

RESOLUTION NO. 1046

A RESOLUTION DECLARING THE ASSESSMENT ON PROPERTY BENEFITED BY PLACEMENT OF A SEWER INTERCEPTOR LINE AND DIRECTING THE CITY RECORDER TO ENTER A STATEMENT THEREOF IN THE DOCKET OF CITY LIENS AND TO SERVE NOTICE TO THE BENEFITED PROPERTY OWNER REGARDING THE TENTH STREET SEWER PROJECT LOCAL IMPROVEMENT DISTRICT

RECITALS:

A. The City Council did by Resolution No. 1009, declare its intention to cause the placement of an interceptor sewer line to serve real property owned by Brooks Resources Corporation, declared its intention to assess up to \$1,750,000 of the costs of the interceptor sewer line upon property owned by Brooks Resources Corporation and described in Resolution No. 1009, ordered construction of the sewer interceptor line, and formed the Tenth Street Sewer Project Local Improvement District.

B. The interceptor sewer line was constructed and the cost of said improvement was \$3,440,418 79.

C. Brooks Resources Corporation has waived its right to object against the amount of the assessment and authorized that the assessment in the amount of \$1,750,000 be assessed against the property described at Exhibit A attached hereto and by this reference made a part hereof.

BASED UPON the above Recitals, it is hereby resolved by the City of Prineville as follows:

1. Brooks Resources Corporation's proportionate share of the cost of construction of said improvements on real property owned by Brooks Resources Corporation and benefited by said improvements is the amount of \$1,750,000.

2. The total amount of costs assessed against real property owned by Brooks Resources Corporation for the construction of the sewer interceptor line is \$1,750,000.

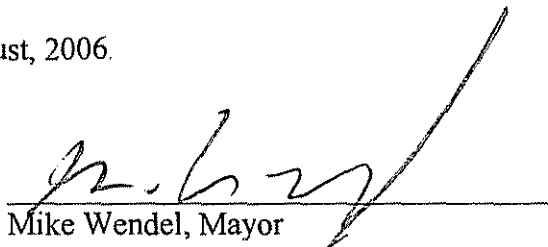
3. An assessment in the amount of \$1,750,000 is hereby made on the real property located in Crook County, Oregon, and described on the attached Exhibit A for the placement of the sewer interceptor line.

4. The recorder of the City of Prineville, Oregon, is hereby directed to enter a statement of said assessments in the docket of city liens in said city, and to serve notice of said assessments on Brooks Resources Corporation by mailing a copy of said assessments, by certified mail within ten days from the date of this Resolution.

5. The amount of assessments described on attached Exhibit A are due at this time. However, the owner of the assessed property shall have the right to make application to the City of Prineville to make payments of semi-annual installments over 20 years at six and 83/100 percent (6.83%) per annum with interest beginning the date of this Resolution until paid. Such application shall be made on a form furnished by the City of Prineville and shall be made within ten days after the notice of assessment is received by the property owner.

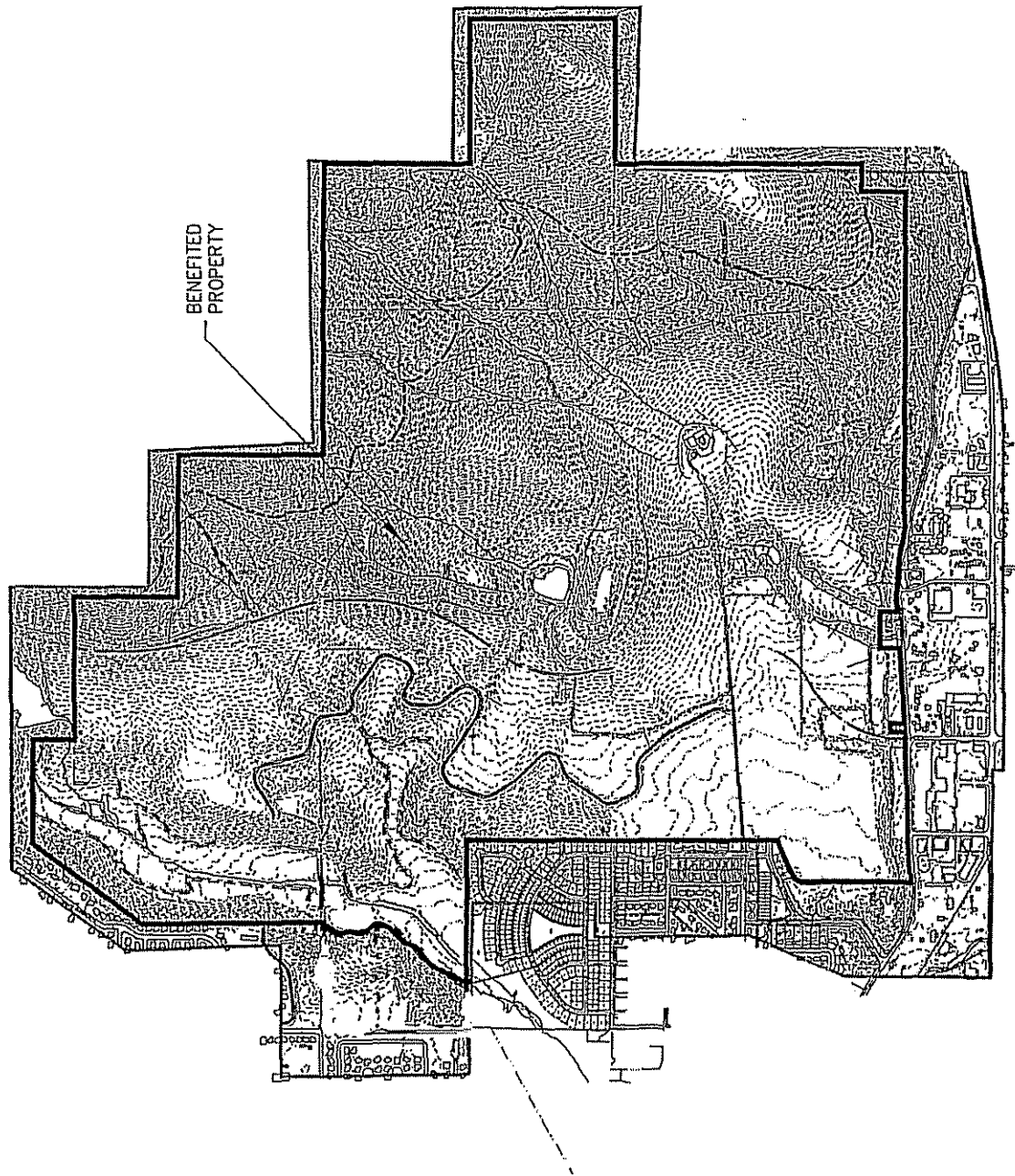
Passed by City Council this 8th day of August, 2006.

