

RESOLUTION NO. 3373

A RESOLUTION EXERCISING THE POWER OF EMINENT DOMAIN FOR THE BEAR CREEK ROAD AND 27TH STREET IMPROVEMENTS PROJECT

Findings

- A. The City of Bend has the authority to exercise the power of eminent domain under the City of Bend Charter, ORS 223.105 and ORS Chapter 35 when deemed necessary by the City of Bend's governing body to accomplish public purposes.
- B. The City has the responsibility of providing safe transportation routes for commerce, convenience and to adequately serve the traveling public. The City is the road authority for all highways, roads, streets and alleys, other than state highways, within the boundaries of the City, under ORS 810.010, and has the authority to use the power of eminent domain for the purpose of establishing, laying out, extending or widening streets, under ORS 223.105.
- C. The project known as the Bear Creek Road and 27th Street Improvements project (the "Project") has been planned in accordance with appropriate engineering standards for the construction of street improvements, including shared use paths and a roundabout so that road user safety can be maximized. The City of Bend Contracted with HDR Inc. via Request For Proposals (RFP) for design services in July of 2023 to design these projects.
- D. To accomplish this Project, it is necessary to acquire the interests in property described and shown 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 for which the properties are 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 the properties and interests in property described in Attachment A. The property interests are 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 owners 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 property interests described and shown 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 motion of the Bend City Council on May 1, 2024.

YES: Mayor Melanie Kebler
Mayor Pro Tem Megan Perkins
Councilor Barb Campbell
Councilor Ariel Méndez
Councilor Mike Riley
Councilor Megan Norris

NO: none



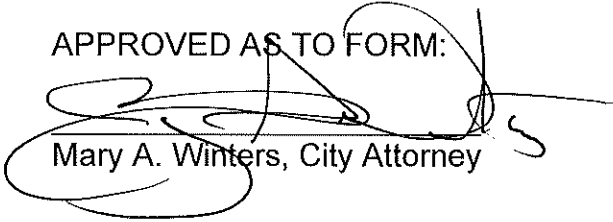
Melanie Kebler, Mayor

ATTEST:

FOR 

Robyn Christie, City Recorder

APPROVED AS TO FORM:



Mary A. Winters, City Attorney

Resolution – Attachment A



901 NW CARLON AVE, SUITE 3, BEND, OR 97703
(541) 797-0954 – www.sflands.com

PROJECT NO.: 2301710

DATE: 4/11/2024

INITIALS: BRR

EXHIBIT A
TAX LOT 171234DD01001

PARCEL A – WATER LINE EASEMENT

A PORTION OF THAT PARCEL DESCRIBED IN THAT CERTAIN STATUTORY BARGAIN AND SALE DEED RECORDED JUNE 5, 2014 AS INSTRUMENT NO. 2014-17860, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 17 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND, DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

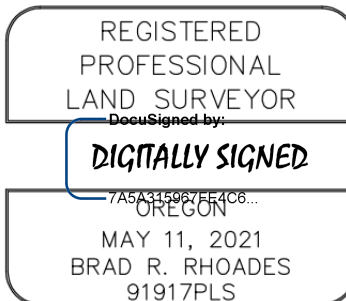
BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BEAR CREEK ROAD, SAID POINT BEING 40.00 FEET LEFT OF BEAR CREEK ROAD CENTERLINE STATION 49+60.10, PER COUNTY SURVEY 21247 (CS21247), FILED JANUARY 23, 2024 IN THE DESCHUTES COUNTY SURVEYORS OFFICE; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, SOUTH 89°44’42” WEST, 14.00 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE, ALONG SAID WEST LINE, NORTH 00°44’53” WEST, 80.00 FEET; THENCE LEAVING SAID WEST LINE, NORTH 89°44’42” EAST, 14.00 FEET; THENCE SOUTH 00°44’53” EAST, 80.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM, THAT PORTION OF AN EXISTING CITY OF BEND WATER EASEMENT RECORDED MARCH 13, 2001 AS INSTRUMENT NO. 2001-11179, SAID DESCHUTES COUNTY OFFICIAL RECORDS.

THIS DESCRIPTION CONTAINS 940 SQUARE FEET, MORE OR LESS.

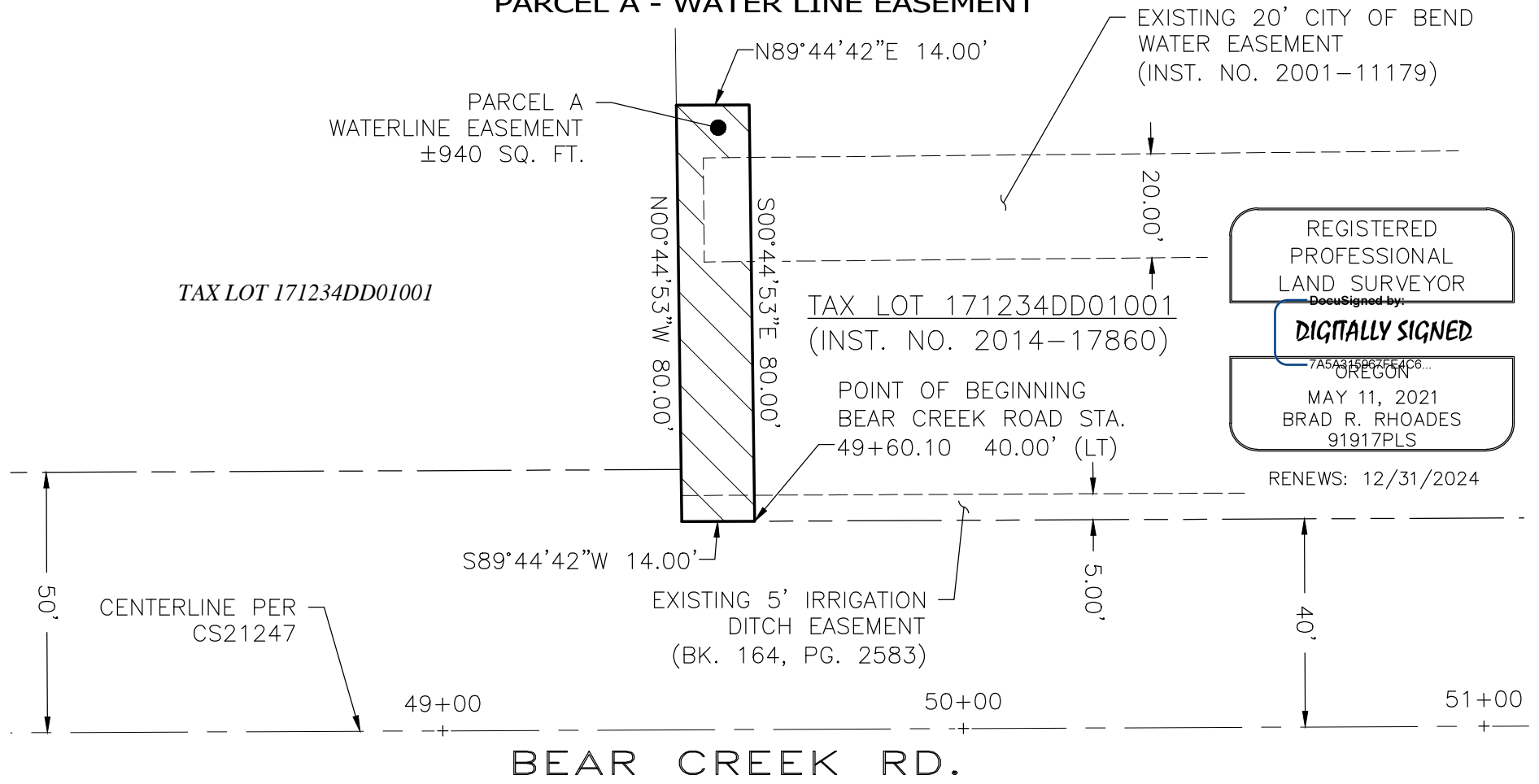
SUBJECT TO, AN EXISTING IRRIGATION DITCH EASEMENT RECORDED JUNE 6, 1988 IN BOOK 164, PAGE 2583, SAID DESCHUTES COUNTY OFFICIAL RECORDS.

BASIS OF BEARINGS IS PER SAID CS21247.



