



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Lebanon Planning Commission
From: Kelly Hart, Community Development Director
Subject: Planning File No. A-24-02

Date: August 26, 2024

I. BACKGROUND

Under consideration is the proposed annexation of the property on the north side of W B Street, east of S 9th Street (785 W B Street, 12S 02W 10CD, tax lot 2800), including the portion of B Street from the eastern property line to S 9th Street. The subject property is approximately 0.181 acres, with 70 feet of street frontage along W B Street. The properties to the north and west are located within city limits; therefore, the site is contiguous to city boundary limits and is eligible for annexation.

The property is in a developed residential neighborhood. To the north, east, south, and west are residential properties improved with single-family homes and townhomes within the County and city with a comprehensive plan designation and/or zoning designation of Residential Mixed Density (C/Z-RM).

The subject property is currently improved with a single-family dwelling. City utility services are available in S 9th Street. Upon annexation, the Applicant may extend utilities to and through the site for utility services.

II. CURRENT REPORT

The site's Comprehensive Plan Designation is Residential Mixed Density (C-RM). Per Table 16.26-1 in Section 16.24.040 of the Lebanon Development Code (LDC), the designated zoning classification for the site would be Residential Mixed Density (Z-RM). The Applicant has indicated acceptance of the Z-RM zoning designation and is not proposing a Comprehensive Plan Map Amendment.

Per Section 16.24.040 of the LDC, anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the Urban Growth Area are already accounted for in the City's Facilities Plans, including the Transportation System Plan. Annexation of the land in the Urban Growth Area is already factored into the City's Facility Plans, and no revisions of those plans are necessitated when, following annexation, an area is assigned the zoning classification that follows the adopted Comprehensive Plan Map designation. As the Applicant proposes accepting the automatic zoning designation of Residential Mixed Density, no further analysis of modification to the Facility or Transportation Plan is necessary.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS

The subject property is located within the City's Urban Growth Boundary (UGB) and is eligible for annexation into the City limits. Annexation application and review requirements are contained in Chapter 16.26 of the Lebanon Development Code. Annexations require a hearing before the Planning Commission and City Council. The purpose of the Commission hearing is to review the request and recommend whether the Council should approve or deny the Annexation.

Section 16.26.060 contains the decision criteria for an annexation with specific requirements in Section 16.26.060.A. This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. Essentially, the Annexation Ordinance and Comprehensive Plan decision criteria are the same. The findings are combined to avoid duplication:

1. Annexation Ordinance Section 2. - All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance (i.e., Development Code), City of Lebanon/Linn County Urban Growth Management Agreement and shall be consistent with applicable State law.

Comprehensive Plan Annexation Policy #P-19: [The City shall] recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA) and shall be consistent with applicable State law.

RECOMMENDED FINDING: The application site is located within the City of Lebanon's Urban Growth Boundary and is contiguous with city limits; therefore, it is eligible for annexation per the Annexation Ordinance and the Municipal and Development Codes. The annexation does not include a Comprehensive Plan Map Amendment. The applicant accepts the initial Residential Mixed Density zoning designation, consistent with the Comprehensive Plan Designation and the pre-designation identified in the Lebanon Development Code. With the assignment accepted as identified in the Comprehensive Map, it is determined that the annexation has already been accounted for in the City's Facilities Plan, including the Transportation System Plan. The site complies with the Annexation requirements.

2. Annexation Ordinance Section 3. - All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

Comprehensive Plan Annexation Policy #P-20: [The City shall] recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

RECOMMENDED FINDING: The Annexation Ordinance policies are consistent and often mirror the Comprehensive Plan Annexation Policies. The State acknowledges that the

City's Comprehensive Plan complies with all applicable Statewide Planning Goals and statutes, recognizing the consistency of the Plan goals and policies. Therefore, compliance with the applicable Comprehensive Plan policies ensures compliance with the Annexation Ordinance. Findings in the following Sections detail this proposal's compliance with all relevant policies.

