



Deschutes County Board of Commissioners
1300 NW Wall St., Suite 200, Bend, OR 97701-1960
(541) 388-6570 - Fax (541) 385-3202 - www.deschutes.org

AGENDA REQUEST & STAFF REPORT

For Board Business Meeting of April 22, 2015

Please see directions for completing this document on the next page.

DATE: April 8, 2014

FROM: James Lewis Property & Facilities 541-385-1414

TITLE OF AGENDA ITEM:

Consideration of Board signature of Documents 2015-234, 2015-235, 2015-236, 2015-237, Bargain and Sale Deeds, and 2015-238 and 2015-239, Acceptance of Real Property.

PUBLIC HEARING ON THIS DATE? No

BACKGROUND AND POLICY IMPLICATIONS:

The attached conveyance and acceptance of real property is a result of a lot line adjustment authorized by Deschutes County Planning on February 26, 2015 under File No. 247-14-000442LL (see attached drawings before and after the adjustment). The approved adjustment is between three adjoining properties (three legal lots of record) owned individually by Deschutes County (two legal lots of record) and by Thomas and Sandra Van Aken (two tax lots, but one legal lot of record). As was discussed with the Board of Commissioners at a work session in September 2014, the adjustment is necessary to correct a water right encroachment onto the County property from the farm activities on the adjoining land owned by the Van Aken. The overall adjustment includes conveyances of a portion of each County owned property to the Van Aken property, and two portions of the Van Aken property, added to the County properties (one portion to each of the two County properties). Subsequently, in order to finalize the adjustment, there is a re-conveyance of the now legally adjusted parcels back to the same owner. The properties owned by Deschutes County, which were originally 40 and 80 acres in area (120 acres total), will now be 38.5 and 81.5 acres respectively (120 acres total). Thus, the overall acreage owned by each party will remain the same after the deeds are recorded and the lot line adjustment is completed, but with an adjusted configuration.

FISCAL IMPLICATIONS:

There is no consideration for this adjustment. This is a straight-across exchange of like property per the lot line adjustment.

RECOMMENDATION & ACTION REQUESTED:

Staff recommends signature of Documents 2015-234, 2015-235, 2015-236, 2015-237, 2015-238, 2015-239.

