

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A Resolution to Acquire Right of Way for
Construction of Road Improvements on
Tumalo Reservoir Road

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RESOLUTION NO. 2025-035

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 Tumalo Reservoir Road, it is necessary to acquire additional right-of-way as described in Exhibit "A" and depicted in Exhibit "B", 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 described in Exhibit "A" and depicted in Exhibit "B", is needed and required for the construction, improvement and betterment of the Deschutes County road system, particularly constructing improvements to Tumalo Reservoir 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 _____, 2025.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ANTHONY DEBONE, Chair

ATTEST:

PATTI ADAIR, Vice Chair

Recording Secretary

PHIL CHANG, Commissioner

S&F Land Services

901 NW CARLON AVE, OR 97703

(541) 797-0954

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www.sflands.com

PROJECT NO.: 2023-059-34

DATE: 3/3/2025

INITIALS: BRR

EXHIBIT 'A'**TAX LOT 1611330001601****PARCEL A: RIGHT-OF-WAY DEDICATION**

THAT PORTION OF THE LAND DESCRIBED IN THAT CERTAIN STATUTORY WARRANTY DEED RECORDED JUNE 1, 2015, INSTRUMENT NUMBER 2015-20659 DESCHUTES COUNTY OFFICIAL RECORDS, SITUATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (S1/2 SE1/4 SE1/4 SE1/4) OF SECTION 33, TOWNSHIP 16 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, BEING EAST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT FROM WHICH A 3-1/4 INCH ALUMINUM CAP SET PER ORGEON CORNER RESTORATION RECORD NO. 0892, DATED NOVEMBER 14, 1988 BEARS SOUTH 49°50'17" EAST A DISTANCE OF 39.31 FEET; THENCE NORTH 00°05'29" WEST A DISTANCE OF 80.00 FEET TO A POINT FROM WHICH A 5/8 INCH IRON ROD MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 33 BEARS SOUTH 87°48'43" WEST A DISTANCE OF 2612.55 FEET, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF COLLINS MARKET ROAD AS ESTABLISHED ON MARCH 18, 1927 BY DESCHUTES COUNTY COMMISSIONER'S JOURNAL 2, PAGE 163 AND AS SHOWN ON THAT MAP OF COLLINS MARKET ROAD NO. 53 BY ROBERT B. GOULD DATED 1927, SAID POINT ALSO BEING A POINT OF CURVATURE 30.00 FEET RIGHT OF CENTERLINE STATION 107+35.9 PER SAID 1927 MAP OF COLLINS MARKET ROAD.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE RIGHTS-OF-WAY OF COLLINS MARKET ROAD AND TUMALO RESERVOIR ROAD, AS SHOWN ON EXHIBIT B.

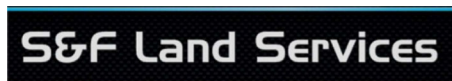
HEREIN DESCRIPTION CONTAINS 406 SQUARE FEET, MORE OR LESS.

SUBJECT TO ANY OTHER EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD AND THOSE COMMON AND APPARENT TO THE LAND.

BEARINGS ARE BASED ON THE CENTRAL OREGON COORDINATE SYSTEM (COCS) (2011).



RENEWS: 12/31/2026



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PROJECT NO.: 2023-059-34
DATE: 4/11/2025
INITIALS: BRR

EXHIBIT 'A'

TAX LOT 161136D001701

PARCEL A: RIGHT-OF-WAY DEDICATION

THAT PORTION OF THE LAND DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED MAY 15, 1986, BOOK 123, PAGE 1 DESCHUTES COUNTY OFFICIAL RECORDS, SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 16 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, SAID PORTION BEING SOUTH OF THE FOLLOWING DESCRIBED LINE:

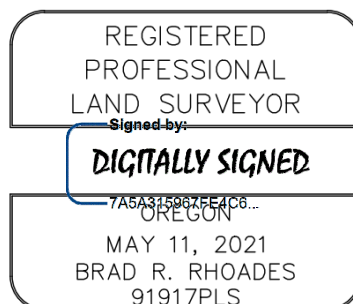
BEGINNING AT A POINT FROM WHICH A 3-1/4 INCH ALUMINUM CAP MARKING THE SOUTHEAST CORNER OF SAID SECTION 36 BEARS SOUTH 23°19'56" WEST A DISTANCE OF 32.69 FEET; THENCE SOUTH 89°55'35" WEST A DISTANCE OF 245.00 FEET TO A POINT FROM WHICH A 3 INCH BRASS CAP MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 36 BEARS SOUTH 89°26'32" WEST A DISTANCE OF 2427.29 FEET, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY OF TUMALO RESERVOIR MARKET ROAD NO. 11A AS ESTABLISHED ON NOVEMBER 5, 1926 BY DESCHUTES COUNTY COMMISSIONER'S JOURNAL 2, PAGE 119 AND AS SHOWN ON THAT MAP OF TUMALO RESERVOIR MARKET ROAD NO. 11A BY ROBERT B. GOULD DATED 1926, SAID POINT ALSO BEING 30.00 FEET RIGHT OF CENTERLINE P.T. STATION 56+93.5 PER SAID 1926 MAP OF TUMALO RESERVOIR MARKET ROAD NO. 11A

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE RIGHTS-OF-WAY OF BAILEY ROAD AND TUMALO RESERVOIR ROAD, AS SHOWN ON EXHIBIT B.

HEREIN DESCRIPTION CONTAINS 1,793 SQUARE FEET, MORE OR LESS.

SUBJECT TO ANY OTHER EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD AND THOSE COMMON AND APPARENT TO THE LAND.

BEARINGS ARE BASED ON THE CENTRAL OREGON COORDINATE SYSTEM (COCS).



RENEWES: 12/31/2026

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PROJECT NO.: 2023-059-34

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INITIALS: BRR

EXHIBIT 'A'**TAX LOT 171206B000301****PARCEL A: RIGHT-OF-WAY DEDICATION**

THAT PORTION OF THE LAND DESCRIBED IN THAT CERTAIN STATUTORY BARGAIN AND SALE DEED RECORDED MARCH 10, 2015, INSTRUMENT NUMBER 2015-008032 DESCHUTES COUNTY OFFICIAL RECORDS, SITUATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 17 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, SAID PORTION BEING WEST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT FROM WHICH A 3-1/4 INCH ALUMINUM CAP MARKING THE NORTHWEST CORNER OF SAID SECTION 6 BEARS NORTH 76°54'11" WEST A DISTANCE OF 74.98 FEET; THENCE SOUTH 44°33'45" WEST A DISTANCE OF 50.00 FEET; THENCE SOUTH 00°03'12" EAST A DISTANCE OF 188.00 FEET TO A POINT FROM WHICH A 5/8 INCH IRON ROD MARKING THE NORTH 1/16 CORNER BEARS SOUTH 02°06'44" WEST A DISTANCE OF 1080.11 FEET, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF TUMALO RESERVOIR MARKET ROAD NO. 11A AS ESTABLISHED ON NOVEMBER 5, 1926 BY DESCHUTES COUNTY COMMISSIONER'S JOURNAL 2, PAGE 119 AND AS SHOWN ON THAT MAP OF TUMALO RESERVOIR MARKET ROAD NO. 11A BY ROBERT B. GOULD DATED 1926, SAID POINT ALSO BEING 30.00 FEET RIGHT OF CENTERLINE P.C. STATION 53+19.2 PER SAID 1926 SAID MAP OF TUMALO RESERVOIR MARKET ROAD NO. 11A.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE RIGHTS-OF-WAY OF BAILEY ROAD AND TUMALO RESERVOIR ROAD, AS SHOWN ON EXHIBIT B.

HEREIN DESCRIPTION CONTAINS 3,293 SQUARE FEET, MORE OR LESS.

SUBJECT TO ANY OTHER EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD AND THOSE COMMON AND APPARENT TO THE LAND.

BEARINGS ARE BASED ON THE CENTRAL OREGON COORDINATE SYSTEM (COCS).