More Specifically, this annexation supports the goals and policies under Chapter 4: Land Use and Chapter 6: Housing. In Section 2.3 of Chapter 4 of the Comprehensive Plan, all areas annexed into the City are automatically placed in a zoning classification per the Adopted Comprehensive Plan and Map. The adopted comprehensive plan map identifies the subject property as Residential Mixed Density, with the zoning designation of Residential Mixed Density. As the annexation does not include a proposal to modify the zoning designation, the annexation is consistent with the land use goals established by the Comprehensive Plan. Based on the 2019 Housing Needs Assessment completed by the City, there is a need for 291 acres of low-density development acreage, 92 acres of medium-density, and 39 acres of high-density. In the City and the Urban Growth Boundary, there is an identified surplus of 735 acres of residential land in the City and 298 acres of residential land in the UGB to accommodate the residential development anticipated to accommodate the population growth. The annexation of this property and the classification for Residential Mixed Density would accommodate the identified need for any of the residential classifications and, upon development, could be built to provide affordable units consistent with the Comprehensive Plan's goals and policies.

3. Annexation Ordinance Section 4. - All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space, and related uses.

Comprehensive Plan Annexation Policy #P-21: [The City shall] recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space, and related uses.)

RECOMMENDED FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits; therefore, it is eligible for annexation. The subject site is generally flat and within a developed neighborhood, with no steep slopes or environmental constraints. The site is currently improved with a single-family dwelling. The site is located within a developed neighborhood and contains no known environmental constraints, so the property is eligible for annexation.

4. Annexation Ordinance Section 5. - The City shall only annex land that is contiguous to the existing City limits and is within the City's UGB.

Comprehensive Plan Annexation Policy #P-22: [The City shall] only annex land that is contiguous to the existing City limits and is within the City's UGB.

RECOMMENDED FINDING: The subject site is contiguous with the city boundary on the north and west sides of the property; therefore, it is contiguous with existing city limits and eligible for annexation.

5. Annexation Ordinance Section 6. - An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped for urban use. Urban uses may include wetlands, parks, open space, and related uses.

Comprehensive Plan Annexation Policy #P-23: [The City shall] deem an annexation orderly if the annexation territory is contiguous to the existing City Limits and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space, and related uses).

RECOMMENDED FINDINGS: The proposed annexation complies with the above-noted criteria as follows:

- (a) The site is contiguous with city limits along the northern and western property lines.
- (b) The property is located within an already developed and urbanized portion of the Urban Growth Boundary and City. Surrounding the property include residential development with single-family dwellings and townhomes. The site can be serviced by existing city water, sewer, and storm drainage facilities in S 9th Street to the west of the subject property. As city facilities and transportation systems can service the property, and the neighborhood is already improved with urban development, the property would be eligible for annexation.

6. Annexation Ordinance Section 7. - Development proposals are not required for annexation requests.

Comprehensive Plan Annexation Policy #P-24: [The City shall] recognize and act on the basis that development proposals are not required for annexation requests.

RECOMMENDED FINDING: The application does not include a concurrent development proposal. Any future development proposal would be required to comply with the provisions for the development code for the Z-RM zone, as applicable.

7. Annexation Ordinance Section 8. - As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

Comprehensive Plan Annexation Policy #P-25: [The City shall] consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

RECOMMENDED FINDING: Section 16.26.040 of the Lebanon Development Code states, “anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGB are already accounted for in the City’s Facilities Plans, including the Transportation System Plan.” No revisions to the plans are necessitated when following annexation; an area is assigned the zoning classification per the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM per the Comprehensive Map designation. Therefore, the anticipated demands to access essential City-provided urban utilities have already been considered. There is capacity in the utility systems and utility master plans to extend utilities to the site, and the existing transportation system can accommodate the inclusion of the property and the anticipated residential uses.

8. Annexation Ordinance Section 9. - As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services needed to serve these properties, which are water, storm drainage, sanitary sewer, and streets.

Comprehensive Plan Annexation Policy # P-26: [The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

RECOMMENDED FINDING: Section 16.26.040 of the Lebanon Development Code states “anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGB are already accounted for in the City’s Facilities Plans, including the Transportation System Plan.” No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is per the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM per the Comprehensive Map designation and therefore, the anticipated impacts to access key City-provided urban utilities have already been considered.

9. Annexation Ordinance Section 10. - Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles, and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and creates an increased demand for the benefits provided by additional rights-of-way dedication.

RECOMMENDED FINDING: W B Street maintains a right-of-way width of 55 feet. The adopted 2018 Transportation System Plan identifies W B Street as a local roadway, which requires a minimum 58-foot right-of-way with on-street parking provided. The Engineering Department reviewed the annexation and determined that no additional right-of-way dedication from the subject property is necessary for the annexation. Upon redevelopment of the site, additional right-of-way may be required.

