

RESOLUTION NO. 3419

A RESOLUTION EXERCISING THE POWER OF EMINENT DOMAIN FOR THE FRANKLIN AVENUE CORRIDOR PORTION OF THE MIDTOWN MULTIMODAL CONNECTIONS AND STREETSCAPING 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 people traveling by all modes, including bicycles and pedestrians. 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 Franklin Avenue subproject of the Midtown Multimodal Connections and Streetscaping project (the "Project") has been planned in accordance with appropriate engineering standards for the construction of street improvements, landscaping improvements, stormwater improvements and waterline improvements in a manner most compatible with the greatest public good and the least private injury. This project received a design exception from City standards on March 31, 2025, as set forth under the City Standards and Specifications, to obtain 90 feet of right-of-way, instead of City standard 100 feet on arterials, which lessens impacts to adjacent property owners and is consistent with previous planning documents. The City of Bend contracted with K&E Excavating, Inc. on December 20, 2023, under a progressive design-build contract for design and construction services for the Project. K&E Excavating, Inc. contracted with DOWL as the design firm for the Project.

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.

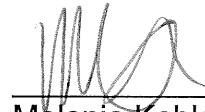
Section 4. The City of Bend expressly reserves jurisdiction to determine the necessity or propriety of any acquisition, its quantity, quality, or locality, and to change or abandon any acquisition.

Section 5. This resolution takes effect immediately upon adoption.

Adopted by the Bend City Council on April 2, 2025.

YES: Kebler, Franzosa, Méndez, Riley, Perkins, Norris, Platt

NO: None



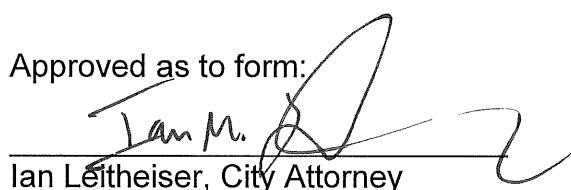
Melanie Kebler, Mayor

ATTEST:



Morgen Fry, City Recorder

Approved as to form:



Ian Leitheiser, City Attorney



**The Floyd Lewis Real Estate LLC, a
Nevada Limited Liability Company**
Map and Tax lot 171232DA08002
Page 1 of 2

**EXHIBIT A
City of Bend
Midtown Crossing – Franklin Avenue Improvements**

Parcel 1 - Public Right-of-Way Dedication

A parcel of land lying in the NE1/4,SE1/4 of Section 32, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of the property described in that Bargain and Sale Deed to The Floyd Lewis Real Estate LLC, a Nevada Limited Liability Company, recorded April 11, 2018 as Volume 2018, Page 14541 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 45.00 feet in width lying on the Southerly side of the center line of NE Franklin Avenue, which centerline is described as follows:

Beginning at Engineer's center line Station 50+00.00, said station being South 888.64 feet and West 1882.61 feet of the East One-quarter Corner of Section 32, Township 17 South, Range 12 East, W.M.; thence South 67°17'38" East 309.99 feet; thence North 89°58'59" East 1118.98 feet; thence North 89°58'29" East 479.66 feet; thence North 89°53'49" East 370.00 feet; thence North 89°59'11" East 470.00 feet; thence North 89°56'15" East 920.00 feet to Engineer's center line Station 86+68.63, said station being South 1005.98 feet and East 1762.00 feet of the East One-quarter Corner of said Section 32.

Bearings are based on County Survey No. 21485, filed February 27, 2025 Deschutes County Surveyor's Office.

This parcel of land contains 515 square feet, more or less, outside the existing right of way.



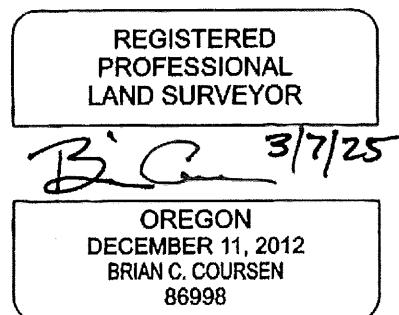
**The Floyd Lewis Real Estate LLC, a
Nevada Limited Liability Company**
Map and Tax lot 171232DA08002
Page 2 of 2

**Parcel 2 - Temporary Construction Easement (3 Years or duration of Project,
whichever is sooner)**

A parcel of land lying in the NE1/4, SE1/4 of Section 32, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of the property described in that Bargain and Sale Deed to The Floyd Lewis Real Estate LLC, a Nevada Limited Liability Company, recorded April 11, 2018 as Volume 2018, Page 14541 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 50.00 feet in width lying on the Southerly side of the center line of NE Franklin Avenue, which centerline is described in Parcel 1.

Except therefrom Parcel 1.

This parcel of land contains 515 square feet, more or less.



Renews: 12-31-2025

"F" 69+08.63 P.L.

"F" 64+28.98 P.L.
"F" 53+09.99 P.L.
N89°58'59"E 1118.98'

NE 1ST ST

NE FRANKLIN AVENUE

"F" 69+08.63 P.L.

