

RESOLUTION 3195

RESOLUTION EXERCISING THE POWER OF EMINENT DOMAIN

Findings

A. The City of Bend adopted Resolution 3175 on October 2, 2019, declaring the necessity and public purpose of Phase 2 of the North Interceptor Sewer Project (the "Project"), under the North Interceptor Sewer Project Design-Build Contract with M.A. Mortenson Company, dated June 14, 2018, as amended October 2, 2019.

B. The City of Bend has the authority to exercise the power of eminent domain under the City of Bend Charter, ORS 223.105, ORS 224.020, and ORS Chapter 35 when deemed necessary by the City of Bend's governing body to accomplish public purposes. The City has the authority to engage in activities that promote the health, safety, benefit and general welfare of the public and is authorized to acquire, own, construct, and operate utilities and sewer systems within and without city limits.

C. The Project has been planned in accordance with appropriate engineering standards for the construction of sanitary sewer infrastructure so that health and property damage risk is minimized, economic development promoted, and environmental laws upheld.

D. A portion of the Project ("Segment 3") is planned to be located from the northwestern corner of the Juniper Ridge Overlay Zone west of the railroad right of way, along and across US-97, and terminating east of Clausen Drive. To accomplish Segment 3, it is necessary to acquire the interests in property described in Attachment A.

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

Section 1. The Council accepts the Findings as facts in support of this Resolution. The Project is necessary to accomplish public purposes. The properties being acquired are necessary for the construction of the Project and are in the public interest. The Project has been planned, designed, located, and will be constructed in a manner which will be most compatible with the greatest public good and the least private injury.

Section 2. The power of eminent domain is exercised with respect to each of the properties and interests in property described in Attachment A. Each is acquired subject to payment of just compensation and subject to procedural requirements of Oregon law.

Section 3. On behalf of the City, the City Manager or designee is authorized and requested to attempt to agree with the owner and other persons in interest as to the compensation to be paid for each acquisition. In the event that no satisfactory agreement can be reached, the City Manager or designee is

authorized to commence and prosecute condemnation proceedings for the purpose of acquiring the easements described in Attachment A.

Section 4. The City of Bend expressly reserves jurisdiction to determine the necessity or propriety of any acquisition, its quantity, quality, or locality, and to change or abandon any acquisition.

Section 5. This resolution takes effect immediately upon adoption.


Adopted by a vote of the Bend City Council on February 19, 2020.

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

Segment 3 Temporary Construction and Permanent Easements

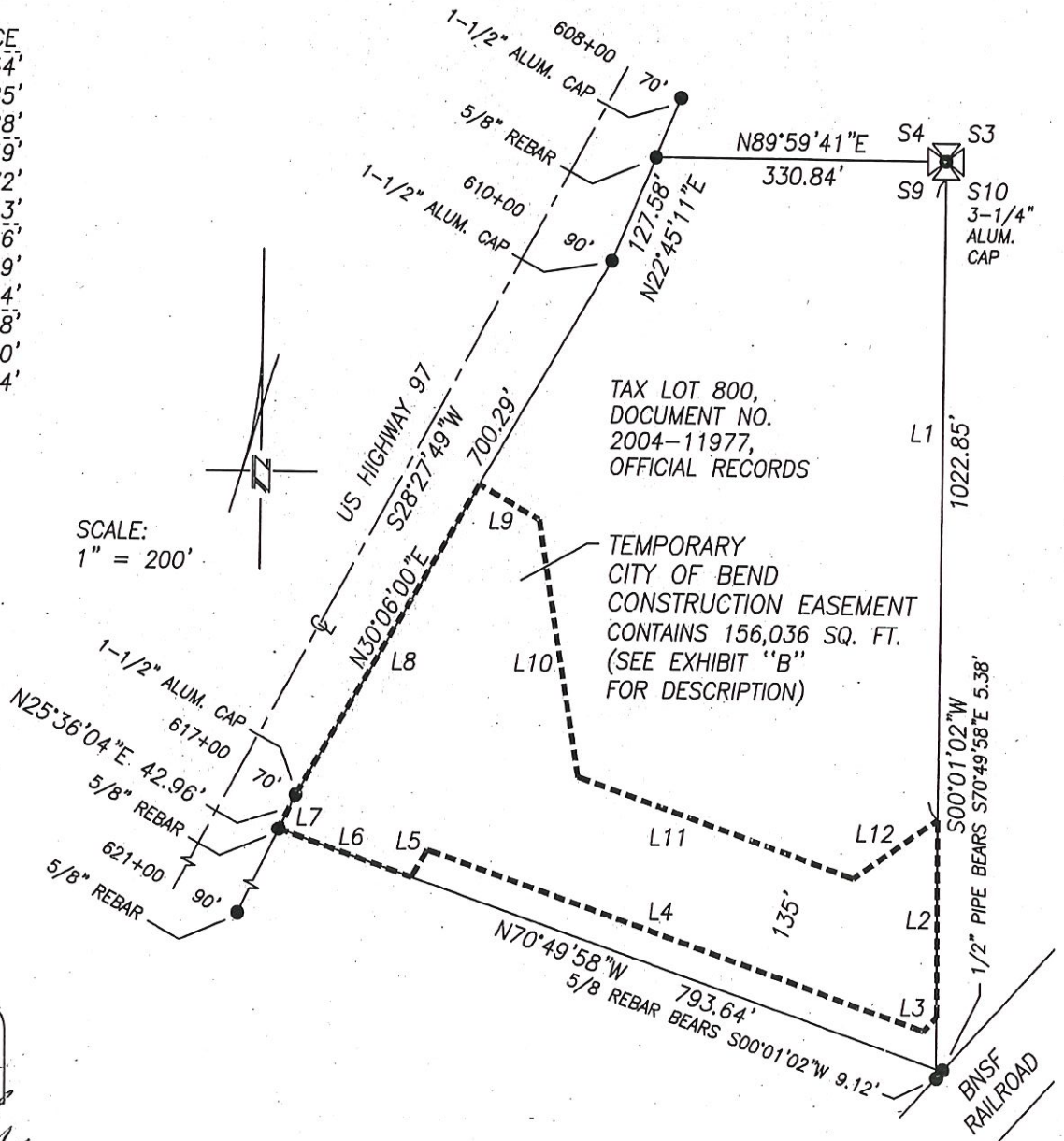
MONUMENTS

NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
2112	409737.588	3299590.810	3380.940	1-1/2" ALUM CAP
2117	406876.029	3297936.910	3430.070	1-1/2" ALUM CAP
2120	407024.445	3297992.621	3422.200	5/8" REBAR & YPC
2415	407024.485	3297467.084	3432.030	5/8" REBAR & YPC
2416	407024.176	3297403.601	3432.420	5/8" REBAR & YPC (BENT)
2417	406892.496	3297422.734	3435.710	5/8" REBAR & YPC
2419	407024.625	3297272.827	3437.030	5/8" REBAR & YPC
2420	407042.588	3297264.826	3437.420	'X' IN ROCK
2421	407043.031	3297359.675	3435.030	5/8" REBAR (NO CAP)
2422	406797.292	3297601.192	3442.250	5/8" REBAR & YPC
2423	407339.938	3298124.505	3406.070	1-1/2" ALUM CAP
2425	409669.947	3299562.476	3379.080	5/8" REBAR (NO CAP, BENT)
2426	409552.120	3299513.022	3379.970	1-1/2" ALUM CAP (BENT)
2427	409669.910	3299893.255	3376.280	3-1/4" ALUM CAP
2428	408946.456	3299161.795	3402.980	1-1/2" ALUM CAP
2429	408907.608	3299143.378	3403.360	5/8" REBAR & YPC
2430	408585.172	3298988.759	3402.310	5/8" REBAR (NO CAP)
2431	408490.400	3298937.385	3407.580	5/8" REBAR & YPC
2432	408145.728	3298750.450	3406.140	1-1/2" ALUM CAP (BENT)
2433	408638.139	3299892.960	3414.770	5/8" REBAR & YPC
2434	408645.294	3299898.027	3414.030	1/2" PIPE (NO CAP)
2435	407046.515	3298200.766	3423.380	5/8" REBAR & YPC
2436	406988.316	3298174.191	3423.640	5/8" REBAR & YPC
2437	407047.528	3298447.349	3433.970	1/2" REBAR (NO CAP)
2438	407553.689	3298551.538	3415.290	1/2" REBAR (NO CAP)
2439	407652.253	3298457.464	3413.940	1/2" REBAR (NO CAP)
2440	407831.191	3298563.697	3413.780	1-1/2" ALUM CAP
2441	407650.632	3298456.915	3413.740	5/8" REBAR & YPC
2442	407272.207	3298302.272	3417.880	1-1/2" ALUM CAP
2443	407025.050	3298582.512	3421.040	2-1/2" ALUM CAP
2444	408489.120	3299892.861	3419.520	5/8" REBAR & YPC (HWA)
2445	408489.227	3299892.874	3419.510	5/8" REBAR & YPC (WHP)
2446	408810.938	3300211.719	3412.770	5/8" REBAR & YPC
2447	408636.238	3300404.270	3412.830	5/8" REBAR & YPC
2448	409676.107	3300834.909	3398.580	5/8" REBAR & YPC

