

REVIEWED
LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A Resolution to Acquire Right of Way for
Construction of Road Improvements for
Deschutes Market Road and Hamehook
Road

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RESOLUTION NO. 2022-044

WHEREAS, by virtue of the laws of the State of Oregon as set forth and defined in Oregon Revised Statutes, Deschutes County is authorized and empowered to acquire by purchase, agreement, donation or by the exercise of the power of eminent domain, real property, or any right or interest therein, including any easement or right-of-way, for the construction, extension, alteration, widening, straightening or otherwise changing of any roads, highways, bridges or approaches within Deschutes County; and

WHEREAS, for the purpose of constructing improvements to Deschutes Market Road and Hamehook Road, it is necessary to acquire additional right-of-way as shown in Exhibit "A" attached hereto and incorporated herein by reference; now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, as follows:

Section 1. The Board hereby finds and declares that certain interests in, or fee simple title to, certain parcels of real property, as shown in Exhibit "A", is needed and required for the construction, improvement and betterment of the Deschutes County road system, particularly constructing improvements to Deschutes Market Road and Hamehook Road.

Section 2. That the specified section of highway and the highway facilities for which said parcels of real property are proposed to be acquired will be planned, designed, located and constructed in a manner which will be most compatible with the greatest public good and the least private injury.

Section 3. That Deschutes County Road Department and the Deschutes County Legal Department are hereby authorized to negotiate with the owners of the subject parcels for the acquisition by County of all right, title and interest in and to said parcels, free and clear from any liens or encumbrances and subject to final approval by the Board of County Commissioners of any proposed acquisition.

Section 4. This resolution shall take effect immediately upon passage.

Dated this _____ day of _____, 20____.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

PATTI ADAIR, Chair

ATTEST:

ANTHONY DEBONE, Vice Chair

Recording Secretary

PHIL CHANG, Commissioner

Exhibit "A"

LEGAL DESCRIPTION

DCO-02

May 2, 2022

Page 1 OF 2

RIGHT OF WAY DEDICATION

Three (3) tracts of land, being portions of that property described in of Document 2006-38404 Deschutes County Official Records, located in the Northeast one-quarter of the Northwest one-quarter of Section 14, Township 17 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Bearings and Deschutes Market Road centerline stationing are based on CS20788, Deschutes County Survey Records.

TRACT 1

Beginning at a 5/8-inch iron rod with a 2-inch aluminum cap inscribed "DESCHUTES COUNTY ENGINEERING R/W LS2390" marking a point on the northerly Right-of-Way of Deschutes Market Road which falls 30.00 feet left, when measured at a right angle, of Deschutes Market Road centerline station 15+83.60;

Thence along said northerly Right-of-Way South $89^{\circ}45'16''$ West a distance of 70.36 feet to a 5/8-inch iron rod with a 2-inch aluminum cap inscribed "DESCHUTES COUNTY ENGINEERING R/W LS2390" marking an angle point in said Right-of-Way;

Thence along said northerly Right-of-Way North $88^{\circ}23'54''$ West a distance of 79.88 feet to a point which falls 30.00 feet left, when measured at a right angle, of Deschutes Market Road centerline station 14+32.40;

Thence North $42^{\circ}02'27''$ East a distance of 373.59 feet;

Thence North $10^{\circ}37'01''$ East a distance of 140.00 feet to a point on the westerly Right-of-Way of Deschutes Market Road which falls 30.00 feet left, when measured at a right angle, of Deschutes Market Road centerline station 21+19.49;

Thence along said Right-of-Way South $00^{\circ}06'08''$ East a distance of 289.93 feet to a point which falls 30.00 feet left, when measured at a right angle, of Deschutes Market Road centerline station 18+29.56 and the beginning of curve right;

Thence along said Right-of-Way and along said curve right through a central angle of $89^{\circ}51'24''$, with a radius of 126.83 feet (long chord bears South $44^{\circ}49'34''$ West, 179.14 feet) a distance of 198.91 feet to the **Point of Beginning**.

Contains 40,806 square feet more or less.

See the attached Exhibit "B" sheet 1, entitled "RIGHT-OF-WAY DEDICATION", which is made a part hereof.

