

ORDINANCE NO 864

AN ORDINANCE PROCLAIMING AND DECLARING THE ANNEXATION OF CERTAIN TERRITORY INTO THE CORPORATE LIMITS OF THE TOWN OF LAKEVIEW PURSUANT TO THE PROVISIONS OF ORS 222.125, ORS 222.520 and ORS 222.524 AND WITHDRAWING THE SAME FROM THE LAKEVIEW RURAL FIRE PROTECTION DISTRICT.

WHEREAS, the Town of Lakeview is a political subdivision of the State of Oregon and has authority pursuant ORS Chapter 222 to annex into its boundaries lands that are contiguous to the Town of Lakeview;

WHEREAS, the Town Council has established annexation boundaries that seek annexation of lands more specifically described in the attached Exhibit A to this ordinance;

WHEREAS, pursuant to the provisions of ORS 222.125, there has been filed with the Town Council of the Town of Lakeview written consents to annexation as executed by the three land owners of the described real property which is contiguous territory to the Town of Lakeview;

WHEREAS, and also in accordance with ORS 222.125, there are no electors residing within the described real property proposed to be annexed;

WHEREAS, pursuant to the provisions of ORS 222.520, there is one affected district with respect to this annexation proceeding, specifically the Lakeview Rural Fire Protection District; and

WHEREAS, as to that affected district, the Town Council has complied with the notice provisions of ORS 222.524(2) and the public hearing requirements of ORS 222.524(1);

WHEREAS, the Town Council held a public hearing on May 29, 2018 on the issue of withdrawing the proposed area to be annexed from the affected district; and

WHEREAS, the Town Charter of the Town of Lakeview does not require the Town to submit

the issue of annexation to the registered voters of the Town and the provisions of ORS 222.125 and 222.524 having been complied with, now, therefore,

THE TOWN OF LAKEVIEW ORDAINS AS FOLLOWS:

Section 1. Area to be Annexed. It appears that it is in the best interests of the Town of Lakeview that the real property as specifically described on attached Exhibit "A" to this Ordinance be annexed into the corporate limits of the Town of Lakeview.

Section 2. Annexation without Election. As authorized by ORS 222.125 the Town Council elects to dispense with submitting the question of annexation to the registered voters of the Town of Lakeview and within the contiguous territory proposed to be annexed in that all of the landowners therein have consented to the annexation and there are no electors who reside within said territory.

Section 3. Conditions of Annexation. In connection with the annexation, the property owners within the annexed territory will be entitled to the following as conditions of the annexation:

- (a) A municipal water supply with fire hydrants.
- (b) A municipal sewer system.
- (c) Full time fire and police protection.
- (d) That all development within the area annexed by this Ordinance shall comply with relevant land use, development and design standards as contained in the Town's Development Code.

Section 4. Land Use District Classifications. The Plan/Land Use District Classifications of the annexed area will be established as set forth Exhibit B.

Section 5. Withdrawal of Territory from the Fire Protection District. The contiguous territory annexed is hereby withdrawn from the Lakeview Rural Fire Protection District effective July 1, 2018 pursuant to the provisions of ORS 222.120(5).

Section 6. Ad Valorem Real Property Taxation. The rate of taxation for Town purposes on the property within the annexed territory shall be effective July 1, 2018.

Section 7. Statutory Requirements. After the passage of this Ordinance the Town or its authorized representative(s) shall comply with the following specific conditions:

(a) Not later than 10 working days after the passage of this Ordinance, shall provide by certified mail to all public utilities, electric cooperatives and telecommunication carriers operating within the Town of Lakeview a copy of this Ordinance as well as a legal description and map of the boundary changes in compliance with ORS 222.005(1).

(b) Not later than 10 days from the date hereof, shall report to the county clerk and county assessor of Lake County the changes in the boundaries of the incorporated limits of the Town of Lakeview in compliance with ORS 222.010(1).