65+00

PARCEL 1
R/W DEDICATION
515 SQ.FT.±

45.00'
50.00'

NE 1ST ST

171232DA 07900
TAX MAP AND LOT

PARCEL 2
TCE
515 SQ.FT.±

171232DA 08000
TAX MAP AND LOT

THE FLOYD LEWIS
REAL ESTATE LLC
BARGAIN AND SALE DEED
VOL. 2018, PG. 14541

40 0 40
SCALE IN FEET

N

LEGEND

-  RIGHT OF WAY DEDICATION
-  TEMPORARY CONSTRUCTION EASEMENT (TCE)

DOWL

WWW.DOWL.COM
1001 SW Emkay Drive, Suite 120
Bend, Oregon 97702
541-385-4772

MIDTOWN CROSSINGS - FRANKLIN AVENUE IMPROVEMENTS

TAX MAP & LOT 171232DA 08002

THE FLOYD LEWIS REAL ESTATE LLC

PROJECT 14953-01
DATE 03/07/2025

EXHIBIT B



Greg J. Syverson & Diane C. Gainsforth

Map and Tax lot 171232DA 04900

Page 1 of 2

EXHIBIT A
City of Bend
Midtown Crossing – Franklin Avenue Improvements

Parcel 1 - Public Right-of-Way Dedication

A parcel of land lying in the NE1/4, SE1/4 of Section 32, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion that property described in that Quitclaim Deed to Greg J. Syverson & Diane C. Gainsforth, recorded July 17, 2020 as Volume 2020, Page 34540 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 45.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described as follows:

Beginning at Engineer's center line Station 50+00.00, said station being South 888.64 feet and West 1882.61 feet of the East One-quarter Corner of Section 32, Township 17 South, Range 12 East, W.M.; thence South 67°17'38" East 309.99 feet; thence North 89°58'59" East 1118.98 feet; thence North 89°58'29" East 479.66 feet; thence North 89°53'49" East 370.00 feet; thence North 89°59'11" East 470.00 feet; thence North 89°56'15" East 920.00 feet to Engineer's center line Station 86+68.63, said station being South 1005.98 feet and East 1762.00 feet of the East One-quarter Corner of said Section 32.

Bearings are based on County Survey No. 21485, filed February 27, 2025 Deschutes County Surveyor's Office.

This parcel of land contains 250 square feet, more or less, outside the existing right of way.



Greg J. Syverson & Diane C. Gainsforth
Map and Tax lot 171232DA 04900
Page 2 of 2

Parcel 2 - Temporary Construction Easement (3 Years or duration of Project, whichever is sooner)

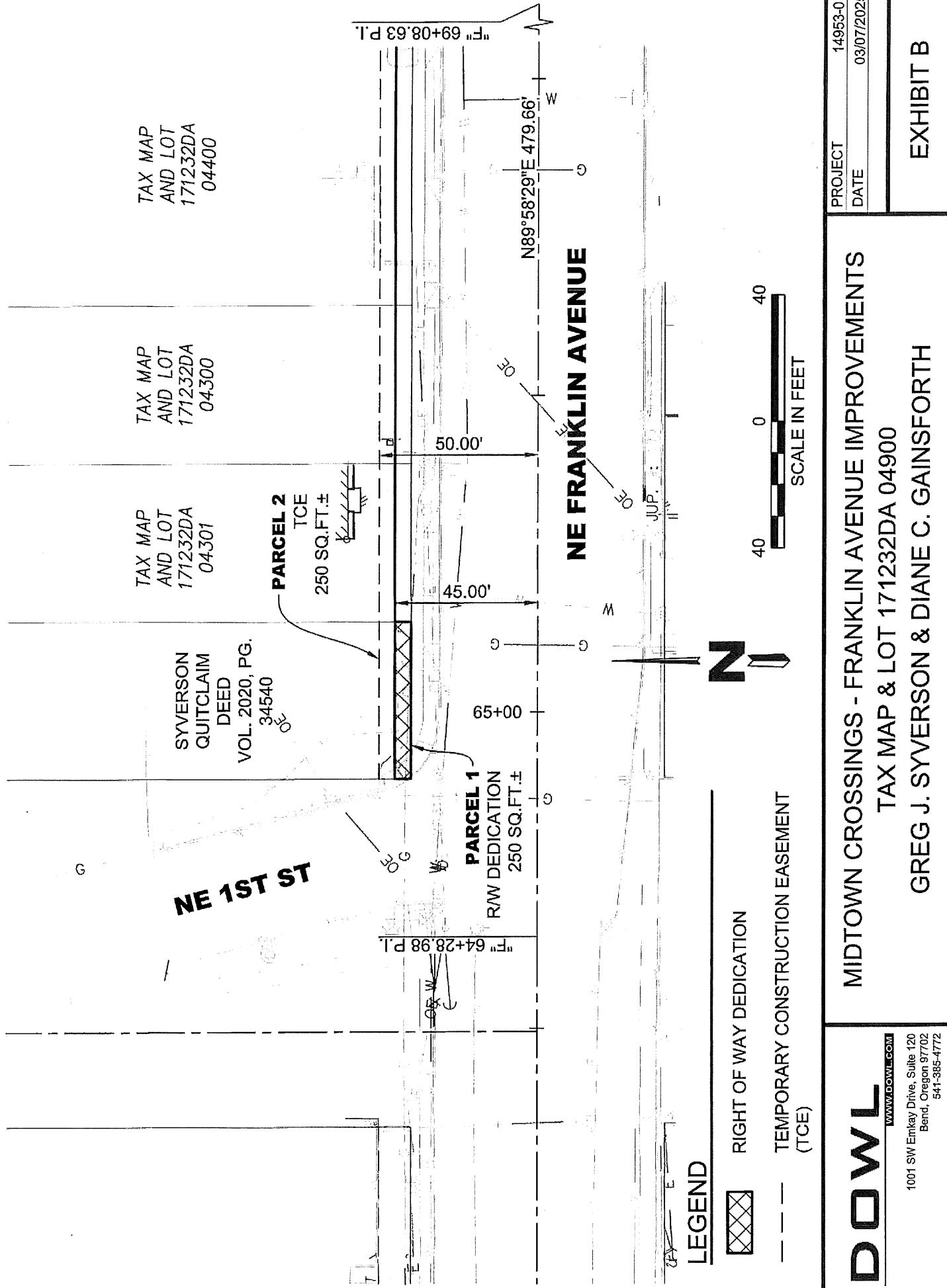
A parcel of land lying in the NE1/4, SE1/4 of Section 32, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion that property described in that Quitclaim Deed to Greg J. Syverson & Diane C. Gainsforth, recorded July 17, 2020 as Volume 2020, Page 34540 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 50.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described in Parcel 1.

