



**Crook County Community Development
Planning Division**

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www.co.crook.or.us

**BEFORE THE CROOK COUNTY PLANNING COMMISSION
PROPOSED ZONING CODE AMENDMENTS 217-23-000252-PLNG**

April 26, 2023

APPLICANT: Crook County Community Development Department

REQUEST: The Crook County Planning Commission was directed by the Crook County Court through Order 2023-12 voted on March 1, 2023, to prepare a Report and Recommendation to the Crook County Court regarding an ordinance to remove the land identified as Exhibit E of Ordinance 210 (attached within Attachment A) from the Crook County Destination Resort Overlay Map.

Specifically, the amendments consist of the following:

- Amending the Destination Resort Overlay Map, approved and amended by the following ordinances:
 - Ordinance No. 18, Amendment 60
 - Ordinance No. 17, Amendment 52
 - Ordinance 187
 - Ordinance 210

The Planning Department provided a 45-day notice and opportunity to comment to the State Department of Land Conservation and Development related to the County's intent to adopt Ordinance 337; provided a notice to affected property owners pursuant to that amendment to the Oregon Constitution commonly referred to as Measure 56 and provided a 10-day advance notice and opportunity to comment upon this amendment to the general public as required by the Crook County Code.

I. APPLICABLE CRITERIA

Crook County Code

Title 18 Zoning

Chapter 18.168 Legislative Amendments

Oregon Revised Statutes

Chapter 197 Comprehensive Land Use Planning

197.610 - Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development.

ORS 215 County Planning; Zoning; Housing Codes

215.503 – Legislative act by ordinance; mailed notice to individual property owners required by county for land use actions.

II. FINDINGS OF FACT

Crook County Code

Title 18 Zoning

Chapter 18.168 Legislative Amendments

18.168.010 Legislative hearings.

(1) When the court or an agency of the court is required by state statute or this title to conduct a hearing on legislative matters, it shall hold the hearing in accordance with the applicable procedures of this chapter.

(2) "Legislative matters" generally involve a broad public policy decision that applies to other than an individual property owner. These include, without limitation, amendments to the text of the comprehensive plan, zoning ordinance, or the subdivision ordinance and changes to the comprehensive plan map and/or zoning maps not directly affecting individual property owners.

FINDING: The request involves amending the comprehensive plan map, which falls under a "Legislative matter." Hearing are being held in accordance with CCC 18.168. The request complies.

18.168.020 Authorization to initiate amendments.

The application for a hearing on any legislative matter may be initiated by any of the following:

*(***)*

(3) County court on its own motion and order.

FINDING: On March 1, 2023, The Crook County Court voted on and approved Order 2023-12, which initiated the amendment process. The request complies.

18.168.030 Notice.

(1) Notice of the hearing to enact any legislative matter shall be published in a local newspaper of general circulation at least 10 days in advance of each hearing in accordance with the requirements of ORS [215.223](#). During a hearing properly advertised, the matter may be continued to another date certain without additional public notice. Notice may be given by other means such as mail, radio and television.

(2) The notice shall contain at least the following information:

(a) A statement of the proposed public action;

(b) The department of the county from which additional information can be obtained; and

(c) The time, place, date and methods for presentation of views by interested persons.

(3) When applicable notice to DLCDD shall be provided as required by ORS [197.610](#) and [197.615](#).

(4) When applicable notice to affected property owners shall be provided as required by ORS [215.503\(2\)](#).

FINDING: Notice of the hearing was posted in the Central Oregonian on April 11, 2023, 15 days before the April 26, 2023, hearing. As evidenced by the notice, the requirements of subsections (2)(a)-(c), were included in the notice. Notice was provided to DLCD in accordance with ORS 197.610 on March 22, 2023. Notice was also provided in accordance with ORS 215.203. The request complies.

18.168.040 Submission of written testimony.

Any person may submit written recommendations and comments, copies of which shall be kept on file and made available for public inspection. Time limitations on the acceptance of written testimony shall be determined by the hearing authority.

FINDING: To date, written testimony has not been received for the amendment, but if any is received it shall be kept in accordance with the above criteria. Testimony may be received up until the close of either hearings before the Planning Commission and County Court.

18.168.050 Number and manner of hearings.

(1) Subject to subsection (4) of this section, the planning commission shall conduct no less than one public hearing on the proposed legislative matter.

(2) The planning commission shall, within 20 working days after the last hearing, issue a written recommendation to the court for approval, approval as modified, or disapproval. The written recommendation shall also contain a statement of findings of fact and conclusion, which supports the recommendation.

