

SITE PLAN & ARCHITECTURAL
COMMISSION
AGENDA
AUGUST 19, 2016



Commission Members

Jeff Bender, Chair

Jim Quinn, Vice Chair

Jim Catt

Bill Chmelir

Tim D'Alessandro

Bob Neathamer

Marcy Pierce

Curtis Turner

Rick Whitlock

City Council Liaison - Dick Gordon

City Council Liaison Alt. - Eli Matthews

Regular Commission meetings are held on
the first and third Fridays of every month

Beginning at 12:00 Noon

City of Medford

Council Chambers,

Third Floor, City Hall

411 W. 8th Street

Medford, OR 97501

(541) 774-2380



Site Plan and Architectural Commission

Agenda

Public Hearing

August 19, 2016

12:00 noon

Council Chambers, City Hall, Room 300
411 West Eighth Street, Medford, Oregon

-
10. Roll Call.
 20. Consent Calendar. None.
 30. Minutes.
 - 30.1 Consideration for approval of minutes from the August 5, 2016, meeting.
 40. Oral and Written Requests and Communications.

Comments will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**
 50. Public Hearings – Old Business.

Comments are limited to a total of 10 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. All others will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**

 - 50.1 AC-16-048 Consideration of plans for the construction of a 1,200 square foot mechanic shop, along with a 360 square foot office/bathroom accessory structure, on a 0.7 net acre lot located at 1112 Bens Lane within the General Industrial (I-G) zoning district. (372W24CB2300) (Esteban Gonzales, Applicant; John Duffie', Agent).
 60. Written Communications. None
 70. Unfinished Business. None
 80. New Business.
 90. Report from the Planning Department.
 100. Messages and Papers from the Chair.
 110. Propositions and Remarks from the Commission.
 120. City Council Comments.
 130. Adjournment.



Site Plan and Architectural Commission

Minutes

From Public Hearing on August 5, 2016

The regular meeting of the Site Plan and Architectural Commission was called to order at noon in the Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present

Jeff Bender, Chair
Jim Quinn, Vice Chair
Jim Catt
Bob Neathamer
Marcy Pierce
Curtis Turner
Rick Whitlock
Dick Gordon, City Council Liaison

Staff Present

Jim Huber, Planning Director
Kelly Akin, Principal Planner
Eric Mitton, Senior Assistant City Attorney
Doug Burroughs, Public Works/Eng Development Services Mgr.
Dustin Severs, Planner II
Debbie Strigle, Recording Secretary

Commissioners Absent

Bill Chmelir, Excused Absence
Tim D'Alessandro, Excused Absence

10. Roll Call.
20. Consent Calendar/Written Communications.
30. Minutes.
 - 30.1 The minutes for the July 15, 2016, meeting, were approved as submitted.
40. Oral and Written Requests and Communications. None.
50. Public Hearings.

Eric Mitton, Senior Assistant City Attorney, read the rules governing the public hearings.

New Business.

50.1 **AC-16-048** Consideration of plans for the construction of a 1,200 square foot mechanic shop, along with a 360 square foot office/bathroom accessory structure, on a 0.7 net acre lot located at 1112 Bens Lane within the General Industrial (I-G) zoning district. (372W24CB2300) (Esteban Gonzales, Applicant; John Duffie', Agent).

Chair Bender asked for any potential conflicts of interest or ex-parte communications. There were none.

Dustin Severs, Planner II, gave a PowerPoint presentation of the July 29, 2016, Staff Report. He pointed out that the Public Works Department had submitted a Revised Staff Report with a minor correction. Staff recommended approval.

Commissioner Catt wanted to know what other options might be available to satisfy the Medford Fire Department's fire-flow requirements. Mr. Severs answered that Mr. Duffie' had explained a sprinkler system might be possible but nothing had been agreed to at this time.

The Commission had questions regarding stormwater drainage and access easements. Mr. Severs deferred these questions to the Public Works Department.

Doug Burroughs, Engineering Department, explained the department has a standard comment that if any stormwater runoff goes on to adjacent property or private property, they need to have an easement for it.

There was discussion about access easements. Mr. Burroughs said they ask that the applicant provide copies of cross-access agreements.

Commissioner Whitlock questioned the security for 120% instead of 125% on the public improvements. Mr. Burroughs explained that the 125% is money that would be put up with a Deferred Improvement Agreement, which basically defers the improvements indefinitely; the 120% is if the applicant would like to acquire a building permit before improving the street improvements. They would have to put up a performance bond of 120% and generally have a year to complete those improvements. This allows the applicant to get the building permits and often times they will do their on-site and public improvements at the same time.

Commissioner Whitlock asked if there might be an opportunity for access to this development through City-owned property to the southwest. Mr. Burroughs answered it would be unlikely as the access would be in a secured area of the City's Public Works facility.

Eric Mitton, Senior Assistant City Attorney stated he had talked with Mr. Severs about the potential for prescriptive easements and easements implied by necessity. He said ultimately he did not know if there were sufficient facts to get the applicant there if they wanted to pursue that as opposed to pursuing just the negotiation of the purchase of an express easement.

Commissioner Whitlock wanted to know about the Revised Public Works Staff Report. Mr. Burroughs clarified there had been a very minor typo and they wanted to get that taken care of.

There was discussion regarding stormwater retention and detention. Commissioner Whitlock asked if a retention system might be a practical possibility for this development given the size of the parcel. Mr. Burroughs answered it might be but most people go with a detention system and gave an explanation of the difference between a retention system and a detention system.

The public hearing was opened and the following testimony was given:

a) John Duffie', agent for the applicant, stated they are okay with all the Conditions of Approval but wanted to respond to some of them. He said he had done more research after being asked to provide cross-access easements. He stated a title company had not been able to find any cross-access easements but he did find planning action documents from 2006 for 1170 Bens Lane, owned by Esteban Gonzales, the applicant. Mr. Duffie' displayed a document, labeled as Exhibit E, that read "Public Works had Lawyers Title perform a title search on all the properties on Bens and Posse to determine whether access existed or not. The search indicated that 40 feet of road access existed on all parcels except for 3. John HuttI thought that since there was legal access on most of the properties, that right of access could

legally be established on the 3 that do not have it included in their deeds by prescriptive rights." Mr. Duffie' mentioned he thought they could use that document as a precedent on this current planning action. He added he felt that adequately addressed the vehicular access.

Mr. Duffie' said that because the stormwater runoff is going into a public right-of-way, then the stormwater issue should be okay. He added there are other ways they could mitigate any impact and mentioned a plan for holding the stormwater on top of the parking lot with a restricted orifice that has a controlled discharge, which is what is currently in place.

Mr. Duffie' talked about the fire-flow requirements saying he had talked to Fire Marshal, Greg Kleinberg, and it appears the most viable option is a limited fire sprinkler system. He said this is the option they plan on going with.

Commissioner Neathamer commented that it does not change his mind on the required conditions and asked Mr. Duffie' if they have an engineered plan for the water detention. Mr. Duffie' answered yes.

Commissioner Neathamer stated he did not find this application to be complete and said he would have a very difficult time approving it with only the information that had been presented at this meeting. Mr. Duffie' responded that the application had gone through a completeness review and was found to be complete by City staff.

Commissioner Neathamer said he is being asked to make a decision on an application that does not have all the information with it. He pointed out the Commission does not have any documentation from the Fire Marshal, no documentation for any cross-access easements, and the applicant needs to provide for drainage. He stated he would not support this application and was tired of applications coming to the Commission that are incomplete and which need to be changed at the podium.

Commissioner Whitlock asked that Exhibit E from 2006, as presented by Mr. Duffie', be submitted into the record. This exhibit will be entered into the record as Exhibit O.

Commissioner Whitlock asked Mr. Duffie' if he knew which three properties were not currently subject to a cross-access easement. Mr. Duffie' replied he did not know.

b) Jim Bradley, owner of property on Bens Lane, spoke in favor of this application. He said he thought if a road had been used for several years that access could not be denied to you. Mr. Bradley stated he is the person who maintains the entire gravel portion of both Bens and Posse Lanes. He divulged that Esteban Gonzales is the largest contributor of that maintenance. He added he provides the roadwork and equipment for free and had almost 100% cooperation with people buying the gravel last year. As far as the stormwater issue, Mr. Bradley said he has lived there for 9 or 10 years and has never had any problems with flooding.

Commissioner Whitlock asked Mr. Bradley if he would be willing to grant a cross-access easement and stormwater easement to the applicant's property. Mr. Bradley explained his property is at the end of the road and any easements would be of no benefit to Mr. Gonzales.

The public hearing was closed.

Motion: Continue this item to the August 19, 2016, meeting to allow the Commission to receive and review all the information that is necessary to make an informed decision.

Commissioner Neathamer reiterated he felt there were just too many items missing from the application to make a decision today.

Moved by: Commissioner Neathamer

Seconded by: Commissioner Turner

Commissioner Whitlock commented he agreed with Commissioner Neathamer that some information was missing; however, it seemed like staff's conditions had adequately addressed those issues. He wanted to hear more from Commissioner Neathamer.

Commissioner Neathamer stated he has difficulty when there are changes made to a staff report the day of the public hearing meeting. He added this same situation has now happened two or three times in a row. Commissioner Neathamer said there was a lot of information that had not been presented at this meeting that the Commission is supposed to review and approve. He said if this item is continued to the next regular meeting, everybody would have an opportunity to provide that information and give the Commission a full review.

Commissioner Whitlock asked if there was any time limitation that would affect the Commission's ability to delay a decision to a future meeting. Kelly Akin, Principal Planner, stated there was not.

Commissioner Whitlock asked if staff saw any difficulty in obtaining the additional information in a two-week time period or would it be more appropriate to allow for more time. Ms. Akin clarified this Commission has no authority over the fire-flow code requirements and the stormwater easement is not necessary since this particular site will be draining into the public-right-of-way. Ms. Akin agreed it would be helpful to receive the information regarding the cross-access easements.

Chair Bender commented on the cross-access easement process and said he felt the groundwork had been laid by the applicant to obtain prescriptive easements as demonstrated by Mr. Duffie's reading of Exhibit E from 2006. He said he did not see a particular problem as the missing information in this application are things this Commission routinely sees and which have been deemed complete by City staff.

Commissioner Whitlock said he is supportive of this application, and improvements to this area are positive things for the neighbors and the city of Medford as a whole. After listening to Commissioner Neathamer's remarks and concerns, and always in favor of an opportunity to receive more information on an application, Commissioner Whitlock declared he would support the motion to continue the item.

Commissioner Catt agreed that more specific information was needed.

Roll Call Vote: Motion passed, 7-0

60. Written Communications. None.

70. Unfinished Business. None.

80. New Business. None.

90. Report from the Planning Department.

90.1 Ms. Akin stated there would be business scheduled for the August 19th and September 2nd, meetings.

90.2 Ms. Akin reported that on July 21st City Council heard an appeal on the partition on East Main Street and White Oak Drive. City Council upheld the Planning Commission's decision on that project.

90.3 Ms. Akin said that on August 18th City Council will be making a decision on the Urban Growth Boundary project. They had held a study session on July 28th.

90.4 Ms. Akin announced that an appeal had been filed on this Commission's decisions regarding the JDT Trucking project. The appeal is for both the Site Plan application as well as the Exception application decisions. It will be heard before City Council on August 18th.

Commissioner Whitlock said he had attended the City Council meeting on August 4th and action had been taken on the Skypark Disposition and Development Agreement (DDA). He asked Ms. Akin for an explanation and also what impact it has on this Commission.

Ms. Akin answered she had not attended the meeting and did not know the outcome. She said as far as she was aware, this Commission's decision is still valid for another year in regards to their land use action. Ms. Akin deferred the question regarding the outcome of the DDA to Councilmember Gordon.

100. Messages and Papers from the Chair. None.

110. Propositions and Remarks from the Commission. None.

120. City Council Comments.

120.1 Councilmember Gordon reported that several weeks ago Skypark had been approved to extend the DDA by one year. Because there had been several "no" votes, it then had to go to a second hearing. At the second hearing the motion to extend the DDA one year was defeated. He commented that one of the Councilmembers had recommended that the applicant reapply and come back through this Commission.

Jim Huber, Planning Director, stated that as far as the land use decision goes, he believed the two years is up either this month or next. He said the applicant could then request a one-year extension which would keep the land use approval alive.

120.2 Councilmember Gordon announced that Mr. Huber will be retiring from the Planning Department. His last day will be September 30, 2016. Councilmember Gordon thanked Mr. Huber for the work he has done in the Planning Department and wished him well in his next adventures.

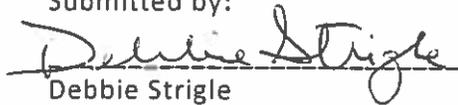
120.3 Councilmember Gordon commented that the Planning Commission has a vacancy if anyone was interested in serving on that Commission as well as this one.

Chair Bender thanked Mr. Huber for his service to the city. He said it had been a great pleasure working with Mr. Huber over the years.

130. Adjournment

130.1 The meeting was adjourned at approximately 1:10 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:



Debbie Strigle
Recording Secretary

Jeff Bender
Site Plan and Architectural Commission Chair

Approved: August 19, 2016

BEFORE THE MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF SITE PLAN AND ARCHITECTURAL COMMISSION)
FILE AC-16-048 APPLICATION FOR PROJECT REVIEW SUBMITTED) ORDER
BY ESTEBAN GONZALES)

AN ORDER granting approval of plans for the construction of a 1,200 square foot mechanic shop, along with a 360 square foot office/bathroom accessory structure, on a 0.7 net acre lot located at 1112 Bens Lane within the General Industrial (I-G) zoning district.

WHEREAS:

1. The Site Plan and Architectural Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.285.
2. The Site Plan and Architectural Commission has duly held public hearings on the matter of an application of plans for the construction of a 1,200 square foot mechanic shop, along with a 360 square foot office/bathroom accessory structure, on a 0.7 net acre lot located at 1112 Bens Lane within the General Industrial (I-G) zoning district, with public hearings a matter of record of the Site Plan and Architectural Commission on August 5 and August 19, 2016.
3. At the public hearings on said application, evidence and recommendations were received and presented by the Planning Department staff; and
4. At the conclusion of said public hearings, after consideration and discussion, the Site Plan and Architectural Commission, upon a motion duly seconded, granted approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of approval.

THEREFORE LET IT BE HEREBY ORDERED that the application of Esteban Gonzales, stands approved subject to compliance with the conditions stated in the Revised Staff Report dated August 12, 2016.

AND LET IT FURTHER BE OF RECORD that the action of the Site Plan and Architectural Commission approving this application is hereafter supported by the following findings:

- (a) That the proposed development, with the conditions of approval, complies with the applicable provisions of all city ordinances as determined by the staff review.

FINAL ORDER AC-16-048

- (b) That the proposed development is compatible with uses and development that exist on adjacent land, based upon information provided in the Applicant's Questionnaire and presented at the public hearing.

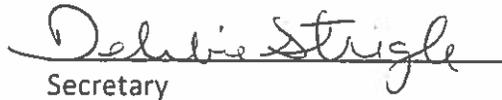
BASED UPON THE ABOVE, it is the finding of the Medford Site Plan and Architectural Commission that the project is in compliance with the criteria of Section 10.290 of the Land Development Code.

Accepted and approved this 19th day of August, 2016.

MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

Site Plan and Architectural Commission Chair

ATTEST:


Secretary



Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT-REVISED

for a Type-C quasi-judicial decision: Architectural and Site Plan Review

PROJECT GE Forestry Shop
 Applicant: Esteban Gonzales; Agent: John Duffie'

FILE NO. AC-16-048

TO Site Plan and Architectural Commission *for August 19, 2016 hearing*

FROM Dustin Severs, Planner II

REVIEWER Kelly Akin, Principal Planner

DATE August 12, 2016

BACKGROUND

Proposal

Consideration of plans for the construction of a 1,200 square foot mechanic shop, along with a 360 square foot office/bathroom accessory structure, on a 0.7 net acre lot located at 1112 Bens Lane within the General Industrial (I-G) zoning district (372W24CB2300).

Subject Site Characteristics

Zoning	I-G	General Industrial
GLUP	HI	Heavy Industrial
Overlay	AC	Airport Area of Concern
Use		Storage yard for the service vehicles of GE Forestry

Surrounding Site Characteristics

North	I-G	GE Forestry
South	I-L	Light Industrial City of Medford Service Center
East	I-L	City of Medford Service Center
West	I-G	Bradley's Excavation

Related Projects

- PA-08-001 Pre-application requesting the site to be used as a caretaker's residence and for the construction of a detached garage.
- PA-15-024 Pre-application to review preliminary submittals for the subject request.

Corporate Names

The Oregon Secretary of State website lists Esteban Gonzales as the Registered Agent of GE Forestry.

Applicable Criteria

MLDC Section: 10.290 – Site Plan & Architectural Review Criteria

The Site Plan and Architectural Commission shall approve a site plan and architectural review application if it can find that the proposed development conforms, or can be made to conform through the imposition of conditions, with the following criteria:

- (1) The proposed development is compatible with uses and development that exist on adjacent land; and*
- (2) The proposed development complies with the applicable provisions of all city ordinances or the Site Plan and Architectural Commission has approved (an) exception(s) as provided in MLDC § 10.253.*

ISSUES AND ANALYSIS

Background

The applicant owns GE Forestry, a company which provides re-forestation and firefighting services and equipment, located at 1180 Bens Lane. The subject site is generally located west of Sage Road between West McAndrews Road and Posse Lane. It abuts the GE Forestry property to the south, and has been used as a storage yard for their service vehicles.

The applicant is now requesting to use the site as the location of a pre-manufactured metal building used as a mechanic shop for the storing and servicing of the GE Forestry service vehicles, along with a stick-built office and bathroom accessory building to be located next to the mechanic shop. Though auto repair shops are a permitted use in the I-G zoning district per MLDC Section 10.337, prior to the issuance of a building permit, the applicant will need approval through the Site Plan and Architectural Review Commission (SPAC).

Street Improvements

The subject site is fronted by Bens Lane, a gravel roadway which has not been dedicated as a public street. Bens Lane's 860 foot length, from where it fronts the subject site on the south to where it meets with Posse Lane to the north, is located entirely within the private properties, including the subject property. In the staff report submitted by Public Works during the applicant's pre-application review (PA-15-024), a determination had been made that the developer would be responsible for the construction of a 22-foot wide paved structural section from the north end of the improved section along the frontage of the subject site to the existing paved section on Posse Lane, a distance of over 1,000 feet. However, on the advice of legal counsel, this requirement was withdrawn by Public Works in preparation for their staff report for the property owner's SPAC application review.