10. Annexation Ordinance Section 11. - Upon annexation, the annexation territory shall be assigned zoning classifications per the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.

RECOMMENDED FINDING: This subject property is designated Residential Mixed Density by the Comprehensive Plan. Consistent with the adopted Zoning Matrix, the only possible applicable zone is Residential Mixed Density (Z-RM). The Applicant accepts the applicable zoning designation and is not proposing a Comprehensive Plan Map Amendment.

11. Annexation Ordinance Section 12. - If a zoning designation other than one per the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing, and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.

RECOMMENDED FINDING: This application does not include a change in the Plan designation or corresponding zone. Therefore, this Section does not apply.

12. Annexation Ordinance Section 13. - The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space, and related uses.

RECOMMENDED FINDING: The subject site is generally flat, with no steep slopes or environmental constraints, and within a developed neighborhood. It is currently improved with a single-family dwelling. As the neighborhood has already been developed with urban development, and the site does not contain any known environmental constraints, the property is eligible for annexation.

13. Annexation Ordinance Section 14. - An "urban use" is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance (i.e., Development Code), Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.

RECOMMENDED FINDING: This Section does not apply as the provisions in this Section provide a definition and not a decision criterion.

14. Annexation Ordinance Section 15. - At the applicant's discretion and with the City's concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission's hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development

or redevelopment proposal must be contingent upon subsequent approval of the annexation by the City Council.

RECOMMENDED FINDING: The request does not contain a concurrent development request.

15. Comprehensive Plan Annexation Policy # P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

RECOMMENDED FINDING: This Policy does not directly apply as the proposal simply incorporates an existing urbanized parcel into the City limits.

IV. CONCLUSION AND RECOMMENDATION

Staff finds the proposal complies with the decision criteria for an Annexation and the establishment of the applicable zone. Therefore, staff recommends the Planning Commission recommend the City Council approve the Annexation of the subject area and establishment of the respective Residential Mixed Density (Z-RM) zone on the newly annexed property.

V. PLANNING COMMISSION ACTION - ANNEXATION

- A. The Planning Commission may either:
1. Recommend City Council approval of the proposed property and street annexation and establishment of the applicable Residential Mixed Density zone, adopting the written findings for the decision criteria contained in the staff report; or
 2. Recommend City Council approval of the proposed property and street annexation and establishment of the applicable Residential Mixed Density zone, adopting modified findings for the decision criteria; or
 3. Recommend City Council denial of the proposed property and street annexation and establishment of the applicable Residential Mixed Density zone, specifying reasons why the proposal fails to comply with the decision criteria; and
 4. Direct staff to prepare an Order of Recommendation for the Chair or Vice Chair's signature incorporating the adopted findings as approved by the Planning Commission.



NOTICE OF PUBLIC HEARING

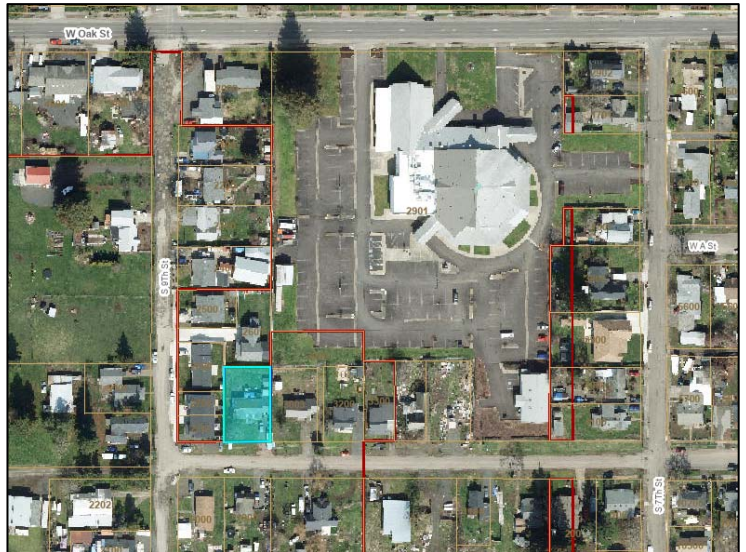
LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **September 18, 2024, at 6:00 p.m.** in the Santiam Travel Station located at 750 S 3rd Street, to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	A-24-02
Applicant:	Eric Maddux
Location:	785 W B Street
Map & Tax Lot No.:	12S2W10CD02800
Request:	Annexation
Decision Criteria:	Lebanon Development Code Chapters: 16.20 & 16.26