(c) Shall file the boundary changes in final approved form with the Lake County Assessor and the Department of Revenue pursuant to ORS 222.010(2) and ORS 308.225.

(d) Shall send to the Oregon Secretary of State a copy of this Ordinance so proclaiming the annexation as well as copies of the consents to annexation filed with the Town of Lakeview under ORS 222.177.

Section 8. Effective Date of Annexation. The effective date of the annexation as herein set forth shall be on and after the effective date of this Ordinance.

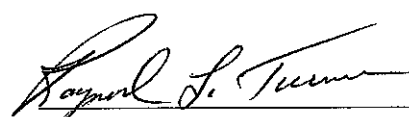
Section 9. Effective Date of Ordinance. This Ordinance shall take effect on the thirtieth (30th) day after its adoption as so set forth below.

A motion was made to read this Ordinance by title only and such motion passed unanimously. The Ordinance was then read by title only and adopted unanimously.

Aye: 4

Nay: 0

Adopted this 29 day of May, 2018.



Raymond Turner, Mayor

Attest:



Dawn Lepori, Town Recorder

EXHIBIT A

ANNEXATION AREAS FOR THE TOWN OF LAKEVIEW

Parcel 1

TOWNSHIP 39 SOUTH, RANGE 20 EAST OF THE WILLAMETTE MERIDIAN, SECTION 4: THE W1/2 OF THE SW1/4; AND THE FOLLOWING:

BEGINNING AT A POINT ON THE WEST BOUNDARY LINE OF THE LAKEVIEW LOGGING COMPANY'S PRIVATE LOGGING ROAD RIGHT-OF-WAY WHICH POINT IS LOCATED ON THE NORTH BOUNDARY LINE OF THE SW1/4 OF THE SE1/4 OF SECTION 4, TOWNSHIP 39 SOUTH, RANGE 20 EAST OF THE WILLAMETTE MERIDIAN AND APPROXIMATELY 549 FEET DISTANCE FROM THE NORTHWEST CORNER OF SW1/4 OF THE SE1/4 OF SAID SECTION 4;

THENCE NORTH 40°8' WEST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID LOGGING ROAD RIGHT-OF-WAY TO A POINT 617.2 FEET NORTH 3°5' WEST AND 69.8 FEET EAST OF THE NORTHWEST CORNER OF THE SW1/4 OF THE SE1/4 OF SAID SECTION 4; THENCE SOUTH 88°49' WEST 1419.7 FEET; THENCE NORTH TO A POINT 66 FEET NORTH OF THE NORTHEAST CORNER OF THE S1/2 OF THE S1/2 OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 4; THENCE SOUTH 89°24' WEST TO THE EAST RIGHT-OF-WAY LINE OF THE COUNTY ROAD RUNNING IN THE NORTHERLY AND SOUTHERLY DIRECTION ALONG THE SECTION LINE COMMON TO SECTIONS 4 AND 5; THENCE SOUTH 2°22' EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD RUNNING ALONG THE SECTION LINE COMMON TO SECTIONS 4 AND 5 TO THE SOUTH BOUNDARY LINE OF SAID SECTION 4; THENCE NORTH 88°45' EAST ALONG THE SOUTH BOUNDARY LINE OF SAID SECTION 4 TO A POINT, 1593.73 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 4; THENCE NORTH 1°6' WEST 616.6 FEET TO THE WESTERLY MARGIN OF THE LAKEVIEW LOGGING COMPANY LOGGING ROAD; THENCE NORTHWESTERLY ALONG THE WESTERN BOUNDARY LINE OF THE LOGGING ROAD RIGHT-OF-WAY TO THE POINT OF BEGINNING.

EXCLUDING THEREFROM A PARCEL OF LAND LOCATED IN THE SW1/4 NW1/4, SECTION 4, TOWNSHIP 39 SOUTH, RANGE 20 EAST OF THE WILLAMETTE MERIDIAN, LAKE COUNTY, OREGON DESCRIBED AS FOLLOWS: S1/2 S1/2 SW1/4 NW1/4 AND THE SOUTH SIXTY-SIX (66) FEET OF THE N1/2 S1/2 SW1/4 NW1/4.

