

Planning & Development Planning

ANNEXATION APPLICATION

City of Eugene
 99 West 10th Avenue
 Eugene, Oregon 97401
 (541) 682-5377
 (541) 682-5572 Fax
 www.eugene-or.gov

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-14-32	03800	R-1/UL/WR;	17.52
		C-1/UL/WR	

Property Address: N/A

Plans for Future Development & Permit Number (if applicable): N/A

Public Service Districts:

Name			
Parks:	River Road Park and Recreation District		
Electric:	EWEB		
Water:	EWEB		
Sanitary Sewer:	City of Eugene		
Fire:	River Road WD		
Schools:	Elementary: Howard	Middle: Kelly	High: North Eugene
Other:			

Filing Fee

A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 8 copies of a site plan, drawn to an engineer's scale on 8 1/2" x 14" sheet of paper. Site plans shall include the following information:

- Show the date & north arrow on site plan.
- Show the Assessor's Map and Tax Lot number(s) on the site plan.
- Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- Show city limits & UGB (if applicable)
- Clearly label the affected territory and any public right of ways to be annexed.
- Show all adjacent streets, alleys, and accessways.
- Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- Show the location of all existing structures.

Other Application Requirements (Submit 5 copies of all)

- Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- Notarized Consent to Annexation form.
- A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- Summary of Urban Service Provision form.
- A county Assessor's cadastral map. *(Available at Lane County Assessment & Taxation)*
- Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 03800

Name (print): John W. Pennington Family Trust (Trustee: Thomas W. Pennington)

Address: 5117 Dudley Lane 302

Email: tom.pennington@areva.com

City/State/Zip: Bethesda, MD 20814

Phone: 301-941-1690 Fax:

Signature: Thomas W. Pennington - Trustee

Date: May 14, 2013

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

SURVEYOR:

Name (print): _____

Company/Organization: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

E-mail: _____

Signature: _____

Date: _____

REPRESENTATIVE (If different from Surveyor):

Name (print): Rick Satre

Company/Organization: Schirmer Satre Group

Address: 375 W. 4th Avenue. Suite 201

City/State/Zip: Eugene, OR 97401 Phone: 541-686-4540 x 2 Fax: 541-686-4577

E-mail: rick@schirmersatre.com

Signature:  Date: 5/17/13

****Attached additional sheets if necessary.**

April 26, 2013

PENNINGTON FAMILY TRUST
Annexation Application
Map 17-04-14-32, Tax Lot 3800

WRITTEN STATEMENT

In accordance with EC 9.7800, Annexation Application Procedures and Criteria, the applicant, the John W. Pennington Family Trust (Trustee: Thomas W. Pennington), is requesting that the City of Eugene review this annexation request and determine that the proposal complies with criteria contained in EC 9.7825 and that the requested annexation can be approved. To aid Eugene staff in this endeavor, the following information is provided.

I. The Site and Existing Conditions

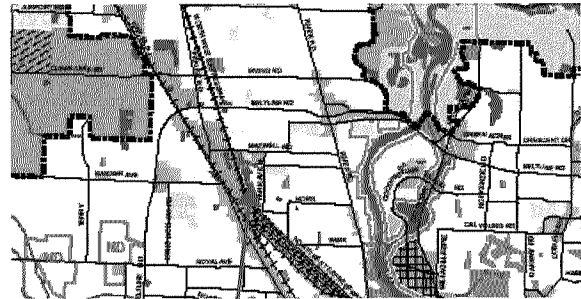
A. Planning Context

The Pennington property has a split Metro Plan land use designation of Medium Density Residential (MDR) and Commercial (C)¹. The applicable neighborhood refinement plan (the River Road-Santa Clara Urban Facilities Plan), shows a similar Medium Density Residential and Commercial land use split. The site has split zoning with Low Density Residential (R-1)² to the south and west and Neighborhood Commercial (C-1) to the northeast. Development of the property is subject to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan), the River Road-Santa Clara Urban Facilities Plan, and the Eugene Code, in particular Chapter 9 which governs land use.

The site is inside the Urban Grown Boundary (UGB) and outside the City Limits of Eugene (CL). The site is contiguous to existing City of Eugene city limits along its southwest, south and southeast boundaries. There is an overlay zone of Urbanizable Land (/UL/*) which regulates and limits land use on the site until annexation. It would be extinguished upon annexation.

Additional planning documents also apply to the subject property, including TransPlan, Parks and Open Space Plan (not adopted), Goal 5 Water Resources Conservation Plan, and the in-process Envision Eugene project (not adopted but provides helpful direction).

While not directly applicable to annexation approval criteria, each of these planning documents, and their applicability to the Pennington property, will become pertinent with later planning applications and/or development permits.



Excerpt
Metro Plan Diagram
December 2010

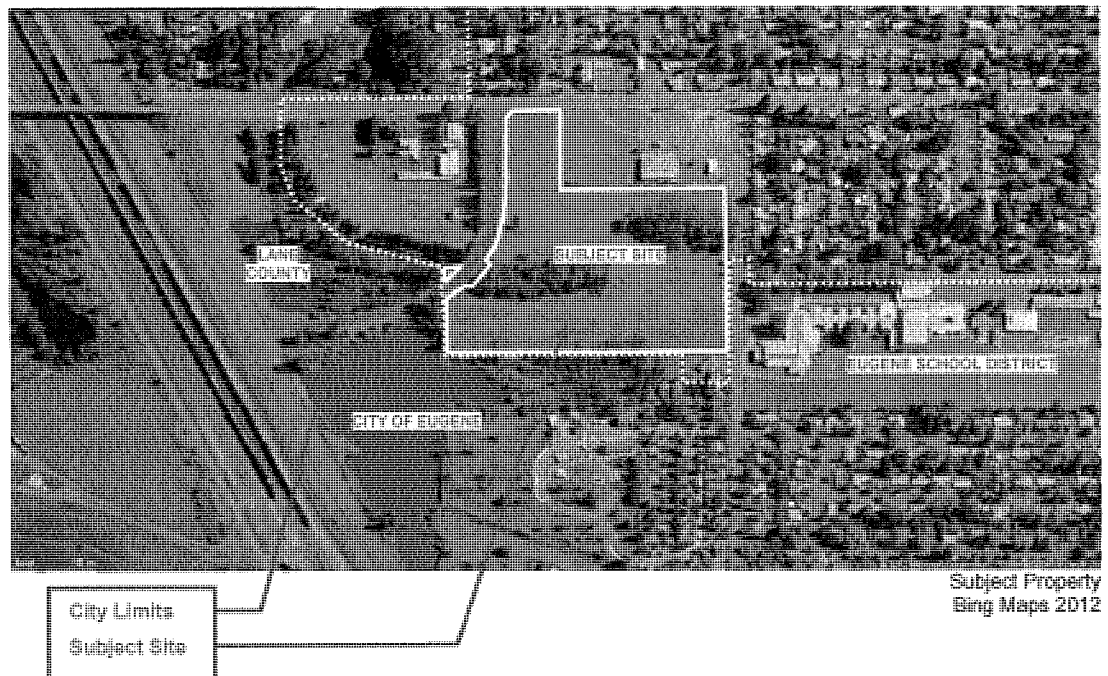
¹ The adopted Metro Plan Diagram is not tax lot specific, nor are the boundaries between different land use designations. Furthermore, the Metro Plan Diagram is valid at an 11x17 inch scale only. For the subject property, the southern portion of the site is Medium Density Residential with the northern portion designated Commercial. The dividing line runs east-west, more or less in alignment with Howard Avenue to the east.
² It is not uncommon for current zoning on a property to not coincide with land use jurisdictions. Land use designations represent the future use of the land. Zoning would need to be changed to match the long term designation prior to development approval.