EXHIBIT "A"

TEMPORARY CITY OF BEND CONSTRUCTION EASEMENT, LOCATED IN THE NE1/4 NE1/4 OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M., TAX LOT 17 12 09A0 800, DESCHUTES COUNTY, OREGON

LINE NO.	DIRECTION	DISTANCE
L1	S00°01'02"W	742.54'
L2	S00°01'02"W	221.85'
L3	S42°13'30"W	21.88'
L4	N70°50'00"W	599.59'
L5	S30°06'00"W	35.72'
L6	N70°49'58"W	159.53'
L7	N25°36'04"E	42.96'
L8	N30°06'00"E	407.09'
L9	S59°54'00"E	79.04'
L10	S09°17'10"E	292.68'
L11	S70°50'00"E	334.70'
L12	N54°48'32"E	116.54'



TAX LOT 800,
DOCUMENT NO.
2004-11977,
OFFICIAL RECORDS

TEMPORARY
CITY OF BEND
CONSTRUCTION EASEMENT
CONTAINS 156,036 SQ. FT.
(SEE EXHIBIT "B"
FOR DESCRIPTION)

SCALE:
1" = 200'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

William G. Bahrke

OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

PREPARED JANUARY 30, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

FOUND MONUMENT AT CORNER - ●

THE BEARINGS SHOWN HEREON ARE BASED
ON THE CENTRAL OREGON COORDINATE SYSTEM

EXHIBIT "B"

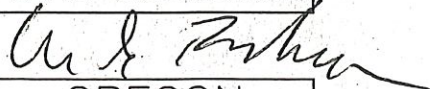
DESCRIPTION OF A TEMPORARY
CITY OF BEND CONSTRUCTION EASEMENT,
LOCATED IN THE NE1/4 NE1/4 OF SECTION 9,
TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
TAX LOT 17 12 09A0 800,
DESCHUTES COUNTY, OREGON

COMMENCING AT A 3-1/4" ALUMINUM CAP MONUMENTING THE
NORTHEAST CORNER OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12
EAST, WILLAMETTE MERIDIAN, ALSO BEING THE NORTHEAST CORNER
OF A TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2004-11977,
DESCHUTES COUNTY OFFICIAL RECORDS; THENCE S00°01'02"W ALONG
THE EAST LINE OF THE NE1/4 OF SAID SECTION 9, AND ALONG THE
EAST LINE OF SAID TRACT, 742.54 FEET TO THE POINT OF
BEGINNING; THENCE S00°01'02"W ALONG SAID EAST LINES, 221.85
FEET; THENCE S42°13'30"W, 21.88 FEET; THENCE N70°50'00"W,
599.59 FEET; THENCE S30°06'00"W, 35.72 FEET TO THE SOUTH
LINE OF SAID TRACT; THENCE N70°49'58"W ALONG SAID SOUTH
LINE, 159.53 FEET TO A 5/8" REBAR ON THE EAST RIGHT-OF-WAY
LINE OF STATE HIGHWAY U.S. NO. 97; THENCE N25°36'04"E ALONG
SAID EAST RIGHT-OF-WAY LINE, 42.96 FEET TO A 1-1/2" ALUMINUM
CAP AT ENGINEER'S STATION 617+00, 70 FEET LEFT; THENCE
N30°06'00"E ALONG SAID EAST RIGHT-OF-WAY LINE, 407.09 FEET;
THENCE S59°54'00"E, 79.04 FEET; THENCE S09°17'10"E, 292.68
FEET; THENCE S70°50'00"E, 334.70 FEET; THENCE N54°48'32"E,
116.54 FEET TO THE POINT OF BEGINNING.

THE SAME CONTAINING 156,036 SQUARE FEET (3.58 ACRES).

A SKETCH OF THE EASEMENT DESCRIBED ABOVE IS SHOWN ON THE
ATTACHED EXHIBIT "A", WHICH IS HEREBY INCORPORATED BY
REFERENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

PREPARED JANUARY 30, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

EXHIBIT "A"

PERMANENT CITY OF BEND
SEWER EASEMENT, LOCATED IN
THE NE1/4 NE1/4 OF SECTION 9,
TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
TAX LOT 17 12 09A0 800,
DESCHUTES COUNTY, OREGON

LINE DATA

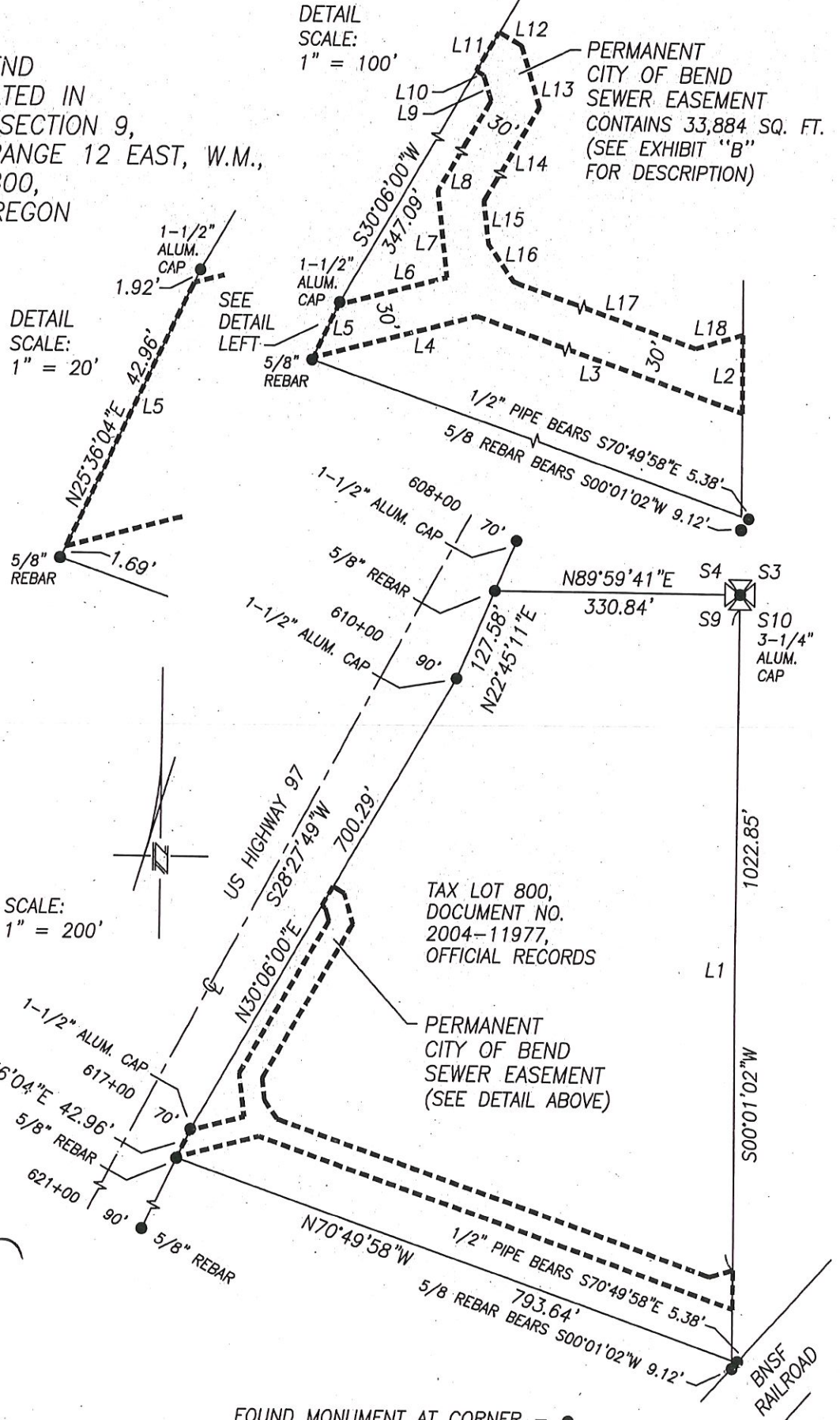
NO.	DIRECTION	DISTANCE
L1	S00°01'02"W	901.54'
L2	S00°01'02"W	52.41'
L3	N70°50'00"W	676.48'
L4	S75°16'34"W	113.68'
L5	N25°36'04"E	39.35'
L6	N75°16'34"E	75.10'
L7	N06°30'08"W	58.49'
L8	N30°11'34"E	236.91'
L9	N16°52'50"W	17.88'
L10	N59°54'00"W	5.85'
L11	N30°06'00"E	30.00'
L12	S59°54'00"E	17.67'
L13	S16°52'50"E	42.78'
L14	S30°11'34"W	240.03'
L15	S06°30'08"E	29.21'
L16	S34°08'18"E	30.13'
L17	S70°50'00"E	617.34'
L18	N73°02'54"E	33.10'

