



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

March 9, 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 007-05



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: March 24, 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

DLCD NOTICE OF ADOPTION

DEPT OF

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

MAR 06 2006

(See reverse side for submittal requirements)

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: EAGLE POINT Local File No.: 05/06-03: ANY
Date of Adoption: 3/28/06 Date Mailed: 3.3.06
Date the Notice of Proposed Amendment was mailed to DLCD: 12.27.05

- Comprehensive Plan Text Amendment
Land Use Regulation Amendment
New Land Use Regulation
Comprehensive Plan Map Amendment
Zoning Map Amendment
Other: ANNEXATION

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

ANNEXATION
NO ZONE CHANGE (POSTPONED TO MARCH)

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: to
Location: BAKTON ROAD Acres Involved: 15+
Specify Density: Previous: New:
Applicable Statewide Planning Goals:
Was an Exception Adopted? Yes: No: [check]

DLCD File No.: 007-05 (14904)

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 739 EXT. 101

CITY: EAGLE POINT Zip Code +4: 97521-0739

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 "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 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 Larry.French@state.or.us - **ATTENTION: PLAN AMENDMENT SPECIALIST**

DOR 15-P-154-2006
Description for annexation
To the City of Eagle Point
T35S-R1W-Tax Lots 800, 900, and 1300
Eagle Point Meadows Lots 20, 23 East and Lot 8

BEGINNING at the Southwest corner of Lot 8 of Eagle Point Meadows Subdivision, as recorded in Volume 5, Page 38 of the Plat Records of Jackson County, Oregon; thence along the West line of said Lot 8, North 00°11' East, 601.4 feet, to the Northwest corner of said Lot 8; thence continuing North 00°11' East, on a prolongation of said West line, 60.0 feet, to a point on the Northerly right-of-way line of Barton Road; thence along said right-of-way line, North 89°59' East, 525.4 feet to the Southwest corner of the Easterly Lot 23 of said subdivision; thence along the West line of said Lot, North 00°11' East, 696.0 feet to the Northwest corner of said Easterly Lot 23; thence North 89°59' East, 625.8 feet to the Northeast corner of Lot 20 of said subdivision; thence along the East boundary of said Lot, South 00°11' West, 696.0 feet to the Southeast corner of said Lot 20; thence along the Northerly right-of-way of Barton Road, South 89°59' West, 419.2 feet to a point on the Northerly right-of-way of Barton Road; thence South 00°11' West, 60.0 feet to the Northeast corner of Lot 9 of said subdivision; thence along the Southerly right-of-way of Barton Road, also being the North boundary of said Lot 9, South 89°59' West, 366.0 feet to the Northeast corner of Lot 8 of said subdivision; thence along the East boundary of said Lot 8, South 00°11' West, 602.8 feet to the Southeast corner of said Lot 8; thence along the South boundary of said Lot 8, North 89°54' West, 366.0 feet to THE POINT OF BEGINNING.

Prepared by: Farber Surveying
431 Oak Street
Central Point, Or. 97502
(541) 664-5599
Date: February, 2006

RESOLUTION NO. 2006-05

A RESOLUTION PROVIDING FOR THE ANNEXATION OF CERTAIN LAND TO THE CITY OF EAGLE POINT, OREGON, AND ITS WITHDRAWAL FROM ROGUE VALLEY TRANSIT DISTRICT

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, the Council further determines that said property should be withdrawn from the boundaries of the Rogue Valley Transit District upon and as of the effective date of its annexation to the City, 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 800, 900 and 1300**) and by this reference incorporated herein and made a part hereof, and proclaims the annexation there of to the City of Eagle Point.

Section 3. The real property described in said **Exhibit "A"**, is hereby withdrawn from Rogue Valley Transit District as of the effective date of this resolution.

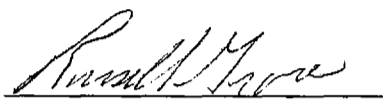
Section 4. The real property described in said **Exhibit "A"**, shall be assigned City zoning as specified on the adopted Comprehensive Plan Land Use Map (Low Density Residential and Light Industrial), **by ordinance, (in compliance with Article IX – Section 9.070(c), EP Zoning Ordinance.)**

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


- a. The annexation approval in no way constitutes approval for any development of these properties, or any portion thereof.
- b. Upon application for future land development approval(s), the City will again review and assess all existing public facilities as related to whatever proposals are submitted.

Section 6. Copies of this resolution 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 **28th** day of **February, 2006**.