B. Subject Site

The property is located in the northwest area of Eugene, in what is known as the River Road-Santa Clara neighborhood. The site itself is approximately 17.55 acres in size and is undeveloped. It is located to the south of Maxwell Road, abutting Maxwell Connector to the west and North Park Avenue to the east. To the west, across Maxwell Connector is a church with Lane County property to the west of that. To the south is City of Eugene park land. Southeast, across North Park Avenue is Eugene School District's Kelly Middle School and Howard Elementary School. To the east is existing low density residential use. North of the site, between the site and Maxwell Road at the corner of North Park Avenue is partially developed commercial property.

A short distance to the west is the Northwest Expressway, with the parallel Burlington-Northern rail line. Maxwell Road itself contains an overpass over the rail line and expressway. Maxwell Connector connects to the expressway. Northwest Expressway is a limited access minor arterial and the Burlington-Northern line is a main north-south rail line for the western United States. West of the expressway about 0.4 miles is Highway 99 North, a major arterial. East of the subject site, about 0.9 miles, is River Road, a major arterial. In addition to nearby schools and parks, regional shopping and employment centers are not too distant along both Highway 99 and River Road. Maxwell Road is a minor arterial.



The site is fairly flat and open. There are two jurisdictional riparian corridors/wetlands on the site. Known as Middle Flat Creek and Middle Flat Creek Wetlands, one of these (the westernmost one) is designated for protection and the other is not.

Soils are a mixture of gravelly silts with a few lenses of silty clay. Depth to ground water has not been mapped but is thought to be about 6 to 10 feet below the surface. The 100-year flood plain exists on the adjacent city and county property and occupies only a narrow strip of the subject property along its south and west property lines. The site historically drains to Middle Flat Creek to the west across Maxwell Connector.

II. **Annexation – Approval Criteria**

Annexation Approval Criteria are found in Section 9.7825 of the Eugene Code. Applicable sections of the Code are in *italics*, followed by proposed findings of facts in normal text.

9.7825 Annexation – Approval Criteria. *The city council shall approve, modify and approve, or deny a proposed annexation based on the application's consistency with the following:*

- (1) *The land proposed to be annexed is within the city's urban growth boundary and is:*
- (a) *Contiguous to the city limits; or*
 - (b) *Separated from the city only by a public right of way or a stream, bay, lake or other body of water.*

Response: The Pennington property is contiguous to existing City of Eugene city limits on its southwest, south and southeast boundaries. Therefore, this criterion is met.

- (2) *The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.*

METRO PLAN: Applicable Metro Plan policies and findings in support of this annexation request are as follows:

Growth Management

- *Policy 8a. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that: A minimum of key urban facilities and services can be provided to the area in an orderly and efficient manner.*

Response: Minimum key urban facilities and services as defined in the Metro Plan includes wastewater, stormwater, transportation, solid waste management, water service, fire and emergency medical service, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities and public schools on a district-wide basis (Metro Plan, Chapter V, Glossary, definition 24). As documented elsewhere in this Written Statement these key urban facilities and services can be provided to the subject site in an orderly and efficient manner.

- *Policy 10. Annexation to a city through normal processes shall continue to be the highest priority.*

Response: Annexation into the corporate limits of the City of Eugene is codified in the Eugene Code (EC) 9.7800-9.7835. Processes and procedures regarding application, annexation, approval criteria, effective date and notice, and withdrawal from special districts are, by submittal and processing of this Annexation Application, being followed.

- *Policy 16. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services.*

Response: The subject site is inside the Eugene jurisdiction of the metro area's Urban Growth Boundary. By this Annexation Application herein land within the UGB (the subject site) is being annexed and, as required by applicable approval criteria, will be provided with the minimum level of urban facilities and services.

- *Policy 18. As annexations to cities occur over time, existing special service districts within the UGB shall dissolve. The cities should consider developing intergovernmental agreements, which address transition issues raised by annexation, with the affected special service districts.*

Response: Special districts providing services to the subject property include River Road Park and Recreation District (for parks and recreation programs) and River Road Water District (for fire protection). The city of Eugene has intergovernmental agreements with these two entities. As codified in Eugene Code (EC) 9.7835, Annexation – Withdrawal from Public Service Districts Following Annexation, the Eugene City Council utilizes a set process to facilitate withdrawals from special districts.

- *Policy 21a. When unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by the following method: Annexation to a city.*

Response: Future development of the vacant subject property will require the provision of urban services. Annexation is the preferred method to enable urban service provision. Approval of this Annexation Application herein will satisfy this Metro Plan policy.

APPLICABLE REFINEMENT PLAN: The applicable refinement plan is the River Road-Santa Clara Urban Facilities Plan. Applicable annexation criteria and findings in support of the annexation request are as follows:

Chapter 1 – Sanitary Sewer Service Element

1.1 EXISTING POLICIES AND SITUATION

Policy 3 - The Metropolitan Plan specifies that cities are the sole providers of sewers in the metro area. The plan states that Eugene, through annexation, or a new city, will provide sewers to the River Road Santa Clara area.

Response: Eugene remains the responsible party for sanitary sewer service provision. Approval of this annexation application will enable this policy to be followed.

Chapter 2 – Lane Use Element

2.1 GENERAL LAND USE

Policy 1.0 - Minimize land use conflicts by promoting compatibility between land uses, especially among residential, commercial industrial, and commercial agricultural uses.

Policy 2.0 - Adopt zoning that is consistent with the land use diagram and policies contained in the land use element of the Urban Facilities Plan.

Policy 3.0 - Provide for land uses that conform to Metropolitan Plan goals and policies and that consider the provision of a full range of urban services in an efficient and cost-effective manner.

