

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

Order Approving Enewetak annexation into *
Panoramic Access Special Road District * ORDER NO. 2022-010
*

WHEREAS, Matt Cyrus on behalf of Wildhorse Meadows LLC and Sisters Aggregate & Construction LLC ("Petitioner") submitted a petition requesting annexation of the property, identified in Exhibit A in the petition attached to this Order, into Panoramic Access Special Road District ("District"); and

WHEREAS, the Deschutes County Clerk's Office and Assessor's Office verified that the petition was signed by a registered voter or a landowner, respectively, for the property as indicated in Exhibit B in the petition attached to this Order; and

WHEREAS, pursuant to ORS 198.857(4), the Deschutes County Community Development Department determined the petition is consistent with the Deschutes County Comprehensive Plan, as described in Exhibit C in the petition attached to this Order; and

WHEREAS, the Board held a duly noticed public hearing on March 16, 2022, to determine whether, in accordance with the County Comprehensive Plan, any applicable service agreement between a local government and the affected district, and the criteria prescribed by ORS 197.175, the affected area would benefit by annexation of said territory into the District; now, therefore

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, HEREBY ORDAINS as follows:

Section 1. The petition for annexation and all exhibits attached to this Order are hereby incorporated by reference.

Section 2. The petition for annexation is hereby approved, and the property identified in Exhibit A is declared annexed and included in the District.

Section 3. A copy of the signed Order will be forwarded to the Oregon Department of Revenue, Oregon Secretary of State Archives Division, Deschutes County Assessor's Office and County Clerk's Office, and the District.

Section 3. The purpose of this District is to provide road services.

Dated this ____ day of _____, 2022.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

PATTI ADAIR, CHAIR

ANTHONY DeBONE, VICE CHAIR

ATTEST:

Recording Secretary

PHIL CHANG, COMMISSIONER

EXHIBIT A


PETITION TO ANNEX PROPERTY INTO
Panoramic Access Special Road District
(Name of District)

To: The Board of County Commissioners, Deschutes County, Oregon

The undersigned, in support of this Petition, state as follows:

1. This Petition for Annexation is filed pursuant to ORS 198.850 to 198.859 on _____ (date) and Petitioners request the Board commence proceedings to annex the territory described herein into the Panoramic Access Special Road District (name of district), Deschutes County, Oregon.
2. This Petition for Annexation affects only Deschutes County and is not in any incorporated city limits.
3. The Board of the Panoramic Access Special Road District (name of district) approved the petition pursuant to ORS 198.850 on _____ (insert date).
4. The principal act for the Panoramic Access Special Road District (name of district) is ORS 371.305 to 371.360. (Proper statutory reference required, see ORS 198.010 for listing of appropriate principal act)
5. The territory subject to this Petition for Annexation is primarily ~~inhabited~~ / uninhabited (circle one). This petition is signed by land owners and/or registered voters in the area proposed to be annexed as indicated opposite their respective signature, and all signatures were obtained on or after the _____ day of, August (month) 2021.
6. The property street address(es) of land for annexation (if known) is/are small public portions of Sisters Aggregate & Construction, LLC (16900 Aspen Lakes Dr) and Wildhorse Meadows LLC (16900 Aspen Lakes Dr). The total acreage is ~0.45 acres. A description of the boundaries of the territory to be annexed is attached hereto as **Exhibit "B"** and depicted on the maps attached as **Exhibit "A"**. See Explanatory Statement on page 2 for justification.
7. This Petition has been signed by at least 15 percent of the electors, or 100 electors whichever number is lesser, registered in the area proposed to be annexed; or at least 15 owners or owners of 10 percent of the land, (whichever is greater) within the area proposed to be annexed the owners of the property being proposed for annexation.
8. A security deposit form and payment is attached to this petition.

Signed this 31st day of August, 2021 by Matt Cvrus & Keith Cvrus, Chief Petitioner(s).

 Principal Member (Signature)

Wildhorse Meadows, LLC

 Managing Member (Signature)

Sisters Aggregate & Construction, LLC

PASRD, PO Box 1226, Sisters, OR, 97759

(Address, City, State, ZIP)

DATED this 31st day of August, 2021

DATED this ___ day of _____, 20__

Approved by the Board of _____ (if applicable) Approved by City of _____
Panoramic Access Special Road District (PASRD)

(Name of District)

