



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

August 1, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Eagle Point Plan Amendment
DLCD File Number 002-06



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: August 16, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Bunny Lincoln, City of Eagle Point

<paa> ya



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

(See second page for submittal requirements)

DEPT OF

JUL 26 2006

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: ENGLE POINT

Local File No.:
(If no number, use none)

Date of Adoption: 7.25.06
(Must be filled in)

Date Mailed: 7.26.06
(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD:

- Comprehensive Plan Text Amendment
- Comprehensive Plan Map Amendment
- Land Use Regulation Amendment
- Zoning Map Amendment
- New Land Use Regulation
- Other: ANNEXATION
(Please Specify Type of Action)

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

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same". If you did not give notice for the proposed amendment, write "N/A".

Plan Map Changed from: _____ to: _____

Zone Map Changed from: COUNTY to: CITY @ R1

Location: POWERTON RD Acres Involved: 26±

Specify Density: Previous: N/A New: 6:1

Applicable Statewide Planning Goals: URBANIZATION, PUBLIC FACILITIES, HOUSING

Was an Exception Adopted? Yes: No:

Does Adopted Amendment affect the areas in unincorporated Washington County where the

Zoning Code applies? Yes No

DLCD File No.: 002-06 (15267)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **BUNNY LINCOLN**

Area Code + Phone Number: **541-826-4012 x-111**

Address: **P.O. BOX 779**

City: **EAGLE POINT**

Zip Code+4: **97524-0779**

Email Address: **bunnylincoln@cityofeaglepoint.oreg**

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 (2) Copies 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. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
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 ANotice of Adoption is sent to DLCD.
6. In addition to sending the ANotice 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 copy this form on to 8-1/2x11 green paper only; or 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.**

ORDINANCE NO. 2006-04

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN LAND TO THE CITY OF EAGLE POINT, OREGON, AND ASSIGNING SPECIFIC ZONING BASED UPON THE ACKNOWLEDGED COMPREHENSIVE PLAN LAND USE MAP

WHEREAS, pursuant to ORS 222.125, 100% of the owners and electors of the territory to be annexed to the City of Eagle Point have consented in writing to said annexation and have filed a statement of such consent with the Council of the City of Eagle Point; and

WHEREAS, it is the judgment of the Council of the City of Eagle Point that said territory should be annexed to and become part of the City of Eagle Point, and that such annexation would be in conformance with its acknowledged Comprehensive Plan and otherwise in compliance with all statutory requirements governing annexation; and

WHEREAS, as it is currently developed, adequate public services are available to serve said properties; and

WHEREAS, all required legal notifications and public hearings have been held, now, therefore,

THE CITY OF EAGLE POINT RESOLVES AS FOLLOWS:

Section 1. The Council hereby finds that the annexation of the real property hereinafter described meets the requirements of the ORS 222.125, *et seq.*, governing the annexation of contiguous territory, that said annexation conforms to the acknowledged Comprehensive Plan for the City of Eagle Point, and that said annexation will provide benefit to the welfare of the City of Eagle Point and its residents.

Section 2. Having received written consent hereby sets the final boundaries of the area to be annexed as and by that legal description attached hereto as **Exhibit "A"** to the annexation by all the owners and electors of the lands to be annexed, pursuant to ORS 222.125, the Council, and accompanying map attached hereto as **Exhibit "B"** (**JACO Assessor's Map 351W34 Tax Lots 704, 1000, 1100, 1101 and 1102**) and by this reference incorporated herein and made a part hereof, and proclaims the annexation thereof to the City of Eagle Point.

Section 3. The real property described in said **Exhibit "A"**, is hereby assigned City zoning, as specified on the adopted Comprehensive Plan Land Use Map, of R1 (Low Density Residential – Single Family).


Section 5. The following conditions shall apply to the annexation:

1. Zoning for the subject parcels shall be designated as R1 (Single Family Residential) in identical configuration to the designations on the Comprehensive Plan Land Use Map.
2. These annexation approvals and zoning designations in no way constitute approval for any development of these properties, or any portion thereof.
3. As voluntarily acknowledged by the subject property owners, no development applications for the annexed properties may be made to the City until such time as the Crystal Drive-Barton Road connection (Pleasant Creek Drive) and the upgraded water line connection to White City have been accepted by the City.

