AGENDA COVER MEMO

Memo Date: March 27, 2024
Public Hearing/Order Date: March 29, 2023

TO: Lane County Board of Commissioners

DEPARTMENT: Lane County Legal Counsel

PRESENTED BY: Steven M. Thiel, Assistant County Counsel

AGENDA ITEM TITLE: **Order No. 24-03-29-01/** In the Matter of Clarifying the Boundaries of the Proposed Row River Rural Fire Protection District.

I. RECOMMENDED MOTION

To approve the order clarifying the boundaries of the Row River Rural Fire Protection District.

II. AGENDA ITEM SUMMARY

The Board of County Commissioners (hereinafter, "Board") is being asked to approve an Order clarifying the geographic boundaries of the Row River Rural Fire Protection District (hereinafter, "District").

III. BACKGROUND/IMPLICATIONS OF ACTION

On October 9, 2023, the Lane County Clerk certified that petitioners had obtained the requisite number of signatures in their effort to create the Row River Rural Fire Protection District. On January 9, 2024, the Board adopted Order 24-01-09-27, directing that the question of whether the District should be formed be referred to the May 21, 2024, election. Attached as Exhibit A to Order 24-01-09-27 was a 14-page legal description of the boundaries of the proposed District. Exhibit B to Order 24-01-09-27 included a general description of the boundaries of the proposed District. That general description and a simple map will accompany the May 21, 2024, ballot. Unfortunately, the legal description incorporated in Order 24-01-09-27 has been determined to be flawed.

In the Fall of 2023, the petitioners sought preliminary approval from the Oregon Department of Revenue (hereinafter, "Department") to allow the proposed district, if formed, to begin assessing taxes in July of 2024. In seeking that preliminary approval, petitioners provided the Department with the legal description that was subsequently

incorporated in Order 24-01-09-27. The Department informed petitioners that that legal description contained errors and discrepancies that prevented them from receiving preliminary approval. Further, the Department concluded that it lacked authority to make the corrections needed to repair the errors and discrepancies in the original legal description.

Petitioners and staff from the Lane Council of Governments worked to revise the description and received the Department's preliminary approval in early March, 2024. It is the opinion of County staff that this corrected legal description is consistent with the general description and map that will accompany the May 2024, ballot. However, the Department cannot formally accept the revised legal description unless it is first approved by the Board. The proposed Order would replace the description incorporated in Order 24-01-09-27 with the new, corrected description, while leaving the remainder of Order 24-01-09-27 unchanged.

The petitioners' desire is to begin assessing taxes in the District beginning July 1, 2024. The deadline to file the description with the Department is March 31 of the year in which a district intends to begin assessing the new tax. Because the legal description is a complex, detailed document, Order 24-03-29-01 includes a provision allowing the Department to revise the legal description, but only as necessary to correct errors or omissions that would result in it being unfeasible or contrary to the Department's technical requirements.

IV. ACTION

Option 1: Adopt Order 24-03-29-01 replacing the defective legal description of the proposed Row River Rural Fire Protection District (**Attachment 1**).

Option 2: Deny Order 24-03-29-01. The question of the formation of the proposed district would remain on the May, 2024, ballot. However, if approved by voters, the new district would be unable to begin assessing taxes until July 1, 2025.

V. RECOMMENDATION

Staff recommends **Option 1**.

VI. FOLLOW-UP

No follow-up action is required of the Board. If the Board chooses Option 1, the petitioners would then provide the Department of Revenue with the corrected description in aid of their request to seek approval to assess taxes beginning July 1, 2024.

VII. ATTACHMENTS

1. Order No. 24-03-29-01 (18 pages)

    Exhibit A: Legal description of district boundaries.

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 24-03-29-01	In the Matter of Clarifying the Boundaries of the Proposed Row River Rural Fire Protection District

WHEREAS, on August 10, 2023, a petition initiating the formation of the Row River Rural Fire Protection District was filed with Lane County, in accordance with ORS 198.750;

WHEREAS, on October 9, 2023, the County Clerk certified that the requisite number of voters signed the petition, in accordance with ORS 198.755(1)(a);

WHEREAS, on January 9, 2024, the Board of County Commissioners ordered that an election on the formation of the proposed District occur on May 21, 2024; and

WHEREAS, the description of the boundaries of the District incorporated in the Board of County Commissioners' January 9, 2024 order failed to accurately reflect the intentions of the Board of Commissioners and of the petitioners as stated in the Draft Ballot Language incorporated into the January 9, 2024 order;

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

1. The description of the boundaries of the District attached as Exhibit A to Board Order 24-01-09-27 is hereby superseded and replaced by the description of the boundaries of the District in **Exhibit A**, attached hereto.

