



Location: City Hall – Council Chambers
Date: September 26, 2023
Time: 6:00 PM

City Council Meeting Agenda

Mayor Jason Beebe, Council Members Steve Uffelman, Janet Hutchison, Shane Howard, Gail Merritt, Scott Smith, Marv Sumner and City Manager Steve Forrester
ATTEND TELEPHONICALLY BY CALLING 346-248-7799 Meeting ID: 947 5839 2608 Passcode: 123456

Call to Order

Flag Salute

Additions to Agenda

Consent Agenda

- [1.](#) Regular Meeting Brief 9-12-2023
- [2.](#) Annual Liquor License Renewals

Visitors, Appearances and Requests

Council Presentations

3. Grant Presentation Update - Caroline Ervin

Council Business

- [4.](#) Intent to Award 5th & Claypool Sewer Relocation Project – Casey Kaiser

Staff Reports and Requests

- [5.](#) City Manager's Report - Steve Forrester

Committee Reports

Ordinances

Resolutions

- [6.](#) Resolution No 1579 - Approving an Easement Agreement with Crook County - Jered Reid
- [7.](#) Resolution No 1580 - Approving an Easement Agreement with Crook County for Prineville Water Resiliency Project - Jered Reid

Visitors, Appearances and Requests

Adjourn

Agenda items maybe added or removed as necessary after publication deadline



CITY OF PRINEVILLE
Regular Meeting Brief
387 NE Third Street – Prineville, OR 97754
541.447.5627 ph 541-447-5628 fax

Full Meeting Recordings Available at:
<http://cityofprineville.com/meetings/>

City Council Meeting Brief
September 12, 2023

Council Members Present:

Shane Howard
Marv Sumner
Jason Beebe

Steve Uffelman
Gail Merritt
Scott Smith

Council Members Absent

Janet Hutchison

Additions to the Agenda

None.

Consent Agenda

1. Regular Meeting Brief 8-22-2023
2. Annual Liquor License Renewals
3. The Patio Tap Room Liquor Application
4. Shearers Beer & Smokes Liquor Application

Councilor Sumner made a motion to approve consent agenda as presented. Motion seconded. No discussion on motion. Motion carried.

Visitors, Appearances and Requests

No one came forward.

Council Presentations

None.

Council Business

5. Reading of a Proclamation – Constitution Week – Mayor Beebe

Mayor Beebe read the proclamation into the record and presented it to Daughter of the American Revolution Member Michelle Douthit.

Ms. Douthit brought a flyer for an upcoming event for Constitution Week. The Crook County Library has a Constitution Week display and then talked about the purpose of their organization.

6. Amendment to Fairmont Area Waterline Project – Casey Kaiser

Casey Kaiser, Public Works Director presented the staff report explaining that they found two significant leaks on the last of the remaining wooden pipes that tie into the Fairmont area project. SMAF is already on site for this project and can replace these lines without additional mobilization charges and complete within the same time frame.

Councilor Uffelman made a motion to approve the amendment for additional work to SMAF Construction LLC for the Fairmont Area Waterline Project. Motion seconded. No discussion on motion. All in favor, motion carried.

Staff Reports and Requests:

7. City Manager’s Report– Steve Forrester

Steve Forrester, City Manager explained he was switching his report up a bit and called Shane Wilson up.

Lt. Wilson provided an update on Public Safety.

Matt Wiederholt provided a Railroad update and talked about the five-year contract with H & S for maintenance. Mr. Wiederholt explained that he usually buys his materials needed for upcoming projects at the end of the year to have on hand. The Railroad went out to bid again in August for another five-year contract and only received one bid from H & S, but they have worked with them for a couple of decades. They had an increase of 25% due to all of their expenses increasing.

Mr. Forester continued with the rest of his report.

Councilor Merritt commented that she was amazed at how clean the bike event people left the Barnes Butte Recreation Area.

There were no questions.

8. Meadow Lakes Project Update – Zach Lampert

Zach Lampert, Golf Professional gave an update on the parking lot project. He explained that if we try to cram it in this late in the year that we may not even get any bids. We are pushing out to the spring to do with some upcoming street paving projects.

Discussions continued regarding night paving not working in a residential area, paving in sections to help minimize impact and hopefully not having to close Meadow Lakes and that it should only be a one-day job.

Committee Reports

Councilor Merritt attended a COIC meeting last week where it focused mostly on COIC’s vision for the future.

Mayor Beebe had a conversation with Councilor Hutchison who said she would like to hear about any of the events that Council also attend during the Committee Reports.

There were no other reports.

Ordinances:

None.

Resolutions

None.

Visitors, Appearances and Requests:

No one came forward.

Adjourn

Councilor Smith made a motion to adjourn the meeting. Motion seconded. No discussion on motion. All in favor, motion carried.

Meeting adjourned at 6:33 P.M.

Motions and Outcomes:

Motion:	Outcome	Beebe	Howard	Hutchison	Merritt	Smith	Sumner	Uffelman
Consent Agenda	PASSED	Y	Y	-	Y	-	Y	Y
Motion to approve the amendment for additional work to SMAF Construction LLC for the Fairmont Area Waterline Project	PASSED	Y	Y	-	Y	Y	Y	Y
Adjourn Meeting	PASSED	Y	Y	-	Y	Y	Y	Y

Public Records Disclosure

Under the Oregon public records law, all meeting information, agenda packets, ordinances, resolutions, audio and meeting briefs are available at the following URL:

<https://www.cityofprineville.com/meetings> .

Annual Liquor License Renewals

Matzatlan Mexican Restaurant

Rite Aid # 5393

Horseshoe Tavern

Sons of Beer

The Wrangler

Ranchero Mexican Restaurant

Dad's Place

Crooked Roots Brewing

The Waterhole Tavern



STAFF REPORT

MEETING DATE: 9/26/2023 **PREPARED BY:** Casey Kaiser
SECTION: Council Business **DEPARTMENT:** Public Works
CITY GOAL: Quality Municipal Services & Programs
SUBJECT: Intent to Award 5th & Claypool Sewer Relocation Project

REASON FOR CONSIDERATION:

Installing 320 lf of sewer line from approximately 520 NW Claypool to 430 NW Claypool.

BACKGROUND:

The City of Prineville received proposals September 19, 2023 for the 5th & Claypool Sewer Relocation Project. The improvements consist of replacing and relocating 320 lineal feet of sewer lines to allow for the construction of a stormwater retention facility for the 3rd Street Project Stormwater Improvements.

We had four responsive bidders on the project.

Taylor Northwest	\$82,980.00
SMAF Construction LLC.	\$83,010.00
J&S General Construction and Excavation	\$90,397.00
Bar Seven A Companies	\$95,715.00

FISCAL IMPACT: See below

RECOMMENDATION:

After reviewing the bid documents and bid bonds, staff recommends Council approve the Intent to Award for the 5th & Claypool Sewer Relocation Project to Taylor Northwest in the amount of **\$82,980.00**

City Manager Update to Council

September 26, 2023

Public Safety / Dispatch

Everyone has been training on the new 9-1-1 system. We are down 4 dispatchers right now and recruiting never stops. The PD tasers are being upgraded and selling the old ones to Crook County which will help pay for the new ones. Have been working with another lateral officer and have 3 potential other candidates. Preparing for the Noise Parade on September 29th.

The annual Faith in Blue main event will be in Pioneer Park on October 7th and will have Public Safety folks there with police cars, fire trucks, etc. and food.

Public Works

Public Works has completed re-painting crosswalks as needed throughout town. The Barnes Butte Recreation Area entrance & parking area has been bladed and rolled.

Baker Technical Institute (BTI) completed 60' of new sidewalk along Fourth Street as part of their class project for the city.

