



Oregon
Theodore R. Kubongski, 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

7/31/2009

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Springfield Plan Amendment
DLCD File Number 002-09

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: Thursday, August 13, 2009

This amendment was submitted to DLCD for review 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Andy Limbird, City of Springfield
Gloria Gardiner, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner

<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

In person electronic mailed

DEPT OF

JUL 24 2009

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: **City of Springfield**

Local file number: **LRP2009-00004**

Date of Adoption: **July 21, 2009**

Date Mailed: **July 23, 2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 5/1/2009

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".

Annexation of public street rights-of-way to the City of Springfield removed Urbanizable Fringe Overlay District (UF-10) from the affected areas. The base zoning and comprehensive plan designations remain the same. Affected public street rights-of-way are already developed to urban street standards.

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

Plan Map Changed from: **Unchanged**

to:

Zone Map Changed from: **LDR/UF-10; MDR/UF-10; CC/UF-10**

to: **LDR; MDR; CC; MUC**

Location: **MLK Jr. Pkwy; Pioneer Pkwy; Deadmond Ferry Rd.**

Acres Involved: **11**

Specify Density: Previous: **N/A**

New: **N/A**

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 file No. 002-09 (17555) [15636]

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

Lane County, Rainbow Water & Fire District, Willakenzie Rural Fire Protection District, Lane Education Service District, Lane County Metropolitan Wastewater Service District

Local Contact: Andy Limbird	Phone: (541) 726-3784	Extension:
Address: 225 Fifth Street	Fax Number: 541-726-3689	
City: Springfield	Zip: 97477-	E-mail Address: alimbird@ci.springfield.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 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, or by emailing **larry.french@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 **larry.french@state.or.us** - **Attention: Plan Amendment Specialist**.

Updated March 17, 2009

OFFICE OF THE SECRETARY OF STATE

KATE BROWN
SECRETARY OF STATE

BARRY PACK
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
MARY BETH HERKERT
DIRECTOR
800 Summer Street NE
Salem, Oregon 97310
(503) 373-0701
Facsimile (503) 378-4118

July 15, 2009

City of Springfield
City Recorder
225 Fifth Street
Springfield, OR 97477

Dear City Recorder,

Please be advised that we have received and filed, as of July 8, 2009 the following records annexing territory into the following:

Ordinance/Resolution Number	Our File Number
6243	AN 2009-0087

For your records please verify the effective date through the application of ORS 222.180.

Our assigned file number(s) are included in the above information.

Sincerely,

A handwritten signature in cursive script that reads "Linda Bjornstad".

Linda Bjornstad
Official Public Documents

cc: County Clerk(s)
ODOT
Department Revenue
Population Research Center

Date Received: 7/21/2009
Planner: AL

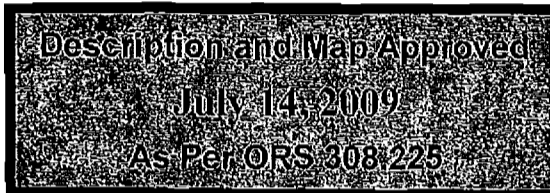
Notice to Taxing Districts
ORS 308.225

DOR 20-1823-2009



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

City of Springfield
Planning
225 North Fifth Street
Springfield, OR 97477



Description Map received from: Brenda Jones
On: 7/10/2009

This is to notify you that your boundary change in Lane County for
Annexation into the City of Springfield and Withdrawal from special districts.

ORD #6243 & RES #08-36

has been: Approved 7/14/2009
 Disapproved

Notes:

Department of Revenue File Number: 20-1823-2009

Prepared by: Matthew Taylor 503-947-2162

Boundary: Change Proposed Change
The change is for:

- Formation of a new district
- Annexation of a territory to a district.
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge
- Establishment of Tax Zone

Date Received: 7/21/2009
Planner: AL

ORDINANCE NO 6243

**AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF
SPRINGFIELD, LANE COUNTY METROPOLITAN WASTEWATER SERVICE DISTRICT, AND
WILLAMALANE PARK AND RECREATION DISTRICT; AND WITHDRAWING THE SAME
TERRITORY FROM THE RAINBOW WATER & FIRE DISTRICT AND DECLARING AN
EMERGENCY**

THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:

WHEREAS, a request to annex certain territory was submitted on April 23, 2009, said territory being portions of Pioneer Parkway right-of-way, Martin Luther King Jr. Parkway right-of-way, Game Farm Road right-of-way, and Deadmond Ferry Road right-of-way located on Assessor's Maps Township 17 South, Range 03 West, Section 15, Map 40; Township 17 South, Range 03 West, Section 22, Map 00; Township 17 South, Range 03 West, Section 22, Maps 41 and 44; and Township 17 South, Range 03 West, Section 27, Map 11 as generally depicted and more particularly described in **Exhibit A** to this Ordinance; and

WHEREAS, the City Council is authorized by Springfield Development Code (SDC) Article 5.7 and ORS Chapter 222 to accept, process, and act on annexations to the City; and

WHEREAS, consistent with SDC 5.7-125 and ORS 222.170(1), the Common Council of the City of Springfield initiated the annexation of said territory by adoption of Resolution 08-36 on July 21, 2008 (**Exhibit B**); and

WHEREAS, this annexation has been initiated in accordance with SDC 5.7-125 and ORS 222 and has been set for public hearing; and,

WHEREAS, the territory proposed to be annexed is within the *Eugene-Springfield Metropolitan Area General Plan* (more commonly known as the *Metro Plan*) urban growth boundary and is contiguous to the City limits [SDC 5.7-140.A]; and,

WHEREAS, the annexation is consistent with Policy 10, page II-C-4; Policy 16, page II-C-5; and Policy 21, page II-C-6, in the *Metro Plan* [SDC 5.7-140.B] requiring annexation to the City of Springfield as the highest priority for receiving urban services; and

WHEREAS, the minimum level of key urban facilities and services can be provided in an orderly and efficient manner as required in *Metro Plan* Policy 8, page II-C-4, and there is a logical area and time within which to deliver urban services and facilities [SDC 5.7-140.C]; and,

WHEREAS, a Staff Report (**Exhibit C**) was presented to the City Council with the Director's recommendation to modify the annexation area to include portions of Game Farm Road and Deadmond Ferry Road north of the intersection with Martin Luther King Jr. Parkway; and,

WHEREAS, a Staff Report was presented to the City Council with the Director's recommendation to concurrently annex the modified annexation area to the Lane County Metropolitan Wastewater Service District and Willamalane Park and Recreation District, as these special districts were service providers for the City [SDC 5.7-140.B]; and is consistent with the intergovernmental agreement between Lane County and Springfield regarding boundary changes dated May 21, 2008; and,

WHEREAS, a Staff Report was presented to the City Council with the Director's recommendation to concurrently withdraw the modified annexation area from the Rainbow Water & Fire District and the annexation area continues to serve as public infrastructure [SDC 5.7-140.B]; and,

WHEREAS, the Common Council of the City of Springfield has determined that the provision of city services to the subject area are necessary immediately for the health and safety of the City of Springfield to ensure there are no jurisdictional conflicts in the provision of emergency and police services; and,

WHEREAS, without an Emergency Clause the effective date of annexation is delayed until 30 days following the second reading and adoption of the enacting Ordinance by the Common Council, which is on or around August 19, 2009; and,

WHEREAS, on July 6, 2009, the Springfield Common Council conducted a public hearing and is now ready to take action on this application based on the recommendation and findings in support of modifying and approving the annexation requests, and the Rainbow Water & Fire District's withdrawal as set forth in the aforementioned Staff Report to the Council, incorporated herein by reference, and the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance.

NOW THEREFORE, THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

SECTION 1: The Common Council of the City of Springfield does hereby modify the proposed annexation to include portions of Game Farm Road right-of-way and Deadmond Ferry Road right-of-way within Township 17 South, Range 03 West, Section 15, Map 40 and Township 17 South, Range 03 West, Section 22, Map 00.

SECTION 2: The Common Council of the City of Springfield does hereby approve the modified annexation area to the City of Springfield, Lane County Metropolitan Wastewater Service District and Willamalane Park and Recreation District, said territory being described as follows:

Portions of Pioneer Parkway right-of-way, Martin Luther King Jr. Parkway right-of-way, Game Farm Road right-of-way, and Deadmond Ferry Road right-of-way located on Assessor's Maps Township 17 South, Range 03 West, Section 15, Map 40; Township 17 South, Range 03 West, Section 22, Map 00; Township 17 South, Range 03 West, Section 22, Maps 41 and 44; and Township 17 South, Range 03 West, Section 27, Map 11 as generally depicted and more particularly described in Exhibit A.