Except therefrom Parcel 1.

This parcel of land contains 250 square feet, more or less.



Renews: 12-31-2025





Greg J. Syverson & Diane C. Gainsforth
Map and Tax lot 171232DA 04301
Page 1 of 2

EXHIBIT A
City of Bend
Midtown Crossing – Franklin Avenue Improvements

Parcel 1 - Public Right-of-Way Dedication

A parcel of land lying in the NE1/4, SE1/4 of Section 32, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion that property described in that Quitclaim Deed to Greg J. Syverson & Diane C. Gainsforth, recorded October 2, 2009 as Volume 2009, Page 42208 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 45.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described as follows:

Beginning at Engineer's center line Station 50+00.00, said station being South 888.64 feet and West 1882.61 feet of the East One-quarter Corner of Section 32, Township 17 South, Range 12 East, W.M.; thence South 67°17'38" East 309.99 feet; thence North 89°58'59" East 1118.98 feet; thence North 89°58'29" East 479.66 feet; thence North 89°53'49" East 370.00 feet; thence North 89°59'11" East 470.00 feet; thence North 89°56'15" East 920.00 feet to Engineer's center line Station 86+68.63, said station being South 1005.98 feet and East 1762.00 feet of the East One-quarter Corner of said Section 32.

Bearings are based on County Survey No. 21485, filed February 27, 2025 Deschutes County Surveyor's Office.

This parcel of land contains 250 square feet, more or less, outside the existing right of way.



Greg J. Syverson & Diane C. Gainsforth
Map and Tax lot 171232DA 04301
Page 2 of 2

Parcel 2 - Temporary Construction Easement (3 Years or duration of Project, whichever is sooner)

A parcel of land lying in the NE1/4, SE1/4 of Section 32, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion that property described in that Quitclaim Deed to Greg J. Syverson & Diane C. Gainsforth, recorded October 2, 2009 as Volume 2009, Page 42208 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 50.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described in Parcel 1.

Except therefrom Parcel 1.

This parcel of land contains 250 square feet, more or less.



