



For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

Order Approving Juniper Rim annexation into Bend Park & Recreation District * ORDER NO. 2021-041 *

WHEREAS, Juniper Rim on the Deschutes LLC ("Petitioner") submitted a petition requesting annexation of the property, identified in Exhibit A in the petition attached to this Order, into Bend Park and Recreation 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 October 20, 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 park and recreation 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



August 17, 2021

VIA HAND DELIVER

Pauline Word
Legal Department
Deschutes County
1300 NW Wall Street
Bend, Oregon 97701

RE: Petition to Annex Property into Bend Metro Park and Recreation District

Dear Pauline:

Enclosed please find the original above-referenced Petition, executed on behalf of Juniper Rim on the Deschutes LLC, petitioner, and the Park District.

If you have any questions, please do not hesitate to reach out to me, or my associate Eric Taylor via e-mail.

Sincerely,


Laura Craska Cooper

LCC/bb

Enclosure

{00159351;1}

EXHIBIT A

PETITION TO ANNEX PROPERTY INTO
Bend Metro Park and Recreation 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 Bend Metro Park and Recreation 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 Bend Metro Park and Recreation District _____ (name of district) approved the petition pursuant to ORS 198.850 on February 16, 2021 _____ (insert date).
4. The principal act for Bend Metro Park and Recreation District _____ (name of district) is ORS Chapter 266
(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 _____ day of, 20___.
6. The property street address(es) of land for annexation (if known) is/are 19800 Pacific Heights Road, Bend, Oregon 97703 and the total acreage is 100.1. 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 10 day of August, 2021 by Scott Smallwood, as Manager of Juniper Rim on the Deschutes LLC, Chief Petitioner(s).

Signature [Handwritten Signature]

1601 31st Street NW, Washington, DC 20007
Address, City, State, ZIP

DATED this 10 day of August, 20 21

DATED this ___ day of _____, 20__

Approved by the Board of Bend Metro Park and Recreation District

(if applicable) Approved by City of _____

Name of District [Handwritten: Bend Metro Park and Recreation District]

District Signature

City Signature

By: Don Horton (Print Name)



By: _____ (Print Name)

Title: Executive Director

Title: _____

EXHIBIT A

NAME OF DISTRICT: Bend Metro Park and Recreation 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	Scott Smallwood, as Manager of Juniper Rim on the Deschutes LC <hr/> Print Name  <hr/> Signature	<hr/> Date	19800 Pacific Heights Road, Bend, Oregon 97703 <hr/> PROPERTY ADDRESS 1601 31st Street NW Washington DC 20007 <hr/> RESIDENCE ADDRESS (If Different)	Landowner Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Acreage _____ Registered Voter Yes _____ No _____ Pre _____	I, <u>Scott Smallwood</u> in my presence. Signature: 	certify that I circulated this petition, and every person who signed this petition did so
2	<hr/> Print Name <hr/> Signature	<hr/> Date	<hr/> PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landowner Yes _____ No _____ Acreage _____ Registered Voter Yes _____ No _____ Pre _____		
3	<hr/> Print Name <hr/> Signature	<hr/> Date	<hr/> PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landowner Yes _____ No _____ Acreage _____ Registered Voter Yes _____ No _____ Pre _____		
4	<hr/> Print Name <hr/> Signature	<hr/> Date	<hr/> PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landowner Yes _____ No _____ Acreage _____ Registered Voter Yes _____ No _____ Pre _____		
5	<hr/> Print Name <hr/> Signature	<hr/> Date	<hr/> PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landowner Yes _____ No _____ Acreage _____ Registered Voter Yes _____ No _____ Pre _____		

County of Deschutes State of Oregon
 SUBSCRIBED AND SWORN before me this 19th day of August, 2021
 Notary Public for Oregon Bronte Bayliss My Commission Expires: 6/16/25



Signature BR

EXHIBIT A

**Security Deposit
Special District Formation or Reorganization**

SEL 704

rev 01/18
ORS 198.775

Formation

Annexation

Withdrawal

Dissolution

District and Precinct Information

Name of District

Bend Metro Park and Recreation District

Number of Precincts in District

Amount of Deposit per Precinct

Total Deposit (max of \$10,000)

Chief Petitioners

I/We hereby declare if the costs of the attempted formation annexation, withdrawal or dissolution of

Bend Metro Park and Recreation _____ district exceeds the

deposit, I/we will pay to the county treasurer the amount of the excess cost (ORS 198.775)

