



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](http://www.deschutes.org)

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## **AGENDA REQUEST & STAFF REPORT**

**For Board Business Meeting of September 2, 2015**

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

**DATE:** August 24, 2015

**FROM:** George Kolb, County Engineer                      Road                      541-322-7113

**TITLE OF AGENDA ITEM:**

Consideration of Signature of Document No. 2015-572, An Acceptance deed for Right-of-Way Dedicated by the Marcia J. Bischoff Family Trust for the Powell Butte Highway Roundabout in Bend OR

**PUBLIC HEARING ON THIS DATE?** NO.

**BACKGROUND AND POLICY IMPLICATIONS:**

The Deschutes County Road Department is in the process of designing a roundabout to be constructed at the intersection of Powell Butte Highway/Neff Road and Alfalfa Market Road. During this design process, it was determined that additional right of way would be needed to allow the roundabout to be constructed to current AASHTO standards. A portion of the Bischoff property is needed to provide the necessary area for the realignment of the roads leading into the roundabout. Signature of Document No. 2015-572 will accept the dedication as public right-of-way.

**FISCAL IMPLICATIONS:**

The amount \$52,200.00 required for this right of way acquisition is budgeted in FY 2015-2016.

**RECOMMENDATION & ACTION REQUESTED:**

The Road Department recommends signature of Document 2015-572, accepting the right-of-way dedication from the Marcia J. Bischoff Family Trust

**ATTENDANCE:** George Kolb, County Engineer

**DISTRIBUTION OF DOCUMENTS:**

Copy to Sheila Odle (ext. 7148) at the Road Department after recording.

## DESCHUTES COUNTY DOCUMENT SUMMARY

(NOTE: This form is required to be submitted with ALL contracts and other agreements, regardless of whether the document is to be on a Board agenda or can be signed by the County Administrator or Department Director. If the document is to be on a Board agenda, the Agenda Request Form is also required. If this form is not included with the document, the document will be returned to the Department. Please submit documents to the Board Secretary for tracking purposes, and not directly to Legal Counsel, the County Administrator or the Commissioners. In addition to submitting this form with your documents, please submit this form electronically to the Board Secretary.)

Please complete all sections above the Official Review line.

**Date:**

**Department:**

**Contractor/Supplier/Consultant Name:**

**Contractor Contact:**

**Contractor Phone #:**

**Type of Document:** Acceptance Deed

**Goods and/or Services:** Acceptance deed for Right-of-Way Dedicated by the Marcia J. Bischoff Family Trust for the Powell Butte Highway Roundabout in Bend OR

**Background & History:** The Deschutes County Road Department is in the process of designing a roundabout to be constructed at the intersection of Powell Butte Highway/Neff Road and Alfalfa Market Road. During this design process, it was determined that additional right of way would be needed to allow the roundabout to be constructed to current AASHTO standards. A portion of the Bischoff property is needed to provide the necessary area for the realignment of the roads leading into the roundabout.

**Agreement Starting Date:**

**Ending Date:**

**Annual Value or Total Payment:**

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Insurance Certificate Received (check box)  
Insurance Expiration Date:

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Check all that apply:

- RFP, Solicitation or Bid Process
  - Informal quotes (<\$150K)
  - Exempt from RFP, Solicitation or Bid Process (specify – see DCC §2.37)
- 

**Funding Source:** (Included in current budget?  Yes  No

If **No**, has budget amendment been submitted?  Yes  No

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**Is this a Grant Agreement providing revenue to the County?**  Yes  No

Special conditions attached to this grant:

Deadlines for reporting to the grantor:

If a new FTE will be hired with grant funds, confirm that Personnel has been notified that it is a grant-funded position so that this will be noted in the offer letter:  Yes  No

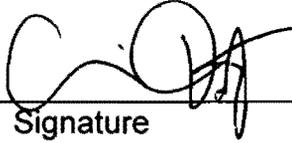
Contact information for the person responsible for grant compliance:

Name:

Phone #:

Departmental Contact and Title: George Kolb, County Engineer  
Phone #: 541-322-7113

Department Director Approval:

  
Signature

08/21/15  
Date

Distribution of Document: Who gets the original document and/or copies after it has been signed? Include complete information if the document is to be mailed.

