

Annexation Application into the City of Stayton

Submittal Date: September 2025

Submitted To: City of Stayton
Planning Department

Project Location: 091W11C001200, 1513 Park Lane,
and 1583 Park Lane

Applicant(s): Shepherds Crossing on State, LLC
Owner

Applicant's Land Use Consultant: Britany Randall of BRAND Land Use
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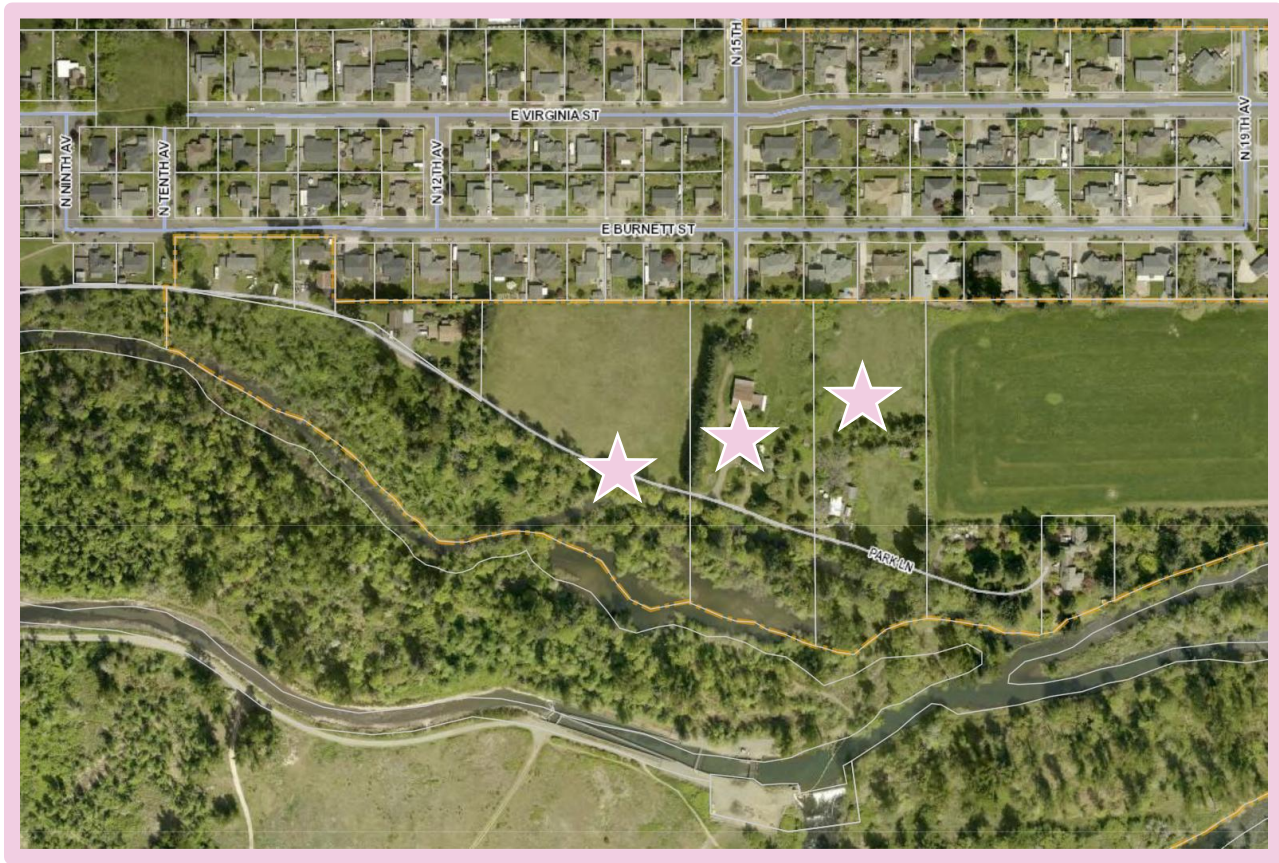
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Aerial View of Subject Property and Existing Development



Section 1: Property Background and Request

The applicants, Shepherds Crossing on State LLC, are the owners of three contiguous properties located within unincorporated Marion County, directly abutting the corporate limits of the City of Stayton. The subject properties consist of 11.59 acres identified as Tax Lot 091W11C001200 (Tax Account 534580), 5.02 acres identified as Tax Lot 091W11C001100 (Tax Account 534579) with a situs address of 1513 Park Lane, Stayton, Oregon, and 4.67 acres identified as Tax Lot 091W11C001000 (Tax Account 534578) with a situs address of 1583 Park Lane, Stayton, Oregon. Collectively, the subject area encompasses approximately 21.28 acres.

The properties are located within the City of Stayton Urban Growth Boundary and are designated for residential use in the Stayton Comprehensive Plan. Because the properties are both inside the UGB and contiguous with the existing city limits, they are eligible to be annexed into the City of Stayton. At present, the properties remain under Marion County jurisdiction and are zoned for rural residential use. Annexation is required prior to the application of urban zoning and development consistent with the City's land use framework.

On July 17, 2025, the applicants and their representatives participated in a pre-application conference with City of Stayton staff. During this meeting, staff outlined the annexation process, reviewed applicable criteria, and provided guidance regarding public facilities and services that would be extended upon annexation.

Through this application, the applicants are requesting annexation of the three subject properties into the corporate limits of the City of Stayton. In conjunction with annexation, the applicants seek application of High Density Residential (HDR) zoning, consistent with the residential Comprehensive Plan designation. Application of HDR zoning will allow for efficient urban development, contribute to the City's identified housing needs, and provide for a mix of housing types integrated with existing neighborhoods and planned public services.

Section 2: Existing Conditions

The development site is approximately 21.28 acres in size and is described as Marion County Assessor Map and Tax Lots 091W11C001200, 091W11C001100, and 091W11C001000. A Marion County tax map is included within the exhibits identifying the subject properties. The site is currently located within unincorporated Marion County but lies inside the City of Stayton Urban Growth Boundary and directly abuts the corporate city limits, making it eligible for annexation. The Stayton Comprehensive Plan designates the property for residential use. In conjunction with annexation, the applicant seeks application of High Density Residential zoning consistent with this designation.

The Comprehensive Plan designations of surrounding properties include:

North: Residential

South: Public/Semi-Public

East: Residential

West: Public/Semi-Public

The subject property is unzoned as it is not annexed into the city. Surrounding properties are zoned as follows:

North: Low Density Residential (LD)

South: Public/Semi-Public and Natural Resources Overlay District

East: Marion County – Outside Corporate City Limits

West: Medium Density Residential (MD) and Public/Semi-Public and Natural Resources Overlay District

Section 3: Findings Applicable to Administrative Procedures

Chapter 17.12 – Development Approval Procedures

Sections 17.12.030 – Application Procedure

Any application for a land use or development approval action authorized in this title shall be filed in the following manner.

- (1) FORMS. The application shall be submitted on forms provided by the City Planner.
- (2) FILING LOCATION. Unless stated otherwise, the application shall be filed with the City Planner at City Hall.
- (3) PROPERTY OWNER AUTHORIZATION. If the property owners are not the applicants, then the application shall be accompanied by a notarized statement certifying the authority of anyone representing the owner(s) of property involved in the application. The application shall be signed by the property owner or authorized representative.
- (4) SUPPLEMENTAL INFORMATION. All supplemental documentation and information specified in those sections governing the approval or action being requested shall accompany the application. The applicant shall be responsible for providing any and all information required for a complete application.
- (5) COST FOR SERVICES.
 - (a) Basic Application Costs. Basic application costs are intended to recover expenses incurred by the City in the receipt, review and processing of a land use application. A deposit in an amount established in the Deposit Schedule will be required at the time an application is filed.
 - (b) Outside Planning Services. An applicant may, upon permission of the City, choose outside planning services at the applicant's expense, approved by the City, to process any land use application. The outside planning service will be tantamount to the function of the City Planner and will be subject to the supervision, direction and review of the City Planner. Utilizing outside planning services does not forego the City's requirement as to costs (including non-refundable deposit).
 - (c) In the event the application is withdrawn before City action, the applicant shall be responsible to pay for the costs incurred up to the time of its withdrawal.
 - (d) Waiver of Charges. The City Council may, at its discretion, waive some or all charges for the processing of applications determined by the City Council to be in the public interest
- (6) DEPOSIT SCHEDULE. A deposit schedule shall be in resolution form and adopted by the City Council.

Applicant's Findings: Pursuant to Section 17.12.030, the applicants have complied with the City of Stayton's application procedure requirements. The annexation application has been prepared

on the appropriate City forms provided by the Planning Department and is being submitted to the City Planner at City Hall in accordance with subsection (1) and (2). The applicants, Shepherds Crossing on State LLC, are the legal property owners of the subject properties. As such, the application is signed by the property owner, satisfying the requirement of subsection (3) for property owner authorization.

All supplemental documentation required for annexation review is included with this submittal. This includes site maps, legal descriptions, comprehensive plan and zoning information, and supporting narrative materials. The applicant has ensured that the application is complete and provides the necessary information for City staff to evaluate the proposal consistent with subsection (4).

At the time of application submittal, the applicant will pay the required deposit amount as established by the City's adopted deposit schedule. The applicant understands that this deposit is intended to cover the costs incurred by the City in the receipt, review, and processing of the application, as specified in subsection (5)(a). The applicant further acknowledges that should additional costs be incurred, including those related to outside planning services or costs accrued prior to withdrawal, such costs will be the responsibility of the applicant, consistent with subsections (5)(b) and (5)(c). Based on the above, the application complies with the procedures set forth in Section 17.12.030 of the Stayton Land Use and Development Code.

Sections 17.12.160 – Pre-Application Meeting

- (1) **PURPOSE STATEMENT.** The purpose of this section is to have conferences with prospective applicants to gather general information and City guidelines before the applicants enter into binding commitments or incurring substantial expense in the preparation of plans and land use applications.
- (2) **WHEN REQUIRED.** A minimum of 1 pre-application meeting must be held prior to submittal of an application: (Ord. 898, August 20, 2007)
- (3) **SUBMITTAL REQUIREMENTS.** A pre-application meeting will be scheduled only upon submission of the following materials to the City Planner 7 days prior to the meeting. The meeting shall be scheduled no more than 14 days after the City Planner has determined adequate information has been submitted.
 - (a) **Form.** A completed form provided by the City Planner requesting a pre-application meeting.
 - (b) **Map(s).** The applicant should provide a map(s) that allow staff to understand the general aspects of the proposed development. Maps do not need to be to scale, but it is recommended.
 - (1) The approximate topography.
 - (2) Approximate location of any existing buildings or proposed buildings.

- (3) The approximate location of all proposed driveways, sidewalks and parking facilities.
- (4) The approximate location of all proposed landscaping.
- (5) Approximate location of any proposed land divisions. c. Narrative Statement. The applicant shall provide a brief narrative statement detailing the proposed uses for the site.

(4) PROCEDURES FOR PRE-APPLICATION MEETINGS.