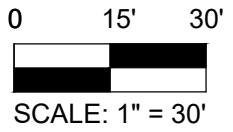
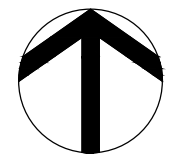
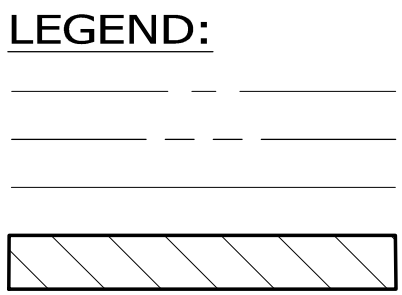
RENEWS: 12/31/2024

**EXHIBIT B
PARCEL A - WATER LINE EASEMENT**



REGISTERED
PROFESSIONAL
LAND SURVEYOR
DocuSigned by:
DIGITALLY SIGNED
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OREGON
MAY 11, 2021
BRAD R. RHOADES
91917PLS

RENEWS: 12/31/2024



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Date: 4/11/2024
Proj No: 2301710



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PROJECT NO.: 2301710

DATE: 4/11/2024

INITIALS: BRR

EXHIBIT A
TAX LOT 181203AA00104

PARCEL A - RIGHT OF WAY DEDICATION

A PORTION OF LOT 6, BLOCK 1 OF M.W. ACRE TRACTS, RECORDED AUGUST 1, 1918 IN PLAT CABINET A, PAGE 27, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND, DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF SAID LOT 6 LYING EAST OF A LINE THAT IS PARALLEL TO AND 40.00 FEET WEST OF THE CENTERLINE OF SOUTHEAST 27TH STREET PER COUNTY SURVEY 21247 (CS21247), FILED JANUARY 23, 2024 IN THE DESCHUTES COUNTY SURVEYORS OFFICE, SAID CENTERLINE ALSO BEING COINCIDENT WITH THE EAST SECTION LINE OF SAID SECTION 3.

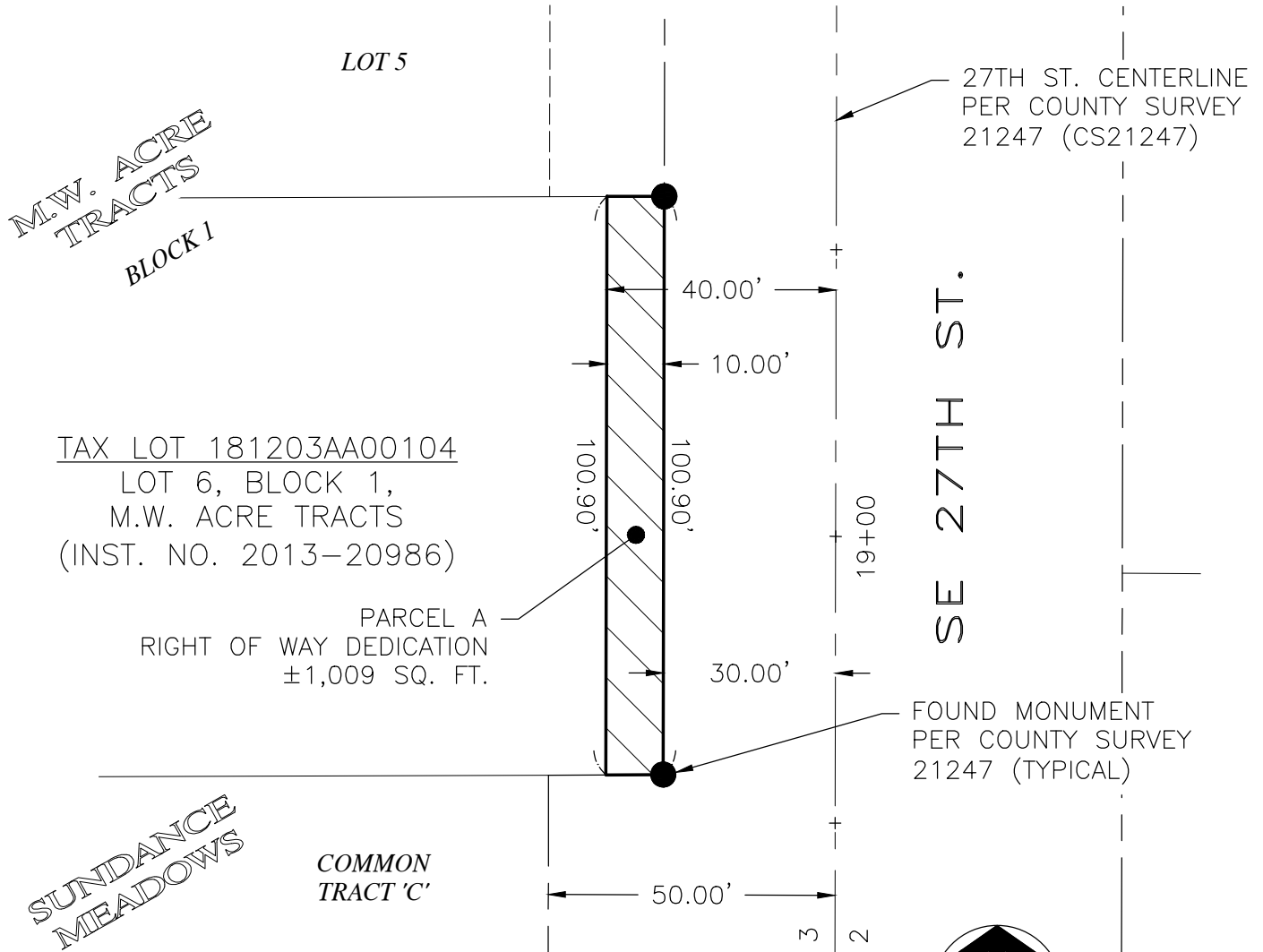
EXCEPTING THEREFROM, ANY PORTION LYING WITH THE RIGHT OF WAY OF SAID SOUTHEAST 27TH STREET.

THIS DESCRIPTION CONTAINS 1,009 SQUARE FEET, MORE OR LESS.

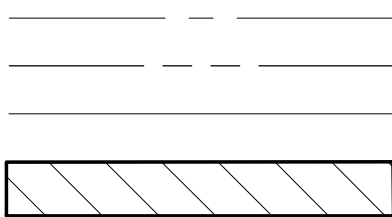
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MAY 11, 2021
BRAD R. RHOADES
91917PLS

RENEWS: 12/31/2024

EXHIBIT B PARCEL A - RIGHT OF WAY DEDICATION



LEGEND:

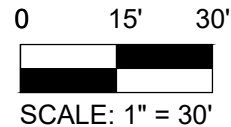
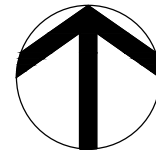


CENTERLINE

RIGHT OF WAY

PROPERTY LINE

DEDICATION AREA = ±1,009 SQ. FT.



Date: 4/11/2024
Proj No: 2301710

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PROFESSIONAL
LAND SURVEYOR

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RENEWS: 12/31/2024

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Land Surveying & Remote Sensing

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PROJECT NO.: 2301710

DATE: 04/11/2024

INITIALS: BRR

EXHIBIT A
TAX LOT 181203AB00100

PARCEL A - RIGHT OF WAY DEDICATION

A PORTION OF LOT 1, BLOCK 3 OF M.W. ACRE TRACTS, RECORDED AUGUST 1, 1918 IN PLAT CABINET A, PAGE 27, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND, DESCHUTES COUNTY, OREGON, THAT LIES EASTERLY OF THE LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE CENTERLINE OF BEAR CREEK ROAD AT STATION 41+67.36 PER COUNTY SURVEY 21247 (CS21247), FILED JANUARY 23, 2024 IN THE DESCHUTES COUNTY SURVEYORS OFFICE; THENCE LEAVING SAID CENTERLINE, SOUTH 54°17'49" EAST, 71.09 FEET; THENCE SOUTH 31°09'11" EAST, 14.85 FEET; THENCE SOUTH 14°27'40" EAST, 23.46 FEET; THENCE SOUTH 01°38'51" EAST, 8.76 FEET; THENCE SOUTH 35°00'00" EAST, 77.18 FEET TO THE CENTERLINE OF PETTIGREW ROAD AT STATION 1+49.41 PER SAID CS21247 AND THE **TERMINUS** OF THIS DESCRIPTION.

THIS DESCRIPTION CONTAINS 1,423 SQUARE FEET, MORE OR LESS.

PARCEL B - PERMANENT SLOPE EASEMENT

A PORTION OF LOT 1, BLOCK 3 OF M.W. ACRE TRACTS, RECORDED AUGUST 1, 1918 IN PLAT CABINET A, PAGE 27, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND, DESCHUTES COUNTY, OREGON, THAT LIES EASTERLY OF THE LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE CENTERLINE OF BEAR CREEK ROAD AT STATION 41+22.83, PER COUNTY SURVEY 21247 (CS21247), FILED JANUARY 23, 2024 IN THE DESCHUTES COUNTY SURVEYORS OFFICE, THENCE LEAVING SAID CENTERLINE, SOUTH 68°10'41" EAST, 79.82 FEET TO A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 65.44 FEET, THROUGH A CENTRAL ANGLE OF 71°06'31", HAVING A RADIUS OF 52.73 FEET (THE CHORD OF WHICH BEARS SOUTH 32°37'25" EAST, 61.32 FEET); THENCE SOUTH 41°00'13" EAST, 81.05 FEET TO THE CENTERLINE OF PETTIGREW ROAD AT STATION 1+43.20 PER SAID CS21247 AND THE **TERMINUS** OF THIS DESCRIPTION.

EXCEPTING THEREFROM, PARCEL A – RIGHT OF WAY DEDICATION, AS DESCRIBED ABOVE.

