



CITY COUNCIL
June 15, 2021
Council Chambers • 411 SW 9th Street

**COUNCIL
MEMBERS**

George Endicott
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Council President

Jon Bullock
Councilor

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Clark-Endicott
Councilor

Clifford Evelyn
Councilor

Ed Fitch
Councilor

Shannon
Wedding
Councilor

JUNE 15, 2021

SPECIAL MEETING AGENDA

6:00 PM

I. CALL TO ORDER / ESTABLISH A QUORUM

II. PRESENTATIONS

- A. Diversity, Equity and Inclusion Worksession #3

III. CONSENT AGENDA

- A. Approval to submit the application of an amendment to Federal Aviation Administration Airport Coronavirus Relief Program, Grant 3-41-0052-048-2021 (AP4819) which creates a new Grant 3-41-0052-049-2021 (AP4919) in the amount of \$103,377.

IV. PUBLIC HEARINGS

- A. Continued: Ordinance #2021-01 - An ordinance concerning the vacation of SW Salmon Avenue from SW 6th Street to SW 1st Street.

V. EXECUTIVE SESSION

Oregon Law permits public bodies to meet in executive session to discuss specific matters which are not open these matters will be made during regular session.

- A. Real Property – ORS 192.660(2)(e) authorizes executive session “to conduct deliberations with persons designated by the governing body to negotiate real property transactions.”

Under the provisions of the Oregon Public Meetings Law, the proceedings of this executive session are for attending and not for publication or broadcast.

VI. MOTIONS AS A RESULT OF EXECUTIVE SESSION

VII. ADJOURN

Regular Council meetings are broadcast live on COTV11 – BendBroadband Channel 11 beginning at 6:00 p.m. on the 2nd and 4th Tuesdays of each month. Rebroadcasts are scheduled for the non-meeting Tuesdays at 6:00 p.m.

The City of Redmond encourages all citizens to participate in its programs and activities. This meeting location is accessible to people with disabilities. Requests for accommodation may include sign language interpreter service, assistive listening devices, materials in an alternate format or any other accommodation. If any accommodations are needed, please contact the ADA Coordinator at 541-504-3036 or access@ci.redmond.or.us. Requests should be made as soon as possible, but at least 3 business days prior to the scheduled meeting.

The City of Redmond does not discriminate on the basis of disability status in the admission or access to, or treatment, or employment in, its programs or activities



CITY OF REDMOND

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411 SW 9th STREET
REDMOND, OR 97756
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redmondoregon.gov

STAFF REPORT

DATE: June 15, 2021
TO: Redmond City Council
THROUGH:
FROM: Keith Witcosky, City Manager
SUBJECT: Diversity, Equity and Inclusion Worksession #3

Addresses Council Goal:

6. COMMUNITY ENHANCEMENT: Create an image and identity that generates a sense of community pride and ensures a high level of livability. C.: Invest in the use of public participation and community engagement in public policy decisions. iv.: Increase knowledge and awareness of citywide diversity, equity and inclusion and determine if City Council should take additional steps to advance a DEI initiative.

Report in Brief:

This worksession features the continuation of an in-depth discussion with City Council about educating and raising their awareness and the community's awareness about diversity, equity and inclusion. The conversation will be led by Erika McCalpine, Director of the OSU-Cascades Diversity, Equity and Inclusion Laboratory.

Background:

City Council has established goals associated with diversity and public participation. In January 2019, during their goal and priority setting there was further dialogue about bringing the concepts of diversity, equity and inclusion forward as a topic that the Council wanted to learn more about over the course of the 2020/2021 fiscal year.

Following that request, staff presented an overview of DEI at a City Council worksession on December 3, 2019. Calendar year 2020, saw a number of events unfold across the landscape that furthered Council's interest in this topic.

In early 2021, staff secured the services of Erika McCalpine and the OSU-Cascades Inclusion Laboratory to guide City Council through a more intentional education about DEI.

The initial worksession occurred on January 19, 2021. A second worksession was held March 16, 2021. June 15 marks the third session hosted by Erika.

Discussion:

See attached Policy Worksheet.

Fiscal Impact:

The contract, which has been approved by the City Manager, is not to exceed \$25,000.

The final investment is dependent upon the preferences (formation of a committee, etc.) of City Council.

The initial contract runs through December 31, 2021.

Alternative Courses of Action:

There is no action associated with this time.

