

94-23384

CONSENT TO ANNEXATION

The undersigned property owner (s) hereby consents to the annexation of the following described property to the City of Bend, Deschutes County, Oregon.

See Exhibit "A"

The undersigned property owner hereby gives express, continuing, written consent to annexation of the property described herein to the City of Bend; and waives the one year period prescribed in ORS 222.173; and does hereby agree to execute such separate, further or additional application, petition and consent as may be hereafter required by the City, or the laws of the State, as now or hereafter enacted for such annexation. This consent is given in consideration of City services that either have been or will be supplied to the property. The undersigned intends this consent to comply with all requirements of law for annexation of the property described. The undersigned and City intend that this consent shall constitute a covenant running with the land, binding on the undersigned and the undersigned's heirs, successors, or assigns. The City may exercise this consent at any time in the City's sole discretion.

The undersigned represents that the undersigned is the owner of this property and has the right to consent to its annexation.

DATED this 27th day of May, 19 94

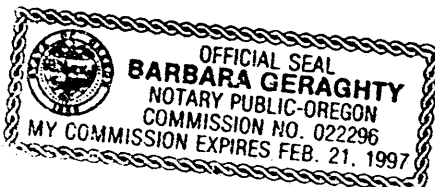
REMARKABLE PROPERTIES INC.

By: Mark Cassin President

MARK CASSIN, PRESIDENT

STATE OF OREGON)
) ss
County of Deschutes)

This instrument was acknowledged before me on May 27th 1994
by Mark Cassin



Barbara Geraghty
NOTARY PUBLIC FOR OREGON
My commission Expires: 2-21-97

Return To:
City of Bend
Development Services
P.O. Box 431
Bend, OR 97702

ORIGINAL

Exhibit "A"

PROPERTY DESCRIPTION
WISHING WELL, PHASE I

A TRACT OF LAND LOCATED IN A PORTION OF PARCEL 3 OF PARTITION PLAT NO. 1990-5 LOCATED IN THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 16, TOWNSHIP 17 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3" DESCHUTES COUNTY ALUMINUM CAP, THE "INITIAL POINT", SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE FOLLOWING THE SOUTHERLY LINE OF SAID SECTION 16 SOUTH 89°59'25" WEST, 1314.24 FEET TO A 5/8" IRON ROD WITH A PLASTIC CAP STAMPED LS 1642; THENCE LEAVING SAID SOUTHERLY SECTION LINE NORTH 0°01'04" EAST, 236.82 FEET TO THE "TRUE POINT OF BEGINNING" FOR WISHING WELL, PHASE I;

THENCE NORTH 0°01'04" EAST, 447.40 FEET TO A 1/2" IRON ROD NO CAP; THENCE NORTH 0°02'49" WEST, 378.23 FEET TO A 5/8" IRON ROD WITH A PLASTIC CAP STAMPED LS 1642 ON THE SOUTHERLY RIGHT-OF-WAY OF MORNINGSTAR DRIVE; THENCE FOLLOWING SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING CURVE AND COURSE:

ALONG A 970.00 FOOT RADIUS CURVE RIGHT, 57.49 FEET (CHORD BEARS SOUTH 74°12'46" EAST, 57.48 FEET) TO A 5/8" IRON ROD WITH A PLASTIC CAP STAMPED LS 1642; SOUTH 71°48'34" EAST, 284.00 FEET;

THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY SOUTH 18°11'03" WEST, 157.06 FEET; THENCE SOUTH 02°01'00" WEST, 96.52 FEET; THENCE SOUTH 37°11'51" EAST, 78.88 FEET; THENCE SOUTH 60°26'47" WEST, 65.58 FEET; THENCE SOUTH 63°36'56" WEST, 72.84 FEET; THENCE ALONG A 420 FOOT RADIUS CURVE LEFT, 79.26 FEET (CHORD BEARS SOUTH 31°47'28" EAST, 79.15 FEET); THENCE SOUTH 37°11'51" EAST, 156.92 FEET; THENCE SOUTH 52°48'09" WEST, 60.00 FEET; THENCE SOUTH 37°11'51" EAST, 36.21 FEET; THENCE SOUTH 52°30'00" WEST, 191.51 FEET; THENCE NORTH 80°37'45" WEST, 158.77 FEET TO THE TRUE POINT OF BEGINNING AND TERMINUS OF THIS DESCRIPTION. CONTAINING 5.038 ACRES MORE OR LESS.

SUBJECT TO: ALL EASEMENTS, RESTRICTION AND RIGHT-OF-WAY OF RECORD AND THOSE COMMON AND APPARENT ON THE LAND.

STATE OF OREGON)
COUNTY OF DESCHUTES) SS.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND
RECORDER OF CONVEYANCES, IN AND FOR SAID
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS RECORDED THIS DAY:

94 JUN 10 AM 8:17

MARY SUE PENHOLLOW
COUNTY CLERK

BY: T. Moore DEPUTY

NO. 94-23384 SEE 10.00

DESCHUTES COUNTY OFFICIAL RECORDS