Railroad

Matt has been working on another tenant for the railroad which is a pellet plant. Preparing for some crossings and track projects coming up. The Railroad Committee will be having their fall quarterly meeting in October.

The Railroad has been working on moving 600-700 tons of grain this week.

Meadow Lakes Golf

Meadow Lakes is wrapping up their busy summer with the last couple of league tournaments and the annual Humane Society of the Ochoco's fund raising tournament and auction. They will be aerating and sanding on September 25th.

Airport

The fixed based operator (FBO) contract has been signed and should be taking over October 1st. Kelly has been working with the USFS for an additional 100'x100' hangar to be located at the airport.

Planning

Planning & Public Works has been working with the developers of the Woodgrain mill site to remove the rail access to their site. This will allow for the redesign of Peters Road & Main

Street to go from signals to a roundabout, saving quite a bit of money on the project. The Railroad will also be able to utilize that spur for rail car storage.

Single family housing has slowed significantly. Development is staying strong for industrial development on the grade and commercial on the east side.

Human Resources – Nothing to Report

Information Technology

The Noble 9-1-1 cut over to new system went well and pretty smooth. IT had another round of interviews for their vacancy. One of the candidates is in background and they hope to make an offer to that candidate.

Finance

Finance is gearing up for their annual end of year audit to begin in early October.

City Recorder/Risk Management –No Update

City Legal – No Update

EDCO – No Update

Public Relations

October content is ready to go and ShanRae will be working with Lt. Wilson for coverage regarding the overdose medication grant they received.

Mayor/Council – No Update

Other

The City of Prineville played host on the 15th for the Community Renewable Energy Association's (CREA) tour of city facilities such as the ASR and wastewater treatment plant solar field. Eric & Caroline were on the agenda in the morning with a presentation on the PREP project. It was well attended with over 40 guests from all over the state including a couple of state legislators. Councilor Uffelmann is the Vice-Chair of this organization.

**RESOLUTION NO. 1579
CITY OF PRINEVILLE, OREGON**

**A RESOLUTION APPROVING AN EASEMENT AGREEMENT WITH CROOK
COUNTY**

Whereas, the City of Prineville (“City”) and Crook County (“County”) have negotiated an Easement Agreement (“Easement”) involving approximately 3.64 acres for purposes of public utilities; and

Whereas, the City has previously agreed with the County that a fair market value for easement rights is \$32,000.00 per acre.

Whereas, an Easement Agreement has been prepared by the City, which is attached to this Resolution; and

Whereas, City staff recommends that the attached Easement Agreement be approved by City Council.

Now, Therefore, the City of Prineville resolves as follows:

1. The attached Easement Agreement is approved.
2. The Mayor and City Manager are authorized and instructed to execute on behalf of the City the Easement Agreement.

Approved by the City Council this ____ day of September, 2023.

Stephen P. Uffelman, Council President

ATTEST:

Lisa Morgan, City Recorder

After Recording Return To:
Jered Reid
35 SE C Street
Madras, OR 97741

EASEMENT AGREEMENT
Public Utility Easement

- 1. PARTIES:** Crook County, a political sub-division of the State of Oregon, 300 NE Third Street, Prineville, Oregon 97754, hereinafter referred to as "Grantor." City of Prineville, an Oregon Municipal Corporation, 387 NE Third Street, Prineville, OR 97754, hereinafter referred to as "Grantee."
- 2. AFFECTED PROPERTY:** Grantor is currently the owner of the following described real property (property) located in Crook County, Oregon:

Parcel 1, Partition Plat No. 2019-24, recorded under Instrument 2019-297467, Crook County Clerk's Office (Crook County Survey No. 4380), located within the South half (S1/2) of the Southeast one-quarter (SE1/4) of Section 1, Township 15 South, Range 15 East, Willamette Meridian, Crook County, Oregon.

Parcel 1, Partition Plat 2014-06, recorded under Instrument number 2014-263181, Crook County Clerk's Office (Crook County Survey Number 4033), located in Government Lot 1, (the Northwest one-quarter (NW1/4) of the Northwest one-quarter (NW1/4)) of Section 7, township 15 South, Range 16 East, Willamette Meridian, Oregon.
- 3. GRANT OF EASEMENT:** Grantor does hereby grant unto the Grantee, its successors, and assigns, and Grantee hereby accepts, a Public Utility Easement (PUE) for a portion of Grantor's property as described on Exhibits A and C and depicted on Exhibits B and D, each attached hereto and incorporated herein.
- 4. CONSIDERATION:** Consideration shall consist of One Hundred Sixteen Thousand Four Hundred Eighty and 00/100 Dollars (\$116,480.00) which consists of the entire consideration.
- 5. STATEMENT OF PURPOSE:** The easement described above shall be used to construct and maintain public utilities (utilities), limited to City water, sewer, and storm drainage facilities and for unrestricted ingress and egress to Grantor's property for the purpose of installing, repairing, testing, maintaining, and replacing the utilities and related facilities.
- 6. TYPE OF EASEMENT:** The easement (PUE) described above shall be non-exclusive except Grantee and utilities shall have the exclusive right to construct, install, maintain and operate the utilities, their equipment and all related facilities above and below ground within the PUE including the right of access to such facilities and the right to require the removal of any obstructions including trees and vegetation that may be placed within the PUE at Grantor's expense. Grantor may use the surface of the PUE provided such use does not interfere with Grantee's rights contained in this easement. Grantor shall not permit any other use or utilities to be located in the PUE without the written consent of Grantee. Approved uses within the PUE shall consist of, but are not limited to, landscaping, paved driveway or parking areas, trails, paths, sidewalks or other uses that will not affect the ability of the City or utilities to access the PUE. Prohibited uses shall consist of, but are not limited to, permanent structures, buildings, or any other obstruction, excavation or alteration of the PUE. The PUE shall perpetually encumber the property.
- 7. MAINTENANCE:** Grantee and utilities shall be responsible for the maintenance of the utilities and related facilities located within the PUE. Grantor shall be responsible for landscape and surface maintenance within the easement. Grantee's use of the easement shall not unreasonably interfere with Grantor's use of its property.

8. **INDEMNIFICATION:** The Grantee does hereby agree to defend, hold harmless, and indemnify Grantor, its successors and assigns, from any claim of liability or any other claim involving the utilities, or arising out of the Grantee's use of the easement described above, unless caused by Grantor's negligent or willful conduct or Grantor's failure to fulfill its maintenance obligations as set forth in Paragraph 7 above.

9. **REMEDIES:** In addition to all other remedies allowed by law, the parties, their successors and assigns, shall have the right to seek injunctive relief for the enforcement of the terms and conditions of this agreement.

10. **BINDING EFFECT ON SUCCESSOR INTERESTS:** The terms, conditions and provisions of this agreement shall extend to, be binding upon and inure to the benefit of the heirs, personal representatives and assigns of the parties.

11. **ATTORNEY FEES:** In case suit or action is instituted in connection with this agreement, the prevailing party shall be entitled to recover from the losing party such sums as the court may adjudge reasonable as attorney fees and costs in such suit or action, or upon appeal.

GRANTOR:

Crook County
By Seth Crawford
Its County Judge

Crook County
By Brian Barney
Its Commissioner

Crook County
By Jerry Brummer
Its Commissioner

STATE OF OREGON)
) ss.
County of Crook)

Personally appeared the above-named **Seth Crawford, County Judge, Brian Barney, Commissioner, and Jerry Brummer, Commissioner**, for Crook County and acknowledged the foregoing instrument to be their voluntary act and deed on behalf of Crook County this ____ day of _____, 2023.