DETAIL SCALE:
1" = 20'

DETAIL SCALE:
1" = 100'

PERMANENT CITY OF BEND
SEWER EASEMENT
CONTAINS 33,884 SQ. FT.
(SEE EXHIBIT "B"
FOR DESCRIPTION)

SCALE:
1" = 200'



TAX LOT 800,
DOCUMENT NO.
2004-11977,
OFFICIAL RECORDS

PERMANENT
CITY OF BEND
SEWER EASEMENT
(SEE DETAIL ABOVE)

REGISTERED
PROFESSIONAL
LAND SURVEYOR

William G. Bahrke
OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

PREPARED JANUARY 30, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
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FOUND MONUMENT AT CORNER - ●

THE BEARINGS SHOWN HEREON ARE BASED
ON THE CENTRAL OREGON COORDINATE SYSTEM

EXHIBIT "B"

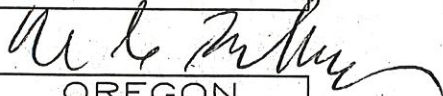
DESCRIPTION OF A PERMANENT
CITY OF BEND SEWER EASEMENT,
LOCATED IN THE NE1/4 NE1/4 OF SECTION 9,
TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
TAX LOT 17 12 09A0 800,
DESCHUTES COUNTY, OREGON

COMMENCING AT A 3-1/4" ALUMINUM CAP MONUMENTING THE
NORTHEAST CORNER OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12
EAST, WILLAMETTE MERIDIAN, ALSO BEING THE NORTHEAST CORNER
OF A TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2004-11977,
DESCHUTES COUNTY OFFICIAL RECORDS; THENCE S00°01'02"W ALONG
THE EAST LINE OF THE NE1/4 OF SAID SECTION 9, AND ALONG THE
EAST LINE OF SAID TRACT, 901.54 FEET TO THE POINT OF
BEGINNING; THENCE S00°01'02"W ALONG SAID EAST LINES, 52.41
FEET; THENCE N70°50'00"W, 676.48 FEET; THENCE S75°16'34"W,
113.68 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY
U.S. NO. 97; THENCE N25°36'04"E ALONG SAID EAST RIGHT-OF-WAY
LINE, 39.35 FEET, FROM WHICH A 1-1/2" ALUMINUM CAP AT
ENGINEER'S STATION 617+00, 70 FEET LEFT BEARS N25°36'04"E,
1.92 FEET; THENCE N75°16'34"E, 75.10 FEET; THENCE
N06°30'08"W, 58.49 FEET; THENCE N30°11'34"E, 236.91 FEET;
THENCE N16°52'50"W, 17.88 FEET; THENCE N59°54'00"W, 5.85
FEET TO SAID EAST RIGHT-OF-WAY LINE, FROM WHICH SAID 1-1/2"
ALUMINUM CAP BEARS S30°06'00"W, 347.09 FEET; THENCE
N30°06'00"E ALONG SAID EAST RIGHT-OF-WAY LINE, 30.00 FEET;
THENCE S59°54'00"E, 17.67 FEET; THENCE S16°52'50"E, 42.78
FEET; THENCE S30°11'34"W, 240.03 FEET; THENCE S06°30'08"E,
29.21 FEET; THENCE S34°08'18"E, 30.13 FEET; THENCE
S70°50'00"E, 617.34 FEET; THENCE N73°02'54"E, 33.10 FEET
TO THE POINT OF BEGINNING.

THE SAME CONTAINING 33,884 SQUARE FEET.

A SKETCH OF THE EASEMENT DESCRIBED ABOVE IS SHOWN ON THE
ATTACHED EXHIBIT "A", WHICH IS HEREBY INCORPORATED BY
REFERENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

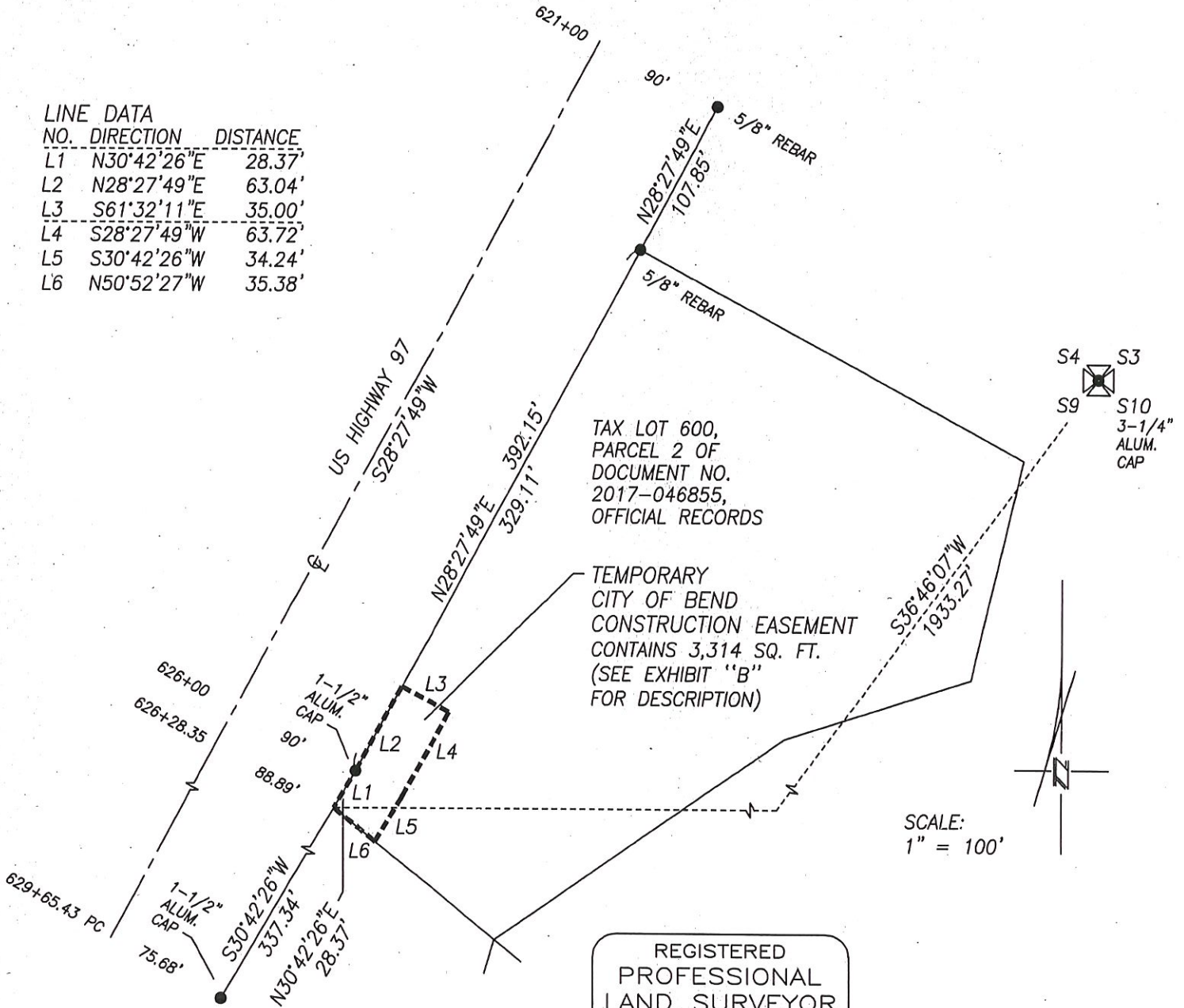
PREPARED JANUARY 30, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