Response: Annexation into the corporate limits of Eugene will ensure land use conflicts are minimized through the eventual re-zoning in conformance with adopted plans and the use of development standards found in the Eugene Code. Annexation will allow for the full provision of key urban facilities and services.

2.2 RESIDENTIAL LAND USE

Policy 5.0 - Permit medium-density housing (10 to 20 dwelling units/acre) in proximity to existing or planned urban facilities. Access to commercial development, transit, and alternative modes of transportation, schools and parks, and open space should be considered. Medium-density residential development will be considered for the north Santa Clara area consistent with the above criteria.

Response: The subject property has a Medium Density Residential (MDR) designation in both the Metro Plan and River Road Santa Clara Urban Facilities Plan. There is nearby commercial development, transit, schools and parks. Annexation will enable eventual implementation of the MDR designation.

2.3 COMMERCIAL AND INDUSTRIAL LAND USE

Policy 6.0 - New neighborhood commercial uses shall be located away from River Road in locations that facilitate the provision of commercial facilities scaled to a residential area and that allow for dispersal of commercial uses throughout River Road-Santa Clara.

Response: In addition to the MDR designation, the subject property also has an area of Commercial (C) designation. The subject property is away from River Road and is in a location (on an arterial street and adjacent to existing commercial) which will enable the provision of neighborhood-scaled commercial uses in a dispersed manner.

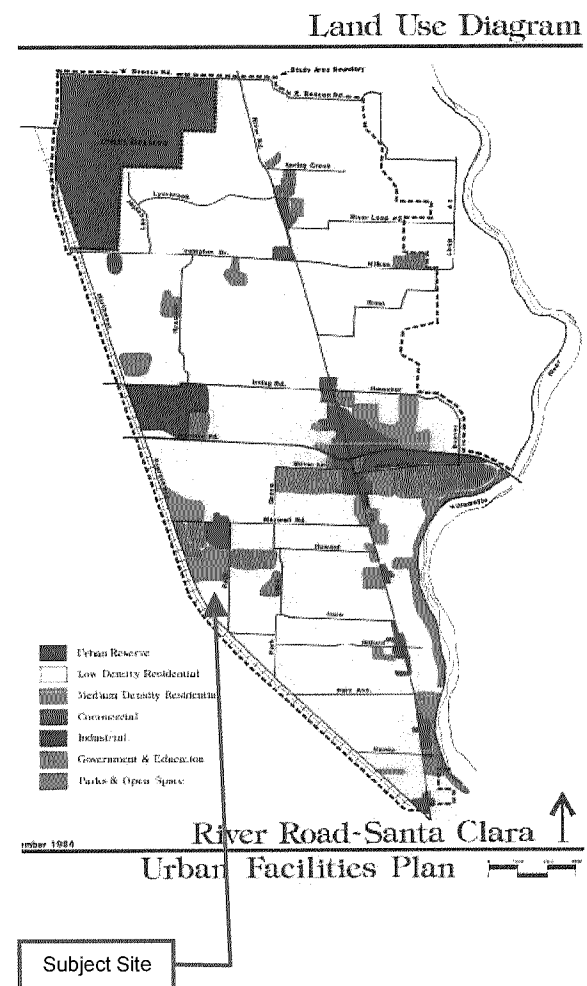
2.5 RIVER ROAD SUBAREAS

e. Maxwell/Park Avenue

Recommendation 2 - Recommend development of medium-density housing, while maintaining natural features, for neighborhood park and open space through use of clustering and site review.

Recommendation 3 - Concentrate medium-density development around the commercial node, with a transition to low-density, particularly at the northern and southern boundaries of the subarea.

Recommendation 5 - Maintain current commercial designation to the north of the line which would be Howard Avenue if ever extended westerly. Only commercial developments making unified use of five or more acres shall be allowed in the area.



Response: The subject property's existing land use designations are MDR and C. The site is adjacent to natural features to the west and a natural feature/city park to the south. It is adjacent to existing commercial land use, where the existing commercial designation would remain. Annexation to the City of Eugene would enable the implementation of site development standards and process requirements, including Site Review.

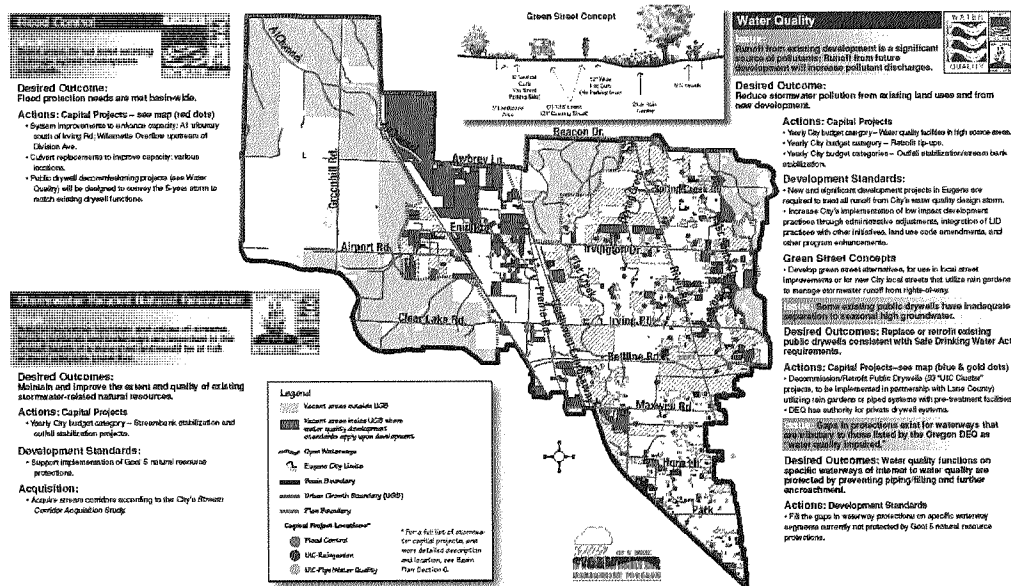
Chapter 3 – Public Facilities and Services Element
3.1 STORM SEWERS/DRAINAGE

Policy 3 - As annexation or incorporation occurs; a comprehensive drainage plan for the area shall be developed in cooperation with Lane County and other appropriate agencies.

a. *Identify and implement means of improving maintenance of existing drainage systems serving the area, recognizing that without maintenance the existing system will become inadequate.*

b. *Identify those portions of the open storm drainageways which can be retained and those which should be eliminated and provide sufficient right-of-way or easements for their continued maintenance.*

Response: The city of Eugene and Lane County have developed a comprehensive stormwater drainage plan. In the River Road-Santa Clara drainage basin, Water Quality Development Standards will apply. All site stormwater runoff will be required to be treated (vegetative treatment is preferred) before leaving the property.