- (a) The City Planner shall notify the Public Works Department, City Engineer, Marion County Public Works, and the Stayton Fire District of the preapplication meeting. (Ord. 898, August 20, 2007)
- (b) The pre-application meeting shall be attended by representatives of the Planning and Public Works Departments.
- (c) The applicant shall make a brief description of the project proposed project.
- (d) City staff shall inform the applicant of the issues that will need to be addressed when the application is submitted and identify any potential sections of this code for which compliance may not be easily achieved.
- (e) The opinions given by City staff at the pre-application meeting are non-binding upon the City and failure of staff to identify a Code provision for which compliance later becomes an issue shall not relieve the applicant from compliance with that provision should an application be submitted.

Applicant's Findings: Pursuant to Section 17.12.160, the applicants held a required pre-application meeting with City of Stayton staff prior to submitting this annexation request. A completed City form requesting the pre-application meeting was submitted along with supporting materials, including maps identifying the subject properties and a narrative statement describing the proposed annexation and request for High Density Residential zoning. These materials were provided in advance of the meeting consistent with subsection (3).

The pre-application conference was held on July 17, 2025, and was attended by representatives of the Planning and Public Works Departments. Notifications were made to Public Works, the City Engineer, Marion County Public Works, and the Stayton Fire District, in accordance with subsection (4)(a). At the meeting, the applicants and their representatives provided a description of the project, and City staff outlined applicable development code provisions, identified review criteria, and discussed potential issues that would need to be addressed as part of the annexation application.

As specified in subsection (1), the purpose of the pre-application meeting was to allow the applicants to receive guidance and gather information before incurring substantial expense in the preparation of the full application. The meeting fulfilled this purpose and provided the applicants with clear direction to prepare a complete annexation application for consideration.

Based on the above, the applicants have satisfied the requirements of Section 17.12.160 for conducting a pre-application meeting.

Section 4: Findings Applicable to Annexation

Sections 17.12.210 – Annexations

- (1) DEFINITION. An annexation is an expansion of the City limits through the addition of territory to the jurisdictional boundaries of the City, including “contract annexation” agreements between applicants and the City.

Applicant’s Findings: Section 17.12.210(1) defines an annexation as an expansion of the City limits through the addition of territory to the jurisdictional boundaries of the City, which may include annexations completed through a contract annexation agreement between an applicant and the City. The subject proposal seeks to annex approximately 21.28 acres of land, identified as Marion County Assessor Map and Tax Lots 091W11C001200, 091W11C001100, and 091W11C001000, into the corporate limits of the City of Stayton. The subject properties are located within the City’s Urban Growth Boundary and are contiguous to the existing city limits, which makes them eligible for annexation under the City’s adopted policies. The proposed action therefore qualifies as an annexation as defined by this section of the Stayton Land Use and Development Code, and this application is being processed in the manner prescribed for annexation requests.

(2) METHOD OF ADOPTION.

(a) Major Annexations.

- (1) A Major Annexation is an annexation that meets one or more of the following characteristics.
 - (i) Consists of two or more parcels, except proposed annexations that consist of contiguous parcels in the same ownership.
 - (ii) The area proposed for annexation exceeds 1 acre, except a health hazard annexation. (Amended Ord. 918, March 18, 2010)
- (2) Approval procedures. The following procedures shall be followed in the review and approval of an application for a Major Annexation:
 - (i) Major Annexations are subject to referendum approval. The City Council may schedule a vote on an annexation proposal only in the May or November elections.
 - (ii) Submission Deadlines. An application for a Major Annexation shall be filed with the City Planner before 5:00 p.m. on the last working day in September for a ballot election in May and the last working day in March for a ballot election in November.
 - (iii) Planning Commission Proceedings. The Planning Commission shall hold a public hearing in accordance with the requirements of

Section 17.12.090. Following the public hearing the Commission shall make findings of fact and conclusions as to whether the criteria of Section 17.12.210.4 below are met. Based on the findings of fact and conclusions, the Planning Commission shall make a recommendation to the City Council regarding the approval of the application.

- (iv) City Council Proceedings. The City Council shall hold a public hearing in accordance with the requirements of Section 17.12.100. Following the public hearing, the City Council shall make findings of fact and conclusions as to whether the criteria of Section 17.12.210.4 below are met. If the Council finds that the criteria of Section 17.12.210.4 have been or will be met, the Council shall enact a resolution scheduling a referendum vote at the next available scheduled election. A decision by the Council approving the annexation, and referring to the voters, shall be final upon adoption for appeal purposes, but shall not be effective until all applicable appeal periods have passed with no appeal having been filed.
- (v) Legal advertisement of pending election. After City Council review and approval, the City Administrator shall cause a legal advertisement describing the proposed annexation and pending election to be published in at least one newspaper of general circulation in the City in the manner provided by state election law. The advertisement shall be placed at least 14 days prior to the election. The advertisement shall contain: a description of the location of the property, size of the property, its proposed zoning upon annexation, a general description of the potential land uses allowed, any required comprehensive plan text or map amendment or zoning ordinance text or map amendment, and where the City Council's evaluation of the proposed annexation may be found.
- (vi) Election procedures. Pursuant to ORS 222.130(1), the ballot title for a proposal for annexation shall contain a general description of the boundaries of each territory proposed to be annexed. The description shall use streets and other generally recognized features. Notwithstanding ORS 250.035, the statement of chief purpose shall not exceed 150 words. The City Attorney shall prepare the ballot title wording.

- (a) Pursuant to ORS 222.130(2), the notice of an annexation shall be given as provided in ORS 254.095 and 254.205, except that in addition the notice shall contain a map indicating the boundaries of each territory proposed to be annexed.
- (b) Pursuant to ORS 222.111(7), two or more proposals for annexation of territory may be voted upon simultaneously; however, each proposal shall be stated separately on the ballot and voted on separately.
- (vii) Setting of boundaries and proclamation of annexation. Upon approval by the voters of the proposed annexation, the City Council shall proclaim the results of the election and by ordinance set the boundaries of the area to be annexed by a legal description.

Applicant's Findings: Section 17.12.210(2) distinguishes between major and minor annexations, with major annexations defined as those involving two or more parcels under different ownership or more than one acre of land, except where the parcels are contiguous and under the same ownership. The subject annexation involves three contiguous parcels under the sole ownership of Shepherds Crossing on State LLC and encompasses approximately 21.28 acres. Because the properties are all under common ownership, the proposal does not qualify as a major annexation even though the combined acreage exceeds one acre. This annexation is therefore classified as a minor annexation and will be processed through the standard review procedures before the Planning Commission and City Council without referral to an election.

(b) Minor Annexations.

- (1) A Minor Annexation is any annexation that meets all of the following characteristics.
 - (i) Consists of only one parcel, except proposed annexations that consist of contiguous parcels in the same ownership.
 - (ii) The area proposed for annexation is 1 acre or less. (Amended Ord. 918, March 18, 2010)
- (2) Approval procedures. The following procedures shall be followed in the review and approval of an application for a Minor Annexation:
 - (i) An application for a Minor Annexation shall be filed with the City Planning Department.
 - (ii) Planning Commission Proceedings. The Planning Commission shall hold a public hearing in accordance with the requirements of Section 17.12.090. Following the public hearing the Commission shall make findings of fact and conclusions as to whether the

criteria of Section 17.12.210.4 below are met. Based on the findings of fact and conclusions the Planning Commission shall make a recommendation to the City Council regarding the approval of the application.

- (iii) City Council Proceedings. The City Council shall hold a public hearing in accordance with the requirements of Section 17.12.100. Following the public hearing, the City Council shall make findings of fact and conclusions as to whether the criteria of Section 17.12.210.4 below are met. If the Council finds that the criteria of Section 17.12.210.4 have been or will be met, the Council shall, by ordinance, shall set the boundaries of the area to be annexed by a legal description.

- (c) Health Hazard Annexation The City may annex those areas constituting a health hazard in accordance with Oregon Revised Statutes, taking into consideration the ability of the City to provide necessary services. Annexation of areas constituting a health hazard is not subject to voter approval.

Applicant's Findings: Section 17.12.210(2)(b) defines a minor annexation as an annexation that consists of only one parcel, except where multiple contiguous parcels are under the same ownership, and that involves one acre or less. Although the subject annexation involves three parcels and encompasses approximately 21.28 acres, all of the parcels are contiguous and are under the sole ownership of Shepherds Crossing on State LLC. Because the code expressly allows contiguous parcels in common ownership to be treated as a single parcel for purposes of this definition, the proposal qualifies as a minor annexation. As a minor annexation, this request will be processed as provided in Section 17.12.210(2)(b)(2), which requires a complete application to be filed with the City Planning Department, a public hearing before the Planning Commission with a recommendation to the City Council, and a public hearing before the City Council which, upon finding that the criteria of Section 17.12.210(4) have been or will be met, may approve the annexation by ordinance establishing the boundaries of the territory to be annexed.

- (3) SUBMITTAL REQUIREMENTS. In order to be accepted as complete and be processed in a timely manner by the City, requests for annexation of territory shall include the following materials and information:

- (a) Completed application forms as supplied by the City Planner.
- (b) Three copies of a site plan, drawn to a scale of 1 inch equals not more than 50 feet, shown as a graphic scale, of the property for which the annexation is requested. The site plan shall depict the surrounding properties, neighboring streets and roads, and existing uses of the property. If the application for annexation is not accompanied by a concurrent application for site plan, subdivision, or other land use approval, three copies of a conceptual plan of

- proposed uses of the property subsequent to annexation. In addition, 18 reduced copies of the plan sized as 11 inches by 17 inches shall be submitted.
- (c) A plan showing the boundary lines of the properties, certified by a professional land surveyor, and the approximate area of the properties in acres or square feet.
 - (d) A legal description of the property, meeting the requirements of ORS 308.225.
 - (e) A narrative statement fully explaining the request and fully addressing the criteria for approval of an annexation.

Applicant's Findings: Section 17.12.210(3) sets forth the submittal requirements for annexation applications, which include a completed application form, a boundary and area map certified by a professional land surveyor, a legal description meeting the requirements of ORS 308.225, and a narrative statement fully explaining the request and addressing the applicable approval criteria. The applicants have submitted a completed City application form along with a certified boundary survey identifying the three contiguous parcels proposed for annexation and their total combined area of approximately 21.28 acres. A legal description of the properties has been prepared in compliance with ORS 308.225, and this narrative statement provides a full explanation of the request and includes findings addressing each of the applicable annexation criteria. Because no specific development proposal is being considered at this time, no site plan or conceptual plan is required or provided. The submitted materials satisfy the requirements of Section 17.12.210(3) and are sufficient for the City to deem the application complete for processing.

- (4) APPROVAL CRITERIA. In order to approve an application for annexation, the following affirmative findings concerning the action must be made by the decision authority:
 - (a) Need exists in the community for the land proposed to be annexed.