EXHIBIT "A"

TEMPORARY CITY OF BEND CONSTRUCTION EASEMENT, LOCATED IN THE SE1/4 NE1/4 OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M., TAX LOT 17 12 09A0 600, DESCHUTES COUNTY, OREGON

LINE DATA		
NO.	DIRECTION	DISTANCE
L1	N30°42'26"E	28.37'
L2	N28°27'49"E	63.04'
L3	S61°32'11"E	35.00'
L4	S28°27'49"W	63.72'
L5	S30°42'26"W	34.24'
L6	N50°52'27"W	35.38'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

William G. Bahrke

OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

PREPARED FEBRUARY 3, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

FOUND MONUMENT AT CORNER - ●

THE BEARINGS SHOWN HEREON ARE BASED
ON THE CENTRAL OREGON COORDINATE SYSTEM

EXHIBIT "B"

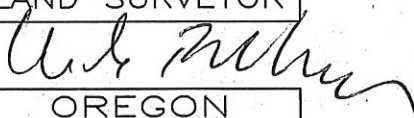
DESCRIPTION OF A TEMPORARY
CITY OF BEND CONSTRUCTION EASEMENT,
LOCATED IN THE SE1/4 NE1/4 OF SECTION 9,
TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
TAX LOT 17 12 09A0 600,
DESCHUTES COUNTY, OREGON

COMMENCING AT A 3-1/4" ALUMINUM CAP MONUMENTING THE
NORTHEAST CORNER OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12
EAST, WILLAMETTE MERIDIAN; THENCE S36°46'07"W, 1933.27 FEET
TO THE POINT OF BEGINNING, LOCATED ON THE EAST RIGHT-OF-WAY
LINE OF STATE HIGHWAY U.S. NO. 97, AT ENGINEER'S STATION
626+28.35, 88.89 FEET LEFT, FROM WHICH A 1-1/2" ALUMINUM CAP
AT ENGINEER'S STATION 629+65.43 PC, 75.68 FEET LEFT BEARS
S30°42'26"W, 337.34 FEET; THENCE N30°42'26"E ALONG SAID EAST
RIGHT-OF-WAY LINE, 28.37 FEET, TO A 1-1/2" ALUMINUM CAP AT
ENGINEER'S STATION 626+00, 90 FEET LEFT; THENCE N28°27'49"E,
ALONG SAID EAST RIGHT-OF-WAY LINE, 63.04 FEET, FROM WHICH A
1-1/2" ALUMINUM CAP AT ENGINEER'S STATION 621+00, 90 FEET
LEFT BEARS N28°27'49"E, 436.96 FEET; THENCE S61°32'11"E,
35.00 FEET; THENCE S28°27'49"W, 63.72 FEET; THENCE
S30°42'26"W, 34.24 FEET TO THE SOUTHWEST LINE OF PARCEL 2,
AS DESCRIBED IN DOCUMENT NO. 2017-046855, DESCHUTES COUNTY
OFFICIAL RECORDS; THENCE N50°52'27"W ALONG SAID SOUTHWEST
LINE, 35.38 FEET TO THE POINT OF BEGINNING.

THE SAME CONTAINING 3,314 SQUARE FEET.

A SKETCH OF THE EASEMENT DESCRIBED ABOVE IS SHOWN ON THE
ATTACHED EXHIBIT "A", WHICH IS HEREBY INCORPORATED BY
REFERENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

PREPARED FEBRUARY 3, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

EXHIBIT "A"

TEMPORARY CITY OF BEND CONSTRUCTION EASEMENT, LOCATED IN THE S1/2 NE1/4 OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M., TAX LOT 17 12 09A0 500, DESCHUTES COUNTY, OREGON

REGISTERED
PROFESSIONAL
LAND SURVEYOR

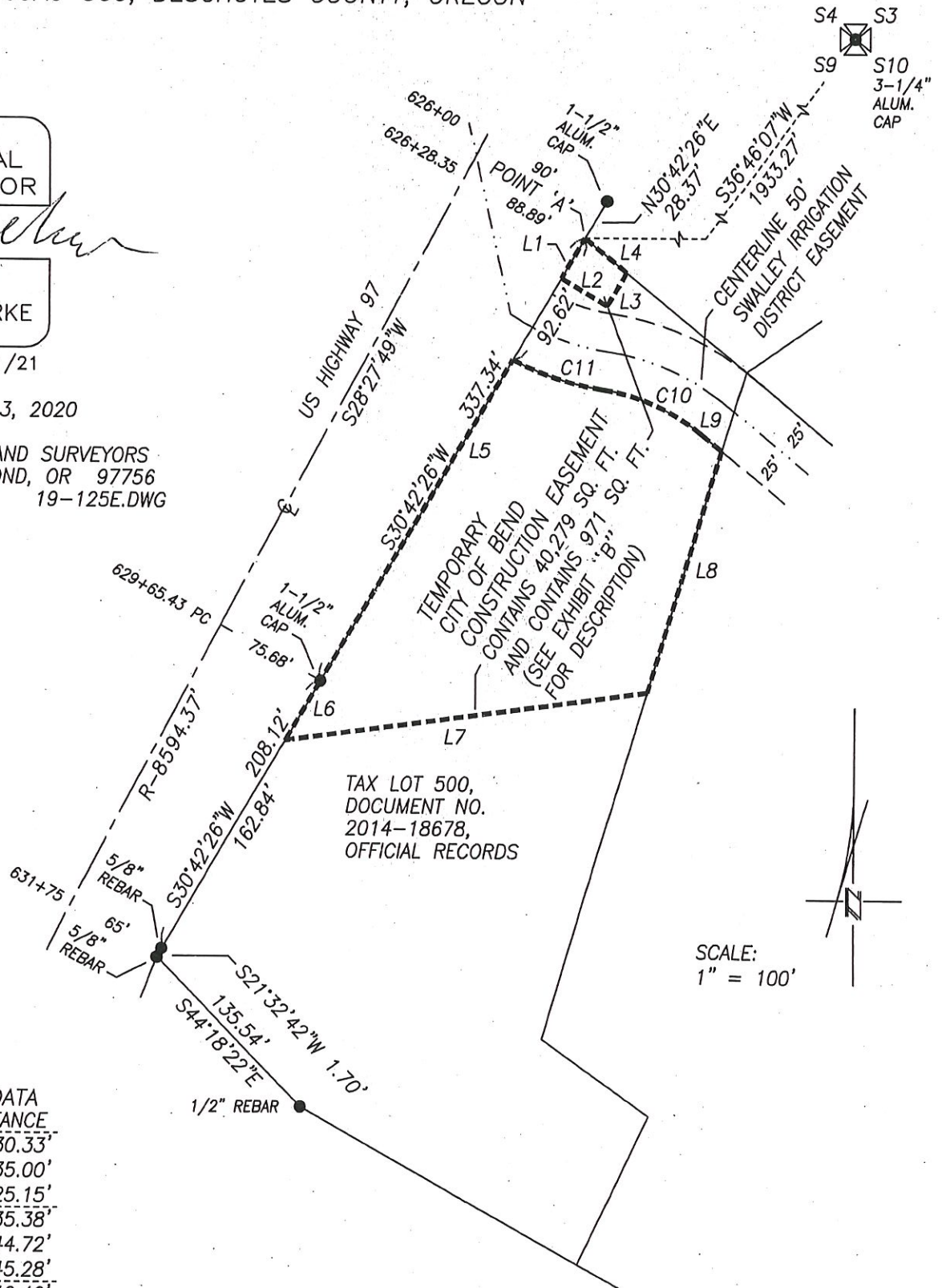
William G. Bahrke

OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

PREPARED FEBRUARY 3, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG



TAX LOT 500,
DOCUMENT NO.
2014-18678,
OFFICIAL RECORDS

SCALE:
1" = 100'

