

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 15-07-14-08

IN THE MATTER OF RELEASING, DEDICATING AND  
ACCEPTING LOT "D" OF THE PLAT OF HOLLYVIEW  
ESTATES, AS RIGHT OF WAY FOR GARDENIA WAY  
(COUNTY ROAD NUMBER 1573) (17-04-11-11)

**WHEREAS**, by previous action the following land, as described as Lot "D" of the plat of Hollyview Estates, as platted on Book 31, Page 13, Lane County, Oregon Plat Records, was conveyed to Lane County, Oregon by that certain deed, recorded on Reel 167-D, Recorder's Reception Number 23702, Lane County, Oregon Deed Records; and

**WHEREAS**, the City of Eugene Public Works Department has requested that the parcel strip be released and dedicated for road purposes to extend Gardenia Way and provide access to the adjacent property which is inside the city limits and recently subdivided; and

**WHEREAS**, Lane Manual 15.213 provides guidelines for the acceptance of public roads into the County Road System, and the release, dedication, and acceptance of Lot "D" of the plat of Hollyview Estates, is consistent with those guidelines; and

**WHEREAS**, the Director of Lane County Public Works has provided a written report marked as Exhibit "A", determining that the special benefit to the applicant is de minimis pursuant to Lane Manual 60.854 (8)(c); and

**WHEREAS**, said parcel need no longer remain as a parcel of county owned real estate, but should be dedicated for road purposes.

**NOW, THEREFORE**, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. The real estate, as described in the attached Draft Dedication marked as Exhibit "B", and depicted on the attached map marked as Exhibit "C", be released, dedicated, and accepted as County Road right of way.

2. The Board Chair is authorized to execute an original Dedication of Public Road Easement on behalf of the County.
3. This Order will be entered into the records of the Board of County Commissioner's Journal of Administration and in the road records for County Road Number 1573; and further the attached Dedication be recorded in the Lane County Oregon Deed Records, and the document number be noted on this Order.

**ADOPTED** this 14th day of July, 2015.

Department of Public Works  
Engineering and Construction Services Division

LANE COUNTY BOARD OF  
COMMISSIONERS

Approved June 26, 2015

By Jay Bozievich  
Jay Bozievich, Chair

By Bill Morgan  
Bill Morgan, County Engineer

APPROVED AS TO FORM  
Date 7/26/15  
LANE COUNTY OFFICE OF LEGAL COUNSEL

Dedication Recorded on Document No. \_\_\_\_\_, Lane County, Oregon Deed Records.

**DEDICATION OF A PUBLIC ROAD EASEMENT**

**LANE COUNTY**

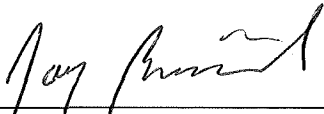
KNOW ALL MEN BY THESE PRESENTS, that Lane County (Grantor), a political subdivision of the State of Oregon, is the owner of certain real property, and that Lane County acquired title by that certain Deed from K.D. Gilbert, Inc., an Oregon corporation and Claude H. Rhodes and Marie G. Rhodes, husband and wife, recorded on Reel 167-D, Recorder's Reception Number 23702; of the Lane County, Oregon Deed Records, and that said Lane County does hereby dedicate to the free use of the public (Grantee), for public road purposes, the following described tract of land:

Lot "D", of Hollyview Estates, as platted and recorded in Book 31, Page 13, Lane County, Oregon Plat Records, Lane County, Oregon.

It being the intent to release said parcel and dedicate it to the public as right of way for Gardenia Way (Co. Rd. No. 1573). There is no consideration for this dedication.

The Board of Commissioners hereby accepts and approves for recording this dedication as described herein.

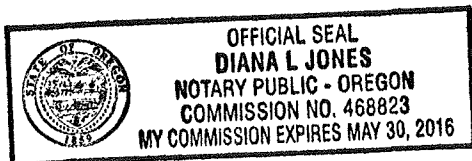
Approved this 14th day of July, 2015



Jay Bozievich  
Chair, Lane County Board of Commissioners

STATE OF OREGON)  
COUNTY OF LANE ) ss.

On July 14th, 2015, personally appeared the above-named Jay Bozievich, as Chair of the Lane County Board of Commissioners, and acknowledged the foregoing instrument to be their voluntary act before me.



NOTARY PUBLIC FOR OREGON  
My Commission Expires: 5/30/16

MAP No.: 17-04-11-11-03700

## LANE COUNTY

Notification of Determination of Amount of Special Benefit Deposit  
in Connection with a Proposed Release of a reserve strip  
Pursuant to Lane Manual 60.854(8)(c)

Pursuant to the provisions of Lane Manual 60.854(8)(c), my determination of the amount of "Special Benefit" and therefore the amount of deposit required in connection with the proposed release of a reserve strip known as Lot D of Hollyview Estates, as platted and recorded on page 13, volume 31, Lane County Plat Records, is **\$0.00**.

My determination is based on a Staff Report and recommendation, a copy of which is attached hereto and marked as "Attachment 1".

Dated this 8<sup>th</sup> day of June, 2015.



