

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

Order Approving Lee Hellmuth annexation into River Forest Acres Special Road District

ORDER NO. 2022-061

*

WHEREAS, Lee Hellmuth ("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.
- 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 road 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

PETITION TO ANNEX PROPERTY INTO RIVER FOREST ACRES (Name of District)

To: The Board of County Commissioners, Deschutes County, Oregon

The undersigned, in support of this Petition, state as follows: This Petition for Annexation is filed pursuant to ORS 198.850 to 198.859 on 8-1-22 (date) and Petitioners request the Board commence proceedings to annex the territory described herein into _____ River Sorost Urres ____ (name of district), Deschutes County, Oregon. 2. This Petition for Annexation affects only Deschutes County and is not in any incorporated city The Board of KIVEL DAOS (name of district) approved the petition pursuant to ORS 198.850 on _______ (insert date). 3. The Board of ____ Piver Forest a US (name of district) is ORS 4. The principal act for 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 . The property street address(es) of land for annexation (if known) is/are 54795 Fores+ Ln and the total acreage . 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". 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 7 day of September, 2022 by Lee Hellmuth, Chief Petitioner(s). DATED this ___ day of _____.20 Approved by the Board of (if applicable) Approved by City of River Forest Name of District Musik District Signature City Signature hori S (Print Name) Title:

rev 05/17
Deschutes County Legal Counsel, 1300 N.W, Wall St., Ste. 205, Bend, OR 97703; FAX 541-617-4748; legalcounsel@deschutes.org

Title:

PETITION TO ANNEX PROPERTY INTO RIVE FOREST ACRES (Name of District)

The Board of County Commissioners, Deschutes County, Oregon To:

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 8-1-22 (date) and Petitioners request the Board commence proceedings to annex the territory described herein into 2005 (1005) (1005) (name of district), Deschutes County, Oregon.				
	This Petition for Annexation affects only Deschutes County and is not in any incorporated city imits.				
	The Board of <u>RIVER FORST</u> (name of district) approved the petition pursuant to ORS 198.850 on (insert date).				
4.	The principal act for RNU FOUST QUES (name of district) is ORS 371, 305 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 (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 54755 Forest Lo				
	is 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.				
Sig	ed this 7 day of September, 202 by Lee Hellmuth, Chief Petitioner(s). But allower 54755 Forest Lane, Bend, Uneforesture Address, City, State, ZIP 97707				
Sig	ature Address, City, State, ZIP 97707				
DA	ED this 2 day of Septembo20 22 DATED this day of,20				
Approved by the Board of Coch Coch Coch (if applicable) Approved by City of					
Nar	e of District				
Dist By:	District Signature Class McLeod City Signature				
Title	Print Name) Secretary By: (Print Name) Title:				

rev 05/17

PETITION TO ANNEX PROPERTY INTO RIVER FOREST ACRES (Name of District)

To: The Board of County Commissioners, Deschutes County, Oregon

The	e undersigned, in support of this Petition, state a	s follows:			
1.	1. This Petition for Annexation is filed pursuant to ORS 198.850 to 198.859 on 8-1-22 (date) and Petitioners request the Board commence proceedings to annex the territory described herein into 8-1-2-1 (CS) (name of district) Deschutes County, Oregon.				
2.	This Petition for Annexation affects only Desc limits.	hutes County and is not in any incor	porated city		
	approved the petition pursuant to ORS 198.850		sert date).		
4.	The principal act for RNe/ FOVES		s ORS		
	(Proper statutory reference required, see ORS 198.010 for listing	of appropriate principal act)	The same and the s		
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.	is A description of the attached hereto as Exhibit "A" and depicted of	e boundaries of the territory to be	otal acreage		
7.	This Petition has been signed by at least 15 p number is lesser, registered in the area propowners of 10 percent of the land, (whichevannexed.	percent of the electors, or 100 electors	owners or		
8.	A security deposit form and payment is attached	ed to this petition.			
Sig	ned this 7 day of <u>Septemben</u> , 2022 by See 1 Lelluws 5	Lee Hellmuth, Chief P	etitioner(s).		
y	See I Lellung 5	47.55 FORIST Lane Be	not Magazi		
Sig	nature Add	ress, City, State, ZIP	97707		
	2000				
DA'	TED this 22 day of September, 2022	DATED this day of	,20		
	proved by the Board of Cover	(if applicable) Approved by City of			
INGI	ne of District				
	trict Signature	City Signature			
	(Print Name)	By:(Print Name)			
Title	3 Secretary	Water Court of			

