

ORDINANCE NO. NS-2327

ORDINANCE ANNEXING APPROXIMATELY 36.64 ACRES OF LAND SOUTH OF EGYPT DRIVE ENCOMPASSING THE EXISTING ROCKRIDGE PARK AND A PORTION OF NE 18TH STREET ABUTTING THE PARK AND A PORTION OF NE BOBWHITE COURT/ALPINE RIDGE PLACE, AND REQUESTING JURISDICTIONAL TRANSFER OF THE RIGHT-OF-WAY PER ORS 373.270.

Findings

- A. Bend Development Code Section 4.9.400A.1 provides for annexation of real property to cities when 100 percent of the property owners and a majority of electors, if any, registered in the territory proposed to be annexed consent to the annexation.
- B. The City has received an application for annexation of the territory described on Exhibit A and shown on Exhibit B (the "Area").
- B. One hundred percent of property owners within the Area have filed a statement of consent to this annexation.
- C. There are no registered electors within the Area.
- E. Notice of the hearing was published in the Bend Bulletin on Sunday, March 3, 2019 and Sunday, March 10, 2019. In addition, the notice was posted in four public places in the City and a land use action sign was posted on the property for a like period. Notice was also sent on February 25, 2019, to the Boyd Acres Neighborhood Association representative, and to surrounding owners of record of property within 250 feet of the subject property, as shown on the most recent property tax assessment rolls.
- D. Council held a public hearing on March 20, 2019 to enable the public to appear and be heard on the question of annexation.
- F. The Area is contiguous to the City limits of the City of Bend on the north, west and south sides and the NE 18th Street right of way is part of the annexation area.
- H. The applicant has entered into an Annexation Agreement, attached as Exhibit C, with the City which includes dedication of right of way for a portion of the Bobwhite Court/Alpine Ridge Place that is fully constructed.
- I. The City of Bend deems it necessary and expedient for the City to acquire jurisdiction from Deschutes County over the portion of 18th Street, a County road, within the annexed area.

Based on these findings,

THE CITY OF BEND ORDAINS AS FOLLOWS:

SECTION 1. The territory containing approximately 36.64 acres of land, described in Exhibit A and depicted in Exhibit B, is annexed to the City of Bend, subject to the provisions of the Annexation Agreement (Exhibit C).

SECTION 2. In addition to the findings set forth above, the City Council adopts the findings in Exhibit D.


SECTION 3. The City requests that Deschutes County surrender to the City of Bend jurisdiction over the portion of 18th Street within the annexed area in compliance with ORS 373.270.

First reading: March 20, 2019.

Second reading and adoption by roll call vote: April 3, 2019.


YES: Sally Russell, Mayor
Bruce Abernethy
Barb Campbell
Bill Moseley
Justin Livingston
Gena Goodman-Campbell
Chris Piper

NO: none



Sally Russell, Mayor

Attest:



Robyn Christie, City of Bend Recorder

Approved as to form:



Mary Winters, City Attorney

EXHIBIT A

The Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section 15, Township 17 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM the northerly 30.00 feet of said SW1/4 NW1/4.

Subject to: All easements, restrictions and right-of-ways of record and those common and apparent on the land.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Patrick Gage Cole 6/13/18

OREGON
JULY 10, 2007
PATRICK GAGE COLE
79157

EXPIRES: 12/31/19

EXHIBIT B

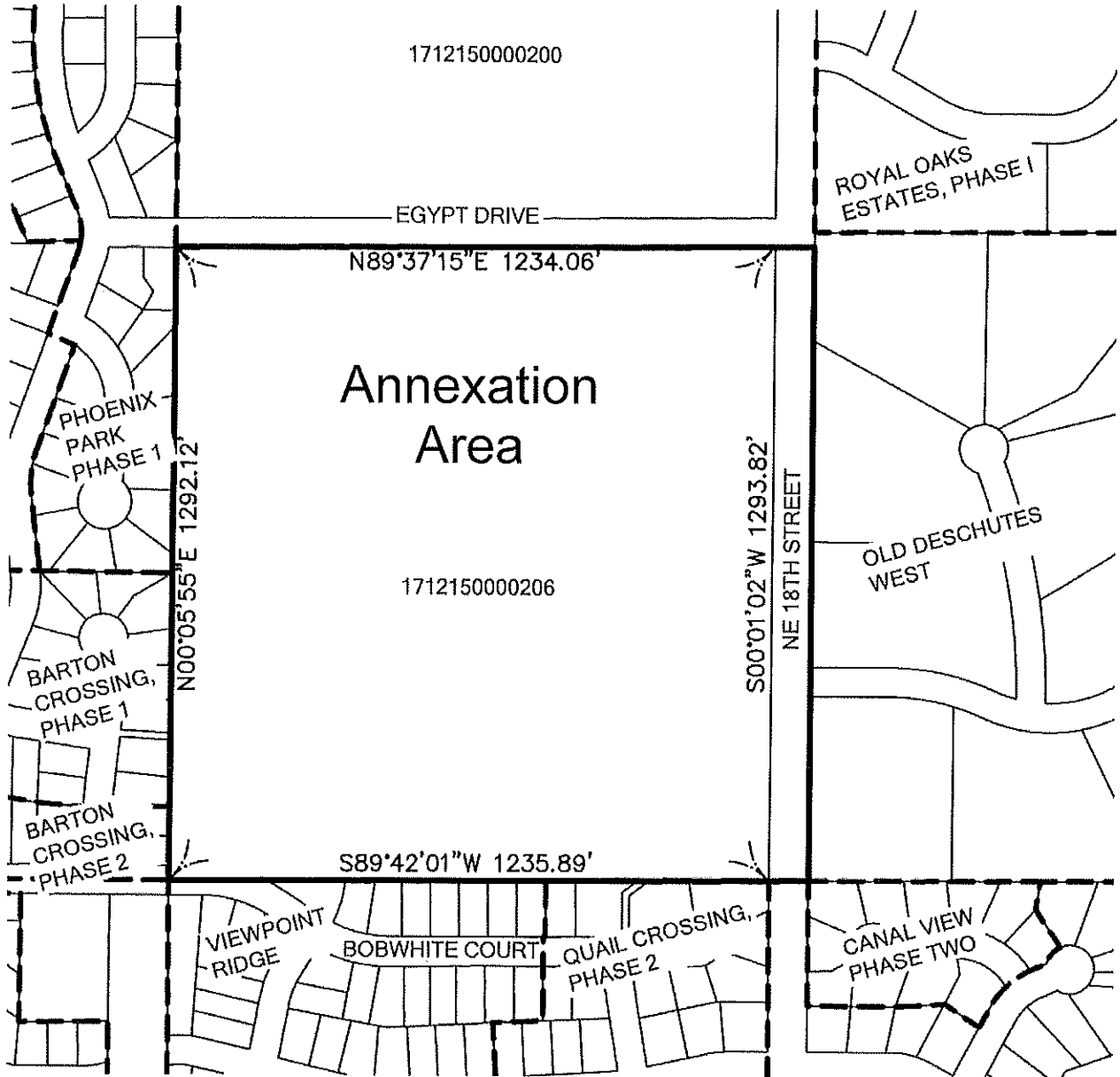


EXHIBIT C
ANNEXATION AGREEMENT

EXHIBIT D
STAFF RECOMMENDATION