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Signed by:

DIGITALLY SIGNED

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OREGON

MAY 11, 2021
BRAD R. RHOADES
91917PLS

RENEWS: 12/31/2026

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EXHIBIT 'A'

TAX LOT 1611000010400

PARCEL A: RIGHT-OF-WAY DEDICATION

THAT PORTION OF THE LAND DESCRIBED IN THAT SHERIFF'S DEED TO COUNTY PROPERTY RECORDED APRIL 12, 1932, VOLUME 51, PAGE 122 DESCHUTES COUNTY OFFICIAL RECORDS, SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 16 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, SAID PORTION BEING SOUTHWEST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT FROM WHICH A 5/8" IRON ROD MARKING THE NORTHEAST CORNER LOT 5, HIGH MOWING FARMS BEARS SOUTH 67°34'00" EAST A DISTANCE OF 59.85 FEET; THENCE NORTH 38°40'49" WEST A DISTANCE OF 46.00 FEET TO A POINT FROM WHICH A 3-1/4" BRASS CAP MARKING THE SOUTHWEST CORNER OF SAID SECTION 36 BEARS SOUTH 15°08'15" WEST A DISTANCE OF 60.61 FEET.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE RIGHTS-OF-WAY OF MOCK ROAD AND TUMALO RESERVOIR ROAD, AS SHOWN ON EXHIBIT B.

HEREIN DESCRIPTION CONTAINS 250 SQUARE FEET, MORE OR LESS.

SUBJECT TO ANY OTHER EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD AND THOSE COMMON AND APPARENT TO THE LAND.

BEARINGS ARE BASED ON THE CENTRAL OREGON COORDINATE SYSTEM (COCS).



RENEWES: 12/31/2026

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PROJECT NO.: 2023-059-34

DATE: 4/11/2025

INITIALS: BRR

EXHIBIT 'A'

TAX LOT 1611340001405

PARCEL A: RIGHT-OF-WAY DEDICATION:

A PORTION OF PARCEL 3, MINOR LAND PARTITION NO. MP-79-62 BEING THAT PROPERTY DESCRIBED IN THAT CERTAIN STATUTORY WARRANTY DEED RECORDED SEPTEMBER 25, 2017, INSTRUMENT NUMBER 2017-038288 DESCHUTES COUNTY OFFICIAL RECORDS, SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 16 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, BEING EASTERLY AND PERPENDICULAR TO THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT FROM WHICH A 3-1/4 INCH ALUMINUM CAP SET PER ORGEON CORNER RESTORATION RECORD NO. 0890, DATED NOVEMBER 14, 1988 BEARS SOUTH 62°03'13" EAST A DISTANCE OF 47.74 FEET; THENCE NORTH 00°26'04" WEST, 25.00 FEET

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE RIGHTS-OF-WAY OF PINEHURST ROAD AND TUMALO RESERVOIR ROAD, AS SHOWN IN EXHIBIT B.

HEREIN DESCRIPTION CONTAINS 228 SQUARE FEET, MORE OR LESS.

SUBJECT TO ANY OTHER EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD AND THOSE COMMON AND APPARENT TO THE LAND.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Signed by:

DIGITALLY SIGNED

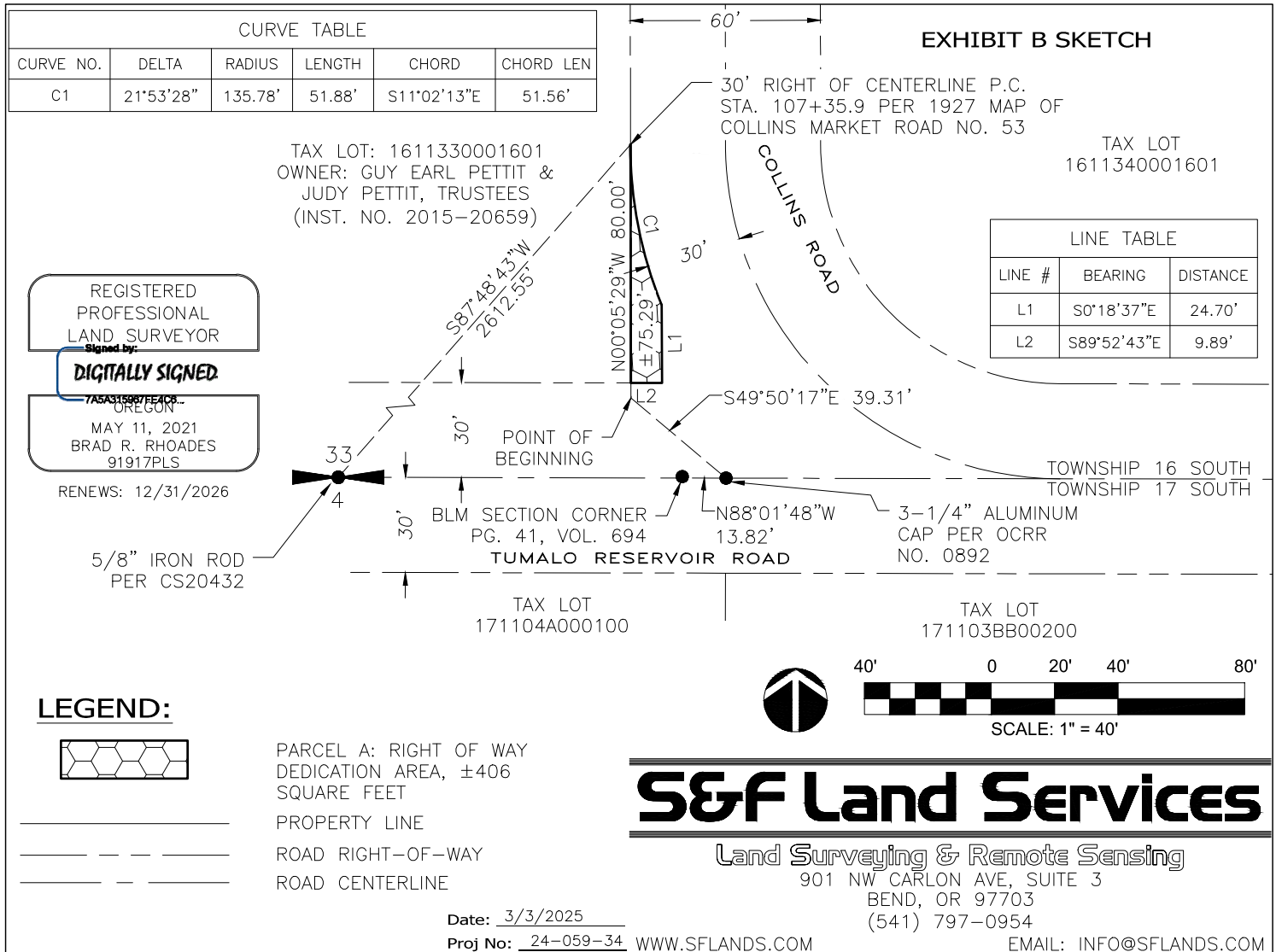
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MAY 11, 2021
BRAD R. RHOADES
91917PLS

