

# RECORDING COVER SHEET

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County Filing Index - Deeds  
Recording Authority - Redmond Code Section 1.500 Requires Recording of documents with the Deschutes County Clerk (Ordinance Number 2001-13)

- A. Title of Document: Antonsen Sewer Line Agreement  
Property located at: See attached Exhibit D
- B. Names of First Parties: One Property Owners, as listed:  
**Floyd C. Antonsen**  
Names of Second Parties: City of Redmond, Oregon
- C. Name and address of person authorized to receive the instrument after recording:

✓ City Recorder's Office  
PO Box 726  
Redmond OR 97756-0100

RcrdgCvr.doc

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2004-21047



\$66.00

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04/15/2004 09:48:52 AM

D-AG Cnt=1 Str=2 PAT  
\$40.00 \$11.00 \$10.00 \$5.00

## ANTONSEN SEWER LINE AGREEMENT

THIS AGREEMENT is made and entered into this 2 day of FEBRUARY, 2004 by and between the City of Redmond, an Oregon municipal corporation, hereinafter referred to as "City" and Floyd C. Antonsen hereinafter referred to as "Antonsen".

WHEREAS, Antonsen currently owns property identified as Tax Lot #151317001307 in Redmond, Oregon; and

WHEREAS, City Public Facilities Plan specifies installation of a 24-inch diameter gravity interceptor line, known as Line D, extending through undeveloped portions of Tax Lot #151317001307; and

WHEREAS, City and Antonsen benefit from and desire to install that portion of the Line D through Tax Lot 1513170001307; and

WHEREAS, Antonsen desires to install sewer services for future development of Tax Lot 1513170001307; and

WHEREAS, City and Antonsen agree to share installation costs as specified in this Agreement.

NOW, THEREFORE, City and Antonsen agree as follows:

1. CITY OBLIGATIONS:

A. City will provide survey, design acceptable to Antonsen and City, construction bid, and construction contract management services. Design and construction shall meet the intent of the City Public Facility Plan and comply with City Standards and Specifications.

B. City will pay sewer installation costs. Antonsen will reimburse City for Antonsen's share of installation in accordance with the attached Reimbursement Schedule (Exhibit "A").

C. City will prepare Deeds of Dedication for right-of-way including legal descriptions and maps acceptable to Antonsen prior to survey and design.

D. City will commence this project immediately upon execution of this Agreement. City will install sewer from SW Evergreen Avenue, through Tax Lot 1513170001307 and SW 35<sup>th</sup> Street from SW Evergreen Avenue to the south boundary of the Tax Lot 1513170001307 by December 31, 2004.

E. City will be responsible for coordinating with Central Oregon Irrigation District (COID) in order to ensure that there are no disruptions to water delivery service during construction.

PLEASE RETURN TO:  
CITY RECORDERS OFFICE  
CITY OF REDMOND  
PO BOX 726  
REDMOND, OR 97756-0100

F. City will install sanitary sewer service laterals at approximately 10 locations to be agreed upon during design development.

## 2. ANTONSEN OBLIGATIONS:

A. Antonsen will, without cost to City, dedicate right-of-way to City as shown on the attached map (Exhibits "D" and "E") by executing Deeds of Dedication. This Agreement shall constitute full consideration for right-of-way dedication. Antonsen will provide documentation including proof of ownership and deed clear of encumbrances that would prohibit or condition right-of-way dedication.

B. Antonsen will provide sanitary sewer service locations to serve future lots. Antonsen will pay up to \$350 per single service and up to \$425 per double service for installation at approximately 10 previously agreed upon locations, in accordance with Exhibit "A". Payment is due to City prior to City approval of final plat for affected phase.

C. Antonsen will reimburse City for Antonsen's proportionate share of an 8-inch sanitary sewer installation in accordance with Exhibit "A". Payment is due to City prior to City approval of final plat for affected phase.

D. If Antonsen proposes to install any portion of the sewer improvements subject to this Agreement before the City does, Antonsen shall utilize design prepared by City, and agreed to by Antonsen, adequately document project costs, and get written approval of City prior to installation. City will pay qualified sewer related costs above \$65/LF and services above \$350 per single service and \$425 per double service.

## 3. ADDITIONAL PROVISIONS:

A. As used in this Agreement, reference to "install", "installation", or "installing" includes all labor, materials, and services necessary to construct the 24-inch diameter gravity interceptor line and services in accordance with City Standards and Specifications and Public Facilities Plan.