With the full extent of Bens Lane being located entirely within private property, Public Works has concluded that the previous requirement that the applicant construct a paved road from the subject site to the paved section on Posse Lane is not enforceable. However, the portion of Bens Lane that is adjacent to the proposed development will be required to be improved to Commercial Street standards in accordance with MLDC 10.429.

Right-of-Way Dedication

Per MLDC Section 10.451, the dedication of additional public right-of-way is required when the existing right-of-way does not comply with minimum width requirements as identified in the MLDC. Per the staff report submitted by Public Works (Exhibit H), the applicant is required to dedicate for public right-of-way a strip of land 31.5 feet wide, as well as a portion with a 45-foot radius for a cul-de-sac along the frontage of the subject site.

Parking

Parking Requirements

	REQUIRED	SHOWN
Total Spaces	5 spaces - minimum	5 spaces
Accessible Spaces	1 space	1 space
Bicycle Spaces	1 space	2 spaces

As illustrated in the above Parking Requirements table, it can be found that the submitted site plan meets and exceeds the parking requirements as outlined in MLDC 10.741-10-751 (Exhibit B).

The site plan identifies the measured length of the parking spaces at 18 feet. Per MLDC Section 10.746(16), the required space length for parking spaces is 19 feet. As a condition of approval, the applicant will be required to submit a revised site plan showing the parking spaces meeting the minimum dimensional standard.

Landscaping

Landscaping Requirements

	REQUIRED	SHOWN
TREES, FRONTAGE	3	1
SHRUBS, FRONTAGE	14	8

As illustrated above, the submitted Landscape Plan does not meet the landscaping requirements as outlined in MLDC 10.746 and 10.797 (Exhibit C). As a condition of approval, the applicant will be required to submit the revised landscape plan prior to the issuance of a building permit.

Building architecture

In response to the Compatibility Criterion section of the Applicant's Questionnaire of the Site Plan and Architectural Review Application, the applicant's description of the proposed architecture and exterior treatments, and how they fit with and complement adjacent buildings and development, as stated in the submitted findings, reads as follows:

The scale and massing of the proposed buildings are relatively similar to the surrounding structures. There is a mix of older industrial sheds, one and two-story houses and commercial buildings. The shop building is a simple shallow gable roof with metal roofing and wall cladding. The small office building will be sided with scored plywood, with a metal shed roof.

Vehicular Access

Vehicular access to the subject site will be provided via the GE Forestry lot adjoining the subject site to the north. Per the Public Works staff report, evidence of an access easement between the two properties will be required.

Concealments

The site plan (Exhibit B) identifies an area designated for trash and recycle bins located at the southwest corner of the proposed building, including an annotation stating the bins will be behind a six foot high corrugated metal fence, consistent with MLDC Section 10.781.

Public Improvements

Per the report submitted by the Medford Fire Department (Exhibit J), the minimum required fire flow for the proposed development is 1,500 gallons per minute (GPM). A fire hydrant flow test was performed by the Medford Water Commission (MWC) on July 7, 2016. As illustrated in the Flow Test Summary report submitted by MWC (Exhibit N), the existing water line is not able to provide the Medford Fire Department water flow requirement of 1,500 GPM. Therefore, the applicant will be required to install approximately 1,400 feet of a new 8-inch water line in order for the 1,500 GPM fire protection level to be achieved.

As a condition of approval, the applicant will be required to install an 8-inch water line or otherwise satisfy Fire Code requirements as determined by the Medford Fire Department.

Easements

At the Land Development meeting held on July 13, 2016, staff expressed concerns regarding the fact that Bens Lane is located entirely upon private property, requiring vehicles to cross several separate lots in order to access the subject site. Staff further expressed concern with the proposed paving of the site's parking and maneuvering area, and the effect the increase in impervious surface would have in draining surface water to adjoining properties. At the request of staff, the applicant's agent performed a title search to locate recorded easements for either vehicular access or stormwater, and none were found.

At the time of this writing, staff is in communication with the City's legal counsel in order to make a determination of whether or not the acquisition and recordation of easements by the applicant from the adjoining property owners is necessary. Staff is recommending a condition of approval that the applicant obtain the necessary easements for both access and stormwater from the adjoining property owners prior to the issuance of a building permit for the proposed development.

Committee Comments

No comments were received from a committee such as BPAC.

Update from the August 5, 2016 Meeting

At the meeting held on August 5, 2016, the Commission voted to continue to the meeting scheduled for August 19, 2016, in order to afford the applicant time to acquire additional information concerning various unresolved issues and concerns raised at the meeting. It was the opinion of the Commission that the information provided by the applicant was insufficient, constituting an incomplete application that inhibited the Commission's ability to perform a thorough review and adequately render a decision.

The issues of concern expressed by the Commission at the hearing action taken by the applicant's agent and staff to resolve the issues are as follows:

- The Commission expressed frustration in that a revised staff report had been submitted from Public Works the day of the hearing leaving the Commission with inadequate time to review the changes.

The change to the Public Works staff report was minor, consisting of an incorrect location of one of the businesses in the area. The revised Public Works report has been added as Exhibit I-1.

- Staff had recommended a condition of approval requiring the applicant to provide documentation of an access easement from all the applicable property owners of Bens Lane prior to the issuance of building permit. Bens Lane is not a public street and access to the subject site requires crossing several private properties. At the request of staff, the applicant's agent had a title search performed by a title company in order to ascertain if access easements existed; none were found. However, Mr. Duffie', in his own independent research, was able to locate planning action documents (AC-06-90, the SPAC approval for the construction of the existing GE Forestry building on the adjoining property at 1170 Bens Lane) which showed that during the prior review process, the Public Works Department had Lawyers Title perform a search on all the properties on Bens Lane and Posse Lane. That search indicated that access easements did indeed exist. Mr. Duffie' displayed this document at the meeting, which reinforced the Commission's view that the application was incomplete and provided them with insufficient information to make a decision.

Since the meeting, staff has been able to obtain a full copy of the Special Report drafted by LandAmerica Title at the request of Public Works in 2005 (Exhibit O). The report shows that easements are reserved for the majority of the properties of which both Posse Lane and Bens Lane cross. Though several properties do not have easements reserved, the attached map included in the report (Exhibit P) illustrates that with the exception of a 16 foot strip just north of the GE Forestry site, easements exist on either or both sides of the roads, or are owned by the City or Jackson County, the entire extent of the roadway running from Sage Road to the subject site.

Staff maintains its recommendation that a condition be included in the approval of the application that requires the applicant to provide staff with access easements from all applicable property owners on Bens Lane and Posse Lane, or otherwise prove that vehicular access to the subject site can be legally accessed. A copy of the Special Report has been forwarded to SPAC's legal counsel for review.

It is staff's view that the recommended condition requiring the applicant to provide evidence of legal vehicular access prior to the issuance of a building permit adequately addresses the Commission's concerns. Additionally, it would allow the applicant time to acquire these access rights.

- In addition to the concern regarding access, there was a concern with the legal conveyance of stormwater from the site. With Bens Lane being an undedicated roadway, with the exception of the section fronting 1170 Bens Lane, staff was concerned that the stormwater ditch running north along Bens Lane was also crossing private property without drainage rights granted by the respective property owners. Staff as a condition of approval requiring the applicant to obtain stormwater easement rights from all applicable property owners.

Doug Burroughs of Public Works addressed the Commission at the meeting concerning the issue of stormwater conveyance and the need to acquire easements from all applicable neighbors. Since the stormwater from the subject property is conveyed directly onto the section adjacent to the GE Forestry location directly north of the subject site which has been dedicated to the City as public right-of-way, it is not the responsibility of the applicant to acquire easement rights from the property. In the interest of maintaining consistency with the professional opinion of the Public Works Department, staff has withdrawn the following condition recommended in the previous staff report:

Provide documentation to staff of a stormwater easement acquired from all applicable property owners.

It should also be noted that there is language in the warranty deeds of various properties included in the Special Report which could be interpreted as granting a stormwater easement to all applicable properties. At the time of this writing, the merit of this interpretation has not been confirmed by legal counsel.

- Finally, the Commission expressed apprehension in making a motion approving or denying the application due to issues concerning the applicant's inability to meet Fire Department requirements in regards to minimum fire flow for the existing water line serving the subject site, and the fact that there was not a representative from the Fire Department in attendance at the meeting to speak on the matter.

All Fire Department related conditions are non-discretionary code requirements not subject to the purview of the approving zoning authority. Nevertheless, an email correspondence between the applicant's agent and Fire

Marshal Greg Kleinberg of the Medford Fire Department has been added as Exhibit Q, which helps to explain the options being explored in order to meet the fire flow requirements without having to install a new 8 inch water line.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's narrative, findings, and conclusions (Exhibit G) and recommends the Commission adopt the findings with the following modification(s):

Prior to the issuance of the first building permit, the applicant shall:

1. Install an 8-inch water line consistent with the agency reports submitted by the MWC and the Medford Fire Department, or otherwise meet requirements of the Medford Fire Department (Exhibits J and N).
2. Submit a revised landscape plan, consistent with the requirements as outlined in MLDC 10.746 & 10.797, showing the following:
 - a. Three trees located along the frontage of Bens Lane and within the required 10 foot front yard setback.
 - b. 14 shrubs located along the frontage of Bens Lane and within the required 10 foot front yard setback.
3. Provide documentation to staff of a minimum access easement acquired from all applicable property owners of Bens Lane.
4. Submit a revised site plan showing the delineated parking spaces meeting the minimum dimensional standard of 19 feet in space length per MLDC Section 10.746(16).
5. Comply with all conditions stipulated by the Medford Public Works Department (Exhibit H-1).
6. Comply with all conditions stipulated by the Medford Water Commission (Exhibit I).
7. Comply with all conditions stipulated by Rogue Valley Sewer (Exhibit M).

RECOMMENDED ACTION

Adopt the findings with the proposed modifications as recommended by staff and adopt the Final Order for approval of AC-16-039 per the Revised Staff Report dated August 12, 2016, including Exhibits A-1 through Q.

EXHIBITS

- A-1 Conditions of Approval dated August 12, 2016.**
- B Site Plan received June 2, 2016.**
- C Landscape Plan received June 2, 2016.**
- D Site Drainage and Utility Plan received June 2, 2016.**
- E Building Elevations received June 2, 2016.**
- F Floor Plans, received June 2, 2016.**
- G Applicant's Narrative, Questionnaire, and Findings of Fact, received April 8, 2016.**
- H-1 Public Works Staff Report received August 5, 2016.**
- I Medford Water Commission Staff Memo received July 13, 2016.**
- J Medford Fire Department received July 13, 2016.**
- K Medford Building Department received on May 25, 2016.**
- L Oregon Department of Aviation email, received July 8, 2016.**
- M Rogue Valley Sewer Services report, received July 5, 2016.**
- N Flow Test Summary report from MWC, received July 21, 2016.**
- O Special Report received August 3, 2016.**
- P Existing easement map received August 10, 2016.**
- Q Email correspondence between applicant's agent and MFD received August 9, 2016.**
- R Email exhibit from 2006.**
Vicinity Map

SITE PLAN AND ARCHITECTURAL COMMISSION AGENDA:

AUGUST 5, 2016
AUGUST 19, 2016

EXHIBIT A-1

**GE Forestry Shop
AC-16-048
Conditions of Approval
August 12, 2016**

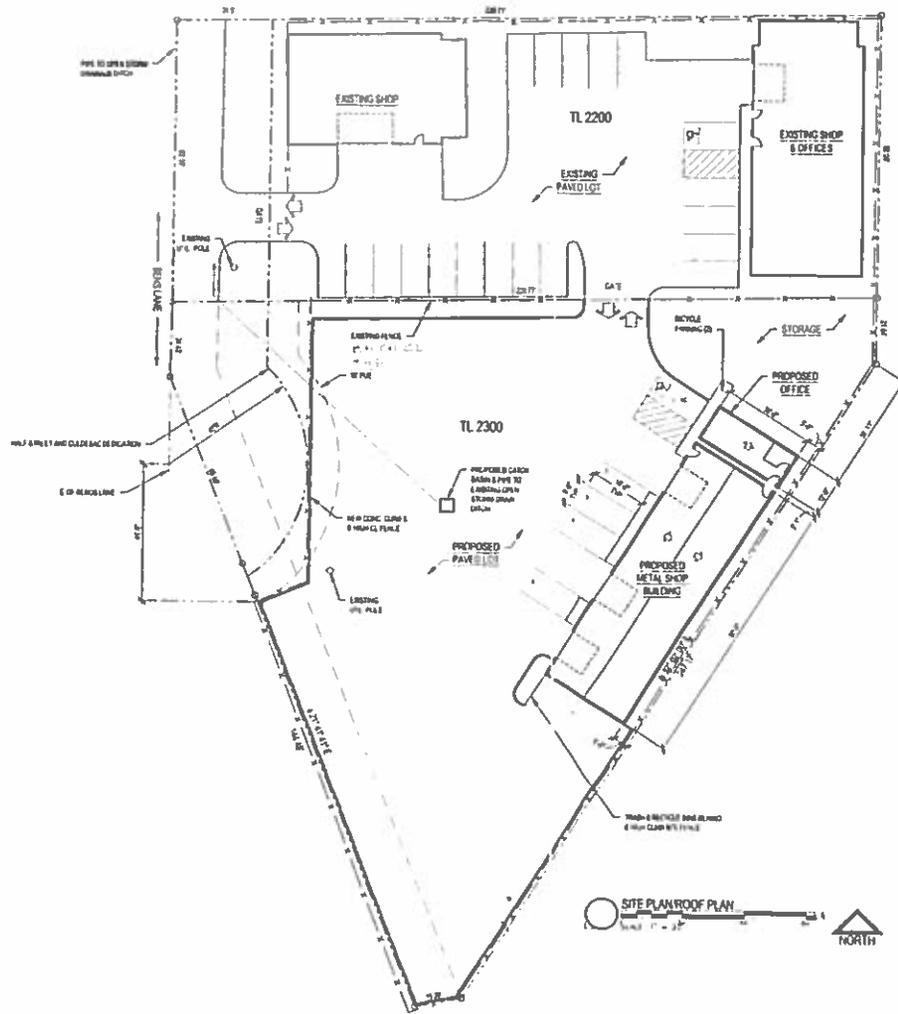
CODE REQUIRED CONDITIONS

Prior to the issuance of the first building permit, the applicant shall:

1. Install an 8-inch water line consistent with the agency reports submitted by the Medford Fire Department and the Medford Water Commission (Exhibits J and I) or otherwise satisfy Fire Code requirements as determined by the Medford Fire Department.
2. Submit a revised landscape plan, consistent with the requirements as outlined in MLDC 10.746 & 10.797, showing the following:
 - a. Three trees located along the frontage of Bens lane and within the required 10 foot front yard setback.
 - b. 14 shrubs located along the frontage of Bens lane and within the required 10 foot front yard setback.
3. Provide documentation to staff of an access easement obtained from all applicable property owners of Bens Lane and recorded with the Jackson County Recording Office.
4. Submit a revised site plan showing the delineated parking spaces meeting the minimum dimensional standard of 19 feet in space length per MLDC Section 10.746 (16).
5. Comply with all conditions stipulated by the Medford Public Works Department (Exhibit H).
6. Comply with all conditions stipulated by the Medford Water Commission (Exhibit I).
7. Comply with all conditions stipulated by the Medford Fire Department (Exhibit J).
8. Comply with all conditions stipulated by Rogue Valley Sewer Services (Exhibit M).

**CITY OF MEDFORD
EXHIBIT # A-1
File # AC-16-048**

CITY OF MEDFORD
EXHIBIT # B
File # AC-16-048



SITE PLAN ROOF PLAN
Scale: 1" = 20'

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www.strausandseibert.com

PROPOSED SHOP FOR:
G.E. FORESTRY
1112 BENS LANE
MEDFORD, OREGON



DATE	PLDT	ISSUE

SITE PLAN

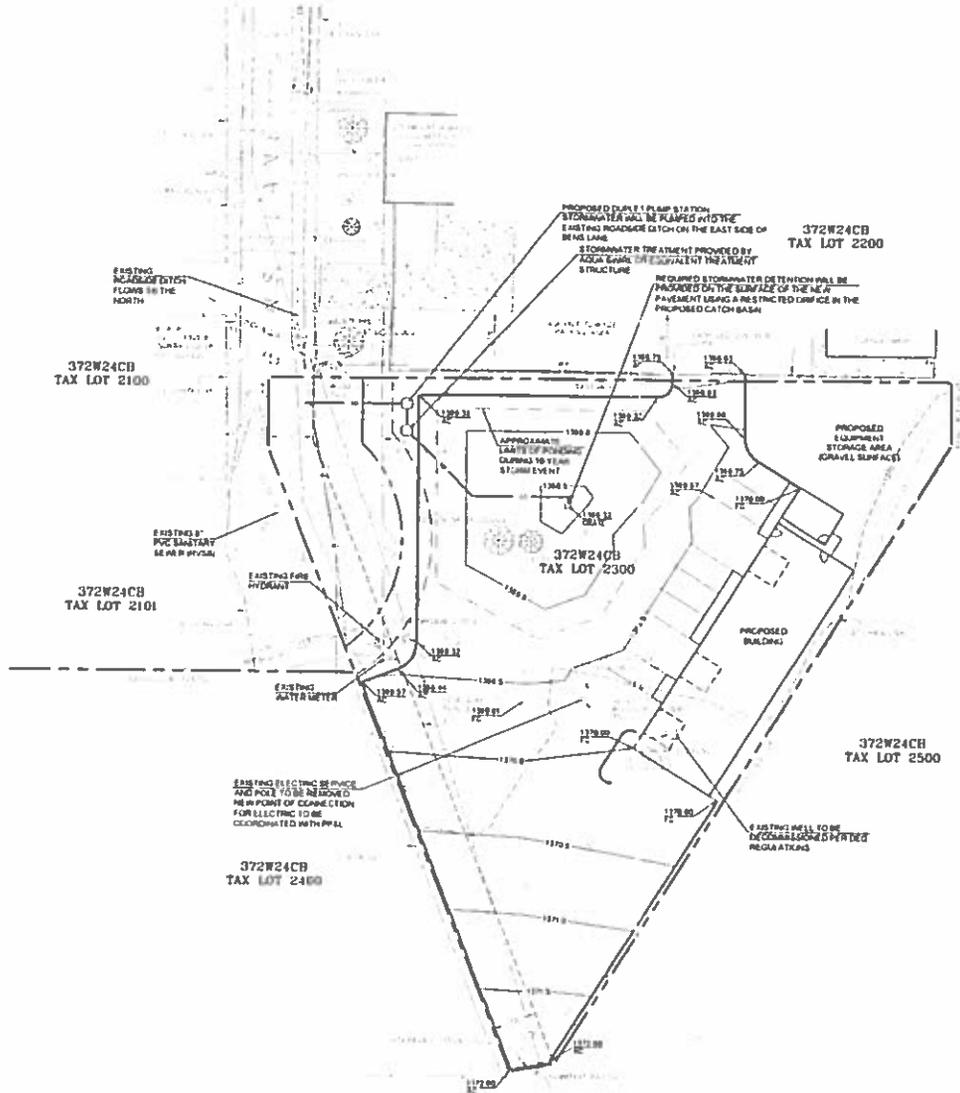
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24

