



For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

Order Approving Will Lebeda annexation into Bend Park & Recreation District * ORDER NO. 2022-050 *

WHEREAS, Will Lebeda ("Petitioner") submitted a petition requesting annexation of the property, identified in Exhibit A in the petition attached to this Order, into Bend Park & Recreation District ("District"); and

WHEREAS, either the Deschutes County Clerk's Office and/or 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 November 2, 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 park & recreation 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

Bend Park and Recreation 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 4/12/22 (date) and Petitioners request the Board commence proceedings to annex the territory described herein into Bend Park and Recreation 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 Bend Park and Recreation District (name of district) approved the petition pursuant to ORS 198.850 on 4/7 (insert date).
4. The principal act for Bend Park and Recreation District (name of district) is ORS A park and recreation district organized under ORS chapter 266.
(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, 20__.
6. The property street address(es) of land for annexation (if known) is/are 61190 Magnolia Ln, Bend, OR 97702 and the total acreage is 1.76. A description of the boundaries of the territory to be annexed is attached hereto as Exhibit "A" and depicted on the map attached as Exhibit "B".
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.
8. A security deposit form and payment is attached to this petition.

Signed this 12 day of April, 2022 by Will Lebeda, Chief Petitioner(s).

Will Lebeda Signature PO Box 7772 Bend, OR Address, City, State, ZIP

DATED this 25 day of April, 2022

DATED this ___ day of _____, 20__

Approved by the Board of Bend Park & Recreation District
Name of District

(if applicable) Approved by City of _____

Don P. Horton
District Signature

City Signature _____

By: Don P. Horton
(Print Name)

By: _____
(Print Name)

Title: Executive Director

Title: _____

EXHIBIT A

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 <i>Bend Park and Recreation District</i>		
Number of Precincts in District	Amount of Deposit per Precinct	Total Deposit (max of \$10,000)

Chief Petitioners
 I/we hereby declare if the costs of the attempted formation annexation, withdrawal or dissolution of *Bend Park and Recreation* district exceeds the deposit, I/we will pay to the county treasurer the amount of the excess cost (ORS 198.775)

* Name print <i>Bryan Harrison, Member (Harrison Res. Holdings)</i>		Signature <i>Bryan H</i>	
Residence <i>21075 Scottsdale Dr</i>		Mailing Address if different	
City <i>Bend</i>	State <i>OR</i>	Zip Code <i>97701</i>	
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 <i>Willie Lebeda</i>		Signature <i>Willie Lebeda</i>	
Residence <i>2110 Imperial Ave</i>		Mailing Address if different <i>PO Box 7772</i>	
City <i>Bend</i>	State <i>OR</i>	Zip Code <i>97703</i>	
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	
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

NAME OF DISTRICT: Bend Park and Recreation District

Withdraw

#	PRINT NAME	DATE SIGNED	PROPERTY ADDRESS/ RESIDENCE ADDRESS (If Different)	LANDON IN THE PROPOS TERRIT REGISTE VOTER I THE PRC TERRITC
1	Harrison Res Holdings Jennifer Harrison <hr/> Print Name <i>Jennifer Harrison</i> <hr/> Signature	4/18/22 <hr/> Date	<hr/> PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landown Yes <input checked="" type="checkbox"/> No _____ Acreage Registered Yes <input checked="" type="checkbox"/> No _____ Pre _____
2	<hr/> Print Name <hr/> Signature	<hr/> Date	<hr/> PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landown Yes _____ No _____ Acreage Registered Yes _____ No _____ Pre _____
3	<hr/> Print Name <hr/> Signature	<hr/> Date	<hr/> PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landown Yes _____ No _____ Acreage Registered Yes _____ No _____ Pre _____
4	<hr/> Print Name <hr/> Signature	<hr/> Date	<hr/> PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landown Yes _____ No _____ Acreage Registered Yes _____ No _____ Pre _____
5	<hr/> Print Name <hr/> Signature	<hr/> Date	<hr/> PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landown Yes _____ No _____ Acreage Registered Yes _____ No _____ Pre _____