Applicant's Findings: Section 17.12.210(4)(a) requires a finding that a need exists in the community for the land proposed to be annexed. The subject property is located within the City of Stayton Urban Growth Boundary and carries a residential designation in the City's Comprehensive Plan, which reflects the City's long-term determination that the property is appropriate and necessary to accommodate urban growth. The City's Comprehensive Plan and adopted population projections identify steady and sustained population growth over the coming decades and emphasize the need to maintain an adequate supply of residential land to meet that growth. The City has also acknowledged in its planning documents and housing policies that much of the existing residential land supply within the city limits has already been developed or committed to specific projects, leaving limited opportunities for new high density residential development. Annexing this property will add approximately 21.28 acres of land to the city's inventory of buildable residential land, directly supporting the City's ability to meet its housing needs and Comprehensive Plan goals to provide a variety of housing types and densities. Meeting this need is especially important given that high density housing can

accommodate more units per acre than other residential designations, which will help the City provide housing at more attainable price points for a broader range of households. In addition to helping meet the City's identified housing needs, the annexation and eventual development of this property will provide positive economic benefits to the community. While temporary, the planning, design, engineering, and construction phases will generate local jobs and increase demand for local goods and services, which will contribute to the local economy. Over the long term, bringing additional residents to the community will expand the consumer base that supports Stayton's local businesses, services, and institutions, which aligns with the Comprehensive Plan's broader economic development objectives. For these reasons, a clear and demonstrated need exists within the community for the land proposed to be annexed.

- (b) The site is or is capable of being serviced by adequate City public services including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City.

Applicant's Findings: Section 17.12.210(4)(b) requires a finding that the site is or is capable of being serviced by adequate City public services, including such services as may be provided through a contract annexation agreement between the applicant and the City. The applicant has submitted an engineering report prepared by Westech Engineering, Inc. in August 2025 that evaluates the site's ability to be served by City infrastructure in accordance with the City of Stayton's adopted Public Works Design Standards and master plans. The subject property is currently undeveloped farmland and forested area located within the Urban Growth Boundary and contiguous to the existing city limits. The Westech report confirms that transportation access, water service, fire protection, sanitary sewer, and stormwater facilities can feasibly be extended to serve the site as urban development occurs. Park Lane, which currently serves the property, can be replaced with the extension of N 15th Avenue constructed to the 60 foot local street standard identified in the Transportation System Plan, including curb and gutter, sidewalks, street lighting, and storm drainage improvements. Interior local streets can be designed to the City's 34 foot local street cross section, with driveway and intersection spacing compliant with the Public Works Design Standards, and the applicant will dedicate the required public utility easements along all public frontages. The City's Water Master Plan identifies a planned 8 inch looped water main through the property that can connect to the existing 12 inch main in N 15th Avenue, which will provide sufficient domestic capacity and fire flow for high density residential development. Based on the assumed density of 24 units per acre, Westech calculated an estimated domestic water demand of 73 gallons per minute, which can be served by the planned system. Fire protection for high density residential development typically requires 1,500 gallons per minute with sprinklered buildings, and this requirement can be met through the looped 8 inch water distribution system and strategically placed hydrants constructed to current fire code and City standards. While there are known downstream sanitary sewer constraints in the W. Ida Street area, these deficiencies have been identified in

the City's Wastewater Facilities Planning Study and are currently in the design phase, with completion anticipated in 2027. Upon completion of these improvements, the system will have sufficient capacity to serve the site, and in the interim the site can connect to an existing 8 inch sewer stub in N 15th Avenue that flows to a 12 inch gravity main in E Burnett Street at a depth sufficient to maintain minimum slopes and cover. Westech estimated peak sewer flows from the site at 59 gallons per minute, which can be accommodated by the downstream system following the planned upgrades. The property lies within the East Stayton Basin (Basin 105) and is largely outside of mapped flood hazard areas, and stormwater can be managed through either a connection to the existing 36 inch storm main that discharges to the Salem Ditch or through a new outfall to the Salem Ditch if easements are secured, both of which are feasible and can be designed in compliance with the City's Stormwater Master Plan. All private storm systems will include an Operations and Maintenance Plan and Agreement approved by the City. Although the property is not currently served by municipal utilities, the Westech report demonstrates that all necessary public facilities can be extended to the site and constructed to City standards as part of development. The applicant is willing to enter into a contract annexation agreement to ensure that the design and construction of public improvements will occur concurrently with development. Based on this evidence, the property is capable of being served by adequate City public services as required by Section 17.12.210(4)(b).

(c) The proposed annexation is property contiguous to the existing City limits.

Applicant's Findings: Section 17.12.210(4)(c) requires a finding that the property proposed for annexation is contiguous to the existing City limits. The subject property consists of three contiguous parcels under common ownership, identified as Marion County Assessor Map and Tax Lots 091W11C001200, 091W11C001100, and 091W11C001000, totaling approximately 21.28 acres. The property is located within the City of Stayton Urban Growth Boundary and is almost entirely surrounded by land already incorporated within the City, sharing common boundaries with the city limits to the north, south, and west. This configuration makes the site nearly an enclave within the City's jurisdictional boundary. Because the property touches existing City limits on three sides, it is considered contiguous for purposes of annexation and is eligible to be incorporated into the City under this criterion.

(d) The proposed annexation is compatible with the character of the surrounding area and complies with the urban growth program and policies of the City of Stayton.

Applicant's Findings: Section 17.12.210(4)(d) requires a finding that the proposed annexation is compatible with the character of the surrounding area and complies with the urban growth program and policies of the City of Stayton. The subject property lies within the City's Urban Growth Boundary, is nearly surrounded by existing City limits on three sides, and is designated for residential use under the City's Comprehensive Plan. The surrounding area consists of single

family residential neighborhoods to the north, largely unimproved park land and open space to the west, and natural resource areas and farmland to the east and south, which together create a transitional edge between existing urban development and urbanizable land within the UGB. The City's urban growth program, as established in the Stayton–Marion County Urban Growth Boundary and Policy Agreement and implemented through the Stayton Comprehensive Plan, includes policies intended to guide orderly, efficient, and coordinated urban expansion. This proposal supports those policies and goals in the following ways:

- *UGB Policy Agreement (Resolution 394): Calls for the orderly and efficient conversion of land within the Urban Growth Boundary from rural to urban use as public facilities become available. The subject property is inside the UGB and capable of being served with full urban utilities, and its annexation will allow the City to manage its development in an orderly and coordinated manner.*
- *UGB Policy Agreement: Requires that annexations be consistent with the City's Comprehensive Plan and coordinated with the extension of public facilities. The proposed annexation is consistent with the property's residential plan designation and will allow urban infrastructure to be extended to the site under City oversight at the time of development.*
- *Comprehensive Plan Urbanization Goal: Directs the City to maintain a 20-year supply of buildable land within the UGB and to annex additional land as needed to meet projected population growth. Bringing this 21.28-acre area into the City limits will expand the City's inventory of buildable residential land in an area already planned for urban development.*
- *Comprehensive Plan Housing Goals: Emphasize providing a variety of housing types and densities to meet the needs of Stayton's growing population and to promote housing affordability. Annexation will allow High Density Residential zoning to be applied, which will create opportunities for more compact housing types and support greater housing choice within the community.*
- *Comprehensive Plan Public Facilities Policies: Require that public services be extended in a cost-effective and efficient manner concurrent with urban development. The Westech engineering report confirms that all required facilities, including water, sewer, stormwater, and transportation improvements, can be extended to serve the property in compliance with City master plans and Public Works Design Standards.*
- *Because the property is located inside the UGB, directly abuts the existing City limits, is planned for residential use in the Comprehensive Plan, and will be served by public facilities as development occurs, the proposed annexation is compatible with the surrounding area and satisfies the City's adopted urban growth program and policies.*

- (e) The annexation request complies, or can be made to comply, with all applicable provisions of state and local law.

Applicant's Findings: Section 17.12.210(4)(e) requires a finding that the annexation request complies, or can be made to comply, with all applicable provisions of state and local law. The proposed annexation has been prepared and submitted in accordance with the procedures established in Chapter 17.12 of the Stayton Land Use and Development Code and the City's adopted annexation policies. The subject property is located within the City's acknowledged Urban Growth Boundary, is contiguous to the existing city limits, and has a Comprehensive Plan designation of residential, making it eligible to be brought into the City under state and local land use regulations. The proposal is consistent with applicable provisions of Oregon Revised Statutes and the Stayton Development Code as follows:

- *ORS 222.111 and ORS 222.125: Authorize annexation of territory that is contiguous to city limits and within an acknowledged Urban Growth Boundary when consent is provided by the property owner. The subject property directly abuts the City on three sides, is within the Urban Growth Boundary, and the annexation petition has been signed by the sole property owner, Shepherds Crossing on State LLC, satisfying these statutory requirements.*
- *ORS 197.175 and Goal 14 (Urbanization): Require cities to plan and manage urbanizable land to provide for orderly and efficient transition from rural to urban land use. The property is planned for residential development in the City's Comprehensive Plan and its annexation will allow urban services to be extended in a coordinated and efficient manner consistent with this goal.*
- *Stayton Development Code Chapter 17.12: Establishes the procedures and approval criteria for annexation, which include holding a pre-application conference, submitting a complete application, demonstrating need for the land, and showing the ability to serve the site with public facilities. The applicant has held a pre-application meeting, submitted all required materials, and provided an engineering report demonstrating that public services can be extended to the site at the time of development.*
- *Stayton–Marion County Urban Growth Boundary and Policy Agreement: Requires annexations to occur in a coordinated manner consistent with the Comprehensive Plan and to be timed with the extension of public facilities. This request is consistent with that policy framework and will allow the City to oversee the extension of services to the property under City standards.*
- *Because the application satisfies all procedural and substantive requirements of the Stayton Development Code, conforms to the City's adopted Comprehensive Plan and UGB Policy Agreement, and is consistent with applicable state annexation statutes and statewide planning goals, it complies, or can be made to comply, with all applicable provisions of state and local law as required by Section 17.12.210(4)(e).*

- (f) If a proposed contract annexation, within the terms and conditions of the contract the cost of City facility and service extensions to the annexed area shall be calculated by the Public Works Director.

Applicant's Findings: Section 17.12.210(4)(f) applies only to proposed contract annexations where specific terms and conditions establish cost responsibilities for City facility and service extensions. This application does not include a proposed contract annexation with predetermined cost allocations. If the City determines that a contract annexation agreement is appropriate, the applicant is willing to enter into such an agreement and understands that the Public Works Director will calculate the cost of facility and service extensions at that time. Because no contract annexation is proposed as part of this application, this criterion is not applicable.

- (5) ZONING OF ANNEXED TERRITORY. All lands that are annexed to the City shall be zoned in accordance with the designation of the property in the Comprehensive Plan. The specific zone assigned to the land being annexed shall be determined by the City Council in accordance with the proposed uses of the land and the needs identified by the buildable lands analysis in the Comprehensive Plan. This requirement does not prohibit an application to amend the Comprehensive Plan Map concurrent with the application for annexation.

Applicant's Findings: Section 17.12.210(5) requires that all lands annexed to the City be zoned consistent with their Comprehensive Plan designation, with the specific zoning district assigned by the City Council based on the proposed uses of the land and the needs identified in the Comprehensive Plan's buildable lands analysis. The subject property is located within the City of Stayton Urban Growth Boundary, is designated for residential use in the Comprehensive Plan, and is nearly surrounded on three sides by incorporated city limits. To implement the Comprehensive Plan designation and respond to the City's identified housing needs, the applicant is requesting that the property be assigned the High Density Residential (HDR) zoning district upon annexation. The Stayton Development Code establishes the HDR zone to provide areas for higher-density housing development where public facilities and services are available or can be extended efficiently, which aligns with this site's location and the public infrastructure improvements described in the engineering report.

