

RESOLUTION NO. 3151

A RESOLUTION OF THE BEND CITY COUNCIL APPROVING A PROPERTY TAX EXEMPTION FOR PACIFIC CREST AFFORDABLE HOUSING FOR THE CANAL COMMONS PROJECT AS AUTHORIZED BY OREGON REVISED STATUTE 307.515 TO 307.537 AND CITY COUNCIL RESOLUTION 2436

Findings

- A. The City Council adopted Resolution 2436 authorizing tax exemptions for qualified rental housing projects on November 19, 2003, consistent with ORS 307.515 to 307.537.
- B. Pacific Crest Affordable Housing, LLC submitted an application for tax exemption for the project named Canal Commons located north of Butler Market adjacent to the future Empire Ave., Bend, OR 97701, under Resolution 2436.
- C. The property meets the requirements of Resolution 2436 and ORS 307.515 to 307.537. The property is located within the limits of the City of Bend and is a multi-unit project containing 3 or more units that will be occupied solely by low income persons, offered for rent or held for the purpose of developing qualified rental housing, the purchase of the property and/or the construction of the housing development is supported by federal or state funding, and the required rent payments reflect the full value of the tax exemption.
- D. The Bend-LaPine School District, Bend Parks and Recreation District, and Deschutes County have granted a similar tax exemption, provided the City of Bend grants approval for this tax exemption. The combined exempted taxes of the School District and the City exceed 51% of all property taxes imposed on the Canal Commons property.
- E. The Canal Commons project qualifies for a property tax exemption under Resolution 2436 and ORS 307.515 to 307.537.

Based on these findings, the Bend City Council resolves as follows:

Section 1. The property tax exemption for the Canal Commons project is approved. The exemption is for a period of 20 years, commencing July 1, 2020, under the City's tax exemption program for qualified rental housing, Resolution No. 2436, as allowed under Oregon Revised Statutes 307.515 to 307.537. City staff is directed to take such further steps as are necessary to implement the tax exemption.

Section 2. The project for which the tax exemption is approved is described as follows:

Project name and address:

Canal Commons, north of Butler Market adjacent to the new Empire Ave.,
Bend, OR 97701

Owner's name and address:

Pacific Crest Affordable Housing, LLC, 5 NW Minnesota Avenue, Suite
210, Bend, OR 97703

Description of housing:

48 unit rental complex located in NE Bend for families and individuals at or
below 60% AMI

Legal description of property is included in Attachment A:

Description of the portion of project that is approved:

100% of the project is approved for tax exemption

Section 3. Termination of Exemption

The property tax exemption for the Canal Commons project is subject to the provisions of ORS 307.529 to 307.531 regarding termination of the exemption. If, after an application for exemption under has been approved, the City of Bend finds that:

- a) construction or development of Canal Commons differs from the construction or development described in the application for exemption,
- b) the units are not reserved exclusively for families and individuals earning equal to or less than 60% of median family income,
- c) any provision of ORS 307.515 to 307.523 is not being complied with, or
- d) any provision required by the City of Bend pursuant to ORS 307.515 to 307.523 is not being complied with,

The City of Bend shall follow the procedures outlined in ORS 307.529 to 307.531 to terminate the exemption. Per ORS 307.533, the tax rolls shall be corrected and taxes shall become due beginning January 1 of the first assessment year following the date on which the noncompliance first occurred.

Adopted by the Bend City Council on April 3 2019.

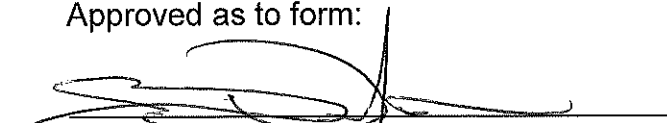
YES: Sally Russell, Mayor NO: none
Bruce Abernethy
Barb Campbell
Bill Moseley
Justin Livingston
Gena Goodman-Campbell
Chris Piper


Sally Russell, Mayor

ATTEST:


Robyn Christie, City Recorder

Approved as to form:


Mary Winters, City Attorney

Resolution Canal Commons Tax Exemption
Attachment A

Legal Description of Property:

All in Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, Section Twenty-two (22) within the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) and the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) bounded as follows:

On the east section line of Section 22; on the north by the south boundary of the North Unit Main Canal; on the south by the north right of way of Butler Market Road; on the west by property line with the Milton E. Thompson property which is 1274.75 feet bearing North 00°11'45" East.

