



Lisa Andrach
Partner
lisa@fitchandneary.com

April 30, 2025

New Measure 49 Claims
Oregon Department of Land Conservation and Development (DLCD)
635 Capitol Street N, Suite 150
Salem, Oregon 97301-2450

Re: Barnum Measure 49 Claim
19745 J W Brown Road, Bend, Oregon 97703

Dear DLCD:

Enclosed is the Measure 49 Claim Form and required information concerning the above referenced property.

A check in the amount of \$12,500 is enclosed.

The property is owned by the Edward Barnum Trust, and John and Karen Barnum, Trustees of the John and Karen Barnum Trust are Contract Purchasers via a Land Sale Contract. The Memorandum of Contract of Sale dated October 11, 2013 is included in the Western Title Report.

Edward and John Barnum are brothers. Their parents purchased the subject property in 1940 and after their mother passed, the subject property was transferred to Edward as his inheritance.

There was a mobile home on the property that was removed in 2021. The Barnums purchased a new manufactured structure to replace that mobile home. You can see it sitting on the property in 2 pieces on page 24 of the Appraisal. The issue is that when the Barnums applied for the Replacement Dwelling permit in 2024, Deschutes County informed them that the law changed in January 2024, and their Replacement Dwelling application was 3 months too late. The structure that they had purchased had to be delivered, so it is sitting on the property in 2 pieces while Barnums navigate this process. Unfortunately, for the elderly farm couple, the process to get a replacement dwelling permit from the county has gone from \$1300 and a couple of months, to nearly \$30,000 and more than a year.

The applicant requests relief from the amendments to ORS 215.291 effective January 20024 which restricts the Replacement Dwelling for the subject property. Specifically, section (5) requires that a Replacement Dwelling application be filed within 3 years from removal of the structure. And section (1) imposes a 5-year look back requiring the Replacement Dwelling application be filed within 5 years since the structure was assessed as a dwelling for purposes of ad valorem taxes. It



FITCH & NEARY
P.C.

Lisa Andrach
Partner
lisa@fitchandneary.com

took nearly 6 months to get the required appraisal for the Measure 49 application, and the Measure 49 application process with the State may take a while, so the 5-year look back could expire prior to receiving the Measure 49 claim decision. Therefore, waiver of this provision is necessary as well.

Enclosures:

1. \$12,500
2. Measure 49 Claim Form
3. Measure 49 Non-Claimant Owner Consent
4. ORS 215.291 – Enrolled, and showing legislative amendments.
5. Last Warranty Deed showing Edward Barnum Trust acquisition.
6. Deschutes County tax cards
7. Western Title & Escrow property Report
8. Appraisal Group of Central Oregon LLC appraisal.

Please advise if you need anything further.

Sincerely,

LISA ANDRACH



Department of Land
Conservation and Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540
(503) 373-0050
www.oregon.gov/LCD

Measure 49 Claim

DLCD USE ONLY

Received:

May 5, 2025

Mail completed form and required attachments to:

New Measure 49 Claims
Department of Land Conservation and Development
635 Capitol Street NE Suite 150
Salem OR 97301-2540

I. NAME AND CONTACT INFORMATION OF ALL CLAIMANTS

(List each claimant separately. Attach additional sheets if more than six claimants.)

1	Claimant Name (individual, business entity, or trustee of trust)	Name of Representative of Business Entity or Name of Trust	
	John Barnum	John and Karen Barnum Trust 8/11/98	
	Mailing Address		
	19700 J W Brown Road		
2	City	State	Zip
	Bend	Oregon	97703
	Telephone Number		
	541-389-7750		
3	Claimant Name (individual, business entity, or trustee of trust)	Name of Representative of Business Entity or Name of Trust	
	Karen Barnum	John and Karen Barnum Trust 8/11/98	
	Mailing Address		
	19700 J W Brown Road		
4	City	State	Zip
	Bend	Oregon	97703
	Telephone Number		
	541-389-7750		
5	Claimant Name (individual, business entity, or trustee of trust)	Name of Representative of Business Entity or Name of Trust	
	Mailing Address		
6	City	State	Zip
	Telephone Number		

5	Claimant Name (individual, business entity, or trustee of trust)		Name of Representative of Business Entity or Name of Trust	
	Mailing Address			
	City		State	Zip
	Telephone Number			
6	Claimant Name (individual, business entity, or trustee of trust)		Name of Representative of Business Entity or Name of Trust	
	Mailing Address			
	City		State	Zip
	Telephone Number			
II. NAME AND CONTACT INFORMATION OF ALL NON-CLAIMANT OWNERS (Attach additional sheets if necessary.)				
1	Non-Claimant Owner Name (individual, business entity, or trustee of trust) Edward Barnum		Name of Representative of Business Entity or Name of Trust Edward E Barnum Trust	
	Mailing Address 19745 J W Brown Road			
	City Bend		State OR	Zip 97703
	Telephone Number 541-948-6334			
2	Non-Claimant Owner Name (individual, business entity, or trustee of trust)		Name of Representative of Business Entity or Name of Trust	
	Mailing Address			
	City		State	Zip
	Telephone Number			
3	Non-Claimant Owner Name (individual, business entity, or trustee of trust)		Name of Representative of Business Entity or Name of Trust	
	Mailing Address			
	City		State	Zip
	Telephone Number			

4	Non-Claimant Owner Name (individual, business entity, or trustee of trust)		Name of Representative of Business Entity or Name of Trust	
	Mailing Address			
	City		State	Zip
	Telephone Number			
III. NAME AND CONTACT INFORMATION OF PRIMARY CONTACT/AGENT				
Name Lisa Andrach		Business Name Fitch & Neary PC		
Mailing Address 210 SW 5th St, #2				
City Redmond		State Oregon	Zip 97756	
Telephone Number 541-316-1588		Fax Number: 541-316-1943	E-Mail Address lisa@fitchandneary.com	
IV. IDENTIFICATION OF PROPERTY AND ACQUISITION (List each tax lot separately and attach additional sheets if more than four tax lots. Attach title report and copy of county deed card(s).)				
1	Street Address (if any) or nearest intersection 19745 J W Brown Rd		City Bend	County Deschutes
	Township 16	Range 12	Section 18	Tax Lot 800
	Claimant 1: Date of Acquisition August 7, 1992		Claimant 2: Date of Acquisition	
	Claimant 3: Date of Acquisition		Claimant 4: Date of Acquisition	
	Claimant 5: Date of Acquisition		Claimant 6: Date of Acquisition	
2	Street Address (if any) or nearest intersection		City	County
	Township	Range	Section	Tax Lot
	Claimant 1: Date of Acquisition		Claimant 2: Date of Acquisition	
	Claimant 3: Date of Acquisition		Claimant 4: Date of Acquisition	
	Claimant 5: Date of Acquisition		Claimant 6: Date of Acquisition	
3	Street Address (if any) or nearest intersection		City	County
	Township	Range	Section	Tax Lot
	Claimant 1: Date of Acquisition		Claimant 2: Date of Acquisition	
	Claimant 3: Date of Acquisition		Claimant 4: Date of Acquisition 6	
	Claimant 5: Date of Acquisition		Claimant 6: Date of Acquisition	

4	Street Address (if any) or nearest intersection		City	County
	Township	Range	Section	Tax Lot
	Claimant 1: Date of Acquisition		Claimant 2: Date of Acquisition	
	Claimant 3: Date of Acquisition		Claimant 4: Date of Acquisition	
	Claimant 5: Date of Acquisition		Claimant 6: Date of Acquisition	

V. DESIRED USE THAT IS RESTRICTED BY STATE LAND USE REGULATION

(Describe the desired use of the property that has been restricted by state land use regulation(s) that is the basis of the claim.)

Replacement Dwelling - ORS 215.291(5) prohibits application to replace a dwelling after 3 years from removal/decommission

VI. STATE LAND USE REGULATION(S) THAT RESTRICT DESIRED USE
(List each regulation separately.)

Regulation	Date of Enactment	Impact of Regulation on Desired Use
ORS 215.291(5)	1/1/24	Prohibits replacing dwelling removed just over 3 years ago.
Regulation	Date of Enactment	Impact of Regulation on Desired Use
Regulation	Date of Enactment	Impact of Regulation on Desired Use
Regulation	Date of Enactment	Impact of Regulation on Desired Use

VII. REDUCTION IN FAIR MARKET VALUE OF THE PROPERTY
(Attach appraisal.)

Amount of Reduction in Fair Market Value as determined by appraisal: \$ 479,000

VIII. SIGNATURE OF ALL CLAIMANTS OR THE AGENT

I/WE HEREBY DECLARE UNDER PENALTIES OF FALSE SWEARING (ORS 162.075 AND ORS 162.085) THAT THE ABOVE INFORMATION AND THE ALL OF THE STATEMENTS, DOCUMENTS AND ATTACHMENTS SUBMITTED WITH THIS CLAIM ARE TRUE AND CORRECT.

1	Print Name: John Barnum	Signature: <i>John M Barnum</i>	Date: 4-29-2025
2	Print Name: Karen Barnum	Signature: <i>Karen R. Barnum</i>	Date: 4-29-2025
3	Print Name:	Signature:	Date:
4	Print Name:	Signature:	Date:
5	Print Name:	Signature:	Date:
6	Print Name:	Signature:	Date:
7	Print Name:	Signature:	Date:

Notarization

STATE OF Oregon

COUNTY OF Deschutes

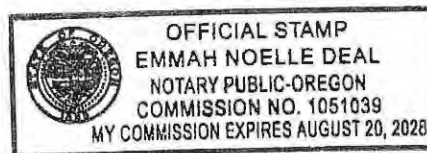
Signed or attested before me on April 29, 2025, by John Barnum

Karen Barnum

Notary Public – State of Oregon

My commission expires: 8-20-28

EmmahDeal





Department of Land
Conservation and Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540
(503) 373-0050
www.oregon.gov/LCD

Measure 49 Claim Non-Claimant Owner Consent

I. OWNER CONSENT

Under Measure 49, all non-claimant owners of the property are required to consent to the filing of a claim, even if the owner does not wish to be a claimant or otherwise participate in the claim.

A. NAME AND CONTACT INFORMATION OF NON-CLAIMANT OWNER SIGNING THIS FORM

Non-Claimant Owner Name (individual, business entity, or trustee of trust) Edward E Barnum, Trustee		Name of Representative of Business Entity or Name of Trust Edward E Barnum Trust	
Mailing Address 19745 J W Brown Rd		Telephone Number 541-948-6334	
City Bend	State Oregon	Zip 97703	

B. NAME OF CLAIMANT(S) FILING MEASURE 49 CLAIM (from Section I of claim form) – attach additional sheet if necessary.

1	John Barnum	2	Karen Barnum
3		4	
5		6	

II. REAL PROPERTY (as identified on claim form) – attach additional sheet if necessary.

1	Township 16	Range 12	Section 18	Tax Lot 800
2	Township	Range	Section	Tax Lot
3	Township	Range	Section	Tax Lot
4	Township	Range	Section	Tax Lot

III. ACKNOWLEDGMENT OF CONSENT. I am an owner of the real property described above. I have reviewed the claim prepared by the above named claimant(s) relative to the real property identified above. I hereby consent to the filing of a claim for relief under Measure 49.

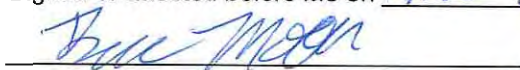
Print Name Edward E. Barnum, Trustee	Signature 	Date 4-25-2025
--	---	--------------------------

NOTARIZATION

STATE OF **OREGON**

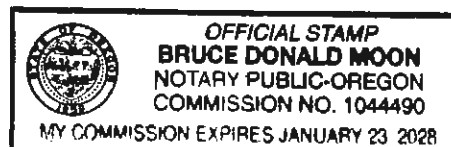
COUNTY OF **JEFFERSON**

Signed or attested before me on **April 25**, 20**25**, by **EDWARD E. BARNUM**



Notary Public – State of **OREGON**

My commission expires: **01/23/2028**



West's Oregon Revised Statutes Annotated

Title 20. Counties and County Officers

Chapter 215. County Land Use Planning; Resource Lands (Refs & Annos)

Agricultural Land Use (Refs & Annos)

(Exclusive Farm Use Zones) (Refs & Annos)

O.R.S. § 215.291

215.291. Alteration, restoration or replacement of
lawfully established dwelling; conditions; siting; deferral

Currentness

(1) A lawfully established dwelling may be altered, restored or replaced under ORS 215.213 (1)(q), 215.283 (1)(p) or 215.755 (1) if the county determines that the dwelling to be altered, restored or replaced:

(a) Has, or formerly had:

(A) Intact exterior walls and roof structure;

(B) Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;

(C) Interior wiring for interior lights; and

(D) A heating system; and

(b)(A) Unless the value of the dwelling was eliminated as a result of destruction or demolition, was assessed as a dwelling for purposes of ad valorem taxation since the later of:

(i) Five years before the date of the application; or

(ii) The date that the dwelling was erected upon or fixed to the land and became subject to property tax assessment; or

(B) If the value of the dwelling was eliminated as a result of destruction or demolition, was assessed as a dwelling for purposes of ad valorem taxation prior to the destruction or demolition and since the later of:

(i) Five years before the date of the destruction or demolition; or

(ii) The date that the dwelling was erected upon or fixed to the land and became subject to property tax assessment.

(2) For replacement of a lawfully established dwelling under this section:

(a) The dwelling to be replaced must be removed, demolished or converted to an allowable nonresidential use within three months after the date the replacement dwelling is certified for occupancy pursuant to ORS 455.055.

(b) The replacement dwelling:

(A) May be sited on any part of the same lot or parcel.

(B) Must comply with applicable siting standards. However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.

(C) Must comply with the construction provisions of section R327 of the Oregon Residential Specialty Code, if:

(i) The dwelling is in an area identified as extreme or high wildfire risk on the statewide map of wildfire risk described in ORS 477.490; or

(ii) No statewide map of wildfire risk has been adopted.

(c) As a condition of approval, if the dwelling to be replaced is located on a portion of the lot or parcel that is not zoned for exclusive farm use, the applicant shall execute and cause to be recorded in the deed records of the county in which the property is located a deed restriction prohibiting the siting of another dwelling on that portion of the lot or parcel. The restriction imposed is irrevocable unless the county planning director, or the director's designee, places a statement of release in the deed records of the county to the effect that the provisions of this section and either ORS 215.213 or 215.283 regarding replacement dwellings have changed to allow the lawful siting of another dwelling.

(3) The county planning director, or the director's designee, shall maintain a record of the lots and parcels that do not qualify for the siting of a new dwelling under subsection (2) of this section, including a copy of the deed restrictions filed under subsection (2)(c) of this section.

(4) If an applicant is granted a deferred replacement permit under this section:

(a) The deferred replacement permit:

(A) Does not expire but the permit becomes void unless the dwelling to be replaced is removed or demolished within three months after the deferred replacement permit is issued; and

(B) May not be transferred, by sale or otherwise, except by the applicant to the spouse or a child of the applicant.

(b) The replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction.

(5) An application under this section must be filed within three years following the date that the dwelling last possessed all the features listed under subsection (1)(a) of this section.

(6) Construction of a replacement dwelling approved under this section must commence no later than four years after the approval of the application under this section becomes final.

Credits

Added by Laws 2013, c. 462, § 2, eff. Jan. 1, 2014. Amended by Laws 2019, c. 440, § 1, eff. Jan. 1, 2020; Laws 2019, c. 440, § 5, eff. Jan. 1, 2020; Laws 2023, c. 301, § 3, eff. Jan. 1, 2024.

O. R. S. § 215.291, OR ST § 215.291

Current through laws of the 2024 Regular Session of the 82nd Legislative Assembly, which convened February 5, 2024 and adjourned sine die March 9, 2024, in effect through January 1, 2025, pending classification of undesignated material and text revision by the Oregon Reviser. See ORS 173.160. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works

2023 Oregon Laws Ch. 301 (H.B. 2192)

OREGON 2023 SESSION LAWS

REGULAR SESSION OF THE 82nd LEGISLATIVE ASSEMBLY

Additions are indicated by **Text**; deletions by

~~Text~~.

Vetoed are indicated by ~~Text~~;

stricken material by ~~Text~~.

Ch. 301 (H.B. No. 2192)

West's No. 305

AN ACT Relating to existing dwellings on resource lands; amending ORS 92.176, 215.291 and 215.755; and repealing section 4, chapter 440, Oregon Laws 2019.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 215.755 is amended to read:

<< OR ST 215.755 >>

215.755. Subject to the approval of the governing body or its designee, the following dwellings may be established in any area zoned for forest use under a land use planning goal protecting forestland, provided that the requirements of the acknowledged comprehensive plan, land use regulations and other applicable provisions of law are met:

(1) Alteration, restoration or replacement of a lawfully established dwelling **, as described in ORS 215.291. ~~that~~:**

~~(a) Has intact exterior walls and roof structure;~~

~~(b) Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;~~

~~(c) Has interior wiring for interior lights;~~

~~(d) Has a heating system; and~~

~~(e) In the case of replacement, is removed, demolished or converted to an allowable nonresidential use within three months of completion of the replacement dwelling.~~

(2) One manufactured dwelling or recreational vehicle, or the temporary use of an existing building, in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident. Within three months of the end of the hardship, the manufactured dwelling or recreational vehicle shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or returned to an allowed nonresidential use. The governing body or its designee shall provide for periodic review of the hardship claimed under this subsection. A temporary dwelling established under this section shall not qualify for replacement under the provisions of subsection (1) of this section.

(3) Caretaker residences for public parks and public fish hatcheries.

SECTION 2. [Section 4, chapter 440, Oregon Laws 2019, is repealed.]

SECTION 3. ORS 215.291, as amended by section 5, chapter 440, Oregon Laws 2019, is amended to read:

<< OR ST 215.291 >>

215.291. (1) A lawfully established dwelling may be altered, restored or replaced under ORS 215.213 (1)(q) ~~], or~~ 215.283 (1)(p) **[or 215.755 (1)]** if the county determines that the dwelling to be altered, restored or replaced ~~has~~ **[:]**

[(a) Has, or formerly had]:

- (a) **[(A)]** Intact exterior walls and roof structure;
- ~~(b)~~ **[(B)]** Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
- (c) **[(C)]** Interior wiring for interior lights; and
- (d) **[(D)]** A heating system: **[; and]**

[(b)(A) Unless the value of the dwelling was eliminated as a result of destruction or demolition, was assessed as a dwelling for purposes of ad valorem taxation since the later of:]

[(i) Five years before the date of the application; or]

[(ii) The date that the dwelling was erected upon or fixed to the land and became subject to property tax assessment; or]

[(B) If the value of the dwelling was eliminated as a result of destruction or demolition, was assessed as a dwelling for purposes of ad valorem taxation prior to the destruction or demolition and since the later of:]

[(i) Five years before the date of the destruction or demolition; or]

[(ii) The date that the dwelling was erected upon or fixed to the land and became subject to property tax assessment.]

(2) For replacement of a lawfully established dwelling under this section:

(a) The dwelling to be replaced must be removed, demolished or converted to an allowable nonresidential use within three months after the date the replacement dwelling is certified for occupancy pursuant to ORS 455.055.

(b) The replacement dwelling:

(A) May be sited on any part of the same lot or parcel.

(B) Must comply with applicable siting standards. However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.

[(C) Must comply with the construction provisions of section R327 of the Oregon Residential Specialty Code, if:]

[(i) The dwelling is in an area identified as extreme or high wildfire risk on the statewide map of wildfire risk described in ORS 477.490; or]

[(ii) No statewide map of wildfire risk has been adopted.]

(c) As a condition of approval, if the dwelling to be replaced is located on a portion of the lot or parcel that is not zoned for exclusive farm use, the applicant shall execute and cause to be recorded in the deed records of the county in which the property is located a deed restriction prohibiting the siting of another dwelling on that portion of the lot or parcel. The restriction imposed is irrevocable unless the county planning director, or the director's designee, places a statement of release in the deed records of the county to the effect that the provisions of this section and either ORS 215.213 or 215.283 regarding replacement dwellings have changed to allow the lawful siting of another dwelling.

(3) The county planning director, or the director's designee, shall maintain a record of the lots and parcels that do not qualify for the siting of a new dwelling under subsection (2) of this section, including a copy of the deed restrictions filed under subsection (2)(c) of this section.

(4) If an applicant is granted a deferred replacement permit under this section:

(a) The deferred replacement permit:

(A) Does not expire but the permit becomes void unless the dwelling to be replaced is removed or demolished within three months after the deferred replacement permit is issued; and

(B) May not be transferred, by sale or otherwise, except by the applicant to the spouse or a child of the applicant.

(b) The replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction. ~~However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.~~

(5) An application under this section must be filed within three years following the date that the dwelling last possessed all the features listed under subsection (1)(a) of this section. |

(6) Construction of a replacement dwelling approved under this section must commence no later than four years after the approval of the application under this section becomes final. |

SECTION 4. ORS 92.176 is amended to read:

<< OR ST 92.176 >>

92.176. (1) A county or city may approve an application to validate a unit of land that was created by a sale that did not comply with the applicable criteria for creation of a unit of land if the unit of land:

(a) Is not a lawfully established unit of land; and

(b) Could have complied with the applicable criteria for the creation of a lawfully established unit of land in effect when the unit of land was sold.

(2) Notwithstanding subsection (1)(b) of this section, a county or city may approve an application to validate a unit of land under this section if the county or city approved a permit, as defined in ORS 215.402 or 227.160, respectively, for the construction or placement of a dwelling or other building on the unit of land after the sale. If the permit was approved for a dwelling, the county or city must determine that the dwelling ~~qualifies for replacement under the criteria set forth in ORS 215.755 (1)(a) to (e).~~ **| has: |**

| (a) Intact exterior walls and roof structure; |

| (b) Indoor plumbing consisting of a kitchen sink, a toilet and bathing facilities connected to a sanitary waste disposal system; |

| (c) Interior wiring for interior lights; and |

| (d) A heating system. |

(3) A county or city may approve an application for a permit, as defined in ORS 215.402 or 227.160, respectively, or a permit under the applicable state or local building code for the continued use of a dwelling or other building on a unit of land that was not lawfully established if:

(a) The dwelling or other building was lawfully established prior to January 1, 2007; and

(b) The permit does not change or intensify the use of the dwelling or other building.

(4) An application to validate a unit of land under this section is an application for a permit, as defined in ORS 215.402 or 227.160. An application to a county under this section is not subject to the minimum lot or parcel sizes established by ORS 215.780.

(5) A unit of land becomes a lawfully established parcel when the county or city validates the unit of land under this section if the owner of the unit of land causes a partition plat to be recorded within 365 days after the date the county or city validates the unit of land.

WARRANTY DEED

Unless a change is requested,
all tax statements shall be sent to
Grantee at the following address:
65859 WHITE ROCK LOOP
BEND OR 97701

After recording, this Deed
shall be delivered to:
DANIEL C RE
747 SW MILL VIEW WAY
BEND OR 97702

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2003-64437



\$36.00

00203648200300644370020028

09/17/2003 03:56:16 PM

D-D Cnt=1 Stn=3 PAT
\$10.00 \$11.00 \$10.00 \$5.00

The true consideration for this transfer is \$NONE.

EDWARD E. BARNUM, Grantor, conveys and warrants to EDWARD E. BARNUM,
Trustee, or a Successor Trustee, of the Edward E. Barnum Trust, dated June 27, 2003, Grantee,
the following described real property located in Deschutes County, Oregon:

Parcel One

Lot Two (2) in Block One (1), WHITE ROCK RANCHETTES, Deschutes County,
Oregon.

Tax Account No. 2-7 16-12-17 00 00593

Parcel Two

The Northeast Quarter of the Southwest Quarter of Section Eighteen (18) in Township
Sixteen (16) South, Range Twelve (12), EWM. Together with a water right appurtenant
thereto in the amount of 32.4 acres in Tumalo Irrigation District.

SUBJECT TO all exceptions to coverage contained in grantor's policy or policies of title
insurance insuring grantor's title to the subject property, if grantor has any such policy or policies
of title insurance in effect, and if not, subject to all encumbrances, easements and restrictions
of record and which an accurate survey or inquiry of parties in possession of the property would
disclose.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED
IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND
REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE

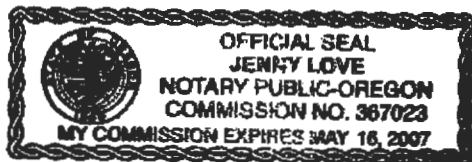
PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

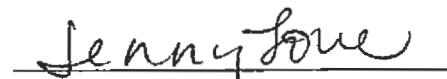
DATED 09-16-03.


EDWARD E. BARNUM

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 16 day of September, 2003, by EDWARD E. BARNUM.




Notary Public for Oregon

**DESCHUTES COUNTY ASSESSOR'S
NAME LEDGER**

Account ID	Township	Range	Section	1/4	1/16	Taxlot	Special Interest
132456	16	12	18	0	0	00800	
2 338503	2004	CLERK - BOR		WD	2003	64437 1	

NAME CHANGE

Name Changes	Status	Name	Name Type	Ownership Type	Ownership %
	D	BARNUM, EDWARD E	OWNER	OWNER	
	A	EDWARD E BARNUM TRUST	OWNER	OWNER	100
	A	BARNUM, EDWARD E	REPRESENTATIVE		
		TRUSTEE IN~EDWARD E BARNUM TRUST			

Size Totals	Code	Acres	Sqft	Alternate Size
	2007	39.38		

Effective Date	16-Oct-2013 09:37 AM	Transaction ID	4684990	Entry Date	16-Oct-2013	Recorded Date	15-Oct-2013	Sale Price	\$200,000
								Sale Date	11-Oct-2013

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	5236051	2013	CLERK - BOR	MEMO	2013	43046	1			NAME CHANGE	

Name Changes	Status	Name	Name Type	Ownership Type	Ownership %
	D	EDWARD E BARNUM TRUST	OWNER	OWNER	100
	D	BARNUM, EDWARD E	REPRESENTATIVE		
	A	TRUSTEE IN~EDWARD E BARNUM TRUST			
	A	JOHN & KAREN BARNUM TRUST	CONTRACT BUYER	CONTRACT BUYER	
	A	BARNUM, JOHN M	REPRESENTATIVE	CONTRACT BUYER TTEE	
	A	BARNUM, KAREN R	REPRESENTATIVE	CONTRACT BUYER TTEE	
	A	EDWARD E BARNUM TRUST	OWNER	OWNER	
	A	BARNUM, EDWARD E	REPRESENTATIVE	OWNER AS TRUSTEE	

Size Totals	Code	Acres	Sqft	Alternate Size
	2007	39.38		

**DESCHUTES COUNTY ASSESSOR'S
NAME LEDGER**

Account ID	Township	Range	Section	1/4	1/16	Taxlot	Special Interest
132456	16	12	18	0	0	00800	

Effective Date 07-Aug-1992 12:00 AM	Transaction ID -242313	Entry Date 07-Aug-1992	Recorded Date 07-Aug-1992	Sale Price \$0
				Sale Date 07-Aug-1992

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	-259505	1992	CLERK - BOR		1992	2730914	1			NAME CHANGE	

Size Totals	Code	Acres	Sqft	Alternate Size
--------------------	-------------	--------------	-------------	-----------------------

Effective Date 15-May-2003 12:00 AM	Transaction ID -51754	Entry Date 15-May-2003	Recorded Date 15-May-2003	Sale Date 15-May-2003
--	------------------------------	-------------------------------	----------------------------------	------------------------------

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	-51754	2003	ASSESSOR'S FILE		2003	132456	1	ASSESSOR'S FILE:CONVERSION:13 2456		CONVERSION	

Name Changes	Status	Name	Name Type	Ownership Type	Ownership %
	A	BARNUM, EDWARD E	OWNER	OWNER	

Size Changes	Code	+/- Size	Alternate Size	Code Area Deleted	Move to Acct	Move to Code
	2007	39.38 Acres				
Size Totals	Code	Acres	Sqft	Alternate Size		
	2007	39.38				

Action	Subdivision	Direction	Part	Part Type
Add:				

Effective Date 17-Dec-2003 12:00 AM	Transaction ID 329070	Entry Date 17-Dec-2003	Recorded Date 17-Sep-2003	Sale Price \$0
				Sale Date 16-Sep-2003

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
------------	-------------------	-----------------	------------------------	-------------	--------------	--------------	------------	------------------	-----------	------------------	--------------------

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY DESCHUTES COUNTY ASSESSOR'S OFFICE										
16 12 18 800				2-7		FORMERLY PART OF T.L. NO		CITY		
MAP NUMBER				TAX LOT NUMBER		TYPE SPEC INT. IN REAL PROP.		CODE AREA NUMBER		
ACCOUNT NUMBER						8600 1612				
INDENT EACH NEW COURSE TO THIS POINT				ADDITIONAL DESCRIPTION AND RECORD OF CHANGE		DATE OF ENTRY ON THIS CARD		DEED RECORD VOL PG		
								ACRES REMAINING		
Sec 18 - NE 1/4 SW 1/4						9-29-72		159 337		40.0
Less rd				.62 ac						39.38
Barnum, Edward E				Death Cert.		4- 8-75		216 997		
%Barnum, Marie (L.E.)				Tax Cert.		8- 6-76		234 672		
%Barnum, Marie (L.E.)						Recording daet				
				B&S		8-11-92		273 914		
				D.C.		12-7-94		360 710		

***** Real Property Tax Lot Record *****

16 12 18 0 0 00800 Code 2-007 Current Acres 39.38

This description is for tax purposes ONLY and can not be attached to any legal document.



Property Profile Report

Edward E Barnum Trust

19745 J W Brown Rd
Bend OR 97703

April 28, 2025

Newport
255 SW Coast Highway,
Suite 100
Newport, OR 97365
Tel: (541) 265-2288
Fax: (541) 265-9570

Madras
60 SE 6th Street
Madras, OR 97741
Tel: (541) 460-5107
Fax: (541) 460-5109

Bend
1777 SW Chandler Avenue,
Suite 100
Bend, OR 97702
Tel: (541) 389-5751
Fax: (541) 330-1242

Eugene
497 Oakway Road,
Suite 340
Eugene, OR 97401
Tel: (541) 485-3588
Fax: (541) 485-3597

Lincoln City
3469 NW Highway 101
Lincoln City, OR 97367
Tel: (541) 994-8928
Fax: (541) 994-7075

Sisters
330 West Hood Avenue
Sisters, OR 97759
Tel: (541) 548-9180
Fax: (541) 588-6601

Prineville
446 NW 3rd Street,
Suite 107
Prineville, OR 97754
Tel: (541) 447-7861
Fax: (541) 447-5424

Redmond
153 SW 5th Street
Redmond, OR 97756
Tel: (541) 548-2911
Fax: (541) 548-8601

Roseburg
2365 NW Kline Street,
Suite 201
Roseburg, OR 97471
Tel: (541) 672-3388
Fax: (541) 672-8110

Part of a
FORTUNE 500 Company

A partnership beyond expectations.

This information is provided as a courtesy. The documents provided here may not include all those currently affecting your property. Only a full title report will provide you with all encumbrances affecting your property including any CC&R's or Homeowner Association by-laws. Western Title & Escrow Co. makes no express or implied warranty respecting the information presented and assumes no responsibility for its use.

**Parcel Information**

Parcel #:	132456
Tax Lot:	1612180000800
Record Type:	Farm
Site Address:	19745 J W Brown Rd
	Bend OR 97703 - 8167
Owner:	Edward E Barnum Trust
Owner Address:	19700 J W Brown Rd
	Bend OR 97703 - 8167
Twn/Range/Section	16S / 12E / 18
Parcel Size:	39.38 Acres (1,715,393 SqFt)
Plat/Subdivision:	N/A
Lot:	
Block:	
Census	000602 / 2001
Tract/Block:	
Waterfront:	

Assessment Information

Market Value Land:	\$277,040.00
Market Value Impr:	\$29,460.00
Market Value Total:	\$306,500.00
Assessed Value:	\$32,589.00

Tax Information

Levy Code Area:	2-007
Levy Rate:	15.4499
Tax Year:	2024
Annual Tax:	\$503.50

Legal**Land**

County Land Use:	551 - Farm - Exclusive Farm Use (EFU) - Improved (typical of class)	Land Use Std:	1001 - Single Family Residential
Zoning:	Deschutes County-EFUTRB - Efu - Tumalo / Redmond / Bend Subzone	Neighborhood:	
Watershed:	McKenzie Canyon-Deschutes River	School District:	2J - Redmond
Primary School:	Tumalo Community School	Middle School:	Obsidian Middle School
High School:	Ridgeview High School		

Improvement

Year Built:	1930	Total SqFt:	400 SqFt	Bedrooms:	3
1st Floor:		Attic Area:		Bathrooms:	2
2nd Floor:		Bsmt Area:		Full/Half Baths:	
Fireplace:		Garage:		Carport:	

Transfer Information

Sale Date:	10/11/2013	Sale Price:	\$200,000.00	Doc Num:	2013-43046	Doc Type:	MEMO
------------	------------	-------------	--------------	----------	------------	-----------	------

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



Deschutes County Property Information

Report Date: 4/28/2025 3:03:28 PM

Disclaimer

The information and maps presented in this report are provided for your convenience. Every reasonable effort has been made to assure the accuracy of the data and associated maps. Deschutes County makes no warranty, representation or guarantee as to the content, sequence, accuracy, timeliness or completeness of any of the data provided herein. Deschutes County explicitly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. Deschutes County shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. Deschutes County assumes no liability for any decisions made or actions taken or not taken by the user of this information or data furnished hereunder.

Account Summary

Account Information

Mailing Name: EDWARD E BARNUM TRUST
Map and Taxlot: 1612180000800
Account: 132456
Tax Status: Assessable
Situs Address: 19745 J W BROWN RD, BEND, OR 97703

Property Taxes

Current Tax Year: \$503.50
Tax Code Area: 2007

Assessment

Subdivision:
Lot:
Block:
Assessor Acres: 39.38
Property Class: 551 -- FARM

Ownership

Mailing Address:
EDWARD E BARNUM TRUST
19700 J W BROWN RD
BEND, OR 97703

Valuation

Real Market Values as of Jan. 1, 2024

Land	\$277,040
Structures	\$29,460
Total	\$306,500

Current Assessed Values:

Maximum Assessed	N/A
Assessed Value	\$32,589
Veterans Exemption	

Warnings, Notations, and Special Assessments

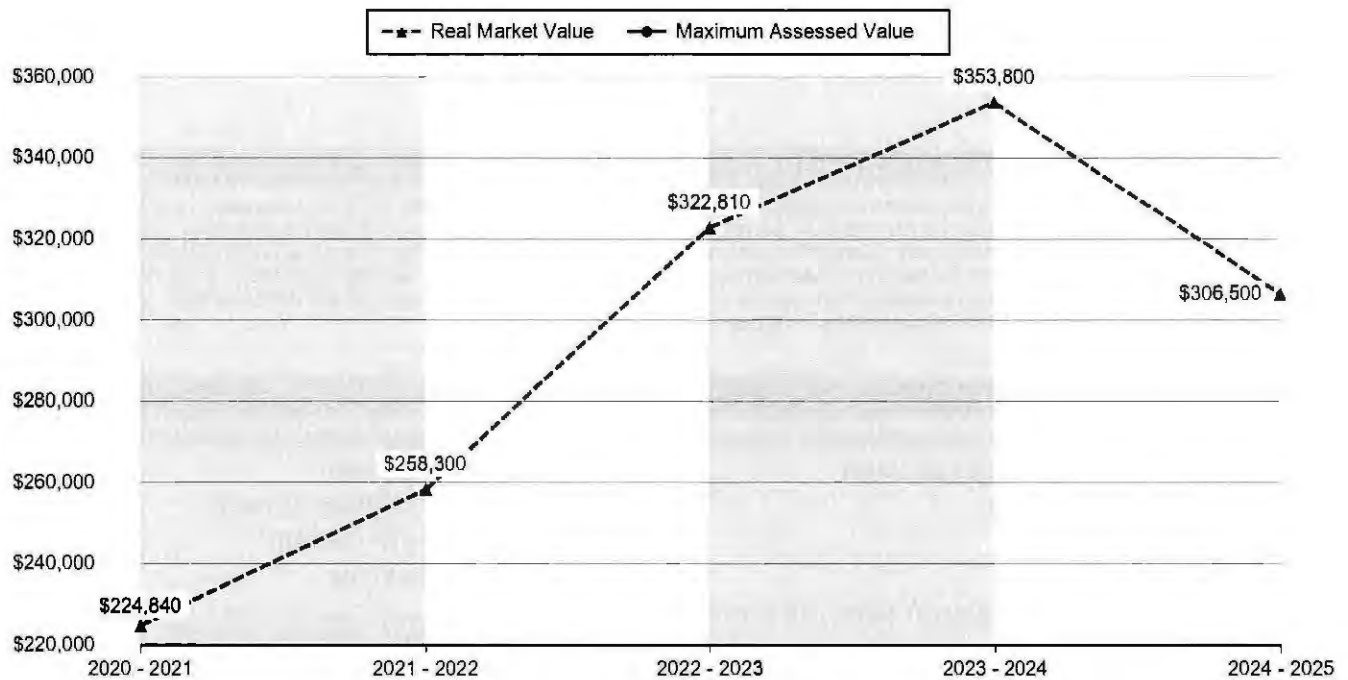
Assessor's Office Notations

EXCLUSIVE FARM USE POTENTIAL ADDITIONAL TAX LIABILITY

Review of digital records maintained by the Deschutes County Assessor's Office, Tax Office, Finance Office, and the Community Development Department indicates that there are County tax, assessment, or property development related notations associated with this account and that have been identified above. Independent verification of the presence of additional Deschutes County tax, assessment, development, and other property related considerations is recommended. Confirmation is commonly provided by title companies, real estate agents, developers, engineering and surveying firms, and other parties who are involved in property transactions or property development. In addition, County departments may be contacted directly to discuss the information.

Valuation History *All values are as of January 1 of each year. Tax year is July 1st through June 30th of each year.*

	2020 - 2021	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025
Real Market Value - Land	\$207,370	\$237,860	\$291,950	\$319,550	\$277,040
Real Market Value - Structures	\$17,470	\$20,440	\$30,860	\$34,250	\$29,460
Total Real Market Value	\$224,840	\$258,300	\$322,810	\$353,800	\$306,500
Maximum Assessed Value	N/A	N/A	N/A	N/A	N/A
Total Assessed Value	\$30,409	\$30,929	\$31,469	\$32,019	\$32,589
Veterans Exemption					



Tax Payment History

Year	Date Due	Transaction Type	Transaction Date	As Of Date	Amount Received	Tax Due	Discount Amount	Interest Charged	Refund Interest
2024	11-15-2024	PAYMENT	10-21-2024	10-21-2024	\$488.39	(\$503.50)	\$15.11	\$0.00	\$0.00
2024	11-15-2024	IMPOSED	10-15-2024	11-15-2024	\$0.00	\$503.50	\$0.00	\$0.00	\$0.00
Total:					\$0.00				
2023	11-15-2023	PAYMENT	10-28-2023	10-27-2023	\$467.16	(\$481.61)	\$14.45	\$0.00	\$0.00
2023	11-15-2023	IMPOSED	10-12-2023	11-15-2023	\$0.00	\$481.61	\$0.00	\$0.00	\$0.00
Total:					\$0.00				
2022	11-15-2022	PAYMENT	11-04-2022	11-04-2022	\$448.57	(\$462.44)	\$13.87	\$0.00	\$0.00
2022	11-15-2022	IMPOSED	10-12-2022	11-15-2022	\$0.00	\$462.44	\$0.00	\$0.00	\$0.00
Total:					\$0.00				

Sales History

Sale Date	Seller	Buyer	Sale Amount	Sale Type	Recording Instrument
10/11/2013	EDWARD E BARNUM TRUST,	JOHN & KAREN BARNUM TRUST (CB)	\$200,000	22-SPECIALLY ASSESSED	2013-43046
09/16/2003	BARNUM,EDWARD E	BARNUM,EDWARD E TRUSTEE	\$0	08-GRANTOR/GRANTEE ARE THE SAME	2003-64437
08/07/1992	BARNUM MARIE	BARNUM,EDWARD E	\$0	06-GRANTEE IS RELATED/FRIENDS/BUSINESS ASSOCIATES	1992-2730914

Structures

Stat Class/Description	Improvement Description	Code Area	Year Built	Total Sq Ft
300 - FARM BLDG: GP Building	GP Building - CLASS 5	2007	1950	1,344
Floor Description				
Building Structure		Comp %	Sq Ft	
		100	1,344	
Stat Class/Description	Improvement Description	Code Area	Year Built	Total Sq Ft
318 - FARM BLDG: Corral Fence Fair	Corral Fence Fair - CLASS 4	2007	1930	400
Floor Description				
		Comp %	Sq Ft	

Land Characteristics

Land Description	Acres	Land Classification
Exclusive Farm Use Zoned	2.00	D8: DRY GROUND - SOIL CLASS 8
Exclusive Farm Use Zoned	19.00	W2: IRRIGATED GROUND - SOIL CLASS 2
Farm Site	1.00	
Exclusive Farm Use Zoned	5.00	W3: IRRIGATED GROUND - SOIL CLASS 3
Exclusive Farm Use Zoned	1.00	D6: DRY GROUND - SOIL CLASS 6
Exclusive Farm Use Zoned	11.38	D7: DRY GROUND - SOIL CLASS 7

Ownership

Name Type	Name	Ownership Type	Ownership Percentage
REPRESENTATIVE	BARNUM, KAREN R	CONTRACT BUYER TTEE	
OWNER	EDWARD E BARNUM TRUST,	OWNER	
REPRESENTATIVE	BARNUM, JOHNM	CONTRACT BUYER TTEE	
REPRESENTATIVE	BARNUM, EDWARDE	OWNER AS TRUSTEE	
CONTRACT BUYER	JOHN & KAREN BARNUM TRUST,	CONTRACT BUYER	

Related Accounts

Related accounts apply to a property that may be on one map and tax lot but due to billing have more than one account. This occurs when a property is in multiple tax code areas. In other cases there may be business personal property or a manufactured home on this property that is not in the same ownership as the land.

Account ID	Owner Name	Record Type
290833	UNKNOWN OWNER	Manufactured Structure

Service Providers *Please contact districts to confirm.*

Category	Name	Phone	Address
COUNTY SERVICES	DESCHUTES COUNTY	(541) 388-6570	1300 NW WALL ST, BEND, OR 97703
POLICE SERVICES	DESCHUTES COUNTY SHERIFF'S OFFICE	(541) 693-6911	63333 HIGHWAY 20 WEST, BEND, OR 97703
FIRE DISTRICT	BEND RURAL FIRE	(541) 318-0459	1212 SW SIMPSON AVE, BEND, OR 97702
SCHOOL DISTRICT	REDMOND SCHOOL DISTRICT	(541) 923-5437	145 SE SALMON AVE, REDMOND, OR 97756
ELEMENTARY SCHOOL ATTENDANCE AREA	TUMALO COMMUNITY SCHOOL	(541) 382-2853	19835 SECOND ST, BEND, OR 97703
MIDDLE SCHOOL ATTENDANCE AREA	OBSIDIAN MIDDLE SCHOOL	(541) 923-4900	1335 SW OBSIDIAN, REDMOND, OR 97756
HIGH SCHOOL ATTENDANCE AREA	RIDGEVIEW HIGH SCHOOL	(541) 504-3600	4555 SW ELKHORN AVE, REDMOND, OR 97756
EDUCATION SERVICE TAX DISTRICT	HIGH DESERT EDUCATION SERVICE DISTRICT	(541) 693-5600	145 SE SALMON AVE, REDMOND, OR 97756
COLLEGE TAX DISTRICT	CENTRAL OREGON COMMUNITY COLLEGE	(541) 383-7700	2600 NW COLLEGE WAY, BEND, OR 97703
LIBRARY DISTRICT	DESCHUTES PUBLIC LIBRARY	(541) 617-7050	601 NW WALL ST, BEND, OR 97703
LIVESTOCK DISTRICT	DESCHUTES COUNTY LIVESTOCK DISTRICT NUMBER 3	(541) 388-6623	1300 NW WALL ST, BEND, OR 97703
IRRIGATION DISTRICT	TUMALO IRRIGATION DISTRICT	(541) 382-3053	64697 COOK AVE, BEND, OR 97703
GARBAGE & RECYCLING SERVICE	HIGH COUNTRY DISPOSAL	(541) 548-4984	1090 NE HEMLOCK AVE, REDMOND, OR 97756

STATEMENT OF TAX ACCOUNT
DESCHUTES COUNTY TAX COLLECTOR
DESCHUTES SERVICES BUILDING
BEND OR 97703
(541) 388-6540

28-Apr-2025

Tax Account #	132456	Lender Name	
Account Status	A	Loan Number	
Roll Type	Real	Property ID	2007
Situs Address	19745 J W BROWN RD BEND 97703	Interest To	Apr 28, 2025

Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2024	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$503.50	Nov 15, 2024
2023	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$481.61	Nov 15, 2023
2022	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$462.44	Nov 15, 2022
2021	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$453.98	Nov 15, 2021
2020	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$437.03	Nov 15, 2020
2019	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$429.75	Nov 15, 2019
2018	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$395.54	Nov 15, 2018
2017	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$392.25	Nov 15, 2017
2016	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$423.23	Nov 15, 2016
2015	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$414.54	Nov 15, 2015
2014	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$399.07	Nov 15, 2014
2013	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$737.55	Nov 15, 2013
2012	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$741.59	Nov 15, 2012
2011	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$726.22	Nov 15, 2011
2010	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$710.06	Nov 15, 2010
2009	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$703.21	Nov 15, 2009
2008	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$616.35	Nov 15, 2008
2007	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$589.13	Nov 15, 2007
2006	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$558.19	Nov 15, 2006
2005	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$559.34	Nov 15, 2005
2004	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$521.61	Nov 15, 2004
2003	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$489.09	Nov 15, 2003
2002	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$499.97	Nov 15, 2002
2001	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$480.26	Nov 15, 2001
2000	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$465.77	Nov 15, 2000
1999	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$469.58	Nov 15, 1999
1998	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$449.06	Nov 15, 1998
1997	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$442.57	Dec 15, 1997
1996	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$414.09	Nov 15, 1996
Total		\$0.00	\$0.00	\$0.00	\$0.00		

REAL PROPERTY TAX STATEMENT

JULY 1, 2024 TO JUNE 30, 2025

DESCHUTES COUNTY, OREGON

1300 NW WALL ST STE 203, BEND, OR 97703

TAX ACCOUNT: 132456

EDWARD E BARNUM TRUST
JOHN & KAREN BARNUM TRUST (CB)
19700 J W BROWN RD
BEND OR 97703

PROPERTY DESCRIPTION

CODE: 2007 MAP: 161218-00-00800 CLASS: 551

SITUS ADDRESS: 19745 J W BROWN RD BEND

LEGAL:

VALUES:	LAST YEAR	THIS YEAR
REAL MARKET (RMV)		
LAND	319,550	277,040
STRUCTURES	34,250	29,460
TOTAL RMV	353,800	306,500

TOTAL ASSESSED VALUE	32,019	32,589
ASSESSED VALUE	32,019	32,589
TOTAL PROPERTY TAX:	481.61	503.50

If your net taxable value has grown by more than 3% from last year and you have any questions, please contact the Assessor's office at +1 (541) 388-6508.