The HDR zone is intended to accommodate a variety of housing types including multifamily dwellings, townhomes, and other attached housing forms, allowing residential development at a minimum density of 12 dwelling units per net acre and a maximum density of 24 dwelling units per net acre. The subject property includes approximately 21.28 acres of contiguous land, which is sufficient to be efficiently developed at urban densities while meeting all applicable HDR development standards. The Stayton Development Code establishes a minimum lot area of 2,000 square feet per dwelling unit for multifamily projects in the HDR zone, which this property

can readily accommodate given its size and configuration. The HDR zone also establishes a maximum building height of 50 feet, minimum front setbacks of 15 feet, side setbacks of 10 feet, and rear setbacks of 20 feet, as well as a maximum lot coverage of 60 percent. The property's flat topography and large contiguous area make it physically capable of supporting development that meets these dimensional standards while providing the required off-street parking, landscaping, open space, and pedestrian connections.

Assigning HDR zoning to this property directly advances the City's Comprehensive Plan housing policies, which call for maintaining a sufficient supply of buildable land to meet projected population growth, increasing the diversity of housing types and densities, and promoting compact development patterns that use urban land and infrastructure efficiently. The City's Buildable Lands Inventory demonstrates that much of the land currently zoned for residential use within the city limits is already developed or committed, and that additional residential land will be needed to meet Stayton's 20-year housing demand. Annexing this property and applying HDR zoning will create opportunities for higher-density residential development on land that is already designated for residential use, is contiguous to existing development, and can be served by City utilities in compliance with the Public Works Design Standards.

Because the HDR zoning district directly implements the Comprehensive Plan designation for the property, the site is capable of meeting the dimensional and density standards of the HDR zone, and assigning this zoning will further the City's identified housing and growth management goals, the proposal satisfies the requirements of Section 17.12.210(5).

- (6) CONFORMANCE WITH CONCEPTUAL PLAN. Development of the property after annexation shall be in substantial conformance with any conceptual plan submitted with the application for annexation. For the purposes of this section, development is in substantial conformance with a conceptual plan if:
- (a) The development is generally consistent with the character and intent of the conceptual plan;
 - (b) The number and types of housing units are generally consistent with those presented in the conceptual plan;
 - (c) The impacts from the development, including but not limited to, noise, vibration, dust, odor, or fumes, detectable at the property line will not exceed the maximums typical for the categories of uses proposed in the conceptual plan;
 - (d) The number and types of vehicular trips to and from the site will not exceed the maximums typical for the categories of uses proposed in the conceptual plan; and
 - (e) The amount and types of outside storage, loading, and parking will not exceed the maximums typical for the categories of uses proposed in the conceptual plan.

Applicant's Findings: Section 17.12.210(6) requires that development of property after annexation be in substantial conformance with any conceptual plan submitted with the annexation application. No conceptual development plan is being submitted as part of this annexation request because the applicant has not yet determined the specific configuration or design of future development on the property. The applicant is requesting annexation and assignment of High Density Residential zoning to implement the Comprehensive Plan designation for the property and to expand the City's supply of buildable residential land. Any future development proposal will be subject to the applicable provisions of the Stayton Development Code, including site plan review and land division requirements, at which time the specific layout, housing types, number of units, traffic impacts, and related site design elements will be reviewed for compliance with City standards. Because no conceptual plan is submitted, this criterion is not applicable at this time, and future development will be reviewed by the City to ensure compliance with all applicable regulations and adopted policies at the time of application.

(7) NOTICE TO COUNTY AND STATE.

- (a) Within 10 working days after enactment of the ordinance approving the annexation, the City Recorder shall provide by certified mail to all public utilities, electric cooperatives and telecommunications carriers operating within the City each site address to be annexed as recorded on county assessment and tax rolls, a legal description and map of the proposed boundary change, and a copy of the ordinance approving the annexation.
- (b) Within 10 days from the effective date the ordinance approving the annexation, the City Recorder shall provide to the Marion County Clerk and County Assessor a report containing a detailed legal description of the new boundaries established by the City.
- (c) Within 14 days of enactment of the ordinance approving the annexation, the City Recorder shall transmit to the Oregon Secretary of State:
 - (1) A copy of the ordinance proclaiming the annexation, including a legal description of the territory to be annexed.
 - (2) An abstract of the vote, if a major annexation. The abstract of the vote shall show the whole number of electors voting on the annexation, the number of votes cast for annexation, and the number of votes cast against annexation.
 - (3) A copy of the statement of consent by electors or landowners in the territory annexed.
- (d) Within 30 days of enactment of an ordinance annexing territory into the City, the City Recorder shall transmit to the Marion County Assessor and the Oregon Department of Revenue the legal description of the boundary change or

proposed change and an accurate map conforming to the requirements of ORS 308.225(2).

Applicant's Findings: Section 17.12.210(7) outlines the notification requirements that apply after the City Council enacts an ordinance approving an annexation. These procedural obligations are the responsibility of the City following approval and are not actions the applicant can complete directly. The applicant understands that, if the annexation is approved, the City Recorder will provide certified notice and copies of the annexation ordinance, legal descriptions, and maps to all required agencies, including public utilities, telecommunications carriers, the Marion County Clerk and County Assessor, the Oregon Department of Revenue, and the Oregon Secretary of State, within the timelines established by this section and in compliance with ORS 308.225. The applicant will cooperate with the City to provide any additional information or materials needed to complete these post-approval notifications. Because these requirements apply to the City after approval rather than to the applicant at the time of application, this criterion will be satisfied by the City's standard annexation procedures.

Section 5: Conclusion

The record demonstrates that annexation of the Shepherds Crossing properties is both appropriate and necessary to advance the City's adopted growth, housing, and public facilities objectives. The subject area lies inside the Urban Growth Boundary, directly abuts city limits on three sides, and carries a residential Comprehensive Plan designation, which together establish clear eligibility and signal long standing City intent for urban integration. The proposal satisfies the procedural requirements in Chapter 17.12, meets the annexation approval criteria by showing community need for additional residential land, and aligns with the City's urban growth program by directing compact urban development to a location that can be efficiently served with municipal services. Applying High Density Residential zoning at annexation will implement the Comprehensive Plan designation, expand the citywide supply of buildable land for higher density housing, and create the opportunity for a broader mix of housing types and price points, which supports the City's housing goals and helps address identified needs over the planning horizon. Bringing this land into the City will also support Stayton's local economy, since planning, engineering, and construction activity will generate near term jobs and purchases, and the eventual addition of households will strengthen the customer base that supports local businesses, services, and institutions.

The evidence shows the site is capable of being served by adequate public facilities in conformance with the City's adopted master plans and Public Works Design Standards. Transportation access can be provided by extending N Fifteenth Avenue and constructing interior local streets to City standards, domestic water and required fire flow can be achieved through a looped main that ties to the existing system, sanitary sewer service can be provided with planned downstream improvements that are already advancing toward delivery, and

stormwater can be managed through feasible discharge options to the existing system or to Salem Ditch with required easements, as detailed in the Westech Engineering letter in the record.

The annexation will not create an island or peninsula, it is compatible with nearby single family neighborhoods, public park land, and natural resource areas, and it conforms to state statutes governing annexations, to Statewide Planning Goal Fourteen, and to the Stayton–Marion County Urban Growth Boundary policy framework. For these reasons, the applicants respectfully request that the Planning Commission recommend, and the City Council approve, annexation of Tax Lots 091W11C001200, 091W11C001100, and 091W11C001000 into the City of Stayton with the High Density Residential zoning designation applied at the time of annexation.

Section 6: Exhibits

Exhibit A – Marion County Tax Map

09 1W 11C

09 1W 11C
STAYTON



MARION COUNTY, OREGON
SW1/4 SEC11 T9S R1W W.M.
SCALE 1" = 200'

LEGEND

- LINE TYPES
- | | |
|--------------------------|-----------------------|
| Taxlot Boundary | Historical Boundary |
| Road Right-of-Way | Easement |
| Railroad Right-of-Way | Railroad Centerline |
| Private Road ROW | Taxcode Line |
| Subdivision/Plat Bndry | Map Boundary |
| Waterline - Taxlot Bndry | Waterline - Non Bndry |

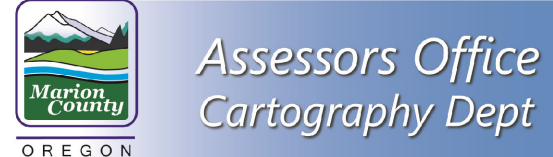
- CORNER TYPES
- | | |
|-----------------------|-------------------------------|
| + 1/16TH Section Cor. | 1/4 Section Cor. |
| ⊙ DLC Corner | 16 15
21 22 Section Corner |

NUMBERS
Tax Code Number
00 00 0
Acreage 0.25 AC
All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

NOTES
Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW
200.00
175.00

CANCELLED NUMBERS				
100				
200				
300				
400				
500				
600				
700				
701				

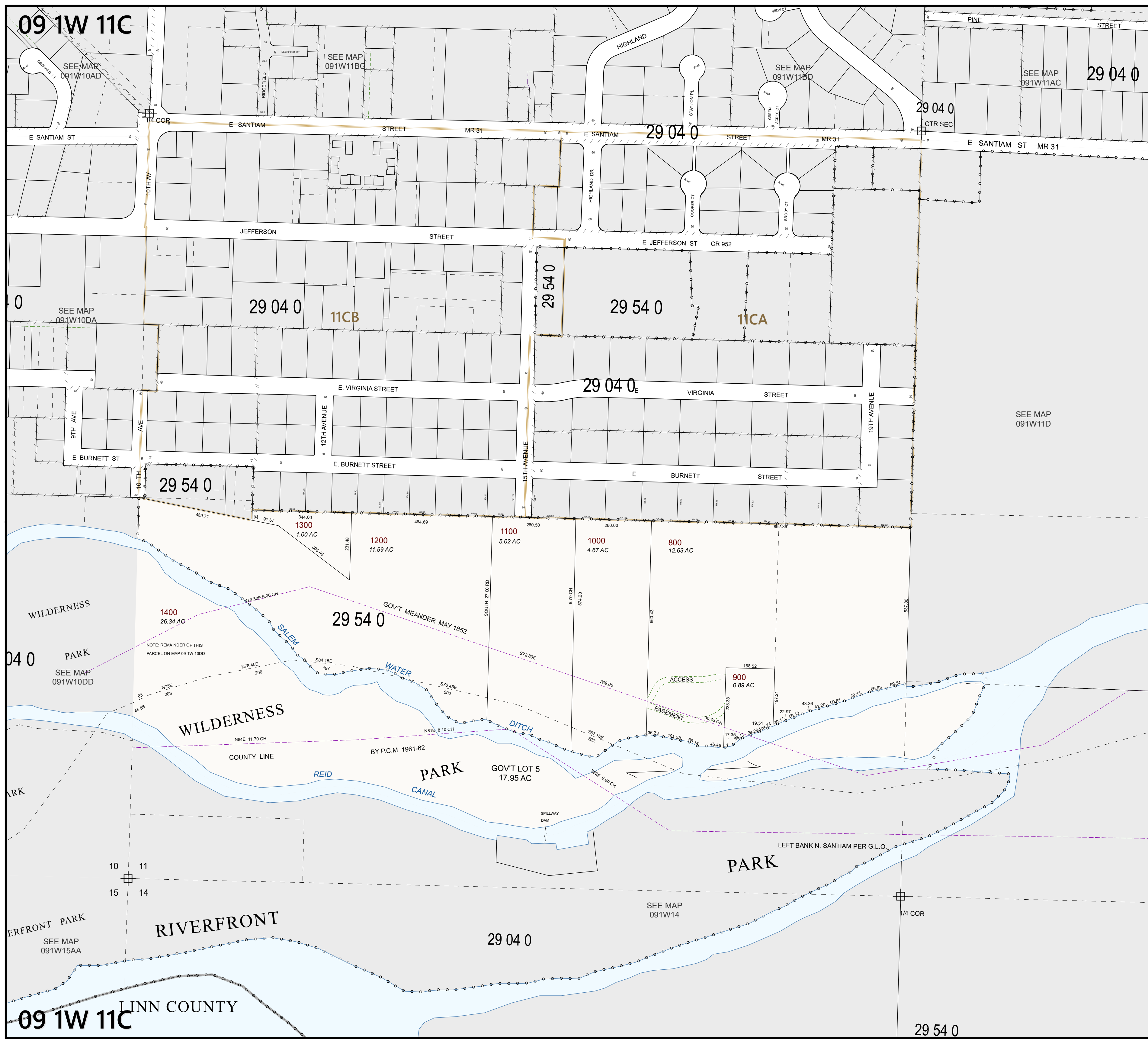
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.marion.or.us