SECTION 3: The withdrawal of territory described in Section 2 above from the Rainbow Water & Fire District shall become effective on July 1, 2010.


SECTION 4: The City Manager shall send copies of this Ordinance as required by SDC 5.7-155.

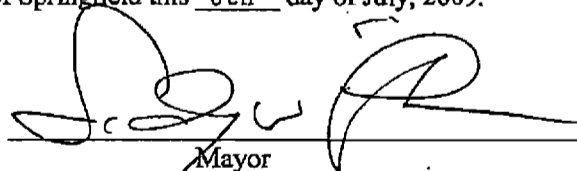
SECTION 5: It is hereby found and determined that matters relating to the provision of City services are matters affecting the public health, safety, and welfare and that an emergency therefore exists and this Ordinance shall take effect immediately upon adoption by the Council and approval of the Mayor.

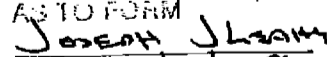
ADOPTED by the Common Council of the City of Springfield this 6th day of July, 2009, by a vote of 4 for and 0 against.

APPROVED by the Mayor of the City of Springfield this 6th day of July, 2009.

ATTEST:

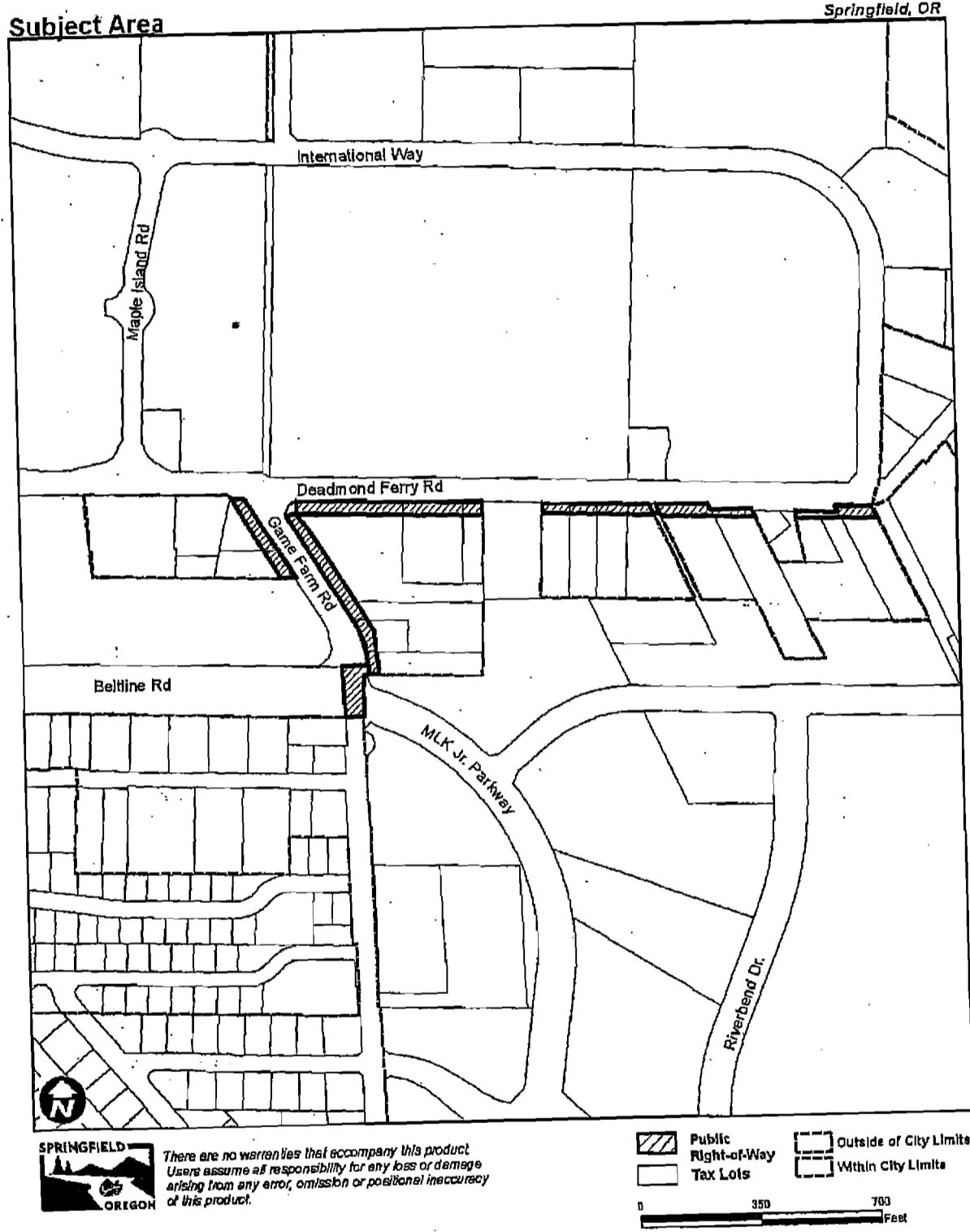

Julie Walker
City Recorder


Mayor

REVIEWED & APPROVED
AS TO FORM

DATE: 7/7/09
OFFICE OF CITY ATTORNEY

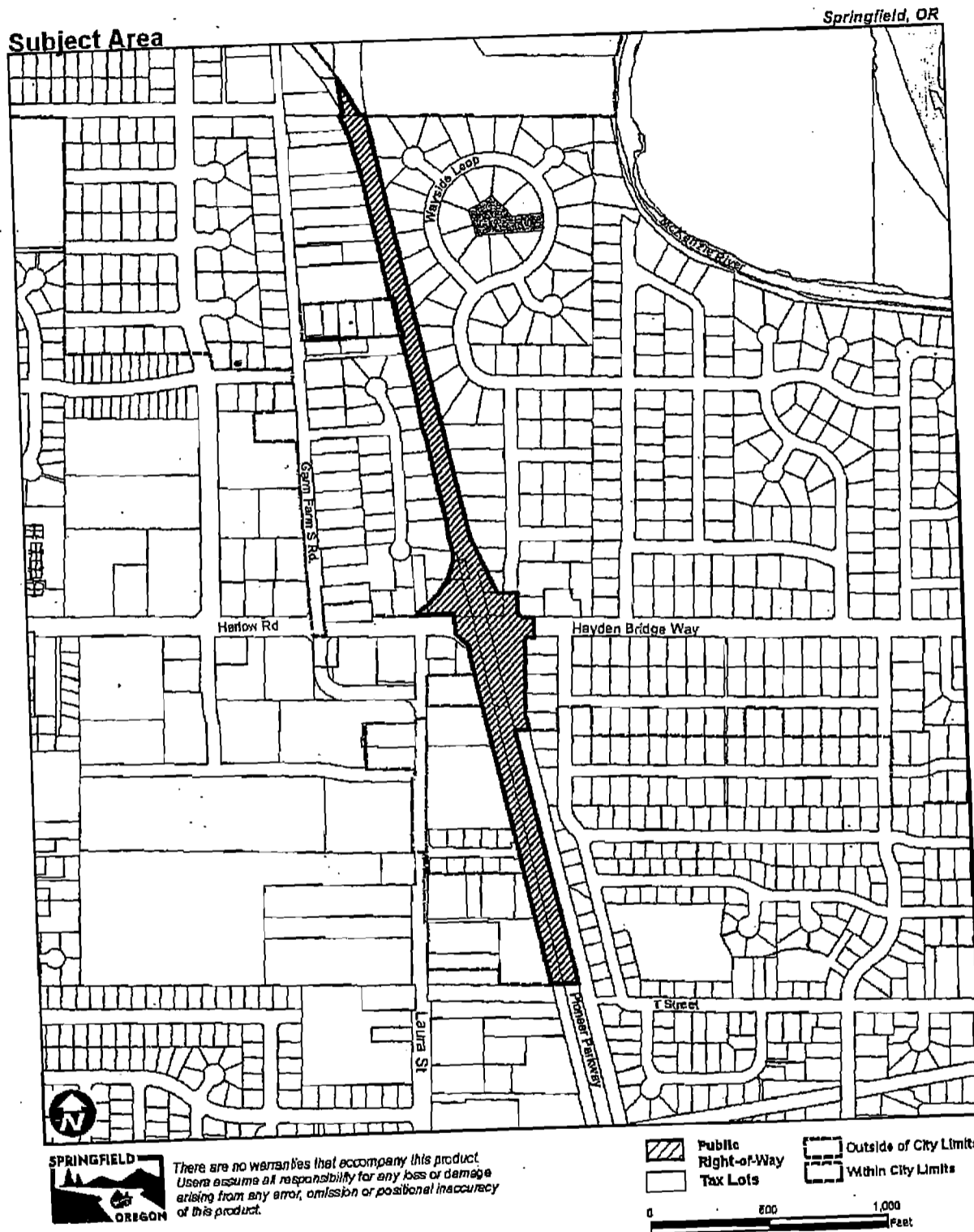
Date Received: 7/7/2009
Planner: AL

EXHIBIT A



Date Received: 7/7/2009
Planner: AL

EXHIBIT A (cont'd)