Notary Public for Oregon
My Commission Expires: _____

GRANTEE:

CITY OF PRINEVILLE
By Rodney J. Beebe
Its Mayor

CITY OF PRINEVILLE
By Steve Forrester
Its City Manager

STATE OF OREGON)
) ss.
County of Crook)

Personally appeared before me this ____ day of _____, 2023, Rodney J. Beebe, Mayor of the City of Prineville, and Steve Forrester, City Manager of the City of Prineville, and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon
My Commission Expires: _____

STATE OF OREGON)
) ss.
County of Crook)

Personally appeared before me this ____ day of _____, 2023, Rodney J. Beebe, Mayor of the City of Prineville, and Steve Forrester, City Manager of the City of Prineville, and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon
My Commission Expires: _____

EXHIBIT *A*

**TAX LOT 15S16E07 0000100
CROOK COUNTY**

UTILITY AND ACCESS EASEMENT

A 90-FOOT STRIP OF LAND BEING A PORTION OF PARCEL 1, PARTITION PLAT 2014-06, RECORDED UNDER INSTRUMENT NUMBER 2014-263181, CROOK COUNTY CLERK'S OFFICE (CROOK COUNTY SURVEY NUMBER 4033), LOCATED IN GOVERNMENT LOT 1, (THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4)) OF SECTION 7, TOWNSHIP 15 SOUTH, RANGE 16 EAST, WILLAMETTE MERIDIAN, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 1 AND BEING THE NORTHWEST CORNER OF SAID SECTION 7; THENCE ALONG THE WEST LINE OF SAID SECTION 7, BEING COINCIDENT WITH THE WEST LINE OF SAID GOVERNMENT LOT 1, SOUTH 00°54'29" WEST 26.77 FEET TO THE POINT OF BEGINNING:

THENCE LEAVING SAID WEST LINE OF SECTION 7 SOUTH 38°32'13" EAST 236.09 FEET TO A POINT ON A LINE PARALLEL WITH AND 150.00 FEET EAST OF THE WEST LINE OF SAID SECTION 7;
THENCE SOUTH 00°54'29" WEST ALONG SAID PARALLEL LINE 1110.49 FEET TO THE SOUTH LINE OF GOVERNMENT LOT 1;
THENCE ALONG SAID SOUTH LINE OF GOVERNMENT LOT 1 SOUTH 89°41'47" WEST 90.02 FEET TO A POINT ON A LINE PARALLEL WITH AND 60.00 FEET EAST OF SAID WEST LINE OF SAID SECTION 7;
THENCE LEAVING SAID SOUTH LINE OF SAID GOVERNMENT LOT 1 NORTH 00°54'29" EAST ALONG SAID PARALLEL LINE 1088.00 FEET;
THENCE NORTH 38°32'13" WEST 94.44 FEET TO THE WEST LINE OF SAID SECTION 7;
THENCE ALONG THE WEST LINE OF SAID SECTION 7 NORTH 00°54'29" EAST 133.79 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 2.59 ACRES (112,980 SQUARE FEET), MORE OR LESS.

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

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Christopher J. D'Orazio

Digitally signed by
Christopher J. D'Orazio
Date: 2023.02.17
15:28:26 -0800

OREGON
MARCH 8, 2022
CHRISTOPHER J. D'ORAZIO
98905
RENEWS: 12-31-2023

EXHIBIT 12

TAX LOT 100
TAX MAP 15S16E07
CROOK COUNTY
PORTION OF PP NO. 2014-06

TAX LOT 4600
TAX MAP 15S16E06C
CROSS RYAN LIVING TRUST
BARGAIN AND SALE DEED
INST NO. 2014-262599

NW 1/4 NW 1/4 SEC 7
GOVERNMENT LOT 1
PARCEL 1
PP NO. 2014-06

TAX LOT 100
TAX MAP 15S16E07
CROOK COUNTY

TAX LOT 102
TAX MAP 15S16E07
CROOK COUNTY
GOVERNMENT LOT 2
PP NO. 2014-06

UTILITY AND
ACCESS EASEMENT. AREA=112,980 ± S.F. (2.59 ± ACRES)
EASEMENT POINT OF COMMENCEMENT
EASEMENT POINT OF BEGINNING
CROOK COUNTY PARTITION PLAT
NUMBER
RECORD NUMBER PER CROOK
COUNTY CLERK'S OFFICE
RIGHT-OF-WAY

TAX LOT 315
TAX MAP 15S15E
CROOK COUNTY
PP NO. 2019-24

TAX LOT 312
TAX MAP 15S15E
APPLE INC.
PARCEL 1
PP NO. 2013-05

S88°20'33"E 2666.23'

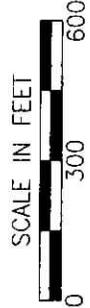
LINE NO.	DIRECTION	LENGTH
L1	S00°54'29"W	26.77'
L2	S38°32'13"E	236.09'
L3	S88°41'47"W	90.02'
L4	N38°32'13"W	94.44'
L5	N00°54'29"E	133.79'

90.00' UTILITY & ACCESS
EASEMENT
112,980 ± S.F. (2.59 ACRES)

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Christopher J. D'Orazio
-08100
Digitally signed by Christopher J. D'Orazio
Date: 2023.02.17 15:15:15 -08'00'

OREGON
MARCH 8, 2022
CHRISTOPHER J. D'ORAZIO
98805

RENEWS: 12-31-2023



DRAWING NO.
1 OF 1
DWG NAME
B27390017V-BA OFF SITE EA
JANUARY 17, 2023

PROJECT NAME
EASEMENT EXHIBIT MAP
A PORTION OF THE NORTHWEST (NW 1/4) OF
THE NORTHWEST ONE-QUARTER (NW 1/4) OF
SECTION 7, TOWNSHIP 15 SOUTH, RANGE 16
EAST, W.M., CROOK COUNTY, OREGON

Parametrix
ENGINEERING · PLANNING · ENVIRONMENTAL SCIENCES
150 NW PACIFIC PARK LANE, SUITE 110 | BEND, OR 97702
P.541.508.7710
WWW.PARAMETRIX.COM

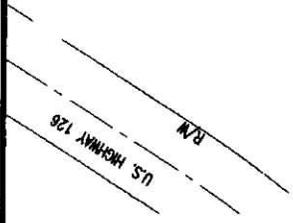


EXHIBIT C

**TAX LOT 15S15E 00000315
CROOK COUNTY**

UTILITY AND ACCESS EASEMENT NO. 1

A TRACT OF LAND, BEING A PORTION OF UNSURVEYED PARCEL 1, PARTITION PLAT NO. 2019-24, RECORDED UNDER INSTRUMENT 2019-297467, CROOK COUNTY CLERK'S OFFICE, (CROOK COUNTY SURVEY NO. 4380), LOCATED WITHIN THE SOUTH HALF (S 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 1, TOWNSHIP 15 SOUTH, RANGE 15 EAST, WILLAMETTE MERIDIAN, CROOK COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 1;
THENCE NORTH 89°20'33" WEST ALONG THE SOUTH LINE OF SAID UNSURVEYED PARCEL 1, BEING COINCIDENT WITH SAID SOUTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 131.62 FEET;
THENCE NORTH 38°32'13" WEST, A DISTANCE OF 103.19 FEET;
THENCE SOUTH 89°21'05" EAST A DISTANCE OF 196.47 FEET TO THE EAST LINE OF SAID SECTION 1;
THENCE SOUTH 00°23'51" EAST ALONG SAID EAST LINE, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING.