PLOT DATE: 7/11/2022

STAYTON
09 1W 11C



09 1W 11C

09 1W 11C
STAYTON



MARION COUNTY, OREGON
SW1/4 SEC11 T9S R1W W.M.
SCALE 1" = 200'

LEGEND

- LINE TYPES
- | | |
|--------------------------|-----------------------|
| Taxlot Boundary | Historical Boundary |
| Road Right-of-Way | Easement |
| Railroad Right-of-Way | Railroad Centerline |
| Private Road ROW | Taxcode Line |
| Subdivision/Plat Bndry | Map Boundary |
| Waterline - Taxlot Bndry | Waterline - Non Bndry |

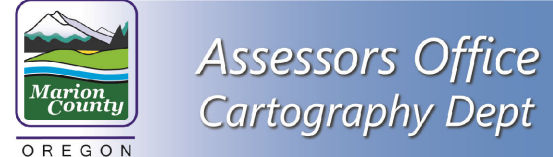
- CORNER TYPES
- | | |
|-----------------------|-------------------------------|
| + 1/16TH Section Cor. | 1/4 Section Cor. |
| ⊙ DLC Corner | 16 15
21 22 Section Corner |

NUMBERS
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00 00 0
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All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

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600				
700				
701				

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.marion.or.us

PLOT DATE: 7/11/2022

STAYTON
09 1W 11C

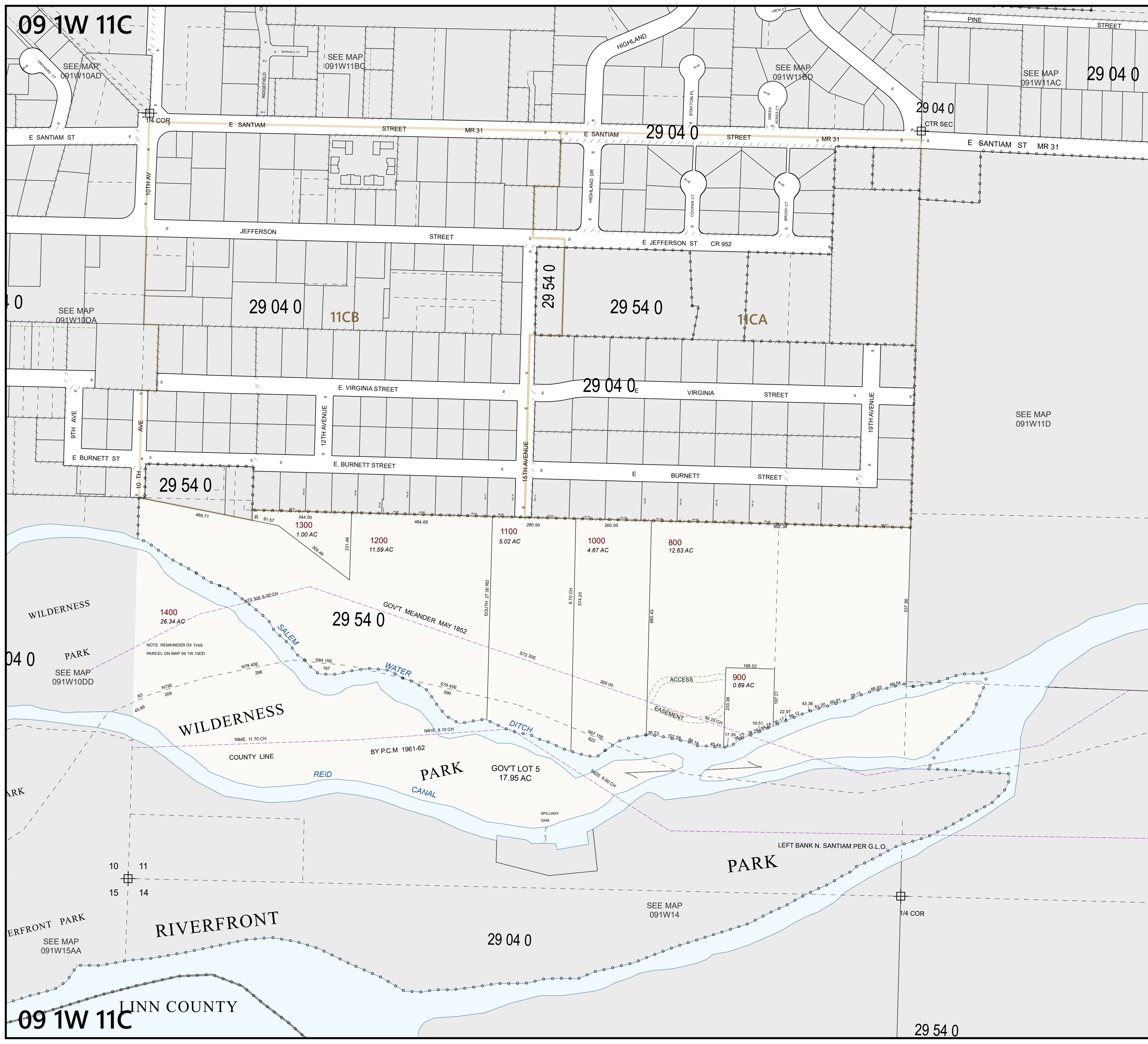


Exhibit B – Deeds

**Parcel Information**

Parcel #:	534578
Tax Lot:	091W11C001000
Site Address:	1583 Park Ln
	Stayton OR 97383 - 2139
Owner:	Shepherds Crossing On State LLC
Owner2:	
Owner Address:	360 Belmont St NE
	Salem OR 97301 - 1006
Twtn/Range/Section:	09S / 01W / 11 / SW
Parcel Size:	4.67 Acres (203,425 SqFt)
Plat/Subdivision:	
Lot:	
Block:	
Census Tract/Block:	010701 / 1015
Waterfront:	

Tax Information

Levy Code Area:	29540
Levy Rate:	12.1420
Tax Year:	2024
Annual Tax:	\$320.21
Exempt Desc:	N/A

Legal

ACRES 4.67

Assessment Information

Market Value Land:	\$160,380.00
Market Value Impr:	\$5,160.00
Market Value Total:	\$165,540.00
Assessed Value:	\$26,372.00

Land

Zoning:	County-UT-20 - Urban Transition - 20 Acres Lot Min.	Cnty Bldg Use:	456 - Farm Homesite - Manuf Struct, Class 5, 24' Wide Double
Cnty Land Use:	559 - Specially Assessed Farm Land, Improved, Zoned Efu,	Neighborhood:	
Std Land Use:	1006 - Mobile/Manufact Home (regardless of Land owner)	Recreation:	
School District:	29J - North Santiam	Primary School:	Stayton Elementary School
Middle School:	Stayton Middle School	High School:	Stayton High School

Improvement

Year Built:	1973	Stories:	1	Finished Area:	1,120
Bedrooms:	2	Bathrooms:	2	Garage:	
Basement Fin:					

Transfer Information

Rec. Date: 01/05/2024	Sale Price: \$915,000.00	Doc Num: 2024-670	Doc Type: Warranty Deed
Owner: Shepherds Crossing On State LLC		Grantor: WALLACE EDWIN W	
Orig. Loan Amt: \$700,000.00		Title Co: FIDELITY NATIONAL TITLE	
Finance Type:	Loan Type: New Conventional	Lender: WANNER BELINDA	

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



Parcel Information

Parcel #:	534579
Tax Lot:	091W11C001100
Site Address:	1513 Park Ln Stayton OR 97383 - 2139
Owner:	Shepherds Crossing On State LLC
Owner2:	
Owner Address:	360 Belmont St NE Salem OR 97301
Twtn/Range/Section:	09S / 01W / 11 / SW
Parcel Size:	5.02 Acres (218,671 SqFt)
Plat/Subdivision:	
Lot:	
Block:	
Census Tract/Block:	010701 / 1015
Waterfront:	

Assessment Information

Market Value Land:	\$201,450.00
Market Value Impr:	\$102,130.00
Market Value Total:	\$303,580.00
Assessed Value:	\$76,202.00



Tax Information

Levy Code Area:	29540
Levy Rate:	12.1420
Tax Year:	2024
Annual Tax:	\$925.24
Exempt Desc:	N/A

Legal

ACRES 5.02

Land

Zoning:	County-UT-20 - Urban Transition - 20 Acres Lot Min.	Cnty Bldg Use:	122 - Farm Homesite - Multi Story Above Grade
Cnty Land Use:	551 - Specially Assessed Farm Land, Improved, Zoned Efu, Sa, Ft Or Ut	Neighborhood:	
Std Land Use:	7001 - Farm land	Recreation:	
School District:	29J - North Santiam	Primary School:	Stayton Elementary School
Middle School:	Stayton Middle School	High School:	Stayton High School

Improvement

Year Built:	1910	Stories:	1	Finished Area:	1,531
Bedrooms:	1	Bathrooms:	1	Garage:	
Basement Fin:					

Transfer Information			
Rec. Date: 01/05/2024	Sale Price: \$915,000.00	Doc Num: 2024-670	Doc Type: Deed
Owner: Shepherds Crossing On State LLC		Grantor: EDWIN W & ESTHER A WALLACE JRLT & WALLACE, EDWIN W TRE &	
Orig. Loan Amt:		Title Co:	
Finance Type:	Loan Type:	Lender:	