Date Received: 7/7/2009
Planner: AL

EXHIBIT A (cont'd)

Legal Description

Tract 1:

The South portion of Martin Luther King Jr. Parkway, including the Hayden Bridge Way intersection, and the North portion of Pioneer Parkway, further described as follows:

Beginning at the Northwest corner of Lot 11, Block 1 of Buena Vista, First Addition, filed and recorded in Book 20, Page 25, Plat Records of Lane County Oregon, said point being in the Southeast quarter of Section 22, Township 17S, Range 3W, of the Willamette Meridian, Lane County, Oregon;

1) Thence South $88^{\circ} 06' 40''$ East a distance of 26.54 feet, more or less, on the Northerly line of said plat of Buena Vista, which is also the current city limits line, to the current Easterly right of way line of Martin Luther King Jr. Parkway, formerly known as Southern Pacific Railroad (abandoned);

Thence leaving the current city limits line, on the said Easterly right of way the following 6 courses, numbered 2) through 7):

2) South $12^{\circ} 13' 50''$ East a distance of 1745.70 feet, more or less, to a point of curvature;

3) Thence on a non tangent curve turning to the left, with an arc length of 259.89 feet, with a radius of 1487.00 feet, with a chord bearing of South $19^{\circ} 20' 20''$ East, with a chord length of 259.56 feet, more or less, to a point;

4) Thence South $43^{\circ} 22' 54''$ East a distance of 21.03 feet, more or less;

5) Thence South $26^{\circ} 39' 05''$ East a distance of 36.14 feet, more or less;

6) Thence South $29^{\circ} 16' 06''$ East a distance of 32.42 feet, more or less;

7) Thence North $72^{\circ} 39' 32''$ East a distance of 22.45 feet, more or less, to a point on the Westerly right of way of Wayside Lane;

8) Thence South $88^{\circ} 06' 50''$ East a distance of 60.00 feet, more or less, across Wayside Lane to a point on the Easterly right of way;

9) Thence South $01^{\circ} 53' 10''$ West a distance of 100.08 feet, more or less, on the said Easterly right of way to a point of curvature;

10) Thence on a non tangent curve turning to the left, with an arc length of 31.22 feet, with a radius of 61.00 feet, with a chord bearing of South $63^{\circ} 34' 32''$ East, with a chord length of 30.88 feet, more or less, to a point on the Northerly right of way of Hayden Bridge Way, also known as County Road No. 439;

11) Thence on the Northerly right of way of Hayden Bridge Way South $88^{\circ} 05' 23''$ East a distance of 12.06 feet, more or less, to a point of intersection with the Northerly prolongation of the concrete/asphalt joint in said roadway;

EXHIBIT A-4

12) Thence leaving the Northerly right of way on the match line of the concrete-asphalt joint in Hayden Bridge Way South $01^{\circ} 54' 37''$ West a distance of 83.78 feet, more or less, to a point on the Southerly right of way of Hayden Bridge Way;

13) Thence on the Southerly right of way of Hayden Bridge Way North $89^{\circ} 40' 34''$ West a distance of 7.96 feet, more or less, to a point of intersection with the Easterly right of way of Pioneer Parkway East, also known as Third Street;

14) Thence leaving the Southerly right of way of Hayden Bridge Way and on the Easterly right of way of Pioneer Parkway East, which is also the Westerly line of Grovedale, as platted and recorded in Book 18, Page 25, plat records of Lane County, Oregon, South $02^{\circ} 00' 35''$ West a distance of 317.93 feet, more or less, to an angle point in said Easterly right of way of Pioneer Parkway East;

15) Thence leaving said plat boundary and continuing on said Easterly right of way South $12^{\circ} 13' 50''$ East a distance of 79.47 feet, more or less, to the intersection with the North line of Lot 6, Block 1 of said plat of Grovedale which is the current city limits line;

Thence on the existing city limits line the following 4 courses, numbered 16) through 19):

16) Thence on the now vacated North line of Lot 6 of said plat of Grovedale North $88^{\circ} 05' 23''$ West a distance of 19.55 feet, more or less, to the former Northwest corner thereof;

17) Thence on the now vacated Westerly boundary of said plat of Grovedale South $02^{\circ} 00' 35''$ West a distance of 166.84 feet, more or less, to a point of intersection with the Westerly right of way of Pioneer Parkway East which is also the Easterly right of way of the now vacated former Southern Pacific Railroad line;

18) Thence continuing on the last said right of way South $12^{\circ} 13' 50''$ East a distance of 935.87 feet, more or less, to an angle point in the city limits;

19) Thence leaving the last said right of way and across Pioneer Parkway West right of way on the city limits line, North $88^{\circ} 15' 24''$ West a distance of 113.35 feet, more or less, to a point on the Westerly right of way of Pioneer Parkway West, also known as Second Street;

20) Thence leaving the city limits line, on the Westerly right of way of Pioneer Parkway West, North $12^{\circ} 13' 50''$ West a distance of 483.26 feet, more or less, to a point that intersects a corner of the current city limits, said point also being the Southeast corner of Willowbrook as platted and recorded in Instrument No. 2004-044748, plat records of Lane County, Oregon;

21) Thence on the current city limits line and continuing on said Westerly right of way, North $12^{\circ} 13' 50''$ West a distance of 733.19 feet, more or less;

22) Thence leaving the current city limits line and continuing on said Westerly right of way, North $12^{\circ} 13' 50''$ West a distance of 134.70 feet, more or less, to a point that intersects a corner of the current city limits;

23) Thence on the current city limits line and continuing on said Westerly right of way, North $12^{\circ} 13' 50''$ West a distance of 53.31 feet, more or less, to an angle point in said current city limits, said point also being on the former Westerly right of way of Pioneer Parkway West;

EXHIBIT A-5

Thence leaving said Westerly right of way of Pioneer Parkway West and continuing on the current city limits line following 5 courses, numbered 24) through 28):

24) Thence on said former Westerly right of way of Pioneer Parkway West, North 12° 18' 23" West a distance of 82.70 feet, more or less;

25) Thence on said former Westerly right of way of Pioneer Parkway West, North 49° 32' 14" West a distance of 48.31 feet, more or less to a point on the former Southerly right of way of Hayden Bridge Way;

26) Thence on said former Southerly right of way of Hayden Bridge Way, North 88° 05' 23" West a distance of 7.50 feet, more or less;

27) Thence leaving said former Southerly right of way North 01° 54' 37" East a distance of 81.50 feet, more or less, across the right of way of Hayden Bridge Way to a point on the former Northerly right of way;

28) Thence North 88° 05' 35" West a distance of 212.64 feet, more or less, on said former right of way to a point of intersection with the Northerly right of way of Hayden Bridge Way;

Thence leaving the Northerly right of way of Hayden Bridge Way and the city limits line on the Westerly right of way of Martin Luther King Jr. Parkway the following 20 courses, numbered 29) through 48):

29) Thence North 83° 09' 10" East a distance of 39.46 feet, more or less;

30) Thence South 88° 06' 03" East a distance of 24.02 feet, more or less;

31) Thence North 82° 41' 38" East a distance of 37.47 feet, more or less;

32) Thence North 77° 22' 53" East a distance of 61.98 feet, more or less;

33) Thence North 53° 34' 34" East a distance of 20.58 feet, more or less;

34) Thence North 23° 04' 06" East a distance of 49.15 feet, more or less;

35) Thence North 44° 45' 43" East a distance of 40.36 feet, more or less;

36) Thence North 00° 16' 36" West a distance of 57.19 feet, more or less;

