



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/Coastal Fax: (503) 378-6033

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

Third Floor/Measure 37 Fax: (503) 378-5318

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

NOTICE OF ADOPTED AMENDMENT

October 24, 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 004-06



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: November 7, 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

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FORM 2

DEPT OF

DLCD NOTICE OF ADOPTION

OCT 17 2006

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

**LAND CONSERVATION
AND DEVELOPMENT**

(See second page for submittal requirements)

Jurisdiction: EAGLE POINT

Local File No.: PA# 06/07-01:ANX/ZCA
(If no number, use none)

Date of Adoption: 10.10.06
(Must be filled in)

Date Mailed: 10.17.06
(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."

ANNEXED 1.08 ACRES

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 R-1-B (SINGLE FAMILY 8,000 SF LOT)
 Location: BROWNSBORO HWY. Acres Involved: 1.08
 Specify Density: Previous: _____ New: 4.1 ACRE
 Applicable Statewide Planning Goals: 14, HOUSING, PUBLIC FACILITIES
 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.: 004-06
(15419)

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: 541-826-4212

Address: P.O. Box 779

City: EAGLE POINT

Zip Code+4: 97524-0779

Email Address: bunnylincoln@cityofeaglepoint.or.us

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. 2006-08

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 361W03AA Tax Lots 300 - 400**) 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 R1-8 (Single Family Residential – 8,000 sf minimum lots) 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.

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 **10th** day of **October, 2006**.


Presiding Officer

ATTEST:

Recorder

APPROVED by me this **10th** day of **October, 2006**.

AREA BEING ANNEXED INTO THE CORPORATE
CITY LIMITS OF THE CITY OF EAGLE POINT,
JACKSON COUNTY OREGON

EXHIBIT "A"

PROPERTY OWNERS:

Harriet Chamberlain	Levi Chamberlain
559 Brownsboro Hwy.	563 Brownsboro Hwy.
Eagle Point, OR. 97524	Eagle Point, OR. 97524

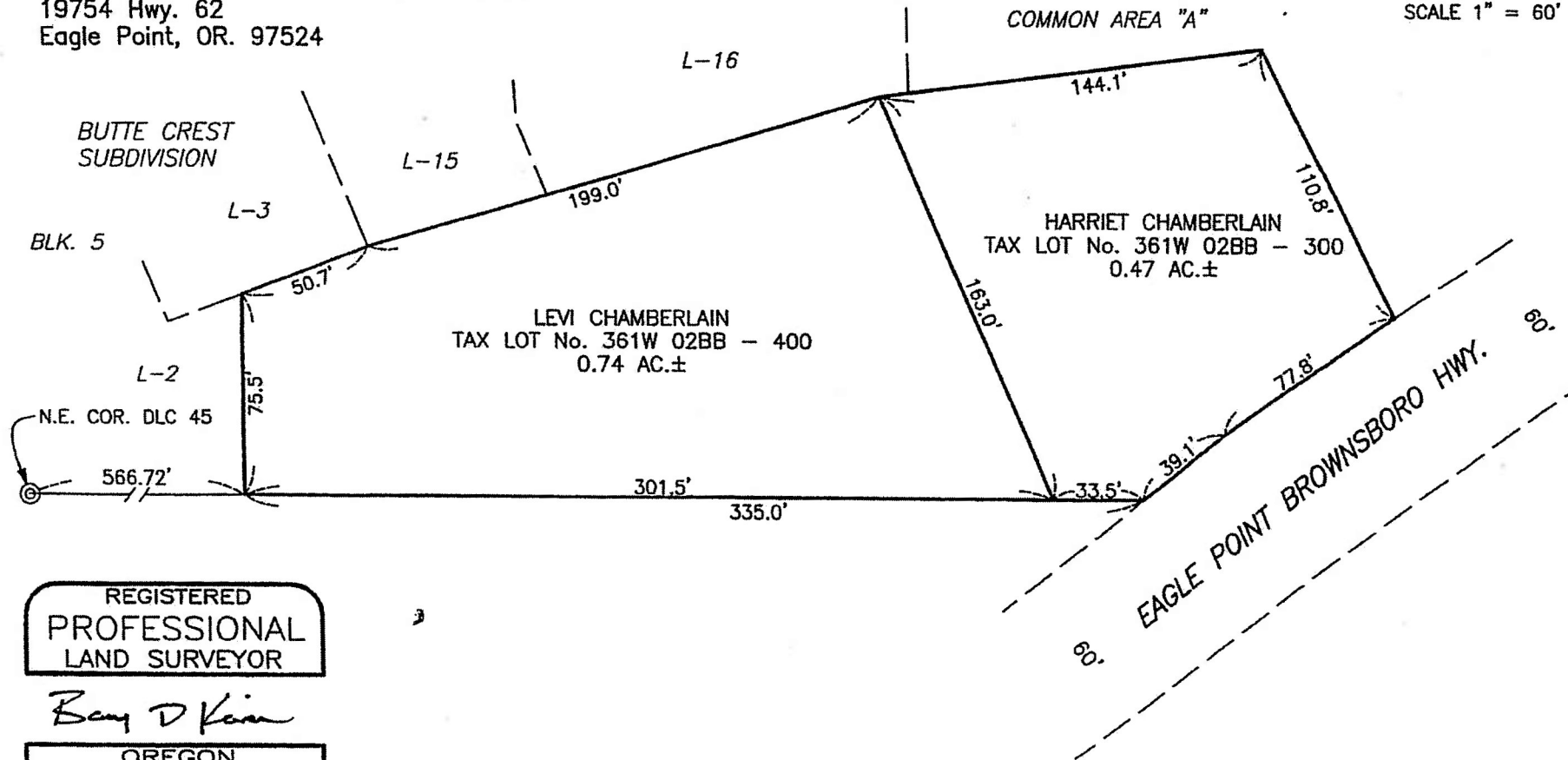
PREPARED BY:
Kaiser Surveying
19754 Hwy. 62
Eagle Point, OR. 97524