THIS DESCRIPTION CONTAINS 0.30 ACRES (13,122 SQUARE FEET), 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 NO. 2

A 50-FOOT WIDE STRIP OF LAND, BEING A PORTION OF UNSURVEYED PARCEL 1, PARTITION PLAT NO. 2019-24, RECORDED UNDER INSTRUMENT 2019-297467, CROOK COUNTY CLERK'S OFFICE, (CROOK COUNTY SURVEY NO. 4380), LOCATED WITHIN THE SOUTH HALF (S 1/2) OF SECTION 1, TOWNSHIP 15 SOUTH, RANGE 15 EAST, WILLAMETTE MERIDIAN, CROOK COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 1;
THENCE NORTH 89°20'33" WEST ALONG THE SOUTH LINE OF SAID UNSURVEYED PARCEL 1, BEING COINCIDENT WITH SAID SOUTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 2368.66 FEET;
THENCE NORTH 00°39'27" EAST, A DISTANCE OF 124.64 FEET TO THE POINT OF BEGINNING:

Page 1 of 2

THENCE NORTH 00°00'41" WEST, A DISTANCE OF 41.59 FEET;
THENCE NORTH 57°00'45" WEST, A DISTANCE OF 390.36 FEET;
THENCE NORTH 11°44'55" WEST, A DISTANCE OF 210.02 FEET;
THENCE NORTH 58°10'57" WEST, A DISTANCE OF 45.90 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY OF HIGHWAY 126;
THENCE SOUTH 32°21'29" WEST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 50.00 FEET;
THENCE SOUTH 58°10'57" EAST, A DISTANCE OF 24.92 FEET;
THENCE SOUTH 11°44'55" EAST, A DISTANCE OF 209.42 FEET;
THENCE SOUTH 57°00'45" EAST, A DISTANCE OF 407.80 FEET;
THENCE SOUTH 87°08'35" EAST, A DISTANCE OF 30.13 FEET TO THE POINT OF BEGINNING.

THIS DESCRIPTION CONTAINS 0.75 ACRES (32,836 SQUARE FEET), MORE OR LESS.

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

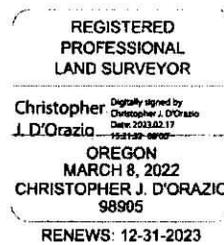


EXHIBIT D

TAX LOT 315
 TAX MAP 15S15E
 CROOK COUNTY
 PARCEL 1 OF PP NO. 2019-24

UTILITY AND ACCESS EASEMENT NUMBER 1. AREA=13,122 ± S.F. (0.30 ± ACRES)
 UTILITY AND ACCESS EASEMENT NUMBER 2. AREA=32,836 ± S.F. (0.75 ± ACRES)
 EASEMENT POINT OF COMMENCEMENT
 EASEMENT POINT OF BEGINNING
 CROOK COUNTY PARTITION PLAT NUMBER
 RECORD NUMBER PER CROOK COUNTY CLERK'S OFFICE
 RIGHT-OF-WAY

SE 1/4 SEC. 1

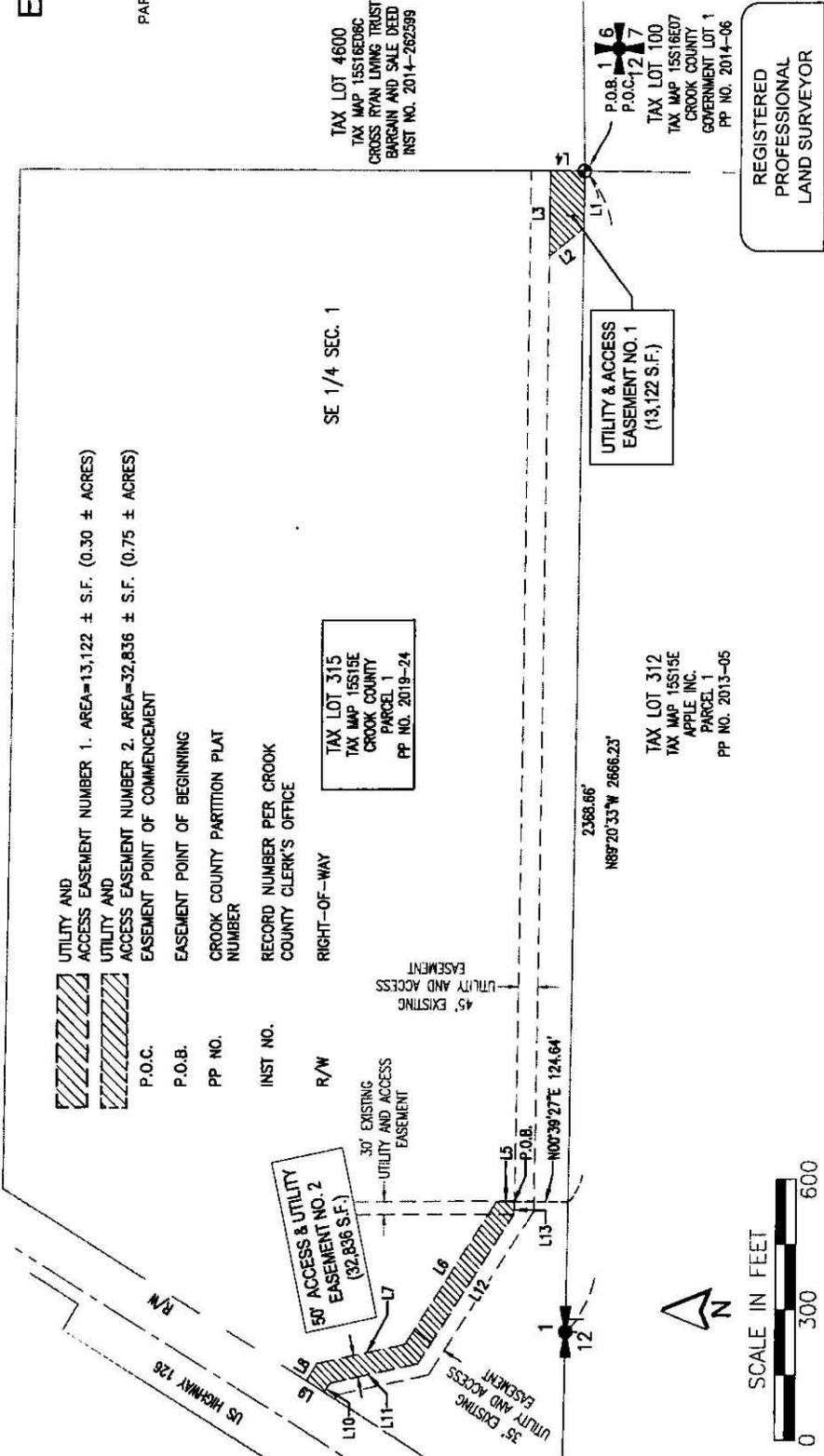
TAX LOT 315
 TAX MAP 15S15E
 CROOK COUNTY
 PARCEL 1
 PP NO. 2019-24

TAX LOT 4600
 TAX MAP 15S16E06C
 CROSS RYAN LIVING TRUST
 BARGAIN AND SALE DEED
 INST NO. 2014-262599

TAX LOT 312
 TAX MAP 15S15E
 APPLE INC.
 PARCEL 1
 PP NO. 2013-05

TAX LOT 100
 TAX MAP 15S16E07
 CROOK COUNTY
 GOVERNMENT LOT 1
 PP NO. 2014-06

LINE NO.	DIRECTION	LENGTH
L1	N89°20'33"W	131.62'
L2	N36°32'13"W	103.19'
L3	S89°21'05"E	196.47'
L4	S00°23'51"W	80.00'
L5	N00°00'41"W	41.59'
L6	N57°00'45"W	390.36'
L7	N11°44'55"W	210.02'
L8	N58°10'57"W	45.90'
L9	S32°21'29"W	50.00'
L10	S58°10'57"E	24.92'
L11	S11°44'55"E	209.42'
L12	S57°00'45"E	407.80'
L13	S87°08'35"E	30.13'



REGISTERED PROFESSIONAL LAND SURVEYOR
 Christopher J. D'Orazio
 Oregon State Board of Professional Land Surveyors
 License No. 171251-12
 MARCH 8, 2022
 CHRISTOPHER J. D'ORAZIO
 98905
 RENEWS: 12-31-2023

