



# LANE COUNTY RECEIPT

12-04-2006

RECEIPT NUMBER: **R06009342**

PLANNING ACTION #: **PA067351**

TYPE: Measure 37 Claim  
SITE ADDRESS: 33097 WILKINS RD EUG  
PARCEL: 16-03-21-00-00200  
APPLICANT: STONEBERG KRISTINE  
33390 WILKINS RD  
EUGENE OR

97408  
541-484-4097

Type	Method	Description	Amount
Payment	Check	695	850.00

	Description	Current Pymt
3040	Planning Hrg Official	850.00

PAID BY: KRISTINE STONEBERG



LAND MANAGEMENT DIVISION

Measure 37 Claim Form

125 E 8th AVENUE, EUGENE OR 97401 PLANNING: 682-3807

For Office Use Only, FILE # 067351 CODE: PLN-M37 FEE: \$850

This completed form, supporting documentation and processing fee must be submitted to the Lane County Land Management Division for all claims subject to the provisions added to ORS Chapter 197 by Ballot Measure 37 (November 4, 2004), to be considered for compensation under LC 2.700 through 2.770. In all cases, the applicant has the burden of demonstrating, with competent evidence, that all applicable criteria are met and the applicant would be entitled to compensation if the land use regulation continues to apply.

LOCATION 03 22
16 3 22 200
Township Range Section qt section Taxlot
33390
33535 Wilkins Rd Eugene, OR 97408
Site address

Applicant (print name): Kristine Stoneberg
Mailing address: 33390 Wilkins Rd Eugene, OR 97408
Phone: 541-484-4097 Email: Stone1808@AOL

Applicant Signature: Kristine Stoneberg

Agent (print name):
Mailing address:
Phone: Email:
Agent Signature:

Land Owner (print name): 1/2 Kathleen Furniss / Kristine Stoneberg 1/2 interest
Mailing address: P.O. Box 101 Loraine OR 97451
Phone: 541-942-9381 Email: Desques12@AOL

Land Owner Signature: Kristine Stoneberg

By signing this application, the applicant, agent and landowner(s) certify the following: I (we) have completed all of the attached application requirements and certify that all statements are true and accurate to the best of my (our) knowledge and belief. I am (We are) authorized to submit this application on behalf of all those with an interest in the property and all the owners(s) agree to this claim as evidenced by the signature of those owners. (Include additional signatures as necessary.)

Entry by County or its designee upon the subject property is authorized by the owner(s) and the owner(s) consent to the application for claims under provisions added to ORS Chapter 197 by Ballot Measure 37 (November 4, 2004).

What relief is being sought? Are you requesting monetary compensation or a waiver of a land use regulation(s)? If a waiver is desired, what is the desired use and/or how do you want to develop the property?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPROVAL CRITERIA**

**Lane Code 2.740(1)**

The County Administrator shall make a determination as to whether the application qualifies for Board compensation consideration. An application qualifies for compensation consideration if the applicant has shown that all of the following criteria are met:

- (a) The County has either adopted or enforced a land use regulation that restricts the use of private real property or any interest therein;
- (b) The restriction on use has the effect of reducing the fair market value of the property or any interest therein, upon which the restriction is imposed;
- (c) The challenged land use regulation was adopted, enforced or applied after the current owner of the property (the applicant) became the owner; and
- (d) The challenged regulation is not an exempt regulation as defined in LC 2.710.

Answer the following questions. Attach additional pages if necessary.

- What land use regulation(s) has been enacted since the current owner acquired the property that reduced the fair market value of the property?
- How has the identified regulation(s) reduced the fair market value of the property?
- What evidence are you providing that demonstrates the value reduction? Explain the evidence.

There were no regulations when property was Acquired so all of them.

Lane Code Chapter 16.211 +  
 + LC 16.211 (5) (6) (7) (10)  
 + LC 2.710 + E-30 regulations + Lane Code 16.4  
 ORS 215.705 + 215.720 - 215.780 + ~~(OAR)~~ (OAR 660, DIV. 6 (ORS 197.010  
 Unable to div. de property + pursue ventures with Land  
 71 other property values see Attached.  
 The true value of money not being able to sell to divide  
 for other uses <sup>of</sup> property.