TOGETHER WITH:

LEGAL DESCRIPTION

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Page 2 OF 2

TRACT 2

Commencing at the north One-Quarter corner of said Section 14;

Thence along the north-south centerline of said Section 14 South $00^{\circ}11'26''$ East a distance of 1225.95 feet to a point on the southeasterly Right-of-Way of Deschutes Market Road which falls 30.00 feet right, when measured at a right angle, of Deschutes Market Road centerline station 17+57.38 and the true **Point of Beginning** of the tract described herein;

Thence continuing along said centerline of Section 14 South $00^{\circ}11'26''$ East a distance of 99.87 feet to the center-north one-sixteenth corner of said Section 14, also being the southeast corner of said Document 2006-38404;

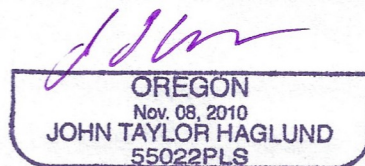
Thence along the south boundary line of said Document 2006-38404 North $89^{\circ}59'00''$ West a distance of 127.95 feet to a point on said southeasterly Right-of-Way of Deschutes Market Road which falls 30.00

feet right, when measured at a right angle, of Deschutes Market Road centerline station 16+16.70 and the beginning of a non-tangent curve left;

Thence along said curve left, through a central angle of $51^{\circ}23'44''$, with a radius of 186.83 feet (long chord bears North $51^{\circ}57'53''$ East, 162.03 feet) a distance of 167.59 feet to the **Point of Beginning**.

Contains 4,373 square feet more or less.

See the attached Exhibit "B" sheet 2, entitled "RIGHT-OF-WAY DEDICATION" which is made a part hereof.



RENEWS: 6-30-23

Exhibit "A"

LEGAL DESCRIPTION
DCO-02-SLOPE EASEMENT #1
TRACT A
May 2, 2022
Page 1 OF 1

SLOPE EASEMENT

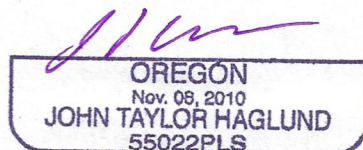
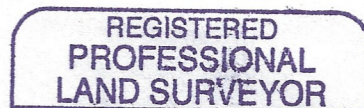
A strip of land, 11.00 feet in width, adjoining and parallel with the northerly Right-of-Way of Hamehook Road, being a portion of that property described in Document 2020-01208 Deschutes County Official Records, located in the Northwest one-quarter of the Northeast one-quarter of Section 14, Township 17 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Bearings and Hamehook Road stationing are based on CS20788, Deschutes County Survey Records.

Beginning at a point on the northerly Right-of-Way of Hamehook Road which falls 71.17 feet left, when measured at a right angle, of Hamehook Road centerline station 5+26.51, said point also bears South 01°27'35" East a distance of 1228.88 feet from the north One-Quarter corner of said section 14; Thence North 63°34'03" East a distance of 11.00 feet to the beginning of a non-tangent curve left; Thence along said curve left, through a central angle of 63°11'19", with a radius of 64.00 feet (long chord bears South 58°01'36" East, 67.06 feet) a distance of 70.58 feet; Thence South 89°37'16" East a distance of 15.11 feet; Thence South 00°22'44" West 11.00 feet to a point on the northerly Right-of-Way of Hamehook Road which falls 30.00 feet left, when measured at a right angle, of Hamehook Road centerline station 6+08.56; Thence along said Right-of-Way North 89°37'16" West a distance of 15.11 feet to the beginning of a curve right; Thence along said northerly Right-of-Way, through said curve right, through a central angle of 63°11'19", with a radius of 75.00 feet (long chord bears North 58°01'36" West) 78.59 feet, a distance of 82.71 feet to the **Point of Beginning**.

Contains 1,009 square feet more or less.

See the attached Exhibit "B", entitled "SLOPE EASEMENT" which is made a part hereof.



RENEWS: 6-30-23

EXHIBIT "B"