CITY OF MEDFORD
EXHIBIT # B
File # AC-16-048

CITY OF MEDFORD
EXHIBIT #
File # AC-16-048

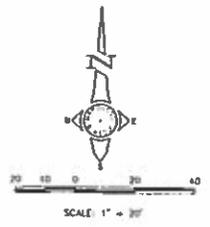
CALL BEFORE YOU DIG
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MEDFORD, OREGON 97504
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IF YOU HAVE ANY QUESTIONS
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STORMWATER NOTES
1. DETENTION FOR THE NEW PAVED AND ROOF AREAS WILL BE PROVIDED ON THE NEW PAVED SURFACE USING A RESTRICTED ORifice LOCATED IN THE PROPOSED CATCH BASIN
2. RELEASE RATES FROM THE NEW PAVED AND ROOFED AREAS WILL BE LIMITED TO PRE DEVELOPMENT RATES. FLOWS FROM THE SITE WILL BE DISCHARGED INTO THE EXISTING ROADSIDE DITCH ON THE EAST SIDE OF BENS LANE FOLLOWING THE EXISTING DRAINAGE PATTERN
3. STORMWATER QUALITY WILL BE PROVIDED BY AN AGUA SWMS, OR APPROVED EQUAL TREATMENT UNIT

UTILITY NOTES
1. WATER SERVICE FOR THE SITE WILL BE PROVIDED BY AN EXISTING 1" WATER METER ALREADY SERVING THE PROPERTY
2. SANITARY SEWER SERVICE SHALL BE PROVIDED BY AN EXISTING 1" PVC ROGEE VALLEY SEWER SERVICE MAIN LOCATED IN BENS LANE. FINAL LOCATION OF SERVICE TAP WILL BE COORDINATED WITH P&L DURING FINAL SITE DESIGN
3. ELECTRIC SERVICE WILL COME OFF OF THE EXISTING OVERHEAD P&L LINE ALONG BENS LANE. POINT OF CONNECTION WILL BE COORDINATED WITH P&L AND AN UNDERGROUND SERVICE WILL BE RUN TO THE NEW BUILDING
4. THE NEW GAS TRAILER LINES INCLUDING TELEPHONE AND GAS LINES IN BENS LANE ALONG THE FRONTAGE OF THE PROPERTY. CONNECTIONS TO THE UTILITIES WOULD BE COORDINATED WITH THE RESPECTIVE SERVICE PROVIDER



CITY OF MEDFORD
EXHIBIT #
File # AC-16-048



STRAUS & SEIBERT
ARCHITECTS LLP

1112 BENS LANE
MEDFORD, OREGON

PROPOSED SHOP FOR:
GE FORESTRY

PRELIMINARY
THESE DRAWINGS SHALL
NOT BE USED FOR
CONSTRUCTION
RECORDATION
CONTRACT
SIGNED AND
DATE: 5-28-2016

SCALE: 1" = 40'

C1

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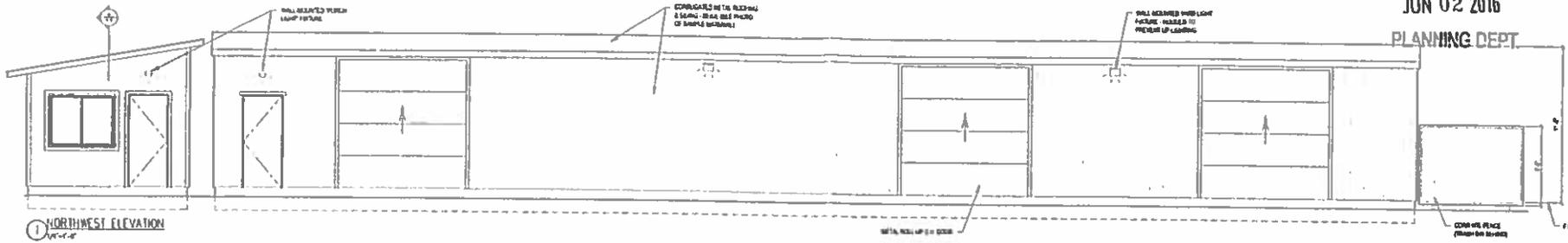
JUN 02 2016

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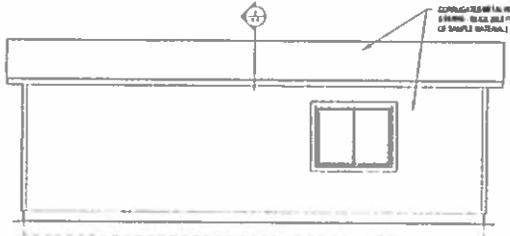


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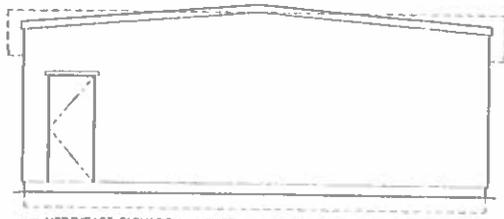
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400 NW 10TH ST. SUITE 200
MEDFORD, OREGON 97504
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FAX: 541-755-6643
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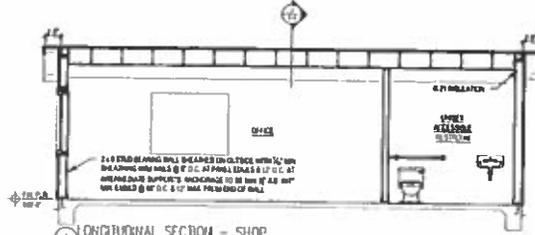
1 NORTHWEST ELEVATION



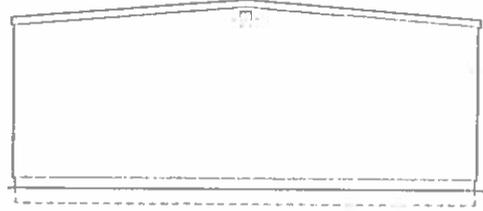
2 NORTHEAST ELEVATION - OFFICE



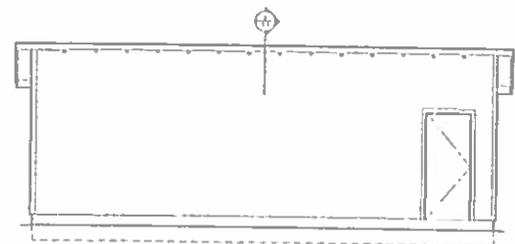
3 NORTHEAST ELEVATION - SHOP



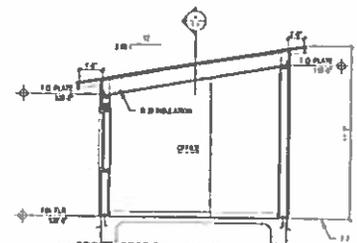
4 LONGITUDINAL SECTION - SHOP



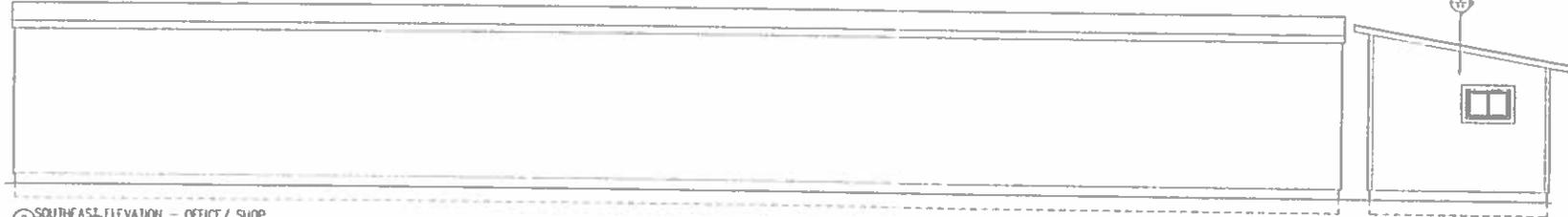
5 SOUTHWEST ELEVATION - SHOP



6 SOUTHWEST ELEVATION - OFFICE



7 CROSS SECTION - SHOP



8 SOUTHEAST ELEVATION - OFFICE / SHOP

CITY OF MEDFORD
EXHIBIT #
File # AC-16-048

PROPOSED SHOP FOR:
G.E. FORESTRY
1112 BENS LANE
MEDFORD, OREGON



DATE: 3/2011
PLOT: 1
SCALE: 1/8\"/>

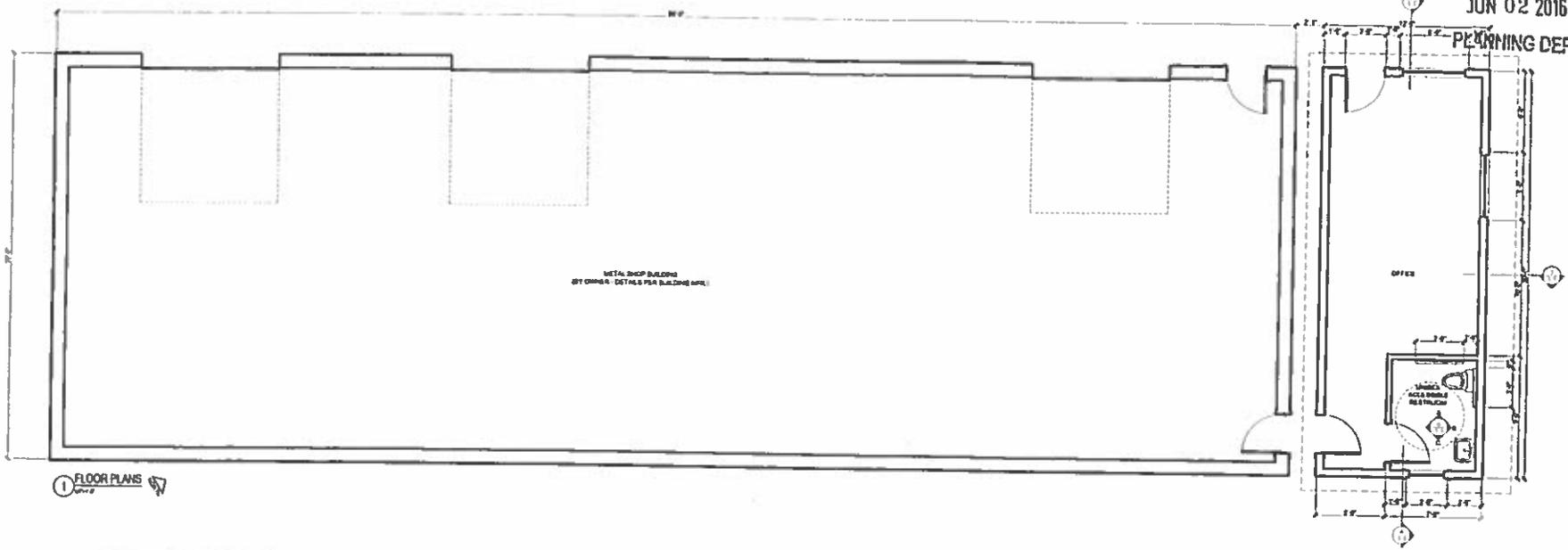
SECTIONS AND ELEVATIONS

1.2

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1 FLOOR PLANS

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 MEDFORD, OREGON 97504
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 FAX: 541.776.6001
 WWW.STSARCHITECTS.COM

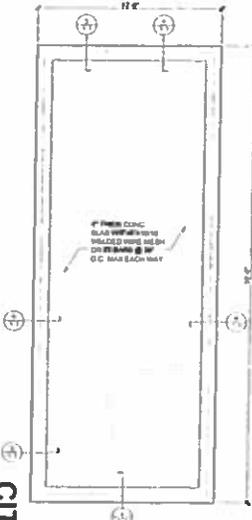
PROPOSED SHOP FOR
GE FORESTRY
 1112 BENS LANE
 MEDFORD, OREGON

REGISTERED ARCHITECT
 FROM
 OREGON AND OREGON
 MEDFORD, OR
 STATE OF OREGON

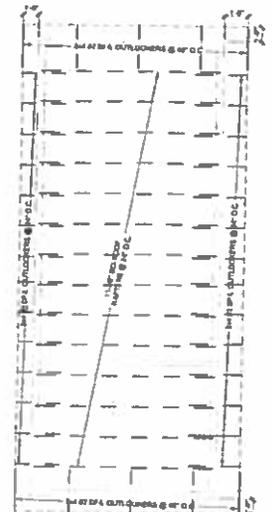
PROJECT NO. 04-2016
 SHEET NO. 1.1
 DATE: 05/14/16
 DRAWN BY: JET
 REVIEWED BY: JEM
 CITY OF MEDFORD
 FLOOR PLANS
 RESTROOM ELEVATIONS

Page 25

CITY OF MEDFORD
 EXHIBIT # F
 File # AC-16-048



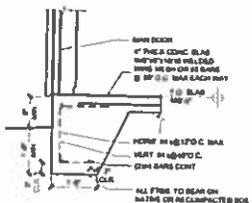
2 FOUNDATION PLAN - OFFICE



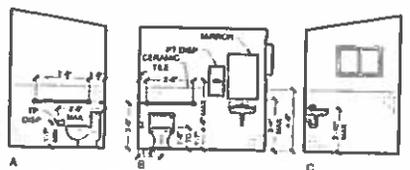
3 ROOF FRAMING PLAN - OFFICE



4 PERIMETER FOOTING



5 PERIMETER FOOTING



6 UNISEX ACCESS BLE RESTROOM

CITY OF MEDFORD
 EXHIBIT #
 File # AC-16-048

RE: Proposed Shop Building for GE Forestry
Date: 4/8/16

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SECTION I - NARRATIVE:

GE Forestry, located at 1180 Bens Lane provides re-forestation and fire fighting services though out the western United States. Presently the adjacent, unimproved lot is used as a storage yard for their service vehicles.

We propose to build a 1200 SF, pre-manufactured metal building to house a mechanic shop for the business service vehicles, as well as a 360 SF, stick-built office and bathroom building, next to the metal building.

We plan to provide an asphalt paved area for parking, egress from the adjacent lot and turn around, with landscaping surrounding. Storm water run-off will be collected from the roof and paved surface into a catch basin and conveyed to a landscaped retention basin, then into an open ditch along Bens Lane.

SECTION II - COMPATIBILITY: Criterion No. 1

- A. Adjacent uses are: to the East is the City of Medford Service Yard. To the North is the 2-story stick-built office and detached shop for GE Forestry. To the West is a mix of residential and a concrete manufacturing business.
- B. The scale and massing of the proposed buildings are relatively similar to the surrounding structures. There is a mix of older industrial sheds, one and two-story houses and commercial buildings. The shop building is a simple shallow gable roof with metal roofing and wall cladding. The small office building will be sided with scored plywood, with a metal shed roof.
- C. N/A
- D. N/A
- E. N/A
- F. Access to the site will be via the adjacent lot
- G. There are no existing trees or native vegetation
- H. Storm water will be collected and retained on the proposed asphalt paved surface with a controlled release from a catch basin to a landscaped basin, then as needed conveyed to an open ditch along Bens Lane.
- I. The proposed landscape plan calls for extensive planting incorporated into the secondary detention basin, between the west chain link fence and road easement, and continues along the north property line as a buffer between the two property's asphalt paved lots.



1175 E. Main St., Suite 2E
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jduffie@ssarchllp.com

CITY OF MEDFORD
EXHIBIT # 6 1 of 2
File # AC-16-048

62

- J. The site will be illuminated by fixtures mounted to the face of the building. The fixtures shall be configured to not shine light up toward the night time sky.
- K. N/A
- L. The existing CL fencing will remain
- M. The auto mechanic shop will be an extension of an existing function on the adjacent lot to the north. There are several auto repair and wrecking related functions along Bens Lane, to the north, as well as a large municipal service and maintenance facility on the adjacent lot to the east.

SITE PLAN AND ARCHITECTURAL REVIEW APPLICATION

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Section II – Code Compliance: Criterion No. 2

PROJECT SITE		
	PROPOSED	REQUIRED
• Zoning District	I-G	
• Overlay District(s)		
• Proposed Use	auto shop	
• Project Site Acreage	.70 acre	
• Site Acreage (+ right-of-way)		
• Proposed Density (10.708)		
• # Dwelling Units	0	
• # Employees	1	

STRUCTURES		
	EXISTING	PROPOSED
• # Structures	0	2
• Structure Square Footage (10.710-10.721)	0	1560 sf

SITE DESIGN STANDARDS		
	PROPOSED	REQUIRED
• Front Yard Setback (10.710-721)	140'	10'
• Side Yard Setback (10.710-721)	35'	0
• Side Yard Setback (10.710-721)	95'	0
• Rear Yard Setback (10.710-721)	5'	0
• Lot Coverage (10.710-721)	19.5%	90% max

PARKING		
	PROPOSED	REQUIRED
• Regular Vehicular Spaces (10.743)	4	4
• Disable Person Vehicular Spaces (10.746[8])	1	1
• Carpool/Vanpool Spaces (10.809)	0	0
• Total Spaces (10.743)	5	5
• Bicycle Spaces (10.748)	0	0
• Loading Berths (10.742)		

SITE PLAN AND ARCHITECTURAL REVIEW APPLICATION

LANDSCAPING

	PROPOSED	REQUIRED
• Total Landscape Area (square feet)	2,800	N/A
• Total Landscape Area in High Water Use Landscaping (square feet)	0	N/A
• Total Landscape Area in High Water Use Landscaping (percentage)	0%	
• Total % Landscape Coverage	9%	
• Required Organic Content (cu.yd.)	9	8.4
• Frontage Landscaping (10.797)		
• Street:	N/A	
• Feet:		
• # Trees:		
• # Shrubs:		
• Street:		
• Feet:		
• # Trees:		
• # Shrubs:		
• Bufferyard Landscaping (10.790)		
• Type:	N/A	
• Distance (ft):		
• # Canopy Trees:		
• # Shrubs:		
• Fence/Wall:		
• Parking Area Planter Bays (10.746)		
• Type:		
• # Bays:	6	
• Area:	680	325
• # Trees:	1	1
• # Shrubs:	11	2

STRUCTURE

PROPOSED

- Materials _____
- Colors _____

Please remember that the information you provide in response to the questionnaire must be included with your SPAR application submittal. Remember to sign and date your written response.