Desire to subdivide property to provide future home sites for property owners and their heirs. To provide the ability to sell lots in order to provide income for retirement and provide funds for medical needs. We also have the desire to pursue business ventures such as an Equestrian center with camping and RV facilities, growing Shitake mushroom, meat goat production, operating a small lumber mill, and operating a winery. In addition we have a strong desire to develop wildlife habitat areas with in our property. Because of current regulations we are allowed only one home on 80 acres because of zoning issues. This is not choice land in 1948 the land was listed as poor according to documents in my grandmothers (Althea Stoneberg (Wilkins)) will in 1948. We would just like the ability to divide and develop our land as we see fit. We are requesting that we have the ability to subdivide the land into 1 to 10 acre partials with the freedom to develop these lots for housing, to pursue business ventures, and develop habitat for wildlife. The family has had interest in the property for more than 75 years. Some of the property is from the Mitchell Wilkins Donation Lane Claim of 1848. Although our primary concern is to receive a waiver concerning land use regulations we are also requesting monetary compensation if a waiver is not granted. Although an appraisal is not yet available we have included 71 Assessed land market values. They average approx. \$50K per acre and our Tax Assessed value is approx. \$5K per acre. So if we our unable to pursue our endeavors than our relief amount to \$4,500,000 per 100 acres developed.

Additional land owners, lien holders, trustees, lessees or anyone with an interest in the subject property. Describe the ownership interest. Attach more pages if necessary.

N/A

Name Signature Address

Name Signature Address

Name Signature Address

Name Signature Address

Submit the following documents:

- **Title Report.** This report must identify the current land owner(s) and the date the current land owner(s) acquired the property or an interest in the property.
- **Description Card and deeds.** The description card is available in the Tax Assessor's Department. Submit all the deeds listed on the card from the date the current owner acquired an interest in the property. The deeds must verify the current land owner, as listed on the Title Report, and demonstrate continuous ownership by that owner since the date of acquisition.
- **If the property is in a Trust, LLC or other type of ownership,** submit documentation regarding the ownership. These document must show whether the Trust, LLC or other type of ownership is revocable and identify all persons with an interest in the ownership.
- **If the property was acquired through a land sale contract,** identify the original land owner and each person who assumed the contract prior to the current land owner. Include the documentation that demonstrates when the contract was conveyed. Also, submit the document(s) demonstrating the contract was completed and ownership was conveyed to the current owner.
- **Leases, covenants, conditions or restrictions** applicable to the subject property.
- **Reasonable and competent evidence of a reduction in fair market value** from a land use regulation.

Current Zoning: Agr. cultural F2

Acreage: 180

When did the current land owner acquire an interest in the property? 1/2003

When did the family acquire an interest in the property? 1939

Current fair market value of property: 900,000

Alleged reduction in fair market value: 4.5 million

EXISTING IMPROVEMENTS Identify any existing improvements to the property such as any homes, roads, other structures, etc.