(3) The county court, after receiving the written recommendation from the planning commission, shall schedule and conduct a public hearing on the proposed legislative matter. The public hearing may be conducted as described in CCC [18.172.081](#).

(4) If an ordinance is initiated by the governing body, it shall, unless waived by a majority vote of the county court, prior to enactment, request a report and recommendation regarding the ordinance from the planning commission. The planning commission shall submit the report and recommendation by the date and time stated in the request. Such date and time shall be reasonable. (Ord. 236 § 4 (Exh. D), 2010; Ord. 18 § 8.050, 2003)

FINDING: A hearing is scheduled with the Planning Commission for April 26, 2023. Subsequent hearings will be held by the Crook County Court on dates to be determined. The request shall follow the remaining procedures of subsections (3) and (4). The request complies.

Oregon Revised Statutes

Chapter 197 Comprehensive Land Use Planning

197.610 Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development; rules.

(1) Before a local government adopts a change, including additions and deletions, to an acknowledged comprehensive plan or a land use regulation, the local government shall submit the proposed change to the Director of the Department of Land Conservation and Development. The Land Conservation and Development Commission shall specify, by rule, the deadline for submitting proposed changes, but in all cases the proposed change must be submitted at least 20 days before the local government holds the first evidentiary hearing on adoption of the proposed change. The commission may not require a local government to submit the proposed change more than 35 days before the first evidentiary hearing.

FINDING: The County submitted notice to the Department of Land Conservation and Development (DLCD) on March 22, 2023. Public notice was published in the Central Oregonian on April 11, 2023.

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review, the local government shall submit the proposed changes as soon as practicable, but may submit the proposed changes after the applicable deadline.

FINDING: The county has not determined that emergency circumstances require an expedited review, and the applicable deadlines will be met. The criterion does not apply.

(3) Submission of the proposed change must include all of the following materials:

(a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan;

(b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the map that is created or altered;

(c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the proposed change;

(d) The date set for the first evidentiary hearing;

(e) The form of notice or a draft of the notice to be provided under ORS 197.763, if applicable; and

(f) Any staff report on the proposed change or information describing when the staff report will be available, and how a copy of the staff report can be obtained.

FINDING: The March 22, 2023, submission to DLCD summarized the proposed changes, application, County Court Order 2023-12, the date for the first evidentiary hearing, and a draft public notice including information regarding the availability of a final staff report.

(4) The director shall cause notice of the proposed change to the acknowledged comprehensive plan or the land use regulation to be provided to:

(a) Persons that have requested notice of changes to the acknowledged comprehensive plan of the particular local government, using electronic mail, electronic bulletin board, electronic mailing list server or similar electronic method; and

(b) Persons that are generally interested in changes to acknowledged comprehensive plans, by posting notices periodically on a public website using the Internet or a similar electronic method.

FINDING: Public notice of the proposed hearing was provided in the Central Oregonian, made available to interested parties, and posted on the Crook County Community Development website. A Measure 56 Notice was also provided in accordance with ORS 215.503. The proposal complies.

(5) When a local government determines that the land use statutes, statewide land use planning goals and administrative rules of the commission that implement either the statutes or the goals do not apply to a proposed change to the acknowledged comprehensive plan and the land use regulations, submission of the proposed change under this section is not required.

FINDING: The local government finds that the proposed change is an amendment to an already approved Destination Resort Overlay Map, in accordance with Goal 8 (Recreational Needs). Removing a property from the approved overlay only requires additional review through ORS 215.503, which dictates when Measure 56 Notice must be sent to affected property owners. The applicable criteria are addressed later in this report. No other goals or statutes apply.

ORS 215 County Planning; Zoning; Housing Codes

215.503 Legislative act by ordinance; mailed notice to individual property owners required by county for land use actions.

(1) As used in this section, "owner" means the owner of the title to real property or the contract purchaser of real property, of record as shown on the last available complete tax assessment roll.

(2) All legislative acts relating to comprehensive plans, land use planning or zoning adopted by the governing body of a county shall be by ordinance.

FINDING: The required mailing was sent to all owners of title to real property or the contract purchasers of real property, of record as shown on the last available complete tax assessment roll. Once reviewed by the Planning Commission, the request shall be drafted into an ordinance and reviewed by the Crook County Court for final approval.

(3) Except as provided in subsection (6) of this section and in addition to the notice required by ORS 215.060, at least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to amend an existing comprehensive plan or any element thereof or to adopt a new comprehensive plan, the governing body of a county shall cause a written individual notice of land use change to be mailed to each owner whose property would have to be rezoned in order to comply with the amended or new comprehensive plan if the ordinance becomes effective.