Continuous Improvement Customer Service

CITY OF MEDFORD

Revised Date: 8/5/2016
File Number: AC-16-048
(Reference: PA-15-024)

PUBLIC WORKS DEPARTMENT STAFF REPORT 1112 Bens Lane (GE Forestry)

- Project:** Consideration of plans for the construction of a 2,700 square foot mechanic shop, along with a 360 square foot office/bathroom accessory structure, on a 0.7 net acre lot.
- Location:** Located at 1112 Bens Lane, within the General Industrial (I-G) zoning district. (372W24CB2300).
- Applicant:** Esteban Gonzales, Applicant (John Duffié, Agent). Dustin Severs, Planner.

NOTE:

The items listed here shall be completed and accepted prior to the respective issuances of permits and certificates:

Prior to issue of the first building permit, the following items shall be completed and accepted:

- Submittal and approval of plans for site grading and drainage, and detention.
- Completion of all public improvements, if required. The applicant may provide security for 120% of the improvements prior to issuance of building permits. Construction plans for the improvements would need to be approved by the Public Works Engineering Department prior to acceptance of security.
- Items A – D, unless noted otherwise.

Prior to issue of Certificate-of-Occupancy for completed structures, the following items shall be completed and accepted:

- Paving of all on-site parking and vehicle maneuvering areas.
- Certification by the design engineer that the stormwater quality and detention system was constructed per the approved plan.
- Completion of all public improvements, if applicable.

A. STREETS

1. Dedications

Prior to issuance of building permits the **property owner shall dedicate for public right-of-way a strip of land 31.5-foot wide as well as a portion with a 45-foot radius** for a cul-de-sac along the frontage of this site on **Bens Lane**. This dedication will bring the east half right-of-way width, along the frontage of this site, into conformance with the requirements for a Commercial Street per Medford Land Development Code (MLDC) 10.429. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

In accordance with MLDC 10.471, **the property owner shall dedicate a 10-foot wide public utility easement (PUE)** adjacent to the right-of-way line in Bens Lane along this Developments respective frontage.

The right-of-way and easement dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the right-of-way and easement dedication, including an exhibit map; a copy of a current Lot Book Report, Preliminary Title Report, or Title Policy; a mathematical closure report (if applicable), and the Planning Department File Number; for review and City Engineer acceptance signature prior to recordation by the applicant. Releases of interest shall be obtained by holders of trust deeds or mortgages on the right-of-way and PUE area.

2. Public Improvements

a. Public Streets

The portion of **Bens Lane** that is adjacent to this proposed development will be **improved to Commercial Street standards** in accordance with MLDC 10.429. The Developer shall be responsible for improving the east one/half portion within the dedicated right-of-way.

Public improvement plans for this work shall be submitted directly to the Public Works Engineering Department separately from plans submitted for the private improvements to the Building Department. See General Conditions Section 'D' for additional information.

If the Bens Lane improvements meet the deferral criteria, and are elected to be deferred, the Developer shall deposit with the City of Medford a financial deposit acceptable to the City in the amount of 125 percent of the City Engineer's estimate of the costs for the deferred street improvements, in lieu of the Developer constructing the street improvements. This financial deposit shall be deposited with the City prior to issuance of building permits (MLDC, Section 10.432).

b. Street Lights and Signing

The Developer shall provide and install in compliance with Section 10.495 of the MMC. Based on the preliminary plan submitted, the following number of street lights will be required:

Street Lighting - Developer Provided & Installed

- A. 1 – 150W HPS Street Lights (Clearance to be provided from PP&L overhead power.)
- B. 1 – Base Mounted Cabinet (BMC)

Numbers are subject to change if changes are made to the plans. All streetlights shall be installed per City standards and be shown on the public improvement plans. Public Works will provide preliminary street light locations upon request.

If required, the Developer shall pay for City installed signage. City installed signs include, but are not limited to, street name signs, stop signs, speed signs, school signs, dead end signs, and dead end barricades. Sign design and placement shall be per the Manual on Uniform Traffic Control Devices (MUTCD). All signs shall be shown on the public improvement plans and labeled as City installed.

The Developer shall be responsible for the preservation and re-installation of all signs removed during demolition and site preparation work. The Developer's contractor shall coordinate with the City of Medford Public Works, Maintenance and Operations Division to remove any existing signs and place new signs provided the Developer.

3. Access and Circulation

If the Developer elects, a 22-foot wide paved structural section may be constructed from the point of access to the existing paved section on Posse Lane to provide a paved surface to this proposed development.

Driveway access to the proposed development site may be provided from the adjacent property to the north or from Bens Lane.

This Development shall submit evidence of or obtain a cross-access easement for the property along its north boundary if access is taken from that property.

4. MLDC Section 10.668 Analysis

Notwithstanding any other provisions of this Chapter 10, an applicant for a development permit shall not be required, as a condition of granting the application, to dedicate land for public use or provide public improvements unless: (1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose, and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or (2) a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking.

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code,

the Medford Transportation System Plan, and the Statewide Planning Rule, and are supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, and pedestrians. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

2. Rough proportionality between the required dedications and improvements, and the impacts of development.

No mathematical formula is required to support the rough proportionality analysis. Also, the City is allowed to consider the benefits to the development from the dedication and improvements when determining “rough proportionality.”

As set forth below, the dedications and improvements recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

Bens Lane:

In determining rough proportionality, the City compared the expected square footage of right-of-way dedications and street improvements to the lot or developed area in acres. This development consists of approximately 0.53 acres of developed area on a 0.70 acre lot. This development is conditioned to dedicate approximately 2,590sf of right-of-way and construct approximately 1,300 of street improvements. This equates to 3,700sf of right-of-way per acre and 1,857sf of street improvements per acre.

The study area used to determine proportionality contained 54 properties that are part of 3 different industrial developments and an additional 2 individual properties. The properties studied includes Bierson Industrial Park, Triangle Industrial Park, Crater Lake Business Center, Lewellyn Office/Warehouse Complex at 5594-5596 Table Rock Rd. and Living Opportunities located at 857 Valley View Dr. All of these developments were either required to dedicate public right-of-way for lower order streets or construct public street improvements or both. The following table (5-1) summarizes the results of the study.

Table 4-1

Development	Acres	Dedications Sf/Acre	Improvements Sf/Acre
Bierson Industrial Park	17.4	7,044	2,644
Triangle Industrial park	12.7	7,739	6,291
Crater Lake Business Center	15.72	9,162	5,248
Lewellyn Office/Warehouse Complex	4.5 (Lot)	4,801	NA
Living Opportunities	2.1 (Developed)	NA	3,274
GE Forestry	0.70	3,700	1,857

The additional right-of-way on Bens Lane will provide the needed width for public street

improvements including curb and gutter, parking, planter strips and sidewalks. The 8-foot planter strip moves pedestrians a safe distance from the edge of the roadway. Bens Lane will be a primary route for pedestrians traveling to and from this development.

Local street right-of-way dedication and construction requirements identified by the Public Works Department and required by the City are the minimum required to protect the public interest and are necessary for additional or densification of development in the City without detracting from the common good enjoyed by existing properties. Developments are required to provide all internal local streets and half-street improvements to abutting streets, including associated right-of-way dedications, to ensure that new development and density intensification provides the current level of urban services and adequate street circulation is maintained.

Dedication of the Public Utility Easements (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services and current code requirements.

B. SANITARY SEWERS

This site lies within the Rogue Valley Sewer Service (RVSS) area. The Developer shall contact RVSS for conditions of connection to the sanitary sewer collection system.

C. STORM DRAINAGE

1. Drainage Plan

A comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first building permit application for approval.

The Developer shall provide copies of either a Joint Use Maintenance Agreement or a private stormdrain easement for any stormwater draining onto or from adjacent private property.

All private storm drain lines shall be located outside of the public right-of-way and/or any public utility easements (PUE).

2. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed development will be submitted with the improvement plans for approval. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

3. Detention and Water Quality

Stormwater quality and detention facilities shall be required in accordance with MLDC Section 10.481 and 10.729.

4. Certification

Upon completion of the project, and prior to certificate of occupancy of the building, the Developer's design engineer shall certify that the construction of the stormwater quality and detention system was constructed per plan. Certification shall be in writing and submitted to the Engineering Division of Public Works. Reference Rogue Valley Stormwater Quality Design Manual, Appendix I, Technical Requirements.

5. Erosion Prevention and Sediment Control

All development that disturbs 5,000 square feet or greater shall require an Erosion Prevention and Sediment Control Plan. Developments that disturb one acre and greater shall require a 1200C permit from the Department of Environmental Quality (DEQ). Erosion Prevention and Sediment Control Plans shall be submitted to the Building Department with the project plans for development. All disturbed areas shall be covered with vegetation or properly stabilized prior to certificate of occupancy.

D. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

All public improvements shall be constructed in accordance with the "Engineering Design Standards for Public Improvements", adopted by the Medford City Council. Copies of this document are available in the Public Works Engineering office.

2. Construction Plans

If required, construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay

Public Works within 60 days of the billing date or will be automatically turned over for collections.

In order to properly maintain an updated infrastructure data base, the Surveyor of Record shall submit an as-built survey prior to the Final Inspection and, the Engineer of Record shall submit mylar "as-constructed" drawings to the Engineering Division within sixty (60) calendar days of the Final Inspection (walk through). Also, the engineer shall coordinate with the utility companies, and show all final utility locations on the "as built" drawings.

3. Construction and Inspection

The Developer or Developer's contractor shall obtain appropriate right-of-way permits from the Department of Public Works prior to commencing any work within the public right-of-way that is not included within the scope of work described within approved public improvement plans. Pre-qualification is required of all contractors prior to application for any permit to work in the public right-of-way.

4. Site Improvements

All on-site parking and vehicle maneuvering areas related to this development shall be paved in accordance with MLDC, Section 10.746, prior to issuance of certificate of occupancy for any structures on the site. Curbs shall be constructed around the perimeter of all parking and maneuvering areas that are adjacent to landscaping or unpaved areas related to this site. Curbs may be deleted or curb cuts provided wherever pavement drains to a water quality facility.

5. System Development Charges (SDC)

Buildings in this development are subject to street, sanitary sewer treatment and stormdrain SDCs. All SDC fees shall be paid at the time individual building permits are issued.

Prepared by: Jodi Cope/Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

1112 Bens Lane (GE Forestry)

AC-16-048

A. Streets

1. Street Dedications to the Public:

- **Bens Lane** – Dedicate additional public right-of-way for a 31.5' right-of-way half width along with a 45-foot radius portion for a Commercial Street and cul-de-sac.
- Dedicate 10-foot Public Utility Easement (PUE) along the frontage of Bens Lane.

2. Improvements:

Public Streets

- Construct street improvements as required for this development.
- Public improvement plans for this work shall be submitted directly to the Public Works Engineering Department.

Lighting and Signing

- Developer supplies and installs all street lights at own expense.
- City installs traffic signs and devices at Developer's expense.

Access and Circulation

- Developer may elect to provide a 22-foot wide paved structural section constructed from the southwesterly property line to the existing paved section on Posse Lane.
- Driveway access to the proposed development site may be provided from the adjacent property to the north or from Bens Lane.
- Provide a cross-access easement.

B. Sanitary Sewer:

- The site is situated within the RVSS area.

C. Storm Drainage:

- Provide a comprehensive grading and drainage plan.
- Provide water quality and detention facilities, calculations and O&M Manual.
- Provide engineers certification of stormwater facility construction.

The above summary is for convenience only and does not supersede or negate the full report in any way. If there is any discrepancy between the above list and the full report, the full report shall govern. Refer to the full report for details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection.



Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: AC-16-048
PARCEL ID: 372W24CB TL 2200 & 2300
PROJECT: Consideration of plans for the construction of a 1,200 square foot mechanic shop, along with a 360 square foot office/bathroom accessory structure, on a 0.7 net acre lot located at 1112 Bens Lane, within the General Industrial (I-G) zoning district. (372W24CB2300); Esteban Gonzales, Applicant (John Duffié, Agent). Dustin Severs, Agent.
DATE: July 13, 2016

RECEIVED
JUL 13 2016
PLANNING DEPT

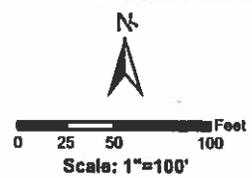
I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The existing water meters and fire hydrant shall be protected in place. If water facilities cannot be protected in place, then coordinate with MWC engineering staff for possible abandonment and new installation of these facilities.

COMMENTS

1. Off-site water line installation may be required depending on Fire Department requirements for fire protection.
2. On-site water facility construction is not required.
3. Static water pressure is expected to be near 100 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
4. MWC-metered water service does exist to this property. There is an existing ¾-inch water meter that serves the business at 1170-80 Bens Lane, and a ¾-inch water meter that serves the business at 1112 Bens Lane. (See Condition 3 above)
5. Access to MWC water lines is available. There is a 4-inch water line is located in Posse Lane and also in Bens Lane.



**Water Facility Map
For
AC-16-048**

Legend

- ⬢ Air Valve
- ⊙ Sample Station
- Fire Service
- ⊕ Hydrant
- ▲ Reducer
- ⊠ Blow Off
- ⊕ Plugs-Caps

Water Meters:

- Active Meter
- On Well
- Unknown
- Vacant

Water Valves:

- ⊙ Butterfly Valve
- ⊙ Gate Valve
- ⊙ Tapping Valve

Water Mains:

- Active Main
- - - Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

Boundaries:

- ▭ Urban Growth Boundary
- ▭ City Limits
- ▭ Tax Lots

MWC Facilities:

- C** Control Station
- P** Pump Station
- R** Reservoir





BUILDING SAFETY DEPARTMENT
ROOM 277

CITY OF MEDFORD
LAUSMANN ANNEX
200 SOUTH IVY STREET
MEDFORD, OREGON 97501

TELEPHONE (541) 774-2350
FAX (541) 774-2575
E-MAIL:
bldmed@ci.medford.or.us

Policy on Installation of Pressure Reducing Valves

August 5, 2014

Section 608 of the 2011 Edition of the Oregon Plumbing Specialty Code requires a pressure regulator (commonly called a Pressure Reducing Valve or PRV) where the static pressure in the water supply piping exceeds 80 psi. Although this section gives limited guidance as to installation, it does require the device to be

"...accessibly located above ground or in a vault equipped with adequate means to provide drainage and shall be protected from freezing, and shall have the strainer readily accessible for cleaning without removing the regulator or strainer body or disconnecting the supply piping."

"Accessible" and "readily accessible" are defined in chapter 2.

To assure uniform and appropriate installation of these devices within Medford, the following standards have been agreed to by the City of Medford Building Safety Department and the Medford Water Commission:

1. The need for these devices will be based on pressure information provided by the Medford Water Commission, and can be verified on-site with a pressure gage. While factory settings of these devices may be adjusted, MWC recommends that the regulated pressure be set no higher than 65 psi.
2. PRVs shall NOT be installed when static pressure is less than 50 psi, except for limited specific equipment-based needs.
3. The PRV shall be installed outside the street right of way as close as practical to the water meter.
4. No expansion tank is necessary.
5. No fixture, device or system is permitted between the meter and the PRV.
6. The PRV must NOT be direct buried nor installed in a crawl space.
7. PRVs shall be installed within a readily accessible valve box / vault following the same standard as used for double check backflow assemblies, as follows:
"On new installations, at least 12-inches clearance will be required as per section 603.3.4. When replacing an existing assembly, the 12-inch clearance requirement can be waived as long as there is at least 3-inches clearance between the bottom of the assembly and the ground, and the device is tested and serviced from the top."

Sam Barnum

Building Safety Director



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

RECEIVED

JUL 13 2016

PLANNING DEPT

LAND DEVELOPMENT REPORT - PLANNING

To: City of Medford Public Works

LD Meeting Date: 07/13/2016

From: Greg Kleinberg

Report Prepared: 07/12/2016

Applicant: Esteban Gonzales, Applicant (John Duffié, Agent).

File #: AC - 16 - 48

Site Name/Description:

Consideration of plans for the construction of a 1,200 square foot mechanic shop, along with a 360 square foot office/bathroom accessory structure, on a 0.7 net acre lot located at 1112 Bens Lane, within the General Industrial (I-G) zoning district. (372W24CB2300); Esteban Gonzales, Applicant (John Duffié, Agent). Dustin Severs, Agent.

DESCRIPTION OF CORRECTIONS	REFERENCE
----------------------------	-----------

Requirement FIRE FLOW - OTHER THAN 1 & 2 FAMILY DWELLINGS	OFC B105.2
--	-------------------

The minimum required fire flow for this building is 1,500 gpm.

8105.3 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.2 as modified by Sections B105.3 and B105.4.

8105.3.1 Fire-flow reductions. The total required fire flow may be reduced by either Section B105.3.1.1 or B105.3.1.2 and Section B105.4, but in no case shall the resulting fire-flow be less than 1500 gallons per minute (5678 L/min) at 20 pounds per square inch (138 kPa) residual.

8105.3.1.1 Sprinkler systems. A reduction in required fire-flow of up to 75 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3. 1.1 (NFPA 13) or 903.3.1.2 (NFPA 13R).

8105.3.1.2 Fire alarm systems. A reduction in required fire-flow of 25 percent is allowed when the building is provided with an approved automatic and manual fire alarm system that is installed throughout the building and is monitored by an approved central receiving station. The systems shall meet all requirements of NFPA 72 as specified for a central station fire alarm system providing total (complete) coverage by detection devices.

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.
Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.
Specific fire protection systems may be required in accordance with the Oregon Fire Code.
This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on the information provided only.
Design and installation shall meet the Oregon requirements of the IBC, IFB, IMC and NFPA standards.



Memo

RECEIVED
JUL 13 2016
PLANNING DEPT

To: Dustin Severs, Planning Department
From: Chad Wiltrout, Building Department (541) 774-2363
CC: Esteban Gonzales
Date: July 13, 2016
Re: July 13, 2016 LDC Meeting: Item #1 – AC-16-048

Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2014 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

Fees are based on valuation. Please contact Building Department front counter for estimated fees at (541) 774-2350 or building@cityofmedford.org.

