



For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

Order Approving Fordyce annexation into Rural Fire District #2 * ORDER NO. 2021-061 *

WHEREAS, Kody and Kristina Fordyce and Kent and Kathy Fordyce ("Petitioner") submitted a petition requesting annexation of their property, identified in Exhibit A in the petition attached to this Order, into Rural Fire District #2 ("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 December 1, 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 4. The purpose of this District is to provide fire protection 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

EXHIBIT A

PETITION TO ANNEX PROPERTY INTO
Deschutes County Rural Fire Protection Dist. #2
(Name of District) (DCRFPD #2)

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 9/27/21 (date) and Petitioners request the Board commence proceedings to annex the territory described herein into DCRFPD #2 (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 DCRFPD #2 (name of district) approved the petition pursuant to ORS 198.850 on 9/14/21 (insert date).
4. The principal act for DCRFPD #2 (name of district) is ORS

(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 27th day of, 2021.
6. The property street address(es) of land for annexation (if known) is/are 60950 Groff rd Bend OR 97702 and the total acreage is 9.83 acres. 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 27th day of September, 2021 by Kody Fordyce, Chief Petitioner(s).

Kody Fordyce
Signature

23055 Bacchus Ln, Bend, OR, 97702
Address, City, State, ZIP

DATED this ___ day of _____, 20__

DATED this ___ day of _____, 20__

Approved by the Board of

(if applicable) Approved by City of

Name of District

City Signature

District Signature

City Signature

By: _____
(Print Name)

By: _____
(Print Name)

Title: _____

Title: _____

**PETITION TO ANNEX PROPERTY TO DESCHUTES COUNTY
RURAL FIRE PROTECTION DISTRICT #2**

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 198.705 to 198.955
2. This annexation Petition affects only Deschutes County and Deschutes County Rural Fire Protection District #2 (DCRFPD #2)
3. The principal act for DCRFPD #2 is ORS 478.0-01, et seq.
4. The territory that is subject to this petition for annexation is primarily inhabited. The attached petitions in support of this annexation are signed by land owners and registered voters in the area proposed to be annexed as indicated opposite their respective signatures, and that all signatures were obtained on or after the 25th day of August, 2021
5. It is requested that the proceedings be taken for the annexation of said territory to Deschutes County Rural Fire Protection District #2, Deschutes County, Oregon. A description of the boundaries of the territory to be annexed is attached hereto and marked Exhibit "A".
6. That said petition has been signed by 15 percent of the electors, or 100 electors' whichever number is lesser, or 15 owners or owners of 10 percent of the land, (whichever is greater) within the area proposed to be annexed.

Dated this 25th day of August, 2021.

NAME Kody + Kristina Fordyce NAME Kent + Kathy Fordyce

ADDRESS 60950 Groff rd ADDRESS 60950 Groff rd

Bend OR 97702

Bend OR 97702

PHONE 503-330-5213

PHONE 503-330-5972

Approved by the Board of directors of Deschutes County Rural Fire Protection District #2 this 14th day of September, 2021

Approved by City of Bend

Board of Directors DCRFPD #2

By: [Signature]
Fire Chief

By: [Signature]
Board President

Security Deposit

Special District Formation or Reorganization

Formation

Annexation

Withdrawal

Dissolution

District and Precinct Information

Name of District

Deschutes County Rural Fire Protection District #2

Number of Precincts in District

Amount of Deposit per Precinct

Total Deposit (max of \$10,000)

Chief Petitioners

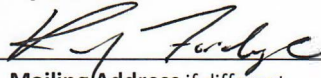
I/We hereby declare if the costs of the attempted formation annexation, withdrawal or dissolution of

~~Kody Fordyce~~^{KF} DCRFPD #2 district exceeds the deposit, I/we will pay to the county treasurer the amount of the excess cost (ORS 198.775)

