

RESOLUTION 3152

RESOLUTION EXERCISING EMINENT DOMAIN

Findings

- A. The City of Bend ("City") adopted Resolution 3145 on January 16, 2019, which authorized the City to use its statutory and City Charter to exercise the power of eminent domain for the North Interceptor Sewer Project. This Resolution incorporates by reference Resolution 3145.
- B. The purpose of this Resolution is to further clarify:
1. The authority the City has to exercise the power of eminent domain which includes, the City of Bend Charter, ORS 223.105, ORS Chapter 35 and ORS 224.020; and
 2. The nature of the project, which includes the alignment and design selected under the North Interceptor Sewer Project Design-Build Contract with M.A. Mortenson Company, dated June 14, 2018, and as depicted in the easement drawings attached to Resolution 3145.

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

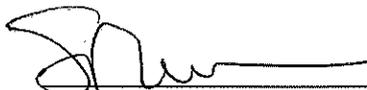
Section 1. The Council accepts the Findings as facts in support of this Resolution.

Section 2. This resolution takes effect immediately upon adoption.

Adopted by a vote of the Bend City Council on June 5, 2019.

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

NO: none



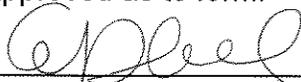
Sally Russell, Mayor

ATTEST:



Robyn Christie, City Recorder

Approved as to form:



Elizabeth Oshel, Associate City Attorney

63085 Cricketwood Road

Property Owner: Anderegg Ownership

EXHIBIT "A"

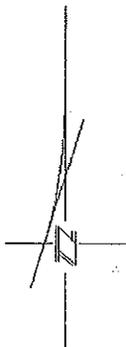
TEMPORARY CITY OF BEND CONSTRUCTION EASEMENT, LOCATED IN THE
 E1/2 SE1/4 OF SECTION 11, TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
 TAX LOT 17 12 1100 1100, DESCHUTES COUNTY, OREGON

LINE AND CURVE DATA

NO.	DIRECTION	DISTANCE	RADIUS	LENGTH	DELTA
L1	N00°17'52"E	518.95'			
L2	S20°00'51"W	448.35'			
L3	S89°47'44"W	138.43'			
L4	N20°03'13"E	116.62'			
C5	N19°25'15"E	11.25'	509.33'	11.25'	01°15'55"
L6	N89°47'44"E	53.22'			
L7	N20°00'51"E	336.03'			
L8	N00°17'52"E	888.61'			
L9	S89°18'29"E	80.02'			
L10	S00°18'32"W	100.00'			
L11	S00°17'52"W	801.96'			

FOUND MONUMENT AT CORNER - ●

THE BEARINGS SHOWN HEREON ARE BASED
 ON THE CENTRAL OREGON COORDINATE SYSTEM



SCALE:
 1" = 400'

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

William G. Bahrke

OREGON
 JULY 15, 1983
 WILLIAM G. BAHRKE
 2039

Renewal Date: 12/31/19

PREPARED DECEMBER 14, 2018

POVEY AND ASSOC. LAND SURVEYORS
 P.O. BOX 131, REDMOND, OR 97756
 (541) 542-9738 78-051E.DWG

TEMPORARY
 CITY OF BEND
 CONSTRUCTION EASEMENT
 CONTAINS 114,490 SQ. FT.
 (SEE EXHIBIT "B"
 FOR DESCRIPTION)