 President
District Signature

City Signature

EXHIBIT A

NAME OF DISTRICT: Panorama Access Special Road District Withdrawal Annexation

PRINT NAME	DATE SIGNED	PROPERTY ADDRESS/ RESIDENCE ADDRESS (If Different)	LANDOWNER IN THE PROPOSED TERRITORY/ REGISTERED VOTER IN THE PROPOSED TERRITORY
1 <u>Matt Cross</u> Print Name <u>[Signature]</u> Signature	<u>12/20/21</u> Date	<u>ENOWATIAK</u> PROPERTY ADDRESS RESIDENCE ADDRESS (If Different)	Landowner Yes <input type="checkbox"/> No <input type="checkbox"/> Acreage <input type="checkbox"/> Registered Voter Yes <input type="checkbox"/> No <input type="checkbox"/> Pre <input type="checkbox"/>
2 Print Name Signature	 Date	 PROPERTY ADDRESS RESIDENCE ADDRESS (If Different)	Landowner Yes <input type="checkbox"/> No <input type="checkbox"/> Acreage <input type="checkbox"/> Registered Voter Yes <input type="checkbox"/> No <input type="checkbox"/> Pre <input type="checkbox"/>
3 Print Name Signature	 Date	 PROPERTY ADDRESS RESIDENCE ADDRESS (If Different)	Landowner Yes <input type="checkbox"/> No <input type="checkbox"/> Acreage <input type="checkbox"/> Registered Voter Yes <input type="checkbox"/> No <input type="checkbox"/> Pre <input type="checkbox"/>
4 Print Name Signature	 Date	 PROPERTY ADDRESS RESIDENCE ADDRESS (If Different)	Landowner Yes <input type="checkbox"/> No <input type="checkbox"/> Acreage <input type="checkbox"/> Registered Voter Yes <input type="checkbox"/> No <input type="checkbox"/> Pre <input type="checkbox"/>
5 Print Name Signature	 Date	 PROPERTY ADDRESS RESIDENCE ADDRESS (If Different)	Landowner Yes <input type="checkbox"/> No <input type="checkbox"/> Acreage <input type="checkbox"/> Registered Voter Yes <input type="checkbox"/> No <input type="checkbox"/> Pre <input type="checkbox"/>

I, JAMIE NOELLE FRENCH, certify that I circulated this petition and every person who signed this petition did so in my presence. Signature: [Signature]

County of DESSA State of OREGON
 SUBSCRIBED AND SWORN before me this 11 day of MARCH, 2022
 Notary Public for Oregon. My Commission Expires: Feb. 28, 2022
 Signature: [Signature] (affix notary stamp)

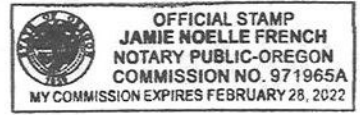


EXHIBIT A

Explanatory Attachment: This application seeks to correct an apparent oversight in the boundary of the Panoramic Access Special Road District:

The 60' right of way for the east-west portion of Enewetak Lane (see attached map – Exhibit C) consists of (i) the 20' alley and utility easement established when the Panoramic View Estates subdivision was platted in 1968 and (ii) the 40' easement dedicated to public use on the 1979 plat of "Wild Horse Plains". The 40' easement appears to lie outside the current boundary of the Panoramic Access Special Road District (PASRD). State law prohibits the district from using property taxes collected within the district to maintain roadways that lie outside the district. The proposed annexation into PASRD of the public right of way for Enewetak Lane proposes to correct this situation. The 40' easement appears to be part of two properties to the south of PASRD owned by Sisters Aggregate & Construction, LLC and Wildhorse Meadows, LLC.