FINDING: Subsection (6) does not apply. Notice was provided in accordance with ORS 215.060 on April 11, 2023, in the Central Oregonian. The initial hearing date was scheduled for April 26, 2023. Staff mailed the individual notice of land use change to the owner whose properties are affected by the amendment on March 23, 2023. With the notice having been sent 34 days prior to the hearing, this meets the 20-40 day notice requirement. The request complies.

(4) In addition to the notice required by ORS 215.223 (1), at least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to rezone property, the governing body of a county shall cause a written individual notice of land use change to be mailed to the owner of each lot or parcel of property that the ordinance proposes to rezone.

FINDING: The proposal does not involve a zone change, only the amendment of the Destination Resort Overlay. The criteria does not apply.

(5) An additional individual notice of land use change required by subsection (3) or (4) of this section shall be approved by the governing body of the county and shall describe in detail how the proposed ordinance would affect the use of the property. The notice shall:

(***)

FINDING: Subsection (5) outlines the specific language that must be included within the required mailing. As found within the notice sent on March 23, 2023, the notice included the required language, and the request complies.

III. RECOMMENDATION: The Planning Department recommends the Planning Commission review the proposed amendment, and recommend adoption of the proposed amendment to the Crook County Court, or to adopt the proposed amendment with changes.

Respectfully,



Brent Bybee, Planning Manager
Crook County Community Development Department

Attachment A: Order 2023-12

Attachment B: Amended Destination Resort Map & Amended Property Descriptions

Attachment A



2023-019

I, Cheryl Seely, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Cheryl Seely - County Clerk



IN THE COUNTY COURT OF THE STATE OF OREGON

FOR THE COUNTY OF CROOK

IN THE MATTER OF)
INITIATING A POTENTIAL)
AMENDMENT TO CROOK)
COUNTY'S DESTINATION)
RESORT OVERLAY MAP)

ORDER 2023-12

WHEREAS, Crook County is tasked with adopting and maintaining a comprehensive plan for land use pursuant to, among others, ORS 215.050; and

WHEREAS, under ORS 197.455(2) counties shall adopt a map consisting of lands eligible for a destination resort within its county as part of its comprehensive plan; and

WHEREAS, Crook County adopted its Destination Resort Overlay Map on May 22, 2002 via Ordinance No. 18, Amendment 60 and Ordinance No. 17, Amendment 52; and

WHEREAS, Crook County's Destination Resort Overlay was amended two additional times, via Ordinances 187 and 210, the latter occurring on October 7, 2009; and

WHEREAS, Ordinance 210 was initiated in response to the 2008 Ballot Measure 7-47, in which the electors of Crook County voted to prevent the approval of any new destination resorts; and

WHEREAS, at the time of Ordinance 210, Crook County Planning Department Application DR-08-0092, known as Crossing Trails and defined on Exhibit E of Ordinance 210, was in pending litigation; and

WHEREAS, Ordinance 210 stated that the property underlying DR-08-0092 shall be removed from the Destination Resort Overlay Map effective upon the exhaustion of all appellate remedies; and

WHEREAS, DR-08-0092 is now void, following the expiration of its final extension in November of 2022; and

WHEREAS, Pursuant to ORS 215.110(2) and Crook County Code 18.168.020(3), an amendment to a comprehensive plan may be initiated by the governing body of the County; and

WHEREAS, Pursuant to ORS 215.110(2) and Crook County Code 18.169.050(4), amendments to the County's comprehensive plan map initiated by the County's governing body shall request a report and recommendation regarding the potential ordinance from the Crook County Planning Commission prior to enactment.

NOW, THEREFORE, the Crook County Court hereby **ORDERS** that the **Crook County Planning Commission** prepare a Report and Recommendation to the Crook County Court, within 60 days from the date of this Order, regarding an ordinance to remove the land identified as Exhibit E of Ordinance 210, attached herein, from the Crook County Destination Resort Overlay map.

DATED this 1st day of March 2023.

CROOK COUNTY COURT



SETH CRAWFORD, County Judge



JERRY BRUMMER, County Commissioner



BRIAN BARNEY, County Commissioner

STATE OF OREGON } ss 2009084
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 07th DAY OF
October, 20 09, AT 2:45 P. M.
AND RECORDED IN CJRNL
RECORDS OF SAID COUNTY MF NO. 2009-084
DEANNA E. BERMAN, CROOK COUNTY CLERK
BY Deanna E. Berma DEPUTY

**IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK**

**AN ORDINANCE AMENDING THE
CROOK COUNTY ZONING MAP AND
COMPREHENSIVE PLAN TO AMEND
THE DESTINATION RESORT
OVERLAY ZONE MAP AND
DECLARING AN EMERGENCY**