Section 6. Copies of this ordinance shall be filed forthwith with the office of the Secretary Of State for the State of Oregon and with the County Assessor of Jackson County, Oregon.

PASSED by the Council and signed by me in open session in authentication of its passage this **25th** day of **July**, 2006.


Presiding Officer

ATTEST 
Recorder

APPROVED by me this **25th** day of **July**, 2006.

Kaiser Surveying

19754 Highway 62
Eagle Point, OR 97524

Bary D. Kaiser
R.P.L.S. ORE. 52923

Phone: (541) 878-3995
Fax: (541) 878-3935
E-mail: bkaiser@earthlink.net

**DESCRIPTION FOR ANNEXATION OF PROPERTY INTO
THE CORPORATE CITY LIMITS OF EAGLE POINT, OREGON**

FOR: EUGENE CLOUD

Beginning at the Northwest corner of Lot 17 of EAGLE POINT MEADOWS, a recorded subdivision located in Jackson County, Oregon; thence North 89° 58' 55" East (record = North 89° 59' East), 366.00 feet to the Northeast corner of said Lot; thence continuing North 89° 58' 55" East, 60.00 feet to a point on the Easterly right-of-way line of Barton Road; thence along said Barton Road line, South 0° 12' 56" West (record = South 0° 11' West), 596.33 feet to the most Northerly Corner of Parcel No. 1 of Partition Plat No. P-61-2001 recorded November 6, 2001 in records of Partition Plats in Jackson County, Oregon and filed as survey No. 17114 in the Office of the County Surveyor; thence North 89° 47' 04" West, 60.00 feet to a point on the Easterly boundary of said Lot 17; thence along the Westerly right-of-way line of said Barton Road, South 0° 12' 56" West (record = South 0° 11' West), 100.06 feet to the Southeast corner of said Lot 17; thence along the Northerly right-of-way of said Barton Road, North 89° 59' 51" West, 366.08 feet (record = South 89° 59' West, 366.0 feet) to the Southwest corner of said Lot 17; thence North 0° 13' 22" East, 696.02 feet (record = North 0° 11' East, 696.0 feet) to the point of beginning.

February 23, 2006

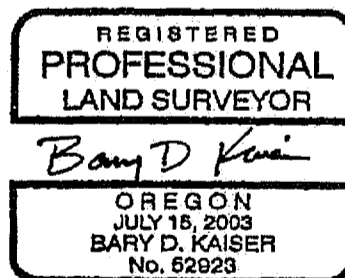
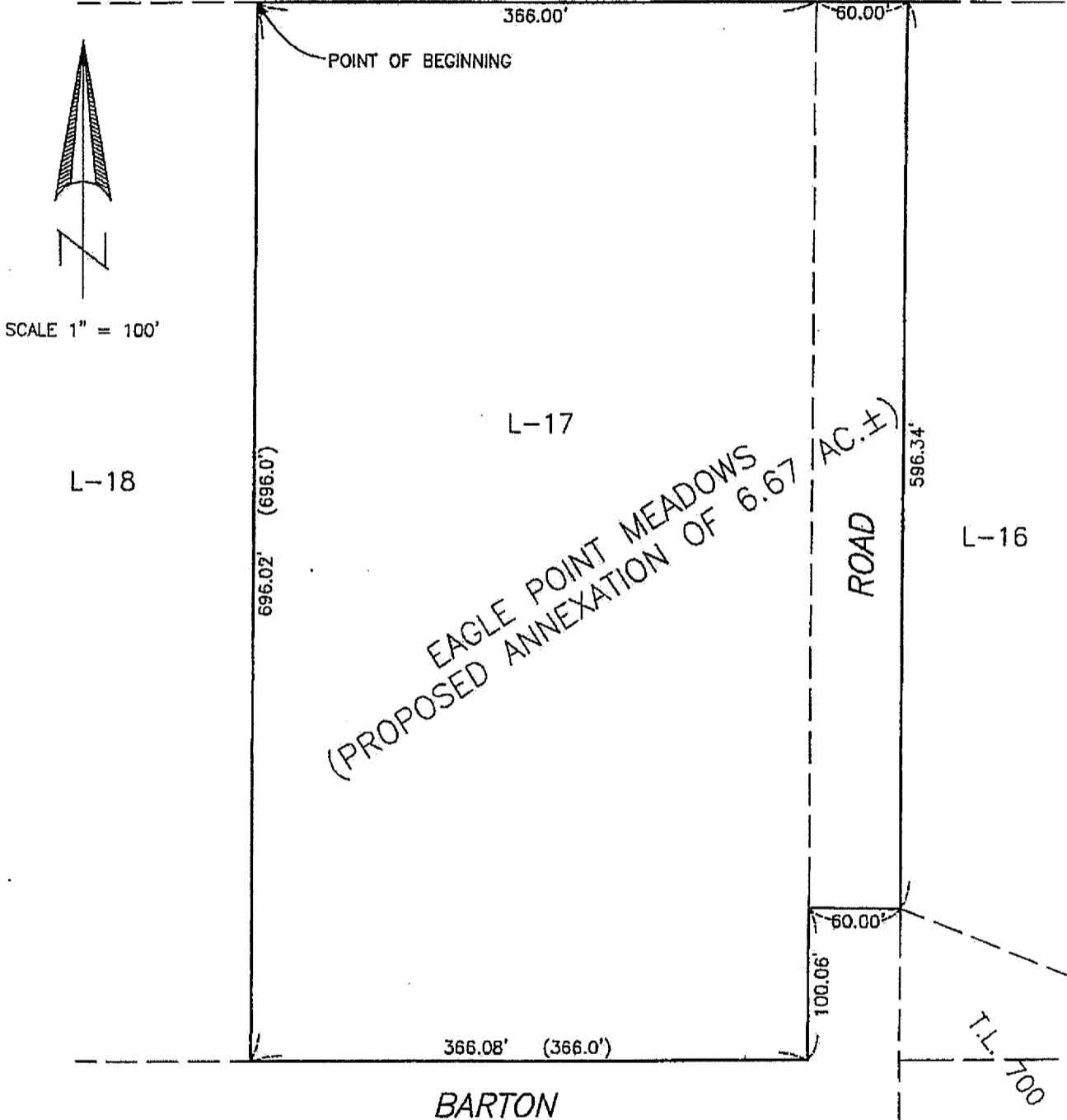