ATTENDANCE: James Lewis, Property Manager

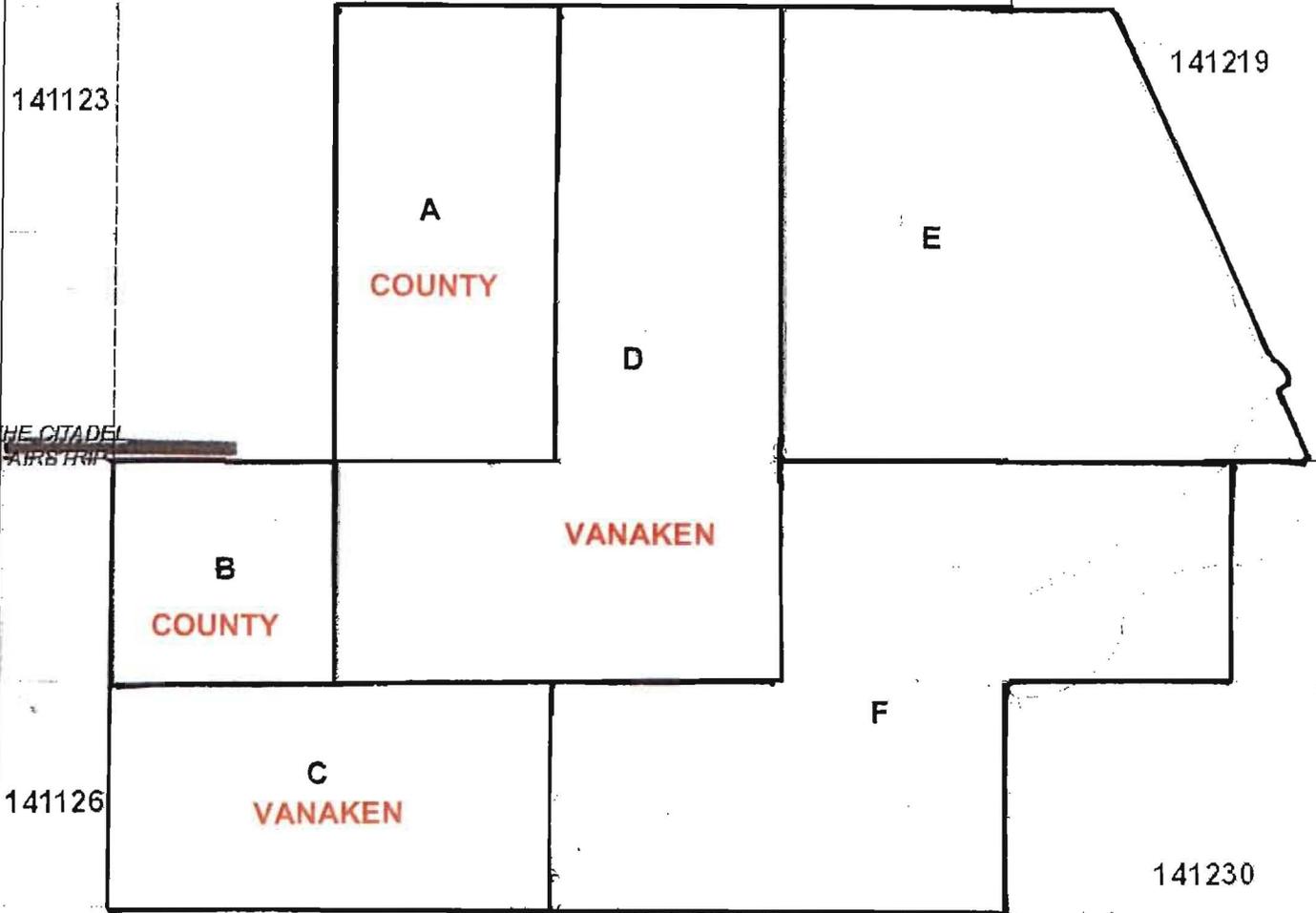
DISTRIBUTION OF DOCUMENTS:

Original to James Lewis.