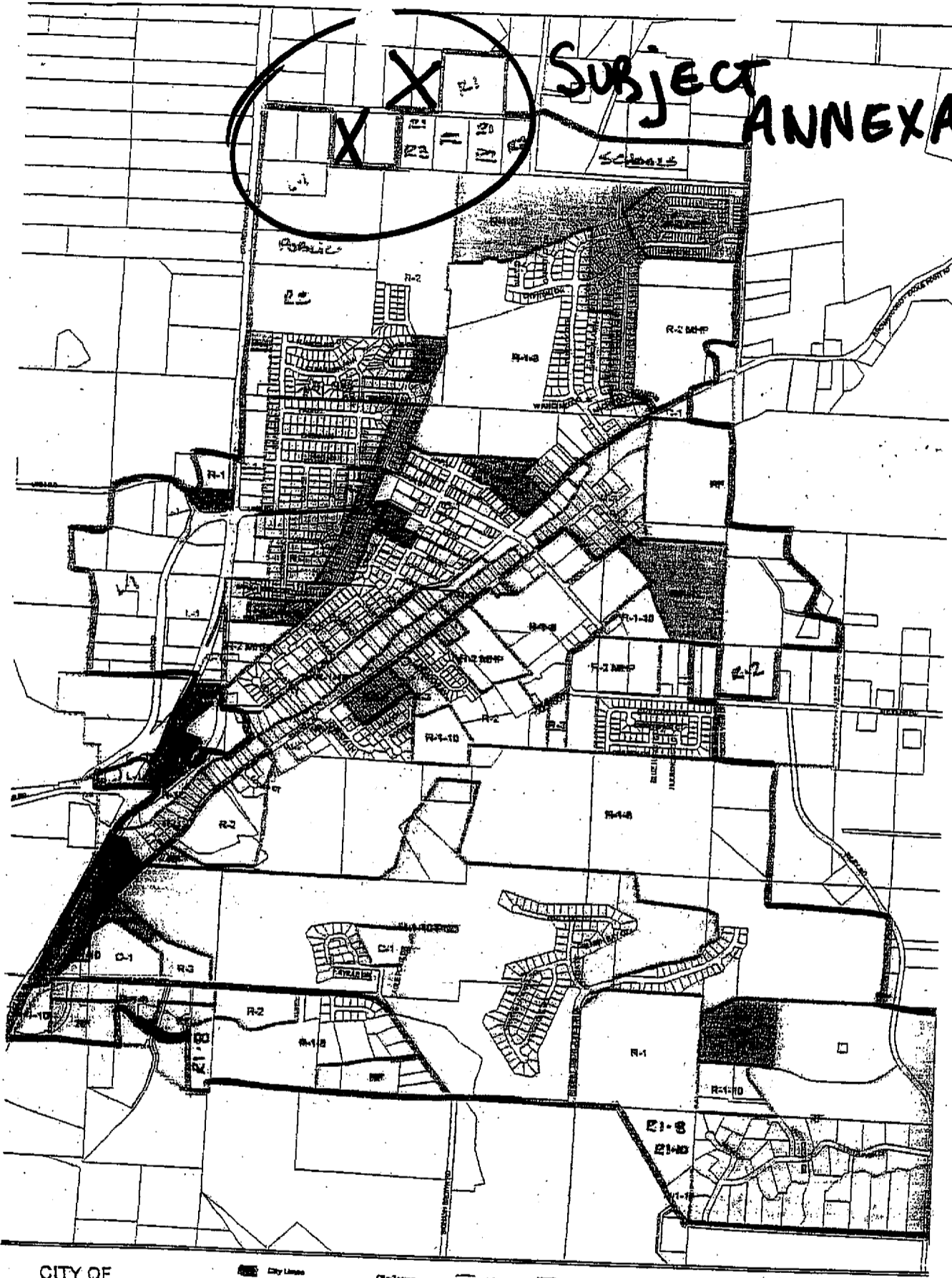


Presiding Officer

ATTEST:


Recorder

APPROVED by me this **28th** day of **February, 2006**.



