

ORDINANCE NO. 1048

AN ORDINANCE WITHDRAWING CERTAIN IDENTIFIED REAL
PROPERTY FROM THE CROOK COUNTY VECTOR CONTROL
AND THE ZONE II FIRE DISTRICTS

WHEREAS, certain real property identified in "Exhibits A and B" of Resolution No. 821 and commonly identified as the D&E Wood Products properties were annexed into the City of Prineville on August 12, 1997; and

WHEREAS, pursuant to Resolution No. 822, a public hearing was held on the issue of withdrawing said real properties from said districts; and

WHEREAS, there was no objection to withdrawing said properties from the Crook County Vector Control and Zone II Fire Districts; and

WHEREAS, the City Council, pursuant to ORS 222.524, is desirous of formally withdrawing said real properties from said districts as being in the best interest of the City.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE ORDAIN AS FOLLOWS:

Section 1. That the real properties identified in "Exhibits A and B" of Resolution No. 821 attached hereto and incorporated herein, are hereby withdrawn, pursuant to ORS 222.524, from the Crook County Vector Control District and the Crook County Zone II Fire District.

Section 2. Neither the City, nor said real properties withdrawn, shall be charged by the Crook County Vector Control District and/or the Crook County Zone II Fire District with any future liabilities, obligations, functions or assessments for the operation of said districts.

Passed by the City Council this 14th day of October, 1997.

Approved by the Mayor this 14th day of October, 1997.

Attest:

Henry Hartley
Henry Hartley
City Manager/Recorder

10-16-97
Date

Paul Capel Mayor

RESOLUTION NO. 822

A RESOLUTION SETTING A PUBLIC HEARING ON THE QUESTION OF THE WITHDRAWAL OF CERTAIN REAL PROPERTY IDENTIFIED IN "EXHIBITS A AND B" OF RESOLUTION NO. 821 FROM THE CROOK COUNTY VECTOR CONTROL AND ZONE II FIRE DISTRICTS

WHEREAS, certain real property identified in "Exhibits A and B" of Resolution No. 821 were annexed into the City of Prineville by said Resolution No. 821 on August 12, 1997; and

WHEREAS, said property is in the Crook County Vector Control and Zone II Fire Districts; and

WHEREAS, the City Council pursuant to ORS 222.524 is desirous of holding a public hearing on the question of withdrawal of the annexed property from said districts.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE, OREGON, RESOLVE AS FOLLOWS:

Section 1. The City Council pursuant to ORS 222.524 directs that a public hearing shall be held on the question of withdrawal of that certain real property identified in "Exhibits A and B" of Resolution No. 821 attached hereto, from the Crook County Vector Control District and the Crook County Zone II Fire District.

Section 2. At the public hearing the City Council shall hear objections to the withdrawal and shall determine whether such withdrawal is in the best interest of the City.

Section 3. The public hearing shall be on the 9th day of September, 1997 at 7:00 p.m. at the Prineville City Hall, located at 400 East 3rd Street, Prineville, Crook County, Oregon.

Section 4. Notice of the date, time, place and purpose of the hearing shall be published once each week for two consecutive weeks prior to the date of the hearing in a newspaper of general circulation in the City and shall be posted in four public places in the City for a like period.

Passed by the Council this 12th day of August, 1997.

Approved by the Mayor this 12th day of August, 1997.

Paul Capell
Paul Capell, Mayor

Attest: ASJ
City Recorder
Date: 8-12-97

RESOLUTION NO. 821

A RESOLUTION ANNEXING CERTAIN PROPERTY INTO THE
CITY OF PRINEVILLE AND REZONING SAID PROPERTY

IT IS HEREBY RESOLVED by the Prineville City Council as follows:

1. The Council specifically finds that:

(a) That property located within the Urban Growth Boundary of the City of Prineville commonly identified as a part of the "D&E Wood Products" properties and further described as Tax Lot 1600 of Crook County Assessor's Map 14-15-25D and located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 14 South, Range 15 East, as shown on the map attached as "Exhibit A" to this resolution, and as more specifically described in "Exhibit B" to this resolution is contiguous to the City of Prineville.