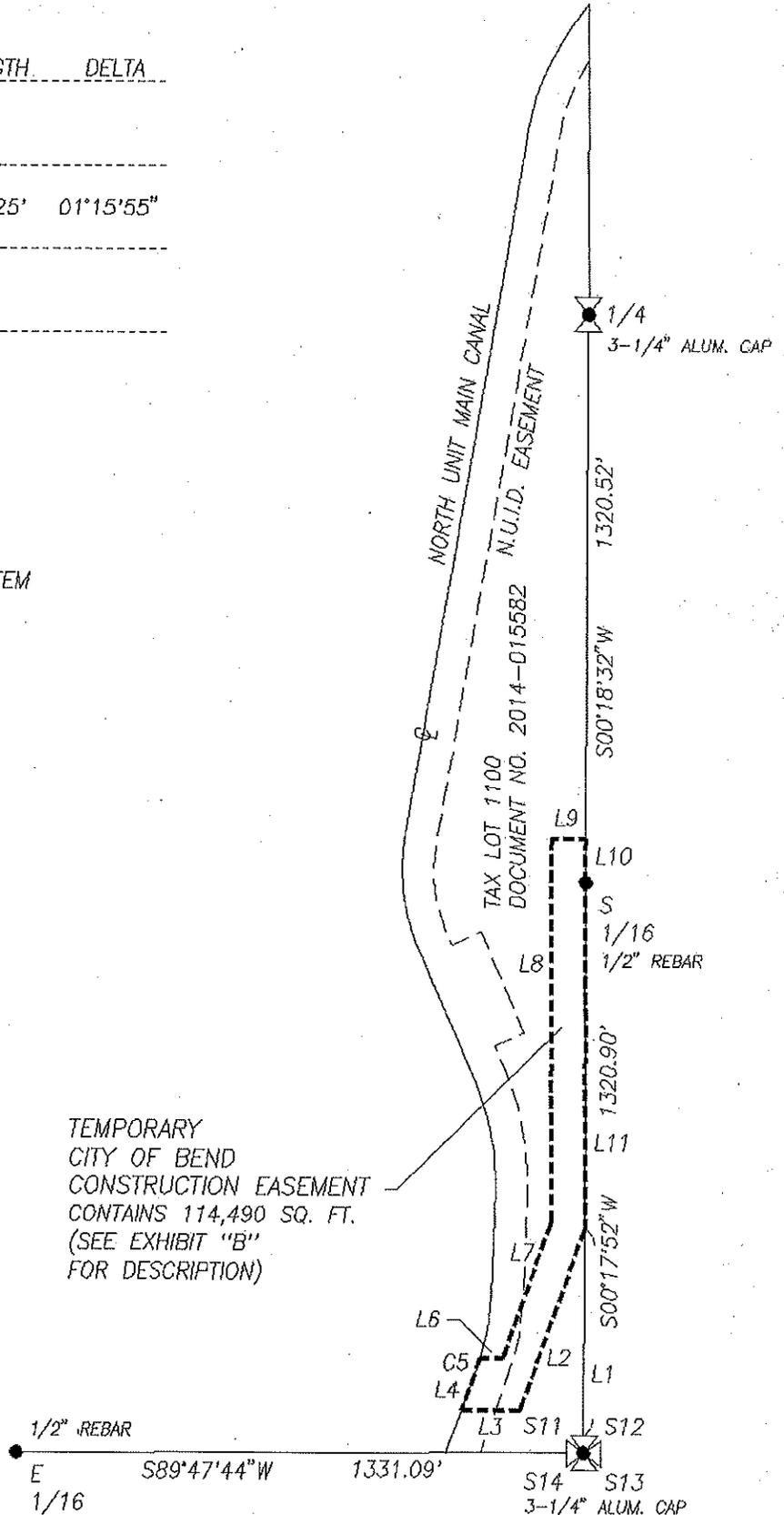


EXHIBIT "B"

DESCRIPTION OF A TEMPORARY
CITY OF BEND CONSTRUCTION EASEMENT,
LOCATED IN THE E1/2 SE1/4 OF SECTION 11,
TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
TAX LOT 17 12 1100 1100,
DESCHUTES COUNTY, OREGON