Deschutes County File 247-14-000442-LL

FIGURE 2

BEFORE ADJUSTMENT



Deschutes County GIS, Sources: Esri, USGS, NOAA



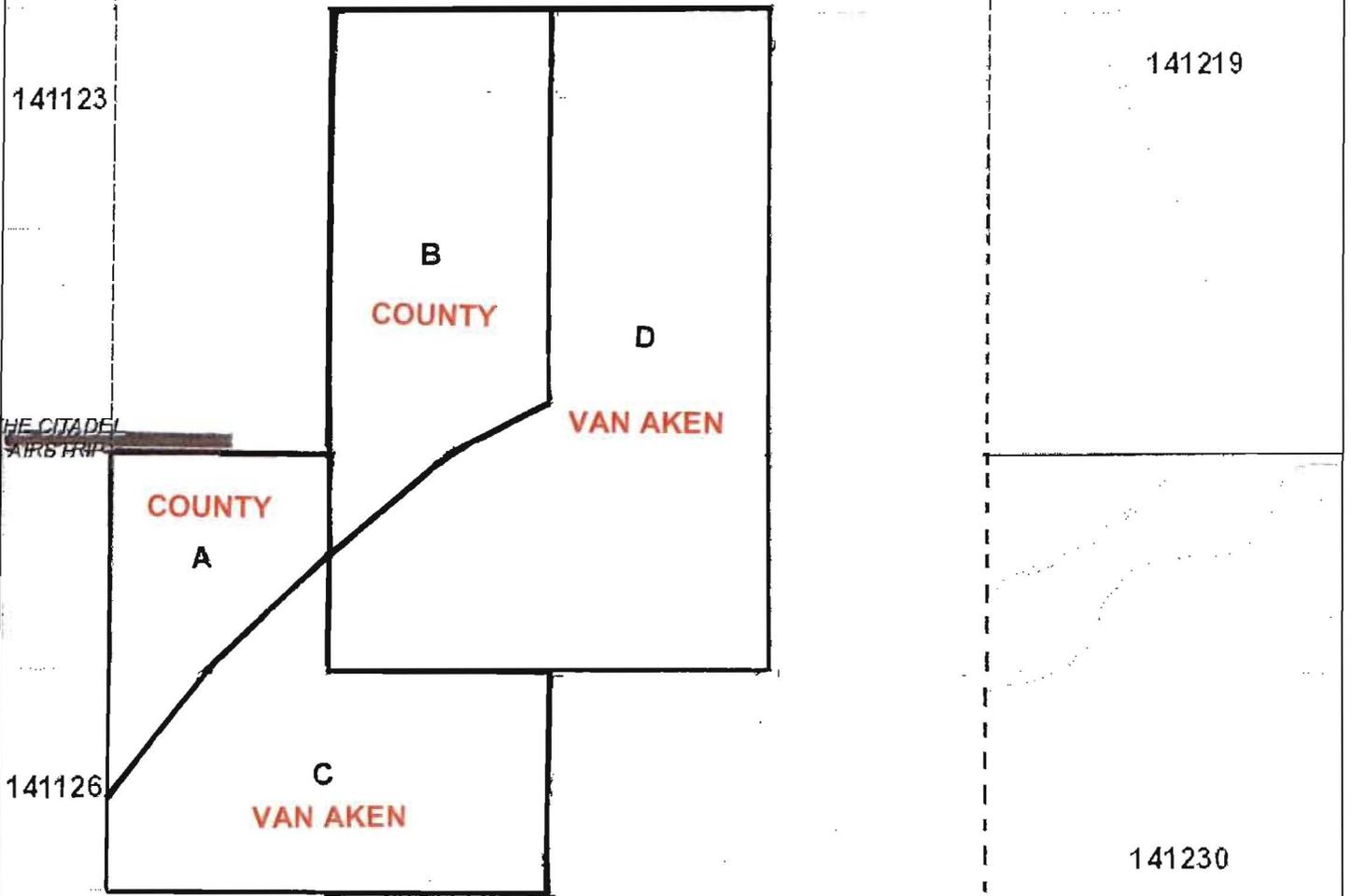
**LEGAL LOTS OF RECORD
CURRENT CONFIGURATION**



Deschutes County File 247-14-000442-LL

FIGURE 3

AFTER ADJUSTMENT



Deschutes County GIS, Sources: Esri, USGS, NOAA



**PROPOSED PROPERTY LINE ADJUSTMENT
(APPROXIMATE)**



After recording return to:

Liz Fancher, Attorney
644 NW Broadway St.
Bend, OR 97701

Until a change is requested, all tax statements shall be sent to the following address:

No Change Requested

BARGAIN AND SALE DEED

DESCHUTES COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to THOMAS VAN AKEN and SANDRA VAN AKEN, husband and wife, Grantees, the following described real property in Deschutes County, Oregon described in **EXHIBIT A**, attached and incorporated by reference herein.

This conveyance is authorized by a property line adjustment approved by Deschutes County on February 26, 2015 under File No. 247-14-000442-LL. The decision for the property line adjustment was approved subject to conditions of approval. The conditions require that deeds be recorded to convey each new parcel in its adjusted configuration, a property line adjustment between parcels identified on Deschutes County Assessor's Map 14-11-00 as Tax Lot 3600 ("Lot 3600") and a part of Tax Lot 3601 ("Lot 3601 (part)") situated in Deschutes County, Oregon. The adjusted line is the south boundary of the land described in **EXHIBIT A**.