2. The description attached hereto as **Exhibit A** may be revised or amended by the Oregon Department of Revenue only to the extent necessary to correct any errors or omissions that would render the description unfeasible or contrary to the Department's technical requirements.

3. No other portion or clause of Board Order 24-01-09-27 is revised, superseded, or otherwise disturbed by adoption of this Order.

ADOPTED this 29th day of March, 2024.

_____

Laurie Trieger, Chair
Lane County Board of Commissioners

LEGAL DESCRIPTION
February 10th, 2024

The entirety of the Row River Water District as exists September 19, 2023, all in Lane County, Oregon.

ALSO: BAP 269.00 ft m/l S of NW cor S04 T21S R02W WM also the existing bndy South Lane Rural Fire Protection District and Co Rd No. 1279 (aka Shoreview Drive, varying widths), in Lane County, OR;

th lvg sd rd r/w and alg sd FD bndy 3,700.00 ft m/l to SW cor NW ¼ SW ¼ sd S04;

th lvg sd FD bndy alg S li sd ¼ li E 2,645.00 ft m/l to SE cor sd ¼ also being Row River Water District bndy;

th alg sd WD bndy N 95.00 ft m/l to S r/w sd Co Rd No 1279;

th contg alg sd WD bndy and sd r/w to the pt sd WD bndy intersects with Reservoir Bndy;

th contg alg N r/w of sd Co Rd NWly to the POB, all in Lane County, OR.

ALSO: BAP W 229.84 ft m/l from the SE cor S04 T21S R02W WM, also being on the Row River Water District bndy, all in Lane County OR;

th contg alg sd WD bndy NEly 531.00 ft m/l to S r/w County Road No. 30 (aka Shoreview Dr, varying widths) tap;

th contg alg sd WD bndy NWly 1,642.00 ft m/l tap;

th lvg sd WD bndy S 653.73 ft m/l tap;

th E 545.00 ft m/l to the intersection with W r/w of BLM Rd 21-2-4 tap;

th alg sd r/w SWly 2,600.00 ft m/l to S sec li sd S04;

th E alg sd sec li 2,610.00 ft m/l to SE cor sd S04 to the POB, all in Lane County, OR.

ALSO: Beg at NE cor NW ¼ NW ¼ S10 T21S R02W WM, also being the Row River Water District bndy, in Lane County, OR;

th alg sd WD bndy and N li sd sec ¼ W 450.00 ft m/l tap, also being the E r/w Lane County Rd No. 30 (aka Shore View Drive, varying widths);

th alg sd WD bndy and sd r/w SEly 1,156.00 ft m/l tap;

th lvg sd WD bndy and sd r/w Nly 180.00 ft m/l tap;

th N22°04'W 767.08 ft m/l to the POB, all in Lane County, OR.

ALSO: BAP 300.00 ft m/l E of the NW cor SE ¼ NW ¼ S10 T21S R02W WM, also being the Row River Water District bndy, in Lane County, OR.

th alg sd WD bndy N 100.00 ft m/l tap;

th alg sd WD bndy NEly 220.00 ft m/l to the E r/w County Rd No 283 (aka Row River Rd, varying widths);

th lvg sd WD bndy and contg alg sd r/w SEly 565.00 ft m/l tap;

th contg alg sd r/w NEly 135.00 ft m/l tap;

th contg alg sd r/w SEly 125.00 ft m/l tap;

th contg alg sd r/w SWly 70.00 ft m/l tap;

th contg alg sd r/w SEly 165.00 ft m/l tap;

th contg alg sd r/w Sly 35.00 ft m/l tap;

th contg alg sd r/w Ely 12.00 ft m/l tap, also being sd WD bndy;

th alg sd WD bndy S40°48’30”W 885.00 ft m/l tap;

th alg sd WD bndy S89°23’10”W 200.00 ft m/l tap;

th alg sd WD bndy N00°56’20”E 200.00 ft m/l tap;

th alg sd WD bndy N89°23’10”E 200.00 ft m/l tap;

th alg sd WD bndy N00°56’20”E 910.00 ft m/l to N li sd ¼ sec;

th alg sd WD bndy S88°44’15”W 190.00 ft m/l to the POB, all in Lane County, OR.