COMMENCING AT A 3-1/4" ALUMINUM CAP MONUMENTING THE
SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 17 SOUTH, RANGE 12
EAST, WILLAMETTE MERIDIAN; THENCE N00°17'52"E ALONG THE EAST
LINE OF THE SE1/4 SE1/4 OF SAID SECTION 11, 518.95 FEET TO
THE POINT OF BEGINNING; THENCE S20°00'51"W, 448.35 FEET;
THENCE S89°47'44"W, 138.43 FEET TO THE CENTERLINE OF THE
NORTH UNIT MAIN CANAL; THENCE N20°03'13"E ALONG SAID
CENTERLINE, 116.62 FEET, THENCE ALONG SAID CENTERLINE AND
11.25 FEET ALONG THE ARC OF A 509.33 FOOT RADIUS CURVE TO
THE LEFT, THE CHORD OF WHICH BEARS N19°25'15"E, 11.25 FEET;
THENCE N89°47'44"E, 53.22 FEET; THENCE N20°00'51"E, 336.03
FEET TO THE WEST LINE OF THE EAST 80 FEET OF SAID SE1/4
SE1/4; THENCE N00°17'52"E ALONG SAID WEST LINE AND ITS
PROLONGATION, 888.61 FEET; THENCE S89°18'29"E, 80.02 FEET TO
THE EAST LINE OF THE NE1/4 SE1/4 OF SAID SECTION 11; THENCE
S00°18'32"W ALONG SAID EAST LINE, 100.00 FEET TO A 1/2"
REBAR MONUMENTING THE SOUTH 1/16 CORNER ON THE EAST LINE OF
SAID SECTION 11; THENCE S00°17'52"W ALONG THE EAST LINE OF
SAID SE1/4 SE1/4, 801.96 FEET TO THE POINT OF BEGINNING.

THE SAME CONTAINING 114,490 SQUARE FEET.

A SKETCH OF THE EASEMENT DESCRIBED ABOVE IS SHOWN ON THE
ATTACHED EXHIBIT "A", WHICH IS HEREBY INCORPORATED BY
REFERENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

William G. Bahrke
OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/19

PREPARED DECEMBER 14, 2018

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 18-051E.DWG

EXHIBIT "A"

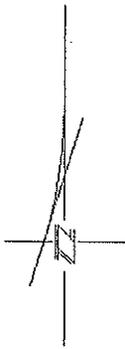
PERMANENT CITY OF BEND SEWER EASEMENT, LOCATED IN THE
 E1/2 SE1/4 OF SECTION 11, TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
 TAX LOT 17 12 1100 1100, DESCHUTES COUNTY, OREGON

LINE DATA

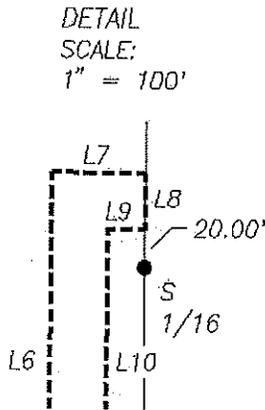
NO.	DIRECTION	DISTANCE
L1	S89°47'44"W	325.08'
L2	N20°03'13"E	126.00'
L3	N20°03'13"E	31.98'
L4	N89°47'44"E	85.11'
L5	N20°00'51"E	404.79'
L6	N00°17'52"E	843.61'
L7	S89°18'29"E	50.01'
L8	S00°18'32"W	30.00'
L9	N89°18'29"W	20.00'
L10	S00°17'52"W	818.62'
L11	S20°00'51"W	430.92'
L12	S89°47'44"W	117.10'

FOUND MONUMENT AT CORNER - ●

THE BEARINGS SHOWN HEREON ARE BASED
 ON THE CENTRAL OREGON COORDINATE SYSTEM



SCALE:
 1" = 400'