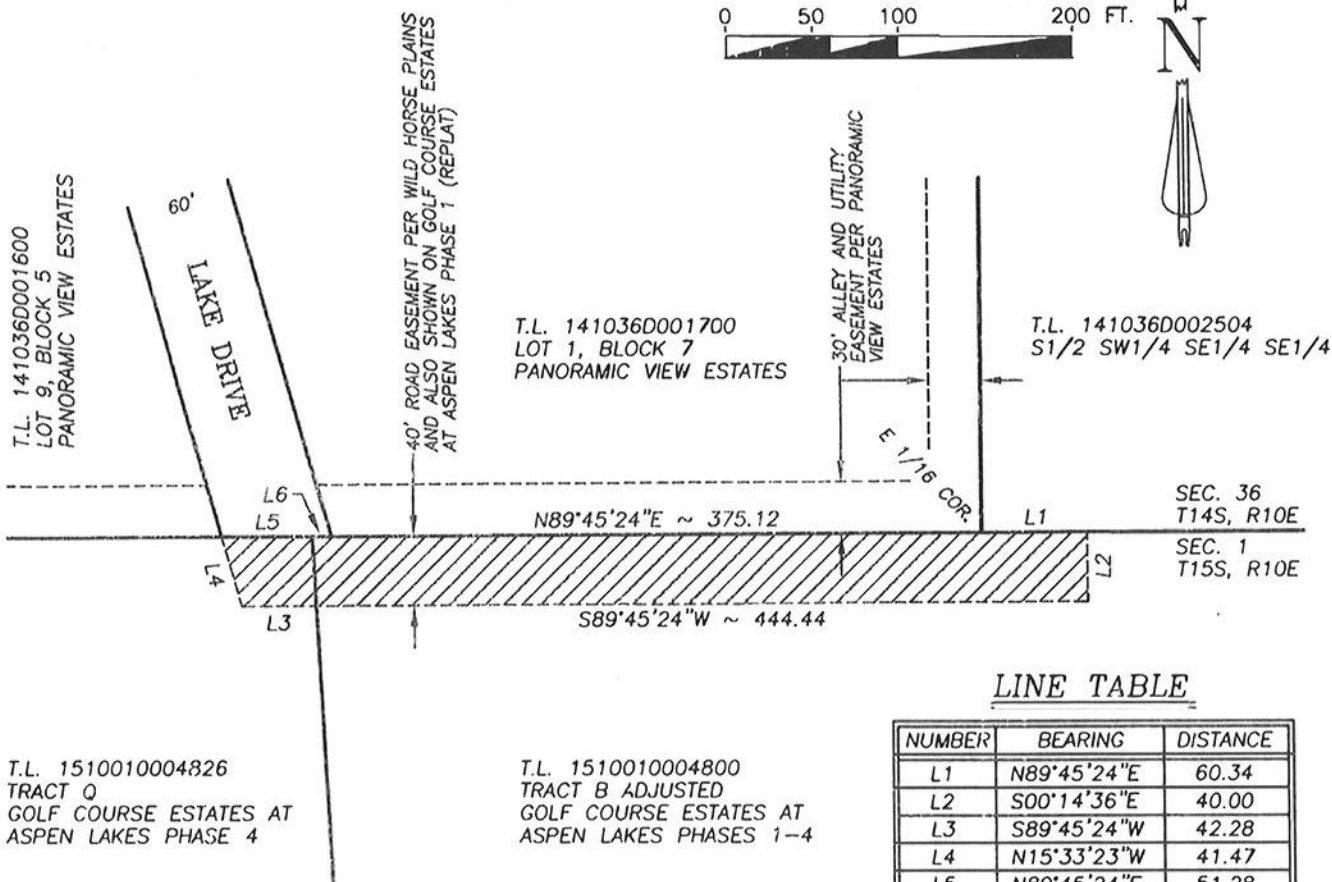
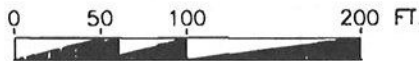
EXHIBIT A

PROPOSED ANNEXATION AREA

A PORTION OF TRACT Q OF GOLF COURSE ESTATES AT ASPEN LAKES PHASE 4 AND A PORTION OF TRACT B ADJUSTED OF GOLF COURSE ESTATES AT ASPEN LAKES PHASES 1-4 LOCATED IN THE N1/2 OF THE NE1/4 OF SECTION 1, T15S, R10E, W.M., DESCHUTES COUNTY, OREGON

EXHIBIT 'A'

SCALE 1" = 100'



LINE TABLE

NUMBER	BEARING	DISTANCE
L1	N89°45'24"E	60.34
L2	S00°14'36"E	40.00
L3	S89°45'24"W	42.28
L4	N15°33'23"W	41.47
L5	N89°45'24"E	51.28
L6	N89°45'24"E	10.93

LEGEND

- PROPERTY LINE.
- PROPOSED ANNEXATION AREA (40.00 FT. WIDE). REFER TO ATTACHED EXHIBIT 'B' FOR DESCRIPTION. ±0.45 AC.
- L1 LINE DESIGNATION - REFER TO TABLE.

REGISTERED PROFESSIONAL LAND SURVEYOR

Jerry D. Stichter

06/23/21

OREGON
JULY 28, 1991
JERRY D. STICHLER
2527

RENEWS 6/30/22

DATE: 06/23/21 ACAD: 2194_DESC1

EXHIBIT 'A'
PROPOSED ANNEXATION AREA
LOCATED IN THE N1/2 OF THE NE1/4 OF SECTION 1, T15S, R10E, W.M.,
DESCHUTES COUNTY, OREGON

PRECISION LAND SURVEYING, INC.
P.O. BOX 2062
REDMOND, OREGON 97756
(541) 548-6092
pl:surveying@gmail.com

EXHIBIT A
Precision Land Surveying, Inc.
Professional Land Surveyors

PROPOSED ANNEXATION AREA

A PORTION OF TRACT Q OF GOLF COURSE ESTATES AT ASPEN LAKES PHASE 4 AND A PORTION OF TRACT B ADJUSTED OF GOLF COURSE ESTATES AT ASPEN LAKES PHASES 1-4 LOCATED WITHIN THE N1/2 OF THE NE1/4 OF SECTION 1, T15S, R10E, W.M., DESCHUTES COUNTY, OREGON