37) Thence North 12° 15' 53" West a distance of 98.96 feet, more or less, to a point on the Southerly line of that tract of land conveyed to IDA E. HODGIN, by that certain deed recorded June 7, 2005 at instrument number 2005-041497, Lane County Oregon Deed Records;

38) Thence South 81° 46' 50" East a distance of 5.60 feet, more or less, on the Southerly line of said deed to the current Southeast corner thereof;

39) Thence North 12° 13' 50" West a distance of 101.99 feet, more or less;

40) Thence North 17° 18' 37" West a distance of 45.18 feet, more or less;

EXHIBIT A-6

- 41) Thence North 14° 55' 32" West a distance of 32.04 feet, more or less;
- 42) Thence North 01° 13' 58" East a distance of 23.65 feet, more or less;
- 43) Thence North 12° 13' 50" West a distance of 749.69 feet, more or less, to a point that intersects a corner of the current city limits;
- 44) Thence on the current city limits line, North 12° 13' 50" West a distance of 162.29 feet, more or less;
- 45) Thence leaving the current city limits line, North 12° 13' 50" West a distance of 689.24 feet, more or less;
- 46) Thence North 14° 08' 23" West a distance of 90.05 feet, more or less;
- 47) Thence North 21° 18' 09" West a distance of 12.11 feet, more or less, to a point of curvature and a point on the current city limits line;
- 48) Thence leaving the current city limits line, on a non tangent curve turning to the right, with an arc length of 187.03 feet, with a radius of 899.59 feet, with a chord bearing of North 08° 50' 38" West, with a chord length of 186.69 feet, more or less, to a point of intersection with the Northeasterly boundary of the abandoned former Southern Pacific Railroad right of way, said point also being a point of intersection with the current city limits;
- 49) Thence on the current city limits line, leaving the Westerly right of way of Martin Luther King Jr. Parkway and on said abandoned former railroad right of way, on a non tangent curve turning to the right, with an arc length of 210.31 feet, with a radius of 985.04 feet, with a chord bearing of South 27° 10' 24" East, with a chord length of 209.91 feet, more or less, to the point of beginning.

Tract 2:

A portion of the Game Farm Road right of way where Pioneer Parkway Extension (Martin Luther King Jr. Parkway) meets Beltline Road, further described as follows:

Beginning at a point on the Easterly right of way line of Game Farm Road, also known as County Road No. 3, which bears North 88°52'20" East a distance of 65.00 feet, North 01°07'40" West a distance of 28.99 feet and North 02°24'44" West a distance of 286.56 feet, more or less, from the Northeast corner of Lot 11 of Zachary Place as platted and recorded in Book 75 on Pages 852 thru 854 of the Lane County Oregon Plat Records, said point of beginning also being a point on the current city limits line and being in the Northeast quarter of Section 22, Township 17S, Range 3W, of the Willamette Meridian, Lane County, Oregon;

Thence Northerly on said Easterly right of way line and the current city limits line the following 6 courses, numbered 1) through 6):

- 1) North 02°24'36" West a distance of 34.24 feet, more or less;

EXHIBIT A-7

- 2) Thence South $87^{\circ}34'37''$ East a distance of 5.02 feet, more or less;
- 3) Thence North $02^{\circ}24'36''$ West a distance of 122.68 feet, more or less;
- 4) Thence South $88^{\circ}13'23''$ East a distance of 8.99 feet, more or less;
- 5) Thence leaving the current city limits line, North $21^{\circ}43'28''$ West a distance of 11.96 feet, more or less;
- 6) Thence North $03^{\circ}46'14''$ West a distance of 3.94 feet, more or less, to the projection of the North right of way line of Beltline Road;
- 7) Thence leaving said Easterly right of way on said projected line, Westerly a distance of 17 feet, more or less, to a corner of the current city limits line;
- 8) Thence continuing on said projected line and on the current city limits line, Westerly a distance of 38 feet, more or less, to a corner of the current city limits line, said corner also being a point on the former Westerly right of way of said Game Farm Road;
- 9) Thence leaving said projected line, on said former Westerly right of way and the current city limits line, Southerly a distance of 120 feet, more or less to a corner of the current city limits line and the Southwest corner of the intersection of the current Westerly right of way of said Game Farm Road and the Southerly right of way of Beltline Road;
- 10) Thence leaving the current city limits line, on said current Westerly right of way, Southerly a distance of 56 feet, more or less, to a point which lies on the same line, when measured perpendicular to the centerline of Game Farm Road, as the point of beginning;
- 11) Thence leaving said current Westerly right of way North $87^{\circ}35'16''$ East a distance of 50 feet, more or less, to the point of beginning.

Tract 3:

A portion of the Game Farm Road North right of way that lies south of Game Farm Road East, being the West edge of Game Farm Road North and further described as follows:

A strip of land, 10 feet in width, more or less, which is West and perpendicular to the centerline of Game Farm Road in County Survey 14660 (1966) and County Survey 20782 (1977), said road also being known as County Road No. 3 and as Game Farm Road North (County Road No. 209), being in the Southeast quarter of Section 15, Township 17S, Range 3W, of the Willamette Meridian, Lane County, Oregon, and which is further described as follows:

Commencing at a point on the North line of the William M. Stevens DLC No. 46, Township 17S, Range 3W, of the Willamette Meridian, Lane County, Oregon; said point being South $89^{\circ}55'$ East a distance of 1588.8 feet, more or less of the intersection of the North line of said DLC with the centerline of the Oregon Pacific Railroad, also known as the S.P.R.R. (vacated), said point of intersection being, according to old county surveys and deed records, South $89^{\circ}55'$ East a distance of 383.80 feet from the Northwest corner of said DLC, and said point being a corner of the current city limits line;

EXHIBIT A-8

Thence on the current city limits line South 06°15' East a distance of 238.3 feet, more or less to a corner on the current city limits line;

Thence continuing on the current city limits line South 89°44' East a distance of 586.15 feet, more or less to a point that is 30 feet, more or less of said centerline of Game Farm Road, said point being the true point of beginning, said point also being a corner of the current city limits line;

1) Thence leaving the current city limits line Northerly on the Westerly right of way line of said Game Farm Road, North 33°34' West a distance of 96.31 feet, more or less, to a point;

2) Thence continuing Northerly on said Westerly right of way, North 33°34' West a distance of 178.31 feet, more or less, to the intersection of said line with the South right of way of Game Farm Road East, said road also being known as State Game Road and County Road No. 209;

3) Thence Westerly on said South right of way of Game Farm Road East, North 89°55' West a distance of 34.05 feet, more or less;

4) Thence Northerly continuing on said South right of way, North 11°25'50" East a distance of 10 feet, more or less to a point on the current city limits line;

5) Thence leaving said South right of way, on the current city limits line South 89°55' East a distance of 47 feet, more or less to a corner of the current city limits line, said point being 20 feet, more or less Westerly of the centerline of said Game Farm Road North per County Surveys 14660 and 20782;

6) Thence Southerly on the current city limits line South 33°34' East a distance of 286.90 feet, more or less, to a corner of the current city limits line, said point being 20 feet, more or less Westerly of the centerline of said Game Farm Road North per County Surveys 14660 and 20782;

7) Thence Westerly continuing on the current city limits line, North 89°44' West a distance of 12 feet, more or less to the point of beginning.