**Ordinance No. 210
(Re-Adopted Pursuant to State of Oregon
Land Use Board of Appeals Remanded and
Amended)**

WHEREAS, the voters of Crook County on May 20, 2008 voted 4,409 to 2,233 in favor of advisory Ballot Measure 7-47 to remove the Destination Resort Overlay Zone Map (Eligibility Map) to prevent approval of more destination resorts in a manner that would not affect existing resorts; and

WHEREAS, the Crook County Court provided a 45-day notice and opportunity to comment to the State Department of Land Conservation and Development related to the County's intent to adopt this ordinance; provided the Crook County Planning Commission an opportunity to comment; provided a notice to affected property owners pursuant to that amendment to the Oregon Constitution commonly referred to as Measure 56 and provided a 10-day advance notice and opportunity to comment upon this ordinance to the general public as required by the Crook County Code; and

WHEREAS, the legislative amendments are authorized by title 18 Chapter 18.168 of the Crook County Code and the Comprehensive Plan of Crook County;

NOW, THEREFORE, this 7th day of October, 2009, the Crook County Court ordains as follows:

SECTION ONE. *Amendment.* Ordinance 18, Amendment 60, Section 1, and Ordinance 17, Amendment 53, Section 1, Exhibit A are amended by repealing the existing Destination Resort Overlay Zone Map adopted May 22, 2002 as amended by Ordinance 187 and substituting the following described properties to be mapped as designated for destination resorts. The properties comprise the area within the boundaries of existing approved and currently applied for destination resorts in Crook County (as shown on the map attached hereto as Exhibit A):

- A. That property known as Brasada Ranch and defined as described in Exhibit B.
- B. That property known as Remington Ranch and defined as described in Exhibit C.

C. That property known as Hidden Canyon and defined as described in Exhibit D.

D. That property known as Crossing Trails and defined as described in Exhibit E.

If the County or another appellate body ultimately approves Crook County Planning Department Application DR-08-0092 (titled at the time of adoption of this ordinance as "Crossing Trails") that property shall maintain its Destination Resort Overlay effective upon the exhaustion of all appellate remedies. If the County or another appellate body denies the application, the Destination Resort Overlay shall be removed effective upon the exhaustion of all appellate remedies.

SECTION TWO. *Effect upon future amendments/Measure 49 claims.* This amendment of the Destination Resort Overlay does not prohibit future amendments to the Destination Resort Overlay in accordance with the Crook County Comprehensive Plan, Crook County Code and State Law. This amendment is not intended to affect any potential claims pursued under what is commonly referred to as Ballot Measure 49 passed by the voters of the State of Oregon in the November 2007 Election.

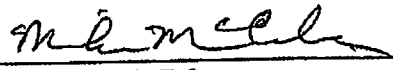
SECTION THREE. *Emergency.* This Ordinance being necessary for the health, welfare and safety of the people of Crook County, an emergency is hereby declared to exist and this Ordinance shall become effective upon signing.

First Reading: October 7, 2009.

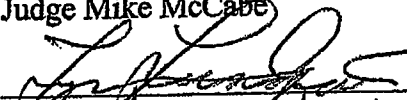
Second Reading: October 7, 2009.

Dated this 7th day of October 2009.