One Home one covered garage various gravel roads

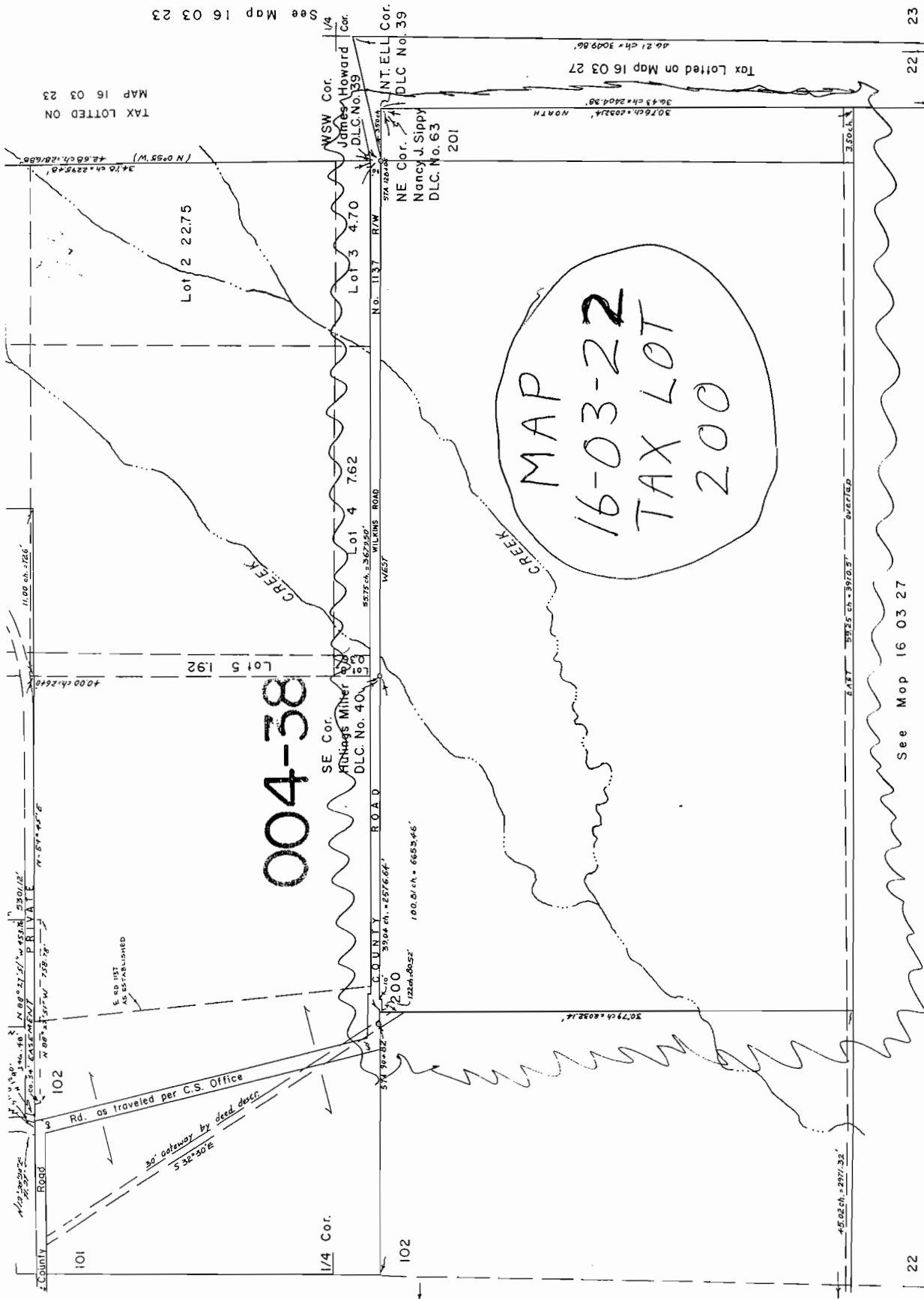
Map Lot Number	Acreage	Assessed Land Market Value	Averaged Per Acre Value	Residence
100	1.91	\$98,870.00	\$51,764.00	Yes
200	1.91	\$92,576.00	\$48,469.00	Yes
300	1.91	\$92,576.00	\$48,469.00	Yes
400	1.53	\$27,414.00	\$17,917.00	No
498	1.91	\$69,016.00	\$36,134.00	Yes
499	1.91	\$41,490.00	\$21,685.00	Yes
500	5.14	\$128,804.00	\$25,059.00	Yes
601	1.51	\$56,684.00	\$37,539.00	No
1100	1.95	\$94,783.00	\$48,606.00	Yes
1200	0.45	\$44,470.00	\$98,822.00	Yes
1201	0.51	\$68,485.00	\$128,402.00	Yes
1202	0.81	\$77,181.00	\$95,285.00	Yes
1300	1.46	\$89,370.00	\$61,212.00	Yes
1400	0.75	\$75,012.00	\$100,016.00	Yes
1401	0.64	\$70,782.00	\$110,596.00	Yes
1500	0.54	\$64,888.00	\$120,162.00	Yes
1600	1.89	\$66,925.00	\$35,410.00	Yes
1601	0.49	\$64,914.00	\$132,478.00	Yes
1700	2.06	\$44,625.00	\$21,662.00	No
1800	2.06	\$66,571.00	\$32,316.00	Yes
1900	1.06	\$91,005.00	\$85,853.00	Yes
2000	2.28	\$77,012.00	\$33,777.00	Yes
2100	1.58	\$96,430.00	\$61,031.00	Yes
2300	2.30	\$90,665.00	\$39,420.00	Yes
2400	4.98	\$65,628.00	\$13,178.00	Yes
2401	5.36	\$97,807.00	\$18,248.00	Yes
2500	3.44	\$96,287.00	\$27,990.00	Yes
2600	4.12	\$123,976.00	\$30,019.00	Yes
2700	1.23	\$88,032.00	\$71,570.00	Yes
2701	0.98	\$82,840.00	\$84,530.00	Yes
2800	1.56	\$82,113.00	\$52,636.00	Yes
2900	1.14	\$48,870.00	\$42,868.00	Yes
3000	1.22	\$72,184.00	\$59,167.00	Yes
3300	2.74	\$72,338.00	\$26,400.00	Yes
3301	2.31	\$69,638.00	\$30,146.00	Yes
3400	2.84	\$102,286.00	\$36,016.00	Yes
3500	3.30	\$104,842.00	\$31,770.00	Yes
3600	3.82	\$111,617.00	\$29,219.00	Yes
3700	2.88	\$100,844.00	\$35,015.00	Yes
3701	1.01	\$78,038.00	\$77,265.00	Yes
3800	3.83	\$74,909.00	\$19,060.00	Yes
3900	3.94	\$121,535.00	\$30,846.00	Yes
4001	3.30	\$112,760.00	\$34,170.00	Yes
4100	3.82	\$119,497.00	\$31,282.00	Yes
4200	3.89	\$120,329.00	\$30,933.00	Yes
4300	2.67	\$65,117.00	\$24,388.00	No
4301	1.22	\$67,624.00	\$55,430.00	Yes
4401	2.92	\$41,769.00	\$14,304.00	Yes
4500	3.82	\$119,497.00	\$31,282.00	Yes
4700	3.05	\$80,002.00	\$26,230.00	Yes
4900	4.85	\$21,230.00	\$4,377.00	No
5100	4.18	\$99,027.00	\$23,690.00	Yes