NAME OF DISTRICT: Berd Park and Recreation District

Withdrawal

EXHIBIT A

	PRINT NAME	DATE SIGNED	PROPERTY ADDRESS/ RESIDENCE ADDRESS (If Different)	LANDOWN IN THE PROPOSEI TERRITOF REGISTER VOTER IN THE PROF TERRITOI
1	<u>Willie Lebeda</u> Print Name <u>Willie Lebeda</u> Signature	<u>4/20</u> Date	<u>2110 Imperial Ave</u> PROPERTY ADDRESS <u>6190 Magnolia</u> RESIDENCE ADDRESS (If Different)	Landowne Yes ___ No ___ Acreage ___ Registered Yes ___ No ___ Pre ___
2	_____ Print Name _____ Signature	_____ Date	_____ PROPERTY ADDRESS _____ RESIDENCE ADDRESS (If Different)	Landown Yes ___ No ___ Acreage ___ Registered Yes ___ No ___ Pre ___
3	_____ Print Name _____ Signature	_____ Date	_____ PROPERTY ADDRESS _____ RESIDENCE ADDRESS (If Different)	Landown Yes ___ No ___ Acreage ___ Registered Yes ___ No ___ Pre ___
4	_____ Print Name _____ Signature	_____ Date	_____ PROPERTY ADDRESS _____ RESIDENCE ADDRESS (If Different)	Landown Yes ___ No ___ Acreage ___ Registered Yes ___ No ___ Pre ___
5	_____ Print Name _____ Signature	_____ Date	_____ PROPERTY ADDRESS _____ RESIDENCE ADDRESS (If Different)	Landown Yes ___ No ___ Acreage ___ Registered Yes ___ No ___ Pre ___

EXHIBIT A



901 NW Carlon Avenue, Suite 3 | Bend, OR 97703
(541) 797-0954 - www.sflands.com

2021-301-06
JULY 18, 2022
ANH

EXHIBIT A

TAX LOTS 18121500-00100 AND 00300
CITY OF BEND LAND USE BOUNDARY DESCRIPTION

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER (NE1/4) OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 3-1/4 INCH BRASS CAP IN MONUMENT BOX MARKING THE NORTHEAST CORNER OF SAID SECTION 15; THENCE SOUTH 45°37'41" WEST, 42.57 FEET TO THE POINT OF BEGINNING, SAID POINT LIES AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF FERGUSON ROAD (HAVING A 30.00 FOOT HALF-WIDE WHEN MEASURED AT RIGHT ANGLES TO ITS CENTERLINE) AND THE WEST RIGHT-OF-WAY LINE OF DIAMOND BACK LANE (HAVING A 30.00 FOOT HALF-WIDE WHEN MEASURED AT RIGHT ANGLES TO ITS CENTERLINE); THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE, ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH 00°48'58" WEST, 1293.08 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4) OF SAID SECTION 15; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE, ALONG SAID SOUTH LINE OF THE NE1/4 NE1/4, NORTH 89°49'08" WEST, 1282.18 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF MAGNOLIA LANE (HAVING A 30.00 FOOT HALF-WIDE WHEN MEASURED AT RIGHT ANGLES TO ITS CENTERLINE); THENCE LEAVING SAID SOUTH LINE OF THE NE1/4 NE1/4, ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00°41'46" EAST, 1298.86 FEET TO SAID SOUTH RIGHT-OF-WAY LINE OF FERGUSON ROAD; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89°33'36" EAST, 1284.85 FEET TO THE POINT OF BEGINNING.

