



MEDFORD PLANNING

Date: March 26, 2026

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Building Department | <input checked="" type="checkbox"/> Avista Utilities | <input checked="" type="checkbox"/> Medford Irrigation District |
| <input checked="" type="checkbox"/> City Attorney – | <input checked="" type="checkbox"/> Charter Communications | <input type="checkbox"/> Rogue River Valley Irrigation |
| <input checked="" type="checkbox"/> Engineering – | <input checked="" type="checkbox"/> Hunter Communication | <input type="checkbox"/> Talent Irrigation District |
| <input checked="" type="checkbox"/> Engineering – | <input checked="" type="checkbox"/> LS Networks of So. Oregon | <input type="checkbox"/> Medford School Dist. 549C |
| <input checked="" type="checkbox"/> Engineering – Karl MacNair | <input checked="" type="checkbox"/> Lumen (Centurylink) | <input type="checkbox"/> Phoenix School District 4 |
| <input checked="" type="checkbox"/> Engineering – Jennifer Ingram | <input checked="" type="checkbox"/> Pacific Power & Light | <input type="checkbox"/> R.V. International Airport |
| <input checked="" type="checkbox"/> Fire Department | <input checked="" type="checkbox"/> Rogue Disposal | <input type="checkbox"/> OR Dept. of Aviation |
| <input checked="" type="checkbox"/> Parks & Recreation | <input checked="" type="checkbox"/> Rogue Valley Sewer Services | <input type="checkbox"/> Federal Aviation Admin. |
| <input type="checkbox"/> Police Department | <input type="checkbox"/> Rogue Valley Transit District | <input type="checkbox"/> Fire District #2 |
| <input checked="" type="checkbox"/> Water Commission | <input type="checkbox"/> US Post Office | <input type="checkbox"/> Fire District #3 |
| <input type="checkbox"/> City Manager | <input type="checkbox"/> Jackson Co. Admin. Officer | <input type="checkbox"/> ODOT |
| <input type="checkbox"/> Floodplain – Liz Hamblin | <input type="checkbox"/> Jackson Co. Health | <input type="checkbox"/> ODOT Rail |
| <input type="checkbox"/> Urban Renewal (MURA) | <input type="checkbox"/> Jackson Co. Planning | <input type="checkbox"/> OR Dept. Fish & Wildlife |
| <input type="checkbox"/> Alt Trans Advis Comm (ATAC) | <input checked="" type="checkbox"/> Jackson Co. Roads & Parks | <input type="checkbox"/> Army Corps of Engineers |
| <input type="checkbox"/> DLCDD – Josh LeBombard | <input type="checkbox"/> Jackson Co. Surveyor | <input type="checkbox"/> Bear Creek Watershed Council |

File No. Z6-26-096

Agent Contact:

Clark Stevens
clark@rsaoregon.com

Planner:

Dustin Severs
Dustin.severs@cityofmedford.org

Project Name: Malepsy Zone Change

Proposal for a zone change from SFR-00 (Single Family Residential, one dwelling unit per lot) to C-H (Heavy Commercial) of a single, vacant parcel totaling approximately 22.62 acres. The property is within Urban Planning Unit MD-6c, and is located at the intersection of S. Stage Road and Reed Lane (Address: 176 S. Stage Road) (381W05 TL 4800).

Associated files: PA-24-049, UP-24-326, ANN-24-325

A Land Development Committee meeting is scheduled for Wednesday, April 15, 2026, at 9:30 a.m. via Zoom webinar.

Topic: Land Development Meeting

Link to join the webinar: <https://us02web.zoom.us/j/83028661620>

Webinar ID: 830 2866 1620

Attached are documents for your review. Please investigate and submit a written report setting forth any necessary conditions as required of your department/agency for approval to the Planning Department within ten working days.

If no comments are received within the 10-day review period, it will be assumed that there are no comments.

If you have any questions, please contact the planner listed above. Thank you.

**BEFORE THE PLANNING COMMISSION FOR THE CITY OF
MEDFORD, JACKSON COUNTY, OREGON:**

**IN THE MATTER OF AN APPLICATION FOR)
A CHANGE IN ZONING DESIGNATION)
FROM SFR-00 TO C-H ON PROPERTY)
WITHIN URBAN RESERVE PLANNING UNIT)
MD-6c; LOCATED NORTH OF S. STAGE)
ROAD, AT INTERSECTION WITH REED)
LANE, CONTAINING 22.62 ACRES; SOUTH)
STAGE ROAD, LLC, APPLICANT; RICHARD)
STEVENS & ASSOCIATES, INC., AGENTS)**

FINDINGS OF FACT

I. RECITALS PERTAINING TO THE PROPERTY:

OWNER: Mike Malepsy
South Stage Road, LLC
PO Box 1004
Shady Cove, OR 97539

ENGINEER: Rogue Civil, LLC
52 Pine Ridge
Eagle Point, OR 97524

AGENT: Richard Stevens & Associates, Inc.
P.O. Box 4368
Medford, OR 97501
(541) 773-2646

PURPOSE OF APPLICATION:

The applicant is requesting a change of zoning designation on the subject property, which is described as T.38S-R.1W-S.05, Tax Lot 4800. The requested change of zoning is associated with 22.62 net acres on the subject property, and the requested zoning is from City of Medford Single Family Residential-00 (SFR-00) to City of Medford Heavy Commercial (C-H) zoning designation. The subject property is located north of South Stage Road and west of Starlite Lane. The subject property is currently vacant of any development. The General Land Use Plan (GLUP) map designation for the subject properties is Commercial (CM) based on the approved Urbanization Plan (UP-24-326).

Attachments:

- Exhibit A: A copy of the legal descriptions for the applicable zoning district
- Exhibit B: An assessor's map and information with the site indicated
- Exhibit C: Public Facilities plan and TIA
- Exhibit D: A current GLUP map and zoning map for the vicinity

II. APPLICABLE CRITERIA:

In order to approve a zone change and change the Official Zoning Map, the applicant must submit findings addressing Sections 10.204 of the Land Development Code. A review of Section 10.204(5) indicates that an application for a Zone Change must contain the following:

- a) A vicinity map drawn to scale of 1"=1000' identifying the proposed area of change.*
- b) An Assessor's map with the proposed zone change area identified.*
- c) Legal description of the area to be changed. Legal description shall be prepared by a licensed surveyor or title company.*
- d) Property owner's names, addresses and map and tax lot numbers within 200 feet of the subject property, typed on mailing labels.*
- e) Findings prepared by the applicant or his representative addressing the criteria for zone changes as per Section 10.204(B), Zone Change Criteria.*

FINDING:

The City of Medford finds that this application for a change in zoning designation from SFR-00 to C-H, and with the information presented in support of the application, including the applicable maps, the legal descriptions of the area to be changed, the names and addresses of all adjacent property owners within 200 feet typed on mailing labels, and findings in compliance with the requirements of Section 10.204(5), is consistent with the standards for submission as required above.