This deed conveys to Grantees the part of Grantor's property that must be conveyed to Grantees to allow Grantees to create one of the adjusted lots approved in 247-14-000442-LL by combining these parts of Lot 3600 and Lot 3601 (part). This deed is an interim step in the process of complying with the conditions of approval of 247-14-000442-LL and does not create a new lot or parcel of the area conveyed by **EXHIBIT A**. Rather, this deed will be recorded immediately prior to the recording of deeds that will describe the parcels approved in 247-14-000442-LL in their final configurations.

The true consideration for this conveyance is zero dollars.

This Property Line Adjustment is exempt from the requirement of filing a survey, as all lots will exceed 10 acres in size following this Property Line Adjustment. ORS 92.060(8).

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, AND 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this _____ day of _____, 2015.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ANTHONY DEBONE, Chair

ATTEST:

ALAN UNGER, Vice-Chair

Recording Secretary

TAMMY BANEY, Commissioner

STATE OF OREGON)

) ss.

County of Deschutes)

Before me, a Notary Public, personally appeared ANTHONY DEBONE, ALAN UNGER and TAMMY BANEY the above-named Board of County Commissioners of Deschutes County, Oregon and acknowledged the foregoing instrument on behalf of Deschutes County, Oregon.

DATED this _____ day of _____

Notary Public for Oregon

My Commission Expires:

LEGAL DESCRIPTION – B.L.A. PARCEL 2

A PARCEL OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NW1/4 NW1/4) OF SECTION 25, TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M., DESCHUTES COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 25, THENCE SOUTH 00°09'06" WEST ALONG THE WEST LINE OF SAID SECTION 25 A DISTANCE OF 1326.80 FEET TO THE SOUTHWEST CORNER OF SAID NW1/4 NW1/4; THENCE SOUTH 89°43'00" EAST ALONG THE SOUTH LINE OF SAID NW1/4 NW1/4 A DISTANCE OF 612.04 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89°43'00" EAST ALONG THE SOUTH LINE OF SAID NW1/4 NW1/4 A DISTANCE OF 707.96 FEET TO THE SOUTHEAST CORNER OF SAID NW1/4 NW1/4; THENCE NORTH 00°09'06" EAST ALONG THE EAST LINE OF SAID NW1/4 NW1/4 A DISTANCE OF 827.05 FEET; THENCE SOUTH 40°46'15" WEST A DISTANCE OF 1087.44 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 6.72 ACRES, MORE OR LESS.

After recording return to:

Liz Fancher, Attorney
644 NW Broadway St.
Bend, OR 97701

**Until a change is requested, all tax
statements shall be sent to the following
address:**

No Change Requested

BARGAIN AND SALE DEED

DESCHUTES COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to THOMAS VAN AKEN and SANDRA VAN AKEN, husband and wife, Grantees, the following described real property in Deschutes County, Oregon described in **EXHIBIT A**, attached and incorporated by reference herein.

This conveyance is authorized by a property line adjustment approved by Deschutes County on February 26, 2015 under File No. 247-14-000442-LL. The decision for the property line adjustment was approved subject to conditions of approval. The conditions require that deeds be recorded to convey each new parcel in its adjusted configuration, a property line adjustment between parcels identified on Deschutes County Assessor's Map 14-11-24 as Tax Lot 800 ("Lot 800 (part)") and a part of Tax Lot 3601 ("Lot 3601 (part)"), Assessor's Map 14-11-00 situated in Deschutes County, Oregon. The adjusted line is the south boundary of the land described in **EXHIBIT A**.

