



Mayor Gary H. Wheeler  
And the Medford City Council  
4112 West 8<sup>th</sup> Street  
Medford, OR 97501

October 20, 2015

Re: Urban Growth Boundary

Dear Mayor Wheeler and Members of the City Council:

This letter is submitted on behalf of the owners of Tax Lots 37-1W-26-103 and 37-1W-26-104. The owners of these tax lots hereby agree to one of two options relating to the trail system depicted on the enclosed map, to the extent the trail system lies within the boundaries of Tax Lot 103 and Tax Lot 104. Our promises on these matters can be properly ensured with a legal agreement that we are willing to sign and record if our property is included in the UGB. The agreement would be made so it is binding upon future successors in interest. We would sign the legal agreement upon the Council including this land in the UGB but before the same proceeds to Jackson County. The agreement, of course, would provide that it is binding only if ultimate adoption of the UGB by both the City of Medford and Jackson County includes our property and is either not appealed or sustained on appeal.

**Option A:** The owners will construct the greenway & trail system on their respective tax lots at the owners' expense as they develop and construct the improvements on said tax lots. The owners will dedicate the trail system to the City as it is constructed. This would be the owners' preferred option even though the owners would pay for the trail system.

**Option B:** If the City wants to develop the trail system sooner than the owners develop their property, the owners will grant an easement or dedicate the land to the City to allow the City to construct the trail system in the location mutually agreed upon. Under this Option B scenario, the City would agree that: **(1)** nothing in the easement or dedication would be allowed to prevent, conflict, or hinder the owners' ability to develop and build out their properties; **(2)** the owners would have the right to temporarily close the trails for safety reasons during time periods when they are developing and constructing improvements on their properties; **(3)** the City would install temporary fencing on each side of the trail system so that users of the trail system would not go on to the owners' properties; and **(4)** the City would be responsible for maintenance and repair of the trail system.

Our intention is always to make good on our promises and we believe the method described above will provide the proper assurances that our promises will be kept.