For questions related to the Conditions or Comments, please contact me, Chad Wiltrout, directly at (541) 774-2363 or chad.wiltrout@cityofmedford.org.

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.
4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

Comments:

5. Proposed construction in proximity to property lines shall comply with table 602 and code section 705 of the Oregon Structural Specialty Code. Openings shall comply with 706.8.
6. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code.
7. The mechanic shop is an S-1 occupancy and should comply with Table 307.1(1) hazardous materials. Also see Section 406.8 The office is a B occupancy. *Check egress*
8. A Grease Interceptor permit will be required, and can be included with the building permit.
9. According to the City of Medford Building Safety Department Policy Requiring Geotechnical Investigation, a site specific soils engineering report prepared by an Oregon-licensed geotechnical engineer must be provide at time of permit application. *Not required*

CITY OF MEDFORD
EXHIBIT # 12
File # AC-16-048

Dustin J. Severs

From: CAINES Jeff <Jeff.CAINES@aviation.state.or.us>
Sent: Friday, July 08, 2016 12:58 PM
To: Dustin J. Severs
Subject: AC-16-048 - Esteban Gonzales - ODA Comments

RECEIVED
JUL 08 2016
PLANNING DEPT

Dustin:

ODA has reviewed the proposed development at 1112 Bens Lane (372W24CB2300) and have prepared the following comments:

The site is approximately 2.36 miles SW from the Rouge Valley Int'l airport. There is existing development between the site and the airport. The site is located within the Conical surface and is considered a compatible land use.

Therefore, ODA finds that proposed development not to be a hazard to air navigation and a FAA form 7460-1 not required.

Please feel free to contact me if you or the applicant have any questions.

Jeff

Jeff Caines, AICP
Oregon Department of Aviation
Aviation Planner / SCIP Coordinator
3040 25th St. SE | Salem, OR 97302
Office: 503.378.2529
Cell / Text: 503.507.6965
Email: Jeff.Caines@aviation.state.or.us

*****CONFIDENTIALITY NOTICE*****

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

CITY OF MEDFORD
EXHIBIT #
File # AC-16-048



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

July 5, 2016

City of Medford Planning Department
200 S. Ivy Street
Medford, Oregon 97501

Re: AC-16-048, Esteban Gonzales (Tax lot 2300 & 2200, Map 372W24CB)

ATTN: Dustin,

The subject property is within the Rogue Valley Sewer Services service area. There is an 8 inch sewer main along Bens Lane with a 4 inch lateral extended into the property. The permit to connect to this service will be issued by the City of Medford, however, there will be system development charges owed to Rogue Valley Sewer Services.

Rogue Valley Sewer Services requests that approval of this application be subject to the following condition:

1. The applicant must provide RVSS with a plumbing fixture plan for the determination of system development charges.
2. The applicant must pay sewer system development charges to Rogue Valley Sewer Service prior to issuance of a building permit.

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, P.E.
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNING\ARCH COMM\2016\AC-16-048_GONZALES.DOC

CITY OF MEDFORD
EXHIBIT # M
File # AC-16-048



Flow Test Summary

Project Name: 1112 Bens Lane
 Project Address: 1112 Bens Lane, Medford, OR, 97501
 Date of Flow Test: 2016-07-14
 Time of Flow Test: 4:38 PM
 Data Reliable Until: 2017-01-15
 Conducted By: MWC Staff
 Witnessed By: None
 City Forces Contacted: NA
 Permit Number: NA

Raw Flow Test Data

Static Pressure: 90.0 PSI
 Residual Pressure: 19.0 PSI
 Flowing GPM: 494
 GPM @ 20 PSI: 490

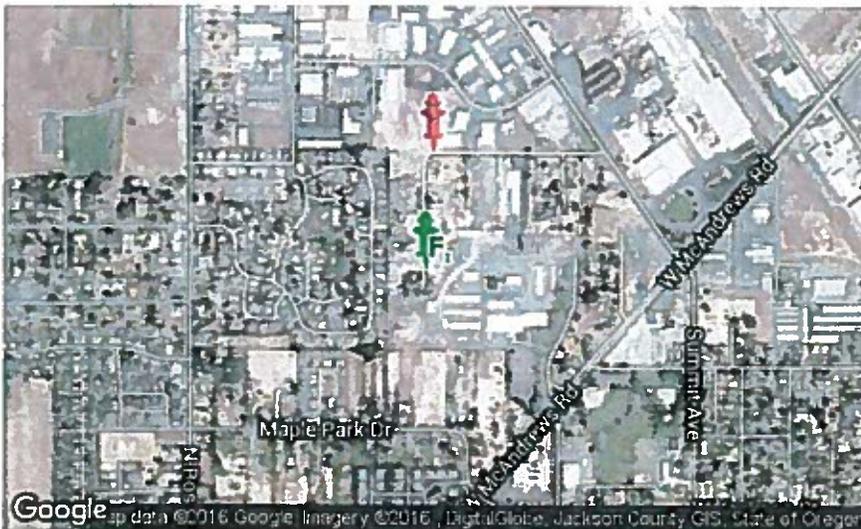
Data with a 10 % Safety Factor

Static Pressure: 81.0 PSI
 Residual Pressure: 10.0 PSI
 Flowing GPM: 494
 GPM @ 20 PSI: 455

Hydrant F₁

Pitot Pressure (1): 9 PSI
 Coefficient of Discharge (1): 0.99
 Hydrant Orifice Diameter (1): 2.36 inches

Available Fire Flow



-  Static-Residual Hydrant
-  Flow Hydrant

Distance Between F₁ and R
770 ft (measured linearly)

Static-Residual Elevation
1364 ft (above sea level)

Flow Hydrant (F₁) Elevation
1370 ft (above sea level)

Elevation & distance values are approximate

Flow Test Summary

Static-Residual Hydrant



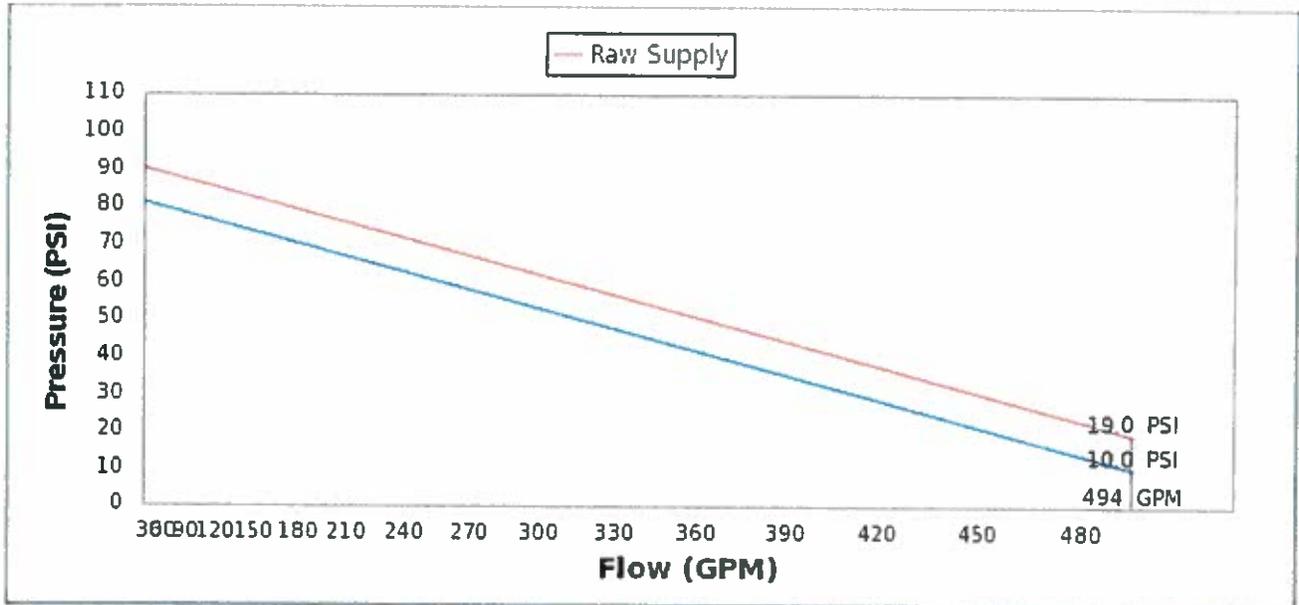
Flow Hydrant (only flow hydrant 1 shown for clarity)



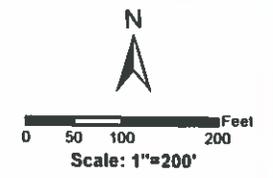
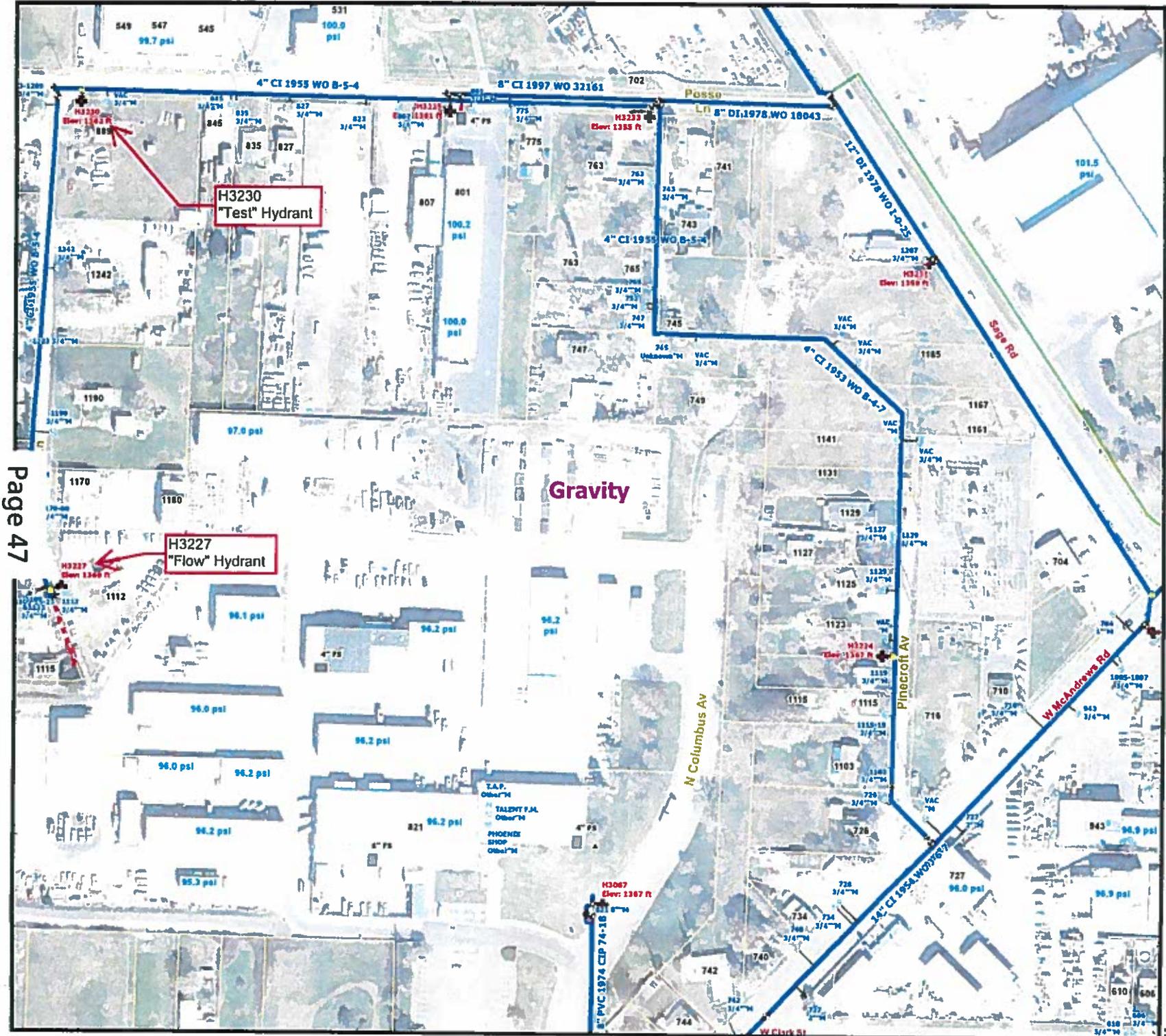
Approximate Project Site



Water Supply Curve - $N^{1.85}$ Graph



Medford Water Commission
 200 S. Ivy St Rm 177
 Medford, OR, 97501



Water Facility Map for Hydrant Flow Test at 1112 Bens Lane Medford, OR 97501

Legend

- ⬤ Air Valve
- ⬤ Sample Station
- ⬤ Fire Service
- ⬤ Hydrant
- ⬤ Reducer
- ⬤ Blow Off
- ⬤ Plugs-Caps
- Water Meters:**
- ⬤ Active Meter
- ⬤ On Well
- ⬤ Unknown
- ⬤ Vacant
- Water Valves:**
- ⬤ Butterfly Valve
- ⬤ Gate Valve
- ⬤ Tapping Valve
- Water Mains:**
- Active Main
- - - Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line
- Boundaries:**
- ▭ Urban Growth Boundary
- ▭ City Limits
- ▭ Tax Lots
- MWC Facilities:**
- C** Control Station
- P** Pump Station
- R** Reservoir



This map is based on a digital orthophoto mosaic by the Oregon State Department of Transportation. It is not a substitute for a field inspection. The Medford Water Commission is not responsible for any errors or omissions. This map is for informational purposes only.



Lawyers Title Insurance Corporation
1555 East McAndrews Road Suite 100
Medford OR 97504
V: 541-779-2811 F: 541-734-8723

Date Prepared: October 3, 2005

City of Medford Engineering and Development
411 West 8th Street Modular Building
Medford OR 97501

Attn: Larry Beskow

RECEIVED
AUG 03 2016
PLANNING DEPT.

Order No. : 48g0483266
Customer Ref. : Posse Land and Ben's Lane
Fee : \$ 200.00

SPECIAL REPORT

Dear Larry:

At your request and as a service to you for special use only, we have searched our indices as to the parcels of land over which the existing roads commonly known as Posse Lane and Ben's Lane to determine what easements of record exist for the roads,

and as of September 29, 2005 at 5:00 P.M., we find

that there are a number of easements or other mentions of the roads in documents of record. The chart on Exhibit "A" attached hereto lists the easements, which are further identified on the map on Exhibit "B" attached hereto. A copy of all documents mentioned in this report are attached hereto as well.

By way of summary, the roads cross 21 tax lots. All 21 were at one time part of property owned by Alfred Bendickson and Carolyn C. Bendickson, the grantees in deed recorded in Volume 276, Page 23.

A. Easements were reserved in deeds for 13 properties: Tax Lots 600, 801, 900, 1100, 1200, 1300, 1500, 1600, 2100, 2101, 2200, 2300, 2400.

B. An easement was reserved in the deed of one property, Tax Lot 702, which along with an additional 15 feet, is now owned by the City of Medford.

C. Of the remainder, 2 had no easements reserved, but are now owned by Jackson County: Tax Lots 190 and 1490.

CITY OF MEDFORD
EXHIBIT # 0
File # AC-16-048

D. 3 had no easements reserved, and are in private ownership: Tax Lots 1400, 1800 and 1900.

E. 2 had no easements reserved, but reference possible easements by language contained in documents of record: Tax Lots 1000 and 1700.

This is not a title report, and we therefore assume no liability in connection herewith, and we will not be responsible for errors or omissions herein.

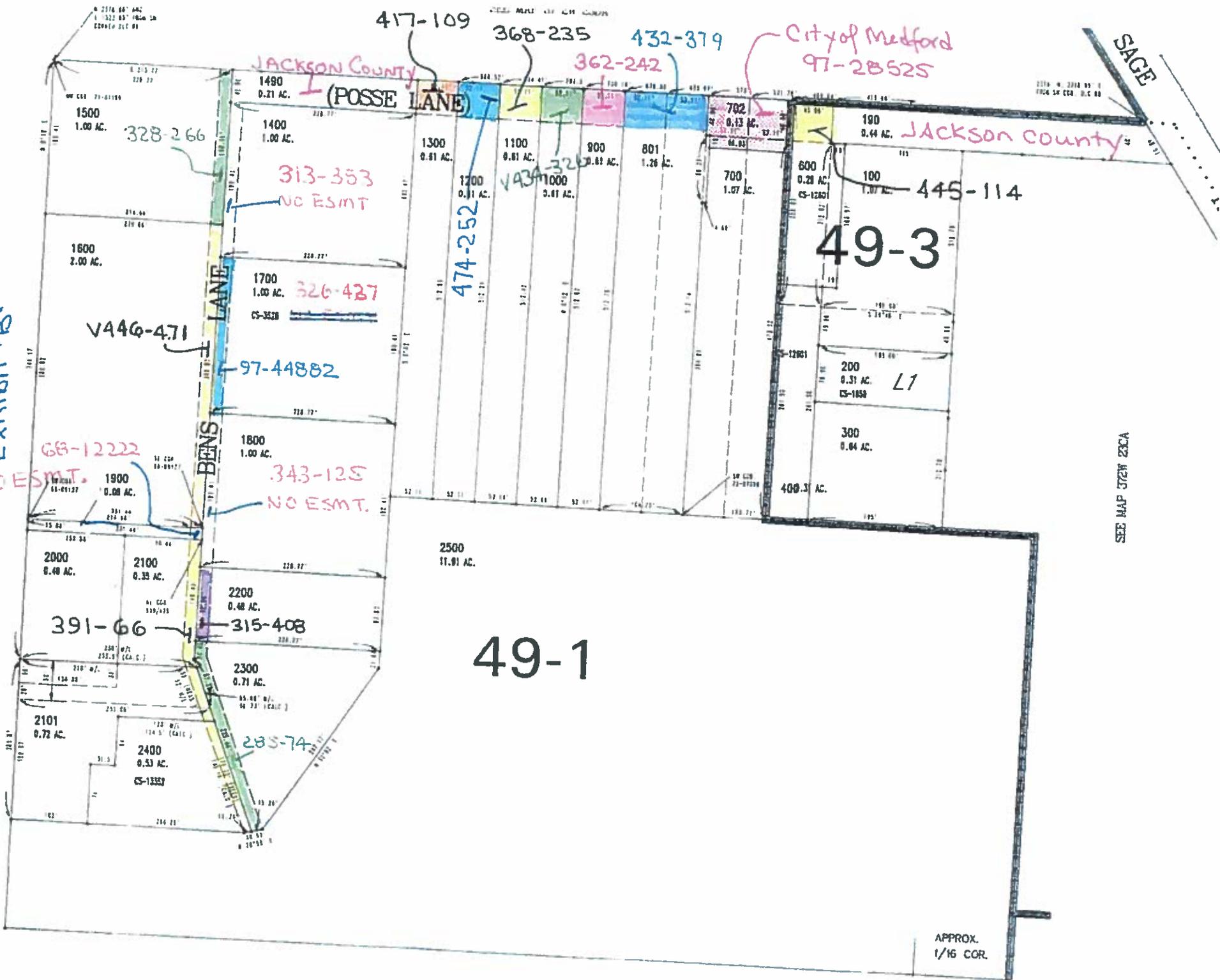
Please do not hesitate to call if you have any questions.