THIS DESCRIPTION CONTAINS 553 SQUARE FEET, MORE OR LESS.



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DATE: 04/11/2024

INITIALS: BRR

PARCEL C -TEMPORARY CONSTRUCTION EASEMENT

A PORTION OF LOT 1, BLOCK 3 OF M.W. ACRE TRACTS, RECORDED AUGUST 1, 1918 IN PLAT CABINET A, PAGE 27, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND, DESCHUTES COUNTY, OREGON, THAT LIES EASTERLY OF THE LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE CENTERLINE OF BEAR CREEK ROAD AT STATION 41+09.53, PER COUNTY SURVEY 21247 (CS21247), FILED JANUARY 23, 2024 IN THE DESCHUTES COUNTY SURVEYORS OFFICE; THENCE LEAVING SAID CENTERLINE, SOUTH 68°10'41" EAST, 92.15 FEET TO A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 62.16 FEET, THROUGH A CENTRAL ANGLE OF 74°36'47", HAVING A RADIUS OF 47.73 FEET (THE CHORD OF WHICH BEARS SOUTH 30°52'17" EAST, 57.86 FEET); THENCE SOUTH 88°35'04" WEST, 30.28 FEET; THENCE SOUTH 00°11'15" EAST, 48.57 FEET TO A POINT 88.56 FEET RIGHT OF CENTERLINE STATION 1+34.30 OF PETTIGREW ROAD, PER SAID CS21247, AND THE **TERMINUS** OF THIS DESCRIPTION.

EXCEPTING THEREFROM, PARCEL A – RIGHT OF WAY DEDICATION AND PARCEL B – PERMANENT SLOPE EASEMENT, AS DESCRIBED ABOVE.

THIS DESCRIPTION CONTAINS 2,867 SQUARE FEET, MORE OR LESS.

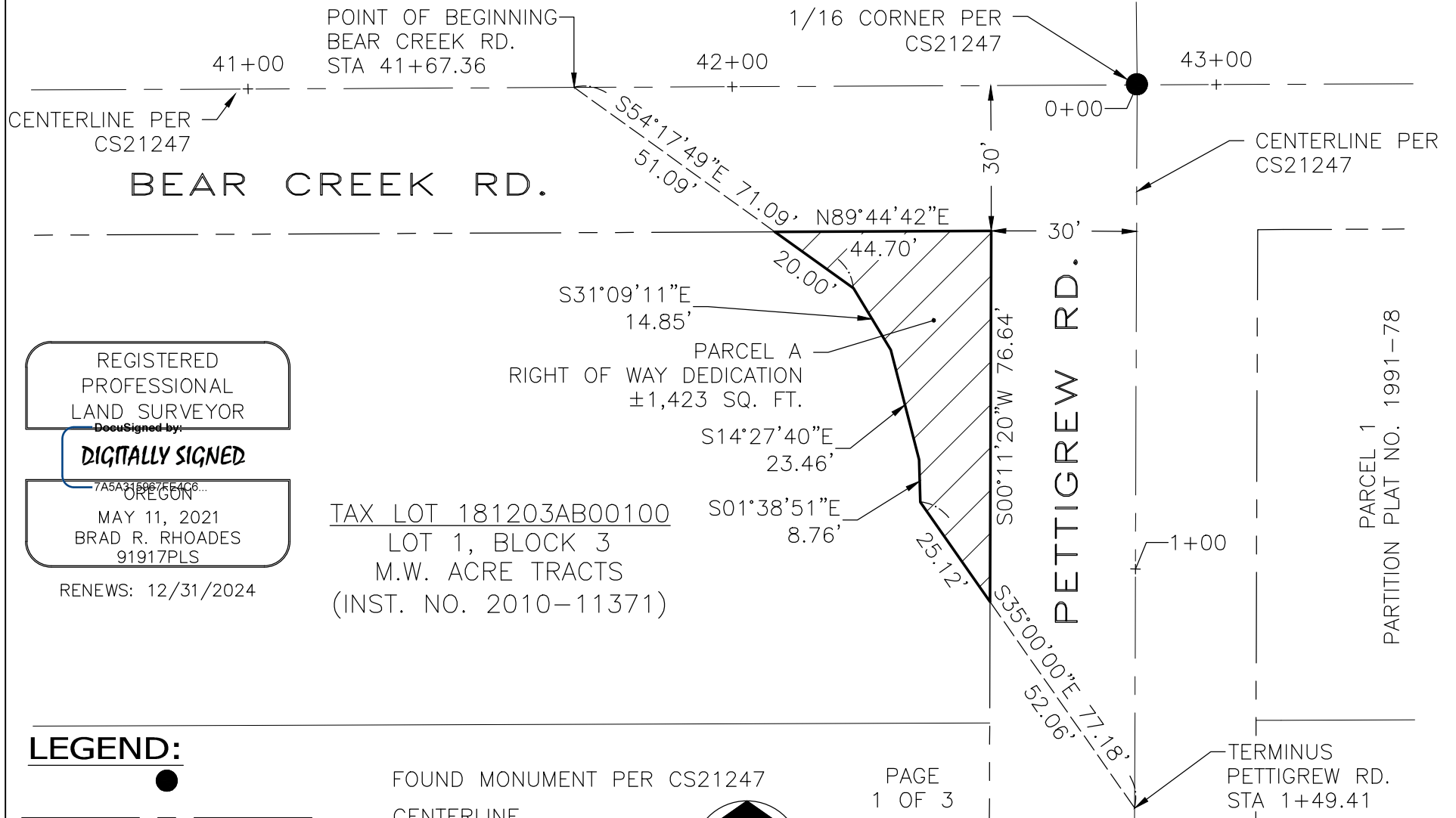
BASIS OF BEARINGS FOR PARCELS A, B AND C ARE PER SAID CS21247.



RENEWS: 12/31/2024

EXHIBIT B

PARCEL A - RIGHT OF WAY DEDICATION



REGISTERED
PROFESSIONAL
LAND SURVEYOR

DocuSigned by:

DIGITALLY SIGNED

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OREGON
MAY 11, 2021
BRAD R. RHOADES
91917PLS

RENEWS: 12/31/2024

TAX LOT 181203AB00100
LOT 1, BLOCK 3
M.W. ACRE TRACTS
(INST. NO. 2010-11371)

LEGEND:



FOUND MONUMENT PER CS21247

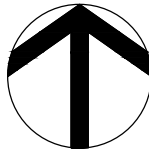
CENTERLINE

RIGHT OF WAY

PROPERTY LINE



DEDICATION AREA =
1,423 SQ. FT. ±



0 15' 30'



SCALE: 1" = 30'

PAGE
1 OF 3

S&F Land Services

Date: 4/11/2024
Proj No: 2301710

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EXHIBIT B

PARCEL B - PERMANENT SLOPE EASEMENT

POINT OF BEGINNING
BEAR CREEK RD.
STA 41+22.83
41+00

1/16 CORNER PER
CS21247
43+00

BEAR CREEK RD.

42+00

0+00

S68°10'41"E 79.82'

CENTERLINES PER
CS21247

PARCEL A
RIGHT OF WAY DEDICATION

PARCEL B
PERMANENT SLOPE EASEMENT
±553 SQ. FT.

L=65.44', R=52.73'
Δ=071°06'31"
CHORD=61.32'
S32°37'25"E

TAX LOT 181203AB00100
LOT 1, BLOCK 3
M.W. ACRE TRACTS
(INST. NO. 2010-11371)

PETTIGREW RD.

PARCEL 1
PARTITION PLAT NO. 1991-78

1+00

TERMINUS
PETTIGREW RD.
STA 1+43.20

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DocuSigned by:

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91917PLS

RENEWS: 12/31/2024

LEGEND:



FOUND MONUMENT PER CS21247



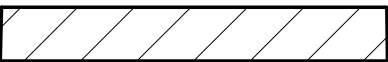
CENTERLINE



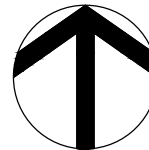
RIGHT OF WAY



PROPERTY LINE



EASEMENT AREA =
553 SQ. FT. ±



0 15' 30'



SCALE: 1" = 30'