**III. COMPLIANCE WITH SECTION 10.204(2) OF THE
MEDFORD LAND DEVELOPMENT CODE:**

Section 10.204(2) provides that the approving authority (Planning Commission) shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (a) through (c) below:

- (a) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.*
- (b) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below section (b)(i), (b)(ii), (b)(iii), or (b)(iv). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.*
- (c) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive Plan.*

10.204(2)(a) CONSISTENCY WITH THE TRANSPORTATION SYSTEM PLAN AND THE GENERAL LAND USE PLAN MAP DESIGNATION:

Discussion regarding TSP:

The adopted Medford Transportation System Plan (TSP) addresses Chapter 660, Division 12 of the Oregon Administrative Rules, which provides for implementation of the Statewide Transportation Goal (Goal 12), Transportation Planning Rule (TPR). It is also designed to explain how local governments and state agencies are responsible for transportation planning to address all modes of travel including vehicles, transit, bicycles and pedestrians. The TPR envisions development of local plans that will provide changes in land use patterns and transportation systems that make it more convenient for people to walk, bicycle, use transit, and drive less.

The TSP identifies both existing and future needs and includes improvements to meet those needs. In order to achieve those needs, the TSP has established the City's goals, policies, and implementation measures in order for the City to develop and maintain its transportation system for both the short and long-term needs. Like other portions of the Comprehensive Plan, the TSP is implemented through the Development Code. Sections 10.460 and 10.461 MLDC address the requirement for a scoping letter and a Traffic Impact Analysis (TIA) when an application has the potential of generating more than 250 net average daily trips (ADT).

As identified within Exhibit "A", the subject property is requesting the C-H zoning district consisting of approximately 22.62 net acres. The existing zoning district, SFR-00, allows for one dwelling per parcel. The subject property is proposed to be developed to the MFR-30 standards, as allowed within the C-H district (Section 10.837), which does exceed the 250 ADT threshold to warrant a traffic study. Therefore, the applicant retained Ms. Parducci with Southern Oregon Transportation Engineering, LLC to prepare a TIA to evaluate traffic generation, level of service and capacity of the local street system (Exhibit C). Based on the TIA, the requested zone change, with the stipulated 265 pm peak hour trips, development on the subject property will have a minimal effect on the capacity of the existing local street system.

Based on the TIA conclusions, the only improvement/mitigation warranted is a replacement for larger all-way stop signs at the Columbus Avenue and South Stage Road intersection, and for a two-way east bound left turn at Reed Lane and South Stage Road.

Discussion regarding GLUP:

The General Land Use Plan (GLUP) map designation for the identified area of the project site is Commercial (CM). The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that the permitted zoning districts within the CM designation are C-N, C-C, C-R and C-H. The requested C-H district is consistent with the GLUP CM map designation.

FINDING:

The City of Medford finds that the subject property will create over 250 ADT to warrant a TIA. Southern Oregon Transportation Engineering has prepared a TIA, consistent with the City of Medford procedures, which demonstrates that the only areas for mitigation is for larger stop signs at Columbus Ave. and South Stage Road, along with the construction of a left turn lane on South Stage Road at Reed Lane. With these improvements completed by the applicant, the requested zone change is found to have a negligible effect on the capacity of the existing local street system, and the requested zone change to C-H is found to be consistent with the Medford TSP.

The subject property General Land Use Plan Map designation is CM; therefore, the requested C-H zoning district is consistent with the GLUP Map designation.

10.204(2)(b) CONSISTENCY WITH ADDITIONAL LOCATIONAL STANDARDS:

There is an additional locational standard applicable to the requested C-H zoning district, which is listed in Subsection 10.204(2)(b)(iii) MLDC. The applicable locational standard is:

(D) The C-H zone shall front upon an arterial street or state highway. The C-H zone may abut the General Industrial (I-G), Light Industrial (I-L), and/or any commercial zone. The C-H zone is ordinarily considered to be unsuitable if abutting any residential or I-H zones, unless the applicant can show it would be suitable pursuant to (b)(v) below.

Discussion:

The area/site proposed for the C-H zone, which is 22.62 net acres, does front upon an arterial street, being South Stage Road. All of the abutting properties are currently outside of the Medford City Limits and currently have Jackson County zoning and jurisdiction; therefore, there are no urban zoning districts that are abutting to be applicable for analysis.

The abutting property to the north is within the Medford UGB and contains the Heavy Industrial GLUP designation, and currently zoned Light Industrial within Jackson County jurisdiction. The abutting properties to the east are located within the Medford Urban Reserve, containing the future employment/commercial designation, and are currently zoned Rural Residential within Jackson County jurisdiction. The abutting properties to the south and west are outside of the Medford UGB and Urban Reserve and are zoned EFU.

FINDING:

The City of Medford finds that Section 10.204(2)(b) is applicable, and that this request is in compliance with Section 10.204(2)(b) MLDC for fronting on an arterial street requirement for the C-H district, consistent with Subsection 10.204(2)(b)(iii) MLDC.

10.204(B)(3) COMPLIANCE WITH URBAN SERVICES AND FACILITIES

The Medford Comprehensive Plan, Public Facilities Element, and the Transportation System Plan, provides the list of Category “A” urban services and facilities to be considered. These are:

Water Service
Sanitary Sewer and Treatment
Storm Drainage and
Streets, Transportation Facilities

Water Service:

Water service will be provided by the Medford Water Commission, which is currently serving properties towards the east, at the South Stage Road and Hwy 99 intersection. There is an existing 12-inch line along South Stage Road, which is within the Gravity Pressure Zone. Based on meetings with Medford Water Commission and Medford Fire, water service lines are available to be extended onto the subject site to meet minimum pressure requirements for both potable water and fire protection.

With the extension of the 12-inch water main line, water service for fire protection will be available, where fire hydrants can be developed along South Stage Road, and within the subject property.

Sanitary Sewer:

The subject property is located within the Rogue Valley Sewer Service (RVSS) district. The project engineer, Rogue Civil, LLC, has evaluated the sanitary sewer system's

ability to gravity toward the north and the applicant has acquired an easement from Harry & David benefitting RVSS to make connection with the existing main line in Starlight Lane (Exhibit C). When the sanitary sewer connection is completed, there will be sufficient capacity of the sanitary sewer system to serve the proposed C-H district, with sanitary sewer service.

