

RESOLUTION NO. 3200

A RESOLUTION OF THE BEND CITY COUNCIL APPROVING A PROPERTY TAX EXEMPTION FOR STILLWATER CROSSING 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. Stillwater Crossing submitted an application for tax exemption 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 are evaluating 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 Stillwater Crossing property.
- E. Stillwater Crossing 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 Stillwater Crossing is approved. The exemption is for a period of 20 years, commencing July 1, 2021, 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:

Stillwater Crossing, 60855 SW Atwood Drive, Bend, OR 97702

Owner's name and address:

Stillwater Housing Associates LP, 131 South Higgins – Suite P-1,
Missoula, MT 59802

Description of housing:

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

Legal description of property:

See attached Exhibit A

Description of the portion of project that is approved:

100% of the project is approved for tax exemption

Section 3. Termination of Exemption

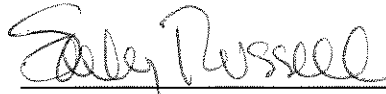
The property tax exemption for the Stillwater Crossing project is subject to the provisions of ORS 307.529 to 307.531 regarding termination of the exemption. If, after an application for exemption under has been approved, the City of Bend finds that:

- a) construction or development of Stillwater Crossing 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 May 6, 2020.

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



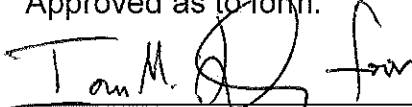
Sally Russell, Mayor

ATTEST:



Robyn Christie, City Recorder

Approved as to form:



Mary Winters, City Attorney

EXHIBIT "A"
Legal Description

PARCEL I.

A PARCEL OF LAND LOCATED IN SECTIONS 17 AND 18, TOWNSHIP 18 SOUTH RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OF LAND IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18 AND THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 17, BEGINNING AT A POINT ON THE SECTION LINE BETWEEN SAID SECTIONS 17 AND 18, 3131.9 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF SAID SECTION 17; THENCE SOUTHERLY ALONG THE SECTION LINE 322.5 FEET TO A POINT; THENCE SOUTH 89° 33' EAST, 846 FEET TO THE WEST RIGHT OF WAY LINE OF THE DALLES-CALIFORNIA HIGHWAY, 1931 LOCATION; THENCE SOUTHWESTERLY ALONG SAID WEST RIGHT OF WAY LINE OF SAID HIGHWAY, 2040 FEET MORE OR LESS TO A POINT ON THE SOUTH LINE OF SAID SECTION 18; THENCE WEST 25 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT OF WAY LINE OF THE BROOKS-SCANLON INC. RAILROAD AS PRESENTLY LOCATED; THENCE NORTHERLY ALONG THE SAID EAST RIGHT OF WAY LINE OF SAID RAILROAD, 2160 FEET MORE OR LESS TO A POINT WHICH IS DUE WEST OF THE POINT OF BEGINNING; THENCE EAST 140 FEET TO THE POINT OF BEGINNING.

EXCEPT, COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 00° 27' WEST, 3,454.40 FEET ALONG THE WEST LINE OF SAID SECTION 17, TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89° 33' 00" EAST, 811.47 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE DALLES- CALIFORNIA HIGHWAY 97; THENCE SOUTH 26°56' 07" WEST, 121.83 FEET, ALONG SAID WESTERLY RIGHT OF WAY LINE; THENCE AROUND A 25.00 FOOT RADIUS CURVE RIGHT, 39.27 FEET, LONG CHORD BEARS SOUTH 71° 56' 07" EAST, 35.36 FEET; THENCE NORTH 63' 03' 53" WEST, 15.67 FEET; THENCE AROUND A 280.00 FOOT RADIUS CURVE LEFT, 188.49 FEET, LONG CHORD BEARS NORTH 82° 20' 58" WEST, 184.95 FEET; THENCE SOUTH 78° 21' 57" WEST, 294.34 FEET; THENCE AROUND A 270.00 FOOT RADIUS CURVE RIGHT, 189.73 FEET, LONG CHORD BEARS NORTH 81° 30' 13" WEST, 185.85 FEET; THENCE NORTH 61° 22' 23" WEST, 138.56 FEET; THENCE NORTH 02° 26' 29" EAST, 59.80 FEET; THENCE EAST, 65.80 FEET TO THE TRUE POINT OF BEGINNING;