Yours truly,
Lawyers Title Insurance Corporation
Jim Parish, Title Operations Manager

Exhibit "A"

Item No.	Volume and Page or Doc #	Tax Lot Affected	Width/location – Comment, if any
1		190	JACKSON COUNTY is owner. Was part of 276-23, owned by Bendickson, and was foreclosed as omitted property by the County. NO EASEMENT CREATED prior to foreclosure
2	445-114	600	Reserving...North 40.0 feet
3	376-477 97-28525	702	Reserving...North 40.0 feet 40.0-foot strip plus additional 15.0-foot strip now owned by CITY OF MEDFORD
4	432-379	801	Reserving...North 40.0 feet
5	362-242	900	Reserving...North 40.0 feet
6	434-326	1000	"...North 40.0 feet appear to lie within a roadway"
7	368-235	1100	Reserving...North 40.0 feet
8	474-252	1200	Reserving...North 40.0 feet
9	417-109	1300	Reserving...North 40.0 feet
10	313-353	1400	NONE RESERVED
11		1490	JACKSON COUNTY is owner. Was part of 276-23, owned by Bendickson, and was foreclosed as omitted property by the County. NO EASEMENT CREATED prior to foreclosure
12	328-266	1500	Reserving...East 15.0 feet
13	446-471	1600	Reserving...East 15.0 feet
14	97-44882	1700	Deed recites subject to easement over Ben's Lane (westerly line, no width specified)
15	343-125	1800	NONE RESERVED
16	68-12222	1900	NONE RESERVED
17, 18, 19	391-66	2100 2101 2400	Reserving...Easterly 15.0 feet lying within the north 361.01 feet of the described tract. Does not reach south line of Tax Lot 2400.
20	315-408	2200	Reserving...West 15.0 feet
21	285-74	2300	Reserving...Westerly 15.0 feet

Exhibit "B"



SEE MAP J20W 23CA

2

WARRANTY DEED

SOUTHERN OREGON TITLE CO., Medford, Oregon

431176

#37898

SW 1/4 21-37-2W
p 77-43

Vol. 445 Page 114

KNOW ALL MEN BY THESE PRESENTS, That Alfred Bendickson and Carolyn C. Bendickson, husband and wife

in consideration of Ten and no/100 Dollars, grantor s to them paid by Thomas T. Goldtrap

do hereby grant, bargain, sell and convey unto the said grantee s, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit:

Commencing at an iron pin which bears North, 2376.00 feet and East, 2718.95 feet from the Southwest corner of Donation Land Claim #88, Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon, said pin being situated on the Westerly line of Sage Road; thence West, 423.66 feet to the true point of beginning; thence South 0° 12' West, 252.02 feet; thence North 89° 48' West, 45.98 feet; thence North, 0° 12' East, 252.02 feet; thence East, 45.98 feet to the point of beginning.

Reserving therefrom the North 40.00 feet of said property for road right of way.

There is also hereby reserved by the Timber Products Corp., the right to run a ditch to run water to their mill pond.

To Have and to Hold the above described and granted premises unto the said grantee s, their heirs and assigns forever. And the grantor s do covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances.

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness my hand and seal this 15th day of August, 1952
Alfred Bendickson (seal)
Carolyn C. Bendickson

STATE OF OREGON,

County of Jackson ss.

On this 15th day of August, 1952, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Alfred Bendickson and Carolyn C. Bendickson, husband and wife

who are known to me to be the identical individual s described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

Paul L. Smith
Notary Public for Oregon.
My Commission expires July 15, 1961

431176

WARRANTY DEED

JACKSON COUNTY OREGON
RECORDED DEED
41

1952 AUG 5 1954 4 54

BELETH A. HOPKINS
CLERK & RECORDER

STATE OF OREGON

County of _____ ss.

I certify that this within instrument was received for record on the _____ day of _____, 19____ at _____ o'clock _____ M., and recorded in book _____ Record of Deeds of said County _____

Witness my hand and seal of County affixed.

By _____
COUNTY CLERK - RECORDS

Thomas T. Goldtrap
175 Main Street
Medford, Oregon
SOUTHERN OREGON TITLE CO.
BY STEWART
RECORDS-REGISTRAR

INDEXED 130



342257

4-31537

Vol. 376 Page 477

KNOW ALL MEN BY THESE PRESENTS, That We, Alfred Bendickson and Carolyn C. Bendickson, Husband and Wife

in consideration of \$10 and other valuable consideration, grantors...

to US paid by Carl D. Alexander and Elsie I. Alexander, Husband and wife

do hereby grant, bargain, sell and convey unto the said grantees, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit:

Commencing at an iron pin which bears North 2376.00 feet & East 2718.95 feet from the Southwest corner of D.L.C. No. 88, in Township 37 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, said pin being situated on the Westerly line of Sage Road, thence West 469.64 feet to the true point of beginning, thence South no degrees 12' West 513.52 feet; thence North 89 degrees 48' West 52.11 feet; thence North no degrees 12' East 513.33 feet; thence East 52.11 feet to the true point of beginning.

EXCEPTING & RESERVING a 40:00-foot strip of land lying parallel & adjacent to the North line of the above described tract for road right of way purposes, containing 0.561 acres, more or less.

ALSO EXCEPTING right of way in favor of the Timber Products Company for ditch to convey water over and across said premises.

ALSO other land as described on the attached sheet;

Commencing at an iron pin which bears North 2376.00 feet & East 2718.95 feet from the Southwest corner of D.L.C. No. 88 in Township 37 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, said pin being situated on the Westerly line of Sage Road, thence West 521.75 feet to the true point of beginning, thence South no degrees 12' West 513.33 feet, thence North 89 degrees 48' West 52.11 feet, thence North no degrees 12' East 513.14 feet, thence East 52.11 feet to the true point of beginning.

Excepting and reserving a 40.00 foot strip of land lying parallel and adjacent to the North line of the above described tract for road right of way purposes. Containing 0.561 acres more or less.

Also excepting right of way in favor of the Timber Products Company for ditch to convey water over and across said premises.

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Alfred Bendickson and Carolyn C. Bendickson, Husband and Wife

Who are known to me to be the identical individual(s) described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



C. C. Pierce

Notary Public for Oregon, My Commission expires June 13th 1954

WARRANTY DEED

FORM No. 411

ALFRED BENDICKSON & WIFE

to Carl D. Alexander & Wife

STATE OF OREGON, County of Jackson

I certify that the within instrument was received for record on the 5 day of June 1953, at 4:45 o'clock P.M., and recorded in book Record of Deeds of said County.

Witness my hand and seal of County affixed.

H. P. Carter, County Clerk-Recorder, Deputy.

Joe Red & Son

342257 4-1977

165

125

165



342287

4-31537

Vol. 376 Page 477

KNOW ALL MEN BY THESE PRESENTS, That We, Alfred Bendickson and Carolyn C. Bendickson, Husband and Wife

in consideration of \$10. and other valuable consideration

to us paid by Carl D. Alexander and Elsie I. Alexander, Husband and Wife

do hereby grant, bargain, sell and convey unto the said grantees, their heirs and assigns, all

342287

Vol. 376 Page 478

To Have and to Hold the above described and granted premises unto the said grantee, their heirs and assigns forever.

And the grantor, do covenant that we are lawfully seized in fee simple of the above granted premises free from all incumbrances,

and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hand and seal this 29th day of July, 1950.

Alfred Bendickson (SEAL) Carolyn C. Bendickson

STATE OF OREGON,

County of Jackson

On this 29th day of July, 1950,

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Alfred Bendickson and Carolyn C. Bendickson, Husband and Wife

who are known to me to be the identical individual, described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



C. C. Fierce Notary Public for Oregon My Commission expires June 13th 1954

342287 4-1277

WARRANTY DEED (FORM No. 44)

ALFRED BENDICKSON & WIFE

TO

Carl D. Alexander & Wife

STATE OF OREGON,

County of Jackson

I certify that the within instrument was received for record on the 5 day of Feb. 1953, at 11:45 o'clock P.M., and recorded in book Record of Deeds of said County.

Witness my hand and seal of County affixed.

H. R. Carter County Clerk - Recording By Philomena Hamilton Deputy.

RECORDED BY THE COUNTY CLERK

Joe Fred & Helen

4-15-57

FORM No. 101 - WARRANTY DEED

411272

42439

Vol. 432 Page 379

KNOW ALL MEN BY THESE PRESENTS, That We, Alfred Bendickson and Carolyn C. Bendickson, Husband and Wife

in consideration of \$10. and other valuable consideration, grantor to us paid by William E. Beach and Ethel M. Beach, Husband and Wife

do hereby grant, bargain, sell and convey unto the said grantees, heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit:

as described on the sheet hereto attached and made a part hereof:

Commencing at an iron pin which bears North 3376.00 feet and East 271.95 feet from the Southwest corner of D.L.C. No. 83 in Township 37 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, said pin being situated on the Westerly line of Sage Road, thence West 573.88 feet to the true point of beginning, thence South no degrees 12' West 513.14 feet, thence North 89 degrees 48' West 52.11 feet thence North no degrees 12' East 512.97 feet, thence East 52.11 feet to the true point of beginning. EXCEPTING & RESERVING a 40.00 foot strip of land lying parallel and adjacent to the North line of the above described tract for road right of way purposes. Containing 0.561 acres more or less.



ALSO: Commencing at an iron pin which bears North 2376.00 feet and East 2718.95 feet from the Southwest corner of D.L.C. No. 83 in Township 37 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, said pin being situated on the Westerly line of Sage Road, thence West 625.97 feet to the true point of beginning, thence South no degrees 12' West 512.98 feet, thence North 89 degrees 48' West 52.11 feet, thence North no degrees 12' East 512.76 feet, thence East 52.11 feet to the true point of beginning.

EXCEPTING & RESERVING a 40.00 foot strip of land lying parallel and adjacent to the North line of the above described tract for road right of way purposes. Containing 0.581 acres more or less.

Both of the above described tracts are subject to the water right-of-way by Timber Products Corporation.

Faint, mostly illegible text at the top of the page, possibly bleed-through from the reverse side.

414272

Vol. 432 Page 380

To Have and to Hold the above described and granted premises unto the said grantees, their heirs and assigns forever.

And the grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances, except any herein stated

and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hand and seal this 28th day of November 1949

Alfred Bendickson (Seal)
Carolyn C. Bendickson (Seal)

STATE OF OREGON,

County of Jackson ss. On this 28th day of November, 1949, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Alfred Bendickson and Carolyn C. Bendickson, husband and wife

who are known to me to be the identical individual(s) described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this day and year last above written.



C. C. Pierce
Notary Public for Oregon.
My Commission expires July 15th 1950.

414272

WARRANTY DEED (FORM NO. 111)

Alfred Bendickson & Wife

TO

William E. Bench & Wife,

STATE OF OREGON,

County of Jackson ss.

I certify that the within instrument was received for record on the 19th day of October, 1949, at 11:00 o'clock P.M., and recorded in book _____, Record of Deeds of said County.

Witness my hand and seal of County affixed.

By _____
County Clerk - Recorder.
Deputy.

Walker Real Estate
427 E. Main
Both

150
41439

322613

Vol. 362 Page 223

KNOW ALL MEN BY THESE PRESENTS, That We, Alfred Bendickson and Carolyn C. Bendickson, Husband and Wife

in consideration of \$10. and other valuable consideration, grantor R. to us paid by Charles Eek and Sarah Eek, Husband and Wife

do hereby grant, bargain, sell and convey unto the said grantee S., their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of JACKSON and State of Oregon, bounded and described as follows, to-wit: as described on the sheet hereto attached & made a part hereof:

Commencing at an iron-pin which bears North 2376.00 feet & East 2718.95 feet from the Southwest corner of D.L.C. No. 88, Township 37 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, said pin being situated on the Westerly line of Sage Road, thence West 678.08 feet to the true point of beginning, thence South no degrees 12' West 512.78 feet, thence North 89 degrees 48' West 521.11 feet; thence North no degrees 12' East 512.60 feet; thence East 52.11 feet to the true point of beginning.

EXCEPTING & RESERVING a 40.00 foot strip of land lying parallel & adjacent to the North line of the above described tract for road right of way purposes. Containing 0.581 acres, more or less.

ALSO EXCEPTING right of way in favor of the Timber Products Company for ditch to convey water over and across said premises.



To Have and to Hold the above described and granted premises unto the said grantee R., their heirs and assigns forever.

And the grantor R. do covenant that we are lawfully seized in fee simple of the above granted premises free from all incumbrances.

and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hand and seal this 30th day of December 1950.

Alfred Bendickson (Seal) Carolyn C. Bendickson (Seal)

STATE OF OREGON,

County of Jackson

On this 30th day of December, 1950, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Alfred Bendickson and Carolyn C. Bendickson, Husband and Wife

who are known to me to be the identical individual R. described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public for Oregon

My Commission expires June 18th 1954

WARRANTY DEED

(FORM No. 511)

ALFRED BENDICKSON & WIFE

CHARLES EEK AND WIFE

STATE OF OREGON,

County of Jackson

I certify that the within instrument was received for record on the 30th day of December, 1950, at 4:20 o'clock P.M., and recorded in book Record of Deeds of said County.

Witness my hand and seal of County of Oregon.

By Notary Public for Oregon

Marville Jones

57990 4:20 INDEXED

416786

#37072
88-37-2W

Vol 434 Page 326

KNOW ALL MEN BY THESE PRESENTS, That ALFRED BENDICKSON and CAROLYN C. BENDICKSON, husband and wife, grantors

In consideration of Ten Dollars, and other good and valuable consideration to them paid by JAMES M. BRWELL and MYRTLE BRWELL, husband and wife, grantee

do hereby grant, bargain, sell and convey unto the said grantee, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit:

Commencing at an iron pin which bears North, 2376.00 feet and East, 2718.95 feet from the Southwest corner of Donation Land Claim #88, Township 37 South, Range 2 West of the Willamette Meridian, in Jackson County, Oregon, said pin being situated on the Westerly line of Sage Road; thence West, 730.19 feet to the true point of beginning; thence South 09 1/2° West, 512.60 feet; thence North 89° 48' West, 52.11 feet; thence North 09 1/2° East, 512.42 feet; thence East, 52.11 feet to the true point of beginning.

SUBJECT TO: 1. Regulations of ROGUE RIVER VALLEY IRRIGATION DISTRICT, including levies, assessments, water and irrigation rights and assessments for ditches and canals. 2. Right of way granted to The California Oregon Power Company, for transmission and distribution of electricity. 3. The North 40 feet of said premises appear to lie within a roadway. 4. Right of way to Condor Water and Power Company for transmission and distribution of electricity.

495

To Have and to Hold the above described and granted premises unto the said grantee, their heirs and assigns forever.

And the grantor do covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances, except the above

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness Our hand and seal this 16th day of November, 1956

Alfred Bendickson (seal)
Carolyn C. Bendickson (seal)

STATE OF OREGON, ss. County of Jackson, On this 16th day of November, 1956

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ALFRED BENDICKSON and CAROLYN C. BENDICKSON, husband and wife

who are known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

W. A. Dail
Notary Public for Oregon

My Commission expires July 20, 1958



WARRANTY DEED 416786

STATE OF OREGON
County of Jackson

I certify that the within instrument was recorded for record on the 16th day of November, 1956 at 10:30 o'clock AM in the 16th book of 167 pages of the Record of Deeds of said County.

Witness my hand and seal of said County this 16th day of November, 1956

By W. A. Dail
Notary Public for Oregon

SOUTHERN OREGON TITLE CO.
1000 1/2 STREET
MEDFORD, OREGON



WARRANTY DEED

331592

SOUTHERN OREGON TITLE CO., Medford, Oregon

1-30756

Vol. 368 Page 235

KNOW ALL MEN BY THESE PRESENTS, That Alfred Bendickson and Carolyn G. Bendickson, husband and wife

in consideration of Ten Dollars, and other good and valuable consideration to them paid by Albert R. Jeffers and Sara M. Jeffers, husband and wife

do hereby grant, bargain, sell and convey unto the said grantees, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit:

Commencing at an iron pin which bears North, 2375.00 feet and East, 2718.95 feet from the Southwest corner of D. I. C. No. 88, Township 37 South, Range 2 West of the Willamette Meridian in Jackson County Oregon, said pin being situated on the Westerly line of Sage Road, thence West, 782.50 feet to the true point of beginning; thence South 0° 12' West, 512.42 feet; thence North 89° 48' West, 52.11 feet; thence North 0° 12' East, 512.24 feet; thence East, 52.11 feet to the true point of beginning.

Excepting and reserving a 40.00 foot strip of land lying parallel and adjacent to the North line of the above described tract for road right of way purposes. Containing 0.561 acres more or less.

Also excepting Right of Way in favor of Timber Products Company for ditch to convey water over and across said premises.

To Have and to Hold the above described and granted premises unto the said grantees, their heirs and assigns forever.

And the grantor do covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances, except the above mentioned

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hands and seals this 8th day of July, 1952

Alfred Bendickson (seal)
Carolyn G. Bendickson (seal)

STATE OF OREGON,

County of Jackson ss. On this 8th day of July, 1952, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Alfred Bendickson and Carolyn G. Bendickson, husband and wife

who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

W. A. Darling
Notary Public for Oregon.
My Commission expires May 30, 1954



331592

WARRANTY DEED

TO
STATE OF OREGON,
County of Jackson ss.

I certify that the within instrument was received for record on the 11 day of July, 1952, at 11:30 o'clock P.M., and recorded in book Record of Deeds of said County.