rev 05/17

Withdrawal Annexation

RESIDENCE ADDRESS/ RESIDENCE ADDRESS (If Different) REGISTERED VOTER IN THE PROPOSED TERRITORY/ REGISTERED VOTER IN THE PROPOSED	Palsodes	SYTIGS FILES (If Different) SYTIGS FILES IN DIFFERENTY ADDRESS LOS COSOS PLACE PROCESS LOS COSOS PLACE PROCESS RESIDENCE ADDRESS (If Different) NO RESIDENCE ADDRESS (If Different)	15 Forest Ln TY ADDRESS as Pl. Po L. Fic Dalis adus (A.		
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PRINT NAME s	Lelling DonnSheyso a	Lelluto Danc Shoupe C	or Dans Shoupe C	ΙΩ Ι	A

Security Deposit Special District Formati	on or Reoi	ganization				SEL 704 rev 01/18 ORS 198.775	
Formation		nnexation	☐ With	ndrawal		Dissolution	
District and Precinct Informat Name of District		St acr	en				
Number of Precincts in District	3, 0		posit per Precinct	Total Deposit	(max of \$10)	000)	
Chief Petitioners I/We hereby declare if the costs River Fores	st acros	Special	Road Die	trict		t exceeds the	
Name print Chris M		ne amount of the	Signature	1.775) Web	200		
Residence Som Malland On			Mailing Address i	Mailing Address if different			
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Amount of Contribution/Value of Secured Deposit			Kind of Contribu	tion*	×.	CWCK 152 ther Security Deposit	
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Amount of Contribution/Value of Secured Deposit		Kind of Contribution* Cash Bond Other Security Deposit					
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City	State	Zip Code	City	<u>, , , , , , , , , , , , , , , , , , , </u>	State	Zip Code	
Amount of Contribution/Value	of Secured De	posit	Kind of Contribu	ition*		Other Security Deposit	

After recording return to:

Lee Roy Hellmuth and Donna Shoupe 16534 Las Casas Pl Pacific Palisades, CA 90272

Mail all tax statements to:

Lee Roy Hellmuth and Donna Shoupe, Trustees The Shoupe/Hellmuth Living Trust 16534 Las Casas Pl Pacific Palisades, CA 90272 Deschutes County Official Records Nancy Blankenship, County Clerk

2018-13158

01166104201800131580010014

\$53.00

04/02/2018 11:09:33 AM

D-D Cnt=1 Stn=1 BN \$5.00 \$11.00 \$21.00 \$10.00 \$6.00

STATUTORY BARGAIN AND SALE DEED

GRANTOR:

Lee Roy Hellmuth and Donna Shoupe, who took title as Donna Shoupe Hellmuth, husband and wife

GRANTEE:

Lee Roy Hellmuth and Donna Shoupe, Trustees of the Shoupe/Hellmuth Living Trust U/T/A dated

3/22/2018

Grantor conveys to Grantee the following described real property, subject to all encumbrances of record:

That part of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) of Section Three (3), Township Twenty-one (21) South, Range Ten (10), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the Quarter corner between Section Thirty-four (34), Township Twenty (20) South, Range Ten (10), East of the Willamette Meridian, and Section 3, Township 21 South, Range 10, East of the Willamette Meridian, being the Northwest corner of the NW1/4NE1/4 of said Section 3; thence Easterly along the North line of said Section 3 - 330 feet; thence due South, a distance of 345 feet, more or less, to the South bank of Fall River; thence Northwesterly along the South bank of Fall River to the West line of the NW1/4NE1/4 of said Section 3; thence Northerly along said quarter section line to the point of beginning.

The true consideration for this conveyance is: none (Estate planning).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Lee Roy Hellmuth

STATE OF OREGON County of Deschutes

Donna Shoupe

This instrument was acknowledged before me on March 30, 2018, by Lee Roy Hellmuth and Donna Shoupe AKA Donna Shoupe Hellmuth, as Grantors.