Very truly yours,

MICHAEL T. MAHAR

**Northeast Portion MD-5  
20-Year UGB**

**Concept  
Draft Work Map**

**Legend**

**PC Recommendation Modified**

**Proposed GLUP**

- CM
- SC
- HI
- GI
- UH
- UM
- UR
- PS

PC TotalExpUnbuildable

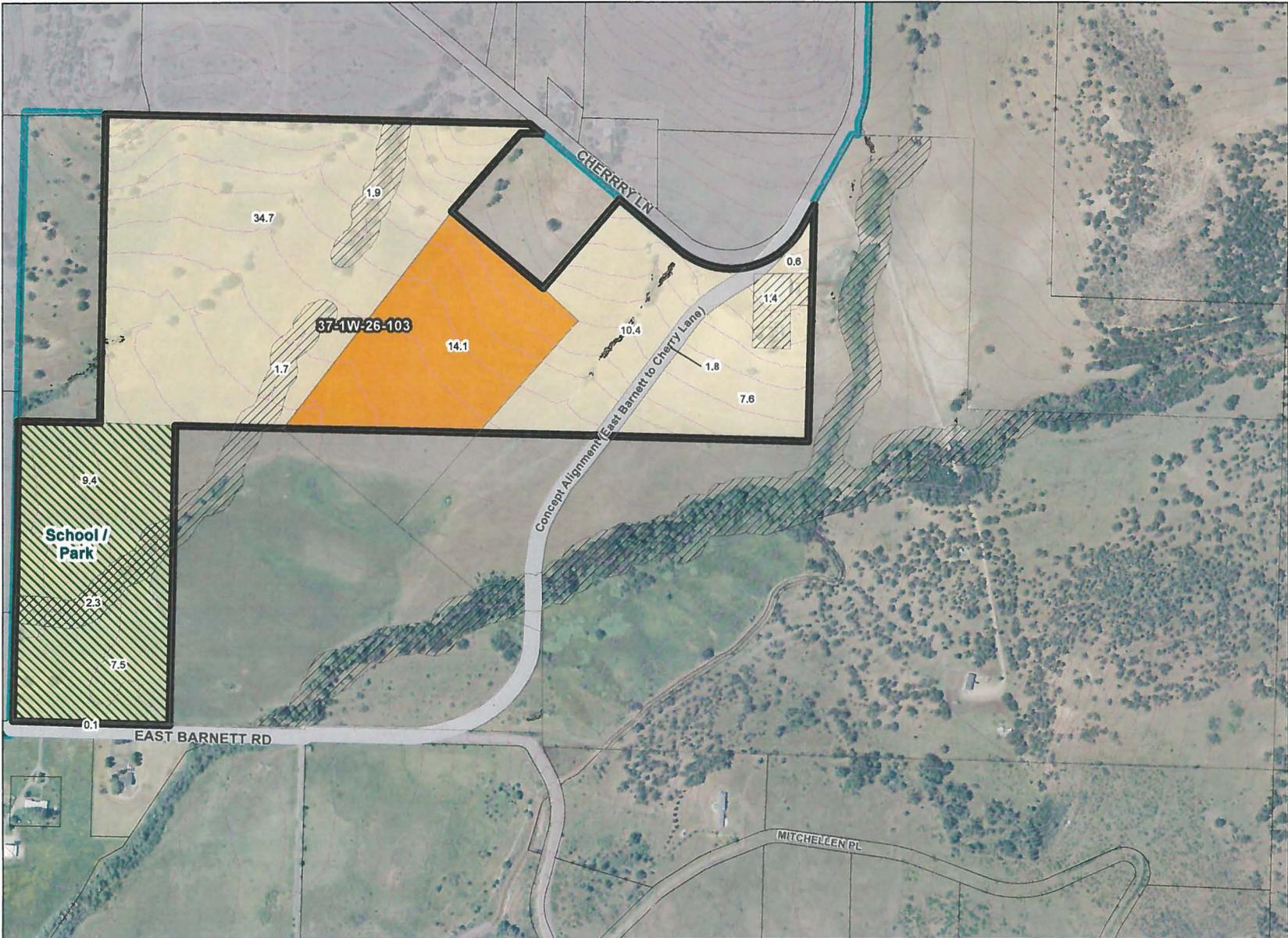
Lot 103

10-Foot Contours

School / Park

Concept Road

Tax Lots



**Lot 103 Summary**  
 Total Acres: 93.4

UM Buildable: 14.1  
 UR Buildable: 70.2

UR Unbuildable: 7.4  
 East Barnett Ext.: 1.8



**Northeast Portion MD-5  
20-Year UGB**

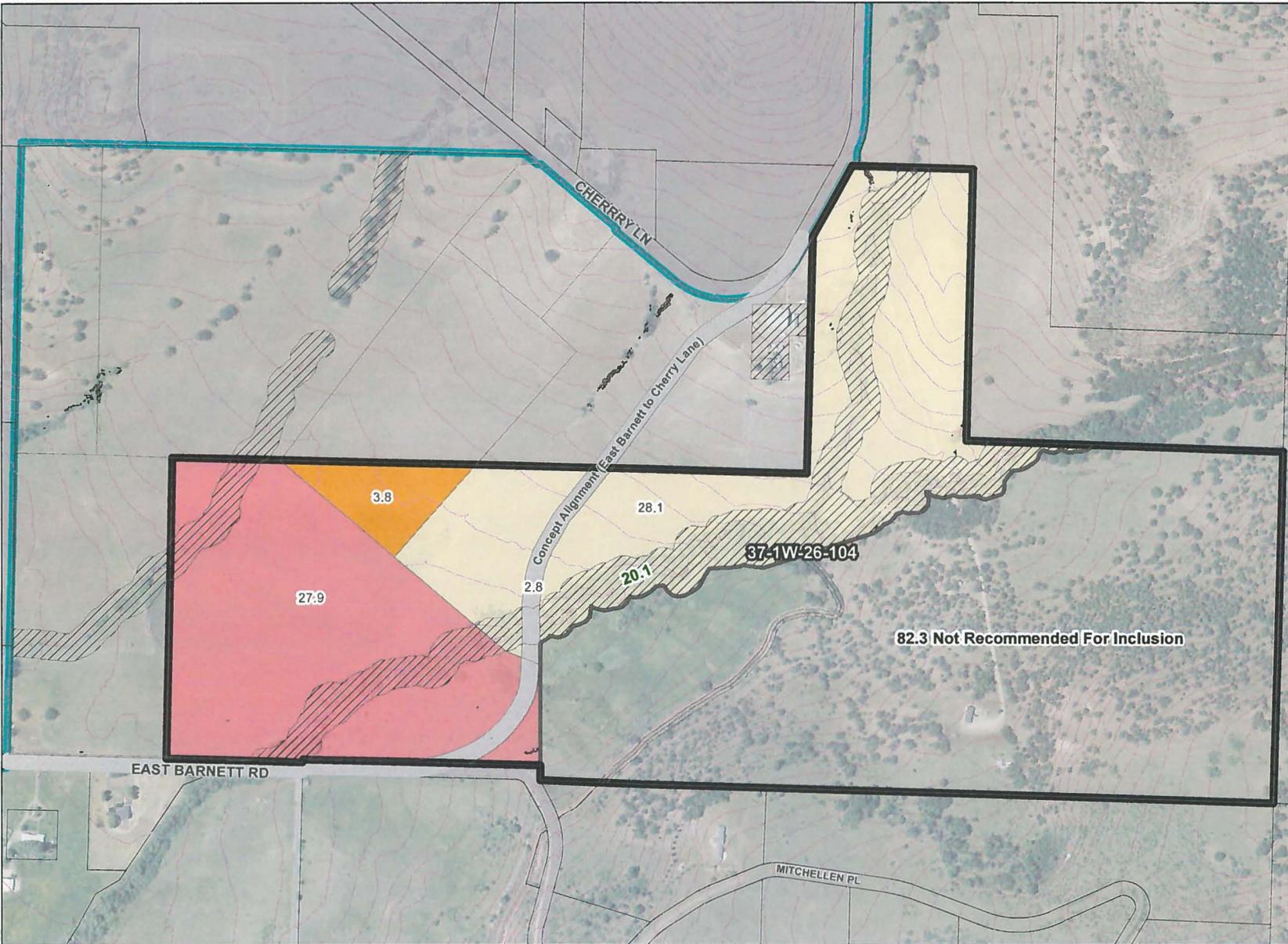
**Concept  
Draft Work Map**

**Legend**

**PC Recommendation Modified**

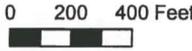
**Proposed GLUP**

- CM
- SC
- HI
- GI
- UH
- UM
- UR
- PS
- PC TotalExpUnbuildable Modified
- Lot 104
- 10-Foot Contours
- Concept Road
- Tax Lots



**Lot 104 Summary**  
Total Acres: 164.9

SC Buildable: 27.9  
 UM Buildable: 3.8  
 UR Buildable: 28.1  
 East Barnett Ext.: 2.8  
 Unbuildable: 20.1  
 Remainder: 82.3





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Medford, OR 97501

October 20, 2015

Re: Urban Growth Boundary

Dear Mayor Wheeler and Members of the City Council:

It is important for the council to understand the partnership(s) of Tax Lot 104 is different than Tax Lot 103. The owner groups are not the same. I am the only partner in both properties

Tax Lot 104 has over 80% of the trail & greenway responsibility. Tax Lot 104 is 165 acres and only has 28.1 acres of standard single family lots, yet will also be responsible to build a larger portion of the extension from Barnett Road to connect with Cherry Lane. Thus it would be greatly appreciated if the council would consider including an additional 13.7 acres to help pay for this very important higher level road. See attached map.

The property owners now have 27.9 acres commercial, 3.8 acres small lots residential and 28.1 standard single family residential for a total of 59.8 acres buildable out of the 165 acres. The commercial area designation was the suggestion of city staff to which the partners agreed. With the inclusion of the 13.7 acres, Tax Lot 104 would have 41.8 acres dedicated to standard single family out of the total of 165 acres.

Consider this request only should there be additional acres at the council's discretion. It is important for the council to understand that our commitment to give the dedications and easements for trail connections is not contingent upon receiving the additional 13.7 acres into the 20 year UGB. As I have said, we are very grateful for the current Planning Commission recommendation to include our portion of MD5. Our reason for this request is to help defray the costs and responsibility for the trails & greenways on Tax Lot 104 and will further aid in the building of the extension of Barnett Road to Cherry Lane.