Assessed\_Values\_&\_Averages\_19\_03\_26.xlr

5201	0.97	\$76,921.00	\$79,300.00	Yes
5202	1.38	\$89,113.00	\$60,226.00	Yes
5300	0.86	\$46,728.00	\$54,334.00	Yes
5301	1.05	\$77,012.00	\$73,344.00	Yes
5302	1.82	\$86,954.00	\$47,777.00	Yes
5304	1.55	\$45,184.00	\$29,151.00	No
5600	2.15	\$46,599.00	\$21,674.00	Yes
5700	0.94	\$81,632.00	\$86,842.00	Yes
5800	1.27	\$88,539.00	\$69,716.00	Yes
5801	0.60	\$69,016.00	\$115,027.00	Yes
5900	0.94	\$36,304.00	\$38,621.00	No
5901	0.94	\$57,982.00	\$61,683.00	Yes
6000	1.22	\$82,008.00	\$67,220.00	Yes
6001	0.96	\$82,205.00	\$85,630.00	Yes
6002	0.96	\$82,205.00	\$85,630.00	Yes
6003	1.14	\$68,107.00	\$59,743.00	Yes
6004	0.97	\$47,456.00	\$48,923.00	Yes
6301	2.94	\$95,872.00	\$32,609.00	Yes
6302	5.12	\$137,891.00	\$26,932.00	Yes
6303	5.00	\$105,744.00	\$21,149.00	Yes

	154.70	\$5,687,200.00	\$3,534,617.00
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\$3,534,617.00	71.00	All Parcels	\$49,783.00 per acre
\$2,103,621.00	54.00	w/o <1.0 Acre	\$38,955.94 per acre
\$3,360,962.00	64.00	<w/o Res. Parcels	\$52,515.03 per acre



004-38

MAP  
16-03-22  
TAX LOT  
200

TAX LOTTED ON  
MAP 16 03 23

See Map 16 03 23

22 23  
27 26

See Map 16 03 27

21 22  
28 27

map 16-03-27 Tax Lot 200

917,199  
E 1,337,247  
22 23  
27 26