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

**Parcel Information**

Parcel #:	534580
Tax Lot:	091W11C001200
Site Address:	
	Stayton OR 97383
Owner:	Shepherds Crossing On State LLC
Owner2:	
Owner Address:	360 Belmont St NE
	Salem OR 97301
Twtn/Range/Section:	09S / 01W / 11 / SW
Parcel Size:	11.59 Acres (504,860 SqFt)
Plat/Subdivision:	
Lot:	
Block:	
Census Tract/Block:	010701 / 1015
Waterfront:	

Tax Information

Levy Code Area:	29540
Levy Rate:	12.1420
Tax Year:	2024
Annual Tax:	\$111.96
Exempt Desc:	N/A

Legal

ACRES 11.59

Assessment Information

Market Value Land:	\$293,110.00
Market Value Impr:	\$0.00
Market Value Total:	\$293,110.00
Assessed Value:	\$9,221.00

Land

Zoning:	County-UT-20 - Urban Transition - 20 Acres Lot Min.	Cnty Bldg Use:	Farm Use - Efu 2biss Two Bench Irr South Special
Cnty Land Use:	550 - Specially Assessed Farm Land, Land Only, Zoned Efu, Sa, Ft Or Ut	Neighborhood:	
Std Land Use:	8008 - Rural/Agricultural-Vacant Land	Recreation:	
School District:	29J - North Santiam	Primary School:	Stayton Elementary School
Middle School:	Stayton Middle School	High School:	Stayton High School

Improvement

Year Built:	Stories:	Finished Area:
Bedrooms:	Bathrooms:	Garage:
Basement Fin:		

Transfer Information			
Rec. Date: 01/05/2024	Sale Price: \$915,000.00	Doc Num: 2024-670	Doc Type: Deed
Owner: Shepherds Crossing On State LLC		Grantor: EDWIN W & ESTHER A WALLACE JRLT & WALLACE, EDWIN W TRE &	
Orig. Loan Amt:		Title Co:	
Finance Type:	Loan Type:	Lender:	

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

GRANTOR'S NAME:

Edwin and Esther Wallace Joint Revocable Living Trust

GRANTEE'S NAME:

Shepherd's Crossing on State LLC

AFTER RECORDING RETURN TO:**Order No.:** 60222105604-KMShepherd's Crossing on State LLC, an Oregon limited liability company
360 Belmont St NE
Salem, OR 97301**SEND TAX STATEMENTS TO:**Shepherd's Crossing on State LLC
360 Belmont St NE
Salem, OR 97301

APN/Parcel ID(s): 534578

534579

534580

Tax/Map ID(s): 091W11C001000

091W11C001100

091W11C001200

1513-1583 Park Lane, Stayton, OR 97383

MARION COUNTY RECORDS

2024-00670

D-DEED

01/05/2024 10:18 AM

\$10.00 \$11.00 \$10.00 \$60.00

\$91.00



I, Bill Burgess, County Clerk for Marion County, Oregon, certify that the instrument identified herein was recorded in the Official Records.

Pgs=2 SKM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Belinda Dena Wanner, Successor Trustee of The Edwin W. Wallace and Esther A. Wallace Joint Revocable Living Trust, Grantor, conveys and warrants to **Shepherd's Crossing on State LLC, an Oregon limited liability company**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Marion, State of Oregon:

Beginning at point that is 82 rods South and 392.307 feet East of the quarter section corner between Sections 10 and 11 in Township 9 South, Range 1 West, Willamette Meridian in Marion County, Oregon and running thence East 1369.193 feet to the Northeast corner of premises conveyed to W. J. Samples and wife, by deed recorded in Volume 314, page 116, Deed Records for Marion County, Oregon; thence South along the East line of said tract to the North bank of the Salem Ditch; thence Westerly along said ditch bank, 269 feet; thence North to a point that is 15 feet North of said ditch bank; thence Westerly parallel with said ditch bank and 15 feet North thereof, 17.58 rods; thence North 3 feet; thence Westerly parallel with said ditch bank and 18 feet North thereof to the Southeast corner of premises conveyed to James R. Lande and wife, by deed recorded in Volume 581, Page 561, Deed Records for Marion County, Oregon; thence North 35 feet to the place of beginning.

EXCEPTING THEREFROM: Beginning at an iron bolt which is 1325.50 feet South 00°59' East and 392.31 feet North 88°58' East and 68.00 feet South 00°59' East from the Quarter Corner between Sections 10 and 11, Township 9 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, said iron bolt being the Southeast corner of that certain tract of land conveyed to James R. Lande by deed recorded in Volume 581, page 561, Marion County Deed Records; and running thence North 00°59' West, along the East line of said Lande Tract, 35.00 feet to the Northwest corner of that certain tract of land conveyed to Edwin W. Wallace, et al by deed recorded in Volume 594, page 271, Marion County Deed Records; thence North 88°58' East, along the North line of said Wallace Tract, 344.00 feet to a point; thence South 01°02' East 231.48 feet to a point in the Southerly line of the said Wallace Tract; thence North 59°16' West, along said Southerly line, 305.46 feet to a point; thence North 68°06' West 91.57 feet to the point of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS NINE HUNDRED FIFTEEN THOUSAND AND NO/100 DOLLARS (\$915,000.00). (See ORS 93.030), which is paid to or by a qualified intermediary pursuant to an IRC 1031 Tax Deferred Exchange.

Subject to:

The Land has been classified as Farm land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways.

Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Salem Water Ditch.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Fidelity National Title# 60222105604

STATUTORY WARRANTY DEED

(continued)

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Chris Neitling and Mae Neitling
Purpose: Underground pipelines
Recording Date: June 12, 1959
Recording No: Vol. 523, Page 589
Affects: Reference is hereby made to said document for full particulars

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

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 1-4-2024

Edwin and Esther Wallace Joint Revocable Living Trust

BY: Belinda Dena Wanner
Belinda Dena Wanner
Successor Trustee

State of Oregon
County of Marion

This instrument was acknowledged before me on January 4, 2024 by Belinda Dena Wanner, as Successor Trustee for Edwin and Esther Wallace Joint Revocable Living Trust.

Kelly Jean Miller
Notary Public - State of Oregon

My Commission Expires: 1/24/2025



Marion County
Document Separator Page

Instrument # 2024-00670

January 05, 2024 10:18 AM

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

Fee: \$91.00

Bill Burgess
Marion County Clerk

This is not an invoice.

Exhibit C – Articles of Organization

AMENDED ANNUAL REPORT



Corporation Division
sos.oregon.gov/business

E-FILED
Apr 04, 2024
OREGON SECRETARY OF STATE

REGISTRY NUMBER

166978891

REGISTRATION DATE

05/04/2020

BUSINESS NAME

SHEPHERDS CROSSING ON STATE LLC

BUSINESS ACTIVITY

MULTI FAMILY DIVISION

MAILING ADDRESS

360 BELMONT ST NE
SALEM OR 97301 USA

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

PRIMARY PLACE OF BUSINESS

360 BELMONT ST NE
SALEM OR 97301 USA

JURISDICTION

OREGON

REGISTERED AGENT

TERENCE C BLACKBURN

360 BELMONT ST NE
SALEM OR 97301 USA

If the Registered Agent has changed, the new agent has consented to the appointment.

MEMBER

149211997 - CLUTCH MULTIFAMILY, LLC

360 BELMONT ST NE
SALEM OR 97301 USA



I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

TERENCE C BLACKBURN

TITLE

AUTHORIZED AGENT

DATE

04-04-2024

Exhibit D – Engineering Report

August, 2025

Jennifer Siciliano
City of Stayton Planning Department
362 N. Third Avenue
Stayton, OR 97383

RE: Proposed Annexation and Development along Park Ln, located at 1518 and 1583 Park Ln, Stayton OR Tax lots #091W11C1200, 091W11C1100, and 091W11C1000.

We respectfully submit the following information regarding the proposed annexation and development along Park Lane with high density residential zoning. This document outlines the current conditions and planned improvements required for annexation of the site related to transportation and public utilities in compliance with the City of Stayton's standards, requirements, and review criteria. This criteria is outlined in 17.12.210.4.b of the Land Use and Development Code as follows; *“The site is or is capable of being serviced by adequate City public services including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City.”* For basis of this report, we are going to assume 24 units per acre.

Site Description

The proposed annexation area is located at 1518 and 1583 Park Lane, Stayton OR, 97325, tax lots 091W11C1200, 091W11C1100, and 091W11C1000, shown in Figure 1 below. It is relatively flat and currently consists of farmland and forested area. The site backs up to housing on E Burnett St to the north, farmland to the east, Salem Ditch to the south west, and Pioneer Park on the far west. At this time, no public utilities serve the area; utility connections and extensions can be addressed as part of the development process.

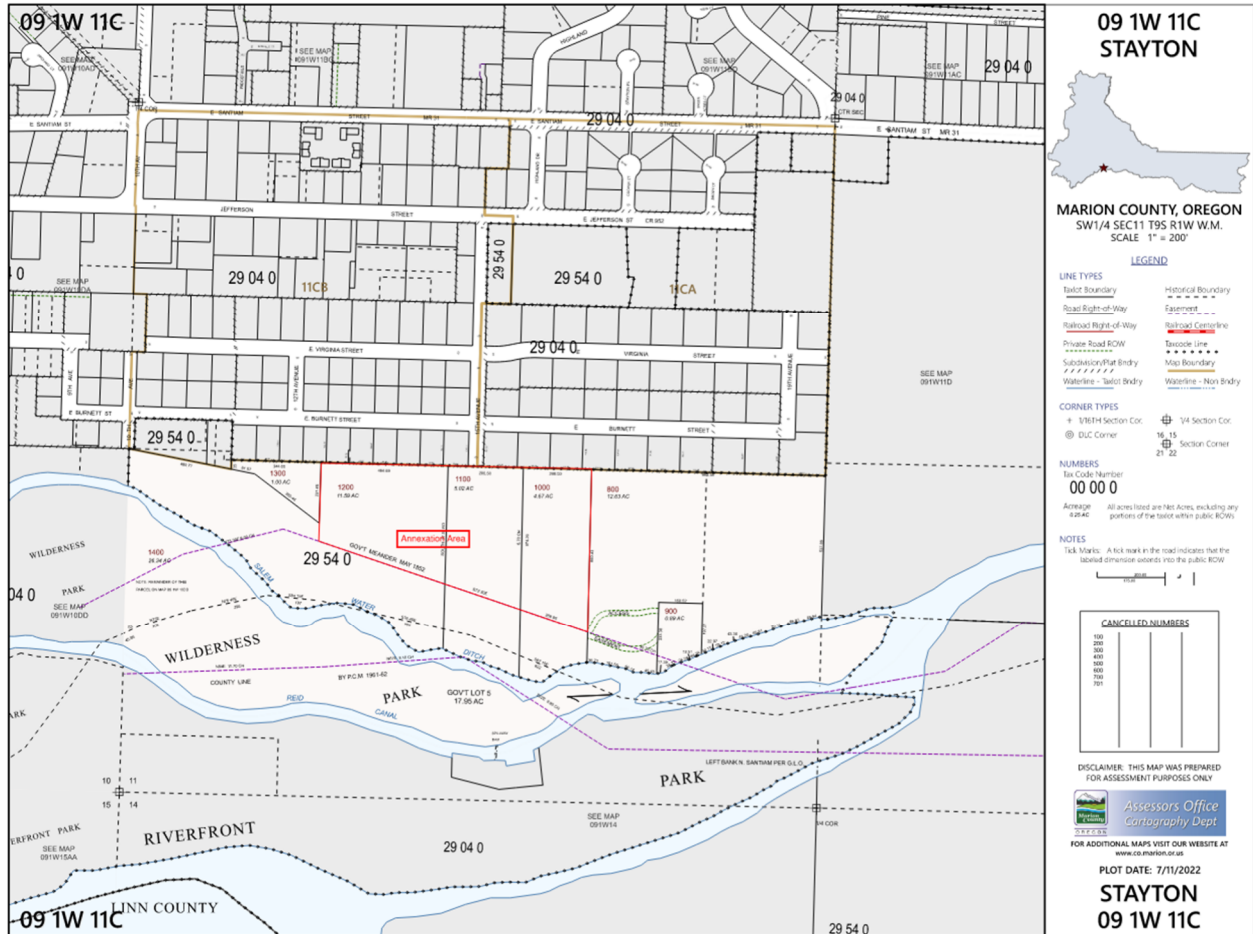


Figure 1. Tax Map of Annexation Area.