Parcel 2

A PARCEL OF LAND, BEING THE PORTION OF THE NORTH ½ OF THE NORTH ½ OF THE NORTHWEST ¼, OF SECTION 9, TOWNSHIP 39 SOUTH, RANGE 20 EAST, OF THE WILLAMETTE MERIDIAN, LAKE COUNTY, OREGON, LYING NORTH OF THE PLATTED NORTHERN BOUNDARY OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SECTION 9 AND THE EASTERLY RIGHT-OF-WAY LINE OF RABBIT HILLS ROAD (ROAD NUMBER 2-18); THENCE N89°22'58"E-2691.55 FEET MORE OR LESS ALONG THE NORTH LINE OF SECTION 9 TO THE NORTH ¼ CORNER OF SECTION 9; THENCE SOUTH ALONG THE CENTER OF SECTION LINE OF SECTION 9 TO A POINT THAT IS DIRECTY EAST OF THE NORTHEAST CORNER OF BLOCK 281 OF OREGON VALLEY LAND COMPANYS FIRST ADDITION TO LAKEVIEW; THENCE WEST ALONG THE NORTH LINES OF BLOCKS 281, 136, 137, 184, 185, 232, 233, AND 280, INCLUDING ACROSS THE NORTH LINES OF PLATTED STREETS, ROBERTA, 7TH, 6TH, 5TH, 4TH, 3RD, 2ND, OF OREGON VALLEY LAND COMPANYS FIRST ADDITION TO LAKEVIEW, TO THE EASTERLY RIGHT-OF-WAY LINE OF RABBIT HILLS ROAD; THENCE NORTHERLY ALONG THE EAST RIGHT-OF-WAY LINE OF RABBIT HILLS ROAD TO THE POINT OF BEGINNING.

Parcel 3

A PARCEL OF LAND, LOCATED IN THE SOUTHWEST ¼ OF SECTION 22, TOWNSHIP 39 SOUTH, RANGE 20 EAST, OF THE WILLAMETTE MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A LAKE COUNTY SURVEYOR BRASS CAP AT THE SOUTHWEST CORNER OF SECTION 22, TOWNSHIP 39 SOUTH, RANGE 20 EAST, OF THE WILLAMETTE MERIDIAN; THENCE NORTH 0° 25' 42" EAST A DISTANCE OF 59.82 FEET TO A POINT ON THE WEST EXTENSION OF THE SOUTH LINE OF BLOCK 289 OF THE OREGON VALLEY LAND COMPANY'S THIRD ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF KADRMAS ROAD; FOLLOWING SAID RIGHT-OF-WAY LINE OF KADRMAS ROAD, THENCE SOUTH 89° 52' 19" EAST A DISTANCE OF 2351.66 FEET TO A POINT ON THE SOUTHEAST CORNER OF BLOCK 335 OF THE OREGON VALLEY LAND COMPANY'S THIRD ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 395 AND THE NORTH RIGHT-OF-WAY LINE OF KADRMAS ROAD; THENCE SOUTH 0° 07' 36" WEST A DISTANCE OF 72.33 FEET TO A POINT ON THE SOUTH LINE OF SECTION 22; THENCE NORTH 89° 34' 02" WEST A DISTANCE OF 2352.01 FEET ALONG THE SOUTH

LINE OF SECTION 22, SAID LINE ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF KADRMAS ROAD, TO **THE POINT OF BEGINNING.**