Recommendation / Suggested Motion:

NA

Policy Issue Worksheets

Topic: Diversity Equity Inclusion

Lead (City) Staff: Keith Witcosky

Other Lead (non-City): Erika McCalpine (OSU Cascades)

Purpose: Increase City Council's (and the community's) knowledge and awareness of citywide diversity, equity and inclusion and determine if City Council should take additional steps to advance a DEI initiative.

This will be the third DEI worksession facilitated by Erika McCalpine.

Project Objectives/Success Criteria:

- Provide City Council and any other participants with a grounded definition of what Diversity/Equity/Inclusion means.
- Provide a common understanding of key terminology that will be a part of future discussions.
- Increase overall awareness and enhanced perspectives on issues related to equity in Redmond, Central Oregon, and Oregon as a state.

Anticipated Worksession Date: June 15, 2021

Previous Council Worksessions on this Topic:

December 3, 2019

January 19, 2021 (w/Erika)

March 2, 2021 (w/Erika)

Contributors/Subject Matter Experts (check all that apply):

Staff	Education Partners	Neighborhoods
Other jurisdictions	Business Community	Direct Customers/Users
Law Enforcement	Service Providers	
Other (list):		



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STAFF REPORT

DATE: June 15, 2021
TO: Redmond City Council
THROUGH: Keith Witcosky, City Manager
FROM: Zachary Bass, Airport Director
SUBJECT: Approval to submit the application of an amendment to Federal Aviation Administration Airport Coronavirus Relief Program, Grant 3-41-0052-048-2021 (AP4819) which creates a new Grant 3-41-0052-049-2021 (AP4919) in the amount of \$103,377.

Addresses Council Goal:

5.B. iv. Pursue State, FAA, and other funding for development, expansion and preservation of the airport's physical facilities.

Report in Brief:

This action requests City Council authorization for Redmond Municipal Airport (Airport) to accept an amendment to Federal Aviation Administration (FAA) Airport Coronavirus Relief Grant Program (ACRGP) 3-41-0052-048-2021 to further allocate \$103,377 specifically for concession relief.

Background:

On June 8, 2021, the City Council approved the acceptance of FAA Airport Coronavirus Relief Program, Grant 3-41-0052-048-2021 (AP-4819).

The purpose of this Airport relief grant is to prevent, prepare for, and respond to Coronavirus. The grant can be used for the Airport's operational and maintenance expenses or debt service in accordance with the limitations prescribed in the Act.

Discussion:

The amendment before Council expands eligible uses to include relief funding to airport concessions businesses located in the terminal. The amendment also provides additional funding for this effort.

By the terms of this amendment, the FAA will create a new grant; 3-41-0052-049-2021 in the amount of \$103,377 to provide relief from rent and Minimum Annual Guarantee (MAG) obligations with certain limitations.

The primary concession service at the Airport is Aviano. This business operates a full service restaurant and a 'grab n' go' location on the secure side, as well as a concession on the non-secure side of the terminal.

Fiscal Impact:

The total amount of the new grant created under this amendment is \$103,377. This is a 100% FAA-funded grant with no sponsor match requirement.

Alternative Courses of Action:

1. Approve the Airport's amendment and accept the grant.
2. Do not approve the request.
3. Request more information.

Recommendation / Suggested Motion:

"I move to approve the Airport's request to submit an application for an amendment to the Federal Aviation Administration's Airport Coronavirus Relief Program grant 3-41-0052-048-2021 which will create Grant 3-41-0052-049-2021 and authorize the City Manager to sign the grant offer."



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STAFF REPORT

DATE: June 15, 2021
TO: Redmond City Council
THROUGH: Keith Witcosky, City Manager
John Roberts, Deputy City Manager
FROM: Mike Caccavano, City Engineer
SUBJECT: Continued: Ordinance #2021-01 - An ordinance concerning the vacation of SW Salmon Avenue from SW 6th Street to SW 1st Street.

Addresses Council Goal:

4.C.iii. Provide well planned, maintained, high quality infrastructure that create competitive advantages for business and community growth.

Report in Brief:

This item is a continued public hearing and consideration of an ordinance for vacation of Salmon Avenue right-of-way between SW 6th Street and SW 1st Street. This is the second of two required City Council actions to vacate a right-of-way.

A map showing the subject right-of-ways is attached for reference.

Background:

This item was first considered by City Council on January 12, 2021. At that time, City Council asked for additional information about relinquishing the right-of-way and the difficulty of re-acquiring it in the future if it was needed.

Council requested additional background information to gain a better understanding of the process and purpose of street vacations.

