



COUNCIL RESOLUTION NO. 5419

RESOLUTION ANNEXING A PORTION OF THE RIGHT-OF-WAY OF MAXWELL ROAD TO THE CITY OF EUGENE (AREA IDENTIFIED AS A PORTION OF THE MAXWELL ROAD RIGHT-OF-WAY BETWEEN PRAIRIE ROAD AND NORTHWEST EXPRESSWAY (ASSESSOR'S MAP NO.17-04-15)).

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: July 22, 2024



RESOLUTION NO. 5419

RESOLUTION ANNEXING A PORTION OF THE RIGHT-OF-WAY OF MAXWELL ROAD TO THE CITY OF EUGENE (AREA IDENTIFIED AS A PORTION OF THE MAXWELL ROAD RIGHT-OF-WAY BETWEEN PRAIRIE ROAD AND NORTHWEST EXPRESSWAY (ASSESSOR'S MAP NO. 17-04-15)).

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by the City of Eugene on May 30, 2024, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of street right-of-way identified as that portion of the Maxwell Road right-of-way between Prairie Road and Northwest Expressway (Assessor's Map No. 17-04-15).

B. The area proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the right-of-way proposed to be annexed is attached to this Resolution as Exhibit B.

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Findings and Recommendation are attached to this Resolution as Exhibit C.

D. On June 21, 2024, a notice containing a description of the street right-of-way to be annexed and the Planning Director's preliminary recommendation was mailed to the applicant, owners and occupants of properties located within 500 feet of the perimeter of the areas to be annexed, and the Industrial Corridor Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on July 22, 2024.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based on the above findings and the Planning Director's Findings and Recommendation which are attached as Exhibit C and are adopted in support of this Resolution, it is ordered that the street right-of-way identified as that portion of the Maxwell Road right-of-way

between Prairie Road and Northwest Expressway (Assessor's Map No. 17-04-15), and which is more particularly described in the attached Exhibit B, is annexed to the City of Eugene.

Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation shall become effective in accordance with State law.

The foregoing Resolution adopted the 22nd day of July, 2024.



City Recorder

LAND ANNEXATION OF A PORTION OF
 MAXWELL ROAD (COUNTY ROAD 1008)
 SE $\frac{1}{4}$ SEC. 15, T17S, R4W, W.M.
 LANE COUNTY, OREGON

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR


OREGON
 January 12, 1999
 JAMES W. COLTON
 58756

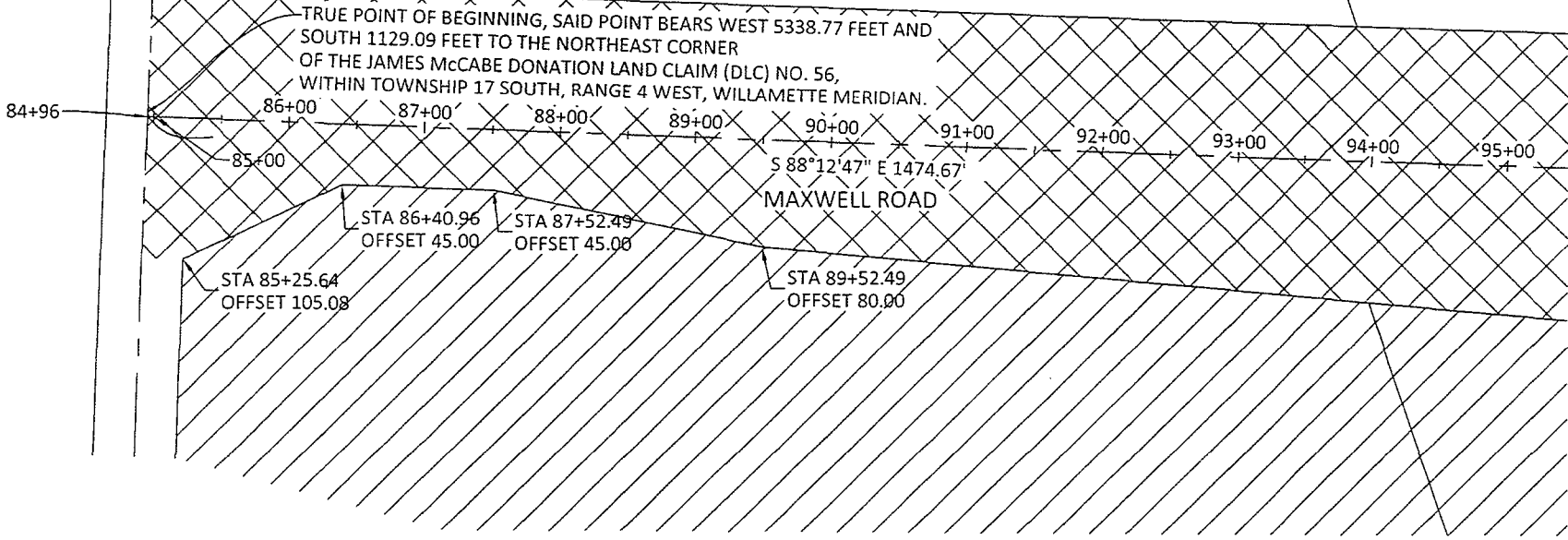
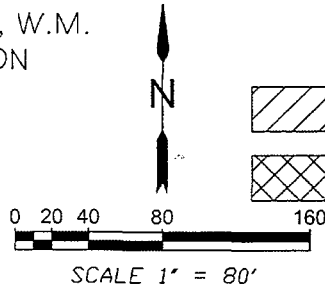
RENEWAL DATE: DEC. 31, 2023