RENEWES: 12/31/2026

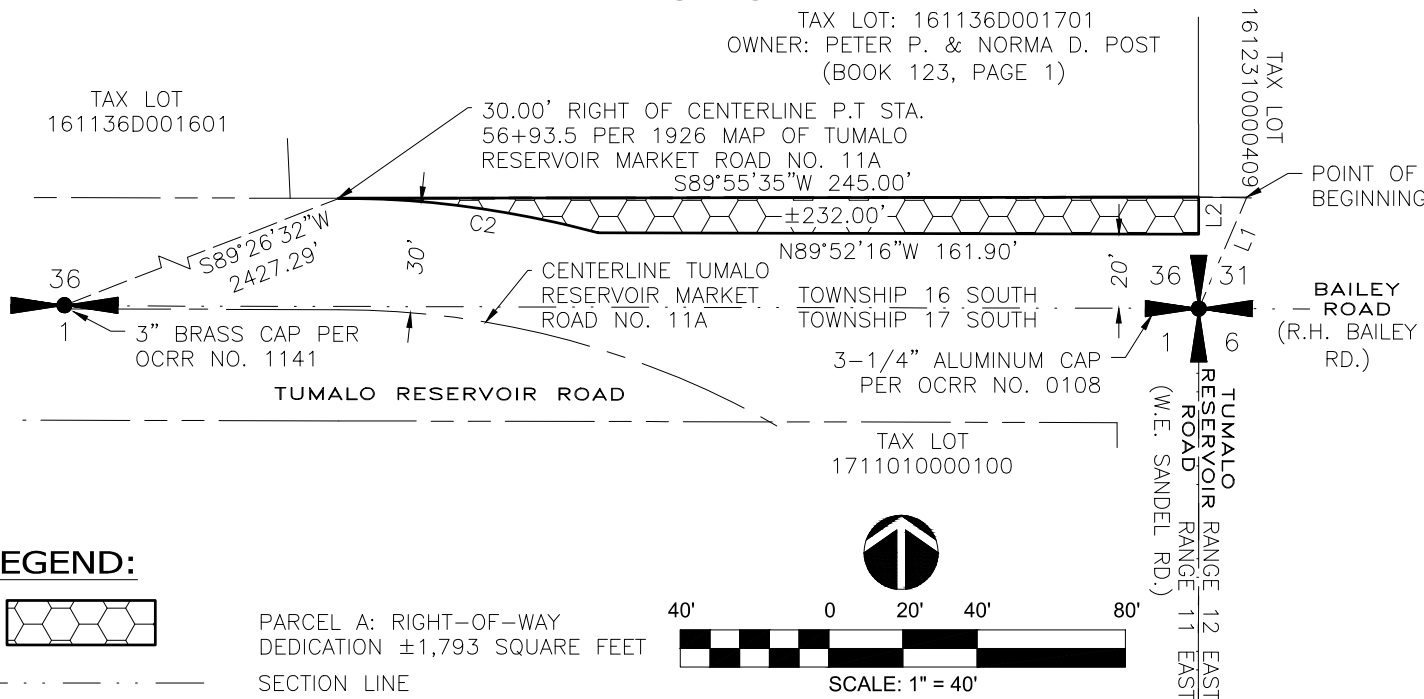
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EXHIBIT B SKETCH

TAX LOT: 161136D001701
 OWNER: PETER P. & NORMA D. POST
 (BOOK 123, PAGE 1)



LEGEND:



PARCEL A: RIGHT-OF-WAY
 DEDICATION ±1,793 SQUARE FEET

SECTION LINE

ROAD RIGHT-OF-WAY

PROPERTY LINE

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD LEN
C2	15°01'38"	270.49'	70.94'	N82°25'05"W	70.74'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S23°19'56"W	32.69'
L2	S0°05'22"E	10.00'

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Signed by:
DIGITALLY SIGNED

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MAY 11, 2021
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RENEWS: 12/31/2026

Date: 4/11/2025

Proj No: 23-059-34

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Land Surveying & Remote Sensing