LINE AND CURVE DATA					
NO.	DIRECTION	DISTANCE			
L1	S30°42'26"W	30.33'			
L2	S59°17'34"E	35.00'			
L3	N30°42'26"E	25.15'			
L4	N50°52'27"W	35.38'			
L5	S30°42'26"W	244.72'			
L6	S30°42'26"W	45.28'			
L7	N82°12'31"E	240.40'			
L8	N16°50'39"E	165.00'			
L9	N50°58'23"W	17.54'			
C10	N66°18'58"W	71.44'	RADIUS	LENGTH	DELTA
			135.00'	72.30'	30°41'09"
C11	N72°01'55"W	61.88'	185.00'	62.17'	19°15'14"

FOUND MONUMENT AT CORNER - ●
THE BEARINGS SHOWN HEREON ARE BASED
ON THE CENTRAL OREGON COORDINATE SYSTEM

EXHIBIT "B"

DESCRIPTION OF A TEMPORARY
CITY OF BEND CONSTRUCTION EASEMENT,
LOCATED IN THE S1/2 NE1/4 OF SECTION 9,
TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
TAX LOT 17 12 09A0 500,
DESCHUTES COUNTY, OREGON

COMMENCING AT A 3-1/4" ALUMINUM CAP MONUMENTING THE
NORTHEAST CORNER OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12
EAST, WILLAMETTE MERIDIAN; THENCE S36°46'07"W, 1933.27 FEET
TO POINT 'A', THE POINT OF BEGINNING, LOCATED ON THE EAST
RIGHT-OF-WAY LINE OF STATE HIGHWAY U.S. NO. 97, AT
ENGINEER'S STATION 626+28.35, 88.89 FEET LEFT, FROM WHICH
A 1-1/2" ALUMINUM CAP AT ENGINEER'S STATION 626+00, 90 FEET
LEFT BEARS N30°42'26"E, 28.37 FEET; THENCE S30°42'26"W ALONG
SAID EAST RIGHT-OF-WAY LINE, 30.33 FEET, THENCE S59°17'34"E,
35.00 FEET; THENCE N30°42'26"E, 25.15 FEET TO THE NORTHEAST
LINE OF A TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2014-18678,
DESCHUTES COUNTY OFFICIAL RECORDS; THENCE N50°52'27"W ALONG
SAID NORTHEAST LINE, 35.38 FEET TO THE POINT OF BEGINNING.

THE SAME CONTAINING 971 SQUARE FEET.

TOGETHER WITH THE FOLLOWING:

COMMENCING AT SAID POINT 'A'; THENCE S30°42'26"W ALONG
SAID EAST RIGHT-OF-WAY LINE, 92.62 FEET TO THE POINT OF
BEGINNING; THENCE S30°42'26"W ALONG SAID EAST RIGHT-OF-WAY
LINE, 244.72 FEET TO A 1-1/2" ALUMINUM CAP AT ENGINEER'S
STATION 629+65.43 PC, 75.68 FEET LEFT; THENCE S30°42'26"W
ALONG SAID EAST RIGHT-OF-WAY LINE, 45.28 FEET, FROM WHICH A
5/8" REBAR AT ENGINEER'S STATION 631+75, 65 FEET LEFT BEARS
S30°42'26"W, 162.84 FEET; THENCE N82°12'31"E, 240.40 FEET TO
THE EAST LINE OF SAID TRACT; THENCE N16°50'39"E ALONG SAID
EAST LINE, 165.00 FEET TO THE SOUTHWEST LINE OF A SWALLEY
IRRIGATION DISTRICT EASEMENT, BEING 25 FEET FROM THE
CENTERLINE OF SAID EASEMENT; THENCE ALONG SAID SOUTHWEST
EASEMENT LINE AS FOLLOWS: N50°58'23"W, 17.54 FEET; THENCE
72.30 FEET ALONG THE ARC OF A 135.00 FOOT RADIUS CURVE TO
THE LEFT, THE CHORD OF WHICH BEARS N66°18'58"W, 71.44 FEET;
THENCE 62.17 FEET ALONG THE ARC OF A 185.00 FOOT RADIUS
CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS N72°01'55"W,
61.88 FEET, TO THE POINT OF BEGINNING.

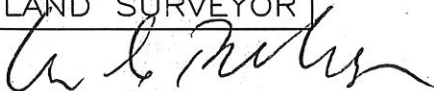
THE SAME CONTAINING 40,279 SQUARE FEET.

A SKETCH OF THE EASEMENT DESCRIBED
ABOVE IS SHOWN ON THE ATTACHED
EXHIBIT "A", WHICH IS HEREBY
INCORPORATED BY REFERENCE.

PREPARED FEBRUARY 3, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

REGISTERED
PROFESSIONAL
LAND SURVEYOR



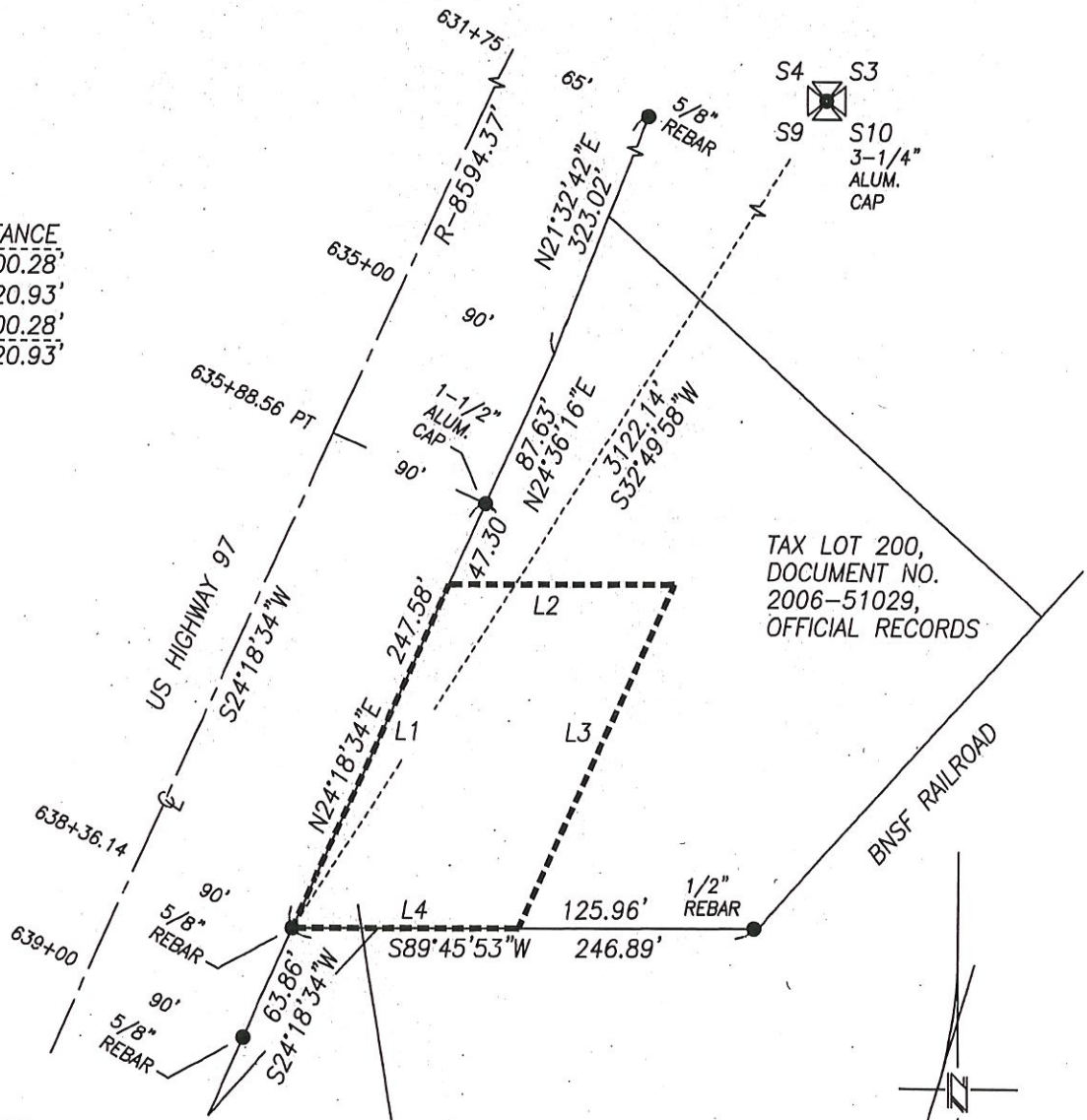
OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