Storm Drainage:

Any future development of the site will require an integrated storm sewer system, with the future construction drawings prepared and the engineering to provide the storm sewer system in accordance with the City of Medford, at the time any new development is proposed. The subject property is able to discharge storm water into the existing drainage channel traversing the subject property that naturally flows northeasterly and eventually into Bear Creek. With the engineering for storm water facilities, the change of zoning designation to C-H will have no greater impact on the availability of downstream storm water facilities in the vicinity.

Transportation:

The subject area contains approximately 22.62 net acres, currently zoned SFR-00. The proposed zoning to C-H and development will produce more than 250 ADT to warrant a traffic impact analysis. Attached, please find the TIA prepared by Ms. Parducci with Southern Oregon Transportation Engineering, LLC addressing the impacts of traffic and the improvements needed for the future development on the site.

Based on the TIA, the requested zone change, with the stipulated 265 pm peak hour trips, will have a minimal effect on the capacity of the existing local street system. The only improvement/mitigation warranted is a replacement for an all-way stop control at the Columbus Avenue and South Stage Road intersection, and for a two-way east bound left turn at Reed Lane and South Stage Road.

The applicant submits that this requested zone change, with the Southern Oregon Transportation Engineering, LLC's recommended improvements, will have a negligible effect on the capacity of the existing local street system.

FINDING:


Based upon the information contained herein, there are adequate Category "A" public facilities available for extension and connection with sufficient capacity existing to extend these facilities to serve the subject property and proposed zoning to C-H, with the future development of the site.

IV. SUMMARY AND CONCLUSIONS:

In order for an amendment to the Medford Zoning Map to be approved, the Planning Commission must find that the applicant has made the requisite findings for a change of zoning. The City of Medford concludes that upon review of the application and the above Findings of Fact, with the supporting documentation attached, it is demonstrated that this application complies with the applicable standards of the Medford Land Development Code, is consistent with GLUP map and is consistent with the Medford TSP.

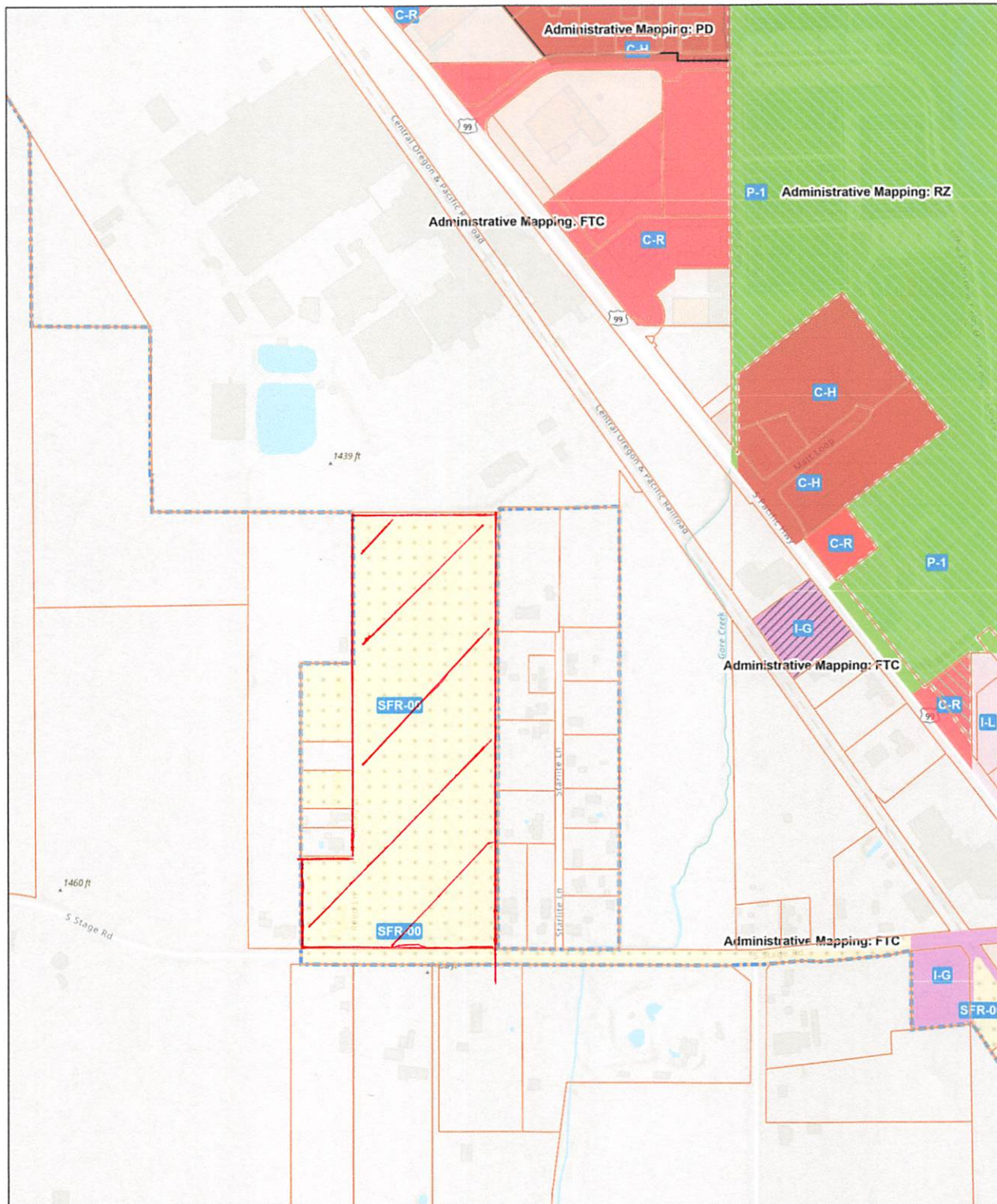
With this in mind, the applicant respectfully requests that the City of Medford designate the subject property as C-H on the Official Zoning Map for the City of Medford, Oregon.

Submitted by,

A handwritten signature in black ink, appearing to read "Clark Stevens". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Richard Stevens & Associates, Inc.