ALSO: BAP N14°W 188.32 ft m/l from SE cor PP1997-P1040 parcel 1 S14 T21S R02W WM, also being the Row River Water District bndy, Lane County, OR;

th alg sd WD bndy and partition plat N14°W 137.29 ft m/l tap;

th alg sd WD bndy N68°58’E 209.50 ft m/l to the W r/w Co Rd 1279;

th alg sd r/w SEly 153.00 ft m/l tap;

th lvg sd r/w and WD bndy S35°54’W 169.92 ft m/l tap;

th NWly 174.78 ft m/l to the POB, all in Lane County OR.

ALSO: BAP 65.00 ft m/l N of the NW cor of the SW ¼ SW ¼ S13 T21S R02W WM, Lane County, OR;

th S32°01'30"E 1213.79 ft m/l tap, also being the Row River Water District bndy;

th alg sd WD bndy NWly 750.00 ft m/l tap, also being on sd ¼ Sec li;

th contg alg sd WD bndy N00°43'15"E 430.36 ft m/l to the POB, all in Lane County, OR.

ALSO: BAP 990.00 ft m/l E of the W ¼ cor S24 T21S R02W WM, also being the Row River Water District bndy, Lane County, OR;

th alg sd WD bndy N89°18’00”E 990.00 ft m/l tap;

th lvg sd WD bndy and ¼ sec li S 2,608.29 ft m/l to S sec li sd S24 tap;

th alg sd S sec li S89°54’42”W 990.00 ft m/l tap;

th lvg sd S sec li N00°21’44”W 2,598.32 ft m/l to the POB, all in Lane County, OR.

ALSO: BAP NWly 200.00 ft m/l from the intersection of S r/w li Co Rd No. 1009 (aka Row River Rd, varying widths) and E ¼ sec li SW ¼ NE ¼ S31 T21S R01W WM, also being the Row River Water District bndy, Lane County, OR;

th alg sd WD bndy SWly 240.00 ft m/l tap;

th lvg sd WD bndy S 84.40 ft m/l tap;

th E 46.70 ft m/l tap;

th S 100.00 ft m/l tap;

th N81°E 180.00 ft m/l tap;

th N 154.00 ft m/l tap;

th SEly 50.00 ft m/l tap;

th NEly 70.00 ft m/l to the POB, all in Lane County, OR.

ALSO: BAP 85.00 ft m/l Wly from intersection of Co Rd No 1009 (aka Row River Rd, varying widths) and the E ¼ sec li SW ¼ NE ¼ S31 T21S R01W WM, also being on the Row River Water District bndy, Lane County, OR;

th alg sd r/w and WD bndy N74°W 141.00 ft m/l tap;

th lvg sd r/w and WD bndy S 115.00 ft m/l tap;

th NEly 120.00 ft m/l tap;

th N12°E 70.00 ft m/l to the POB, all in Lane County, OR.

ALSO: BAP on the N Sec li S05 T22S R01W WM and the intersection with the r/w of County Road No. 679 (aka Sharps Creek Rd, varying widths);

th alg sd r/w Sly 3,235.00 ft m/l tap, also being the W li NW ¼ SE ¼ sd sec;

th lvg sd r/w Nly 504.00 ft m/l tap, also being the NE cor NE ¼ SW ¼ sd S05 and SE cor SE ¼ SW ¼ S05;

th alg N li of NE ¼ SW ¼ sd S05 Wly 1,297.00 ft m/l tap, also being the NW cor NE ¼ SW ¼ sd S05;

the alg W li of NE ¼ SW ¼ sd S05 Sly 1,012.00 ft m/l tap, also being the SW cor NE ¼ SW ¼ sd S05;

th alg S li of NE ¼ SW ¼ sd S05 Ely 718.00 ft m/l tap, also being the W r/w of sd rd;

th SEly through N sec li S08 the entirety sd rd r/w to the E sec li sd S08, also the W sec li S09 sd T/R;

th lvy sd r/w alg sd W sec li S 1,275.00 ft m/l tap;

th E 1,320.00 ft m/l tap;

th N 750.00 ft m/l to sd r/w in its entirety;

th contg through sd S09 SEly the entirety of sd r/w to intersection with the S sec li sd S09, also being the N sec li S16 sd T/R;

th through sd S16 SEly the entirety of sd r/w to it intersection with the E sec li sd S16, also being the W sec li S15 sd T/R;

th contg SEly the entirety of sd r/w N li SW ¼ sd S15;

th alg sd ¼ li Wly 1,530.00 ft m/l tap;

th Sly 850.00 ft m/l tap;

th Ely 1,540.00 ft m/l to sd r/w in its entirety;

th NWly alg the E r/w sd rd 3,390.00 ft m/l tap, also being W sec li sd S15;

th Nly alg sd sec li 475.00 ft m/l tap, also being the intersection of sec 09, 10, 15, and 16;

the Wly alg N sec li sd S16 920.00 ft m/l tap;

th Nly through Sec 09 and Sec 08 the entirety of sd r/w to the POB in S05, all in Lane County, OR.