3.2 FIRE

Policy 1 - As annexation occurs, Eugene shall provide for a level of fire and emergency services comparable to that received in the remainder of the city.

Policy 3 - As annexations or incorporation occur in the area, maintain or enhance present response times and levels of service to non-annexed areas.

Response: River Road Water District provides fire and ambulance service to the subject property (by and through a contract with the City of Eugene). Upon annexation, service will be provided directly by the City of Eugene. As the service provider is already the city, present response times will be maintained.

3.3 PUBLIC UTILITIES

Policy 1 - In accordance with the acknowledged Metropolitan Plan, special purpose water districts within the urban growth boundary ultimately shall be extinguished.

Policy 2 - EWEB shall continue to provide electrical service to its existing service area unless a newly-incorporated city, working through the Public Utility Commission, obtains service from another utility.

Response: EWEB is the current water and electric service provider for the subject site. Upon annexation, this will continue.

3.8 POLICE PROTECTION

Policy 1 – As annexation occurs, Eugene shall provide for a level of police service comparable to that received in the remainder of the city.

Response: Annexation of the subject property will enable city police protection to serve the subject property. Efficiency and economy of service will benefit in that existing city police services are present in the adjacent area already inside the city limits.

3.9 PARK AND RECREATION SERVICE

The River Road Park and Recreation District and the City of Eugene have entered into intergovernmental agreements which specify the process of transition from district to city operation of the park and recreation service.

Policy 2 - If an annexation involving at least 25 percent of River Road, Santa Clara, and/or a park subarea's undeveloped land occurs, the City of Eugene shall begin amending its Parks Master Plan to include the area annexed.

Response: Annexation of the subject property will not materially affect existing intergovernmental agreements. The subject annexation, together with all annexations since the adoption of the River Road Santa Clara Urban Facilities Plan, does not yet meet the 25 percent threshold.

Chapter 4 – Environmental Design Element

4.3 REUSE OF BORROW PITS AT MAXWELL AND NORTHWEST EXPRESSWAY

Policy 1 – Lane County shall investigate the possibility of developing the Maxwell gravel pits for recreational use or open space.

4.9 VEGETATED SLOUGHS

Policy 1 - During the development of a comprehensive drainage plan, existing vegetated sloughs shall be evaluated and mapped to establish those sections considered to be significant environmental resources for the plan area.

Response: While not directly related to annexation per-se, these two policies are related to the provision of a key urban service – storm drainage. The borrow pit directly west of the subject property, across Maxwell Connector, and the borrow pit south of the subject property, now part of a city park, continues to serve today as two components of the area's storm drainage system. As the City of Eugene and Lane County manage the comprehensive drainage plan, these borrow pits, which are also, in part, vegetated sloughs, should not only remain vegetated sloughs, riparian corridors, open space elements and, most importantly, an important link in the neighborhood's storm drainage system, they should also function to assist with drainage needs for neighboring property.

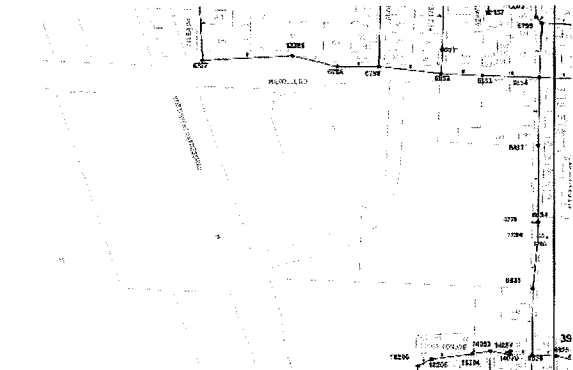
Given the above demonstrated compliance with the Metro Plan and applicable refinement plan, this criterion is met.

- (3) *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.*

Response: The minimum level of key urban facilities and services are available and have sufficient capacity to serve the site. The facility, provider and condition applicable to the site are as follows:

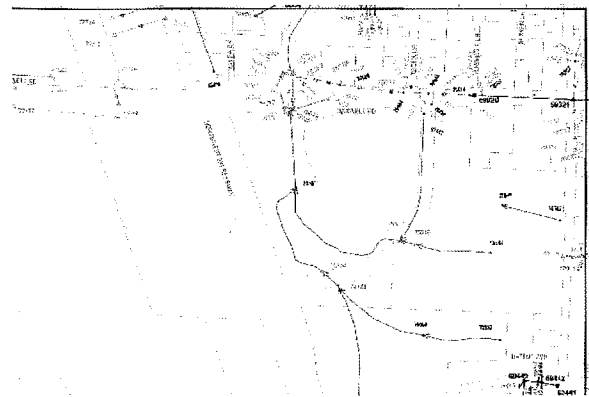
Wastewater

Public wastewater service is available to the site and is of sufficient capacity to serve the property at its planned medium density residential (MDR) and commercial (C) designation. An 8-inch line is in Park Street along the property's east boundary and an 8-inch to 18-inch line is in Maxwell Road along the property's north boundary.



Stormwater

Existing public stormwater facilities available to the site are a combination of piped system and open drainages. The piped system is comprised of a 54-inch and 60-inch line in Maxwell Road. The open drainageway system is comprised of an existing riparian swale running east-west in the property's southwest quadrant and two open swale/pond facilities south of the property and west of the property. The piped system drains into the open swale system as the system continues northward to the west of the subject site. The piped system does not have sufficient capacity to accommodate the development capacity of the property. Stormwater facilities for the site will need to be a combination of on-site detention/retention facilities (by way of vegetated bio-swales and/or rain gardens) connected to either/and/or one or both of the existing open swales/ponds to the south and west. At a Project Consultation Meeting (PC 13-24), staff indicated that this would be the required approach to providing stormwater management for the property. A stormwater study will be a required component of subsequent planning applications (i.e., Planned Unit Development and/or Site Review) and/or development permits.

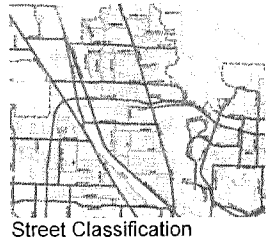


Transportation

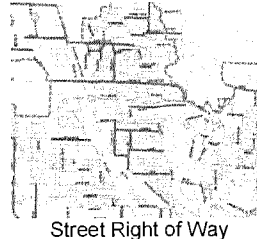
Streets – The property fronts three public streets - Maxwell, Maxwell Connector and Park. Maxwell, a minor arterial, and Maxwell Connector, a local street, are county facilities. Park, a neighborhood collector, is a city facility. Although none of the streets are improved to full urban standards, all three streets have their full right-of-way and determining future

improvement requirements will be a component of subsequent planning applications and/or development permits.