Witness my hand and seal of County affixed
W. A. Darling
COUNTY CLERK - JACOBSON
By William Hansen DEPUTY

W. A. Darling
SOUTHERN OREGON TITLE CO.
34 S. FIR STREET
MEDFORD, OREGON
Page 1 out of 1.00

INDEXED

469848

Vol. 474 Page 252

KNOW ALL MEN BY THESE PRESENTS, That We, Alfred Bendickson and Carolyn O. Bendickson, husband and wife

in consideration of Ten Dollars and other valuable considerations, Dollars,

to paid by

do hereby grant, bargain, sell and convey unto said T. R. and also MARGER, HUSBAND AND WIFE

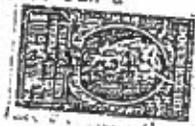
heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of and State of Oregon, bounded and described as follows, to-wit:

Commencing at an iron pin which bears North 2376.00 feet and East 2713.95 feet from the Southwest corner of D.L.C. No. 39, Township 37 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, said pin being situated on the westerly line of Sage Road, thence West 834.41 feet, to the true point of beginning, thence South 0.12' West 512.24 feet, thence North 89 43' West 52.11 feet, thence North 0 12' East 512.06 feet, thence East 52.11 feet to the true point of beginning.

P.S. 1.65

Excepting and reserving a 40.00 foot strip of land lying parallel and adjacent to the North line of the above described tract for road right of way purposes. Containing 0.561 acres more or less.

Hereby is reserved by the Timber Products Corp. right to run a ditch to run water to their mill pond.



To Have and to Hold the above described and granted premises unto the said Their

heirs and assigns forever.

And we

the grantor

above named do covenant to and with the above named grantee Their heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances.

and that they, will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons, whomsoever.

Witness our hands and seal this 18 day of April, 1959

Executed in the Presence of

Alfred Bendickson (SEAL) Carolyn O. Bendickson (SEAL)

(SEAL)

(SEAL)

469848

Vol. 474 Page 253

STATE OF OREGON,

County of Jackson } ss
BE IT REMEMBERED, That on this 18th day of April, 1959,
before me, the undersigned, a Notary Public
in and for said County and State, personally appeared the within named Alfred Bendrickson and
Carolyn G. Bendrickson

to me to be the identical individual described in and who executed the within instrument and acknowledged
to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
official seal the day and year last above written.



Robert Cunningham
Notary Public for Oregon.
My Commission expires May 21, 1962

JACKSON COUNTY, OREGON
RECORDED - FREE
Deeds

1959 JUN 24 PM 12 05

E. H. MADDEN
CLERK AND RECORDER
BY Shaw Bell

469848

WARRANTY DEED
FORM No. 21

TO _____
STATE OF OREGON,
County of _____

I certify that the within instru-
ment was received for record on the
_____ day of _____, 19____, at _____ o'clock _____ M.,
and recorded in book _____ of said County.

Witness my hand and seal of
County affixed.

By _____
County Clerk - Recorder.

DEPOSITED AND FILED WITH THE
DUPONT
J. R. Muen
841 1/2 Olive Lane
Medford, Ore.

250

12:05

394744

25-72
88-27-2W

Vol. 417 Page 109

KNOW ALL MEN BY THESE PRESENTS, That Mr. Alfred Bendickson and Carolyn C. Bendickson, husband and wife

in consideration of Ten Dollars and other valuable considerations, grantor A.

to us paid by T.R. Mercer and Cleo Mercer,

do hereby grant, bargain, sell and convey unto the said grantees, as tenants by the entirety, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit: Commencing at an iron pin which bears North 2376.00 feet and East 2718.95 feet from the Southwest corner of D.L.C. No. 88, Township 37 South, Range 2 West of the W-llamette Meridian in Jackson County, Oregon, said pin being situated on the Westerly line of Sage Road, thence West 886.52 feet to the true point of beginning, thence South no degrees 12' West 512.06 feet, thence North 89 degrees 48' West 50.63 feet, thence North no degrees 02' East 511.88 feet, thence East 52.11 feet to the point of beginning. EXCEPTING AND RESERVING a 40 foot strip of land lying parallel & adjacent to the North line of the above-described tract for road right-of-way purposes. Containing 0.604 acres, more or less. Also EXCEPTING AND RESERVING a right of way for the purpose of conveying water over and across said property in favor of Timber Products Company.



To Have and to Hold the above described and granted premises unto the said grantees, their heirs and assigns forever, as above stated.

And the grantor s.do covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances.

and that they will and theirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hand and seal this 4th day of October, 1955.

Alfred Bendickson (SEAL)

BE IT REMEMBERED, That on this 12th day of October, A. D. 1955, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Alfred B. Bendickson and Carolyn C. Bendickson, husband and wife

who is known to me to be the identical individual s. described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the 4th day of October last above written.

Alfred Bendickson
Notary Public for Oregon
My Commission Expires Oct. 3, 1955

WARRANTY DEED
Courtesy of
JACKSON COUNTY TITLE & ABSTRACT CO.
Medford, Oregon

State of Oregon
County of Jackson
I hereby certify that the within instrument of writing was received and filed at 2 o'clock P.M. the 13 day of Oct. 1955 and is recorded in Book Records for Jackson County, Oregon.
County Clerk Arthur Deputy

RETURN TO
Franklin
2454 Cass
Medford

25009

258350

25009

Vol. 313 Page 353

KNOW ALL MEN BY THESE PRESENTS, That we, ALFRED BENDICKSON and CAROLYN BENDICKSON, husband and wife,

in consideration of Ten dollars and Other Valuable Consideration Dollars,

to us paid by DEWEY TIPTON and LAURA MAE TIPTON

do hereby grant, bargain, sell and convey unto said DEWEY TIPTON and LAURA MAE TIPTON, husband and wife, as an estate by the entirety and not as community property and their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances situated in the County of JACKSON and State of Oregon, bounded and described as follows, to-wit:

Commencing at a point which bears North 2376.00 feet and East 1322.85 feet from the Southwest corner of D. L. C. No. 88 in Section 24, Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon run thence East 228.77 feet; thence South 0 degrees 02' West 40 feet for a true point of beginning run thence East 228.77 feet; thence South 0 degrees 02' West 190.41 feet; thence West 228.77 feet; thence North 0 degrees 02' East 190.41 feet to the point of beginning, containing 1.00 acres more or less.

Subject to the water right-of-way by the Timber Products Corporation.



To Have and to Hold, the above described and granted premises unto the said DEWEY TIPTON and LAURA MAE TIPTON

and their heirs and assigns forever.

And we, ALFRED BENDICKSON and CAROLYN BENDICKSON

the grantor S above named do covenant to and with the above named grantee S and their heirs and assigns that we are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances,

and that we, our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever,

Witness our hands and seal S this 1st day of NOVEMBER, 1947

Executed in the Presence of

Alfred Bendickson (SEAL)

Carolyn Bendickson (SEAL)

(SEAL)

(SEAL)

258350

Vol. 313 Page 354

STATE OF OREGON, }
County of JACKSON } ss.

BE IT REMEMBERED, That on this 1st day of NOVEMBER A. D. 1947 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ALFRED BENDICKSON and CAROLYN BENDICKSON, husband and wife, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written.



R. O. Martin
Notary Public for Oregon.
My Commission expires...

MY COMMISSION EXPIRES MAR. 30, 1951

J. R. recording

258350

WARRANTY DEED

FORM No. 1

ALFRED BENDICKSON and wife

CAROLYN BENDICKSON

TO

DEWEY TIPTON and wife

STATE OF OREGON, } ss.

County of Jackson

I certify that the within instrument was received for record on the 1st day of Feb. A. D. 1947, at 4:20 o'clock P. M., and recorded in book Record of Deeds of said County. Witness my hand and seal of County aforesaid.

G. R. Carter
County Clerk,
Register of Conveyances,
By *Ophe Beekman*, Deputy.

MAILED TO C. L. BARNES
P.O. Box 482
Medford, Ore.
INDEXED 150
P. 2509

277413

S-26500

Vol. 328 Page 266

KNOW ALL MEN BY THESE PRESENTS, That ALFRED BENDICKSON and CAROLYN BENDICKSON, husband and wife, of Jackson County, Oregon,

in consideration of TEN DOLLARS (\$10.00) and other valuable consideration

to us paid by EUSTACE E. ARTHUR and LORENE F. ARTHUR, husband and wife as an estate by the entirety and not as community property, do hereby grant, bargain, sell and convey unto said EUSTACE E. ARTHUR and LORENE F. ARTHUR,

their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances situated in the County of JACKSON and State of Oregon, bounded and described as follows, to-wit:



Commencing at the Southwest corner of the Donation Land Claim #88, Section 24, Township 37, South Range 2 West of the Willamette Meridian, Jackson County, Oregon, and running thence East 1322.85 feet and North 2376.00 feet to the true point of beginning; run thence East 228.77 feet; thence South 0'08" West 190.41 feet; thence West 229.66 feet; thence North 0'18" East 190.41 feet to the point of beginning, containing one (1) acre, more or less, EXCEPTING and RESERVING a 15.00 foot strip of land lying parallel and adjacent to the East boundary of the above described tract for road right-of-way purposes.



ALSO EXCEPTING a right-of way for irrigation ditch through the above described property in favor of the TIMBER PRODUCTS COMPANY.

To Have and to Hold, the above described and granted premises unto the said EUSTACE E. ARTHUR and LORENE F. ARTHUR,

their heirs and assigns forever.

And we, Alfred Bendickson and Carolyn Bendickson,

the grantor above named do covenant to and with the above named grantees, their heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances, --

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hands and seals this 11th day of AUGUST, 1947.

Executed in the Presence of

Alfred Bendickson (SEAL)

Carolyn Bendickson (SEAL)

(SEAL)

(SEAL)

277413

Vol. 328 Page 267

STATE OF OREGON,
County of JACKSON } ss.

BE IT REMEMBERED, That on this 11th day of AUGUST A. D. 19 47
before me, the undersigned, a NOTARY PUBLIC,
in and for said County and State, personally appeared the within named ALFRED BENDICKSON
and CAROLYN BENDICKSON, husband and wife, of Jackson County, Oregon,
who are known
to me to be the identical individual s. described in and who executed the within instrument and acknow-
ledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
official seal the day and year last above written.



C. P. Pierce
Notary Public for Oregon
My Commission expires July 5, 1950

277413

WARRANTY DEED

FORM No. 1

ALFRED BENDICKSON and
CAROLYN BENDICKSON

TO

EUSTACE B. ARTHUR and
LORENE F. EUSTACE

STATE OF OREGON,

County of Jackson } ss.

I certify that the within instru-
ment was received for record on the
11th day of August
A. D. 1947, at 4:36 o'clock P.
M., and recorded in book _____
on page _____ Record of
Deeds of said County.

WITNESS my hand and seal of
County of said.

G. P. Carter
County Clerk,
Register of Deeds,
By *Daphne Spach*
Deputy.

INDEXED
1-50
S-26500

WARRANTY DEED

SOUTHERN OREGON TITLE CO., Medford, Oregon

43306S

Vol. 446 Page 471

KNOW ALL MEN BY THESE PRESENTS, That Alfred Bendickson and Carolyn C. Bendickson, husband and wife / aka Carolyn Bendickson in consideration of Ten and no/100 Dollars, grantor A. to them paid by La Dale Herrmann and Gertrude Herrmann, his wife do hereby grant, bargain, sell and convey unto the said grantees A., their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit:

Commencing at a point which bears North, 2376.00 feet and East, 1322.85 feet from the Southwest corner of Donation Land Claim #88, said commencing point being in Section 24, Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon; thence South 0° 18' West, 190.41 feet to the true point of beginning; thence East, 229.66 feet; thence South 0° 02' West, 380.82 feet; thence West, 231.44 feet; thence North 0° 18' East, 380.82 feet to the true point of beginning. EXCEPTING AND RESERVING a 15 foot strip of land lying parallel and adjacent to the East boundary of the above described tract for road and right of way purposes.

To Have and to Hold the above described and granted premises unto the said grantees A., their heirs and assigns forever. And the grantor A. do covenant that they are lawfully seized in fee simple of the above granted premises free from all Incumbrances,

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above-granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness their hand and seal this 23 day of August 1957

Alfred Bendickson (seal)
Carolyn Bendickson (seal)

STATE OF OREGON,

County of Jackson ss. On this 23 day of August 1957, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Alfred Bendickson and Carolyn C. Bendickson, husband and wife / aka Carolyn Bendickson

who are known to me to be the identical individual as described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Alfred Bendickson
Notary Public for Oregon.

My Commission expires 3-4-61

Call La Dale Herrmann RT 2 Box 712

43306S

WARRANTY DEED

JACKSON COUNTY, OREGON
RECORDED FILED

TO
1957 SEP 10 PM 4 31

BENJAMIN P. HOPKINS
CLERK & RECORDER
STATE OF OREGON

County of _____ ss.
I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book _____ of said County. Record of Deeds

Witness my hand and seal of County affixed.

COUNTY CLERK - RECORDER

DEPUTY

Alfred Bendickson
Carolyn C. Bendickson
SOUTHERN OREGON TITLE CO.
MEDFORD, OREGON

INDEXED

97-44882

6

JACKSON COUNTY TITLE
DIVISION OF OREGON TITLE INSURANCE COMPANY
502 W. Main Street (P. O. Box 218) Medford, OR 97501 (541) 779-2811

76846j1 - LB

14

10-
10-
20

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that ,

JOSE GUSTAVO NAVARRO and ESPERANZA C. NAVARRO

hereinafter called the Grantor, for the consideration hereinafter stated, to Grantor paid by

EDREL JAIME

hereinafter called the Grantee, does hereby grant, bargain, sell and convey unto the said Grantee and Grantee's heirs, successors and assigns, that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of JACKSON , State of Oregon, described as follows to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And Grantor hereby covenants to and with Grantees and the heirs of the survivor and their assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, EXCEPT
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and that Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whatsoever, except those claiming under the above described encumbrances.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars is \$ 89,500.00

WHERE THE CONTEXT SO REQUIRES, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to individuals and to corporations.

IN WITNESS WHEREOF, the grantor has executed this instrument this 24 day of November 1997.

"THIS INSTRUMENT WILL 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 APPROVED USES, AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

Jose Gustavo Navarro
JOSE GUSTAVO NAVARRO

ESPERANZA C. NAVARRO

Jose M Navarro

Esperanza C Navarro

STATE OF OREGON
COUNTY OF Jackson

The foregoing instrument was acknowledged before me this 24 day of November 1997,

by JOSE GUSTAVO NAVARRO and ESPERANZA C. NAVARRO, who executed the within instrument as their own voluntary act and deed.

Jennifer R Ireland

Notary Public for Oregon
My commission expires _____

Mail Tax Statements to:
Grantees
1242 EBENS LANE
MEDFORD OR 97501

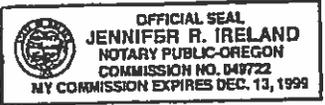


EXHIBIT A

97-14882

Commencing at a point which bears North 2376.00 feet and East 1322.85 feet from the southwest corner of Donation Land Claim No. 88 in Township 37 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, thence East 228.77 feet, thence South 0°02' West 230.41 feet to the true point of beginning; thence East 228.77 feet; thence South 0°02' West 190.41 feet; thence West 228.77 feet; thence North 0°02' East 190.41 feet to the true point of beginning.

(Code 49-01, Account #1-45050-1, Map #372W24CB, Tax Lot #1700)

SUBJECT TO:

1. The effect of said property, or any part thereof, lying within the Medford Irrigation District, and subject to all water and irrigation rights, easements for ditches and canals, and all regulations of said District, including any and all assessments, liens and charges assessed, and to be assessed.
2. The effect of said property, or any part thereof, lying within the Rogue River Valley Irrigation District, and subject to all water and irrigation rights, easements for ditches and canals, and all regulations of said District, including any and all assessments, liens and charges assessed, and to be assessed.
3. The premises herein described are within the Posse Lane/Bens Lane Area of the Bear Creek Valley Sanitary Authority, and are subject to the statutory powers, including the power of assessment, of said Bear Creek Valley Sanitary Authority.
4. Easement over that portion lying within Bens Lane (Affects westerly line).
5. Right of way for power line, and for other purposes, granted to the Condor Water and Power Company, an Oregon corporation, by instrument recorded in Volume 50 page 282 of the Deed Records of Jackson County, Oregon.
6. Right(s) of way for the transmission and distribution of electricity, and for other purposes, granted to PacifiCorp, an Oregon corporation, or its predecessor in interest, by instrument(s) recorded in Volume 226 page 411, Volume 233 page 183 and in Volume 287 page 201 of the Deed Records of Jackson County, Oregon.
7. Perpetual easement and right of way to construct, reconstruct, repair, maintain and use water transmission lines, with rights in connection therewith, granted to Maple Park Water District, a municipal corporation, by instrument recorded in Volume 414 page 4 of the Deed Records of Jackson County, Oregon.
8. The right, privilege and easement to construct and use and maintain a canal or ditch from the canal of the Rogue River Valley Irrigation District, reserved by the Veneer Products Company in deeds recorded August 17, 1943 in Volume 245 pages 286 and 287 of the Deed Records of Jackson County, Oregon.
9. Right of way in favor of the Timber Products Company for ditch to convey water over and across said premises, as set out in deed recorded November 20, 1950 in Volume 343 page 125 of the Deed Records of Jackson County, Oregon.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

DEC 01 1997

2:10 PM
Spencer S. Beckler
COUNTY CLERK

296695

Vol. 343 Page 125

KNOW ALL MEN BY THESE PRESENTS, That We, Alfred Bendickson and Carolyn C. Bendickson, Husband and wife grantor & in consideration of 410 and other valuable consideration grantor &

to US paid by A.J. Neimoyer and Virginia Neimoyer, Husband and wife grantee & do hereby grant, bargain, sell and convey unto the said grantee &, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit:

Commencing at a point which bears North 2378.00 feet and East 1322.85 feet from the Southwest corner of D.L.C. No. 88 in Section 24, Township 37 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon run thence East 228.77 feet; thence South no degrees 02' West ^{for the true point of beginning} 420.82 feet; thence East 228.77 feet; thence South no degrees 02' West 190.41 feet; thence West 228.77 feet; thence North no degrees 02' East 190.41 feet to the ^{true} point of beginning, containing 1.00 acre more or less.

Excepting right of way in favor of The Timber Products Company for ditch to convey water over and across said premises.

To Have and to Hold the above described and granted premises unto the said grantee &, their heirs and assigns forever. And the grantor & do covenant that WE ARE lawfully seized in fee simple of the above granted premises free from all incumbrances.

and that WE will and OUR heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness OUR hand & seal this 11th day of August, 1950

Alfred Bendickson (SEAL)
Carolyn C. Bendickson (SEAL)

STATE OF OREGON, County of Jackson ss. On this 11th day of August, 1950, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Alfred Bendickson and Carolyn C. Bendickson, Husband and wife

who ARE known to me to be the identical individual &, described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this day and year last above written.