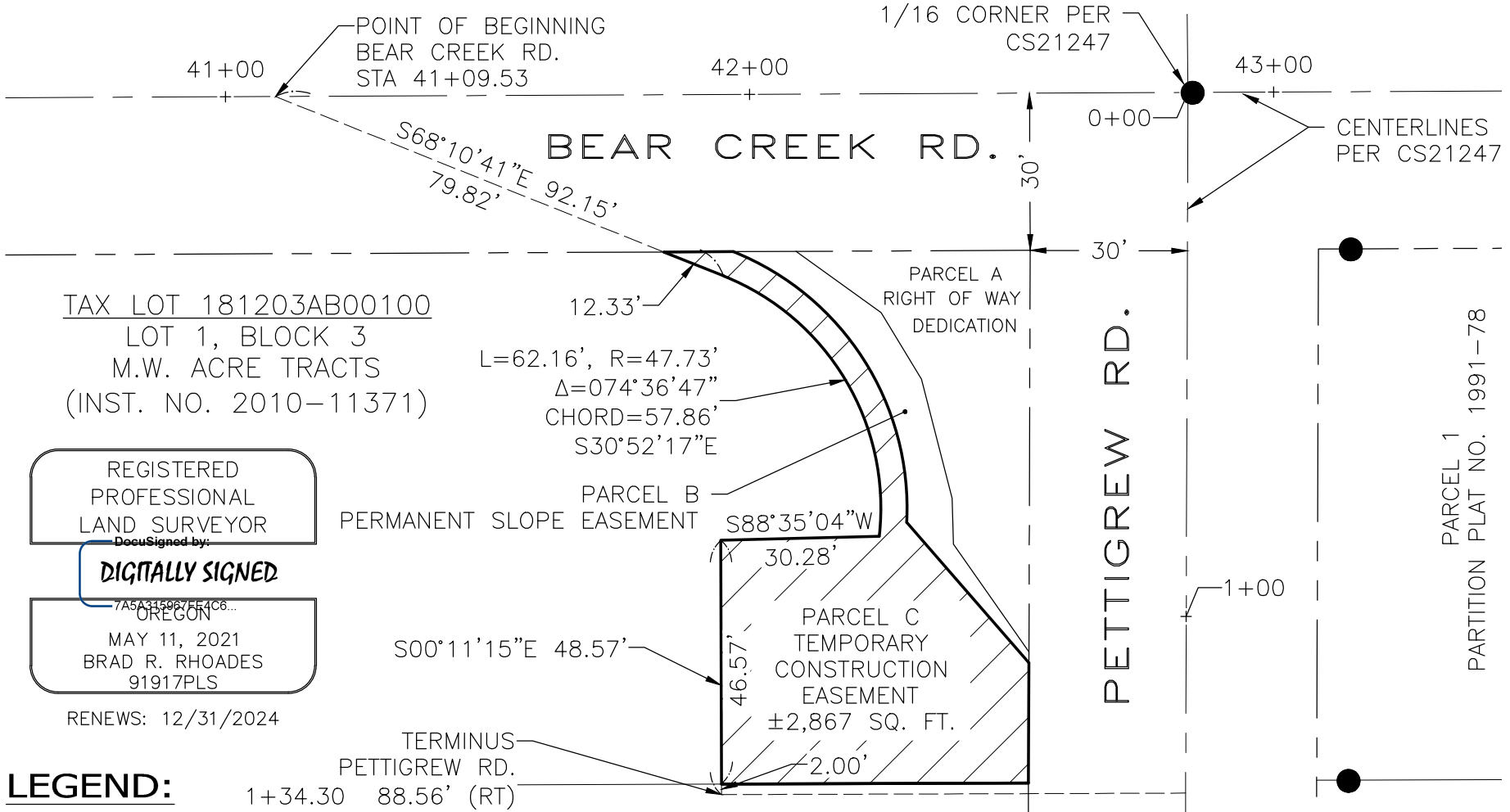
PAGE 2 OF 3



Date: 4/11/2024
Proj No: 2301710

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**EXHIBIT B
PARCEL C -TEMPORARY CONSTRUCTION EASEMENT**



TAX LOT 181203AB00100
LOT 1, BLOCK 3
M.W. ACRE TRACTS
(INST. NO. 2010-11371)

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DocuSigned by:

DIGITALLY SIGNED

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BRAD R. RHOADES
91917PLS

RENEWS: 12/31/2024

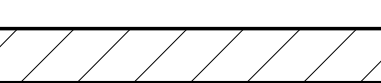
LEGEND:



FOUND MONUMENT PER CS21247



CENTERLINE



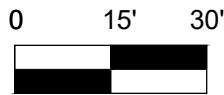
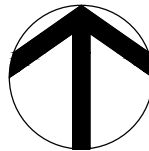
RIGHT OF WAY



PROPERTY LINE



EASEMENT AREA =
2,867 SQ. FT. ±



SCALE: 1" = 30'

PAGE 3 OF 3



Date: 4/11/2024
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PROJECT NO.: 2301710

DATE: 4/11/2024

INITIALS: BRR

EXHIBIT A
TAX LOT 181203AA00901

PARCEL A - RIGHT OF WAY DEDICATION

A PORTION OF PARCEL 1 OF PARTITION PLAT NO. 1991-78, RECORDED DECEMBER 5, 1991 AS DOCUMENT 91-35960, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND, DESCHUTES COUNTY, OREGON, THAT LIES NORTHWESTERLY OF THE LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE CENTERLINE OF PETTIGREW ROAD AT STATION 1+38.62, PER COUNTY SURVEY 21247 (CS21247), FILED JANUARY 23, 2024 IN THE DESCHUTES COUNTY SURVEYORS OFFICE; THENCE LEAVING SAID CENTERLINE, NORTH 35°20'58" EAST, 52.47 FEET; THENCE NORTH 18°08'35" EAST, 31.04 FEET; THENCE NORTH 39°39'02" EAST, 22.31 FEET; THENCE NORTH 59°53'45" EAST, 22.89 FEET; THENCE NORTH 81°45'54" EAST, 64.76 FEET TO A POINT 29.00 FEET RIGHT OF CENTERLINE STATION 44+21.21 OF BEAR CREEK ROAD, PER SAID CS21247, AND THE **TERMINUS** OF THIS DESCRIPTION.

THIS DESCRIPTION CONTAINS 1,748 SQUARE FEET, MORE OR LESS.

PARCEL B – PERMANENT SLOPE EASEMENT

A PORTION OF PARCEL 1 OF PARTITION PLAT NO. 1991-78, RECORDED DECEMBER 5, 1991 AS DOCUMENT 91-35960, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND, DESCHUTES COUNTY, OREGON, THAT LIES NORTHWESTERLY OF THE LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 24.00 FEET LEFT OF CENTERLINE STATION 1+20.31 OF PETTIGREW ROAD, PER COUNTY SURVEY 21247 (CS21247), FILED JANUARY 23, 2024 IN THE DESCHUTES COUNTY SURVEYORS OFFICE; THENCE NORTH 21°23'42" EAST, 36.54 FEET TO A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 79.14 FEET, THROUGH A CENTRAL ANGLE OF 74°36'51", HAVING A RADIUS OF 60.77 FEET (THE CHORD OF WHICH BEARS NORTH 49°14'34" EAST, 73.67 FEET); THENCE NORTH 86°38'49" EAST, 20.02 FEET; THENCE NORTH 75°16'04" EAST, 34.31 FEET TO A POINT 29.00 FEET RIGHT OF CENTERLINE STATION 44+29.44 OF BEAR CREEK ROAD, PER SAID CS21247, AND THE **TERMINUS** OF THIS DESCRIPTION.

EXCEPTING THEREFROM,
PARCEL A – RIGHT OF WAY DEDICATION, AS DESCRIBED ABOVE.

THIS DESCRIPTION CONTAINS 597 SQUARE FEET, MORE OR LESS.

BASIS OF BEARINGS FOR PARCELS A AND B IS PER SAID CS21247.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DocuSigned by:

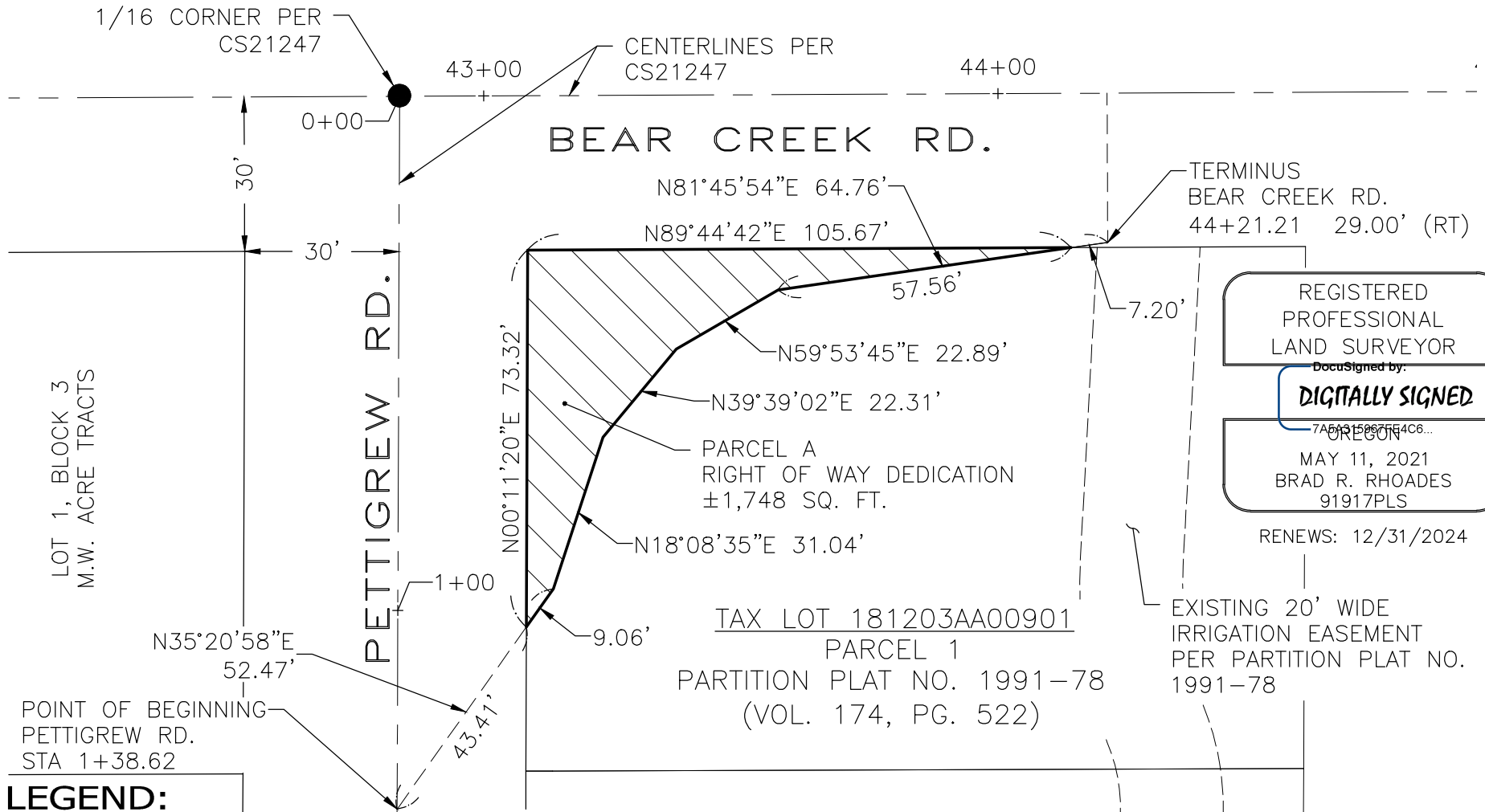
DIGITALLY SIGNED

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OREGON

MAY 11, 2021
BRAD R. RHOADES
91917PLS

RENEWS: 12/31/2024

EXHIBIT B PARCEL A - RIGHT OF WAY DEDICATION



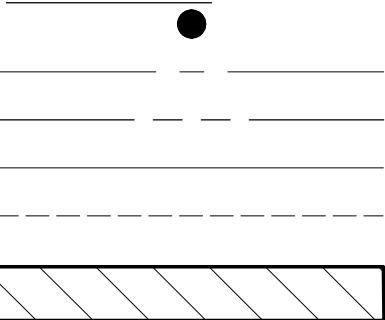
REGISTERED
PROFESSIONAL
LAND SURVEYOR

DocuSigned by:
DIGITALLY SIGNED
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OREGON

MAY 11, 2021
BRAD R. RHOADES
91917PLS

RENEWS: 12/31/2024

LEGEND:



FOUND MONUMENT PER CS21247

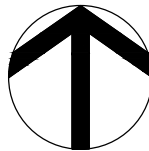
CENTERLINE

RIGHT OF WAY

PROPERTY LINE

EXISTING EASEMENT

DEDICATION AREA =
1,748 SQ. FT. ±



0 15' 30'



SCALE: 1" = 30'

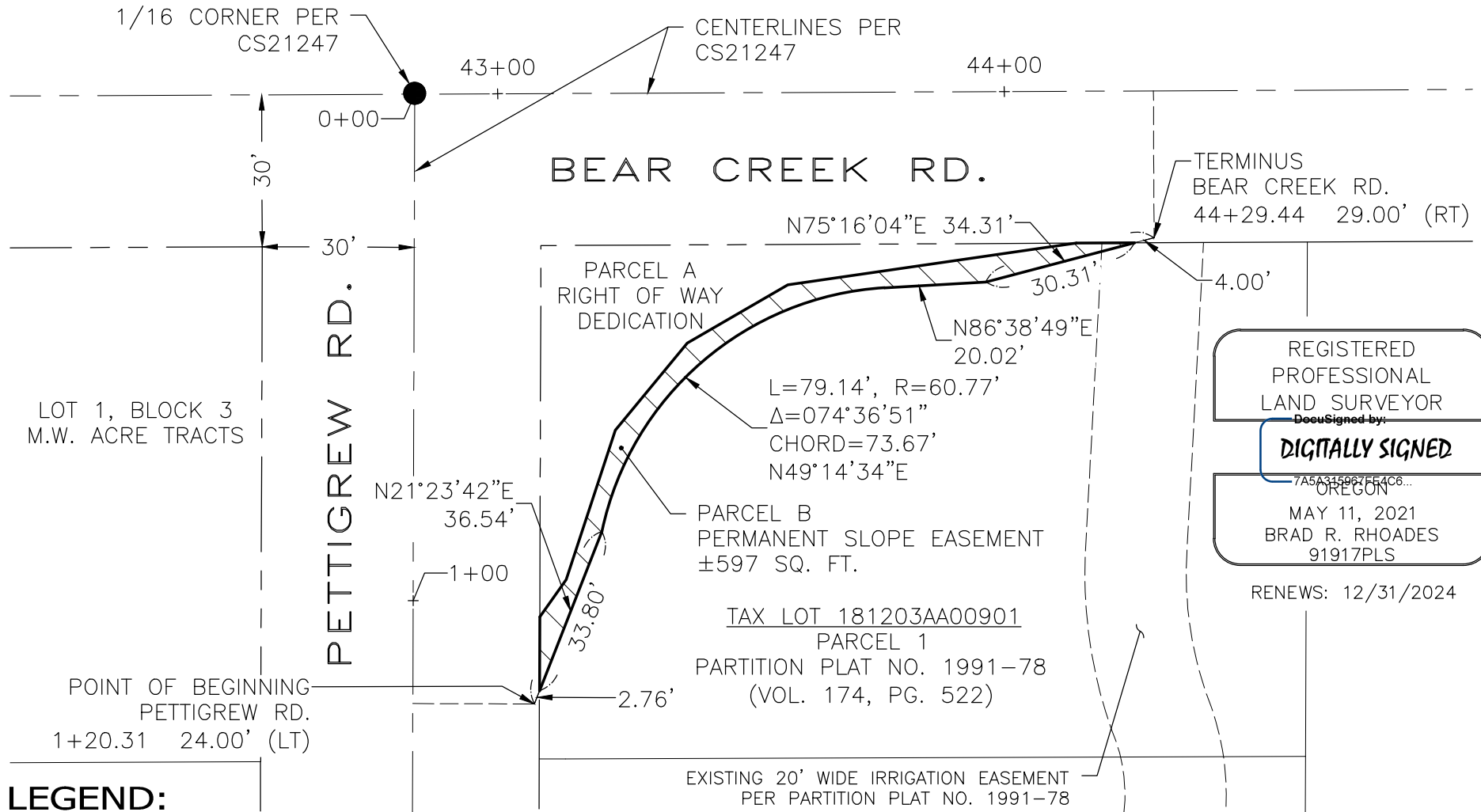


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EXHIBIT B

PARCEL B - PERMANENT SLOPE EASEMENT



REGISTERED
PROFESSIONAL
LAND SURVEYOR
DocuSigned by:
DIGITALLY SIGNED
7A5A315067EE4C6...
OREGON
MAY 11, 2021
BRAD R. RHOADES
91917PLS

RENEWS: 12/31/2024

TAX LOT 181203AA00901
PARCEL 1
PARTITION PLAT NO. 1991-78
(VOL. 174, PG. 522)

EXISTING 20' WIDE IRRIGATION EASEMENT
PER PARTITION PLAT NO. 1991-78

FOUND MONUMENT PER CS21247

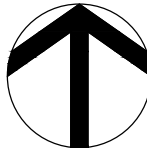
CENTERLINE

RIGHT OF WAY

PROPERTY LINE

EXISTING EASEMENT

EASEMENT AREA =
597 SQ. FT. ±



0 15' 30'



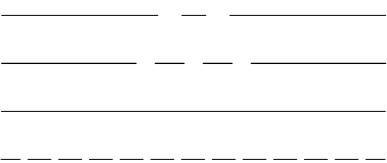
SCALE: 1" = 30'



Date: 4/11/2024
Proj No: 2301710

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LEGEND:



LOT 1, BLOCK 3
M.W. ACRE TRACTS

POINT OF BEGINNING
PETTIGREW RD.
1+20.31 24.00' (LT)

PETTIGREW RD.

BEAR CREEK RD.

TERMINUS
BEAR CREEK RD.
44+29.44 29.00' (RT)

PARCEL A
RIGHT OF WAY
DEDICATION

PARCEL B
PERMANENT SLOPE EASEMENT
±597 SQ. FT.