STA 85+25.57
 OFFSET -100.00

LEGEND

 - CITY LIMITS

 - AREA TO BE ANNEXED

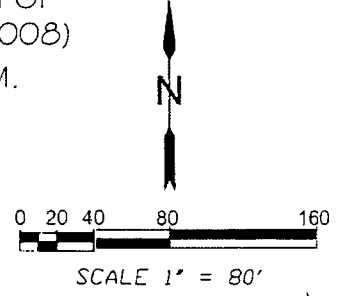
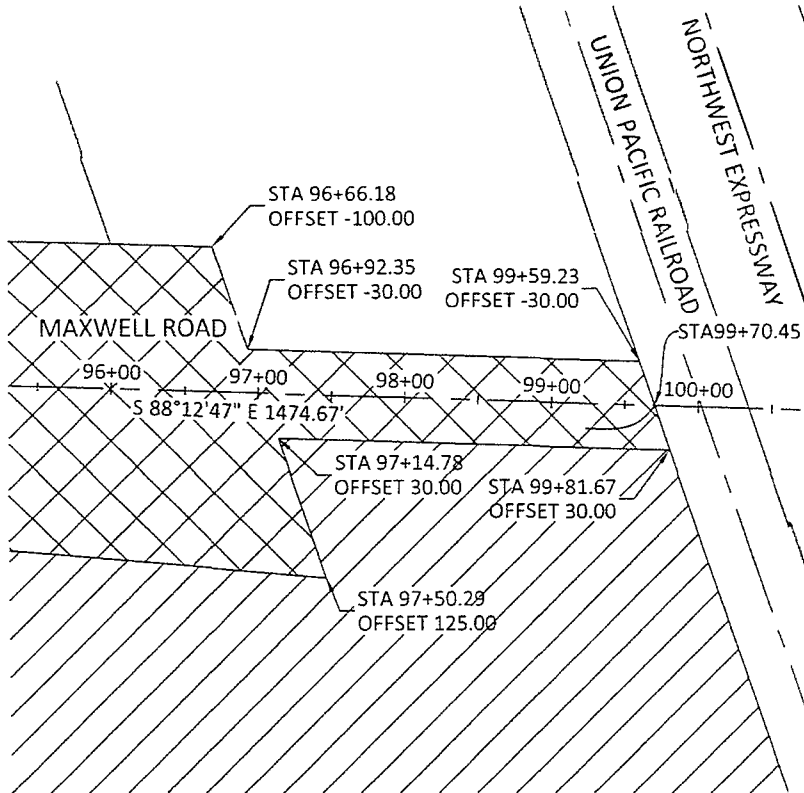


	CITY OF EUGENE	PROJECT NO. 900125
	PUBLIC WORKS ENGINEERING	DATE: DECEMBER 2023
	99 E. BROADWAY, SUITE 400, EUGENE, OR.	REVISED :
	HOWARD AVENUE ANNEXATION	SHEET 1 OF 2