EXHIBIT "A"

TEMPORARY CITY OF BEND CONSTRUCTION EASEMENT, LOCATED IN THE SW1/4 NE1/4 OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M., TAX LOT 17 12 09A0 200, DESCHUTES COUNTY, OREGON

LINE NO.	DIRECTION	DISTANCE
L1	N24°18'34"E	200.28'
L2	N89°45'56"E	120.93'
L3	S24°18'34"W	200.28'
L4	S89°45'53"W	120.93'



TAX LOT 200,
DOCUMENT NO.
2006-51029,
OFFICIAL RECORDS

SCALE:
1" = 100'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

William G. Bahrke

OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

TEMPORARY
CITY OF BEND
CONSTRUCTION EASEMENT
CONTAINS 22,031 SQ. FT.
(SEE EXHIBIT "B"
FOR DESCRIPTION)

PREPARED FEBRUARY 3, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

FOUND MONUMENT AT CORNER - ●
THE BEARINGS SHOWN HEREON ARE BASED
ON THE CENTRAL OREGON COORDINATE SYSTEM

EXHIBIT "B"

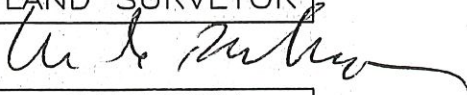
DESCRIPTION OF A TEMPORARY
CITY OF BEND CONSTRUCTION EASEMENT,
LOCATED IN THE SW1/4 NE1/4 OF SECTION 9,
TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
TAX LOT 17 12 09A0 200,
DESCHUTES COUNTY, OREGON

COMMENCING AT A 3-1/4" ALUMINUM CAP MONUMENTING THE
NORTHEAST CORNER OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12
EAST, WILLAMETTE MERIDIAN; THENCE S32°49'58"W, 3122.14 FEET
TO THE POINT OF BEGINNING, MARKED BY A 5/8" REBAR ON THE
EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY U.S. NO. 97, AT
ENGINEER'S STATION 638+36.14, 90 FEET LEFT, FROM WHICH A
5/8" REBAR AT ENGINEER'S STATION 639+00, 90 FEET LEFT BEARS
S24°18'34"W, 63.86 FEET; THENCE N24°18'34"E ALONG SAID EAST
RIGHT-OF-WAY LINE, 200.28 FEET, FROM WHICH A 1-1/2" ALUMINUM
CAP AT ENGINEER'S STATION 635+88.56 PT, 90 FEET LEFT BEARS
N24°18'34"E, 47.30 FEET; THENCE N89°45'56"E, 120.93 FEET;
THENCE S24°18'34"W, 200.28 FEET TO THE SOUTH LINE OF A TRACT
OF LAND DESCRIBED IN DOCUMENT NO. 2006-51029, DESCHUTES
COUNTY OFFICIAL RECORDS, FROM WHICH A 1/2" REBAR BEARS
N89°45'53"E, 125.96 FEET; THENCE S89°45'53"W ALONG SAID
SOUTH LINE, 120.93 FEET TO THE POINT OF BEGINNING.

THE SAME CONTAINING 22,031 SQUARE FEET.

A SKETCH OF THE EASEMENT DESCRIBED ABOVE IS SHOWN ON THE
ATTACHED EXHIBIT "A", WHICH IS HEREBY INCORPORATED BY
REFERENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

PREPARED FEBRUARY 3, 2020

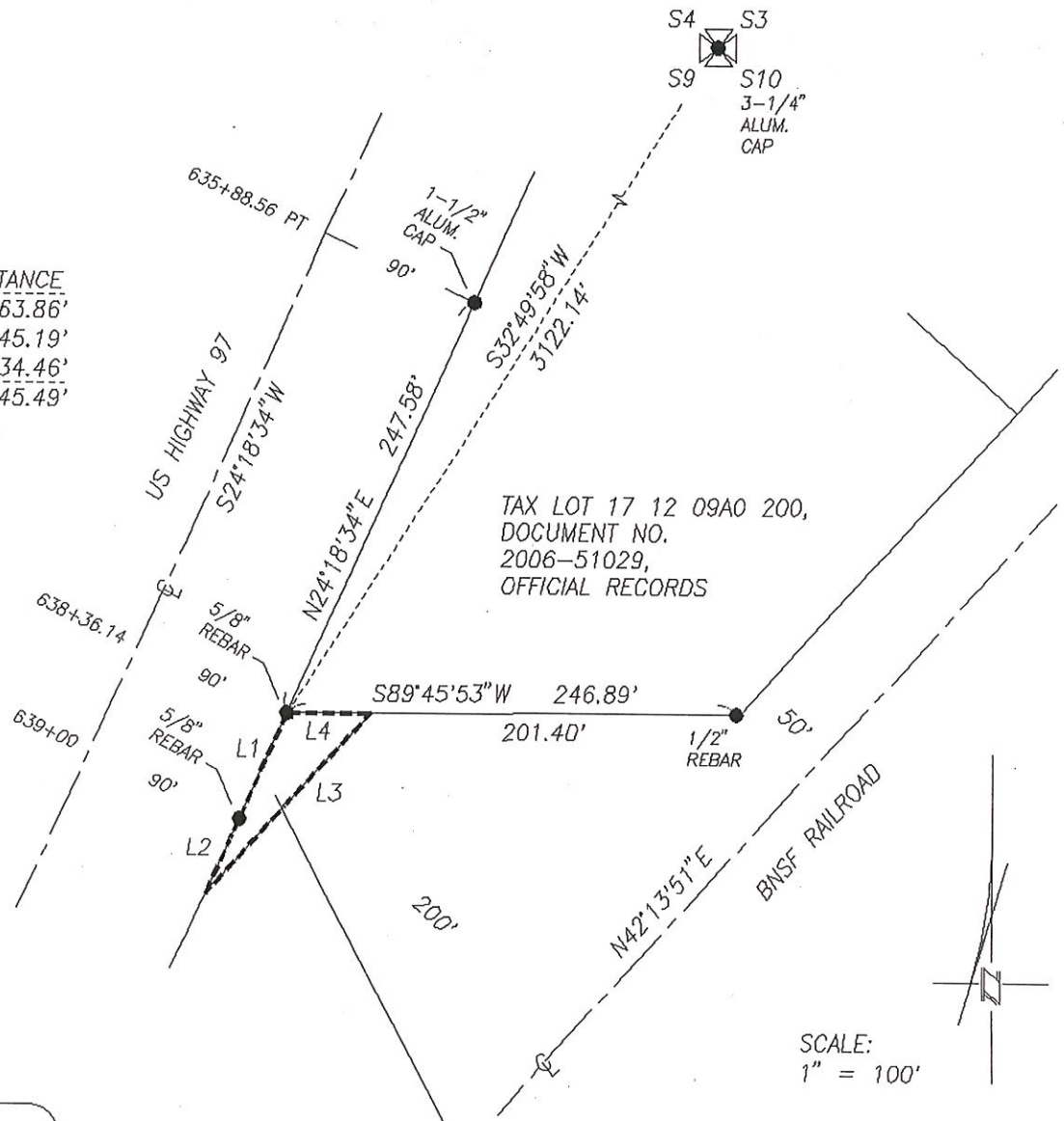
POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

EXHIBIT "A".