EXCLUSIVE FARM USE POTENTIAL ADDITIONAL TAX LIABILITY

TAX QUESTIONS (541) 388-6540
ASSESSMENT QUESTIONS (541) 388-6508
For Property Information: dial.deschutes.org

TAX BY DISTRICT

SCHOOL DISTRICT #2J	163.76
C O C C	20.22
HIGH DESERT ESD	3.14
EDUCATION TOTAL:	187.12
DESCHUTES COUNTY	41.66
COUNTY LIBRARY	17.92
COUNTYWIDE LAW ENFORCEMENT	40.74
RURAL LAW ENFORCEMENT	50.51
COUNTY EXTENSION/4H	0.73
9-1-1	11.79
RURAL FIRE DISTRICT #2	46.82
RURAL FIRE DISTRICT #2 LOCAL OPTION	24.77
GENERAL GOVT TOTAL:	234.94
COUNTY LIBRARY BOND	10.07
SCHOOL #2J BOND 2008	44.76
SCHOOL #2J BOND 2021	23.94
C O C C BOND	2.67
BONDS - OTHER TOTAL:	81.44

Full Payment with 3% Discount \$488.39

Discount is lost after due date and interest may apply

PAYMENT OPTIONS:

- * Online www.deschutes.org/tax
- * By Mail to Deschutes County Tax, PO Box 7559
Bend OR 97708-7559
- * Drop Box located at 1300 NW Wall Street, Bend
or 411 SW 9th Street, Redmond
- * In Person 1300 NW Wall Street, Ste 203, Bend (2nd Floor)

*Please include this coupon with payment. Please do not staple, paper clip or tape your payment.***Payment Due November 15, 2024**

Please select payment option

TAX ACCOUNT: 132456

- | | |
|---|----------|
| <input type="checkbox"/> Full Payment (3% Discount) | \$488.39 |
| <input type="checkbox"/> No Additional Payment Due | |
| <input type="checkbox"/> Two-Thirds Payment (2% Discount) | \$328.96 |
| <input type="checkbox"/> Next Payment Due 05/15/25 | |
| <input type="checkbox"/> One-Third Payment (No Discount) | \$167.84 |
| <input type="checkbox"/> Next Payment Due 02/18/25 | |

AMOUNT ENCLOSED

\$

Please make checks payable
to Deschutes County Tax Collector

EDWARD E BARNUM TRUST
JOHN & KAREN BARNUM TRUST (CB)
19700 J W BROWN RD
BEND OR 97703

- ☐ Change my Mailing Address
(Mailing address change form on reverse)

Deschutes County Tax Collector
PO Box 7559
Bend OR 97708-7559

09100001324560000016784000003289600000488393

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

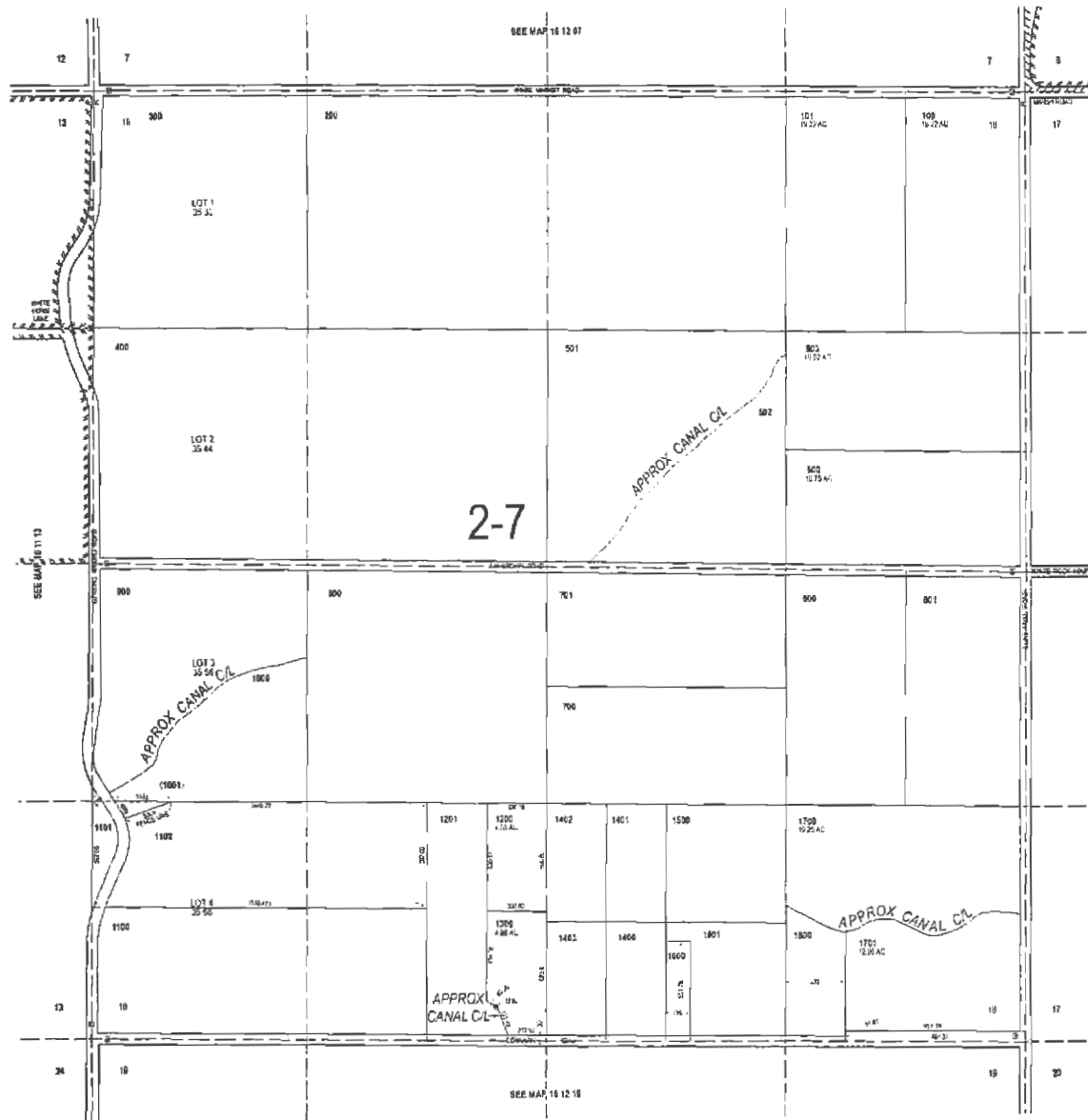
8/21/2018

SECTION 18 T.16S. R.12E. W.M.
DESCHUTES COUNTY

1" = 400'

SEE MAP 16 12 07

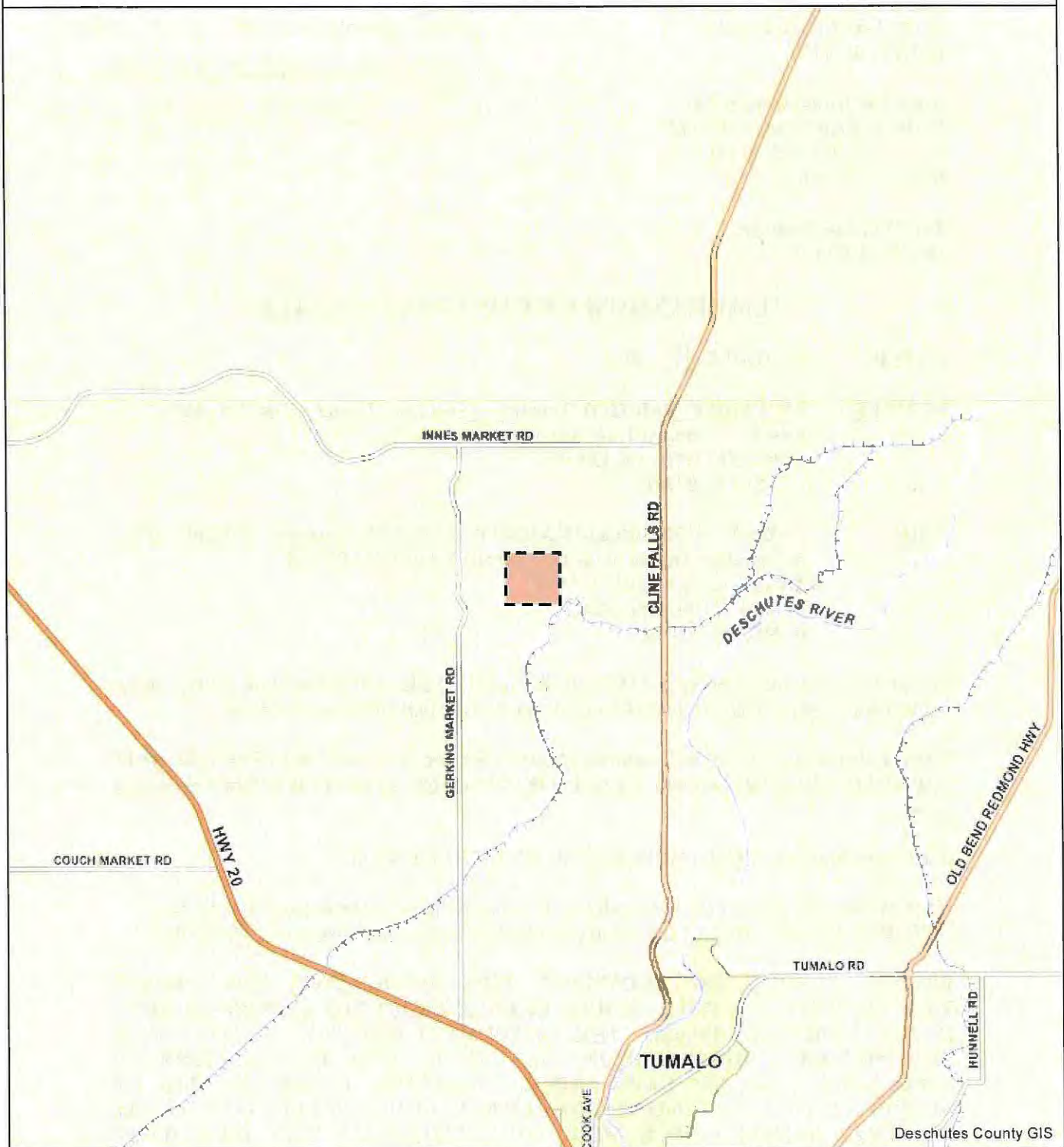
16 12 18



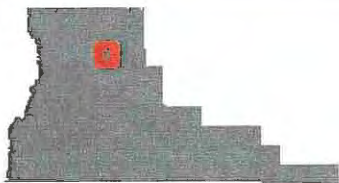
16 12 18

Deschutes County Property Information - Dial

Road Map



Map and Taxlot: 1612180000800



**Until A Change Is Requested
Send Tax Statements To:**
JOHN E. BARNUM, TRUSTEE
19700 J W BROWN ROAD
BEND, OR 97701

After Recording Return To:
JOHN E. BARNUM, TRUSTEE
19700 J W BROWN ROAD
BEND, OR 97701

Tax Map/Lot Number:
161218 00 00800

Deschutes County Official Records **2013-043046**
D-CON
Stn=4 BN **10/15/2013 09:41:53 AM**
\$10.00 \$11.00 \$10.00 \$6 00 \$16.00 **\$53.00**

I, Nancy Blankenship, County Clerk for Deschutes County, Oregon,
certify that the instrument identified herein was recorded in the Clerk
records.

Nancy Blankenship - County Clerk

MEMORANDUM OF CONTRACT OF SALE

DATED: OCTOBER 11, 2013

BETWEEN: **EDWARD E. BARNUM, Trustee, or Successor Trustee, of the ("Seller")**
Edward E. Barnum Trust, dated June 27, 2003
65859 WHITE ROCK LOOP
BEND, OR 97701

AND: **JOHN M. BARNUM and KAREN R. BARNUM, Trustees, ("Purchaser")**
or Successor Trustee of the JOHN AND KAREN BARNUM
TRUST, dated August 11, 1998
19700 J W BROWN ROAD
BEND, OR 97701

Pursuant to a Contract of Sale dated OCTOBER 01, 2013, Seller sold to Purchaser Sellers interest
in that certain property in Deschutes County, Oregon, more particularly described as:

**The Northeast Quarter of the Southwest Quarter, Section 18, Township 16 South, Range 12,
East of the Willamette Meridian; Excepting therefrom that portion lying within J W Brown
Road**

(commonly known as 19745 J W BROWN ROAD, BEND, OR 97701).

If not earlier paid, all amounts owed under the Contract of Sale shall be due and payable on
OCTOBER 15, 2028. The true and actual consideration for this conveyance is \$200,000.00.

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON
TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS,
IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF
THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF
APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR
ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE
PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY
PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY
LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS
DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF
NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.**

Return To:
Deschutes County
Title Company
78392

IN WITNESS WHEREOF, the parties have caused this Memorandum of Contract of Sale to be executed as of the day and year first above written.

Seller:

Edward E. Barnum
Name ~~Edward E. Barnum~~ Edward E. Barnum
Trustee

Name

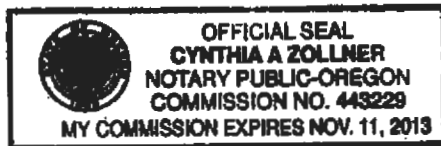
Purchaser:

John M. Barnum
Name John M. Barnum, Trustee

Karen R. Barnum
Name Karen R. Barnum, trustee

STATE OF OREGON §
County of Deschutes §

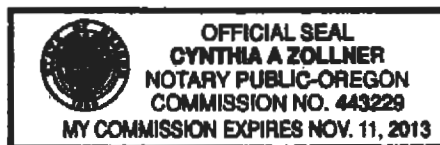
This instrument was acknowledged before me on October 11, 2013, by Edward E. Barnum, trustee



Cynthia A. Zollner
Signature of notarial officer
My commission expires: 11-11-13

STATE OF OREGON §
County of Deschutes §

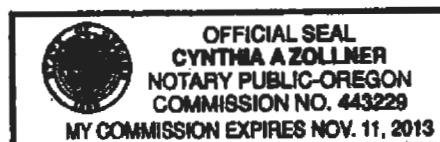
This instrument was acknowledged before me on October 11, 2013, by JOHN M. BARNUM, trustee



Cynthia A. Zollner
Signature of notarial officer
My commission expires: 11-11-13

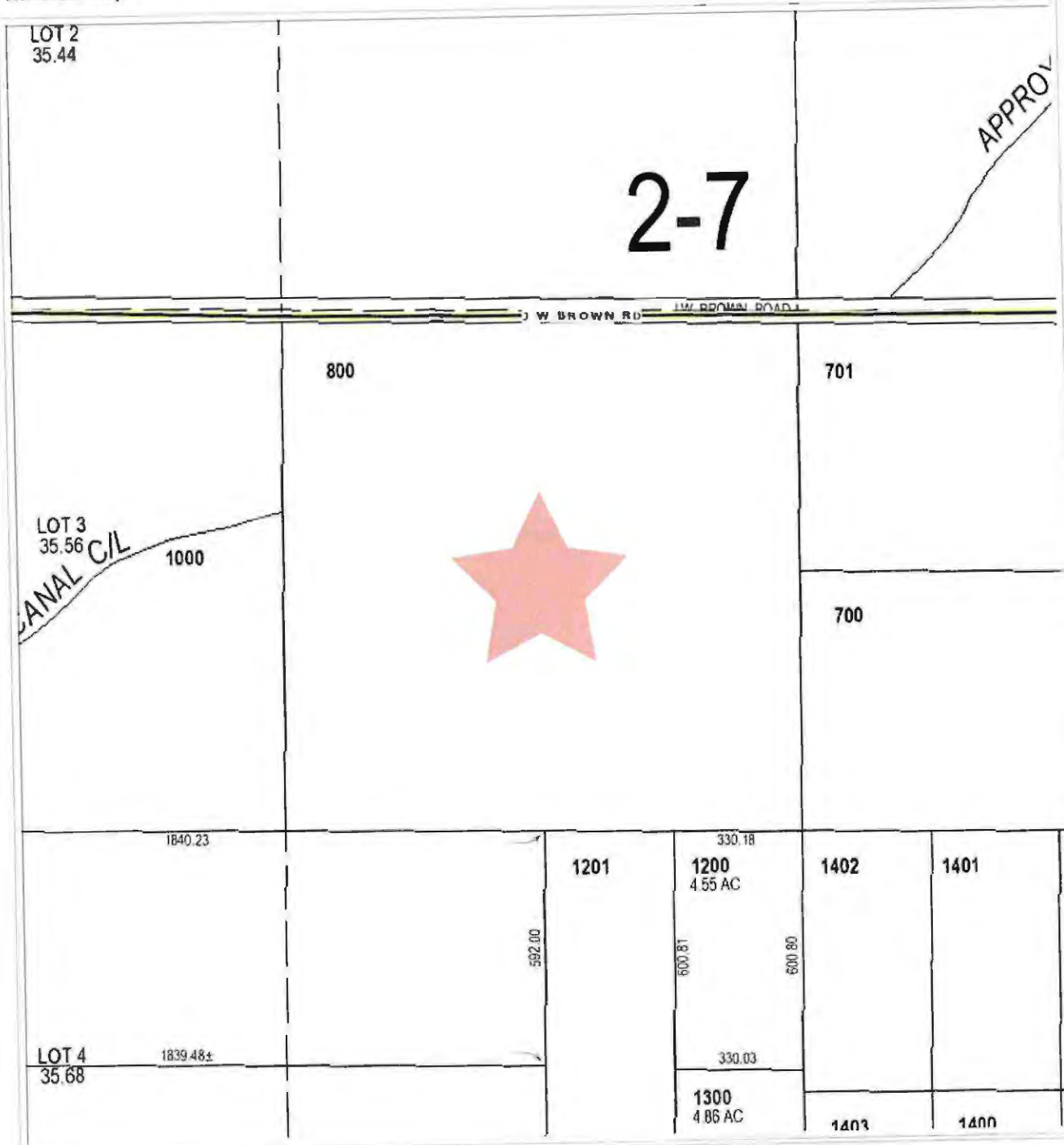
STATE OF OREGON §
County of Deschutes §

This instrument was acknowledged before me on October 11, 2013, by Karen R. Barnum, trustee



Cynthia A. Zollner
Signature of notarial officer
My commission expires: 11-11-13

Assessor Map




Western TITLE & ESCROW

Parcel ID: 132456

Site Address: 19745 J W Brown Rd

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

Aerial Map




Western Title & Escrow

Parcel ID: 132456

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



HOME ESTIMATE

LORI RONHAAR

360-378-2126

lori.ronhaar@ctt.com

Annual Payment
\$0

Fixed



Cash

DUE AT CLOSING DETAILS

Estimated Closing Date: 05/29/2025
PRICE: \$255,000
TOTAL CLOSING COSTS: \$4,883
TOTAL DUE AT CLOSING: \$259,883

ANNUAL INFORMATION

TOTAL ANNUAL PAYMENTS: \$0

This estimate is provided for informational purposes only. Based upon the above proposed purchase price, type of financing and projected closing date, has been prepared to assist Buyer in computing costs. Amounts will vary depending upon differences between actual and estimated repairs that may occur in the transaction, assessments, liens, unpaid accounts, charges by lenders, escrow companies, title insurers and other service providers and other items. Not all liens may yet have been identified. Neither Broker, Agent nor guarantor and assumes no responsibility for the accuracy, timeliness, correctness, or completeness of the above information. Any conclusions that users draw from the information presented here are their own and are not to be attributed to the Broker, Agent or to a financial institution engaged in mortgage lending and/or loan originations. The interest rates listed are for exemplary purposes only. All numbers are estimates and should be viewed as such. Total monthly payment identified includes PITI (Principal, Interest, Taxes and Insurance). Final numbers should be obtained from your lending institution prior to closing. By signing below, Buyer acknowledges that Buyer has read, understands and agrees to the Disclaimer.

Sign(X) _____ Date _____

Sign(Y) _____
Lori Ronhaar



Lori Ronhaar

360-378-2126

lori.ronhaar@ctt.com

www.chicagoagent.com



HOME ESTIMATE

Lori Ronhaar
360-378-2126
lori.ronhaar@ctt.com

BUYER'S ALL CASH CLOSING COSTS

TITLE FEES

ESCROW FEE:	\$700.00
SALES TAX - ESCROW:	\$60.90
TOTAL TITLE AND ESCROW FEES:	\$760.90

OTHER FEES

LAND BANK TAX:	\$2,550.00
HOUSING TAX:	\$1,262.25
RECORDING FEE:	\$310.00
TOTAL OTHER FEES:	\$4,122.25

TOTAL FIXED COSTS: \$4,883.15

Notes

This estimate is provided for informational purposes only, based upon the above proposed purchase price, type of financing and projected closing date, has been prepared to assist Buyer in computing costs. Amounts will vary depending upon differences between actual and estimated repairs that may occur in the transaction, assessments, liens, impound accounts, charges by lenders, escrow companies, title insurers and other service providers and other items. Not all liens may yet have been identified. Neither Broker, Agent nor guarantee and assumes no responsibility for the accuracy, timeliness, correctness or completeness of the above information. Any conclusions that users draw from the information presented here are their own and are not to be attributed to the Broker, Agent or is not a financial institution engaged in mortgage lending and/or loan originations. The interest rates listed are for exemplary purposes only. All numbers are estimates and should be viewed as such. Total monthly payment identified includes PITI (Principal, Interest, Taxes and Insurance). Final numbers should be obtained from your lending institution prior to closing. By signing below, Buyer acknowledges that Buyer has read, understands and agrees to this Disclaimer.

Sign(X) _____ Date: _____

Sign(Y) _____
Lori Ronhaar



Lori Ronhaar

360-378-2126
lori.ronhaar@ctt.com
www.chicagoagent.com





HOME ESTIMATE

LORI RONHAAR
360-378-2126
lori.ronhaar@ctt.com

Annual Payment
\$0

Fixed
\$5,182



DUE AT CLOSING DETAILS

Estimated Closing Date: 05/29/2025
PRICE: \$275,000
TOTAL CLOSING COSTS: \$5,182
TOTAL DUE AT CLOSING: \$280,182

ANNUAL INFORMATION

TOTAL ANNUAL PAYMENTS: \$0

This estimate is provided for informational purposes only, based upon the above proposed purchase price, type of financing and projected closing date, has been prepared to assist Buyer in computing costs. Amounts will vary depending upon differences between actual and estimated repairs that may occur in the transaction, assessments, liens, impound accounts, charges by lenders, escrow companies, title insurers and other service providers and other items. Not all liens may yet have been identified. Neither Broker, Agent nor guarantee, and assumes no responsibility for the accuracy, timeliness, correctness, or completeness of the above information. Any conclusions that users draw from the information presented here are their own and are not to be attributed to the Broker, Agent or is not a financial institution engaged in mortgage lending and/or loan originations. The interest rates listed are for exemplary purposes only. All numbers are estimates and should be viewed as such. Total monthly payment identified includes PITI (Principal, Interest, Taxes and Insurance). Final numbers should be obtained from your lending institution prior to closing. By signing below Buyer acknowledges that Buyer has read, understands and agrees to this Disclaimer.

Sign(X) _____ Date: _____

Sign(Y) _____ Lori Ronhaar



Lori Ronhaar

360-378-2126
lori.ronhaar@ctt.com
www.chicagoagent.com



HOME ESTIMATE

Lori Ronhaar
360-378-2126
lori.ronhaar@ctt.com

BUYER'S ALL CASH CLOSING COSTS

TITLE FEES

ESCROW FEE:	\$700.00
SALES TAX - ESCROW:	\$60.90
TOTAL TITLE AND ESCROW FEES:	\$760.90

OTHER FEES

LAND BANK TAX:	\$2,750.00
HOUSING TAX:	\$1,361.25
RECORDING FEE:	\$310.00
TOTAL OTHER FEES:	\$4,421.25

TOTAL FIXED COSTS: \$5,182.15

Notes

This estimate is provided for informational purposes only, based upon the above proposed purchase price, type of financing and projected closing date, has been prepared to assist Buyer in computing costs. Amounts will vary depending upon differences between actual and estimated repairs that may occur in the transaction, assessments, liens, impound accounts, charges by lenders, escrow companies, title insurers and other service providers and other items. Not all liens may yet have been identified. Neither Broker, Agent nor guarantee, and assumes no responsibility for the accuracy, timeliness, correctness, or completeness of the above information. Any conclusions that users draw from the information presented here are their own and are not to be attributed to the Broker, Agent or is not a financial institution engaged in mortgage lending and/or loan originations. The interest rates listed are for exemplary purposes only. All numbers are estimates and should be viewed as such. Total monthly payment identified includes PITI (Principal, Interest, Taxes and Insurance). Final numbers should be obtained from your lending institution prior to closing. By signing below Buyer acknowledges that Buyer has read, understands and agrees to this Disclaimer.

Sign(X) _____ Date: _____

Sign(Y) _____
Lori Ronhaar



Lori Ronhaar

360-378-2126
lori.ronhaar@ctt.com
www.chicagoagent.com



APPRAISAL REPORT

*Barnum Trust Farm
Irrigated Farm
With and without replacement dwelling
Located at 19745 JW Brown Road
Bend, Oregon 97703*

As Of

"Before" January 1, 2023 with replacement dwelling
"After" January 1, 2024 without replacement dwelling

Prepared For

John & Karen Barnum
Trustee of the Edward E. Barnum Trust
19700 NW Brown Road
Bend, Oregon 97703

Prepared By

Marlo T. Dill, ARA
President, AGCO – Dill & Associates LLC
1894 NE McKay Creek Road
Prineville, Oregon 97754
April 23, 2025

File No. 2024-32 MTD



Appraisal Group of Central Oregon, LLC

Appraisal Group of Central Oregon, LLC

Appraisal / Consulting / Review / Litigation Support



Marlo T. Dill, ARA

AGCO – Dill & Associates LLC.
1894 NE McKay Creek Road
Prineville, Oregon 97754

Ph: (541) 447-6641
Fax: (541) 447-4444
agappraiser@prinetime.net

Gregory W. Moore, MAI

AGCO – Moore Valuation, Inc.
902 Eaglewood Lp
North Salt Lake, UT 84054

Ph: (541) 480-6527

greg@agco-appraisal.com

Mr. & Mrs. John Barnum
Trustee of the Edward E. Barnum Trust
19700 NW Brown Road
Bend, Oregon 97703

April 23, 2025
Job No. 2024-32 MTD

Dear John and Karen Barnum,

This appraisal report presents the appraisal you requested for the Edward E. Barnum Trust farm property, located at 19745 JW Brown Road, in Bend, Oregon 97703. The subject property involves an irrigated farm property with minimal improvements. The property is currently used for hay and seasonal livestock grazing production.

This appraisal was prepared at the request of the client, Mr. and Mrs. John Barnum Trustee of the Edward E. Barnum Trust. The client, attorney Lisa Andrach and duly appointed representatives of Fitch & Neary PC are identified as the only intended users of the appraisal and appraisal report. The purpose of this appraisal is to estimate the subject's as-is, fee simple market value as of the retrospective date of value as of "before" January 1, 2023 with the right for a replacement dwelling and as of "after" January 1, 2024 without the right for a replacement dwelling. The intended use of the appraisal is to assist the client in determining the difference in value attributable to the loss in the right for a replacement dwelling. No third party shall have any rights to use or rely upon this appraisal for any purpose.

The scope of the appraisal involves the application of the sales comparison approach to estimating market value, which is consistent with the perception of market value among most typical market participants, and is most appropriate for estimating market value. The cost and income approaches are neither applicable nor necessary for a credible market value conclusion, and were not applied in this appraisal. The report presents the physical description of the subject property, market data, and valuation analysis in an appraisal report, reported in a narrative format. The report is summarized, with more detailed information remaining in my work file.

The appraisal and this report have been prepared in conformance with the 2024 Edition of the Uniform Standards of Professional Appraisal Practice as formulated by The Appraisal Foundation. A copy of your written authorization and instructions is included in the Addenda of this report.

For a full understanding of the analysis and conclusions, it is essential that the user(s) of this report read it in its entirety, including, but not restricted to the Statement of Limiting Conditions, Highest and Best Use analysis, and final reconciliation. Such an understanding is necessary prior to making any decisions based on the information and analysis within this appraisal. Client's, intended user's, or any reader's use of the appraisal or reliance on its conclusions will constitute acceptance of the appraisal conditions (including the Scope of Work and any extraordinary assumptions / hypothetical conditions) and the Statement of Limiting Conditions, as presented in this appraisal report.

A personal inspection of the interior and exterior of the property was made. The value conclusion is predicated on an exposure period of 6 months in both the "before" and "after" valuation. As a result of my investigation it is my opinion that the market value of the subject property as of "before" January 1, 2023 was:

ONE MILLION ONE HUNDRED FOURTEEN THOUSAND DOLLARS . . .
\$1,114,000

As a result of my investigation it is my opinion that the market value of the subject property as of "after" January 1, 2024 was:

SIX HUNDRED THIRTY-FIVE THOUSAND DOLLARS . . .
\$635,000

Difference indicates a loss in value attributable to the right to develop/replace a dwelling on the subject farm

FOUR HUNDRED SEVENTY-NINE THOUSAND DOLLARS . . .
\$479,000

There is no evidence of any sales or marketing involving the subject property within the three years prior to the date of this report, or the date of value.

Respectfully submitted,



Marlo T. Dill, ARA
President, AGCO – Dill & Associates, LLC
Oregon State Certification No. C000707
April 23, 2025

Table of Contents

Introduction

Certification	1
Summary of Facts and Conclusions	3
Basis of Appraisal	4

Factual Data

Property History, Identification & Assessment Data	11
Area and Neighborhood Analysis.....	15
Subject Property Description - Site	25

Data Analysis and Conclusions

Highest and Best Use Analysis.....	30
------------------------------------	----

Sales Comparison Approach

Sales Comparison Approach	33
Reconciliation and Market Value Conclusion.....	47
Exposure Time.....	49
Pertinent Appraisal Definitions	50

Addenda

Pertinent Appraisal Definitions	
Statement of Limiting Conditions	
Appraiser Qualifications	
Appraisal Engagement	
Subject Vesting Documents	
EFU Zoning Ordinance	
Sales Sheets	

Certification

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- I have made a personal inspection of the property that is the subject of this report. I have made a personal inspection of the exterior of the comparable sales utilized in this report.
- No one provided significant professional assistance to the persons signing this report.
- The appraiser has not performed appraisal or any other services related to the subject property within the prior three years.
- I certify that the use of this report is subject to the requirements of the American Society of Farm Managers & Rural Appraisers relating to review by its duly authorized representatives.

This appraisal report has been made in conformance with and is subject to the requirements of the Code of Professional Ethics and Standards of Professional Practice and Conduct of the American Society of Farm Managers and Rural Appraisers. As of the date of this report, I, Marlo T. Dill, ARA, have completed the requirements under the continuing education program mandated by the State of Oregon.



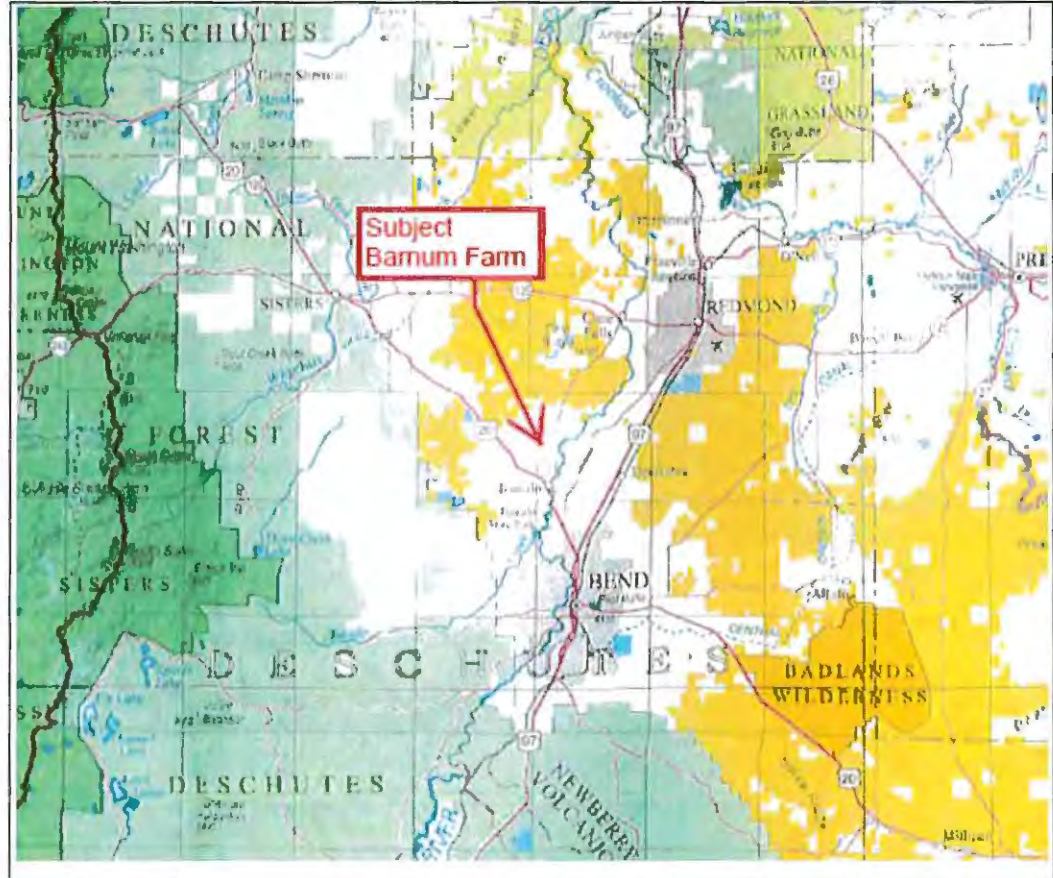
Marlo T. Dill, ARA – April 23, 2025
Oregon State Certification No. C000707

Introduction Photo



View of subject flood irrigated pasture looking northwesterly from interior of farm towards historical homesite along JW Brown Road.

General Location



Summary of Facts and Conclusions

Property Name:	Barnum Farm
Location:	19745 JW Brown Road Bend, Oregon 97703 Tax Lot 800 in Section 18 of Map in T.16E-R.12E. Willamette Meridian
Owner of Record:	Edward E. Barnum Trust
Unusual Limiting Conditions:	None
Property Rights Appraised:	Fee Simple
Zoning:	EFU, Exclusive Farm Use
Land Area:	39.38 acres
Hazardous Materials:	None noted
Improvements:	Old Potato Storage Shed (utility value only)
Highest and Best Use As Vacant:	Production agriculture with the right to develop a rural residential homesite.
Value Estimates	
Cost Approach:	Not Applicable
Sales Comparison Approach:	\$1,114,000
Income Approach:	Not Applicable
Estimated Market Value "before" 12/1/2023:	\$1,114,000
Highest and Best Use As Vacant	Production agriculture
Value Estimate	
Cost Approach:	Not Applicable
Sales Comparison Approach:	\$635,000
Income Approach:	Not Applicable
Estimated Market Value "after" 12/1/2024:	\$635,000
Difference attributable to the right to build/replace dwelling:	\$479,000
Retrospective Date of Value:	January 1, 2023 with right for a replacement dwelling
Retrospective Date of Value:	January 1, 2024 without the right for a replacement dwelling
Date of Inspection:	April 3, 2025; cursory inspection April 17, 2025
Exposure Time:	Market values based on exposure time of 6 months.
Appraiser:	Marlo T. Dill, ARA

Basis of Appraisal

Scope of Work

For each appraisal, appraisal review, and appraisal consulting assignment, an appraiser must:

1. Identify the problem to be solved (client/users, intended use, type/definition of value, effective date, subject characteristics, and assignment conditions);
2. Determine and perform the scope of work necessary to develop credible assignment results; and
3. Disclose the scope of work in the report.

An appraiser must properly identify the problem to be solved in order to determine the appropriate scope of work. The appraiser must be prepared to demonstrate that the scope of work is sufficient to produce credible assignment results. Scope of work includes, but is not limited to:

- The extent to which the property is identified;
- The extent to which tangible property is inspected;
- The type and extent of data researched; and
- The type and extent of analyses applied to arrive at opinions or conclusions.

The scope of work involves sufficient research related to the regional/local market, as well as the physical and legal characteristics of the subject property and comparable market data, application of all applicable methods of valuation, and reporting in a self-contained appraisal report format. The following discussion of scope of work comes from USPAP:

The scope of work must include the research and analyses that are necessary to develop credible assignment results. The scope of work is acceptable when it is consistent with:

1. the expectations of parties who are regularly intended users for similar assignments; and
2. what an appraiser's peers' actions would be in performing the same or a similar assignment.

An appraiser must be prepared to support the decision to exclude any investigation, information, method, or technique that would appear relevant to the client, another intended user, or the appraiser's peers.

An appraiser must not allow assignment conditions to limit the scope of work to such a degree that the assignment results are not credible in the context of the intended use.

An appraiser must not allow the intended use of an assignment or a client's objectives to cause the assignment results to be biased.

The report must contain sufficient information to allow intended users to understand the scope of work performed.

Special Notes

This appraisal is subject to the limiting conditions presented in the Addenda. The reader must read those limiting conditions for a complete understanding of the basis on which this appraisal has been completed.

Client & Intended Users

Mr. and Mrs. John Barnum
Trustee of the Edward E Barnum Trust
19700 NW Brown Road
Bend, Oregon 97703

Phone (541) 389-7750

Mr. and Mrs. John Barnum, duly appointed representatives of Edward E. Barnum Trust, and Lisa Andrach with Fitch & Neary PC, are identified as the only intended users of the appraisal and appraisal report. This report is written specifically to meet the needs of the clients/intended users. No third party can use or rely upon this appraisal report.

Purpose of the Appraisal (Analysis & Opinion Developed) & Report

The purpose of this *appraisal* is to estimate the subject's as-is, fee simple market value as of the retrospective dates of value as of "before" January 1, 2023 with the right for a replacement dwelling and "after" January 1, 2024 without the right for a replacement dwelling. The conclusions are subject to the extraordinary assumptions / hypothetical conditions / or limiting conditions presented on Page 6.

For purposes of this appraisal, market value is defined, consistent with that used by agencies that regulate federally insured financial institutions, as follows:

The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and acting in what they consider their own best interests;
- A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

(From the Fifth Edition of the Dictionary of Real Estate Appraisal (Appraisal Institute, Chicago, 2010): 12 C.F.R. Part 34.42 (g); 55 Federal Register 34696, August 24, 1990, as amended at 57 Federal Register 12202, April 9, 1992, 59 Federal Register 29499, June 7, 1994)

The purpose of this *appraisal report* is to communicate the data, reasoning and opinions used in developing the estimate(s) of market value in a manner that is meaningful and not misleading in the marketplace.

Extraordinary Assumptions, Hypothetical Conditions, or Other Limitations

The appraisal also involves the extraordinary assumption that conventional financing is available at historically typical rates to a normally qualified buyer at the estimated market value.

Intended Use

The intended use of the appraisal is to assist the client in documenting the value of the subject with the right for a replacement dwelling and without the right for a replacement dwelling.

Real Estate Considered

The subject of this appraisal is the Barnum Farm, which involves an irrigated farm with hay and forage production historically used in conjunction with a rural residence, located at 19746 JW Brown Road, in Deschutes County, Bend, Oregon 97703. The property is more completely identified on Page 11, and described starting on Page 25.

Retrospective Date of Value

The estimate of market value is as of the retrospective date of value as of “before” January 1, 2023 with the right for a replacement dwelling and “after” January 1, 2024 without the right for a replacement dwelling.

Date of Inspection

Marlo T. Dill, ARA personally inspected the subject property on April 3, 2025 in the presence of John and Karen Barnum. An additional cursory inspection was completed on April 17, 2025 while inspecting additional comparable sales for this project.

Date of Report

The report has been prepared starting on December 3, 2024. The preparation of the report was completed on April 23, 2025.

Scope of Work (Research, Analysis, and Reporting)

Regional / Neighborhood Market Area Research

The regional and local neighborhood market area has been researched in an effort to discover recent events and trends that affect the highest and best use and property values related to the subject property. On a broad basis, population and employment/economic statistics were researched, along with published news articles, professional journals, and

market reports. Further, the appraiser's Work File (which includes electronic and hard copies of other appraisals and supporting documents) provides additional understanding of trends and values.

Research of the Subject Property

Investigation into the legal, physical, financial parameters affecting the subject property included a thorough research of:

- Assessment records for site and improvement details, assessed values and taxes, and ownership history,
- Clerk/Recorders documents (deeds),
- MLS and rMLS (Multiple Listing Services), as well as CoStar records for listing activity,
- Other sources of market information

The investigation of the subject property included a property inspection of the subject property, performed personally by Marlo T. Dill. The inspection involved driving and walking around the property, with an attempt to identify the boundaries of the property, and through the middle of the site. The inspection also involved taking photos and writing notes. The subject owner was also interviewed to provide additional understanding of the property.

The inspection was sufficient for estimating the market value of the property, attempting to inspect the property consistent to the degree that a prospective buyer would look into the property. However, the appraiser is not an engineer, building inspector, pest controller, or other inspection expert. While the appraiser did not note any evidence of problems related to such issues, the appraisal inspection was not so detailed as to discover any engineering deficiencies, structural damage, hazardous materials or infestation. The appraiser recommends full inspections by experts in these areas if a more complete understanding of any of these hazards is desired.

The appraiser, Marlo T. Dill, ARA, has performed many appraisals of similar properties over the past few years. The file data for the appraisals of similar properties, held by Appraisal Group of Central Oregon, LLC, was reviewed for additional market data and trends.

Research of Comparable Properties

The search for comparable sales and/or leases, and the physical, financial and legal factors affecting the properties, involved a research of the following:

- MLS & rMLS (Multiple Listing Services) records,
- CoStar for sales, leases, and active listings of properties for sale or lease,
- Realtor interviews,
- Consultation with appraiser colleagues,
- Assessment records,
- Clerk/Recorders documents (deeds),
- Other sources of market information.

The local market was researched for sales and listings, marketing times, absorption rates, permits/applications for new competitive developments. This research provided information relative to supply/demand dynamics, as well as for market values. Developers were also interviewed in order to gain anticipated market estimates for development/construction costs as well as desired rates of return on investment.

A search was made within the Central Oregon area for sales data of comparable properties. The research focused on sales that occurred over the past two years prior to the retrospective date of value. Unless otherwise specifically indicated, all primary sales and/or leases used in this report have been verified by at least one knowledgeable party (buyer, seller, owner, tenant, realtor, or leasing agent) involved with the sale/lease unless otherwise stated.

Marlo T. Dill, ARA performed an exterior inspection from the street for all primary comparable sales analyzed in the appraisal unless specifically indicated otherwise (due to remote location, locked gates, inclement weather/road conditions, or other limitations).

Scope of Analysis

This appraisal conforms to the Appraisal Standards as found in the current (2024 Edition) Uniform Standards of Professional Appraisal Practice (USPAP). There are three fundamental approaches to value that may be considered.

1. Cost approach
2. Sales comparison approach
3. Income approach

The **cost approach** value conclusion is arrived at by estimating the value of the site and adding to this the replacement cost of the improvements, plus entrepreneurial profit less accrued depreciation and obsolescence. The reliability of this approach is typically most limited relative to accurate estimates of land value, depending on market conditions, as well as being able to accurately estimate anticipated entrepreneurial profit and obsolescence from a market analysis. With no improvements of contributory value to the land, the cost approach is not deemed applicable in this appraisal.

The **sales comparison approach** attempts to measure value from the market by direct comparison of the subject property with sold properties. For this approach to have validity, the sold properties must have a reasonable degree of comparability with the subject. Several different units of comparison may be used. As just discussed, the sales comparison approach is the primary method of estimating the market value of farm and ranch land, typically based on the price per acre on an overall basis or allocated to the various parts of the land (i.e., irrigated land, pasture, range, etc.). The contributory value of the improvements is estimated based on their depreciated replacement costs, which is consistent with the perception of value among typical market participants for this property type. The sales comparison approach is also the primary method to estimate the market value of rural acreage homesites, commonly considering both the price per acre and the overall price per homesite.

The *income approach* utilizes the capitalization of net income into value. Value is considered to be the present worth of anticipated future benefits. Reliability of this approach is dependent upon accurate projections of economic rent, expenses and capitalization rate. Consideration must also be given as to whether the subject property is typically an investment type property or an owner-user type of property. In the case of the subject's property type, the market does not consider the rental income potential of the property when considering the market value. Therefore, there is no market support for applying the income approach in valuing the subject property.

The market value conclusion reconciles the value conclusions of the various valuation approaches, considering the various strengths and weaknesses of each method. The reconciliation of market value does not "average" the results of the approaches, but considers which approach(es) most closely resemble(s) the thought processes of typical buyers and sellers, which approaches have the strongest support from the market data available in this case, and how the other approaches (if applicable) support or conflict with the conclusion of the approach considered best supported.

This level of analysis is satisfactory for the intended use and users of the appraisal. The analysis and valuation of the subject considers the findings of the research and concludes the estimates of the fair market value.

Scope of Reporting

The appraisal is reported in an appraisal report format. The report format presents a summary of the data and analysis that contributed to my value conclusions. I have expanded portions of my analysis that are most pertinent to give the intended users a better and more thorough understanding of the valuation complexities. The detailed data and analysis not presented here, but necessary for a complete understanding of my conclusions, remains in my work file.

Delivery of the appraisal report to the client constitutes the completion of this assignment.

Work File

Appraisal Group of Central Oregon, LLC maintains a large database of real estate information from the entire state of Oregon, particularly comprehensive and current in Central Oregon. This data includes information on land sales, improved sales, leases, development and construction costs, absorption studies (subdivision lots and houses, office & retail buildings), operating expenses, capitalization rates, and other market trends and factors. Only the information pertinent to, and necessary for a complete understanding of this appraisal, has been included within this report.

Competency of the Appraiser

The appraiser has the appropriate knowledge and experience to complete the appraisal assignment competently. See the appraiser qualifications at the end of this report.

Prior Three Years Sales History

Please refer to the Subject History on Page 11 for more information on prior sales of the subject property.

Property History, Identification & Assessment Data

Subject History

The subject property has been in the Barnum family ownership since the early 1940's. The most recent transfer for the subject property ownership is a Memorandum of Contract of Sale dated October 11, 2013 between Edward E. Barnum, Trustee and John M. Barnum and Karen R. Barnum, Trustees due and payable on October 15, 2028 for a stated consideration of \$200,000. This is an owner carry contract between family members and is not considered an arm's length market transaction. Recorded in Deschutes County document number 2013-043046 recorded on October 15, 2013. A copy of this document is included in the addenda of this appraisal.

The subject has been a part of a larger family farming operation for decades. With the acquisition of the farm in 1941, the original potato cellar which is still on-site built in 1942. The original stick-built house on the farm was fully depreciated and replaced with a single wide mobile home. The production agriculture farm has historically included a rural residence, occupied by family members that have worked the land. The fully depreciated single wide mobile home was removed with the intentions to replace with a double wide manufactured home that is on-site waiting legal placement for family occupancy.

Property Identification

A legal description for the subject can be found in the subject deed in the Addenda. For purposes of this appraisal, I have utilized the Deschutes County Assessor's tax lot to identify the subject property.

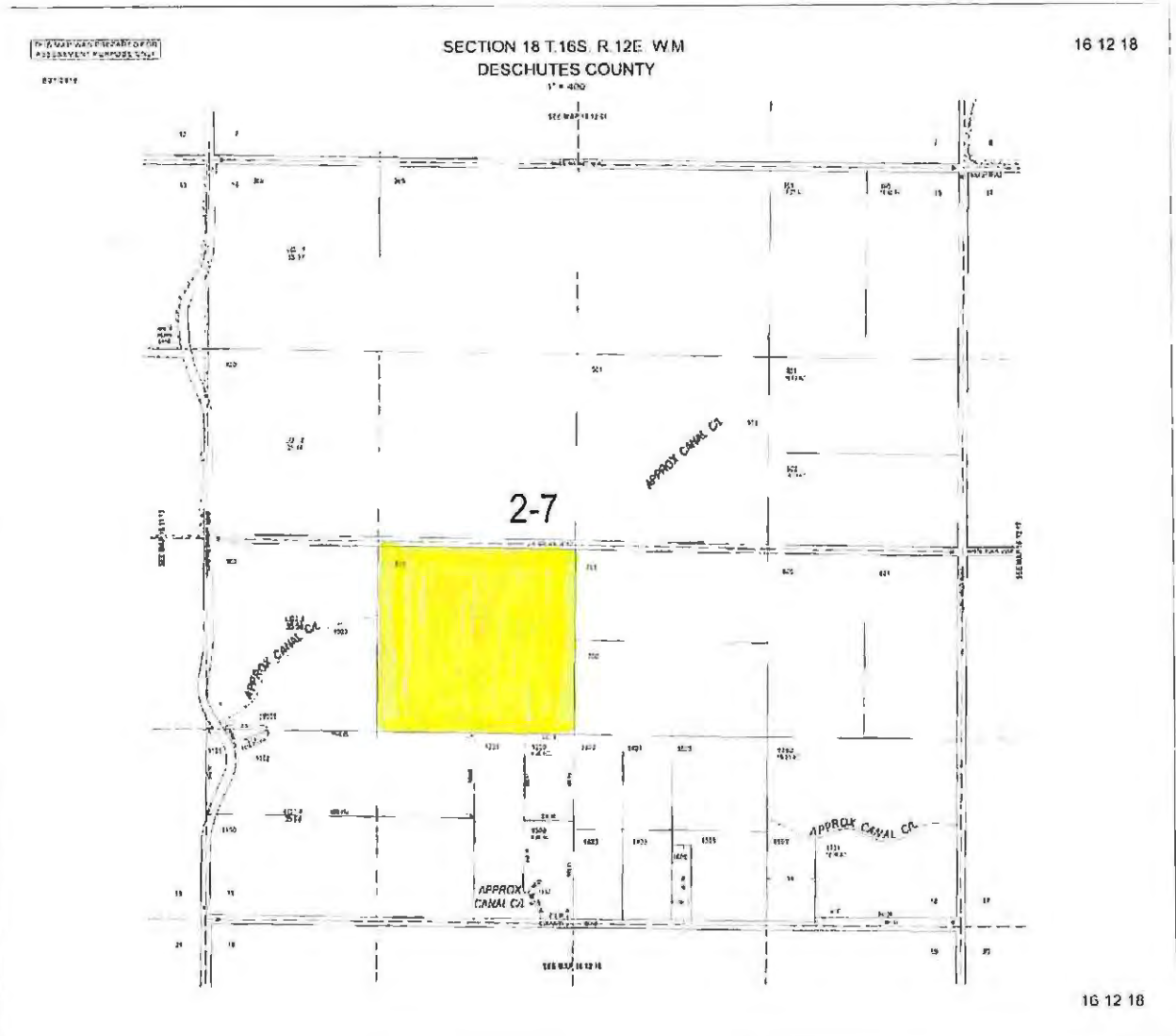
The Northeast Quarter of the Southwest Quarter, Section 18, Township 16 South, Range 12 East of the Willamette Meridian; Excepting therefrom that portion lying within JW Brown Road (commonly known as 19745 JW Brown Road, Bend, OR 97703 previously 97701).

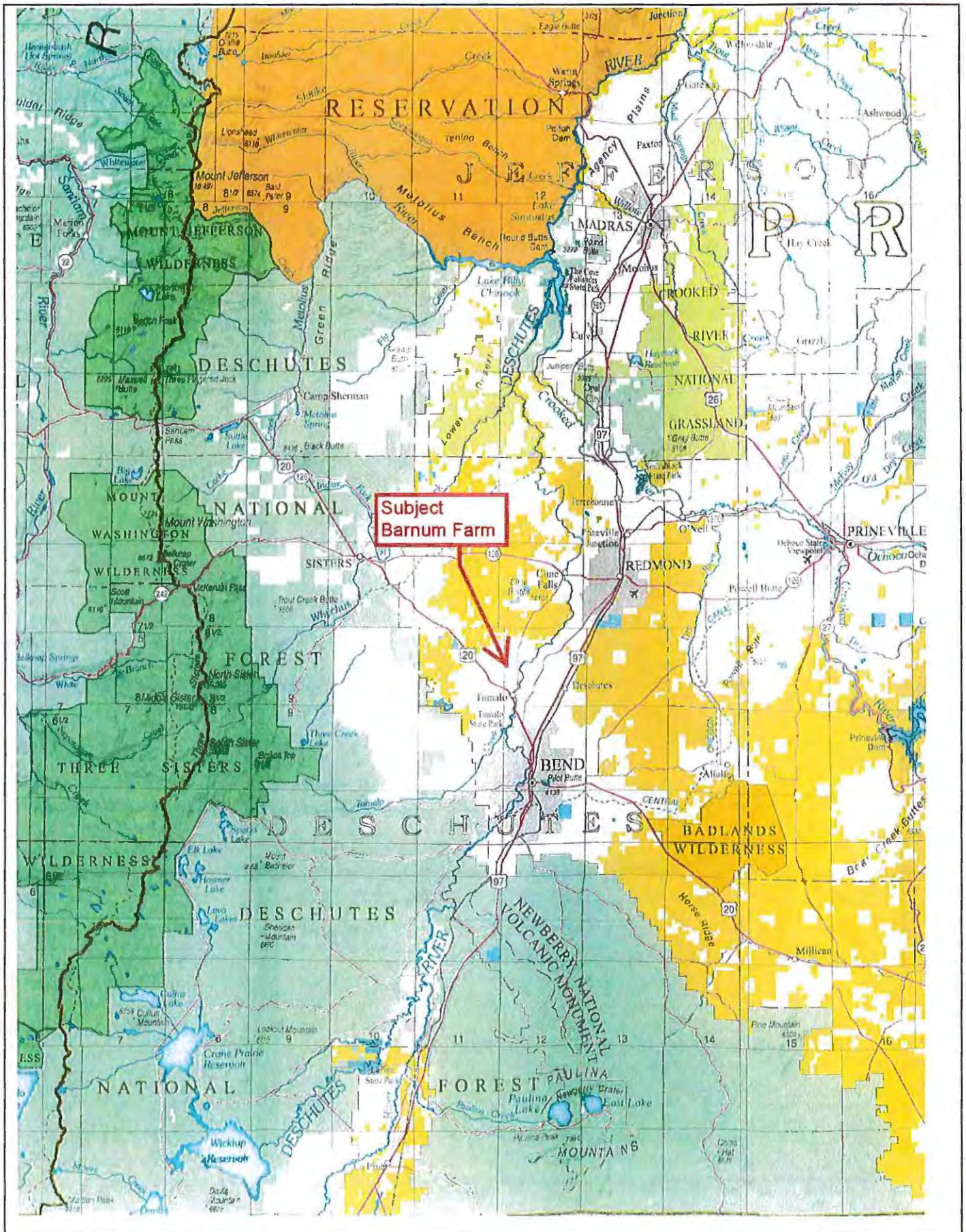
Assessment Data

The following table summarizes the assessor's identification (Deschutes County), acreage, assessed values, and taxes for the subject property. Following the table is the corresponding plat map displaying the subject property.