Transportation

Road Classification

Per the Stayton Transportation System Plan, the annexation area is currently served by Park Lane which is a private gravel road that connects to N 17th Ave, via Park Rd through Pioneer Park and runs along the length of the site. Park Lane currently serves houses on the annexation site as well as a house to the east of the site. Upon annexation N 15th Ave can be extended to service the site. This is are under City of Stayton jurisdiction and is classified as a residential local street.

Right-of-Way (ROW)

The Transportation System Plan requires an ultimate ROW of 45 to 60-feet for residential local streets. Upon development N 15th Ave can be extended to serve the property and can meet the 60-foot ROW for Local Streets as required by the Public Works Design Standards (PWDS) and Transportation System Plan.

Street Improvements

Upon development a minimum driveway spacing of 50-feet along new roads can be maintained as well as minimum public intersection centerline spacing of 260-feet in accordance with the Residential Local street classification. All new streets can comply with PWDS Section 312, which includes requirements for curb and gutter, asphalt paving, storm drainage, sidewalks, street lighting, and pavement tapers.

Upon development interior subdivision streets can follow the 34-foot Local Street section standard. Private streets can meet fire apparatus access requirements outlined in the Fire Code. Applicant can provide the standard 10-foot Public Utility Easement (PUE) along all public frontages, per PWDS 102.08, unless otherwise approved.

In accordance with PWDS 302.01.D and the TSP, upon development the applicant can preserve the existing pavement condition index and structural integrity of surrounding roadways throughout all phases of construction, to the satisfaction of the Public Works Director.

Transportation Conclusion

The proposed annexation meets the criteria for annexation by section 17.12.210.4.b of the Land Use and Development Code, because “the site is or is capable of being serviced by adequate City public services including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City.”

Water System

Public Water System:

The 2006 Water Distribution Facilities Planning Study for Stayton OR, outlines planned improvements through the project site. This includes the installation of a looped 8-inch water main through the development (see Figure 2). This improvement is feasible and can be constructed as part of the development. Upon development the new water main would connect to the existing 12-inch water main in 15th Ave. The estimated domestic water demand for the site with 24 units per acre and the conservative assumption of 100 gallons per capita per day, based on typical water usages in surrounding areas, is 73 gallons per minute for the site and can be seen below in Equation 1. Therefore, upon development the site can be served with domestic water.

$$\frac{100 \text{ gal}}{1 \frac{\text{person}}{\text{day}}} * \frac{4 \text{ people}}{1 \text{ unit}} * \frac{24 \text{ units}}{1 \text{ acre}} * \frac{11 \text{ acres}}{1 \text{ site}} * \frac{1 \text{ day}}{1,440 \text{ min}} \approx 73 \frac{\text{gal}}{\text{min}}$$

Equation 1. Water Demand for the Site

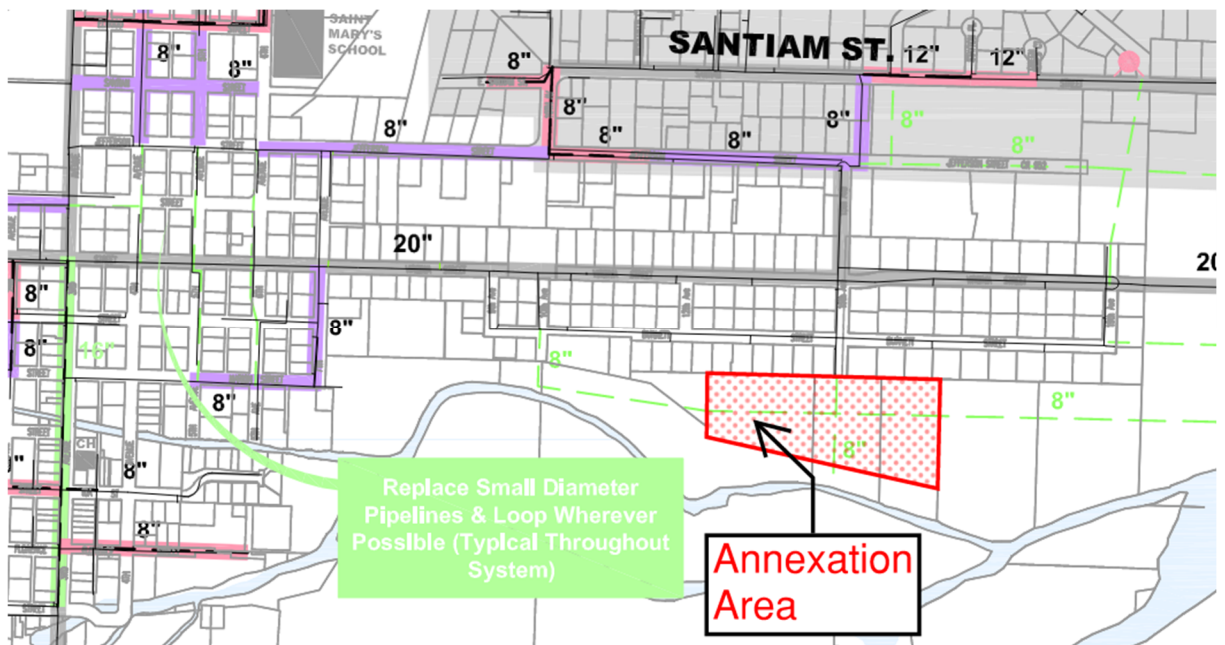


Figure 2. Fresh Water Conveyance System proposed in Water Master Plan.

Domestic Water Services

Upon development, installation of all new water services, meters, and backflow prevention devices can be in accordance with PWDS. All devices can be Oregon Health Authority–Drinking Water Services (OHA-DWS) approved and reviewed by the City, Building Official, and Fire Code Official, as applicable.

Fire Services

High density residential typically requires fire flow of 1,500 gallons per minute with sprinkled buildings. The 8-inch looped water distribution lines discussed above are capable of providing sufficient flow to the site. Upon development, fire hydrants can be installed in accordance with the latest PWDS's and Marion County fire code. A fire water service connection and vault assembly with a detector-type meter can serve all approved private fire lines and hydrants. Coordination with the Fire Code Official will ensure compliance with applicable codes. Upon development all required fire protection approvals, including access, devices, and system modifications can be documented and submitted.

Water System Conclusion

The proposed annexation meets the criteria for annexation by section 17.12.210.4.b of the Land Use and Development Code, because “the site is or is capable of being serviced by adequate City public services including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City.”

Sanitary Sewer System

Public Sanitary Sewer

Based on conversations with city staff there are currently sanitary sewer conveyance deficiencies running under W Ida St. serving the east part of town and the annexation area. These deficiencies have been identified in the waste water facilities planning study and a portion of them have already been improved. The remaining deficiencies are currently in the preliminary design phase and are anticipated to be completed in the summer of 2027. With the completion of these improvements, the sanitary sewer system can serve the annexation area without deficiencies.

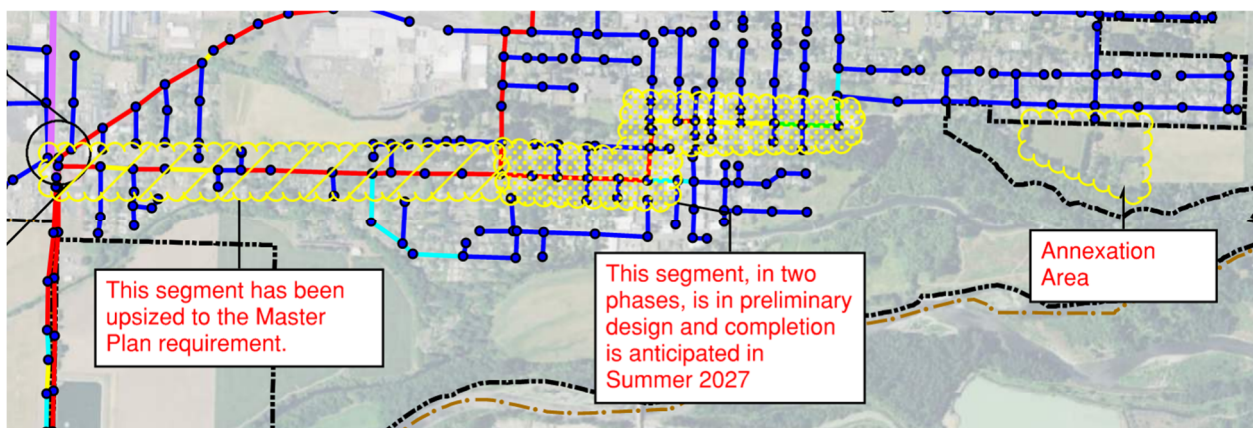


Figure 3. Sanitary Sewer Deficiencies and Planned Improvements.