Marsha A. Miller, Director  
Lane County Public Works

## STAFF REPORT

Recommendation in the Matter of Determination of Special Benefit  
in Connection with a Proposed Release of a reserve strip  
Pursuant to Lane Manual 60.854(8)(c)

**Date:** May 26, 2015

**Applicant:** Future B Homes, Inc.

**Proposed Release and Road Dedication:**

The proposed release of a reserve strip is described as Lot D of Hollyview Estates, as platted and recorded on page 13, volume 31, Lane County Plat Records. The Parcel is paved, flat, and measures 1 foot by 50 feet. It is held by Lane County in trust for the benefit of the Public for road purposes in Bargain and Sales Deed recorded on Reel 167-61-D, Clerk's Filing No: 23702, on February 20, 1961.

**Tax Lots Adjacent to Proposed Release:**

Tax Lots that are adjacent and share the same boundary are Map #17-04-11-11, Tax Lots 3600 and 3800.

**Nature of Benefit to be Received if Proposed Release is Approved:**

Upon the release of the reserve strip, it will be dedicated as a public road and opened for public travel. These actions will result in legal access from a public street to Wedgewood Meadows, a new subdivision to the south of Hollyview Estates.

**Value Indication(s) of Properties to be Benefited:**

Recent sales of residential land in the River Road and Santa Clara area of Eugene indicate a site value of between \$40,000 and \$60,000. Lots adjacent to the subject are 10,454 and 10,890 square feet each. Thus, the high and low per square foot value is between \$3.67 and \$5.74.

**Summary and Recommendation of Special Benefit:**

The purpose of this reserve strip is to control access to the public street by placing it under the trust of the County. It was conveyed to Lane County with no consideration paid to the owner. Typically, the owner bears all the cost of construction and passes the cost to the buyers of each sold lot.

Pursuant to Lane Manual 60.853, a special benefit must be determined. Based on "across the fence" estimation of value and under the highest and best use premise of adjacent land, the "special benefit" to the adjacent property is estimated at a high end of **\$287** (50 SF X \$5.74/SF = \$287).

As the value added is less than the \$2,500 *de minimus value* required by Lane Manual 60.854(8)(c), the appraiser concludes that a payment for Special Benefit is not warranted for this release.