CURRENT TAX LOTS 15-10-0100-04826 AND 04800

EXHIBIT 'B'

A STRIP OF LAND 40.00 FEET WIDE BEING A PORTION OF TRACT Q OF GOLF COURSE ESTATES AT ASPEN LAKES PHASE 4 AND A PORTION OF TRACT B ADJUSTED OF GOLF COURSE ESTATES AT ASPEN LAKES PHASES 1-4 AND FURTHERMORE LOCATED WITHIN THE N1/2 OF THE NE1/4 OF SECTION 1, T15S, R10E, W.M., DESCHUTES COUNTY, OREGON, THE BOUNDARY OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NE1/4 OF THE NE1/4 OF SECTION 1, T15S, R10E, W.M.; THENCE N89°45'24"E - 60.34 FEET ALONG THE NORTH LINE OF SAID NE1/4 NE1/4; THENCE S00°14'36"E - 40.00 FEET; THENCE S89°45'24"W - 444.44 FEET TO THE EASTERLY BOUNDARY LINE OF TRACT Q OF GOLF COURSE ESTATES AT ASPEN LAKES PHASE 4, ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF COUNTY CLERK FOR DESCHUTES COUNTY, OREGON; THENCE S89°45'24"W - 42.28 FEET; THENCE N15°33'23"W - 41.47 FEET TO THE NORTH LINE OF THE NW1/4 OF THE NE1/4 OF SAID SECTION 1; THENCE N89°45'24"E - 51.28 FEET ALONG THE NORTH LINE OF SAID NW1/4 NE1/4 TO THE NORTHEAST CORNER OF SAID TRACT Q; THENCE N89°45'24"E - 10.93 FEET ALONG THE NORTH LINE OF SAID NW1/4 NE1/4 TO THE EASTERLY RIGHT-OF-WAY LINE FOR LAKE DRIVE; THENCE N89°45'24"E - 375.12 FEET ALONG THE NORTH LINE OF SAID NW1/4 NE1/4 TO THE POINT OF BEGINNING.

STRIP OF LAND CONTAINS ±0.45 ACRES SUBJECT TO ALL OTHER EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD PERTAINING TO THE ABOVE DESCRIBED LANDS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jerry D. Stichler