CROOK COUNTY COURT



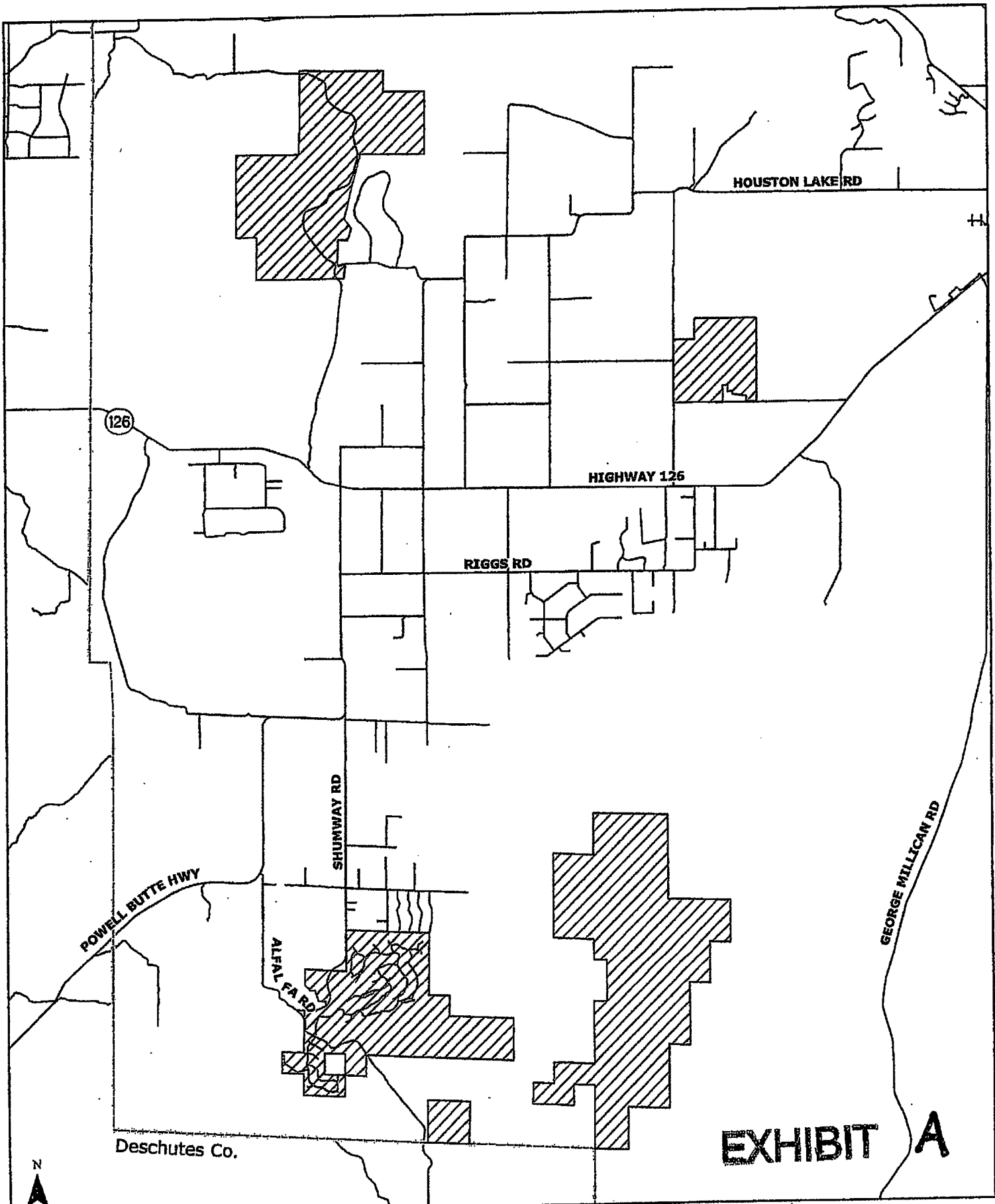
Judge Mike McCabe



Commissioner Lynn Lundquist

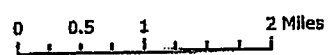


Commissioner Ken Fahlgren



Disclaimer: CROOK COUNTY MAKES NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ANY OTHER MATTER. THE COUNTY IS NOT RESPONSIBLE FOR POSSIBLE ERRORS, OMISSIONS, MISUSE, OR MISINTERPRETATION. COUNTY DIGITAL INFORMATION IS PREPARED FOR REFERENCE PURPOSES ONLY AND SHOULD NOT BE USED, AND IS NOT INTENDED FOR, SURVEY OR ENGINEERING PURPOSES, OR THE AUTHORITY AND/OR PRECISE LOCATION OF BOUNDARIES, FIXED HUMAN WORKS, AND/OR THE SHAPE AND CONTOUR OF THE EARTH. NO REPRESENTATION IS MADE CONCERNING THE LEGAL STATUS OF ANY APPARENT ROUTE OF ACCESS IDENTIFIED IN DIGITAL OR HARDCOPY MAPPING OF GEOSPATIAL INFORMATION OR DATA. DATA FROM THE CROOK COUNTY ASSESSOR'S OFFICE MAY NOT BE CURRENT. DATA IS UPDATED AS SCHEDULES AND RESOURCES PERMIT. PLEASE NOTIFY CROOK COUNTY GIS OF ANY ERRORS (541) 416-9930.

Destination Resort Overlay Crook Co.



Legend

 Destination Resort Overlay

The premises are in Crook County, and are described as follows:

TRACT I:

That portion of Parcel 3 of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partitions MF No. 118915, Records of Crook County, Oregon, which lies in the Northwest one-quarter Northwest one-quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 34, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TOGETHER WITH: That portion of Parcel 3 of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partitions MF No. 118915, Records of Crook County, Oregon, which lies in the Northwest one-quarter Northeast one-quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the South one-half Northeast one-quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$) and the Northeast one-quarter Northwest one-quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 33, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TOGETHER WITH: That portion of Parcel 3 of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partition MF No. 118915, Records of Crook County, Oregon, which lies in that portion of the Southeast one-quarter (SE $\frac{1}{4}$) of Section 28, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon, lying Southerly of the Powell Butte County Road, also known as Alfalfa County Road, and the Southerly boundary of Parcel 1 of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon.