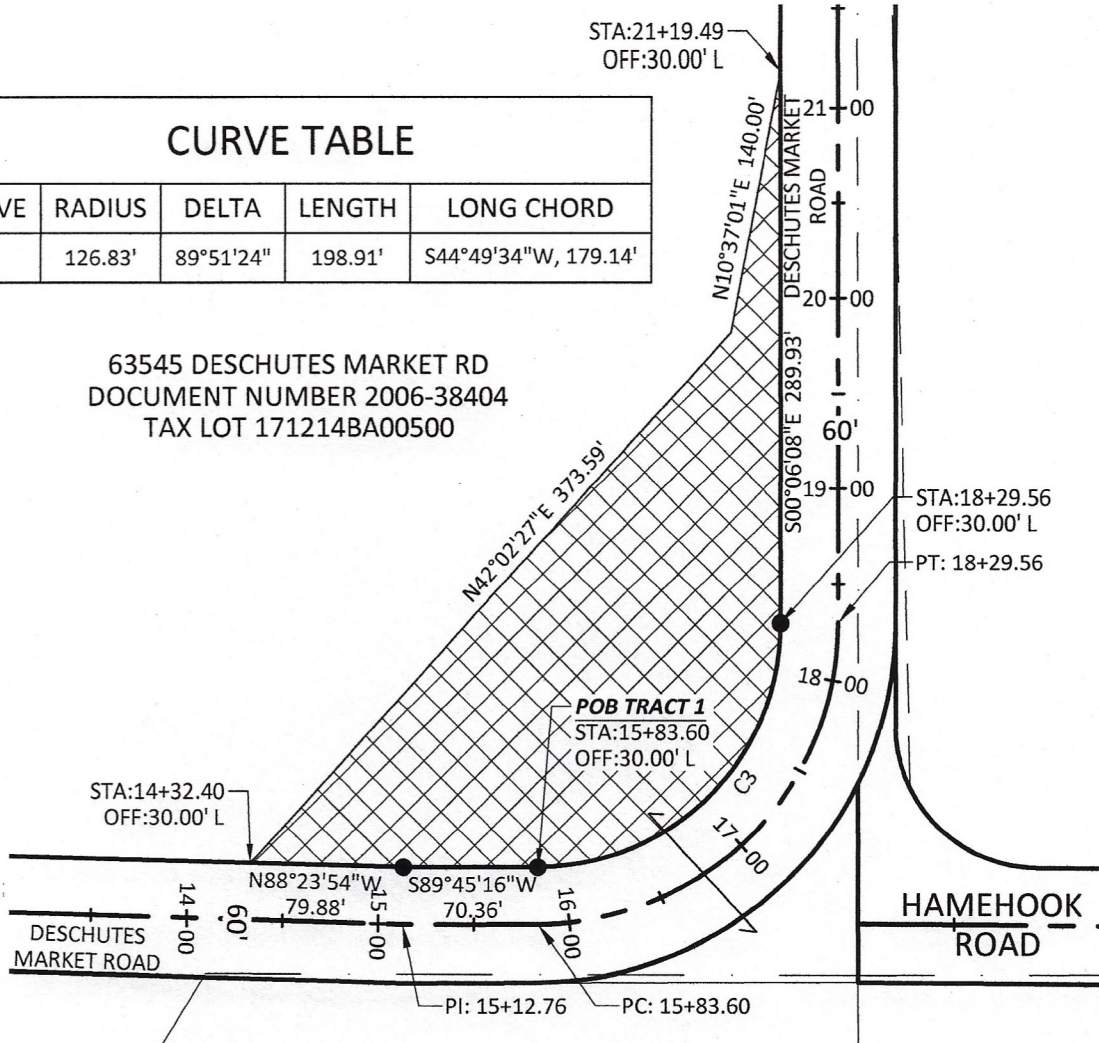
RIGHT-OF-WAY DEDICATION

LOCATED IN THE NORTHEAST ONE-QUARTER OF THE NORTHWEST
ONE-QUARTER OF SECTION 14, TOWNSHIP 17 SOUTH, RANGE 12
EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	LONG CHORD
C3	126.83'	89°51'24"	198.91'	S44°49'34"W, 179.14'

63545 DESCHUTES MARKET RD
DOCUMENT NUMBER 2006-38404
TAX LOT 171214BA00500



BASIS OF BEARINGS AND DESCHUTES MARKET ROAD
CENTERLINE STATIONING ARE PER CS20788

LEGEND

TRACT 1
±40,806 SQ.FT.