B. This Agreement and referenced attachments constitute the complete agreement between City and Antonsen and supersede all prior written or oral discussions.

C. In the event suit or action is instituted to enforce any of the terms of this Agreement, the prevailing party shall be entitled to recover from the losing party such sums as the court may adjudge reasonable as attorney's fees at trial and on appeal in such suit or action, in addition to all other sums provided by law. Venue for any proceeding arising out of this agreement shall be in Deschutes County, Oregon.

D. This Agreement may not be transferred or revised without the written mutual consent of City and Antonsen.

E. This Agreement is for installation of sewer only and does not include other items related to future development of the property such as other utilities, street construction, canal piping, etc.

IN WITNESS THEREOF, City and Antonsen have caused this Agreement to be executed by their duly authorized representatives on the date set forth above.

CITY OF REDMOND

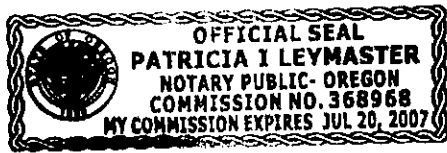
ANTONSEN

Alan Unger  
Alan Unger, Mayor

Floyd C. Antonsen  
Floyd C. Antonsen

STATE OF OREGON )  
County of Deschutes )

Personally appeared the above named Alan Unger, Mayor of the City of Redmond, and acknowledged that the foregoing agreement was the voluntary act and deed of the City of Redmond, Oregon before me this 9<sup>th</sup> day of March 2004.



Patricia I. Leymaster  
Notary Public for Oregon

7-20-2007  
My Commission Expires

STATE OF OREGON )  
County of Deschutes )

Personally appeared the above named Floyd C. Antonsen, and acknowledged that the foregoing agreement was the voluntary act and deed before me this 2<sup>nd</sup> day of February 2004.



Tracy E. Reynolds  
Notary Public for Oregon

6-7-06  
My Commission Expires

**EXHIBIT "A"**  
**LINE D REIMBURSEMENT SCHEDULE**  
for  
**TAX LOT 1513170001307**

**Antonsen to City**

<u>Item Description</u>	<u>Segment</u>	<u>Reimbursement Amount</u>	<u>Reimbursement Payment Due</u>
24" SS	SSTA 13 + 02 to 14 + 44 SW 35 <sup>th</sup> Street frontage	142 LF @ 32.50/LF = \$4,615.00 4"/ 6" Services @ \$350/\$425 Ea.	Prior to City approval of Final Plat of future subdivision
24" SS	SSTA 14 + 44 to 19 + 44 SW Evergreen Ave. frontage	500 LF @ 65.00/LF = \$32,500.00 4"/ 6" Services @ \$350/\$425 Ea.	Prior to City approval of Final Plat of future subdivision

NOTE: Sanitary sewer stationing is based on City design for Line D project. Street segments are based on extensions of existing street alignments through Tax Lot 1513170001307.

# Anderson Engineering & Surveying, Inc.

Professional Engineers & Land Surveyors

## LEGAL DESCRIPTION

PROPOSED SW EVERGREEN AVENUE DEDICATION  
PORTION OF TAX LOT 15-13-17-1307 AND TITLE GAP  
EXHIBIT "D"

A PARCEL OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NW1/4 NW1/4) OF SECTION 17, TOWNSHIP 15 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, THE BOUNDARY OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD MARKING THE SOUTHEAST CORNER OF THE NW1/4 OF THE NW1/4 OF SECTION 17, T15S, R13E, W.M.; THENCE S89°54'42"W - 30.00 FEET ALONG THE SOUTH BOUNDARY OF SAID NW1/4 NW1/4 TO THE WESTERLY RIGHT-OF-WAY LINE FOR SW 31ST STREET AS DEDICATED BY VOLUME 2003, PAGE 24531 OF OFFICIAL DESCHUTES COUNTY DEED RECORDS; THENCE N00°13'27"E - 103.04 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE; THENCE S89°58'57"W - 781.75 FEET TO THE CENTERLINE OF CENTRAL OREGON IRRIGATION DISTRICT'S LATERAL "C-5" CANAL AND THE TRUE POINT OF BEGINNING; THENCE S89°58'57"W - 460.72 FEET; THENCE N00°18'51"E - 60.00 FEET; THENCE N89°58'57"E - 463.43 FEET TO SAID CANAL CENTERLINE; THENCE S15°08'31"W - 13.64 FEET ALONG SAID CANAL CENTERLINE; THENCE S00°38'28"E - 46.83 FEET ALONG SAID CANAL CENTERLINE TO THE TRUE POINT OF BEGINNING.