Parcel 4

A PARCEL OF LAND BEING A PART OF LOTS 2, 9 AND 10 IN SECTION 27, TOWNSHIP 39 SOUTH, RANGE 20 EAST OF THE WILLAMETTE MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "AES, INC." AT THE INTERSECTION OF THE SOUTH LINE OF KADRMAS ROAD AND THE EAST LINE OF U.S. HIGHWAY 395, SAID POINT BEING ON THE NORTH LINE OF SECTION 27 AND BEARING S89° 33' 46"E A DISTANCE OF 1320.01 FEET FROM A BRASS CAP AT THE NORTHWEST CORNER OF SECTION 27; FOLLOWING THE RIGHT-OF-WAY OF SAID U.S. HIGHWAY 395, THENCE SOUTH 0° 06' 01" WEST A DISTANCE OF 1246.17 FEET TO BRASS CAP AND A POINT OF CURVATURE; THENCE ALONG A 2905.12 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A DISTANCE OF 313.83 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 6° 11' 22", THE CHORD OF WHICH BEARS SOUTH 3° 01' 07" EAST 313.68 FEET TO A POINT OF TANGENCY; LEAVING SAID RIGHT-OF-WAY, THENCE SOUTH 67° 36' 59" WEST A DISTANCE OF 1474.56 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE RAILROAD; FOLLOWING SAID RIGHT-OF-WAY, THENCE NORTH 16° 42' 08" WEST A DISTANCE OF 1604.00 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "AES, INC."; LEAVING SAID RIGHT-OF-WAY, THENCE SOUTH 89° 36' 56" EAST A DISTANCE OF 785.45 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "AES, INC."; THENCE NORTH 0° 15' 06" EAST A DISTANCE OF 79.84 FEET TO A 5/8" IRON ROD; THENCE NORTH 0° 15' 06" EAST A DISTANCE OF 517.49 FEET TO A 5/8" IRON ROD ON THE NORTH LINE OF SECTION 27 AND THE SOUTH RIGHT-OF-WAY LINE OF KADRMAS ROAD; THENCE SOUTH 89° 34' 56" EAST A DISTANCE OF 1022.08 FEET TO THE **POINT OF BEGINNING.**

Parcel 5

A PARCEL OF LAND LOCATED IN SECTION 16, TOWNSHIP 39 SOUTH, RANGE 20 EAST, WILLAMETTE MERIDIAN, LAKE COUNTY OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 BLOCK 121 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE NORTHWEST RIGHT-OF-WAY INTERSECTION OF ROBERTA AVENUE AND SOUTH NINTH STREET; THENCE NORTH ALONG THE WEST RIGHT-OF-WAY LINE OF ROBERTA AVENUE 2555 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 24 BLOCK 124 OF THE OREGON LAND COMPANY'S FIRST

ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE SOUTHWEST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND SOUTH THIRD STREET; THENCE WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SOUTH THIRD STREET 690 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 24 BLOCK 172 OF THE OREGON LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE SOUTHWEST RIGHT-OF WAY INTERSECTION OF SOUTH THIRD STREET AND 6TH STREET; THENCE NORTH ALONG THE WEST RIGHT-OF-WAY-LINE OF 6TH STREET 1375 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF LOT 1 BLOCK 175 OF THE OREGON LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE NORTHWEST RIGHT-OF WAY INTERSECTION OF 6TH STREET AND CENTER STREET; THENCE EAST ALONG THE NORTH RIGHT-OF-WAY-LINE OF CENTER STREET 690 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF LOT 1 BLOCK 127 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE NORTHWEST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND CENTER STREET; THENCE NORTH ALONG THE WEST RIGHT-OF-LINE OF ROBERTA AVENUE 1285 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 25 BLOCK 128 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE SOUTHWEST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND NORTH FOURTH STREET; THENCE EAST 100 FEET MORE OR LESS TO THE NORTHWEST CORNER OF LOT 26 BLOCK 97 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE SOUTHEAST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND NORTH FOURTH STREET; THENCE SOUTH ALONG THE EAST RIGHT-OF-LINE OF ROBERTA AVENUE 5215 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF LOT 46 BLOCK 104 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE NORTHEAST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND SOUTH NINTH STREET; THENCE WEST 100 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF LOT 1 BLOCK 121 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE NORTHWEST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND SOUTH NINTH STREET, AND THE POINT OF BEGINNING.