Very truly yours,

MICHAEL T. MAHAR

**Northeast Portion MD-5  
20-Year UGB**

**Concept  
Draft Work Map**

**Legend**

**PC Recommendation Modified**

**Proposed GLUP**

- CM
- SC
- HI
- GI
- UH
- UM
- UR
- PS

PC TotalExpUnbuildable Modified

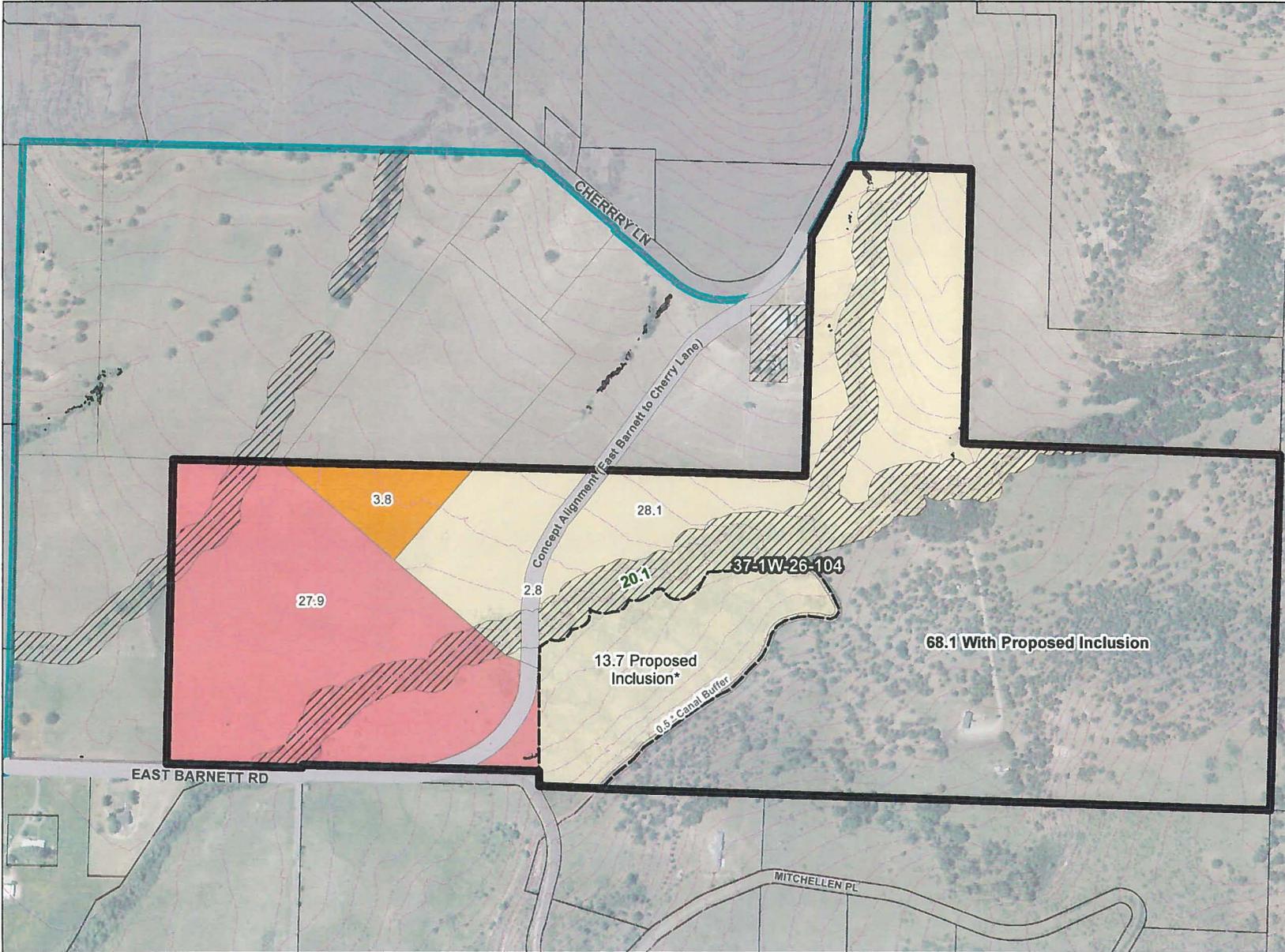
Lot 104

10-Foot Contours

Concept Road

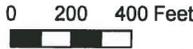
Tax Lots

Proposed Additional Inclusion



Lot 104 Summary  
Total Acres: 164.9

SC Buildable: 27.9  
 UM Buildable: 3.8  
 UR Buildable: 28.1  
 UR Proposed: 13.7  
 East Barnett Ext.: 2.8  
 Unbuildable: 20.1  
 Unbuildable Canal: 0.5  
 Remainder: 68.1