<u>Subject Identification and 2024/25 Tax Assessment Summary</u>							Barnum	
Map	Tax Lot	Acreage	Assessor's Market Value Estimates			Taxable Value	Property Tax	Account Number
			Land	Improvement	Total			
T.16S-R.12E								
18	800	39.38	\$277,040	\$29,460	\$306,500	\$32,589	\$503.50	132456
Total								
		39.38	\$277,040	\$29,460	\$306,500	\$32,589	\$503.50	
					(-3% discount for on-time payment)		\$15.11	
Overall Millage Rate =		15.449998 per \$1,000				Tax Due	\$488.40	

<u>Subject Identification and 2023/24 Tax Assessment Summary</u>							Barnum	
Map	Tax Lot	Acreage	Assessor's Market Value Estimates			Taxable Value	Property Tax	Account Number
			Land	Improvement	Total			
T.16S-R.12E								
18	800	39.38	\$319,550	\$34,250	\$353,800	\$32,019	\$481.61	132456
Total								
		39.38	\$319,550	\$34,250	\$353,800	\$32,019	\$481.61	
					(-3% discount for on-time payment)		\$14.45	
Overall Millage Rate =		15.041382 per \$1,000				Tax Due	\$467.16	





Area and Neighborhood Analysis

Central Oregon is characterized by high quality of life characteristics that have led to both historic instability as well as a growing/diversifying economy. The local climate is defined as semi-arid, and is generally pleasant year-round. Along with the climate, Central Oregon offers exceptional scenic, recreational, and environmental qualities, which has led to the rapid population growth and diversifying economy. The local economy has transitioned from primary industries (wood products and agriculture) and low-value tourism to secondary production, technology, service, and craft/recreation industries (brewing, recreation products, aviation, etc.), as well as high-value tourism. A more comprehensive area analysis is presented in the addenda of this appraisal report.

Rapid growth is a dominant factor in Central Oregon over the past two decades. Deschutes County grew 53 percent during the 1990's (75,600 to 115,367), and the growth accelerated from 2000 through 2006, with another 32.3% increase (up to the 152,615 in 2006). Redmond displayed nearly 75% growth from 2000 through 2006, with the population increasing from 13,481 to 23,500. During the same period, Bend increased 44.7%, from 52,029 to 75,290. Growth slowed late in the 2000s, but has regained steam in the mid 2010s. Deschutes County witnessed the 7th fastest population growth of all American Metropolitan Statistic Areas (MSAs) during 2014. The area is anticipated to continue growing, with the Bend Metropolitan Area projected to exceed 190,000 by 2025, and reach over 300,000 by 2050. The high level of population growth is predominantly due to new residents attracted by the high quality of life, many of which are highly educated and entrepreneurial in nature.

The economic health of Central Oregon strengthened considerably in the 1990s and through 2007, although still with some serious weaknesses. While it had unexpected diversity for an area of its population, isolation, and tourism influence, employment in the development industry (construction, real estate professionals, etc.) and influence from speculation were both at very high levels, leading to the area being exceedingly hard hit during the recession of the late 2000s. All classes and categories of real estate had increased dramatically in value through 2006. When the market slowed in mid-2006 as a result of the slumping national real estate market, over-development, the sudden withdrawal of demand from developers and investors, and problems with the financial markets, conditions were ripe for a collapse. Conditions were characterized as a full economic and real estate crash starting in 2008, with many property classes dropping more than 50% from 2008 through the end of 2010, with some development land classes declining more than 90% in value.

Signs of life in the market were apparent in 2011, with dramatically decreased inventory of houses for sale, increasing median home prices, and surging numbers of sales of commercial properties. The recovery gained steam from 2012 through 2014. Today, the local economy is considered to have made a full recovery, with a more diversified and stronger economy than that of the pre-recession boom, and the real estate market is nearing, if not surpassing the pre-recession highs. The current state of the market is that of a strong, diversified economy, fueled by 21st Century business, balanced tourism, new educational opportunities, and increasing scarcity in the real estate market.

High-Value Residential Segment

The following table summarizes market activity in the high-end residential real estate market throughout Central Oregon (including Deschutes, Crook, and Jefferson Counties):

High-Value Residential Market in Central Oregon (Deschutes, Crook & Jefferson Co.'s) – January 2023

	Sales			2022	Pending	Proj.'d	Active	% Active to
	2019	2020	2021	1/1-12/31	Sales	Sold '22	Listings	2022 Sold
Residential Lots								
Typical Residential Lot Sales (<2.0 acres)	920	1,159	1,094	732	46	732	410	56%
Median Price	\$114,250	\$150,000	\$171,500	\$225,000	\$234,950	---	\$180,000	---
Increase from Previous Period	9%	31%	14%	31%	4%	---	-20%	---
High-Value Lots (\$250K≤X<\$499K, <20 ac)	123	226	269	254	19	254	111	44%
Luxury Lots (≥\$500K, <20 ac)*	20	67	101	88	4	88	61	69%
Improved Residential								
All Houses (<20 acres)	5,317	6,093	7,425	5,812	437	5,812	923	16%
Median Price	\$405,000	\$445,000	\$530,000	\$600,000	\$559,995	---	\$575,820	---
Increase from Previous Period	5%	10%	19%	13%	-7%	---	-4%	---
High-Value Homes (\$750K<X<\$999K, <20 ac)	323	611	988	956	63	956	129	13%
Luxury Houses (\$1M≤X<\$1.99M, <20 ac)	204	403	753	789	49	789	95	12%
Highest-Level Houses (≥\$2M, <20 ac)	20	40	111	122	10	122	49	40%
Highest Price	\$3,925,000	\$5,600,000	\$6,400,000	\$6,500,000	\$3,695,000	---	\$7,880,000	---
Luxury Townhouse & Condo Sales (>\$600K)	54	89	153	143	12	143	24	17%
Medium Price of Those Over \$600K	\$782,500	\$765,000	\$774,950	\$850,000	\$874,450	---	\$939,450	---
Highest Price	\$1,800,000	\$1,811,385	\$2,260,000	\$2,600,000	\$1,199,950	---	\$2,250,000	---

Properties listed with MLS, does not include FSBO, exclusive listings, and/or sales/listings not listed with MLS. Houses include single family residential only (no condos, townhouses, manufactured homes). Sold includes only sold (no pending) listings. Active includes only active. Pending includes pending and contingent.

It should be noted that there is a considerable amount of additional market activity in these higher value segments, as there is a great deal of new development (custom builds) occurring in Tetherow, Miller Tree Farm, and elsewhere that are not being entered into MLS, and therefore those numbers are not showing here.

Recovery in the upper segment of the residential market was sluggish until 2014. But the following shows the incredible growth in the high-end residential market, which truly exploded in 2020:

- The high value segment (\$750,000-\$1,000,000) dropped from a high of 188 sales in 2006 to 40 in 2009, and did not show significant recovery until 2014, with 86 sales, increasing to 145 sales in 2015, gradually increasing to 323 in 2019, and nearly doubling to 611 sales in 2020, then increasing by more than 50% to 988 in 2021 before stabilizing in 2022 with a modest drop to 956 sales.
- Luxury homes (\$1,000,000 to \$2,000,000) dropped from 98 sales in 2007 to 13 in 2010, with the recovery finally reaching 46 sales in 2014, gradually increasing more than 400% to 204 in 2019 over five years. However, that increase is small compared to the more than doubling of sales in 2020, and nearly doubling again in

2021 (reaching a projected 753 sales), before stabilizing in 2022 with another modest increase.

- The highest-level houses (over \$2,000,000) dropped from 9 sales per year in 2005-2007, to one in 2010, one or two sales per year through 2014. finally increasing to three in 2015, then gradually increasing to 20 in 2019. Again, however, 2020 dwarfed prior years, with another doubling of sales to 40, and nearly tripling again to 111 in 2021 before stabilizing with a modest increase to 122 sales over \$2,000,000 in 2022. The \$5,000,000 barrier was broken in 2020 with the sale of former NFL player Drew Bledsoe's house in Highlands at Broken Top, at \$5,600,000. That sale has been surpassed in several sales in 2021 and 2022, with the high sale involving a \$6,500,000 transaction in Broken top during 2022.
- In 2023 the upper end of the residential market in Bend was noted by 96 sales over \$2,000,000 with majority of the transactions falling between \$2.5 to \$3.5 million. The highest transaction of not in Deschutes County included 188.49 acres with a mina house constructed in 2011 measuring 14,666 sq.ft. for a stated consideration of \$15,000,000.
- In 2024 the highest-level house measuring 7,215 sq.ft., in 2.73 acres sold for \$9,500,000. There were 117 transactions at or above \$2,000,000. Now in 2025 the upper end of the market is at \$3,650,000 with 34 sales completed in the first quarter. Notably more of the transaction prices were under \$3,000,000.

Central Oregon Market Conclusion

The Central Oregon area is best characterized as an attractive destination for new lifestyle residents and visitors, which has been characterized by rapid growth and a diversifying economy. Current market conditions involve dropping unemployment, dropping supply/high-demand for most real estate categories, as well as increasing values. The area naturally has many high-quality of life features, such as exceptional mountain and desert scenery and recreation, clean air and water. The area has also been blessed with excellent schools and medical services. The former dominance of the timber industry has been replaced by a diversified economy, with strong input from technology, telecommunications, aerospace, corporate headquarters, construction, tourism, and new-age self-employed professionals. The diversifying economy draws new residents with high levels of education and assets, which in turn allows for further strengthening of the economy and addition of a richer retail, service, and cultural opportunities. These factors have raised the profile of the area regionally, nationally, and even internationally. The degree and type of growth have combined to encourage other changes, such as expanded flight opportunities at Roberts Field, which in turn provide the opportunity for even more growth.

Photo 1



View from subject historical homesite looking easterly along the south side of JW Brown Road, flood irrigated pasture in the foreground, wheel line irrigated farmland in the background.

Photo 2



View of flood irrigation water deliver ditch, looking southeasterly across pasture towards irrigated farmland in the background, with interior cross fencing.

Photo 3



View of subject uplands scattered juniper covered hillside, irrigation water delivery ditch skirts the bottom of the uplands.

Photo 4



View of subject ditch delivers flood irrigation water to the smaller front pasture, scattered juniper rock outcropping uplands.

Photo 5



View of irrigation pond with historic homesite in the background, new doublewide manufactured home is being stored on the property, remains in two separate pieces.

Photo 6



View of domestic well pumphouse, historic homesite, new doublewide manufactured home is being stored on the property, remains in two separate pieces.

Photo 7



View of older potato storage shed used for storage, fully depreciated utility value only for this structure, located adjacent to historic homesite.

Photo 8



View of outbuildings and garden at historic homesite, looking south with the scattered juniper uplands in the background.

Photo 9

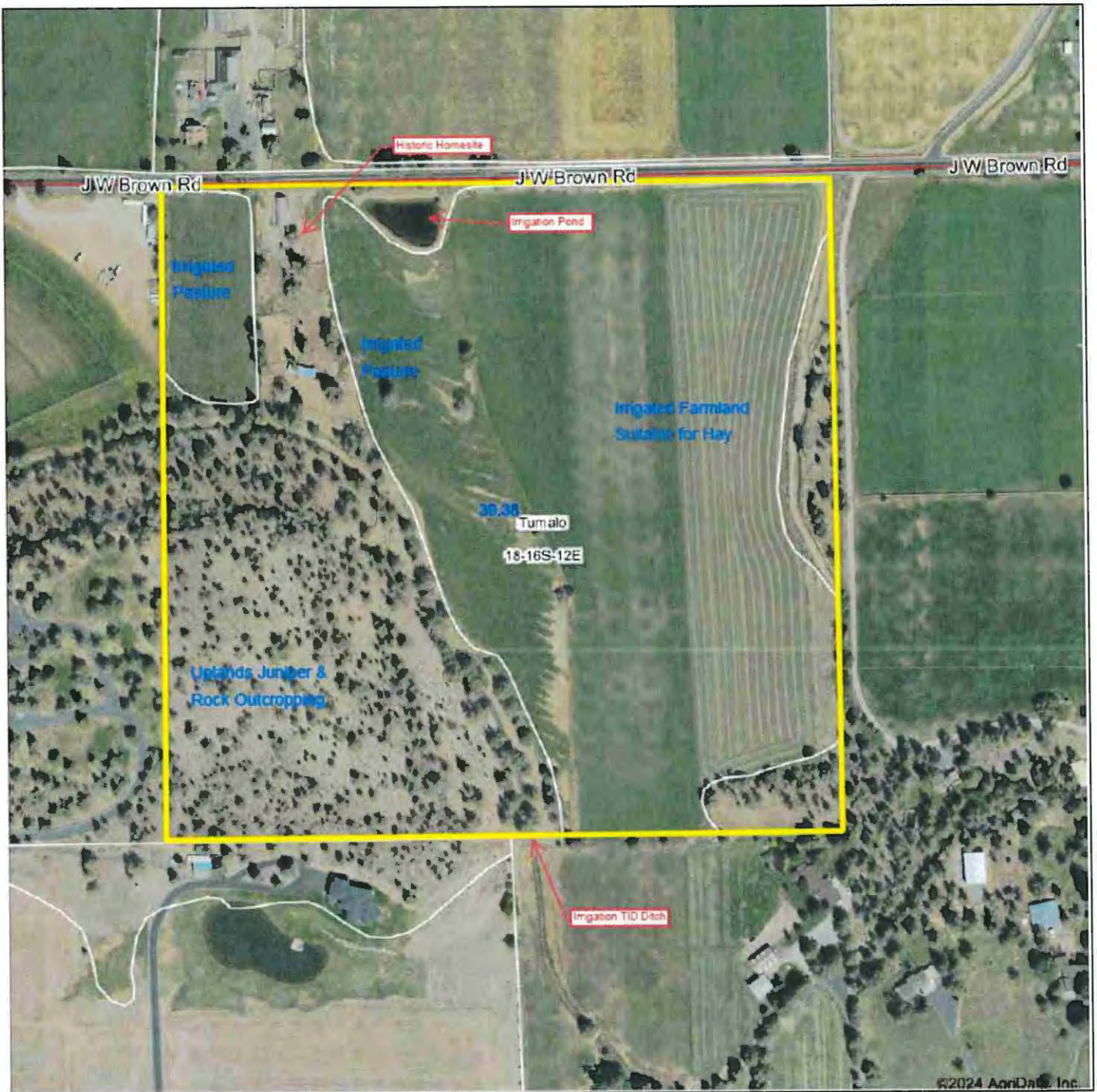


View of interior cross fencing, flood irrigated pasture along the western side of the property, looking northerly from the interior of the farm.

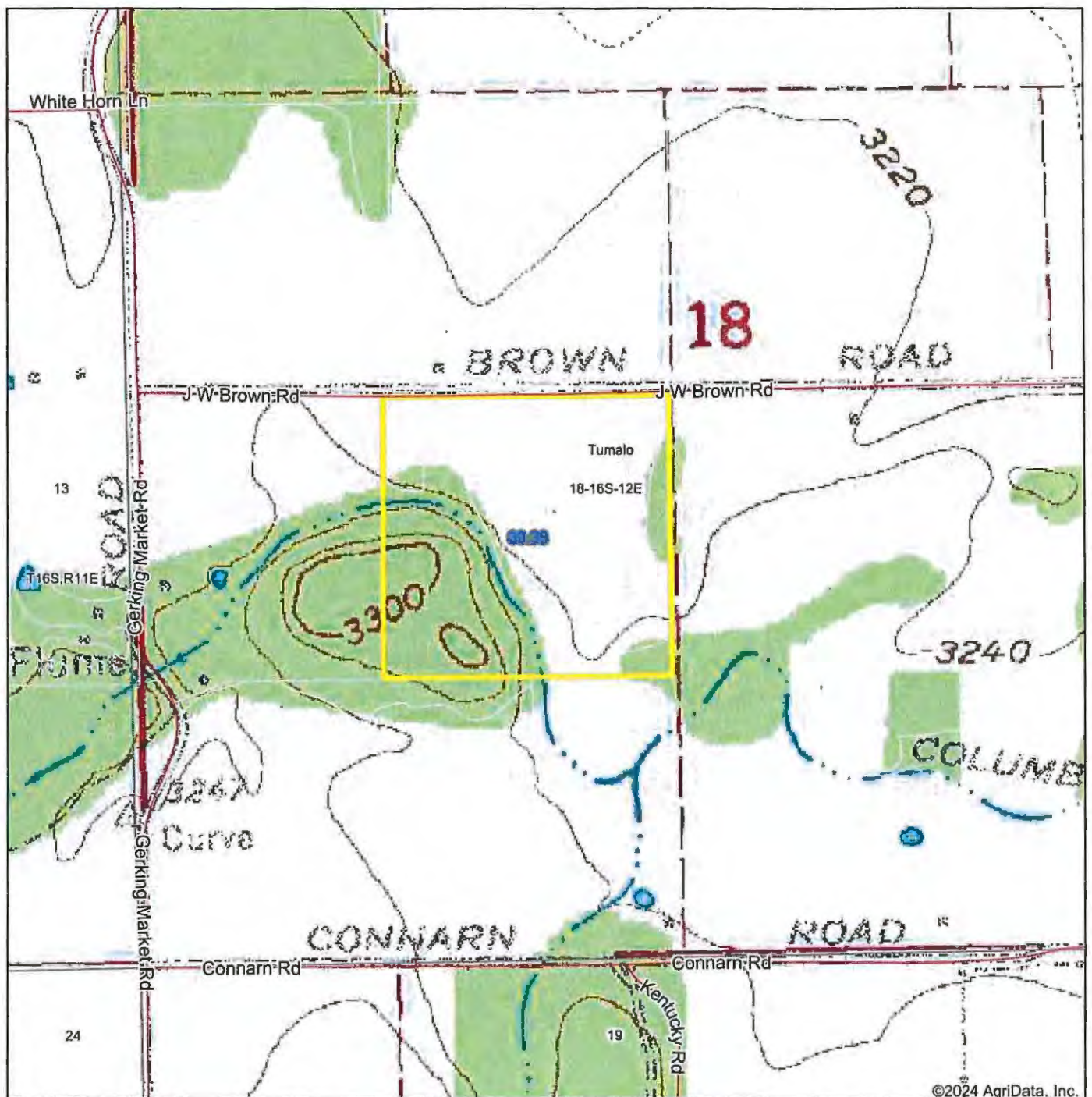
Photo 10



View of the subject wheel line irrigated farmland at the northeastern corner of the subject looking southwesterly from JW Ranch Road, year-round paved county road access.



Aerial Site Photo



Subject Property Description - Site

Location & Access

The subject is located at 19745 JW Brown Road in Bend, Deschutes County, Oregon. The site is located in Section 18 in Township 16 South, Range 12 East, Willamette Meridian. The subject is generally located approximately 11 miles north-northwest of Bend, roughly 3.5+/- miles north of the community of Tumalo. Access to the subject from the Deschutes County seat of Bend, from Wall Street turn right onto NW Norton Ave., then turn right onto NW Hill Street, turn left onto NW Greenwood Ave, turn left onto NE 3rd Street (US-20) approximately 3.1 miles, pass 3 roundabouts and continue on McKenzie-Bend Highway (US020) 3.2 miles, take 1st exit from roundabout onto Cook Ave, continue on Cline Falls Highway for 2.8 miles turn left onto JW Brown Road for 0.60 mile to the subject farm.

Overall access to the subject is good, year round, paved, two lane, county maintained road. Interior access is adequate consisting of typical farm roads. The property offers excellent views of the Cascade Mountain Range as well as territorial views of the surrounding rural residential and farming community. View from the northeast corner of the subject along the south side of JW Brown Road looking westerly.



Site Area and Layout

The Deschutes County Assessor estimates the subject size as 39.38 acres. For purposes of this report, I assume the Deschutes County Assessor's records are correct. Although there may be minor variances, I believe the market would assume these records are accurate.

The subject is square in shape. Drainage appears adequate for the current agricultural use and historical rural residential use of the property. Topography ranges from gently sloping irrigated farmland to steeper scattered juniper uplands.

Soil, Subsoil and Drainage

The United States Department of Agriculture, Soil Conservation Service, shows there is predominantly Tumalo sandy loam, 0 to 3 percent slopes, 27.86 acres of class III type of soil with the balance Stukel-Deschutes-Rock outcrop complex, 0 to 15 percent slopes, 11.52 acres of class VI type of soil on the subject property.

Flood/Other Hazards

According to Flood Insurance Rate Map Number 41017C0455E effective date of September 28, 2007, no part of the subject lies within a flood hazard area. The entire site lies within zone X, a zone considered to be an area of minimal flooding. The subject is therefore not subject to 100 or even 500-year flooding. A copy of the FEMA flood map is included in the Addenda.

According to the Oregon Department of Geology and Mineral Industries, Central Oregon is in Zone IIb, which requires most buildings to be designed for 0.2-G acceleration. The current probability of the occurrence of a seismic event in this zone has been calculated as 5 to 25 percent in the next 50 years based on one data set related to the Cascadia subduction zone. I noted no underground or above ground fuel tanks during my inspection. This appraisal assumes there are no hazardous materials present on the subject. Before further development is considered, the potential for hazardous materials should be fully explored by a qualified engineering firm.

Utilities & Services

The subject property is served with all typical utilities available in the local market. They include the following:

Water	Domestic Well; well report was not found
Storm/Sanitary Sewer	Septic System
Natural Gas	Not Available
Electric Power	Pacific Power Above Ground Service
Telephone	Century Tel Above Ground Service
Cable Television	Not Available
Internet	Satellite or Phone Line

Water Rights

The subject includes surface irrigation water rights from Tumalo Irrigation District for 27.20 acres. Current assessments average \$90.64 per acre or \$2,465.39 overall for the subject property. According to TID the subject ownership is current on their district assessments.

Irrigation Equipment

The subject includes an irrigation pump at the pond site and one ¼ mile wheel line. The wheel line is personal property and is not included in the valuation of the subject real estate.

Zoning

The subject is zoned EFU-TRB, Exclusive Farm Use- Tumalo/Redmond/Bend by the Deschutes County Planning Department. A full copy of the EFU zoning regulations are retained in the appraiser's work file. The current agricultural production use of the subject is in compliance with the current zoning.

Land Use

The following chart summarizes the subject land use as of the retrospective date of value of “before” January 1, 2023:

Site Valuation	1-Jan-23
Land Category	Acres
Barnum Trust	
Flood & Wheel Line Irrigated Farmland	27.20
Recreation Rangeland/Uplands	11.18
Farmstead/Homesite	<u>1.00</u>
Total	39.38

The following chart summarizes the subject land use as of the retrospective date of value of “after” January 1, 2024:

Site Valuation	1-Jan-24
Land Category	Acres
Barnum Trust	
Flood & Wheel Line Irrigated Farmland	27.20
Recreation Rangeland/Uplands	<u>12.18</u>
Total	39.38

Building Improvements

There are no building improvements on the subject that provide a contributory monetary value in the subject market area. The structures include a machine shed, potato storage shed and well/pump house. The historical farm structures are fully depreciated and provide utility in use only. The structures would not be a motivating factor in marketing or a drawing factor in acquisition of the subject farm.

Easements, Encroachments, Liens & Special Assessments

A title report was not provided. The appraiser reviewed public recordings and assessment data; and while no unusual easements, encroachment or other unusual legal issues were discovered, it should be stressed that the appraiser is not an expert in land use law and recommends consulting such an expert if a more complete understanding of such legal issues is desired. It is assumed that existing easements, encroachments or other unusual legal issues, if any, have no effect on market value.

Conclusion

As of January 1, 2023 the subject is a desirable farm with the right to replace a rural residence. After January 1, 2024 the subject right for a replacement dwelling has been revoked making it a slightly less desirable farm in this developed rural residential area of smaller hobby farms. The Tumalo market area in general has been parceled into smaller acreage rural residential tracts and built out with very few vacant land sales seen in the marketplace.

Highest and Best Use Analysis

According to the 12th Edition of the *Appraisal of Real Estate*, highest and best use is:

“the reasonably probable and legal use of vacant land or an improved property that is physically possible, legally permissible, appropriately supported, financially feasible, and that results in the highest value.”

A thorough highest and best use analysis must consider the highest and best use of the property as it is improved as of the date of value, and as though it were vacant. As stated above, the highest and best use must be legally permissible, physically possible, financially feasible, and result in the highest value (maximally productive). The use that produces the highest residual land value is the highest and best use. Such an analysis may show that the current improvements do not support the highest and best use of the property. That use may be an interim one that should continue until conditions warrant developing the site to its highest and best use as though it were vacant. The highest and best use is thoroughly discussed and developed within this report.

Estimating the highest and best use involves market analysis, considering the subject's physical characteristics, market growth patterns, and supply and demand factors.

An additional consideration helpful in the highest and best use analysis is to estimate the ideal improvement for the land under its highest and best use. If the property is improved, the improvements can be considered compared to the estimated ideal improvement to reveal any inadequacies or super-adequacies.

The subject property is improved; therefore the highest and best use as vacant analyzes the site under the hypothetical that it is vacant and available to be put to its highest and best use.

The subject site is essentially vacant and available to be put to its highest and best use with existing improvements fully depreciated and providing only utility in use value, if any.

The following factors must be considered in making an analysis:

1. Legal uses permitted
2. Physically possible uses
3. Financially feasible uses
4. Maximally productive

As Vacant

Legally Permissible

The subject is zoned EFU-TRB (Tumalo/Redmond/Bend subzone) - Exclusive Farm Use, which restricts legally permissible uses to farm uses with associated residences, utility structures, and support uses. These zones are very restrictive to non-farm uses. The zoning does allow for farmhouses if minimum income producing requirements are satisfied for the entire property in question. However, it is typical that a new farmhouse

will not be permitted in parcels that are the creation of a division of an existing parcel of farmland unless the new parcels are 80 acres or more. Under the subzone TRB a proposed irrigated land division must result in parcels that demonstrate the following characteristics or capabilities: Twenty-three irrigated acres, which the subject does qualify. The subject is a legal lot of record.

The subject was improved with a historical homesite since the early 1940's and more recently improved with a single-wide mobile home. The mobile home was removed three years prior to having a replacement structure in place. These structures were (farm-related dwellings) with an owner or relative residing in the dwellings.

Physically Possible

The subject includes 39.38 acres of land zoned EFU-TRB in Deschutes County, Bend, Oregon. Located within an area known as the golden triangle north of Bend, southwest of Redmond and southeast of Sisters. The subject includes irrigated farmland used for hay/pasture and livestock grazing production. The subject's physical characteristics make it well-suited to flood and wheel line-irrigated farmland with recreation/rangeland that includes scattered juniper rock outcropping. Overall the field layout and blocking is reasonable and typical of the area. The utilization of the home site was historically legally permissible with the home site remaining in place with water and power developed to the site. The status of the septic system is unknown.

The subject is located in an area that has been parceled into smaller hobby type farms with majority of the sites includes a rural residence. There is strong demand in the market for rural residential acreage.

Physical factors influencing the value of the subject parcel pertain to topography, shape, soil conditions, irrigation water, availability and location of utilities, access, and abutting properties. These factors are favorable for the current agricultural and rural residential uses of the subject property.

The subject tax lot is a legal lot of record.

Financially Feasible

The subject is a 39.38 acre parcel with roughly 55% irrigated land leaving the remaining 45% of the land made up of uplands with rock outcroppings and scattered juniper. Approximately 71% of the subject is made up of class III soils this area is considered productive land from an agricultural stand point with the balance made up of class VI soils which is a rock outcrop complex. There are few recent sales of relatively similar properties in the area with fewer undeveloped sales, there did not appear to be any highly comparable properties listed for sale, which displays a good supply-demand relationship for properties like the subject. Most often in this area, farmlands like these change hands privately among other area farmers and owners looking for the rural residential lifestyle.

The subject property's specific location for hay land and livestock grazing use is good, with very strong demand for rural residential use. Demand in the subject market area significantly increased during COVID 19 has remained stable and has been slightly decreasing as the market begins to stabilize.

The subject property has minimal income producing capabilities; however, financial considerations are sometimes influenced by amenities other than income the site is capable of producing. For instance, the value attributed to the quality of life offered by rural properties, however, any added benefits perceived by the market are reflected in the comparison of similar type properties.

Maximally Productive

The maximally productive/highest value use of the subject is that legally permissible, physically possible and financially feasible use that results in the greatest profit or market value. The market data indicates that there are various motivations for purchasing ranch/agricultural properties such as the subject. In the current market the most likely buyer is interested in the property as either an investment for continued use of irrigated land, expansion of an existing farming operation or development of a rural residential acreage property.

The subject is a legal lot of record given the subject acreage of 39.38 acres additional portioning is not an option.

The maximally productive/highest value use for the subject is likely a matter of personal interest. Overall the most maximally productive use resulting in the highest value would be continued grass hay and grazing production of the irrigated land, with the ability to develop rural residential home site.

Conclusion

There are very few uses that satisfy the criteria of legally permissible, physically possible, financially feasible and maximally productive uses. Of those uses, the irrigated farmland used for grass hay and grazing production has the most marketability and stable income producing potential. I conclude the current flood and wheel line irrigated farmland use with the potential for aftermath grazing and utilization of the home site is the highest and best use of the subject as vacant.

Sales Comparison Approach

The Sales Comparison Approach is a set of procedures in which the appraiser derives a value by comparing the property being appraised to similar properties that have recently been sold, applying appropriate units of comparison, and making adjustments to the sale prices of the comparable sales.

The Sales Comparison Approach is applied in five steps:

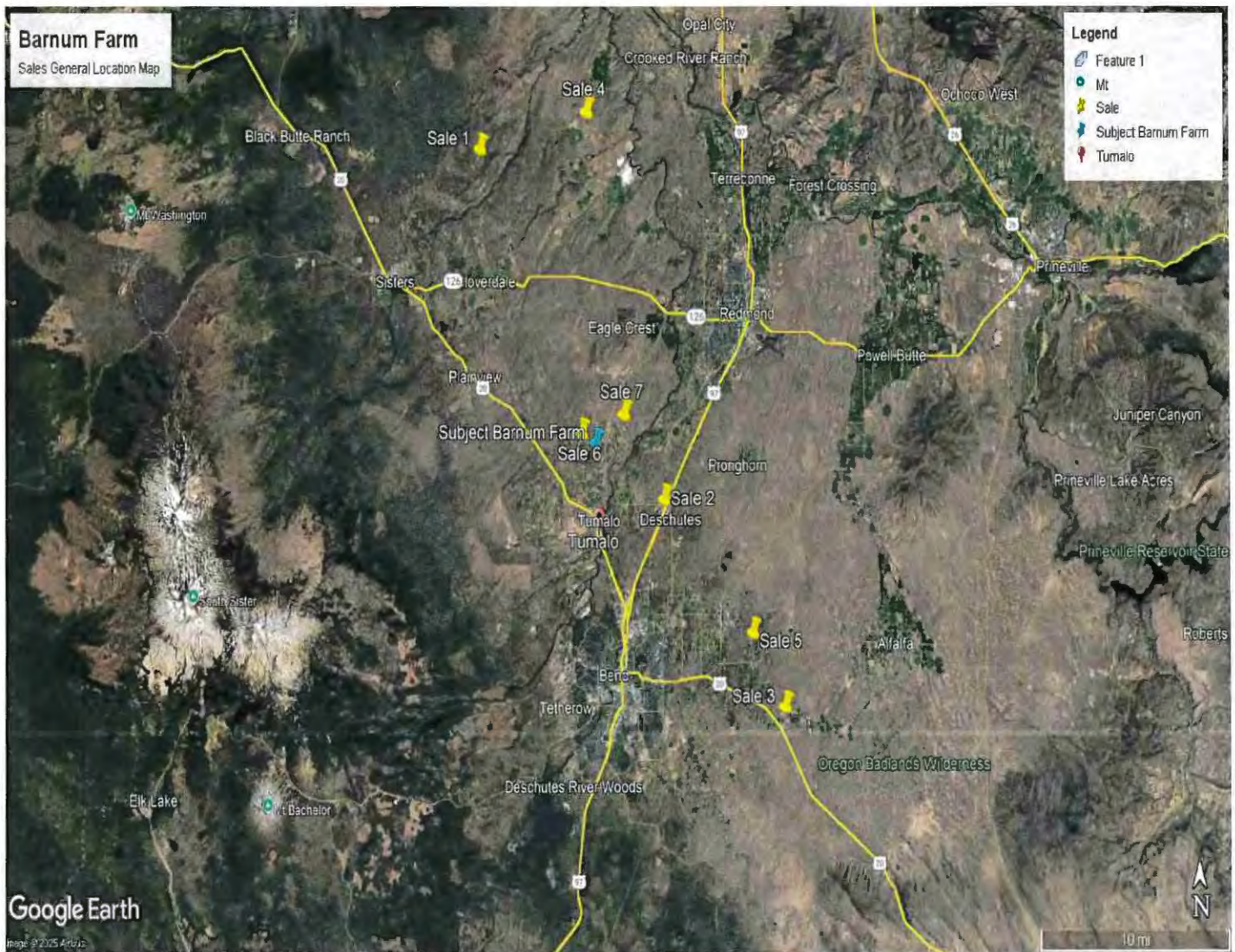
1. Research the market to obtain information about transactions, listings and other offerings of property similar to the subject.
2. Verify the information obtained in Step 1. The appraiser verifies that the data obtained are factually accurate and that the transactions were arm's length market considerations. Verification is accomplished by obtaining information from a knowledgeable source, usually one of the participants in the transaction.
3. Identify relevant units of comparison (eg, acres, square feet, animal unit) and develop a comparative analysis for each relevant unit.
4. Adjust the sale price of each comparable property, as appropriate, or eliminate the property as a comparable. Compare the subject and comparable sales on the basis of the seven or more elements of comparison including: property rights conveyed, financing terms, conditions of sale, time, location, physical characteristics and income characteristics.
5. Reconcile multiple value indications derived from the comparables into a single value indication.¹

The Sales Comparison Approach is based on supply and demand as it indicates value through typical market behavior. The principle of substitution indicates that a typical buyer will not buy an improved property for any value higher than it could be replaced for on a site with equal utility assuming no undue delays.

In estimating the value for the subject property, via the Sales Comparison Approach, the price per unit method derives a market value by using an analysis of the sales and concludes an adjusted price per unit which is then applied to the subject property in order to derive a current estimate of value.

The Sales Comparison Approach involves direct comparison of the subject property to similar properties. Through this type of analysis the appraiser is able to formulate a theoretical replacement of the subject property from each of the most comparable sales used for support. The first data set is considered in the "before" analysis when the property included the right to replace the dwelling (single wide mobile home) that was removed. "before" to January 1, 2023.

¹ Valuing Rural America: Foundations of Data Analysis. ASFMRA, USA, 2019. Pg 349-350.



Land Sales Map

Summary of Primary Sales

Sale	1	2	3
Date	May-22	Jul-22	Mar-23
C.E. Sale Price	\$645,000	\$450,000	\$850,000
Conditions of Sale	Arm's Length	Arm's Length	Motivated Seller
Grantor	Lawler, Teresa E	Rymilaka LLC	Allison A Thomas Family Trust
Grantee	Martin, Jennifer Lee	Aldrich, Cody Walter & Mackenzie	Baldwin, Daniel Boyd TTEE
Map	T.14S-R.11E-18	T.16S-R.12E-27D	T.18S-R.13E-11
Tax Lot	200	1100	404
Comparison			
Site	Sisters	Bend	Bend
Location	17474 Big Buck Rd	64835 N Hwy 97	23700 Dodds Rd
Total Deeded Acreage	40.00	30.45	37.47
Irrigated Acreage	None	TID instream	35.25
Irrigation Application	None	None	pivot
Improvements	residence	pump house	none
Allocation			
\$/Acre (overall)	\$16,125	\$14,778	\$22,685
Improvement Value	\$2,500	\$2,385	\$16,120
Irrigation Equip., crops, stock, other			\$48,795
Residual Land Value	\$642,500	\$447,615	\$785,085
Residual Land (\$/acre)	\$16,063	\$14,700	\$20,952
Land Allocation			
Pivot-Wheel-Irrigated Cropland			
Acreage			31.84
Unit Price			\$16,500
Sale Component	\$0	\$0	\$525,360
Flood-Irrigated land			
Acreage			
Unit Price			
Sale Component	\$0	\$0	\$0
Sub-Irrigated Pasture		Water Rights in Stream	
Acreage		30.45	
Unit Price		\$14,700	
Sale Component	\$0	\$447,615	\$0
Improved Range / Recreation / Timber/ Other			
Acreage	39.00		4.63
Unit Price	\$7,500		\$7,500
Sale Component	\$292,500		\$34,725
Rangeland			
Acreage			
Unit Price			
Sale Component	\$0	\$0	
Farmstead			
Acreage	1.00		1.00
Sale Component	\$350,000		\$225,000
Rounding	\$0	\$0	\$0
Percent Irrigated			
Overall Comparison~			
Location	Inferior	Sl. Inferior	Sl. Inferior
Land Use	Inferior	Inferior	Superior
Production	Inferior	Inferior	Superior
Improvements	Equal	Equal	Sl. Inferior
Recreation	Equal	Inferior	Inferior
Overall	Inferior	Inferior	Nearly Equal

Summary of Primary Sales					
Sale		4	5	6	7
	Date	Sep-22	Jul-22	May-22	May-21
	C.E. Sale Price	\$500,000	\$750,000	\$3,650,000	\$2,250,000
	Conditions of Sale	Arm's Length	Arm's Length	Arm's Length	Arm's Length
	Grantor	2T Sustainable Land	Young, Steve	Green, Sandra	Nauman, Ralph & Diane
	Grantee	Baer, Steven	Quarter Mile LLC	Billig, Michael J ET AL	Vermeer, Steven & Chastity
	Map	T.14S-R.12E-06	T.17S-R.13E-28A	T.16S-R.11E-13	T.16S-R.12E-08
	Tax Lot	201	901	100, 103	801
Comparison					
	Site	Terrebonne	Bend	Tumalo	Tumalo
	Location	no situs address	62650 Waugh Rd	19525 Innes Market Rd	66240 White Rock Loop
	Total Deeded Acreage	37.48	19.87	33.78	19.54
	Irrigated Acreage	none	12.4	25.00	14.2
	Irrigation Application		None	wheelines	handlines
	Improvements	none	none	residence & outbuildings	residence & outbuildings
Allocation					
	\$/Acre (overall)	\$13,340	\$37,745	\$108,052	\$115,148
	Improvement Value	\$0	\$0	\$2,292,200	\$1,362,450
	Irrigation Equip., crops, stock, other	\$0	\$0	\$30,000	\$0
	Residual Land Value	\$500,000	\$750,000	\$1,327,800	\$887,550
	Residual Land (\$/acre)	\$13,340	\$37,745	\$39,307	\$45,422
Land Allocation					
<i>Pivot-Wheel-Irrigated Cropland</i>					
	Acreage		12.40	25	14.20
	Unit Price		\$25,000	\$30,000	\$25,000
	Sale Component	\$0	\$310,000	\$750,000	\$355,000
<i>Flood-Irrigated land</i>					
	Acreage				
	Unit Price				
	Sale Component	\$0	\$0	\$0	\$0
<i>Sub-Irrigated Pasture</i>					
	Acreage				
	Unit Price				
	Sale Component	\$0	\$0	\$0	\$0
<i>Improved Range / Recreation / Timber/ Other</i>					
	Acreage	36.48	6.47	7.78	4.34
	Unit Price	\$7,538	\$8,501	\$10,000	\$7,500
	Sale Component	\$275,000	\$55,000	\$77,800	\$32,550
<i>Rangeland</i>					
	Acreage				
	Unit Price				
	Sale Component		\$0	\$0	\$0
<i>Farmstead</i>					
	Acreage	1.00	1.00	1	1.00
	Sale Component	\$225,000	\$385,000	\$500,000	\$500,000
	Rounding	(\$0)	(\$0)	\$0	\$0
	Percent Irrigated				
Overall Comparison~					
	Location	Inferior	Sl. Inferior	Equal	Sl. Superior
	Land Use	Inferior	Inferior	Equal	Equal
	Production	Inferior	Inferior	Equal	Equal
	Improvements	Equal	Sl. Inferior	Superior	Superior
	Recreation	Equal	Equal	Sl Inferior	Equal
	Overall	Inferior	Nearly Equal	Nearly Equal	Nearly Equal

Comparable Land Sale Discussions

Sale 1 – overall inferior

Sale 1 is more remotely located when compared to the subject property. There are no irrigation water rights associated with this rural residential acreage property. At the time of sale there was an old manufactured home that retained the right for a replacement dwelling.

Sale 2 – overall inferior

Sale 2 is located in closer proximity to the subject however, however the property is located adjacent to Highway 97 significantly decreasing the privacy of the site. There was not a CUP in place there have been reported violations with someone living on-site.

Sale 3 – nearly equal

Sale 3 is located further out than the subject but within close proximity to the east side of Bend, an area that is slightly inferior when compared to the subject's location. The property does have superior production with more irrigated acreage and pivot delivery system. The property is buildable with power and well already in place, septic feasibility was still needed at the time of the listing, which was pending as of the retrospective date of value.

Sale 4 – overall inferior

Sale 4 is north of the subject immediate area yet in a desirable area east of Sisters where there is similar demand for rural residential acreage. The property is odd shaped with an approval for a CUP in place. There are no associated irrigation water rights making the overall production of the property inferior when compared to the subject.

Sale 5 – nearly equal

This property is located in a desirable area just east of Bend, area is being improved with higher quality stick built homes. The property did not appear to be professionally marketed. There were irrigation water rights, the property looks like it is recently being irrigated with K-lines, no irrigation equipment was included in the sale.

Sale 6 – nearly equal

This property is the closest in location when compared to the subject in the primary data set for the “before” valuation. The property does include superior building improvements with estate quality rural residential improvements developed that is typical of the subject market area. The older improvements on this site have been remodeled and significantly upgraded with the addition of a stable and newer estate quality home. Location and land use is equal to the subject property.

Sale 7 – nearly equal

This property is similar in location when compared to the subject property with the homesite set back off the main road. The property does include superior building improvements with a horse barn and rural residence. The irrigated farmland is similar in production when compared to the subject, suitable for hay and grazing. The location and land use is equal to the subject property.

Adjustments

Terms and Conditions of Sale

All of the sales are considered to be cash equivalent, fee simple, market-oriented arm's length transactions, with the exception of those noted. The sales have all been verified by at least two sources and are consistent with market conditions in the Deschutes County area. We have seen a steady increase in demand in the subject market area over the past few years. The subject in particular has seen an increase in value attributable to the location of the farm within the triangle between Bend, Redmond and Sisters.

Market Conditions/Time Adjustment

Although farm and ranch values have been appreciating in some areas of Central Oregon, primarily due to rural residential and recreation influence, the market value of farms in the subject area have been fairly stable to slightly increasing. While there was a slumping in profitability of farms in the region resulting from dropping commodity prices since 1996, the Deschutes County area has remained strong and has been recovering for several years. Further, due to the unique nature of farm and ranch properties and the motivations for purchases, it is typically difficult to find paired sales with which to derive a time adjustment for ranch properties. A look at the comparable sales does not support an adjustment for time (either up or down).

Location

Location is typically considered a primary factor affecting the market value of real estate, and was considered in this appraisal. Location in farm properties refers to the geographic location, access, and elevation. Location is considered on a case-by-case basis and considered qualitatively, and is related to soil quality and property layout. The subject is located off good paved county maintained road with year round access.

Size

Property size is typically one of the primary factors affecting real estate values. Generally, as size increases so does the market value of the property. The inverse relationship between size and unit value is more ambiguous when recreation has a strong influence on the highest and best use of a property. While it is admitted that there is an inverse relationship between size and unit value, it is impossible to support a specific adjustment for size. The sales considered range from approximately 20 to 40 acres. Therefore, I will not quantitatively adjust the unit values of the sales with respect to size.

However, size will be considered on a qualitative basis, reconciling the unit value indications from the sales for their application to the subject property.

Improvements and Physical Amenities

The sale properties provide a variety of improvements, scenic and recreational amenities, and personal property. The market data did not support specific adjustments for scenic and recreational amenities. These factors will be considered qualitatively when considering the unit value indications compared to the subject. There were not many vacant farm sales found in the subject and comparable market areas.

The sales price for each sale is adjusted for the improvements, crops, and personal property according to buyer/seller allocations and assessor's estimates for market value of improvements. Where possible, at least two sources were utilized to verify the adjustment for each component. Owner allocations were verified through our own analysis as well. The improvement value in the comparable sales is estimated using a combination of sale allocations from parties involved in the sales and a check by considering Cost Approach methodology. The depreciated improvement value of the improvements, as well as personal property value, is then subtracted from the market data in order to estimate the residual land value of each sale, which will be utilized for my market data analysis.

Irrigated Farmland

The comparable sales provided indications for the irrigated farmland on those parcels. The sales indicate a range for primary irrigated farmland between \$16,500 and \$30,000 per acre within Deschutes County. Sales 6 & 7 are the closest in proximity to the subject representing the upper end of the market.

These figures are for the irrigated land, for the land only, after extracting the contributory value of the pivot or other equipment. The subject irrigated farmland consists of 1 wheel line with the remaining irrigation water distributed via flood method irrigating approximately 27.2+/- acres. The subject property is located close into Bend in terms of location within Central Oregon, with good access, contiguous blocking, topography and crop capabilities given an adequate water supply.

The current production indicates a sufficient water supply and adequately maintained distribution system the market supports a value of **\$25,000 per acre** for the farmland with surface water provided by Tumalo Irrigation District based on the sales data available and the current condition of the fields.

Dry Cropland/ Recreation/ Range/Ancillary Land

The comparable sales provided indications for the rangeland on those parcels. These value indications vary widely as they reflect substantial differences in utility, amenity, and simply rounding, represented by that portion of those properties.

The comparable sales indicate unit values for dry cropland and recreation rangeland of \$7,500 to \$10,000 with most sales supporting around \$7,500 per acre. The unit values are highly affected by the utility of the land, and its size, and may also involve rounding of the sale indication. The subject consists of uplands recreation rangeland with scattered juniper amenity.

The market supports a unit value of **\$7,500 per acre** for the uplands recreation rangeland acreage scattered through the property.

Farmstead

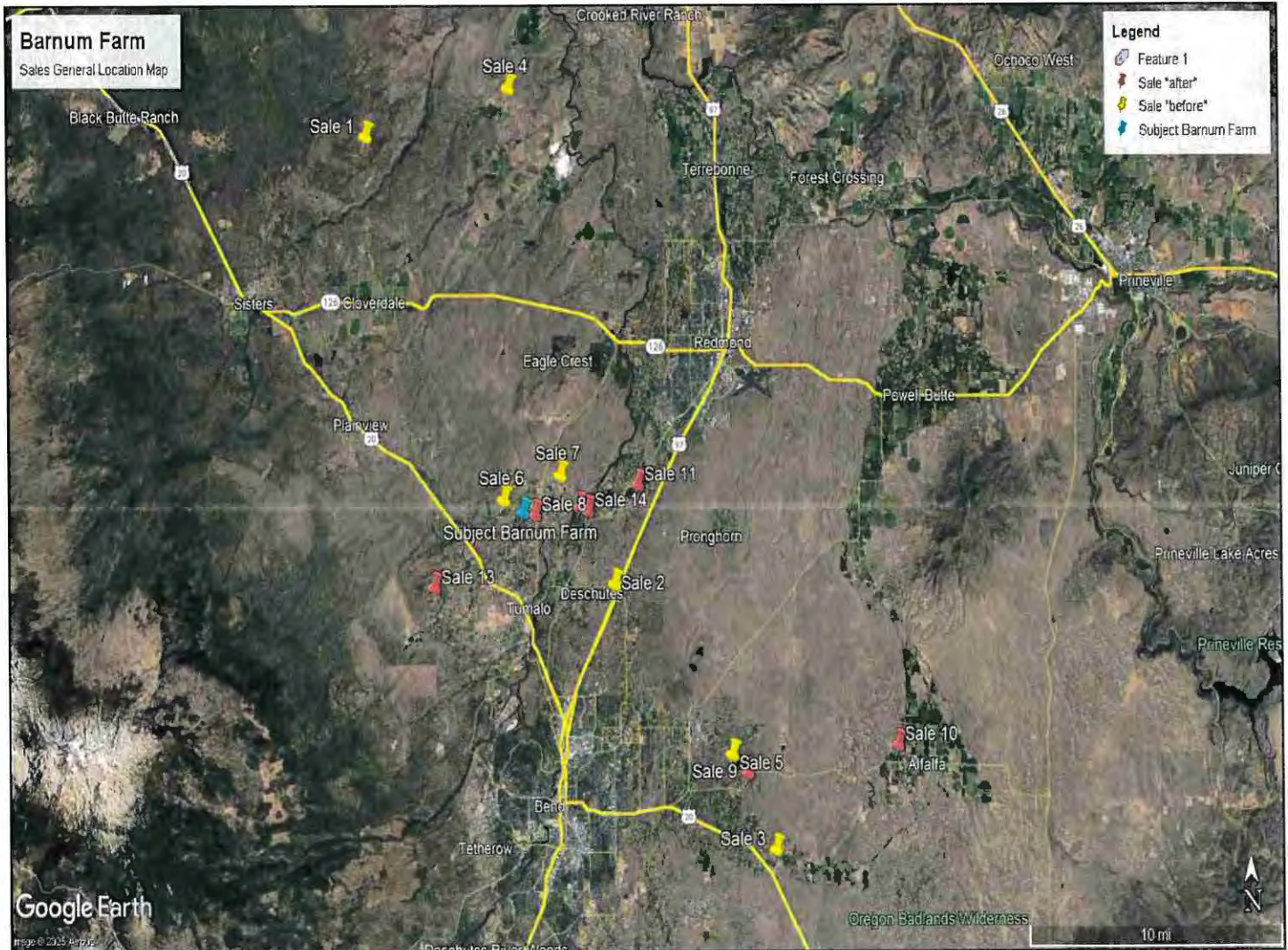
Farmsteads in the local market support value for the legality of the dwelling as well as the presence of services (power, telephone, septic system, and domestic well). The market supports allocating a value of anywhere from \$225,000 to \$500,000 for farmsteads, focusing on \$350,000 to \$500,000. The upper end of \$500,000 is seen in the two sales closest in proximity to the subject that are fully developed.

