send all tax statements to:
Grantee at:
2005 Sunset Drive
Medford, OR 97501

Return document to:
First American Title Insurance Co.
300 W. Main Street, P.O. Box 250
Medford, OR 97501

RECEIVED
AUG 15 2008
Planning Dept.

2C-08-115

02 19862

Exhibit A

A strip of land 89.0 feet in width East and West off the entire East side of the following described tract: Commencing at the Northeast corner of Lot 1 in Section 2, Township 38 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon; thence East 228.0 feet; thence North 481.0 feet to the centerline of the County Road; thence East along the centerline of said road 1483.0 feet to the center of the W.N. lateral of the Medford Irrigation District for the true point of beginning; thence West along the centerline of the County Road, a distance of 222.0 feet; thence South 478.0 feet; thence East 231.0 feet to the center of said irrigation lateral; thence Northerly along the center of said irrigation lateral, a distance of 487.0 feet to the true point of beginning.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

APR 10 2002

8:40 AM
[Signature]
COUNTY CLERK

37200 35 PC 76 2100

2

39

46g04626561b

After recording return to:

Lawyers Title Insurance Corporation
1555 E. McAndrews Road, Suite 100
Medford OR 97504

Jackson County Official Records 2005 19909

R-WD

Cnt=1 Sht=1 AVGERICN 04/08/2005 0:00 PM

\$10.00 \$5.00 \$11.00

Total: \$26.00



0110276320050019909020023

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

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

PO Box 7
Eagle Point OR 97524

STATUTORY WARRANTY DEED

Leo L. Hawkins and Janet Maye Hawkins as trustees of the Hawkins Family Trust UTD 8-14-1992

, Grantor, conveys and warrants to
Linda M. Bevard

, 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 \$ 420,000.00.

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

Dated this 6th day of April, 2005.

Leo L. Hawkins T.E.

Janet M. Hawkins T.E.

STATE OF OREGON, COUNTY OF Jackson

The foregoing instrument was acknowledged before me this 6th day of April, 2005, by
Leo L. Hawkins, Trustee and Janet Maye Hawkins, Trustee

David B.
Notary Public for Oregon

My commission expires 1/20/06

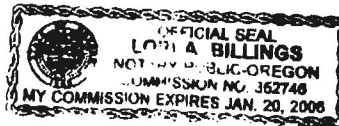


EXHIBIT A

Commencing at the northeast corner of Government Lot 1, Section 2, Township 38 South, Range 2 West, of the Willamette Meridian in Jackson County, Oregon; thence East, 228.0 feet; thence North 481.0 feet to the center of the County Road; thence East, along the center of the County Road, 1443.0 feet to the center of the Medford Irrigation District lateral and the True Point of Beginning; thence East, 138.0 feet; thence Southerly, 487.0 feet, more or less, to the south line of premises described in Torrens Certificate No. 6987, that is East, 133.0 feet from the southwest corner of said premises; thence West, 133.0 feet to said southwest corner; being a point in the center of the Medford Irrigation District lateral; thence in a northerly direction, along the center of said lateral, 487.0 feet to the True Point of Beginning.

(Code 49-01, Account #1-044052-1, Map #372W35DD, Tax Lot #3100)

SUBJECT TO:

1. 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.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Rogue Valley Sewer Services.
3. Easement over that portion lying within Sunset Drive.
4. Right of way for irrigation ditches around the boundary thereof, as reserved in deed recorded in Document No. 67-04690, of the Official Records of Jackson County, Oregon.
(Affects additional land)
5. Fuelbreak Easement, subject to the terms and provisions thereof, recorded November 19, 1998 as No. 98-54085, of the Official Records of Jackson County, Oregon.

2

372W35DD TL 3100

CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT
TO VERIFY APPROVED USES.

DATED this 24th day of NOVEMBER, 2003.

John H. Bodenstab
John H. Bodenstab
Personal Representative of the Estate
Of Rita M. Bodenstab, Deceased

STATE OF OREGON)
) ss.
County of Jackson)

November 24, 2003

Personally appeared JOHN H. BODENSTAB, PERSONAL REPRESENTATIVE OF
THE ESTATE OF RITA M. BODENSTAB, DECEASED, and acknowledged the foregoing
instrument to be the voluntary act of said Personal Representative. Before me:



Sandra D. Landon
Notary Public for Oregon
My commission expires: 4/27/06

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

NOV 25 2003
10:22 AM
[Signature]
COUNTY CLERK

- 2 - DEED OF PERSONAL REPRESENTATIVE

10:00

10
5
11

Tax statements shall be sent to:

John H. & Rose Alice Bodenstab
3365 Hyacinth
Medford, Oregon 97501

True Consideration: \$ - 0 -

After recording, return document to:

Donald K. Denman
Foster Denman, LLP
Attorneys at Law
P. O. Box 1667
Medford, Oregon 97501

DEED OF PERSONAL REPRESENTATIVE

JOHN H. BODENSTAB, the duly appointed, qualified and acting Personal Representative of the Estate of Rita M. Bodenstab, Deceased, conveys to JOHN H. BODENSTAB and ROSE ALICE BODENSTAB, husband and wife, as tenants by the entirety, all of that certain real property described as follows:

Commencing at the Northeast corner of Government Lot 1, Section 2, Township 38 South of Range 2 West of the Willamette Meridian, Jackson County, Oregon; running thence East 228 feet; thence North 481 feet to the center of the County Road; thence East along the center of the County Road 1212 feet to the place of beginning; thence from the true point of beginning East along the center of the County Road 177.5 feet; thence North 487 feet; thence West 177.5 feet; thence South 487 feet to the place of beginning.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAND LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD

- 1 - DEED OF PERSONAL REPRESENTATIVE

3,126 35 DC TL 1900

6

CERTIFIED MAIL™



7004 2510 0006 7738 6903

RD
RTMENT
TREET
501

016H28507632
\$06.920
11/19/2008
Mailbox Fees 97501
US POSTAGE

Hallier



RETURN RECEIPT
REQUESTED

ATTN: Plan Amendment Specialist
Dept. of Land Conser. & Develop.
635 Capitol St. NE, Ste. 150
Salem, Or 97301-2540