SUBJECT TO: EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 21, 2009
ANDREW N. HUSTON
61407PLS

RENEWS: 6/30/2023



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(541) 797-0954 - www.sflands.com

EXHIBIT A

2021-301-06
APRIL 5, 2022
ANH


EXHIBIT A
HARRISON RESIDENTIAL HOLDINGS, LLC – TAX LOT 1812150000300
BEND PARK & RECREATION DISTRICT PETITION TO ANNEX PROPERTY

THE NORTH TWO HUNDRED FIFTY (250.00) FEET OF THE WEST 348.48 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4) OF SECTION FIFTEEN (15), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST, OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

EXCEPTING THEREFROM THAT PORTION DEDICATED TO THE PUBLIC IN DOCUMENT RECORDED MAY 20, 1993, IN BOOK 299, PAGE 1595, DESCHUTES COUNTY RECORDS.

SUBJECT TO: EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

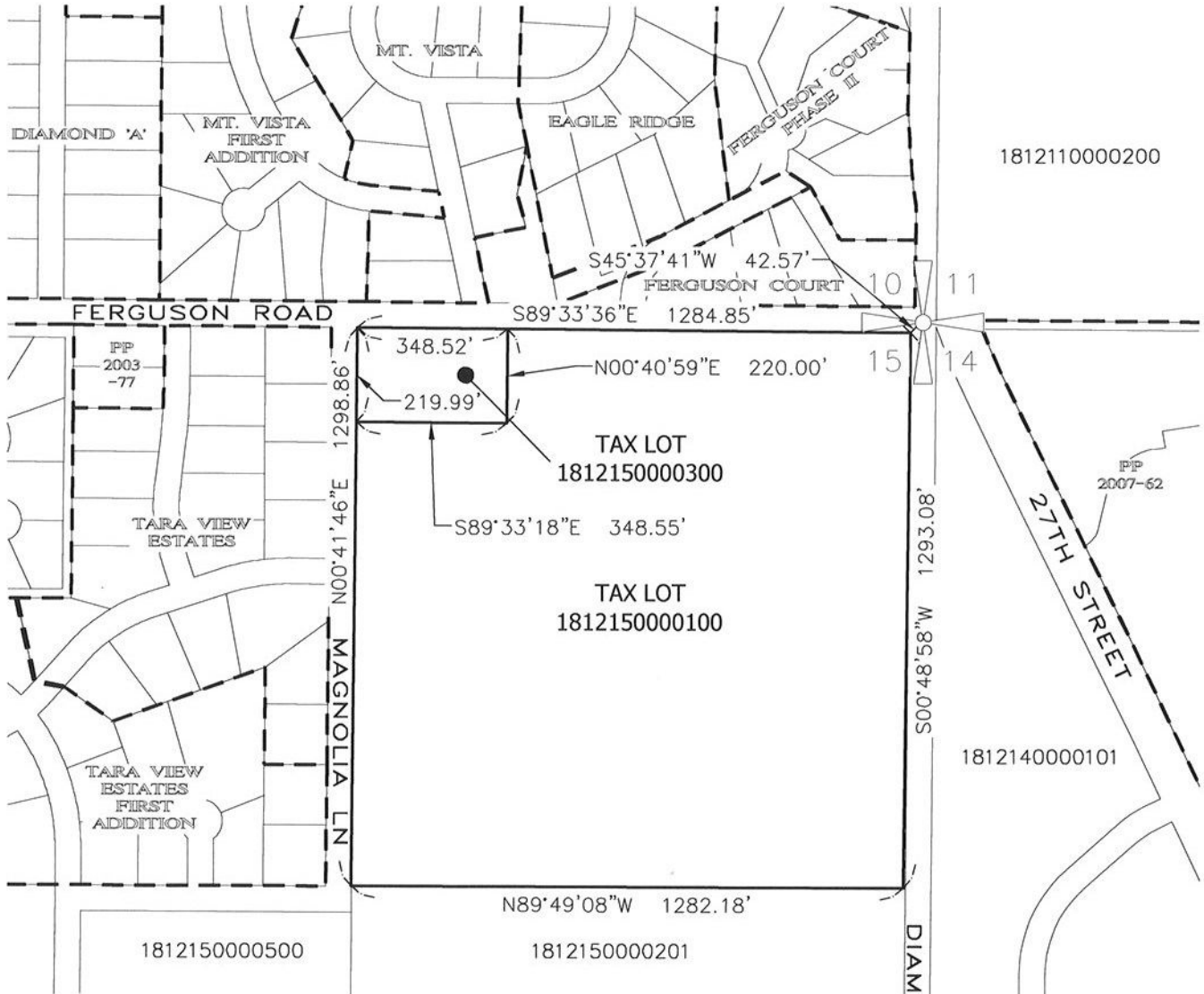
DocuSigned by:


OREGON
JANUARY 21, 2009
ANDREW N. HUSTON
61407PLS

RENEWS: 6/30/2023

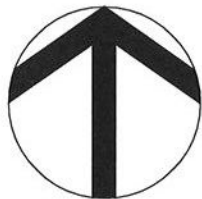
EXHIBIT A
EXHIBIT "B"
BOUNDARY EXHIBIT

LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4)
OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M.,
DESCHUTES COUNTY, OREGON

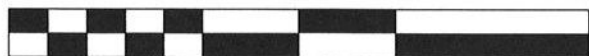


LEGEND:

- SUBJECT PROPERTY BOUNDARY
- APPROXIMATE TAX LOT LINE
- SUBDIVISION/PARTITION BOUNDARY



400' 0 200' 400' 800'



SCALE: 1" = 400'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Andrew N. Huston
OREGON
JANUARY 21, 2009
ANDREW N. HUSTON
61407PLS

RENEWS: 6/30/2023

S&F Land Services

Date: 07/18/2022
Proj No: 21-301-06

901 NW CARLON AVENUE,
STE 3, BEND, OR 97703
(541) 797-0954





www.sflands.com
info@sflands.com

EXHIBIT A EXHIBIT "B" ANNEXATION EXHIBIT

LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4)
OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M.,
DESCHUTES COUNTY, OREGON

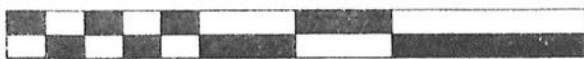


LEGEND:

-  ANNEXATION EXPANSION BOUNDARY
-  AREA TO BE ANNEXED
-  APPROXIMATE TAX LOT LINE
-  SUBDIVISION/PARTITION BOUNDARY



400' 0 200' 400' 800'



SCALE: 1" = 400'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DocuSigned by:

608580AEC83A14D0

OREGON
JANUARY 21, 2009
ANDREW N. HUSTON
61407PLS

RENEWS: 6/30/2023

S&F Land Services

Date: 04/05/2022
Proj No: 21-301-06

901 NW CARLON AVENUE,
STE 3, BEND, OR 97703
(541) 797-0954

www.sflands.com
Info@sflands.com



**Petition for Annexation to
Bend Park and Recreation District
(61190 Magnolia Ln, Bend,
Taxlot 1812150000300)**

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 October, 2022.

Steve Dennison
Deschutes County Clerk

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/>

October 7, 2021

Steve Dennison

Deschutes County Clerk

Re: **Petition for Bend Park & Recreation District** (Harrison Residential Holdings LLC & Willie Lebeda Trust)

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



EXHIBIT C

COMMUNITY DEVELOPMENT

TO: Deschutes County Board of Commissioners

FROM: Will Groves, Planning Manager

DATE: October 5, 2022

SUBJECT: Land Use Compatibility, 61190 Magnolia Lane, Bend - Bend Park & Recreation District

The materials contained in the petition propose to annex lands to the Bend Park & Recreation District. I have coordinated with the City of Bend and confirmed that there are no planning or zoning obstacles to the proposed annexation in County or City regulations. The City of Bend commented, in relevant part regarding this (and a similarly situated) property:

Regarding the two properties, they are in the Bend UGB now, and have Comprehensive Plan designations approved through the Southeast Area Plan. The property owners have been working with CEDD on forthcoming master plan and site plan applications for residential development. The current UA Zoning is in effect until their applications for annexation to the City and their land use applications (e.g. master plan) are approved.