

ORDINANCE NO. NS-2166

AN ORDINANCE ANNEXING APPROXIMATELY 26 ACRES OF LAND AND ADJACENT DESCHUTES MARKET ROAD RIGHT OF WAY AT THE SOUTHEAST CORNER OF THE BEND PINE NURSERY SITE INTO THE CITY FOR THE PURPOSE OF URBANIZING THE US FOREST SERVICE'S ADMINISTRATIVE BUILDING

Findings:

- A. ORS 222.125 provides for annexation of real property to cities when 100 percent of the property owners and a majority of electors registered in the territory proposed to be annexed consent to said annexation.
- B. The US Forest Service owns 100% of the territory and have consented to this annexation.
- C. There are no registered electors within the territory.
- D. The Council has elected to dispense with submitting the question of the proposed annexation of the territory to the electors of the City.
- E. The Council held a public hearing on June 1, 2011 to allow the public to be heard on the question of annexation.
- F. Notice of the hearing was sent to owners of property within 250 feet of the subject property
- G. The City of Bend Annexation Policy recognizes that annexation of areas must be contiguous to the City and must contribute to the logical growth pattern of the City.
- H. The property is contiguous to the City limits of the City of Bend.
- I. The City of Bend Annexation Policy states that the City is able to provide adjacent areas with water supply facilities, with zoning, police, and fire protection, and with all the other municipal services, where such areas can be reasonably and economically provided with City services.
- J. The subject territory is adjacent to the city limits and the annexation agreement guarantees it will be provided with a full range of municipal services.
- K. Prior to the annexation's effective date the subject property will be brought into the City's Urban Growth Boundary pursuant to ordinances adopted by both the City Council and by the Deschutes County Board of Commissioners.

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

SECTION 1. That the territory containing approximately 26 acres including the Deschutes Market Road right of way fronting the site, which is depicted in Exhibit A and described in Exhibit B, is hereby annexed to the City of Bend.

SECTION 2. This ordinance will become effective upon Certification of Occupancy of the Administrative Building by Deschutes County.

Read for the first time the 1st day of June, 2011.

Read for the second time the 15th day of June, 2011.

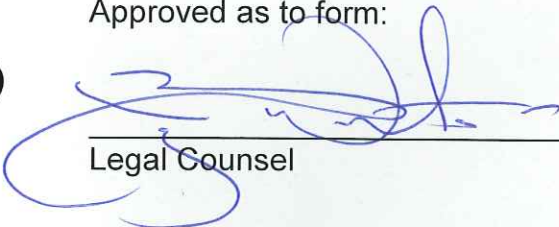
YES: 7

NO: 0

ABSTAIN: 0

Authenticated by the Mayor the 15th day of June, 2011

Approved as to form:



Legal Counsel



Jeff Eager, Mayor

Attest:



Patricia Stell, City Recorder

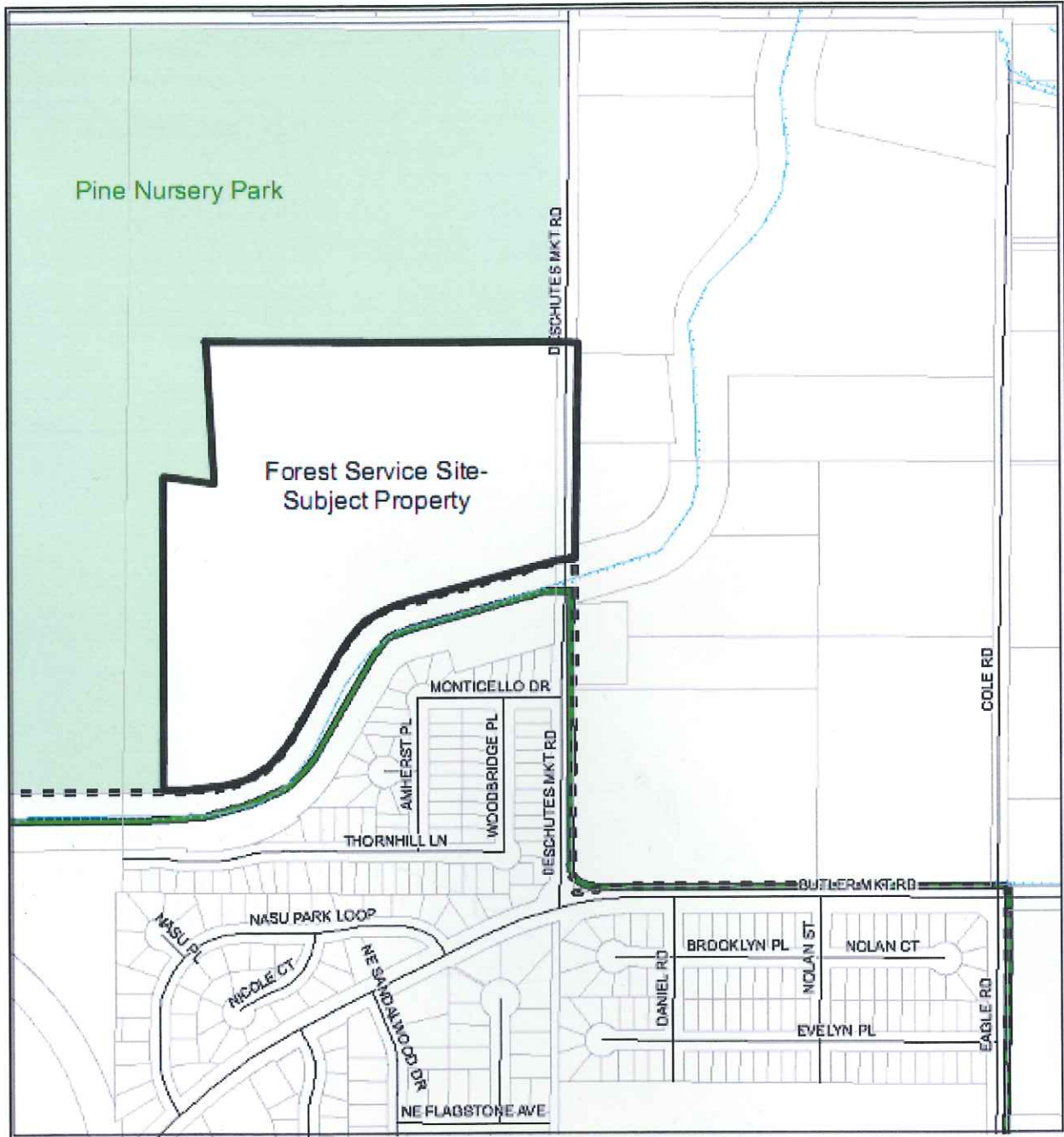


Exhibit A
PZ11-87 UGB Plan Amendment



- Street
- Taxlots
- Canals
- City Limits
- Urban Growth Boundary
- Park

This map is for reference purposes only. The information was derived from Deschutes County GIS and City of Bend land records. Care was taken in the creation of this map, but it is provided "AS IS". Please contact the City of Bend to verify map information or to report any errors.

Map prepared by City of Bend
 Print Date: May 2011
 Q:\GIS\GIS Projects\Bend\PineNursery\AgreementForAnnexation.mxd

Exhibit B

Description of Subject Property

Parcel 1-Deschutes Market Road

A strip of land, 60.00 feet wide, in the west one-half of Section 23, Township 17 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, said strip being more particularly described as follows:

That portion of Deschutes Market Road as shown in CS16641, Deschutes County Survey Records, lying between the northerly line of Butler Market Road and the easterly extension of the most northerly south line of Parcel 1 of Partition Plat No. 2007-74, recorded as Document No. 2007-61328, Deschutes County Official Records.

Contains 2.31 acres, more or less.

Parcel 2-U.S. Forest Service Property

A tract of land in the west one-half of the northwest one-quarter of Section 23, Township 17 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, said tract being more particularly described as follows:

Beginning at the intersection of the westerly line of Deschutes Market Road as shown in CS16641, Deschutes County Survey Records, with the most northerly south line of Parcel 1 of Partition Plat No. 2007-74, recorded as Document No. 2007-61328, Deschutes County Official Records; thence tracing the boundary of said Parcel 1 along the following courses: S.89°59'26"W., a distance of 1072.10 feet; thence S.03°32'10"E., a distance of 433.81 feet; thence N.81°03'45"W., a distance of 153.10 feet; thence S.00°13'18"E., a distance of 955.81 feet to the northerly right of way of the North Unit Main Canal; thence leaving the boundary of said Parcel 1 and tracing the northerly right of way of said North Unit Main Canal along the following courses: N.88°32'17"E., a distance of 70.98 feet; thence N.01°13'51"W., a distance of 5.00 feet; thence N.88°40'02"E., a distance of 60.21 feet to the point of curve left of a 297.00 foot radius curve; thence along the arc of said curve left through a central angle of 36°52'08", a distance of 185.93 feet (chord bears N.70°44'20"E., a distance of 162.91 feet); thence S.37°11'45"E., a distance of 5.00 feet to the point of curve left of a 302.00 foot radius non-tangent curve; thence along the arc of said curve left through a central angle of 22°51'05", a distance of 120.45 feet (chord bears N.41°22'42"E., a distance of 119.65 feet); thence N.28°57'09"E., a distance of 337.60 feet to the point of curve right of a 271.00 foot radius curve; thence along the arc of said curve right through a central angle of 43°55'06", a distance of 207.73 feet (chord bears N.62°04'45"E., a distance of 202.68 feet); thence N.74°02'18"E., a distance of 496.04 feet to the westerly line of said Deschutes Market Road as shown in CS16641, Deschutes County Survey Records;

thence leaving said northerly right of way, N.00°13'54"E. along said westerly line, a distance of 657.83 feet to the Point of Beginning.

Contains 25.67 acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

John A. Carlson

OREGON
JULY 18, 1903
JOHN A. CARLSON
2011
RENEWS 12/31/11