Tract 4:

A portion of the Game Farm Road North right of way that lies South of Deadmond Ferry Road, being the East edge of Game Farm Road North and further described as follows:

A strip of land of variable width, which is East of the centerline of Game Farm Road in County Survey 40328 (2007), said centerline being the same as in County Survey 20782 (1977) and County Survey 14660 (1966), said road also being known as County Road No. 3 and as Game Farm Road North (County Road No. 209), being in the Southeast quarter of Section 15, Township 17S, Range 3W, of the Willamette Meridian, Lane County, Oregon, and which is further described as follows:

Commencing at a point on the North line of the William M. Stevens DLC No. 46, Township 17S, Range 3W, of the Willamette Meridian, Lane County, Oregon; said point being South 89°55' East a distance of 2195.05 feet, more or less of the intersection of the North line of said DLC with the centerline of the Oregon Pacific Railroad, also known as the S.P.R.R. (vacated), said point of

EXHIBIT A-9

intersection being, according to old county surveys and deed records, South 89°55' East a distance of 383.80 feet from the Northwest corner of said DLC, and said commencement point being a total of 2578.85 feet, more or less from the Northwest corner of said DLC;

Thence South 00°08' East a distance of 15 feet, more or less to a point on the Southerly right of way of Deadmond Ferry Road (County Road No. 90), said point also being on the current city limits line;

Thence Southwesterly on the current city limits line, on the arc of a 40.00 foot radius curve to the left (the chord of which bears South 28°47'30" West a distance of 70.02 feet, more or less) a distance of 85.28 feet, more or less to a point on the Easterly right of way of Game Farm Road, said point being the true point of beginning;

1) Thence continuing Southeasterly and Southerly on the current city limits line and leaving said Easterly right of way, 470 feet, more or less to a point on the Easterly extension of the North right of way of Beltline Road;

2) Thence leaving the current city limits line and continuing on said Easterly extension of the North right of way of Beltline Road, Easterly 12.5 feet, more or less to a point on the Easterly right of way of Game Farm Road in said County Survey 40328, said point being shown on said County Survey as station "+92.70" and being offset "40 feet" Easterly of said centerline of Game Farm Road;

3) Thence Northerly on said Easterly right of way, on the arc of a 326.48 foot radius curve to the left (the chord of which bears North 15°04'36" West a distance of 131.87 feet, more or less) a distance of 132.79 feet, more or less to a point shown on said County Survey as station "+09.21" and being offset "40 feet" Easterly of said centerline of Game Farm Road;

4) Thence continuing Northerly on said Easterly right of way, on the arc of a 326.48 foot radius curve to the left (the chord of which bears North 29°12'13" West a distance of 28.20 feet, more or less) a distance of 28.21 feet, more or less to a point shown on said County Survey as station "+33.97" and being offset "40 feet" Easterly of said centerline of Game Farm Road;

5) Thence continuing Northerly on said Easterly right of way, North 30°22'33" West a distance of 263.80 feet, more or less to a point shown on said County Survey as station "L 26+97.70 P.C." and being offset "46 feet" Easterly of said centerline of Game Farm Road;

6) Thence continuing Northerly on said Easterly right of way, North 30°22'33" West a distance of 11.27 feet, more or less to a point shown on said County Survey as station "+18.02" and being offset "45.13 feet" Easterly of said centerline of Game Farm Road;

7) Thence North 42°26' West a distance of 47 feet, more or less to the point of beginning.

Tract 5:

A portion of Deadmond Ferry Road, being the South edge of said road from the intersection of Game Farm Road to Baldy View Road, and further described as follows:

A strip of land of variable width which lies between the North line of the William M. Stevens DLC No. 46 in Section 15, Township 17S, Range 3W, of the Willamette Meridian, Lane County, Oregon; and the South right of way of Deadmond Ferry Road, also known as County Road No. 90, as surveyed

EXHIBIT A-10

by L.B. Olson & Associates, Inc. in County Survey 32687 (1995); said strip being bounded on the East by the Northerly extension of the Westerly right of way line of Baldy View Lane and being bounded on the West by the Northerly extension of the East right of way line of Game Farm Road.

EXHIBIT B

RESOLUTION NO 08-36

A RESOLUTION INITIATING ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF SPRINGFIELD PURSUANT TO SECTION 5.7 OF THE SPRINGFIELD DEVELOPMENT CODE.

WHEREAS, the City Council is authorized by Section 5.7-125 of the Springfield Development Code to initiate annexation of contiguous property to the City Limits of Springfield, and

WHEREAS, the property to be annexed is publicly owned property and rights of way of the State of Oregon, and

WHEREAS, the territory to be annexed is within the Eugene-Springfield Urban Growth Boundary, is contiguous to the City of Springfield and can be provided with a full range of key urban services including sanitary sewer, water, storm drainage, police and fire protection, electrical service, land use controls, street lights and paved streets, recreational facilities and library.

WHEREAS, annexation procedures shall be initiated and followed in accordance with the public notice and hearing process, criteria of approval and ordinance adoption procedures contained in Springfield Development Code Section 5.7- Annexations.

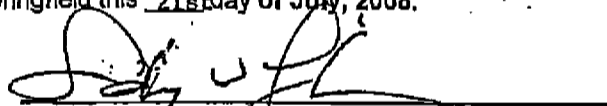
NOW THEREFORE THE CITY OF SPRINGFIELD DOES RESOLVE AS FOLLOWS:

Section 1: The Common Council of the City of Springfield does hereby announce its intention to conduct public hearings to consider annexation of territory generally described as publicly owned rights of way and public property located between existing City limits at the projected intersection of "T" Street with Pioneer Parkway to the intersection of Game Farm Road with Mallard Avenue as generally depicted on the attachments Exhibits 1 and 2.

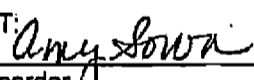
Section 2: This Resolution shall become effective upon its adoption by the Council and approval by the Mayor.

ADOPTED by the Common Council of the City of Springfield this 21st day of July, 2008, by a vote of 5 for and 0 against. (1 Absent)

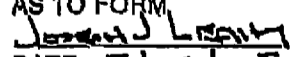
APPROVED by the Mayor of the City of Springfield this 21st day of July, 2008.



Mayor

ATTEST: 

City Recorder

REVIEWED & APPROVED
AS TO FORM

DATE: 7/7/08
OFFICE OF CITY ATTORNEY

Attachment 3-13

Date Received: 7/7/2009
Planner: AL

EXHIBIT C

(The Staff Report will be appended to the adopted ordinance)

Date Received: 7/7/2009
Planner: AL

**TYPE IV - ANNEXATION
STAFF REPORT AND RECOMMENDATION**



File Name: Martin Luther King, Jr. Parkway Annexation

Owner(s)/Applicant(s): City of Springfield

Case Number: C SP 2009 - LRP2009-00004

Proposal Location: Portions of Pioneer Parkway and Martin Luther King, Jr. Parkway rights-of-way between T Street and Mallard Avenue; portions of Game Farm Road right-of-way north of the intersection with Martin Luther King, Jr. Parkway; and portions of Deadmond Ferry Road right-of-way east of the intersection with Game Farm Road.

Existing Zoning: Not Zoned. Adjacent properties are zoned Low Density Residential (LDR); Medium Density Residential (MDR); Community Commercial (CC) and Mixed Use Commercial (MUC)

Zoning After Annexation: N/A

Metro Plan Designation: LDR, MDR and Mixed Use

Application Submittal Date: April 23, 2009

Associated Applications: ZON2008-00041 (Development Issues Meeting); PRE2009-00004 (Pre-submittal Application)

CITY OF SPRINGFIELD'S DEVELOPMENT REVIEW COMMITTEE

POSITION	REVIEW OF	NAME	PHONE
Project Manager	Planning	Andy Limbird	726-3784
Transportation Planning Engineer	Transportation Systems	Richard Perry	744-7134
Public Works Civil Engineer	Streets and Utilities	Eric Walter	726-1034
Deputy Fire Marshal	Fire and Life Safety	Gilbert Gordon	726-2293
Community Services Manager	Building	Dave Pucnt	726-3668

APPLICANT'S DEVELOPMENT REVIEW TEAM

POSITION	NAME	PHONE	MAILING ADDRESS
Owner	Lane County	682-6936	3040 N. Delta Hwy Eugene OR 97408
Owner	City of Springfield	726-3700	225 Fifth Street Springfield OR 97477

Data Received: 7/7/2009
Planner: AL

Review Process (SDC 5.7-115): The subject annexation application is being reviewed under Type IV procedures, without Planning Commission consideration.

Development Issues Meeting (SDC 5.7-120): A Development Issues Meeting (DIM) is required of all annexation applications.

Finding: A Development Issues Meeting (DIM) for the subject annexation was held on December 18, 2008 (Case ZON2008-00028).

Conclusion: The requirement in SDC 5.7-120 is met.

Annexation Initiation and Application Submittal (SDC 5.7-125): The City of Springfield may initiate an annexation by resolution in accordance with SDC 5.7-125.

Finding: The method of initiation meets the requirements of SDC 5.7-125.A & B.3 and ORS 222.111(2), which allows the legislative body of a city to initiate an annexation. The Springfield City Council initiated the annexation by adoption of Resolution 08-36 on July 21, 2008.

Finding: The City of Springfield, applicant, submitted the necessary annexation application forms and documentation as required in SDC 5.7-125.5 --15, and the application was determined to be a complete filing on April 23, 2009.

Conclusion: The application requirements in SDC 5.7-125 have been met.