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**Official Review:**

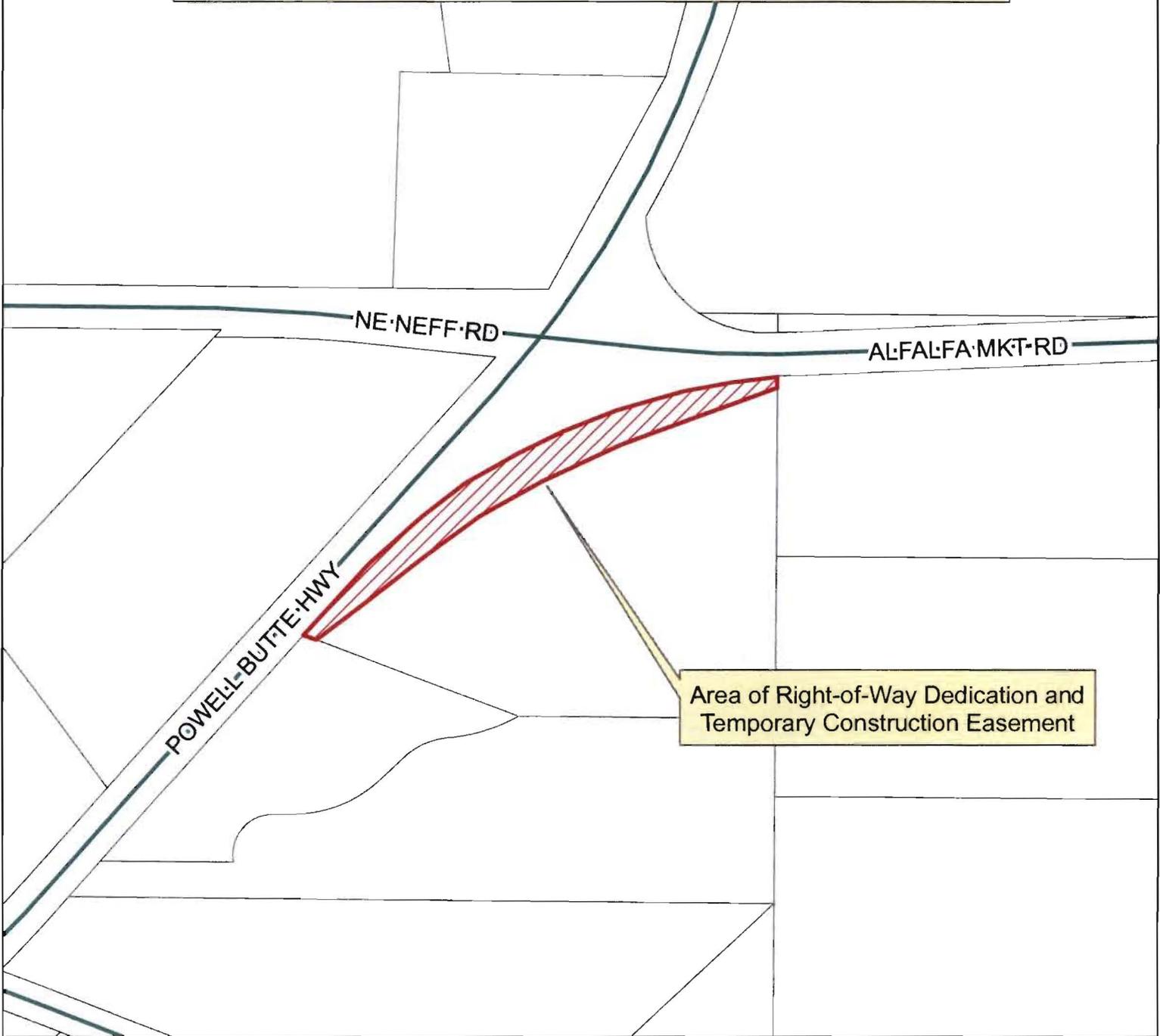
County Signature Required (check one):  BOCC  Department Director (if <\$25K)