Subject Site Value Conclusion

Based on the market data and analyses presented, I therefore conclude the subject site has a fee simple market value as of "before" January 1, 2023 of rounded of **\$1,114,000**:

Site Valuation		"Before"		1-Jan-23
Land Category		\$/Acre	Acres	Value
Barnum Trust				
Flood & Wheel Line Irrigated Farmland		\$25,000	27.20	\$680,000
Recreation Rangeland/Uplands		\$7,500	11.18	\$83,850
Farmstead/Homesite			1.00	\$350,000
Total			39.38	\$1,113,850

The second data set is considered in the “after” analysis now that the property does not included the right to replace the dwelling (single wide mobile home) that was removed, “after” to January 1, 2024. The data will be presented in a similar fashion with the general location map, excel sale summary spreadsheet, overall comparison and value conclusion. Comparable sale write up sheets with maps and photographs are included in the Addenda of this appraisal for both the “before” and “after” primary data sets.



Summary of Primary Sales				
Sale		8	9	10
Date		Feb-25	Nov-24	Aug-24
C.E. Sale Price		\$1,400,000	\$699,900	\$750,000
Conditions of Sale		Motivated Seller	Arm's Length	Arm's Length
Grantor		Manis Rev Liv Trust	Weigel, Tad D	Samples, Stephanie
Grantee		Winstead, Jeffrey & Kristi	Thienes, Elisha & Jana	Chow, Randal & Crane Jessica
Map		T.16S-R.12E-18	T.17S-R.13E-27C	T.17S-R.14E-22
Tax Lot		600	1500	1300
Comparison				
Site		Bend	Bend	Bend
Location		19925 JW Brown Rd	23250 Walker Rd	25850 Alfalfa Market Rd
Total Deeded Acreage		19.84	40.01	39.45
Irrigated Acreage		15	7.05	37
Irrigation Application		wheelines	unk	wheelline
Improvements		residence & outbuildings	mfg home & outbuildings	residence & outbuildings
Allocation				
\$/Acre (overall)		\$70,565	\$17,493	\$19,011
Improvement Value		\$698,700	\$154,450	\$78,000
Irrigation Equip., crops, stock, other		\$30,000	\$0	\$4,000
Residual Land Value		\$671,300	\$545,450	\$668,000
Residual Land (\$/acre)		\$33,836	\$13,633	\$16,933
Land Allocation				
<i>Pivot-Wheel-Irrigated Cropland</i>				
Acreage		12.00	7.05	37.00
Unit Price		\$22,500	\$15,000	\$14,000
Sale Component		\$270,000	\$105,750	\$518,000
<i>Flood-Irrigated land</i>				
Acreage				
Unit Price				
Sale Component		\$0	\$0	\$0
<i>Sub-Irrigated Pasture</i>				
Acreage				
Unit Price				
Sale Component		\$0	\$0	\$0
<i>Improved Range / Recreation / Timber/ Other</i>				
Acreage		6.84	31.96	1.45
Unit Price		\$7,500	\$7,500	\$0
Sale Component		\$51,300	\$239,700	\$0
<i>Rangeland</i>				
Acreage				
Unit Price				
Sale Component		\$0	\$0	\$0
<i>Farmstead</i>				
Acreage		1.00	1.00	1.00
Sale Component		\$350,000	\$200,000	\$150,000
Rounding		\$0	\$0	\$0
Percent Irrigated				cistern needed well
Overall Comparison~				
Location		Equal	Sl. Inferior	Inferior
Land Use		Superior	Nearly Equal	Superior
Production		Equal	Inferior	Superior
Improvements		Superior	Superior	Superior
Recreation		Equal	Superior	Inferior
Overall		Superior	Sl. Superior	Sl. Superior

Summary of Primary Sales					
Sale		11	12	13	14
	Date	Jul-24	May-24	Apr-24	Jan-24
	C.E. Sale Price	\$360,000	\$2,345,000	\$1,100,000	\$845,000
	Conditions of Sale	Motivated Seller	Arm's Length	Arm's Length	Arm's Length
	Grantor	1996 Mahaney Trust ETAL	David L. Hanson Trust	Stringfield, Richard	Hanson, Stephen & Linda
	Grantee	Marjama, Marvin & Marilyn	Toney, Charissa TTEE	KMA Equity Holdings LLC	Fink, Robert A
	Map	T.16S-R.12E-11	T.16S-R.12E-16	T.16S-R.11E-33	T.16S-R.12E-16
	Tax Lot	102	300	300	203
Comparison			Deschutes river frontage		
	Site	Redmond	Redmond	Tumalo	Bend
	Location	8021 SW 61st	65815 Old Bend Redmond Hwy	64821 Collins Rd	65799 93rd st
	Total Deeded Acreage	20.00	86.05	34.82	32.69
	Irrigated Acreage	18	64.8	18.5	28.74
	Irrigation Application	flood	flood	flood	wheelines
	Improvements	none	residence & outbuildings	residence & outbuildings	mfg home & outbuildings
Allocation					
	\$/Acre (overall)	\$18,000	\$27,252	\$31,591	\$25,849
	Improvement Value	\$0	\$337,400	\$441,550	\$103,350
	Irrigation Equip., crops, stock, other	\$0	\$0	\$0	\$0
	Residual Land Value	\$360,000	\$2,007,600	\$658,450	\$741,650
	Residual Land (\$/acre)	\$18,000	\$23,331	\$18,910	\$22,687
Land Allocation					
Pivot-Wheel-Irrigated Cropland					
	Acreage	18.00	66.71	18.50	28.74
	Unit Price	\$20,000	\$20,000	\$16,500	\$17,500
	Sale Component	\$360,000	\$1,334,200	\$305,250	\$502,950
Flood-Irrigated land					
	Acreage				
	Unit Price				
	Sale Component	\$0	\$0	\$0	\$0
Sub-Irrigated Pasture					
	Acreage				
	Unit Price				
	Sale Component	\$0	\$0	\$0	\$0
Improved Range / Recreation / Timber / Other					
	Acreage	2.00	17.34	15.32	27.74
	Unit Price	\$0	\$10,000	\$10,000	\$5,000
	Sale Component	\$0	\$173,400	\$153,200	\$138,700
Rangeland					
	Acreage				
	Unit Price				
	Sale Component	\$0	\$0	\$0	\$0
Farmstead					
	Acreage		2.00	1.00	1.00
	Sale Component		\$500,000	\$200,000	\$100,000
	Rounding	\$0	\$0	\$0	\$0
	Percent Irrigated				
Overall Comparison-					
	Location	Nearly Equal	Nearly Equal	Equal	Nearly Equal
	Land Use	Nearly Equal	Nearly Equal	Nearly Equal	Nearly Equal
	Production	Nearly Equal	Superior	Sl. Inferior	Nearly Equal
	Improvements	Equal	Superior	Superior	Superior
	Recreation	Inferior	Superior	Sl. Superior	Equal
	Overall	Nearly Equal	Superior	Sl. Superior	Nearly Equal

Comparable Land Sale Discussions

Sale 8 – overall superior

Sale 8 This property is the closest in location when compared to the subject in the primary data set for the “after” valuation. The property includes fewer acreage of TID surface water rights with a fully developed homesite that sits back off the main road. The location is equal to the subject with the land use and homesite development superior to the subject.

Sale 9 – overall slightly superior

Sale 9 is located east of Bend in a slightly inferior location when compared to the subject. The property includes similar scattered juniper land with a smaller amount of surface irrigation water that does not appear to be in use. The property includes a developed homesite with an older manufactured home that retains the right for a replacement dwelling. Shared well with a septic feasibility in process as of the date of sale.

Sale 10 – overall slightly superior

Sale 10 is located further out than the subject but within a reasonable proximity to the east side of Bend. an area that is slightly inferior when compared to the subjects location. The property does have superior production with more irrigated acreage and wheel line delivery system. The property has an older single wide manufactured home that retains the right for a replacement dwelling. There was a permitted septic and a cistern in place, however the property needed a well.

Sale 11 – overall nearly equal

Sale 11 is the only sale in the “after” primary data set that does not include the right to build. This property is zoned EFU TRB with all of the acreage covered by surface irrigation water rights delivered by Central Oregon Irrigation District. The property was originally listed at \$599,000 for 720 days. the price was reduced to \$365,000 and was under contract within a week, closing within 47 days. This transaction indicates that the market is not willing to take the risk of applying for CUP permit (approximately \$50,000) with no guarantee of success.

Sale 12 – overall superior

This property is located in a desirable area just north of Bend with Deschutes River frontage. The property was professionally marketed at a much higher price, the property was part of an estate with the heirs becoming motivated to sell. The homesite and farmstead were cleaned up with there being the opportunity for a second homesite. This property has a desirable location like the subject with superior production and superior building improvements.

Sale 13 – slightly superior

This property is located close in to Bend in an area that is very desirable like the subject. The land use is nearly equal however the farmland had been neglected and was not in as good of condition as the subject farm. The property includes superior building improvements offering a similar to slightly superior recreation amenity.

This property is a portion of a larger land holding that has been partitioned into 3 separate tracts. There is another 40-acre vacant buildable tract offered at \$1,250,000 with an approved CUP in place. With the other improved 40-acre tract offered at \$1,750,000.

Sale 14 – nearly equal

This property is located in a desirable area just north of Bend. the property is located on a busy road while providing good access and visibility it reduces the privacy of the site. The property does include superior building improvements with an older single wide that retains the right for a replacement dwelling. The irrigated farmland is similar in production when compared to the subject, suitable for hay and grazing. The location and land use is equal to the subject property.

Irrigated Farmland

The comparable sales provided indications for the irrigated farmland on those parcels. The more recent sales indicate a range for primary irrigated farmland between \$14,000 and \$22,500 per acre within Deschutes County. Sales 8 is the closest in proximity to the subject representing the upper end of the market, with sales 11, 12, 13 & 14 also in very close proximity.

These figures are for the irrigated land, for the land only, after extracting the contributory value of the pivot or other equipment. The subject irrigated farmland consists of 1 wheel line with the remaining irrigation water distributed via flood method irrigating approximately 27.2+/- acres. The subject property is located close into Bend in terms of location within Central Oregon, with good access, contiguous blocking, topography and crop capabilities given an adequate water supply.

The current production indicates a sufficient water supply and adequately maintained distribution system the market supports a value of ***\$20,000 per acre*** for the farmland with surface water provided by Tumalo Irrigation District based on the sales data available and the current condition of the fields.

Dry Cropland/ Recreation/ Range/Ancillary Land

The comparable sales provided indications for the rangeland on those parcels. These value indications vary widely as they reflect substantial differences in utility, amenity, and simply rounding, represented by that portion of those properties.

The comparable sales indicate unit values for dry cropland and recreation rangeland of \$5,000 to \$10,000 with most sales supporting around \$7,500 per acre. The unit values are highly affected by the utility of the land, and its size, and may also involve rounding of the sale indication. The subject consists of uplands recreation rangeland with scattered juniper amenity.

The market supports a unit value of **\$7,500 per acre** for the uplands recreation rangeland acreage scattered through the property.

Farmstead

Farmsteads in the local market support value for the legality of the dwelling as well as the presence of services (power, telephone, septic system, and domestic well). The market supports allocating a value of anywhere from \$100,000 to \$500,000 for farmsteads, focusing on \$200,000 to \$350,000.

The subject has been denied the right for a replacement dwelling from the Deschutes County Planning Department, based on it being more than three (3) years since the singlewide manufactured home was removed from the subject farm. This has a negative impact on the market value and marketability of the subject property.

Subject Site Value Conclusion

Based on the market data and analyses presented, I therefore conclude the subject site has a fee simple market value as of "after" January 1, 2024 rounded of **\$635,000**:

Site Valuation		"After"	1-Jan-24	
	Land Category	\$/Acre	Acres	Value
Barnum Trust				
	Flood & Wheel Line Irrigated Farmland	\$20,000	27.20	\$544,000
	Recreation Rangeland/Uplands	\$7,500	12.18	\$91,350
	Total		39.38	\$635,350

Reconciliation and Market Value Conclusion

The following values have been estimated using the respective valuation techniques:

Sales Comparison Approach "before":	\$1,114,000
Sales Comparison Approach "after":	\$ 635,000
Difference:	\$ 479,000

Sales Comparison Approach

The Sales Comparison Approach most closely resembles the thought processes of the typical purchaser. Through my research, I was able to find a small handful of market transactions of comparable properties in the subject market area. The size, quality and quantity of improvements as compared to the subject were adequately similar to compare, providing a strong market for rural residential acreage with irrigated farmland in the subject and competing market areas. There was adequate information by which to form a market value conclusion. The Sales Comparison Approach is a good indication of value, and it shows that there is a market for irrigated farmland properties in the area. This approach provides good market support for the final value conclusion.

The Sales Comparison Approach estimates market value by comparing the sales prices of recent transactions with similar attributes of the property being appraised. The Sales Comparison Approach was utilized to provide indications of value for the property as is with the right for a replacement dwelling prior to January 1, 2023 and without the right for a replacement dwelling after January 1, 2024. Few 20 to 40 acre sales were found in the subject market area that did not include the right for a replacement dwelling or have a CUP in place. The data obtained from these sales was considered to be accurate and reliable. Additional sales were considered for market comparison and support.

The comparable sales are indicating that similar properties are being purchased primarily by owner-operators/end user. When the market is dominated by purchasers who intend to occupy the property, the Sales Comparison Approach is a strong indication of value.

Market Value Conclusion

Barnum Farm

A personal inspection of the interior and exterior of the property was made. The value conclusion is predicated on an exposure period of 6 months in both the "before" and "after" valuation. As a result of my investigation it is my opinion that the market value of the subject property as of "before" January 1, 2023 was:

ONE MILLION ONE HUNDRED FOURTEEN THOUSAND DOLLARS . . .
\$1,114,000

As a result of my investigation it is my opinion that the market value of the subject property as of "after" January 1, 2024 was:

SIX HUNDRED THIRTY-FIVE THOUSAND DOLLARS . . .
\$635,000

Difference indicates a loss in value attributable to the right to develop/replace a dwelling

FOUR HUNDRED SEVENTY-NINE THOUSAND DOLLARS . . .
\$479,000

Exposure Time

The time it takes an interest in real property to sell on the market subsequent to the date of an appraisal is reflected by the marketing time. Taking into consideration current market conditions and the use of the subject, less than 6 months is a reasonable marketing period to expose the property to a pool of prospective buyers, allowing appropriate time for negotiation, including due diligence, and the ultimate consummation of a sale.

The exposure time at 6 months represents the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. Basically, a retrospective estimate based on an analysis of past events assuming a competitive and open market, exposure time presumably occurs prior to the effective date of the appraisal.

Sale 1~	Days on the Market= 22
Sale 2~	Days on the Market= 48
Sale 3~	Days on the Market= 42
Sale 4~	Days on the Market= 100
Sale 5~	Days on the Market= Not Exposed
Sale 6~	Days on the Market= 28
Sale 7~	Days on the Market= 9
Sale 8~	Days on the Market= 37
Sale 9~	Days on the Market= 171
Sale 10~	Days on the Market= 31
Sale 11~	Days on the Market= 47
Sale 12~	Days on the Market= 180
Sale 13~	Days on the Market= 246
Sale 14~	Days on the Market= 121

Pertinent Appraisal Definitions

The following definitions come from the Fifth Edition of the Dictionary of Real Estate Appraisal (Appraisal Institute, 2010), unless otherwise noted:

Market Value

The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and acting in what they consider their own best interests;
- A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

(From the Fifth Edition of the Dictionary of Real Estate Appraisal (Appraisal Institute, Chicago, 2010): 12 C.F.R. Part 34.42 (g); 55 Federal Register 34696, August 24, 1990, as amended at 57 Federal Register 12202, April 9, 1992; 59 Federal Register 29499, June 7, 1994)

"As Is Market Value"

This is the estimate of Market Value of a property in the condition observed upon inspection and as it physically and legally exists without hypothetical conditions, extraordinary assumptions, or qualifications as of the date of inspection.

Fee Simple Estate

Absolute ownership unencumbered by any other interest or estate; subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

Leased Fee Interest

An ownership interest held by a landlord with the rights of use and occupancy conveyed by the lease to others. The rights of the lessor (the leased fee owner) and the leased fee are specified by contract terms contained within the lease.

Market Rent

The most probable rent that a property should bring in a competitive and open market reflecting all conditions and restrictions of the specified lease agreement including term, rental adjustment and revaluation, permitted uses, use restrictions, and expense obligations:

the lessee and lessor each acting prudently and knowledgeably, and assuming consummation of a lease contract as of a specified date and the passing of leasehold from lessor to lessee under conditions whereby:

1. Lessee and lessor are typically motivated.
2. Both parties are well informed or well advised, and acting in what they consider their best interests.
3. A reasonable time is allowed for exposure in the open market.
4. The rent payment is made in terms of cash in United States dollars, and is expressed as an amount per time period consistent with the payment schedule of the lease contract.
5. The rental amount represents the normal consideration for the property leased unaffected by special fees or concessions granted by anyone associated with the transaction.
6. Market rent contrasts from contract rent, which is the actual rental income specified in a lease.

Contract Rent

The actual rental income specified in a lease.

Highest and Best Use

The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.

A thorough highest and best use analysis must consider the highest and best use of the property as it is improved as of the date of value, and as though it were vacant. The use that produces the highest residual land value is the highest and best use. Such an analysis may show that the current improvements do not support the highest and best use of the property. That use may be an interim one that should continue until conditions warrant developing the site to its highest and best use as though it were vacant. The highest and best use is thoroughly discussed and developed within this report.

Exposure Time

Exposure Time is defined as the time a property remains on the market. Exposure is further defined as:

The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based upon an analysis of past events assuming a competitive and open market. Exposure time is always presumed to occur prior to the effective date of the appraisal. The overall concept of reasonable exposure encompasses not only adequate, sufficient and reasonable time, but also adequate, sufficient and reasonable effort. Exposure time is different for various types of real estate and value ranges and under various market conditions.

Marketing Time

This is an opinion of the time it might take to sell a property at the concluded value during the period immediately *after* the effective date of an appraisal.

Entrepreneurial Incentive & Entrepreneurial Profit

The following defines entrepreneurial incentive and profit:

Entrepreneurial Profit: A market-derived figure that represents the amount an entrepreneur receives for his or her contribution to a project and risk; The difference between the total cost of a property (cost of development) and its market value (property value after completion), which represents the entrepreneur's compensation for the risk and expertise associated with development.

Entrepreneurial Incentive: A market-derived figure that represents the amount an entrepreneur expects to receive for his or her contribution to a project and risk.

Entrepreneurial incentive is forward-looking and relates to the reward that the entrepreneur anticipates receiving. Entrepreneurial profit looks backward to what the entrepreneur actually received by the end of the development and marketing period. This can take the form of profit on a sale, additional return on a real estate investment, or use value to the entrepreneur. Although expenditures do not guarantee value, an entrepreneur will not proceed with a development unless he anticipates making a profit. Therefore, entrepreneurial profit represents a legitimate cost of development and should be included when developing replacement costs in the Cost Approach.

The 12th Edition of *The Appraisal of Real Estate* further explains the contributions of the entrepreneur, developer, and contractor on Page 362, as follows:

Project Profit is the total amount of reward for entrepreneurial coordination and risk.

Entrepreneurial Profit refers to the portion of the project profit attributable to the efforts of the entrepreneur, distinct from the efforts of the developer, if one is present. In projects in which the entrepreneur and the developer are one and the same, the entrepreneurial profit is equivalent to total project profit.

Developer's Profit represents compensation for the time, energy, and expertise of an individual other than the original entrepreneur—usually, in large projects, the person responsible for managing the overall development process.

Contractor's Profit (including subcontractors' fees) is essentially a portion of the project's overhead and is not usually reflected in the entrepreneurial reward.

Discount Rate

An interest rate used to convert future payments or receipts into present value. The discount rate may or may not be the same as the internal rate of return (IRR) or yield rate depending on how it is extracted from the market and/or used in the analysis.

Triple Net (NNN) Lease

A net lease under which the lessee assumes all expenses of operating a property, including both fixed and variable expenses and any common area maintenance that might apply, but the landlord is responsible for structural repairs.

Modified Gross Lease

A lease in which the landlord receives stipulated rent and is obligated to pay most, but not all of the property's operating expenses and real estate taxes.

Gross Lease

A lease in which the landlord receives stipulated rent and is obligated to pay all or most of the property's operating expenses and real estate taxes.

Statement of Limiting Conditions

This appraisal is subject to the following limiting conditions:

This appraisal is for no purpose other than property valuation, and the appraiser is neither qualified nor attempting to go beyond that narrow scope. The reader should be aware that there are also inherent limitations to the accuracy of the information and analysis contained in this appraisal. Before making any decision based on the information and analysis contained in this report, it is critically important to read this entire section to understand these limitations.

The appraiser assumes no responsibility for legal matters affecting the property appraised or the title, thereto. Title is assumed to be good and transferable. Any mortgages, liens, reservations, restrictions or encumbrances have been disregarded except where otherwise noted. There was no consideration given to personal property (if any), licenses or contracts in the valuation estimate.

No title report or survey was furnished to the appraiser. Information concerning the legal description and size of the subject property are deemed to be from reliable sources. Any drawings or sketches are for illustrative purposes only.

Title to the property is assumed to be fee simple unless otherwise noted. The property is appraised as though under competent management and ownership.

It is assumed that there is full compliance with all-applicable federal, state and local environmental regulations and laws unless non-compliance is stated, defined, and considered in the appraisal report. A comprehensive examination of laws and regulations affecting the subject was not performed for this appraisal.

It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the appraisal report. Information and analysis shown in this report concerning these items is based only on a rudimentary investigation. Any significant question should be addressed to local zoning or land use officials and/or an attorney.

It is assumed that all required licenses, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based. Appropriate government officials and/or an attorney should be consulted if an interested party has any questions or concerns on these items since I have not made a comprehensive examination of laws and regulations affecting the subject.

This appraisal should not be considered a report on the physical items that are a part of this property. Although the appraisal may contain information about the physical items being appraised (including their adequacy and/or condition), it should be clearly understood that this information is only to be used as a general guide for property valuation, and not as a complete or detailed physical report. The appraiser is not a construction, engineering, environmental, or legal expert. Any statement given on these matters in this report should be considered preliminary in nature.

No soils report was furnished to the appraiser. Conditions are assumed to be adequate for those uses consistent with highest and best use and current zoning ordinances. There is no warranty, implied or otherwise, as to the structural soundness or freedom from defects, hidden or unapparent in the subject improvements, or on the property. Nor is any responsibility assumed for any such conditions, or for engineering that may be required to discover such factors. Subsurface rights (mineral, oil, gas, geothermal, etc.) were not considered in making this appraisal. The appraiser is not qualified in these areas and suggests that the client retain experts in the appropriate field if desired.

I am not an environmental expert, and I do not have the expertise necessary to determine the existence of environmental hazards such as the presence of urea-formaldehyde foam insulation, toxic waste, asbestos or hazardous building materials, or any other environmental hazards on the subject or surrounding properties. If I know, or suspect any problems of this nature that I believe would create a significant problem, they are disclosed in this report. Nondisclosure should not be taken as an indication that such a problem does not exist. Again, I am not qualified to detect such conditions or substances. If desired, the client should retain an expert in this field.

Wells and septic systems, if any, are assumed to be in good working condition and of sufficient size and capacity for the stated highest and best use. It is assumed that wells and sewage disposal systems meet all federal, state and local laws and requirements.

The appraiser performed no chemical or scientific tests on the subject property. It is assumed that the air, water, ground, and general environment associated with the property present no physical or health hazard of any kind, unless otherwise noted in the report. It is further assumed that the land does not contain any type of dumpsite, and that there are no underground tanks (or any underground source) leaking toxic or hazardous chemicals into the groundwater or the environment unless otherwise noted in the report.

The age of any improvements to the subject property should be considered a rough estimate. I am not sufficiently skilled in the construction trades to be able to reliably estimate the age of improvements by observation. I therefore rely on circumstantial evidence that may come into my possession (assessor's data, architectural plans), or conversations with those who might be somewhat familiar with the history of the property such as the property owners, onsite personnel, or others. Parties interested in knowing the exact age of improvements on the land should contact me to ascertain the source of my data and then make a decision as to whether they wish to pursue additional investigation.

The subject property was inspected to the degree necessary for estimating market value. The appraiser is not a qualified surveyor, engineer, or environmental consultant. Because a more detailed inspection or survey goes beyond the appraiser's expertise and the scope of this appraisal, any observed condition or other comments given in this appraisal report should not be taken as a guarantee that a problem does not exist. Specifically, no guarantee is made as to the adequacy or condition of the foundation, roof exterior walls, interior walls, floors, heating system, air conditioning system, plumbing, electrical service, insulation, or any other detailed construction matters. If any interested party is concerned about the existence, condition, or adequacy of any particular item, I would strongly suggest that a construction expert be hired for a detailed investigation.

Information furnished to the appraiser and contained in the report was obtained from sources considered reliable. However, the appraiser assumes no responsibility for the accuracy of such items. Data limitations result from a lack of certain areas of expertise by the appraiser (that go beyond the scope of the ordinary knowledge of an appraiser), the inability of the appraiser to view certain portions of the property, the inherent limitations of relying upon information provided by others, etc. Responsibility is not assumed for errors or omissions, nor is responsibility assumed for information not disclosed that might otherwise affect the valuation estimate.

Comparable data relied upon in this report is believed to be from reliable sources. Though all the comparable sales were examined, (unless otherwise stated), it was not possible to inspect them all in detail. The value conclusions are subject to the accuracy of said data.

The values shown in this appraisal report are estimates based on my analysis as of the date of the appraisal. These values may not be valid in other time periods, or as conditions change. I take no responsibility for events, conditions, or circumstances affecting the property's market value that take place subsequent to either the date of value contained in this report, or the date of inspection, whichever occurs first.

Before relying on any statement made in this appraisal report, interested parties should contact me for the exact extent of my data collection on any point that they believe to be important to their decision making. This will enable such interested parties to determine whether they would like to pursue additional data gathering for a higher level of certainty.

The appraiser is not required to give testimony, nor is he required to appear in court or any other hearing with reference to the subject property unless arrangements have been previously made.

Any distribution of the valuation in the report between land and improvements applies only under the existing program of utilization.

Marlo T. Dill, ARA is a *Designated Member* of the American Society of Farm Managers and Rural Appraisers (ASFMRA). The Bylaws and Regulations of the ASFMRA require each member to control the use and distribution of each appraisal report signed by such member. Portions of this appraisal report shall not be given to third parties without prior written consent of the appraiser. Further, neither all nor any part of this appraisal report shall be disseminated to the general public by the use of advertising media, public relations media, news media, sales media or other media for public communication without prior written consent of the signatories of this appraisal report.

The property has been appraised in its "as is" condition.

I have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since I have no direct evidence relating to this issue, I did not consider possible non-compliance of ADA in estimating the value of the property.

In Value-in-Use Appraisal Reports it is presumed that there is sufficient income from the business enterprise to give value to the improvements. The value of the business operation is not a part of this report.

This report conforms to the Appraisal Standards as found in the 2024 Edition of the Uniform Standards of Professional Appraisal Practice (USPAP).

Appraisal reports are technical documents addressed to the specific technical needs of the client. Casual readers should understand that this report does not contain all of the information I have concerning the subject property or the real estate market. I have not knowingly withheld any factors unknown to the client that I believe to be significant. However, it is always possible that I have information of significance that may be important to others, but which does not appear essential due to my limited scope of analysis and limited expertise. Casual readers are cautioned about the limitations and possible misinterpretation of the appraisal report and its' contents.

The appraiser should be contacted with any questions before this report is relied upon for decision making.

Appraiser Certification and Licensure Board

State Certified General Appraiser

28 hours of continuing education required

**MARLO T DILL
AGCO - DILL & ASSOCIATES LLC
1894 NE MCKAY CREEK RD
PRINEVILLE, OR 97754**

License No.: C000707
Issue Date: January 01, 2025
Expiration Date: December 31, 2026


Chad Koch, Administrator

Qualifications of Marlo T. Dill, ARA

Professional Affiliations

Accredited Rural Appraiser, American Society of Farm Managers and Rural Appraisers
Executive Appointment Appraisal Certification & Licensure Board July 1, 2019 to June 30, 2023
ASFMRA District VII Vice President Executive Council 2014-2017
President~ Oregon Chapter of Farm Managers & Rural Appraisers 2013; V.P. in 2012, 2024 & 2025
State of Oregon Certified General Appraiser #C000707. Oregon Broker #201216594

Education

Fresno State University, Fresno, California~

Bachelor of Science – Agriculture Business, 1995

Hartnell Community College, Salinas, California~

Associate of Arts – Business Administration, 1992

Appraisal Education

American Society of Farm Managers and Rural Appraisers:

Best in Business Ethics online August 11, 2021
Uniform Appraisal Standards for Federal Land Acquisitions, June 21-23, 2017
National 7 Hour USPAP Update Course (A114) April 26, 2024
Course A-380, Appraisal Review Under UASFLA. January 27-29, 2015
Course A-370, Appraisal Review Under USPAP, January 2014
Course A-360, Fundamentals of Appraisal Review October 2006; October 2012
Course, Certificate~ Valuation of Conservation Easements April 28th-May 2, 2008
Course A-25, Eminent Domain, January 2001
Course A-27, Income Capitalization, Part I, September 1997
Course A-30, Advanced Rural Appraisal, June 1997 and May 2003
Course A-15, Appraisal Report Writing School, May 1996
Course A-12, Standards of Professional Appraisal Practices. Part II, May 1996
Course A-12, Code of Ethics, Part I, January 2007, February 2012, October 2015
Course A-29, Highest and Best Use, March 1996
Course A-20, Principles of Rural Appraisal (Challenge Examination), May 1996
Course A-10, Fundamental of Rural Appraisal. January 1994

Appraisal Instruction

Basic Appraisal Principles (A101) Livestream June 15, 2021-June 18, 2021

Appraisal Institute:

National USPAP Update, September 26, 2003, January 31, 2012.
Online December 11, 2005; April 21, 2008;
Course 710, Condemnation Appraising. Basic Principles, March 2002
Course 720, Condemnation Appraising, Advanced Topics & Applications, Mar.02

Other Courses:

Armbrust & Associates, Supporting Adjustments November 11, 2010
Armbrust & Associates 7 Hour USPAP Update April 2, 2010; March 23, 2018
McKissock, Oregon Supervising Appraiser-Appraiser Assistant Training December 8, 2010
McKissock. Laws and Regulations for California Appraisers January 8, 2019
Abdill Community College, Residential Appraisal 2000
Bratton Appraisal Company, National USPAP, 2000

Seminars:

Equipment Valuation October 16-17, 2024
Appraising Natural Resources Oil Gas and Minerals May 31, 2024
Conservation Easements on Farmland in the Willamette Valley May 18, 2023
Water Rights and Concerns in Central Oregon October 14, 2022
Valuation of Lifestyle and Trophy Properties March 23, 2022
Permanent Planting Farm & Facility Tours October 21, 2021
Hemp. Water. & General Agriculture in the Klamath Basin, Klamath, OR Sept. 11-12, 2019
Introduction to the Valuation of Permanent Plantings, Vancouver, WA April 11, 2019
Yellow Book Panel Discussion, June 20, 2017
Valuation of Lease Interests, October 18, 2016
Outlook 2016 Agribusiness Conference, April 6-7, 2016; March 29-30, 2017
AG Outlook, Beef Topics Seminar, January 29, 2016
Income Approach Applications, February 26, 2015;
AgroNomics, Vision 2014 U.S. Ag Investment Conference, November 12-15, 2013
Marshall & Swift Program for Valuing Buildings, May 9-10, 2013
Klamath Adjudication & Farm Values October 2-3, 2013
Using Excel in Specific Appraisal Applications. January 28-20, 2013
Governance & Ethics Refresher Webinar July 27, 2010
Market Value & Fair Value, December 2009: Eminent Domain Valuation Orientation. May 2008: Yellow Book: Uniform Appraisal Standards for Federal Land Acquisitions, ASFMRA-8 Hours. February 2005: Timber and Timberland Evaluation, ASFMRA-8 Hours. February 2005; 12th Annual Oregon Water Law Conference, 15 Hours November 2003
Public & Non-profit Land Acquisitions and their Impact on Real Estate Markets, ASFMRA. 6 Hours, 2000; Rural Business Valuation, ASFMRA, 15 Hours 2000
Ranch Appraisal, ASFMRA, 8 Hours. 1999: Fractional Interest Seminar, ASFMRA, 10 Hours, 1998; Willamette Valley Grass Seed Industry, ASFMRA – 8 Hours, 1998
Permanent Plantings. ASFMRA. 15 Hours. 1996: 8 Hours March. 2017

Appraisal Experience

AGCO- Dill and Associates LLC, Since January 2004 to Present
Bancroft Appraisal Company. January 2001-December 2003
Capital Valuation Group, Ltd. March 1998 – December 2000
Correia-Xavier Inc. – November 1995 – February 1998

Appraisal expertise includes:

- Fee simple, leased fee and lease hold interest valuation.
- Rural agricultural property valuation including farms, nurseries, orchards, dairies, vineyards, wineries, ranches, timber production, food processors, cold storage facilities, grain elevator, walnut dehydrator, seed cleaners, fertilizer plants, and quarries.

- Unique property valuation including; recreation & other high-appeal realty, natural resource valuations (mineral, timber and water interests), range and hunting lands, grazing rights, fishing property, resorts, wetlands, islands, and historic properties.
- Federally compliant "yellow book", conservation easements.
- Partial and undivided interest valuation, right of way/condemnation, and litigation support.

Partial List of Clients

Government

Oregon Department of Transportation
State of Oregon, Division of State Lands
Oregon Parks & Recreation Department
US Forest Service
US Bureau of Land Management
US Bureau of Reclamation
Marion County Solid Waste Management
Farm Service Agency
Bend Park and Recreation
USDA Farm Service Agency
U.S. Department of the Interior
U.S. DOJ Trial Attorney

Other

Western Land Group
The Nature Conservancy
Sustainable Northwest
Oregon Farm & Ranch Realty
Western Rivers Conservancy
Allison Turner & Associates LLC
House of Covenant Church
Ducks Unlimited
Blue Mountain Land Trust
Providence Foundations
Ag Land Trust
R.D. Offutt Company NW
Conservation Fund
Various Accounting Firms
Steve Turner Ranches
The Trust For Public Land
Deschutes Land Trust
Blue Mountains Conservancy

Various Property Owners Oregon & California

Financial

First Interstate Bank
Harvest Capital Company
Key Bank of Oregon
U.S. National Bank of Oregon
Washington Mutual S.B.
Northwest Farm Credit Services
Wells Fargo Bank
Farm Credit West
MetLife
Golden State Farm Credit Services
Zions
Bank of the West
Pacific Mortgage
Reprop Financial
Bank of Eastern Oregon
Sterling Savings Bank
Real Estate Risk Solutions
Associated Farm Mortgage, Inc.
CGB Agri Financial Services Inc.
Columbia Bank
Plumas Bank
Rabo Bank
Umpqua Bank
Columbia Bank
Tri-State Livestock
Hancock Farmland Services
Pacific Crest Federal Credit Union
Bank of Eastern Oregon
Real Estate Risk Solutions

Attorneys

Con P. Lynch, Attorneys at Law PC
Francis, Martin and Hansen LLP
Bryant, Emerson & Fitch
Muhlheim, Boyd & Carroll
Hershner, Hunter, Andrews, Neill & Smith, LLP
Perkins, Coie LLP
Gevurtz & Menashe
Lynch, Conger, McLane, LLP
Samantha D. Malloy, PC
Aspell Henderson & Associates
Hendrix, Brinich & Bartland, LLP
Connolly & Goldian, LLP
Krider Law Office, LLC
Sussman Shank LLP
Cling Law Office
Leach & Walker A Professional Corporation
Hurley RE Law Group, LLC

Additional references available upon request.

Appraisal Group of Central Oregon, LLC

Appraisal / Consulting / Review / Litigation Support

Marlo T. Dill, ARA

AGCO – Dill & Associates LLC.
1894 NE McKay Creek Road
Prineville, Oregon 97754

Ph: (541) 447-6641
Fax: (541) 447-4444
agappraiser@prinetime.net



Gregory W. Moore, MAI

AGCO – Moore Valuation, Inc.
902 Eaglewood Lp
North Salt Lake, UT 84054

Ph: (541) 480-6527

greg@agco-appraisal.com

John & Karen Barnum
Trustee of the Edward E. Barnum Trust
19700 NW Brown Rd.
Bend, Oregon 97703

November 26, 2024

Re: Appraisal Services, Terms of Engagement – Edward E. Barnum Trust

Dear John & Karen,

It is my understanding that you have requested an appraisal of the Edward E. Barnum Trust property, located at 19745 JW Brown Road, in Bend in Deschutes County, Oregon. I understand the property includes a small year-round farming operation that was historically improved with a rural residence. This appraisal will include a retrospective date of value as of January 1, 2023 that includes the right for a replacement dwelling and a January 1, 2024 date of value without the right for a replacement dwelling. It is my understanding that the property owners are currently being denied the right to develop a replacement dwelling by Deschutes County, due to the introduction of Measure 49. I, Marlo T. Dill, ARA, with Appraisal Group of Central Oregon, LLC / AGCO – Dill & Associates LLC. (“Appraiser”) am pleased to present this proposal for appraisal services to Mr. & Mrs. John Barnum (“Client”). Please sign and return a copy of this letter to indicate acceptance of these terms of engagement. We look forward to being of service to you on this assignment.

Appraiser and Client agree to the terms of engagement set forth below and refer to terms collectively as the “Agreement.” When capitalized below, the term “Personnel” refers to any and all present and former owners, shareholders, partners, members, officers, directors, appraisers, employees or independent contractors of the respective party.

1. Subject Property and Appraisal Information.

- a. Identification of Subject Property. The property to be appraised is: Edward E. Barnum Trust property located at 19745 JW Brown Rd, Bend in Deschutes County, Oregon 97703.
- b. Purpose of Assignment and Intended Use of Appraisal. The purpose of this assignment and intended use of the appraisal is to develop and report an opinion of the market value of the subject property for Client’s use, solely, to determine the difference in value of the subject farm with and without the right to place a dwelling on the property. The Appraiser does not intend or consent to any other use of the appraisal.
- c. Intended User(s). The only intended user of the appraisal shall be Client, John and Karen Barnum and attorney Lisa Andrach with Fitch & Neary PC, unless Appraiser expressly identifies additional

parties as intended users in the appraisal report. Appraiser does not intend or anticipate that any other parties will use or rely on the appraisal.

- d. Interest to be Valued. The interest to be valued in the subject property is: fee simple.
- e. Type of Value. The type of value to be used for the appraisal is the "as is" market value for purposes of the appraisal requirements under FIRREA, as follows:

The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and acting in what they consider their own best interests;
- A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

(From the Fifth Edition of the Dictionary of Real Estate Appraisal (Appraisal Institute, Chicago, 2010): 12 C.F.R. Part 34.42 (g); 55 Federal Register 34696, August 24, 1990, as amended at 57 Federal Register 12202, April 9, 1992; 59 Federal Register 29499, June 7, 1994)

Client confirms and agrees that this definition of value is appropriate to Client's intended use of the appraisal.

- f. Date of Value. The subject property is to be valued as of the inspection date and a retrospective date as of January 1, 2023 prior to enactment of ORS 215.291(5) which enacted a 3-year time limit to apply for replacement dwelling permit which was effective January 1, 2024. Client confirms and agrees that Appraiser is not responsible for determining whether the date of value requested by Client is appropriate for Client's intended use of the appraisal.
- g. Scope of Work. At this time, Appraiser's anticipated scope of work for developing the appraisal will include: research the subject property through public information (assessment property information, planning information, ownership history, etc.), review of aerial imagery, and analysis of the local market in order to make a preliminary conclusion of the highest and best use of the property. With that information, the competitive market area will be researched for sales and lease information relative to competitive properties. A personal inspection will be made of the subject property (interior and exterior), as well as the comparable sales and leases (unless they are not reasonably reachable due to access limitations or remote location). It is anticipated that the appraisal will utilize the following valuation approaches:
- *sales comparison approach* improved property through direct comparison with adjustments, through a modified method based on land value with allocated unit values and the minority contributory values of improvements based on their depreciated replacement cost as an adjustment.
- h. Report Options and Format. The appraisal will report as an Appraisal Report summarizing the analysis and conclusions reached and will be reported using a narrative report format.

- i. **Delivery Date.** Appraiser will use Appraiser's best efforts to deliver the appraisal report within 14-16 weeks of engagement. In the event of an anticipated delay beyond that date, Appraiser will inform Client promptly. The estimated delivery date is also subject to change if a signed copy of this agreement, retainer fee, and any requested information are not received within the next five business days.
 - j. **Appraisal Fee.** Payment for the appraisal is based on the *anticipated* time to complete the assignment, based on the appraiser's billing rate of \$250 per hour, and shall be **\$7,750**. Payment is not conditional on reported results or other factors outside the scope of the appraisal assignment. Ethically, the appraiser cannot be influenced over concerns that appraisal results satisfy the clients' goals or other factors. Therefore, a 50% retainer (**\$3,875**) is required to engage the Appraiser, and the Client should not engage the Appraiser to complete this assignment without your full intention and ability to promptly pay the fees as outlined in this contract. The balance of the appraisal fee is due upon completion of the appraisal report. If this agreement is canceled at any time prior to delivery of the appraisal report, you agree to pay a fee based on time expended by the appraiser at a rate of \$250 per hour, plus expenses incurred to that date. Please remit payment to AGCO – Dill & Associates LLC. The above fee is for the preparation of the appraisal and initial report only, and does not include court preparation or post-appraisal consultation. The Appraiser's for court/arbitration preparation time, time spent in court or administrative hearings, and post-appraisal consultation is \$350 per hour, with a \$700 retainer due prior to such work.
 - k. **Interest In or Prior Services Regarding Subject Property.** At this time, the appraiser who will perform the appraisal has no knowledge of having any current or prospective interest in the subject property and has not performed any prior services regarding the subject property within the last three years, as an appraiser or in any other capacity.
 - l. **Appraiser.** The appraiser who will perform the appraisal is Marlo T. Dill, ARA.
 - m. **Special Conditions.** None known to be necessary at this time. Should the appraiser determine that it would be helpful or necessary to utilize an extraordinary assumption or hypothetical condition, the client will be advised prior to proceeding.
- 2. Property Documentation.** Client agrees to provide Appraiser with the documentation required and requested by the Appraiser to complete the appraisal. Specifically related to this assignment, the appraiser requests any the following, if available:
- lease contracts / rent rolls for tenants operating on the subject property (income & expense figures for at least three years, if available);
 - site plans (FSA aerials, farmer plot plans, etc.) that delineate the subject's agricultural components;
 - dimensional architectural plans (floor plans, elevations, etc.) that can be used to estimate the subject's improvement area;
 - water rights documentation;
 - grazing allotment contracts;
 - agricultural production figures (yields, income & expenses) going back at least three years;
 - summary description of any special conditions the owner/client believes may impact the utility and/or value of the property;

Delays in Appraiser's receipt of requested documentation may result in Appraiser being unable to deliver the appraisal report on the delivery date stated above.

- 3. Appraisal Conditions.** The appraisal(s) performed under this Agreement will be subject to all statements, assumptions, limiting conditions and other conditions (collectively, "Appraisal Conditions") set forth in the appraisal report(s). Client agrees that Client will review the Appraisal Conditions upon

receipt of the report(s) and that Client's use of the appraisal(s) will constitute acceptance of the Appraisal Conditions. The Appraisal Conditions shall be considered as being incorporated into and forming part of this Agreement with respect to the appraisal in which they are contained and to the services relating to that appraisal. Appraiser's anticipated Appraisal Conditions at this time are attached hereto as Exhibit A and are incorporated into and form part of this Agreement. Additional Appraisal Conditions may be developed during performance of the appraisal and set forth in the report(s).

Unless specifically stated otherwise in an appraisal report, and without limiting the Appraisal Conditions applicable to any report, Appraiser and Client agree that the appraisal will be based on the following assumptions and that Appraiser and its Personnel shall have no responsibility for determining and disclosing whether: (a) title to the subject property is good and marketable; (b) the subject property is free and clear of liens and encumbrances; (c) the property is in compliance with local, state and federal zoning, building, disability access and environmental laws, regulations and standards; (d) the subject property is free of contamination, mold, pollution and other hazardous materials; (e) improvements on the subject property are mechanically and structurally sound; (f) required building permits and planning approvals exist for improvements on the subject property; and (g) lease, rent and expense information received by Appraiser from third parties believed to be reputable is truthful and accurate.

4. **Confidentiality.** Appraiser and its Personnel will comply with all duties of confidentiality imposed by applicable law and professional appraisal standards (including the Uniform Standards of Professional Appraisal Practice, if applicable to the assignment). Client consents to and authorizes Appraiser and its Personnel to disclose the appraisal report(s) and other information relating to the appraisal assignment, including information which may be considered confidential, to third persons as required by law, as necessary for compliance with professional appraisal standards, and as necessary for the purpose of Appraiser's or its Personnel's response to threatened or actual legal or regulatory actions.
5. **Subpoenas and Testimony.** In the event that Appraiser or any of its Personnel is required by subpoena or other legal process to provide testimony or produce documents relating to Appraiser's services or appraisals under this Agreement, whether in court, deposition, arbitration or in any other proceeding, and regardless of the identity of the party requiring such testimony or production of documents, Client agrees to compensate Appraiser for the reasonable time incurred by Appraiser and its Personnel in connection with preparation for and provision of such testimony and/or documents at Appraiser's regular hourly rates in effect at that time for expert/testimonial services and to reimburse Appraiser's reasonable actual expenses.
6. **Designation as an Expert Witness.** Unless otherwise stated in this Agreement, Client will not designate or disclose Appraiser or any of its Personnel as an expert witness in any court, arbitration or other proceeding without the prior written consent to such designation or disclosure by Appraiser.
7. **Third Party Beneficiaries.** This Agreement is made solely for the benefit of Client and Appraiser, their successors and assigns, and no other person shall have any right, benefit or interest under this Agreement, except as otherwise specifically provided in the Agreement.
8. **Use of Appraisal(s) for Tax Purposes.** In the event that Client utilizes or submits Appraiser's appraisal(s) in connection with a tax matter (with or without Appraiser's consent), Client understands and agrees that Appraiser and its Personnel provide no warranty, representation or prediction as to the outcome of the tax matter. Client understands and acknowledges that the taxing authority (whether it is the Internal Revenue Service or any state or local tax authority) may disagree with or reject the appraisal(s) or otherwise disagree with Client's tax position, and further understands and acknowledges that the taxing authority may seek to collect from Client additional taxes, interest, penalties or fees. Client agrees that Appraiser and its Personnel shall have no responsibility or liability to Client or any other party for any such taxes, interest, penalties or fees and Client will not seek damages or other

compensation from Appraiser or its Personnel relating to any taxes, interest, penalties or fees imposed on Client or for any attorneys' fees, costs or other expenses relating to Client's tax matter. These limitations of liability and damages restrictions shall be in addition to any other limitations and restrictions stated in this Agreement. Appraiser's Personnel are intended third party beneficiaries of this section.

- 9. Time Period for Legal Actions.** Unless the time period is shorter under applicable law, Appraiser and Client agree that any legal action or lawsuit by one party against the other party or by a party against the other party's Personnel relating to (a) this Agreement, (b) any services or appraisals under this Agreement or (c) any acts or conduct relating to such services or appraisals shall be filed in court within two (2) years from the date of delivery to Client of the appraisal(s) to which the claims or causes of action in the legal action or lawsuit relate or, in the event that no appraisal has been performed, within two (2) years from the alleged act or conduct that is the subject of the claim or cause of action in the legal action or lawsuit. The time period stated in this section shall not be extended by any incapacity of a party or any delay in the discovery or accrual of the underlying claims, causes of action or damages. The time period stated in this section shall apply to all non-criminal claims or causes of action of any type, including, without limitation, breach of contract, interference with contract, negligence or misrepresentation, and also to claims or causes of action pursued as counterclaims or cross-claims. The Personnel of each party are intended third party beneficiaries of this section.
- 10. Special or Consequential Damages.** Neither party or any of its Personnel shall be liable to the other party for special or consequential damages, including, without limitation, loss of profits or damages proximately caused by loss of use of any property, whether arising from either party's or its Personnel's negligence, breach of this Agreement or otherwise, whether or not a party was advised, or knew, of the possibility of such damages, or such possibility was foreseeable by that party or its Personnel. The Personnel of each party are intended third party beneficiaries of this section.
- 11. Limitations of Liability of Each Party to the Other Party.** Appraiser and Client agree that to the fullest extent permitted by applicable law, each party's and its Personnel's maximum aggregate and joint liability to the other party for any and all claims or causes of action relating to this Agreement or to appraisals or other services under this Agreement shall be limited to the compensation paid to Appraiser for the services that are the subject of the claim(s) or cause(s) of action. The Personnel of each party are intended third party beneficiaries of this section.
- 12. Entire Agreement.** This Agreement contains the entire agreement of the parties with respect to the services described herein. No other agreement, statement, or promise made on or before the date this Agreement became effective will be binding on the parties.
- 13. Modifications.** Except as provided for in this Agreement with regard to incorporation of Appraisal Conditions, this Agreement may only be modified by a subsequent agreement of the parties in writing signed by all the parties.
- 14. Severability in the Event of Invalidity.** If any provision of this Agreement is held, in whole or part, to be unenforceable or invalid for any reason, the remainder of that provision and the remainder of the entire Agreement will be severable and remain in effect.
- 15. Applicable Law.** This Agreement shall be construed and governed under the laws of the State of Oregon without reference to its conflict of laws principles.
- 16. Signature and Copies.** A signature on a copy of this Agreement received by facsimile, by email or in digital form is binding upon the parties as an original. The parties shall treat a photocopy of such facsimile or printout of the emailed or digital form as a duplicate original.

Client:

Signature/Authorization: _____
By: Mr. John Barnum
Trustee of the Edward E. Barnum Trust
19700 NW Brown Rd
Bend, OR 97703

Dated: _____

and/or

Signature/Authorization: _____
By: Mrs. Karen Barnum
Trustee of the Edward E. Barnum Trust
19700 NW Brown Rd
Bend, Oregon 97703

Dated: _____

Please Identify Billing Address (email or person/address to whom invoices should be sent), if other than above:

Appraiser:



Marlo T. Dill, ARA
President – AGCO – Dill & Associates LLC
Oregon State Certification No. C000707

_____ November 26, 2024 _____
Date

STATE OF OREGON,

County of Deschutes

ss.

BE IT REMEMBERED, That on this 22nd day of August A. D. 1940
before me, the undersigned, a Notary Public
in and for said County and State, personally appeared the within named Jack Malone and
Mattie Malone, husband and wife,
who ARE known to me to be
the identical individual described in and who executed the within instrument and acknowledged to me that
they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
official seal the day and year last above written.

John De Armon
Notary Public for Oregon.