1/16 CORNER PER
CS21247

CENTERLINES PER
CS21247

43+00

44+00

0+00

30'

30'

N75°16'04"E 34.31'

30.31'

4.00'

PARCEL A
RIGHT OF WAY
DEDICATION

L=79.14', R=60.77'

Δ=074°36'51"

CHORD=73.67'

N49°14'34"E

N86°38'49"E

20.02'

N21°23'42"E

36.54'

1+00

33.80'

2.76'

EXISTING 20' WIDE IRRIGATION EASEMENT
PER PARTITION PLAT NO. 1991-78

FOUND MONUMENT PER CS21247

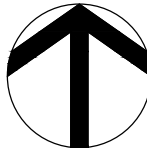
CENTERLINE

RIGHT OF WAY

PROPERTY LINE

EXISTING EASEMENT

EASEMENT AREA =
597 SQ. FT. ±



0 15' 30'



SCALE: 1" = 30'



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PROJECT NO.: 2301710

DATE: 4/11/2024

INITIALS: BRR

EXHIBIT A
TAX LOT 181203AA00105

PARCEL A - RIGHT OF WAY DEDICATION

A PORTION OF LOT 5, BLOCK 1 OF M.W. ACRE TRACTS, RECORDED AUGUST 1, 1918 IN PLAT CABINET A, PAGE 27, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND, DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF SAID LOT 5 LYING EAST OF A LINE THAT IS PARALLEL TO AND 40.00 FEET WEST OF THE CENTERLINE OF SOUTHEAST 27TH STREET PER COUNTY SURVEY 21247 (CS21247), FILED JANUARY 23, 2024 IN THE DESCHUTES COUNTY SURVEYORS OFFICE, SAID CENTERLINE ALSO BEING COINCIDENT WITH THE EAST SECTION LINE OF SAID SECTION 3.

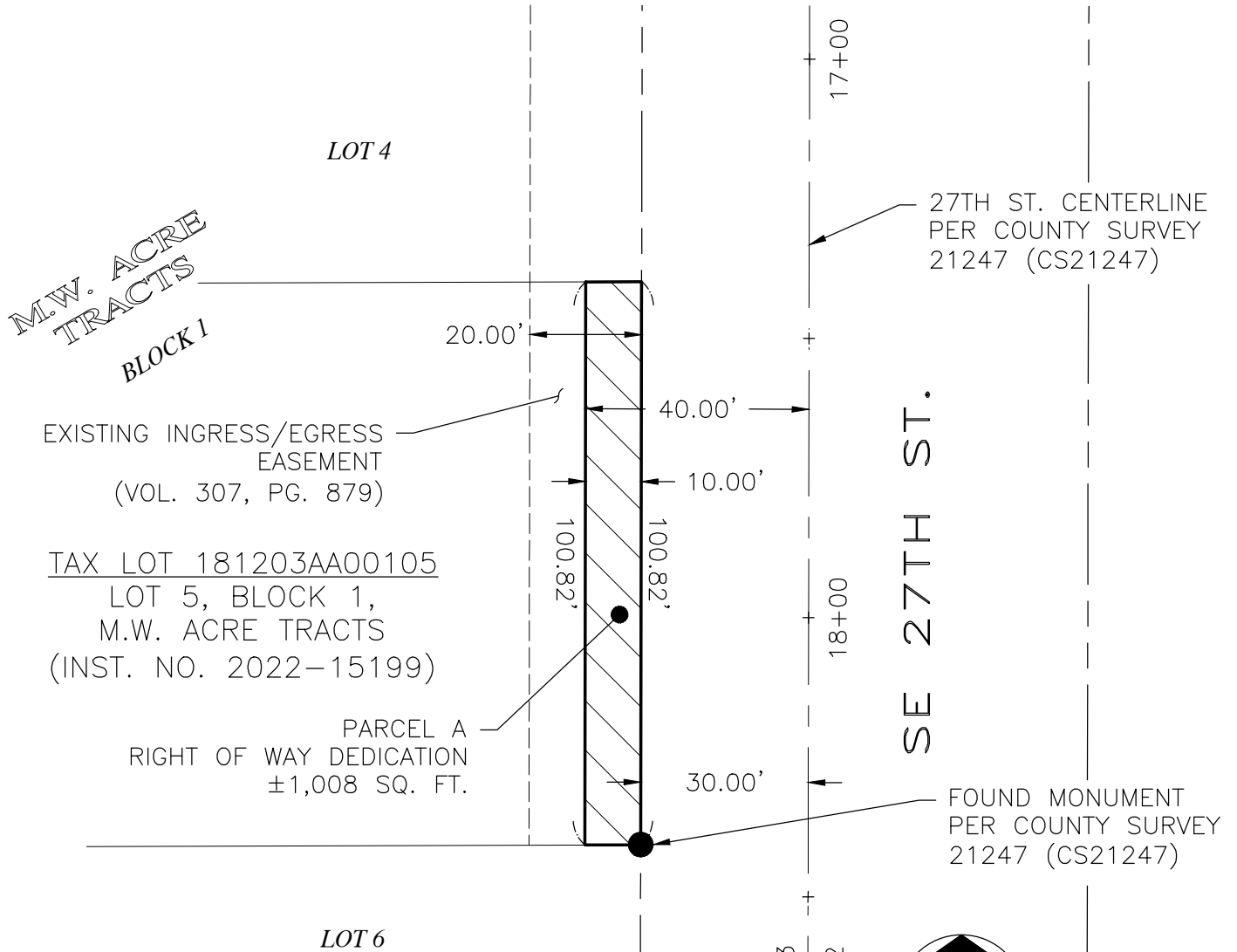
EXCEPTING THEREFROM, ANY PORTION LYING WITH THE RIGHT OF WAY OF SAID SOUTHEAST 27TH STREET.

THIS DESCRIPTION CONTAINS 1,008 SQUARE FEET, MORE OR LESS.



RENEWS: 12/31/2024

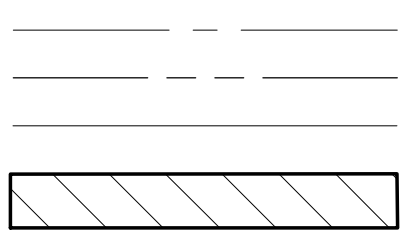
**EXHIBIT B
PARCEL A - RIGHT OF WAY DEDICATION**



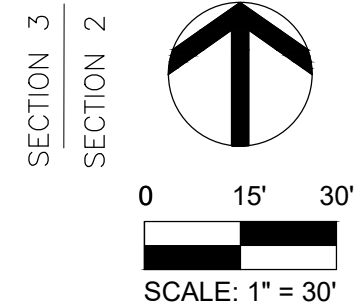
TAX LOT 181203AA00105
LOT 5, BLOCK 1,
M.W. ACRE TRACTS
(INST. NO. 2022-15199)

PARCEL A
RIGHT OF WAY DEDICATION
±1,008 SQ. FT.

LEGEND:



_____ CENTERLINE
 _____ RIGHT OF WAY
 _____ PROPERTY LINE
 [Hatched Box] DEDICATION AREA =
 ±1,008 SQ. FT.



Date: 4/11/2024
 Proj No: 2301710

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 PROFESSIONAL
 LAND SURVEYOR
DocuSigned by:
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7A5A315967FE4C6...
 OREGON
 MAY 11, 2021
 BRAD R. RHOADES
 91917PLS

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RENEWS: 12/31/2024

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DATE: 4/15/2024

INITIALS: BRR

EXHIBIT A
TAX LOT 181203AA00101

PARCEL A - RIGHT OF WAY DEDICATION

THAT PORTION OF LOT 1, BLOCK 1 OF M.W. ACRE TRACTS, RECORDED AUGUST 1, 1918 IN PLAT CABINET A, PAGE 27, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND, DESCHUTES COUNTY, OREGON, THAT LIES NORTHEASTERLY OF THE LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE CENTERLINE OF BEAR CREEK ROAD AT STATION 55+19.04, PER COUNTY SURVEY 21247 (CS21247), FILED JANUARY 23, 2024 IN THE DESCHUTES COUNTY SURVEYORS OFFICE; THENCE LEAVING SAID CENTERLINE, SOUTH 22°01'45" EAST, 82.74 FEET; THENCE SOUTH 32°14'30" EAST, 66.56 FEET TO A POINT 23.00 FEET RIGHT OF CENTERLINE STATION 14+39.89 OF SOUTHEAST 27TH STREET, PER SAID CS21247, AND THE **TERMINUS** OF THIS DESCRIPTION.

EXCEPTING THEREFROM, ANY PORTION LYING WITH THE RIGHTS OF WAY OF SAID BEAR CREEK ROAD AND SOUTHEAST 27TH STREET.

ALSO EXCEPTING THEREFROM, THAT PORTION DESCRIBED IN WARRANTY DEED RECORDED AUGUST 14, 2002 AS INSTRUMENT NO. 2002-44039 AND THAT PORTION DESCRIBED IN DEDICATION WARRANTY DEED RECORDED OCTOBER 22, 2004 AS INSTRUMENT NO. 2004-63345, ALL IN SAID DESCHUTES COUNTY OFFICIAL RECORDS.

THIS DESCRIPTION CONTAINS 730 SQUARE FEET, MORE OR LESS.

