



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: March 8, 2023

SUBJECT: Road and Access Easement over County-owned property near Eagle Road in Bend

RECOMMENDED MOTION:

Move approval of Board Signature of Order No. 2023-010 to authorize a Road and Access Easement near Eagle Road in Bend, and to authorize the Deschutes County Property Manager to execute the Road and Access Easement

BACKGROUND AND POLICY IMPLICATIONS:

In 1976, Deschutes County acquired a 0.64-acre property by Bargain & Sale Deed for zero consideration. The property is located just east of Eagle Road, Bend, and currently serves as access to roughly four adjacent privately owned parcels. The property known as Map and Tax Lot 171226AB00500 has a Real Market Value of zero as determined by the Deschutes County Assessor's Office.

It appears that the intent of the grantor in the 1976 transaction was to dedicate the property to public road right-of-way, but it has remained in the County's real property inventory since that time. Because the access road does not meet road standards, the Road Department confirmed it is unable to recommend a dedication to public right-of-way. Therefore, the property should remain in the County's real property inventory until such time the area is annexed into the City of Bend and a possible dedication to public right-of-way can be considered at that time.

Two adjacent property owners, Jason and Danielle Wohlfahrt who own Map and Tax Lot 171226AB00100, and Rosengarth Investments, LLC who own Map and Tax Lots 171226AB00300 and 171226AB00400 have requested a Road and Access Easement over the County-owned property. Though the County-owned property is currently used for access, no previously access easements could be located, which is now prompting granting legal access.

In exchange for the Road and Access Easement, Wohlfahrt and Rosengarth agree to maintain the access road at their sole cost and expense and pay for recording fees associated with the transaction.

BUDGET IMPACTS:

None.

ATTENDANCE:

Kristie Bollinger, Property Manager