Name print

Scott Smallwood, as Manager of Juniper Rim on the Deschutes LLC

Signature

Residence

1601 31st Street NW

Mailing Address if different

City

Washington

State

DC

Zip Code

20007

City

State

Zip Code

Amount of Contribution/Value of Secured Deposit

\$100

Kind of Contribution*

Cash

Bond

Other Security Deposit

Name print

Signature

Residence

Mailing Address if different

City

State

Zip Code

City

State

Zip Code

Amount of Contribution/Value of Secured Deposit

Kind of Contribution*

Cash

Bond

Other Security Deposit

Name print

Signature

Residence

Mailing Address if different

City

State

Zip Code

City

State

Zip Code

Amount of Contribution/Value of Secured Deposit

Kind of Contribution*

Cash

Bond

Other Security Deposit

Continued on the reverse side of this form

EXHIBIT A

Person/Organizations Providing Any Part of Cash/Security Deposit

Name print			Signature		
Residence			Mailing Address if different		
City	State	Zip Code	City	State	Zip Code
Amount of Contribution/Value of Secured Deposit			Kind of Contribution*		
			<input type="checkbox"/> Cash	<input type="checkbox"/> Bond	<input type="checkbox"/> Other Security Deposit

Name print			Signature		
Residence			Mailing Address if different		
City	State	Zip Code	City	State	Zip Code
Amount of Contribution/Value of Secured Deposit			Kind of Contribution*		
			<input type="checkbox"/> Cash	<input type="checkbox"/> Bond	<input type="checkbox"/> Other Security Deposit

Name print			Signature		
Residence			Mailing Address if different		
City	State	Zip Code	City	State	Zip Code
Amount of Contribution/Value of Secured Deposit			Kind of Contribution*		
			<input type="checkbox"/> Cash	<input type="checkbox"/> Bond	<input type="checkbox"/> Other Security Deposit

Additional Description

*Provide additional description of security deposit below, on the back of this form or on separate sheets. Additional contributors may be listed on separate sheets and attached.

EXHIBIT A

Exhibit A

Tract 3 of Lot Line Adjustment LL-18-311, located in the South 1/2 of Section 7, Township 17 South, Range 12 East, Willamette Meridian (W.M.), Deschutes County, Oregon, as described in Statutory Warranty Deed from Edward J Elkins and Doris E. Elkins, Trustees or the Successor Trustee of the Elkins Family Revocable Trust UTD 4/19/11 to Scott R. Smallwood and Carol Ann Smallwood as tenants by the entirety, recorded June 29, 2018 as document no. 2018-026639, Deschutes County Official Records;

Together with:

The North 1.80 feet of that Tract of land (Tract 1 LL-18-05) described in Bargain and Sale Deed from Edward J Elkins and Doris E. Elkins, Trustees or the Successor Trustee of the Elkins Family Revocable Trust UTD 4/19/11 to Edward J Elkins and Doris E. Elkins, Trustees or the Successor Trustee of the Elkins Family Revocable Trust UTD 4/19/11, recorded April 3, 2018 as document no. 2018-13333, Deschutes County Official Records;

And together with a strip of land 1.80 feet wide, being a portion of Tract 4, of Lot Line Adjustment LL-18-311 described in Bargain and Sale Deed from Edward J Elkins and Doris E. Elkins, Trustees or the Successor Trustee of the Elkins Family Revocable Trust UTD 4/19/11 to Edward J Elkins and Doris E. Elkins, Trustees or the Successor Trustee of the Elkins Family Revocable Trust UTD 4/19/11, recorded June 27, 2018 as document no. 2018-026136, Deschutes County Official Records;

All of the above being more particularly described as follows:

Beginning at the Center 1/4 corner of said Section 7, Township 17 South, Range 12 East, W.M.;
Thence South 89°37'31" East 1084.81 feet to the Northwest Corner of Pacific Cascade Heights subdivision;
Thence along the West boundary of said Pacific Cascade Heights subdivision the following two courses;
South 00°09'05" West 1317.00 feet;
South 00°09'20" West 496.76 feet;
Thence leaving said boundary of Pacific Cascade Heights North 89°34'00" West 1085.76 feet;
Thence North 89°34'00" West 1321.23 feet to the West 1/16 line of said Section 7;
Thence North 00°09'42" East 498.88 feet along said West 1/16 line to the Southwest 1/16 corner of said Section 7;
Thence continuing along said West 1/16 line North 00°16'51" East 1311.95 feet;
Thence South 89°38'43" East 1319.23 feet to the Point of Beginning.



