

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

Order Approving Crow and Stratton annexation into Cloverdale Rural Fire Protection District * ORDER NO. 2021-037 *

WHEREAS, Jim Crow and Caroline Stratton ("Petitioners") submitted a petition requesting annexation of their property, identified in Exhibit A in the petition attached to this Order, into Cloverdale Rural Fire Protection 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 September 1, 2021, 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 fire protection services.

Dated this ___ day of _____, 2021.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ANTHONY DeBONE, CHAIR

PHIL CHANG, VICE CHAIR

ATTEST:

Recording Secretary

PATTI ADAIR, COMMISSIONER

EXHIBIT A

PETITION TO ANNEX PROPERTY INTO

Cloverdale Fire 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 Cloverdale Fire 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 Cloverdale Fire District (name of district) approved the petition pursuant to ORS 198.850 on _____ (insert date).
- 4. The principal act for Cloverdale Fire District (name of district) is ORS _____

(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 10-7-2020 day of, 2020.
- 6. The property street address(es) of land for annexation (if known) is/are 65920 Sisemore Rd. Bend, Or. 97703 and the total acreage is 19.56. 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 19 day of October, 2020 by Caroline Stratton Jimmy R. Crow Chief Petitioner(s).

Caroline Stratton
Signature

65920 Sisemore Rd. Bend, Or. 97703
Address, City, State, ZIP

DATED this ___ day of _____, 20__

DATED this ___ day of _____, 20__

Approved by the Board of _____

(if applicable) Approved by City of _____

Name of District Cloverdale Rural

District Signature

By: Jerry B. Johnson

(Print Name)
Title: Board President

City Signature

By: _____

(Print Name)
Title: _____

EXHIBIT A

NAME OF DISTRICT: Cloverdale Five 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>JIMMY R. CROW</u> Print Name <u>[Signature]</u> Signature	<u>7-28-21</u> Date	<u>65940 SISEMORE RD.</u> PROPERTY ADDRESS <u>BEND, OR 97703</u> RESIDENCE ADDRESS (If Different)	Landowner Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Acreage <u>20</u> Registered Voter Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Pre <input type="checkbox"/>
2	<u>CAROLINE SWATTON</u> Print Name <u>[Signature]</u> Signature	<u>7-28-21</u> Date	<u>65940 SISEMORE RD.</u> PROPERTY ADDRESS <u>BEND, OR 97703</u> RESIDENCE ADDRESS (If Different)	Landowner Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Acreage <u>20</u> Registered Voter Yes <input checked="" 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, Mikaela Kostigan, certify that I circulated this petition, and every person who signed this petition did so in my presence. Signature: [Signature]

County of Deschutes State of Oregon
 SUBSCRIBED AND SWORN before me this 28 day of July, 2021
 Notary Public for Oregon Deschutes County CDD My Commission Expires: 12/12/25

Signature [Signature]
 OFFICIAL STAMP
 MIKAELA K COSTIGAN
 NOTARY PUBLIC-OREGON
 COMMISSION NO. 1013488
 MY COMMISSION EXPIRES JUNE 21, 2025
 (affix notary stamp)

EXHIBIT A

30-398

8171

WARRANTY DEED

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RUSSELL L. HIATT and RUTH H. HIATT, husband and wife

hereinafter called grantor, conveys to

CHARLES G. FULLERTON and MARIE B. FULLERTON, husband and wife

hereinafter called grantee

all the following described real property situated in Deschutes County, State of Oregon, to-wit:

PARCEL 1: A parcel of land situate in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section Eighteen (18), Township Sixteen (16) South, Range Eleven (11) East of the Willamette Meridian, Deschutes County, Oregon, and now to be more particularly described as follows:

Commencing at the North Quarter corner of said Section 18, the Initial Point; thence South 00° 25' 00" West, 386.62 feet to a 5/8" pin and the point of beginning; thence South 00° 25' 00" West, 370.42 feet to a 1/2" pipe; thence North 89° 36' 00" West, 939.88 feet to the centerline of a County road; thence 161.59 feet along the arc of a curve left of said centerline forming a delta angle of 32° 38' 32" and having a radius of 283.64 feet to the P.T. (point of tangency) of said curve; thence North 75° 12' 55" West along said road centerline, 140.89 feet to the P.C. (point of curvature) of said road centerline; thence 87.82 feet along the arc of said curve right forming a delta angle of 27° 54' 38" and having a radius of 180.27 feet; thence North 00° 25' 00" East, 212.72 feet; thence South 89° 36' 00" East, 1290.00 feet to the point of beginning. The above County road monumented by 1/2" pipes on the rights of way of the above described centerline points.