Administrator (if >\$25K but <\$150K; if >\$150K, BOCC Order No. \_\_\_\_\_)

Legal Review \_\_\_\_\_ Date \_\_\_\_\_

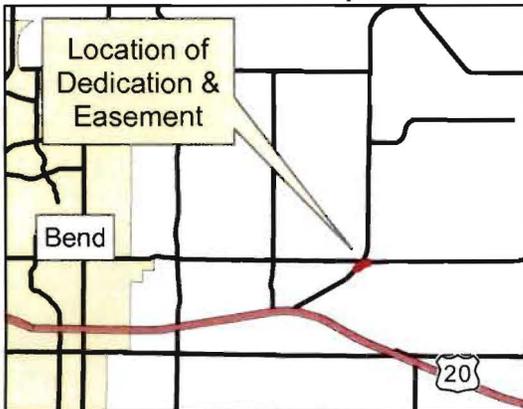
Document Number \_\_\_\_\_

# Bischoff Family Right-of-Way Dedication & Temporary Construction Easement



Area of Right-of-Way Dedication and Temporary Construction Easement

Locator Map



0 200 400 600 Feet

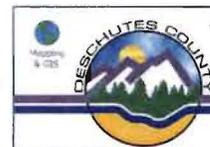
### Legend

-  Taxlots
-  Dedication
-  Road Centerlines



Printed: August 24, 2015

The information on this map was derived from digital databases on Deschutes County's G.I.S. Care was taken in the creation of this map, but it is provided "as is". Deschutes County cannot accept any responsibility for errors, omissions, or positional accuracy in the digital data or the underlying records. There are no warranties, express or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.



John Anderson, GIS Analyst  
 Phone: (541) 322-7102  
 Email: john.anderson@deschutes.org  
 Address: 61150 SE 27th St  
 Bend, OR 97702

**Road Department**

After recording return to:  
Deschutes County Road Dept.  
61150 S.E. 27<sup>th</sup> Street  
Bend, Oregon 97701

For Recording Stamp Only

DEED OF DEDICATION

Marcia J. Bischoff Family Trust dated 7-28-95, does hereby dedicate to the public for roadway and utility purposes that real property as described in Exhibit "A", attached hereto and by this reference incorporated herein.

The true consideration for this conveyance is \$52,200.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

IN WITNESS WHEREOF, this document is executed this 12<sup>th</sup> day of  
AUGUST, 2015.

Marcia J. Bischoff Family Trust dated 7-28-95.

By: [Signature], TRUSTEE  
Christopher M Bischoff, Trustee

By: [Signature]  
Marcia J. Bischoff, Trustee

STATE OF OREGON

County of Deschutes

)  
) SS.  
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Before me, a Notary Public, personally appeared Christopher M. Bischoff and Marcia J. Bischoff as Trustees of the Marcia J. Bischoff Family Trust dated 7-28-95 and acknowledged the foregoing instrument to be their voluntary act.

Dated this 15 day of August, 2015.

[Signature]  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: Apr 1, 2015

ACCEPTANCE

Deschutes County, acting by and through its Board of County Commissioners, does hereby accept the foregoing Deed of Dedication.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

\_\_\_\_\_  
TAMMY BANEY, COMMISSIONER

ATTEST:

\_\_\_\_\_  
ANTHONY DEBONE, CHAIR

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
ALAN UNGER, VICE-CHAIR

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, acknowledged the foregoing instrument, on behalf of Deschutes County, Oregon.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: \_\_\_\_\_

**Project 297-259-001**  
Drawing BE-2509-001-V-AQ  
07/22/15

**Parcel 1 - Fee**

A Parcel of land lying in the Northeast One-Quarter (NE1/4) of Section 31, Township 17 South, Range 13 East, W.M., Deschutes County, Oregon and being a portion of that property described in that Bargain and Sale Deed to Christopher M. Bischoff and Marcia J. Bischoff, Trustees of Marcia J. Bischoff Family Trust, dated July 28, 1995, recorded August 7, 2008 in Volume 2008, Page 33039 of Deschutes County Official Records; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Easterly side of 1928 Bend-Prineville Market Road RD01455 (Powell Butte Highway), which center line is described as follows:

Beginning at Engineer's center line Station 34+65.46, said station bears South 50°52'25" West, 1327.61 feet from the northeast corner of said Section 31; thence North 41°29'24" East, 967.37 feet to a point of curvature at Engineer's center line Station 44+32.83; thence along the arc of a 1432.91 foot radius curve to the left, an arc distance of 1036.51 feet, through a central angle of 41°26'43" (the chord of which bears North 20°46'03" East, 1014.06 feet) to a point of tangency at Engineer's center line Station 54+69.34, which bears North 2°01'16" West, 835.55 feet from said northeast corner of Section 31.

The width in feet of said strip of land is as follows:

| Station  | to | Station  | Width on Easterly Side of Center Line |
|----------|----|----------|---------------------------------------|
| 39+50.00 |    | 40+87.89 | 35.51 in a straight line to 46.17     |
| 40+87.89 |    | 41+83.53 | 46.17 in a straight line to 61.86     |
| 41+83.53 |    | 42+82.28 | 61.86 in a straight line to 61.20     |
| 42+82.28 |    | 43+30.71 | 61.20 in a straight line to 64.95     |

This parcel of land contains 5,119 square feet more or less, outside of the existing right of way.

Subject to any easements, restrictions and rights of way of record and those common and apparent on the land.

Bearings are based on County Survey No. 18806, filed December 12, 2014, Deschutes County Oregon.

**Project 297-259-001**  
Drawing BE-2509-001-V-AQ  
07/22/15

**Parcel 2 - Fee**

A Parcel of land lying in the Northeast One-Quarter (NE1/4) of Section 31, Township 17 South, Range 13 East, W.M., Deschutes County, Oregon and being a portion of that property described in that Bargain and Sale Deed to Christopher M. Bischoff and Marcia J. Bischoff, Trustees of Marcia J. Bischoff Family Trust, dated July 28, 1995, recorded August 7, 2008 in Volume 2008, Page 33039 of Deschutes County Official Records; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southeasterly side of 1924 Alfalfa Market Road RD01442, which center line is described as follows:

Beginning at Engineer's center line Station 80+00.00, said point being a point of curvature and bears South 58°45'28" West, 729.21 feet from the northeast corner of said Section 31; thence along the arc of a 954.22 foot radius curve to the right, an arc distance of 757.20 feet, through a central angle of 45°27'56" (the chord of which bears North 64°13'22" East, 737.48 feet) to a point of tangency at Engineer's center line Station 87+57.20, which bears South 35°14'50" East, 70.41 feet from said northeast corner of Section 31.