My Commission Expires 1/15/41

6305
Marion Deed

JACK MALONE

TO

STATE OF OREGON,
County of Deschutes ss.

I certify that the within instrument
was received for record on the 26
day of August
A. D. 1940 at 10:01 o'clock A.M.,
and recorded in book 59 on page
115 Record of Deeds
of said County.

Witness my hand and seal of County
affixed.

Mable L. Linn
County Clerk,
Recorder of Conveyances.
By *Wm. Stewart* Deputy.

LAW OFFICES OF
De ARMON, HAMILTON & GOODRICH
BEND, OREGON

Mail: C.M. Barnum
Rt. # 2 Bend, Ore

KNOW ALL MEN BY THESE PRESENTS, That Jack Malone and Mattie Malone,
husband and wife,

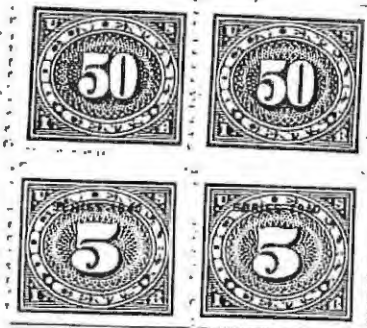
in consideration of Ten (\$10.00) - - - - - Dollars,
and other good and valuable considerations
to them paid by Mary E. Barnum and Cleo M. Barnum,

do hereby grant, bargain, sell and convey unto said Mary E. Barnum and Cleo M.
Barnum

their heirs and assigns, all the following real property, with the tenements,
hereditaments and appurtenances, situated in the
County of Deschutes and State of Oregon, bounded and described as follows, to-wit:

The Northeast Quarter of the Southwest
Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Eighteen (18)
Township 16 South, Range 12 East of the
Willamette Meridian, together with a
water right appurtenant thereto in the
amount of 32.4 acres in the Deschutes
County Municipal Irrigation District.

T.L. 800



To Have and to Hold, the above described and granted premises unto the said Mary E.
Barnum and Cleo M. Barnum

their heirs and assigns forever

And Jack Malone and Mattie Malone, husband and wife,

the grantor S
above named do covenant to and with the above named grantee S their heirs and assigns
that they are lawfully seized in fee simple of the above granted premises, that the above granted
premises are free from all incumbrances,

To Have and to Hold, the above described and granted premises unto the said Mary E.
Barnum and Cleo M. Barnum

their heirs and assigns forever

And Jack Malone and Mattie Malone, husband and wife,

the grantor. S

above named do..... covenant to and with the above named grantee. S their heirs and assigns
that they are lawfully seized in fee simple of the above granted premises, that the above granted
premises are free from all incumbrances,

and that they will and their heirs, executors and administrators, shall warrant and forever defend
the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all
persons whomsoever

Witness their hand S and seal S this 22nd day of August, 19 40

Executed in the Presence of

Jack Malone (SEAL)

Mattie Malone (SEAL)

(SEAL)

(SEAL)

**Until A Change Is Requested
Send Tax Statements To:**
JOHN E. BARNUM, TRUSTEE
19700 J W BROWN ROAD
BEND, OR 97701

After Recording Return To:
JOHN E. BARNUM, TRUSTEE
19700 J W BROWN ROAD
BEND, OR 97701

Tax Map/Lot Number:
161218 00 00800

Deschutes County Official Records **2013-043046**
D-CON
Stn=4 BN 10/15/2013 09:41:53 AM
\$10.00 \$11.00 \$10.00 \$6.00 \$16.00 **\$53.00**

I, Nancy Blankenship, County Clerk for Deschutes County, Oregon,
certify that the instrument identified herein was recorded in the Clerk
records.

Nancy Blankenship - County Clerk

MEMORANDUM OF CONTRACT OF SALE

DATED: OCTOBER 11, 2013

BETWEEN: **EDWARD E. BARNUM, Trustee**, or Successor Trustee, of the ("Seller")
Edward E. Barnum Trust, dated June 27, 2003
65859 WHITE ROCK LOOP
BEND, OR 97701

AND: **JOHN M. BARNUM and KAREN R. BARNUM, Trustees**, ("Purchaser")
or Successor Trustee of the JOHN AND KAREN BARNUM
TRUST, dated August 11, 1998
19700 J W BROWN ROAD
BEND, OR 97701

Pursuant to a Contract of Sale dated OCTOBER 01, 2013, Seller sold to Purchaser Sellers interest
in that certain property in Deschutes County, Oregon, more particularly described as:

**The Northeast Quarter of the Southwest Quarter, Section 18, Township 16 South, Range 12,
East of the Willamette Meridian; Excepting therefrom that portion lying within J W Brown
Road**

(commonly known as 19745 J W BROWN ROAD, BEND, OR 97701).

If not earlier paid, all amounts owed under the Contract of Sale shall be due and payable on
OCTOBER 15, 2028. The true and actual consideration for this conveyance is \$200,000.00.

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON
TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS,
IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF
THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF
APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR
ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE
PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY
PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY
LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS
DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF
NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.**

Return To:
Deschutes County
Title Company
78392

IN WITNESS WHEREOF, the parties have caused this Memorandum of Contract of Sale to be executed as of the day and year first above written.

Seller:

Edward E. Barnum
Name ~~Trustee~~ Edward E. Barnum
Trustee

Name _____

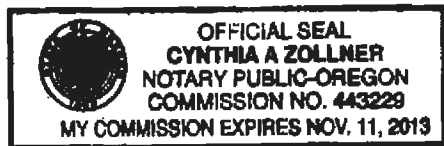
Purchaser:

John M. Barnum
Name John M. Barnum, Trustee

Karen R. Barnum
Name Karen R. Barnum, Trustee

STATE OF OREGON §
County of Deschutes §

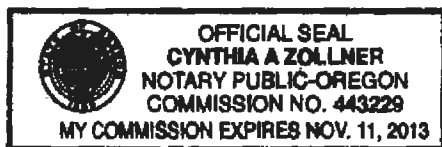
This instrument was acknowledged before me on October 11, 2013, by Edward E. Barnum, trustee



Cynthia A. Zollner
Signature of notarial officer
My commission expires: 11-11-13

STATE OF OREGON §
County of Deschutes §

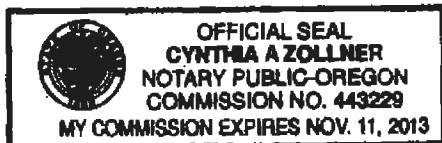
This instrument was acknowledged before me on October 11, 2013, by JOHN M. BARNUM, trustee.



Cynthia A. Zollner
Signature of notarial officer
My commission expires: 11-11-13

STATE OF OREGON §
County of Deschutes §

This instrument was acknowledged before me on October 11, 2013, by Karen R. Barnum, trustee



Cynthia A. Zollner
Signature of notarial officer
My commission expires: 11-11-13

Chapter 18.16. EXCLUSIVE FARM USE ZONES

- 18.16.010. Purpose.**
- 18.16.020. Uses Permitted Outright.**
- 18.16.025. Uses Permitted Subject to the Special Provisions Under DCC Section 18.16.038 and a Review Under DCC Chapter 18.124 For Items C Through M.**
- 18.16.030. Conditional Uses Permitted - High Value and Nonhigh Value Farmland.**
- 18.16.031. Nonresidential Conditional Uses on Nonhigh Value Farmland Only.**
- 18.16.033. Nonresidential Conditional Uses on High Value Farmland Only.**
- 18.16.035. Destination Resorts.**
- 18.16.037. Guest Ranch.**
- 18.16.038. Special Conditions for Certain Uses Listed Under DCC 18.16.025.**
- 18.16.040. Limitations on Conditional Uses.**
- 18.16.042. Agri-Tourism and Other Commercial Events or Activities Limited Use Permit**
- 18.16.043. Single Permit**
- 18.16.050. Standards for Dwellings in the EFU Zones.**
- 18.16.055. Land Divisions.**
- 18.16.060. Dimensional Standards.**
- 18.16.065. Subzones.**
- 18.16.067. Farm Management Plans.**
- 18.16.070. Yards.**
- 18.16.080. Stream Setbacks.**
- 18.16.090. Rimrock Setback.**

18.16.010. Purpose.

- A. The purpose of the Exclusive Farm Use zones is to preserve and maintain agricultural lands and to serve as a sanctuary for farm uses.
- B. The purposes of this zone are served by the land use restrictions set forth in the Comprehensive Plan and in DCC 18.16 and by the restrictions on private civil actions and enforcement actions set forth in ORS 30.930 through 30.947.

(Ord. 95-007 §9, 1995; Ord. 92-065 §3, 1992; Ord. 91-038 §§1 and 2, 1991)

18.16.020. Uses Permitted Outright.

The following uses and their accessory uses are permitted outright:

- A. Farm use as defined in DCC Title 18.
- B. Propagation or harvesting of a forest product.
- C. Operations for the exploration for minerals as defined by ORS 517.750. Any activities or construction relating to such operations shall not be a basis for an exception under ORS 197.732(2)(a) or (b).
- D. Accessory buildings customarily provided in conjunction with farm use.
- E. Climbing and passing lanes within the right of way existing as of July 1, 1987.
- F. Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.
- G. Temporary public road and highway detours that will be abandoned and restored to original condition or use when no longer needed.

- H. Minor betterment of existing public road and highway-related facilities such as maintenance yards, weigh stations and rest areas, within a right of way existing as of July 1, 1987, and contiguous public owned property utilized to support the operation and maintenance of public roads and highways.
- I. Creation, restoration or enhancement of wetlands.
- J. Alteration, restoration or replacement of a lawfully established dwelling that:
 - 1. Has intact exterior walls and roof structure;
 - 2. Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
 - 3. Has interior wiring for interior lights;
 - 4. Has a heating system; and
 - 5. In the case of replacement, is removed, demolished or converted to an allowable nonresidential use within three months of completion of the replacement dwelling. A replacement dwelling may be sited on any part of the same lot or parcel, and shall comply with all applicable siting standards. If the dwelling to be replaced is located on a portion of the lot or parcel not zoned for exclusive farm use, the applicant, as a condition of approval, shall execute and record in the deed records for the county a deed restriction prohibiting the siting of a dwelling on that portion of the lot or parcel. The restriction imposed shall be irrevocable unless a statement of release is placed in the deed records for the county. The release shall be signed by the county or its designee and state that the provisions of the statute and county code have changed to allow the siting of another dwelling; and
 - 6. The replacement dwelling is subject to OAR 660-033-0130(30) and the County shall require as a condition of approval of a single-family replacement dwelling that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 to 30.937.
 - 7. An applicant for a replacement dwelling may request a deferred replacement dwelling permit.
 - a. The dwelling to be replaced shall be removed or demolished within three months after the deferred replacement permit is issued.
 - b. A deferred replacement permit allows construction of the replacement dwelling at any time. If, however, the established dwelling is not removed or demolished within three months after the deferred replacement permit is issued, the replacement permit becomes void.
 - c. The replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction.
 - d. A deferred replacement permit may not be transferred, by sale or otherwise, except by the applicant to the spouse or child of the applicant.
- K. A replacement dwelling to be used in conjunction with farm use if the existing dwelling is listed on the National Register of Historic Places and on the County inventory as a historic property as defined in ORS 358.480, and subject to 18.16.020(J)(6) above.
- L. Wildlife habitat conservation and management plan approved under ORS 215.800 to 215.808.
- M. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
- N. Utility facility service lines. Utility facility service lines are utility lines and accessory facilities or structures that end at the point where the utility service is received by the customer and that are located on one or more of the following:
 - 1. A public right of way;
 - 2. Land immediately adjacent to a public right of way, provided the written consent of all adjacent property owners has been obtained; or
 - 3. The property to be served by the utility.
- O. The land application of reclaimed water, agricultural process or industrial process water or biosolids for agricultural, horticultural or silvicultural production, or for irrigation in connection with a use allowed in

an exclusive farm use zone, subject to the issuance of a license, permit or other approval by the Department of Environmental Quality under ORS 454.695, 459.205, 468B.053 or 468B.055, or in compliance with rules adopted under ORS 468B.095, and with the requirements of ORS 215.246 to 215.251.

- P. Fire service facilities providing rural fire protection services.
 - Q. Operations for the exploration for and production of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead. Any activities or construction relating to such operations shall not be a basis for an exception under ORS 197.732(2)(a) or (b).
 - R. Outdoor mass gathering described in ORS 197.015(10)(d), and subject to DCC Chapter 8.16.
 - S. Composting operations that are accepted farming practices in conjunction with and auxiliary to farm use on the subject tract as allowed under OAR 660-033-0130(29).
- (Ord. 2012-007 §2, 2012; Ord. 2010-022 §2, 2010; Ord. 2009-014 §1, 2009; Ord. 2008-001 §2, 2008; Ord. 2004-001 §2, 2004; Ord. 2001-039 §1, 2001; Ord. 2001-016 §2, 2001; Ord. 98-030 §1, 1998; Ord. 95-007 §10, 1995; Ord. 92-065 §3, 1992; Ord. 91-038 §§1 and 2, 1991; Ord. 91-024 §1, 1991; Ord. 91-020 §1, 1991; Ord. 91-005 §4, 1991; Ord. 91-002 §3, 1991; Ord. 86-007 §1, 1986; Ord. 81-025 §1, 1981; Ord. 81-001 §1, 1981)

18.16.025. Uses Permitted Subject to the Special Provisions Under DCC Section 18.16.038 or DCC Section 18.16.042 and a Review Under DCC Chapter 18.124 where applicable.

- A. Dwellings customarily provided in conjunction with farm use (farm-related dwellings), subject to DCC 18.16.050.
- B. A relative farm assistance dwelling, subject to DCC 18.16.050.
- C. Churches and cemeteries in conjunction with churches consistent with ORS 215.441, that are not within 3 miles of an acknowledged urban growth boundary, on nonhigh value farmland.
- D. Churches and cemeteries in conjunction with churches consistent with ORS 215.441, that are within 3 miles of an acknowledged urban growth boundary, subject to Oregon Administrative Rules 660-033-0130 on nonhigh value farmland.
- E. Expansion of an existing church or cemetery in conjunction with a church on the same tract as the existing use, subject to Oregon Administrative Rules 660-033-0130.
- F. Utility facilities necessary for public service, including wetland waste treatment systems, but not including commercial facilities for the purpose of generating electrical power for public use by sale and transmission towers over 200 feet in height. A utility facility necessary for public service may be established as provided in DCC 18.16.038(A).
- G. Winery, as described in ORS 215.452.
- H. Farm stands, subject to DCC 18.16.038.
- I. A site for the takeoff and landing of model aircraft, including such buildings or facilities as may be reasonably necessary.
- J. A facility for the processing of farm crops, or the production of biofuel as defined in ORS 315.141, that is located on a farm operation that provides at least one-quarter of the farm crops processed at the facility.
 - a. The building established for the processing facility shall not exceed 10,000 square feet of floor area exclusive of the floor area designated for preparation, storage or other farm use or devote more than 10,000 square feet to the processing activities within another building supporting farm uses.
 - b. A processing facility shall comply with all applicable siting standards but the standards shall not be applied in a manner that prohibits the siting of the processing facility.
 - c. The County shall not approve any division of a lot or parcel that separates a processing facility from the farm operation on which it is located.
- K. Agri-tourism and other commercial events and activities subject to DCC 18.16.042.

(Ord. 2012-007 §2, 2012; Ord. 2012-004 §2, 2012; Ord. 2010-022 §2, 2010; Ord. 2009-014 §1, 2009; Ord. 2008-001 §2, 2008; Ord. 2004-001 §2, 2004)

18.16.030. Conditional Uses Permitted -High Value and Nonhigh Value Farmland.

The following uses may be allowed in the Exclusive Farm Use zones on either high value farmland or nonhigh value farmland subject to applicable provisions of the Comprehensive Plan, DCC 18.16.040 and 18.16.050, and other applicable sections of DCC Title 18.

- A. Nonfarm dwelling.
- B. Lot of record dwelling.
- C. Residential home or facility, as defined in DCC 18.04.030, in existing dwellings.
- D. A hardship dwelling, which can include one manufactured dwelling or recreational vehicle, in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident.
- E. A dwelling in conjunction with a wildlife habitat conservation and management plan.
- F. Commercial activities that are in conjunction with farm use, but not including the processing of farm crops as described in DCC 18.16.025.
- G. Operations conducted for:
 - Mining and processing of geothermal resources as defined by ORS 522.005, and
 - Mining and processing of natural gas or oil as defined by ORS 520.005, not otherwise permitted under DCC 18.16.020.
- H. Expansion of an existing private park, playground, hunting and fishing preserve and campground on the same tract as the existing use.
- I. Public park and playground consistent with the provisions of ORS 195.120, and including only the uses specified under OAR 660-034-0035 or 660-034-0040, whichever is applicable.
- J. Community centers owned by a governmental agency or a nonprofit organization and operated primarily by and for residents of the local rural community.
 - 1. A community center authorized under this section may provide services to veterans, including but not limited to emergency and transitional shelter, preparation and service of meals, vocational and educational counseling and referral to local, state or federal agencies providing medical, mental health, disability income replacement and substance abuse services, only in a facility that is in existence on January 1, 2006.
 - 2. The services may not include direct delivery of medical, mental health, disability income replacement or substance abuse services.
- K. Transmission towers over 200 feet in height.
- L. Commercial utility facility, including a hydroelectric facility (in accordance with DCC 18.116.130 and 18.128.260, and OAR 660-033-0130), for the purpose of generating power for public use by sale, not including wind power generation facilities.
- M. Personal use airport for airplanes and helicopter pads, including associated hangar, maintenance and service facilities. A personal use airport as used in DCC 18.16.030 means an airstrip restricted, except for aircraft emergencies, to use by the owner, and, on an infrequent and occasional basis, by invited guests, and by commercial aviation activities in connection with agricultural operations.
- N. Home Occupation, subject to DCC 18.116.280.
 - 1. The home occupation shall:
 - a. be operated substantially in the dwelling or other buildings normally associated with uses permitted in the EFU zone;
 - b. be operated by a resident or employee of a resident of the property on which the business is located; and
 - c. employ on the site no more than five full-time or part-time persons.
 - 2. The home occupation shall not unreasonably interfere with other uses permitted in the EFU zone.

- O. A facility for the primary processing of forest products, provided that such facility is found to not seriously interfere with accepted farming practices and is compatible with farm uses described in ORS 213.203(2). The primary processing of a forest product, as used in DCC 18.16.030, means the use of a portable chipper or stud mill or other similar methods of initial treatment of a forest product in order to enable its shipment to market. Forest products, as used in DCC 18.16.030, means timber grown upon a parcel of land or contiguous land where the primary processing facility is located.
 - P. Construction of additional passing and travel lanes requiring the acquisition of right of way, but not resulting in the creation of new land parcels.
 - Q. Reconstruction or modification of public roads and highways involving the removal or displacement of buildings, but not resulting in the creation of new land parcels.
 - R. Improvement of public road and highway-related facilities such as maintenance yards, weigh stations and rest areas, where additional property or right of way is required, but not resulting in the creation of new land parcels.
 - S. The propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission or insect species.
 - 1. Insect species shall not include any species under quarantine by the State Department of Agriculture or the United States Department of Agriculture.
 - 2. The county shall provide notice of all applications under this section to the State Department of Agriculture.
 - 3. Notice shall be provided in accordance with DCC Title 22, but shall be mailed at least 20 calendar days prior to any administrative decision or initial public hearing on the application.
 - T. Room and board arrangements for a maximum of five unrelated persons in an existing residence. If approved, this use is subject to the recording of the statement listed in DCC 18.16.020(J)(6).
 - U. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland.
 - V. Roads, highways and other transportation facilities, and improvements not otherwise allowed under DCC 18.16, if an exception to Goal 3, Agricultural Lands, and to any other applicable goal is first granted under state law. Transportation uses and improvements may be authorized under conditions and standards as set forth in OAR 660-012-0035 and 660-012-0065.
 - W. Surface mining of mineral and aggregate resources in conjunction with the operation and maintenance of irrigation systems operated by an Irrigation District, including the excavation and mining for facilities, ponds, reservoirs, and the off-site use, storage, and sale of excavated material.
 - X. A living history museum.
 - Y. Operations for the extraction and bottling of water.
 - Z. Transportation improvements on rural lands allowed by OAR 660-012-0065.
 - AA. Expansion of existing county fairgrounds and activities relating to county fairgrounds governed by county fair boards established pursuant to ORS 565.210.
 - BB. Extended outdoor mass gatherings, subject to DCC 8.16.
 - CC. A landscape contracting business, as defined in ORS 671.520, or a business providing landscape architecture services, as described in ORS 671.318, if the business is pursued in conjunction with the growing and marketing of nursery stock on the land that constitutes farm use.
 - DD. Wind power generation facilities as commercial utility facilities for the purpose of generating power for public use by sale, subject to OAR 660-033-0130.
 - EE. Photovoltaic solar power generation facilities as commercial utility facilities for the purpose of generating power for public use by sale, subject to OAR 660-033-0130.
- (Ord. 2012-007 §2, 2012; Ord. 2009-014 §1, 2009; Ord. 2008-001 §2, 2008; Ord. 2004-001 §2, 2004; Ord. 2001-039 §1, 2001; Ord. 2001-016 §2, 2001; Ord. 98-030 §1, 1998; Ord. 95-025 §1, 1995; Ord. 95-007 §11, 1995; Ord. 94-008 §9, 1994; Ord. 92-065 §3, 1992; Ord. 91-038 §2, 1991; Ord. 91-020 §1, 1991; Ord. 91-014 §1, 1991; Ord. 91-005 §5, 1991; Ord. 90-018 §1, 1990; Ord. 90-014 §§23 and 31, 1991; Ord. 87-013 §1, 1987; Ord. 86-018 §3, 1986; Ord. 83-028 §1, 1983)

18.16.031. Conditional Uses on Nonhigh Value Farmland Only.

The following uses may be allowed only on tracts in the Exclusive Farm Use Zones that constitute nonhigh value farmland subject to applicable provisions of the Comprehensive Plan and DCC 18.16.040 and other applicable sections of DCC Title 18.

- A. Dog kennel.
- B. A site for the disposal of solid waste approved by the governing body of a city or County or both and for which a permit has been granted under ORS 459.245 by the Department of Environmental Quality together with equipment, facilities or buildings necessary for its operation.
- C. Golf course and accessory golf course uses as defined in DCC Title 18 on land determined not to be high value farmland, as defined in ORS 195.300.
- D. Except for those composting facilities that are a farm use as allowed under DCC 18.16.020, composting operations and facilities for which a permit has been granted by the Oregon Department of Environmental Quality under OAR 340-093-0050 and 340-096-0060. Buildings and facilities used in conjunction with the composting operation shall only be those required for the operation of the subject facility. On-site sales shall be limited to bulk loads of at least one unit (7.5 cubic yards) in size that are transported in one vehicle.
- E. Private parks, playgrounds, hunting and fishing preserves and campgrounds.
- F. Public or private schools for kindergarten through grade 12, including all buildings essential to the operation of a school, primarily for residents of the rural area in which the school is located, subject to the applicable Oregon Administrative Rules.

(Ord. 2012-007 §2, 2012; Ord. 2010-022 §2, 2010; Ord. 2009-014 §1, 2009; Ord. 2004-001 §2, 2004; Ord. 95-007 §12, 1995)

18.16.033. Conditional Uses on High Value Farmland Only.

In addition to those uses listed in DCC 18.16.030 above, the following uses may be allowed on tracts in the Exclusive Farm Use Zones that constitute high value farmland subject to applicable provisions of the Comprehensive Plan and DCC 18.16.040 and other applicable sections of DCC Title 18.

- A. Maintenance, enhancement or expansion of dog kennels existing as of March 1, 1994, subject to other requirements of law. New dog kennels are prohibited.
- B. Maintenance, enhancement or expansion of a site described in 18.16.031 (B) existing as of March 1, 1994, subject to other requirements of law. New such sites are prohibited.
- C. Maintenance, enhancement or expansion of golf course and accessory golf course uses as defined in DCC Title 18 existing as of March 1, 1994, subject to other requirements of law. New such uses are prohibited. Expanded courses may not exceed 36 holes total.
- D. Additions or expansions to existing public or private schools on high value farmland, for kindergarten through grade 12, including all buildings essential to the operation of a school, subject to the applicable Oregon Administrative Rules.

(Ord. 2010-022 §2, 2010; Ord. 2009-014 §1, 2009; Ord. 2004-001 §2, 2004; Ord. 95-007 §13, 1995)

18.16.035. Destination Resorts.

Destination resorts may be allowed, where mapped, as a conditional use, subject to all applicable standards of the Destination Resort Zone.

(Ord. 2009-014 §1, 2009; Ord. 2008-001 §2, 2008; Ord. 92-065 §3, 1992; Ord. 92-004 §3, 1992)

18.16.037. Guest Ranch.

- A. A guest ranch may be established in conjunction with an existing and continuing livestock operation, using accepted livestock practices that qualifies as a farm use under DCC 18.04.030, subject to the applicable provisions set forth in DCC 18.16.040(A)(1), (2) and (3), the applicable provisions of DCC

18.128, and the provisions of the applicable Oregon Revised Statutes. A guest ranch shall not be located within the boundaries of or surrounded by:

- (1) A federally designated wilderness area or a wilderness study area;
- (2) A federally designated wildlife refuge;
- (3) A federally designated area of critical environmental concern; or
- (4) An area established by an Act of Congress for the protection of scenic or ecological resources.

- B. "Guest ranch" means a facility for overnight guest lodging units, including passive recreational activities and food services, as set forth in ORS 215 that are incidental and accessory to an existing livestock operation that qualifies as a farm use under DCC 18.04.030.
- C. A guest lodging unit means a guest room in a lodge, bunkhouse, cottage or cabin used only for transient overnight lodging and not for a permanent residence accommodations.
- D. For the purposes of DCC 18.16.037, "livestock" means cattle, sheep, horses, and bison.
- E. A proposed division of land in an exclusive farm use zone for a guest ranch or a division of a lot or parcel that separates a guest ranch from the dwelling of the person conducting the livestock operation shall not be allowed.
- F. Notwithstanding DCC 18.16.055, a proposed division of land in an exclusive farm use zone for a guest ranch shall not be allowed.

(Ord. 2012-007 §2, 2012; Ord. 2010-022 §2, 2010; Ord. 2009-014 §1, 2009; Ord. 2001-043 §1, 2001; Ord. 98-056 §1, 1998)

Note: DCC 18.16.037 will be repealed January 2, 2018 (Ord. 2012-007 §2, 2012; Ord. 2010-017 §1, 2010).

18.16.038. Special Conditions for Certain Uses Listed Under DCC 18.16.025.

- A. A utility facility necessary for public use allowed under DCC 18.16.025 shall be one that is necessary to be situated in an agricultural zone in order for service to be provided. To demonstrate that a utility facility is necessary, an applicant must show that reasonable alternatives have been considered and that the facility must be sited in an exclusive farm use zone due to one or more of the following factors:
 1. Technical and engineering feasibility;
 2. The proposed facility is locationally dependent. A utility facility is locationally dependent if it must cross land in one or more areas zoned for exclusive farm use in order to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands;
 3. Lack of available urban and nonresource lands;
 4. Availability of existing rights of way;
 5. Public health and safety; and
 6. Other requirements of state and federal agencies.
 7. Costs associated with any of the factors listed in 1-6 above may be considered, but cost alone may not be the only consideration in determining that a utility facility is necessary for public service. Land costs shall not be included when considering alternative locations for substantially similar utility facilities that are not substantially similar.
 8. The owner of a utility facility approved under this section shall be responsible for restoring, as nearly as possible, to its former condition any agricultural land and associated improvements that are damaged or otherwise disturbed by the siting, maintenance, repair or reconstruction of the facility. Nothing in this subsection shall prevent the owner of the utility facility from requiring a bond or other security from a contractor or otherwise imposing on a contractor the responsibility for restoration.
 9. In addition to the provisions of 1-6 above, the establishment or extension of a sewer system as defined by OAR 660-011-0060(1)(f) in an exclusive farm use zone shall be subject to the provisions of OAR 660-011-0060.
 10. The provisions above do not apply to interstate gas pipelines and associated facilities authorized by and subject to regulation by the Federal Energy Regulatory Commission.

11. The County shall impose clear and objective conditions on an application for utility facility siting to mitigate and minimize the impacts of the proposed facility, if any, on surrounding lands devoted to farm use, in order to prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on surrounding farmlands.
 12. Utility facilities necessary for public service may include on-site and off-site facilities for temporary workforce housing for workers constructing a utility facility. Such facilities must be removed or converted to an allowed use under OAR 660-033-0130(19) or other statute or rule when project construction is complete. Off-site facilities allowed under this provision are subject to OAR 660-033-0130(5). Temporary workforce housing facilities not included in the initial approval may be considered through a minor amendment request. A minor amendment request shall have no effect on the original approval.
- B. Wineries are subject to the following:
1. A winery, authorized under DCC 18.16.025 is a facility that produces wine with a maximum annual production of:
 - a. Less than 50,000 gallons and:
 - i. Owns an on-site vineyard of at least 15 acres;
 - ii. Owns a contiguous vineyard of at least 15 acres;
 - iii. Has a long-term contract for the purchase of all of the grapes from at least 15 acres of a vineyard contiguous to the winery; or
 - iv. Obtains grapes from any combination of i, ii or iii of this subsection; or
 - b. At least 50,000 gallons and the winery:
 - i. Owns an on-site vineyard of at least 40 acres;
 - ii. Owns a contiguous vineyard of at least 40 acres;
 - iii. Has a long-term contract for the purchase of all of the grapes from at least 40 acres of a vineyard contiguous to the winery; or
 - iv. Obtains grapes from any combination of i., ii., or iii. of this subsection.
 2. A winery may:
 - a. Market and sell wine produced in conjunction with the winery, including the following activities:
 - i. Wine tours;
 - ii. Wine tastings in a tasting room or other location at the winery;
 - iii. Wine clubs; and
 - iv. Similar activities conducted for the primary purpose of promoting wine produced in conjunction with the winery;
 - b. Market and sell items directly related to the sale or promotion of wine produced in conjunction with the winery, the marketing and sale of which is incidental to retail sale of wine on-site, including food and beverages served by a limited service restaurant, as defined in ORS 624.010; and
 - c. Provide services, including private events, hosted by the winery or patrons of the winery, at which wine produced in conjunction with the winery is featured, that:
 - i. Are directly related to the sale or promotion of wine produced in conjunction with the winery;
 - ii. Are incidental to the retail sale of wine on-site; and
 - iii. Are limited to 25 days or fewer in a calendar year.
 3. Gross Income.
 - a. The gross income of the winery from the sale of incidental items pursuant to subsection (2)(b) of this section and services provided pursuant to subsection (2)(c) of this section may not exceed 25 percent of the gross income from the on-site retail sale of wine produced in conjunction with the winery.

- b. The winery shall submit to the Deschutes County Community Development Department a written statement, prepared by a certified public accountant, that certifies compliance with this section for the previous tax year by April 15 of each year in which private events are held.
 4. A winery operating under this section shall provide parking for all activities or uses on the lot, parcel or tract on which the winery is established.
 5. Prior to the issuance of a permit to establish a winery under this section, the applicant shall show that vineyards described in subsections (B)(1) of this section have been planted or that the contract for the purchase of grapes has been executed, as applicable.
 6. The siting of a winery shall be subject to the following standards:
 - a. Establishment of a setback of at least 100 feet from all property lines for the winery and all public gathering places.
 - b. Shall comply with DCC Chapter 18.80. Airport Safety Combining Zone, and DCC 18.116.180. Building Setbacks for the Protection of Solar Access.
 7. As used in this section, "private events" includes, but is not limited to, facility rentals and celebratory gatherings.
 8. The winery shall have direct road access and internal circulation.
 9. A winery is subject to the following public health and safety standards:
 - a. Sanitation facilities shall include, at a minimum, portable restroom facilities and stand-alone hand washing stations.
 - b. No event, gathering or activity may begin before 7:00 a.m. or end after 10:00 p.m., including set-up and take-down of temporary structures.
 - c. Noise control.
 - i. All noise, including the use of a sound producing device such as, but not limited to, loud speakers and public address systems, musical instruments that are amplified or unamplified, shall be in compliance with applicable state regulations.
 - ii. A standard sound level meter or equivalent, in good condition, that provides a weighted sound pressure level measured by use of a metering characteristic with an "A" frequency weighting network and reported as dBA shall be available on-site at all times during private events.
 - d. Adequate traffic control must be provided by the property owner to address the following:
 - i. There shall be one traffic control person for each 250 persons expected or reasonably expected to be in attendance at any time.
 - ii. All traffic control personnel shall be certified by the State of Oregon and shall comply with the current edition of the Manual of Uniform Traffic Control Devices.
 - e. Structures.
 - i. All permanent and temporary structures and facilities are subject to fire, health and life safety requirements, and shall comply with all requirements of the Deschutes County Building Safety Division and the Environmental Soils Division and any other applicable federal, state and local laws.
 - ii. Compliance with the requirements of the Deschutes County Building Safety Division shall include meeting all building occupancy classification requirements of the State of Oregon adopted building code.
 - f. Inspection of event premises authorization. The applicant shall provide in writing a consent to allow law enforcement, public health, and fire control officers to come upon the premises for which the Limited Use Permit has been granted for the purposes of inspection and enforcement of the terms and conditions of the permit and DCC Chapter 18.16 Exclusive Farm Use Zone and DCC Chapter 8.08 Noise Control, and any other applicable laws or ordinances.
 10. DCC Chapter 18.16.038(B), Sections (2c),(3), (7) and (9) sunset on January 1, 2014.
- C. Farm stands are subject to the following:

1. The structures are designed and used for the sale of farm crops or livestock grown on the farm operation, or grown on the farm operation and other farm operations in the local agricultural area, including the sale of retail incidental items and fee-based activity to promote the sale of farm crops or livestock sold at the farm stand, if the annual sales of the incidental items and fees from promotional activity do not make up more than 25 percent of the total annual sales of the farm stand; and
 2. The farm stand does not include structures designed for occupancy as a residence or for activities other than the sale of farm crops or livestock, and does not include structures for banquets, public gatherings or public entertainment.
 3. As used in this section, "farm crops or livestock" includes both fresh and processed farm crops and livestock grown on the farm operation, or grown on the farm operation and other farm operations in the local agricultural area.
 4. As used in this subsection, "processed crops and livestock" includes jams, syrups, apple cider, animal products and other similar farm crops and livestock that have been processed and converted into another product but not prepared food items.
 5. As used in this section, "local agricultural area" includes Oregon or an adjacent county in Washington, Idaho, Nevada or California that borders the Oregon county in which the farm stand is located.
- D. A site for the takeoff and landing of model aircraft is subject to the following:
1. Buildings or facilities shall not be more than 500 square feet in floor area or placed on a permanent foundation unless the building or facility preexisted the use approved under this section.
 - a. The site shall not include an aggregate surface or hard surface area, unless the surface preexisted the use approved under this section.
 - b. An owner of property used for the purpose authorized in this section may charge a person operating the use on the property rent for the property.
 - c. An operator may charge users of the property a fee that does not exceed the operator's cost to maintain the property, buildings and facilities.
 - d. As used in this section, "model aircraft" means a small-scale version of an airplane, glider, helicopter, dirigible or balloon that is used or intended to be used for flight and is controlled by radio, lines or design by a person on the ground.
- E. A facility for the processing of farm crops shall be located on a farm operation that provides at least one-quarter of the farm crops processed at the facility.
1. The building established for the processing facility shall not exceed 10,000 square feet of floor area exclusive of the floor area designated for preparation, storage or other farm use or devote more than 10,000 square feet to the processing activities within another building supporting farm uses.
 2. A processing facility shall comply with all applicable siting standards, but the standards shall not be applied in a manner that prohibits the siting of the processing facility.
 3. The County shall not approve any division of a lot or parcel that separates a processing facility from the farm operation on which it is located.

(Ord. 2012-007 §2, 2012; Ord. 2012-004 §2, 2012; Ord. 2010-022 §2, 2010; Ord. 2009-014 §1, 2009; Ord. 2008-001 §2, 2008; Ord. 2004-001 §2, 2004)

18.16.040. Limitations on Conditional Uses.

- A. Conditional uses permitted by DCC 18.16.030 may be established subject to ORS 215.296 and applicable provisions in DCC 18.128 and upon a finding by the Planning Director or Hearings Body that the proposed use:
1. Will not force a significant change in accepted farm or forest practices as defined in ORS 215.203(2)(c) on surrounding lands devoted to farm or forest uses; and
 2. Will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use; and

3. That the actual site on which the use is to be located is the least suitable for the production of farm crops or livestock.
- B. A commercial activity allowed under DCC 18.16.030(F) shall be associated with a farm use occurring on the parcel where the commercial use is proposed. The commercial activity may use, process, store or market farm products produced outside of Deschutes County.
 - C. A power generation facility that is part of a commercial utility facility for the purpose of generating power for public use by sale identified in DCC 18.16.030(L) and:
 1. That is located on high-value farmland, the permanent features of which shall not preclude more than 12 acres from use as a commercial agricultural enterprise unless an exception is taken pursuant to ORS 197.732 and Oregon Administrative Rules 660, Division 004.
 2. That is located on nonhigh-value farmland, the permanent features of which shall not preclude more than 20 acres from use as a commercial agricultural enterprise unless an exception is taken pursuant to ORS 197.732 and Oregon Administrative Rules 660, Division 4.
 3. A power generation facility may include on-site and off-site facilities for temporary workforce housing as allowed under OAR 660-033-0130(17) and (22)
 - D. A wind power generation facility includes, but is not limited to, the following system components: all wind turbine towers and concrete pads, permanent meteorological towers and wind measurement devices, electrical cable collection systems connecting wind turbine towers with the relevant power substation, new or expanded private roads (whether temporary or permanent) constructed to serve the wind power generation facility, office and operation and maintenance buildings, temporary lay-down areas and all other necessary appurtenances, including but not limited to on-site and off-site facilities for temporary workforce housing for workers constructing a wind power generation facility. Such facilities must be removed or converted to an allowed use under OAR 660-033-0130(19) or other statute or rule when project construction is complete. Temporary workforce housing facilities not included in the initial approval may be considered through a minor amendment request filed after a decision to approve a power generation facility. A minor amendment request shall be subject to OAR 660-033-0130(5) and shall have no effect on the original approval. A proposal for a wind power generation facility shall be subject to the following provisions:
 1. For high value farmland soils described in ORS 195.300(10), that all of the following are satisfied:
 - a. Reasonable alternatives have been considered to show that siting the wind power generation facility or component thereof on high-value farmland soils is necessary for the facility or component to function properly or if a road system or turbine string must be placed on such soils to achieve a reasonably direct route considering the following factors:
 - i. Technical and engineering feasibility;
 - ii. Availability of existing rights of way; and
 - iii. The long term environmental, economic, social and energy consequences of siting the facility or component on alternative sites, as determined under OAR 660-033-0130(37)(a)(B);
 - b. The long-term environmental, economic, social and energy consequences resulting from the wind power generation facility or any component thereof at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located on other agricultural lands that do not include high-value farmland soils;
 - c. Costs associated with any of the factors listed in OAR 660-033-0130(37)(a)(A) may be considered, but costs alone may not be the only consideration in determining that siting any component of a wind power generation facility on high-value farmland soils is necessary;
 - d. The owner of a wind power generation facility approved under OAR 660-033-0130(37)(a) shall be responsible for restoring, as nearly as possible, to its former condition any agricultural land and associated improvements that are damaged or otherwise disturbed by the siting, maintenance, repair or reconstruction of the facility. Nothing in this section shall prevent the

- owner of the facility from requiring a bond or other security from a contractor or otherwise imposing on a contractor the responsibility for restoration; and
- e. The criteria of OAR 660-033-0130(37)(b) are satisfied.
2. For arable lands, meaning lands that are cultivated or suitable for cultivation, including high-value farmland soils described at ORS 195.300(10), the governing body or its designated must find that:
 - a. The proposed wind power facility will not create unnecessary negative impacts on agricultural operations conducted on the subject property. Negative impacts could include, but are not limited to, the unnecessary construction of roads, dividing a field or multiple fields in such a way that creates small or isolated pieces of property that are more difficult to farm, and placing wind farm components such as meteorological towers on lands in a manner that could disrupt common and accepted farming practices;
 - b. The presence of a proposed wind power facility will not result in unnecessary soil erosion or loss that could limit agricultural productivity on the subject property. This provision may be satisfied by the submittal and county approval of a soil and erosion control plan prepared by an adequately qualified individual, showing how unnecessary soil erosion will be avoided or remedied and how topsoil will be stripped, stockpiled and clearly marked. The approved plan shall be attached to the decision as a condition of approval;
 - c. Construction or maintenance activities will not result in unnecessary soil compaction that reduces the productivity of soil for crop production. This provision may be satisfied by the submittal and county approval of a plan prepared by an adequately qualified individual, show unnecessary soil compaction will be avoided or remedied in a timely manner through deep soil decompaction or other appropriate practices. The approved plan shall be attached to the decision as a condition of approval;
 - d. Construction or maintenance activities will not result in the unabated introduction or spread of noxious weeds and other undesirable weeds species. This provision may be satisfied by the submittal and county approval of a weed control plan prepared by an adequately qualified individual that includes a long-term maintenance agreement. The approved plan shall be attached to the decision as a condition of approval.
 3. For nonarable lands, meaning lands that are not suitable for cultivation, the governing body or its designate must find that the requirements of OAR 660-033-0130(37)(b)(D) are satisfied.
 4. In the event that a wind power generation facility is proposed on a combination of arable and nonarable lands as described in OAR 660-033-0130(37)(b) and (c) the approval criteria of OAR 660-033-0130(37)(b) shall apply to the entire project.
- E. No aircraft may be based on a personal-use airport identified in DCC 18.16.030(M) other than those owned or controlled by the owner of the airstrip. Exceptions to the activities permitted under this definition may be granted through waiver action by the Oregon Department of Aviation in specific instances. A personal use airport lawfully existing as of September 13, 1975, shall continue to be permitted subject to any applicable rules of the Oregon Department of Aviation.
 - F. The facility for the primary processing of forest products identified in DCC 18.16.030 is intended to be portable or temporary in nature. Such a facility may be approved for a one-year period which is renewable.
 - G. Batching and blending mineral and aggregate into asphaltic cement may not be authorized within two miles of a planted vineyard. Planted vineyard means one or more vineyards totaling 40 acres or more that are planted as of the date of the application for bat
 - H. Accessory uses for golf courses shall be limited in size and orientation on the site to serve the needs of persons and their guests who patronize the golf course to golf. An accessory use that provides commercial services (e.g., pro shop, etc.) shall be located in the clubhouse rather than in separate buildings. Accessory uses may include one or more food and beverage service facilities in addition to food and beverage service facilities located in a clubhouse. Food and beverage service facilities must be part of and incidental to the operation of the golf course and must be limited in size and orientation on the site to service only the needs of persons who patronize the golf course and their guests. Accessory

food and beverage service facilities shall not be designed for or include structures for banquets, public gatherings or public entertainment.

- I. An expansion of an existing golf course as allowed under DCC 18.16.033(C) shall comply with the definition of "golf course" set forth in DCC Title 18 and the provisions of DCC 18.16.040(A).
- J. An applicant for a nonfarm conditional use may demonstrate that the standards for approval will be satisfied through the imposition of conditions. Any conditions so imposed shall be clear and objective.
- K. For purposes of approving a conditional use permit for a lot of record dwelling under DCC 18.16.030, the soil class, soil rating or other soil designation of a specific lot or parcel may be changed if the property owner:
 - 1. Submits a statement of agreement from the Natural Resources Conservation Service of the United States Department of Agriculture that the soil class, soil rating or other soil designation should be adjusted based on new information; or
 - 2. Submits a report from a soils scientist whose credentials are acceptable to the Oregon Department of Agriculture that the soil class, soil rating or other soil designation should be changed; and
 - 3. Submits a statement from the Oregon Department of Agriculture that the Director of Agriculture or the director's designee has reviewed the report described in 2 above and finds the analysis in the report to be soundly and scientifically based.
 - 4. The soil classes, soil ratings or other soil designations used in or made pursuant to this definition are those of the NRCS in its most recent publication for that class, rating or designation before November 4, 1993, except for changes made pursuant to subsections 1-3 above.
 - 5. For the purposes of approving a land use application under OAR 660-033-0090, 660-033-0120, 660-033-0130 and 660-033-0135, soil classes, soil ratings or other soil designations used in or made pursuant to this definition are those of the NRCS in its most recent publication for that class, rating or designation.
- L. Except on a lot or parcel contiguous to a lake or reservoir, a private campground shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 004.
 - a. A private campground may provide yurts for overnight camping. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt.
 - b. The yurt shall be located on the ground or on a wood floor with no permanent foundation.
 - c. As used in this paragraph, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance.
 - d. A campground shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites.
- M. living history museum shall be related to resource based activities and be owned and operated by a governmental agency or a local historical society.
 - a. A living history museum may include limited commercial activities and facilities that are directly related to the use and enjoyment of the museum and located within authentic buildings of the depicted historic period or the museum administration building, if areas other than an exclusive farm use zone cannot accommodate the museum and related activities, or if the museum administration buildings and parking lot are located within one-quarter mile of an urban growth boundary.
 - b. As used in this paragraph, a "living history museum" means a facility designed to depict and interpret everyday life and culture of some specific historic period using authentic buildings, tools, equipment and people to simulate past activities and events; and "local historical society" means the local historic society recognized by the County and organized under ORS Chapter 65.

(Ord. 2012-007 §2, 2012; Ord. 2009-014 §1, 2009; Ord. 2008-001 §2, 2008; Ord. 2006-008 §3, 2006; Ord. 2004-001 §2, 2004; Ord. 98-030 §1, 1998; Ord. 95-075 §1, 1995; Ord. 95-007 §14, 1995; Ord. 92-065 §3, 1992; Ord. 91-038 §1 and 2, 1991; Ord. 91-020 §1, 1991; Ord. 91-011 §1, 1991)

18.16.042 Agri-Tourism and other Commercial Events or Activities Limited Use Permit

- A. Agri-tourism and other commercial events or activities related to and supportive of agriculture may be approved in an area zoned for exclusive farm use only if the standards and criteria in this section are met.
- B. Application. The application shall include the following.
 - 1. The General Provisions information required in DCC 22.08.010.
 - 2. A written description of:
 - a. The proposal.
 - b. The types of agri-tourism and other commercial events or activities that are proposed to be conducted, including the number and duration of the agri-tourism and other commercial events and activities, the anticipated maximum daily attendance and the hours of operation, and how the agri-tourism and other commercial events or activities will be related to and supportive of agriculture and incidental and subordinate to the existing farm use of the tract.
 - c. The types and locations of all permanent and temporary structures, access and egress, parking facilities, and sanitation and solid waste to be used in connection with the agri-tourism or other commercial events or activities.
 - 3. A traffic management plan that:
 - a. Identifies the projected number of vehicles and any anticipated use of public roads;
 - b. Provides an assurance that one traffic control person shall be provided for each 250 persons expected or reasonably expected to be in attendance at any time during the agri-tourism and other commercial event or activity. The traffic control personnel shall be certified by the State of Oregon and shall comply with the current edition of the Manual of Uniform Traffic Control Devices.
 - c. Demonstrates that the parcel, lot or tract has direct access such that the lot, parcel or tract on which commercial events will occur:
 - i. Fronts on a public road; or
 - ii. Is accessed by an access easement or private road, and all underlying property owners and property owners taking access between the subject property and the public road consent in writing to the use of the road for agri-tourism and other commercial events or activities at the time of initial application.
 - 4. Inspection of Event Premises Authorization. The applicant shall provide in writing a consent to allow law enforcement, public health, and fire control officers and code enforcement staff to come upon the premises for which the Limited Use Permit has been granted for the purposes of inspection and enforcement of the terms and conditions of the permit and DCC Chapter 18.16 Exclusive Farm Use Zone and DCC Chapter 8.08 Noise Control, and any other applicable laws or ordinances.
- C. Approval Criteria.
 - 1. Type 1. Up to six (6) agri-tourism events in a calendar year on a tract may be approved by a limited use permit that is personal to the applicant and is not transferred by, or transferred with, a conveyance of the tract, if in compliance with:
 - a. Criteria set forth in 18.16.042(C)(2)(d-j).
 - b. May not, individually, exceed one calendar day.
 - c. Commercial events or activities are not permitted.
 - d. Minimum lot or parcel size: 5 acres.
 - e. Comply with DCC Chapter 8.08 Noise Control at all times. Sound amplification and sound producing devices are prohibited.
 - f. The maximum attendance is 30 at any one time for all non-residents of the tract.
 - g. Where there is a conflict between this section and DCC 18.16.042(C)(4-12), the more restrictive criteria shall apply.

2. Type 2. Up to six (6) agri-tourism and other commercial events or activities in a calendar year on a tract may be approved by a limited use permit that is personal to the applicant and is not transferred by, or transferred with, a conveyance of the tract, if in compliance with:
 - a. Minimum lot or parcel size: 10 acres.
 - b. Agri-tourism events may not, individually, exceed a duration of 72 consecutive hours, excluding set-up and take down of all temporary structures and facilities. The limitation on the hours of operations is included within the duration of 72 consecutive hours.
 - c. Commercial events or activities may not, individually, exceed a duration of 30 consecutive hours, excluding set-up and take down of all temporary structures and facilities. The limitation on the hours of operations is included within the duration of 30 consecutive hours.
 - d. Must be incidental and subordinate to existing farm use of the tract, and shall be related to and supportive of agriculture.
 - e. Set-up and take down of all temporary structures and facilities shall occur up to one business day prior to the agri-tourism and other commercial events or activities and one business day after the agri-tourism and other commercial events or activities between 7:00 a.m. and 10:00 p.m.
 - f. May not require that a new permanent structure be built, used or occupied in connection with the agri-tourism or other commercial events or activities.
 - g. May not, in combination with other agri-tourism or other commercial events or activities authorized in the area, materially alter the stability of the land use pattern in the area.
 - h. Must comply with ORS 215.296.
 - i. Limited Use Permits approved under this section expire two years from the date of approval.
 - j. Limited Permits may be renewed for an additional two years subject to:
 - i. An application for renewal; and
 - ii. Demonstration of compliance with conditions that apply to the limited use permit and applicable provisions in this section, DCC Chapter 18.16.042.
3. Type 3. Agri-tourism or other commercial events or activities may be approved by a limited use permit that is personal to the applicant and is not transferred by, or transferred with, a conveyance of the tract, more frequently or for a longer period than allowed under 18.16.042(C)(1) and (2) if the agri-tourism or other commercial events or activities is in compliance with:
 - a. Criteria set forth in 18.16.042(C)(2)(d)(e)(f)(g) and (h).
 - b. Must be incidental and subordinate to existing commercial farm use of the tract and are necessary to support the commercial farm uses or the commercial agricultural enterprises in the area.
 - c. Minimum lot or parcel size: 160 acres.
 - d. Do not exceed 18 commercial events or activities in a calendar year.
 - e. Commercial events or activities may not, individually, exceed a duration of 24 consecutive hours, excluding set-up and take down of all temporary structures and facilities. The limitation on the hours of operations is included within the duration of 24 consecutive hours.
 - f. Agri-tourism events may not, individually, exceed a duration of 72 consecutive hours, excluding set-up and take down of all temporary structures and facilities. The limitation on the hours of operations is included within the duration of 72 consecutive hours.
 - g. No more than two commercial events or activities may occur in one month.
 - h. Limited Use Permits approved under this section expire four years from the date of approval.
 - i. Limited Use Permits may be renewed at four year intervals subject to:
 - i. An application for renewal;
 - ii. Public notice and public comment as part of the review process.
 - iii. Demonstration of compliance with conditions that apply to the limited use permit and applicable provisions in this section, DCC Chapter 18.16.042.
4. The area in which the agri-tourism or other commercial events or activities are located shall be setback at least 100 feet from the property line.