Name print

Kody Fordyce

Signature



Residence

23055 Bacchus Ln

Mailing Address if different

City

Bend

State

OR

Zip Code

97702

City

State

Zip Code

Amount of Contribution/Value of Secured Deposit

Kind of Contribution*

Cash

Bond

Other Security Deposit

Name print

Kristina Fordyce

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

Kent Fordyce

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 <i>Kathy Fordyce</i>			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 checked="" type="checkbox"/> Cash	<input type="checkbox"/> Bond	<input type="checkbox"/> Other Security Deposit


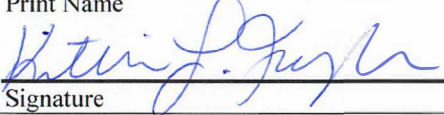


Name print			Signature		
Residence			Mailing Address if different		
City	State	Zip Code	City	State	Zip Code
Amount of Contribution/Value of Secured Deposit			Kind of Contribution*		
			<input type="checkbox"/> Cash	<input type="checkbox"/> Bond	<input type="checkbox"/> Other Security Deposit

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
<p>*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.</p>

EXHIBIT A

NAME OF DISTRICT: Deschutes County Rural Fire Protection District #2 Withdrawal Annexation
 (DCRFPD#2)

PRIN T N A M E	DATE SIGNED	PROPERTY ADDRESS/ RESIDENCE ADDRESS (If Different)	LANDOWNER IN THE PROPOSED TERRITORY/ REGISTERED VOTER IN THE PROPOSED TERRITORY
1 <u>Kody Fordyce</u> Print Name  Signature	<u>10-6-21</u> Date	<u>60950 Groff rd Bend OR 97702</u> PROPERTY ADDRESS <u>23055 Bacchus Ln Bend OR 97702</u> RESIDENCE ADDRESS (If Different)	Landowner Yes <input checked="" type="checkbox"/> No _____ Ac reage <u>9.83</u> Registered Voter Yes <input checked="" type="checkbox"/> No _____ Pre _____
2 <u>Kristina Fordyce</u> Print Name  Signature	<u>10-6-21</u> Date	<u>60950 Groff rd Bend OR 97702</u> PROPERTY ADDRESS <u>23055 Bacchus Ln Bend OR 97702</u> RESIDENCE ADDRESS (If Different)	Landowner Yes <input checked="" type="checkbox"/> No _____ Ac reage <u>9.83</u> Registered Voter Yes <input checked="" type="checkbox"/> No _____ Pre _____
3 <u>Kent Fordyce</u> Print Name  Signature	<u>10-6-21</u> Date	<u>60950 Groff rd Bend OR 97702</u> PROPERTY ADDRESS <u>23055 Bacchus Ln Bend OR 97702</u> RESIDENCE ADDRESS (If Different)	Landowner Yes <input checked="" type="checkbox"/> No _____ Ac reage <u>9.83</u> Registered Voter Yes <input checked="" type="checkbox"/> No _____ Pre _____
4 <u>Kathy Fordyce</u> Print Name  Signature	<u>10-6-21</u> Date	<u>60950 Groff rd Bend OR 97702</u> PROPERTY ADDRESS <u>23055 Bacchus Ln Bend OR 97702</u> RESIDENCE ADDRESS (If Different)	Landowner Yes <input checked="" type="checkbox"/> No _____ Ac reage <u>9.83</u> Registered Voter Yes <input checked="" type="checkbox"/> No _____ Pre _____
5 _____ Print Name _____ Signature	_____ Date	_____ PROPERTY ADDRESS _____ RESIDENCE ADDRESS (If Different)	Landowner Yes _____ No _____ Ac reage _____ Registered Voter Yes _____ No _____ Pre _____

I, Kody Fordyce, certify that I circulated this petition, and every person who signed this petition did so in my presence. Signature: 