City of Medford Zoning Map



3/4/2026, 11:39:11 AM

Zoning Administrative Mapping

- Frequent Transit Corridor
- Restricted Zoning
- Planned Development

Zoning Overlays

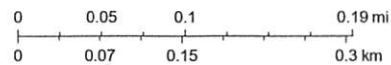
- Limited Industrial
- Public Park
- Single-Family Residential - 1 Unit

Zoning Districts - Shaded

- Heavy Commercial
- Regional Commercial
- General Industrial
- Light Industrial District

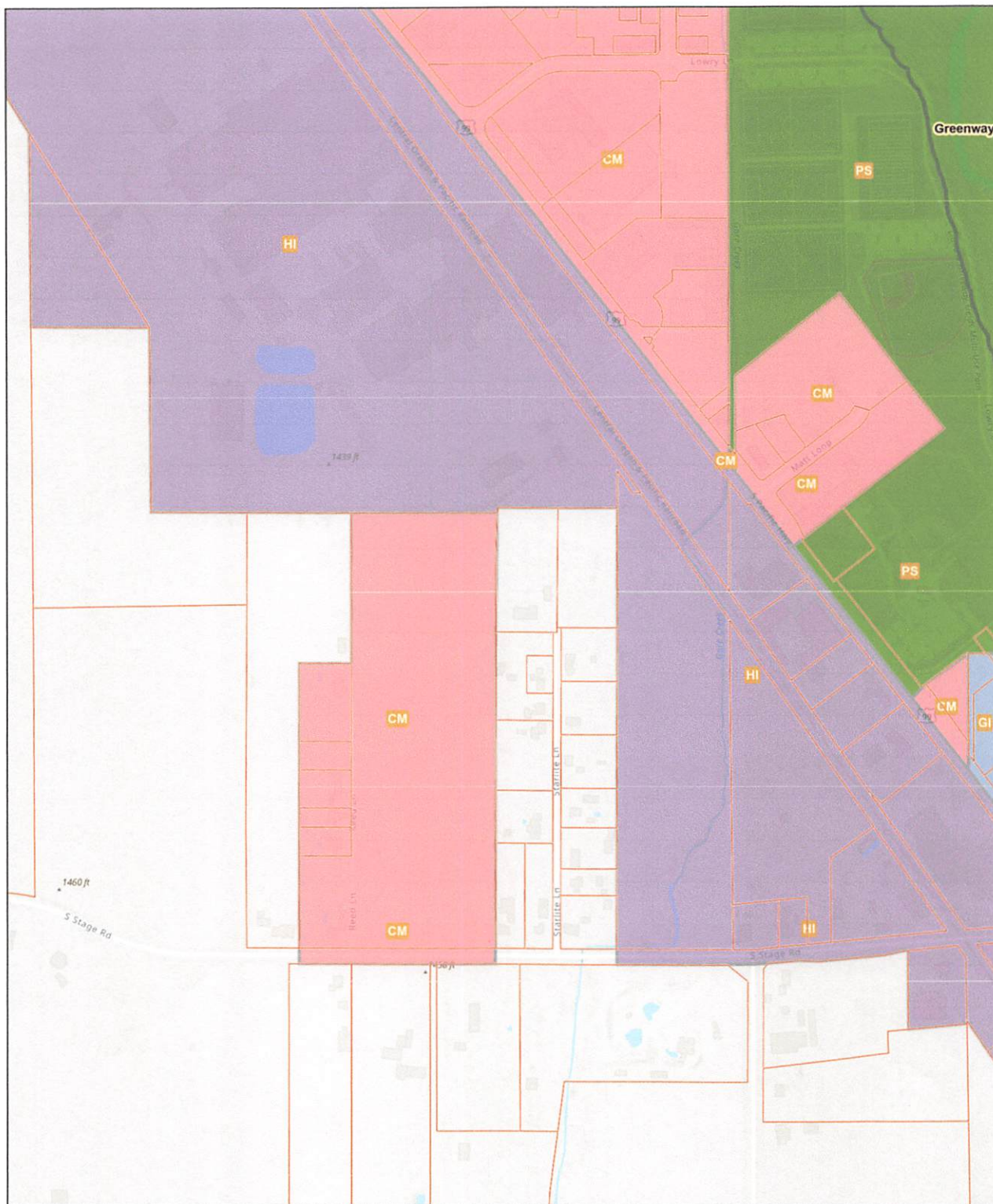
World_Hillshade

1:5,646



City of Medford, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, NASA, NGA, USGS, FEMA

City of Medford GLUP Map



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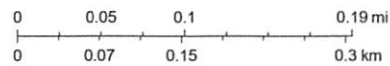
General Land Use Overlays ■ GI-GENERAL INDUSTRIAL