- - FOUND MONUMENT PER CS20788
- POB - POINT OF BEGINNING

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
NOVEMBER 08, 2010
JOHN TAYLOR HAGLUND
55022

SCALE: 1" = 100'



**Harper
Houf Peterson
Righellis Inc.**

ENGINEERS • PLANNERS
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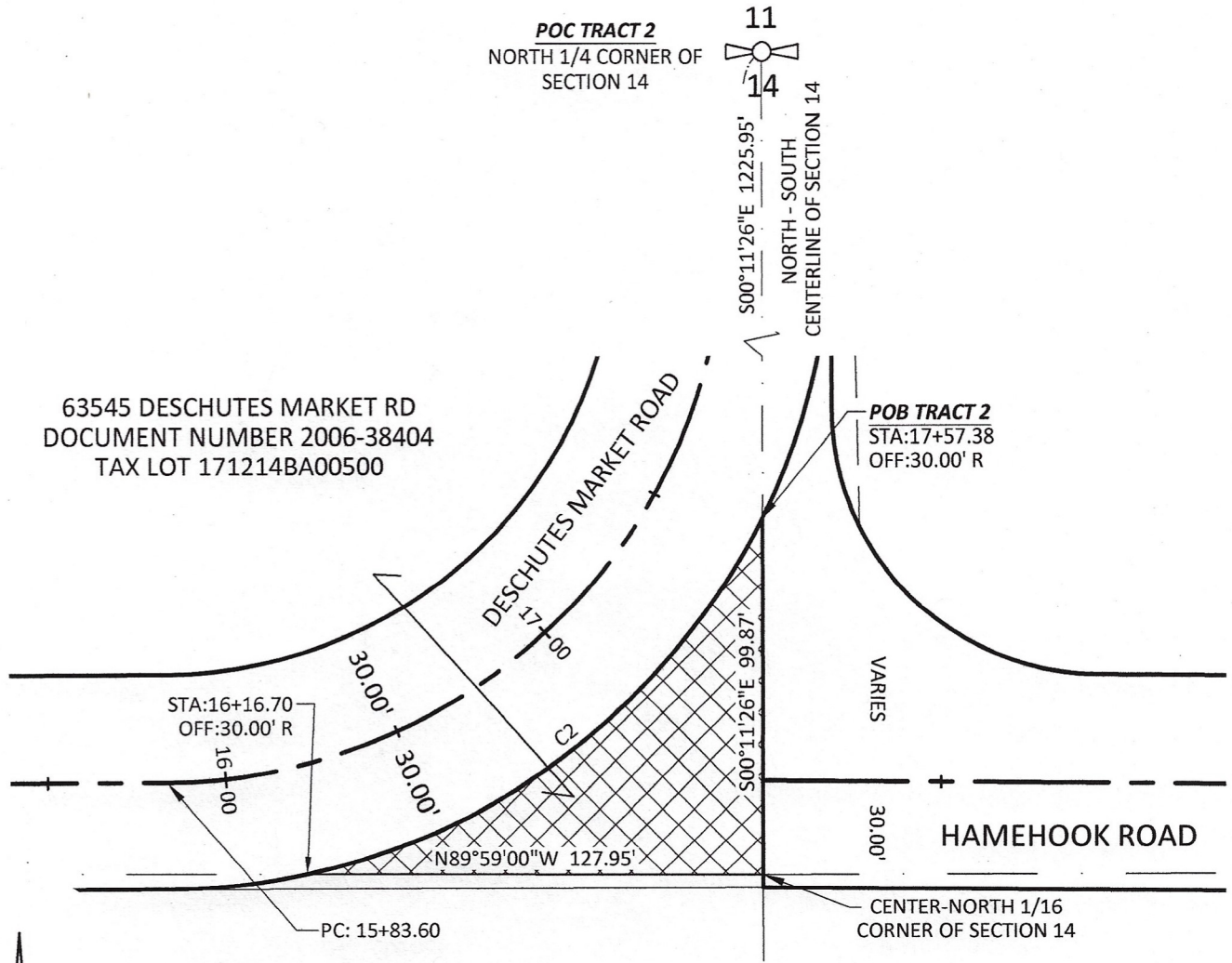
SEE ATTACHED LEGAL DESCRIPTION

RENEWS: 6-30-2023

DCO-02 CLG 5/2/2022 SHEET 1 OF 2

EXHIBIT "B" RIGHT-OF-WAY DEDICATION

LOCATED IN THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 14,
TOWNSHIP 17 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON



BASIS OF BEARINGS AND DESCHUTES MARKET ROAD
CENTERLINE STATIONING ARE PER CS20788

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	LONG CHORD
C2	186.83'	51°23'44"	167.59'	N51°57'53"E, 162.03'



SCALE: 1" = 50'

LEGEND

- TRACT 2
±4,373 SQ.FT.
- - FOUND MONUMENT PER CS20788
- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT

SEE ATTACHED LEGAL DESCRIPTION

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Haglund
OREGON
NOVEMBER 08, 2010
JOHN TAYLOR HAGLUND
55022