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 (541) 548-7878 18-051E.DWG

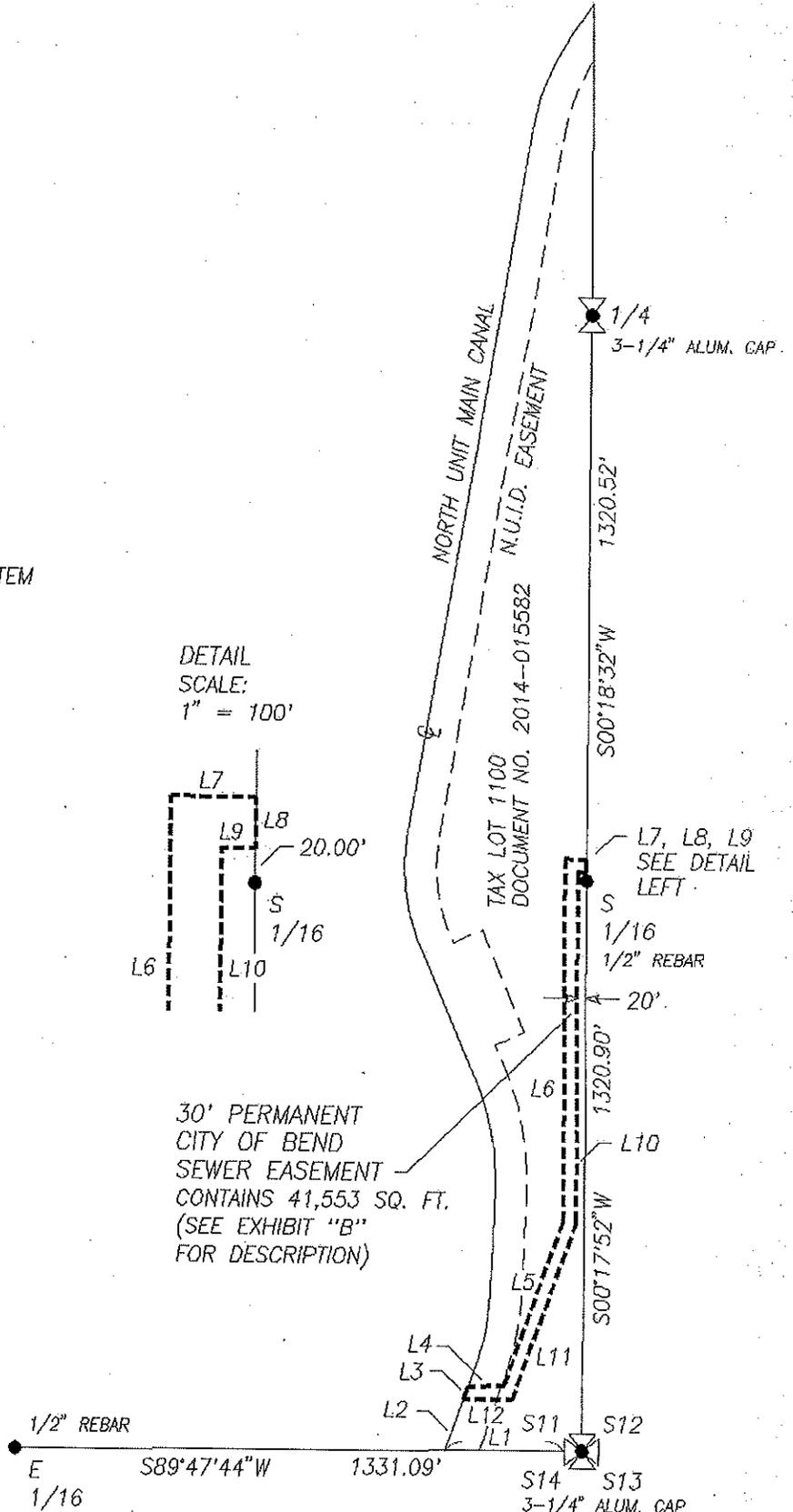


EXHIBIT "B"

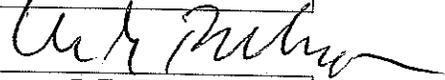
DESCRIPTION OF A PERMANENT
CITY OF BEND SEWER EASEMENT,
LOCATED IN THE E1/2 SE1/4 OF SECTION 11,
TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
TAX LOT 17 12 1100 1100,
DESCHUTES COUNTY, OREGON

