

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 14-07-08-09

IN THE MATTER OF ANNEXING TERRITORY TO THE RAINBOW WATER AND FIRE DISTRICT TO PROVIDE WATER AND FIRE PROTECTION SERVICE TO THE ANNEXED TERRITORY; ASSESSOR'S MAP 17-03-24-31 TAX LOT 02100 (FILE NO. W-RA-2014-NAK-1)

WHEREAS, a petition initiating the annexation of territory to the Rainbow Water and Fire District was filed with Lane County on March 26, 2014 (the "Petition for Annexation"), in accordance with ORS 198.857(3); and

WHEREAS, the territory proposed for annexation is described in Exhibit A and depicted on the map shown on Exhibit B, both of which are attached and incorporated by this reference; and

WHEREAS, the Board of Commissioners of the Rainbow Water and Fire District adopted a resolution approving the proposed annexation on May 22, 2013 (Resolution No. 2013-03); and

WHEREAS, legal notice was provided on June 25 and June 26, 2014 for a July 8, 2014 public hearing; and

WHEREAS, the Board of County Commissioners conducted a public hearing on July 8 2014, to receive and consider both oral and written evidence.

NOW, THEREFORE, IT IS ORDERED as follows:

1. That the territory described on Exhibit A and depicted on Exhibit B is hereby annexed to Rainbow Water District and that this annexation is effective as of September 18, 2014, in accordance with ORS 198.747(2).
2. That the findings set forth in Exhibit C are hereby adopted and incorporated by this reference.
3. That based on the findings and evidence submitted, and the applicable law, the Petition for Annexation is hereby approved.

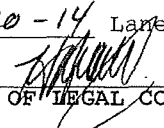
ADOPTED this 8th day of July, 2014.



Pat Farr, Chair
Lane County Board of Commissioner

APPROVED AS TO FORM

Date 0-30-14 Lane County



OFFICE OF LEGAL COUNSEL

Legal description for
17-03-24-31 02100

A parcel of land lying in the Southeast one-quarter (1/4) of Section 24, Township 17 South, Range 3 West of the Willamette Meridian, and being a portion of those tracts of land conveyed to Theodore V. Jones and Helen D. Jones, husband and wife, by those certain deeds recorded on Reel 1367-R Recorder's Reception No. 33130, and Reel 434-R Recorder's Reception No. 62458, filed in Lane County Oregon Deed Records, and being more particularly described as follows:

Beginning at a point North 89 degrees 42' 33" West 393.00 feet and 17.42 chains North of a point where the East line of the William C. Spencer donation No. 50, Notification No. 3265, intersects the line between Section 24 and 25, Township 1 South, Range 3 West of the Willamette Meridian, said point being the Southwest Corner of that certain tract of land conveyed to Theodore V. Jones and Helen D. Jones, husband and wife, by those certain deeds recorded on Reel 1367-R Recorder's Reception No. 33130, filed in Lane County Oregon Deed Records; thence North 0 degrees 06' 16" West 225.00 feet; thence South 89 degrees 42' 33" East 393.00 feet; thence South 0 degrees 06' 24" East 3.32 feet to the dedicated right of way line of 19th Street said dedication recorded on Reel 1630-R Recorder's Reception No. 9020460; thence along said right of way South 89 degrees 53' 36" West 30.00 feet to a point on a 152.90 foot radius curve to the left; thence along the arc of said curve (the long chord of which bears South 4 degrees 20' 03" West 22.54) a distance of 22.56 feet; thence leaving said right of way North 89 degrees 42' 33" West 264.66 feet; thence South 0 degrees 06' 16" East 199.00 feet; thence North 89 degrees 42' 33" West 100.00 feet to the true point of beginning all in Lane County, Oregon.

MCKENZIE RIVER

HARVEST LN

Exhibit B

Subject Property:

17-03-24-31 TL: 2100

Rainbow WD

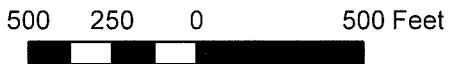
ROHE

YORKMARK AVE

CARRIAGE PL

BONMEAN

City of Springfield



Vicinity Map
File Number W-RA-2014-ANX-1

FINDINGS OF FACT AND CONCLUSION OF LAW

1. The annexation of territory to the Rainbow Water and Fire District (RWD) was initiated on March 26, 2014, by a petition by the property owner of the proposed territory to be annexed, as authorized by ORS 198.857(3).
2. The application for annexation, map and legal description indicate that the territory proposed for annexation is currently not within the existing fire district boundary.
3. Legal notice was made on June 25 and June 26, 2014 for a July 8, 2014 public hearing.
4. The public hearing required by ORS 198.800 was held on July 8, 2014.
5. The decision criteria analysis considered by the Board of County Commissioners follows:

- (1) The land is not within a district formed under the same principle ACT; (ORS 198.720(2))**

Staff Finding 1: The proposal meets this criterion. The property proposed for annexation to Rainbow Water and Fire District (Principle Act 264) is not currently located within any other water or fire district boundaries.

- (2) The affected territory can reasonably be served or continued to be served by the facilities or services provided by the district; and (ORS 198.720(3))**

Staff Finding 2: The proposal meets this criterion. Currently the RWD is under contract with the Eugene-Springfield Fire and EMS Department to provide fire protection services to RWD members. Domestic water for the site can be accommodated by the district. Further RWD Board adopted Resolution No. 2013-03 supporting annexation of the subject property.

- (3) No land included in the affected territory will be removed if the land is benefited; (ORS 198.805(1));**

Staff Finding 3: The proposal meets this criterion. As proposed, no land in the annexation area will be removed if the land is benefitted.

- (4) The boundary change is consistent with the Lane County Rural Comprehensive Plan, other applicable refinement plans, and other adopted land use regulations or agreements. (ORS 198.850(2))**

Staff Finding 4: The subject property is located within the unincorporated portion of the City of Springfield's Urban Growth Boundary and is subject to the Eugene-Springfield Metropolitan Plan Area General Plan. The applicable Metro Plan Goal is found within section G.2. of the Public Facilities and Serviced Element:

G. 2. Provide public facilities and services in a manner that encourages orderly and sequential growth.

Annexation to the Rainbow Water and Fire District will provide essential services necessary for the orderly development of the property. Therefore, the request is consistent with applicable comprehensive plan and satisfies this criterion.

No other refinement plans, adopted land use regulations or agreements have been identified that conflict with this proposal.

6. Based on these findings the Board concludes that the proposed annexation is consistent with all applicable laws.