EXHIBIT "A"



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Bary D. Kaiser

OREGON
JULY 15, 2003
BARY D. KAISER
No. 52923

EXP. 6-30-07

Kaiser Surveying

19754 Highway 62
Eagle Point, OR 97524

Bary D. Kaiser
R.P.L.S. ORE. 52923

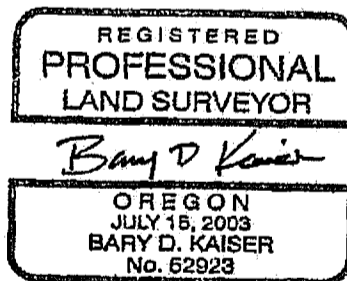
Phone: (541) 878-3995
Fax: (541) 878-3935
E-mail: bkaiser@earthlink.net

**DESCRIPTION FOR ANNEXATION OF PROPERTY INTO
THE CORPORATE CITY LIMITS OF EAGLE POINT, OREGON**

FOR: DAVE MCFALL

Beginning at the Northeast corner of Lot 22 of EAGLE POINT MEADOWS, a recorded subdivision located in Jackson County, Oregon; thence South 0° 14' 55" West, 695.55 feet (record = South 0° 11' West, 696.0 feet) to the Southeast corner of said Lot 22; thence along the Southerly right-of-way line of Barton Road, North 89° 59' 51" West, 1211.13 feet to intersect the Easterly right-of-way line of Crater Lake Highway (State Highway No. 62); thence along said highway line (being 70-feet Easterly at right angles from the centerline of said highway), North 0° 12' 40" East, 470.65 feet to highway station 1801+00; thence along said highway line North 89° 47' 20" West, 10.00 feet; thence along said highway line (being 60-feet Easterly at right angles from the centerline of said highway), North 0° 12' 40" East, 224.43 feet to a point on the Northerly boundary of Lot 25 of said EAGLE POINT MEADOWS; thence North 89° 58' 55" East (record = North 89° 59' East), 1221.59 feet to the point of beginning.