A subsequent Council worksession occurred February 16, 2021, to discuss the right-of-way vacation process, the decision process for keeping or vacating right-of-way, and the reasons for vacating a portion of Salmon Avenue in particular. After discussion, Council approved initiating the vacation and scheduled a public hearing for March 23, 2021.

Prior to the March 23 public hearing, NeighborImpact, lessee of Redmond Airport owned property south of the proposed right-of-way vacation informed staff that they would like to continue to use a portion of the right of way for access and utilities. Council opened the public hearing and decided to continue it allow this issue to be resolved.

The impetus for vacating the subject right-of-way began when McKenzie Cascade Construction submitted a land use application to develop industrial property adjacent to and south of their office and equipment yard. McKenzie Cascade, working with Redmond Economic Development, Inc. (REDI), is planning to create industrial space to help meet demand in Redmond.

McKenzie Cascade's property fronts SW 6th Street and SW Salmon Avenue. A condition of approval to develop their property would include infrastructure improvements to both streets to meet "to and through" code requirements.

The City and REDI worked with the Oregon Department of Transportation (ODOT) to obtain an Immediate Opportunity Fund grant to offset a portion of the construction costs for SW 6th Street.

The adopted Transportation System Plan (TSP) calls for a new connection between SW Salmon Avenue and Highway 97 at SW Quartz Avenue. This collector street will function better if it lines up with the existing SW Salmon Drive east of 1st Street providing a continuous alignment through to Airport Way. With Salmon Avenue located to the south side of the adjacent airport owned parcel, the existing 30 feet of Salmon Avenue right-of-way on the north side of the parcel is

not needed. The existing right-of-way proposed to be vacated is 300 feet north of the proposed alignment and does not provide significant benefit to the properties to the north since they have access via other streets.

Background on Right-of-Way Vacation:

Right-of-way is typically a long strip of land used as a road for public access. In Oregon, a right-of-way allows a City or other entity to use land for public purposes. A City does not own the land outright, but does own the right to control its use. Right-of-way vacation is a process governed by Oregon Revised Statutes that allows a City to give up the right to use the land and return control to the original owner or their successor.

In this situation, thirty feet of right-of-way on SW Salmon Avenue between SW 6th and SW 1st Street was created with an undated survey (County Survey 11106). This survey dedicated right-of-way along section and quarter section lines as required for Redmond's street grid. However, street rights-of-way are typically 60 feet wide. The other 30 feet needed for a full Salmon Avenue right-of-way is located on City owned airport property, but has not been dedicated.

There are no existing street improvements between SW 6th and SW 1st Streets. The creation of a new 60 foot right-of-way on the airport property will enable the City to dedicate the right-of-way in a more appropriate location that has alignment with the TSP and meets needs of future businesses better.

Discussion:

Benefits of vacating the existing 30 foot right-of-way include:

- The existing right-of-way creates alignment issues and using it would be inconsistent with the City's recently adopted TSP. The TSP envisions connectivity with Quartz Avenue to the west.
- All property owners have acknowledged their willingness to vacate the right-of-way.
- The airport property would not be encumbered by two rights-of-way, just one.
- Adjacent businesses will be able to use the additional property once vacated.
- The City does not need, or currently use, the property in the existing right-of-way.
- Better alignment would be created to help a proposed business to the south.

A vacated right-of-way is returned to the property that dedicated it. In this instance, the right-of-way was dedicated by the properties to the north and the vacated right-of-way will accrue to those properties on the north side.

The owner of the property to the north of NeighborImpact was asked if they had any issues retaining a joint access and utility easement on their section of vacated right-of-way. The owner (NeighborImpact) is agreeable and is satisfied that they will still have needed access.

Oregon Revised Statutes have requirements for the right-of-way vacation process:

- All property owners immediately adjacent to the right-of-way to be vacated must give their consent. All of the adjacent parcels (listed below) have provided consent:
 - Tax lot 151321AD 01200, 2511 342 SW Reindeer Ave. Lawrence R. and Trisa Lindsay.
 - Tax lot 151321AD 01400, 2235 SW 2nd Ct., Ralph J. Affatati Revocable Living Trust.
 - Tax lot 151321AD 01500, 2234 SW 2nd Ct., Ralph J. Affatati.
 - Tax lot 151321AD 02200, 2241 SW 1st St., L&M Weaver Trust et al.
 - Tax lot 151321D0 00100, 2303 SW 1st St., City of Redmond.
- Two-thirds of the property owners within 200 feet of either side and 400 feet of either end of the proposed right-of-way vacation must give their consent. Consent has been obtained from all but one of the property owners in the vicinity of the proposed vacation. That one property owner did not respond.
- Utilities must be contacted to determine if they have facilities within the right-of-way. All private utilities were contacted and there were no objections to the proposed vacation. There are no City water, sewer or storm drainage facilities in the right-of-way proposed for vacation.