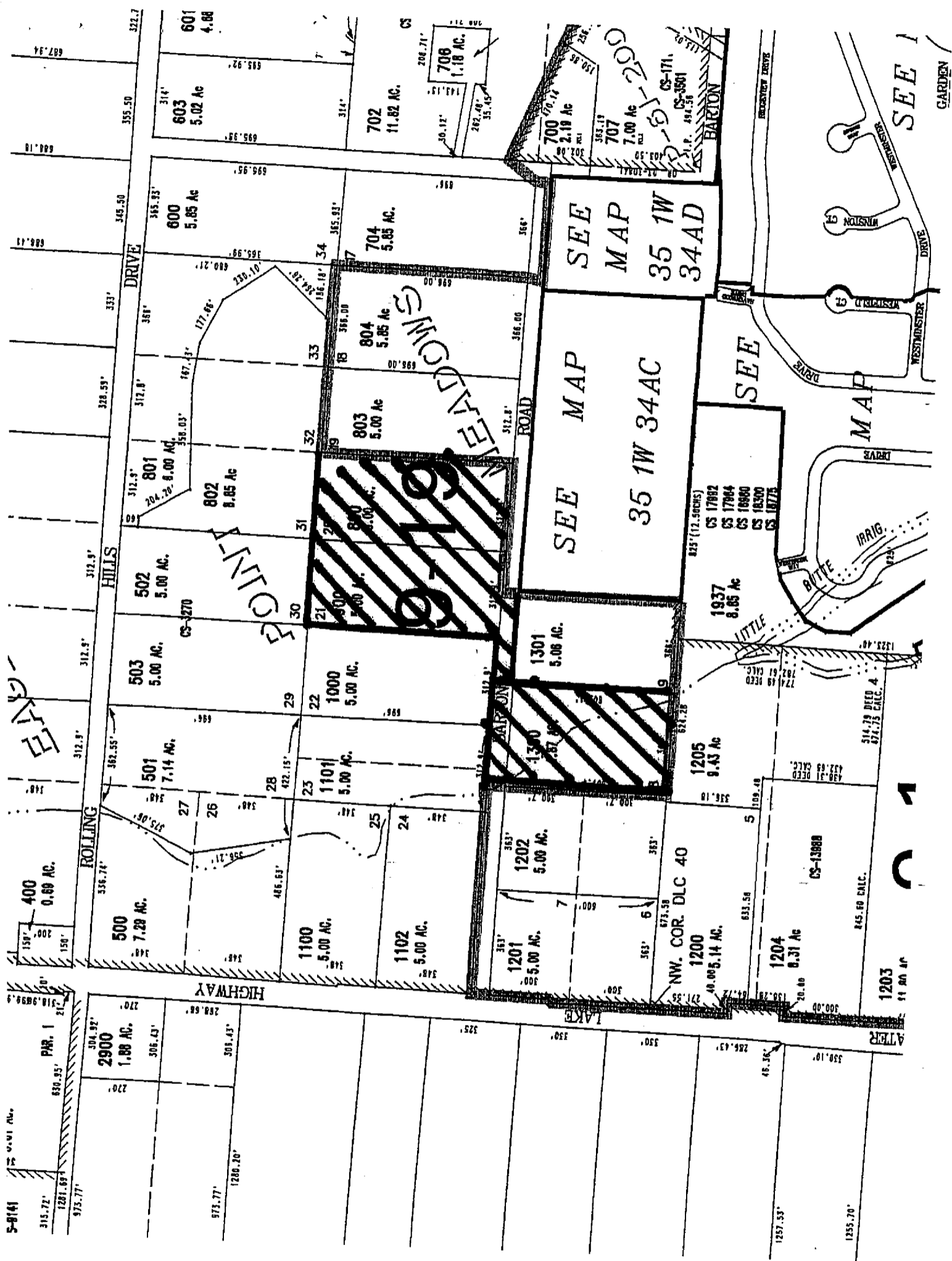
SUBJECT ANNEXATION

JAN. 1, 2004
— CURRENT ZONING —

CITY OF EAGLE POINT

ZONING MAP

City Lines	Urban Growth Boundary	City Zoning	R-1	R-1-10	R-1-15	R-1-20	R-1-30	R-1-35	R-1-40	R-1-45	R-1-50	R-1-55	R-1-60	R-1-65	R-1-70	R-1-75	R-1-80	R-1-85	R-1-90	R-1-95	R-1-100	R-2	R-2-MDP	R-3	R-3-PUD	R-4	R-5	R-6	R-7	R-8	R-9	R-10	R-11	R-12	R-13	R-14	R-15	R-16	R-17	R-18	R-19	R-20	R-21	R-22	R-23	R-24	R-25	R-26	R-27	R-28	R-29	R-30	R-31	R-32	R-33	R-34	R-35	R-36	R-37	R-38	R-39	R-40	R-41	R-42	R-43	R-44	R-45	R-46	R-47	R-48	R-49	R-50	R-51	R-52	R-53	R-54	R-55	R-56	R-57	R-58	R-59	R-60	R-61	R-62	R-63	R-64	R-65	R-66	R-67	R-68	R-69	R-70	R-71	R-72	R-73	R-74	R-75	R-76	R-77	R-78	R-79	R-80	R-81	R-82	R-83	R-84	R-85	R-86	R-87	R-88	R-89	R-90	R-91	R-92	R-93	R-94	R-95	R-96	R-97	R-98	R-99	R-100
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SOLD TO
FIELDSONS INC.

SEE MAP
35 1W 34AC

SEE MAP
35 1W 34AD

SEE 1
GARDEN

S-8141

PAR. 1

2900
1.88 AC.

HIGHWAY

LAKE

NW. COR. DLC 40
1200
5.14 AC.

1203
11.80 AC

1205
9.43 AC

1937
8.85 AC

1301
5.06 AC.

800
5.85 AC

801
8.00 AC.

802
8.85 AC

803
5.00 AC

804
5.85 AC

704
5.85 AC.

702
11.82 AC.

700
2.18 AC

707
7.00 AC

603
5.02 AC

601
4.88

400
0.88 AC.

500
7.28 AC.

502
5.00 AC.

503
5.00 AC.

315.72'

630.95'

1281.65'

973.77'

304.92'

288.68'

306.43'

306.43'

1200.20'

486.63'

422.15'

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