PROJECT NAME
EASEMENT EXHIBIT MAP
 A PORTION OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 1, TOWNSHIP 15 SOUTH, RANGE 15 EAST, W.M., CROOK COUNTY, OREGON

DRAWING NO
 1 OF 1
 DWG NAME
 BE7390017V-BK OFF SITE EA
 FEBRUARY 16, 2023

Parametrix
 ENGINEERING · PLANNING · ENVIRONMENTAL SCIENCES
 150 NW PACIFIC PARK LANE, SUITE 110 | BEND, OR 97702
 P 541.508.7710
 WWW.PARAMETRIX.COM

**RESOLUTION NO. 1580
CITY OF PRINEVILLE, OREGON**

**A RESOLUTION APPROVING AN EASEMENT AGREEMENT WITH CROOK
COUNTY FOR PRINEVILLE WATER RESILIENCY PROJECT**

Whereas, the City of Prineville (“City”) and Crook County (“County”) have negotiated an Easement Agreement (“Easement”) involving approximately 10.3 acres for purposes of Prineville Water Resiliency Project; and

Whereas, the City has previously agreed with the County that a fair market value for easement rights is \$32,000.00 per acre.

Whereas, an Easement Agreement has been prepared by the City, which is attached to this Resolution; and

Whereas, City staff recommends that the attached Easement Agreement be approved by City Council.

Now, Therefore, the City of Prineville resolves as follows:

1. The attached Easement Agreement is approved.
2. The Mayor and City Manager are authorized and instructed to execute on behalf of the City the Easement Agreement.

Approved by the City Council this ____ day of September, 2023.

Stephen P. Uffelman, Council President

ATTEST:

Lisa Morgan, City Recorder

After Recording Return To:
Jered Reid
35 SE C Street
Madras, OR 97741

EASEMENT AGREEMENT
Public Utility Easement

1. **PARTIES:** **Crook County**, a political sub-division of the State of Oregon, 300 NE Third Street, Prineville, Oregon 97754, hereinafter referred to as "Grantor." **City of Prineville**, an Oregon Municipal Corporation, 387 NE Third Street, Prineville, OR 97754, hereinafter referred to as "Grantee."
2. **AFFECTED PROPERTY:** Grantor is currently the owner of the following described real property (property) located in Crook County, Oregon:

Parcel 2, Partition Plat Number 2019-24, recorded as Instrument Number 2019-297467, Crook County, Crook County Clerk's Office, located in the South Half of Section 11, Township 15 South, Range 15 East, Willamette Meriden, Crook County, Oregon.

Parcel 3, Partition Plat Number 2021-13, recorded as Instrument Number 2021-308487, Crook County, Crook County Clerk's Office, located in the Southeast Quarter of the Southeast Quarter of Section 10 and in the Southwest Quarter of Section 11, both in Township 15 South, Range 15 East, Willamette Meridian, Crook County, Oregon.
3. **GRANT OF EASEMENT:** Grantor does hereby grant unto the Grantee, its successors, and assigns, and Grantee hereby accepts, a Public Utility Easement (PUE) for a portion of Grantor's property as described on Exhibits A and B and depicted on Exhibits C and D, each attached hereto and incorporated herein.
4. **GRANT OF TEMPORARY CONSTRUCTION EASEMENT.** Grantor hereby grants to Grantee a temporary construction easement (hereinafter referred to as "Temporary Construction Easement") on a portion of Grantor's property described on Exhibit E and F, attached hereto and incorporated herein, for the staging, construction, and building a water pipeline for a time period not to exceed three (3) years from the execution of this Agreement or until the completion of the construction of the pipeline, whichever shall first occur.
5. **CONSIDERATION:** Consideration shall consist of THREE HUNDRED TWENTY-NINE THOUSAND SIX-HUNDRED SIXTY-FOUR and 00/100 Dollars (\$329,664.00) which consists of the entire consideration.
6. **STATEMENT OF PURPOSE:** The easement described above shall be used to construct and maintain public utilities (utilities), limited to City water facilities and for unrestricted ingress and egress to Grantor's property for the purpose of installing, repairing, testing, maintaining, and replacing the utilities and related facilities.
7. **TYPE OF EASEMENT:** The easement (PUE) described above shall be non-exclusive except Grantee and utilities shall have the exclusive right to construct, install, maintain and operate the utilities, their equipment and all related facilities above and below ground within the PUE including the right of access to such facilities and the right to require the removal of any obstructions including trees and vegetation that may be placed within the PUE at Grantor's expense. Grantor may use the surface of the PUE provided such use does not interfere with Grantee's rights contained in this easement. Grantor shall not permit any other use or utilities to be located in the PUE without the written consent of Grantee. Approved uses within the PUE shall consist of, but are not limited to, landscaping, paved driveway or parking areas, trails, paths, sidewalks or other uses that will not affect the ability of the City or utilities to access the PUE. Prohibited uses shall consist of, but are not limited to, permanent structures, buildings, or any other obstruction, excavation or alteration of the PUE. The PUE shall perpetually encumber the property.

8. **MAINTENANCE:** Grantee and utilities shall be responsible for the maintenance of the utilities and related facilities located within the PUE. Grantor shall be responsible for landscape and surface maintenance within the easement. Grantee's use of the easement shall not unreasonably interfere with Grantor's use of its property.

9. **INDEMNIFICATION:** The Grantee does hereby agree to defend, hold harmless, and indemnify Grantor, its successors and assigns, from any claim of liability or any other claim involving the utilities, or arising out of the Grantee's use of the easement described above, unless caused by Grantor's negligent or willful conduct or Grantor's failure to fulfill its maintenance obligations as set forth in Paragraph 7 above.

10. **REMEDIES:** In addition to all other remedies allowed by law, the parties, their successors and assigns, shall have the right to seek injunctive relief for the enforcement of the terms and conditions of this agreement.

11. **BINDING EFFECT ON SUCCESSOR INTERESTS:** The terms, conditions and provisions of this agreement shall extend to, be binding upon and inure to the benefit of the heirs, personal representatives and assigns of the parties.

12. **ATTORNEY FEES:** In case suit or action is instituted in connection with this agreement, the prevailing party shall be entitled to recover from the losing party such sums as the court may adjudge reasonable as attorney fees and costs in such suit or action, or upon appeal.

GRANTOR:

Crook County
By Seth Crawford
Its County Judge

Crook County
By Brian Barney
Its Commissioner

Crook County
By Jerry Brummer
Its Commissioner

STATE OF OREGON)
) ss.
County of Crook)

Personally appeared the above-named **Seth Crawford, County Judge, Brian Barney, Commissioner, and Jerry Brummer, Commissioner**, for Crook County and acknowledged the foregoing instrument to be their voluntary act and deed on behalf of Crook County this _____ day of _____, 2023.

