

REVIEWED LEGAL COUNSEL

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

*

Order Approving John and Katerine Barg annexation into River Forest Acres Special Road District

ORDER NO. 2022-060

WHEREAS, John and Katerine Barg ("Petitioner") submitted a petition requesting annexation of the property, identified in Exhibit A in the petition attached to this Order, into River Forest Acres Special Road 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 28, 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.

<u>Section 3</u>. 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.

PAGE 1 OF 2- ORDER NO. 2022-060

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

PAGE 2 OF 2- ORDER NO. 2022-060

1					
1	of 2	(Name o	EX PROPERTY INTO COREST ALPES I District)	•	
1	To: The Board	of County Commissioners, I	Deschutes County, Oregon		
1	The undersigned, in	a support of this Petition, state	as follows:	8-1-22	a con
	described here		brest acres	(name of a second	
2	. This Petition for limits.	nty, Oregon. Annexation affects only Des	ichutes County and is not it		
3.	The Board of approved the per	tition pursuant to ORS 198.85	50 on	(name of district) (insert date).	
4.	The principal act	for River Fores	Acris (name	of district) is ORS	
	(Proper statutory refere	0.25 371, 305 mos regulied, see ORS 198.010 for listi	ng of appropriate principal ect)		C. Marcine
	The territory su one). This petitic annexed as indi	bject to this Petition for Ann on is signed by land owners a icated opposite their respecti	nexation is primarily inhabit and/or registered voters in the ve signature, and all signal	tures were obtained on	24
6.	The property str	eet address(es) of land for a	nnexation (<i>if known</i>) is/are	54820 Forest Lar and the total acreage	TC .
	is 5 acres	S A description of ti as Exhibit "A" and depicted	he boundaries of the terri	tory to be annexed is thibit "B".	
7.	This Petition has	been signed by at least 15	percent of the electors, or	100 electors whichever	
	number is lesse owners of 10 p annexed.	r, registered in the area pro ercent of the land, (which	oposed to be annexed; or ever is greater) within the	at least 15 owners or area proposed to be	
8.	A security deposi	t form and payment is attach	ned to this petition.		and the second
Sian	ed this In day	or Sastand 202 B	T.	, Chief Petitioner(s).	5
212	sthe	Kellman	5482 Fm		nd or
Sign	aturp PMC	Ad	dress, City, State, ZIP	end have 1	na a l
	ED this 21 ^{Jh} day d	1 July 2022	DATED this day of		o ya Techi Mak
Appro	oved by the Board	lof ALPES	(If applicable) Approved by	/ City of	
Name	NC FORE	ST Macs			
Distric	TSignature	<u>orv</u>	City Signature		Constant and
By:	CHUS MO	CLEOP	Bv:		
Title:		<u>.4</u>	(Print Name) Title:		
		J		2	
rev 05/1	7		•		
		el, 1300 N.W, Wall St., Ste. 205, Be	and, OR 97703; FAX 541-617-474	8; legalcounsel@deschutes.org	
				SEE ATTACH	MENT FOR
				NOTARY	DATED:
				SEP. /19	DATED: 12022
		2		WINACCORD	ANCE WITH
				CA CIVIL C	QDE * 1189

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NA	ME OF DISTRICT: RNP FOR	st ac	<u>hes</u> w	ithdrawal K	Innex	atio	n	
	PRINT NAME	DATE SIGNED	PROPERTY ADDRESS/ RESIDENCE ADDRESS (If Different)	LANDOWNER IN THE FROPOSED TERRITORY/ REGISTERED VOTER IN THE PROPOSED TERRITORY	or his minis			
1	John / Katerine Bara Print Name	Date	54820 Forest LA, BenDORGTOT PROPERTY ADDRESS Le Sara La San Carlos Ca 94070 RESIDENCE ADDRESS (11) (FOREMO)	Landowner Yes No	رغنا أعترته مثد مدسر		R	v Cremination Expire
2	Print Print F. TRARG	Date	PROPERTY ADDRESS RESIDENCE ADDRESS (If Different)	Landowner Yes Acresga Registered Voter Yes No Pro	يتعده هما ومحار			2
3	KATHERING S. BA	RG	PROPERTY ADDRESS RESIDENCE ADDRESS (If Different)	Landowaar Yes No Acreage Registered Voter Yes No Pro	antify that I circulated I		Silkof	
4	Print Name Signature	Date	PROPERTY ADDRESS RESIDENCE ADDRESS (If Different)	Landowner Yes No Acreage Registered Voter Yes No Pro				co Swozu before me this.
5	Print Name Signature	Date	PROPERTY ADDRESS RESIDENCE ADDRESS (If Different)	Ves			Tourity of	Amocania And Sw