TOGETHER WITH: That portion of Parcel 3 of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partition MF No. 118915, Records of Crook County, Oregon, which lies in that portion of the Southwest one-quarter (SW $\frac{1}{4}$) of Section 27, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon, lying Southerly of the Powell Butte County Road, also known as Alfalfa County Road, and the Southerly boundary of Parcel 1 of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon.

TRACT II:

That portion of Parcel 1 of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon which lies in the east one-half (E $\frac{1}{2}$) of Section 28, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TOGETHER WITH: That portion of Parcel 3 of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partitions MF No. 118915, Records of Crook County, Oregon, which lies in the Northeast one-quarter (NE $\frac{1}{4}$) of Section 28, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT III:

Parcel Two (2) of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon.

TOGETHER WITH: That portion of Parcel 1 of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon, which lies in the Southwest one-quarter (SW $\frac{1}{4}$) of Section 27, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

EXHIBIT B.

Located in CROOK COUNTY, OREGON:

TRACT I:

Parcels One (1) and Three (3) of Partition Plat No. 1999-31 Recorded December 17, 1999, in Partitions MF No. 152743, Records of Crook County, Oregon, located in a portion of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 4, Government Lot 1, the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 5 and the NW $\frac{1}{4}$ of Section 9, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT II:

Parcel One (1) and Two (2) of Partition Plat No. 2000-22, Recorded June 30, 2000 in Partitions MF No. 156385, Records of Crook County, Oregon, located in the W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 3, in Section 4, and in the NE $\frac{1}{4}$ of Section 9, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT III:

Parcel One (1) and Two (2) of Partition Plat No. 2001-21, Recorded June 29, 2001 in Partitions MF No. 163559, Records of Crook County, Oregon, located in the SW $\frac{1}{4}$ of Section 4 and in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 5, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT IV:

Parcels One (1) and Two (2) of Partition Plat No. 2001-23, Recorded June 29, 2001 in Partitions MF No. 163587, Records of Crook County, Oregon, located in Section 4, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT V:

Parcel Three (3) of Partition Plat No. 2001-23, Recorded June 29, 2001 in Partitions MF No. 163587, Records of Crook County, Oregon, located in the W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 3, in Section 4, in the NE $\frac{1}{4}$ of Section 9 and in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT VI:

Parcel Three (3) of Partition Plat No. 2001-39, Recorded December 11, 2001 in Partitions MF No. 167111, Records of Crook County, Oregon, located in Section 33 and a portion of Section 34, Township 14 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT VII:

In Township 14 South, Range 14 East of the Willamette Meridian:
Section 34: The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$

EXHIBIT C-

Located in Crook County, Oregon;

A portion of Section 3, 4, 9, and 10, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon, being described as follows: Beginning at the Northwest corner of said Section 4, begin a 2 1/2" brass cap mounted on a 2 1/2" x 30" galvanized iron pipe; thence North 89°59'39" East along the North line of said Section 4, a distance of 2652.66 feet to the North one-quarter corner of said section, being a 2 1/2" brass cap on a 2 1/2" iron pipe; thence South 89°38'49" East along said section line a distance of 2645.22 feet to the Northeast corner of said Section 4, being a 2 1/2" brass cap on a 2 1/2" iron pipe, thence North 89°59'08" East along the North line of said Section 3, a distance of 1251.42 feet to a 5/8" iron rod on the westerly boundary of the plat of Twin Lakes Ranch according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon thence leaving said section line along said westerly plat boundary along the following courses, South 14°14'16" West 4216 feet to a 5/8" iron rod, thence South 37°46'17" East 784.06 feet to a 5/8" iron rod, thence South 17°33'10" West 156.97 feet to the true point of beginning, as marked by a 1/2" iron rod, thence continue South 17°33'10" West 629.68 feet to a 5/8" iron rod, thence North 89°57'54" West 600.18 feet to a 5/8" iron rod, thence North 600.00 feet to a 1/2" iron rod, thence Easterly 790.08 feet to the true point of beginning.

EXHIBIT C-2

The premises are in Crook County, and are described as follows:

TRACT I

Parcel Three (3) of Partition Plat No. 2004-18, Recorded July 8, 2005 in Partitions MF No. 191841, Records of Crook County, Oregon, a Partition of Parcel 2 of Partition Plat 2001-22, located in Section 17, Township 15 South, Range 15 East of the Willamette Meridian, Crook County, Oregon.