LEGEND

-  - CITY LIMITS
-  - AREA TO BE ANNEXED

LAND ANNEXATION OF A PORTION OF
MAXWELL ROAD (COUNTY ROAD 1008)
SE¹/₄ SEC. 15, T17S, R4W, W.M.
LANE COUNTY, OREGON

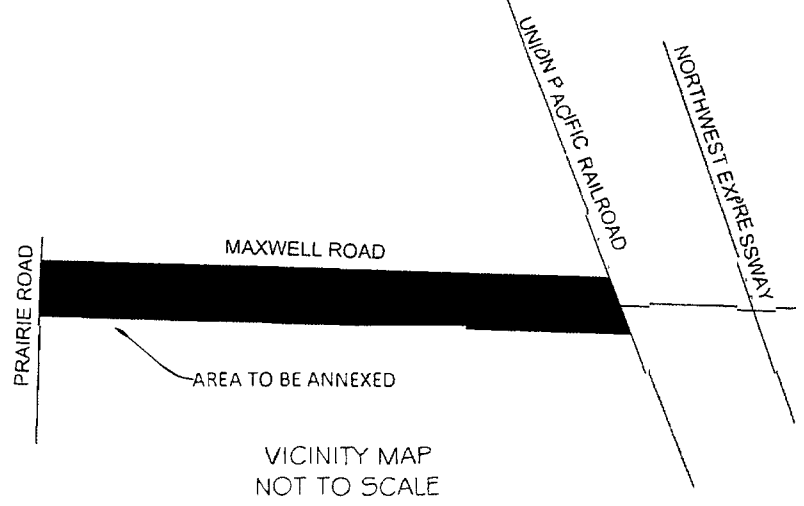


REGISTERED
PROFESSIONAL
LAND SURVEYOR

James W. Colton

OREGON
January 12, 1999
JAMES W. COLTON
58756

RENEWAL DATE: DEC. 31, 2023



PROJECT NO. 500125
DATE: DECEMBER 2023
REVISED:
SHEET 2 OF 2
CITY OF EUGENE
PUBLIC WORKS ENGINEERING
99 E. BROADWAY, SUITE 400, EUGENE, OR.
HOWARD AVENUE ANNEXATION



Maxwell Road (County Road No. 1008)
 Legal Description for Annexation
 Prairie Road to Bridge over the Railroad Tracks

EXHIBIT B

A strip of land variable in width lying on both sides of the centerline of Maxwell Road, County Road No. 1008, in the SE1/4 of Section 15, Township 17 South, Range 3 West, of the Willamette Meridian, Lane County, Oregon; the centerline and widths in feet being described as follows:

Commencing at a found Lane County brass cap marking the Northeast corner of the James McCabe Donation Land Claim (DLC) No. 56, Township 17 South, Range 4 West, of the Willamette Meridian; thence West 5338.77 feet and South 1129.09 feet to Center Line Station 84+95.78, said point being the true point of beginning; thence South 88°12'47" East 1758.83 feet to a point of curvature; thence along the arc of a 7639.44 foot radius curve to the left (the long chord of which bears N 89°24'13" East 635.37 feet) 635.56 feet to a point of tangency; thence N87°01'13" East 81.76 feet to a point of curvature; thence along the arc of a 7639.44 foot radius curve to the right (the long chord of which bears N 88°38'37" East 432.83 feet) 432.89 feet to a point of tangency and there ending, all in Lane County, Oregon.

The widths in feet of the strip of land herein described are as follows:

<u>STATION TO STATION</u>	<u>WIDTH ON NORTHERLY SIDE OF CENTERLINE</u>
85+25.57 POT 96+66.18 POT	100.00 feet
96+66.18 POT 96+92.35 POT	100.00 feet tapering on a straight line to 30.00 feet
96+92.35 POT 99+59.23 POT	30.00 feet
99+59.23 POT 99+70.45 POT	30.00 feet tapering on a straight line to 0.00 feet

<u>STATION TO STATION</u>	<u>WIDTH ON SOUTHERLY SIDE OF CENTERLINE</u>
85+25.64 POT 86+40.96 POT	105.08 feet tapering in a straight line to 45.00 feet
86+40.96 POT 87+52.49 POT	45.00 feet
87+52.49 POT 89+52.49 POT	45.00 feet tapering in a straight line to 80.00 feet
89+52.49 POT 97+50.29 POT	80.00 feet tapering in a straight line to 125.00 feet
97+50.29 POT 97+14.78 POT	125.00 feet tapering in a straight line to 30.00 feet
97+14.78 POT 99+81.67 POT	30.00 feet
99+81.67 POT 99+70.45 POT	30.00 feet tapering in a straight line to 0.00 feet

EXCEPT all that portion that have been previously annexed into the City of Eugene.

Bearings are based on the Oregon Coordinate System NAD83(91) – South Zone.

EXHIBIT B

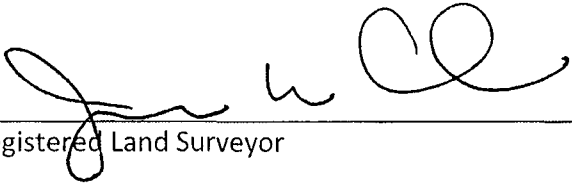
REGISTERED
PROFESSIONAL
LAND SURVEYOR

James W. Colton
OREGON 2023/12/11
January 12, 1999
JAMES W. COLTON
58756

RENEWAL DATE: DEC. 31, 2023

Certification of Description

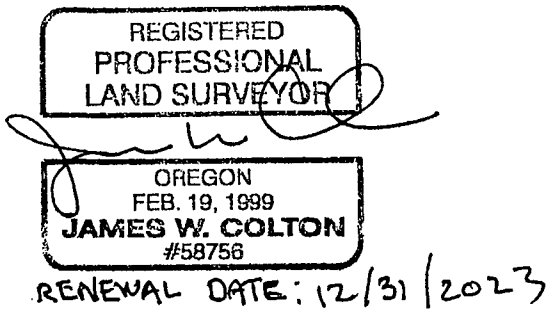
Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: 
Registered Land Surveyor

