

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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### Property Line Adjustment along Amazon Creek in West Eugene

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Meeting Date: April 14, 2014  
Department: Public Works  
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Agenda Item Number: 2C  
Contact: Eric Wold  
Contact Telephone Number: 541-682-4842

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#### **ISSUE STATEMENT**

This item is to take action to authorize the City Manager to execute a property line adjustment for a City-owned tax lot along Amazon Creek in west Eugene and an adjoining neighbor's tax lot to provide mutual benefits for the City and the neighbor.

#### **BACKGROUND**

The City of Eugene owns a narrow corridor of land on both sides of Amazon Creek, downstream of Royal Avenue, all the way west to where Amazon Creek flows into Fern Ridge Reservoir. The City acquired most of this property in the 1940s as a requirement to construct the channels and levees that are part of the "Amazon Diversion Channel," which is a key part of a larger flood damage reduction project the City implemented with the U.S. Army Corps of Engineers in the 1940s and 1950s to reduce flooding in Eugene.

Since the time the Amazon Diversion Channel was constructed, the City has operated and maintained these lands to meet multiple objectives, including meeting standards established by the U.S. Army Corps of Engineers for federally-constructed levees, and other federal regulations such as the Clean Water Act and Endangered Species Act.

Due to the increasingly complex regulatory environment that applies to these lands, it is beneficial to the City to have property lines that are clearly identifiable in the field, and easily accessible and maintainable by staff. In the past several years, Parks and Open Space (POS) staff had the property lines surveyed and marked in order to better understand where the City's management responsibilities end. During this process, POS staff discovered one area where the property line between the City and an adjoining property (the Burbanks) makes effective land management challenging for both POS and the neighbor. In effect, the City owns a "peninsula" of land surrounded on three sides by the Burbanks (see Attachment A).

POS staff and the Burbanks agree that simplifying the property line between the two parcels would be mutually beneficial, and both parties agreed to a specific proposal on how to change the boundary. The agreed-upon proposed property line adjustment results in an exchange of equal acres. In other words, both the City and the Burbanks will have the same amount of acreage before and after the property line adjustment (see Attachment B). The City would cover the costs of

surveying and processing the necessary property line adjustment, but no other costs are associated with this adjustment. Approval of this property line adjustment would benefit the City by making a wide City-owned space along Amazon Creek where City staff can stage equipment and supplies, and turn-around equipment, for maintenance and repair of the levees. Currently, no such space exists along this section of Amazon Creek.

Upon consultation with the City Attorney, it was concluded that the most appropriate process for this transaction would be the process outlined in Eugene Code Section 2.872, which provides that the council may dispose of City-owned land that is not subject to other requirements (e.g., declaring land as surplus, or governmental transactions) via a proposal submitted to the City Council for action. Consistent with those provisions, the council can adopt a motion authorizing the City Manager to execute the land exchange consistent with the terms described in the agenda item summary and its attachments.

### **RELATED CITY POLICIES**

No policies were found relating to this proposed action.

### **COUNCIL OPTIONS**

The City Council has the following options:

1. Approve the motion;
2. Take no action; or
3. Other, as directed by the council.

### **CITY MANAGER'S RECOMMENDATION**

The City Manager recommends approval of the motion.

### **SUGGESTED MOTION**

Move to authorize the City Manager to proceed with the property line adjustment for the Burbank and City parcels, as described above and as shown on the attached maps.

### **ATTACHMENTS**

- A. Map of Current Property Lines
- B. Map of Proposed, Future Property Lines

### **FOR MORE INFORMATION**

Staff Contact: Eric Wold, Natural Resources and Urban Forestry Manager  
Telephone: 541-682-4842  
Staff E-Mail: eric.n.wold@ci.eugene.or.us