Signed by the Mayor this 8th day of August, 2006.


Mike Wendel, Mayor

ATTEST


Robb Corbett, City Manager



BENEFITED
PROPERTY



Exhibit "A"

EXHIBIT A

Parcel One (1) of Partition Plat No. 2004-15, recorded June 17, 2004, in Partitions MF No. 191208, Records of Crook County, Oregon;

Together with SW¼ of the NW¼ of Section 34 in Township 14S, Range 16E of the Willamette Meridian;

EXCEPTING THEREFROM, approximately 21.76 acres of property described on the attached Exhibits 1 and 2.

LEGAL DESCRIPTION

A portion of Parcel 1 of Partition Plat No. 2004-15 as recorded June 17, 2004 at Deed/Partitions MF191208, Records of Crook County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of the Northwest one-quarter of the Northeast one-quarter (NW1/4 NE1/4) of Section 32, Township 14 South, Range 16 East, W.M., said point marked by a 5/8 inch rod and being the Southwest corner of that parcel of land described in Warranty Deed as recorded June 6, 2005, at Deeds MF200618 of the Crook County Official Records, thence North 00°30'47" East along the west line of said parcel recorded at Deeds MF200618 a distance of 800.72 feet to a 5/8 inch iron rod; thence South 89°29'18" East along the north line of said parcel recorded at Deeds MF200618 a distance of 289.17 feet to a 5/8 inch iron rod; thence South 89°29'09" East, 611.08 feet; thence South 02°42'03" East, 43.85 feet; thence South 06°48'51" East, 76.56 feet; thence South 32°58'33" West, 30.45 feet; thence South 36°23'20" West, 52.10 feet; thence South 49°59'25" West, 58.98 feet; thence South 56°35'25" West, 65.02 feet; thence South 47°12'26" West, 75.44 feet; thence South 51°23'57" West, 61.41 feet; thence South 47°02'09" West, 62.04 feet; thence South 30°34'53" West, 65.76 feet; thence South 41°47'25" West, 58.00 feet; thence South 30°54'11" West, 56.75 feet; thence South 08°42'01" West, 38.93 feet; thence South 53°35'31" West, 25.31 feet; thence South 49°43'44" West, 67.79 feet; thence South 40°59'49" West, 67.03 feet; thence South 29°27'35" West, 121.22 feet to the south line of said NW1/4 NE1/4 and south line of Parcel 1 of said Partition Plat No. 2004-15; thence North 89°37'07" West along said line a distance of 89.80 feet to a 5/8 inch rod and the Southeast corner of said parcel recorded at Deeds MF200618; thence continuing North 89°37'07" West along said south line of said NW1/4 NE1/4 a distance of 250.23 feet to a 5/8 inch rod and the **TRUE POINT OF BEGINNING**.

Said parcel contains 11.86 acres, more or less.

LEGAL DESCRIPTION – CORA PARCEL

A portion of Parcel 1 of Partition Plat No. 2004-15 as recorded June 17, 2004 at Deed/Partitions MF191208, Records of Crook County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of the Northwest one-quarter of the Northeast one-quarter (NW1/4 NE1/4) of Section 32, Township 14 South, Range 16 East, W.M., said point marked by a 5/8 inch iron rod and being on the West line of said Parcel 1, thence North 00°16'29" East along the West line of said Parcel 1 a distance of 800.73 feet to a 5/8 inch iron rod and the TRUE POINT OF BEGINNING. Thence South 89°43'31" East a distance of 289.20 feet to a 5/8 inch iron rod; thence continuing South 89°43'31" East a distance of 611.05 feet; thence North 02°56'25" West a distance of 43.82 feet; thence North 19°15'53" West a distance of 82.74 feet; thence North 11°15'57" West a distance of 63.06 feet; thence North 06°27'45" West a distance of 86.37 feet; thence North 05°51'11" East a distance of 56.40 feet; thence North 17°07'22" East a distance of 67.24 feet; thence North 35°54'38" East a distance of 78.13 feet; thence North 30°12'35" East a distance of 49.05 feet to the South right of way line of Peters Road and a point on the West line of said Parcel 1; thence South 89°52'05" West along said line a distance of 942.36 feet to the West line of said NW1/4NE1/4; thence South 00°16'29" West along said line a distance of 489.09 feet to the TRUE POINT OF BEGINNING.

Said parcel contains 9.90 acres, more or less.