AGENDA REQUEST & STAFF REPORT
For Board Business Meeting of March 2, 2016

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

DATE: February 22, 2016

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

TITLE OF AGENDA ITEM:
Consideration of signature of Document No. 2016-125, An Acceptance deed for Right-of-Way Dedicated by Cheryl Street on 17th Street in Terrebonne, OR

PUBLIC HEARING ON THIS DATE? NO.

BACKGROUND AND POLICY IMPLICATIONS:
The Deschutes County Road Department was contacted by Michael McIntosh who lives at 7997 17th Street in Terrebonne concerning access to his lot off of 17th Street (see attached map). With the current lot configuration, Mr. McIntosh has to cross over property owned by Cheryl Street, 7996 17th Street, Terrebonne, OR in order to access his property. Because of the layout of these properties, he is effectively land locked as his property does not have frontage on a public right of way. Mr. McIntosh contacted Mrs. Street about the possibility of dedicating a small amount of right of way at the end of 17th Street which would allow him public right of way frontage on 17th Street. Mrs. Street was amenable to this dedication so Mr. McIntosh approached the Road Department to determine what would be required to finalize the dedication. Road Department staff contacted the Community Development Department to see if this dedication would require a conditional use permit. Because the amount of land dedicated was only 1200 square feet, it was determined that this would be classified as a "minor amount" of right of way dedication. Per DCC 17.52.010, minor amounts of road right of way means rights of way no greater than those required for modernization, traffic safety improvement, maintenance or repair of an existing road or street where the dedication will not be reviewed as part of another land use application. Based on this information, no separate land use action is required for this dedication. Signature of Document No. 2016-125 will accept the dedication as public right-of-way.

FISCAL IMPLICATIONS:
None.

RECOMMENDATION & ACTION REQUESTED:
The Road Department recommends signature of Document 2016-125, accepting the right-of-way dedication from Cheryl Street on 17th Street in Terrebonne, OR

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: February 22, 2016  Department: Road

Contractor/Supplier/Consultant Name: Cheryl L. Street
Contractor Contact:  Contractor Phone #: 

Type of Document: Acceptance Deed

Goods and/or Services: Acceptance Deed for Right-of-Way Dedicated by Cheryl L. Street on 17th Street in Terrebonne, OR

Background & History: The Deschutes County Road Department was contacted by Michael McIntosh who lives at 7997 17th Street in Terrebonne concerning access to his lot off of 17th Street. With the current lot configuration, Mr. McIntosh has to cross over property owned by Cheryl Street, 7996 17th Street, Terrebonne, OR in order to access his property. Because of the layout of these properties, he is effectively land locked as his property does not have frontage on a public right of way. Mr. McIntosh contacted Mrs. Street about the possibility of dedicating a small amount of right of way at the end of 17th Street which would allow him public right of way frontage on 17th Street. Mrs. Street was amenable to this dedication so Mr. McIntosh approached the Road Department to determine what would be required to finalize the dedication. Road Department staff contacted the Community Development Department to see if this dedication would require a conditional use permit. Because the amount of land dedicated was only 1200 square feet, it was determined that this would be classified as a "minor amount" of right of way dedication. Per DCC 17.52.010, minor amounts of road right of way means rights of way no greater than those required for modernization, traffic safety improvement, maintenance or repair of an existing road or street where the dedication will not be reviewed as part of another land use application. Based on this information, no separate land use action is required for this dedication. Signature of Document No. 2016-125 will accept the dedication as public right-of-way.

Agreement Starting Date: upon signature  Ending Date: N/A

Annual Value or Total Payment: N/A

☐ Insurance Certificate Received (check box)  Insurance Expiration Date: 

Check all that apply:
☐ RFP, Solicitation or Bid Process
☐ Informal quotes (<$150K)
☐ Exempt from RFP, Solicitation or Bid Process (specify – see DCC §2.37)

2/22/2016
Funding Source: (Included in current budget?  □ Yes  □ No

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

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:  

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.

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
DEED OF DEDICATION

Cheryl L. Street, 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.