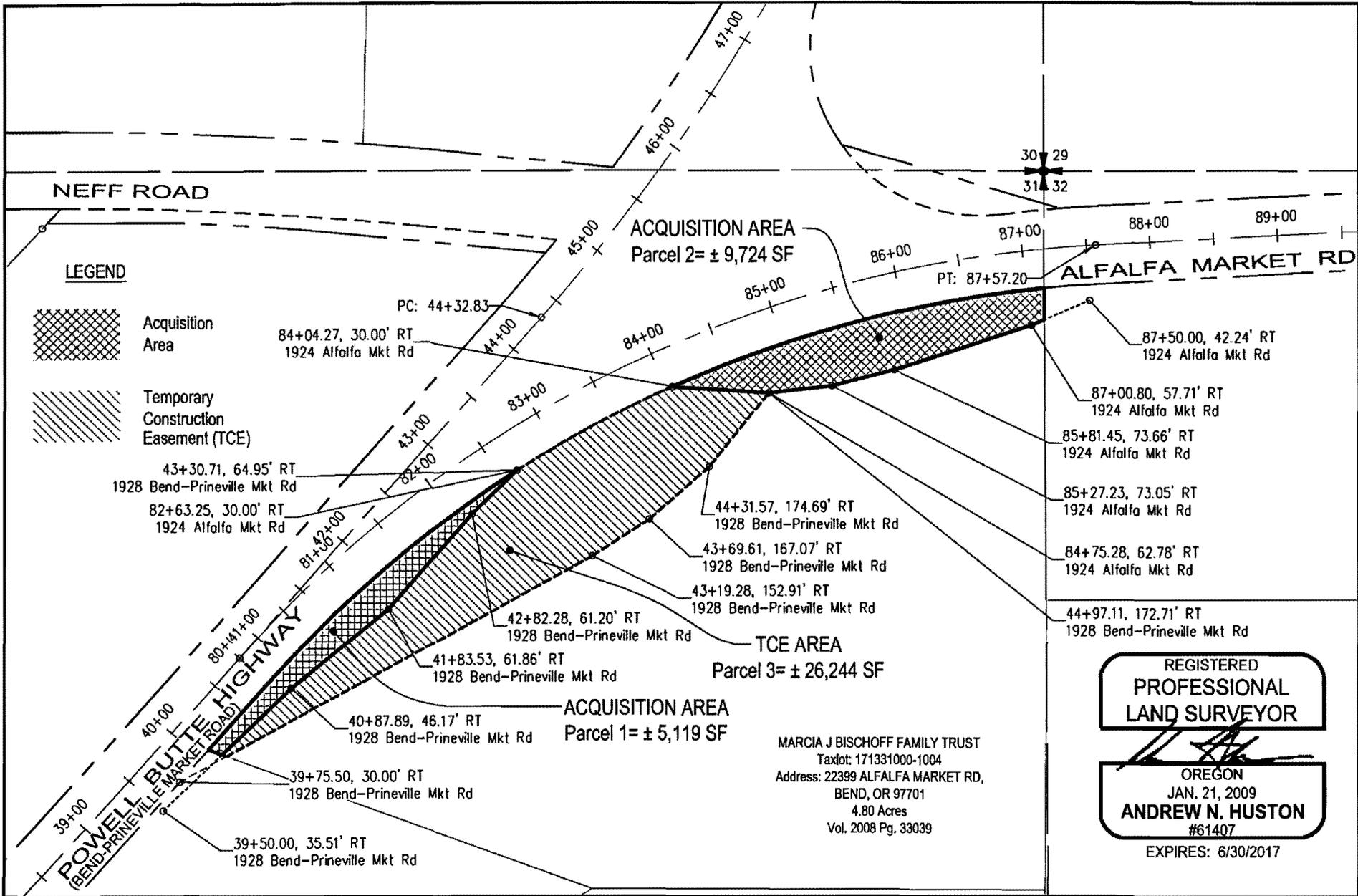
The width in feet of said strip of land is as follows:

| Station  | to | Station  | Width on Southeasterly Side of Center Line |
|----------|----|----------|--|
| 84+04.27 |    | 84+75.28 | 30.00 in a straight line to 62.78          |
| 84+75.28 |    | 85+27.23 | 62.78 in a straight line to 73.05          |
| 85+27.23 |    | 85+81.45 | 73.05 in a straight line to 73.66          |
| 85+81.45 |    | 87+00.80 | 73.66 in a straight line to 57.71          |
| 87+00.80 |    | 87+50.00 | 57.71 in a straight line to 42.24          |

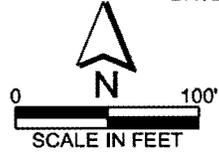
This parcel of land contains 9,724 square feet more or less, outside of the existing right of way.

Subject to any easements, restrictions and rights of way of record and those common and apparent on the land.

Bearings are based on County Survey No. 18806, filed December 12, 2014, Deschutes County Oregon.



Parametrix DATE: July 22, 2015 FILE: BE-2509-001-V-AQ



**RIGHT-OF-WAY ACQUISITION FOR:  
 MARCIA J. BISCHOFF FAMILY TRUST  
 DESCHUTES COUNTY ROADS DEPARTMENT  
 POWELL BUTTE HIGHWAY ROUNDABOUT**