Renews: 12-31-2025

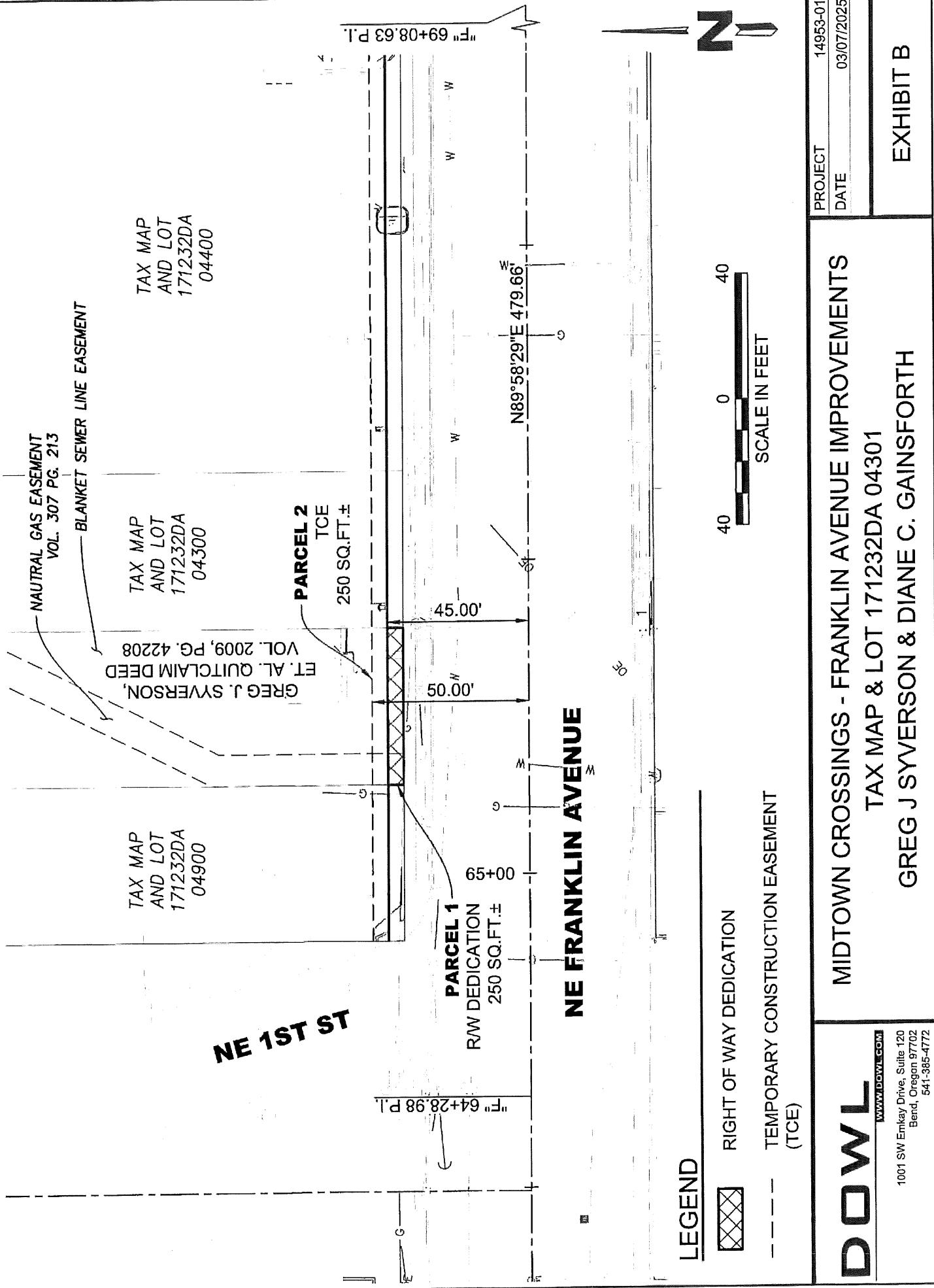


EXHIBIT A
City of Bend
Midtown Crossing – Franklin Avenue Improvements

Parcel 1 - Public Right-of-Way Dedication

A parcel of land lying in the NE1/4, SE1/4 of Section 32, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of that property described in that Bargain and Sale Deed to Alan D. Valenti and Kathleen Valenti, as their interests may appear of record, recorded September 27, 2023 as Volume 2023, Page 24010 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 45.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described as follows:

Beginning at Engineer's center line Station 50+00.00, said station being South 888.64 feet and West 1882.61 feet of the East One-quarter Corner of Section 32, Township 17 South, Range 12 East, W.M.; thence South 67°17'38" East 309.99 feet; thence North 89°58'59" East 1118.98 feet; thence North 89°58'29" East 479.66 feet; thence North 89°53'49" East 370.00 feet; thence North 89°59'11" East 470.00 feet; thence North 89°56'15" East 920.00 feet to Engineer's center line Station 86+68.63, said station being South 1005.98 feet and East 1762.00 feet of the East One-quarter Corner of said Section 32.

Bearings are based on County Survey No. 21485, filed February 27, 2025 Deschutes County Surveyor's Office.

This parcel of land contains 250 square feet, more or less, outside the existing right of way.

Parcel 2 - Temporary Construction Easement (3 Years or duration of Project, whichever is sooner)