This deed conveys to Grantees the part of Grantor's property that must be conveyed to Grantees to allow Grantees to create one of the adjusted lots approved in 247-14-000442-LL by combining these parts of Lot 800 (part) and Lot 3601 (part). This deed is an interim step in the process of complying with the conditions of approval of 247-14-000442-LL and does not create a new lot or parcel of the area conveyed by **EXHIBIT A**. Rather, this deed will be recorded immediately prior to the recording of deeds that will describe the parcels approved in 247-14-000442-LL in their final configurations.

The true consideration for this conveyance is zero dollars.

This Property Line Adjustment is exempt from the requirement of filing a survey, as all lots will exceed 10 acres in size following this Property Line Adjustment. ORS 92.060(8).

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, AND 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this _____ day of _____, 2015.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ANTHONY DEBONE, Chair

ATTEST:

ALAN UNGER, Vice-Chair

Recording Secretary

TAMMY BANEY, Commissioner

STATE OF OREGON)
) ss.
County of Deschutes)

Before me, a Notary Public, personally appeared ANTHONY DEBONE, ALAN UNGER and TAMMY BANEY the above-named Board of County Commissioners of Deschutes County, Oregon and acknowledged the foregoing instrument on behalf of Deschutes County, Oregon.

DATED this _____ day of _____

Notary Public for Oregon

My Commission Expires:

LEGAL DESCRIPTION – B.L.A. PARCEL 4

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (SE1/4 SW1/4) OF SECTION 24, TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M., DESCHUTES COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 25, THENCE SOUTH 89°43'00" EAST ALONG THE SOUTH LINE OF SAID SECTION 24 A DISTANCE OF 2016.15 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89°43'00" EAST ALONG SAID SOUTH LINE OF SECTION 24 A DISTANCE OF 623.85 FEET TO THE SOUTHEAST CORNER OF SAID SE1/4 SW1/4; THENCE NORTH ALONG THE EAST LINE OF SAID SE1/4 SW1/4 A DISTANCE OF 343.54 FEET; THENCE SOUTH 61°22'37" WEST A DISTANCE OF 710.70 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 2.46 ACRES, MORE OR LESS.

After recording return to:

Deschutes County
Attn.: Susan Ross, Director
Property and Facilities Department
P.O. Box 6005
Bend, OR 97708-6005

Until a change is requested, all tax statements shall be sent to the following address:

No Change Requested

BARGAIN AND SALE DEED

DESCHUTES COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to DESCHUTES COUNTY, a political subdivision of the State of Oregon, Grantee, the following described real property in Deschutes County, Oregon described in **EXHIBIT A**, attached and incorporated by reference herein.

This conveyance is authorized by a property line adjustment approved by Deschutes County on February 26, 2015 under File No. 247-14-000442-LL. The decision for the property line adjustment was approved subject to conditions of approval. The conditions require that deeds be recorded that convey each new parcel in its adjusted configuration, a property line adjustment between parcels identified on Deschutes County Assessor's Map 14-11-24 as Tax Lot 800 ("Lot 800 (part)") and Tax Lot 3601 ("Lot 3601 (part)"), Assessor's Map 14-11-00 situated in Deschutes County, Oregon. Lot 800 together with other properties located within Deschutes County was conveyed to Grantor with the recording of a patent no later than July 1, 1969 in Vol. 165, page 298 of the Deschutes County Official Records.

A part of Lot 3601 has been conveyed to Grantor by Thomas Van Aken and Sandra Van Aken, husband and wife, for the purpose of being conveyed in this deed with Lot 800 to create one of the adjusted lots approved by File No. 247-14-000442-LL. The adjusted boundary line is the south boundary line of the property described in **EXHIBIT A**.

The true consideration for this conveyance is zero dollars.

This Property Line Adjustment is exempt from the requirement of filing a survey, as all lots will exceed 10 acres in size following this Property Line Adjustment. ORS 92.060(8).

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,

LEGAL DESCRIPTION – DESCHUTES COUNTY AFTER ADJUSTMENT 2

A PARCEL OF LAND LOCATED IN SECTION 24, TOWNSHIP 14 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER (E1/2 SW1/4) OF SECTION 24, TOWNSHIP 14 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN.