Notary Public for Oregon
My Commission Expires: _____

GRANTEE:

CITY OF PRINEVILLE
By Rodney J. Beebe
Its Mayor

CITY OF PRINEVILLE
By Steve Forrester
Its City Manager

STATE OF OREGON)
) ss.
County of Crook)

Personally appeared before me this ____ day of _____, 2023, Rodney J. Beebe, Mayor of the City of Prineville, and Steve Forrester, City Manager of the City of Prineville, and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon
My Commission Expires: _____

STATE OF OREGON)
) ss.
County of Crook)

Personally appeared before me this ____ day of _____, 2023, Rodney J. Beebe, Mayor of the City of Prineville, and Steve Forrester, City Manager of the City of Prineville, and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon
My Commission Expires: _____

EXHIBIT A

**TAX MAP 15S 15E
TAX LOT 316
CROOK COUNTY**

WELL EASEMENT AREA DESCRIPTION

A STRIP OF LAND, BEING A PORTION OF UNSURVEYED PARCEL 2, PARTITION PLAT NUMBER 2019-24, RECORDED AS INSTRUMENT NUMBER 2019-297467, CROOK COUNTY RECORDING OFFICE, LOCATED IN THE SOUTH HALF OF SECTION 11, TOWNSHIP 15 SOUTH, RANGE 15 EAST, WILLAMETTE MERIDIAN, CROOK COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 11, BEING MARKED BY A 2-1/2" BRASS CAP, LYING SOUTH 89°53'11" EAST 2647.87 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION; THENCE ALONG THE SOUTH LINE OF SAID SECTION 11 NORTH 89°53'11" WEST 1867.76 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE (BEING 100.00 FEET FROM CENTER) OF U.S. HIGHWAY NUMBER 26; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 50°43'07" EAST 2074.99 FEET TO THE POINT OF BEGINNING:

THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 39°16'53" EAST 220.00 FEET; THENCE PARALLEL WITH AND 220.00 FEET SOUTHERLY OF SAID EASTERLY RIGHT-OF-WAY LINE NORTH 50°43'07" EAST 1501.17 FEET; THENCE NORTH 83°25'16" EAST 149.93 FEET TO THE WESTERLY RIGHT-OF-WAY OF GEORGE MILLICAN ROAD; THENCE NORTH 31°56'40" WEST ALONG SAID RIGHT-OF-WAY 293.54 FEET TO THE INTERSECTION WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NUMBER 26; THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE ALONG A CURVE TO LEFT HAVING A RADIUS OF 1329.89 FEET, A CENTRAL ANGLE OF 03°01'13" AND A CHORD BEARING OF SOUTH 55°14'38" WEST 70.10 FEET, FOR AN ARC DISTANCE OF 70.10 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 36°15'58" WEST 2.50 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1332.39 FEET, A CENTRAL ANGLE OF 01°30'27" AND A CHORD BEARING OF SOUTH 52°58'48" WEST 35.06 FEET, FOR AN ARC DISTANCE OF 35.06 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 50°43'07" WEST 1524.99 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 8.47 ACRES, MORE OR LESS.

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

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Christopher J. D'Orazio
Digitally signed by Christopher J. D'Orazio
Date: 2023.08.11 13:00:45 -0700
OREGON
MARCH 8, 2022
CHRISTOPHER J. D'ORAZIO
98905

UTILITY EASEMENT DESCRIPTION

A 40-FOOT WIDE STRIP OF LAND, BEING A PORTION OF UNSURVEYED PARCEL 2, PARTITION PLAT NUMBER 2019-24, RECORDED AS INSTRUMENT NUMBER 2019-297467, CROOK COUNTY RECORDING OFFICE, LOCATED IN THE SOUTH HALF OF SECTION 11, TOWNSHIP 15 SOUTH, RANGE 15 EAST, WILLAMETTE MERIDIAN, CROOK COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 11, BEING MARKED BY A 2-1/2" BRASS CAP, LYING SOUTH 89°53'11" EAST 2647.87 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION; THENCE ALONG THE SOUTH LINE OF SAID SECTION 11 NORTH 89°53'11" WEST 1867.76 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE (BEING 100.00 FEET FROM CENTER) OF U.S. HIGHWAY NUMBER 26; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 50°43'07" EAST 1181.59 FEET TO THE POINT OF BEGINNING:

THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 39°16'53" EAST 40.00 FEET; THENCE PARALLEL WITH AND 40.00 FEET SOUTHERLY OF SAID EASTERLY RIGHT-OF-WAY LINE NORTH 50°43'07" EAST 893.40 FEET; THENCE NORTH 39°16'53" WEST 40.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NUMBER 26; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 50°43'07" WEST 893.40 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 0.82 ACRES, MORE OR LESS.

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

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Christopher J. D'Orazio Digitally signed by Christopher J. D'Orazio
Date: 2023.08.11 13:03:34 -0700

OREGON
MARCH 8, 2022
CHRISTOPHER J. D'ORAZIO
98905

RENEWS: 12-31-2023

EXHIBIT B

**TAX MAP 15S 15E
TAX LOT 0300
CROOK COUNTY**

EASEMENT DESCRIPTION

A TRACT OF LAND BEING A 14-FOOT WIDE STRIP OF LAND BEING A PORTION OF UNSURVEYED PARCEL 3, PARTITION PLAT NUMBER 2021-13, RECORDED AS INSTRUMENT NUMBER 2021-308487, CROOK COUNTY CLERK'S OFFICE (CROOK COUNTY SURVEY NUMBER 4479), LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10 AND IN THE SOUTHWEST QUARTER OF SECTION 11, BOTH IN TOWNSHIP 15 SOUTH, RANGE 15 EAST, WILLAMETTE MERIDIAN, CROOK COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 10, BEING COINCIDENT WITH THE SOUTHWEST CORNER OF SAID SECTION 11 FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 10 BEARS NORTH 88°55'51" WEST 2626.22 FEET; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, NORTH 88°55'51" WEST 1313.11 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 10; THENCE ALONG THE EAST ONE-SIXTEENTH LINE OF SAID SECTION 10, NORTH 00°45'28" EAST 137.28 FEET TO A POINT ON THE NORTHERLY LINE OF THAT 20-FOOT WIDE EASEMENT AS DESCRIBED IN INSTRUMENT 1996-126419, RECORDS OF CROOK COUNTY CLERK, BEING COINCIDENT WITH THE NORTHERLY LINE OF THAT 20-FOOT WIDE EASEMENT AS DESCRIBED IN INSTRUMENT 1999-151052, AND TO THE POINT OF BEGINNING:

THENCE NORTH 74°14'55" EAST ALONG THE NORTHERLY LINE OF SAID 20-FOOT WIDE EASEMENTS 2943.99 FEET; THENCE SOUTH 44°44'02" EAST 100.04 FEET TO THE NORTHERLY RIGHT-OF-WAY OF OCHOCO HIGHWAY-U.S. HWY 126; THENCE ALONG SAID RIGHT-OF-WAY NORTH 55°30'16" EAST 30.49 FEET TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF THAT CITY OF PRINEVILLE EASEMENT AS DESCRIBED IN INSTRUMENT 2012-255245, RECORDS OF CROOK COUNTY CLERK; THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG SAID SOUTHWESTERLY EASEMENT LINE NORTH 44°44'02" WEST 95.23 FEET TO A POINT BEING PERPENDICULAR AND 14.00 FEET NORTH OF SAID 20-FOOT WIDE EASEMENTS, INSTRUMENTS 1996-126419 AND 1999-151052; THENCE SOUTH 74°14'55" WEST PARALLEL TO AND 14 FEET NORTHERLY OF SAID 20-FOOT WIDE EASEMENTS 2921.60 FEET TO THE EAST ONE-SIXTEENTH LINE OF SAID SECTION 10; THENCE SOUTH 00°45'28" WEST 14.60 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 1.01 ACRES, MORE OR LESS.