ALSO EXCEPTING, COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 00° 27' WEST, 3,619.10 FEET ALONG THE WEST LINE OF SAID SECTION 17 TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 61° 22' 23" EAST, 29.42 FEET; THENCE AROUND A 330.00 FOOT RADIUS CURVE TO THE LEFT, 231.89 FEET, LONG CHORD BEARS SOUTH 81° 30' 13" EAST, 227.15 FEET; THENCE NORTH 78° 21' 57" EAST, 107.85 FEET; THENCE SOUTH 13° 39' 18" WEST, 361.10 FEET; THENCE NORTH 76° 20' 42" WEST, 365.00 FEET; THENCE NORTH 2° 26' 29" EAST, 329.08 FEET; THENCE SOUTH 61° 22' 23" EAST, 79.64 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING, COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 00° 27' WEST, 3,929.52 FEET ALONG THE WEST LINE OF SAID SECTION 17; THENCE SOUTH 76° 20' 42" EAST, 281.25 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 13° 39' 18" EAST, 361.10 FEET; THENCE NORTH 78° 21' 57" EAST, 186.49 FEET; THENCE AROUND A 220.00 FOOT RADIUS CURVE TO THE RIGHT, 148.10 FEET, LONG CHORD BEARS SOUTH 82° 20' 58" EAST, 145.32 FEET; THENCE SOUTH 63' 03' 53" EAST, 15.67 FEET; THENCE AROUND A 25.00 FOOT RADIUS CURVE TO THE RIGHT, 39.27 FEET, LONG CHORD BEARS SOUTH 18' 03' 53" EAST, 35.36 FEET, TO A POINT ON THE WESTERLY RIGHT OF WAY OF THE DALLES-CALIFORNIA HIGHWAY 97; THENCE SOUTH 26° 56' 07" WEST, 433.90 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE; THENCE NORTH 76° 20' 42" WEST, 247.30 FEET TO THE TRUE POINT OF BEGINNING. EXCEPTING THAT PORTION LYING WITHIN THE DALLES-CALIFORNIA HIGHWAY.

ALSO EXCEPTING, BEGINNING AT A POINT WHENCE THE SOUTHEAST CORNER OF SAID SECTION 18

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BEARS NORTH 89° 26' 33" EAST, 92.34 FEET; THENCE SOUTH 89° 26' 33" WEST, 20.21 FEET TO A POINT, SAID POINT BEING TRUE POINT OF BEGINNING, SAID POINT ALSO BEING THE INTERSECTION OF THE EAST RIGHT OF WAY OF BROOKS SCANLON LOGGING ROAD AND SOUTH BOUNDARY LINE OF SAID SECTION 18; THENCE NORTH 07° 15' 27" WEST ALONG SAID EAST RIGHT OF WAY 144.12 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 03° 11' 51" EAST, 512.50 FEET; THENCE LEAVING SAID RIGHT OF WAY SOUTH 89° 33' 00" EAST 341.04 FEET TO A POINT ON THE WEST RIGHT OF WAY OF THE DALLES-CALIFORNIA HIGHWAY; THENCE SOUTH ALONG SAID DALLES-CALIFORNIA RIGHT OF WAY SOUTH 26° 56' 07" WEST, 730.92 FEET TO A POINT ON THE SOUTH LINE OF SECTION 18; THENCE WEST ALONG SAID LINE TO THE POINT OF BEGINNING.

ALSO EXCEPTING, BEGINNING AT A POINT ON THE SECTION LINE BETWEEN SECTION 17 AND 18, 3131.9 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 17 AND RUNNING THENCE SOUTH 89° 33' EAST, 1003.7 FEET TO THE WEST RIGHT OF WAY LINE OF THE DALLES-CALIFORNIA HIGHWAY; THENCE SOUTHWESTERLY 350 FEET ALONG THE SAID WEST RIGHT OF WAY LINE OF THE SAID DALLES- ' CALIFORNIA HIGHWAY; THENCE NORTH 89° 33' WEST, 846 FEET, MORE OR LESS, TO THE WEST LINE OF SECTION 17; THENCE NORTH 0° 27' EAST, 322.5 FEET ALONG THE WEST SECTION LINE OF SECTION 17 TO THE POINT OF BEGINNING.