EXCEPTING THEREFROM A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (SE1/4 SW1/4) OF SECTION 24, TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M., DESCHUTES COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 25, THENCE SOUTH 89°43'00" EAST ALONG THE SOUTH LINE OF SAID SECTION 24 A DISTANCE OF 2016.15 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89°43'00" EAST ALONG SAID SOUTH LINE OF SECTION 24 A DISTANCE OF 623.85 FEET TO THE SOUTHEAST CORNER OF SAID SE1/4 SW1/4; THENCE NORTH ALONG THE EAST LINE OF SAID SE1/4 SW1/4 A DISTANCE OF 343.54 FEET; THENCE SOUTH 61°22'37" WEST A DISTANCE OF 710.70 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 2.46 ACRES, MORE OR LESS.

TOGETHER WITH A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NE1/4 NW1/4) OF SECTION 25, TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M., DESCHUTES COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 25, THENCE SOUTH 89°43'00" EAST ALONG THE NORTH LINE OF SAID SECTION 25 A DISTANCE OF 1320.00 FEET TO THE NORTHWEST CORNER OF SAID NE1/4 NW1/4 AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00°09'06" WEST ALONG THE WEST LINE OF SAID NE1/4 NW1/4 A DISTANCE OF 499.75 FEET; THENCE NORTH 54°33'53" EAST A DISTANCE OF 856.03 FEET TO THE NORTH LINE OF SAID SECTION 25; THENCE NORTH 89°43'00" WEST ALONG THE NORTH LINE OF SAID SECTION 25 A DISTANCE OF 696.15 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 3.99 ACRES, MORE OR LESS

After recording return to:

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Property and Facilities Department
P.O. Box 6005
Bend, OR 97708-6005

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A part of Lot 3601 has been conveyed to Grantor by Thomas Van Aken and Sandra Van Aken, husband and wife, for the purpose of being conveyed in this deed with Lot 3600 to create one of the adjusted lots approved by File No. 247-14-000442-LL. The adjusted boundary line is the south boundary line of the property described in **EXHIBIT A**.

The true consideration for this conveyance is zero dollars.

This Property Line Adjustment is exempt from the requirement of filing a survey, as all lots will exceed 10 acres in size following this Property Line Adjustment. ORS 92.060(8).

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,

LEGAL DESCRIPTION – DESCHUTES COUNTY AFTER ADJUSTMENT 1

A PARCEL OF LAND LOCATED IN SECTION 25, TOWNSHIP 14 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NW1/4 NW1/4) OF SECTION 25, TOWNSHIP 14 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN.

TOGETHER WITH A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (SW1/4 NW1/4) OF SECTION 25, TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M., DESCHUTES COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 25, THENCE SOUTH 00°09'06" WEST ALONG THE WEST LINE OF SAID SECTION 25 A DISTANCE OF 1326.80 FEET TO THE OF THIS DESCRIPTION; THENCE SOUTH 89°43'00" EAST ALONG THE NORTH LINE OF SAID SW1/4 NW1/4 A DISTANCE OF 612.04 FEET; THENCE SOUTH 39°20'26" WEST A DISTANCE OF 968.71 FEET TO SAID WEST LINE OF SECTION 25; THENCE NORTH 00°09'06" EAST A DISTANCE OF 752.22 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 5.28 ACRES, MORE OR LESS.