IN WITNESS WHEREOF, this document is executed this 16th day of FEBRUARY, 2016.

Cheryl L. Street

STATE OF OREGON )
) SS.
County of Deschutes )

Before me, a Notary Public, personally appeared Cheryl L. Street and acknowledged the foregoing instrument.

Dated this 16th day of FEBRUARY, 2016.

Barbara J. Rodman
NOTARY PUBLIC FOR OREGON
My Commission Expires: 1-08-2017
ACCEPTANCE

Deschutes County, acting by and through its Board of County Commissioners, does hereby accept the foregoing Deed of Dedication as a public road pursuant to ORS 92.014.

DATED this _____ day of _________________________, 2016.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

___________________________
ALAN UNGER, CHAIR

ATTEST:

___________________________
TAMMY BANEY, VICE CHAIR

Recording Secretary

___________________________
ANTHONY DEBONE, COMMISSIONER

STATE OF OREGON )
 ) SS.
County of Deschutes )

Before me, a Notary Public, personally appeared, Alan Unger, Tammy Baney and Anthony DeBone 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 _________________________, 2016.

NOTARY PUBLIC FOR OREGON
My Commission Expires: ____________
EXHIBIT "A"

STREET DEDICATION – 17TH STREET EXTENSION, LOCATED IN THE NE1/4 NE1/4 OF SECTION 21, TOWNSHIP 14 SOUTH, RANGE 13 EAST, W.M., DESCHUTES COUNTY, OREGON

LINE DATA

<table>
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<tr>
<th>NO.</th>
<th>DIRECTION</th>
<th>DISTANCE</th>
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<tbody>
<tr>
<td>L1</td>
<td>N89°53'35&quot;W</td>
<td>60.00'</td>
</tr>
<tr>
<td>L2</td>
<td>S00°16'53&quot;E</td>
<td>20.00'</td>
</tr>
<tr>
<td>L3</td>
<td>S89°53'35&quot;E</td>
<td>30.00'</td>
</tr>
<tr>
<td>L4</td>
<td>S89°53'35&quot;E</td>
<td>30.00'</td>
</tr>
<tr>
<td>L5</td>
<td>N00°16'53&quot;W</td>
<td>20.00'</td>
</tr>
</tbody>
</table>

SCALE: 1" = 40'

DESCRIPTION

COMMENCING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 14 SOUTH, RANGE 13 EAST, WILLAMETTE MERIDIAN, THE INITIAL POINT; THENCE N89°53'35"W ALONG THE NORTH LINE OF THE NE1/4 OF SAID SECTION 21, AND ALONG THE SOUTH BOUNDARY OF THE TOWNSITE OF HILLMAN – 778.88 FEET TO THE SOUTHWEST CORNER OF BLOCK 161, HILLMAN, AND TO THE POINT OF BEGINNING; THENCE N89°53'35"W ALONG SAID NORTH LINE AND SAID SOUTH BOUNDARY – 60.00 FEET TO THE SOUTHEAST CORNER OF BLOCK 145, HILLMAN, AND TO THE BOUNDARY OF PARCEL 2, TRACT 2, PARTITION PLAT NO. 2000-15; THENCE S00°16'53"E ALONG SAID PARCEL BOUNDARY – 20.00 FEET; THENCE S89°53'35"E ALONG SAID PARCEL BOUNDARY – 30.00 FEET; THENCE S89°53'35"E – 30.00 FEET; THENCE N00°16'53"W – 20.00 FEET TO THE POINT OF BEGINNING.

THE SAME CONTAINING 1200 SQUARE FEET.

REGISTERED PROFESSIONAL LAND SURVEYOR

WILLIAM G. BAHRKE
OREGON JULY 15, 1983
WILLIAM G. BAHRKE 2039
Renewal Date: 12/31/17

PREPARED FEBRUARY 2, 2016

POVEY AND ASSOC. LAND SURVEYORS
P.O. BOX 131, REDMOND, OR 97756
(541) 548-6778 16-010E.DWG
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