EXCLUDING THEREFROM LOTS 18, 24, 25, 26, 27, 28, AND 29 OF BLOCK 126, AND LOTS 1, 18, 22, 39, 43, AND 48 OF BLOCK 148 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW.

EXHIBIT B

COMPREHENSIVE PLAN AND ZONE MAP DESIGNATIONS FOR ANNEXATIONS

PARCEL NUMBER	COMP PLAN DESIGNATION	ZONE MAP DESIGNATION
1	M, FU-10, R-2	M-1, R
2	R-2	R
3	M, C-1	M-1, CC-HC
4	C-1, Industrial Park Overlay	CC-HC, Industrial Park Overlay
5	P	CC-HC

ZONING OF AREAS ANNEXED:

CONSISTENT WITH THE TOWN OF LAKEVIEW COMPREHENSIVE PLAN DATED APRIL 2000 AND TOWN OF LAKEVIEW DEVELOPMENT CODE DATED JULY 2001, THE PARCELS LISTED BELOW ARE DESIGNATED AS FOLLOWS:

PARCEL 1: A PORTION THEREOF DESCRIBED BELOW IS DESIGNATED AS INDUSTRIAL AND ZONED M-1, GENERAL INDUSTRIAL DISTRICT:

(ZONE M)

TOWNSHIP 39 SOUTH, RANGE 20 EAST OF THE WILLAMETTE MERIDIAN, SECTION 4: THE W1/2 OF THE SW1/4;

A PORTION THEREOF DESCRIBED BELOW IS DESIGNATED AS FUTURE URBANIZABLE AND ZONED R, RESIDENTIAL DISTRICT:

(ZONE FU-10)

SECTION 4 OF TOWNSHIP 39 SOUTH, RANGE 20 EAST, OF THE WILLAMETTE MERIDIAN:

BEGINNING AT A POINT ON THE WEST BOUNDARY LINE OF THE LAKEVIEW LOGGING COMPANY'S PRIVATE LOGGING ROAD RIGHT-OF-WAY WHICH POINT IS LOCATED ON THE NORTH BOUNDARY LINE OF THE SW1/4 OF THE SE1/4 OF SECTION 4, TOWNSHIP 39 SOUTH, RANGE 20 EAST OF THE WILLAMETTE MERIDIAN AND APPROXIMATELY 549 FEET DISTANCE FROM THE NORTHWEST CORNER OF SW1/4 OF THE SE1/4 OF SAID SECTION 4;

THENCE NORTH 40°8' WEST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF

SAID LOGGING ROAD RIGHT-OF-WAY TO A POINT 617.2 FEET NORTH 3°5' WEST AND 69.8 FEET EAST OF THE NORTHWEST CORNER OF THE SW1/4 OF THE SE1/4 OF SAID SECTION 4; THENCE SOUTH 88°49' WEST 1419.7 FEET; THENCE NORTH TO A POINT 66 FEET NORTH OF THE NORTHEAST CORNER OF THE S1/2 OF THE S1/2 OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 4; THENCE SOUTH 89°24' WEST TO THE EAST RIGHT-OF-WAY LINE OF THE COUNTY ROAD RUNNING IN THE NORTHERLY AND SOUTHERLY DIRECTION ALONG THE SECTION LINE COMMON TO SECTIONS 4 AND 5; THENCE SOUTH 2°22' EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD RUNNING ALONG THE SECTION LINE COMMON TO SECTIONS 4 AND 5 TO THE SOUTH BOUNDARY LINE OF SAID SECTION 4; THENCE NORTH 88°45' EAST ALONG THE SOUTH BOUNDARY LINE OF SAID SECTION 4 TO A POINT, 1593.73 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 4; THENCE NORTH 1°6' WEST 616.6 FEET TO THE WESTERLY MARGIN OF THE LAKEVIEW LOGGING COMPANY LOGGING ROAD; THENCE NORTHWESTERLY ALONG THE WESTERN BOUNDARY LINE OF THE LOGGING ROAD RIGHT-OF-WAY TO THE POINT OF BEGINNING.