There are two required steps for a City to legally vacate a right-of-way:

- Step 1 - "Initiation". This step determines if the City is willing to relinquish the right-of-way and if so, set a public hearing date.
- Step 2 - "Public hearing". This step the City Council conducts a public hearing to decide to proceed to adopt an ordinance vacating the subject right-of-way.

This action is Step 2, conducting a public hearing and considering the vacation ordinance. Note that the vacation

ordinance now includes a provision for retaining a joint access and utility easement over a portion of the right-of-way.

Fiscal Impact:

In vacating this right-of-way the City will need to dedicate 80 feet of right-of-way along the south boundary of Tax Lot 151321D0 00100.

Alternative Courses of Action:

1. Conduct the public hearing and approve Ordinance 2021-01.
2. Conduct the public hearing and do not approve Ordinance 2021-01.
3. Request additional information.

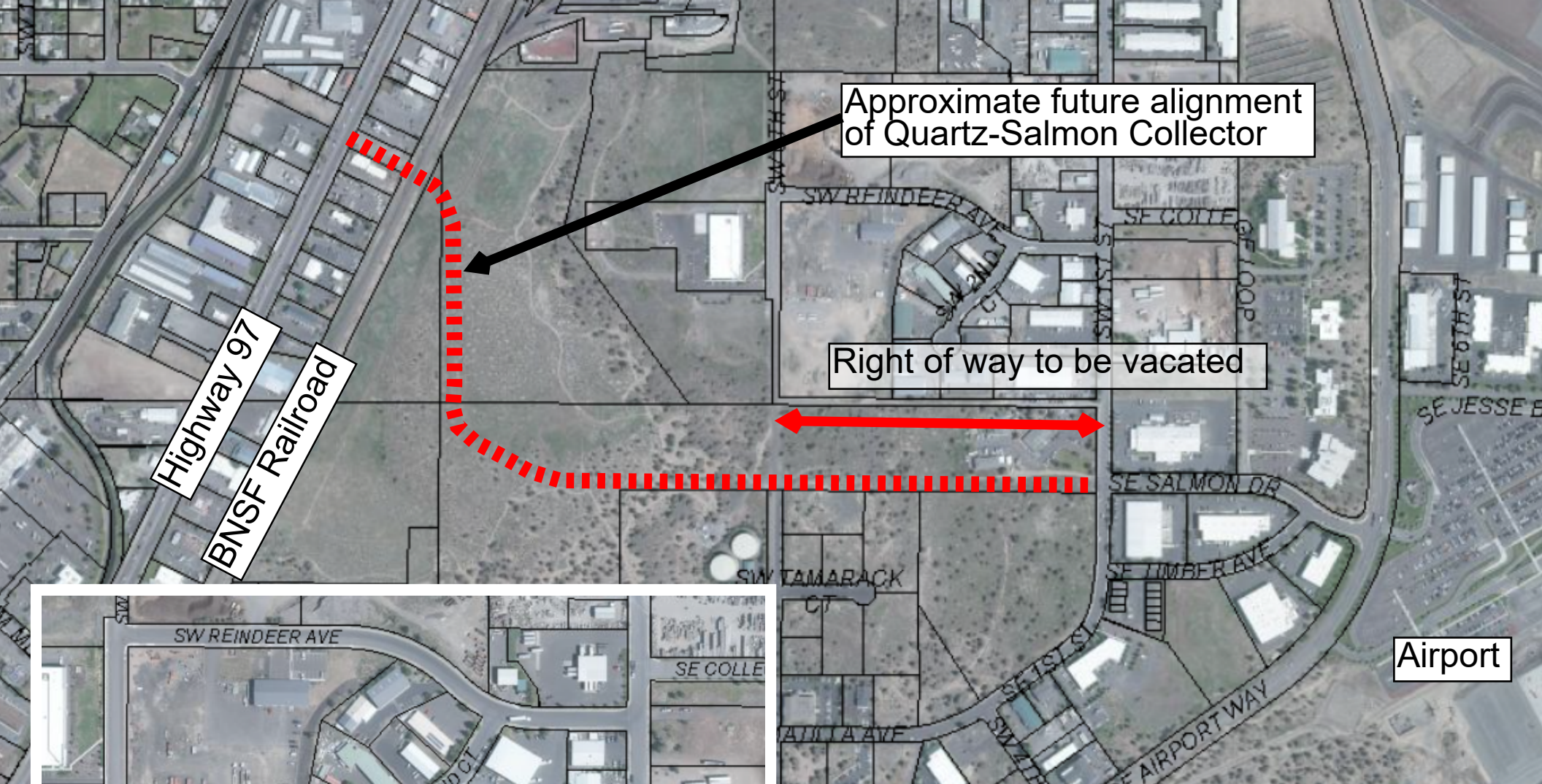
As required by City Charter, notices regarding this ordinance coming before the Council were posted in three public places (the Library, the Police Department, and the Redmond Chamber of Commerce) on March 16, 2021. An additional notice was posted on June 10, 2021. In addition, the notices were posted and available for review in City Hall.