ALSO EXCEPTING, BEGINNING AT A POINT ON THE SECTION LINE BETWEEN SECTIONS 17 AND 18, A DISTANCE OF 3131.9 FEET SOUTH FROM THE NORTHEAST CORNER OF SAID SECTION 18; THENCE SOUTH 0° 27' WEST, 322.5 FEET; THENCE DUE WEST TO A POINT LOCATED ON THE EASTERLY RIGHT OF WAY LINE OF BROOKS SCANLON, INC., RAILROAD; THENCE NORTHERLY ALONG THE EASTERLY BOUNDARY OF SAID BROOKS-SCANLON, INC. RAILROAD TO A POINT LOCATED DUE WEST OF THE POINT OF BEGINNING; THENCE EAST, A DISTANCE OF 140 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THAT PORTION LYING WITHIN THE DALLES-CALIFORNIA HIGHWAY AND ROMAINE VILLAGE WAY. AND EXCEPTING THAT PORTION DEEDED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, RECORDED FEBRUARY 24, 1988 IN BOOK 159, PAGE 72 OF DEED RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION CONTAINED IN DEDICATION DEED RECORDED MAY 23, 2013 AS INSTRUMENT NO. 2013-21248.

PARCEL II.

A PARCEL OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 17 AND IN THE SOUTHEAST ONE-QUARTER OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3" BRASS DISK WITH CENTER PUNCH PER OREGON CORNER RESTORATION RECORD INDEX FILE NUMBER 1401, DESCHUTES COUNTY SURVEY RECORDS MARKING THE SOUTHEAST CORNER OF SAID SECTION 18, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN; THENCE, ALONG THE SOUTH SECTION LINE OF SAID SECTION 18, SOUTH 89° 30' 20" WEST, 114.40 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "TYE ENGINEERING" ON THE WESTERLY RIGHT-OF-WAY OF US HIGHWAY 97; THENCE CONTINUING ON SAID SECTION LINE AND LEAVING SAID RIGHT-OF-WAY SOUTH 89° 30' 20" WEST, 71.28 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF PONDEROSA STREET; THENCE LEAVING SAID SECTION LINE, ALONG SAID RIGHT-OF-WAY NORTH 70° 18' 26" WEST, 0.85 FEET TO THE WESTERLY BOUNDARY OF THE BROOKS SCANLON LOGGING ROAD, AS MONUMENTED BY THAT PLAT OF WAYWEST PROPERTIES, DESCHUTES COUNTY SURVEY RECORDS; THENCE ALONG THE WESTERLY BOUNDARY OF SAID BROOKS SCANLON

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LOGGING ROAD NORTH 01° 55' 57" WEST, 141.09 FEET TO A 1/2" IRON ROD; THENCE CONTINUING ALONG SAID LOGGING ROAD NORTH 03° 04' 26" EAST, 156.21' FEET TO A 5/8" IRON ROD WITH AN ORANGE PLASTIC CAP MARKED "HHPR INC", SAID POINT BEING THE WESTERLY RIGHT OF WAY OF A 60 FOOT STRIP OF LAND DEDICATED TO THE PUBLIC IN DOCUMENT NUMBER 2013-21240, DESCHUTES COUNTY DEED RECORDS AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING ALONG SAID LOGGING ROAD NORTH 03° 04' 26" EAST, 358.52 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF VOLUME 0090 PAGE 1361, DESCHUTES COUNTY DEED RECORDS AND A 5/8" IRON ROD WITH AN ORANGE PLASTIC CAP MARKED "HHPR INC"; THENCE ALONG SAID SOUTHERLY BOUNDARY SOUTH 89° 39' 18" EAST, 59.91 FEET TO A 5/8" IRON ROD AND THE SOUTHERLY BOUNDARY OF PARCEL 3 OF DOCUMENT 2010-51644, THENCE ALONG SAID SOUTHERLY BOUNDARY SOUTH 89° 39' 18" EAST, 246.45 FEET TO A 5/8" IRON ROD WITH AN ORANGE PLASTIC CAP MARKED "HHPR INC", SAID POINT BEING THE WESTERLY RIGHT OF WAY OF A 60 FOOT STRIP OF LAND DEDICATED TO THE PUBLIC IN DOCUMENT NUMBER 2013-21249, DESCHUTES COUNTY DEED RECORDS; THENCE LEAVING SAID SOUTHERLY BOUNDARY AND ALONG SAID WESTERLY RIGHT OF WAY SOUTH 21° 10' 36" WEST, 60.96 FEET TO A 5/8" IRON ROD WITH AN ORANGE PLASTIC CAP MARKED "HHPR INC"; THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTH 26° 54' 07" WEST, 69.61 FEET TO A 5/8" IRON ROD WITH AN ORANGE PLASTIC CAP MARKED "HHPR INC", SAID POINT BEING THE BEGINNING OF A 470.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ON SAID CURVE TO THE RIGHT (THE LONG CHORD OF WHICH BEARS SOUTH 46° 00' 11" EAST, 307.60 FEET) 313.38 FEET TO A 5/8" IRON ROD WITH AN ORANGE PLASTIC CAP MARKED "HHPR INC"; THENCE SOUTH 65° 06' 16" WEST, 55.98 FEET TO THE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION WAS CREATED BY LOT LINE ADJUSTMENT APPROVED BY THE CITY OF BEND ON OCTOBER 23, 2013 IN CASE NO. PZ 13-516.