ALSO: BAP 490.00 ft m/l S from the NW cor of the NW ¼ SE ¼ S34 T21S R01W WM, also being Row River Water District bndy, also being S r/w of Co Rd No 1089 (aka Frank Brice Creek Rd, varying widths) Lane County, OR;

th lvg sd WD bndry and alg sd r/w SEly 1,485.00 ft m/l tap, also being sd WD bndry;

th contg alg sd WD bndry NWly 213.00 ft m/l tap;

th alg sd WD bndry NWly 1,830.00 ft m/l tap;

th contg alg sd WD bndry Wly 212.00 ft m/l tap;

th contg alg sd WD bndry Sly 490.00 ft m/ to the POB, all in Lane County, OR.

ALSO: BAP 119.00 ft m/l S from the NW cor of the SW ¼ SE ¼ S33 T21S R01W WM, also being Row River Water District bndy, also being S r/w of Co Rd No 1089 (aka Frank Brice Creek Rd, varying widths) Lane County, OR;

th lvg sd WD bndry and alg sd r/w Ely 1,560.00 ft m/l tap, also being sd WD bndry;

th alg sd WD bndry Wly 230.00 ft m/l tap;

th contg alg sd WD bndry Sly 55.00 ft m/l tap;

th contg alg sd WD bndry Wly 1,302.00 ft m/l tap;

th contg alg sd WD bndry Sly 60.00 ft m/l to the POB, all in Lane County, OR.

ALSO: BAP 1457.60’ N & 498.90’ E by deed R181/82227 in the NW ¼ SE ¼ S35 T21S R01W WM, Lane County, OR;

th S83°52’E 517.10 ft m/l tap;

th S62°35’E 588.60 ft m/l tap;

th S57°13’E 231.50 ft m/l tap;

th S48°15’E 288.00 ft m/l tap;

th S22°42’E 199.30 ft m/l tap:

th S30°54’E 207.00 ft m/l tap;

th S37°41’E 150.20 ft m/l tap;

th S31°37’E 176.30 ft m/l tap;

th S57°15’E 98.00 ft m/l tap;

th Sly 263.4 ft m/l tap;

th SEly 208.00 ft m/l tap, also being a point on SW COR S 36 FOUND BY LC SURVEYOR;

th SEly 642.30 ft m/l tap;

th S55°E 684.00 ft m/l tap;

th N51°E 197.00 ft m/l tap;

th SEly 55.00 ft m/l tap;

th Sly 87.00 ft m/l tap;

th SEly 831.00 ft m/l tap;

th NEly 165.00 ft m/l to the W r/w of Co Rd No 1207;

th alg sd r/w Sly 884.00 ft m/l to the N li SW ¼ NW ¼ sd S01;

th W 113.71 ft m/l tap;

th SWly 233.00 ft m/l tap;

th NEly 192.35 ft m/l to sd r/w;

th alg sd r/w SEly 2,728.00 ft m/l tap;

th lvg sd r/w NEly 176.00 ft m/l tap;

th N04°20’E 335.00 ft m/l tap;

th N42°36’43”W 174.50 ft m/l tap;

th N20°52’56”W 175.77 ft m/l tap;

th NWly 244.00 ft m/l tap;

th NWly 1,429.00 ft m/l tap;

th SWly 64.00 ft m/l tap;

th NWly 486.00 ft m/l tap;

th NEly 65.00 ft m/l tap;

th NWly 275.55 ft m/l tap;

th NWly 130.5 ft m/l tap;

th SWly 167.23 ft m/l tap;

th NWly 221.00 ft m/l tap;

th S 433.00 ft m/l tap;

th Wly 185.32 ft m/l to E r/w sd Co Rd No 1207;

th NWly alg sd E r/w 1867.00 ft m/l tap, also being end of Co Rd. No. 1089;