Request: The applicant is requesting Annexation of approximately 0.18-acres comprised of one tax lot and adjacent right-of-way. The property is designated Residential Mixed Density (C-RM) on the Comprehensive Plan Map and will be assigned a Residential Mixed Density (Z-RM) zoning designation upon Annexation.

Providing Comments: The city will be accepting public comment on this item in a number of ways to afford interested persons and the general public an opportunity to give testimony on the subject matter. Written and verbal testimony will be accepted upon issuance of this notice, **until 5:00pm on Tuesday, September 17, 2024.** Written testimony may be emailed to kelly.hart@lebanonoregon.gov or mailed to the City of Lebanon at 925 S. Main Street, Lebanon, OR 97355, or delivered and dropped in the white mailbox in front of City Hall.



The public is invited to either participate in person at the Santiam Travel Station or watch the meeting virtually on **September 18, 2024.**

If you wish to address the Commission under Public Comments or for a Public Hearing, click: [https://zoom.us/meeting/register/tJ0pfuqqrzMjEtVNTifF22h_nOZcc1N-kuy-](https://zoom.us/join/zoom/register/tJ0pfuqqrzMjEtVNTifF22h_nOZcc1N-kuy-) to register in advance for the meeting. You will receive a confirmation email containing information about joining the meeting. Attendees will need to register to receive the link to the meeting.

Please register ONLY if you wish to address the Commission. If you want to watch or listen to the meeting, please click this link to do so on YouTube: https://youtube.com/live/U42L2C_XMnY?

The agenda and application materials will be available for review on the City's website at <https://www.lebanonoregon.gov/meetings> seven days prior to the hearing.

CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

Action of the Planning Commission and Appeals: The role of the Commission is to review the proposal and make a recommendation to the Lebanon City Council. A public hearing before the Council will be subsequently scheduled and notice provided. The Council decision is the final decision unless appealed to the Land Use Board of Appeals (LUBA). Failure to raise an issue in the hearing, orally or in writing, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@lebanonoregon.gov.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.



LAND USE APPLICATION

PROPERTY INFORMATION

Site Address(es): 785 W B ST Lebanon OR 97355
 Assessor's Map & Tax Lot No.(s): 12502W10C002800
 Comprehensive Plan Designation / Zoning Designation: Bm
 Current Property Use: SFR
 Project Description: Annex Sewer and water into city utilities

APPLICANT / PRIMARY CONTACT INFORMATION

Applicant: Eric Maddux Phone: 503-931-8641
 Address: 7873 Parker Lane SE Email: emadd23@gmail.com
 City/State/Zip: Turner OR 97392

I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true; that the proposed land use activity does not violate State and/or Federal Law, or any covenants, conditions and restrictions associated with the subject property; and, any approval granted based on this information may be revoked if it is found that such statements are false.

APPLICANT SIGNATURE *Eric Maddux* Date: 6-24-24

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)

Owner: Daisy Holding Company LLC Phone: 503-931-8641
 Address: 7873 Parker Lane SE Email: emadd23@gmail.com
 City/State/Zip: Turner OR 97392

OWNER SIGNATURE *Eric Maddux* Date: 6-24-24

ADDITIONAL CONTACT INFORMATION

Engineer / Surveyor: Kara D Engineering (Grant) Phone: 541-928-2583
 Address: 276 NW Hickory ST Email:
 City/State/Zip: Albany OR 97321

Architect: Phone:
 Address: Email:
 City/State/Zip:

Other: Phone:
 Address: Email:
 City/State/Zip

THE CITY THAT FRIENDLINESS BUILT

REQUIRED SUBMITTALS

- Application and Filing Fee
- Narrative Describing the Proposed Development and addressing the Decision Criteria
 - LDC Article Two Land Uses and Land Use Zones
 - LDC Article Three Development Standards
 - LDC Article Four Review & Decision Requirements
 - LDC Article Five Exceptions to Standards (eg Variance, Non-Conforming Uses)
- Site Plan(s) drawn to scale with dimensions, Include other drawings if applicable
- Copy of current Property Deed showing Ownership, Easements, Property Restrictions