EXCLUDING THEREFROM A PARCEL OF LAND LOCATED IN THE SW1/4 NW1/4, SECTION 4, TOWNSHIP 39 SOUTH, RANGE 20 EAST OF THE WILLAMETTE MERIDIAN, LAKE COUNTY, OREGON DESCRIBED AS FOLLOWS: S1/2 S1/2 SW1/4 NW1/4 AND THE SOUTH SIXTY-SIX (66) FEET OF THE N1/2 S1/2 SW1/4 NW1/4.

AND EXCLUDING THEREFROM THE W1/2 OF THE SW1/4, TOWNSHIP 39 SOUTH, RANGE 20 EAST OF THE WILLAMETTE MERIDIAN, LAKE COUNTY, OREGON.

PARCEL 2: MULTIPLE FAMILY RESIDENTIAL AND ZONED R, RESIDENTIAL DISTRICT.

A PARCEL OF LAND, BEING THE PORTION OF THE NORTH ½ OF THE NORTH ½ OF THE NORTHWEST ¼, OF SECTION 9, TOWNSHIP 39 SOUTH, RANGE 20 EAST, OF THE WILLAMETTE MERIDIAN, LAKE COUNTY, OREGON, LYING NORTH OF THE PLATTED NORTHERN BOUNDARY OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SECTION 9 AND THE EASTERLY RIGHT-OF-WAY LINE OF RABBIT HILLS ROAD (ROAD NUMBER 2-18); THENCE N89°22'58"E-2691.55 FEET MORE OR LESS ALONG THE NORTH LINE OF SECTION 9 TO THE NORTH ¼ CORNER OF SECTION 9; THENCE SOUTH ALONG THE

CENTER OF SECTION LINE OF SECTION 9 TO A POINT THAT IS DIRECTY EAST OF THE NORTHEAST CORNER OF BLOCK 281 OF OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO LAKEVIEW; THENCE WEST ALONG THE NORTH LINES OF BLOCKS 281, 136, 137, 184, 185, 232, 233, AND 280, INCLUDING ACROSS THE NORTH LINES OF PLATTED STREETS, ROBERTA, 7TH, 6TH, 5TH, 4TH, 3RD, 2ND, OF OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO LAKEVIEW, TO THE EASTERLY RIGHT-OF-WAY LINE OF RABBIT HILLS ROAD; THENCE NORTHERLY ALONG THE EAST RIGHT-OF-WAY LINE OF RABBIT HILLS ROAD TO THE POINT OF BEGINNING.

PARCEL 3:

A PORTION THEREOF DESCRIBED BELOW IS DESIGNATED AS INDUSTRIAL AND ZONED M-1, GENERAL INDUSTRIAL DISTRICT:

A PARCEL OF LAND, LOCATED IN THE SOUTHWEST ¼ OF SECTION 22, TOWNSHIP 39 SOUTH, RANGE 20 EAST, OF THE WILLAMETTE MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A LAKE COUNTY SURVEYOR BRASS CAP AT THE SOUTHWEST CORNER OF SECTION 22, TOWNSHIP 39 SOUTH, RANGE 20 EAST, OF THE WILLAMETTE MERIDIAN; THENCE NORTH 0° 25' 42" EAST A DISTANCE OF 59.82 FEET TO A POINT ON THE WEST EXTENSION OF THE SOUTH LINE OF BLOCK 289 OF THE OREGON VALLEY LAND COMPANY'S THIRD ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF KADRMAS ROAD; FOLLOWING SAID RIGHT-OF-WAY LINE OF KADRMAS ROAD, THENCE SOUTH 89° 52' 19" EAST A DISTANCE OF 1298.80 FEET MORE OR LESS TO THE THE SOUTHWEST CORNER OF BLOCK 161 OF THE OREGON VALLEY LAND COMPANY'S THIRD ADDITION TO THE TOWN OF LAKEVIEW; THENCE SOUTH 0° 25' 42" WEST A DISTANCE OF 66.73 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SECTION 22; THENCE NORTH 89° 34' 02" WEST A DISTANCE OF 1298.8 FEET ALONG THE SOUTH LINE OF SECTION 22, SAID LINE ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF KADRMAS ROAD, TO **THE POINT OF BEGINNING.**