th lvg sd r/w N 118.00 ft m/l to N sec li sd S01, also being S sec li sd S36 T21S R01W;

th Ely 105.00 ft m/l tap;

th Nly 44.00 ft m/l tap;

th NEly 18.00 ft m/l tap;

th NWly 87.00 ft m/l tap;

th NWly 67.00 ft m/l tap;

th NWly 137.00 ft m/l tap;

th N60°34'W 136.38 ft m/l tap;

th N66°43'W 231.40 ft m/l tap;

th NWly 15.00 ft m/l tap;

th NWly 89.00 ft m/l tap;

th N57°14'W 141.80 ft m/l tap;

th NWly 226.00 ft m/l tap;

th N24°13'W 118.60 ft m/l tap;

th N40°22’E 461.30 ft m/l tap;

th NWly 114.00 ft m/l tap;

th NWly 217.00 ft m/l tap;

th N4°25’W 238.00 ft m/l tap;

th N17°6’W 233.00 ft m/l tap;

th NWly 464.00 ft m/l tap;

th N00°24’06”E 766.67 ft m/l tap, also being sd WD bndy;

th contg alg sd WD bndy N88°04’09W” 880.80 ft m/l to the W r/w sd co rd 1089 tap;

th contg alg sd WD bndy SWly 1,490.00 ft m/l through sd S35 to the intersection with the S r/w li sd co rd tap;

th contg alg sd WD bndy and sd r/w Wly 62.00 ft m/l tap;

th lvg sd r/w and alg sd WD bndy Sly 103.00 ft m/l tap;

th Ely 12.00 ft m/l to POB, all in Lane County, OR.

ALSO: BAP 646.00 ft m/l N00°14’30”E of SE cor SW ¼ NE ¼ S35 T21S R01W WM, also being the N r/w of Lane County Rd No. 407 (aka Lower Brice Creek Rd, varying widths), also being the Row River Water District bndy, in Lane County, OR;

th contg alg sd r/w SWly 1,125 ft m/l tap, also being sd WD bndy;

th contg alg sd WD bndy SEly 50 ft m/l to the E r/w of sd County Rd;

th lvg sd WD bndy NEly 1,070 ft m/l along sd r/w tap on sd WD bndy;

th alg sd WD bndy Nly 40 ft m/l to POB, all in Lane County, OR.

ALSO: BAP on the SE cor of SW ¼ NE ¼ cor S32 T21S R01W WM, also being on the Row River Water District bndy, Lane County, OR;

th alg sd sec c/li Wly 1,340.00 ft m/l to a 1¾” iron pin and the approximate c/li sd sec;

th contg alg sd c/li Wly 1,299.91 ft m/l to a 2” iron pin, also being on the Row River Water District bndy;

th SWly alg sd WD bndy to its intersection wi the N/S c/li sd S32, also being the S r/w of OP&E railroad;

th contg alg sd WD bndy and railroad r/w to a pt on the S r/w of Booth Kelly Rd;

th lvg sd rd r/w Nly alg sd WD bndy to the POB, all in Lane County, OR.

ALSO: BAP 31.00 ft m/l Sly from a SET BRASS CAP (BLM) on the W li of NE ¼ NE ¼ cor S31 T21S R01W WM, also being on the Row River Water District bndy, and also being on the N r/w of OP&E RR, Lane County, OR;

th lvg sd WD bndy and contg on sd RR r/w Sly 2,032.00 ft m/l tap, also being sd WD bndy;

th alg sd WD bndy Wly 79.00 ft m/l tap;

th contg alg sd WD bndy NWly to POB; all in Lane County, OR.

ALSO: Beg at the NW cor L Van Arburg DLC 37 S19 T21S R01W WM, also being the Row River Water District bndy and W r/w Lane County Rd No. 1009 (aka Row River Road, varying widths), Lane County, OR;

th lvg sd r/w and alg sd WD bndy S88°17’36”E 360.00 ft m/l to the W r/w Cedar Creek Logging Rd;

th lvg sd WD bndy and alg sd Cedar Creek Logging Rd W r/w Sly 2,300.00 ft m/l to th S li NE ¼ NE ¼ li sd S30;

th E 20.00 ft m/l tap;

th S22°17’W 264.30 ft m/l tap;

th S15°12’E 476.00 ft m/l tap;

th Sly 134.54 ft m/l tap;

th S11°47’W 302.59 ft m/l tap;

th SWly 92.07 ft m/l tap;