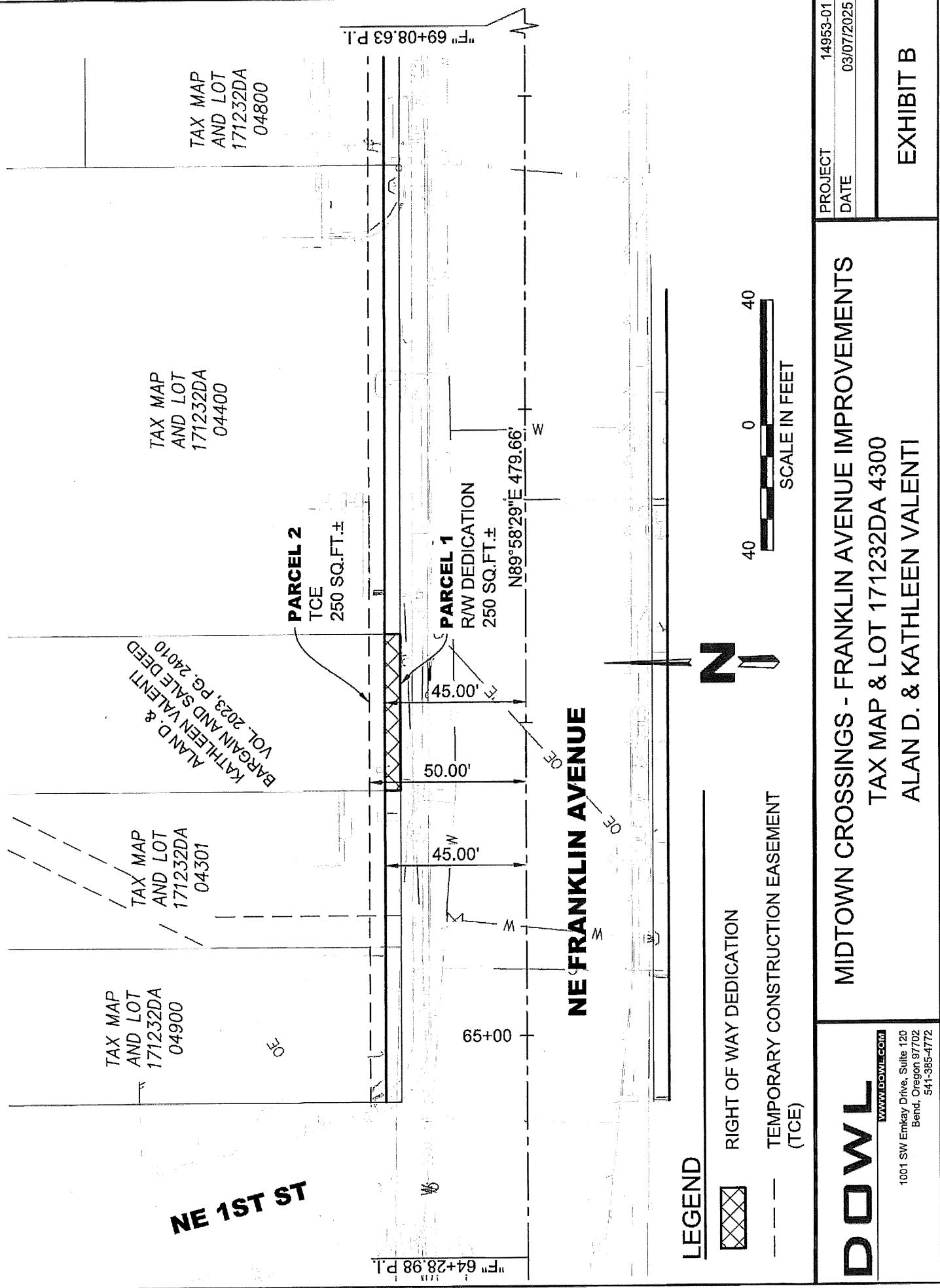
A parcel of land lying in the NE1/4, SE1/4 of Section 32, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of that property described in that Bargain and Sale Deed to Alan D. Valenti and Kathleen Valenti, as their interests may appear of record, recorded September 27, 2023 as Volume 2023, Page 24010 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 50.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described in Parcel 1.

Except therefrom Parcel 1.

This parcel of land contains 250 square feet, more or less.



Renews: 12-31-2025





181 Franklin LLC
Map and Tax lot 171232DA 08000, 08004 & 08100
Page 1 of 2

EXHIBIT A
City of Bend
Midtown Crossing – Franklin Avenue Improvements

Parcel 1 - Public Right-of-Way Dedication

A parcel of land lying in the NE1/4, SE1/4 of Section 32, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of the properties designated as Parcel 1, Parcel 2 and Parcel 3 as described in that Statutory Bargain and Sale Deed to 181 Franklin LLC, recorded December 21, 2022 as Volume 2022, Page 43940 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 45.00 feet in width lying on the Southerly side of the center line of NE Franklin Avenue, which centerline is described as follows:

Beginning at Engineer's center line Station 50+00.00, said station being South 888.64 feet and West 1882.61 feet of the East One-quarter Corner of Section 32, Township 17 South, Range 12 East, W.M.; thence South 67°17'38" East 309.99 feet; thence North 89°58'59" East 1118.98 feet; thence North 89°58'29" East 479.66 feet; thence North 89°53'49" East 370.00 feet; thence North 89°59'11" East 470.00 feet; thence North 89°56'15" East 920.00 feet to Engineer's center line Station 86+68.63, said station being South 1005.98 feet and East 1762.00 feet of the East One-quarter Corner of said Section 32.

Bearings are based on County Survey No. 21485, filed February 27, 2025 Deschutes County Surveyor's Office.

This parcel of land contains 1,285 square feet, more or less, outside the existing right of way.



181 Franklin LLC

Map and Tax lot 171232DA 08000, 08004 & 08100

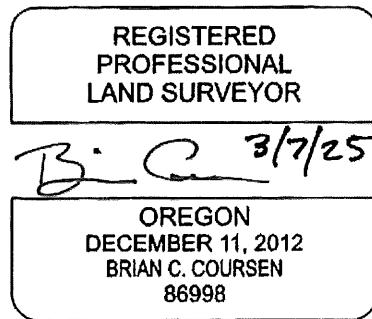
Page 2 of 2

Parcel 2 - Temporary Construction Easement (3 Years or duration of Project, whichever is sooner)

