

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: An Ordinance Providing for Withdrawal of Annexed Properties from the River Road Park & Recreation District, and the River Road Water District

Meeting Date: January 28, 2013
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 4
Staff Contact: Becky Taylor
Contact Telephone Number: 541- 682-5437

ISSUE STATEMENT

The City Council is scheduled to take action on this request to withdraw previously annexed properties from special districts.

BACKGROUND

The City Council held the required public hearing on this item on January 22, 2013. No public testimony was received at the public hearing. The purpose of the ordinance is to remove annexed properties from the tax rolls of special service districts, which in this case are the River Road Park and Recreation District and the River Road Water District.

Annexation of these properties was approved by the City Council in 2012, at the request of the property owners. The City is now providing urban services to these properties; however, they remain on the tax rolls of special service districts until withdrawn.

These withdrawals come before the council on an annual basis. This year, the batch contains the three annexations approved in 2012 (for a total of five tax lots). Timing for adoption of the ordinance is critical. State statutes provide that any properties to be withdrawn must be withdrawn by March 31, 2013; otherwise those properties will remain on the tax rolls of special service districts until July 2013.

If the council finds that the withdrawals are in the City's best interest, the council is asked to adopt the attached ordinance, which provides for the withdrawal from special service districts of these annexed properties. Maps and legal descriptions of the properties to be withdrawn are provided as exhibits to the ordinance.

RELATED CITY POLICIES

The approval criterion for withdrawal from public service districts following annexation is contained in EC 9.7835, and corresponding statutory provisions at ORS 222.524, which require the City Council to find that approval of the withdrawal is in the best interest of the City.

COUNCIL OPTIONS

The City Council may consider the following options:

1. Approve the withdrawals by ordinance;
2. Approve the withdrawals by ordinance with specific modifications as determined by the City Council;
3. Deny the withdrawals by ordinance.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends adoption of the ordinance as drafted, providing for withdrawal of all listed territories by March 31, 2013.

SUGGESTED MOTION

I move to adopt Council Bill 5085 withdrawing territories from the River Road Park and Recreation District and the River Road Water District.

ATTACHMENTS

- A. Ordinance, including Exhibits A, B, and C (legal descriptions and maps of properties)

FOR MORE INFORMATION

Staff Contact: Becky Taylor, Associate Planner

Telephone: 541- 682-5437

Staff e-mail: becky.g.taylor@ci.eugene.or.us

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR WITHDRAWAL OF ANNEXED PROPERTIES FROM THE RIVER ROAD PARK & RECREATION DISTRICT, AND THE RIVER ROAD WATER DISTRICT.

The City Council of the City of Eugene finds that:

A. Notice of the proposed withdrawal of real property contained in the River Road Park & Recreation District, and the River Road Water District (“the Districts”) which have been annexed to the City, was published in the Register-Guard on January 8 and 15, 2013, and posted in four public places in the City of Eugene for a period of two successive weeks prior to the hearing date.

B. The Notice provided that a public hearing was set for January 22, 2013, at 7:30 p.m., in Harris Hall at the Lane County Public Service Building in Eugene, Oregon, to allow the City Council to hear objections to the withdrawals and to determine whether the withdrawals are in the best interest of the City.

C. The City is willing to assume the liabilities and indebtedness previously contracted by the Districts proportionate to the parts of the Districts that have been annexed to the City upon the effective date of the withdrawals as provided in ORS 222.520.

D. The withdrawals of the annexed territories from the Districts are consistent with adopted City policies, and are in the best interest of the City.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The following territories in Lane County, Oregon, annexed to the City of Eugene by Resolution of the Eugene City Council, are withdrawn from the River Road Park & Recreation District and from the River Road Water District, effective July 1, 2013:

File Name/Number: W. Dickinson Properties / A 11-1

Site Address: 925 River Road

Assessor's Map: 17-04-24-24; Tax Lots: 7701 and 7800

Location: East of River Road, north of McClure Lane, south of Oakleigh Lane, and more particularly described on Exhibit A attached to this Ordinance and incorporated herein by reference.

Annexation Approved: January 23, 2012, by Eugene Council Resolution #5052

Annexation Effective: January 26, 2012

File Name/Number: Satterwhite Family Trust / A 12-1

Site Address: 189 and 201 Crocker Lane

Assessor's Map: 17-04-25-21; Tax Lots: 2600 and 2801

Location: West of River Road, north of Crocker Lane, south of Hansen Lane, and more particularly described on Exhibit B attached to this Ordinance and incorporated herein by reference.

Annexation Approved: July 23, 2012, by Eugene Council Resolution #5066

Annexation Effective: July 30, 2012

File Name/Number: Robert and Jacqueline Getty

Site Address: Audel Avenue (no street number applicable)

Assessor's Map: 17-04-23-20; Tax Lot: 122

Location: West of Lake Drive, south of Howard Avenue, east of N. Park Avenue, and more particularly described on Exhibit C attached to this Ordinance and incorporated herein by reference.

Annexation Approved: July 23, 2012, by Eugene Council Resolution #5068

Annexation Effective: July 30, 2012

Section 2. The City Recorder is requested to forward a copy of this Ordinance to the above referred Districts.