th Sly 146.76 ft m/l tap;

th S23°58’E 191.15 ft m/l tap;

th S14°02’E 603.35 ft m/l tap;

th S11°25’E 333.06 ft m/l tap;

th S24°28’E 249.00 ft m/l tap;

th Sly 180.50 ft m/l tap;

th S60°00’W 556.00 ft m/l tap;

th N19°40’W 520.00 ft m/l tap;

th N21°31’W 599.00 ft to the E r/w Oregon Pacific and Eastern RR;

th SEly alg sd RR N r/w 3,850.00 ft m/l to tap, also being sd WD bndy;

th Wly alg sd WD bndy 110.00 ft m/l tap, also being W r/w sd RR;

th NWly alg sd WD bndy to the POB, being the NW cor L Van Arbury DLC 37; all in Lane County, OR.

ALSO: BAP Sly 360.00 ft m/l of SSE COR T MCMURRAY DLC S33 T20S R02W WM, also being the on the southern border of the Oregon & Eastern Railway r/w;

th Nly 1,590.00 ft m/l tap also being the border of the South Lane Rural Fire Protection District;

th contg S89°45’78"E 170.00 ft m/l tap;

th contg S00°08’17"W 1,368.73 ft m/l tap;

th contg N63°12’20"E 62.31 ft m/l tap;

th contg N00°08’17"E 1,358.12 ft m/l tap;

th contg S89°45’28"E 170.00 ft m/l tap;

th contg Nly 990.00 ft m/l to the N sec li sd S33 also, being the S sec li S28 sd T/R;

th contg Ely 2,980.00 ft m/l to the NE sec cor sd S33, also being the SE cor sd S28;

th contg Nly 1,340.00 ft m/l to the NW cor of SW ¼ SW ¼ sd S27;

th lvg sd fire district boundary Ely 1,330.00 ft m/l to the NE cor of SW ¼ SW ¼ sd S27;

th Nly 660.00 ft m/l tap;

th Ely 720.00 ft m/l tap;

th Nly 660.00 ft m/l tap;

th Ely 620.00 ft m/l to the NE cor of NE ¼ SW ¼ sd S27;

th Nly 1,330.00 ft m/l NW cor of SW ¼ NE ¼ sd S27;

th Ely 1,340.00 ft m/l to the NE cor of SW ¼ NE ¼ sd S27;

th Sly 1,330.00 ft m/l the SE cor of SW ¼ NE ¼ sd S27;

th Ely 1,340.00 ft m/l to the NE cor of NE ¼ SE ¼ sd S27, also being a found stone;

th Sly 1,320.00 ft m/l to the SE cor of NE ¼ SE ¼ sd S27;

th Wly 1,330.00 ft m/l to the SW cor of NE ¼ SE ¼ sd S27;

th Sly 1,340.00 ft m/l to the SE cor of SW ¼ SE ¼ sd S27;

th Wly 1,020.00 ft m/l to the east r/w of Co Rd #565 (aka Rat Creek Rd, varying widths);

th alg sd E r/w Sly 2,280.00 ft m/l tap;

th lvg sd r/w S82°23’08"E 262.92 ft m/l tap;

th S47°50’49"E 289.01 ft m/l tap;

th S12°57’01"W 18.51 ft m/l tap;

th S35°43’48"E 101.1 5ft m/l tap;

th S77°47’14"E 76.39 ft m/l tap;

th S49°01’35"E 195.01 ft m/l tap;

th S57°48’07"E 179.37 ft m/l tap;

th S59°59’34"E 417.93 ft m/l tap;

th Sly 1,042.00 ft m/l to the SE cor of NW ¼ SE ¼ sd S34;

th S19°41’14"W 351.98 ft m/l tap;

th S35°26’14"W 404.96 ft m/l tap;

th E 537.07 ft m/l tap;

th S34°09’09"E 263.24 ft m/l tap;

th S60°47”W 169.32 ft m/l tap;

th S 359.53 ft m/l to the north r/w of Dorena Mountain Rd, varying widths;

th contg Ely 960.00 ft m/l to the terminus of sd r/w;

th contg Sly 60.00 ft m/l tap;

th lvg sd r/w E 161.04 ft m/l to the E sec li sd S03, also being the W sec li S02 sd T/R;
th alg a curve to the left (long chord 110ft N38°57’59"E) 171.00 ft m/l tap;

th lvg sd S Sec li N12°04’01"W 506.29 ft m/l tap;

