

W. I. O. a.

**LandWatch Lane County**

642 Charnelton, #100  
Eugene OR 97401

**RECEIVED**  
**OCT 13 2007**  
**LANE COUNTY**  
**BOARD OF COMMISSIONERS**

October 5, 2007

Commissioner Faye Stewart  
Public Service Building  
125 East 8<sup>th</sup> Avenue  
Eugene OR 97401

Dear Chair Stewart:

Last week LandWatch Lane County notified Lane County of LandWatch's intent to initiate enforcement proceedings over Lane County's practice of not reviewing and approving property line adjustments. The purpose of this letter is to repeat that LandWatch hopes and intends that the issues raised in the Notice of Intent to Petition for Enforcement be resolved in a friendly and cooperative spirit, without the need to carry the matter any further than the local level.


The underlying problem that LandWatch has identified is Lane County's practice of not reviewing and approving property line adjustments. Lane County is alone in Oregon in not requiring that property line adjustments receive county approval. As a result, Lane County property owners – including those who have purchased property in good faith – face uncertainty whether they own legal, developable lots or parcels.

The reason for sending out the Notice of Intent to Petition for Enforcement is to get the conversation started. We want to begin a dialogue - and LandWatch believes that the conversation should also involve attorneys who generally represent developers.

LandWatch believes that all Lane County citizens, including property owners and developers, will benefit from a process that provides certainty and complies with state law. Nobody is well-served by county policies and procedures that leave a cloud on the title and development rights of Lane County property owners.

We ask that the Board initiate proceedings to amend Lane Code Chapter 13 to include property line adjustment procedures and criteria that comply with state law. This could be done by directing the Land Management Division to provide DLCD with the required notice of a post-acknowledgment plan amendment; to draft proposed code language; and to schedule public hearings before the Planning Commission and Board of Commissioners. LandWatch and Goal One Coalition would be willing to provide professional services in helping to draft the new code provisions.

Thank you for your understanding and cooperation.

Respectfully submitted,  
  
Robert Emmons  
President, LandWatch Lane County