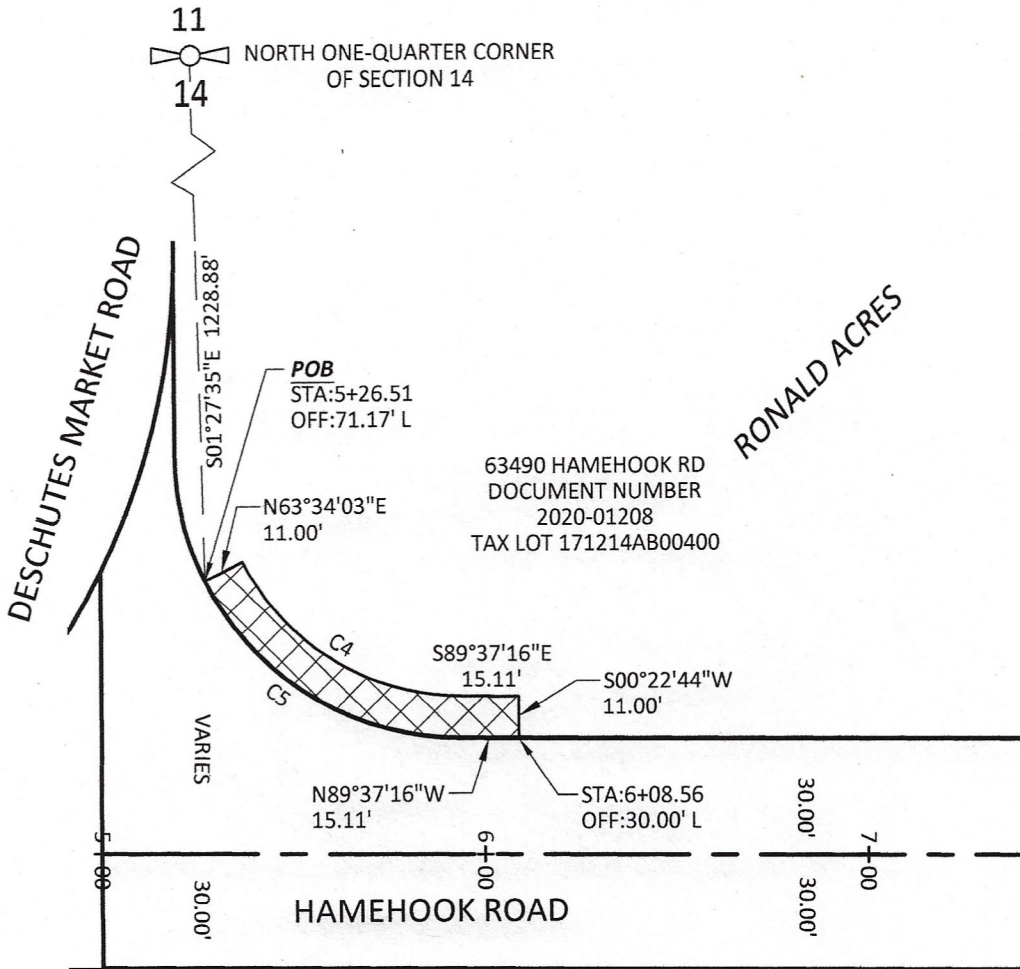
RENEWS: 6-30-2023

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EXHIBIT "B" SLOPE EASEMENT

LOCATED IN THE NORTHWEST ONE-QUARTER OF THE NORTHEAST
ONE-QUARTER OF SECTION 14, TOWNSHIP 17 SOUTH, RANGE 12
EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON



SCALE: 1" = 50'

BASIS OF BEARINGS AND HAMEHOOK ROAD
STATIONING ARE PER CS20788

REGISTERED
PROFESSIONAL
LAND SURVEYOR

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	LONG CHORD
C4	64.00'	$63^{\circ}11'19''$	70.58'	$S58^{\circ}01'36''E$, 67.06'
C5	75.00'	$63^{\circ}11'19''$	82.71'	$N58^{\circ}01'36''W$, 78.59'

John Taylor Haglund
OREGON
NOVEMBER 08, 2010
JOHN TAYLOR HAGLUND
55022

RENEWES: 6-30-2023

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DCO-02 CLG 5/2/2022 SHEET 1 OF 1

LEGEND

SLOPE EASEMENT ±1,009 SQ.FT.

● - FOUND MONUMENT PER CS20788

SEE ATTACHED LEGAL DESCRIPTION