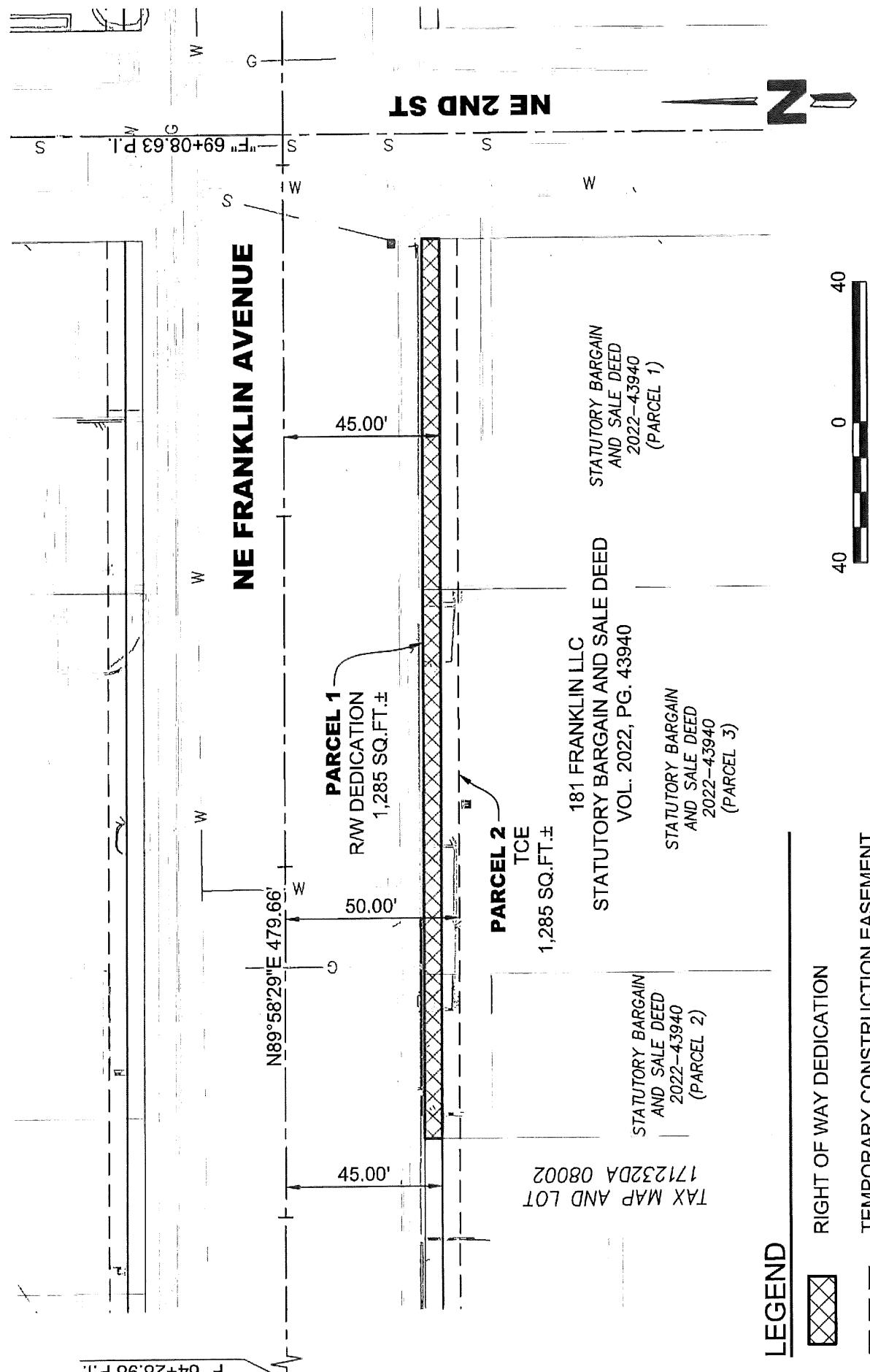
A parcel of land lying in the NE1/4, SE1/4 of Section 32, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of the properties designated as Parcel 1, Parcel 2 and Parcel 3 as described in that Statutory Bargain and Sale Deed to 181 Franklin LLC, recorded December 21, 2022 as Volume 2022, Page 43940 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 50.00 feet in width lying on the Southerly side of the center line of NE Franklin Avenue, which centerline is described in Parcel 1.

Except therefrom Parcel 1.

This parcel of land contains 1,285 square feet, more or less.



Renews: 12-31-2025





Talyor Development, LLC
Map and Tax lot 171232DA 04700
Page 1 of 2

EXHIBIT A
City of Bend
Midtown Crossing – Franklin Avenue Improvements

Parcel 1 - Public Right-of-Way Dedication

A parcel of land lying in the NE1/4, SE1/4 of Section 32, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of that property described in that Statutory Warranty Deed to Talyor Development LLC, recorded August 2, 2022 as Volume 2022, Page 29867 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 45.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described as follows:

Beginning at Engineer's center line Station 50+00.00, said station being South 888.64 feet and West 1882.61 feet of the East One-quarter Corner of Section 32, Township 17 South, Range 12 East, W.M.; thence South 67°17'38" East 309.99 feet; thence North 89°58'59" East 1118.98 feet; thence North 89°58'29" East 479.66 feet; thence North 89°53'49" East 370.00 feet; thence North 89°59'11" East 470.00 feet; thence North 89°56'15" East 920.00 feet to Engineer's center line Station 86+68.63, said station being South 1005.98 feet and East 1762.00 feet of the East One-quarter Corner of said Section 32.

Bearings are based on County Survey No. 21485, filed February 27, 2025 Deschutes County Surveyor's Office.

This parcel of land contains 250 square feet, more or less, outside the existing right of way.