PARCEL 2: A parcel of land situate in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section Eighteen (18), Township Sixteen (16) South, range Eleven (11) East of the Willamette Meridian, Deschutes County, Oregon, and now to be more particularly described as follows:

Commencing at the North Quarter corner of said Section 18, the Initial Point; thence South 00° 25' 00" West, 757.04 feet to a 1/2" pipe at the point of beginning; thence South 00° 25' 00" West, 561.80 feet to a 1/2" pin; thence North 89° 36' 00" West, 697.35 feet to the centerline of a County road; thence 109.30 feet along the arc of a curve left of said County road centerline forming a delta angle of 05° 49' 46" and having a radius of 1074.30 feet to the P.T. (point of tangency) of said curve; thence North 21° 43' 10" West along said road centerline 401.67 feet to the P.C. (point of curvature) of said road centerline; thence 103.23 feet along the arc of said curve left forming a delta angle of 20° 51' 13" and having a radius of 283.64 feet; thence South 89° 36' 00" East, 939.88 feet to the point of beginning. The above County road monumented by 1/2" pipes on the right of ways of the above described centerline points.

CHARLES R. MARRCH
ATTORNEY AT LAW
1198 WALL STREET
BEND, OREGON 97701

EXHIBIT A

All containing 20 acres more or less.

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Reserving, however, in the grantor, their heirs and assigns, an easement for an existing driveway as presently located for the use and benefit of the land lying immediately North of the land agreed to be sold, consisting of 11.8054 acres to run with the land for ingress and egress to said lands.

and covenants that grantor is the owner of the above described property free of encumbrances except subject to:

Taxes; and

Existence of roads, railroads, irrigation ditches and canals, telephone, telegraph and power transmission facilities

and will warrant and defend the same against all persons who may lawfully claim the same except as shown above.

The true and actual consideration for this transfer is \$20,000.00.

Dated this 22 day of September, 1973.

Russell L. Hiatt
Russell L. Hiatt

Ruth H. Hiatt
Ruth H. Hiatt

STATE OF OREGON, County of Deschutes) ss.

Donald Short
Attorney in Fact

Personally appeared the above named Russell L. Hiatt and Ruth H. Hiatt, by Russell Hiatt, her Attorney in Fact, husband and wife and acknowledged the foregoing instrument to be their voluntary act.