■ Greenways ■ HI-HEAVY INDUSTRIAL

General Land Use - Shaded ■ PS-PARKS & SCHOOLS

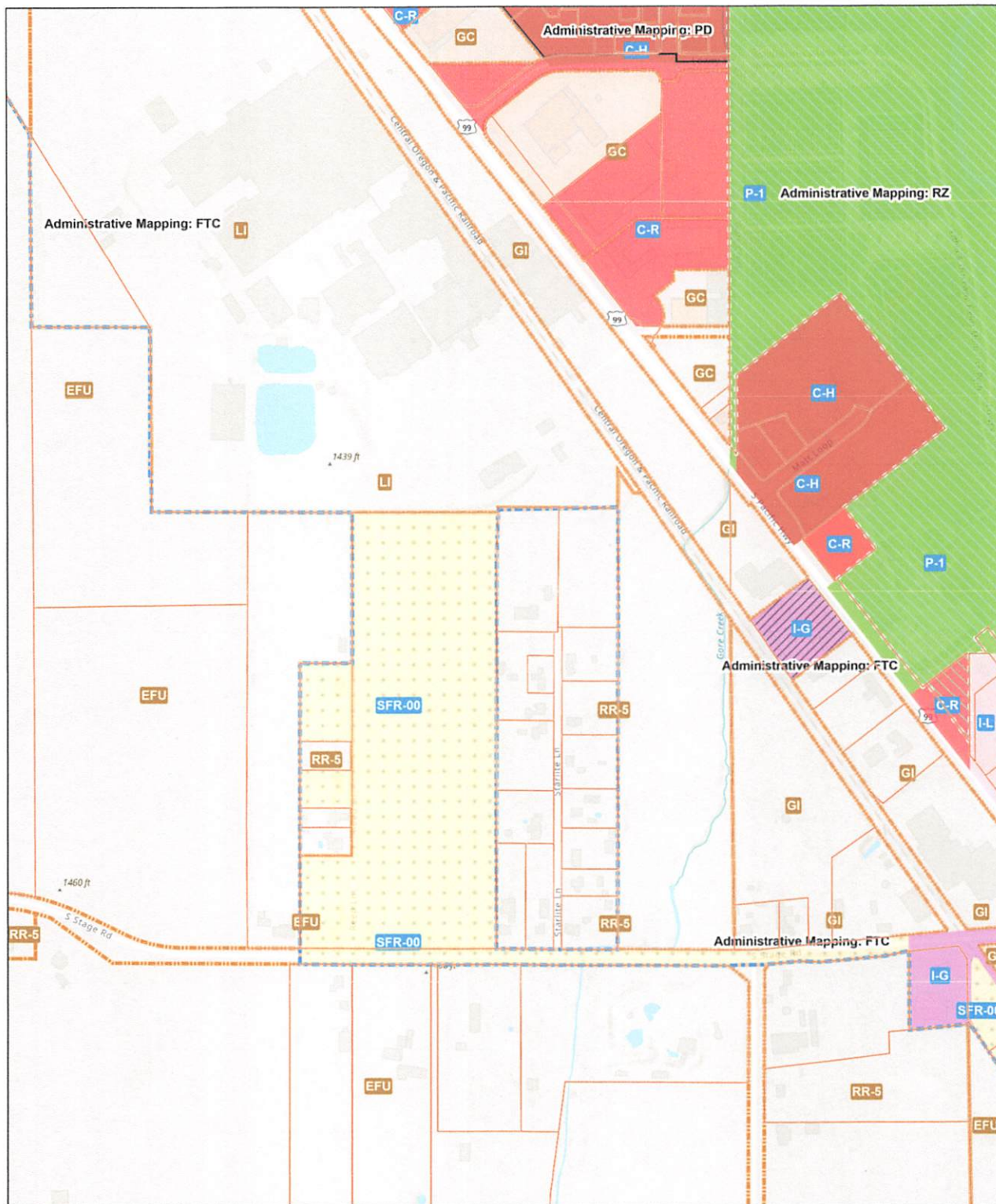
■ CM-COMMERCIAL ■ World_Hillshade

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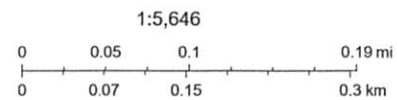
City of Medford, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, NASA, NGA, USGS, FEMA

Jackson County & City of Medford Zoning Map



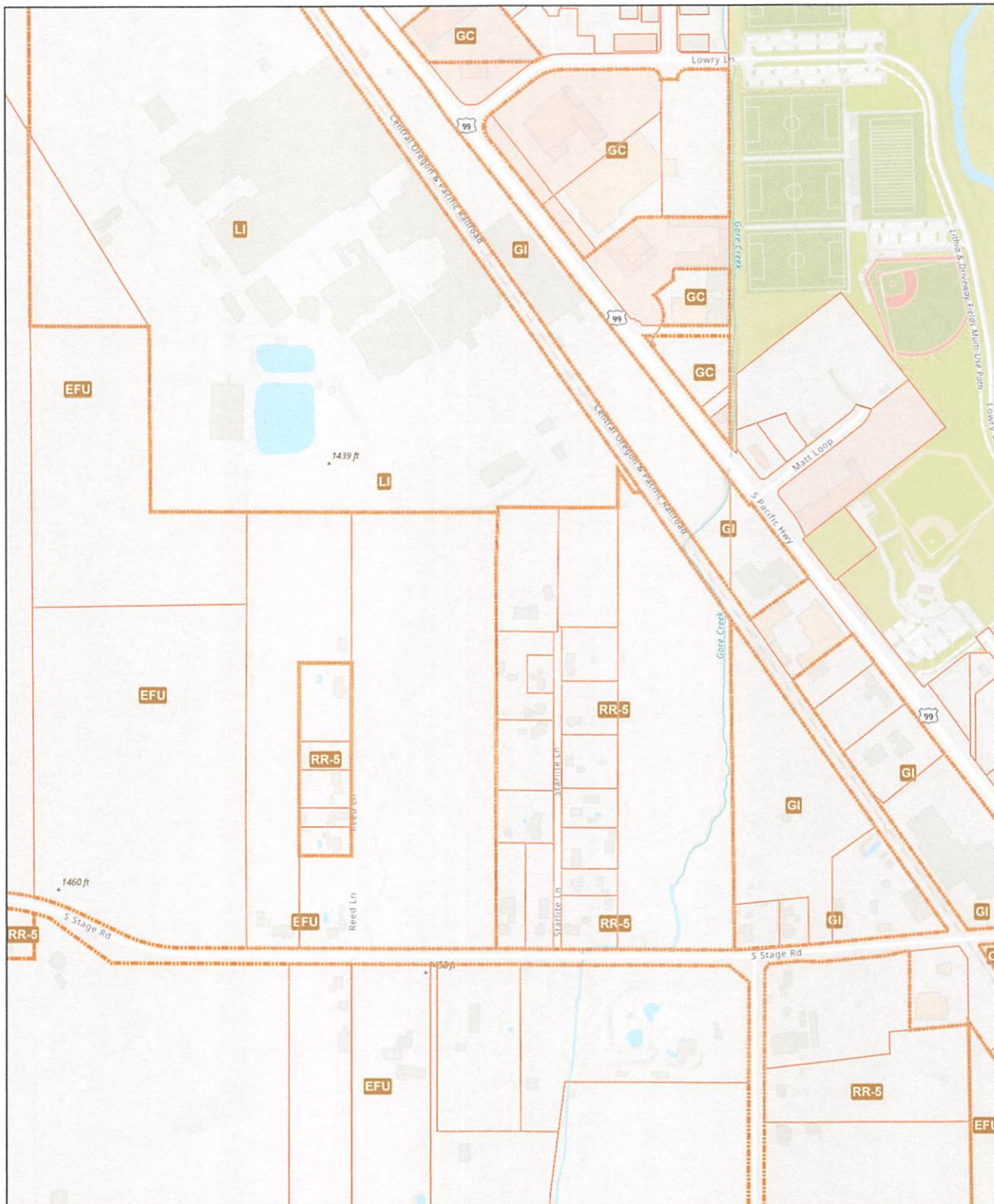
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- | | | |
|--------------------------------------|------------------------------------|---------------------------|
| Zoning Administrative Mapping | Zoning Districts - Shaded | General Industrial |
| Frequent Transit Corridor | Public Park | Light Industrial District |
| Restricted Zoning | Single-Family Residential - 1 Unit | Zoning Districts - County |
| Planned Development | Heavy Commercial | World_Hillshade |
| Zoning Overlays | Regional Commercial | |
| Limited Industrial | | |



City of Medford, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, NASA, NGA, USGS, FEMA