Colin Kersee
Notary Public for Oregon
My Commission expires June 15th 1954

WARRANTY DEED

(FORM No. 411)
ALFRED BENDICKSON & WIFE
TO
A.J. NEIMOYER & WIFE

STATE OF OREGON,
County of Jackson
I certify that the within instrument was received for record on the 11th day of August, 1950, at 2:35 P.M. and recorded in book 126-47 on page 126-47 Record of Deeds of said County.

Witness my hand and seal of County affixed.
By J. A. Carter
County Clerk-Recorder.
Deputy.
Carter Carter

426 N. Cassia
1950

296695

WARRANTY DEED
(Granted as Tenants by Entirety)

13155
CRATER TITLE INSURANCE CO. P.O. BOX 304, - 604 W. MAIN ST., - MEDFORD, OREGON
78-43 12-3

68-12222

KNOW ALL MEN BY THESE PRESENTS, That We,

Alfred Bendickson and Carolyn C. Bendickson, husband and wife

grantors,
in consideration of Two hundred and no/100 - - - - - Dollars,
the true and actual consideration
to us paid by Ray Ira Roby and Rosale Roby

husband and wife, grantees,
do hereby grant, bargain, sell and convey unto the said grantees, as tenants by the entirety, their heirs
and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated
in the County of Jackson and State of Oregon, bounded and described as follows,
to-wit:

Commencing at a point which bears North 2376.0 feet and East 1322.85 feet
from the Southwest corner of Donation Land Claim No. 88, Township 37 South,
Range 2 West, Willamette Meridian, Jackson County, Oregon; thence South 0° 18'
West, 571.23 feet to the true point of beginning, said point also being the
Southwest corner of tract described in deed recorded as Document No. 66-09127
of the Official Records of Jackson County, Oregon; thence East, 216.44 feet
to the Southeast corner of said tract; thence South 0° 02' West, 15.0 feet,
more or less, to the Northeast corner of tract described as Parcel 1 in Deed
recorded in Volume 539, Page 475, Jackson County Deed Records; thence West,
along the North line of said tract, and the extension thereof, 207.44 feet
to the Northwest corner of tract described in deed recorded in Volume 540,
Page 321, said Deed Records; thence North 0° 18' West, 15.0 feet to the true
point of beginning.

Subject to:

1. Rights of the public in and to any portion within roads.
2. The effect of this property being in the Medford Irrigation District.
3. Easements and rights in connection, granted for electric power facilities, as recorded in Volume 50, Page 282; Volume 226, Page 411; Volume 233, Page 183 and Volume 287, Page 201, Jackson County Deed Records.
4. Reservations contained in deed recorded in Volume 245, Pages 286-88, Jackson County Deed Records.

To Have and to Hold the above described and granted premises unto the said grantees, their heirs
and assigns forever, as above stated.

And the grantors do covenant that we are lawfully seized in fee simple of the above
granted premises free from all incumbrances, except as set out above

and that we will and our heirs, executors and administrators, shall warrant and forever de-
fend the above granted premises, and every part and parcel thereof, against the lawful claims and de-
mands of all persons whomsoever.

Witness our hand and seal this 19th day of December, 1968

Alfred Bendickson (SEAL)
Carolyn C. Bendickson (SEAL)
(SEAL)
(SEAL)

STATE OF OREGON,

County of Jackson

On this 19th day of December, 1968,

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the
within named Alfred Bendickson and Carolyn C. Bendickson, husband and wife

who are known to me to be the identical individuals described in and who executed the within
instrument, and acknowledged to me that they executed the same freely and voluntarily.
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official
the day and year last above written.

Notary Public for Oregon
My Commission expires 11-20-71



WARRANTY DEED
CRATER TITLE INSURANCE CO.
MEDFORD, OREGON

State of Oregon }
County of Jackson }
I hereby certify that the within instrument of writing was received and
filed and recorded on the 19th day of December, 1968 and is
an Official Record for Jackson County, Oregon.
M. J. [Name] County Clerk By [Signature]

RETURN TO
Ray and Rosale Roby
1185 Bens Lane
Medford, Oregon

PHONE 772-5263

68-12222

ESGROWS

TITLE INSURANCE

INDEXED

17, 18, 19



FORM No. 61 - WARRANTY DEED.

360992 Vol. 391 Page 66

KNOW ALL MEN BY THESE PRESENTS, That We, Alfred Bendickson and Carolyn C. Bendickson, Husband and Wife

in consideration of \$10. and other valuable consideration, grantors to us paid by John B. Klukkert and Rhea E. Klukkert, Husband and Wife do hereby grant, bargain, sell and convey unto the said grantees, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit: as described on the sheet hereto attached and made a part hereof!

Commencing at the Southwest corner of D.L.C. No. 88, Section 24, Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon. From said point run thence North 2376.00 feet and East 1322.85 feet to the Northeast corner of the tract of land described in Deed Record Volume 249, page 421, Deed Records of Jackson County, Oregon, run thence South along the said Easterly line of the aforementioned Deed Record 774.17 feet to the true point of beginning, from said point run thence East 130.00 feet, thence North 190.94 feet; thence East 98.44 feet; thence South no degrees 02' West 148.43 feet; thence South 21 degrees 24' East 225.44 feet; thence South 78 degrees 58' West 15.26 feet; thence West 296.25 to the East line of said Deed Record Volume 249, Page 421; thence North 170.07 feet along said line to point of beginning. Containing 1.49 acres more or less.

Excepting and reserving a 15.00 foot strip of land lying parallel and adjacent to the entire Easterly boundary of the North 361.01 feet of the above described tract for road right of way purposes.

ALSO, excepting and reserving a 14.00 foot strip of land for water line purposes lying 7.00 feet on either side of the following described center line: Commence at the Southeast corner of the above described tract thence West 113.41 feet along South line of above described tract to true point of beginning; thence North 31 degrees 41' 30" West 199.88 feet to a point on North line of above described tract which bears East 77.84 feet from true point of beginning of above described tract.

ALSO, excepting and reserving a 12.00 foot strip of land for water line easement described as follows: Commencing at the Northeast corner of the above mentioned Deed Record Volume 249, page 421, run thence South along said East line 571.23 feet; thence East 213.44 feet; thence South no degrees 02' West 124.00 feet to the point of beginning, from said point continue South no degrees 02' West 12.00 feet; thence West 98.38 feet; thence North 12.00 feet; thence East 98.37 feet to the point of beginning.

(Instrument, and acknowledged to me that they executed the same freely and voluntarily. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written. C. E. Pierre Notary Public for Oregon. My Commission expires June 13th 1954 (12)

360992

WARRANTY DEED (FORM No. 61)

ALFRED BENDICKSON & WIFE

JOHN B. KLUKKERT & WIFE

STATE OF OREGON, County of Jackson

I certify that the within instrument was received for record on the 17 day of Feb 19 54, at 4:10 o'clock P.M., and recorded in book Record of Deeds on page of said County.

Witness my hand and seal of County affixed.

Beulah P. Hephner, County Clerk-Recorder, My Commission Expires June 13th 1954

Handwritten signatures and notes: B. Hephner, 1163 Bond Street, 1/11/54

360992

Vol. 391 Page 67

To Have and to Hold the above described and granted premises unto the said grantees their heirs and assigns forever.
And the grantors do covenant that we are lawfully seized in fee simple of the above granted premises free from all incumbrances,

and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.
Witness our hand and seal this 29th day of July, 1950.

Alfred Bendickson (SEAL)
Carolyn C. Bendickson

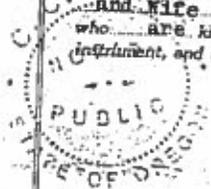
STATE OF OREGON,

County of Jackson } ss.
On this 29th day of July, 1950
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Alfred Bendickson and Carolyn C. Bendickson, Husband and wife

who are known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

C. C. Pierce
Notary Public for Oregon
My Commission expires June 13th 1954



360992

WARRANTY DEED
(FORM No. 111)

ALFRED BENDICKSON & WIFE

TO

JOHN B. KLUMBERT & WIFE

STATE OF OREGON,

County of Jackson

I certify that the within instrument was received for record on the 17 day of July, 1954, at 4:40 o'clock P. M., and recorded in book _____ Record of Deeds of said County.

Witness my hand and seal of County affixed.

Bessie P. Hopkins
Coryn Clark-Ryan
Berthelma Hanson
Deputy

STATE BAR LAW FIRM, CO., PORTLAND

4:40
INDEXED 1.25
4:40

55 R. ...

261164

Vol. 315 Page 408

KNOW ALL MEN BY THESE PRESENTS, That We, Alfred Bendickson and Carolyn C. Bendickson, Husband and Wife

grantor s. in consideration of \$10. and other valuable consideration

to us paid by A.B. Haddock, a single man

do hereby grant, bargain, sell and convey unto the said grantee, heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit:

Commencing at a point which bears North 2376.00 feet and 1322.85 feet East from the Southwest corner of D.L.C. No. 88, in Section 24, Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon, run thence East 228.77 feet; thence South no degrees 02' West 611.23 feet to the true point of beginning, run thence East 228.77 feet, thence South no degrees 02' West 92.00 feet; thence West 228.77 feet; thence North no degrees 02' East 92.00 feet to the point of beginning. Tract containing 0.483 acres more or less.

Excepting and reserving a 15.00 foot strip of land lying parallel and adjacent to the entire Westerly boundary of the above described tract of land for road right of way purposes.

To Have and to Hold the above described and granted premises unto the said grantee, his heirs and assigns forever.

And the grantors do covenant that we, etc. lawfully seized in fee simple of the above granted premises free from all incumbrances.

and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hand and seal, this 18th day of March 19 49

Alfred Bendickson (REAL) Carolyn C. Bendickson (REAL)

STATE OF OREGON,

County of Jackson On this 18th day of March 19 49, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Alfred Bendickson and Carolyn C. Bendickson, Husband and wife

who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this day and year last above written.

Notary Public for Oregon. My Commission expires July 5, 1950.



261164

WARRANTY DEED (FORM No. 681)

Alfred Bendickson and Carolyn C. Bendickson TO A.B. Haddock.

STATE OF OREGON, County of Jackson

I certify that the within instrument was received for record on the 18th day of March 1949 at 2:30 o'clock P.M. and recorded in book Record of Deeds of said County.

Witness my hand and seal of County affixed.

C. R. Carter County Clerk-Recorder By C. R. Carter Deputy.

INDEXED & FILED Alfred Bendickson Carolyn C. Bendickson 538 McCadden Rd

Kind of Instrument

County of Jackson

WARRANTY DEED

I hereby certify that the annexed instrument of writing was received and filed for record at 4:15 o'clock P. M. on the 21st day of August, 1947.

232223
Consideration

G. R. Carter
Clerk

10.00

ALFRED BENDICKSON ET UX

TO
285-74

CHESTER H. ALLEY ET UX

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That ALFRED BENDICKSON and CAROLYN G. BENDICKSON, husband and wife, of Jackson County, Oregon, hereinafter known as Grantors, in consideration of the sum of Ten Dollars and other good and valuable consideration to them paid by CHESTER H. ALLEY and JO ELAINE ALLEY, husband and wife, of Jackson County, Oregon, hereinafter known as Grantees, bargained and sold, and by these presents do grant, bargain, sell and convey unto the said Grantees, as tenants by the entirety, their heirs and assigns, all that certain real property situated in the County of Jackson, State of Oregon, described as follows, to-wit:

Commencing at a point which bears North 2376.00 feet and East 1322.65 feet from the Southwest corner of Donation Land Claim Number Eighty-eight (88) in Section Twenty-four (24), Township Thirty-seven (37) South, Range Two (2) West of the Willamette Meridian, Jackson County, Oregon; run thence East 228.77 feet; thence South 0° 02' West 707.23 feet for a true point of beginning, run thence South 0° 02' West 24.43 feet; thence South 21° 34' East 225.44 feet; thence North 78° 58' East 15.26 feet; thence North 32° 02' East 247.17 feet; thence North 0° 02' East 21.64 feet; thence West 228.77 feet to the point of beginning, containing 0.71 acres more or less. Excepting and reserving a 15 foot strip of land lying parallel and adjacent to the entire Westerly line of the above described tract of land for road right-of-way purposes.

TO HAVE AND TO HOLD the said real property, with the tenements, hereditaments and appurtenances thereunto belonging, unto said Grantees, their heirs and assigns forever. And they, the said Grantors, do hereby covenant to and with the said Grantees, their heirs and assigns, that they are the owners in fee simple of said real property; that the same is free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, they have hereunto set their hands and seals this 6th day of May, 1947.

Alfred Bendickson (SEAL)

Carolyn C. Bendickson . . . (SEAL)

STATE OF OREGON)
) ss.
County of Jackson)

On this the 6th day of May, 1947, personally came before me, a Notary Public in and for said county and state, the within named, ALFRED BENDICKSON and CAROLYN G. BENDICKSON, husband and wife, of Jackson County, Oregon, to me personally known to be the identical persons described in and who executed the foregoing conveyance, and they acknowledged to me that they executed the same freely for the uses and purposes therein named.

WITNESS my hand and official seal this, the day and year in this certificate above written.

Notarial Seal of

J. F. Fliegel

DOCUMENTARY STAMPS
55¢ CANCELLED

J. F. Fliegel

Notary Public for Oregon

My commission expires: 6/9/47

File # AC-16-048
EXHIBIT #
CITY OF MEDFORD

SEE MAP 372M 23CA

SAGE

Jackson County

City of Medford
97-28525

49-3

445-114

APPROX.
1/16 COR.

49-1

SEE MAP 371M 23CA

417-109

368-235

432-379

362-242

Jackson County
(POSSE LANE)

328 266

1400
0.71 AC.

313-353
NO ESMT

1700
1.00 AC. 326-427

97-44882

1800
1.00 AC. 343-125
NO ESMT.

2200
0.48 AC. 315-408

2300
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Dustin J. Severs

From: John Duffie <JDuffie@ssarchllp.com>
Sent: Tuesday, August 09, 2016 11:34 AM
To: Dustin J. Severs
Subject: GE Forestry - 1112 Bens Lane

Hi Dustin,

I am forwarding a thread of emails between myself and the Medford Fire Department about options to up-sizing the water line.

I also contacted Ticor Title Company, who bought out Lawyers Title, (the company mentioned in the exhibit 'E', that found evidence of legal access across Bens Lane to satisfy approval of the development for GE Forestry at 1170 Bens Lane, in June of 2006). I spoke with Bob Bennett, who use to work at Lawyers Title. He said that since the City of Medford ordered the search, he couldn't release it to me, so I had him forward it on to you directly. Could you please let me know if you received that document?

Let's meet so we can discuss how to best go into the next planning commission meeting.

Thank you -

John Duffie'

-----Original Message-----

From: Greg G. Kleinberg [<mailto:John.Kleinberg@cityofmedford.org>]
Sent: Tuesday, August 09, 2016 9:25 AM
To: Tanner R. Fairrington
Cc: Sam D. Barnum; John Duffie
Subject: Re: options to replacing fire service water line

To Whom it May Concern,

Any one of these options is acceptable to the Fire Department, which includes either upsizing or looping the water mains to provide a minimum 1,500 gpm fire flow or installing a automatic fire sprinkler system in the new building.

Thank you,

Greg Kleinberg
Deputy Chief - Fire Marshal
Medford Fire-Rescue

Sent from my iPhone

> On Aug 9, 2016, at 9:16 AM, Tanner R. Fairrington <Tanner.Fairrington@cityofmedford.org> wrote:

>

> Good morning, gentlemen.

>

> John Duffie went before the planning commission, and it sounds like the commission wanted more clarity on Required Code Condition 1, which is as follows:

CITY OF MEDFORD
EXHIBIT # Q
File # AC-16-048

>
> Install an 8-inch water line consistent with agency reports submitted by the Medford Fire Department and the Medford Water Commission (Exhibits J and I) or otherwise satisfy Fire Code requirements as determined by the Medford Fire Department [and building department].
>
> Based on a previous discussion with Greg, John has summarized 5 options below for meeting Required Code Condition number 1. Will you both please weigh in on whether the 5 options below are acceptable?
>
> Thank you,
>
> Tanner
>
>
> -----Original Message-----
> From: John Duffie [<mailto:JDuffie@ssarchllp.com>]
> Sent: Monday, August 08, 2016 5:39 PM
> To: Tanner R. Fairrington
> Subject: options to replacing fire service water line
>
> Hi Tanner,
>
> Regarding GE Forestry at 1112 Bens Lane:
>
> Attached is the list of conditions for planning approval for this project. Note the header with the project application information.
>
> Here is the list of options as presented during a telephone conversation with Fire Marshall Greg Kleinberg on 7/25/16:
> 1. Increase line size in Bens Lane from 4" to 8" diameter.
> 2. Provide an Approved Automatic Sprinkler System.
> 3. Extend water line to provide a looped connection to the mobile home park, to the west.
> 4. Extend water line to provide a looped connection to N. Columbus, to the south.
> 5. Provide a fire sprinkler system to the building, fed by an on-site water storage tank.
>
> Thank you for addressing this issue to the Planning Commission, that the Fire Department is open to considering these options for approval, in lieu of replacing the 4" water line with an 8" line along Bens Lane.
>
> Your attention to this matter is much appreciated -
>
> John Duffie'
>
>

George M. Rubaloff

From: Larry J. Beskow
Sent: Tuesday, February 28, 2006 4:00 PM
To: George M. Rubaloff
Subject: Brian Camerana, 1170 Bens Lane

George:

I think Mr. Camerana had come in or made application as an AC project some time ago at 1170 Bens Lane to build a shop or warehouse. There was an issue or question whether he had legal access since Bens Lane and Posse Lane are not public right-of-way. Public Works had Lawyers Title perform a title search on all the properties and Bens and Posse to determine whether access existed or not. The search indicated that 40 feet of road access exists on all parcels except for 3. John HuttI thought that sense there was legal access on most of the properties, that right of access could legally be established on the 3 that do not have it included in their deeds by prescriptive rights.

Brian wanted me to notify you so his project could move forward. Public Works will most likely condition him to dedicate 27.5 feet of right-of-way along his frontage, and pave the road to where the pavement ends currently. Let me know if you have any questions.

Larry

3/2

~~CITY OF MEDFORD
EXHIBIT # _____
File # AC-06-90~~

"E"

CITY OF MEDFORD
EXHIBIT # R
File # AC-16-048