Lucille Hudson
Notary Public for Oregon
My Commission Expires: 2-2-76



8171

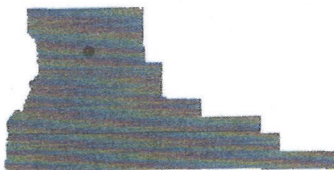
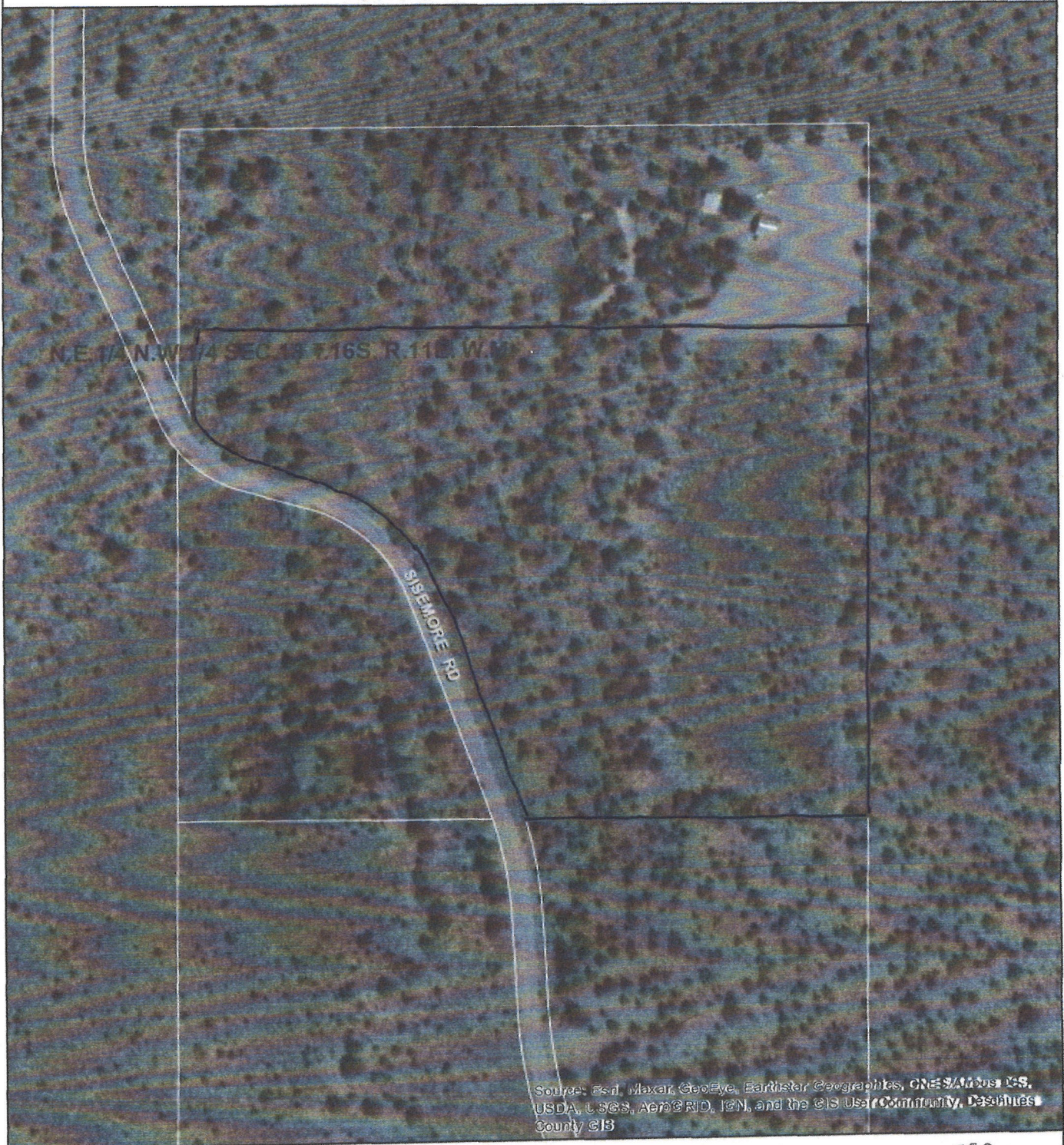
STATE OF OREGON INDEX
County of Deschutes
I hereby certify that the within instrument of writing was received for Record the 28 day of Sept. A.D. 1973 at 11:47 o'clock A.M. and recorded in Book 199 on Page 617. Records of Blenda
ROSEMARY PATTERSON
County Clerk
By Janice Lohel Deputy

CHARLES R. MARSH
ATTORNEY AT LAW
1188 WALL STREET
SEASIDE, OREGON 97138

EXHIBIT A

N.E.1/4 N.W.1/4 SEC.18 T.16S. R.11E. W.M.

MAP + TAX L07 16118 DA 00200



Date: 3/17/2021

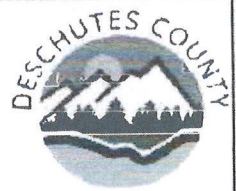
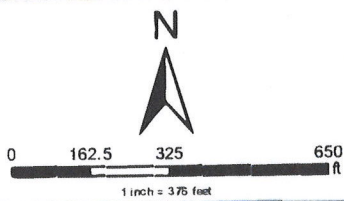
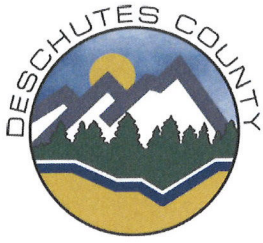


EXHIBIT B



**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/>

August 6, 2021

Steve Dennison

Deschutes County Clerk

Re: Petition for Cloverdale Rural Fire Protection District (Jimmy Crow & Caroline Stratton)

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

Sincerely,

Gregg Rossi



**Petition for Annexation to
Cloverdale Fire District
(65920 Sisemore Rd, Bend)**

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 4th day of August, 2021.

Steve Dennison
Deschutes County Clerk

EXHIBIT C



COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Deschutes County Board of Commissioners
FROM: Peter Gutowsky, AICP, Planning Manager
DATE: August 3, 2021
SUBJECT: Land Use Compatibility / Cloverdale Fire District

The materials contained in the petition to annex 65920 Sisemore Road are 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 the Cloverdale Fire District and annexation.¹

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."