Print Name: JAMES W. COLTON

Date: 12/11/2023

Seal:





**Planning Director's Findings and Recommendation:
Annexation Request for Maxwell Road
(City File: A 24-8)**

Exhibit C

Application Submitted: May 30, 2024
Applicant: Jonathan Patrick, City of Eugene Public Works Engineering; 541-682-6854
Property Included in Annexation Request: Maxwell Road between Prairie Road and Northwest Expressway
Zoning: No applicable zoning (public street right-of-way)
Lead City Staff: Jeff Gepper, Senior Planner, City of Eugene Planning Division, 541-682-5282

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

EC 9.7825(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.	
Complies	Findings: The annexation area is within the Urban Growth Boundary and is contiguous to City limits, consistent with subsection (a).
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies	Findings: Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic text</i>):
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
	<p><i>Policy 1. The UGB and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of all urban services shall be concentrated inside the UGB. (page II-C-4)</i></p> <p><i>Policy 9. A full range of key urban facilities and services shall be provided to urban areas according to demonstrated need and budgetary priorities. (page II-C-5)</i></p> <p><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i></p> <p><i>Policy 15. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p>

	<p>As discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with <u>Metro Plan</u> growth management policies. The proposed annexation of Maxwell Road will increase the effectiveness and efficiency of services provided by the City, and the allocation of municipal resources as discussed below. There is no adopted refinement plan for the subject street annexation.</p> <p>Annexation of this section of right-of-way will create clear boundaries for City services, which increases the effectiveness and efficiency of these services and the allocation of municipal resources. With the proposed annexation, traffic regulations on this section of right-of-way can now be enforced by the City of Eugene. Annexation will also allow for future City street maintenance and improvements for this section of right-of-way that will benefit residents and businesses in the area.</p> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u>.</p>
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EC 9.7825(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.

Complies	<p>Findings: Consistent with this criterion, the proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:</p>
<p><input checked="" type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>	<p><u>Wastewater</u> Wastewater facilities are located within Maxwell Road to the east of the annexation area. The proposed annexation will not necessitate any new wastewater service extensions or affect the ownership and maintenance of the wastewater facilities in place.</p> <p><u>Stormwater</u> This section of Maxwell Road is served by a variety of county-owned storm drainage conveyance systems. After the annexation process, a jurisdictional transfer will occur to transfer ownership and maintenance responsibility to the City of Eugene.</p> <p><u>Transportation</u> The proposed annexation will have no effect on this section of Maxwell Road, which will continue to operate as key transportation facility.</p> <p><u>Solid Waste</u> Collection service is provided by private firms. Regional disposal sites are operated by Lane County. The proposed annexation will have no effect on these services.</p> <p><u>Water and Electric</u> Eugene Water and Electric Board (EWEB) currently has electrical lines within the proposed annexation area and a water line within this section of Maxwell Road. The proposed annexation will have no effect on these facilities.</p> <p><u>Streets</u></p>

	<p>This segment of Maxwell Road is classified as a minor arterial street. After the annexation process, a jurisdictional transfer will occur to transfer ownership and maintenance responsibility from Lane County to the City of Eugene.</p> <p><u>Public Safety</u> Police protection will be extended upon annexation consistent with service provision throughout the City. Fire protection will continue to be provided by the Eugene Springfield Fire Department. Emergency medical services are currently provided on a regional basis and will also continue in the same manner upon annexation.</p> <p><u>Parks and Recreation</u> Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject area in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p> <p><u>Planning and Development Services</u> Planning and building permit services are already provided for all areas located within the Urban Growth Boundary by the City of Eugene.</p> <p><u>Communications</u> Communications infrastructure and service already exists within the street right-of-way. The proposed annexation will have no effect on these facilities. Any future communication facilities or infrastructure will require a right-of-way permit and approval by the Public Works Maintenance Division of the City of Eugene.</p> <p><u>Public Schools</u> The majority of the subject annexation area is within Eugene School District 4J. As access to schools is evaluated on a district wide basis, the annexation area’s location within a school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p>
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CONCLUSION:

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date of the annexation will be set in accordance with State law.

INFORMATIONAL ITEMS:

Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.