

REVIEWED

LEGAL COUNSEL

After recording return to:
City of Bend, EIPD
710 NW Wall St.
Bend, OR 97703

CONSENT TO EASEMENT

Recitals

- A. Administrative School District #1, (the “District”) is the owner of real property located at 61000 Diamondback Lane, Bend, Deschutes County, Oregon (the “Property”).
- B. Deschutes County (the “County”) transferred the Property to the District under a deed recorded in the real property records of Deschutes County as document number 252-345 (the “Deed”), so long as the Property is used for public purposes.
- C. The District has granted the City of Bend (the “City”) a permanent sewer utility and access easement over a portion of the Property, in the area described and shown in the attached Exhibits A and B, as well as temporary construction easements to facilitate the construction of improvements to the City’s sewer system and maintain pedestrian access during construction to the District’s facilities on the Property (together, the “Easements”).

Terms of Agreement

The County consents to the Easements and agrees that the City’s interest in and use of portions of the Property under the Easements is a public purpose as that term is used in the Deed. The County agrees that in the event of foreclosure or suit to recover ownership of the Property, no attempt will be made to extinguish the City’s rights granted by the Easements.

This Agreement is binding on the heirs, successors, and assigns of the County.

Signatures on following page

By: Deschutes County

Patti Adair, Chair
Deschutes County Board of County Commissioners

STATE OF OREGON)
)ss.
County of Deschutes)

This instrument was acknowledged before me on _____, 2024, by Patti Adair, as Chair, Board of County Commissioners of Deschutes County, Oregon.

Notary Public – State of Oregon
Commission Expires: _____

Accepted by the City of Bend:

Eric King, City Manager

EXHIBIT A

TRACTS OF LAND BEING A PORTION OF THAT LAND DESCRIBED IN BARGAIN AND SALE VOLUME 252, PAGE 345, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE NORTHWEST ONE-QUARTER (NW1/4) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF SECTION 14, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND, DESCHUTES COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PUMP STATION EASEMENT (TAX LOT 101 TAX MAP 18 12 14)

COMMENCING AT THE SOUTH ONE-SIXTEENTH CORNER (S1/16), LOCATED ON THE WEST SECTION LINE OF SAID SECTION, WHICH BEARS SOUTH 00°24'47" WEST 1325.42 FEET FROM A 5/8 INCH IRON ROD INSIDE A MONUMENT BOX MARKING THE WEST ONE-QUARTER (W1/4) OF SAID SECTION; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF THAT RIGHT-OF-WAY DESCRIBED IN COMMISSIONERS JOURNAL, BOOK 15, PAGE 426, DESCHUTES COUNTY OFFICIAL RECORDS, SOUTH 89°34'09" EAST 1061.65 FEET; THENCE LEAVING THE SAID SOUTH RIGHT-OF-WAY LINE NORTH 00°25'51" WEST 60.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID COMMISSIONERS JOURNAL AND THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE NORTH 00°00'00" EAST 82.16 FEET; THENCE NORTH 00°26'49" WEST 28.57 FEET; THENCE NORTH 05°04'29" WEST 34.31 FEET; THENCE SOUTH 89°34'42" EAST 235.68 FEET TO A POINT ON THE WEST LINE OF THAT VARIABLE WIDTH SLOPE EASEMENT DESCRIBED IN INSTRUMENT NUMBER 2003-47503, DESCHUTES COUNTY OFFICIAL RECORDS; THENCE ALONG SAID WEST LINE THE FOLLOWING TWO (2) COURSES: SOUTH 02°36'13" WEST 70.59 FEET; THENCE SOUTH 00°32'08" EAST 74.39 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID COMMISSIONERS JOURNAL; THENCE ALONG THE SAID NORTH RIGHT-OF-WAY LINE NORTH 89°34'09" WEST 229.91 FEET TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED TRACT OF LAND CONTAINS 33,414 SQUARE FEET (0.77 ACRES) MORE OR LESS.