Talyor Development, LLC
Map and Tax lot 171232DA 04700
Page 2 of 2

Parcel 2 - Temporary Construction Easement (3 Years or duration of Project, whichever is sooner)

A parcel of land lying in the NE1/4, SE1/4 of Section 32, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of that property described in that Statutory Warranty Deed to Talyor Development LLC, recorded August 2, 2022 as Volume 2022, Page 29867 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 50.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described in Parcel 1.

Except therefrom Parcel 1.

This parcel of land contains 250 square feet, more or less.



Renews: 12-31-2025

EXHIBIT A
City of Bend
Midtown Crossing – Franklin Avenue Improvements

Parcel 1 - Public Right-of-Way Dedication

A parcel of land lying in the NW1/4,SW1/4 of Section 33, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of that property described in that Statutory Bargain and Sale Deed to Donnell Holdings LLC, recorded July 25, 2024 as Volume 2024, Page 19003 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 45.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described as follows:

Beginning at Engineer's center line Station 50+00.00, said station being South 888.64 feet and West 1882.61 feet of the East One-quarter Corner of Section 32, Township 17 South, Range 12 East, W.M.; thence South 67°17'38" East 309.99 feet; thence North 89°58'59" East 1118.98 feet; thence North 89°58'29" East 479.66 feet; thence North 89°53'49" East 370.00 feet; thence North 89°59'11" East 470.00 feet; thence North 89°56'15" East 920.00 feet to Engineer's center line Station 86+68.63, said station being South 1005.98 feet and East 1762.00 feet of the East One-quarter Corner of said Section 32.

Bearings are based on County Survey No. 21485, filed February 27, 2025 Deschutes County Surveyor's Office.

This parcel of land contains 250 square feet, more or less, outside the existing right of way.

Parcel 2 - Temporary Construction Easement (3 Years or duration of Project, whichever is sooner)

A parcel of land lying in the NW1/4,SW1/4 of Section 33, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of that property described in that Statutory Bargain and Sale Deed to Donnell Holdings LLC, recorded July 25, 2024 as Volume 2024, Page 19003 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 50.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described in Parcel 1.

Except therefrom Parcel 1.

This parcel of land contains 250 square feet, more or less.



Renews: 12-31-2025

DONNELL
HOLDINGS LLC
STATUTORY
BARGAIN AND
SALE DEED
VOL. 2024, PG.
19003

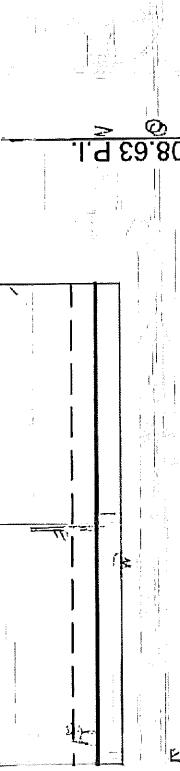
OE

NE 2ND ST

TAX MAP
AND LOT
171232DA
04700

TAX MAP AND LOT
171233CB 07600

PARCEL 2
TCE
250 SQ.FT.±



NE FRANKLIN AVENUE

PARCEL 1
R/W DEDICATION
250 SQ.FT.±

N89°53'49"E 370.00'

70+00

50.00'

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

</



**Lorin Craig Freeland, Trustee of the
Lorin Freeland Trust**
Map and Tax lot 171233CB 07600
Page 1 of 2

**EXHIBIT A
City of Bend
Midtown Crossing – Franklin Avenue Improvements**

Parcel 1 - Public Right-of-Way Dedication

A parcel of land lying in the NW1/4, SW1/4 of Section 33, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of that property described in that Bargain and Sale Deed to Lorin Craig Freeland, Trustee of the Lorin Freeland Trust recorded July 26, 2024 as Volume 2024, Page 19191 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 45.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described as follows:

Beginning at Engineer's center line Station 50+00.00, said station being South 888.64 feet and West 1882.61 feet of the East One-quarter Corner of Section 32, Township 17 South, Range 12 East, W.M.; thence South 67°17'38" East 309.99 feet; thence North 89°58'59" East 1118.98 feet; thence North 89°58'29" East 479.66 feet; thence North 89°53'49" East 370.00 feet; thence North 89°59'11" East 470.00 feet; thence North 89°56'15" East 920.00 feet to Engineer's center line Station 86+68.63, said station being South 1005.98 feet and East 1762.00 feet of the East One-quarter Corner of said Section 32.

Bearings are based on County Survey No. 21485, filed February 27, 2025 Deschutes County Surveyor's Office.

This parcel of land contains 625 square feet, more or less, outside the existing right of way.



**Lorin Craig Freeland, Trustee of the
Lorin Freeland Trust**
Map and Tax lot 171233CB 07600
Page 2 of 2

Parcel 2 - Temporary Construction Easement (3 Years or duration of Project, whichever is sooner)

A parcel of land lying in the NW1/4,SW1/4 of Section 33, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of that property described in that Bargain and Sale Deed to Lorin Craig Freeland, Trustee of the Lorin Freeland Trust recorded July 26, 2024 as Volume 2024, Page 19191 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 50.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described in Parcel 1.

Except therefrom Parcel 1.

This parcel of land contains 625 square feet, more or less.