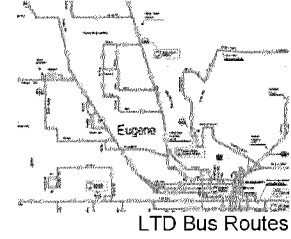
Transit – Lane Transit District has regular bus service on Park Street.



Street Classification



Street Right of Way



LTD Bus Routes

Solid Waste Management

Solid waste collection is provided by private firms, whose franchise territory granted by the City of Eugene includes the site. Regional disposal sites are operated by Lane County.

Water and Electric Service

Water and electric service is currently provided to the subject site. Eugene Water and Electric Board (EWEB) provide both water and electric service to the site. There is sufficient capacity to serve the property at its planned Medium Density Residential (MDR) and Commercial (C) capacities.

Fire and Emergency Medical Services

River Road Water District provides fire and ambulance service to the subject property (by and through a contract with the city of Eugene). Upon annexation, service will be provided directly by the City of Eugene.

Police Protection

Police protection is currently provided by Lane County. Upon annexation, the City of Eugene will provide police protection. With annexation police protection will be consistent with service provision throughout the city. Eugene Police currently serve the incorporated areas immediately to the south and southeast of the site. Infill annexations and development in this area increase the efficiency of service delivery.

City-Wide Parks and Recreation

The site is in the boundaries of the River Road Park and Recreation District. Upon annexation, parks and recreation services will be provided by the City of Eugene.

Land Use Controls

The subject property is inside the Eugene portion of the Metro Plan Urban Growth Boundary. The city of Eugene provides land use controls for the site.

Communication Facilities

US West Communications and a variety of other telecommunications providers offer communication services throughout the Eugene/Springfield Area.

Public Schools on a District-Wide Basis

Eugene School District is the k-12 education service provider. Howard Elementary School and Kelly Middle School are to the southeast of the site. North Eugene High School also serves this site. The full range of District school services is available to the property.

Given the above regarding public and private facility availability, this criterion is met.

III. Attachments

The following attachments are included with this application.

1. Petition for Annexation
2. Consent for Annexation
3. Legal Description of Affected Territory to be Annexed
4. Summary of Urban Service Provision
5. County Assessor's Cadastral Map
6. Census Information Sheet

IV. Conclusion

Based on the information contained in this written statement, the applicant believes that the requested Annexation can be approved.

If there are any questions regarding the above information, please do not hesitate to contact Rick Satre, AICP, at Schirmer Satre Group, 541-686-4540 or rick@schirmersatre.com.

Application #: C * 2008 - _____
For City Use Only

PETITION

- * CB = Coburg
- CR = Creswell
- FL = Florence
- OA = Oakridge
- CG = Cottage Grove
- EU = Eugene
- JC = Junction City
- SP = Springfield

Petition Signature Sheet
Annexation by Individuals

We, the following property owners/electors, consent to the annexation of the following territory to the City of *(Insert Name of City)*:

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	Land Owner	Reg Voter	Acres (qty)
<i>Thomas W. Pennington - Trustee</i>	<i>5/16/13</i>	<i>John W. Pennington Family Trust</i> Thomas W. Pennington - Trustee	N/A	17-04-14-32-03800	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.52
<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>
<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>
<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>
<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>

Note: With the above signature(s) I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Steve Balllock (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
X _____ (signature of circulator)

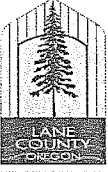
CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

DeWitt Nam
Lane County Department of Assessment and Taxation
Date Certified 5-20-13
Flume
Lane County Clerk or Deputy Signature
Date Certified 5/20/13

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 0. I hereby certify that this petition includes 0 valid signatures representing 0 (%) of the total active registered voters that are registered in the proposed annexation.



Property Account Summary

As Of 5/20/2013 Status: Active

Account No.: 0390474 **Alternate Property Number:** 1704143203800
Account Type: Real Property
TCA: 00412
Situs Address: ADDRESS UNKNOWN
OR
Legal: Section 14 Township 17 Range 04 Quarter 32 TL 03800

Parties:

Role	Name & Address
Owner	JOHN W PENNINGTON FAMILY TRUST % THOMAS W PENNINGTON 5117 DUDLEY LN 302 BETHESDA MD 20814
Taxpayer	JOHN W PENNINGTON FAMILY TRUST % THOMAS W PENNINGTON 5117 DUDLEY LN 302 BETHESDA MD 20814
Trustee	PENNINGTON THOMAS W 5117 DUDLEY LN 302 BETHESDA MD 20814

Property Values:

Value Name	2012	2011	2010
MKTTL	\$835,825	\$1,027,839	\$1,176,199
AVR	\$385,375	\$374,150	\$363,252
TVR	\$385,375	\$374,150	\$363,252

Property Characteristics:

Tax Year	Characteristic	Value
2012	Property Class	190 Potential dev vacant
	Change Property Ratio	1XX Residential
	Size	17.52
	Code Split	N
	Neighborhood	431500

Exemptions:

(End of Report)

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-04-14-32 / 03800 Address: N/A

Legal Description: See Attached.

In the corporate limits of said city, which is owned by the undersigned

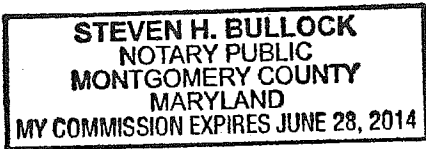
DATED this 8th day of May, 2013.

John W. Pennington Family Trust
By: Thomas W. Pennington - Trustee
Thomas W. Pennington - Trustee

STATE OF MARYLAND)
)ss
County of Montgomery)

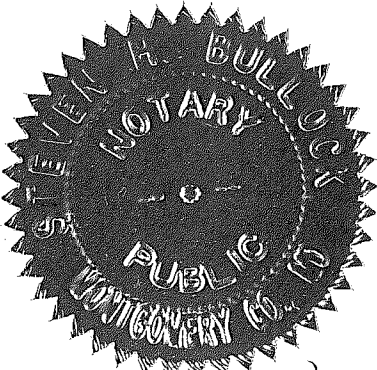
On this 8th day of May, 2013, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Thomas W. Pennington - Trustee, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Steven H. Bullock
Notary Public for Maryland
My Commission Expires 6/28/2014