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

UTILITY AND ACCESS EASEMENT (TAX LOT 101 TAX MAP 18 12 14)


COMMENCING AT THE SOUTH ONE-SIXTEENTH CORNER (S1/16), LOCATED ON THE WEST SECTION LINE OF SAID SECTION, WHICH BEARS SOUTH 00°24'47" WEST 1325.42 FEET FROM A 5/8 INCH IRON ROD INSIDE A MONUMENT BOX MARKING THE WEST ONE-QUARTER (W1/4) OF SAID SECTION; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF THAT RIGHT-OF-WAY DESCRIBED IN COMMISSIONERS JOURNAL, BOOK 15, PAGE 426, DESCHUTES COUNTY OFFICIAL RECORDS, NORTH 89°34'09" WEST 1061.65 FEET; THENCE LEAVING THE SAID SOUTH RIGHT-OF-WAY LINE NORTH 00°25'51" WEST 60.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID COMMISSIONERS JOURNAL AND THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE NORTH 00°00'00" EAST 82.16 FEET; THENCE NORTH 00°26'49" WEST 28.57 FEET; THENCE NORTH 05°04'29" WEST 34.31 FEET; THENCE NORTH 89°34'42" WEST 30.14 FEET; THENCE SOUTH 05°04'29" EAST 35.98 FEET; THENCE SOUTH 00°26'49" EAST 27.24 FEET; THENCE SOUTH 00°00'00" EAST 81.82 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID COMMISSIONERS JOURNAL; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE NORTH 89°34'09" WEST 30.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED TRACT OF LAND CONTAINS 4,351 SQUARE FEET (0.10 ACRES) MORE OR LESS.

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

BEARINGS FOR THESE DESCRIPTIONS ARE BASED ON THE CENTRAL OREGON COORDINATE SYSTEM (COCS), DESCHUTES 13 TRANSFORMATION, DERIVED FROM THE OREGON REAL-TIME GNSS NETWORK (ORGN).

4-16-2024
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 11, 2023
COREY PACHECO
101863

EXPIRES: 12-31-2024

LEGEND



PUMP STATION EASEMENT
AREA = ± 0.77 ACRES (± 33,414.02 SF)



UTILITY AND ACCESS EASEMENT
AREA = ± 0.10 ACRES (± 4,351.32 SF)