COMMENCING AT A 3-1/4" ALUMINUM CAP MONUMENTING THE
SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 17 SOUTH, RANGE 12
EAST, WILLAMETTE MERIDIAN; THENCE S89°47'44"W ALONG THE
SOUTH LINE OF THE SE1/4 SE1/4 OF SAID SECTION 11, 325.08
FEET TO THE CENTERLINE OF THE NORTH UNIT MAIN CANAL; THENCE
N20°03'13"E ALONG SAID CENTERLINE, 126.00 FEET TO THE POINT
OF BEGINNING, THENCE N20°03'13"E ALONG SAID CENTERLINE,
31.98 FEET; THENCE N89°47'44"E, 85.11 FEET; THENCE
N20°00'51"E, 404.79 FEET TO THE WEST LINE OF THE EAST 50
FEET OF SAID SE1/4 SE1/4; THENCE N00°17'52"E ALONG SAID WEST
LINE AND ITS PROLONGATION, 843.61 FEET; THENCE S89°18'29"E,
50.01 FEET TO THE EAST LINE OF THE NE1/4 SE1/4 OF SAID
SECTION 11; THENCE S00°18'32"W ALONG SAID EAST LINE, 30.00
FEET, FROM WHICH A 1/2" REBAR MONUMENTING THE SOUTH 1/16
CORNER ON THE EAST LINE OF SAID SECTION 11 BEARS
S00°18'32"W, 20.00 FEET; THENCE N89°18'29"W, 20.00 FEET TO
THE PROLONGATION OF THE WEST LINE OF THE EAST 20 FEET OF
SAID SE1/4 SE1/4; THENCE S00°17'52"W ALONG SAID PROLONGATION
AND SAID WEST LINE, 818.62 FEET; THENCE S20°00'51"W, 430.92
FEET; THENCE S89°47'44"W, 117.10 FEET TO THE POINT OF
BEGINNING.

THE SAME CONTAINING 41,553 SQUARE FEET.

A SKETCH OF THE EASEMENT DESCRIBED ABOVE IS SHOWN ON THE
ATTACHED EXHIBIT "A", WHICH IS HEREBY INCORPORATED BY
REFERENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/19

PREPARED DECEMBER 14, 2018

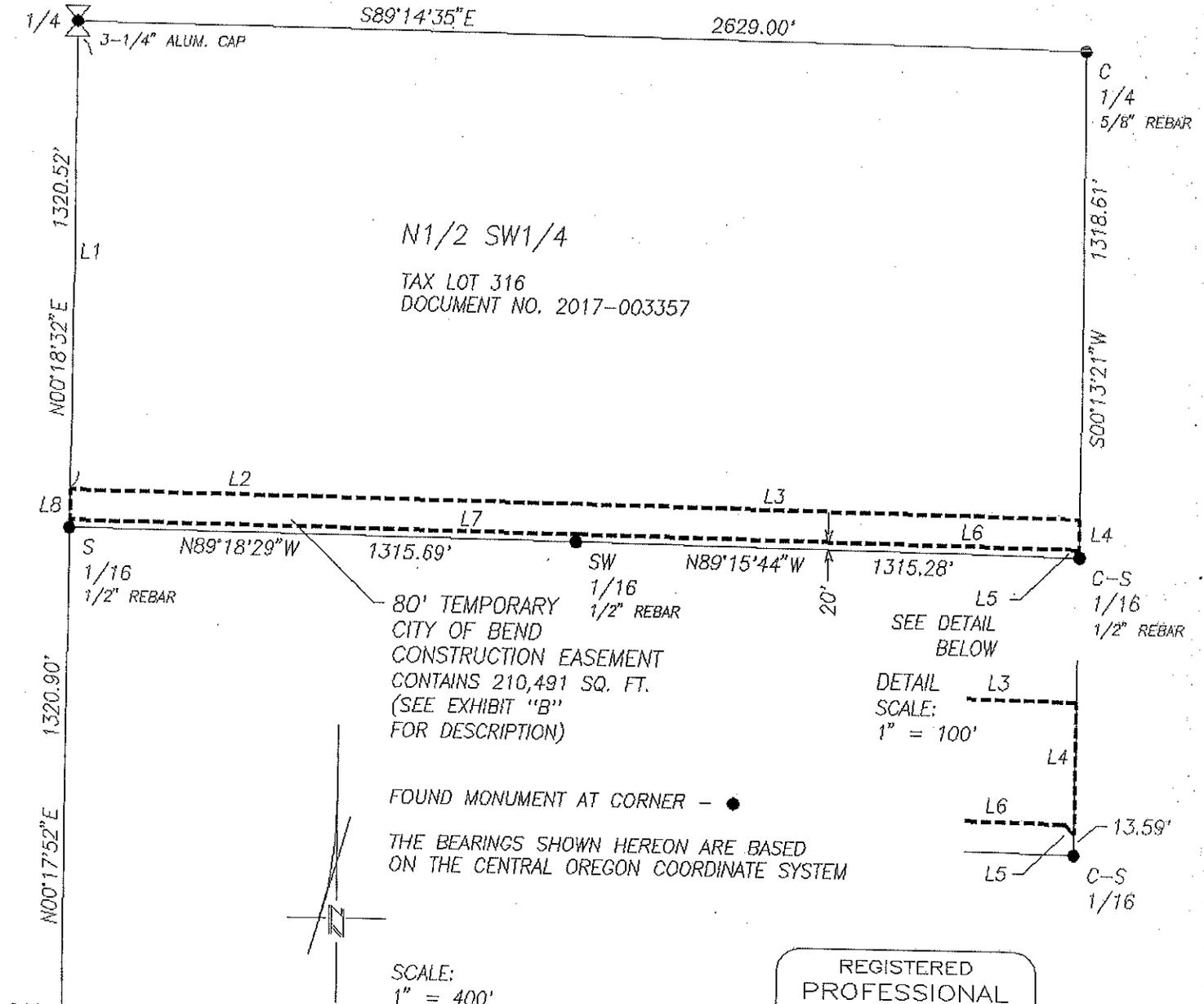
POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 18-051E.DWG