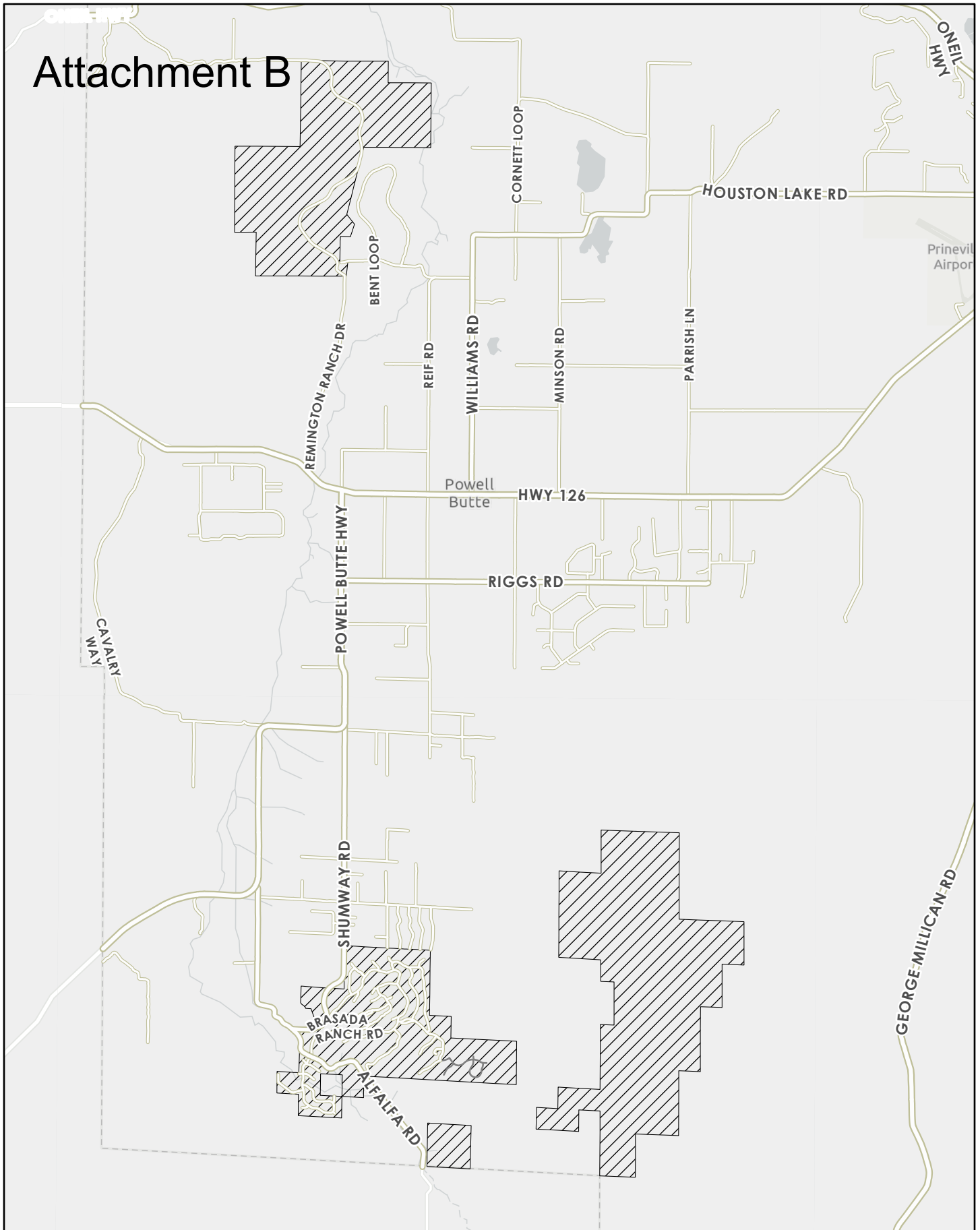
TRACT II

Parcel One (1), Two (2) and Three (3) of Partition Plat No. 2004-40, Recorded December 27, 2004 in Partitions MF No. 196480, Records of Crook County, Oregon, located in Section 17, Township 15 South, Range 15 East of the Willamette Meridian, Crook County, Oregon.