FOR OFFICE USE

***If more than one review process is required, applicant pays highest priced fee, then subsequent applications charged at half-price.**

Land Use Review Process	Fee	Land Use Review Process	Fee
Administrative Review	\$750	Planned Development – Preliminary	\$2,500
Administrative Review (Planning Commission)	\$1,500	Planned Development – Final (Ministerial)	\$250
X Annexation	\$2,500	Planned Development – Final (Administrative)	\$750
Code Interpretation	\$250	Planned Development – Final (Quasi-Judicial)	\$1,500
Comprehensive Plan Map/Text Amendment	\$2,500	Subdivision Tentative	\$1,500
Conditional Use	\$1,500	Subdivision Final	\$750
Fire District Plan Review	\$100	Tree Felling Permit (Steep Slopes only)	\$150 + \$5/tree
Historic Preservation Review or Register	Varies	UGB Amendment	Actual Cost
Land Partition	\$750	Variance (Class 1 – Minor Adjustment)	\$250
Ministerial Review	\$250	Variance (Class 2 – Adjustment)	\$750
Non-Conforming Use/Development	\$750	Variance (Class 3)	\$1,500
Property (Lot) Line Adjustment	\$250	Zoning Map Amendment	\$2,500

APPLICATION RECEIPT & PAYMENT

Date Received: 01/5/24 Date Complete: _____ Receipt No.: 32345

Received By: [Signature] Total Fee: \$2500. File No.: A-24-02

THE CITY THAT FRIENDLINESS BUILT

TICOR TITLE™ 471824129276

RECORDING COVER SHEET

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon and does NOT affect the instrument. ORS 205.234

LINN COUNTY, OREGON D-CON Stn=10118 GANTAJ \$25.00 \$10.00 \$60.00 \$19.00	2024-01053 01/31/2024 02:17:00 PM \$114.00 I, Marcie Richey, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records. Marcie Richey - County Clerk
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After recording return to: ORS 205.234(1)(c)
Daisy Holding Company, LLC, an Oregon
limited liability company
7873 Parker Lane SE
Turner, OR 97372

1. Title(s) of the transaction(s) ORS 205.234(1)(a)
Conservator's Deed

2. Direct party(ies) / grantor(s) Name(s) ORS 205.234(1)(b)
Teresa Altaras, as the duly appointed qualified and acting conservator of the estate of James A. Varner

3. Indirect party(ies) / grantee(s) Name(s) ORS 205.234(1)(b)
Daisy Holding Company, LLC, an Oregon limited liability company

4. True and actual consideration:
 ORS 205.234(1)(d) Amount in dollars or other
 \$ 188,000.00
 Other: _____

5. Send tax statements to: ORS 205.234(1)(e)
Daisy Holding Company, LLC, an Oregon limited liabilit
7873 Parker Lane SE
Turner, OR 97372

6. Satisfaction of lien, order, or warrant:
 Check one (if applicable) ORS 205.234(1)(f)
 FULL PARTIAL

7. The amount of the monetary obligation imposed by the lien, order, or warrant: ORS 205.234(1)(f)
 \$ _____

8. Previously recorded document reference: 2024/00973

9. If this instrument is being re-recorded, complete the following statement: ORS 205.244(2)
 Re-recorded at the request of: Ticor Title Company
 To correct: legal description- attaching a corrected legal description
 Previously recorded in Book/Reel _____ and Page _____, or as Fee /Instrument number 2024-00973

TICOR TITLE™ 471824129276

RECORDING REQUESTED BY:



315 Commercial St SE, Ste 150
Salem, OR 97301

AFTER RECORDING RETURN TO:

Daisy Holding Company, LLC, an Oregon limited liability company
7873 Parker Lane SE
Turner, OR 97372

SEND TAX STATEMENTS TO:

Daisy Holding Company, LLC, an Oregon limited liability company
7873 Parker Lane SE
Turner, OR 97372

174520 and 12S02w10ba

LINN COUNTY, OREGON	2024-00973
D-COM	01/30/2024 11:43:00 AM
Str=10118 GANTAJ	\$10.00 \$11.00 \$10.00 \$60.00 \$19.00
	\$110.00
I, Marcie Richey, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Marcie Richey - County Clerk	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONSERVATOR'S DEED

