

W.4.C.3.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY,
OREGON**

ORDER No.

) IN THE MATTER OF DEFERRING THE \$750.00
) PROCESSING FEE AND \$100.00 NOTICE FEE
) FOR THE BRANDT BALLOT MEASURE 37
) CLAIM (Brandt/ PA06-7297).

WHEREAS, the Board of County Commissioners of Lane County enacted Ordinance No. 18-04 on December 1, 2004, to establish a real property compensation claim application process in Lane Code 2.700 through 2.770 for Ballot Measure 37 claims; and

WHEREAS, Lane Code 2.720(9) requires an application fee, unless waived by the County Administrator, to at least partially cover the County costs of processing real property compensation claim applications; and

WHEREAS, Lane Manual 60.842 establishes a fee of \$750.00 for the initial costs incurred by the County in processing real property compensation claim applications and a fee of \$100.00 for notice costs as required by the County Administrator; and

WHEREAS, on December 1, 2006, Thomas C. Brandt filed a real property compensation claim (PA06-7297) with Lane County and did not pay the real property compensation claim application fee or notice costs; and

WHEREAS, the County Administrator has not waived the real property compensation claim application fee or notice cost requirements; and

WHEREAS, on May 15, 2007, the Board conducted a public hearing on the Brandt Measure 37 claim (PA06-7297) and heard the request from the applicant to waive the \$750.00 real property compensation application fee and the \$100.00 fee for notice costs; and

WHEREAS, this matter having been fully considered by the Lane County Board of Commissioners.

NOW, THEREFORE IT IS HEREBY ORDERED that the \$750.00 real property compensation application fee and the \$100.00 fee for notice costs is deferred until such time as the applicant Thomas C. Brandt makes a land use development application to implement a Measure 37 waiver of the current land use regulations. At the time Thomas C. Brandt makes a

land use development application, an additional \$850.00 to cover the deferred Measure 37 fees will be assessed and collected in addition to the applicable land use development application fees to partially cover the costs to Lane County of processing the real property compensation claim.

DATED this _____ day of June, 2007.

Faye Stewart, Chair
Lane County Board of County Commissioners

APPROVED AS TO FORM

Date 6-14-2007 Lane County


OFFICE OF LEGAL COUNSEL