06/23/21

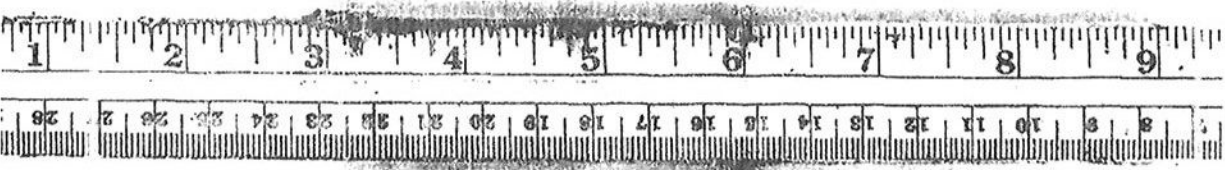
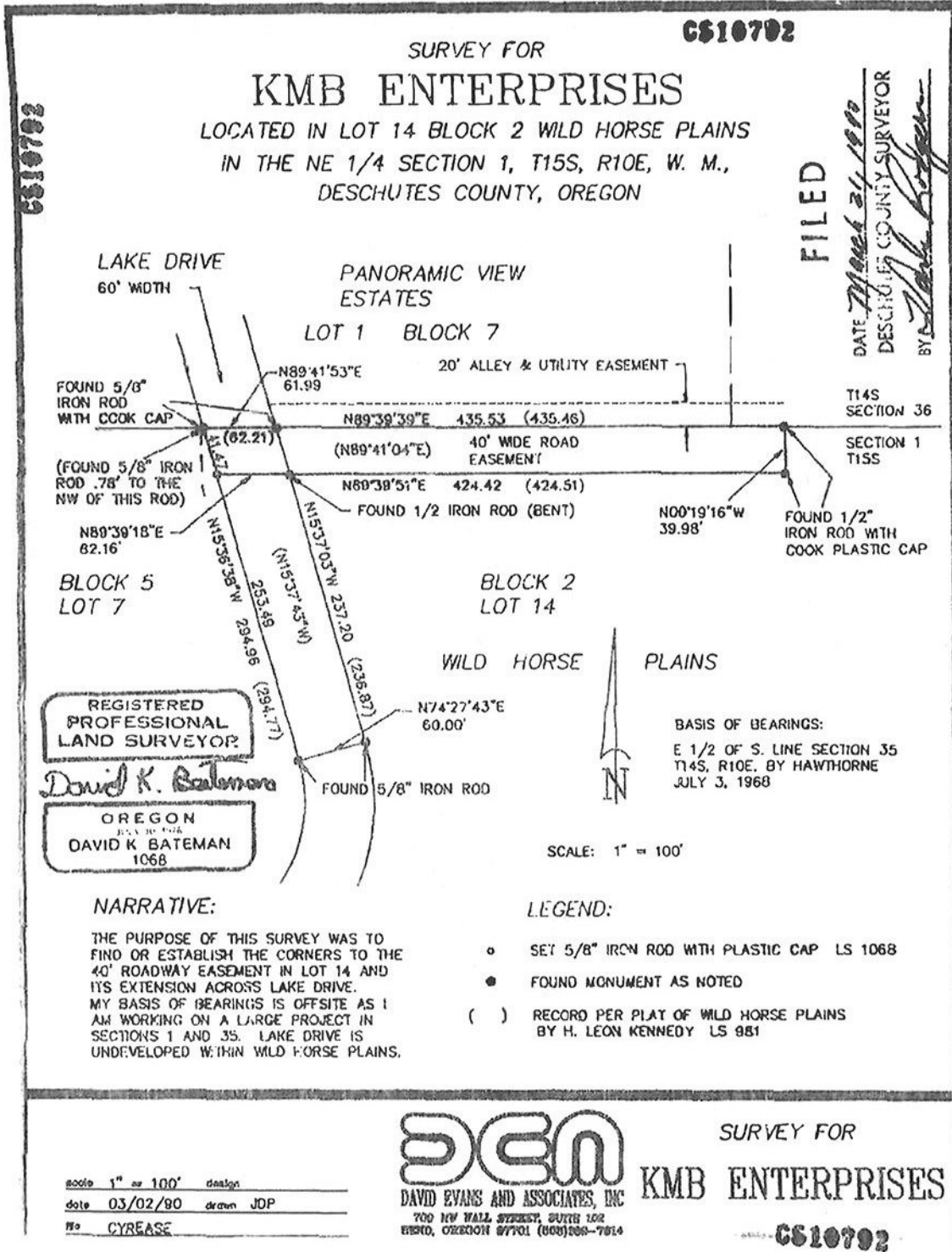
OREGON
JULY 25, 1901
JERRY D. STICHLER
2527