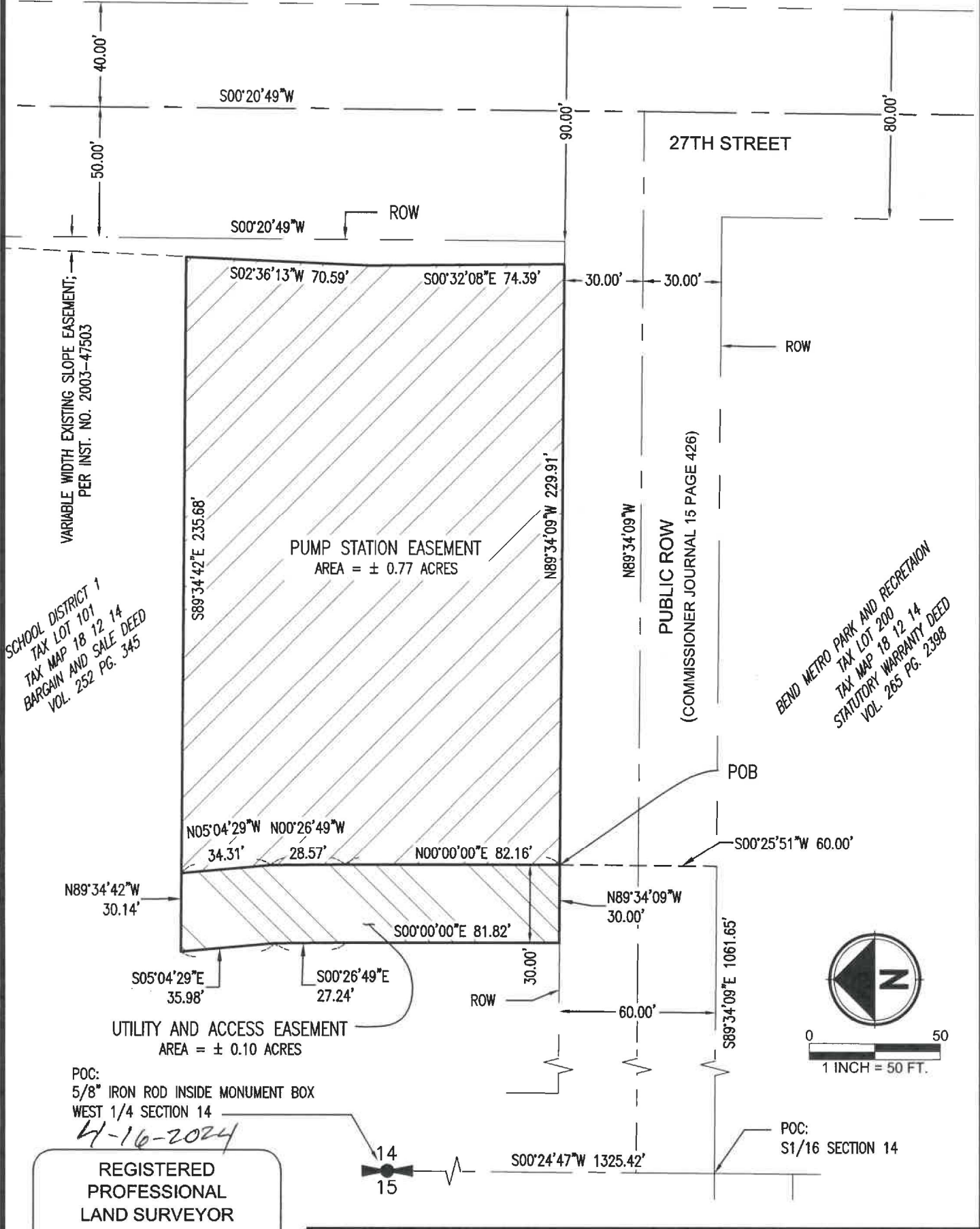
SF SQUARE FEET
ROW RIGHT-OF-WAY
POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING

BASIS OF BEARINGS

BEARINGS FOR THIS EXHIBIT ARE BASED ON THE CENTRAL OREGON COORDINATE SYSTEM (COCS), DESCHUTES 13 TRANSFORMATION, DERIVED FROM THE OREGON REAL-TIME GNSS NETWORK (ORGN).

EXHIBIT B

TRACTS OF LAND LOCATED IN THE SW 1/4 OF SECTION 14,
TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M., CITY OF BEND,
DESCHUTES COUNTY, OREGON



SCHOOL DISTRICT 1
TAX MAP 18 12 14
BARGAIN AND SALE DEED
VOL. 252 PG. 345

BEND METRO PARK AND RECREATION
TAX MAP 18 12 14
STATUTORY WARRANTY DEED
VOL. 265 PG. 2398

POC:
5/8" IRON ROD INSIDE MONUMENT BOX
WEST 1/4 SECTION 14

4-16-2024

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 11, 2023
COREY PACHECO
101863

EXPIRES: 12-31-2024

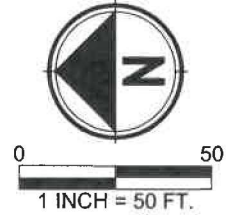


EXHIBIT: B DRWN: CAP CHKD: CAP JOB: 297-5446-002 DATE: APRIL 11, 2024	SEAP CITY PUMP STATION EASEMENT AND NON-EXCLUSIVE UTILITY AND ACCESS EXHIBIT
	150 NW Pacific Park Lane, Suite 110 • Bend, OR 97701 Ph: 541.508.7710
	POC: S1/16 SECTION 14