Legal Description of Affected Territory to be Annexed

Map and Tax Lot 17-04-14-32-03800

Beginning at a point in the centerline of County Road No. 1008 (known as Maxwell Road), said point being 1226.5 feet South and 2229.50 feet South 89° 59' West from the Northeast corner of the James E. McCabe Donation Land Claim No. 46, in Township 17 South, Range 4 West of the Willamette Meridian; thence South 89° 59' West along said centerline 282.27 feet to the Northeast corner of that certain parcel of land described in deed to the Archdiocese of Portland in Oregon, recorded July 19, 1965, Reception No. 11500, Lane County Oregon Deed Records; thence South 0° 01' East 821.6 feet along the East line of said parcel to the Southeast corner thereof; thence North 78° 26' West along the Southerly line of said parcel, 131.73 feet to a corner in the most Easterly line of that certain parcel of land described in deed to Lane County, a political subdivision of the State of Oregon, recorded May 10, 1963, Reception No. 10072, Lane County Oregon Deed Records, thence South 0° 11' 20" East along the East line of said parcel 429.00 feet, more or less, to a point on the South line of that certain parcel of land described in deed to John W. Pennington recorded in Book 233, Page 187, Lane County Oregon Deed Records; thence East along said South line to a point on the centerline of County Road No. 1008 (known as Park Avenue); thence North to the point of intersection with the most Southerly line of that certain parcel of land described in deed to Lane County. A political subdivision of the State of Oregon, recorded December 24, 1964, Reception No. 86613, Lane County Oregon Deed Records; thence South 89° 59' West 30 feet along said South line to the Southwest corner thereof; thence North 0° 10' East along said West line 233.36 feet to a point on the South line of that certain parcel of land described in deed to George F. Wingard and Rhee Wingard recorded October 8, 1964, Reception No. 77372, Lane County Oregon Deed Records; thence South 89° 59' West along said South line 550.00 feet to the Southwest corner thereof; thence North 0° 10' East along the West line of said parcel, 413.93 feet to the Point of Beginning, in Lane County, Oregon.

Summary of Urban Service Provision

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name: John W. Pennington Family Trust

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation
(For example: Map 17-03-19-31, Tax Lot 100)

Map 17-04-14-32, Tax Lot 3800

Wastewater -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

 X will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:

An 8-inch line is in Park Street along the property's east boundary and an 8-inch to 18-inch line is in Maxwell Road along the property's north boundary.

_____ will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

Stormwater -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

No.

If no, how will stormwater be handled after development?

Stormwater facilities for the site will need to be a combination of on-site detention/retention facilities (by way of vegetated bio-swales and/or rain gardens) connected to either/and/or one or both of the existing open swales/ponds to the south and west. At a Project Consultation Meeting (PC 13-24), staff indicated that this would be the required approach to providing stormwater management for the property. A stormwater study will be a required component of subsequent planning applications (i.e., Planned Unit Development and/or Site Review) and/or development permits.

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway

Maxwell Road provides access to the site from both River Road and the Northwest Expressway. In addition to Maxwell Road, Maxwell Connector also provides access to the site from the Northwest Expressway.

Will dedication for additional street right-of-way be required upon further development of this site?

Yes No Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

Yes No Unknown

(For more information, contact the City of Eugene Public Works staff at (682-6004.)

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

Bramblewood City Park is located northwest of the site across Maxwell Road. Walnut Grove City Park is located adjacent to the site along the southern border while Emerald Park is in close proximity to the southeast

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

For River Road/Santa Clara area-

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services (Please indicate which fire district serves subject property.)

 Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

 X River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

Emergency medical transport (i.e., ambulance) services are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

Planning and Development Services -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

EWEB (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

Electric Service – Which electric company will serve this site?

EWEB

Water Service -- Please provide the size and location of the water main closest to your property.

The closest water main is a 6-inch cast iron pipe located on the north side of Maxwell Road.

Solid Waste -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

17041432
EUGENE

Attachment '5'

EUGENE
17041432

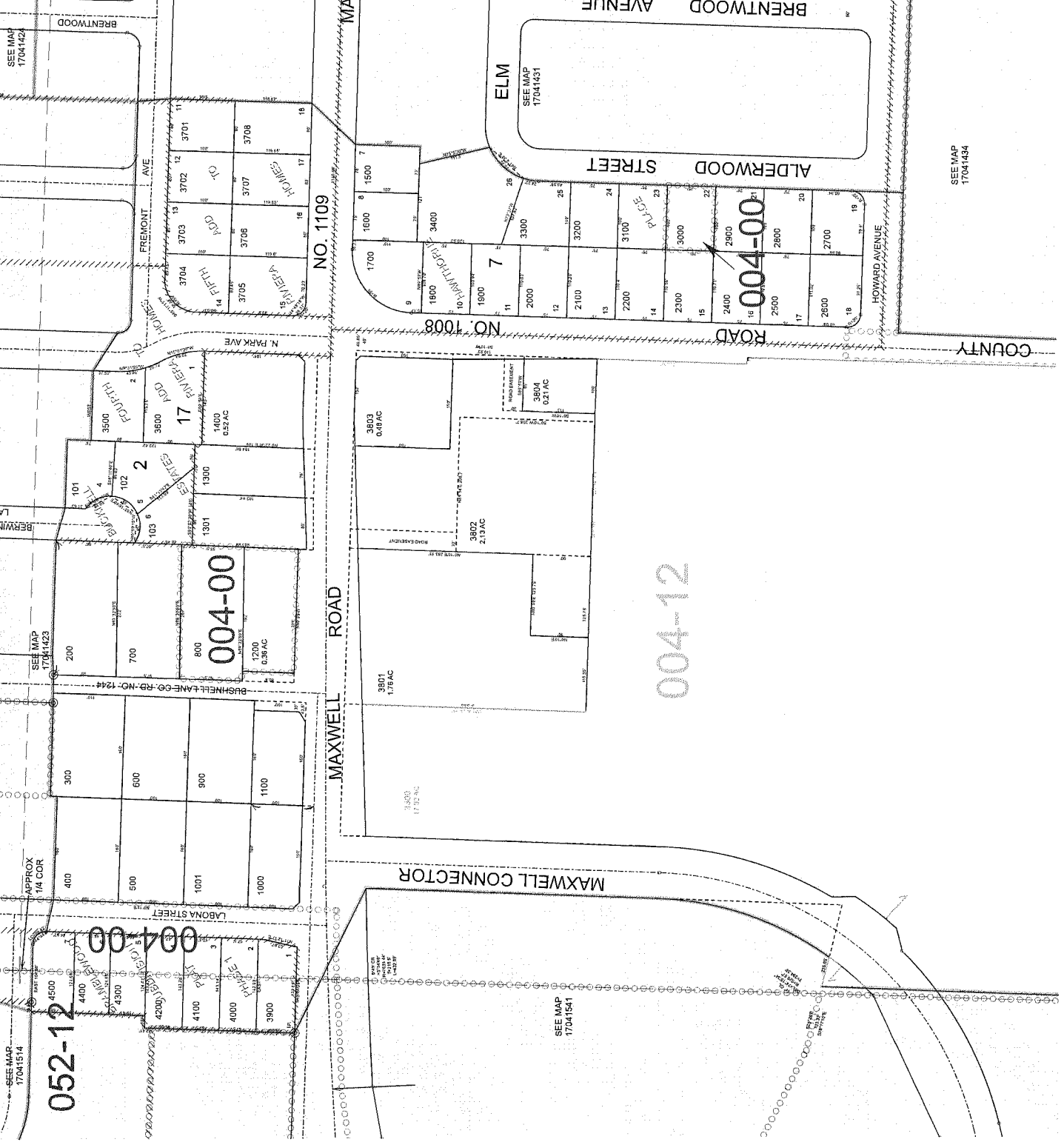
County Assessor's Cadastral Map (1)