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

LEGEND:



WELL EASEMENT AREA 369,024 S.F. (8.47 ACRES)

UTILITY EASEMENT 35,736 S.F. (0.82 ACRES)

TEMPORARY CONSTRUCTION EASEMENT (T.C.E.) 28,390 S.F. (0.65 ACRES)

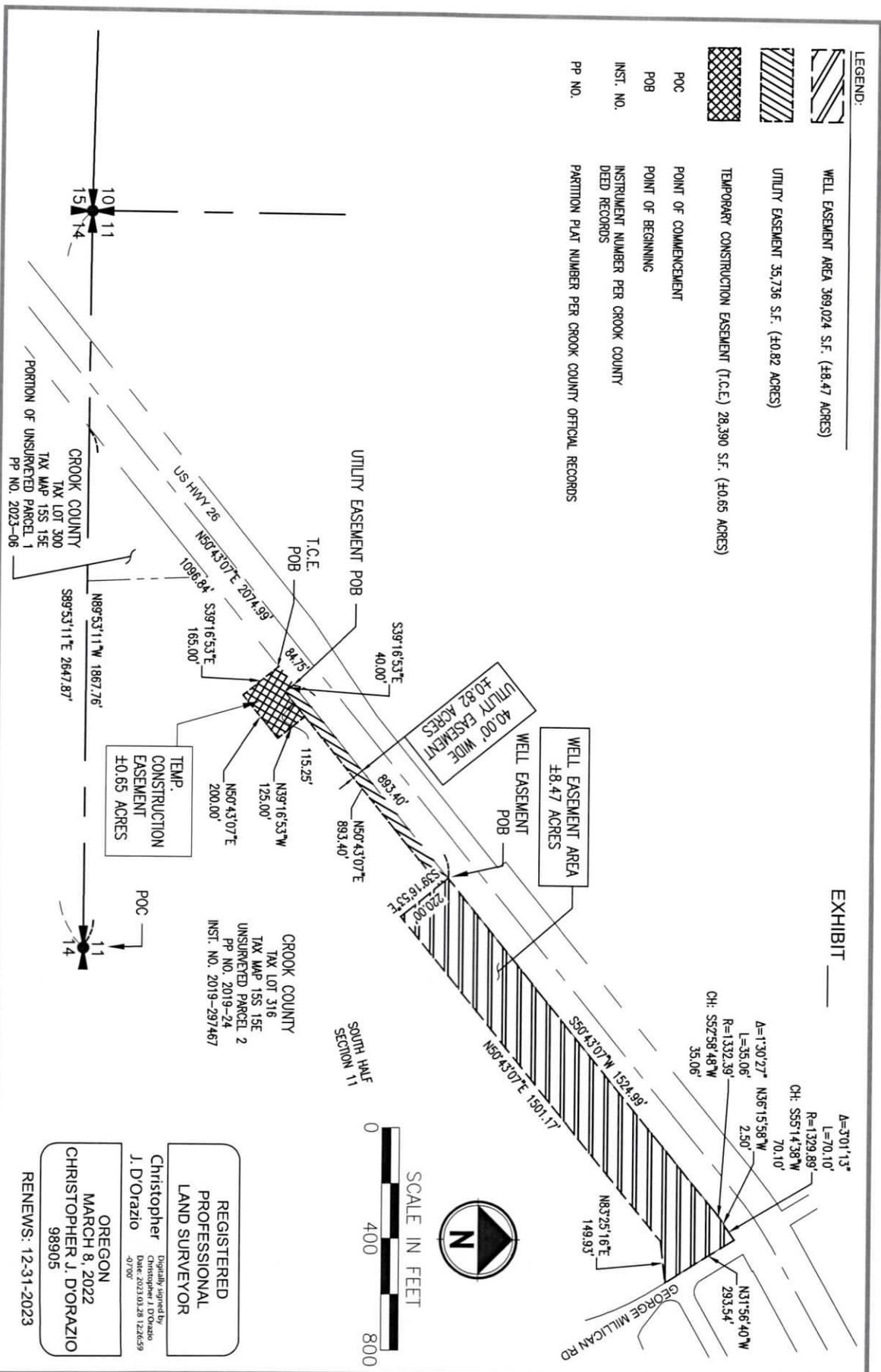
POC POINT OF COMMENCEMENT

POB POINT OF BEGINNING

INST. NO. INSTRUMENT NUMBER PER CROOK COUNTY DEED RECORDS

PP NO. PARTITION PLAT NUMBER PER CROOK COUNTY OFFICIAL RECORDS

EXHIBIT



REGISTERED PROFESSIONAL LAND SURVEYOR

Digitally signed by Christopher J. Dorazio Date: 2023.03.28 12:26:59 -0700

OREGON MARCH 8, 2022 CHRISTOPHER J. DORAZIO 98905

RENEWS: 12-31-2023

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

150 NW PACIFIC PARK LANE, SUITE 110 | BEND, OR 97702
P 541.508.7710
WWW.PARAMETRIX.COM

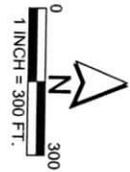
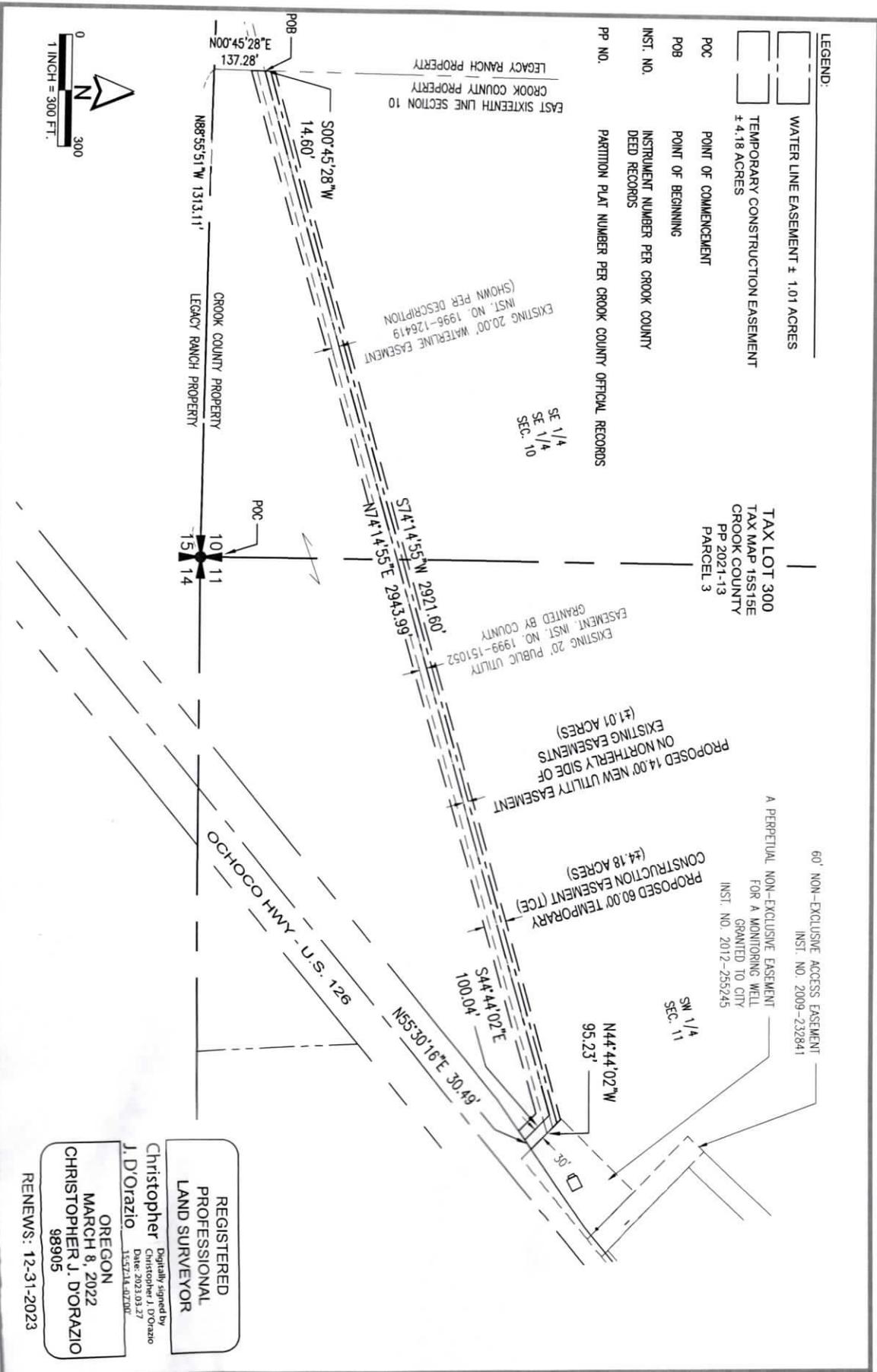
PROJECT NAME
EASEMENT EXHIBIT MAP