**Northeast Portion MD-5  
20-Year UGB**

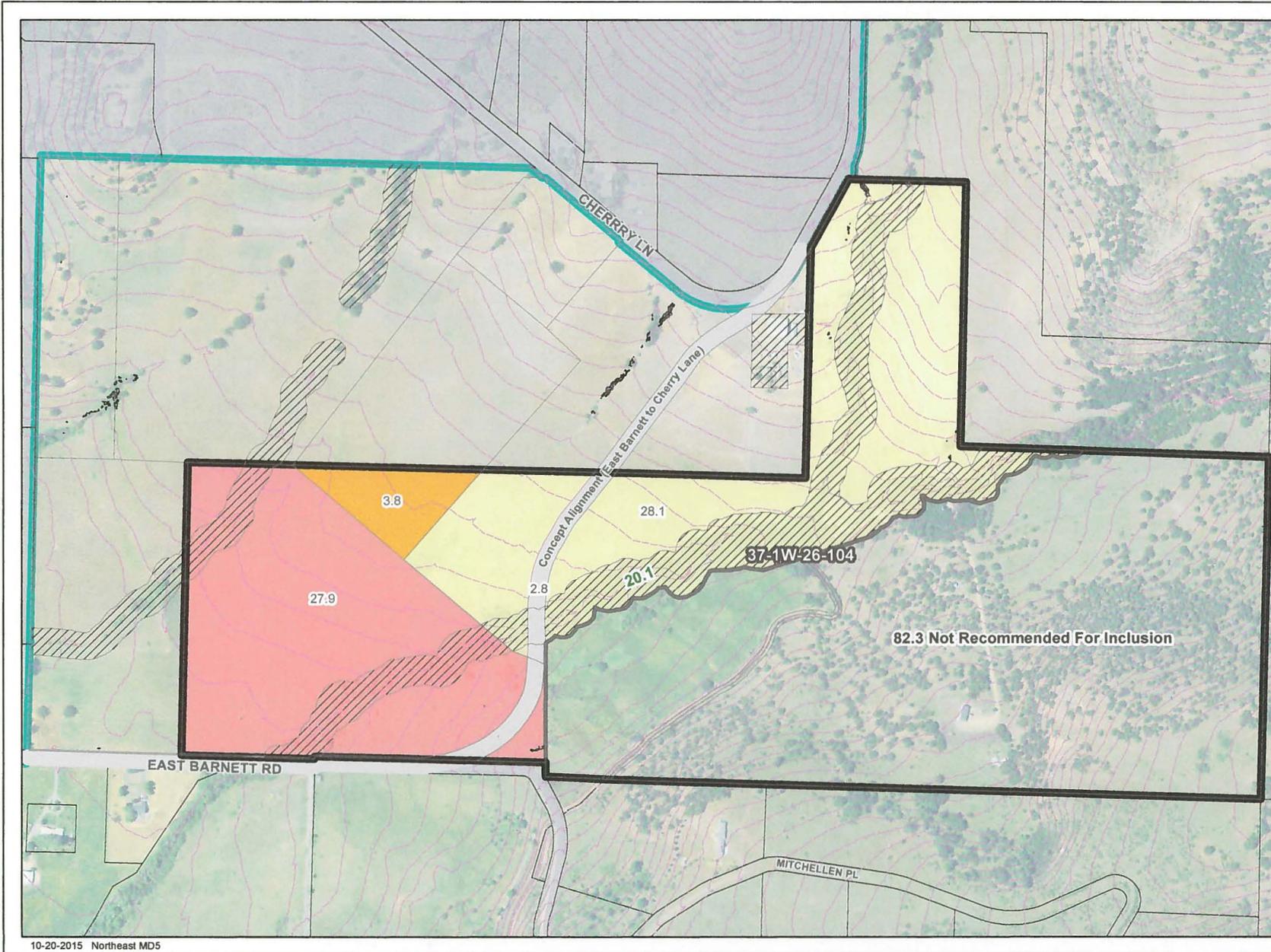
**Concept  
Draft Work Map**

**Legend**

**PC Recommendation Modified**

**Proposed GLUP**

- CM
- SC
- HI
- GI
- UH
- UM
- UR
- PS
- PC TotalExpUnbuildable Modified
- Lot 104
- 10-Foot Contours
- Concept Road
- Tax Lots



82.3 Not Recommended For Inclusion

37-1W-26-104

Lot 104 Summary  
Total Acres: 164.9

SC Buildable: 27.9  
UM Buildable: 3.8  
UR Buildable: 28.1  
East Barnett Ext.: 2.8  
Unbuildable: 20.1  
Remainder: 82.3