Teresa Altaras, as the duly appointed, qualified and acting conservator of the estate of James A. Varner, a protected person, pursuant to proceedings filed in Circuit Court for Linn County, Oregon, Case No. 22PR01336, conveys to Daisy Holding Company, LLC, an Oregon limited liability company, Grantee, all the estate, right and interest of the above named protected person, in and to the following described real property in the County of Linn, State of Oregon:

Lot 7, Block 2, MOUNTAIN VIEW ADDITION, in the City of Albany, County of Linn and State of Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED EIGHTY-EIGHT THOUSAND AND NO/100 DOLLARS (\$188,000.00). (See ORS 93.030)

TO HAVE AND TO HOLD the same unto the second party, and the second party's heirs, successors-in-interest and assigns forever.

IN WITNESS WHEREOF, the first party has executed this instrument; if first party is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

TICOR TITLE™ 471824129276

RECORDING REQUESTED BY:



315 Commercial St SE, Ste 150
Salem, OR 97301

AFTER RECORDING RETURN TO:

Daisy Holding Company, LLC, an Oregon limited liability company
7873 Parker Lane SE
Turner, OR 97372

SEND TAX STATEMENTS TO:

Daisy Holding Company, LLC, an Oregon limited liability company
7873 Parker Lane SE
Turner, OR 97372

174520 and 12S02w10ba

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TO HAVE AND TO HOLD the same unto the second party, and the second party's heirs, successors-in-interest and assigns forever.

IN WITNESS WHEREOF, the first party has executed this instrument; if first party is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

CONSERVATOR'S DEED
(continued)

Dated: 1/29/24

Teresa Altaras, Conservator
Teresa Altaras, Conservator for the estate of James A. Varner,
a protected person, Linn County Case No. 22PR01336

State of OR
County of Marion

This instrument was acknowledged before me on 1/29/24 by Teresa
Altaras, Conservator for the estate of James A. Varner, a protected person, Linn County Case
No. 22PR01336 on behalf of the estate.

[Signature]
Notary Public - State of Oregon

My Commission Expires: 5/23/25



CORRECTED LEGAL DESCRIPTION

Order No.: 471824129276

Lot 7, Block 2, MOUNTAIN VIEW ADDITION, in the City of Lebanon, County of Linn and State of Oregon.

ANNEXATION MAP

FOR

DAISY HOLDING COMPANY

LOCATED IN

S.W. 1/4 SEC. 10, T. 12 S., R. 2 W., W.M.
CITY OF LEBANON, LINN COUNTY, OREGON
AUGUST 8, 2024

OWNER / APPLICANT:

DAISY HOLDING COMPANY, LLC
7873 PARKER LANE SE
TURNER, OREGON 97392

ENGINEER / SURVEYOR:

K+D ENGINEERING, INC.
P.O. BOX 725
ALBANY, OREGON 97321
541-928-2583

TAX LOT + SITE ADDRESS

TAX LOT 2800, MAP 125-2W-10CD
785 W B STREET
LEBANON, OREGON 97355

ZONING:

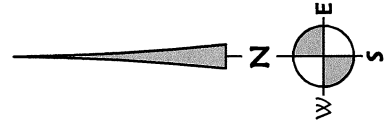
EXISTING UGA-UGM-10 (LINN COUNTY)
REQUESTED: RESIDENTIAL MIXED DENSITY (RM)

CURRENT USE:

RESIDENTIAL

LEGEND:

- [G] EXISTING GAS METER
- ← EXISTING GUY WIRE
- EXISTING POWER POLE
- [M] EXISTING WATER METER
- ⊙ EXISTING FIRE HYDRANT
- ⊙ EXISTING DECIDUOUS TREE
- EP- EXISTING EDGE OF PAVEMENT
- GAS- EXISTING GAS LINE
- OHP- EXISTING OVERHEAD POWER LINE
- W- EXISTING WATER LINE
- SS- EXISTING SANITARY SEWER LINE
- X- EXISTING FENCE LINE



0 25 50 100 FT.

ORIG. SCALE: 1" = 50'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
JOE J. COTA
#58561LS

Renews: 12/31/25