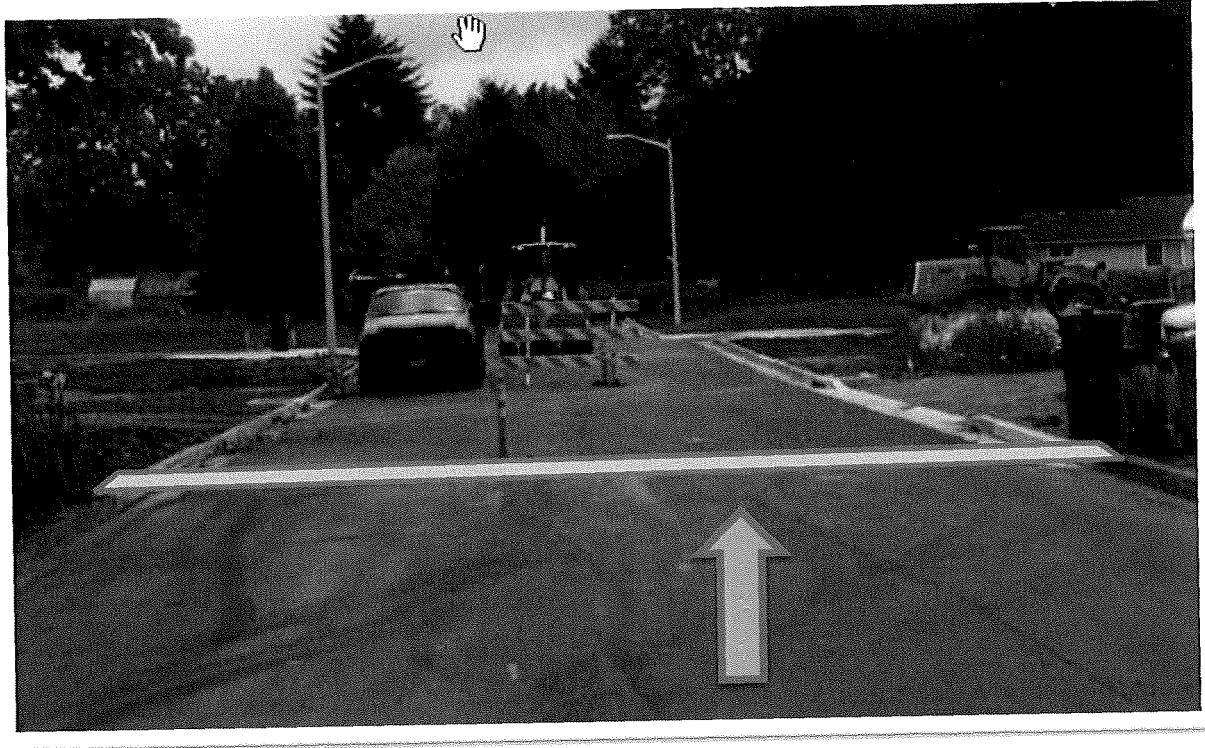


Mike Davis  
Real Property Officer 2

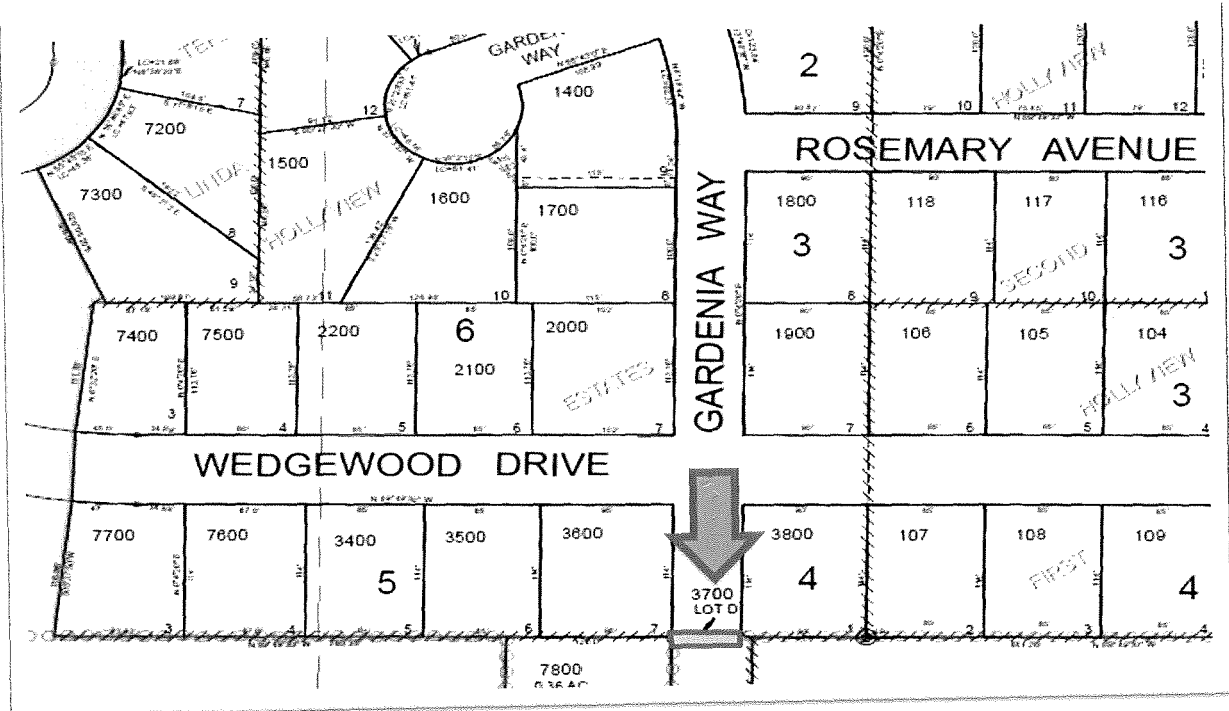
Exhibit "A"

"Attachment 1"

**View of Subject Property land Area to be Released (facing south)**



**Lane County Assessor's Map 17-04-11-11-03700**



**DEDICATION OF A PUBLIC ROAD EASEMENT**

**LANE COUNTY**

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The Board of Commissioners hereby accepts and approves for recording this dedication as described herein.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Jay Bozievich  
Chair, Lane County Board of Commissioners

STATE OF OREGON)  
COUNTY OF LANE ) ss.

On \_\_\_\_\_, 2015, personally appeared the above-named Jay Bozievich, as Chair of the Lane County Board of Commissioners, and acknowledged the foregoing instrument to be their voluntary act before me.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: \_\_\_\_\_

EXHIBIT "C"

Release, Dedication, and Acceptance  
Lot "D" of Hollyview Estates

PORTION OF GARDENIA WAY—COUNTY ROAD NUMBER 1573

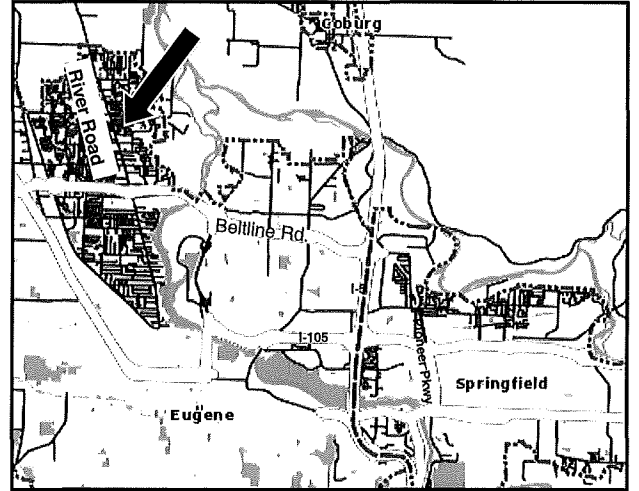
NE ¼ Section 11, T. 17 S., R. 4 W. W.M.  
Lane County



NO SCALE



City limits of Eugene



VICINITY MAP