PARCEL B – TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF LOT 1, BLOCK 1 OF M.W. ACRE TRACTS, RECORDED AUGUST 1, 1918 IN PLAT CABINET A, PAGE 27, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND, DESCHUTES COUNTY, OREGON, THAT LIES NORTHEASTERLY OF THE LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE CENTERLINE OF BEAR CREEK ROAD AT STATION 55+13.65, PER COUNTY SURVEY 21247 (CS21247), FILED JANUARY 23, 2024 IN THE DESCHUTES COUNTY SURVEYORS OFFICE; THENCE LEAVING SAID CENTERLINE, SOUTH 22°01'45" EAST, 85.18 FEET; THENCE SOUTH



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32°14'30" EAST, 15.94 FEET; THENCE SOUTH 00°06'13" WEST, 50.58 FEET TO A POINT 54.55 FEET RIGHT OF CENTERLINE STATION 14+50.00 OF SOUTHEAST 27TH STREET, PER SAID CS21247, AND THE **TERMINUS** OF THIS DESCRIPTION.

EXCEPTING THEREFROM, PARCEL A – RIGHT OF WAY DEDICATION, AS DESCRIBED ABOVE AND ANY PORTION LYING WITH THE RIGHTS OF WAY OF SAID BEAR CREEK ROAD AND SOUTHEAST 27TH STREET.

ALSO EXCEPTING THEREFROM, THAT PORTION DESCRIBED IN WARRANTY DEED RECORDED AUGUST 14, 2002 AS INSTRUMENT NO. 2002-44039 AND THAT PORTION DESCRIBED IN DEDICATION WARRANTY DEED RECORDED OCTOBER 22, 2004 AS INSTRUMENT NO. 2004-63345, ALL IN SAID DESCHUTES COUNTY OFFICIAL RECORDS.

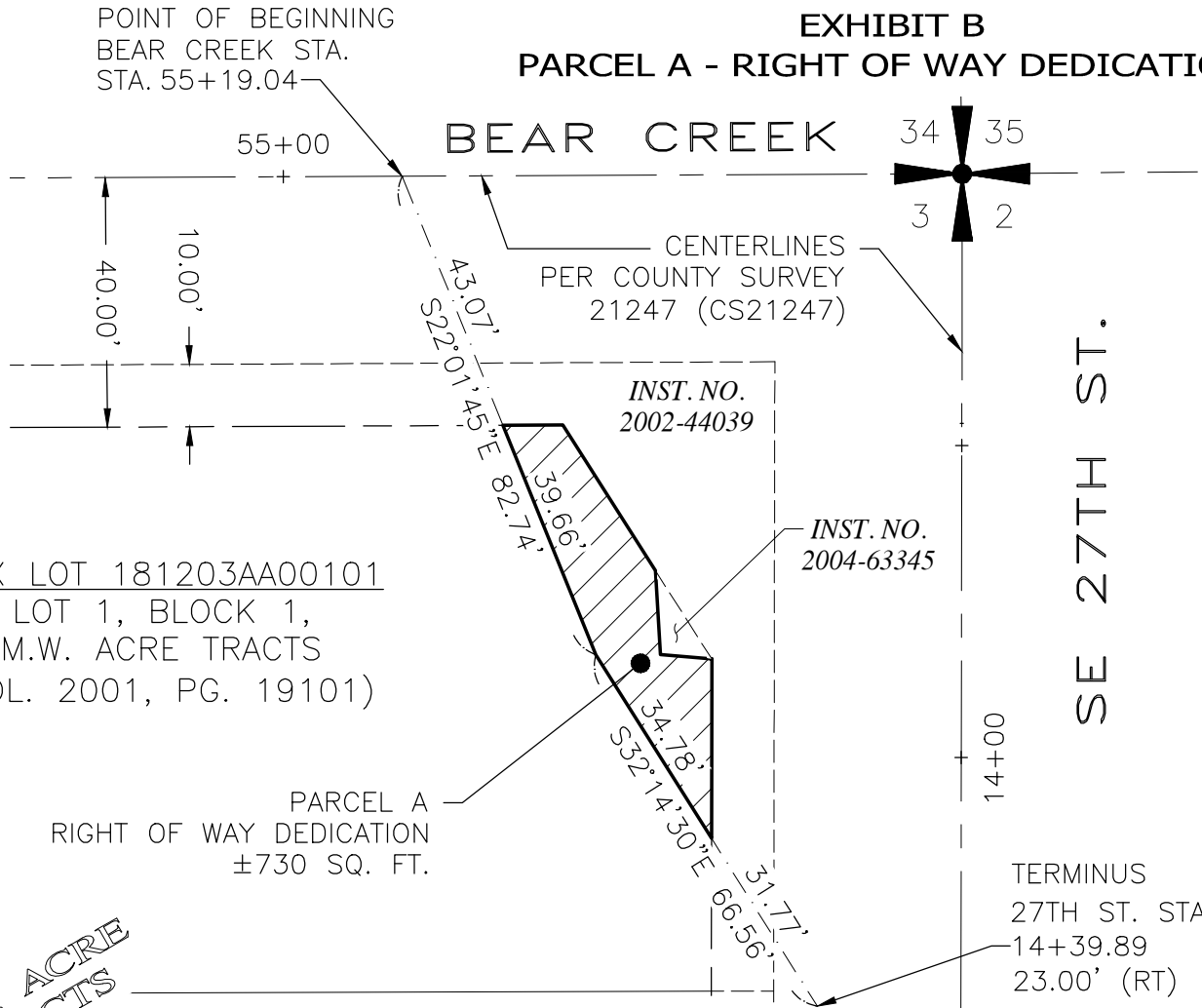
THIS DESCRIPTION CONTAINS 787 SQUARE FEET, MORE OR LESS.

BEARINGS FOR BOTH PARCEL A AND B ARE BASED ON SAID COUNTY SURVEY 21247 (CS21247)



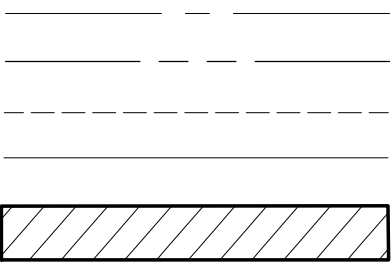
RENEWS: 12/31/2024

**EXHIBIT B
PARCEL A - RIGHT OF WAY DEDICATION**



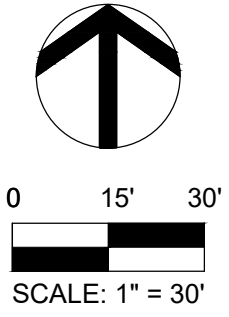
**M.W. ACRE
TRACTS
BLOCK 1**

LEGEND:



LOT 2

10.00'



Date: 4/15/2024
Proj No: 2301710

PAGE 1 OF 2

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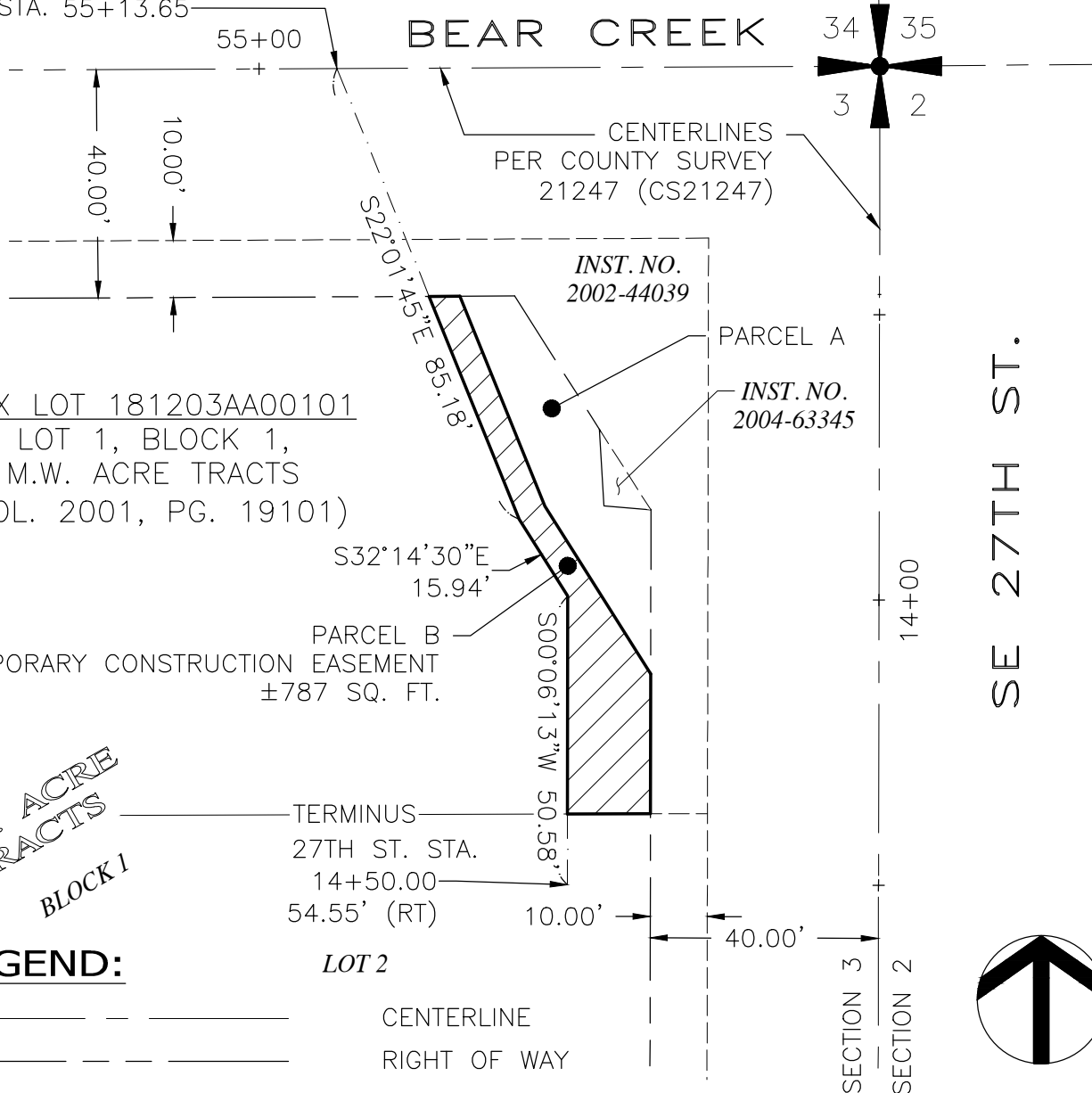
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EMAIL: INFO@SFLANDS.COM