PARCEL III.

A PARCEL OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 17 AND IN THE SOUTHEAST ONE-QUARTER OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3" BRASS DISK WITH CENTER PUNCH PER OREGON CORNER RESTORATION RECORD INDEX FILE NUMBER 1401, DESCHUTES COUNTY SURVEY RECORDS MARKING THE SOUTHEAST CORNER OF SAID SECTION 18, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN; THENCE, ALONG THE SOUTH SECTION LINE OF SAID SECTION 18, SOUTH 89° 30' 20" WEST, 114.40 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "TYE ENGINEERING" ON THE WESTERLY RIGHT-OF-WAY OF US HIGHWAY 97 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING ON SAID SECTION LINE AND LEAVING SAID RIGHT-OF-WAY SOUTH 89° 30' 20" WEST, 71.28 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF PONDEROSA STREET; THENCE LEAVING SAID SECTION LINE, ALONG SAID RIGHT-OF-WAY NORTH 70° 18' 26" WEST, 0.85 FEET TO THE WESTERLY BOUNDARY OF THE BROOKS SCANLON LOGGING ROAD, AS MONUMENT IN THAT PLAT OF WAYWEST PROPERTIES, DESCHUTES COUNTY SURVEY RECORDS; THENCE ALONG THE WESTERLY BOUNDARY OF SAID LOGGING ROAD NORTH 01° 55' 57" WEST, 141.09 FEET TO A 1/2" IRON ROD; THENCE CONTINUING ALONG SAID LOGGING ROAD NORTH 03° 04' 26" EAST, 88.27 FEET TO A 5/8" IRON ROD WITH AN ORANGE PLASTIC CAP MARKED "HHPR INC", SAID POINT BEING THE EASTERLY RIGHT OF WAY OF A 60 FOOT STRIP OF LAND DEDICATED TO PUBLIC USE IN DOCUMENT NUMBER 2013-21249, DESCHUTES COUNTY DEED RECORDS, THENCE ALONG SAID EASTERLY RIGHT OF WAY NORTH 65° 06' 16" EAST, 87.84 FEET TO A 5/8" IRON ROD WITH AN ORANGE PLASTIC CAP MARKED "HHPR INC", SAID POINT BEING THE BEGINNING OF A 530.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ON SAID CURVE TO THE LEFT (THE LONG CHORD OF WHICH BEARS NORTH 46° 00' 11" EAST,

Order No.: WT0178165
Revision 2-update buyer

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346.87 FEET) 353.38 FEET TO A 5/8" IRON ROD WITH AN ORANGE PLASTIC CAP MARKED "HHPR INC" BEING ON THE WESTERLY RIGHT OF WAY OF US HIGHWAY 97; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 26° 54' 07" WEST, 568.24 FEET TO THE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION WAS CREATED BY LOT LINE ADJUSTMENT APPROVED BY THE CITY OF BEND ON OCTOBER 23, 2013 IN CASE NO. PZ 13-516.