

ORDINANCE NO. 942

AN ORDINANCE WITHDRAWING CERTAIN REAL PROPERTY
COMMONLY KNOWN AS THE ANNEXED INDUSTRIAL PARK, ANNEXED
ALGONQUIN SUBDIVISION, AND THE ANNEXED WALLY GERVAIS
PROPERTY FROM THE CROOK COUNTY VECTOR CONTROL AND
THE ZONE II FIRE DISTRICTS

WHEREAS, certain real property commonly known as the Industrial Park, Algonquin Subdivision and Wally Gervais property, was annexed into the City of Prineville in 1989; and

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

WHEREAS, pursuant to Resolutions No. 691, 692 and 693, a public hearing was held on the issue of withdrawing respectively the Industrial Park, Algonquin Subdivision, and Wally Gervais real property from said districts; and

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

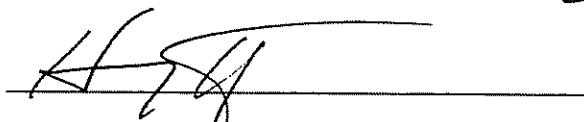
NOW, THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE ORDAIN AS FOLLOWS:

Section 1. That the real property, commonly known as Industrial Park, Algonquin Subdivision, and Wally Gervais property, more particularly described respectively in "Exhibits A, B and C" attached hereto and incorporated herein, is hereby withdrawn, pursuant to ORS 222.524, from the Crook County Vector Control District and the Crook County Zone II Fire District.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 Neither the City nor said real property withdrawn shall be charged by the Crook County Vector Control District and/or the Crook County Zone II Fire District with any future liabilities, obligations functions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 27th day of February, 1990.

Approved by the Mayor this 27th day of February, 1990.



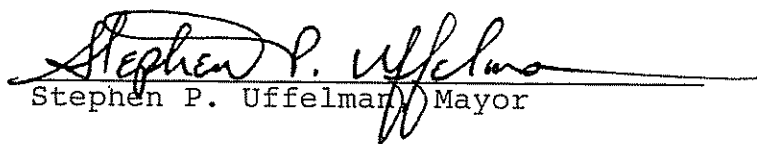

Stephen P. Uffelmann Mayor

EXHIBIT 'A'