EXHIBIT E


Destination Resort Overlay Map

Attachment B



2

Miles

 Destination Resorts

The premises are in Crook County, and are described as follows:

TRACT I:

That portion of Parcel 3 of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partitions MF No. 118915, Records of Crook County, Oregon, which lies in the Northwest one-quarter Northwest one-quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 34, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TOGETHER WITH: That portion of Parcel 3 of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partitions MF No. 118915, Records of Crook County, Oregon, which lies in the Northwest one-quarter Northeast one-quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the South one-half Northeast one-quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$) and the Northeast one-quarter Northwest one-quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 33, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TOGETHER WITH: That portion of Parcel 3 of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partition MF No. 118915, Records of Crook County, Oregon, which lies in that portion of the Southeast one-quarter (SE $\frac{1}{4}$) of Section 28, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon, lying Southerly of the Powell Butte County Road, also known as Alfalfa County Road, and the Southerly boundary of Parcel 1 of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon.

TOGETHER WITH: That portion of Parcel 3 of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partition MF No. 118915, Records of Crook County, Oregon, which lies in that portion of the Southwest one-quarter (SW $\frac{1}{4}$) of Section 27, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon, lying Southerly of the Powell Butte County Road, also known as Alfalfa County Road, and the Southerly boundary of Parcel 1 of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon.

TRACT II:

That portion of Parcel 1 of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon which lies in the east one-half (E $\frac{1}{2}$) of Section 28, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TOGETHER WITH: That portion of Parcel 3 of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partitions MF No. 118915, Records of Crook County, Oregon, which lies in the Northeast one-quarter (NE $\frac{1}{4}$) of Section 28, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT III:

Parcel Two (2) of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon.

TOGETHER WITH: That portion of Parcel 1 of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon, which lies in the Southwest one-quarter (SW $\frac{1}{4}$) of Section 27, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

EXHIBIT B.

Located in CROOK COUNTY, OREGON:

TRACT I:

Parcels One (1) and Three (3) of Partition Plat No. 1999-31 Recorded December 17, 1999, in Partitions MF No. 152743, Records of Crook County, Oregon, located in a portion of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 4, Government Lot 1, the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 5 and the NW $\frac{1}{4}$ of Section 9, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT II:

Parcel One (1) and Two (2) of Partition Plat No. 2000-22, Recorded June 30, 2000 in Partitions MF No. 156385, Records of Crook County, Oregon, located in the W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 3, in Section 4, and in the NE $\frac{1}{4}$ of Section 9, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT III:

Parcel One (1) and Two (2) of Partition Plat No. 2001-21, Recorded June 29, 2001 in Partitions MF No. 163559, Records of Crook County, Oregon, located in the SW $\frac{1}{4}$ of Section 4 and in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 5, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT IV:

Parcels One (1) and Two (2) of Partition Plat No. 2001-23, Recorded June 29, 2001 in Partitions MF No. 163587, Records of Crook County, Oregon, located in Section 4, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT V:

Parcel Three (3) of Partition Plat No. 2001-23, Recorded June 29, 2001 in Partitions MF No. 163587, Records of Crook County, Oregon, located in the W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 3, in Section 4, in the NE $\frac{1}{4}$ of Section 9 and in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT VI:

Parcel Three (3) of Partition Plat No. 2001-39, Recorded December 11, 2001 in Partitions MF No. 167111, Records of Crook County, Oregon, located in Section 33 and a portion of Section 34, Township 14 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT VII:

In Township 14 South, Range 14 East of the Willamette Meridian:
Section 34: The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$

EXHIBIT C-

Located in Crook County, Oregon;

A portion of Section 3, 4, 9, and 10, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon, being described as follows: Beginning at the Northwest corner of said Section 4, begin a 2 1/2" brass cap mounted on a 2 1/2" x 30" galvanized iron pipe; thence North 89°59'39" East along the North line of said Section 4, a distance of 2652.66 feet to the North one-quarter corner of said section, being a 2 1/2" brass cap on a 2 1/2" iron pipe; thence South 89°38'49" East along said section line a distance of 2645.22 feet to the Northeast corner of said Section 4, being a 2 1/2" brass cap on a 2 1/2" iron pipe, thence North 89°59'08" East along the North line of said Section 3, a distance of 1251.42 feet to a 5/8" iron rod on the westerly boundary of the plat of Twin Lakes Ranch according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon thence leaving said section line along said westerly plat boundary along the following courses, South 14°14'16" West 4216 feet to a 5/8" iron rod, thence South 37°46'17" East 784.06 feet to a 5/8" iron rod, thence South 17°33'10" West 156.97 feet to the true point of beginning, as marked by a 1/2" iron rod, thence continue South 17°33'10" West 629.68 feet to a 5/8" iron rod, thence North 89°57'54" West 600.18 feet to a 5/8" iron rod, thence North 600.00 feet to a 1/2" iron rod, thence Easterly 790.08 feet to the true point of beginning.

EXHIBIT C-2