Recommendation / Suggested Motion:

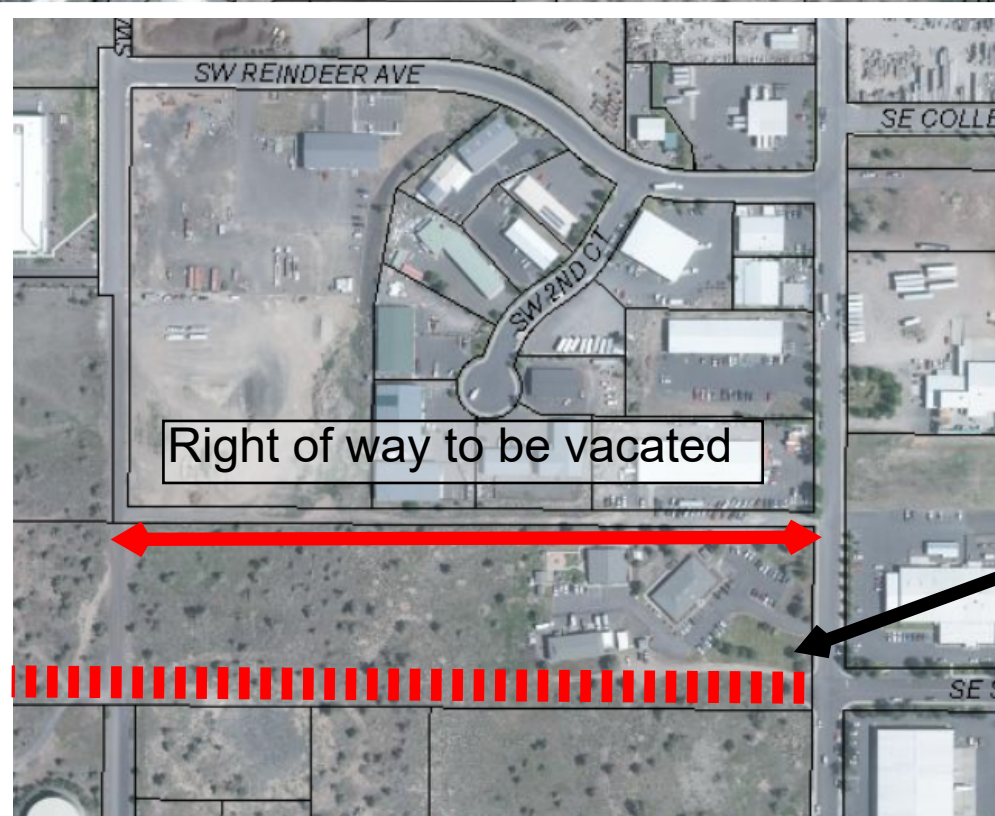
Option #1. "I move to have a first and second reading of Ord. #2021-01, by title only." (Voice vote)

(City Attorney will read ordinance by title only, twice.)

"I move to adopt Ord. #2021-01." (Roll call vote)



Overview



Closer view

AFTER RECORDING RETURN TO:
City Recorder's Office
City of Redmond
411 SW 9th St
Redmond, OR 97756

**CITY OF REDMOND
ORDINANCE NO. 2021-01**

AN ORDINANCE CONCERNING THE VACATION OF SW SALMON AVENUE FROM SW 6TH STREET TO SW 1ST STREET.

WHEREAS, the City Council, pursuant to ORS 271.130, initiated vacation proceedings for the public right-of-way referred to above and shown in Exhibits A and B attached hereto; and

WHEREAS, a hearing was held March 23, 2021 and continued on June 15, 2021 at the regularly scheduled City Council meeting and notice for that meeting was duly published.