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ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California San Mateo

September 19, 2022

On

before me, J. A. Taylor, Notary Public (insert name and title of the officer)

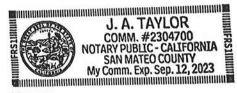
John F. Barg and Katherine S. Barg

personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/ber/their authorized capacity(ies), and that by his/ber/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)

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SEL 704

rev 01/18

Security Deposit

Special District Formation	or Reo	rganization				rev 01/18 ORS 198.775
Formation	(A	nnexation	🗌 Withdra	wal		Dissolution
District and Precinct Information	e inc					
Name of District	-	al An	n			
Tory CI	-01e	est acre			-£ ¢10	000)
Number of Precincts in District	Dosit per Precinct Total Deposit (max of \$10,000)					
Chief Petitioners						
I/We hereby declare if the costs of the	attempt	ted formation ann	exation, withdrawal or d	issolution of		
RiverForest (Acres	Special	Load Distr	test	district	t exceeds the
deposit, I/we will pay to the county tre	asurer th	ne amount of the e	excess cost (ORS 198.775	5)	\cap	
Name print Chris Mc	red)	Signature	Leheo		
Residence 55000 Malla	rO	Dr.	Mailing Address if diffe	erent		
City Bend	State QR	Zip Code	City	S	tate	Zip Code
Amount of Contribution/Value of Sec	ured Dep	oosit	Kind of Contribution*		5 ("hock 152
#100-			Cash	Bond	Ø	ther Security Deposit
Name print			Signature			
Residence			Mailing Address if diffe	erent		
City	State	Zip Code	City	S	tate	Zip Code
Amount of Contribution/Value of Sec	ured Der	posit	Kind of Contribution*	k		
			Cash	🗌 Bond		ther Security Deposit
Name print			Signature			
Residence			Mailing Address if diffe	erent		
City	State	Zip Code	City State Zip Code			Zip Code
Amount of Contribution/Value of Sec	ured De	oosit	Kind of Contribution	*		
			Cash	Bond		ther Security Deposit

Continued on the reverse side of this form

EXHIBIT AA Sy820 Forest L Page J Deschutes County Official Records 2015-017456 D-D 05/12/2015 08:11:21 AM Stn=4 BN 05/12/2015 08:11:21 AM \$25.00 \$11.00 \$20.00 \$10.00 \$6.00 \$93.00 \$21.00 I, Nancy Blankenship, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Clerk records. Nancy Blankenship - County Clerk

Commitment Number: 15311800

After Recording, Send To: Katherine John ? Kouterine Barg 54820 Forest La

Bend, 06 91707 Grantee(s) Tax-Mailing Address: 54820 Forest Lane, Bend, OR 97707

PROPERTY APPRAISAL (TAX/APN) PARCEL IDENTIFICATION NUMBER BNT-15911900 211003A010200

QUITCLAIM DEED

John F. Barg and Katherine S. Barg, husband and wife, hereinafter grantors, whose taxmailing address is 54820 Forest Lane, Bend, OR 97707, for \$0.00 (Zero Dollar and Zero Cents) and as a gift in consideration paid, grant and quitclaim to John F. Barg and Katherine S. Barg, Trustees of the Second Amendment to and Restatement of Declaration of Trust of the Barg Family Trust, dated February 26, 2014, hereinafter grantee, whose tax mailing address is 54820 Forest Lane, Bend, OR 97707, with quitclaim covenants, all right, title, interest and claim to the following land in the following real property:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF Deschutes, STATE OF Oregon, AND IS DESCRIBED AS FOLLOWS: BEING A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER NORTHEAST

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QUARTER (NW1/4NE1/4), SECTION THREE (3), TOWNSHIP TWENTY-ONE (21)