5. Notification of agri-tourism and other commercial events or activities.
 - a. The property owner shall submit in writing the list of calendar days scheduled for all agri-tourism and other commercial events or activities by April 1 of the subject calendar year or within 30 days of new or renewed limited use permits, if after April 1, to Deschutes County's Community Development Department and Sheriff's Office, and all property owners within 500 feet of the subject property.
 - b. The list of calendar dates for all agri-tourism, commercial events and activities may be amended by submitting the amended list to the same entities at least 72 hours prior to any date change.
 - c. If such notice is not provided, the property owner shall provide notice by Registered Mail to the same list above at least 10 days prior to each agri-tourism and other commercial event or activity.
 - d. The notification shall include a contact person or persons for each agri-tourism and other commercial event or activity who shall be easily accessible and who shall remain on site at all times, including the person(s) contact information.
6. Sanitation facilities shall include, at a minimum, portable restroom facilities and stand-alone hand washing stations.
7. Hours of Operation. No agri-tourism and other commercial event or activity may begin before 7:00 a.m. or end after 10:00 p.m.
8. Overnight camping is not allowed.
9. Noise Control
 - a. All noise, including the use of a sound producing device such as, but not limited to, loud speakers and public address systems, musical instruments that are amplified or unamplified, shall be in compliance with applicable state regulations.
 - b. A standard sound level meter or equivalent, in good condition, that provides a weighted sound pressure level measured by use of a metering characteristic with an "A" frequency weighting network and reported as dBA shall be available on-site at all times during agri-tourism and other commercial events or activities.
10. Transportation Management.
 - a. Roadways, driveway aprons, driveways and parking surfaces shall be surfaces that prevent dust, and may include paving, gravel, cinders, or bark/wood chips.
 - b. Driveways extending from paved roads shall have a paved apron, requiring review and approval by the County Road Department.
 - c. The parcel, lot or tract has direct access as defined in DCC Chapter 18.16.042(B)(3)(c).
 - d. Adequate traffic control must be provided by the property owner to address the following:
 - i. There shall be one traffic control person for each 250 persons expected or reasonably expected to be in attendance at any time.
 - ii. All traffic control personnel shall be certified by the State of Oregon and shall comply with the current edition of the Manual of Uniform Traffic Control Devices.
11. Health and Safety Compliance
 - a. All permanent and temporary structures and facilities are subject to fire, health and life safety requirements, and shall comply with all requirements of the Deschutes County Building Safety Division and the Environmental Soils Division and any other applicable federal, state and local laws.
 - b. Compliance with the requirements of the Deschutes County Building Safety Division shall include meeting all building occupancy classification requirements of the State of Oregon adopted building code.
12. The maximum number of people shall not exceed 500 per calendar day.
13. Agri-Tourism and other Commercial Events or Activities shall not be allowed:

- a. Within the County adopted big game winter ranges during the months of December through March.
- b. Within the County adopted big game migration corridors during the month of April and during the months of October and November.
- c. Within the County adopted sensitive bird and mammal habitat areas as defined in DCC 18.90.020, unless a site has had no nesting attempt or the nest has failed, as determined by a professional wildlife biologist in May of the calendar year in which the application is approved, unless a site has had no nesting attempt or the nest has failed which could be determined in May by a professional wildlife biologist.

(Ord. 2012-004, §2, 2012)

18.16.043 Single Permit.

- A. The maximum number of agri-tourism and other commercial events or activities on a lot, parcel or tract may not exceed the total number of commercial events allowed by any individual land use approval, including a winery authorized under DCC 18.16.038(B), and events, outdoor mass gatherings or extended outdoor mass gatherings authorized under DCC Chapter 8.16. B.

The following permits may not be combined:

- 1. Agri-tourism and other commercial events or activities under DCC 18.16.042.
- 2. Winery under DCC 18.16.038(B),
- 3. Events, outdoor mass gatherings, extended outdoor mass gatherings, parades or funeral processions authorized under DCC Chapter 8.16.
- 4. Home occupation for commercial events or activities.

(Ord. 2012-004, §2, 2012)

18.16.050. Standards for Dwellings in the EFU Zones.

Dwellings listed in DCC 18.16.025 and 18.16.030 may be allowed under the conditions set forth below for each kind of dwelling, and all dwellings are subject to the landowner for the property upon which the dwelling is placed, signing and recording in the deed records for the County, a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

- A. Farm-related dwellings on nonhigh value farmland. A dwelling customarily provided in conjunction with farm use, as listed in DCC 18.16.030(A), may be approved if it satisfies any of the alternative tests set forth below:

- 1. Acreage test.
 - a. On land not identified as high-value farmland, a dwelling, including a manufactured home in accordance with DCC 18.16.070, may be considered customarily provided in conjunction with farm use if:
 - i. The parcel on which the dwelling will be located is at least:
 - (a) One hundred sixty acres and not in the Horse Ridge East subzone; or
 - (b) Three hundred twenty acres in the Horse Ridge East subzone;
 - ii. The subject tract is currently employed for farm use, as defined in DCC 18.04.030, and which is evidenced by a farm management plan;
 - iii. The dwelling will be occupied by a person or persons who will be principally engaged in the farm use of the land, such as planting, harvesting, marketing or caring for livestock, at a commercial scale;
 - iv. There is no other dwelling on the subject tract, except as allowed under DCC 18.16.020(K);
 - 2. Median acreage/gross sales test.

- a. On land not identified as high-value farmland, a dwelling, including a manufactured home in accordance with DCC 18.116.070, may be considered customarily provided in conjunction with farm use if:
 - i. The subject tract is at least as large as the median size of those commercial farm or ranch tracts capable of generating at least \$10,000 in annual gross sales that are located within a study area that includes all tracts wholly or partially within one mile of the perimeter of the subject tract;
 - ii. The subject tract is capable of producing at least the median level of annual gross sales of County indicator crops as the same commercial farm or ranch tracts used to calculate the tract size in DCC 18.16.050(A)(2)(a)(i);
 - iii. The subject tract is currently employed for farm use, as defined in DCC 18.04.030, and which is evidenced by a farm management plan, at a level capable of producing the annual gross sales required in DCC 18.16.050(A)(2)(a)(ii). If no farm use has been established at the time of application, land use approval shall be subject to a condition that no building permit may be issued prior to establishment of the farm use capable of meeting the median income test.
 - iv. The subject lot or parcel on which the dwelling is proposed is at least 20 acres in size;
 - v. There is no other dwelling on the subject tract, except as allowed under DCC 18.16.020(K); and
 - vi. The dwelling will be occupied by a person or persons who will be principally engaged in the farm use of the land, such as planting, harvesting, marketing or caring for livestock, at a commercial scale.
 - b. For the purpose of calculating appropriate tract sizes and gross incomes to satisfy DCC 18.16.050(A)(2)(a)(i) and (ii), the County will utilize the methodology contained in Oregon Administrative Rules 660-33-135(3) using data on gross sales per acre tabulated by LCDC pursuant to Oregon Administrative Rules 660-33-135(4).
3. Gross annual income test.
 - a. On land not identified as high-value farmland, a dwelling, including a manufactured home in accordance with DCC 18.116.070, may be considered customarily provided in conjunction with farm use if:
 - i. The subject tract is currently employed for a farm use, and that the farm operator earned \$32,500 in gross annual revenue in the last two years, three of the last five years, or based on the average farm revenue earned on the tract in the highest three of the last five years.
 - ii. There is no other dwelling on the subject tract, except as allowed under 18.16.020(K);
 - iii. The dwelling will be occupied by a person or persons who produced the commodities which grossed the income in DCC 18.16.050(A)(3)(a)(i); and
 - b. In determining gross revenue, the cost of purchased livestock shall be deducted from the total gross revenue attributed to the tract.
 - c. Noncontiguous lots or parcels zoned for farm use in the same county or contiguous counties may be used to meet the gross revenue requirements.
 - d. Only gross revenue from land owned, not leased or rented, shall be counted; and gross farm revenue earned from a lot or parcel which has been used previously to qualify another lot or parcel for the construction or siting of a primary farm dwelling may not be used.
 - e. Prior to a dwelling being approved under this section that requires one or more contiguous or noncontiguous lots or parcels of a farm or ranch operation to comply with the gross farm revenue requirements, the applicant shall provide evidence that the covenants, conditions and restrictions form attached to Chapter 18.16, has been recorded with the county clerk or counties where the property subject to the covenants, conditions and restrictions is located.
 1. The covenants, conditions and restrictions shall be recorded for each lot or parcel subject to the application for primary farm dwelling and shall preclude:

- a. All future rights to construct a dwelling except for accessory farm dwellings, relative farm assistance dwellings, temporary hardship dwellings or replacement dwellings allowed under ORS Chapter 215; and
 - b. The use of any gross farm revenue earned on the lots or parcels to qualify another lot or parcel for a primary farm dwelling;
 - c. The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of the county or counties where the property subject to the covenants, conditions and restrictions is located;
 - d. The failure to follow the requirements of this section shall not affect the validity of the transfer of property or the legal remedies available to the buyers of property which is subject to the covenants, conditions and restrictions required by this section.
- B. Farm related dwellings on high value farmland. On land identified as high-value farmland, a dwelling, including a manufactured home in accordance with DCC 18.116.070, may be considered customarily provided in conjunction with farm use if:
 1. The subject lot or parcel is currently employed for the farm use as defined in DCC 18.04.030, and that the farm operator earned at least \$80,000 in gross annual revenue from the sale of farm products in the last two years, three of the last five years, or based on the average farm revenue earned by the farm operator in the best three of the last five years, and the lot or parcel on which the dwelling is proposed is at least the size of the minimum lot or parcel size in the subzone. In determining gross revenue, the cost of purchased livestock shall be deducted from the total gross revenue attributed to the tract;
 2. There is no other dwelling on the subject tract, except as allowed under 18.16.020(K);
 3. The dwelling will be occupied by a person or persons who produced the commodities which grossed the revenue under DCC 18.16.050(B)(1); and
 4. Noncontiguous lots or parcels zoned for farm use in the same county or contiguous counties may be used to meet the gross revenue requirements;
 5. Only gross revenue from land owned, not leased or rented, shall be counted; and gross farm revenue earned from a lot or parcel which has been used previously to qualify another lot or parcel for the construction or siting of a primary farm dwelling may not be used.
 6. Prior to a dwelling being approved under this section that requires one or more contiguous or noncontiguous lots or parcels of a farm or ranch operation to comply with the gross farm revenue requirements, the applicant shall provide evidence that the covenants, conditions and restrictions form attached to Chapter 18.16, has been recorded with the county clerk. The covenants, conditions and restrictions shall be recorded for each lot or parcel subject to the application for primary farm dwelling and shall preclude:
 - a. All future rights to construct a dwelling except for accessory farm dwellings, relative farm assistance dwellings, temporary hardship dwellings or replacement dwellings allowed by ORS Chapter 215; and
 - b. The use of any gross farm revenue earned on the lots or parcels to qualify another lot or parcel for a primary farm dwelling.
- C. Accessory dwelling. A dwelling, including a manufactured home in accordance with DCC 18.116.070, is considered to be an accessory farm dwelling customarily provided in conjunction with farm use when:
 1. The accessory dwelling meets the following criteria:
 - a. The accessory farm dwelling will be occupied by a person or persons who will be principally engaged in the farm use of the land and whose seasonal or year-round assistance in the management of the farm use, such as planting, harvesting, marketing or caring for livestock, is or will be required by the farm operator; and
 - b. The accessory farm dwelling will be located:
 - i. On the same lot or parcel as the primary farm dwelling; or

- ii. On the same tract as the primary farm dwelling when the lot or parcel on which the accessory farm dwelling will be sited is consolidated into a single parcel with all other contiguous lots and parcels in the tract; or
 - iii. On a lot or parcel on which the primary farm dwelling is not located, when the accessory farm dwelling is limited to only a manufactured home and a deed restriction substantially in compliance with the form set forth in Exhibit A to DCC 18.16 is filed with the County Clerk. The deed restriction shall require the manufactured dwelling to be removed when the lot or parcel is conveyed to another party. The manufactured home may remain if it is reapproved under DCC 18.16.050; or
 - iv. On a lot or parcel on which the primary farm dwelling is not located, when the accessory farm dwelling is located on a lot or parcel at least the size of the applicable minimum lot size under DCC 18.16.065 and the lot or parcel complies with the gross farm income requirements in DCC 18.16.050(A)(3) or (B)(1), whichever is applicable; and
- c. There is no other dwelling on land zoned EFU owned by the farm operator that is vacant or currently occupied by persons not working on the subject farm or ranch and that could reasonably be used as an accessory farm dwelling; and
- 2. The primary farm dwelling to which the proposed dwelling would be accessory meets one of the following:
 - a. On land not identified as high-value farmland, the primary farm dwelling is located on a farm or ranch operation that is currently employed in farm use and produced \$32,500 in gross annual sales in the last two years, ~~or~~ three of the last five years, or based on the average farm revenue earned on the tract in the highest three of the last five years. In determining gross revenue, the cost of purchased livestock shall be deducted from the total gross revenue attributed to the tract; or
 - b. On land identified as high-value farmland, the primary farm dwelling is located on a farm or ranch operation that is currently employed for farm use, and produced at least \$80,000 in gross annual revenue from the sale of farm products in the last two years, three of the last five years, or based on the average farm revenue earned on the tract in the highest three of the last five years. Gross revenue shall be calculated by deducting the cost of purchased livestock from the total gross revenue attributed to the tract; and
- 3. A lot or parcel approved for an accessory farm dwelling under DCC 18.16.050 shall not be approved for a division of land except as provided for in DCC 18.16.055(B).
- 4. An accessory farm dwelling approved pursuant to this section cannot later be used to satisfy the requirements for a nonfarm dwelling pursuant to DCC 18.16.050(G).
- D. Relative farm assistance dwelling.
 - 1. A dwelling listed in DCC 18.16.025(B) is allowed when:
 - a. The subject tract is at least 40 acres in size, unless it is demonstrated to the Planning Director or Hearings Body that a smaller unit of land is a commercial agricultural enterprise.
 - b. The subject tract is used for farm use;
 - c. The dwelling is a manufactured home and is sited in accordance with DCC 18.116.070, or is a pre-existing site-built home that: (1) was established at least 30 years prior to the date the land use permit was submitted and (2) is located on a parcel of at least 40 acres in size and that meets the minimum irrigated acres standard for the subzone within which it is located;
 - d. The dwelling is located on the same lot or parcel as the dwelling of the farm operator, and is occupied by a relative of the farm operator or farm operator's spouse, including a grandparent, step-grandparent, grandchild, parent, step-parent, child, brother, sister, sibling, step-sibling, niece, nephew, or first cousin of either, if the farm operator does, or will, require the assistance of the relative in the management of the farm use.
 - 1. Notwithstanding ORS 92.010 to 92.190 or the minimum lot or parcel size requirements under ORS 215.780, if the owner of a dwelling described in this subsection obtains construction financing or other financing secured by the dwelling and the secured party

forecloses on the dwelling, the secured party may also foreclose on the homesite, as defined in ORS 308A.250, and the foreclosure shall operate as a partition of the homesite to create a new parcel.

2. Prior conditions of approval for the subject land and dwelling remain in effect.
3. For purposes of this subsection, "Foreclosure" means only those foreclosures that are exempt from partition under ORS 92.010(7)(a).
- e. The farm operator plays the predominant role in the management and farm use of the farm and will continue to do so after the relative farm help dwelling is approved.
- f. Any approval granted under DCC 18.16.050 shall be conditioned with a requirement that the farm operator annually submit a report to the Planning Division identifying the resident(s) of the dwelling, their relationship to the farm operator, the assistance the resident provides to the farm operator, and verifying the farm operator's continued residence on the property and the predominant role the farm operator continues to play in the management and farm use of the farm.
2. A manufactured home permitted under DCC 18.16.050 shall be considered to be a temporary installation, and permits for such home shall be renewable and renewed on an annual basis. The manufactured home shall be removed from the property if it no longer meets the criteria of DCC 18.16.050 and the approval shall be so conditioned.
3. A pre-existing dwelling approved under DCC 18.16.050 shall be removed or converted to an allowable use within one year of the date the relative farm help dwelling no longer meets the criteria of DCC 18.16.050 and the approval shall be so conditioned.
4. Upon approval of a dwelling under DCC 18.16.050, a Conditions of Approval Agreement shall be recorded with the Deschutes County Clerk prior to issuance of any building or placement permit for the new dwelling on the property.
5. For the purposes of DCC 18.16.050(D), a farm operator is a person who operates a farm, doing the work and making the day-to-day decisions about such things as planting, harvesting, feeding and marketing.
- E. Lot of record dwelling on nonhigh value farmland.
 1. A lot of record dwelling may be approved on a pre-existing lot or parcel on nonhigh value farmland when all of the following requirements are met:
 - a. The lot or parcel on which the dwelling will be sited was lawfully created and was acquired and owned continuously by the present owner:
 - i. Prior to January 1, 1985; or
 - ii. By devise or by intestate succession from a person who acquired and owned continuously the lot or parcel prior to January 1, 1985.
 - b. The tract on which the dwelling will be sited does not include a dwelling.
 - c. For lots or parcels located within a wildlife area (WA) combining zone, siting of the proposed dwelling would be consistent with the limitations on density as applied under the applicable density restrictions of DCC 18.88.
 - d. If the lot or parcel on which the dwelling will be sited is part of a tract, the remaining portions of the tract shall be consolidated into a single lot or parcel when the dwelling is allowed.
 - e. The County Assessor shall be notified of any approval of a dwelling under DCC 18.16.050.
 - f. If the lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993, no dwelling exists on another lot or parcel that was part of the tract;
 2. For purposes of DCC 18.16.050(E), "owner" includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, step-parent, step-child, grandparent or grandchild of the owner or a business entity owned by any one or a combination of these family members.
 3. For purposes of DCC 18.16.050(E), the date of creation and existence means that, when a lot, parcel or tract is reconfigured pursuant to applicable law after November 4, 1993, the effect of which is to qualify a lot, parcel or tract for the siting of a lot of record dwelling, the date of the reconfiguration

is the date of creation and existence. Reconfigured means any change in the boundary of the lot, parcel or tract.

F. Lot of record dwelling on high-value farmland.

1. A lot of record dwelling on a pre-existing lot or parcel will be approved on high value farmland when all of the following requirements are met:
 - a. The requirements set forth in DCC 18.16.050(E)(1)(a) through (f), as determined by the County; and
 - b. The requirements of Oregon Administrative Rules 660-33-130(3)(c)(C), as determined by the County hearings officer.
2. Applicants under DCC 18.16.050(F) shall make their application to the County. The County shall notify the State Department of Agriculture at least 20 calendar days prior to the public hearing under DCC 18.16.050(F)(1)(b).
3. Applicants under DCC 18.16.050(F) shall be subject to such other procedural requirements as are imposed by the Oregon Department of Agriculture.
4. For purposes of DCC 18.16.050(F), the date of creation and existence means that, when a lot, parcel or tract is reconfigured pursuant to applicable law after November 4, 1993, the effect of which is to qualify a lot, parcel or tract for the siting of a lot of record dwelling, the date of the reconfiguration is the date of creation and existence. Reconfigured means any change in the boundary of the lot, parcel or tract.

G. Nonfarm dwelling.

1. One single-family dwelling, including a manufactured home in accordance with DCC 18.116.070, not provided in conjunction with farm use, may be permitted on an existing lot or parcel subject to the following criteria:
 - a. The Planning Director or Hearings Body shall make findings that:
 - i. The dwelling or activities associated with the dwelling will not force a significant change in or significantly increase the cost of accepted farming practices, as defined in ORS 215.203(2)(c), or accepted forest practices on nearby lands devoted to farm or forest use.
 - ii. The proposed nonfarm dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed nonfarm dwelling will alter the stability of the land use pattern in the area, the County shall consider the cumulative impact of nonfarm dwellings on other lots or parcels in the area similarly situated, by applying the standards under OAR 660-033-0130(4)(a)(D), and whether creation of the parcel will lead to creation of other nonfarm parcels, to the detriment of agriculture in the area.
 - iii. The proposed nonfarm dwelling is situated on an existing lot or parcel, or a portion of a lot or parcel that is generally unsuitable for the production of farm crops and livestock or merchantable tree species, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract.
 - iv. The proposed nonfarm dwelling is not within one-quarter mile of a dairy farm, feed lot or sales yard, unless adequate provisions are made and approved by the Planning Director or Hearings Body for a buffer between such uses. The establishment of a buffer shall be designed based upon consideration of such factors as prevailing winds, drainage, expansion potential of affected agricultural uses, open space and any other factor that may affect the livability of the nonfarm-dwelling or the agriculture of the area.
Road access, fire and police services and utility systems (i.e., electrical and telephone) are adequate for the use.
 - v. The nonfarm dwelling shall be located on a lot or parcel created prior to January 1, 1993, or was created or is being created as a nonfarm parcel under the land division standards in DCC 18.16.055(B) or (C).
2. For the purposes of DCC 18.16.050(G) only, "unsuitability" shall be determined with reference to the following:

- a. A lot or parcel or a portion of a lot or parcel shall not be considered unsuitable solely because of size or location if it can reasonably be put to farm or forest use in conjunction with other land. If the parcel is under forest assessment, the dwelling shall be situated upon generally unsuitable land for the production of merchantable tree species recognized by the Forest Practices Rules, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the parcel.
 - b. A lot or parcel or portion of a lot or parcel is not "generally unsuitable" simply because it is too small to be farmed profitably by itself. If a lot or parcel or portion of a lot or parcel can be sold, leased, rented or otherwise managed as part of a commercial farm or ranch, it is not "generally unsuitable." A lot or parcel or portion of a lot or parcel is presumed to be suitable if it is composed predominantly of Class I-VI soils. Just because a lot or parcel or portion of a lot or parcel is unsuitable for one farm use does not mean it is not suitable for another farm use. If the parcel is under forest assessment, the area is not "generally unsuitable" simply because it is too small to be managed for forest production profitably by itself.
 - c. If a lot or parcel under forest assessment can be sold, leased, rented or otherwise managed as a part of a forestry operation, it is not "generally unsuitable." If a lot or parcel is under forest assessment, it is presumed suitable if it is composed predominantly of soil capable of producing 20 cubic feet of wood fiber per acre per year. If a lot or parcel is under forest assessment, to be found compatible and not seriously interfere with forest uses on surrounding land it must not force a significant change in forest practices or significantly increase the cost of those practices on the surrounding land.
3. Loss of tax deferral. Except as provided in DCC 18.16.050(I)(2), pursuant to ORS 215.236, a nonfarm dwelling on a lot or parcel in an Exclusive Farm Use zone that is or has been receiving special assessment may be approved only on the condition that before a building permit is issued the applicant must produce evidence from the County Assessor's office that the parcel upon which the dwelling is proposed has been disqualified under ORS 308A.113 or ORS 308A.116 for special assessment at value for farm use under ORS 308A.062 or other special assessment under ORS 308A.068, 321.352, 321.730 or 321.815 and that any additional tax or penalty imposed by the County Assessor as a result of disqualification has been paid.
- H. Temporary hardship dwelling.
1. A temporary hardship dwelling listed in DCC 18.16.030 is allowed under the following conditions:
 - a. The dwelling is a manufactured home or recreational vehicle, and is used in conjunction with an existing dwelling on the lot or parcel;
 - b. The manufactured home or recreational vehicle would be temporarily sited on the lot or parcel only for the term of a hardship suffered by the existing resident or relative of the resident. The manufactured dwelling shall be removed or demolished within three months of the date the hardship no longer exists. The recreational vehicle shall not be occupied once the term of the medical hardship is completed, except as allowed under DCC 18.116.095. A temporary residence approved under this section is not eligible for replacement under DCC 18.16.020(J);
 - c. The existence of a medical hardship is verified by a written doctor's statement, which shall accompany the permit application; and
 - d. The temporary manufactured home uses the same subsurface sewage disposal system used by the existing dwelling, provided that the existing disposal system is adequate to accommodate the additional dwelling. If the manufactured home will use a public sanitary sewer system, such condition will not be required.
 - e. If a recreational vehicle is used as a medical hardship dwelling, it shall be required to have a bathroom, and shall meet the minimum setbacks established under DCC 18.16.070.
 2. Permits granted under DCC 18.16.050(H) shall be subject to the provisions of DCC 18.116.090 and shall be required to meet any applicable DEQ review and removal requirements as a condition of approval.

3. As used in DCC 18.16.050(H), the term "hardship" means a medical hardship or hardship for the care of an aged or infirm person or persons.
 4. As used in DCC 18.16.050(H), the term "relative" means grandparent, step-grandparent, grandchild, parent, step-parent, child, step-child, brother, sister, sibling, step-sibling, niece, nephew, uncle, aunt, or first cousin of the existing resident.
 5. The proposed hardship dwelling or recreational vehicle shall meet the criteria under DCC 18.16.040(A)(1-2) and DCC 18.16.020(J)(6).
- I. Wildlife conservation plan dwelling.
1. A dwelling listed in DCC 18.16.030(G) is allowed when the Planning Director or the Hearings Body finds that the proposed dwelling:
 - a. Is situated on a lot or parcel existing on November 4, 1993, that qualifies for a farm dwelling, as listed in DCC 18.16.030(A), or a nonfarm dwelling, as listed in DCC 18.16.030(C);
 - b. Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use;
 - c. Will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use;
 - d. Will not be established on a lot or parcel that is predominantly composed of soils rated Class I or II, when not irrigated, or rated Prime or Unique by the United States Natural Resources Conservation Service or any combination of such soils; and
 - e. Is the only dwelling situated on the affected lot or parcel.
 2. For a wildlife conservation plan dwelling approval based upon nonfarm dwelling criteria, DCC 18.16.050(I) shall also apply. Unless prior to approval of a conditional use permit for a wildlife conservation plan dwelling the applicant submits to the assessor certification demonstrating approval by Oregon Department of Fish and Wildlife of a wildlife conservation and management plan and its implementation, the conditional use permit shall contain a condition requiring that the applicant, prior to issuance of a building permit for such dwelling, either 1) submit certification to the assessor from ODFW demonstrating approval and implementation of a wildlife conservation and management plan qualifying under ORS 215.808 or 2) pay the tax penalties required by DCC 18.16.050(G)(3).

(Ord. 2012-007 §2, 2012; Ord. 2009-014 §1, 2009; Ord. 2008-001 §2, 2008; Ord. 2004-0020 §1, 2004; Ord. 2004-013 §2, 2004; Ord. 2004-001 §2, 2004; Ord. 98-033 §1, 1998; Ord. 98-030 §1, 1998; Ord. 95-007 §15, 1995; Ord. 94-026 §1, 1994; Ord. 92-065 §3, 1992; Ord. 91-038 §§2 and 3, 1991; Ord. 91-020 §1, 1991)

18.16.055. Land Divisions.

- A. General. A division of land in the exclusive farm use zone shall be identified on the land division application as either an irrigated land division, nonirrigated land division, or a division of land for a use permitted by Oregon Revised Statutes 215.263 other than a dwelling. An irrigated land division is subject to subsection B below; a nonirrigated land division is subject to subsection C below; and a land division for a use other than a dwelling is subject to subsection E below, as well as ORS 215.263.
- B. Irrigated land division.
1. An irrigated land division shall be subject to the minimum lot or parcel size requirements of DCC 18.16.065, Subzones, and all applicable requirements of DCC Title 17.
 2. Partitions establishing parcels less than the EFU minimum parcel size established under DCC 18.16.065, may be permitted to create new parcels for nonfarm dwellings as follows:
 - a. If the parent parcel is equal to or greater than the minimum parcel size established under 18.16.065, and is less than 80 acres in size, one new nonfarm parcel may be created subject to the following:
 - i. Parent parcel was lawfully created prior to July 1, 2001;
 - ii. Remainder parcel shall meet the minimum lot size established under 18.16.065;

- iii. All standards established under 18.16.050(G) for the dwelling shall be met;
 - iv. No minimum lot size shall be required for the nonfarm parcel.
 - v. The parcel for the nonfarm dwelling is generally unsuitable for the production of farm crops and livestock or merchantable tree species considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract. A parcel may not be considered unsuitable based solely on size or location if the parcel can reasonably be put to farm or forest use in conjunction with other land.
 - b. If the parent parcel is equal to or greater than the minimum lot size established under 18.16.065, and is greater than or equal to 80 acres in size, two new nonfarm parcels may be created subject to the following:
 - i. Parent parcel was lawfully created prior to July 1, 2001;
 - ii. Remainder parcel shall meet the minimum lot size established under 18.16.065;
 - iii. All standards established under 18.16.050(G) for the dwellings shall be met;
 - iv. No minimum parcel size shall be required for the nonfarm parcel.
 - v. The parcels for the nonfarm dwellings are generally unsuitable for the production of farm crops and livestock or merchantable tree species considering the terrain, adverse soil or land conditions, drainage or flooding, vegetation, location and size of the tract. A parcel may not be considered unsuitable based solely on size or location if the parcel can reasonably be put to farm or forest use in conjunction with other land.
- 3. The minimum size for new parcels does not mean that farm dwellings may be approved on the new parcels.
- 4. New dwellings in conjunction with farm use must satisfy the criteria in DCC 18.16.050.
- C. Nonirrigated land division.
 - 1. The minimum lot or parcel size for a nonirrigated land division is 80 acres.
 - 2. Notwithstanding 1 above, land divisions creating nonfarm parcels less than the minimum lot size may be allowed as follows:
 - a. If the parent parcel is greater than 80 acres in size, up to two new nonfarm parcels may be allowed subject to the following:
 - i. Parent parcel was lawfully created prior to July 1, 2001;
 - ii. Remainder parcel shall be at least 80 acres in size;
 - iii. All standards established under 18.16.050(G) for the dwellings shall be met;
 - iv. The minimum size for the nonfarm parcels is 5 acres.
 - v. The parcels for the nonfarm dwellings are generally unsuitable for the production of farm crops and livestock or merchantable tree species considering the terrain, adverse soil or land conditions, drainage or flooding, vegetation, location and size of the tract. A parcel may not be considered unsuitable based solely on size or location if the parcel can reasonably be put to farm or forest use in conjunction with other land.
 - vi. Be located outside of the Horse Ridge East subzone.
 - b. If the parent parcel is greater than or equal to 40 acres and less than or equal to 80 acres, one new nonfarm parcel is allowed subject to the following:
 - i. Parent parcel was lawfully created prior to July 1, 2001;
 - ii. Parcels are not capable of producing more than 20 cubic feet per acre per year of wood fiber;
 - iii. Parcels are composed of at least 90 percent Class VII and VIII soils, or are composed of at least 90 percent Class VI through VIII soils and are not capable of producing adequate herbaceous forage for grazing livestock;
 - iv. Parcels shall not have established water rights for irrigation;
 - v. All standards established under 18.16.050(G) for the dwellings shall be met;
 - vi. The parcels for the nonfarm dwellings are generally unsuitable for the production of farm crops and livestock or merchantable tree species considering the terrain, adverse soil or land conditions, drainage or flooding, vegetation, location and size of the tract. A parcel may not

be considered unsuitable based solely on size or location if the parcel can reasonably be put to farm or forest use in conjunction with other land

vii. The minimum parcel size is 5 acres;

viii. Be located outside of the Horse Ridge East subzone.

D. Partitions in the Wildlife Area Combining Zones must meet the minimum parcel sizes established under DCC 18.88.050.

E. A division of land for a use listed under ORS 215.263 other than a dwelling. Such divisions shall be subject to the minimum parcel size requirements of DCC 18.16.060(C), ORS 215.263, and the applicable partitioning standards, including the general partition standards set forth in DCC 17.22, the Subdivision and Partition Ordinance.

(Ord. 2012-007 §2, 2012; Ord. 2009-014 §1, 2009; Ord. 2008-001 §2, 2008; Ord. 2006-008 §3, 2006; Ord. 2004-001 §2, 2004; Ord. 2002-016 §1, 2002; Ord. 2001-016 §2, 2001; Ord. 95-007 §16, 1995; Ord. 94-026 §2, 1994; Ord. 92-065 §3, 1992)

18.16.060. Dimensional Standards.

A. The minimum parcel size for irrigated land divisions created subject to DCC Title 17 shall be as specified under DCC 18.16.065, "Subzones."

B. The minimum parcel size for nonirrigated land divisions created subject to DCC Title 17 is as specified under DCC 18.16.055(C).

C. The minimum parcel size for all other uses permitted by Oregon Revised Statutes 215.263 shall be no greater than the minimum size necessary for the use.

D. Each parcel shall have a minimum street frontage of 50 feet.

E. Building height. No building or structure shall be erected or enlarged to exceed 30 feet in height, except as allowed under DCC 18.120.040.

(Ord. 2012-007 §2, 2012; Ord. 2009-014 §1, 2009; Ord. 2008-001 §2, 2008; Ord. 2002-016 §1, 2002; Ord. 2001-016 §2, 2001; Ord. 95-007 §17, 1995; Ord. 93-043 §3, 1993; Ord. 93-004 §1, 1993; Ord. 92-065 §3, 1992; Ord. 92-055 §1, 1992; Ord. 91-038 §§1 and 2, 1991; Ord. 91-020 §1, 1991)

18.16.065. Subzones.

A. Lower Bridge. A proposed irrigated land division must result in parcels that demonstrate the following characteristics or capabilities:

One hundred thirty acres of irrigated land.

B. Sisters/Cloverdale. A proposed irrigated land division must result in parcels that demonstrate the following characteristics or capabilities:

Sixty-three acres of irrigated land.

C. Terrebonne. A proposed irrigated land division must result in parcels that demonstrate the following characteristics or capabilities:

Thirty-five acres of irrigated land.

D. Tumalo/Redmond/Bend. A proposed irrigated land division must result in parcels that demonstrate the following characteristics or capabilities:

Twenty-three acres of irrigated land.

E. Alfalfa. A proposed irrigated land division must result in parcels that demonstrate the following characteristics or capabilities:

Thirty-six irrigated acres.

F. La Pine. A proposed irrigated land division must result in parcels that demonstrate the following characteristics or capabilities:

Thirty-seven acres of irrigated land.

G. Horse Ridge East. Minimum parcel size for a land division is 320 acres.

(Ord. 2009-014 §1, 2009; Ord. 2008-001 §2, 2008; Ord. 2002-016 §1, 2002; Ord. 2001-016 §2, 2001; Ord. 95-007 §18, 1995; Ord. 92-065 §3, 1992)

18.16.067. Farm Management Plans.

- A. Contents. A farm management plan shall consist of the following components:
1. A written description of existing and/or proposed farm uses, including type of crops or livestock, size and location of areas for each use, and land or soil preparation required.
 2. An assessment of the soils, climate and irrigation on the parcel demonstrating that the parcel is suitable for the current or proposed use outlined in DCC 18.16.067(A)(1).
 3. A business plan, including a demonstration that markets exist for the product; estimates of gross sales or actual gross sales figures; estimated or actual figures concerning necessary expenditures; and a list of capital expenditures incurred or projected to be incurred in establishing the farm use on the parcel.
 4. A written description of the farm uses in the area, including acreage, size and type of crop or livestock raised showing that the proposed plan is representative of similar farm uses, if any, in the area and will not conflict with the existing agriculture types.
 5. For farm uses not currently practiced in the area, an analysis showing that the plan is representative of the type of agriculture proposed.
- B. Conditional approvals.
1. For purposes of land use approval, in instances where at the time of application the subject land is not currently in farm use, a farm management plan will be deemed to demonstrate current employment of the land for farm use if:
 - a. The farm management plan establishes a level of farming that constitutes a farm use;
 - b. The farm management plan sets forth specific timelines for the completion of capital improvements (barns, fencing, irrigation, etc.) and for the establishment of the proposed farm use on the parcel; and
 - c. Land use approval is subject to a condition that no building permit for the farm dwelling can be issued prior to a determination that pursuant to the farm management plan a farm use has been established on the subject land.
 2. For purposes of determining under DCC 18.16.067 that a farm use has been established on the land, the County shall determine that the farm management plan has been implemented to the extent that the farm use has achieved the gross farm sales figure required under DCC 18.16.050.
- (Ord. 95-007 §19, 1995; Ord. 93-004 §2, 1993; Ord. 92-065 §3, 1992)

18.16.070. Yards.

- A. The front yard shall be a minimum of: 40 feet from a property line fronting on a local street, 60 feet from a property line fronting on a collector street, and 100 feet from a property line fronting on an arterial street.
- B. Each side yard shall be a minimum of 25 feet, except that for a nonfarm dwelling proposed on property with side yards adjacent to property currently employed in farm use, and receiving special assessment for farm use, the side yard shall be a minimum of 100 feet.
- C. Rear yards shall be a minimum of 25 feet, except that for a nonfarm dwelling proposed on property with a rear yard adjacent to property currently employed in farm use, and receiving special assessment for farm use, the rear yard shall be a minimum of 100 feet.
- D. In addition to the setbacks set forth herein, any greater setbacks required by applicable building or structural codes adopted by the State of Oregon and/or the County under DCC 15.04 shall be met.
- (Ord. 2009-014 §1, 2009; Ord. 2008-001 §2, 2008; Ord. 94-008 §16, 1994; Ord. 93-004 §3, 1993; Ord. 92-065 §3, 1992; Ord. 91-038 §§1 and 2, 1991; Ord. 89-016 §1, 1989; Ord. 83-037 §8, 1983)

18.16.080. Stream Setbacks.

To permit better light, air, vision, stream pollution control, protection of fish and wildlife areas and preservation of natural scenic amenities and vistas along streams and lakes, the following setbacks shall apply:

- A. All sewage disposal installations, such as septic tanks and septic drainfields, shall be set back from the ordinary high water mark along all streams or lakes a minimum of 100 feet, measured at right angles to the ordinary high water mark. In those cases where practical difficulties preclude the location of the facilities at a distance of 100 feet and the County Sanitarian finds that a closer location will not endanger health, the Planning Director or Hearings Body may permit the location of these facilities closer to the stream or lake, but in no case closer than 25 feet.
- B. All structures, buildings or similar permanent fixtures shall be set back from the ordinary high water mark along all streams or lakes a minimum of 100 feet measured at right angles to the ordinary high water mark.

(Ord. 91-038 §§1 and 2, 1991; Ord. 91-020 §1, 1991)

18.16.090. Rimrock Setback.

Notwithstanding the provisions of DCC 18.16.070, setbacks from rimrock shall be as provided in DCC 18.116.160 or 18.84.090, whichever is applicable.

(Ord. 2009-014 §1, 2009; Ord. 2008-001 §2, 2008; Ord. 92-065 §3, 1992; Ord. 91-038 §§1 and 2, 1991; Ord. 86-053 §5, 1986)

EXHIBIT A

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

Whereas the undersigned _____ hereinafter referred to as "Declarant," is owner in fee simple of the property described in Exhibit A attached hereto and by this reference incorporated herein (the property); and

Whereas, Declarant has received approval to site a manufactured home on the property described herein pursuant to land use permit No. _____ for an accessory farm dwelling, issued by Deschutes County pursuant to Section 18.16.050(C) of the Deschutes County Code;

Whereas Section 18.16.050(C)(1)(b)(iii) requires as a condition of approval the recording of a deed restriction in favor of Deschutes County requiring that any manufactured home sited under said permit be removed prior to any further conveyance of this property; and

Whereas the Declarant desires to declare his/her intention to create covenants, conditions and restrictions necessary to effectuate and comply with the requirements of OAR 660-33-130(24)(a)(B)(iii) and Section 18.16.050(C) of the Deschutes County Code:

Declarant hereby declares that all of the property described in Exhibit A shall be held, sold and conveyed subject to the following covenants, conditions and restrictions in favor of Deschutes County:

Declarant shall cause to be removed any manufactured home sited on the property described herein pursuant to Deschutes County land use permit No. _____ for an accessory dwelling prior to any further conveyance of the property.

Declarant's obligations under this covenant shall not be extinguished by any subsequent conveyance made in disregard of these covenants, conditions and restrictions.

These covenants, conditions, and restrictions shall in addition run with the land and be binding upon any of the Declarant's successors in interest should the property be transferred in disregard of this covenant.

It is intended that this covenant shall have the same effect as a regulation designed to implement the comprehensive plan. This covenant may be enforced by Deschutes County by a suit in equity, or if Deschutes County fails to take such action, by any person described in ORS 215.188.

These covenants, conditions and restrictions shall be released by the County upon proof that the requirements set forth herein have been met.

Dated this _____ day of _____.

(notary seal)

(Signature)

Rural Homesite

Sale # 1

Database # 1918
Date of Sale: **May-22**
Days on the Market: 22
Sales Price: **\$645,000**
CE Price: \$645,000

Est Animal Units
\$/AU:

Total Acres 40
Overall \$/Acre: \$16,125

Land Allocation: \$642,500
Impr. Allocation: \$2,500
Other Allocation: \$0

Highest and Best Use:
Private Rural Homesite



Grantor: *Lawler, Teresa E*
Grantee: *Martin, Jennifer Lee*

17474 Big Buck Rd, Sisters, OR • Deschutes
T.14S-R.11E • 18 • Lot: 200
Latitude & Longitude: 44° 21' 44.28, -121° 27' 38.37
WD # 2022-20619
Confirmed: Inspection, County Records, Broker

This property is located in a rural large acreage subdivision off Wilt Road, Big Buck Road is a gravel/dirt County Road that is privately maintained. The 40 acre homesite is privately located within the interior of the property. There is an old manufactured dwelling that retains the right for a replacement dwelling. There is a good strong producing well, less than 550 feet deep, pump and pump house in place. Septic tank and system from 2000 with the drain field in need of additional work. Driveway and power on property. Currently in a "wildlife Habitat Conservation" program. Bordering State Lands, public lands.

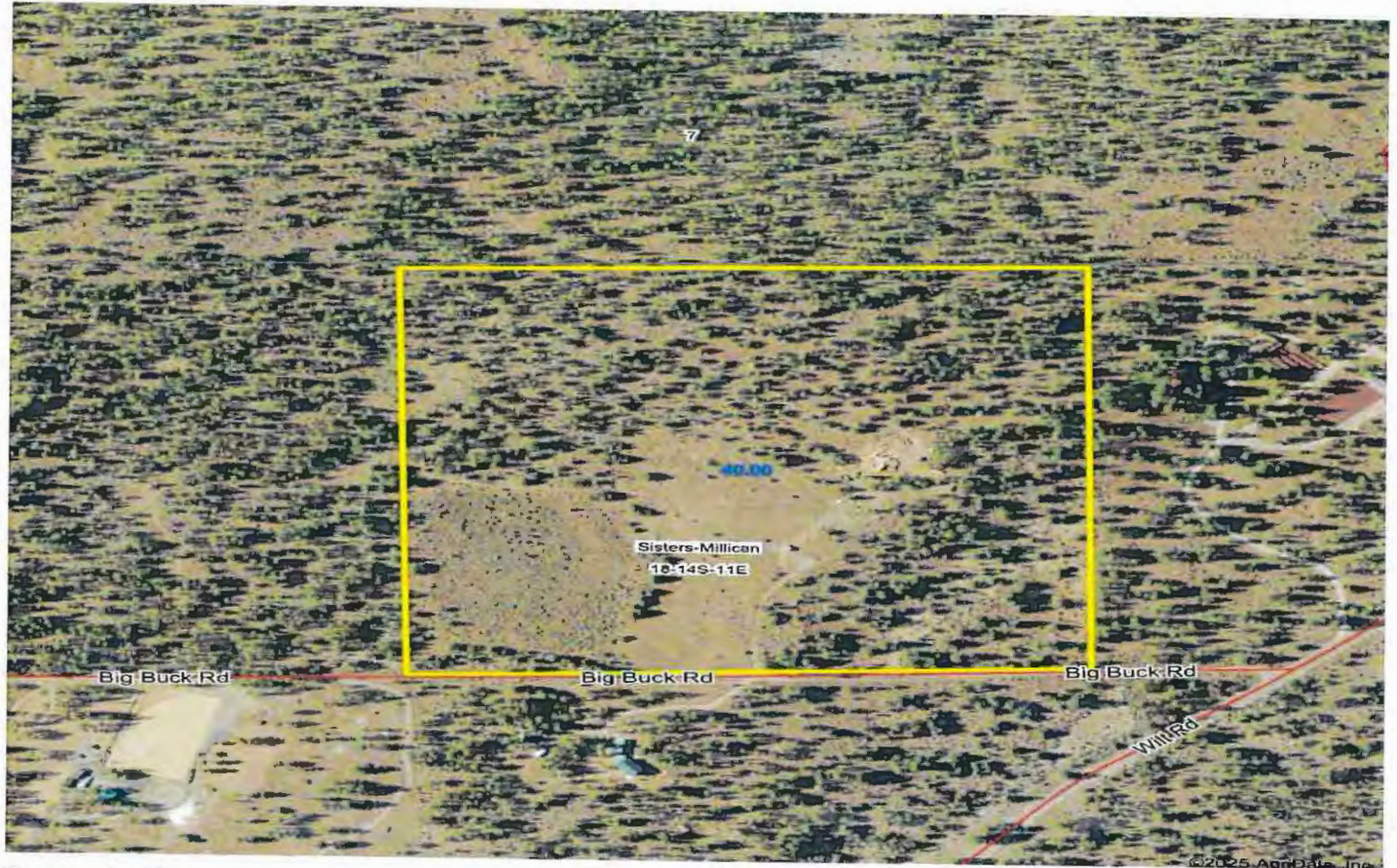
Soils consist of Wanoga-Fremkle-Rock outcrop complex, 0 to 15 percent slopes, capability class Non Irr VI, Irr IV, Laidlaw sandy loam, 0 to 15 percent slopes, capability class Non Irr VI, Irr IV.

Elevation ranges from 2,917.8 feet to 3,022.2 feet above sea level.

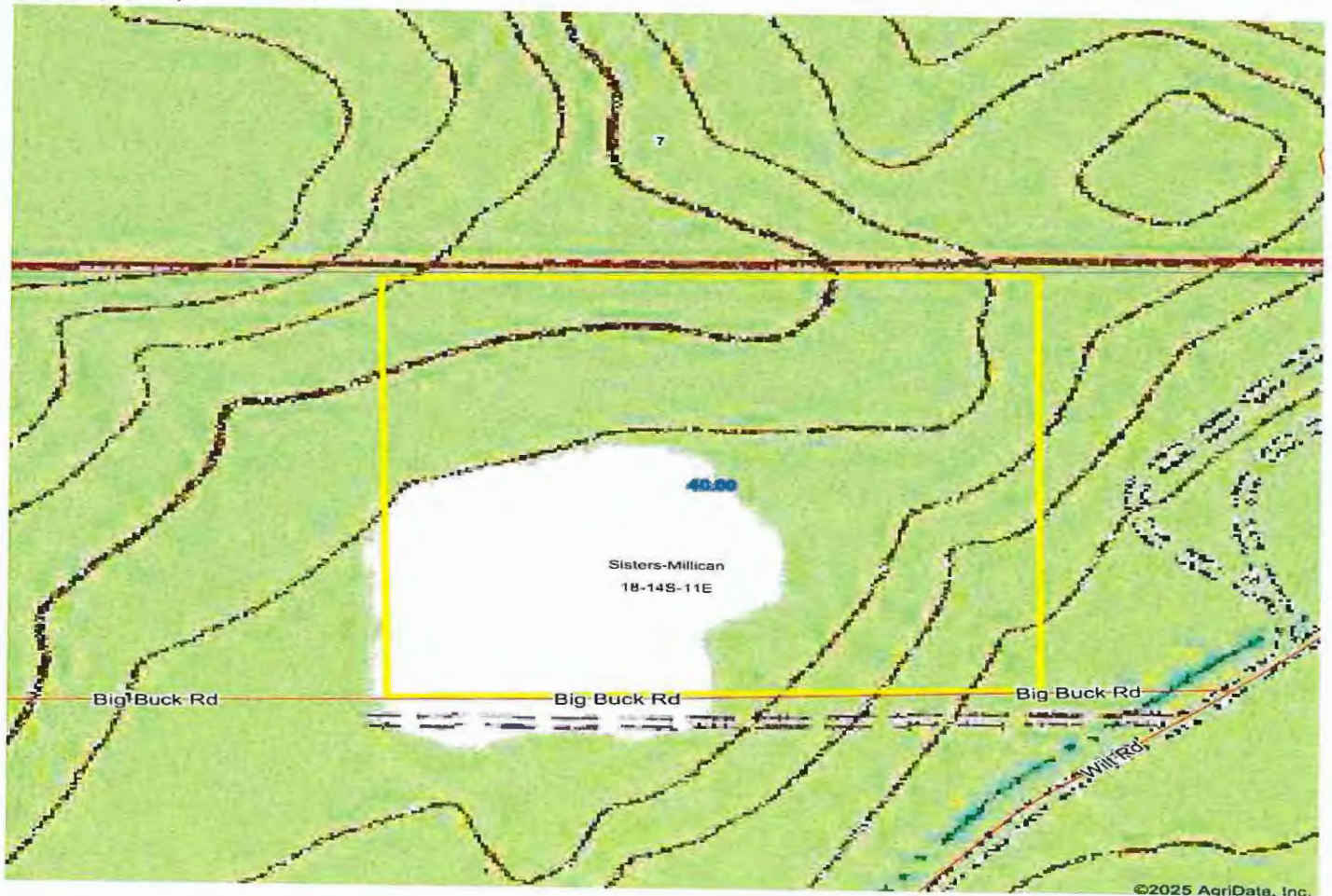
This property does require four-wheel drive access with the potential of getting snowed in during heavy winter weather snow conditions. The homesite was cleared of trees offering nice views of the Three Sisters and Cascade Mountain Range.

The listing real estate broker Carol Davis with Ponderosa Properties listed the property on March 23, 2022 at an original list price of \$689,000.

Aerial Map



Topography Map



Sale # 1 (cont.)