Site Information: The annexation area described in Resolution 08-36 includes portions of Pioneer Parkway and Martin Luther King, Jr. Parkway rights-of-way generally located between T Street and Mallard Avenue (approximately 10.59 acres). Staff are recommending including fragmented portions of public street right-of-way at the intersection of MLK Jr. Parkway and Game Farm Road (0.23 acre); portions of Game Farm Road right-of-way north of MLK Jr. Parkway (0.18 acre); and portions of Deadmond Ferry Road right-of-way east of Game Farm Road (0.71 acre) with this annexation action. The modified annexation area totals approximately 11.71 acres. The subject annexation territory is intended to remain as fully developed urban streets. Annexing the portions of public street rights-of-way will ensure ownership, access control, and operational and maintenance responsibilities reside entirely with the City of Springfield. Additionally, annexation of the affected rights-of-way will ensure that potential jurisdictional conflicts between the City of Springfield and Lane County do not create confusion and delays in the provision of emergency services and police response within the subject territory.

Existing public services are provided to the annexation area as follows: police (Lane County Sheriff, Springfield Police Department), schools (Eugene 4J, Springfield School District 19), roads (Lane County, City of Springfield), and Fire (City of Springfield). Rainbow Water District provides service to unincorporated properties within the proposed annexation areas. Upon annexation, the City of Springfield will be entirely responsible for urban services, including police response, in the subject areas.

Notice Requirements (SDC 5.7-130): Consistent with SDC 5.7-130, notice was provided as follows:

Mailed Notice. Notice of the annexation application was mailed June 19, 2009, which is at least 14 days prior to the public hearing date, to the affected property owner(s) (the annexation areas are public facilities and not in private ownership); owners and occupants of properties located within 300 feet of the perimeter of the affected territory; affected neighborhood groups or community organizations officially recognized by the city that includes the affected territory; (including, but not limited to, Southwest Thurston Association, Washburne Neighborhood Association, East Alton Baker Association, and the Game Farm Neighbors Association); affected special districts and all other public utility

providers; and the Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners.

Newspaper Notice. Notice of the July 6, 2009 public hearing was published in *The Register-Guard* on June 30 and July 5, 2009.

Posted Notice. Notice of the July 6, 2009 public hearing was posted in eight public places in the City [in six locations in the area of the annexation; at the Springfield City Hall Development Services Division; and on the City of Springfield website] on June 22, 2009, for two successive weeks prior to the hearing date.

Neighborhood Open House Meeting. In addition to legally-required public notification (posting, mailed and newspaper notice), the City held a neighborhood information meeting on June 30, 2009 from 6:00 – 8:00 pm in the Emmanuel Baptist Church (3050 Game Farm Road). City staff attended the meeting to provide information and answer questions on the proposed annexation.

Finding: Upon annexation of the subject property to the City, the public street rights-of-way will retain the zoning of the adjacent properties, but the Urbanizable Fringe Overlay District (UF-10) will no longer apply. Due to this change, the Oregon Department of Land Conservation and Development (DLCD) was notified in writing of the annexation proceedings more than 45 days prior to the public hearing. Notification to DLCD was sent on May 5, 2009.

Conclusion: Notice of the public hearing was provided consistent with SDC 5.7-130.

Recommendation to City Council (SDC 5.7-135): The Director shall forward a written recommendation on the annexation application to the City Council based on the approval criteria specified in Section 5.7-140, which are provided as follows with the SDC requirements, findings, and conclusions. The Director's recommendation follows SDC 5.7-140, Criteria.

Criteria (SDC 5.7-140): The application may be approved only if the City Council finds that the proposal conforms to the following criteria:

- A. The affected territory proposed to be annexed is within the City's urban growth boundary; and is**
1. Contiguous to the city limits; or
 2. Separated from the City only by a public right of way or a stream, lake or other body of water.

Finding: The subject annexation is located within the acknowledged urban growth boundary (UGB) of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan). The linear annexation areas are contiguous to the Springfield city limits along portions of the delineated boundaries.

Conclusion: The proposal meets this criterion.

- B. The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans or Plan Districts;**

Finding: The *Metro Plan* was acknowledged by the Land Conservation and Development Commission (LCDC) in August, 1982 and has been subsequently amended. The annexation area is located within the acknowledged UGB of the *Metro Plan*. Territory within the UGB ultimately will be within the City of Springfield.

Finding: The *Metro Plan* recognizes that, ultimately, all territory within the UGB will be annexed to an existing city (Policy #10, page II-C-4; Policy #16, page II-C-5; and Policy #21, page II-C-6). Springfield is the unit of government identified in the *Metro Plan* to provide urban services to annexed territory.

Finding: The *Metro Plan* recognizes that as annexations to the City occur, existing special service districts within the UGB will be dissolved (Policy #18, page II-C-6). The continued annexation of properties and public street rights-of-way to the City of Springfield is consistent with the Metro Plan, which will result in the elimination of several special districts within the urbanizable area.

Finding: The annexation area is within the Rainbow Water District. The water district has service arrangements with the City's water utility provider (Springfield Utility Board) for provision of water and water system infrastructure to unincorporated areas within north Springfield. After the public hearing and if determined by the City Council that withdrawal is in the best interest of the City, the annexation area will be withdrawn from the Rainbow Water District consistent with ORS 222.510, 222.520, and 222.525 and Springfield Utility Board will provide water service directly to the annexed property.

Finding: After the public hearing and if determined by the City Council that annexation is in the best interest of the City, the annexation area will be annexed into the Lane County Metropolitan Wastewater Service District as authorized by an Intergovernmental Agreement (IGA) between the City of Springfield and Lane County. This special district was formed to provide the financing for the regional wastewater treatment plant serving wastewater users within the City of Springfield.

Finding: After the public hearing and if determined by the City Council that annexation is in the best interest of the City, the annexation area will be annexed into the Willamalane Park and Recreation District as authorized by an intergovernmental agreement between the City of Springfield and Lane County. The park district provides park and recreation facilities and services to territory within the City of Springfield.

Conclusion: The proposal meets this criterion.

- C. The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services as defined in the Metro Plan can be provided in an orderly efficient and timely manner, and**

Finding: The *Metro Plan* recognizes annexation as the highest priority for extending the minimum level of key urban facilities and services to urbanizable areas (Policies #8 and #10, page II-C-4).

Finding: The territory proposed for annexation will take advantage of urban service delivery systems that are already in place to serve this area. In addition to urban utilities, the following facilities and services are either available or can be extended to this annexation area:

Water – SUB Water provides water service to developed properties in this area of north Springfield. Upon annexation, the subject territory is not expected to require water service and will continue to function as urban streets. Existing water infrastructure within the annexed public rights-of-way will be maintained by the affected utility provider.

Electricity – SUB Electric provides service to developed properties in this area of Springfield. Upon annexation, the subject territory is not expected to require additional electrical service and will continue to function as urban streets.

Police Services – Springfield Police Department currently provides service to other properties in this general area already inside the City. The subject territory is within the joint jurisdiction of Springfield Police Department and Lane County Sheriff's Department. Emergency services and police response have been complicated by the jurisdictional gaps and overlaps within the proposed annexation area. Upon annexation, this area will receive Springfield Police services on an equal basis with properties inside the City. Annexation of the subject rights-of-way will increase the efficiency of emergency services and police response to this area.

Fire and Emergency Services – Fire protection is currently provided to the annexation area by the City of Springfield Fire & Life Safety. Upon annexation, the City will continue to provide fire and emergency services to the subject territory. The nearest Springfield fire station is located on Pheasant Avenue north of Hayden Bridge Way.

Emergency medical transport (ambulance) services are provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County. The annexation area will continue to receive this service consistent with the adopted ambulance service area (ASA) plan. Mutual aid agreements have been adopted by the three regional ASA providers to provide backup coverage for each other's jurisdictions.

Parks and Recreation – Park and recreation services are provided to the City of Springfield by the Willamalane Park and Recreation District. Indoor recreation facilities, such as the Willamalane Park Swim Center, Lively Park Swim Center, Memorial Building Community Center, and Willamalane Adult Activity Center will be available to residents as new development occurs. The park district offers various after-school and other programs for children at schools and parks throughout the community. Also available are pathways and several categories of parks, including community parks, sports parks, special use parks, and natural area parks. There are two neighborhood parks in the vicinity of the proposed annexation area: Robin Park and Gamebird Park. Concurrent with annexation to the City of Springfield, the subject area will be annexed to the Willamalane Park and Recreation District consistent with City policy, if the City Council determines that annexation to the special district is in the best interest of the City.