EXCEPTING THEREFROM A PARCEL OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NW1/4 NW1/4) OF SECTION 25, TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M., DESCHUTES COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 25, THENCE SOUTH 00°09'06" WEST ALONG THE WEST LINE OF SAID SECTION 25 A DISTANCE OF 1326.80 FEET TO THE SOUTHWEST CORNER OF SAID NW1/4 NW1/4; THENCE SOUTH 89°43'00" EAST ALONG THE SOUTH LINE OF SAID NW1/4 NW1/4 A DISTANCE OF 612.04 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89°43'00" EAST ALONG THE SOUTH LINE OF SAID NW1/4 NW1/4 A DISTANCE OF 707.96 FEET TO THE SOUTHEAST CORNER OF SAID NW1/4 NW1/4; THENCE NORTH 00°09'06" EAST ALONG THE EAST LINE OF SAID NW1/4 NW1/4 A DISTANCE OF 827.05 FEET; THENCE SOUTH 40°46'15" WEST A DISTANCE OF 1087.44 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 6.72 ACRES, MORE OR LESS.

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Liz Fancher, Attorney
644 NW Broadway St.
Bend, OR 97701

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This deed conveys to Grantee the part of Grantors' property that must be conveyed to Grantee to allow Grantee to create one of the adjusted lots approved in 247-14-000442-LL by combining these parts of Lot 3601 (part) and Lot 3600. This deed is an interim step in the process of complying with the conditions of approval of 247-14-000442-LL and does not create a new lot or parcel of the area conveyed by **EXHIBIT A**. Rather, this deed will be recorded immediately prior to the recording of deeds that will describe the parcels approved in 247-14-000442-LL in their final configurations.

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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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

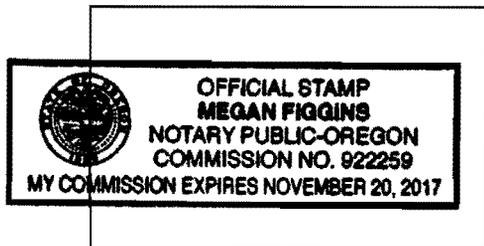
DATED this 3rd day of April, 2015.

By: *Thomas Van Aken*
THOMAS VAN AKEN

By: *Sandra Van Aken*
SANDRA VAN AKEN

STATE OF OREGON)
) ss.
COUNTY OF DESCHUTES)

This instrument was acknowledged before me on April 3, 2015 by Thomas Van Aken and Sandra Van Aken.



Megan Figgins
Notary Public
Print Name Megan Figgins
My commission expires 11/20/17

(Use this space for notarial stamp/seal)

LEGAL DESCRIPTION – B.L.A. PARCEL 1

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (SW1/4 NW1/4) OF SECTION 25, TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M., DESCHUTES COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 25, THENCE SOUTH 00°09'06" WEST ALONG THE WEST LINE OF SAID SECTION 25 A DISTANCE OF 1326.80 FEET TO THE NORTHWEST CORNER OF SAID SW1/4 NW1/4 AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89°43'00" EAST ALONG THE NORTH LINE OF SAID SW1/4 NW1/4 A DISTANCE OF 612.04 FEET; THENCE SOUTH 39°20'26" WEST A DISTANCE OF 968.71 FEET TO SAID WEST LINE OF SECTION 25; THENCE NORTH 00°09'06" EAST A DISTANCE OF 752.22 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 5.28 ACRES, MORE OR LESS.

EXHIBIT A

REVIEWED

LEGAL COUNSEL

ACCEPTANCE

Deschutes County, acting by and through its Board of County Commissioners, does hereby accept the foregoing Statutory Bargain and Sale Deed from Thomas Van Aken and Sandra Van Aken, husband and wife, document 2015-238, pursuant to ORS 93.808.

DATED this _____ day of _____, 20____

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ANTHONY DEBONE, Chair

ATTEST:

ALAN UNGER, Vice Chair

Recording Secretary

TAMMY BANEY, Commissioner

After recording return to:

Liz Fancher, Attorney
644 NW Broadway St.
Bend, OR 97701

Until a change is requested, all tax statements shall be sent to the following address:

No Change Requested

BARGAIN AND SALE DEED

THOMAS VAN AKEN and SANDRA VAN AKEN, husband and wife, Grantors, convey to DESCHUTES COUNTY, a political subdivision of the State of Oregon, Grantee, the following described real property in Deschutes County, Oregon described in **EXHIBIT A**, attached and incorporated by reference herein.