NOW, THEREFORE, THE CITY OF REDMOND ORDAINS AS FOLLOWS:

SECTION ONE - FINDINGS

The City Council finds that this vacation is in the best interest of the City of Redmond and will not prejudice any public interest and will not adversely affect the market value of the affected properties.

SECTION TWO – VACATION

The public right-of-way and traveled way shown in Exhibits A and B attached hereto should be and hereby is vacated as public right-of-way.

SECTION THREE – TITLE TO VACATED RIGHT-OF-WAY

Pursuant to ORS 271.140, title to the vacated right-of-way shall attach to Lot 5 and Lot 9, Murphy Industrial Tracts Phase 1, Part of Lot 6 Murphy Industrial Tracts Phase 1 (described in Deschutes County Records Book 462 Page 780) and that parcel of land described in Deschutes County Recording Instrument 2020-48510 in the City of Redmond, Deschutes County, Oregon.

SECTION FOUR – RESERVATION OF SHARED ACCESS AND UTILITY EASEMENT

A shared access and utility easement is hereby reserved to: (1) Allow public vehicular and pedestrian use of the easement, and, (2) Allow utilities to have the right to construct, install, maintain and operate utilities, their equipment and all related facilities above and below ground within the easement including the right of access to such facilities. The easement is described in Exhibit C attached hereto.

PASSED by the City Council and **APPROVED** by the Mayor this 15th day of June 2021.

George Endicott, Mayor

ATTEST:

Kelly Morse, City Recorder

State of Oregon

County of Deschutes

On June 15, 2021, George Endicott, Mayor of the City of Redmond, Oregon personally appeared before me

 X who is personally known to me

 whose identity I proved on the basis of _____

 whose identity I proved on the oath/affirmation of _____,
a credible witness

to be the signer of the above document, and he acknowledged that he signed it.

Notary Public

EXHIBIT "A"

LAND LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 15 SOUTH, RANGE 13 EAST, WILLAMETTE MERIDIAN, CITY OF REDMOND, DESCHUTES COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER EAST 1/6TH CORNER OF SAID SECTION 21;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, NORTH 89°54'06" EAST 30.00 FEET TO THE POINT OF BEGINNING;

THENCE LEAVING SAID BOUNDARY NORTH 0°09'04" WEST 30.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF SALMON AVENUE, SAID POINT BEING ALSO THE SOUTHWEST CORNER OF LOT 9 OF MURPHY INDUSTRIAL TRACTS PHASE 1, CS 12738, DESCHUTES COUNTY SURVEY RECORDS;

THENCE ALONG SAID NORTHERLY RIGHT OF WAY NORTH 89°54'06" EAST 1266.99 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF SAID NORTHERLY RIGHT OF WAY OF SALMON AVENUE AND THE WESTERLY RIGHT OF WAY OF SOUTHWEST 1ST STREET;

THENCE LEAVING SAID NORTHERLY RIGHT OF WAY SOUTH 0°16'47" EAST 30.00 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF THE WESTERLY RIGHT OF WAY OF SOUTHWEST 1ST STREET AND SAID SOUTHERLY BOUNDARY OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21;

THENCE ALONG SAID SOUTHERLY BOUNDARY SOUTH 89°54'06" WEST 1267.06 FEET TO THE POINT OF BEGINNING.

CONTAINS 38,011 SQUARE FEET OR 0.87 ACRES, MORE OR LESS.