Schools – Eugene 4J School District serves the northern portion of the annexation territory. Existing schools – Bertha Holt elementary, Monroe middle, and Sheldon High School serve the neighborhood generally north of houses on Wayside Loop. Springfield School District 19 serves the southern portion of the annexation territory. Existing schools—Guy Lee elementary, Hamlin middle, and Springfield high—serve the neighborhood generally south of houses on Wayside Loop. However, it is not expected the annexed territory will contain any population.

Sanitary Sewer – The annexation area can be served by (or already contains) existing public sanitary sewer lines. The public rights-of-way do not require sanitary sewer service, but are typically used for routing of major public sewer lines. There is an existing 24-inch sanitary sewer line that runs within the northern segment of the Martin Luther King, Jr. Parkway right-of-way proposed for annexation. A 10-inch sanitary sewer line is located within the piece of Game Farm Road right-of-way at the intersection with Martin Luther King, Jr. Parkway. Finally, 8-inch and 10-inch sanitary sewer lines are located within Game Farm Road and Deadmond Ferry Road adjacent to the portions of right-of-way proposed for annexation. There are no immediate plans to install new or upgraded sewer lines within the annexed territory.

Concurrent with annexation to the City of Springfield, the annexation area will be annexed to the Lane County Metropolitan Wastewater Service District, if the City Council determines that annexation to the special district is in the best interest of the City.

Stormwater – Existing stormwater management system pipes are located within portions of Pioneer Parkway, Martin Luther King, Jr. Parkway, Game Farm Road and Deadmond Ferry Road. There are no plans to modify the existing stormwater management system with the proposed annexation. Any further development or redevelopment in the annexation area will require appropriate stormwater management techniques in accordance with City standards.

Streets – The subject street rights-of-way are developed to urban standards with curb and gutter, sidewalks (excepting portions of Martin Luther King, Jr. Parkway north of Hayden Bridge Way), street trees, bike lanes, and lane striping. There are no plans to modify the developed public streets with this annexation proposal.

City Council adopted a resolution to initiate annexation of the Martin Luther King, Jr. Parkway right-of-way on July 21, 2008. The Pioneer Parkway and Martin Luther King, Jr. Parkway rights-of-way requested for

annexation comprise approximately 10.59 acres. Staff has identified fragments of public right-of-way at the Martin Luther King, Jr. Parkway and Game Farm Road intersection; portions of Game Farm Road right-of-way north of the intersection with Martin Luther King, Jr. Parkway; and portions of Deadmond Ferry Road right-of-way east of the intersection with Game Farm Road that warrant annexation with this action. The additional recommended annexation area totals 1.12 acres. Consistent with current Springfield Public Works practice, street right-of-way is annexed only after it is improved to City standards. The sections of Game Farm Road and Deadmond Ferry Road proposed for annexation are developed to City standards and therefore meet this criterion. Additionally, the portion of Game Farm Road at Martin Luther King, Jr. Parkway is located within a signalized intersection that contains traffic control infrastructure such as detector loops. Annexation is desired to ensure the intersection and traffic control devices are entirely within the City's jurisdiction. Upon annexation, jurisdictional transfer of access control and maintenance responsibilities will be automatically conveyed to the City. Lane County has consented to annexation of the subject rights-of-way through adoption of County Commissioners Order 07-6-27-10 (Exhibit B).

The total area recommended for annexation, including the portions of Game Farm Road and Deadmond Ferry Road rights-of-way, is approximately 11.71 acres.

Solid Waste Management – The City and Sanipac have an exclusive franchise arrangement for garbage service inside the City limits. Upon annexation, Sanipac will serve this property. It is not expected that the public street rights-of-way will generate solid waste.

Communication Facilities – Various providers offer both wired and wireless communication services in the Eugene-Springfield metropolitan area. Existing providers and those entering the market have the capability to provide service to future development in this area.

Land Use Controls – The annexation area is within Springfield's portion of the urban growth boundary. Through an intergovernmental agreement between Lane County and the City of Springfield, the City already has planning and building jurisdiction for this property. The City will continue to administer land use controls after annexation.

Finding: The minimum level of key urban facilities and services, as defined on page V-3 of the Metro Plan, are either immediately available or can be provided within a reasonable future time frame as needed.

Conclusion: The proposal meets this criterion.

D. Where applicable fiscal impacts to the City have been mitigated through an Annexation Agreement or other mechanism approved by the City Council.

Finding: The City will assume ownership, maintenance and police/emergency services responsibilities for the public street rights-of-way upon annexation. The subject rights-of-way are contiguous with existing, developed streets that are owned and maintained by the City, and therefore represent a natural extension of existing maintenance and police/emergency services responsibilities. The elimination of a jurisdictional overlap between the City and Lane County should improve the efficiency of Springfield police and emergency services response within the annexation area.

Conclusion: The proposal meets this criterion.

DIRECTOR'S RECOMMENDATION: Modify the annexation area to include portions of Game Farm Road at the intersection with Martin Luther King, Jr. Parkway; portions of Game Farm Road north of the intersection with Martin Luther King, Jr. Parkway; and portions of Deadmond Ferry Road east of the intersection with Game Farm Road; approve the modified annexation of territory to City of Springfield, Lane County Metropolitan Wastewater Service District, and Willamalane Park and Recreation District, and withdraw the requested annexation area, as modified, from the Rainbow Water District.

City Council Decision (SDC 5.7-145): City Council approval of the annexation application shall be by Ordinance.

Finding: Without an Emergency Clause, the annexation will become effective 30 days following the second reading by City Council, which is on or around August 19, 2009 (assuming second reading at the July 20, 2009 City Council meeting). Springfield Police Department has expressed strong interest in eliminating the jurisdictional confusion and potential delays to emergency services and police response within the subject annexation territory. Upon annexation, the subject street rights-of-way will be entirely within the jurisdiction of Springfield Police Department.

Finding: The City Council held a Public Hearing on July 6, 2009 for the subject annexation request. Based on the staff analysis and recommendation, and on testimony provided at the Public Hearing, the City Council approved the annexation area as modified (Maps 17-03-15-40; 17-03-22-00; 17-03-22-41; 17-03-22-44; and 17-03-27-11) per Ordinance No. _____, totaling approximately 11.71 acres.

Zoning (SDC 5.7-150): The annexation area is designated Low Density Residential, Medium Density Residential and Mixed Use in the *Metro Plan* and adjacent properties along the linear rights-of-way are variously zoned LDR/UF-10 (Low Density Residential with Urbanizing Fringe Overlay District), MDR/UF-10 (Medium Density Residential with Urbanizing Fringe Overlay District), LDR, MDR, Community Commercial (CC) and Mixed Use Commercial (MUC).

Finding: Upon the effective date of the annexation, the UF-10 overlay is automatically removed and the subject rights-of-way are absorbed within the adjacent zoning district consistent with the *Metro Plan* designation.

Effective Date and Notice of Approved Annexation (SDC 5.7-155): If the annexation is approved by the City Council on July 6, 2009 with an Emergency Clause, the Ordinance will become effective upon adoption by the City Council and execution by the Mayor.

Finding: City Council gave second reading to Ordinance _____ on _____, 2009. The Ordinance became effective consistent with SDC 5.7-155 and ORS Chapter 222 on _____, 2009.