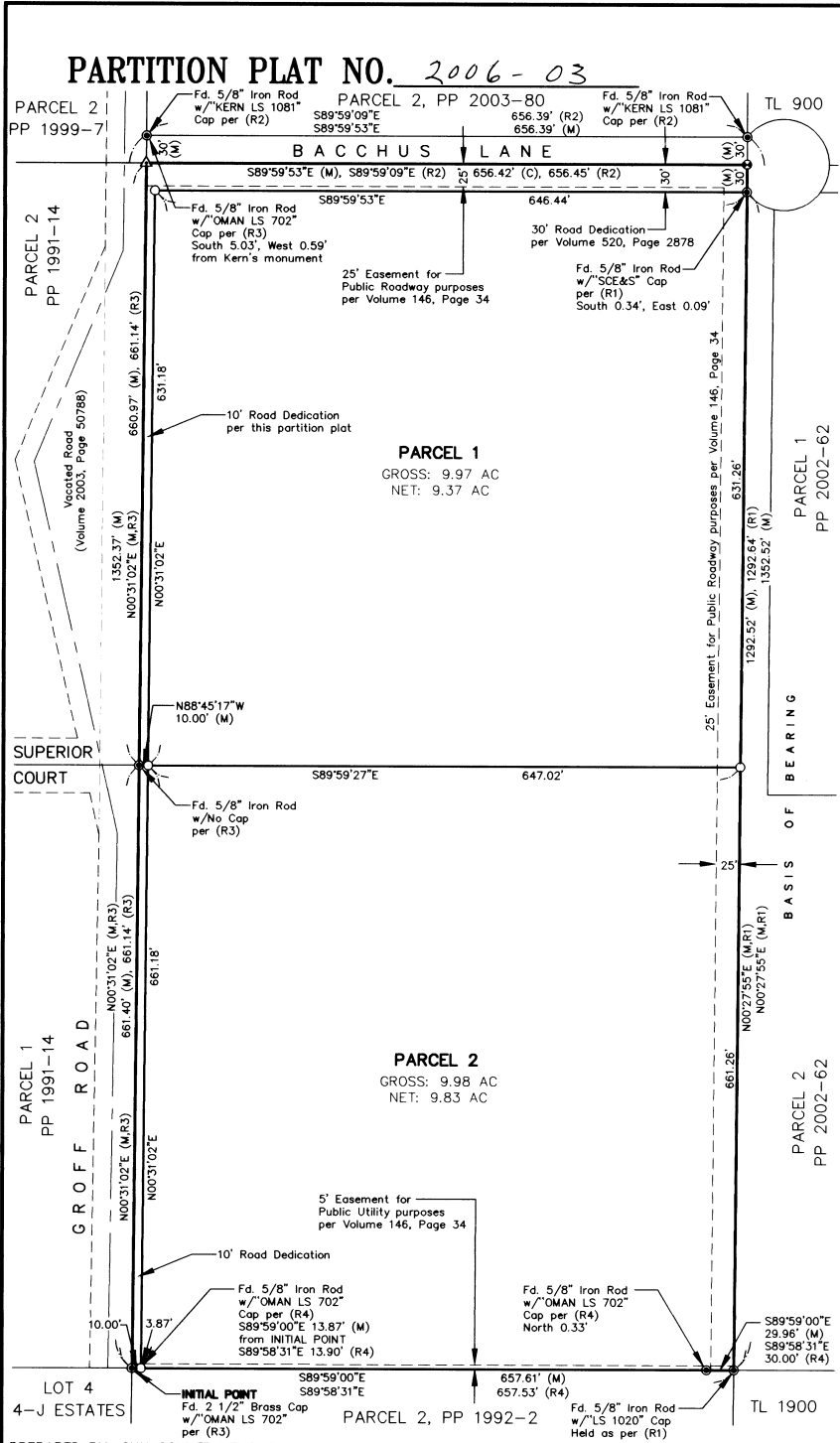
County of Deschutes State of Oregon
 SUBSCRIBED AND SWORN before me this 6th day of October, 2021
 Notary Public for Oregon Rachelle Diane Jeffers My Commission Expires: 01/25/2021



(affix notary stamp)