Jackson County Zoning Map

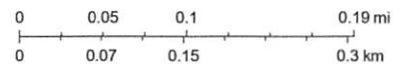


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Zoning Districts - County

World_Hillshade

1:5,646



City of Medford, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, NASA, NGA, USGS, FEMA

381W05

Jackson County, Oregon

Scale 1"=400'

CANCELLED TAX LOT NUMBERS

- 602 THRU 607
- 5600
- 2800
- 3000 THRU 4700
- 6100 THRU 7600
- 609 THRU 2300
- 4000 THRU 5300
- 7800
- 100 THRU 105
- 106
- 108
- 200 THRU 600

LEGEND

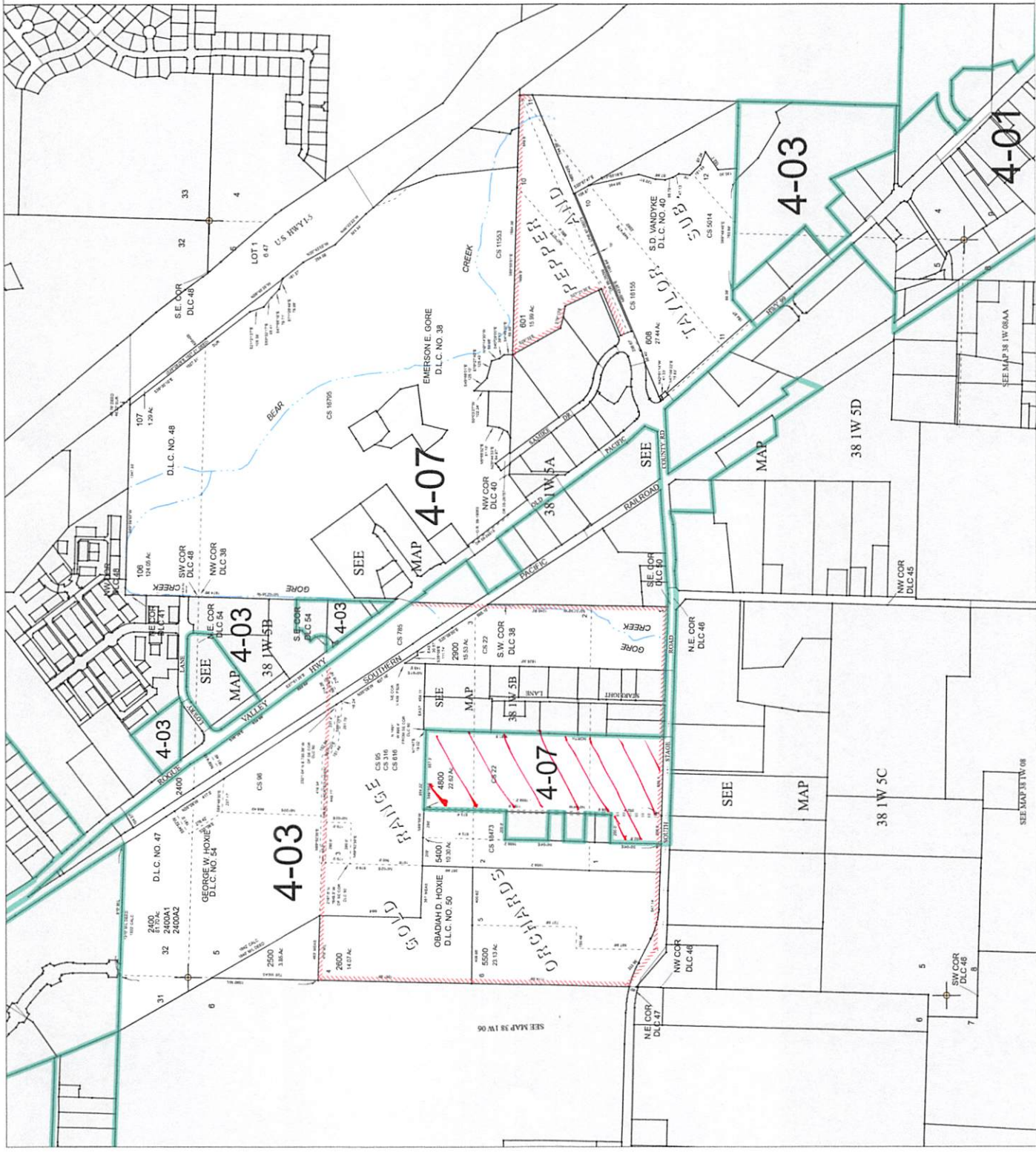
- Tax Lot Lines
- Historical Boundary
- Railroad Centerline
- Subdivision Line
- Water Body
- Anno Arrow
- Land Hook
- PLSS Corner
- Tax Code (EX 49-15)



FOR ASSESSMENT AND TAXATION ONLY

381W05

Updated: 10/27/2025



[Account Sequence](#)
 [Map TL Sequence](#)
 Assessment Year 2026
 Print Window
 Close Window

Assessment Info for Account 1-001782-5 Map 381W05 Taxlot 4800
 Report For Assessment Purposes Only Created March 04, 2026

Account Info		Tax Year 2025 Info		Land Info	
Account	1-001782-5	Pay Taxes Online		Tax Code	4-07
Map Taxlot	381W05 4800	Tax Report	Details	Acreage	22.62
Owner	SOUTH STAGE ROAD LLC	TAX Statement	Details	Zoning	
Situs Address	176 SOUTH STAGE RD MEDFORD R	Tax History	Details	Land Class	
Mailing Address	SOUTH STAGE ROAD LLC PO BOX 1004	Tax Details	Details	HS 0.00 Ac	
Appraiser	SHADY COVE OR, 97539-1004	Tax Rates	Details	IIIBI 21.62 Ac	
	154			RT 1.00 Ac	
				Property Class	551
				Unit ID	182987-1
				Maintenance Area	4
				Neighborhood	000
				Study Area	14
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History
\$ 0	Sep 15, 2021	2021-40339	Details

Value Summary Detail (For Assessment Year 2025) (2026 values are unavailable)

Market Value Summary (For Assessment Year 2025) (2026 values are unavailable)

Code Area	Type	Acreage	RMV	M5	MAV	AV
4-03	LAND	1.00	\$ 102,370	\$ 102,370		
4-03	LAND	21.62	\$ 496,440	\$ 0		
4-03	IMPR	0.00	\$ 142,200	\$ 142,200		
PSO Value History Details		Total:	\$ 741,010	\$ 244,570	\$ 156,330	\$ 156,330

Specially Assessed Value Summary (For Assessment Year 2025) (2026 values are unavailable)