N.W.1/4 S.W.1/4 SEC. 14 T.17S. R.4W. W.M.
Lane County

FOR ASSESSMENT AND
TAXATION ONLY

REVISIONS
98/10/02 - LOT 141 - CONVERT MAP TO GIS

Cancelled
100
3500
3700



Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: _____

Registered Land Surveyor

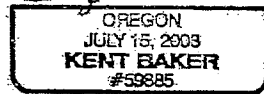
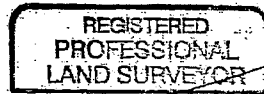
Print Name: _____

Kent Baker

Date: _____

6/11/13

Seal: _____



Expires 12-31-2013

Legal Description of Affected Territory to be Annexed

Map and Tax Lot 17-04-14-32-03800

A unit of land being situated in Southwest $\frac{1}{4}$ Section 14, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Commencing at the Northeast corner of the James E. McCabe Donation Land Claim No. 46, in Township 17 South, Range 4 West of the Willamette Meridian;

Thence South $89^{\circ}59'00''$ West 2229.50 feet and South $00^{\circ}00'00''$ East 1226.50 feet to a point in the centerline of County Road No. 1008 (known as Maxwell Road), said point being the **POINT OF BEGINNING** of this unit of land;

Thence along said centerline, South $89^{\circ}59'00''$ West 282.27 feet to the Northeast corner of that certain parcel of land described in deed to the Archdiocese of Portland in Oregon, recorded July 19, 1965, Reception No. 11500, Lane County Oregon Deed Records;

Thence along the East line of said parcel, South $00^{\circ}01'00''$ East 821.60 feet to the Southeast corner thereof;

Thence along the Southerly line of said parcel, North $78^{\circ}26'00''$ West 131.73 feet to a corner in the most Easterly line of that certain parcel of land described in deed to Lane County, a political subdivision of the State of Oregon, recorded May 10, 1963, Reception No. 10072, Lane County Oregon Deed Records;

Thence along the East line of said parcel, South $0^{\circ}11'20''$ East 429.00 feet to a point on the South line of that certain parcel of land described in deed to John W. Pennington recorded in Book 233, Page 187, Lane County Oregon Deed Records;

Thence along said South line, North $00^{\circ}00'00''$ East 987.79 feet to a point on the centerline of County Road No. 1008 (known as Park Avenue);

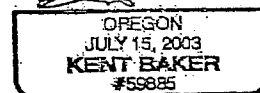
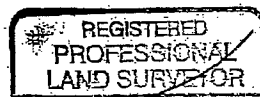
Thence along said centerline, North $00^{\circ}00'00''$ East 577.15 feet to the point of intersection with the most Southerly line of that certain parcel of land described in deed to Lane County, a political subdivision of the State of Oregon, recorded December 24, 1964, Reception No. 86613, Lane County Oregon Deed Records;

Thence along said Southerly line, South $89^{\circ}59'00''$ West 30.00 feet to the Southwest corner thereof;

Thence along the West line of said parcel, North $0^{\circ}10'00''$ East 233.36 feet to a point on the South line of that certain parcel of land described in deed to George F. Wingard and Rhee Wingard recorded October 8, 1964, Reception No. 77372, Lane County Oregon Deed Records;

Thence along said South line, South $89^{\circ}59'00''$ West 550.00 feet to the Southwest corner thereof;

Thence along the West line of said parcel, North $0^{\circ}10'00''$ East, 413.93 feet to the Point of Beginning, in Lane County, Oregon.



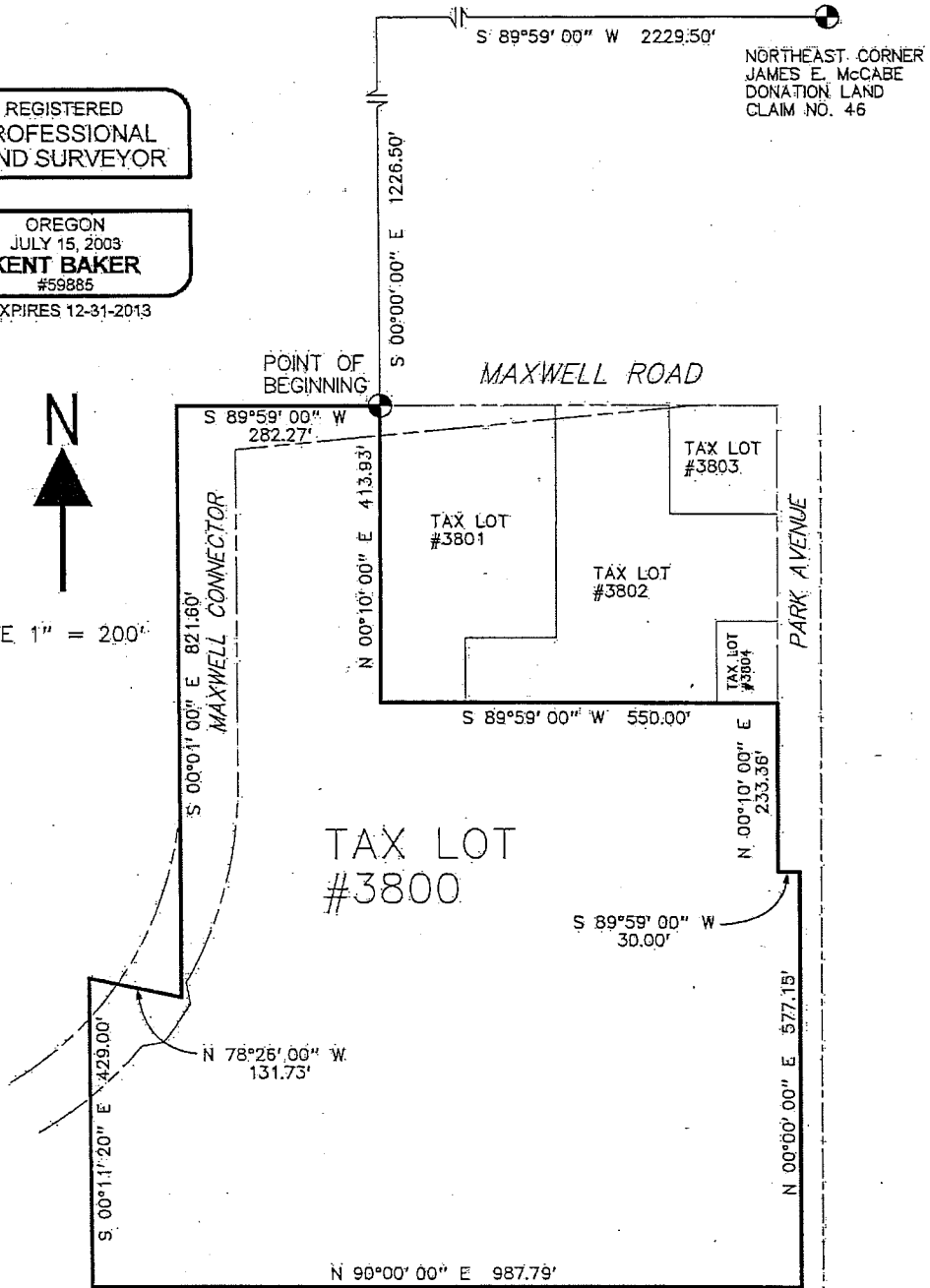
Expires 12-31-2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
KENT BAKER
#59865
EXPIRES 12-31-2013