(b) All of the property owners and electors of said property have duly petitioned the City for annexation and have thereby consented to such annexation.

(c) The City Planning Department has duly considered the subject annexation and rezoning issues, and has recommended annexation and certain rezoning of said properties in compliance with the current Comprehensive Plan as set forth in "Exhibit C" to this Resolution.

2. The real property described in "Exhibit B" to this resolution is hereby annexed into the City of Prineville with the boundaries as set forth in said "Exhibit B" to this resolution and as shown on the map set forth in "Exhibit A" to this resolution.

3. The real property described in "Exhibit B" to this resolution is hereby rezoned to the Zoning designation shown on the map set forth as "Exhibit C" of this Resolution pursuant to the applicable provisions of the City of Prineville Zoning Ordinance No. 807, as amended.

APPROVED BY THE CITY COUNCIL ON THE 12th DAY OF August, 1997.

APPROVED BY THE MAYOR ON THE 12th DAY OF August, 1997.

Paul Capell
Paul Capell, Mayor

ATTEST:

ASA
City Recorder

Date: 8-12-97

EXHIBIT "B"
RESOLUTION NO. 821
ANNEXATION TO CITY OF PRINEVILLE

LEGAL DESCRIPTION
"PART OF" D & E WOOD PRODUCTS PROPERTIES

That real property located within Crook County, Oregon, and hereby described as set forth on certain identified Tax Lot Maps of the Crook County Assessor's Office as prepared by the State Department of Revenue:

Identified as Tax Lot 1600 of Crook County Assessor's Map 14-15-25D being that property located southwest of Lamonta Road and the City of Prineville Railroad right-of-ways as such are currently constructed and located in the NE¼ of the SW¼ of the SE¼ of Section 25, Township 14 South, Range 15 East Willamette Meridian, Crook County, Oregon, comprising a total area of 2.11 acres m/l, and more specifically defined as set forth in the attached Crook County deed document no. 99699 recorded on the 3rd day of June, 1991.

WARRANTY DEED

CHESTER CHRIST and MARIE CHRIST, husband and wife, Grantors, convey and warrant to DONALD C. SMITH and ETHEL I. SMITH, as tenants in common, each as to an undivided one-half interest in the whole, Grantees, the following described real property free of encumbrances except as specifically set forth herein, situated in Crook County, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

THIS INSTRUMENT WILL 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 APPROVED USES.

The true and actual consideration for this conveyance is \$67,500.00.

Unless a change is requested, all tax statements shall be sent to Grantor at the following address: P.O. Box 327, Prineville, Oregon 97754.

DATED this 3 day of June, 1991.

Chester Christ

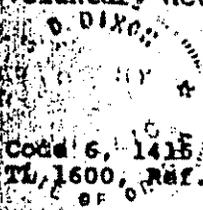
CHESTER CHRIST

Marie Christ

MARIE CHRIST

STATE OF OREGON)
County of Crook) SS.

On this 3 day of June, 1991, personally appeared the above named CHESTER CHRIST and MARIE CHRIST, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.