th E 360.99 ft m/l tap;

th N01°22’07"E 836.09 ft m/l tap;

th Ely 886.00 ft m/l to the NE cor of SW ¼ SW ¼ sd S35;

th Sly 1,330.00 ft m/l to the SE cor of SW ¼ SW ¼ sd S35;

th Ely 2,554.00 ft m/l to the NE cor of NW ¼ NE ¼ sd S02;

th Sly 1,313.00 ft m/l to the SE cor of NW ¼ NE ¼ sd S02;

th Wly 689.00 ft m/l tap;

th SWly 3,079.00 ft m/l to the N r/w of Co Rd No. 30 (aka Row River Rd, varying widths);

th contg SEly 824.00 ft m/l to the N r/w of Smith Creek Rd, varying widths;

th lvg sd r/w NEly 5,238.00 ft m/l to the terminus of sd r/w;

th Ely 50.00 ft m/l to the E of sd r/w tap;

th lvg sd r/w N32°38’E 176.40 ft m/l tap;

th S69°17’30"E 111.26 ft m/l tap;

th S14°4’9"W 119.02 ft m/l tap;

th Wly 20.00 ft m/l tap;

th S23°15’W 288.00 ft m/l tap;

th Wly 150.00 ft m/l tap;

th N23°15’E 288.00 ft to the E r/w of Smith Creek Rd, varying widths;

th contg on sd r/w SWly 1,350.00 ft m/l tap;

th contg on sd r/w SWly 276.00 ft m/l tap;

th lvg sd r/w Sly 330.00 ft m/l tap;

th Wly 264.00 ft to the SW cor of NW ¼ SW ¼ sd S01;

th Nly 167.00 ft m/l to the E r/w of Smith Creek Rd, varying widths;

th contg SWly 3,450.00 ft m/l to the E r/w of Co Rd #30 (aka Row River Rd, varying widths);

th alg sd r/w Sly 1,763.00 ft m/l tap;

th lvg sd r/w NEly 461.00 ft m/l tap;

th Sly 868.00 ft m/l tap;

th Ely 2,651.00 ft m/l to the E sec li sd S11, also being the W sec li S12 sd T/R;

th contg Sly 115.00 ft m/l tap;

th lvg sd E sec li S27°11’32"W 2,378.62 ft m/l tap;

th S29°32’30"E 1,986.00 ft m/l to the S sec li sd S11, also being the N sec li S14 sd T/R;

th contg Ely 671.6 ft m/l to ENE COR DLC 42;

th S01°06’58"E 1,320.00 ft m/l tap;

th E 896.00 ft m/l tap;

th S 1,121.05 ft m/l tap;

th S79°25’30"E 55.02 ft m/l tap;

th S53°52’24"E 190.34 ft m/l tap;

th N88°21’44"E 881.46 ft m/l tap;

th N53°21’20"E 542.85 ft m/l tap;

th S00°53’51"E 317.14 ft m/l tap;

th SWly 713 ft m/l tap;

th alf a curve to the left (long chord 482.5 0ft S19°05’19"E) 393.25 ft m/l tap;

th alf a curve to the right (long chord 517.50 ft S15°33’20"E) 479.22 ft m/l tap;

th S12°01’35"W 456.00 ft m/l tap;

th S77°58’25’E 95.00 ft m/l tap;

th S12°01’35"W 265.00 ft m/l tap;

th N77°58’25"W 95.00 ft m/l tap;

th S12°01’35"W 71.35 ft m/l tap;

th S40°24’56"W 88.09 ft m/l tap;

th SEly 590.00 ft m/l to the east r/w of Oregon & Eastern Railway, also being the north boundary line of sd water district;

th Wly 95.00 ft m/l to the west r/w of Oregon & Eastern Railway, also being the north boundary line of sd water district;

th contg NWly 29,328.00 ft m/l to POB, all in Lane County, OR.