RENEWS 6/30/22

PO Box 2062
Redmond, Oregon 97756

(541) 548-6092
plsurveying@gmail.com

EXHIBIT A



SURVEY FOR
KMB ENTERPRISES
CS10702

DEA
DAVID EVANS AND ASSOCIATES, INC.
700 NW WALL STREET, SUITE 102
HEIST, OREGON 97101 (503)266-7014

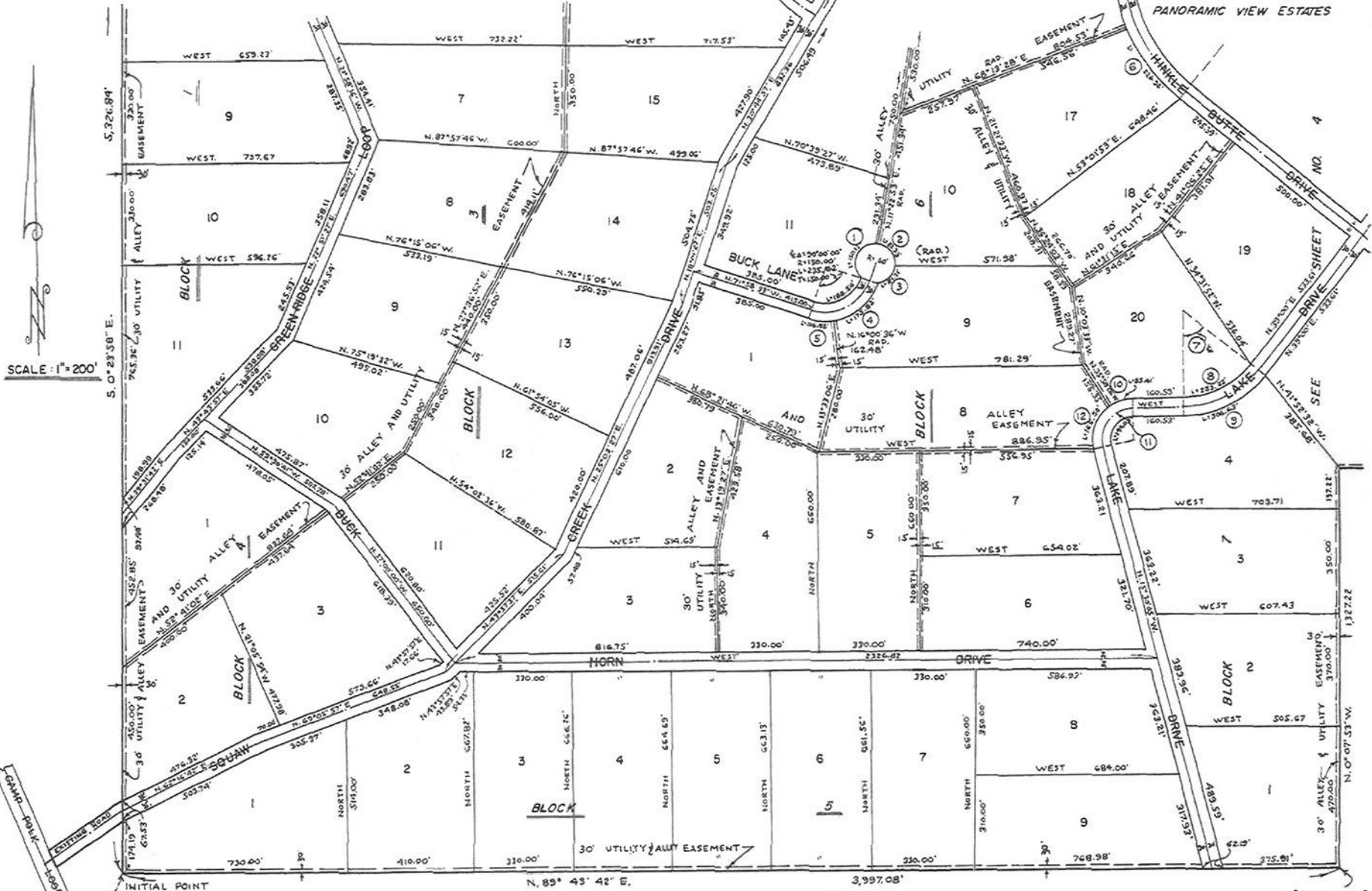
scale 1" = 100' design
date 03/02/80 drawn JDP
No CYREASE

EXHIBIT A

SEE SHEET NO. 3

SHEET 2 OF 4 SHEETS
PANORAMIC VIEW ESTATES

P-184 4-11



SCALE: 1" = 200'

INITIAL POINT
S.W. CORNER SEC.
36, T.14.S. R.10.E.
W.M.