A PORTION OF PARCEL 2, PARTITION PLAT NO. 2019-24, SECTION 11, TOWNSHIP 15 SOUTH, RANGE 15 EAST, W.M., CROOK COUNTY, OREGON

DRAWING NO.
1 OF 1

DWG NAME
LAYOUT: WTR1 20230320

DATE
3/28/2023



LEGEND:

- WATER LINE EASEMENT ± 1.01 ACRES
- TEMPORARY CONSTRUCTION EASEMENT ± 4.18 ACRES
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- INSTRUMENT NUMBER PER CROOK COUNTY DEED RECORDS
- PARTITION PLAT NUMBER PER CROOK COUNTY OFFICIAL RECORDS

TAX LOT 300
TAX MAP 15S15E
CROOK COUNTY
PP 2021-13
PARCEL 3

60' NON-EXCLUSIVE ACCESS EASEMENT
INST. NO. 2009-232841

A PERPETUAL NON-EXCLUSIVE EASEMENT
FOR A MONITORING WELL
GRANTED TO CITY
INST. NO. 2012-255245

PROPOSED 80.00' TEMPORARY
CONSTRUCTION EASEMENT (TCE)
(±4.18 ACRES)

PROPOSED 14.00' NEW UTILITY EASEMENT
ON NORTHERLY SIDE OF
EXISTING EASEMENTS
(±1.01 ACRES)

EXISTING 20.00' WATERLINE EASEMENT
(SHOWN PER DESCRIPTION
INST. NO. 1996-126419)

EXISTING 20' PUBLIC UTILITY
EASEMENT, INST. NO. 1999-151052
GRANTED BY COUNTY

SE 1/4
SE 1/4
SEC. 10

SW 1/4
SEC. 11

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Christopher J. D'Orazio
Digitally signed by Christopher J. D'Orazio
Date: 2023.03.27 15:57:14 -0700
OREGON
MARCH 8, 2022
CHRISTOPHER J. DORAZIO
98905
RENEWS: 12-31-2023

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES
150 NW PACIFIC PARK LANE, SUITE 110 | BEND, OR 97702
P 541.508.7710
WWW.PARAMETRIX.COM

PROJECT NAME
CITY OF PRINEVILLE EASEMENT EXHIBIT
A PORTION OF UNSURVEYED PARCEL 3, PARTITION
PLAT NO. 2021-13, SECTIONS 10 AND 11 TOWNSHIP 15
SOUTH, RANGE 15 EAST, W.M., CROOK COUNTY,
OREGON

DRAWING NO.
1 OF 1
DWG NAME
SV-7875-015-EA
DATE LAYOUT: WIR2
03/27/2023

EXHIBIT **D**
PAGE **1** OF **1**

TEMPORARY CONSTRUCTION EASEMENT (T.C.E.) DESCRIPTION

A TRACT OF LAND, BEING A PORTION OF UNSURVEYED PARCEL 2, PARTITION PLAT NUMBER 2019-24, RECORDED AS INSTRUMENT NUMBER 2019-297467, CROOK COUNTY RECORDING OFFICE, LOCATED IN THE SOUTH HALF OF SECTION 11, TOWNSHIP 15 SOUTH, RANGE 15 EAST, WILLAMETTE MERIDIAN, CROOK COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 11, BEING MARKED BY A 2-1/2" BRASS CAP, LYING SOUTH 89°53'11" EAST 2647.87 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION; THENCE ALONG THE SOUTH LINE OF SAID SECTION 11 NORTH 89°53'11" WEST 1867.76 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE (BEING 100.00 FEET FROM CENTER) OF U.S. HIGHWAY NUMBER 26; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 50°43'07" EAST 1096.84 FEET TO THE POINT OF BEGINNING:

THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 39°16'53" EAST 165.00 FEET; THENCE PARALLEL WITH AND 165.00 FEET SOUTHERLY OF SAID EASTERLY RIGHT-OF-WAY LINE NORTH 50°43'07" EAST 200.00 FEET; THENCE NORTH 39°16'53" WEST 125.00 FEET; THENCE PARALLEL WITH AND 40.00 SOUTHERLY OF SAID EASTERLY RIGHT-OF-WAY SOUTH 50°43'07" WEST 115.25 FEET; THENCE NORTH 39°16'53" WEST 40.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NUMBER 26; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 50°43'07" WEST 84.75 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 0.65 ACRES, MORE OR LESS.

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

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Christopher J. D'Orazio Digitally signed by Christopher J. D'Orazio
Date: 2023.08.11 13:05:50 -07'00'

OREGON
MARCH 8, 2022
CHRISTOPHER J. D'ORAZIO
98905

RENEWS: 12-31-2023

TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND BEING A 60-FOOT WIDE STRIP OF LAND BEING A PORTION OF UNSURVEYED PARCEL 3, PARTITION PLAT NUMBER 2021-13, RECORDED AS INSTRUMENT NUMBER 2021-308487, CROOK COUNTY CLERK'S OFFICE (CROOK COUNTY SURVEY NUMBER 4479), LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10 AND IN THE SOUTHWEST QUARTER OF SECTION 11, BOTH IN TOWNSHIP 15 SOUTH, RANGE 15 EAST, WILLAMETTE MERIDIAN, CROOK COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 10, BEING COINCIDENT WITH THE SOUTHWEST CORNER OF SAID SECTION 11 FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 10 BEARS NORTH 88°55'51" WEST 2626.22 FEET; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, NORTH 88°55'51" WEST 1313.11 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 10; THENCE ALONG THE EAST ONE-SIXTEENTH LINE OF SAID SECTION 10, NORTH 00°45'28" EAST 164.40 FEET TO A POINT BEING NORTH 00°45'28" WEST 27.12 FEET FROM THE NORTHERLY LINE OF THAT 20-FOOT WIDE EASEMENT AS DESCRIBED IN INSTRUMENT 1996-126419, RECORDS OF CROOK COUNTY CLERK, BEING COINCIDENT WITH THE NORTHERLY LINE OF THAT 20-FOOT WIDE EASEMENT AS DESCRIBED IN INSTRUMENT 1999-151052, AND TO THE POINT OF BEGINNING:

THENCE NORTH 74°14'55" EAST PARALLEL TO AND 26 FEET NORTHERLY OF SAID 20-FOOT WIDE EASEMENTS 2933.79 FEET TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF THAT CITY OF PRINEVILLE EASEMENT AS DESCRIBED IN INSTRUMENT 2012-255245, RECORDS OF CROOK COUNTY CLERK; THENCE ALONG SAID SOUTHWESTERLY LINE OF EASEMENT SOUTH 44°44'02" WEST 113.76 FEET TO THE NORTHERLY RIGHT-OF-WAY OF OCHOCO HIGHWAY-U.S. HWY 126; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 55°30'16" WEST 60.00 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 44°44'02" WEST 66.75 FEET; THENCE SOUTH 74°14'55" WEST 2917.65 FEET TO THE EAST ONE-SIXTEENTH LINE OF SAID SECTION 10; THENCE NORTH 00°45'28" EAST 63.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 4.18 ACRES, MORE OR LESS.

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

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Christopher
J. D'Orazio

Digitally signed by Christopher J.
D'Orazio
Date: 2023.03.27 15:58:23 -0700

OREGON
MARCH 8, 2022
CHRISTOPHER J. D'ORAZIO
98905

RENEWS: 12-31-2023