OFFICIAL STAMP
BRIAN THOMAS HEMPHILL
NOTARY PUBLIC-OREGON
COMMISSION NO. 964702
MY COMMISSION EXPIRES JULY 23, 2021

Notary Public – State of Oregon

After recording return to:

Lee Roy Hellmuth and Donna Shoupe 16534 Las Casas Pl Pacific Palisades, CA 90272

Mail all tax statements to:

Lee Roy Hellmuth and Donna Shoupe, Trustees The Shoupe/Hellmuth Living Trust 16534 Las Casas Pl Pacific Palisades, CA 90272 Deschutes County Official Records Nancy Blankenship, County Clerk

2018-13159

01166105201800131590010011

\$53.00

04/02/2018 11:09:33 AM

D-D Cnt=1 Stn=1 BN \$5.00 \$11.00 \$21.00 \$10.00 \$6.00

STATUTORY BARGAIN AND SALE DEED

GRANTOR:

Lee Roy Hellmuth

GRANTEE:

Lee Roy Hellmuth and Donna Shoupe, Trustees of the Shoupe/Hellmuth Living Trust U/T/A dated

3/22/2018

Grantor conveys to Grantee the following described real property, subject to all encumbrances of record:

That part of the Southwest Quarter of the Southeast Quarter (SWI/4 SEI/4) of Section Thirty-four (34), Township Twenty (20) South, Range Ten (10), East of the Willamette Meridian, Deschutes County, Oregon and that part of the Northwest Quarter of the Northeast Quarter (NWI/4 NEI/4) of Section Three (3), Township Twenty-one (21) South, Range Ten (10), East of the Willamette Meridian described as follows:

COMMENCING at the quarter corner between said Sections 34 and 3, being the Northwest corner of the said NWI/4 NEI/4 of Section 3; thence Easterly along the North boundary of said Section 3, a distance of 330 feet to a point of beginning; thence Easterly along the said North boundary of said Section 3, a distance of 660 feet; thence due North, a distance of 330 feet; thence due East a distance of 330 feet, more or less, to the East line of the said SWI/4 SEI/4 of Section 34; thence Southerly along said East boundary of the SWI/4 SEI/4 of Section 34, and the East boundary of the NWI/4 NEI/4 of Section 3, a distance of 1,000 feet, more or less, to the South bank of Fall and Deschutes River; thence generally Westerly along the South bank of Fall River to a point due South of the point of beginning; thence due North to the point of beginning.

EXCEPTING AND RESERVING to the United States of America all minerals including source materials as the same are defined by the Act of August 1, 1946 (Public Law 585, 79th Congress) whether or not of commercial value, together with the right of the United States, through its authorized agents or representatives at any time to enter upon the land, prospect for, mine or remove the land, making just compensation for any damage or any injury occasioned thereby to the subject land or improvements thereon. The above mineral reservation pertains to the following described property: Township 21 South, Range 10 East of the Willamette Meridian, Deschutes County, Oregon: Section 3: The NWI/4 of the NE1/4 of Lot 2 and the NEI/4 of the NWI/4 of Lot 2.

The true consideration for this conveyance is: none (Estate planning).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Lee Hellmuth