Boundary Description

Beginning at the Southwest corner of Lot 28 of the Plat of the Steve W. Yancey Second Subdivision, Records of Crook County, Oregon, said point being located on the East line of Section 36, Township 14 South, Range 15 East, Willamette Meridian, Crook County, Oregon, thence South along said East line a distance of 171.11 feet, more or less, to a point located 23.48 feet North of the East one-quarter corner of said Section 36, and a point on the Northerly line of a parcel conveyed to Gust Lindeland in Deed Book 61 on Page 478, Records of Crook County, Oregon; thence North 55°01'55" West along said Northerly line a distance of 57.29 feet to the Northwest corner of said parcel and the Northeast corner of a parcel conveyed to Gust Lindeland in Deed Book 62 on Page 258, records of Crook County, Oregon; thence North 81°43'54" West along the Northerly line of said parcel a distance of 154.30 feet to the Northeast corner of a parcel conveyed to Elliot D. Flegel in Deed Book 53 on Page 394, Records of Crook County, Oregon; thence North 82°38'38" West along the Northerly line of said parcel a distance of 260.55 feet to the Northeast corner of a parcel conveyed to James R. Carson et ux, in Deed Book 53 on Page 523, Records of Crook County, Oregon; thence North 77°54'20" West along the Northerly line of said parcel a distance of 178.50 feet; thence South 47°13'05" West along the Northwesterly line of said parcel a distance of 143.30 feet to the Northeast corner of a parcel conveyed to Charlie Loftin et ux, in Deed Book 77 on Page 154, Records of Crook County, Oregon; thence North 68°27'18" West along the Northerly line of said parcel a distance of 63.24 feet; thence North 47°13'05" East a distance of 59.40 feet; thence North 83°54'50" West a distance of 79.66 feet to the Northeast corner of a parcel conveyed to Doyle F. Landrum et ux, in Deed Book 95 on Page 601, Records of Crook County, Oregon; thence North 69°22'05" West along the Northerly line of said parcel a distance of 144.82 feet; thence South 20°27'05" West along the Westerly line of said parcel a distance of 30.00 feet to the Northwest corner of said parcel and a point on the Northerly right of way line of the Madras-Prineville Highway; thence North 42°46'55" West along said Northerly line a distance of 157.55 feet to the Southeast corner of that parcel of land conveyed to Lester Waite in Deed Book 53 on Page 110, Records of Crook County, Oregon; thence North 19°07'05" West along the Easterly line of said parcel a distance of 212.46 feet; thence North 0°15'55" East along said Easterly line a distance of 150.74 feet; thence North 20°29'55" East along said Easterly line a distance of 97.85 feet; thence North 33°22'55" East along said Easterly line a distance of 277.69 feet; thence North 41°05'55" East along said Easterly line a distance of 126.95 feet; thence North 62°02'55" East along said Easterly line a distance of 118.82 feet; thence North 54°58'55" East along said Easterly line a distance of 248.88 feet; thence North 14°56'55" East along said Easterly line a distance of 179.64 feet; thence along the Easterly line of said parcel North 16°56'05" West a distance of 234.33 feet; thence along said line North 31°42'05" West a distance of 283.01 feet to the Northeast corner of that parcel of land conveyed to Lester L. Waite as described by Deed Book 52 on Page 595; thence along the northerly line of said parcel North 42°46'55" West a distance of 162.80 feet to the Northwest corner thereof; thence along the Westerly line of said parcel South 22°13'05" West a distance of 10.00 feet to the Northeast corner of that parcel of land conveyed to Fred L. Woodford et ux, as described by Deed Book 53 on Page 630; thence along the Northerly line of said parcel North 72°39'44" West a distance of 418.42 feet to the Northwesterly corner thereof and a point on the Easterly line of that parcel of land conveyed to Fred Woodford et ux, as described by Deed Book 55 on Page 438; thence along the Easterly line of said parcel North 22°13'05" East a distance of 10.00 feet; thence along the Northerly line of said parcel South 46°35'37" West a distance of 254.82 feet; thence along said line North 73°55'23" West a

distance of 364.03 feet to the Northeast corner of that parcel of land conveyed to Cecil G. King et ux, as described by Deed Book 54 on Page 18; thence along the Northerly line of said parcel North 23°42'08" West a distance of 199.58 feet, more or less, to a point on the Easterly line of a parcel of land conveyed to Robert A. Devore et ux, as described by Deed Book 56 on Page 131; thence North 37°07' East along said Easterly line a distance of 42.40 feet to the Northeast corner of said parcel; thence North 31°28' West along the Northeasterly line of said parcel a distance of 405.3 feet to a point on the North line of said Section 36; thence North 77°39' West along the Northerly line of said parcel a distance of 327.3 feet to the Northeast corner of a parcel of land conveyed to Emma Pearl Morris as described by Deed Book 54 on Page 553; thence South 84°55' West along the Northerly line of said parcel and extension thereof a distance of 254 feet to a point on the North-South center line of Section 25, Township 14 South, Range 15 East, Willamette Meridian, located North along said line a distance of 48 feet from the South quarter corner of said Section 25; thence North along said center line a distance of 875 feet to the Southwest corner of a parcel conveyed to Claud Davidson as described by Deed Book 64 on Page 67; thence East along the South line of said parcel a distance of 208 feet to the Southwest corner of a parcel conveyed to William E. Hankins, as described by Deed Book 64 on Page 260; thence South 61°45' East along the Southerly line of said parcel a distance of 447.3 feet to the Southwest corner of a parcel conveyed to John H. Sill et ux, as described by Deed Book 62 on Page 178; thence South 71°31' East along the Southerly line of said parcel a distance of 369 feet more or less to the Southwest corner of a parcel conveyed to Donald C. Smith et ux, as described by Deed MF 83716; thence North 0°09'57" West along the Westerly line of said parcel a distance of 225.76 feet to the Northwest corner of said parcel; thence North 85°15'19" East along the Northerly line of said parcel a distance of 229.28 feet to a point; thence North 0°00'34" East along the Westerly line of said parcel along an existing fence line a distance of 300.90 feet to a 5/8-inch iron rod on the Southerly right of way line of the City of Prineville Railway; thence North 38°20'03" East a distance of 50.00 feet to the Northerly right of way line of the City of Prineville Railway; thence South 51°39'57" East along said Northerly right of way line a distance of 2482.41 feet to a point located North 38°20'03" East a distance of 50.00 feet from the Northeast corner of a parcel of land conveyed to Consolidated Pine, Inc., an Oregon corporation, described in Deed MF 17299; thence South 38°20'03" West a distance of 50.00 feet to said Northeast corner; thence South 38°20'03" West along the Easterly line of said parcel a distance of 206.87 feet more or less, to the Southeast corner of said parcel; thence North 51°39'57" West along the Southerly line of said parcel a distance of 474.69 feet to the Easterly right of way line of Gardner County Road as described in Deed MF 78300; thence following the arc of a 270.00 foot radius curve left a distance of 13.26 feet (chord bears South 01°24'26" West a distance of 13.26 feet); thence West across said Gardner County Road a distance of 60.00 feet; thence North along the West line of said Gardner County Road a distance of 23.83 feet to the Southeast corner of Lot 1 of Prineville Industrial Park Subdivision and the Northeast corner of that parcel of land conveyed to Frank C. Moodenbaugh as described by Deed Book 62 on Page 443, Records of Crook County, Oregon; thence along the Northerly line of said parcel South 78°32'00" West a distance of 254.60 feet; thence along said line North 89°45'00" West a distance of 216.60 feet; thence along said line North 76°09'00" West a distance of 151.20 feet; thence along said line South 76°02'00" West a distance of 136.00 feet; thence along the Westerly line of said parcel and the Westerly line of that parcel of land conveyed to Virgil Ingmire as described by Deed Book 63 on Page 44, South 14°42'59" West a distance of 174.74 feet; thence along the Westerly line of said Ingmire parcel South 62°25'00" East a distance of 211.30 feet; thence along said line South 23°00'50" East a distance of 22.01 feet to the Northwest corner of that parcel of land conveyed to Tom Wyman et ux, as