February 23, 2006



Eagle Point Comp Plan

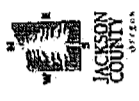
October 2004

- Eagle Point Comp Plan
- Public Lands
 - Business Park
 - Industrial
 - Central Commercial
 - Outlying Commercial
 - Low Density Residential
 - Medium Density Residential
 - High Density Residential

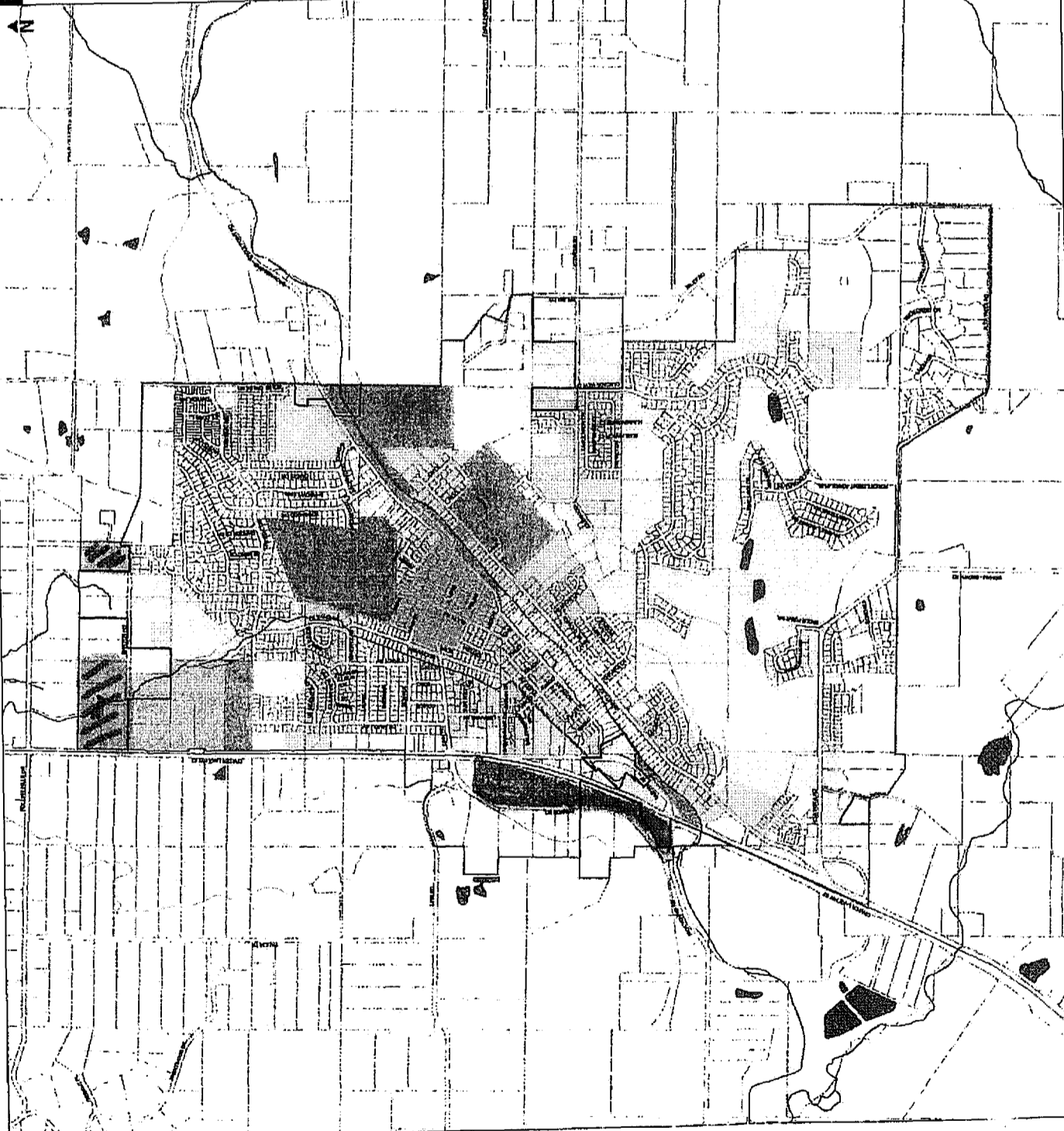
- Urban Growth Boundary
- City Limits

0 500 1000 2000 Feet

1" = 500 feet



This map is based on a digital database compiled by Jackson County from a variety of sources. Jackson County cannot accept responsibility for errors, omissions or positional accuracy. There are no warranties, expressed or implied.



Print date: Nov 25, 2004; I:\gis\proj\21160\map_comp_plan_bunny_brochure.apr

Please recycle with colored office grade paper