63710 Hughes Road

Property Owner: Rowan & Alicia Anderegg Ownership

EXHIBIT "A"

TEMPORARY CITY OF BEND CONSTRUCTION EASEMENT, LOCATED IN THE N1/2 SW1/4 OF SECTION 12, TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M., TAX LOT 17 12 1200 316, DESCHUTES COUNTY, OREGON



LINE NO.	DIRECTION	DISTANCE
L1	S00°18'32"W	1220.51'
L2	S89°18'29"E	1316.40'
L3	S89°15'44"E	1314.42'
L4	S00°13'21"W	86.41'
L5	N44°15'44"W	9.06'
L6	N89°15'44"W	1308.76'
L7	N89°18'29"W	1315.83'
L8	N00°18'32"E	80.00'

REGISTERED PROFESSIONAL LAND SURVEYOR

William G. Bahrke

OREGON
JULY 15, 1983
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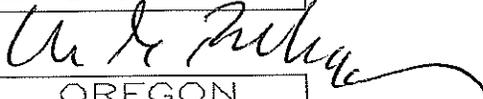
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TAX LOT 17 12 1200 316,
DESCHUTES COUNTY, OREGON

COMMENCING AT A 3-1/4" ALUMINUM CAP MONUMENTING THE WEST
1/4 CORNER OF SECTION 12, TOWNSHIP 17 SOUTH, RANGE 12 EAST,
WILLAMETTE MERIDIAN; THENCE S00°18'32"W ALONG THE WEST LINE
OF THE NW1/4 SW1/4 OF SAID SECTION 12, 1220.51 FEET TO THE
NORTH LINE OF THE SOUTH 100 FEET OF SAID NW1/4 SW1/4, AND TO
THE POINT OF BEGINNING; THENCE S89°18'29"E ALONG SAID NORTH
LINE, 1316.40 FEET TO THE NORTH LINE OF THE SOUTH 100 FEET
OF THE NE1/4 SW1/4 OF SAID SECTION 12; THENCE S89°15'44"E
ALONG SAID NORTH LINE, 1314.42 FEET TO THE EAST LINE OF SAID
NE1/4 SW1/4; THENCE S00°13'21"W ALONG SAID EAST LINE, 86.41
FEET, FROM WHICH A 1/2" REBAR MONUMENTING THE CENTER-SOUTH
1/16 CORNER OF SAID SECTION 12 BEARS S00°13'21"W, 13.59
FEET; THENCE N44°15'44"W, 9.06 FEET TO THE NORTH LINE OF
THE SOUTH 20 FEET OF SAID NE1/4 SW1/4; THENCE N89°15'44"W
ALONG SAID NORTH LINE, 1308.76 FEET TO THE NORTH LINE OF
THE SOUTH 20 FEET OF SAID NW1/4 SW1/4; THENCE N89°18'29"W
ALONG SAID NORTH LINE, 1315.83 FEET TO THE WEST LINE OF SAID
NW1/4 SW1/4, FROM WHICH A 1/2" REBAR MONUMENTING THE SOUTH
1/16 CORNER ON THE WEST LINE OF SAID SECTION 12 BEARS
S00°18'32"W, 20.00 FEET; THENCE N00°18'32"E, 80.00 FEET
TO THE POINT OF BEGINNING.

THE SAME CONTAINING 210,491 SQUARE FEET.

A SKETCH OF THE EASEMENT DESCRIBED ABOVE IS SHOWN ON THE
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OREGON
JULY 15, 1983
WILLIAM G. BAHRKE
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Renewal Date: 12/31/19

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EXHIBIT "B"

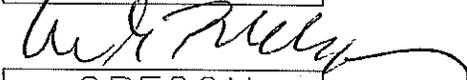
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COMMENCING AT A 3-1/4" ALUMINUM CAP MONUMENTING THE WEST
1/4 CORNER OF SECTION 12, TOWNSHIP 17 SOUTH, RANGE 12 EAST,
WILLAMETTE MERIDIAN; THENCE S00°18'32"W ALONG THE WEST LINE
OF THE NW1/4 SW1/4 OF SAID SECTION 12, 1270.52 FEET TO THE
NORTH LINE OF THE SOUTH 50 FEET OF SAID NW1/4 SW1/4, AND TO
THE POINT OF BEGINNING; THENCE S89°18'29"E ALONG SAID NORTH
LINE, 1316.05 FEET TO THE NORTH LINE OF THE SOUTH 50 FEET OF
THE NE1/4 SW1/4 OF SAID SECTION 12; THENCE S89°15'44"E ALONG
SAID NORTH LINE, 1314.85 FEET TO THE EAST LINE OF SAID NE1/4
SW1/4; THENCE S00°13'21"W ALONG SAID EAST LINE, 36.41 FEET,
FROM WHICH A 1/2" REBAR MONUMENTING THE CENTER-SOUTH 1/16
CORNER OF SAID SECTION 12 BEARS S00°13'21"W, 13.59 FEET;
THENCE N44°15'44"W, 9.06 FEET TO THE NORTH LINE OF THE SOUTH
20 FEET OF SAID NE1/4 SW1/4; THENCE N89°15'44"W ALONG SAID
NORTH LINE, 1308.76 FEET TO THE NORTH LINE OF THE SOUTH 20
FEET OF SAID NW1/4 SW1/4; THENCE N89°18'29"W ALONG SAID
NORTH LINE, 1315.83 FEET TO THE WEST LINE OF SAID NW1/4
SW1/4, FROM WHICH A 1/2" REBAR MONUMENTING THE SOUTH 1/16
CORNER ON THE WEST LINE OF SAID SECTION 12 BEARS
S00°18'32"W, 20.00 FEET; THENCE N00°18'32"E, 30.00 FEET
TO THE POINT OF BEGINNING.

THE SAME CONTAINING 78,948 SQUARE FEET.

A SKETCH OF THE EASEMENT DESCRIBED ABOVE IS SHOWN ON THE
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REFERENCE.

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JULY 15, 1983
WILLIAM G. BAHRKE
2039

Renewal Date: 12/31/19

PREPARED OCTOBER 9, 2018

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