PARCEL CONTAINS 27638 SQUARE FEET SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAY OF RECORD PERTAINING TO THE ABOVE DESCRIBED LANDS.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Jerry D. Stichler 8/5/03*

OREGON  
JULY 25, 1991  
JERRY D. STICHLER  
2527

RENEWAL 6/30/04

17681 Highway 395 - P.O. Box 28  
Lakeview, Oregon 97630  
(541) 947-4407  
FAX 947-2321

852 SW 15th Street - P.O. Box 419  
Redmond, Oregon 97756  
(541) 923-4307  
FAX 923-4308

# Anderson Engineering & Surveying, Inc.

Professional Engineers & Land Surveyors

**LEGAL DESCRIPTION**  
**PROPOSED SW 35TH STREET DEDICATION**  
**PORTION OF TAX LOT 15-13-17-1307**  
**EXHIBIT "E"**

A PARCEL OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NW 1/4 NW 1/4) OF SECTION 17, TOWNSHIP 15 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, THE BOUNDARY OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD MARKING THE SOUTHEAST CORNER OF THE NW 1/4 OF THE NW 1/4 OF SECTION 17, T15S, R13E, W.M.; THENCE S89°54'42"W - 30.00 FEET ALONG THE SOUTH BOUNDARY OF SAID NW 1/4 NW 1/4 TO THE WESTERLY RIGHT-OF-WAY LINE FOR SW 31ST STREET AS DEDICATED BY VOLUME 2003, PAGE 24531 OF OFFICIAL DESCHUTES COUNTY DEED RECORDS; THENCE N00°13'27"E - 103.04 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE; THENCE S89°58'57"W - 781.75 FEET TO THE CENTERLINE OF CENTRAL OREGON IRRIGATION DISTRICT'S LATERAL "C-5" CANAL; THENCE S89°58'57"W - 460.72 FEET TO THE TRUE POINT OF BEGINNING; THENCE S00°18'51"W - 104.57 FEET TO THE SOUTH BOUNDARY OF SAID NW 1/4 NW 1/4; THENCE S89°54'42"W - 50.00 FEET ALONG SAID SOUTH BOUNDARY TO A 5/8" IRON ROD MARKING THE SOUTHWEST CORNER OF SAID NW 1/4 NW 1/4; THENCE N00°18'51"E - 329.91 FEET ALONG THE WEST BOUNDARY OF SAID NW 1/4 NW 1/4; THENCE N85°12'56"E - 50.20 FEET; THENCE S00°18'51"W - 229.44 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL CONTAINS 16598 SQUARE FEET SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAY OF RECORD PERTAINING TO THE ABOVE DESCRIBED LANDS.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Jerry D. Stichler 8/5/03*

OREGON  
JULY 25, 1981  
JERRY D. STICHLER  
2527

RENEWAL 6/30/04

17681 Highway 395 - P.O. Box 28  
Lakeview, Oregon 97630  
(541) 947-4407  
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852 SW 15th Street - P.O. Box 419  
Redmond, Oregon 97756  
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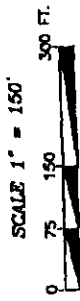
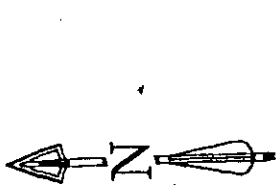
PROPOSED STREET DEDICATION SKETCH  
 LOCATED IN THE NW1/4 NW1/4 OF SECTION 17, T15S, R13E, W.M.  
 PORTION OF TAX LOT 15-13-17-1307

**LEGEND**

- EXISTING PROPERTY LINE
- PROPOSED LOT LINE PER "VILLAGE POINTE"  
PENDING SUBDIVISION
- L1 LINE DESIGNATION - REFER TO TABLE FOR DATA
- [Hatched Box] PROPOSED DEDICATION AREA AS PER EXHIBIT "D"  
LEGAL DESCRIPTION.
- [Horizontal Lines Box] PROPOSED DEDICATION AREA AS PER EXHIBIT "E"  
LEGAL DESCRIPTION.