Code Area	Type	Acreage	SAV	MSAV	AV
4-03	LAND	21.62	\$ 36,408		
		Total:	\$ 36,408	\$ 14,994	\$ 14,994

Total (Market + Specially Assessed) Value Summary (For Assessment Year 2025) (2026 values are unavailable)

Code Area	RMV	M5	MAV	AV
4-03	\$ 741,010	\$ 280,978	\$ 171,324	\$ 171,324

Improvements

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete
1	4-07	1945	1945	131	One story	RESIDENCE	1261	100 %

Photos and Scanned Documents

Type	Files
ACCOUNT PHOTO	2 PDF
SCANNED ASSESSOR DOCUMENTS	(See new portal) (See new portal) Portal

Improvement Comments

Account Comments

(1) GRAVEL ROAD AS O/48 >>> 2006-05-05 CONVERSION TO 2005 FACTOR BOOK. POTENTIAL RMV CHANGE ONLY - NO EXCEPTION GENERATED DUE TO THE CONVERSION. BEGINNING YEAR VALUE ADJUSTED TO REFLECT 2005 FACTOR BOOK. >>> 05/05/08: DISQUALIFIED ODFS PER FARM REVIEW. #74>>>9/25/13 NLC #154>>>

Exemptions / Special Assessments / Notations / Potential Liability

Notations			
Description	Tax Amount	Year Added	Value Amount
FARM LAND-POTENTIAL LIABILITY			
BOPTA ORDER-REDUCTION 309.120		1988	

Location Map

+
-

DOQ 2018

County of Jackson, OR, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, I... Powered by Esri

Close Window
Print Window

Jackson County Official Records	2021-040339
R-BSD	
Str=16 MORGANSS	09/23/2021 10:53:51 AM
\$20.00 \$10.00 \$11.00 \$11.00 \$60.00	\$112.00

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

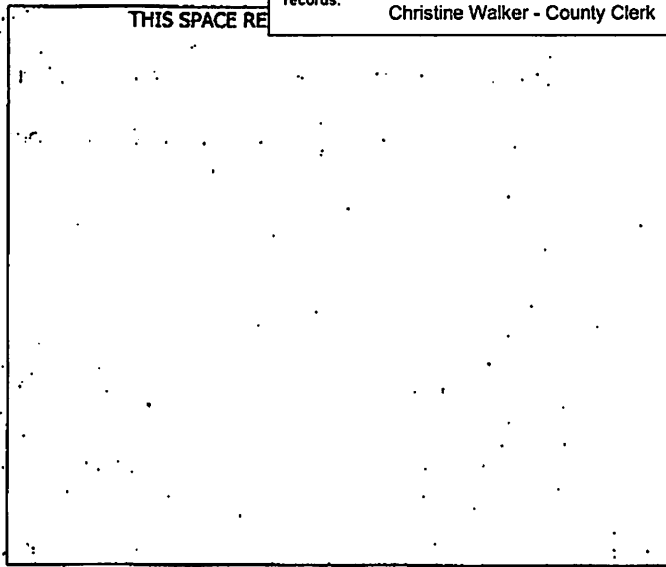


After recording return to:
South Stage Road LLC
36 Meadow Lane
Shady Cove, OR 97539

Until a change is requested all tax statements shall be sent to the following address:
South Stage Road LLC
No Change

File No.: Accom' ()

First American Title _____



STATUTORY BARGAIN AND SALE DEED

Robert J. Kolodny and Michael T. Malepsy, Grantor, conveys to **South Stage Road LLC, an Oregon Limited Liability Company**, Grantee, the following described real property:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

The true consideration for this conveyance is **\$0.00**. (Here comply with requirements of ORS 93.030)

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.

Dated this 15 day of September, 2021.

APN: 1-001782-5

Bargain and Sale Deed
- continued

File No.: 7161-2140599 (1b)

Date: 03/17/2014

Robert J. Koldony
Robert J. Koldony

Michael T. Malepsy
Michael T. Malepsy

STATE OF Oregon)
County of Jackson)ss.
)

This instrument was acknowledged before me on this 21st day of September, 2021
by Michael T. Malepsy



Laura A Barber
Notary Public for Oregon
My commission expires: 8/27/23

STATE OF _____)
County of _____)ss.
)

This instrument was acknowledged before me on this _____ day of _____, 20____
by Robert J. Koldony

Notary Public for _____
My commission expires: _____

See attached Notary acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

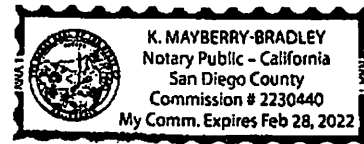
State of California)
County of San Diego)

On September 15, 2021, before me, K. Mayberry-Bradley, a Notary Public, personally appeared Robert J. Kolodny, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature K. Mayberry-Bradley



APN: 1-001782-5

Bargain and Sale Deed
- continuedFile No.: 7161-2140599 (lb)
Date: 03/17/2014**EXHIBIT A****LEGAL DESCRIPTION:** Real property in the County of Jackson, State of Oregon, described as follows:

TRACT A: Commencing at the southeast corner of Donation Land Claim No. 50 in Township 38 South, of Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence North 0°06' East 30.0 feet; thence North 89°55' West 896.7 feet to an iron pipe to the true point of beginning; thence North 89°55' West 550.1 feet; thence North 0°04' West 1659.2 feet; thence South 89°55' East 553.0 feet to the east line of tract described in Volume 256, page 384 of the Deed Records of Jackson County, Oregon; thence along said east line South 1°47' West 167.9 feet to an Iron pipe; thence South 1491.5 feet to the true point of beginning.

TRACT B: Commencing at the southeast corner of Donation Land Claim No. 50 in Township 38 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence North 0°06' East 30.0 feet and North 89°55' West 1446.8 feet to the true point of beginning; thence North 0°04' West 352.8 feet; thence North 89°55' West 200.0 feet; thence South 0°04' East 352.8 feet; thence South 89°55' East 200.0 feet to the true point of beginning, being a portion of Lot One (1) of GOLD RANGE ORCHARDS in Jackson County, Oregon, according to the official plat thereof, now of record.

NOTE: This Legal Description was created prior to January 01, 2008.