The Wastewater Master Plan dated January 2021 does not directly address the subject area. However, development is feasible through connection to an 8-inch sanitary sewer stub at 15th Ave that drains to an existing 12-inch gravity sewer main flowing west along E. Burnett Street at an elevation of 459.36-feet. The existing sewers are deep enough to service the majority of the annexation area while maintaining the minimum pipe slopes and 4- feet of cover. 8-inch pipes would be recommended to service the development. Only a small area on the west of the site may require some fill to maintain the minimum cover at the time of development. The invert and surface elevations were determined by Barker Surveying. Upon development, all improvements can meet PWDS and DEQ requirements. With the assumed density of 24 units per acre the total estimated sewer demand produced from this site is 59 gallons per minute and can be seen below in Equation 2. This uses the conservative estimate of 80 gallons per capita based on typical sewer demand in the surrounding areas. The 10-inch gravity lines discussed above are capable of handling 540 gallons per minute at a slope of 0.3% which easily handles this demand.

$$\frac{80 \text{ gal}}{1 \frac{\text{person}}{\text{day}}} * \frac{4 \text{ people}}{1 \text{ unit}} * \frac{24 \text{ units}}{1 \text{ acre}} * \frac{11 \text{ acres}}{1 \text{ site}} * \frac{1 \text{ day}}{1,440 \text{ min}} \approx 59 \frac{\text{gal}}{\text{min}}$$

Equation 2. Sewer Demand for the Site

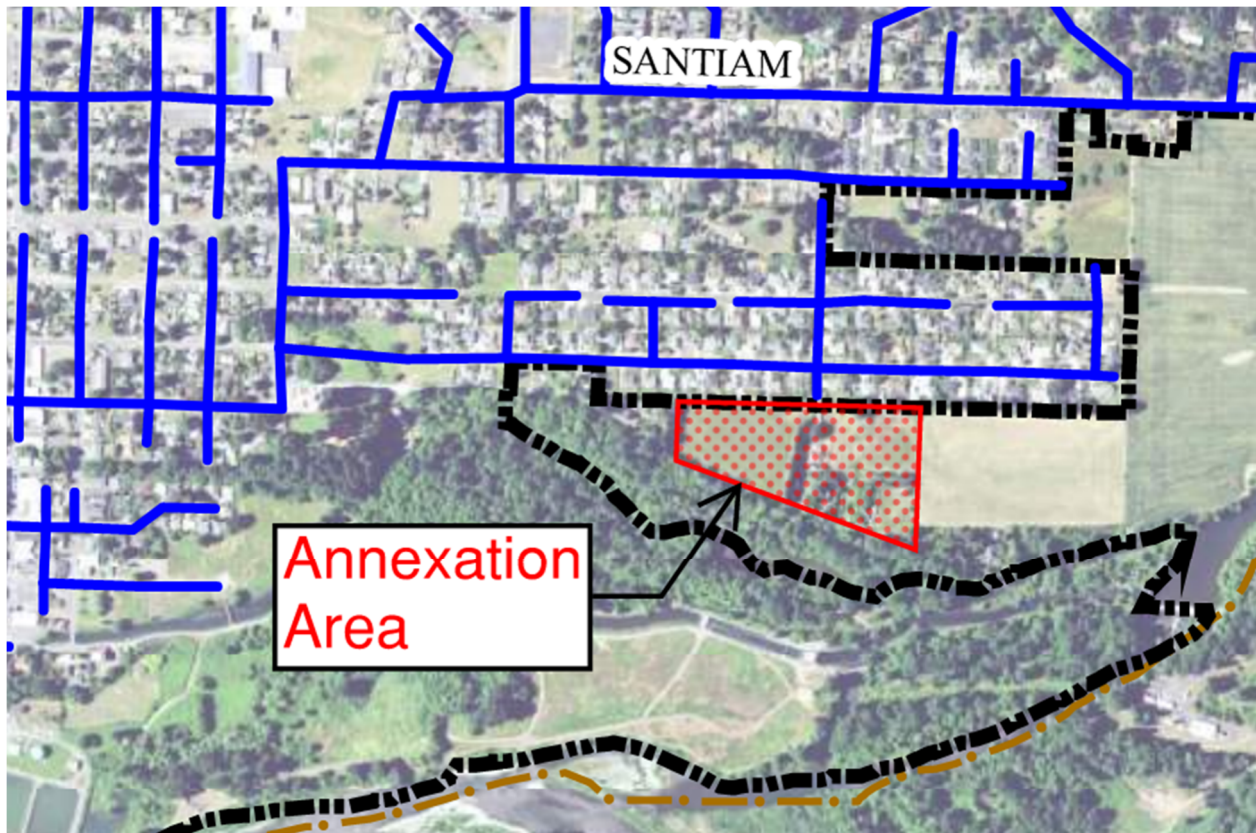


Figure 4. Existing and Planned Sanitary Sewer locations in Waste Water Master Plan.

Private Sanitary Sewer

Upon development all private utilities can be designed and sized in compliance with PWDS and relevant building/specialty codes. Multi-family or commercial buildings can include 6-inch service laterals per PWDS 506.01.B. For multifamily development a sanitary sewer monitoring manhole and/or grease interceptor can be installed per PWDS 505.04.A, if required with development.

Sanitary Sewer Conclusion

The proposed annexation meets the criteria for annexation by section 17.12.210.4.b of the Land Use and Development Code, because “the site is or is capable of being serviced by adequate City public services including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City.”

Stormwater Management

The site lies within the East Stayton Basin (Basin 105) and the majority of the site is not located in a flood hazard area. The area on the south edge of the site falls into the 100 year floodplain.

There are no recommendations in the Stormwater Master Plan for this site, However there are two options for how to discharge water from the site. It can be directed to the east and connect to the existing 36-inch storm drain that discharges to Salem Ditch, or a new outfall to Salem Ditch could be constructed to serve the annexation area if allowed by Salem Ditch. The connection to the 36-inch storm drain would require easements through the neighboring properties. The connection to the Salem Ditch directly would also require an easement to the south through the property owned by Santiam Water Control District. Either of these options could be used to service both public and private storm systems.

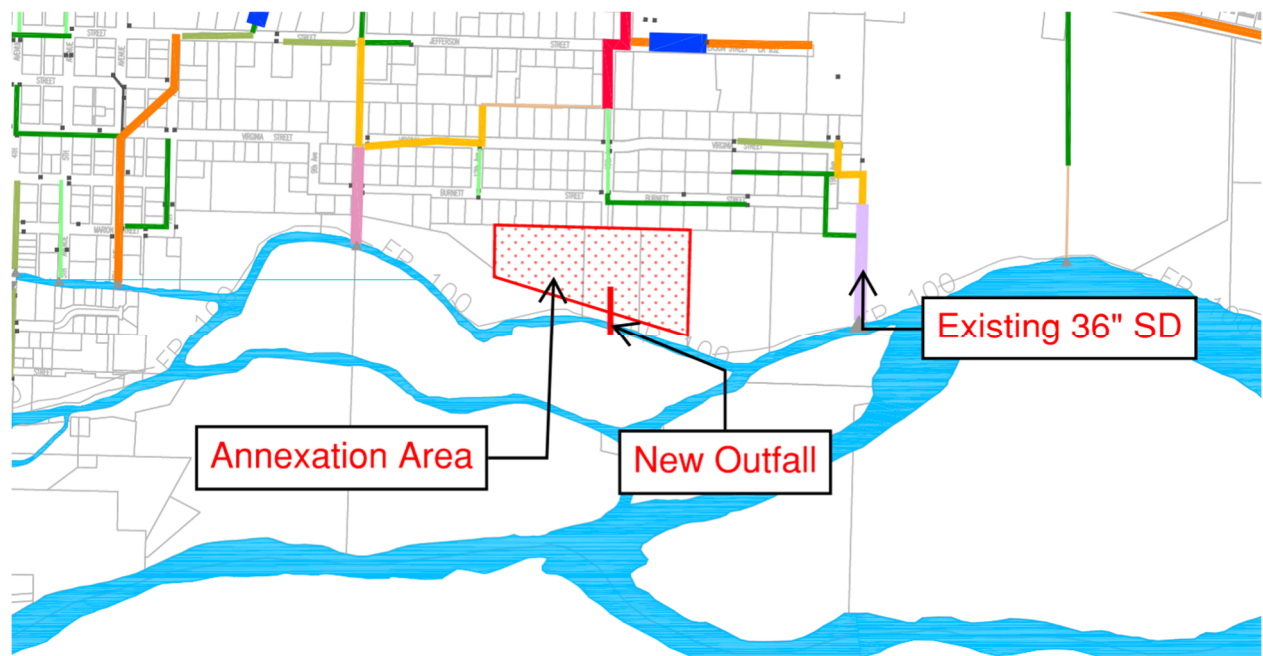


Figure 4. Proposed improvements from the Stormwater Master Plan.

All private systems can include an Operations & Maintenance (O&M) Plan and Agreement in compliance with City standards. Therefore, the site can be served with the city's stormwater infrastructure in accordance with the Stormwater Master Plan.

Stormwater Conclusion

The proposed annexation meets the criteria for annexation by section 17.12.210.4.b of the Land Use and Development Code, because "the site is or is capable of being serviced by adequate City public services including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City."

Conclusion

Although the proposed annexation area currently lacks existing public utility infrastructure stubbed to the property, extending and upgrading services to meet City standards is both feasible and planned. The applicant, upon development, is committed to designing and constructing all improvements in full compliance with the City of Stayton's Public Works Design Standards and applicable codes. The proposed annexation meets the criteria for annexation by section 17.12.210.4.b of the Land Use and Development Code, because "the site is or is capable of being serviced by adequate City public services including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City."

We appreciate your consideration of this proposed annexation and development. Please let us know if additional information is required.

Sincerely,



WESTECH ENGINEERING, INC.

A handwritten signature in blue ink, appearing to read "WJ Wells", written over a horizontal line.

W. Josh Wells, P.E.

Exhibit E – Annexation Application Form



Submit Via Email

CITY OF STAYTON
APPLICATION FOR ANNEXATION

PROPERTY OWNER: Shepherds Crossing On State LLC
Address: 091W11C001200, 091W11C001100 (1513 Park Ln), 091W11C001000 (1583 Park Ln)
City/State/Zip: Stayton, OR 97383-2139
Phone: 503-967-5228 Email: chrisa@clutchindustries.com

APPLICANT: Clutch Industries, Inc.
Address: 360 Belmont St. NE
City/State/Zip: Salem, OR 97301-1006
Phone: 503-967-5228 Email: chrisa@clutchindustries.com

APPLICANT'S REPRESENTATIVE: _____
Address: _____
City/State/Zip: _____
Phone: _____ Email: _____

CONSULTANTS: Please list below planning and engineering consultants.

PLANNING	ENGINEERING
Name: <u>BRAND Land Use</u>	Name: <u>Westech Engineering</u>
Address: <u>720 Liberty St. SE</u>	Address: <u>3841 Fairview Industrial Dr. SE Suite 100</u>
City/State/Zip: <u>Salem, OR 97302</u>	City/State/Zip: <u>Salem, OR 97302</u>
Phone: <u>503-370-8704</u>	Phone: <u>503-585-2474</u>
Email: <u>britany@brandlanduse.com</u>	Email: <u>jwells@westech-eng.com</u>

Select one of the above as the principal contact to whom correspondence from the Planning Department should be addressed:

☐ owner ☐ applicant ☐ applicant's representative ☒ planning consultant ☐ engineer

LOCATION: _____
StreetAddress: 091W11C001200, 091W11C001100 (1513 Park Ln), 091W11C001000 (1583 Park Ln)
Assessor's Tax Lot Number and Tax Map Number:
091W11C001200, 091W11C001100, 091W11C001000
Closest Intersecting Streets: N 15th Ave and E Burnett St

CURRENT COMPREHENSIVE PLAN DESIGNATION: Residential
ZONE MAP DESIGNATION PROPOSED WITH ANNEXATION: _____

SIGNATURE OF APPLICANT: 
DO NOT WRITE BELOW THIS LINE

Application received by: _____ Date: _____ Fee Paid: \$ _____ Receipt No. _____
Land Use File# _____