Signature Rachelle D. Jeffers

EXHIBIT A



SURVEYOR'S CERTIFICATE:
 I, MICHAEL W. TYE, a Registered Professional Land Surveyor in and for the State of Oregon being first duly sworn depose and say that I or those under my direct supervision have correctly surveyed and marked with legal monuments the land shown on this partition plat map and that the following is a true and correct description of said land to-wit and the INITIAL POINT is a 2 1/2" Brass Cap for the Center-South One-Sixteenth (1/16) corner of Section 16:
 The West One-Half of the Northwest One-Quarter of the Southeast One-Quarter (W 1/2 NW 1/4 SE 1/4) of Section Sixteen (16), Township Eighteen (18) South, Range Thirteen (13) East, Willamette Meridian, Deschutes County, Oregon.
 EXCEPTING THEREFROM that portion dedicated to the public for roadway and utility purposes in instrument recorded November 6, 1998 in Book 520, Page 2878, Deed Records, Deschutes County Oregon.

SURVEYOR'S NARRATIVE:
 The purpose of this survey was to partition that property described above. Control for this survey was based on monuments found in the referenced surveys hereon this survey plat. The property was partitioned as requested by our client. Monuments found and set during the course of this survey are as shown on this partition plat.

CONSENT AFFIDAVIT:
 A Partition Plat Consent Affidavit from MARGARET WARD-CLANCY, Successor Trustee of "The John Russell Ward 1999 Trust", has been recorded in Volume 2016 Page 7653, Deschutes County Records.

LEGEND

- = Found monument as noted
- = Set 5/8" Iron rod with cap marked "SCE&S", unless noted otherwise
- △ = Center 1/4 corner, Section 16 Set 5/8" Iron rod with cap marked "SCE&S"
- = Center-West-East 1/64 corner, Section 16 Set 5/8" Iron rod with cap marked "SCE&S"
- (R1) = Partition Plat No. 2002-62 by Sun Country Engineering and Surveying Inc. (CS15061).
- (R2) = Partition Plat No. 2003-80 by Jeff Kern (CS15676).
- (R3) = Partition Plat No. 1991-14 by Raymond Oman (CS04298).
- (R4) = Partition Plat No. 1992-2 by Raymond Oman (CS07781).
- (M) = Measured, (C) = Calculated

LAND PARTITION
 MP 05-16 DECEMBER 5, 2005
 LOCATED IN THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 16, TOWNSHIP 18 SOUTH, RANGE 13 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON

APPROVALS:

Mike Berry 12-22, 2005
 DESCHUTES COUNTY SURVEYOR

Michael M. Deh 2-1-2006
 DESCHUTES COUNTY COMMISSIONER

Thomas E. Blue 12/23, 2005
 DESCHUTES COUNTY PUBLIC WORKS DIRECTOR

Sharon L. Johnson 1/31, 2006
 DESCHUTES COUNTY PLANNING DIRECTOR

Jan Williams 1/11, 2006
 DESCHUTES COUNTY ENVIRONMENTAL HEALTH DIRECTOR

NOTE: Signature by the Deschutes County Commissioners constitutes acceptance by Deschutes County of any dedication made herein to the Public.

I hereby certify that all taxes are paid as of this date.
MaryLynne Kay Ochoa-Chall 1-5, 2006
 DESCHUTES COUNTY TREASURER & TAX COLLECTOR

I hereby certify that all ad valorem taxes, special assessments, fees, and other charges required by law to be placed on the 2005-2006 tax rolls which became a lien or will become a lien on the partition during this tax year, but not yet certified to the Tax Collector for collection, have been paid to me.
Carl Langdon Kay 1-5, 2006
 DESCHUTES COUNTY ASSESSOR

NOTE: No Water Rights or District

DECLARATION
 KNOW ALL MEN BY THESE PRESENTS, that JOHN RUSSELL WARD, deceased, Trustee of "The John Russell Ward 1999 Trust", and MARGARET WARD-CLANCY, a successor trustee of "The John Russell Ward 1999 Trust", have caused said lands to be partitioned into separate parcels in accordance with the provisions of O.R.S. Chapter 92, and hereby dedicate to the public forever the roads as shown on this plat; and hereby submit for approval and record said plat of LAND PARTITION MP 05-16.