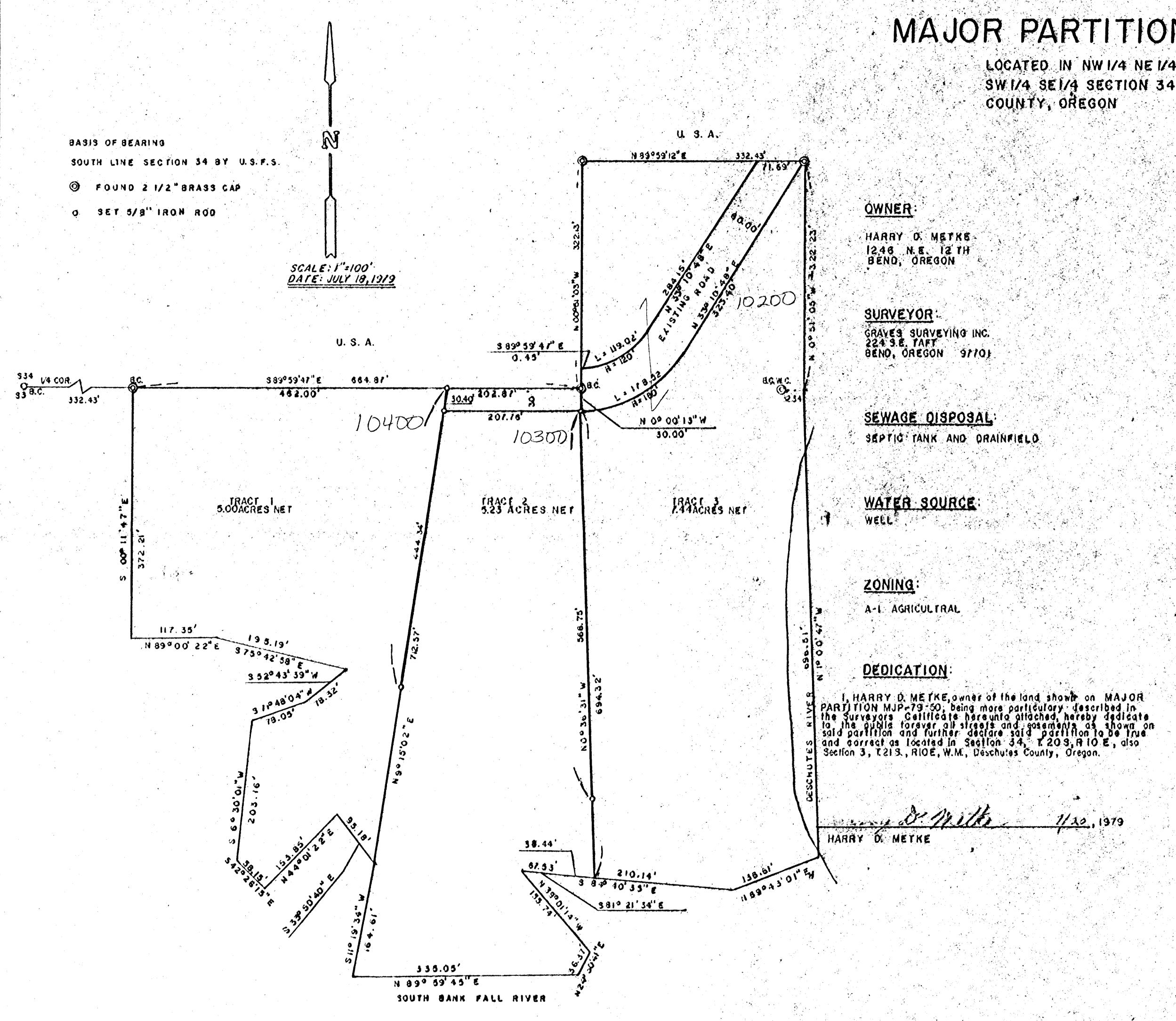
STATE OF OREGON County of Deschutes

This instrument was acknowledged before me on March 30, 2018, by Lee Hellmuth, as Grantor,

OFFICIAL STAMP
BRIAN THOMAS HEMPHILL
NOTARY PUBLIC-OREGON
COMMISSION NO. 964702
MY COMMISSION EXPIRES JULY 23, 2021

Ellnut

Notary Public - State of Oregon



MAJOR PARTITION MJP-79-50

LOCATED IN NW 1/4 NE 1/4 SECTION 3, T215, RIOE 8 SWI/4 SEI/4 SECTION 34, T205, RIOE, W.M., DESCHUTES

21-103A

SURVEYOR'S CERTIFICATE:

PAVID E. SCOTT, a registered land surveyor in the State of Oregon, being first duly sworn; depose and say that t have correctly surveyed and marked with legal manuments the land represented an MAJOH PARTITION MJP-19-50 and that the property partitioned is further described as follows:

Being all of the SE 1/4 SE 1/4 SE 1/4 SE 1/4 Section 34. Township 20 South, Range 10 East, Willamette Meridian, Deschutes County, Oregon. Also that partion of the Easterly 990 feet of NWI/4 NE 1/4 Section 3. Township 21 South, Range 10 East, Willamette Meridian, Deschutes Caunty, Oregon, lying Northerly of 3. bank Fall River. Containing 17. 4 Acres More or Less.

ULS. NO. 1844

PHORE BRIONAL LAMO SURVEYOR

David & Scott DAVIDE SCOTT

APPROVALS:

DESCHULES COUNTY SURVEYOR BY JEFFERSON CO. SURVEYOR



Petition for Annexation to River Forest Acres Special Road District 54795 Forest Ln, Bend Taxlot 211003A010400

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



Petition for Annexation to River Forest Acres Special Road District 54755 Forest Ln, Bend Taxlot 211003A010500

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



Petition for Annexation to River Forest Acres Special Road District 54800 Forest Ln, Bend Taxlot 211003A010300

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: https://www.deschutes.org/assessor Property Info: https://dial.deschutes.org/

November 4, 2022	<u>!</u>
Steve Dennison Deschutes County	Clerk
,	
Re: River Forest A	Acres Road District (Shoupe/Hellmuth Living Trust)
Please be advised	the attached petition meets the requirements of ORS 198.
Sincerely,	
Gregg Re	ssi
1	regg Rossi Chief Cartographer eschutes County Assessor's Office, Cartography Dept. 300 NW Wall St. Suite 204 Bend, Oregon 97703 PO Box 6005 Bend, Oregon 97708 el: (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, 54795 Forest Lane, 54755 Forest Lane, 54800 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."