Sale Allocation:

<u>Land Type</u>	<u>Ratio</u>	<u>Acres</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
<i>Irrigated Cropland</i>	100%	0.00	\$0	\$0	0%
<i>Irrig. Hay/Pasture</i>		0	\$0	\$0	0%
<i>Meadowland</i>		0	\$0	\$0	0%
<i>Dry Crop</i>		0	\$0	\$0	0%
<i>Impr. Pasture</i>		0	\$0	\$0	0%
<i>CRP/Wheatland</i>		0	\$0	\$0	0%
<i>Range/Recreation</i>		39	\$7,500	\$292,500	0%
<i>Ancillary Lands</i>		0	\$0	\$0	0%
<i>Other/Farmstead</i>		1	\$0	\$350,000	0%
<i>BLM/ FS Grazing</i>		0 aum	\$0	\$0	0%
		<u>40</u>			\$642,500

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
<i>mfg home</i>	0 sf	Poor	Avg.	holds place for replacement dwelling				
<i>pump house</i>	0 sf	Avg.	Avg.				\$2,500	
								\$2,500

<u>Other</u>	<u>Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Value</u>	<u>Value</u>
--------------	--------------	--------------	----------------	------------	-------------	--------------	--------------

\$0

\$0

Total Allocation >> \$645,000

Irrigated Farm

Sale # 2

Database # 1920

Date of Sale: **Jul-22**

Days on the Market: 48

Sales Price: **\$450,000**

CE Price: \$450,000

Est Animal Units

\$/AU:

Total Acres 30.45

Overall \$/Acre: \$14,778

Land Allocation: \$447,615

Impr. Allocation: \$2,385

Other Allocation: \$0

Highest and Best Use:

Irrigated Farm No Homesite



Grantor: *Rymilaka LLC*

Grantee: *Aldrich, Cody Walter & Mackenzie Jane*

64835 N Hwy 97, Bend, OR • Deschutes

T.16S-R.12E • 27 • Lot: 1100

Latitude & Longitude: 44° 9' 16.22, -121° 15' 58.25

WD # 2022-29159

Confirmed: Inspection, County Records; Broker

This property is located along the west side of Highway 97, a very busy section of the Highway north of Bend and south of Redmond. There are 30.45 acres of farm ground with good soil and 30.45 acres of irrigation rights that have been leased in-stream. The farmland has sat idle for many years. Shared well and power to property. Exterior fenced and cross fenced. Soils consist of Deskamp loamy sand, 0 to 3 percent slopes, capability class Non Irr VI, Irr III, Deskamp-Gosney complex, 0 to 8 percent slopes, capability class Non Irr VI, Irr III, Houstake sandy loam, 0 to 3 percent slopes, capability class Non Irr VI, Irr III. Elevation ranges from 3,262.5 feet to 3,278.4 feet above sea level. Water rights are currently leased in-stream. cert#74145 priority 6/19/1997.

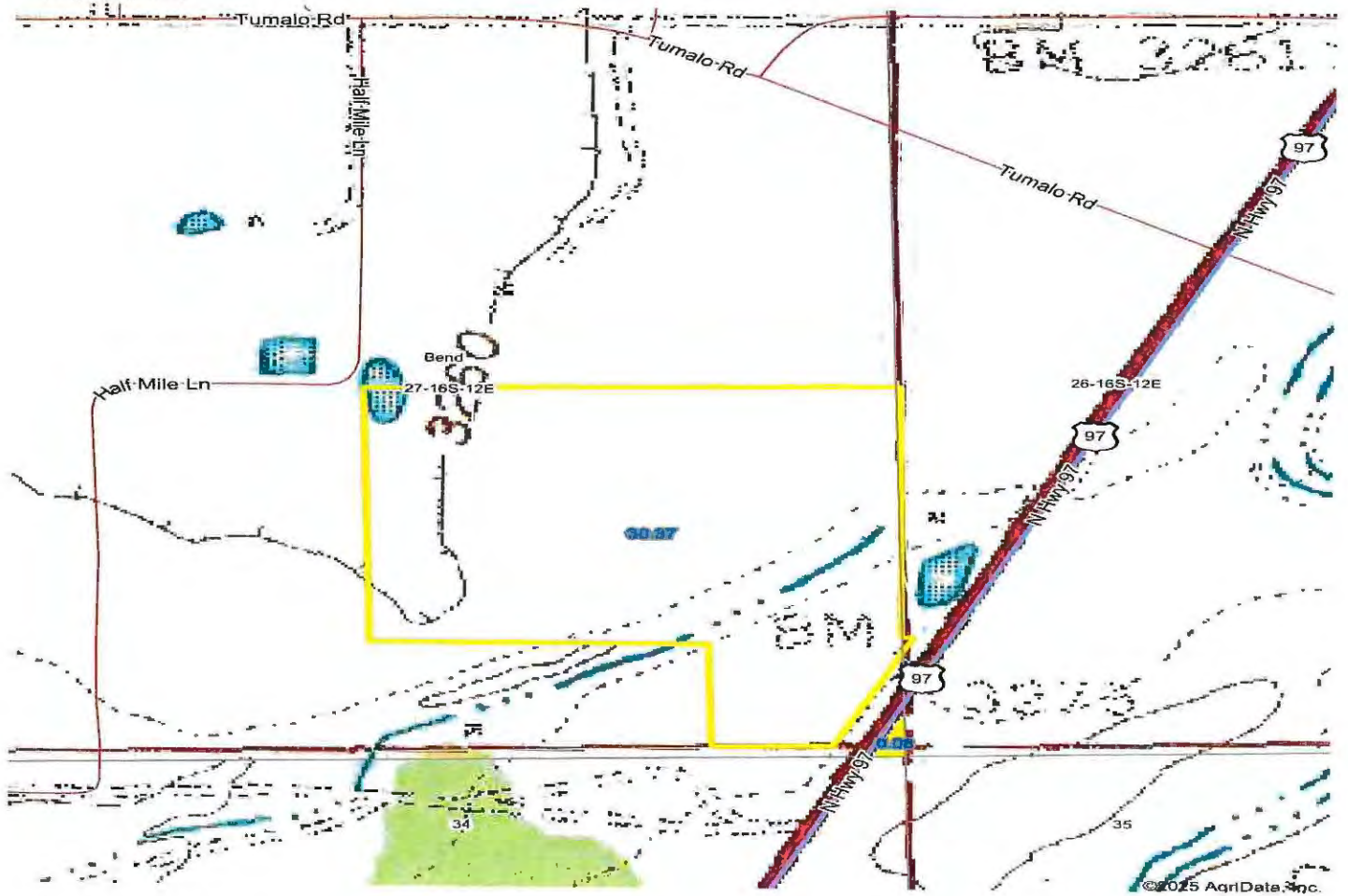
This property does not include the right to build, with no CUP in place the property remains unbuildable. Selling broker Jake Moorhead with Cascade Hasson is now with RE/MAX original list of \$495,000. Mr. Moorhead indicated that there is significant value in having a CUP in place.



Aerial Map



Topography Map



Sale # 2 (cont.)

Sale Allocation:

<u>Land Type</u>	<u>Ratio</u>	<u>Acres</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
<i>Irrigated Cropland</i>	100%	0.00	\$0	\$0	0%
<i>Irrig. Hay/Pasture</i>		30.45	\$14,700	\$447,615	0%
<i>Meadowland</i>		0	\$0	\$0	0%
<i>Dry Crop</i>		0	\$0	\$0	0%
<i>Impr. Pasture</i>		0	\$0	\$0	0%
<i>CRP/Wheatland</i>		0	\$0	\$0	0%
<i>Range/Recreation</i>		0	\$0	\$0	0%
<i>Ancillary Lands</i>		0	\$0	\$0	0%
<i>Other/Farmstead</i>		0	\$0	\$0	0%
<i>BLM/ FS Grazing</i>		0 aum	\$0	\$0	0%
		<u>30</u>			\$447,615

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
<i>pump house</i>	49 sf	Avg.	Avg.				\$2,385	
								\$2,385
<u>Other</u>	<u>Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Value</u>	<u>Value</u>	

\$0

\$0

Total Allocation >> \$450,000

Irrigated Farm w- Homesite

Sale # 3

Database # 1934

Date of Sale: Mar-23

Days on the Market: 42

Sales Price: \$850,000

CE Price: \$850,000

**Est Animal Units
\$/AU:**

Total Acres 37

Overall \$/Acre: \$22,685

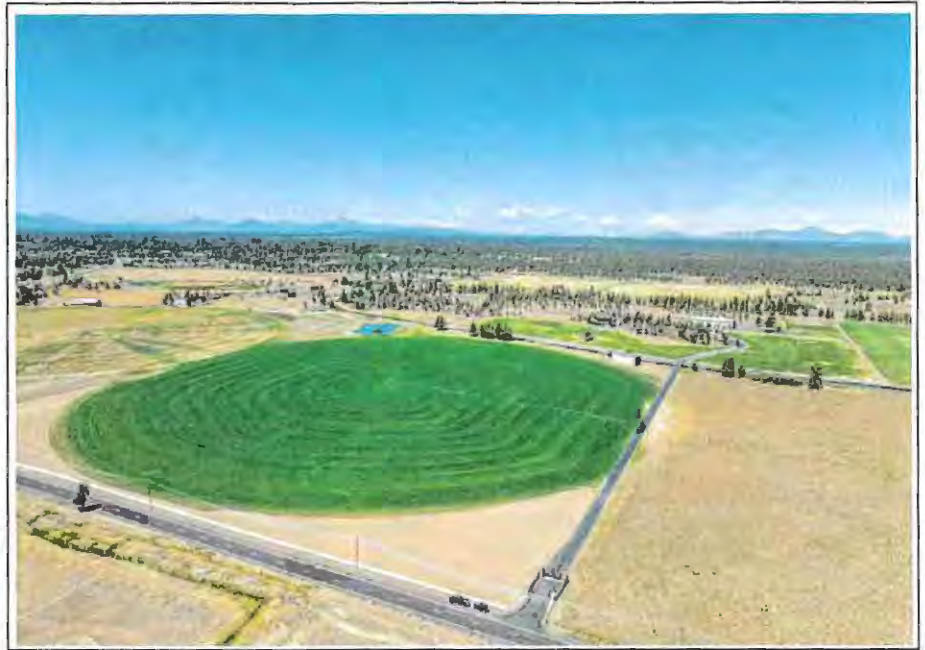
Land Allocation: \$785,085

Impr. Allocation: \$16,120

Other Allocation: \$0

Highest and Best Use:

Buildable Irrigated Farm



Grantor: Allison A Thomas Family Trust
Grantee: Baldwin, Daniel Boyd TTEE

23700 Dodds Rd, Bend, OR • Deschutes
T.18S-R.13E • 11 • Lot: 404
Latitude & Longitude: 44° 1' 53.85, -121° 8' 14.72
WD # 2023-5323

Confirmed: Inspection, County Records; Appraisal;
Seller's Broker Jessica Hicks with Fay Ranches

This property is bordered to the south by Dodds Road, a paved, two lane, county maintained road. The site is buildable with power and well already in place, septic feasibility was still needed at the time of the listing. The property receives 31.84 acres of surface irrigation water delivered by Central Oregon Irrigation District, (COID) open ditch forms the northern property boundary. The 3 tower Zimmatic pivot with end gun, is included as well as the hay barn measuring 36' x 72' approximately. There is an onsite irrigation pond in the northwest corner of the property.

Soils consist of Deskamp loamy sand, 0 to 3 percent slopes, capability class Non Irr VI, Irr III, Gosney stony loamy sand, 3 to 8 percent slopes, capability class Non Irr VII, Irr VII.

Elevation ranges from 3,524.2 feet to 3,540.4 feet above sea level.

Water rights:

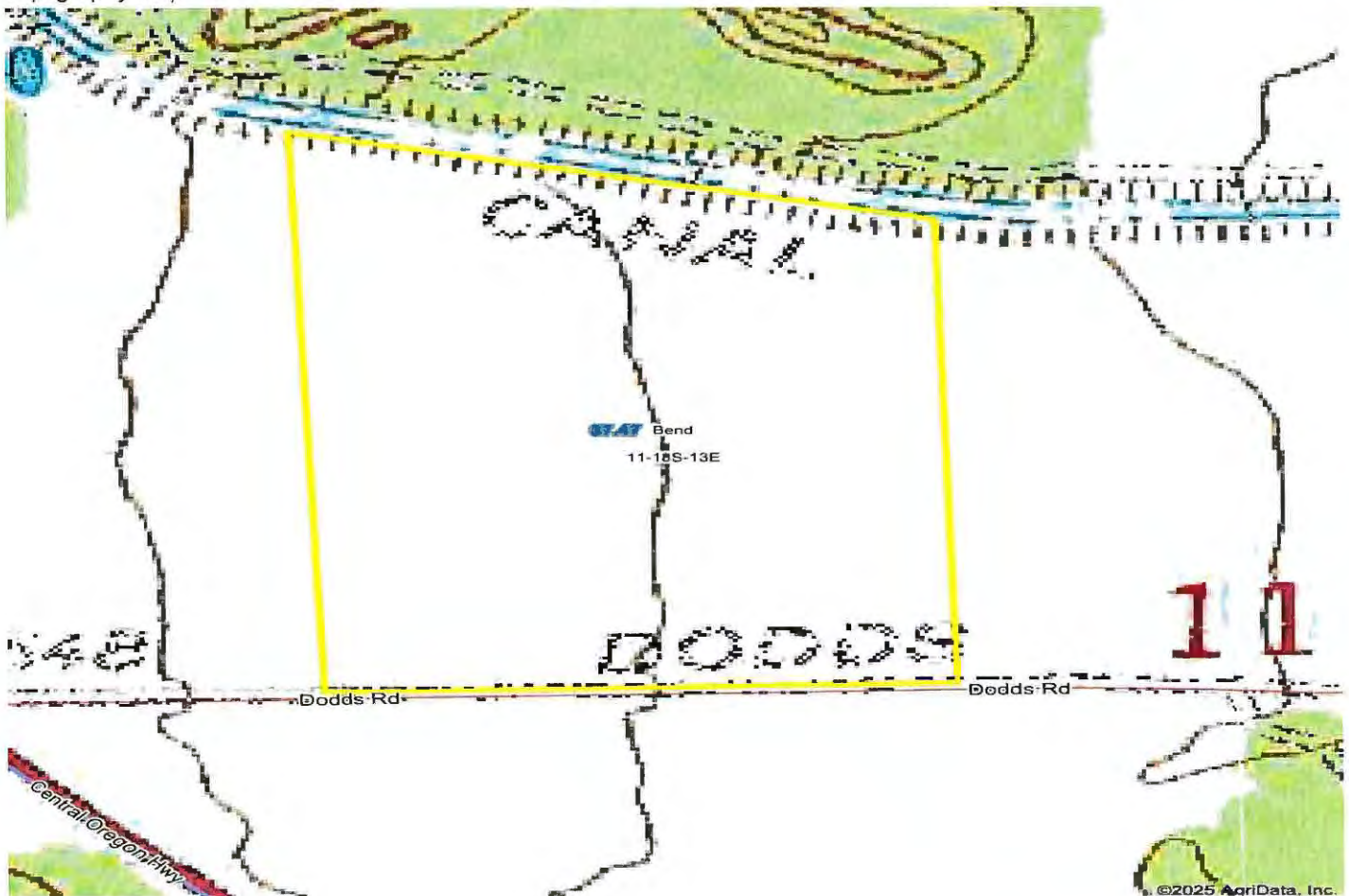
Cert#94956 priority: 31.84 acres

This property was listed with Jessica Hicks of Fay Ranches at an original list price of \$1,250,000. The seller had gone through a recent divorce and recieved the property as part of the settlement.

Aerial Map



Topography Map



Sale Allocation:

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>
Hay Barn	2592 sf	Avg.	Avg.	\$10.00	38%	\$6.22	\$16,120

<u>Other</u>	<u>Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Value</u>	<u>Value</u>	
Pivot	3 tower	Good	Good	\$65,000	25%	\$48,795	\$48,795	
								\$48,795
								\$0
						Total Allocation >>		\$850,000

Rural Homesite

Sale # 4

Database # 1935

Date of Sale: Sep-22

Days on the Market: 100

Sales Price: \$500,000

CE Price: \$500,000

Est Animal Units

\$/AU:

Total Acres 37

Overall \$/Acre: \$13,340

Land Allocation: \$500,000

Impr. Allocation: \$0

Other Allocation: \$0

Highest and Best Use:

Private Rural Homesite



Grantor: 2T Sustainable Land & Cattle

Grantee: Baer, Steven Andrew TTEE

NW Lower Bridge Way, Terrebonne, OR • Deschutes

T.14S-R.12E • 6 • Lot: 201

Latitude & Longitude: 44° 23' 4.46, -121° 20' 49.12

WD # 2022-33969

Confirmed: Inspection, County Records, Broker

This property is located off of NW Lower Bridge Way which borders the western boundary of the property, to the west of Terrebonne and east of Sisters. The property is irregular in shape. The property does not include any building improvements or irrigation water rights. The site consists of recreation rangeland with mountain top views, including Cascade Mountain Range, Black Butte with scattered juniper recreation rangeland. Located in an area of historical working ranches and an organic farm. Soils consist of Stukel-Deschutes-Rock outcrop complex, 0 to 15 percent slopes, capability class Non Irr VI, Stukel sandy loam, 3 to 8 percent slopes, capability class Non Irr VI. Elevation ranges from 2,728.8 feet to 2,785.1 feet above sea level. The property is approved for a Conditional Use Permit for a rural residential dwelling.

The property was listed by Kelsey Kelley of Shelton Kelley Realty whom also representing the buyers.



Sale Allocation:

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
								\$0
<u>Other</u>	<u>Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Value</u>	<u>Value</u>	\$0
								\$0
								\$0
						Total Allocation >>		\$500,000

Irrigated Rural Homesite

Sale # 5

Database # 1937

Date of Sale: *Jul-22*

Days on the Market: Not Exposed

Sales Price: **\$750,000**

CE Price: \$750,000

Est Animal Units

\$/AU:

Total Acres 20

Overall \$/Acre: \$37,745

Land Allocation: \$750,000

Impr. Allocation: \$0

Other Allocation: \$0

Highest and Best Use:

Irrigated Rural Homesite



Grantor: *Young, Steve*

Grantee: *Quarter Mile LLC*

62650 Waugh Rd, Bend, OR • Deschutes

T.17S-R.13E • 28A • Lot: 901

Latitude & Longitude: 44° 4' 32.29, -121° 10' 14.5

WD # 2022-29207

Confirmed: Inspection, County Records

The property is located just to the east of Bend, along the east side of Waugh Road. The property represents a buildable acre site with associated surface irrigation water rights. There was no irrigation equipment noted during the sale, at the time of inspection there were multiple K-lines set out. The land is in the process of being brought into pasture for forage grazing production. There is an irrigation pond in the northwest corner of the property with a towering willow tree. 62650 Waugh Rd. The site totals 19.87 acres unimproved land zoned EFUTRB Wetlands with approximately 12.40 acres of surface irrigation water rights delivered through Central Oregon Irrigation District. There is also a large pond in the southeast corner of the property with scattered junipers throughout. Power to the site.

The site was approved for septic feasibility site evaluation approved in January 2022.

Soils consist of Deskamp loamy sand, 0 to 3 percent slopes, capability class Non Irr VI, Irr III, Gosney-Rock outcrop-Deskamp complex, dry, 0 to 15 percent slopes, capability class Non Irr VII, Irr VII, Gosney-Rock outcrop-Deskamp complex, 0 to 15 percent slopes, capability class Non Irr VII, Irr VII.

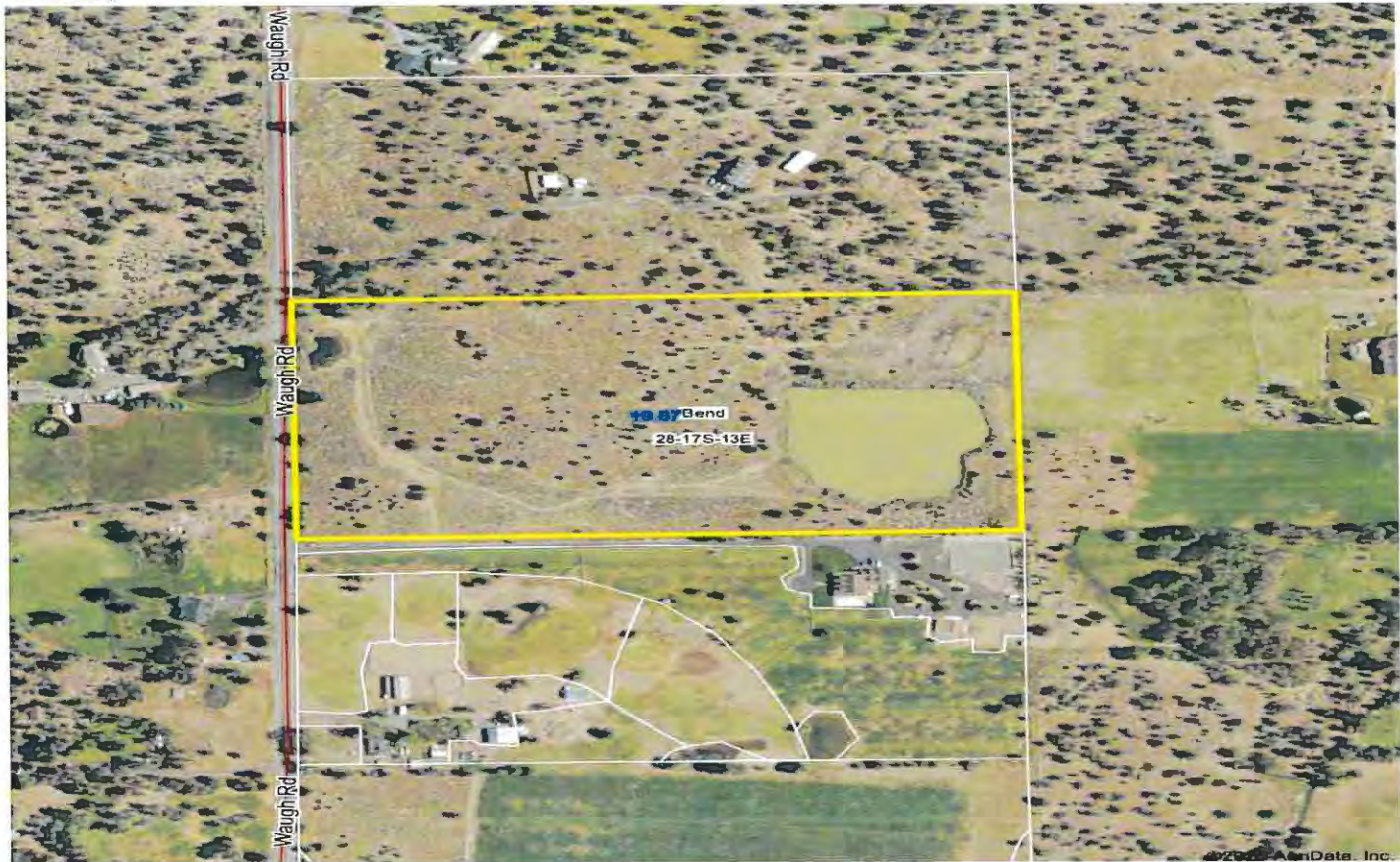
Elevation ranges from 3,413.1 feet to 3,425.8 feet above sea level.

Water rights: Cert#94956 12.4 ac

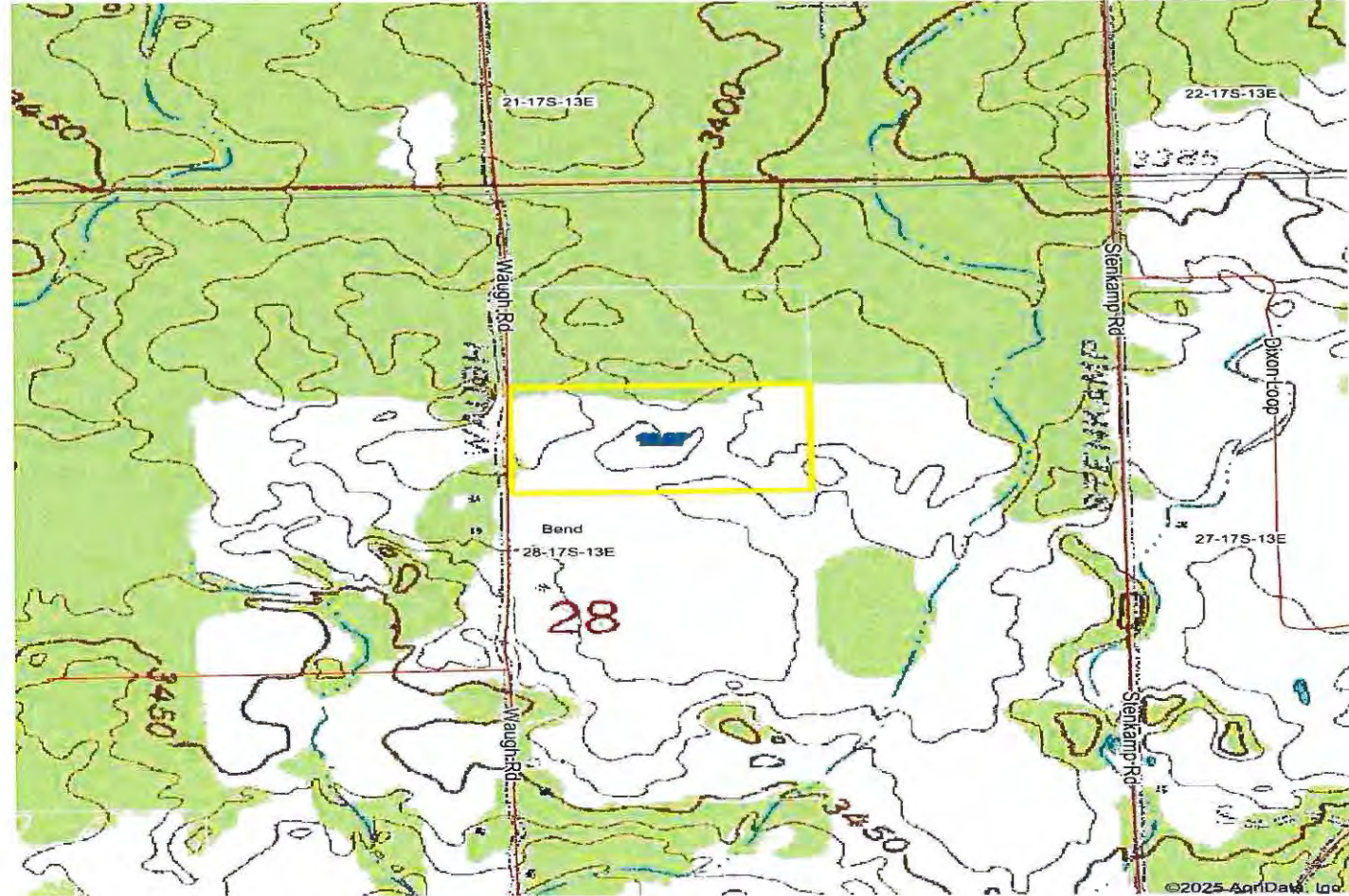
The property includes perimeter fencing in fair condition.

This property did not appear to be professionally marketed. Located in an area that is being improved with higher quality stick built homes within close proximity to the goods and services offered in Bend.

Aerial Map



Topography Map



Sale Allocation:

Total Allocation >>	\$750,000
----------------------------------	------------------

Irrigated Improved Farm Rural Residences

Sale # 6

Database # 1561

Date of Sale: *May-22*

Days on the Market: 28

Sales Price: \$3,650,000

CE Price: \$3,650,000

Est Animal Units

\$/AU:

Total Acres 34

Overall \$/Acre: \$108,052

Land Allocation: \$1,327,800

Impr. Allocation: \$2,292,200

Other Allocation: \$0

Highest and Best Use:

Irrigated Improved Farm
Rural Residences

Grantor: *Green, Sandra*

Grantee: *Billig, Michael J et al*



19525 Innes Market Rd, Tumalo, OR • Deschutes
T.16S-R.11E • 13 • Lot: 100, 103

Latitude & Longitude: 44° 11' 39.53, -121° 21' 3.29
WD # 2023-1885

Confirmed: Inspection, County Records; Selling Brokers

This property is located along the south side of Innes Market Road in the heart of Tumalo. The property is bordered to the south by White Horn Lane. The property is irregular in shape yet adequately blocked. Total acreage is approximately 33.78 acres Tumalo farm with 2 legal dwellings: a 2017 Johannessen custom home and original built 1927 2nd home remodeled and updated throughout, with geothermal heating system. 25+/- acres irrigated ground replanted in 2021, custom built horse barn, 60+ ton hay barn and perimeter fenced. The property offers Cascade Mountain views, pond and terrorial views of the surround rural residential farms. Zoned EFU TRB.

The main home includes a main master ensuite bath/bedroom with a sauna, large custom walk in closet, fireplace, and exercise room. The second master ensuite bath/bedroom. There are beautiful hardwood floors throughout, wood framed windows, cement elegance counters, wolf applicances in the kitchen, dry bar/large pantry, vaulted ceiling great room with floor to ceiling stone fireplace. Trex decking with pergola along the back.

The second home has a new kitchen, 2 master bath/bedrooms, 3 guest rooms 1/ shared bath.

Soils consist of Tumalo sandy loam, 0 to 3 percent slopes, capability class Non Irr VI, Irr III, Deschutes-Stukel complex, 0 to 15 percent slopes, capability class Non Irr VI, Irr III, Deschutes sandy loam, 3 to 8 percent slopes, capability class Non Irr VI, Irr III, Houstake sandy loam, very gravelly substratum, 0 to 3 percent slopes, capability class Non Irr VI, Irr III.

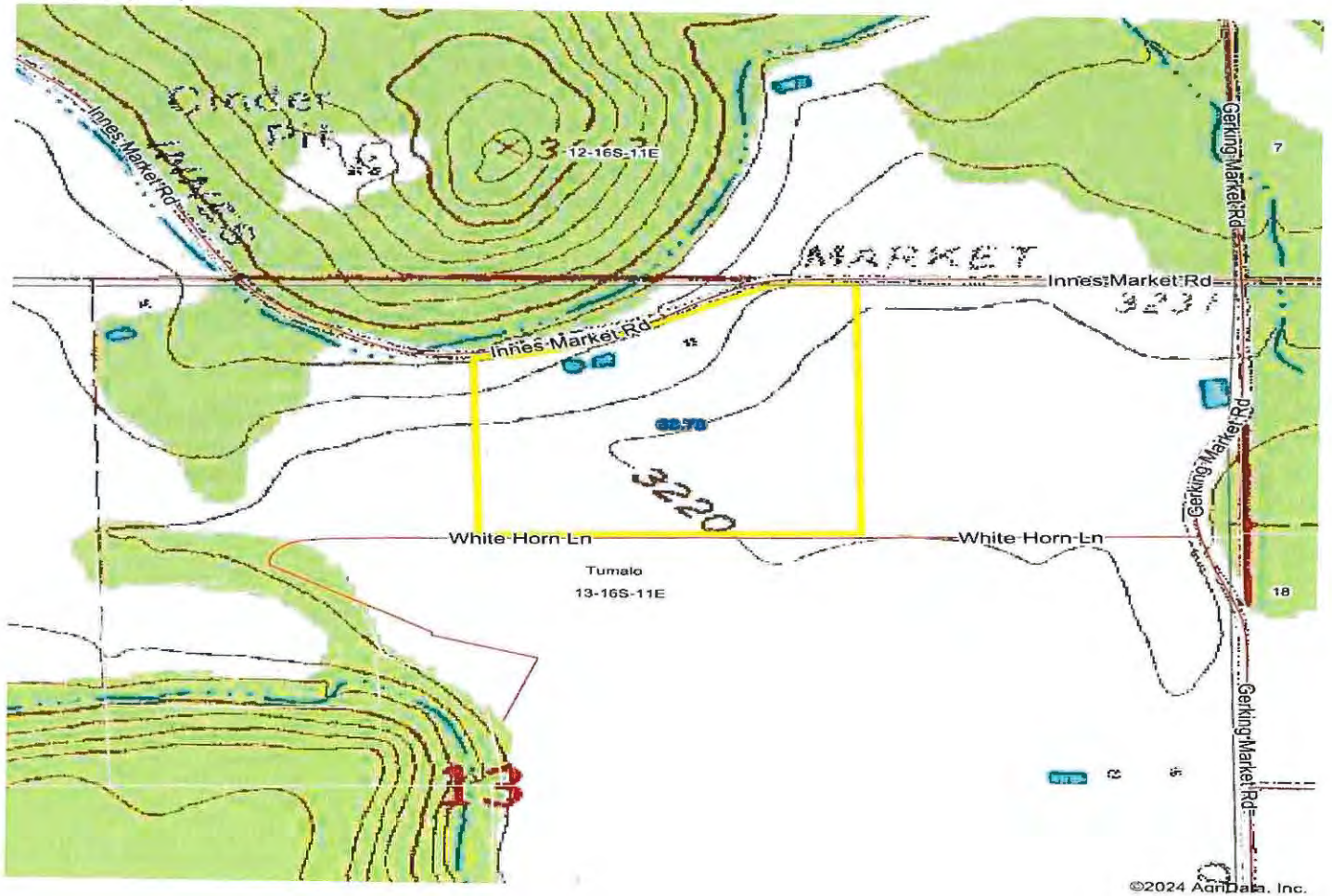
Elevation ranges from 3,222.8 feet to 3,282.4 feet above sea level.

This property was professionally marketed with Alex Robertson and Scott Hawes with Fay Ranches, at an original list price of \$3,799,000.

Aerial Map



Topography Map



Sale # 6 (cont.)

Sale Allocation:

<u>Land Type</u>	<u>Ratio</u>	<u>Acres</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
Irrigated Cropland	100%	0.00	\$0	\$0	0%
Irrig. Hay/Pasture		25	\$30,000	\$750,000	0%
Meadowland		0	\$0	\$0	0%
Dry Crop		0	\$0	\$0	0%
Impr. Pasture		0	\$0	\$0	0%
CRP/Wheatland		0	\$0	\$0	0%
Range/Recreation		7.78	\$10,000	\$77,800	0%
Ancillary Lands		0	\$0	\$0	0%
Other/Farmstead		1		\$500,000	0%
BLM/ FS Grazing		0 aum	\$0	\$0	0%
		34			\$1,327,800

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>
residence	3045 sf	Good	Avg.	\$350.00	31%	\$242.00	\$736,890
residence	3370 sf	Good	Avg.	\$480.00	27%	\$349.23	\$1,176,899
lean to	720 sf	Good	Avg.	\$20.00	30%	\$14.00	\$10,080
hay cover	2160 sf	Good	Avg.	\$25.00	28%	\$18.00	\$38,880
farm building	2000 sf	Good	Avg.	\$68.00	18%	\$56.00	\$112,000
lean to	480 sf	Good	Avg.	\$20.00	30%	\$14.00	\$6,720
stable	1728 sf	Good	Avg.	\$125.00	32%	\$84.68	\$146,330
Misc.		asphalt					\$64,400
							\$2,292,200

<u>Other</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>
Wheel lines	2	Ave.	Ave.	\$40,000	25%	\$30,000	\$30,000

\$30,000

\$0

Total Allocation >> \$3,650,000



Hardenberg Farms Horse Facility

Sale # 7

Database # 1576

Date of Sale: **May-21**

Days on the Market: 9

Sales Price: **\$2,250,000**

CE Price: \$2,250,000

Est Animal Units

\$/AU:

Total Acres 20

Overall \$/Acre: \$115,148

Land Allocation: \$887,550

Impr. Allocation: \$1,362,450

Other Allocation: \$0

Highest and Best Use:

Irrigated Farm Rural Residence

Developed Horse Facility

Grantor: **Nauman, Ralph & Diane**

Grantee: **Vermeer, Steven & Chastity**



66240 White Rock Loop, Bend, OR • Deschutes

T.16S-R.12E • 08 • Lot: 801

Latitude & Longitude: 44° 12' 18.89, -121° 18' 26.91

WD # 2021-29795

Confirmed: Inspection, County Records; Listing Broker

This property is in a quiet, scenic setting on the north side of Tumalo, near Eagle Crest Resort and BLM lands around Cline Butte and along the Deschutes River Canyon, providing abundant nearby trails for riding from the property. The facility is relatively simple in layout, making it highly appealing for management/maintenance, and with high quality construction and finishes throughout. The equestrian facility and house are of high quality. There are three separate pasture areas with two capable of being farmed and producing hay. Zoned EFU TRB.

The site is a 19.54 acre gated equine property with Cascade Mountain views. Indoor and outdoor training and showing arena with Pro-Tex footing, lights, wash rack with hot water, tack room and paver breezeway. 6 stalls with no climb fencing. 2 hay producing pastures with 75 gal per min acre allotment into irrigation pond with high efficiency time sprinkler system. Custom ranch home with 3031 sq ft. 3 bedroom, 2.5 bath, timber beam with dramatic wood beams and floor to ceiling stone wood fireplace. Open floor plan with wood and slate floors, solid granite counters, and SS Dacor appliances, large pantry with lots of storage. There is a heated shop with archery range, and covered equipment/hay storage.

Soils consist of Statz-Deschutes complex, 0 to 15 percent slopes, capability class Non Irr VI, Tumalo sandy loam, 3 to 8 percent slopes, capability class Non Irr VI, Irr III, Tumalo sandy loam, 0 to 3 percent slopes, capability class Non Irr VI, Irr III.

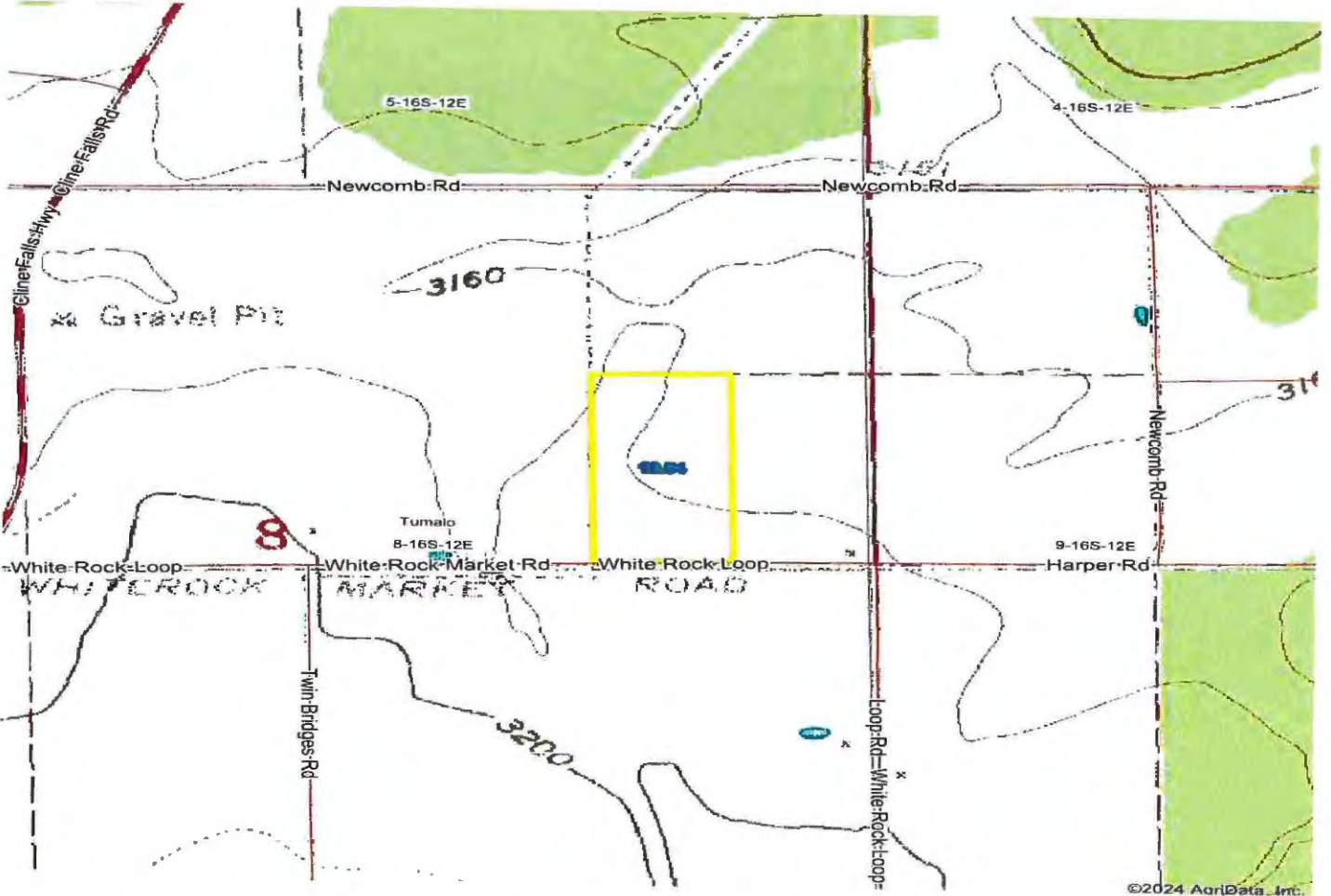
Elevation ranges from 3,179.5 feet to 3,195.1 feet above sea level.

The seller was a horse breeder. The buyers are from California and are most focused on the personal use of the property although they may continue with boarding and/or breeding. The property was listed at \$1,895,000 the seller carried a note for 6 months prior to the buyer securing an agricultural loan.

Aerial Map



Topography Map



Sale # 7 (cont.)

Sale Allocation:

<u>Land Type</u>	<u>Ratio</u>	<u>Acres</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
Irrigated Cropland	100%	0.00	\$0	\$0	0%
Irrig. Hay/Pasture		14.2	\$25,000	\$355,000	0%
Meadowland		0	\$0	\$0	0%
Dry Crop		0	\$0	\$0	0%
Impr. Pasture		0	\$0	\$0	0%
CRP/Wheatland		0	\$0	\$0	0%
Range/Recreation		4.34	\$7,500	\$32,550	0%
Ancillary Lands		0	\$0	\$0	0%
Other/Farmstead		1	\$0	\$500,000	0%
BLM/ FS Grazing		0 aum	\$0	\$0	0%
		<u>20</u>			\$887,550

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>
residence	3031 sf	Good	Avg.	\$350.00	30%	\$244.11	\$739,890
barn	12480 sf	Good	Avg.	\$68.00	31%	\$47.00	\$586,560
lean to	3600 sf	Good	Avg.	\$16.00	38%	\$10.00	\$36,000

Other	Units	Cond.	Utility	RCN	Depr	Value	Value
							\$1,362,450

\$0

\$0



Irrigated Farm Improved

Sale # 8

Database # 1925

Date of Sale: **Feb-25**

Days on the Market: 37

Sales Price: **\$1,400,000**

CE Price: \$1,400,000

Est Animal Units

\$/AU:

Total Acres 20

Overall \$/Acre: \$70,565

Land Allocation:

Impr. Allocation: \$698,700

Other Allocation: \$0

Highest and Best Use:

Irrigated Farm Improved

Set up for Horses

Grantor: **Manis Rev Liv Trust**

Grantee: **Winstead, Jeffrey & Kristi**



19925 JW Brown Rd, Bend, OR • Deschutes

T.16S-R.12E • 18 • Lot: 600

Latitude & Longitude: 44° 11' 13.11, -121° 19' 39.32

WD # 2025-4593

Confirmed: Inspection, County Records; Selling Broker

This property is located along the south side of JW Brown Road. There are approximately 19.84 acres in Tumalo with 3,035 SQ FT home 3 BR, 2.5 BA. 12 acres of Tumalo Irrigation District water rights for pastures. Hay barn, detached garage/office, equipment shed and indoor arena with 6 stalls with runs, tack room, wash racks and 2 round pens. The property includes perimeter fencing and cross fencing in average condition.

The irrigation pond has a float for TID water delivery.

Soils consist of Tumalo sandy loam, 0 to 3 percent slopes, capability class Non Irr VI, Irr III.

Elevation ranges from 3,221.9 feet to 3,247.5 feet above sea level.

Water rights:

Cert#95175 priority 9/30/1900 15 ac NE/SE

This property was listed for sale with Pam Mayo Phillips and Brook Havens of Cascade Sotherby's International Realty at a list price of \$1,525,000. The property was previously listed at \$1,875,000 for 88 days prior to being reduced to \$1,525,000.

Aerial Map



Topography Map



Sale # 8 (cont.)

Sale Allocation:

<u>Land Type</u>	<u>Ratio</u>	<u>Acres</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
Irrigated Cropland	100%	0.00	\$0	\$0	0%
Irrig. Hay/Pasture		12	\$22,500	\$270,000	0%
Meadowland		0	\$0	\$0	0%
Dry Crop		0	\$0	\$0	0%
Impr. Pasture		0	\$0	\$0	0%
CRP/Wheatland		0	\$0	\$0	0%
Range/Recreation		6.84	\$7,500	\$51,300	0%
Ancillary Lands		0	\$0	\$0	0%
Other/Farmstead		1		\$350,000	0%
BLM/ FS Grazing		0 aum	\$0	\$0	0%
		<u>20</u>			\$671,300

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>
residence	3035 sf	Avg.	Avg.	\$250.00	42%	\$145.00	\$440,075
GP building	1530 sf	Avg.	Avg.	\$32.00	31%	\$22.00	\$33,660
hay cover	600 sf	Avg.	Avg.	\$20.00	25%	\$15.00	\$9,000
hay cover	1152 sf	Avg.	Avg.	\$18.00	44%	\$10.00	\$11,520
arena	11280 sf	Avg.	Avg.	\$38.00	52%	\$18.12	\$204,445

\$698,700

<u>Other</u>	<u>Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Value</u>	<u>Value</u>
Wheel Lines	2	Avg.	Avg.	\$50,000	40%	\$30,000	\$30,000

\$30,000

\$0

Total Allocation >>

\$1,400,000



Rural Residential Acreage

Sale # 9

Database # 1948

Date of Sale: Nov-24

Days on the Market: 171

Sales Price: \$699,900

CE Price: \$699,900

Est Animal Units

\$/AU:

Total Acres 40

Overall \$/Acre: \$17,493

Land Allocation: \$545,450

Impr. Allocation: \$154,450

Other Allocation: \$0

Highest and Best Use:

Rural Residential Acreage



Grantor: Weigel, Tad D ET AL

Grantee: Thienes, Elisha & Jana K

23250 Walker Rd, Bend, OR • Deschutes

T.17S-R.13E • 27C • Lot: 1500

Latitude & Longitude: 44° 3' 59.97, -121° 9' 29.69

WD # 2024-30465

Confirmed: Inspection, County Records; Brokers

This property is located at the southeast intersection of Alfalfa Market Road and Stenkamp Road bordered to the south by Walker Road. There are approximately 40.01 level acres 5 miles east of Bend with 7.05 acres of COID irrigation. The land consists of scattered juniper recreation rangeland. Building improvements include a 1,500 sq ft garage/shop and an older manufactured home offering potential for a replacement dwelling with reduced SDC fees. Power is onsite, a shared well agreement and a septic feasibility permit in progress. The entrance is gated and Walker Road is paved. This property enjoys direct access to thousands of non motorized BLM land. Perimeter fencing is in poor condition.

Soils consist of Gosney-Rock outcrop-Deskamp complex, 0 to 15 percent slopes, capability class Non Irr VII, Irr VII, Deskamp loamy sand, 3 to 8 percent slopes, capability class Non IRR VI, Irr III, Deskamp loamy sand, 0 to 3 percent slopes, capability class Non Irr VI, IRR III.

Elevation ranges from 3,457.3 feet to 3,495.2 feet above sea level.

Water rights:

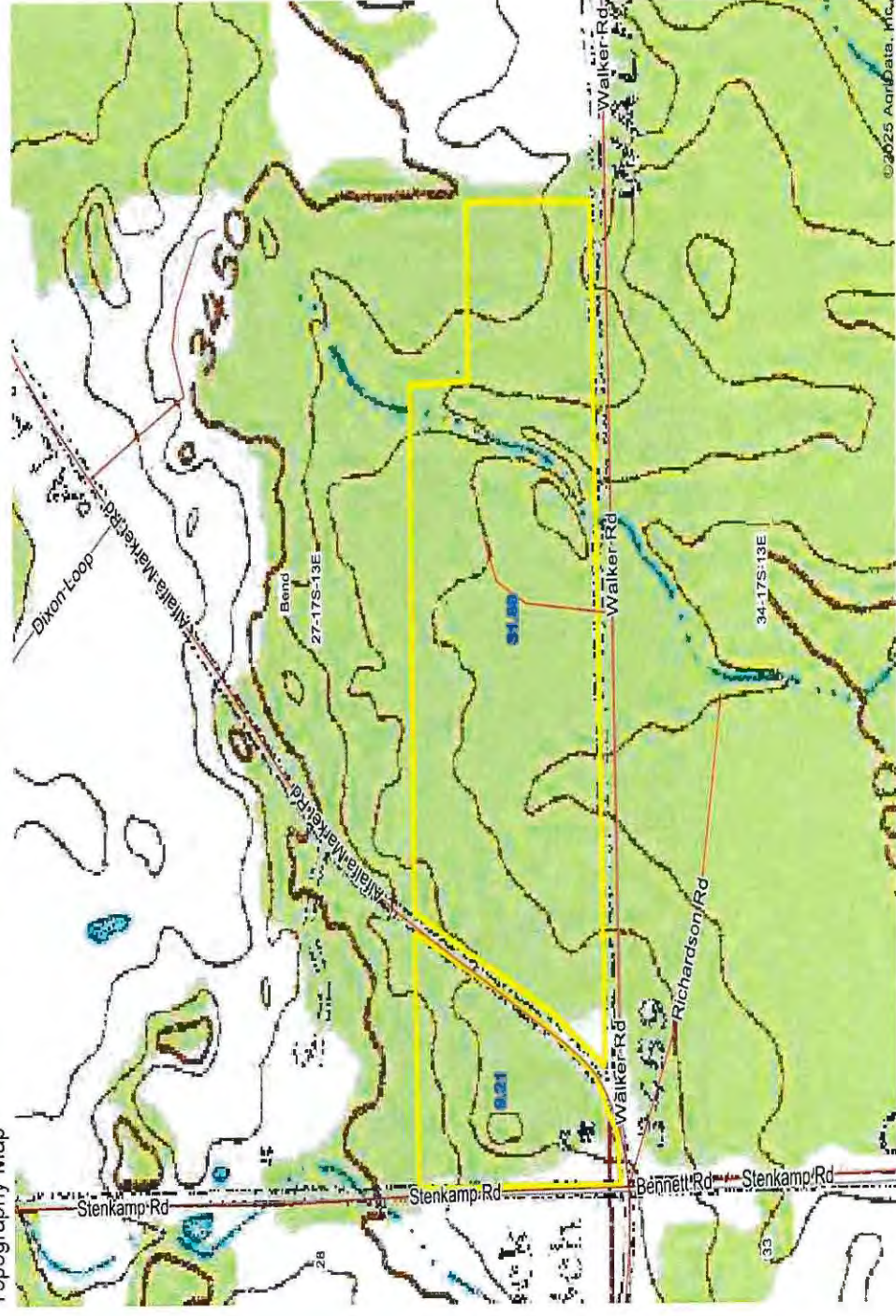
Cert#94956 priority: 7.05 ac

This property was listed with Tina Roberts of Bend Premier Real Estate LLC at an original list price of \$769,900 and sold by Scott Cruikshank with Stellar Realty Northwest. The listing had expired as was relisted at \$699,900 for 90 days prior to selling.