A PORTION THEREOF DESCRIBED BELOW IS DESIGNATED AS CENTRAL COMMERCIAL AND ZONED CC-HC, CENTRAL COMMERCIAL-HIGHWAY COMMERCIAL SUBDISTRICT.

A PARCEL OF LAND, LOCATED IN THE SOUTHWEST ¼ OF SECTION 22, TOWNSHIP 39 SOUTH, RANGE 20 EAST, OF THE WILLAMETTE MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 161 OF THE OREGON VALLEY LAND COMPANY'S THIRD ADDITION TO LAKEVIEW. SAID POINT ALSO BEARS NORTH 0° 25' 42" EAST A DISTANCE OF 59.82 FEET AND SOUTH 89° 52' 19" EAST A DISTANCE OF 1298.80 FEET FROM A LAKE COUNTY SURVEYOR BRASS CAP AT THE SOUTHWEST CORNER OF SECTION 22, TOWNSHIP 39 SOUTH, RANGE 20 EAST, OF THE WILLAMETTE MERIDIAN. SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF KADRMAS ROAD; FOLLOWING SAID RIGHT-OF-WAY LINE OF KADRMAS ROAD, THENCE SOUTH 89° 52' 19" EAST A DISTANCE OF 1052.86 FEET TO A POINT ON THE SOUTHEAST CORNER OF BLOCK 335 OF THE OREGON VALLEY LAND COMPANY'S THIRD ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 395 AND THE NORTH RIGHT-OF-WAY LINE OF KADRMAS ROAD; THENCE SOUTH 0° 07' 36" WEST A DISTANCE OF 72.33 FEET TO A POINT ON THE SOUTH LINE OF SECTION 22; THENCE NORTH 89° 34' 02" WEST A DISTANCE OF 1053.21 FEET ALONG THE SOUTH LINE OF SECTION 22, SAID LINE ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF KADRMAS ROAD; THENCE NORTH 0° 25' 42" EAST A DISTANCE OF 66.73 FEET , MORE OR LESS, TO **THE POINT OF BEGINNING.**

PARCEL 4: CENTRAL COMMERCIAL, INDUSTRIAL PARK OVERLAY AND ZONED CC-HC, CENTRAL COMMERCIAL-HIGHWAY COMMERCIAL SUBDISTRICT.

A PARCEL OF LAND BEING A PART OF LOTS 2, 9 AND 10 IN SECTION 27, TOWNSHIP 39 SOUTH, RANGE 20 EAST OF THE WILLAMETTE MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "AES, INC." AT THE INTERSECTION OF THE SOUTH LINE OF KADRMAS ROAD AND THE EAST LINE OF U.S. HIGHWAY 395, SAID POINT BEING ON THE NORTH LINE OF SECTION 27 AND BEARING S89° 33' 46"E A DISTANCE OF 1320.01 FEET FROM A BRASS CAP AT THE NORTHWEST CORNER OF SECTION 27; FOLLOWING THE RIGHT-OF-WAY OF SAID U.S. HIGHWAY 395, THENCE SOUTH 0° 06' 01" WEST A DISTANCE OF 1246.17 FEET TO BRASS CAP AND A POINT OF CURVATURE; THENCE ALONG A 2905.12 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A DISTANCE OF 313.83 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 6° 11' 22", THE CHORD OF WHICH BEARS SOUTH 3° 01' 07" EAST 313.68 FEET TO A POINT OF TANGENCY; LEAVING SAID RIGHT-OF-WAY, THENCE SOUTH 67° 36' 59" WEST A DISTANCE OF 1474.56 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE RAILROAD; FOLLOWING SAID RIGHT-OF-WAY, THENCE NORTH 16° 42' 08" WEST A DISTANCE OF 1604.00 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "AES, INC."; LEAVING SAID RIGHT-OF-WAY, THENCE SOUTH 89° 36' 56"