This conveyance is authorized by a property line adjustment approved by Deschutes County on February 26, 2015 under File No. 247-14-000442-LL. The decision for the property line adjustment was approved subject to conditions of approval. The conditions require that deeds be recorded to convey each new parcel in its adjusted configuration, a property line adjustment between parcels identified on Deschutes County Assessor's Map 14-11-00 as Tax Lot 3601 ("Lot 3601 (part)") and Deschutes County Assessor's Map 14-11-24 as Tax Lot 800 ("Lot 800 (part)") situated in Deschutes County, Oregon. The adjusted line is the north boundary of the land described in **EXHIBIT A**.

This deed conveys to Grantee the part of Grantors' property that must be conveyed to Grantee to allow Grantee to create one of the adjusted lots approved in 247-14-000442-LL by combining these parts of Lot 3601 (part) and Lot 800 (part). This deed is an interim step in the process of complying with the conditions of approval of 247-14-000442-LL and does not create a new lot or parcel of the area conveyed by **EXHIBIT A**. Rather, this deed will be recorded immediately prior to the recording of deeds that will describe the parcels approved in 247-14-000442-LL in their final configurations.

The true consideration for this conveyance is zero dollars.

This Property Line Adjustment is exempt from the requirement of filing a survey, as all lots will exceed 10 acres in size following this Property Line Adjustment. ORS 92.060(8).

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, AND 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

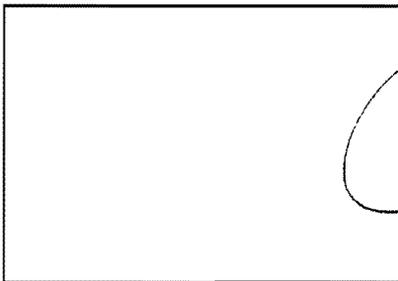
DATED this 26 day of March, 2015.

By: Thomas Van Aken
THOMAS VAN AKEN

By: Sandra Van Aken
SANDRA VAN AKEN

STATE OF OREGON)
) ss.
COUNTY OF DESCHUTES)

This instrument was acknowledged before me on March 26, 2015 by Thomas Van Aken and Sandra Van Aken.



Shannon Grey
Notary Public
Print Name Shannon Grey
My commission expires 12/29/18

(Use this space for notarial stamp/seal)



LEGAL DESCRIPTION – B.L.A. PARCEL 3

A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NE1/4 NW1/4) OF SECTION 25, TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M., DESCHUTES COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 25, THENCE SOUTH 89°43'00" EAST ALONG THE NORTH LINE OF SAID SECTION 25 A DISTANCE OF 1320.00 FEET TO THE NORTHWEST CORNER OF SAID NE1/4 NW1/4 AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00°09'06" WEST ALONG THE WEST LINE OF SAID NE1/4 NW1/4 A DISTANCE OF 499.75 FEET; THENCE NORTH 54°33'53" EAST A DISTANCE OF 856.03 FEET TO THE NORTH LINE OF SAID SECTION 25; THENCE NORTH 89°43'00" WEST ALONG THE NORTH LINE OF SAID SECTION 25 A DISTANCE OF 696.15 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 3.99 ACRES, MORE OR LESS

EXHIBIT A

REVIEWED

LEGAL COUNSEL

ACCEPTANCE

Deschutes County, acting by and through its Board of County Commissioners, does hereby accept the foregoing Statutory Bargain and Sale Deed from Thomas Van Aken and Sandra Van Aken, husband and wife, document 2015-239, pursuant to ORS 93.808.

DATED this _____ day of _____, 20____

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ANTHONY DEBONE, Chair

ATTEST:

ALAN UNGER, Vice Chair

Recording Secretary

TAMMY BANEY, Commissioner