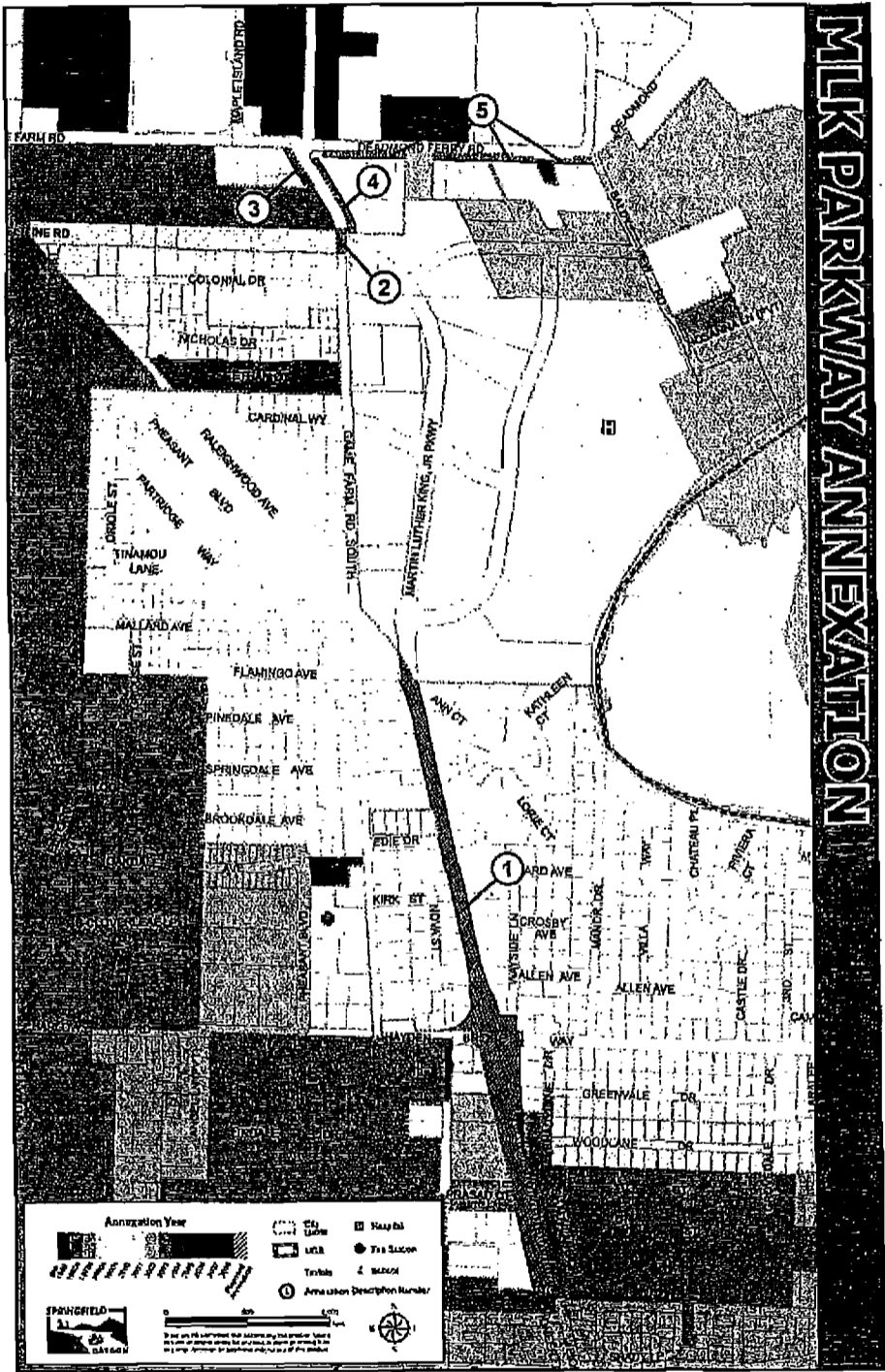
Withdrawal from Special Service Districts (SDC 5.7-160): Withdrawal from special districts may occur concurrently with the approved annexation Ordinance or after the effective date of the annexation of territory to the City. The Director shall recommend to the City Council for consideration of the withdrawal of the annexed territory from special districts as specified in ORS 222. In determining whether to withdraw the territory, the City Council shall determine whether the withdrawal is in the best interest of the City. Notice of the withdrawal shall be provided in the same manner as the annexation notice in Section 5.7-150.

Finding: The annexation area is within the Rainbow Water District. Consistent with SDC 5.7-160, notice was provided, a public hearing was held, and the City Council determined that withdrawal from the Rainbow Water District was in the best interest of the City. The withdrawal decision was codified in Ordinance No. _____.

Exhibits:

- A. Assessor's Maps showing strips of road rights-of-way recommended for annexation
- B. County Commissioners Order 07-6-27-10

EXHIBIT A



- ① Portions of Pioneer Parkway and Martin Luther King, Jr. Parkway rights-of-way
- ② Portion of Martin Luther King, Jr. Parkway and Game Farm Road rights-of-way
- ③ & ④ Portions of Game Farm Road right-of-way
- ⑤ Portions of Deadmond Ferry Road right-of-way

EXHIBIT B

BOOK 238 PAGE 0404

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORIGINAL

IN THE MATTER OF ACCEPTING A DEED OF LAND TO)
 BE USED AS PUBLIC AND COUNTY ROAD EASEMENT) ORDER NO.
 (CO. RD. NO. 2151, THIRD ST., AKA PIONEER PARKWAY) 07-6-27-10
 EAST) AND AUTHORIZING COUNTY ADMINISTRATOR'S)
 CONSENT TO ANNEXATION OF PROPERTY TO THE CITY)
 OF SPRINGFIELD (MARTIN LUTHER KING, JR.)
 PARKWAY AND THIRD ST.) (17-03-22 & 27))

THIS MATTER now coming before the Board of County Commissioners of Lane County, and the Board deeming it to be in the best interest of Lane County and the public to dedicate a portion of that certain tract of land conveyed to Lane County by warranty deed recorded November 5, 1973 on Reel 663, Recorder's Reception Number 7350074, Lane County, Oregon Deed Records; and

WHEREAS, the Lane County Board of Commissioners have been provided a good and sufficient deed forever dedicating a portion of the land for public road purposes and expressly as a portion of County Road Number 2151 (Pioneer Parkway East, originally established as Third Street), and the Board of County Commissioners of Lane County deeming it proper, as a convenience for property owners in the area and as a benefit to the general public, to accept said deed for a public road easement; and

WHEREAS, the Board of County Commissioners of Lane County also deem it to be in the best interest of Lane County and the public to authorize Lane County Administrator's consent to the annexation of property described in the petition for annexation attached hereto and made a part hereof by this Order; and

NOW, THEREFORE, IT IS HEREBY ORDERED that the said deed shall be and is hereby accepted by the Board of County Commissioners of Lane County as a public road easement; and

IT IS FURTHER ORDERED that the right of way described in said deed is expressly accepted as a portion of County Road Number 2151 (Pioneer Parkway East, originally established as Third Street) by this Order; and

IT IS FURTHER ORDERED that authorization is hereby given to the County Administrator to sign said petition for annexation on behalf of Lane County; and

IT IS FURTHER ORDERED that this Order shall be entered in the records of the Board of County Commissioners' Journal of Administration and in the corresponding road records files of the County Surveyor's Office; and

IT IS FURTHER ORDERED that the deed and the petition for annexation be recorded in the Deed Records of the County and the Document Numbers be noted on this Order.

DATED this 27th day of June, 2007.

FILED
 JUL 02 2007
 COUNTY CLERK
 BY *[Signature]*

ORDER ACCEPTING DEED FOR COUNTY ROAD NO 2151 (Third Street (Pioneer Parkway East)) AND AUTHORIZING CONSENT TO ANNEXATION OF PROPERTY (Martin Luther King, Jr. Parkway and Third Street)
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BOOK 238 PAGE 0405
BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANE COUNTY, OREGON

ORIGINAL

DEPARTMENT OF PUBLIC WORKS
LAND MANAGEMENT DIVISION

LANE COUNTY BOARD OF
COMMISSIONERS

Approved JUNE 1, 2007.

By Craig Stajr
Chair

By Craig Stajr
(Craig Stajr) Interim Division Manager

APPROVED AS TO FORM

Date 6-14-07 Lane County

[Signature]
OFFICE OF LEGAL COUNSEL

Document Number 2007-45346 (Deed), Lane County, Oregon Deed Records.

Document Number 2007-45346 (Petition for Annexation), Lane County, Oregon Deed Records.

Attachments:

- Dedication with Dedication Map Attachment "A"
- Petition for Annexation including legal description and Annexation Map Exhibit "B"

ORDER ACCEPTING DEED FOR COUNTY ROAD NO 2161 (Third Street (Pioneer Parkway East)) AND AUTHORIZING CONSENT TO ANNEXATION OF PROPERTY (Martin Luther King, Jr. Parkway and Third Street)
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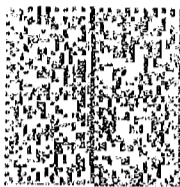
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CITY OF SPRINGFIELD
 DEVELOPMENT SERVICES DEPARTMENT
 225 5th ST
 SPRINGFIELD, OR 97477

Attention: Plan Amendment Specialist
 Dept. of Land Conservation & Development
 635 Capitol Street NE, Suite 150
 Salem, OR 97301-2540