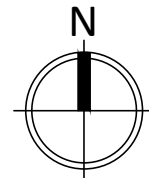
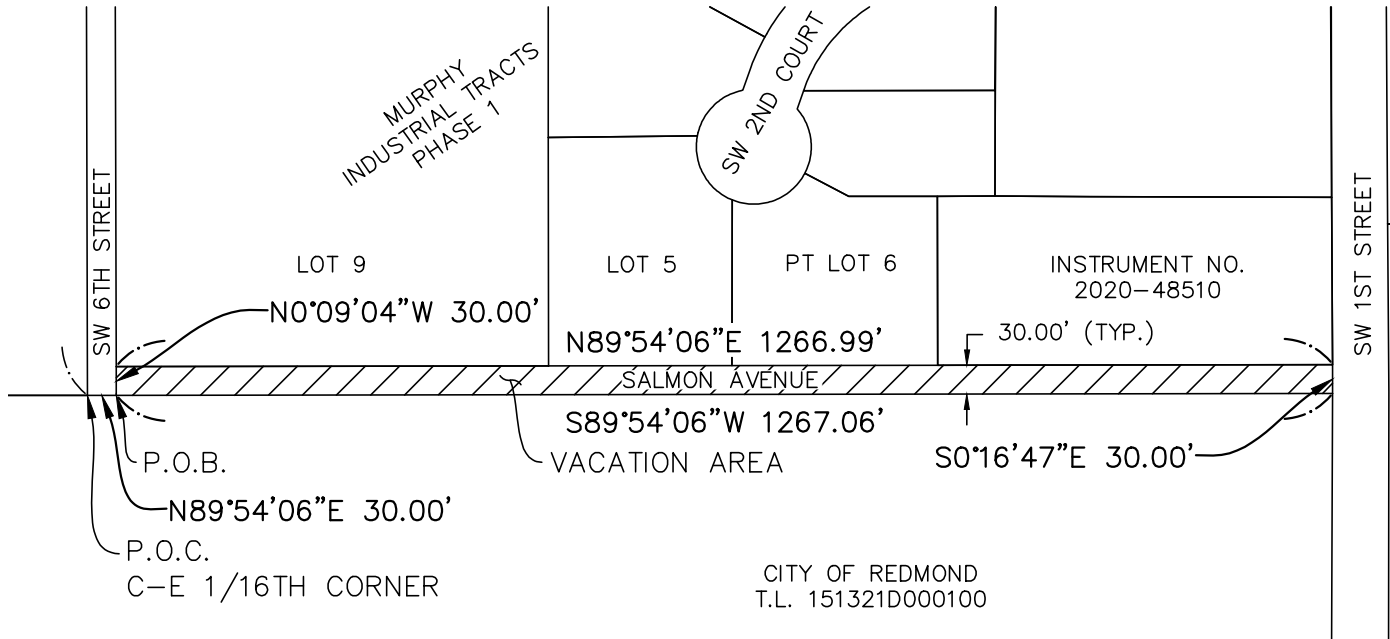
BEARINGS BASED ON MURPHY INDUSTRIAL TRACTS PHASE 1, CS 12738, DESCHUTES COUNTY SURVEY RECORDS.

THIS PROPERTY IS DEPICTED ON THE ATTACHED MAP TITLED EXHIBIT "B" WHICH IS INCORPORATED HEREIN BY THIS REFERENCE.



EXHIBIT "B"

LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21,
TOWNSHIP 15 SOUTH, RANGE 13 EAST, WILLAMETTE MERIDIAN,
CITY OF REDMOND, DESCHUTES COUNTY, OREGON



200 FEET

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
VACATION AREA = 38,011 SQUARE FEET OR 0.87 ACRES +/-
BEARINGS BASED ON CS 12738, MURPHY INDUSTRIAL TRACTS PHASE 1,
DESCHUTES COUNTY SURVEY RECORDS



549 SW MILL VIEW WAY
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FOR:
ROB LINDSAY
342 SW REINDEER AVE
REDMOND, OREGON 97756

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
DEC. 16, 2009
ERIK J. HUFFMAN
70814

RENEWES: JUN. 30, 2021

DATE: 11/05/2020

SCALE: 1" = 200'

DRAWN BY: AJH

PROJ: 19021

EXHIBIT C

LAND LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 15 SOUTH, RANGE 13 EAST, WILLAMETTE MERIDIAN, CITY OF REDMOND, DESCHUTES COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER EAST 1/6TH CORNER OF SAID SECTION 21;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, NORTH 89°54'06" EAST 886.11 FEET TO THE POINT OF BEGINNING;

THENCE LEAVING SAID BOUNDARY, ALONG A LINE BEING 60.00 FEET WESTERLY WHEN MEASURED AT RIGHT ANGLES TO THE EAST BOUNDARY OF TAX LOT 6, MURPHY INDUSTRIAL TRACTS PHASE 1, DESCHUTES COUNTY SURVEY RECORDS, NORTH 0°05'54" WEST 30.00 FEET TO A POINT ON A LINE BEING 30.00 FEET NORTHERLY WHEN MEASURED AT RIGHT ANGLES TO SAID SOUTHERLY BOUNDARY OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21;

THENCE ALONG SAID LINE NORTH 89°54'06" EAST 410.85 FEET TO THE INTERSECTION OF SAID LINE AND THE WESTERLY RIGHT OF WAY OF SOUTHWEST 1ST STREET;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF SOUTHWEST 1ST STREET SOUTH 0°16'47" EAST 30.00 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF SAID WESTERLY RIGHT OF WAY AND SAID SOUTHERLY BOUNDARY OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21;

THENCE ALONG SAID SOUTHERLY BOUNDARY SOUTH 89°54'06" WEST 410.94 FEET TO THE POINT OF BEGINNING.