A. Dixon
NOTARY PUBLIC FOR OREGON
My Commission Expires: 12/25/92

Code 6, 1415 25D
TL 1600, Ref. No. 10583

A parcel of land located in the Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 25, Township 14 South, Range 15 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows: Beginning at the Northeast corner of the Chester Christ Property as described in Deed Book 71 on Page 592, Records of Crook County, Oregon, said beginning point lies on the Southerly right of way line of the City of Prineville Railway, being located South 89°28'47" West a distance of 1415.70 feet (deed record West 1415.7 feet) and North 0°31'13" West a distance of 1148.75 feet (deed record North 1140.5 feet) from the Southeast corner of said Section 25, thence following along the said Southerly right of way line of the City of Prineville Railway, also being the northerly line of that parcel of land deeded to Donald C. Smith and wife by Deeds MF No. 71853, Records of Crook County, Oregon, North 51°39'57" West a distance of 0.20 feet to the Northwesterly corner of said parcel, said point marked by a 5/8 inch iron rod and being the TRUE POINT OF BEGINNING of this parcel description. Thence along the Westerly line of said parcel as described in MF No. 71853 along an existing fence line South 0°00'34" West a distance of 300.90 feet to a 5/8 inch iron rod marking the Northeast corner of a parcel of land conveyed to Donald C. Smith and wife by deeds MF No. 83716, Records of Crook County, Oregon; thence South 85°15'19" West along the North line of said parcel a distance of 229.26 feet to a 5/8 inch iron rod, said point being located on the Westerly line of that parcel of land as described in Quitclaim Deed from Donald S. Yancey to Chester Christ and wife by Deeds MF No. 83280, Records of Crook County, Oregon; thence North 0°09'57" West along the said West line, also being the East line of that parcel conveyed to John H. Sill and wife by Deeds Book 62 at Page 190, Records of Crook County, Oregon, a distance of 501.75 feet to a point on the Southerly right of way line of the City of Prineville Railway, said point being located South 89°28'47" West 1644.20 feet (deed record West 1644.2 feet) and North 0°31'13" West 1332.84 feet (deed record North 1316.9 feet) from the Southeast corner of said Section 25; thence South 51°39'57" East along said line a distance of 293.22 feet to the TRUE POINT OF BEGINNING. TOGETHER WITH an easement for existing dwelling purposes granted to Chester Christ and wife by deed recorded in Deeds Book 76 at page 202, Records of Crook County, Oregon.

SUBJECT TO:

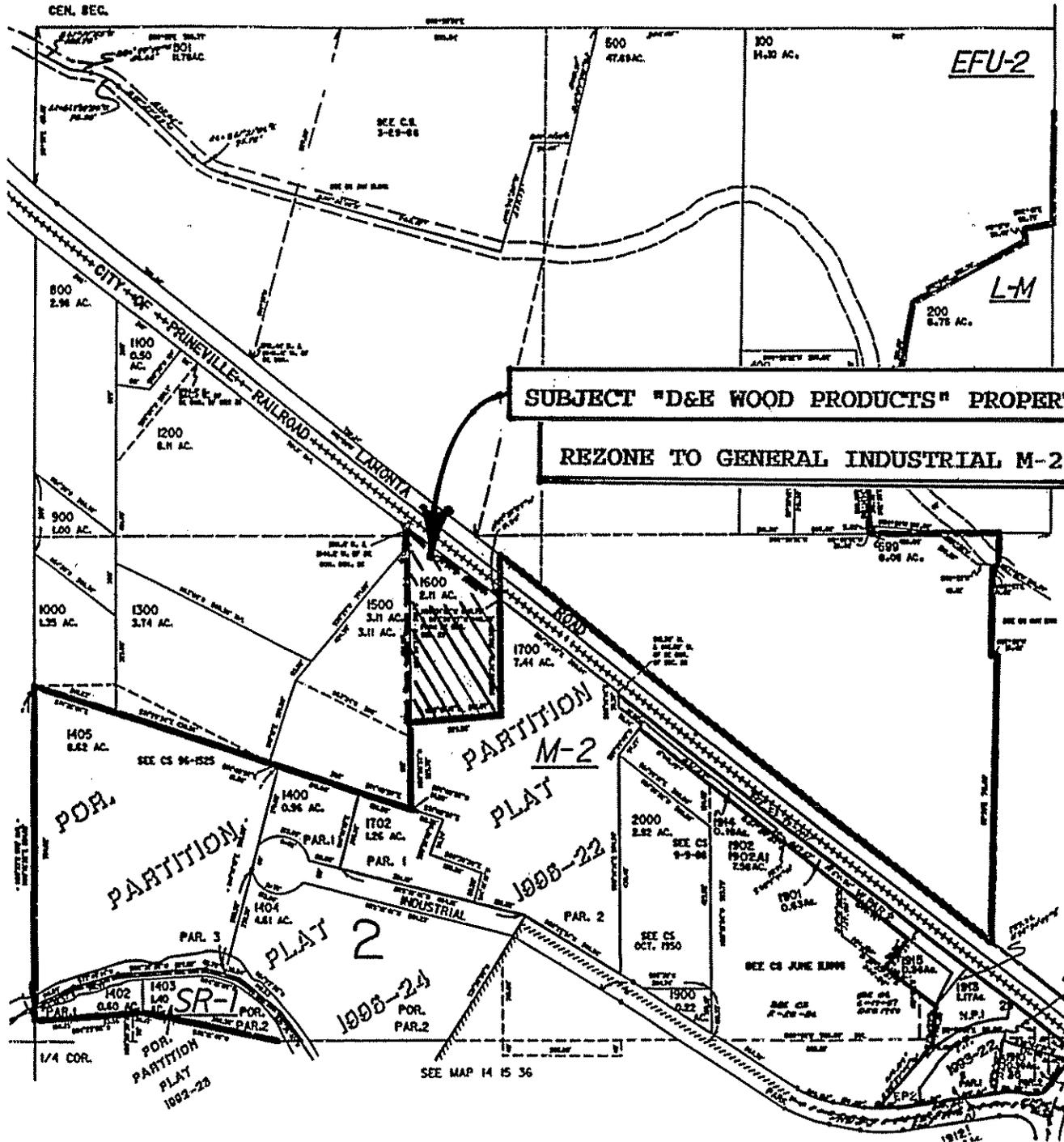
1. As disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
2. Existing rights of way for roads, highways, irrigation, ditches, canals, and pole lines.
3. The property herein described is within the boundaries of the Ochoco Irrigation District and may be subject to liens and assessments thereof.
4. An easement for roadway purposes granted to John H. Sill and wife by Deed recorded January 27, 1956 in Book 76 of Deeds at page 204, Records of Crook County, Oregon.

STATE OF OREGON 95699
COUNTY OF CROOK
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE _____ DAY OF
JULY 19 1956 AT _____ M.
AND RECORDED IN _____
RECORDS OF SAID COUNTY - MF No. 77697
DELLA M. VANWYK, CLERK OF SAID COUNTY

EXHIBIT "C"
RESOLUTION NO. 821
ANNEXATION TO CITY OF PRINEVILLE

ZONING MAP

"PART OF" D & E WOOD PRODUCTS PROPERTIES



CITY OF PRINEVILLE

PETITION FOR ANNEXATION

We, the undersigned, being the owners of all the property in the following described territory which is contiguous to the City of Prineville and which is proposed to be annexed to said City, do hereby, on this 30th day of JUNE, 1997, petition the City Council of the City of Prineville, Oregon, to annex said territory to the City of Prineville, Oregon, and to incorporate said property within said City's incorporated boundaries.

The property above referred to, lying in Crook County, Oregon, is more particularly described as follows:

Tax Lot 1600 of Assessor's Map 14-15-25D

Zoning of the property upon annexation is requested to be GENERAL INDUSTRIAL M-2 as set forth by Section 3.100 of City Ordinance No. 807 as amended and as is in compliance with the Prineville Urban Area Comprehensive Plan.

Signature of Owner or
Owners of Property

Address

[Handwritten Signature]

3194 N. Yellow Pine Rd
Prineville OR 97754

This petition filed and received this 30th day of JUNE, 1997, in the office of the City Recorder, City Hall, 400 E. 3rd Street, Prineville, Oregon.

DICK BROWN
PLANNING DIRECTOR
Printed Name & Position of
City Staff Person receiving
said Petition.

[Handwritten Signature]
Signature
6/30/97
Date