EXHIBIT A

After recording return to:
First American Title
395 SW Bluff Drive, Suite 100
Bend, OR 97702



After recording return to:
Kent Fordyce and Kathy Fordyce
60950 Groff Road
Bend, OR 97702

Until a change is requested all tax
statements shall be sent to the
following address:
Kent Fordyce and Kathy Fordyce
60950 Groff Road
Bend, OR 97702

File No.: 7061-3676140 (JNR)
Date: February 08, 2021

THIS SPACE RESERVED FOR RECORDER'S USE

Deschutes County Official Records		2021-21949
D-D		04/07/2021 02:54 PM
Stn=1 BN		\$98.00
\$10.00 \$11.00 \$10.00 \$61.00 \$6.00		

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

STATUTORY WARRANTY DEED

David McDonald and Elizabeth McDonald, as tenants by the entirety, Grantor, conveys and warrants to **Kent Fordyce and Kathy Fordyce as tenants by the entirety and Kody Fordyce and Kristina Fordyce as tenants by the entirety, not as tenants in common but with rights of survivorship**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Deschutes, State of Oregon, described as follows:

PARCEL 2 OF PARTITION PLAT 2006-03, DESCHUTES COUNTY, OREGON.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$440,000.00**. (Here comply with requirements of ORS 93.030)

EXHIBIT A

APN: 251302

Statutory Warranty Deed
- continued

File No.: 7061-3676140 (JNR)

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.

Dated this 30 day of Mar 21, 2021.



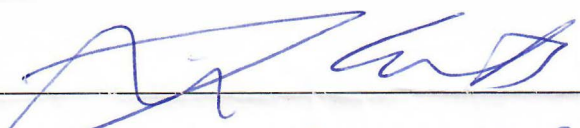
David McDonald



Elizabeth McDonald

STATE OF Oregon)
)ss.
County of Deschutes)

This instrument was acknowledged before me on this 30 day of March, 2021 by David McDonald and Elizabeth McDonald.