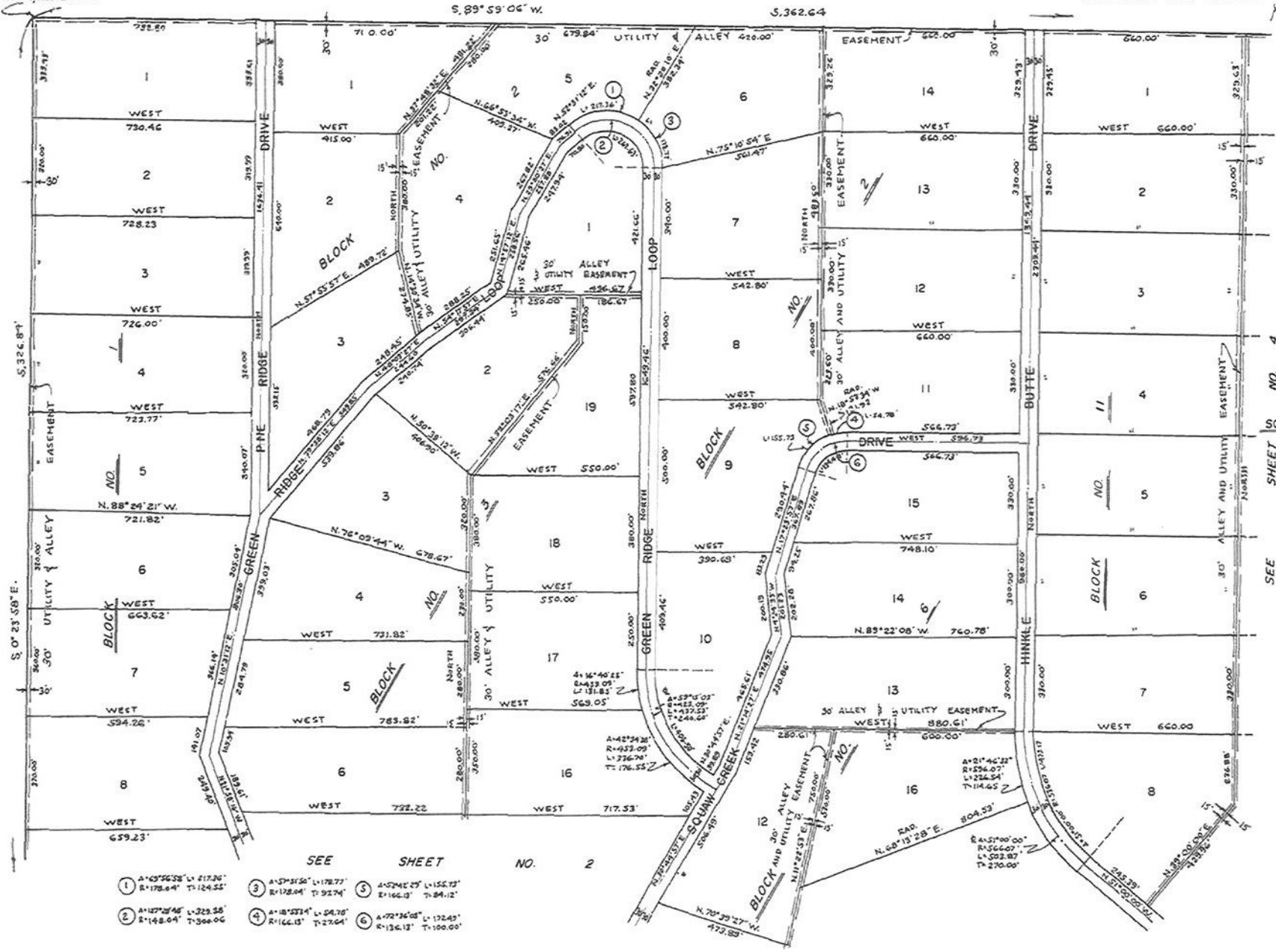
- ① Δ 143°21'26" L 150.12'
R 66.00 T 181.20
- ② Δ 78°37'07" L 82.33'
R 60.00 T 49.13
- ③ Δ 70°01'27" L 81.71'
R 60.00 T 48.61
- ④ Δ 58°57'57" L 175.81'
R 180.00 T 95.64
- ⑤ Δ 34°02'05" L 106.92'
R 180.00 T 35.09
- ⑥ Δ 21°46'31" L 226.34'
R 356.07 T 114.65
- ⑦ Δ 51°00'00" L 279.92'
R 314.48 T 150.00
- ⑧ Δ 31°00'00" L 233.71'
R 284.40 T 121.09
- ⑨ Δ 51°00'00" L 176.61'
R 344.48 T 164.31
- ⑩ Δ 35°58'26" L 85.91'
R 136.05 T 44.12
- ⑪ Δ 102°30'05" L 135.21'
R 106.05 T 129.47
- ⑫ Δ 45°41'53" L 165.50'
R 126.05 T 94.73

S.W. CORNER OF
SE 1/4 E 1/4 OF
SEC. 36, T.14.S.,
R.10.E. W.M.

EXHIBIT A

123

N.W. CORNER OF SEC. 36
T.14.S., R.10.E., W.M.



- SEE SHEET NO. 2
- ① A=63°56'38" L=217.30'
R=178.64' T=124.55'
 - ② A=127°27'48" L=328.58'
R=148.64' T=304.06'
 - ③ A=57°31'56" L=178.77'
R=128.04' T=92.74'
 - ④ A=10°53'14" L=54.78'
R=166.13' T=27.64'
 - ⑤ A=57°41'05" L=155.73'
R=166.13' T=84.12'
 - ⑥ A=92°36'08" L=172.45'
R=136.13' T=100.00'

SCALE: 1"=200'

NO. 4
SEE SHEET

Security Deposit

Special District Formation or Reorganization

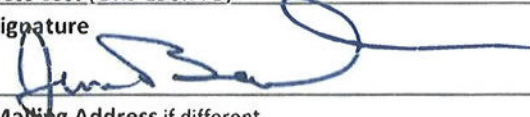
SEL 704

rev 01/18
ORS 198.775

Formation
 Annexation
 Withdrawal
 Dissolution

District and Precinct Information		
Name of District Panoramic Access Special Road District		
Number of Precincts in District 1	Amount of Deposit per Precinct 1	Total Deposit (max of \$10,000) \$ 100.00

Chief Petitioners
I/We hereby declare if the costs of the attempted formation annexation, withdrawal or dissolution of Panoramic Access Special Road district exceeds the deposit, I/we will pay to the county treasurer the amount of the excess cost (ORS 198.775)

Name print Jim Becker			Signature 		
Residence 69431 Lake Drive			Mailing Address if different P O Box 1226		
City Sisters	State Or	Zip Code 97759	City Sisters	State Or	Zip Code 97759

Amount of Contribution/Value of Secured Deposit	Kind of Contribution*	
	<input checked="" type="checkbox"/> Cash	<input type="checkbox"/> Bond <input type="checkbox"/> Other Security Deposit