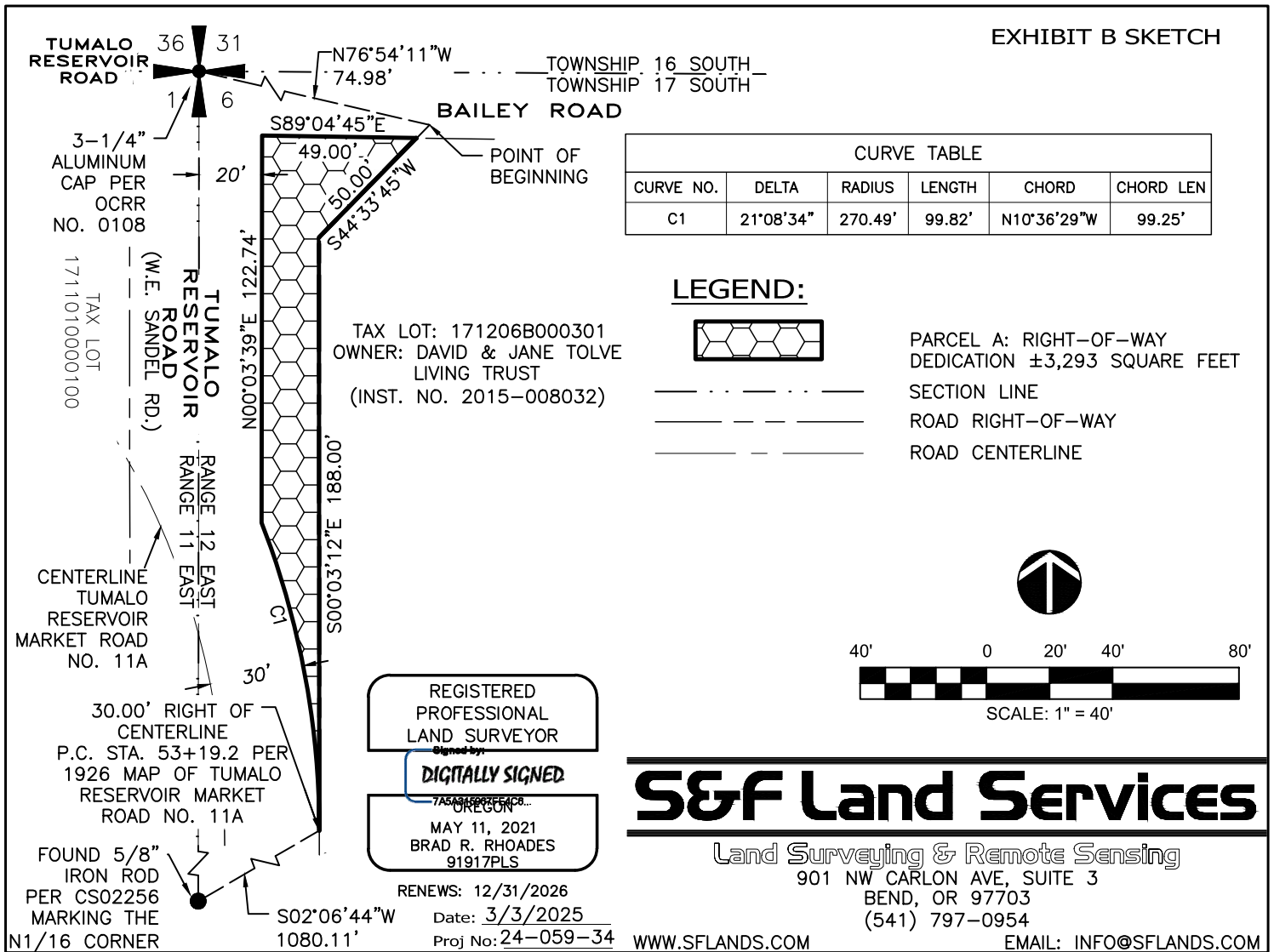
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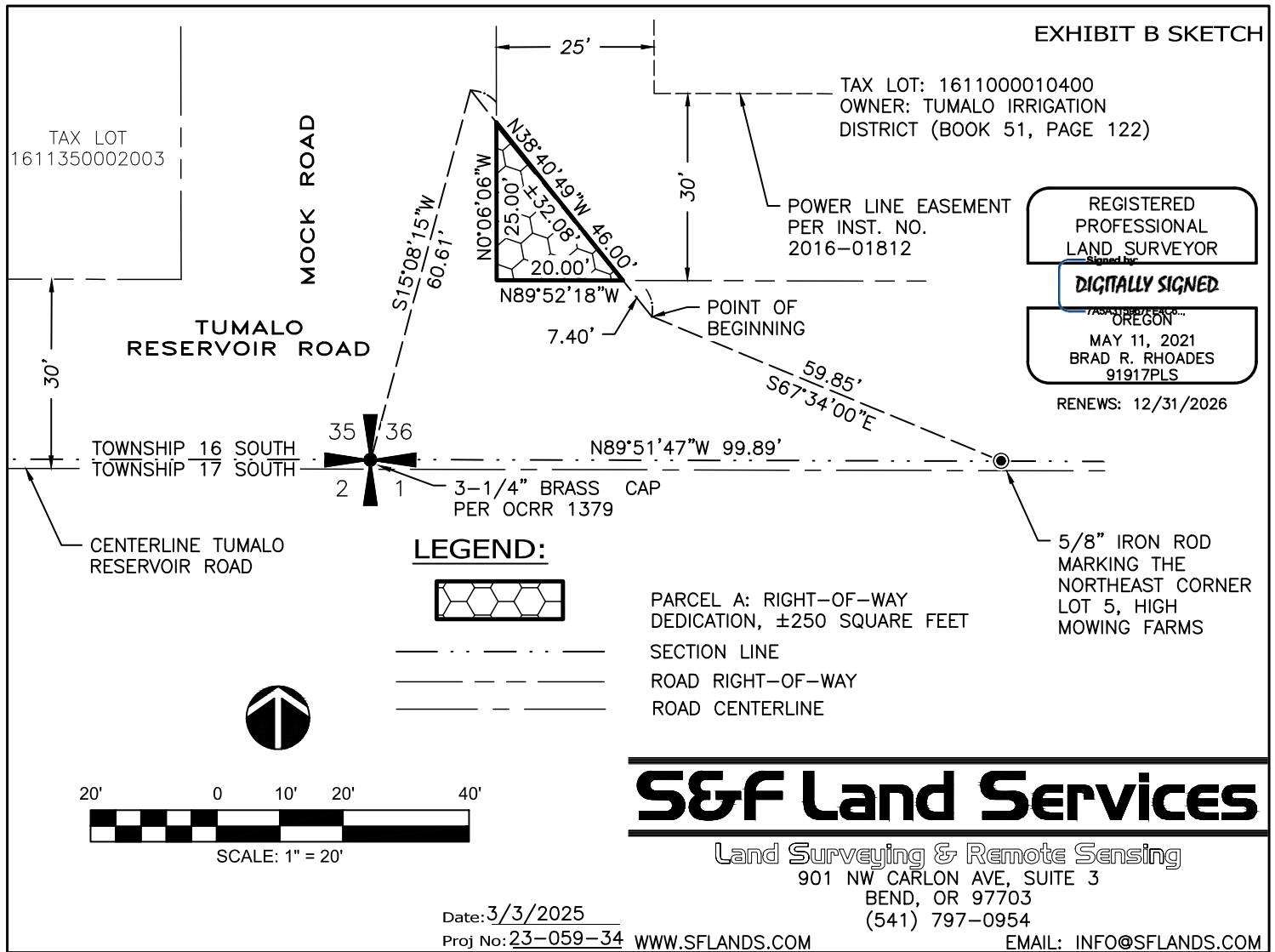
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EXHIBIT B SKETCH

TAX LOT: 1611340001405
OWNER: KRMA PROPERTIES LLC

(INST. NO. 2025- 03630)

PINEHURST ROAD

PARCEL 3
MINOR LAND
PARTITION
MIP-79-62

N00°26'04"W
25.00'

±19.00'

±12.00'

6.00'

POINT OF
BEGINNING

TUMALO RESERVOIR ROAD

TOWNSHIP 16 SOUTH
TOWNSHIP 17 SOUTH

3-1/4" ALUMINUM
CAP PER OCRR
NO. 0890

CENTERLINE TUMALO
RESERVOIR ROAD

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Signed by:

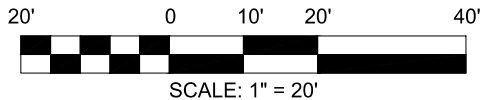
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MAY 11, 2021
BRAD R. RHOADES
91917PLS

RENEWS: 12/31/2026



LEGEND:



PARCEL A: RIGHT-OF-WAY
DEDICATION ±228 SQUARE FEET

ROAD CENTERLINE

ROAD RIGHT-OF-WAY

SECTION LINE

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Date: 4/11/2025

Proj No: 23-059-24 WWW.SFLANDS.COM

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