TEMPORARY CITY OF BEND CONSTRUCTION EASEMENT, LOCATED IN THE NW1/4 SE1/4 OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M., TAX LOT 17 12 09D0 101, CITY OF BEND, DESCHUTES COUNTY, OREGON

LINE DATA

NO.	DIRECTION	DISTANCE
L1	S24°18'34"W	63.86'
L2	S24°18'34"W	45.19'
L3	N42°13'51"E	134.46'
L4	S89°45'53"W	45.49'



TAX LOT 17 12 09A0 200,
DOCUMENT NO.
2006-51029,
OFFICIAL RECORDS

SCALE:
1" = 100'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

William G. Bahrke

OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

TEMPORARY
CITY OF BEND
CONSTRUCTION EASEMENT
TAX LOT 17 12 09D0 101,
CONTAINS 2,256 SQ. FT.
(SEE EXHIBIT "B"
FOR DESCRIPTION)

PREPARED FEBRUARY 7, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

FOUND MONUMENT AT CORNER - ●

THE BEARINGS SHOWN HEREON ARE BASED
ON THE CENTRAL OREGON COORDINATE SYSTEM

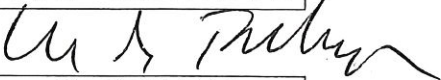
EXHIBIT "B"

DESCRIPTION OF A TEMPORARY
CITY OF BEND CONSTRUCTION EASEMENT,
LOCATED IN THE NW1/4 SE1/4 OF SECTION 9,
TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
TAX LOT 17 12 09D0 101, CITY OF BEND,
DESCHUTES COUNTY, OREGON

COMMENCING AT A 3-1/4" ALUMINUM CAP MONUMENTING THE
NORTHEAST CORNER OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12
EAST, WILLAMETTE MERIDIAN; THENCE S32°49'58"W, 3122.14 FEET
TO THE POINT OF BEGINNING, MARKED BY A 5/8" REBAR ON THE
EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY U.S. NO. 97, AT
ENGINEER'S STATION 638+36.14, 90 FEET LEFT, FROM WHICH A
1-1/2" ALUMINUM CAP AT ENGINEER'S STATION 635+88.56 PT, 90
FEET LEFT BEARS N24°18'34"E, 247.58 FEET; THENCE S24°18'34"W
ALONG SAID EAST RIGHT-OF-WAY LINE, 63.86 FEET TO A 5/8"
REBAR AT ENGINEER'S STATION 639+00, 90 FEET LEFT; THENCE
S24°18'34"W ALONG SAID EAST RIGHT-OF-WAY LINE, 45.19 FEET
TO THE NORTHWEST RIGHT-OF-WAY LINE OF THE BURLINGTON
NORTHERN - SANTA FE RAILROAD, BEING 200 FEET FROM THE
CENTERLINE OF SAID RAILWAY; THENCE N42°13'51"E ALONG SAID
NORTHWEST RIGHT-OF-WAY LINE, 134.46 FEET TO THE SOUTH LINE
OF A TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2006-51029,
DESCHUTES COUNTY OFFICIAL RECORDS, FROM WHICH A 1/2" REBAR
BEARS N89°45'53"E, 201.40 FEET; THENCE S89°45'53"W ALONG
SAID SOUTH LINE, 45.49 FEET TO THE POINT OF BEGINNING.

THE SAME CONTAINING 2,256 SQUARE FEET.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

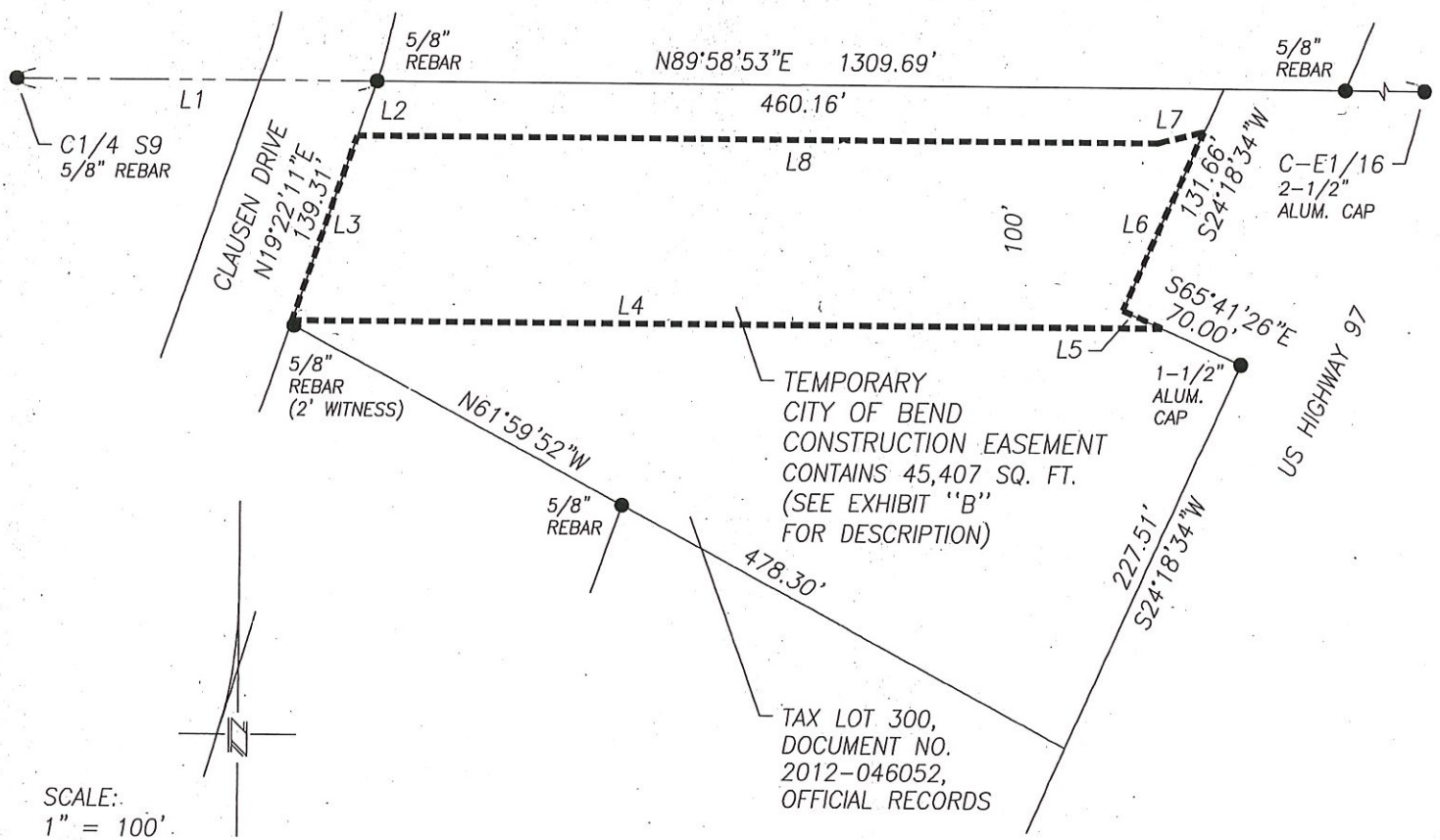
Renewal Date: 12/31/21

PREPARED FEBRUARY 7, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

EXHIBIT "A"

TEMPORARY CITY OF BEND CONSTRUCTION EASEMENT, LOCATED IN THE NW1/4 SE1/4 OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M., TAX LOT 17 12 09D0 300, CITY OF BEND, DESCHUTES COUNTY, OREGON



SCALE:
1" = 100'

FOUND MONUMENT AT CORNER - ●
THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTRAL OREGON COORDINATE SYSTEM

LINE DATA

NO.	DIRECTION	DISTANCE
L1	N89°58'53"E	194.33'
L2	S19°22'11"W	31.33'
L3	S19°22'11"W	106.00'
L4	S89°59'50"E	473.06'
L5	N65°41'26"W	23.65'
L6	N24°18'34"E	105.83'
L7	S76°05'50"W	25.72'
L8	N89°59'50"W	434.95'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

William G. Bahrke

OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

PREPARED JANUARY 29, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

EXHIBIT "B"

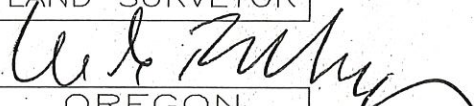
DESCRIPTION OF A TEMPORARY
CITY OF BEND CONSTRUCTION EASEMENT,
LOCATED IN THE NW1/4 SE1/4 OF SECTION 9,
TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
TAX LOT 17 12 09D0 300, CITY OF BEND,
DESCHUTES COUNTY, OREGON

COMMENCING AT A 5/8" REBAR MONUMENTING THE CENTER 1/4
CORNER OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12 EAST,
WILLAMETTE MERIDIAN; THENCE N89°58'53"E ALONG THE NORTH LINE
OF THE NW1/4 SE1/4 OF SAID SECTION 9, 194.33 FEET TO A 5/8"
REBAR MONUMENTING THE NORTHWEST CORNER OF A TRACT OF LAND
DESCRIBED IN DOCUMENT NO. 2012-046052, DESCHUTES COUNTY
OFFICIAL RECORDS, THENCE S19°22'11"W ALONG THE WEST BOUNDARY
OF SAID TRACT, 31.33 FEET TO THE POINT OF BEGINNING; THENCE
S19°22'11"W ALONG SAID WEST BOUNDARY, 106.00 FEET; THENCE
S89°59'50"E, 473.06 FEET TO THE EAST BOUNDARY OF SAID TRACT;
THENCE N65°41'26"W ALONG SAID EAST BOUNDARY, 23.65 FEET;
THENCE N24°18'34"E ALONG SAID EAST BOUNDARY, 105.83 FEET;
THENCE S76°05'50"W, 25.72 FEET; THENCE N89°59'50"W, 434.95
FEET TO THE POINT OF BEGINNING.