EXHIBIT A

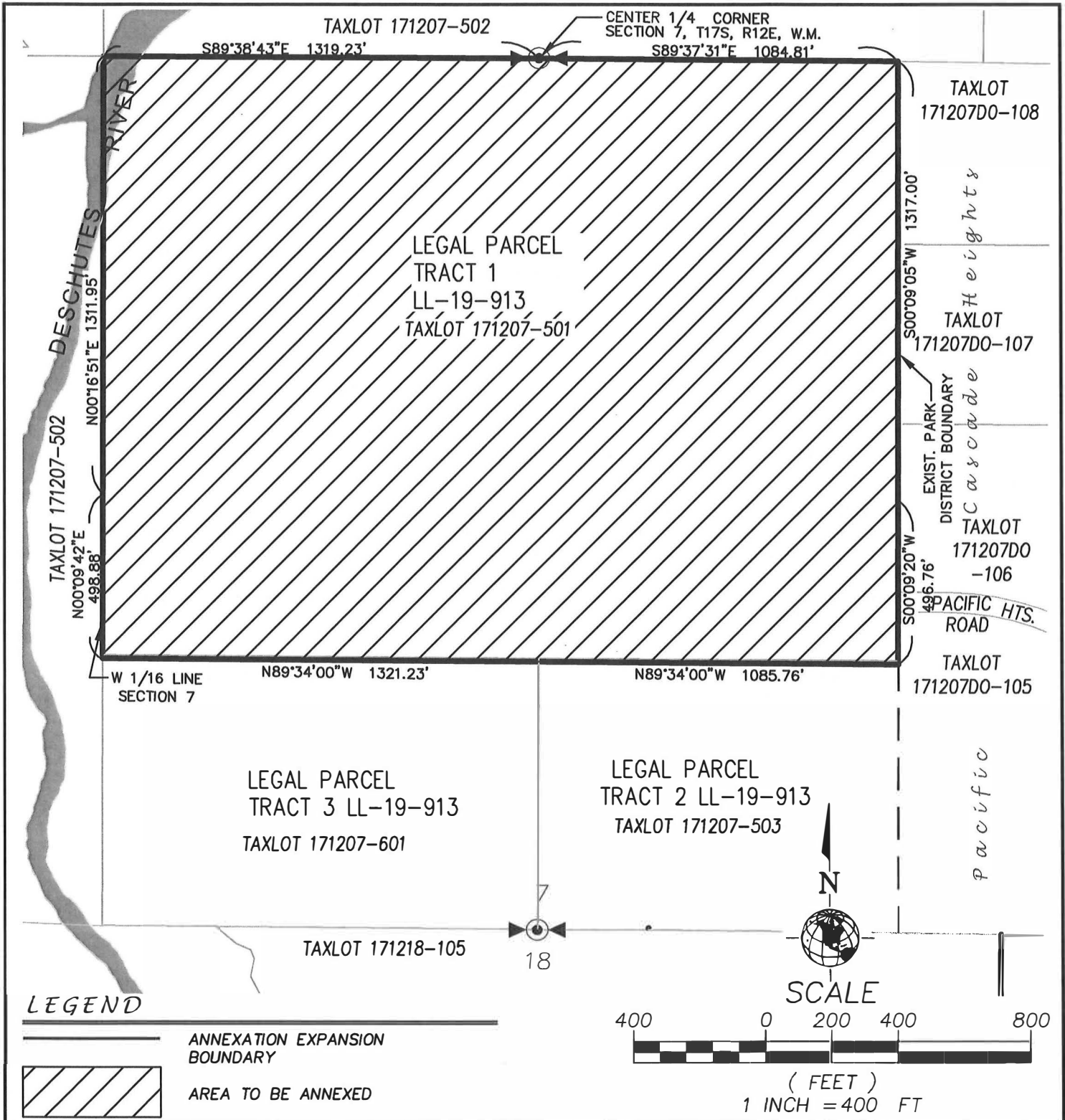


EXHIBIT B 1 of 1	Bend Parks District Annexation Map		D'Agostino Parker, LLC 61278 KING JEROBOAM AVE. BEND, OR 97702 P: (541) 693-4134	REGISTERED PROFESSIONAL LAND SURVEYOR <i>Keith Dagostino</i> OREGON JUNE 1, 1998 KEITH S. DAGOSTINO 2885 RENEWAL DATE: 12-31-21
	EXHIBIT B			
	DESCHUTES COUNTY	OREGON		
SCALE: 1" = 400'	DATE: 08/09/2021	DRAWING FILE NAME: PARKSANNEXMAP020821		

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/>

September 28, 2021

Steve Dennison

Deschutes County Clerk

Re: **Petition for Bend Park & Recreation District** (Juniper Rim on the Deschutes LLC)

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



**Petition for Annexation to
Bend Metro Park and Recreation District
(Taxlot 1712070000501)**

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 22nd day of September, 2021.

A handwritten signature in black ink, appearing to read "Steve Dennison", written over a horizontal line.

Steve Dennison
Deschutes County Clerk

EXHIBIT C



COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Deschutes County Board of Commissioners

FROM: Peter Gutowsky, AICP, Planning Manager

DATE: September 22, 2021

SUBJECT: Land Use Compatibility / Bend Parks and Recreation District

The materials contained in the petition to annex Juniper Rim on the Deschutes LLC are consistent with Title 19, Bend Urban Growth Boundary Zoning Ordinance, and Title 23, Deschutes County Comprehensive Plan. There are no local land use regulations or policies that specifically address the Bend Parks and Recreation 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.”