TOGETHER WITH a parcel of land situated in the East Half of the East Half (E1/2E1/2) of Section 22, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon and described as follows:

Beginning at a point, a #5 plastic-capped steel rod set along the East-West C1/4 line of Section 22, from which the E1/4 corner thereof bears North 89°58'18" East 400.00 feet; thence South 00°03'27" West 259.62 feet to a point; thence 216.97 feet along the arc of a 859.90 foot radius curve, the chord of which bears North 51°14'43" West 216.39 feet to a point; thence North 65°38'45" West 444.80 feet to a point along the South line of the NUID Main Canal; thence along said South line North 78°21'27" East 445.57 feet to a point; thence continuing along said South line 78.93 feet along the arc of a 480.30 foot radius curve, the chord of which bears North 84°03'55" East 78.84 feet to a point; thence continuing along said South line North 88°43'28" East 74.55 feet to a point; thence South 00°16'51" West 128.99 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to Trinity Evangelical Lutheran Church of Bend by deed recorded October 11, 1994 in Book 354, Page 1674, Deschutes County Records.

ALSO EXCEPTING THEREFROM that portion conveyed to John S. McBride in deed recorded November 20, 1989 in Book 196, Page 2955, Deschutes County Records; that portion conveyed to Bruce P. & Marla Ann Snyder in deed recorded July 26, 1990 in Book 214, Page 1712, Deschutes County Records; that portion conveyed to Michael S. & Shannon K. Polk in deed recorded November 30, 1993 in Book 320, Page 2778, Deschutes County Records; that portion conveyed to John H. Schubert & Pamela A. Mathews in deed recorded November 22, 1989 in Book 197, Page 0482, Deschutes County Records; that portion conveyed to Arnold & Donna M. Mitzel in deed recorded January 8, 1990 in Book 200, Page 0764, Deschutes County Records; that portion conveyed to Neil & Stella Mackey in deed recorded October 23, 1989 in Book 194, Page 2726, Deschutes County Records; and that portion conveyed to Rick

H. & Cheryl C. Evans in deed recorded November 29, 1993 in Book 320, Page 2090, Deschutes County Records.

ALSO EXCEPTING THEREFROM the following:

Situated in the Northeast One-quarter of the Southeast One-quarter of Section Twenty-two (22), Township Seventeen (17) South, Range Twelve (12), East of the Willamette Meridian, City of Bend, Deschutes County, Oregon:

Beginning at the East One-quarter corner of said Section 22, said point also being the Northwest corner of NASU PARK (CS08382); thence South $89^{\circ}45'32''$ West, a distance of 20.00 feet to the Northwest corner of the lot line adjustment survey (CS02696) by Raymond Oman; thence South $00^{\circ}01'11''$ East on the West line of said survey, a distance of 648.25 feet to the intersection point with the proposed Easterly right of way line of the Empire Avenue extension and the beginning of a non-tangent 959.90 foot radius curve left (the radius bears South $72^{\circ}53'30''$ West); thence on said curve and said Easterly right of way line through a central angle of $48^{\circ}37'09''$ (the long chord bears North $41^{\circ}25'05''$ West, 790.32 feet, an arc distance of 814.54 feet to the end thereof; thence North $65^{\circ}43'39''$ West, a distance of 302.28 feet to a point on the South line of the North Unit Main Canal; thence on said South line North $79^{\circ}16'33''$ East, a distance of 269.70 feet to the beginning of a tangent 483.00 foot radius curve right; thence on said curve through a central angle of $9^{\circ}22'56''$ (the long chord bears North $83^{\circ}58'01''$ East, 79.00 feet) an arc distance of 79.09 feet to the end thereof; thence North $88^{\circ}39'29''$ East, a distance of 475.19 feet to a point on the East line of said Section 22; thence South $00^{\circ}11'05''$ West on said East Section line a distance of 138.21 feet to the point of beginning.