Notary Public for Oregon
My commission expires: 6-4-23

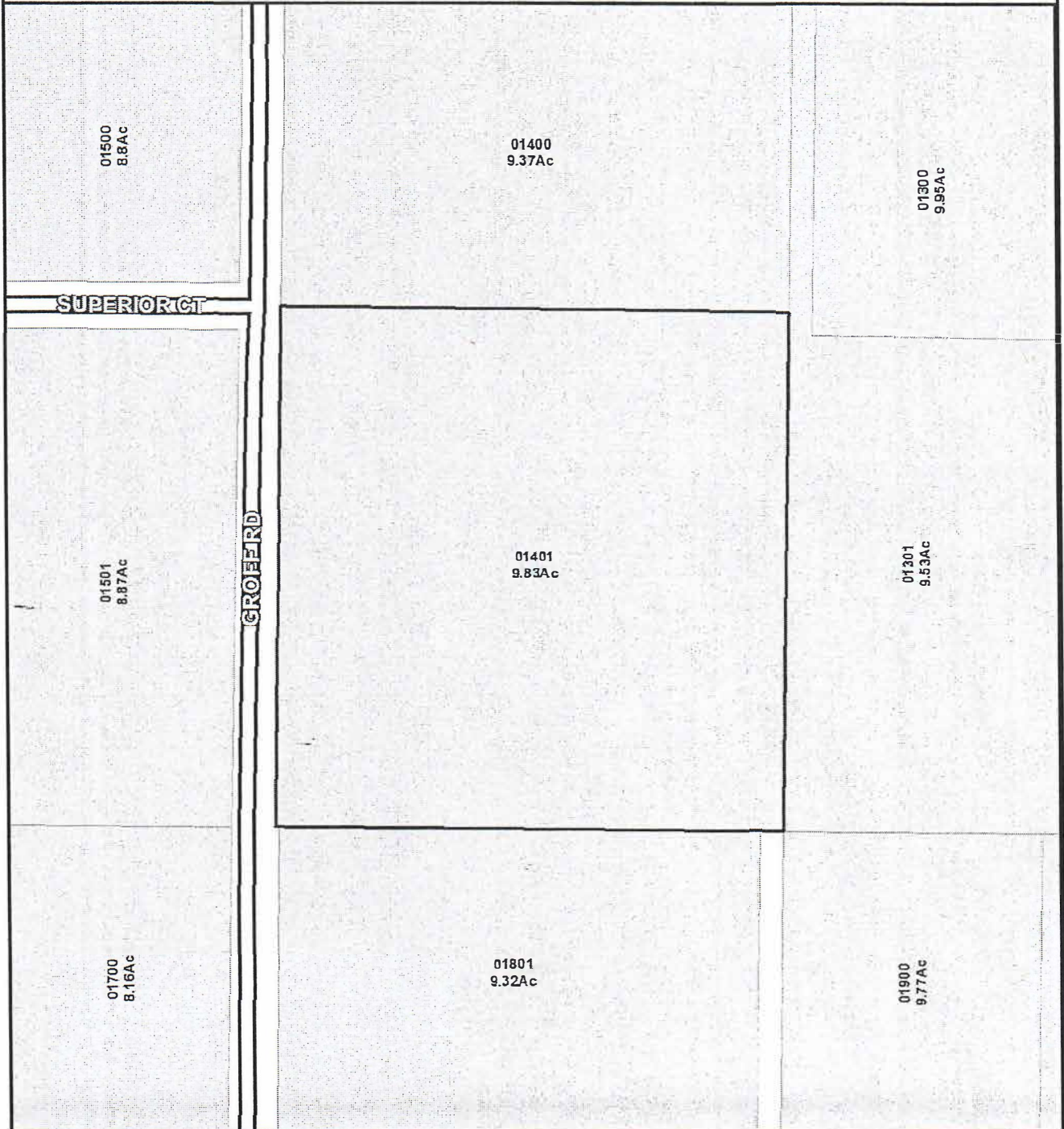




First American Title

EXHIBIT A

181316 00 01401, 181316 00 01401
60950 Groff Rd
Bend, OR 97702



Taxlot

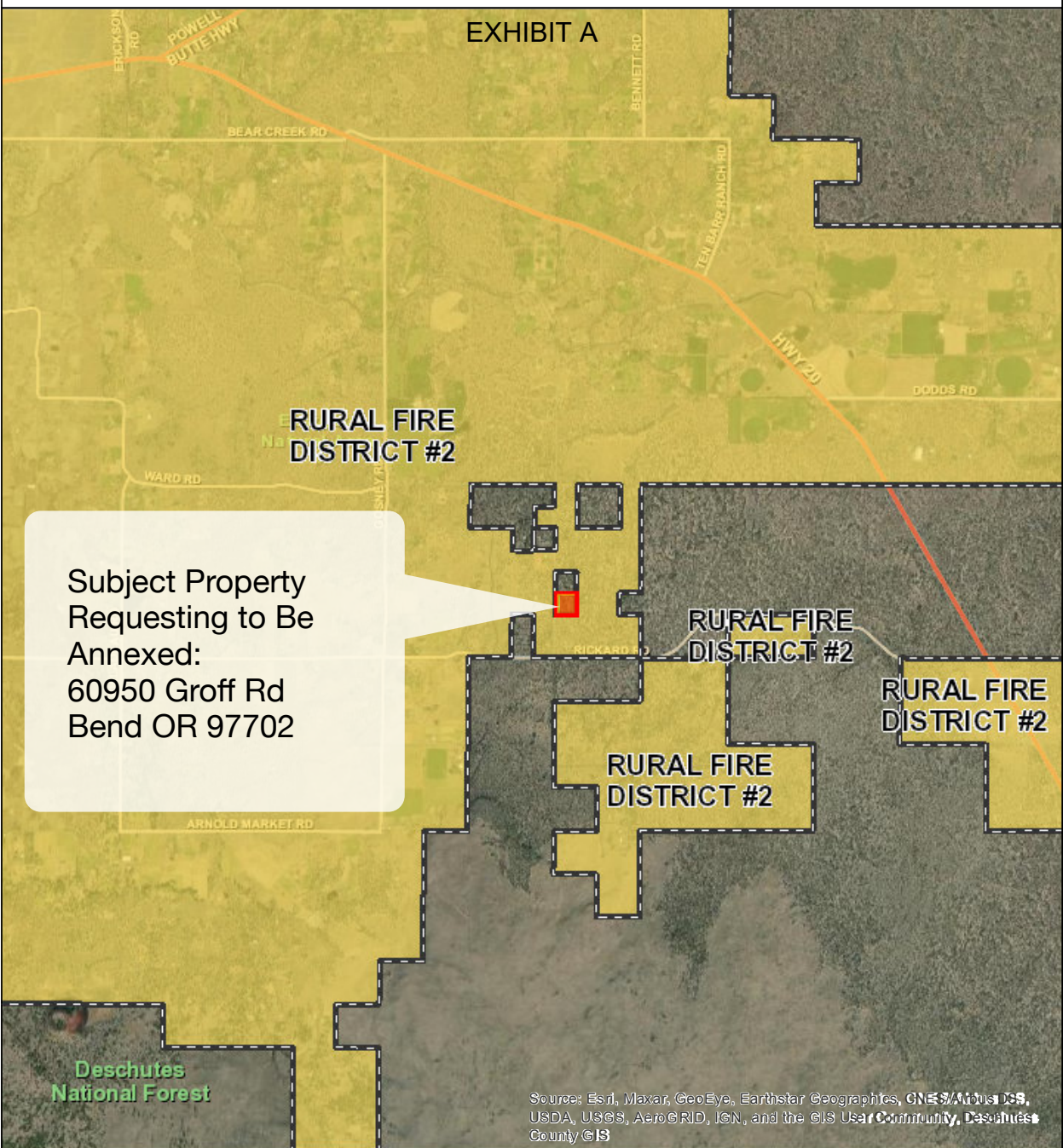


Subject

Taxlot

2/9/2021

First American Title Insurance Company makes no express or implied warranty respecting the information presented and assumes no responsibility for errors or omissions. FIRST AMERICAN, the Eagle logo, and FIRST AMERICAN TITLE INSURANCE COMPANY are trademarks owned by First American Financial Corporation. Information is provided by Home Junction, <https://www.homejunction.com/> School information is copyrighted and provided by GreatSchools.org, <https://www.greatschools.org>