SCALE 1" = 200'



L1.0

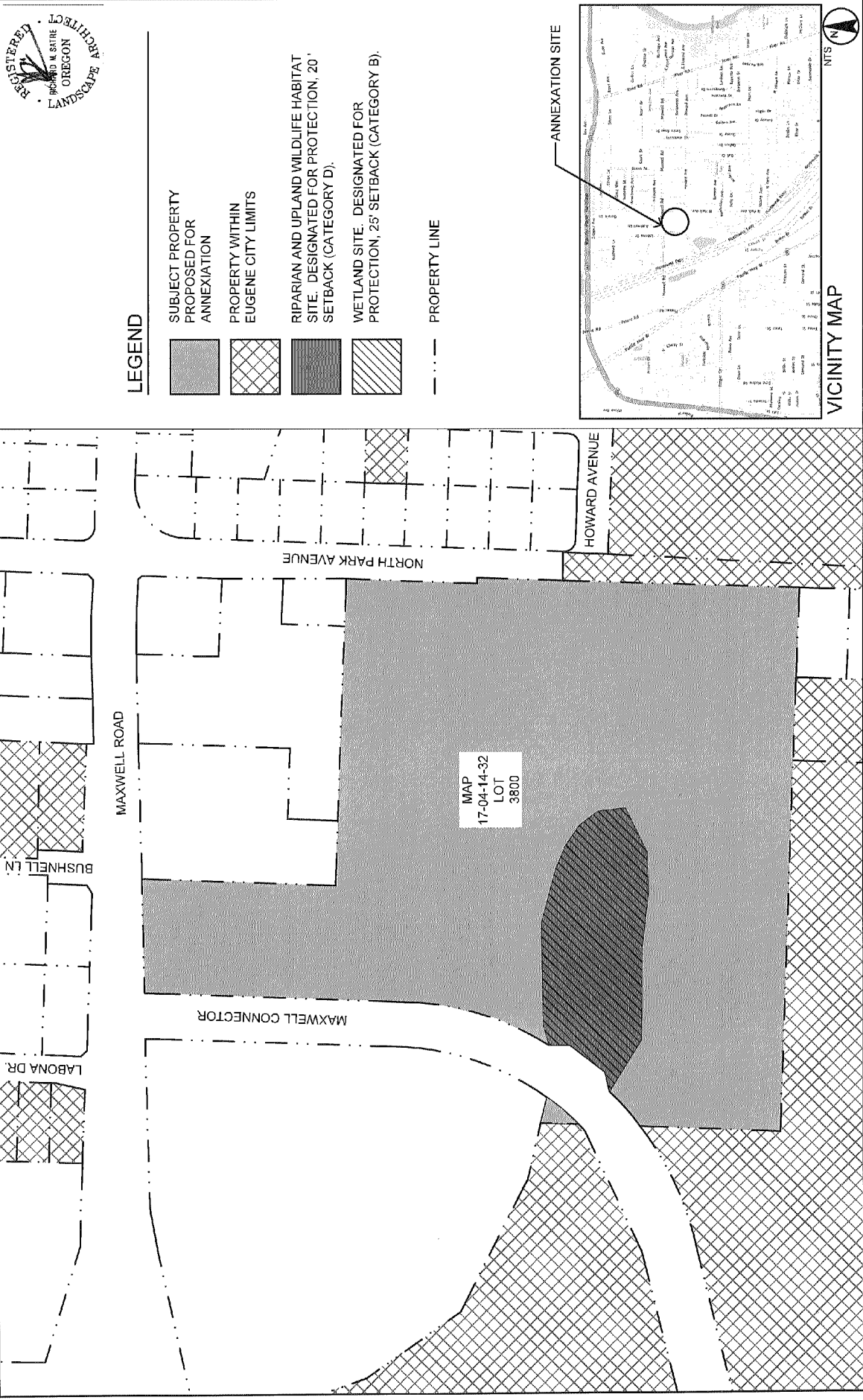
Project Number	
Drawn By	jm
Checked	ms
Date	4/30/2013

SITE PLAN






Pennington Annexation
Map and Tax Lot 17-04-14-32 - 03800

Scale: 1" = 200'-0"

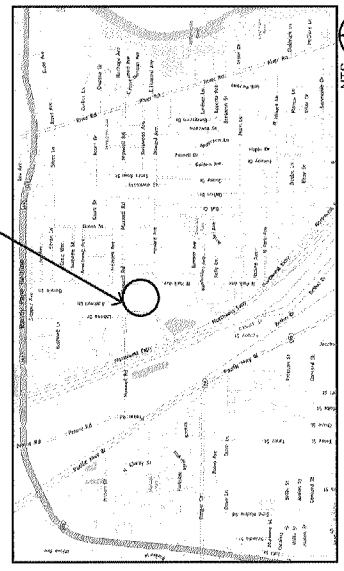
375 West 4th, Suite 201, Eugene OR 97401
Phone: 541.886.4540 Fax: 541.886.4577
www.schimmer.com



LEGEND

-  SUBJECT PROPERTY PROPOSED FOR ANNEXATION
-  PROPERTY WITHIN EUGENE CITY LIMITS
-  RIPARIAN AND UPLAND WILDLIFE HABITAT SITE. DESIGNATED FOR PROTECTION, 20' SETBACK (CATEGORY D).
-  WETLAND SITE. DESIGNATED FOR PROTECTION, 25' SETBACK (CATEGORY B).
-  PROPERTY LINE

ANNEXATION SITE



VICINITY MAP