DATE:
July 24, 2006

BUTTE CREST No. 4 SUBDIVISION



SCALE 1" = 60'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Bary D Kaiser

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

EXP. 6-30-07

GARY D. KAISER
R.P.L.S. ORE. 803
C.W.R.E. ORE. 73

KAISER SURVEYING
19440 HIGHWAY 62
EAGLE POINT, OREGON 97524

PHONE
SHADY COVE (541) 878-3995
FAX (541) 878-3995

**DESCRIPTION OF PROPERTY BEING ANNEXED TO THE CORPORATE CITY
LIMITS OF EAGLE POINT, OREGON**

FOR: HARRIET CHAMBERLAIN AND LEVI CHAMBERLAIN

Commencing at the Northeast corner of Donation Land Claim No. 45, Township 36 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence along the Northerly boundary of said claim, South 89° 56' 04" East, 566.72 feet (record = South 89° 55' 30" East, 566.82 feet) to a 5/8" rebar with plastic cap set for the Southeast corner of Lot 2, Block 5 of BUTTE CREST SUBDIVISION, a recorded subdivision located in the City of Eagle Point, said county and state, for THE TRUE POINT OF BEGINNING; thence continue along said claim boundary, South 89° 56' 04" East, 335.02 feet to a 5/8" rebar with plastic cap set on the Northwesterly right-of-way line of the Eagle Point Brownsboro Highway (also known as North Royal Avenue); thence along said highway line, North 52° 34' 27" East, 39.15 feet to an angle point; thence continue along said highway line North 55° 07' 00" East, 77.75 feet to a lead and tack with copper washer set in concrete for the most Southerly corner of Common Area "A" of BUTTE CREST UNIT NO. 4 SUBDIVISION, a recorded subdivision located in the City of Eagle Point, said county and state; thence North 26° 00' 19" West, 110.80 feet (record = 110.89 feet) to a 5/8" rebar with plastic cap found set for an angle point on the Southwesterly boundary of said Common Area "A"; thence South 83° 00' 35" West, 144.15 feet (record = South 82° 59' 41" West, 144.00 feet) to a 5/8" rebar with plastic cap found set for an angle point on the Southeasterly boundary of Lot 16 of said subdivision; thence South 73° 38' 40" West, 199.08 feet (record = South 73° 38' 21" West, 199.04 feet) to the most Southerly corner of Lot 15 of said subdivision (also being the most Easterly corner of Lot 3, Block 5 of said BUTTE CREST SUBDIVISION; thence South 68° 42' 07" West (record = South 68° 43' 30" West), 50.73 feet to a 5/8" rebar with plastic cap set for the East-Northeast corner of Lot 2, Block 5 of said subdivision; thence South 0° 02' 34" East, 75.43 feet (record = South 0° 02' 00" East, 75.50 feet) to THE TRUE POINT OF BEGINNING, containing 1.21 acres, more or less.

July 20, 2006

REGISTERED
**PROFESSIONAL
LAND SURVEYOR**

G. D. K.

OREGON
JULY 16, 1987
GARY D. KAISER
No. 803

**DOR 15-P167-2006
Preliminary Review**



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

City of Eagle Point
Budget Officer
PO Box 779
Eagle Point, OR 97524

Date: 8/7/2006

This letter is to inform you that the map and description for your PLANNED annex to City of Eagle Point (Chamberlain) in Jackson County have been reviewed per your request. They MEET the requirements for use with an Order, Ordinance, or Resolution which must be submitted in final form before March 31, 2007 per ORS 308.225.

If you have any questions please contact: Carolyn Sunderman, 503-945-8882