Aerial Map



Topography Map



Sale # 9 (cont.)

Sale Allocation:

<u>Land Type</u>	<u>Ratio</u>	<u>Acres</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
<i>Irrigated Cropland</i>	100%	0.00	\$0	\$0	0%
<i>Irrig. Hay/Pasture</i>		7.05	\$15,000	\$105,750	0%
<i>Meadowland</i>		0	\$0	\$0	0%
<i>Dry Crop</i>		0	\$0	\$0	0%
<i>Impr. Pasture</i>		0	\$0	\$0	0%
<i>CRP/Wheatland</i>		0	\$0	\$0	0%
<i>Range/Recreation</i>		31.96	\$7,500	\$239,700	0%
<i>Ancillary Lands</i>		0	\$0	\$0	0%
<i>Other/Farmstead</i>		1		\$200,000	0%
<i>BLM/ FS Grazing</i>		0 aum	\$0	\$0	0%
		<u>40</u>			\$545,450

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
<i>GP building</i>	1500 sf	Fair	Avg.	\$42.00	29%	\$30.00	\$45,000	
<i>double wide</i>	1782 sf	Fair	Avg.	\$108.00	43%	\$61.42	\$109,450	
								\$154,450
<u>Other</u>	<u>Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Value</u>	<u>Value</u>	

\$0

\$0

Total Allocation >> \$699,900



**Irrigated Farm Improved
Sale # 10**

Database # 1946

Date of Sale: *Aug-24*

Days on the Market: 31

Sales Price: *\$750,000*

CE Price: *\$750,000*

Est Animal Units

\$/AU:

Total Acres 39

Overall \$/Acre: \$19,113

Land Allocation: \$668,000

Impr. Allocation: \$78,000

Other Allocation: \$0

Highest and Best Use:

Irrigated Farm Improved



Grantor: *Samples, Stephanie*

Grantee: *Chow, Randal & Crane, Jessica*

25850 Alfalfa Market Rd, Bend, OR • Deschutes

T.17S-R.14E • 22 • Lot: 1300

Latitude & Longitude: 44° 4' 47.49, -121° 2' 22.96

WD # 2024-20741

Confirmed: Inspection, County Records; Selling Broker

This property is located along the north side of Alfalfa Market Road east of Bend. Productive irrigated farm historically planted to grass for hay production open at the time of inspection. Zoned EFUAL the land is fenced and cross fenced with 37 acres of COID with 2-3 cuttings per year. There is an older, liveable 1980 manufactured home currently rented with potential for replacement dwelling. Two wheel lines with only one of them selling with the property. The land has been used for grazing and hay production. The property offers good views of the Cascade Mountain range and territorial views.

Soils consist of Clovkamp loamy sand, 0 to 3 percent slopes, capability class Non Irr VI, Irr III, Gosney-Rock outcrop-Deskamp complex, dry, 0 to 15 percent slopes, capability class Non Irr VII, Irr VII.

Elevation ranges from 3,363.2 feet to 3,370.2 feet above sea level.

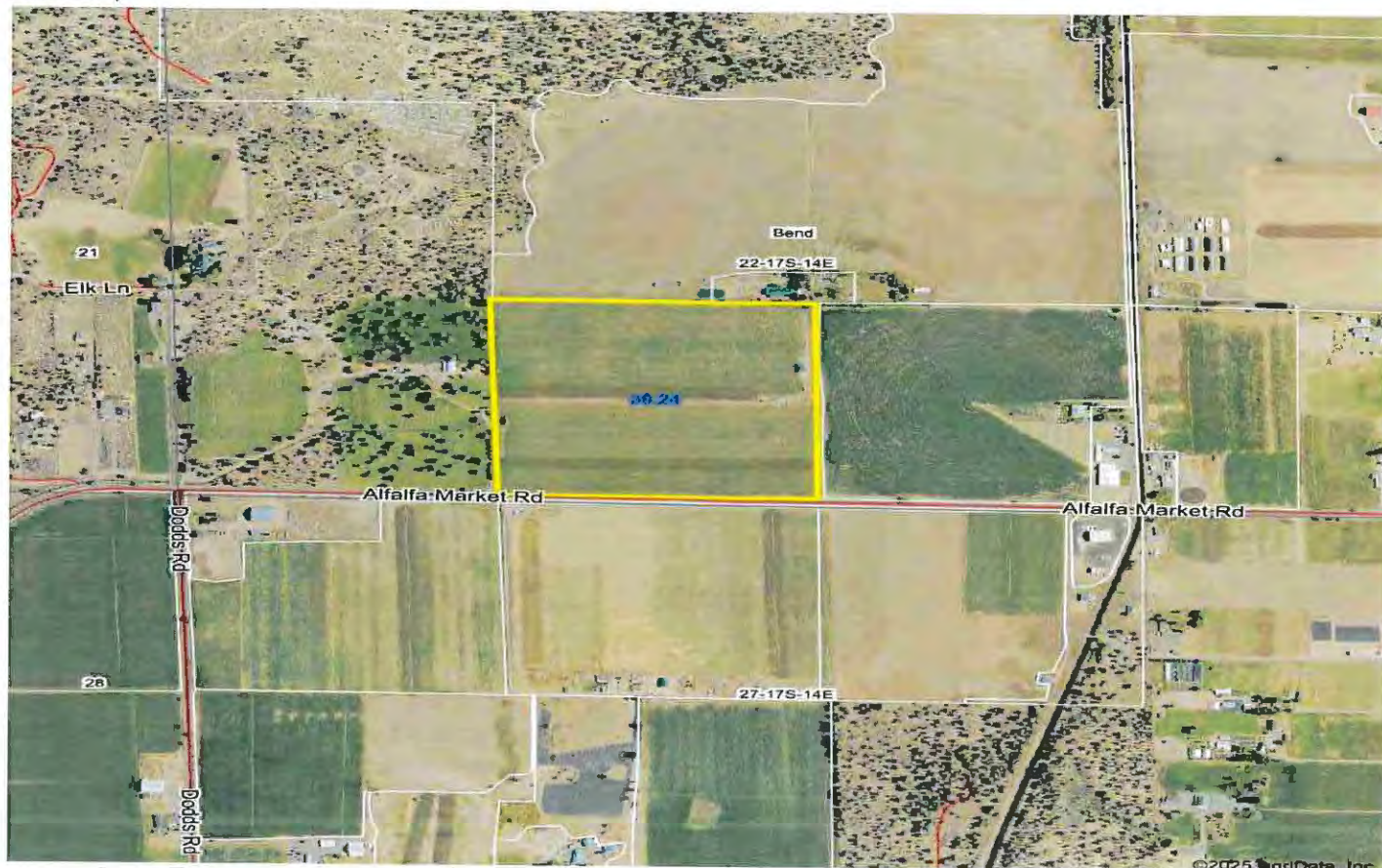
There was a permitted septic and a cistern in place, however the property needed a well.

Water rights COID:

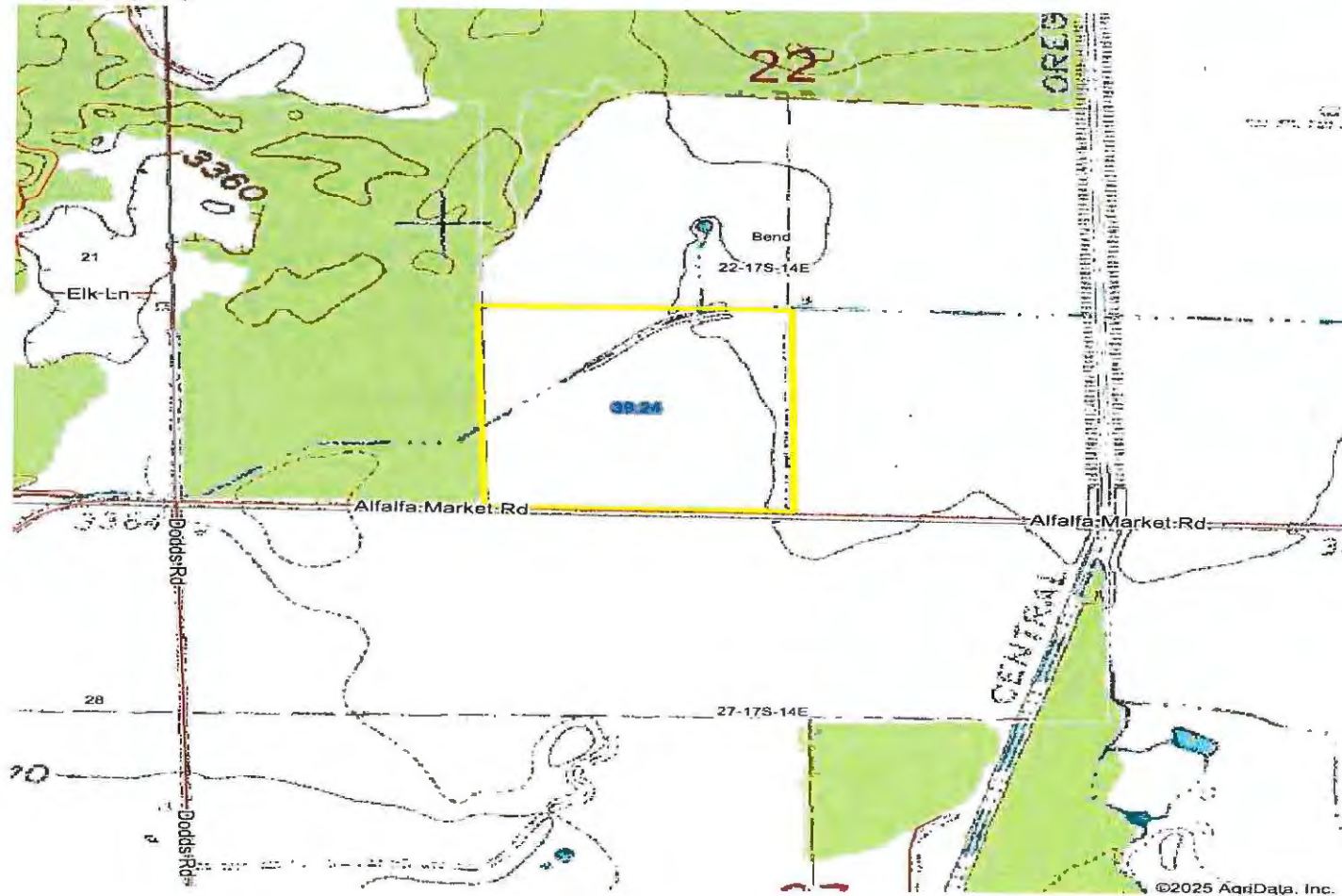
Cert#94956 Priority: 37 acres

The property was listed with Sam Turrell with Land Leader Northwest LLC at an original list price of \$849,000. The selling broker indicated that there was a lot of interest in the property with the sellers reducing the price due to the fact that the buyers were very young, first time farmers and had cash. It was confirmed that the singlewide had the right to be replaced and was a motivating factor for purchase. The buyer was represented by Donnie Eggers of Nexus 360 Realty LLC.

Aerial Map



Topography Map



Sale # 10 (cont.)

Sale Allocation:

<u>Land Type</u>	<u>Ratio</u>	<u>Acres</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
Irrigated Cropland	100%	0.00	\$0	\$0	0%
Irrig. Hay/Pasture		37.00	\$14,000	\$518,000	0%
Meadowland		0	\$0	\$0	0%
Dry Crop		0	\$0	\$0	0%
Impr. Pasture		0	\$0	\$0	0%
CRP/Wheatland		0	\$0	\$0	0%
Range/Recreation		0	\$0	\$0	0%
Ancillary Lands		1.45	\$0	\$0	0%
Other/Farmstead		1		\$150,000	0%
BLM/ FS Grazing		0 aum	\$0	\$0	0%
		<u>39</u>			\$668,000

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>
single wide	892 sf	Fair	Avg.	\$108.00	46%	\$58.52	\$52,200
pump house	48 sf	Fair	Avg.	\$30.00	33%	\$20.00	\$960
hay cover	2760 sf	Fair	Avg.	\$14.00	36%	\$9.00	\$24,840
							\$78,000
<u>Other</u>	<u>Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Value</u>	<u>Value</u>
Wheel line	1	Fair	Ave.	\$15,000	73%	\$4,000	\$4,000
							\$4,000
							\$0

Total Allocation >> \$750,000



Irrigated Farm

Sale # 11

Database # 1936

Date of Sale: Jul-24

Days on the Market: 47

Sales Price: \$360,000

CE Price: \$360,000

Est Animal Units

\$/AU:

Total Acres 20

Overall \$/Acre: \$18,000

Land Allocation: \$360,000

Impr. Allocation: \$0

Other Allocation: \$0

Highest and Best Use:

Irrigated Farm Non-Buildable



Grantor: 1996 Mahaney Trust ETAL

Grantee: Marjama, Marvin & Marilyn TTEES

8021 SW 61st St, Redmond, OR • Deschutes

T.16S-R.12E • 11 • Lot: 102

Latitude & Longitude: 44° 12' 4.99, -121° 14' 47.01

WD # 2024-17073

Confirmed: Inspection, County Records; Broker

This property is bordered to the east by SW 61st Street a busy County maintained, two lane, paved road and the Central Oregon Irrigation District Canal to the north and east.

NON BUILDABLE parcel currently used for pasture. Property is zoned EFUTRB/AS. No building improvements at the time of sale. This property is an oddly shaped triangular tract. Property has been used for irrigated pasture. Site is suitable for small livestock operation, nursery, community garden or vegetable operation.

Water rights: 18 acres COID Cert#94956 Property was leased through the 2024 irrigation season.

Soils consist of Tumalo sandy loam, 0 to 3 percent slopes, capability class Non Irr VI, Irr III, Stukel-Deschutes-Rock outcrop complex, 0 to 15 percent slopes, capability class Non Irr VI.

Elevation ranges from 3,143.7 feet to 3,157.5 feet above sea level.

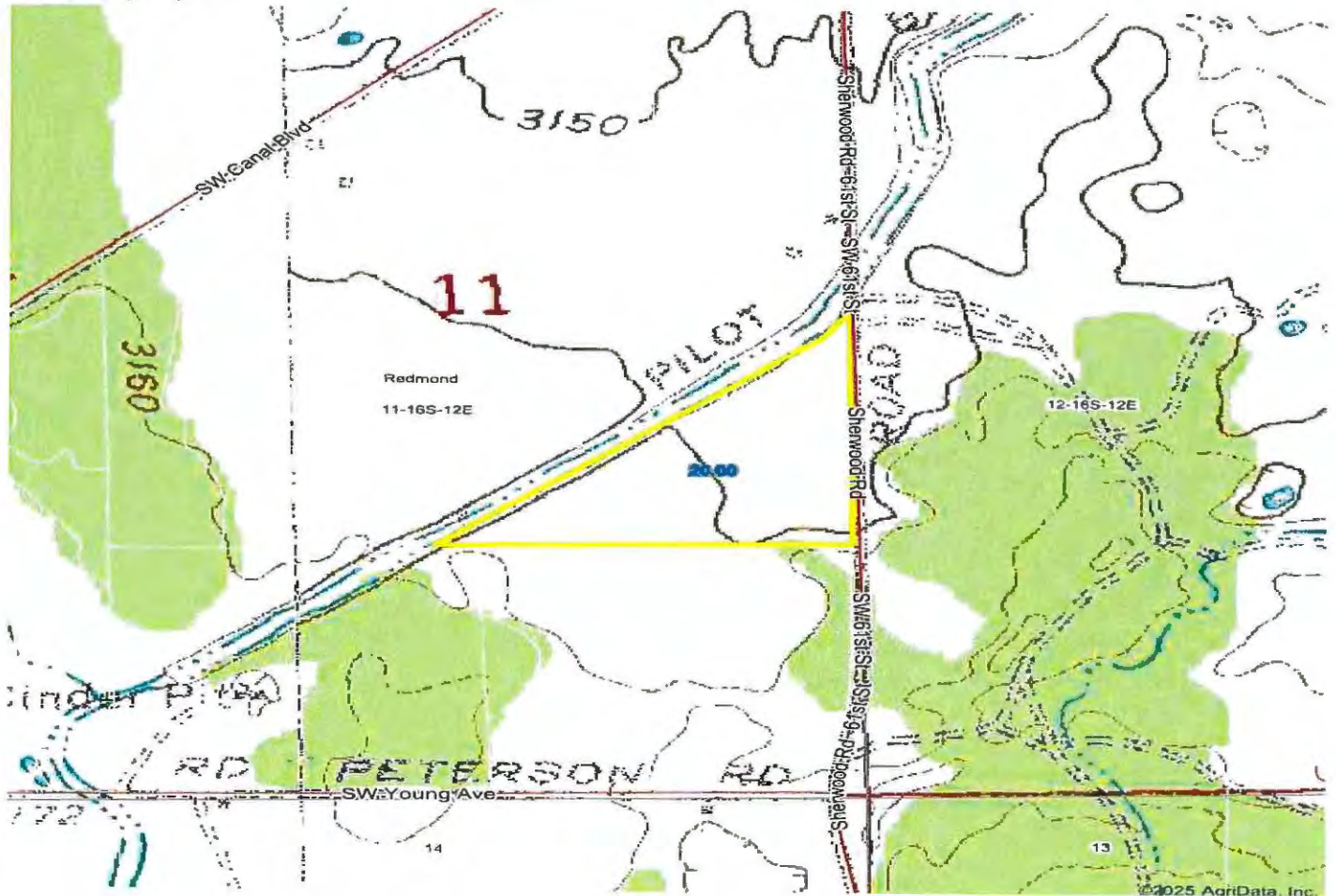
At the time of inspection there was a new cyclone perimeter fence.

The property was listed with Jeff Larkin of Jeff Larkin Realty representing both the seller and buuer. The original list price was \$365,000.

Aerial Map



Topography Map



Sale # 11 (cont.)

Sale Allocation:

<u>Land Type</u>	<u>Ratio</u>	<u>Acres</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
<i>Irrigated Cropland</i>	100%	0.00	\$0	\$0	0%
<i>Irrig. Hay/Pasture</i>		18	\$20,000	\$360,000	0%
<i>Meadowland</i>		0	\$0	\$0	0%
<i>Dry Crop</i>		0	\$0	\$0	0%
<i>Impr. Pasture</i>		0	\$0	\$0	0%
<i>CRP/Wheatland</i>		0	\$0	\$0	0%
<i>Range/Recreation</i>		0	\$0	\$0	0%
<i>Ancillary Lands</i>		2	\$0	\$0	0%
<i>Other/Farmstead</i>		0	\$0	\$0	0%
<i>BLM/ FS Grazing</i>		0 aum	\$0	\$0	0%
		<u>20</u>			\$360,000

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
<u>Other</u>	<u>Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Value</u>	<u>Value</u>	\$0

	\$0
	\$0
Total Allocation >>	\$360,000

**Irrigated Farm Improved
Sale # 12**

Database # 1749

Date of Sale: *May-24*

Days on the Market: 180

Sales Price: **\$2,345,000**

CE Price: \$2,345,000

Est Animal Units

\$/AU:

Total Acres 86.05

Overall \$/Acre: \$27,252

Land Allocation: \$2,007,600

Impr. Allocation: \$337,400

Other Allocation: \$0

Highest and Best Use:

Irrigated Farm Improved
Rural Residential

Grantor: *David L Hanson Trust*

Grantee: *Toney, Charissa TTEE*



65815 Old Bend Redmond Highway, Bend, OR • Deschutes

T.16S-R.12E • 16 • Lot: 300

Latitude & Longitude: 44° 11' 33.35, -121° 17' 30.28

WD # 2024-14856

Confirmed: Inspection, County Records; Appraisal

This property is privately located back off the road with access easements for ingress and egress, shared gravel road access, from the site off 93rd Street and Old Bend Redmond Highway. The site consists of approximately 86.05+/- acres with bluffs, river banks and swimming holes with an opportunity for a custom build site. Historically a working farm and ranch with 66 acres of Swalley irrigation rights, 12 pastures, multiple ponds, machine sheds, shop, hay barn, corrals and equipment. Original homestead built in 1955 with 1100 SQ FT 2 BR, 1 BA and back porch views of the Cascade Mountains that had been fixed up/cleaned up.

This property includes river frontage along the Deschutes River in the northwest corner of the property. The recreation rangeland includes native pine and juniper groves.

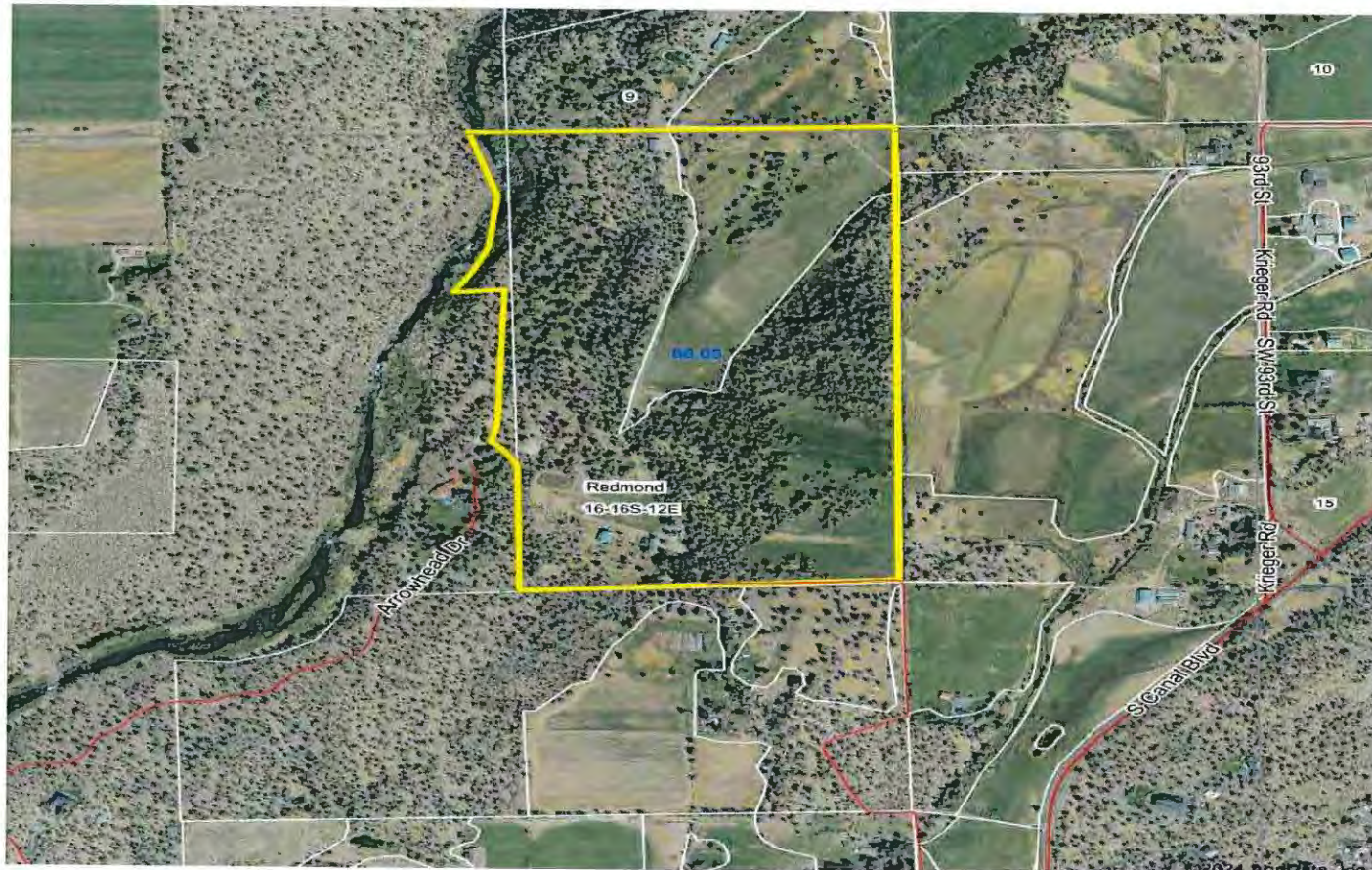
Soils consist of Redslide-Licksillet complex, 30 to 50 percent north slopes, capability class Non Irr VI, Irr VII, Deskamp-Gosney complex 0 to 8 percent slopes, capability class Non Irr VI, Irr III, Deschutes sandy loam, 0 to 3 percent slopes, capability class Non Irr VI, Irr III, Redslide-Licksillet complex, 15 to 30 percent north slopes, capability class Non Irr VI, Irr VI, Licksillet-Rock outcrop complex, 45 to 80 percent slopes, capability class Non Irr VII.

Elevation ranges from 3,046.7 feet to 3,264.6 above sea level.

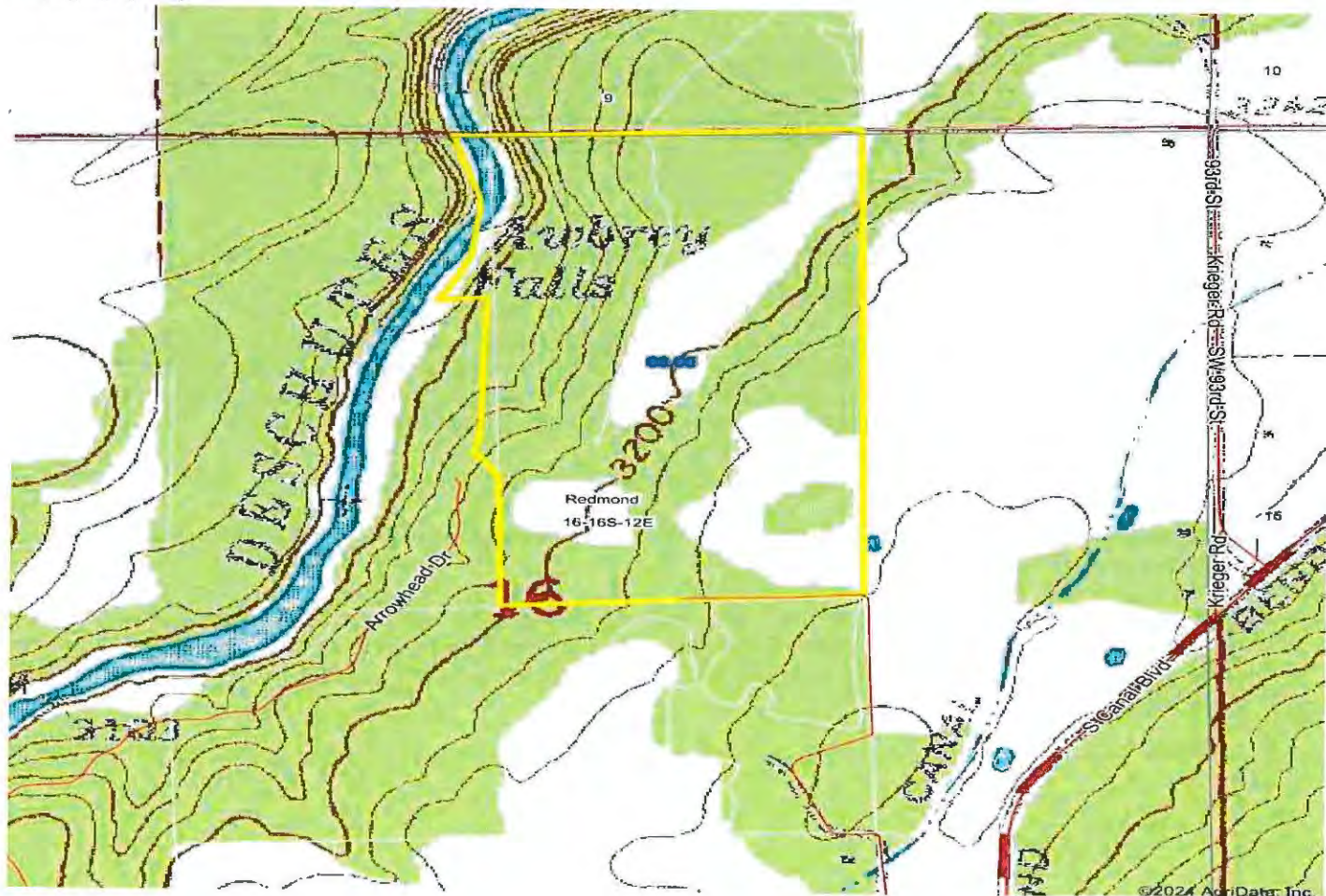
Additional home build is possible through Measure 49 claim. The neighbor has leased the property for grazing and would like to continue to do so.

The property was marketed for sale with Sam DeLay with Cascade Hasson Sotherby's International Realty. Cascade Hasson also represented the buyers side represented by Cole Billings. Original list price of \$2,595,000. The appraiser has appraised this property in the past, aerial overview photograph gleaned from marketing materials for visual of property.

Aerial Map



Topography Map



Sale # 12 (cont.)

Sale Allocation:

<u>Land Type</u>	<u>Ratio</u>	<u>Acres</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
<i>Irrigated Cropland</i>	100%	0.00	\$0	\$0	0%
<i>Irrig. Hay/Pasture</i>		66.71	\$20,000	\$1,334,200	0%
<i>Meadowland</i>		0	\$0	\$0	0%
<i>Dry Crop</i>		0	\$0	\$0	0%
<i>Impr. Pasture</i>		0	\$0	\$0	0%
<i>CRP/Wheatland</i>		0	\$0	\$0	0%
<i>Range/Recreation</i>		17.34	\$10,000	\$173,400	0%
<i>Ancillary Lands</i>		0	\$0	\$0	0%
<i>Other/Farmstead</i>		2		\$500,000	0%
<i>BLM/ FS Grazing</i>		0 aum	\$0	\$0	0%
		<u>86</u>			\$2,007,600

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>
<i>residence</i>	1142 sf	Fair	Avg.	\$285.00	39%	\$175.00	\$199,850
<i>GP building</i>	1656 sf	Fair	Avg.	\$38.00	26%	\$28.00	\$46,368
<i>hay cover</i>	2880 sf	Fair	Avg.	\$18.00	9%	\$16.33	\$47,022
<i>machine shed</i>	2208 sf	Fair	Avg.	\$28.00	29%	\$20.00	\$44,160

<u>Other</u>	<u>Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Value</u>	<u>Value</u>
--------------	--------------	--------------	----------------	------------	-------------	--------------	--------------

\$337,400

\$0

\$0

Total Allocation >>

\$2,345,000

Irrigated Farm Improved

Sale # 13

Database # 1947

Date of Sale: Apr-24

Days on the Market: 246

Sales Price: \$1,100,000

CE Price: \$1,100,000

Est Animal Units

\$/AU:

Total Acres 34.82

Overall \$/Acre: \$31,591

Land Allocation: \$658,450

Impr. Allocation: \$441,550

Other Allocation: \$0

Highest and Best Use:



Grantor: Stringfield, Richard F

Grantee: KMA Equity Holdings LLC

64821 Collins Rd, Bend, OR • Deschutes
T.16S-R.11E • 28 • Lot: 1300, 1500, T.16S-R.11E • 33 • Lot:
300

Latitude & Longitude: 44° 9' 12.19, -121° 24' 32.1

WD # 2024-8460

Confirmed: Inspection, County Records, Brokers

This property is bordered to the east by Collins Road at the northwest intersection of Walton Road. This Tumalo farm has 34.82 acres with 18.5 acres of surface irrigation rights delivered through Tumalo Irrigation District. There is an older 2,958 sq ft shop/farm building and a hay cover. The property was originally marketed with the adjacent 40 acre buildable site and 40 acre improved tract before being parceled into three distinct parcels (list prices of \$1,250,000 and \$1,750,000 respectively) total list . Building improvements include an older 3 bedroom, 1 bathroom dwelling built in 1924, older shop and hay storage barn. The homesite includes mature trees and landscaping,

Soils consist of Deschutes-Stukel complex, 0 to 15 percent slopes, capability class Non Irr VI, Irr III, Deschutes sandy loam, 3 to 8 percent slopes, capability class Non Irr VI, Irr III, Deschutes sandy loam, 0 to 3 percent slopes, capability class Non Irr VI, Irr III, Stukel-Deschutes-Rock outcrop complex, 0 to 15 percent slopes, capability class Non Irr VI.

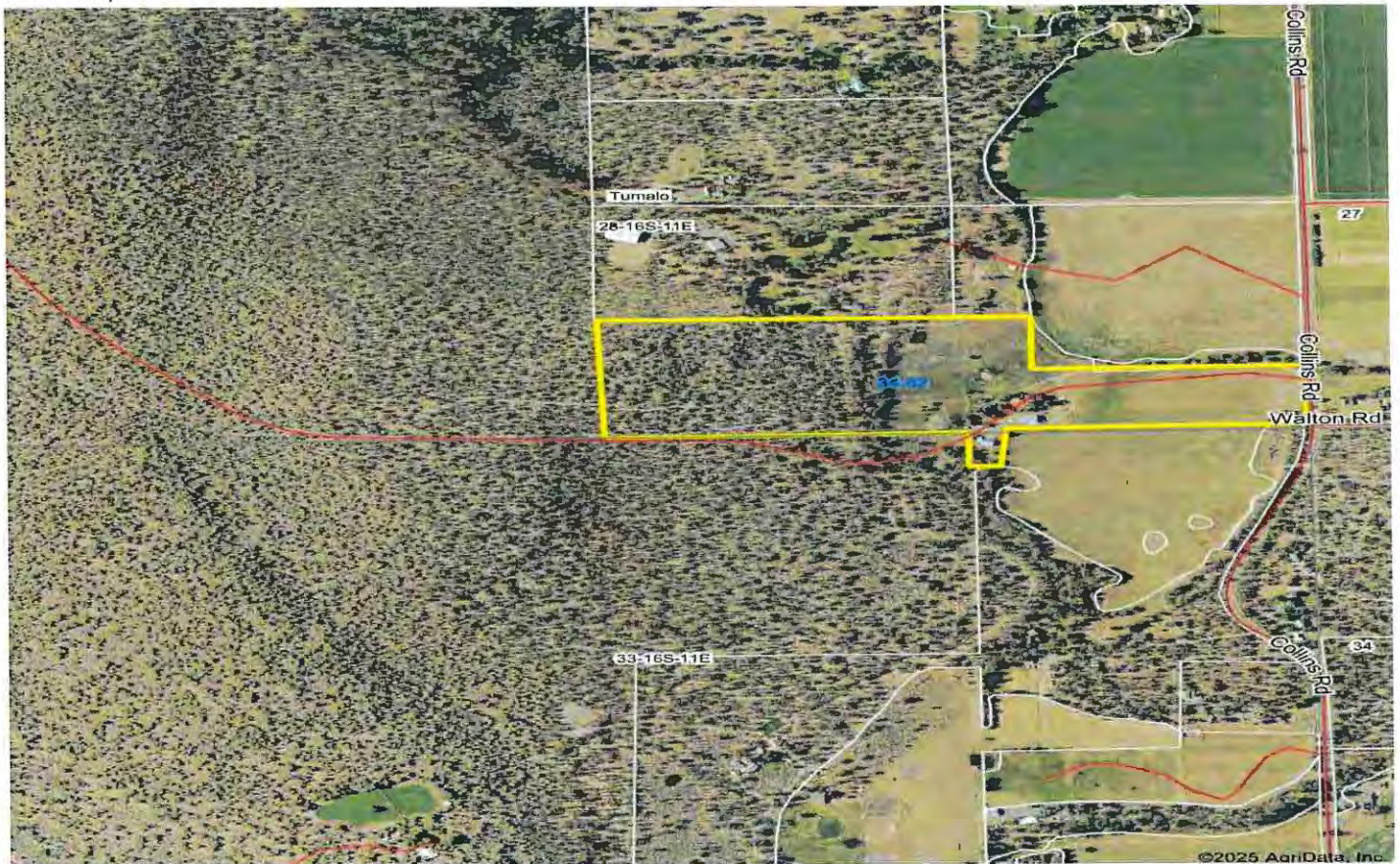
Elevation ranges from 3,440.7 feet to 3,639.9 feet above sea level. Fencing consists of four strand barbed wire with wood and steel stakes in average condition for the type of fencing.

Water rights:

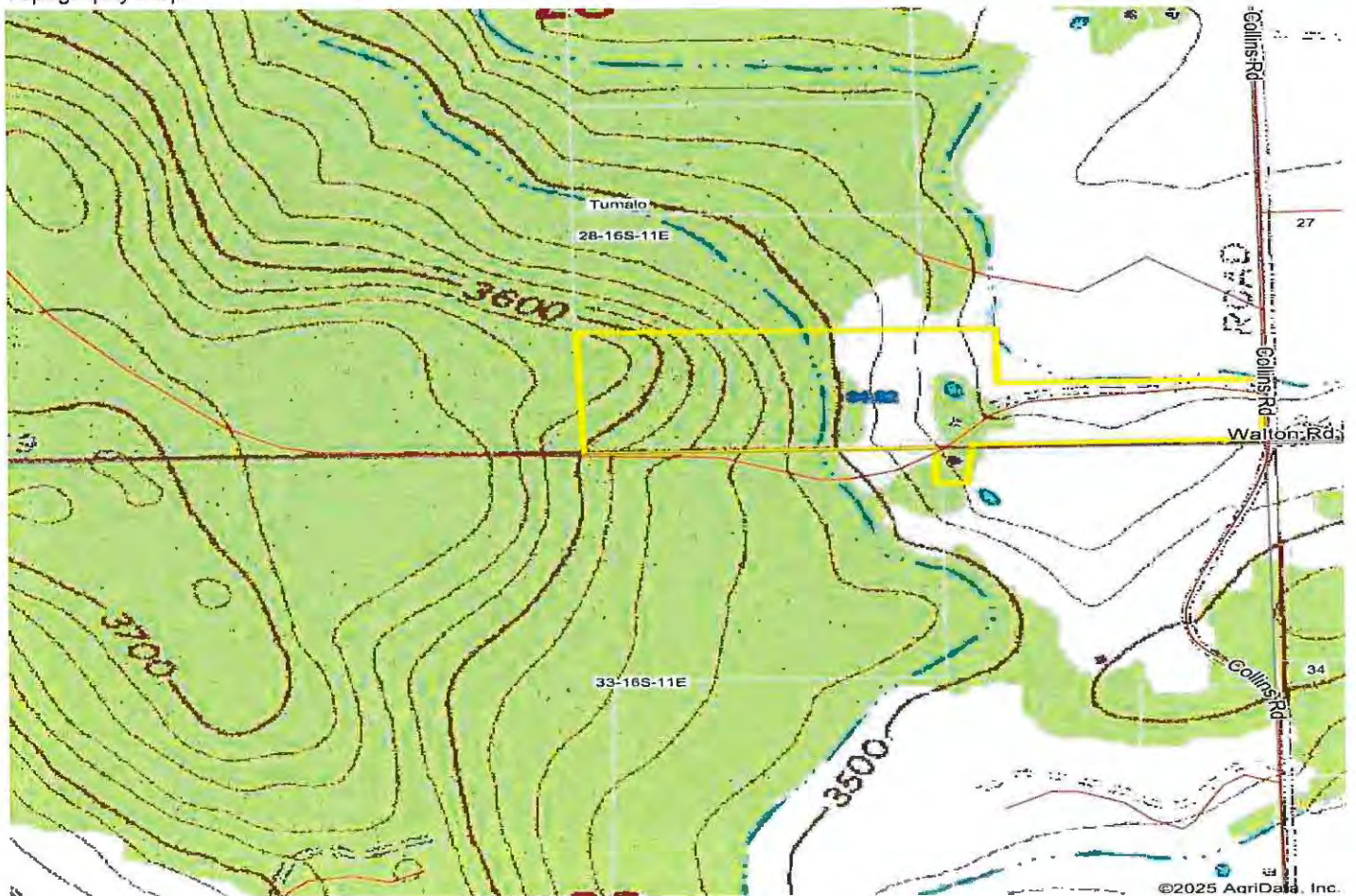
Cert#95175 priority 18.5 acres

The sale property was exposed to the market at a list price of \$1,150,000 Duke Warner Realty represented both the sellers Kris Warner and buyers Fred Johnson in this transaction.

Aerial Map



Topography Map



Sale # 13 (cont.)

Sale Allocation:

<u>Land Type</u>	<u>Ratio</u>	<u>Acres</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
Irrigated Cropland	100%	0.00	\$0	\$0	0%
Irrig. Hay/Pasture		18.5	\$16,500	\$305,250	0%
Meadowland		0	\$0	\$0	0%
Dry Crop		0	\$0	\$0	0%
Impr. Pasture		0	\$0	\$0	0%
CRP/Wheatland		0	\$0	\$0	0%
Range/Recreation		15.32	\$10,000	\$153,200	0%
Ancillary Lands		0	\$0	\$0	0%
Other/Farmstead		1		\$200,000	0%
BLM/ FS Grazing		0 aum	\$0	\$0	0%
		<u>35</u>			\$658,450

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>
lean to	576 sf	Fair	Avg.	\$10.00	50%	\$5.00	\$2,880
hay cover	1344 sf	Fair	Avg.	\$12.00	50%	\$6.00	\$8,064
residence	2040 sf	Fair	Avg.	\$200.00	5%	\$189.33	\$386,236
utility building	2958 sf	Fair	Avg.	\$28.00	46%	\$15.00	\$44,370

								\$441,550
<u>Other</u>	<u>Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Value</u>	<u>Value</u>	
								\$0
								\$0
Total Allocation >>								\$1,100,000



**Irrigated Farm Improved
Sale # 14**

Database # 1949

Date of Sale: Jan-24

Days on the Market: 121

Sales Price: \$845,000

CE Price: \$845,000

Est Animal Units

\$/AU:

Total Acres 33

Overall \$/Acre: \$25,849

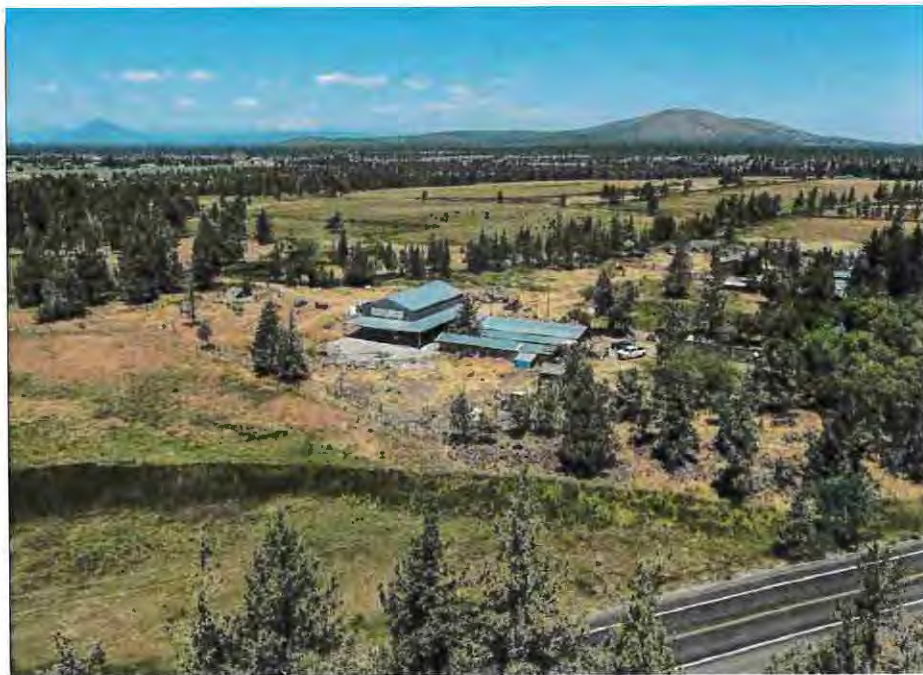
Land Allocation: \$741,650

Impr. Allocation: \$103,350

Other Allocation: \$0

Highest and Best Use:

Irrigated Farm Rural Residence



Grantor: Hanson, Stephen & Linda

Grantee: Fink, Robert A

65799 93rd st, Bend, OR • Deschutes

T.16S-R.12E • 16 • Lot: 203

Latitude & Longitude: 44° 11' 21.14, -121° 17' 10.47

WD # 2024-421

Confirmed: Inspection, County Records

This property is located along the northwest corner of the intersection of Redmond-Bend Highway and 93rd Street. The property is very irregular in shape. The property is approximately 32.69 acres near Tumalo, property is located between Bend and Redmond. There is an older 1961 manufactured home and the iconic Hanson Dairy Barn. Buildable acreage with mountain views.

Soils consist of Deskamp-Gosney complex, 0 to 8 percent slopes, capability class Non Irr VI, Irr III, Houstake sandy loam, 0 to 3 percent slopes, capability class Non Irr VI, IRr III.

Elevation ranges from 3,235.5 feet to 3,270.0 feet above sea level.

Water rights: cert#74145 priority: 9-1-1899 28.74 ac. The surface water is delivered through Central Oregon Irrigation District distributed via flood method.

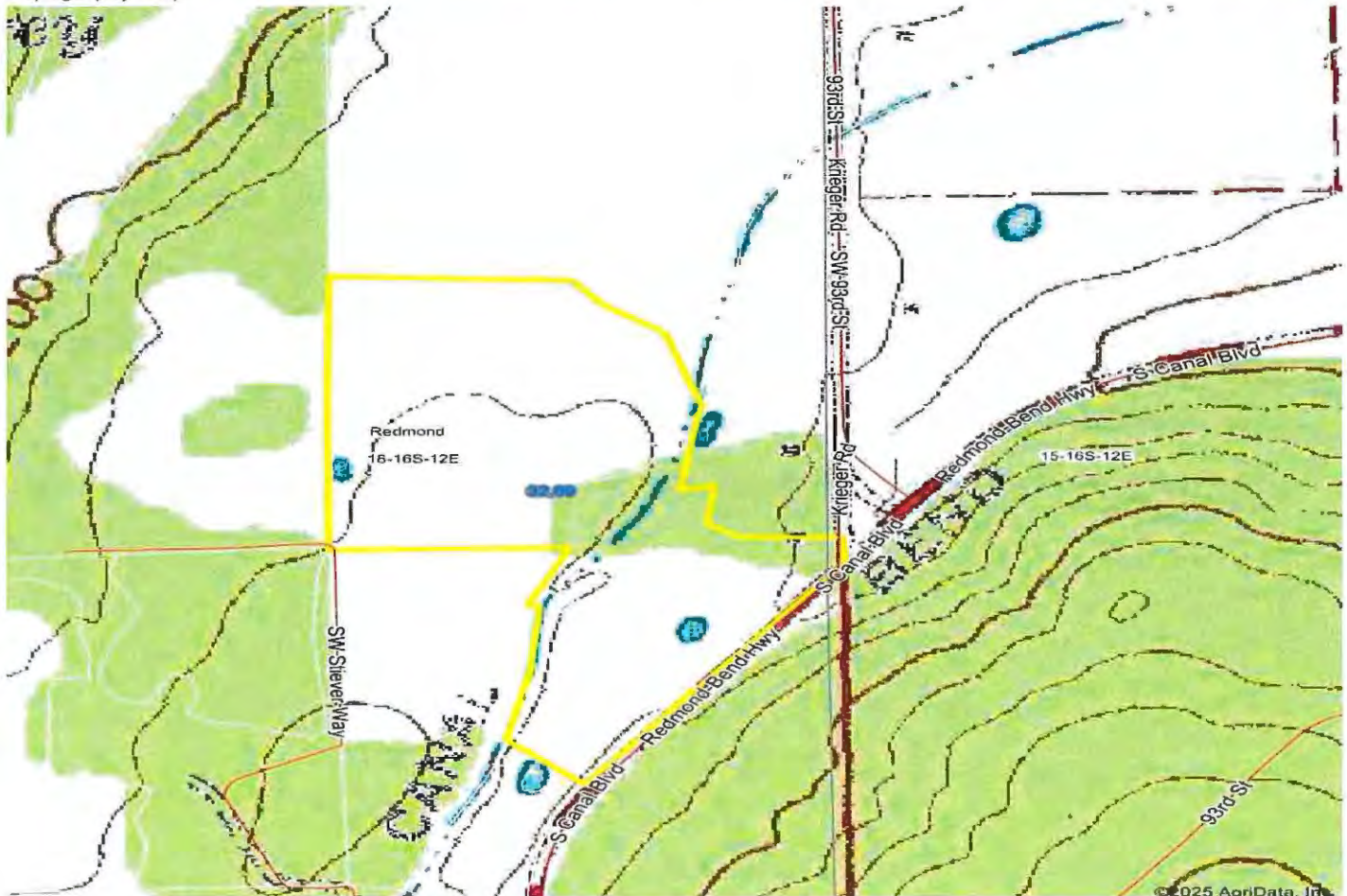
The rangeland consists of scattered juniper and rock outcroppings.

This property was listed with Riffany Paulin of LivOregon Real Estate LLC at a list price of \$875,000. Melody Luelling with Stellar Realty Northwest represented the buyer.

Aerial Map



Topography Map



Sale # 14 (cont.)

Sale Allocation:

<u>Land Type</u>	<u>Ratio</u>	<u>Acres</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
<i>Irrigated Cropland</i>	100%	0.00	\$0	\$0	0%
<i>Irrig. Hay/Pasture</i>		28.74	\$17,500	\$502,950	0%
<i>Meadowland</i>		0	\$0	\$0	0%
<i>Dry Crop</i>		0	\$0	\$0	0%
<i>Impr. Pasture</i>		0	\$0	\$0	0%
<i>CRP/Wheatland</i>		0	\$0	\$0	0%
<i>Range/Recreation</i>		0	\$0	\$0	0%
<i>Ancillary Lands</i>		27.74	\$5,000	\$138,700	0%
<i>Other/Farmstead</i>		1		\$100,000	0%
<i>BLM/ FS Grazing</i>		0 aum	\$0	\$0	0%
		<u>57</u>			\$741,650

<u>Impr. Type</u>	<u>Size/ Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Allocated Value</u>	<u>Contributory Value</u>	
<i>feeder barn</i>	4960 sf	Fair	Avg.	\$25.00	45%	\$13.84	\$68,630	
<i>single wide</i>	992 sf	Fair	Avg.	\$78.00	55%	\$35.00	\$34,720	
								\$103,350

<u>Other</u>	<u>Units</u>	<u>Cond.</u>	<u>Utility</u>	<u>RCN</u>	<u>Depr</u>	<u>Value</u>	<u>Value</u>
--------------	--------------	--------------	----------------	------------	-------------	--------------	--------------

\$0

\$0

Total Allocation >> \$845,000