Jackson County Official Records **2023-018394**
R-E
Cnt=1 MORGANSS **08/30/2023 02:57:34 PM**
\$20.00 \$10.00 \$13.00 \$13.00 \$11.00 **Total:\$131.00**
\$60.00 \$4.00



I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

SEWER EASEMENT

The undersigned, Harry & David Operations, Inc., Grantor, for valuable consideration, hereby grants to the Rogue Valley Sewer Services, Jackson County, Oregon, its successors and assigns, Grantee, a perpetual right-of-way and easement to construct, reconstruct, operate, repair, and maintain sewer lines and all necessary related facilities over, across, and under the following described real property location to-wit:

A permanent easement 15 feet in width lying 7.5 feet on both sides of the centerline of a sanitary sewer line as now surveyed or as may be hereinafter constructed, said centerline being more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference for the benefit of the property more fully described in Exhibit "B" attached hereto and incorporated by this reference for the benefit of Grantee.

TO HAVE AND TO HOLD the above easement(s) unto said Grantee, its successors and assigns forever.

Grantor attests that it has the unrestricted right and legal authority to convey the easement(s) granted herein.

Grantor shall have the right to use the surface area within the above easement in any reasonable manner that does not interfere with the sewer facilities placed within the easement, including for driveways, walkways, agricultural planting, ornamental landscaping and fencing, but Grantor shall place no structures, walls, or deep-rooted trees thereon. No person, other than Rogue Valley Sewer Services, shall be allowed to dig in this easement without prior written approval from both Grantor and Grantee. Permanent, unobstructed access shall be maintained to all manholes. Grantor also agrees to not alter or change surface elevations more than 24 inches without approval of Grantee.

The Grantee shall fill all excavations as soon as practicable after opening; dispose of all brush and debris; and replace in their former condition all driveways, walkways, trees, ornamental shrubs, and crops, if practicable, and as soon as practicable after damage or destruction, but if not practicable, then pay to Grantor, its heirs and assigns, the reasonable value thereof.

HARRY & DAVID OPERATIONS, INC.

[Handwritten signature of Edward E. Ford III]

By Edward E. Ford III, its SVP and Treasurer

STATE OF OREGON)

County of Jackson)

ss:

Date: July 19, 2023

Personally appeared before me the above named Edward E. Ford III, ^{SVP/Treasurer of Harry & David Operations, Inc.} and acknowledged the foregoing instrument to be their (his/her/their) voluntary act and deed.



[Handwritten signature of Sheila D Tuttle Hamel]

Notary Public for Oregon

My Commission Expires: Nov. 8, 2024

ROGUE VALLEY SEWER SERVICES

[Handwritten signature of Carl Tappert]

By Carl Tappert, Manager

STATE OF OREGON)

County of Jackson)

ss:

Date: 8/24/2023

Personally appeared before me the above named Carl Tappert, Manager, Rogue Valley Sewer Services and acknowledged the foregoing instrument to be his (his/her/their) voluntary act and deed.



[Handwritten signature of Angela M Forster]

Notary Public for Oregon

My Commission Expires: February 07, 2025

Exhibit "A"

EXHIBIT A

Located in:
 the Northeast Quarter of Section 5,
 Township 38 South, Range 1 West, Willamette Meridian,
 Jackson County, Oregon

Permanent Sanitary Sewer Easement:

A parcel of land lying in the northeast quarter, northwest quarter Section 5, Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon and being a portion of that property described in Bargain and Sale Deed to Bear Creek Operations, Inc., a Delaware Corporation and recorded March 28, 1996 as instrument no. 96-09725 Jackson County Official Records, and center line is more specifically described thus:

Commencing at the southeast corner of Donation Land Claim No. 50, Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence North, 1691.0 feet and West, 890.4 feet to a 7/8" iron pin set on the southerly boundary of that tract described in Volume 413, Page 352 of the Jackson County Official Records; thence continuing along said southerly boundary, North 01°49' East, 19.02 feet; thence South 89°58' East, 458.11 to a point on the easterly line of that property described in instrument 96-09725; thence North 00°01' East, along said easterly line, 7.50 feet to the True Point of Beginning of this center line description; thence leaving said easterly line, North 89°58' 00" West, along a line parallel with, 7.50 feet northerly of said southerly line, and the extension thereof, 463.95 feet; thence South 42°07'18" West, 35.67± feet to a point on the south line of last said instrument and the point of terminus for this legal description.

Sidelines are 7.50' from center line description above; Extend and Truncate the sidelines to terminate on the said easterly and southerly lines.

The area to which this description applies contains 7494± square feet.

The basis of bearing is the southerly line of that property described in instrument 96-09725, with a bearing of North 89°53'00" West.

SURVEY BY:
 Pariani Land Surveying
 P.O. Box 551
 Shady Cove, Oregon 97539

SURVEY FOR:
 Rogue Valley Sewer Services
 135 West Vlas Road
 Central Point, OR 97502

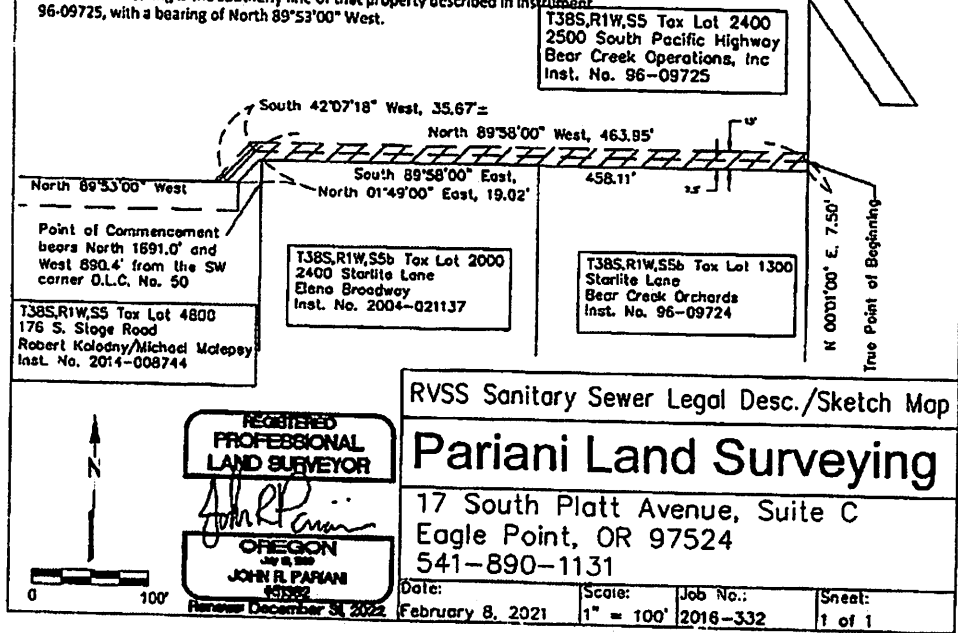


Exhibit "B"

LEGAL DESCRIPTION: Real property in the County of Jackson, State of Oregon, described as follows:

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