Subject Property
Requesting to Be
Annexed:
60950 Groff Rd
Bend OR 97702



Date: 6/12/2021

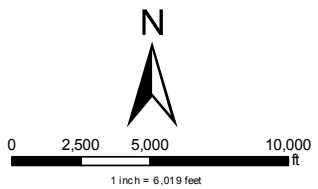
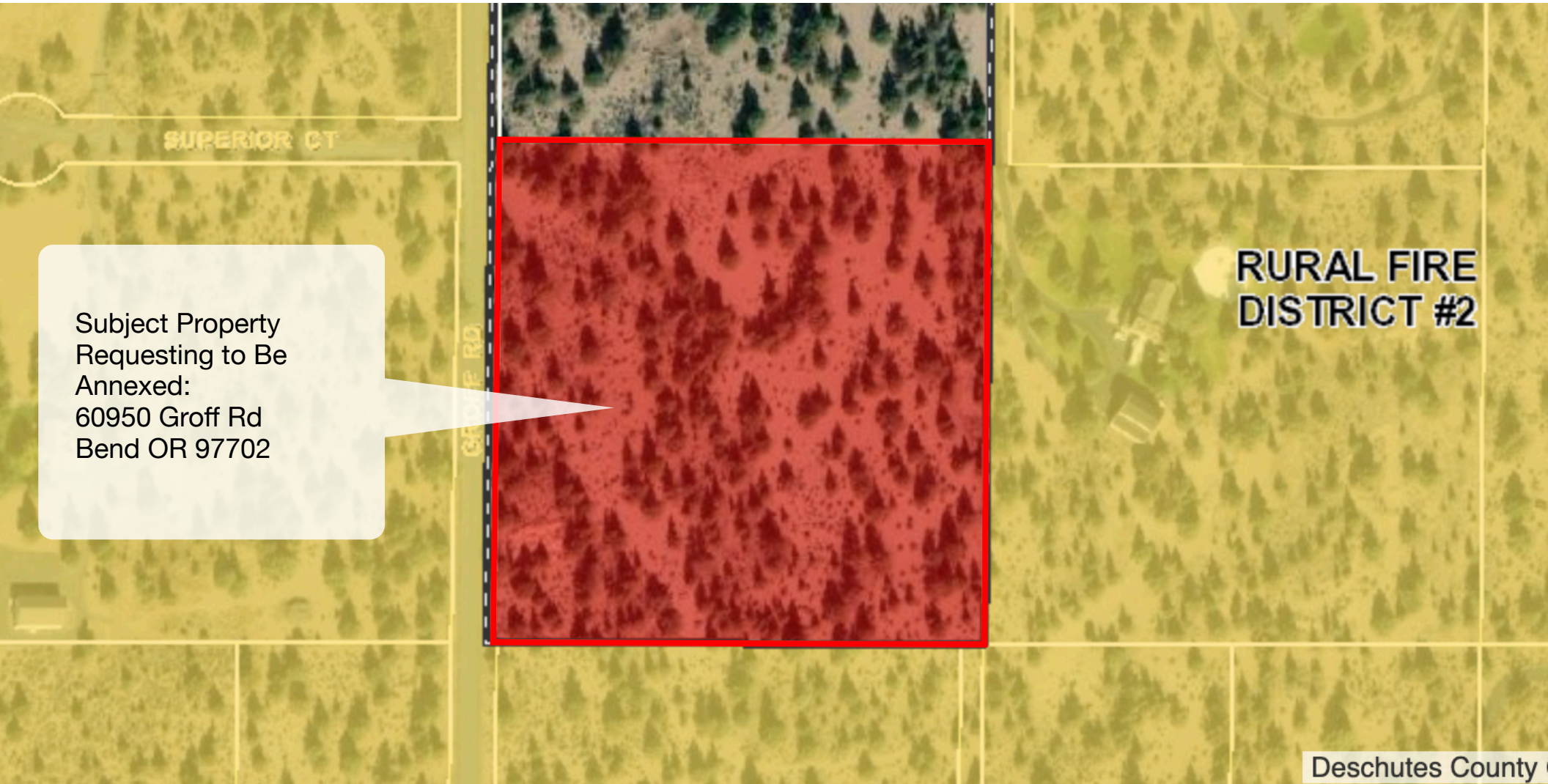


EXHIBIT A



Subject Property
Requesting to Be
Annexed:
60950 Groff Rd
Bend OR 97702

RURAL FIRE
DISTRICT #2

Deschutes County



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 1, 2021

Steve Dennison

Deschutes County Clerk

Re: **Petition for Rural Fire Protection District #2** (Fordyce)

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
Deschutes County Rural Fire Protection District #2
(60950 Groff Rd, Bend)**

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 29th day of October, 2021.

Steve Dennison
Deschutes County Clerk



MEMORANDUM

TO: Deschutes County Board of Commissioners

FROM: Peter Gutowsky, AICP, Director

DATE: October 20, 2021

SUBJECT: Land Use Compatibility / Rural Fire Protection District #2

The materials contained in the petition to annex 60950 Groff Road are consistent with Title 18, County Zoning, and Title 23, Deschutes County Comprehensive Plan. There are no local land use regulations or policies that specifically address Rural Fire Protection District #2 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.”