**LINE TABLE**

NUMBER	BEARING	DISTANCE
L2	N00°39'28" W	46.83
L3	N15°08'31" E	13.64
L9	N00°18'51" E	60.00
L10	S89°54'42" W	50.00
L11	N85°12'58" E	50.20



REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Jerry D. Stochler* 11/28/04

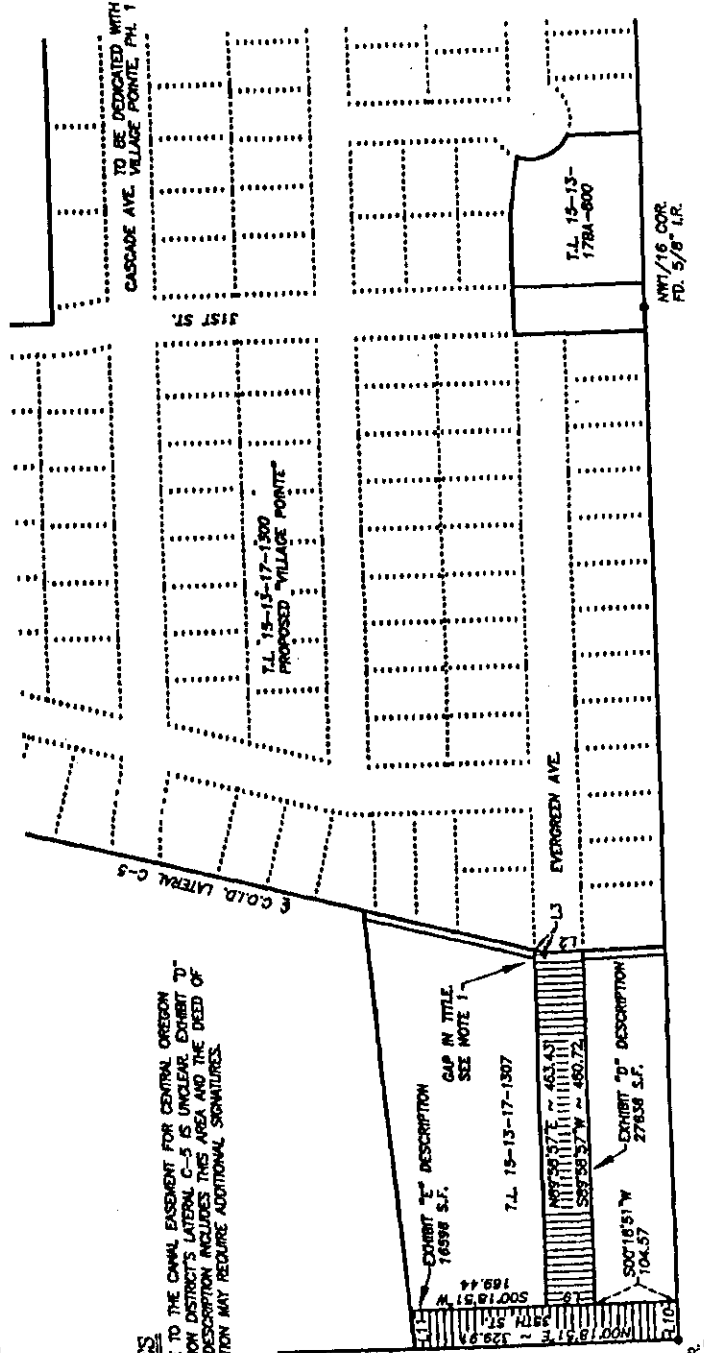
OREGON  
 JULY 26, 1994  
 JERRY D. STOCHLER  
 2007

RENEWAL 6/30/04

PREPARED FOR:  
 CITY OF REDMOND  
 716 SW EVERGREEN AVENUE  
 REDMOND, OREGON 97756

PREPARED BY:  
 ANDERSON ENGINEERING & SURVEYING  
 862 SW 10TH STREET, P.O. BOX 418  
 REDMOND, OREGON 97754  
 (541) 923-4307 (541) 923-4308 FAX  
 SEPTEMBER 8, 2003 SHEET 1 OF 1

DRAWN BY: J.S. JOB NO. 03/308  
 ERIC VILLAGE POINTE ACAD. 03/03/03



**NOTES**

1. TITLE TO THE CANAL EASEMENT FOR CENTRAL OREGON IRRIGATION DISTRICT'S LATERAL C-5 IS UNCLEAR. EXHIBIT "D" LEGAL DESCRIPTION INCLUDES THIS AREA AND THE DEED OF DEDICATION MAY REQUIRE ADDITIONAL SIGNATURES.

NW1/16 COR.  
 PD. 5/8' I.R.