EXHIBIT B

PARCEL B - TEMPORARY CONSTRUCTION EASEMENT

POINT OF BEGINNING
BEAR CREEK STA.
STA. 55+13.65

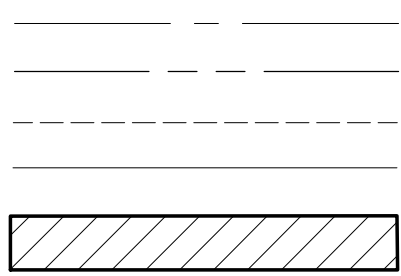


TAX LOT 181203AA00101
LOT 1, BLOCK 1,
M.W. ACRE TRACTS
(VOL. 2001, PG. 19101)

PARCEL B
TEMPORARY CONSTRUCTION EASEMENT
±787 SQ. FT.

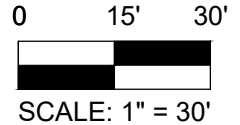
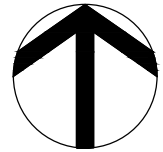
M.W. ACRE
TRACTS
BLOCK 1

LEGEND:



LOT 2

CENTERLINE
RIGHT OF WAY
DEDICATED RIGHT OF WAY
PROPERTY LINE
EASEMENT AREA =
±787 SQ. FT.



Date: 4/15/2024
Proj No: 2301710

PAGE 2 OF 2

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7A5A315987EE4C6...
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DATE: 4/11/2024

INITIALS: BRR

EXHIBIT A
TAX LOT 181203AA00100

PARCEL A - RIGHT OF WAY DEDICATION

A PORTION OF LOT 4, BLOCK 1 OF M.W. ACRE TRACTS, RECORDED AUGUST 1, 1918 IN PLAT CABINET A, PAGE 27, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND, DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF SAID LOT 4 LYING EAST OF A LINE THAT IS PARALLEL TO AND 40.00 FEET WEST OF THE CENTERLINE OF SOUTHEAST 27TH STREET PER COUNTY SURVEY 21247 (CS21247), FILED JANUARY 23, 2024 IN THE DESCHUTES COUNTY SURVEYORS OFFICE, SAID CENTERLINE ALSO BEING COINCIDENT WITH THE EAST SECTION LINE OF SAID SECTION 3.

EXCEPTING THEREFROM, ANY PORTION LYING WITH THE RIGHT OF WAY OF SAID SOUTHEAST 27TH STREET.

THIS DESCRIPTION CONTAINS 1,008 SQUARE FEET, MORE OR LESS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DocuSigned by:

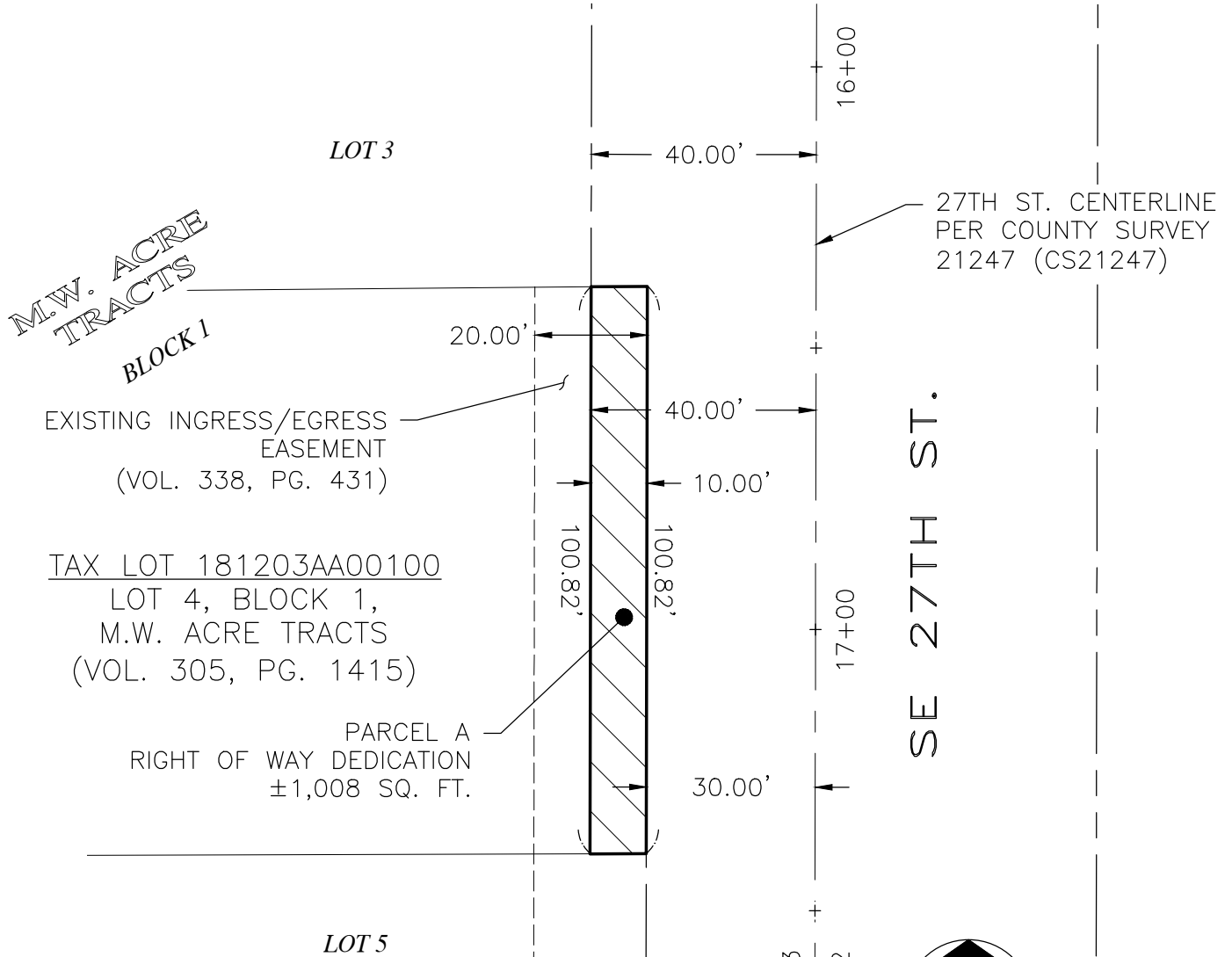
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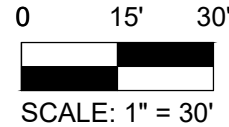
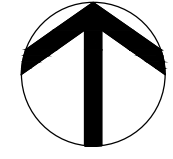
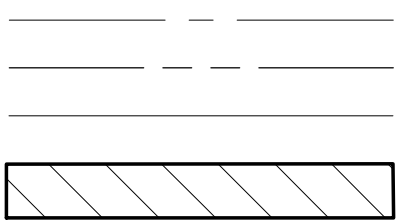
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RENEWS: 12/31/2024

EXHIBIT B PARCEL A - RIGHT OF WAY DEDICATION



LEGEND:



Date: 4/11/2024
Proj No: 2301710

REGISTERED PROFESSIONAL LAND SURVEYOR

DocuSigned by:

DIGITALLY SIGNED

7A54315967F4C6...
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MAY 11, 2021
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91917PLS

RENEWS: 12/31/2024



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