Name print			Signature		
Residence			Mailing Address if different		
City	State	Zip Code	City	State	Zip Code

Amount of Contribution/Value of Secured Deposit	Kind of Contribution*	
	<input type="checkbox"/> Cash	<input type="checkbox"/> Bond <input type="checkbox"/> Other Security Deposit


Name print			Signature		
Residence			Mailing Address if different		
City	State	Zip Code	City	State	Zip Code

Amount of Contribution/Value of Secured Deposit	Kind of Contribution*	
	<input type="checkbox"/> Cash	<input type="checkbox"/> Bond <input type="checkbox"/> Other Security Deposit

Continued on the reverse side of this form

EXHIBIT A

Person/Organizations Providing Any Part of Cash/Security Deposit

Name print Jim Becker				Signature 			
Residence 69431 Lake Drive				Mailing Address if different PO Box 1226			
City Sisters	State Or	Zip Code 97759	<input type="checkbox"/>	City Sisters	State Or	Zip Code 97759	<input type="checkbox"/>
Amount of Contribution/Value of Secured Deposit \$ 100.00				Kind of Contribution*			
				Cash <input checked="" type="checkbox"/>	Bond <input type="checkbox"/>	Other Security Deposit <input type="checkbox"/>	

Name print				Signature			
Residence				Mailing Address if different			
City	State	Zip Code	<input type="checkbox"/>	City	State	Zip Code	<input type="checkbox"/>
Amount of Contribution/Value of Secured Deposit				Kind of Contribution*			
				Cash <input type="checkbox"/>	Bond <input type="checkbox"/>	Other Security Deposit <input type="checkbox"/>	

Name print				Signature			
Residence				Mailing Address if different			
City	State	Zip Code	<input type="checkbox"/>	City	State	Zip Code	<input type="checkbox"/>
Amount of Contribution/Value of Secured Deposit				Kind of Contribution*			
				Cash <input type="checkbox"/>	Bond <input type="checkbox"/>	Other Security Deposit <input type="checkbox"/>	

Additional Description

*Provide additional description of security deposit below, on the back of this form or on separate sheets. Additional contributors may be listed on separate sheets and attached.



EXHIBIT B
DESCHUTES COUNTY ASSESSOR'S OFFICE
CARTOGRAPHY DEPARTMENT

1300 NW Wall Street, Suite 204 | Bend, Oregon 97703

Office: (541) 388-6508 | Fax: (541) 382-1692

Website: <https://www.deschutes.org/assessor>

Property Info: <https://dial.deschutes.org/>

February 7, 2022

Steve Dennison

Deschutes County Clerk

Re: **Panoramic Access Special Road District** (Wildhorse Meadows LLC & Sisters Aggregate & Construction LLC)

Please be advised the attached petition meets the requirements of ORS 198.

Sincerely,

Gregg Rossi



Gregg Rossi | Chief Cartographer

Deschutes County Assessor's Office, Cartography Dept.

1300 NW Wall St. Suite 204 | Bend, Oregon 97703 PO Box 6005 | Bend, Oregon 97708

Tel: (541) 617-4703 | Fax: (541) 382-1692



**Petition for Annexation to
Panoramic Access Special Road District
(Taxlot 1510010004800 & 1510010004826)**

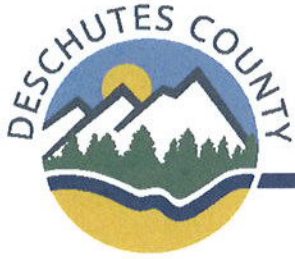
Clerk's Certification

I, Steve Dennison, Deschutes County Clerk, do hereby certify that the signatures on the attached petition sheet are not voters within the proposed area to be annexed. There are zero (0) voters within the proposed area to be annexed. There are zero (0) valid signatures on the attached petition within the area proposed for annexation.

Dated this 11th day of February, 2022.

Steve Dennison
Deschutes County Clerk

EXHIBIT C



COMMUNITY DEVELOPMENT

TO: Deschutes County Board of Commissioners

FROM: Will Groves, Planning Manager

DATE: February 10, 2022

SUBJECT: Land Use Compatibility, Panoramic Access Special Road District

The materials contained in the petition propose to annex lands to the Panoramic Access Special Road District. The total acreage is -0.45 acres.

This annexation is consistent with Title 18, Deschutes County Zoning Ordinance, and Title 23, Deschutes County Comprehensive Plan. There are no local land use regulations or policies that specifically address this annexation¹.

¹ Policy 3.6.1 "encourages the formation of special service districts to serve rural needs rather than have the County serve those needs." Policy 3.8.1 recognizes the importance to "cooperate with public agencies and local park districts to provide park and recreation lands, facilities and opportunities."