Passed by the City Council this

28th day of January, 2013.

Approved by the Mayor this

____ day of January, 2013.

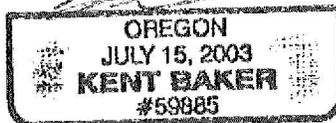
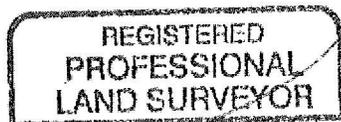
City Recorder

Mayor

Legal Description of Affected Territory to be Annexed

(Tax Lot #7701)

Commencing at the Southwest corner of the Benjamin Davis Donation Land Claim No. 45; thence East 4843.4 feet to a point on the easterly right-of-way line of River Road; thence along the easterly right-of-way line of River Road, parallel to and 30.00 feet from the centerline, North 17°00'00" West 365.94 feet to the intersection of the easterly right-of-way line of River Road with the northerly right-of-way line of McClure Lane; thence along the northerly right-of-way line of McClure Lane, East 155.10 feet; thence leaving the northerly right-of-way line of McClure Lane and running North 136.00 feet to the **POINT OF BEGINNING** of this tract of land; thence continuing North 89.90 feet; thence East 60.00 feet; thence South 89.90 feet; thence West 60.00 feet to the point of beginning, in Lane County, Oregon

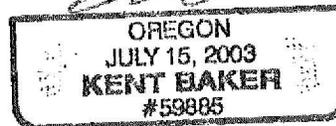
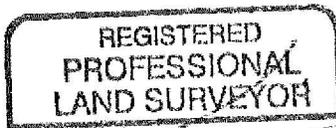


Expires 12-31-2011

Legal Description of Affected Territory to be Annexed

(Tax Lot #7800)

Commencing at the Southwest corner of the Benjamin Davis Donation Land Claim No. 45; thence East 4843.4 feet to a point on the easterly right-of-way line of River Road; thence along the easterly right-of-way line of River Road, parallel to and 30.00 feet from the centerline, North 17°00'00" West 523.42 feet; thence East 20.91 feet to a point being parallel to and 50.00 feet from the centerline of River Road and the **POINT OF BEGINNING** of this tract of land; thence along the easterly right-of-way line of River Road, parallel to and 50.00 feet from the centerline, North 17°00'00" West 78.74 feet; thence leaving the easterly right-of-way line of River Road and running East 203.25 feet; thence South 75.30 feet; thence West 180.23 feet to the point of beginning, in Lane County, Oregon



Expires 12-31-2011

W. Dickinson Properties (A 11-1)

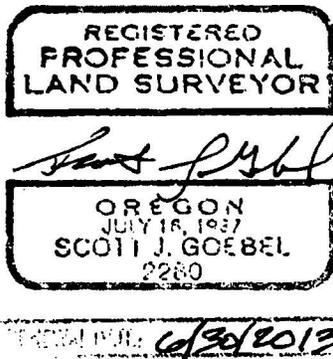


-  Withdrawal Area
-  Eugene City Limits



**LEGAL DESCRIPTION
TAX LOTS 2600 & 2801
MAP #17-04-25 21**

COMMENCING AT THE SOUTHWEST CORNER OF THE L. E. DAVIS DONATION LAND CLAIM NO. 42 IN TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN; THENCE EAST 3235.32 FEET; THENCE NORTH 8°40' WEST 116.82 FEET TO THE POINT OF INTERSECTION OF RIVER ROAD AND CROCKER LANE; THENCE FOLLOWING ALONG THE CENTERLINE OF CROCKER LANE NORTH 87°55'54" WEST 782.80 FEET; THENCE LEAVING SAID CENTERLINE, NORTH 2°04'06" EAST 20.00 FEET TO THE **TRUE POINT OF BEGINNING**, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY OF SAID CROCKER LANE; THENCE FOLLOWING ALONG SAID RIGHT-OF-WAY, NORTH 87°55'54" WEST 208.70 FEET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, NORTH 2°04'06" EAST 100.00 FEET; THENCE NORTH 87°55'54" WEST 70.00 FEET; THENCE NORTH 2°04'06" EAST 58.55 FEET; THENCE SOUTH 87°55'54" EAST 180.40 FEET; THENCE NORTH 2°04'06" EAST 1.60 FEET; THENCE SOUTH 87°55'54" EAST 98.30 FEET; THENCE SOUTH 2°04'06" WEST 160.15 FEET TO THE **TRUE POINT OF BEGINNING**, CONTAINING 37,345 SQUARE FEET, MORE OR LESS, ALL WITHIN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, LANE COUNTY, OREGON.



Satterwhite Family Trust (A 12-1)



-  Withdrawal Area
-  Eugene City Limits



Exhibit C
Page 1 of 2
Legal Description
Getty Annexation

Lot 8, Block 1, First Addition Audel Estates, as recorded on Book 61, Page 5, Lane County Deeds and Records, Lane County, Oregon

Getty, Robert & Jacqueline (A 12-2)



-  Withdrawal Area
-  Eugene City Limits