Renews: 12-31-2025

NE 3RD ST

TAX MAP
AND LOT
171233CB
07700

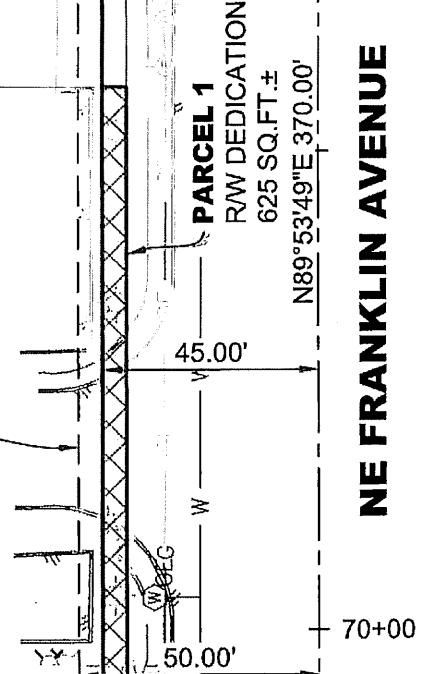
LORIN FREELAND TRUST
BARGAIN AND SALE DEED
VOL. 2024, PG. 19191

TAX MAP AND LOT
171233CB 07500

NE 2ND ST

PARCEL 2

TCE
625 SQ.FT.±



"F" 72+78.63 P.L.

"F" 69+08.63 P.L.

"F" 72+78.63 P.L.

NE FRANKLIN AVENUE

W
W
W

70+00

S
S
S

PARCEL 1
RW DEDICATION
625 SQ.FT.±

N89°53'49"E 370.00'



LEGEND



RIGHT OF WAY DEDICATION

— — TEMPORARY CONSTRUCTION EASEMENT
(TCE)

DOWL

www.dowl.com
1001 SW Emkay Drive, Suite 120
Bend, Oregon 97702
541-385-4772

MIDTOWN CROSSINGS - FRANKLIN AVENUE IMPROVEMENTS

TAX MAP & LOT 171233CB 07600

LORIN FREELAND TRUST

PROJECT 14953-01
DATE 03/07/2025

EXHIBIT B



7-Eleven Inc.
Map and Taxlot 171233CB 07500
Page 1 of 2

EXHIBIT A
City of Bend
Midtown Crossing – Franklin Avenue Improvements

Parcel 1 - Public Right-of-Way Dedication

A parcel of land lying in the NW1/4,SW1/4 of Section 33, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of that property described in that Statutory Warranty Deed to The Southland Corporation, recorded January 8, 1986 as Volume 113, Page 1884 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land 45.00 feet in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described as follows:

Beginning at Engineer's center line Station 50+00.00, said station being South 888.64 feet and West 1882.61 feet of the East One-quarter Corner of Section 32, Township 17 South, Range 12 East, W.M.; thence South 67°17'38" East 309.99 feet; thence North 89°58'59" East 1118.98 feet; thence North 89°58'29" East 479.66 feet; thence North 89°53'49" East 370.00 feet; thence North 89°59'11" East 470.00 feet; thence North 89°56'15" East 920.00 feet to Engineer's center line Station 86+68.63, said station being South 1005.98 feet and East 1762.00 feet of the East One-quarter Corner of said Section 32.

Bearings are based on County Survey No. 21485, filed February 27, 2025 Deschutes County Surveyor's Office.

This parcel of land contains 513 square feet, more or less, outside the existing right of way.

Parcel 2 - Temporary Construction Easement (3 Years or duration of Project, whichever is sooner)

A parcel of land lying in the NW1/4,SW1/4 of Section 33, Township 17 South, Range 12 East, W.M., City of Bend, Deschutes County, Oregon and being a portion of that property described in that Statutory Warranty Deed to The Southland Corporation, recorded January 8, 1986 as Volume 113, Page 1884 Deschutes County Official Records; said parcel being that portion of said property included in a strip of land variable in width lying on the Northerly side of the center line of NE Franklin Avenue, which centerline is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
70+00		72+16.60	50.00
72+16.60		72+33.70	50.00 in a straight line to 67.07
72+33.70		72+60.00	84.42

Except therefrom Parcel 1.

This parcel of land contains 743 square feet, more or less.



Renews: 12-31-2025

TAX MAP AND LOT
171233CB 07600

7-ELEVEN INC.
STATUTORY WARRANTY DEED
VOL. 113, PG. 1884

NE 3RD ST

+60.00

84.42'

+33.70

84.42' 67.07'

+16.60

50.00' 45.00'

PARCEL 2
TCE
743 SQ.FT.±

PARCEL 1
R/W DEDICATION
513 SQ.FT.±

N89°53'49"E 370.00'

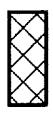
NE FRANKLIN AVENUE

70+00

"F" 72+78.63 P.L

"F" 69+08.63 P.L

LEGEND



RIGHT OF WAY DEDICATION
(TCE)



SCALE IN FEET



DOWL

www.dowl.com
1001 SW Emory Drive, Suite 120
Bend, Oregon 97702
541-385-4772

MIDTOWN CROSSINGS - FRANKLIN AVENUE IMPROVEMENTS
TAX MAP & LOT 171233CB 07500
7-ELEVEN, INC

PROJECT 14953-01
DATE 03/07/2025

EXHIBIT B