THE SAME CONTAINING 45,407 SQUARE FEET (1.04 ACRES).

A SKETCH OF THE EASEMENT DESCRIBED ABOVE IS SHOWN ON THE
ATTACHED EXHIBIT "A", WHICH IS HEREBY INCORPORATED BY
REFERENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

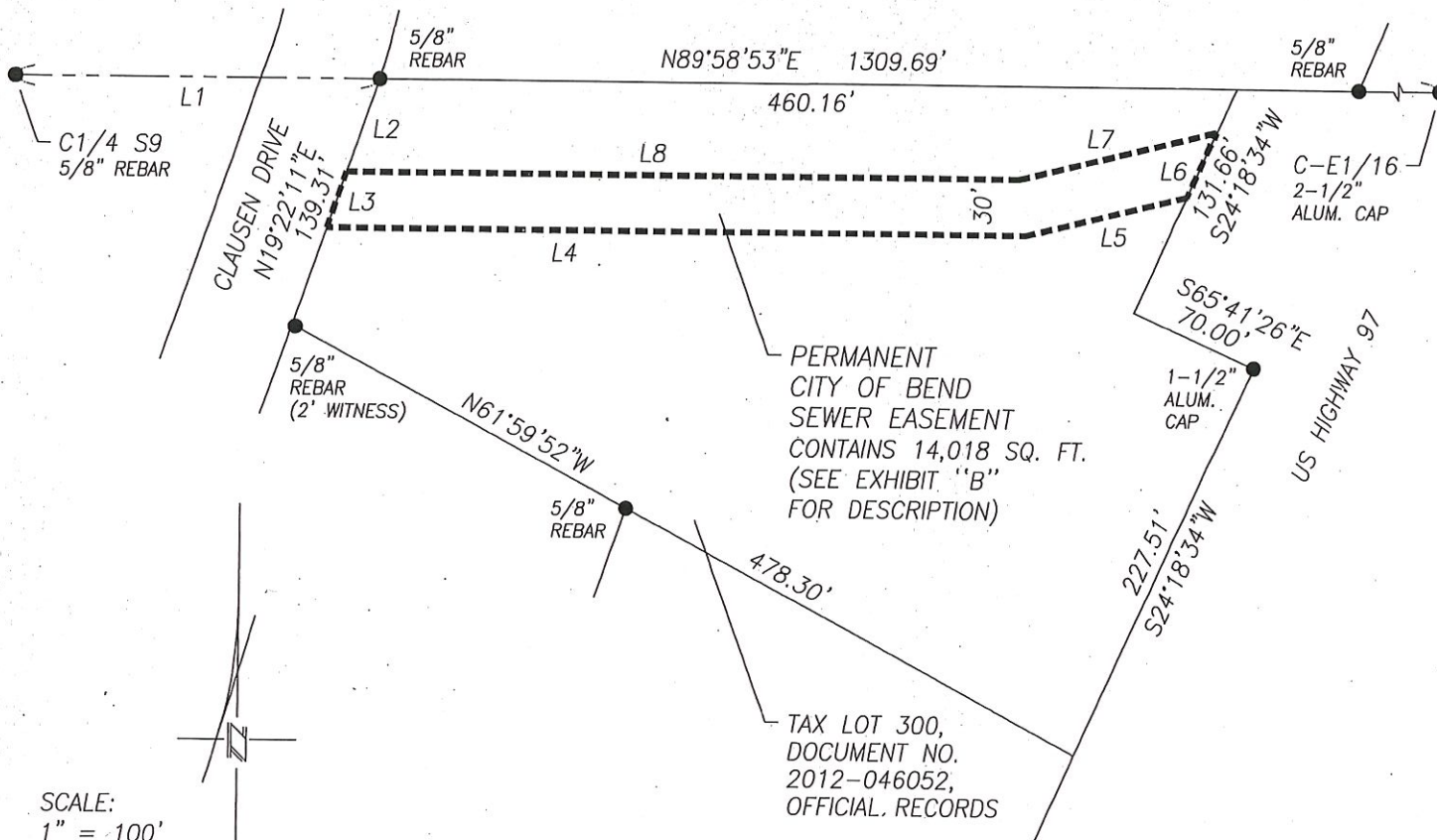
Renewal Date: 12/31/21

PREPARED JANUARY 29, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

EXHIBIT "A"

PERMANENT CITY OF BEND SEWER EASEMENT, LOCATED IN THE
 NW1/4 SE1/4 OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
 TAX LOT 17 12 09DO 300, CITY OF BEND, DESCHUTES COUNTY, OREGON



FOUND MONUMENT AT CORNER - ●

THE BEARINGS SHOWN HEREON ARE BASED
 ON THE CENTRAL OREGON COORDINATE SYSTEM

LINE NO.	DIRECTION	DISTANCE
L1	N89°58'53"E	194.33'
L2	S19°22'11"W	52.53'
L3	S19°22'11"W	31.80'
L4	S89°59'50"E	375.40'
L5	N76°05'50"E	88.98'
L6	N24°18'34"E	38.18'
L7	S76°05'50"W	108.94'
L8	N89°59'50"W	361.20'

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

William G. Bahrke

OREGON
 JULY 15, 1983
 WILLIAM G. BAHRKE
 2039

Renewal Date: 12/31/21

PREPARED JANUARY 29, 2020

POVEY AND ASSOC. LAND SURVEYORS
 P.O. BOX 131, REDMOND, OR 97756
 (541) 548-6778 19-125E.DWG

EXHIBIT "B"


DESCRIPTION OF A PERMANENT
CITY OF BEND SEWER EASEMENT,
LOCATED IN THE NW1/4 SE1/4 OF SECTION 9,
TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
TAX LOT 17 12 09D0 300, CITY OF BEND,
DESCHUTES COUNTY, OREGON

COMMENCING AT A 5/8" REBAR MONUMENTING THE CENTER 1/4
CORNER OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 12 EAST,
WILLAMETTE MERIDIAN; THENCE N89°58'53"E ALONG THE NORTH LINE
OF THE NW1/4 SE1/4 OF SAID SECTION 9, 194.33 FEET TO A 5/8"
REBAR MONUMENTING THE NORTHWEST CORNER OF A TRACT OF LAND
DESCRIBED IN DOCUMENT NO. 2012-046052, DESCHUTES COUNTY
OFFICIAL RECORDS, THENCE S19°22'11"W ALONG THE WEST BOUNDARY
OF SAID TRACT, 52.53 FEET TO THE POINT OF BEGINNING; THENCE
S19°22'11"W ALONG SAID WEST BOUNDARY, 31.80 FEET; THENCE
S89°59'50"E, 375.40 FEET; THENCE N76°05'50"E, 88.98 FEET TO
THE EAST BOUNDARY OF SAID TRACT; THENCE N24°18'34"E ALONG
SAID EAST BOUNDARY, 38.18 FEET; THENCE S76°05'50"W, 108.94
FEET; THENCE N89°59'50"W, 361.20 FEET TO THE POINT OF
BEGINNING.

THE SAME CONTAINING 14,018 SQUARE FEET.

A SKETCH OF THE EASEMENT DESCRIBED ABOVE IS SHOWN ON THE
ATTACHED EXHIBIT "A", WHICH IS HEREBY INCORPORATED BY
REFERENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/21

PREPARED JANUARY 29, 2020

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 19-125E.DWG