described by Deed Book 64 on Page 552; thence along the Westerly line of said parcel South 22°35'18" East a distance of 190.81 feet to the Northwest corner of that parcel of land conveyed to Ed Watson as described by Deed Book 66 on Page 191; thence along the Westerly line of said parcel South 22°46'56" East a distance of 195.70 feet to the Southwest corner thereof; thence East along the South line of said parcel a distance of 1.73 feet to the Northwest corner of that parcel of land conveyed to Francis Roba et ux, as described by Deed Book 63 on Page 561; thence along the Westerly line of said parcel South 22°49'00" East a distance of 22.10 feet; thence along said line South 11°54'00" East a distance of 171.57 feet to a 5/8-inch iron rod; thence South 80°14'30" East a distance of 404.50 feet to the Westerly right of way line of Gardner County Road; thence North along said Westerly right of way line a distance of 922.99 feet to a point located South a distance of 23.83 feet from the Southeast corner of Lot 1 of Prineville Industrial Park Subdivision and the Northeast corner of that parcel of land conveyed to Frank C. Moodenbaugh as described by Deed Book 62 on Page 443, Records of Crook County, Oregon; thence East across said Gardner County Road a distance of 60.00 feet to a point on the Easterly right of way line of Gardner County Road as described in Deed MF 78300, thence South along said Easterly right of way line following a line 20.00 feet East of and parallel with the East line of said Section 36 a distance of 1202.47 feet; thence following the arc of a 484.00 foot radius curve right a distance of 139.62 feet (chord bears South 08°15'52" West, 139.14 feet) to a point on the East line of said Section 36; thence South along said section line and the West line of said Lot 28 of the Plat of the Steve W. Yancey Second Subdivision a distance of 804.52 feet to the point of beginning.