EAST A DISTANCE OF 785.45 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "AES, INC."; THENCE NORTH 0° 15' 06" EAST A DISTANCE OF 79.84 FEET TO A 5/8" IRON ROD; THENCE NORTH 0° 15' 06" EAST A DISTANCE OF 517.49 FEET TO A 5/8" IRON ROD ON THE NORTH LINE OF SECTION 27 AND THE SOUTH RIGHT-OF-WAY LINE OF KADRMAS ROAD; THENCE SOUTH 89° 34' 56" EAST A DISTANCE OF 1022.08 FEET TO THE **POINT OF BEGINNING**.

CONTAINS 2,651,719 SQUARE FEET, OR 60.88 ACRES, MORE OR LESS.

PARCEL 5: PUBLIC AND ZONED CC-HC, CENTRAL COMMERCIAL-HIGHWAY COMMERCIAL SUBDISTRICT.

A PARCEL OF LAND LOCATED IN SECTION 16, TOWNSHIP 39 SOUTH, RANGE 20 EAST, WILLAMETTE MERIDIAN, LAKE COUNTY OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 BLOCK 121 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE NORTHWEST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND SOUTH NINTH STREET; THENCE NORTH ALONG THE WEST RIGHT-OF-WAY LINE OF ROBERTA AVENUE 2555 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 24 BLOCK 124 OF THE OREGON LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE SOUTHWEST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND SOUTH THIRD STREET; THENCE WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SOUTH THIRD STREET 690 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 24 BLOCK 172 OF THE OREGON LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE SOUTHWEST RIGHT-OF WAY INTERSECTION OF SOUTH THIRD STREET AND 6TH STREET; THENCE NORTH ALONG THE WEST RIGHT-OF-WAY-LINE OF 6TH STREET 1375 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF LOT 1 BLOCK 175 OF THE OREGON LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE NORTHWEST RIGHT-OF WAY INTERSECTION OF 6TH STREET AND CENTER STREET; THENCE EAST ALONG THE NORTH RIGHT-OF-WAY-LINE OF CENTER STREET 690 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF LOT 1 BLOCK 127 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE NORTHWEST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND CENTER STREET; THENCE NORTH ALONG THE WEST RIGHT-OF-LINE OF ROBERTA AVENUE 1285 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 25 BLOCK 128 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID

POINT IS ALSO THE SOUTHWEST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND NORTH FOURTH STREET; THENCE EAST 100 FEET MORE OR LESS TO THE NORTHWEST CORNER OF LOT 26 BLOCK 97 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE SOUTHEAST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND NORTH FOURTH STREET; THENCE SOUTH ALONG THE EAST RIGHT-OF-LINE OF ROBERTA AVENUE 5215 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF LOT 46 BLOCK 104 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE NORTHEAST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND SOUTH NINTH STREET; THENCE WEST 100 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF LOT 1 BLOCK 121 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW, SAID POINT IS ALSO THE NORTHWEST RIGHT-OF WAY INTERSECTION OF ROBERTA AVENUE AND SOUTH NINTH STREET, AND THE POINT OF BEGINNING.

EXCLUDING THEREFROM LOTS 18, 24, 25, 26, 27, 28, AND 29 OF BLOCK 126, AND LOTS 1, 18, 22, 39, 43, AND 48 OF BLOCK 148 OF THE OREGON VALLEY LAND COMPANY'S FIRST ADDITION TO THE TOWN OF LAKEVIEW.