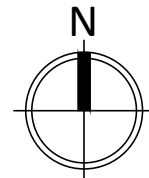
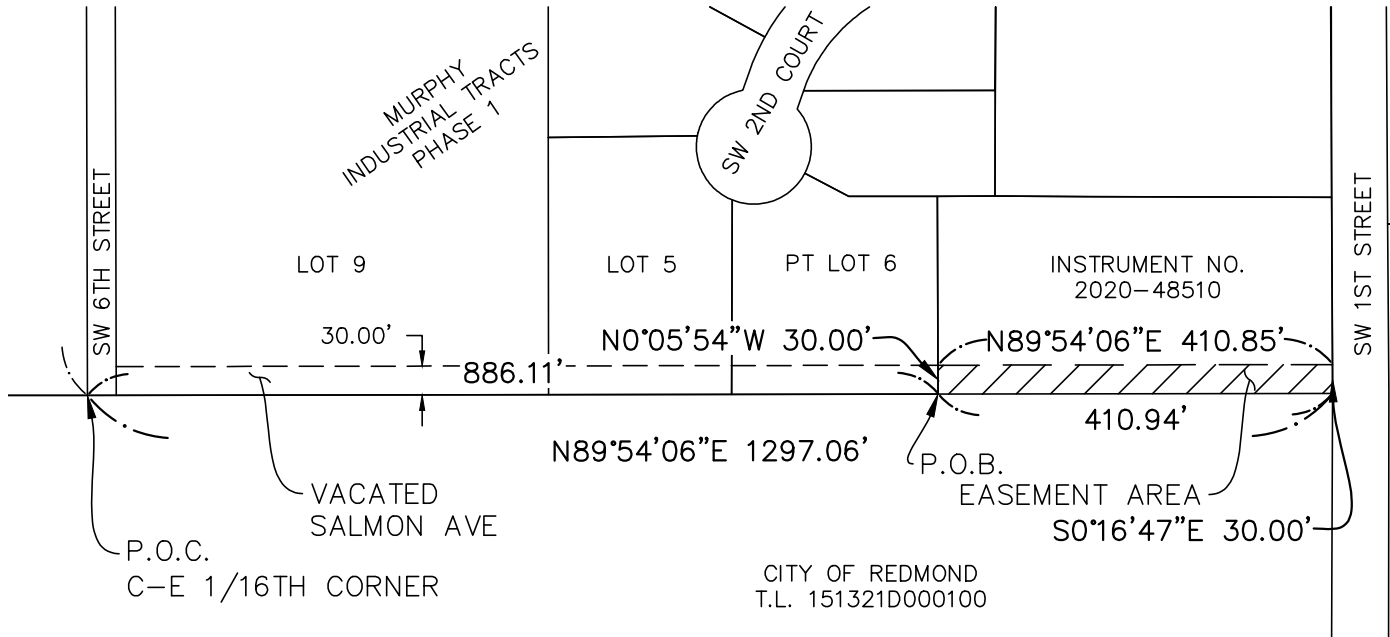
CONTAINS 12,327 SQUARE FEET OR 0.28 ACRES, MORE OR LESS.

BEARINGS BASED ON MURPHY INDUSTRIAL TRACTS PHASE 1, CS 12738, DESCHUTES COUNTY SURVEY RECORDS.

THIS PROPERTY IS DEPICTED ON THE ATTACHED MAP TITLED EXHIBIT "B" WHICH IS INCORPORATED HEREIN BY THIS REFERENCE.



LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21,
TOWNSHIP 15 SOUTH, RANGE 13 EAST, WILLAMETTE MERIDIAN,
CITY OF REDMOND, DESCHUTES COUNTY, OREGON



200 FEET

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
EASEMENT AREA = 12,327 SQUARE FEET OR 0.28 ACRES +/-
BEARINGS BASED ON CS 12738, MURPHY INDUSTRIAL TRACTS PHASE 1,
DESCHUTES COUNTY SURVEY RECORDS



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REGISTERED
PROFESSIONAL
LAND SURVEYOR

Erik J. Huffman

OREGON
DEC. 16, 2009
ERIK J. HUFFMAN
70814

RENEWES: JUN. 30, 2021

DATE: 05/21/2021

SCALE: 1" = 200'

DRAWN BY: AJH

PROJ: 19021