EXCEPT: BAP being US Mon S-3-1 Reset S03 T21S R02W, also being Row River Water District bndy;

th alg sd WD bndy N 160.00 ft m/ tap;

th alg sd WD bndy NWly 550.0 ft m/l to the E sec li S04 sd T/R;

th alg sd WD bndy 5,680.00 ft m/l to US Mon 4-4 S04 sd T/R;

th alg sd WD bndy N00°46’30”E 440.02 ft m/l to US Mon 4-3, also being Reservoir Bndy;

th alg sd WD bndy and Reservoir Bndy N67°16’30”W 821.09 ft m/l to US Mon 4-2;

th alg sd WD bndy and Reservoir Bndy NWly 1,115.00 ft m/l to tap;

th alg sd WD bndy SWly 60.00 ft m/l E r/w Co Rd No. 1279 (aka Shoreview Drive, varying widths);

th alg sd r/w to its intersection wi E sec li SW ¼ sd S04;

th lvg sd r/w N00°46’30”W 638.90 ft m/l tap;

th SEly 1,331.00 ft m/l tap, also being US Mon 4-9;

th SEly 1,365.00 ft m/l tap, also being US Mon 4-10;

th S60°50’30”E 415.00 ft m/l to the POB, all in Lane County, OR.

EXCEPT: BAP 729.00 ft m/l Ely of SW COR DLC 43, also being the W r/w of County Rd No. 1279 aka Shoreview Dr, varying widths);

th alg sd r/w NWly 2,855.00 ft m/l tap, also being sd WD bndy;

th contg alg sd WD bndy S00°49'15"W 2,632.48 ft m/l tap;

th Ely 2,056.00 ft m/l to POB, all in Lane County, Or.

EXCEPT: Beg at the SE cor NE ¼ SE ¼ S33 T21S R01W WM, also being on the Row River Water District bndy, in Lane County, OR;

th alg sd WD bndy Wly 1,065.00 ft m/l to E r/w Co Rd No 1089 (aka Frank Brice Creek Rd, varying widths);

th lvg sd WD bndy NEly alg sd rd 1,070.00 ft m/l to E li sd sec li;

th alg E sec li S01°42’E 645.90 ft m/l to the POB, all in Lane County, OR.

EXCEPT: BAP at the SE cor NE ¼ SW ¼ S34 T21S R01W WM, Lane County, OR;

th S89°07’17”W 2,281.00 ft m/l tap;

th N01°47’03”W 786.92 ft m/l to the S r/w Co Rd No 1089 (aka Frank Brice Creek Rd);

th NEly alg sd r/w N59°41’03”E 2,038.35 ft m/l tap;

th alg a right curve 379.26 ft long curve being 435.07 ft S85°18’58”E tap;

th contg alg S r/w SEly 135.00 ft m/l to its intersection wi E li SW ¼ S34;

th alg sd ¼ li S00°48’31”E 333.01 ft m/l tap;

th contg alg sd ¼ Sly 1,320.00 ft m/l to the POB, all in Lane County, OR.

EXCEPT: BAP being the SE cor SE ¼ NE ¼ S35 T21S R01W WM, also being Row River Water District bndy, Lane County, OR;

th alg sd WD bndy N87°50'53"W 782.63 ft m/l tap;

th NEly 289.00 ft m/l tap;

th N81°20'E 638.38 ft m/l to E sec li sd S35;

th alg sd sec li and sd WD bndy S00°14'30"W 393.90 ft m/l to the POB, all in Lane County, OR.

EXCEPT: BAP being the NE sec cor S36 T21S R01W WM, also being the Row River Water District bndy, Lane County, OR;

th alg sd WD bndy N sec li sd S36 Wly 4,450.00 ft m/l tap;

th Sly 1,610.00 ft m/l to the N r/w vacated Laying Creek Rd;

th Ely alg sd vacated rd 1,790.00 ft m/l tap;

th Nly 250.00 ft m/l tap;

th Ely 275.00 ft m/l tap;

th Sly 300.00 ft m/l to the S r/w sd vacated rd;

th alg sd S r/w Wly 2,055.00 ft m/l tap;

th lvg sd vacated r/w Sly 30.00 ft m/l to sd WD bndy;

th Ely alg sd WD bndy to sd E sec li;

th contg alg sd WD and sd E sec li Nly 1,345.00 ft m/l to the POB, all in Lane County, OR.

EXCEPT: The SE ¼ NE ¼ S34 T21S R01W WM, all in Lane County, OR.

EXCEPT: Beg at the NE cor NE ¼ SW ¼ S19 T21S R01W WM, also being on the Row River Water District bndy, in Lane County, OR;

th alg sd WD bndy Sly 1,859.00 ft m/l to N li L Van Arbury DLC 37;

th alg sd WD bndy and sd DLC li N88°17'36"W 1,002.45 ft m/l to Cedar Creek Logging Road W r/w;

th alg sd W r/w 2,235.61 ft m/l to the POB, all in Lane County, OR.