EXHIBIT B

Beginning at the Northwest corner of Lot 1 of Block 4 of Bailey's Sub-Division, Records of Crook County, Oregon, said point also being on the East line of Hidden Springs Subdivision, Records of Crook County, Oregon, thence South along the West line of said Lot 1 a distance of 230 feet more or less to the North line of Lynn Boulevard County Road; thence East along the said North line of Lynn Boulevard a distance of 128.75 feet more or less to a point located North of the Northwest corner of that parcel of land deeded to Marvin Harris, et. ux., in Deeds MF 54627, Records of Crook County, Oregon; thence South a distance of 70 feet more or less to said Northwest corner; thence South along the West line of said parcel a distance of 438 feet to the Southwest corner of said parcel; thence East along the South line of said parcel a distance of 257.5 feet to the Southeast corner of said parcel; thence North along the East line of said parcel a distance of 438 feet to the South line of Lynn Boulevard; thence West along said South line of Lynn Boulevard a distance of 200.25 feet more or less to a point located South of the intersection of the East line of said Lot 1 of Block 4 of Bailey's Sub-Division and the North line of Lynn Boulevard; thence North a distance of 70 feet more or less to said intersection point; thence North along the East line of said Lot 1 a distance of 230 feet more or less to the Northeast corner of said Lot 1; thence West along the North line of said Lot 1 a distance of 186 feet to the point of beginning.

EXHIBIT C

IN THE COUNTY OF CROOK, STATE OF OREGON, TO-WIT:

IN TOWNSHIP 15 SOUTH, RANGE 16 EAST OF THE WILLAMETTE MERIDIAN:

Section 6: Beginning at a point 1237.5 feet East and 1151 feet, more or less, South of the Northwest corner of Section 6, which said point is on the South side of Second Street, Prineville, Oregon, extended, and at a point on the 1/16 line running North and South through the West half of said Section 6, thence East 280 feet, more or less, to a point which is the Northwest corner of Johnson's Subdivision, as platted in Crook County, Oregon; thence South 37 feet, thence South 35°35' East 250 feet, thence South 70°30' East 200 feet, thence East 786 feet, thence North 106 feet, thence East 160 feet, thence North 80 feet, thence East 536 feet, thence South 30 feet, thence East 80 feet to a point on the West line of a tract of land deeded to Harold Gray and wife by deed recorded in Book 55 of Deeds at page 189, Records of Crook County, Oregon, thence South 19 feet to the Southwest corner of said tract deeded to Harold Gray and wife, thence East 174 feet, thence South 12 feet, thence East 230 feet, more or less, to a point on the West line of Riverside Addition produced to the North, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon, thence South along the said West line 2298.4 feet, more or less, to the Southwest corner of a tract of land deeded to H. H. Schmitt by deed recorded in Book 63 of Deeds at page 181, Records of Crook County, Oregon, thence East 774.62 feet to the Southeast corner of said Tract, thence South 1798.5 feet, more or less, to the South line of said Section 6, thence West along the said South line of said Section 6 for 1240 feet, more or less, to the Southeast corner of Second Crestview Subdivision, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon, thence North 533 feet, thence North 62°02' West 340.5 feet, thence North 86°51' West 287.2 feet, thence North 81°08' West 269.7 feet, thence North 85°13' West 416.9 feet, thence North 86°03' West 419.3 feet to the Northwest corner of said subdivision, thence North 52°40' West 279 feet to a point on the East boundary line of Bowen's Subdivision, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon, thence North 1°35' West along the said East line for 1600 feet, more or less, to the Northeast corner of said subdivision, thence West 247.5 feet, more or less, to a point on the 1/16 line running North

and South through the West half of said Section 6, thence North 1524 feet, more or less, to the point of beginning. EXCEPTING a certain easement and right of way for road purposes over a strip of land 100 feet in width, said strip being 50 feet in width on either side of a center line described as follows: Beginning at a point on the North line of the Southwest quarter of Section 6, which point is 1465 feet East of the West quarter corner of said Section 6, and running thence North 38° West 360 feet, more or less, to a point on the East right-of-way line of the State Highway, as now located and constructed. ALSO EXCEPTING a tract of land deeded to Central Electric Cooperative, Inc., by deed recorded in Book 64 of Deeds at page 405, Records of Crook County, Oregon. ALSO EXCEPTING that portion of the above described land lying Southwesterly of the thread of the Crooked River.

EXCEPTING FROM THE ABOVE DESCRIBED LANDS the interest of Prineville Irrigation Company and successors acquired by Easement granted by Decree entered in Case No. 438 in the Circuit Court of the State of Oregon for Crook County.