EXHIB EXFIBIT

SOUTH, RANGE TEN (10) EAST OF THE WILLAMETTE MERIDIAN/ DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH 1/4 CORNER TO SECTION 3, TOWNSHIP 21 SOUTH, RANGE 10, EAST OF THE WILLAMETTE MERIDIAN; THENCE SOUTH 89°59'47" EAST, 997.30 FEET ALONG THE NORTH LINE OF SAID SECTION 3, TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 00°51'03" WEST, 322.13 FEET; THENCE NORTH 89°59'12" EAST, 332.43 FEET; THENCE SOUTH 00°51'05" EAST, 322.23 FEET TO THE NORTH LINE OF SAID SECTION 3; THENCE SOUTH 1°00'47" EAST, 696.51 FEET TO THE SOUTH BANK OF FALL RIVER; THENCE ALONG THE SOUTH BANK OF FALL RIVER THE FOLLOWING TWO (2) COURSES: SOUTH 69°43'01" WEST, 136.61 FEET; THENCE NORTH 84°40'35" WEST, 210.14 FEET; THENCE LEAVING SAID SOUTH BANK OF FALL RIVER NORTH 00°36'31" WEST, 694.32 FEET TO THE SOUTHERLY RIGHT OF WAY OF A 60.00 FOOT ROAD EASEMENT; THENCE NORTH 00°00'13" WEST, 30.00 FEET TO THE TRUE POINT OF BEGINNING.

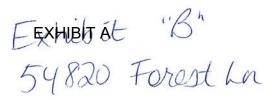
Property Address is: 54820 Forest Lane, Bend, OR 97707

The real property described above is conveyed subject to and with the benefit of: All easements, covenants, conditions and restrictions of record; in so far as in force applicable.

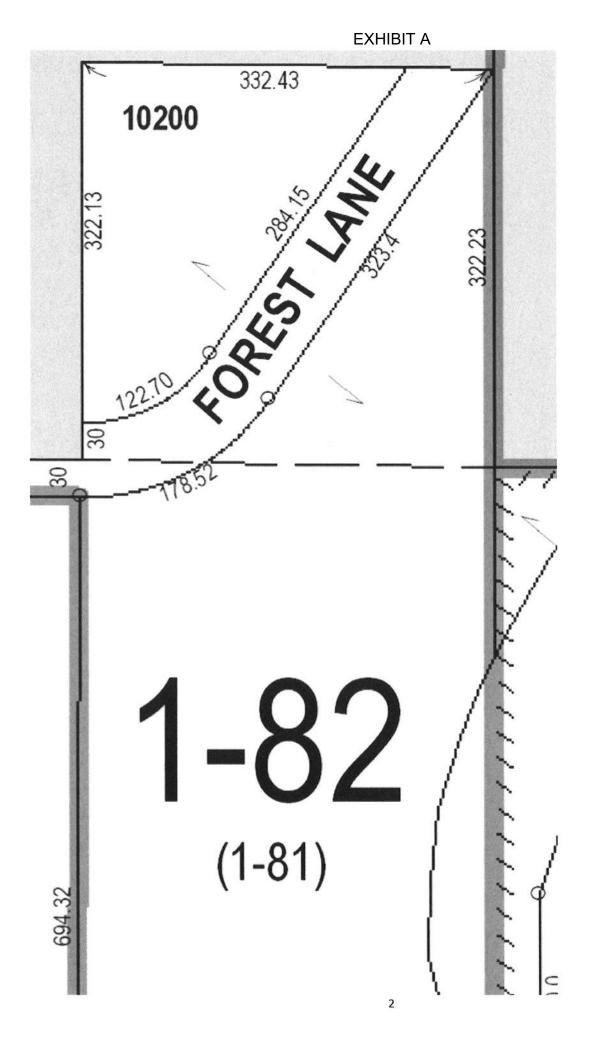
The real property described above is conveyed subject to the following: All easements, covenants, conditions and restrictions of record; All legal highways; Zoning, building and other laws, ordinances and regulations; Real estate taxes and assessments not yet due and payable; Rights of tenants in possession.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest, lien equity and claim whatsoever of the said grantors, either in law or equity, to the only proper use, benefit and behalf of the grantee forever.

1. 1. 1. 1. 1.










EXHIBIT B



County Clerk

Petition for Annexation to River Forest Acres Special Road District 54820 Forest Ln, Bend Taxlot 211003A010200

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 6th day of November, 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: <u>https://www.deschutes.org/assessor</u> Property Info: <u>https://dial.deschutes.org/</u>

November 4, 2022

Steve Dennison

Deschutes County Clerk

Re: River Forest Acres Road District (Barg Family 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: November 3, 2022

SUBJECT: Land Use Compatibility, 54820 Forest Lane, River Forest Acres Special Road District Annexation

The materials contained in the petition propose to annex lands to the River Forest Acres Special Road District.

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."