

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE CITY COUNCIL OF THE CITY OF LA PINE, OREGON

An Order Authorizing the Deschutes County  
Board of County Commissioners, or their  
Designee to Sign On Behalf of the City of La Pine  
the Partition Plat for Deschutes County File

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*Resolution*  
ORDER NO. 2007-001

WHEREAS, ORS 92.040 requires City of La Pine ("City") approval of all partition and subdivision plats within the City's jurisdiction; and

WHEREAS, ORS 215.130(2)(a) says that a county's comprehensive plan and the regulations designed to carry out that plan apply to newly formed cities until such time as the city adopts its own regulations, and

WHEREAS Deschutes County Code ("DCC") Title 17, Subdivisions is designed to carry out the Deschutes County's Comprehensive Plan, and

WHEREAS, ORS 92.044 requires that a local jurisdiction adopt partition and subdivision regulations before approving any partition or subdivision plats but the City has not yet had time to adopt such regulation; and

WHEREAS, ORS 92.046(3)(a) allows the City to delegate its official with respect to partitions to the County, and

WHEREAS, ORS 92.100 requires the approval of the county surveyor on all partition and subdivision plats unless a city appoints a city surveyor and the City has not appointed a surveyor, and

WHEREAS, prior to the incorporation of the City, several applications for tentative plat approvals for partitions and subdivisions were submitted and approved by the County, and

WHEREAS, the final plats for these partitions and subdivisions have not been approved or recorded, and

WHEREAS, ORS 215.427(3)(a) provides that approval or denial of an application "shall be based upon the standards and criteria that were applicable at the time the application was first submitted[,] but it is unclear whether that provision applies to local government signatures on partition and subdivision plats, and

WHEREAS, in order to assure that all necessary approvals are on the final plats for the above mentioned County approved tentative plats, the City should be designated on the final plat as an approving authority but the County should be the authority determining whether the final plats adhere to the tentative plat approvals, and

WHEREAS, the City Council has not had time to review and enter into an intergovernmental agreement with the County for all partition and subdivision approvals but desires to facilitate the signature of the final plats for which the County has approved the tentative partition plats, therefore,

THE CITY COUNCIL OF THE CITY OF LA PINE, OREGON , HEREBY ORDERS as follows:

Section 1. The City of La Pine ("City") Council delegates to the Deschutes County Board of County Commissioners or its designee authority to sign the final partition or subdivision plats on behalf of the City for plats having received Deschutes County (County") tentative plat approval until such time as the City and County may enter into an intergovernmental agreement regarding a more general delegation of authority.

Section 2. The City Council delegates to the County authority to approve final partition or subdivision plats for which the County has approved the tentative plats until such time as the City and County may enter into an intergovernmental agreement regarding a more general delegation of authority.

DATED this 3<sup>rd</sup> day of January, 2007.

CITY COUNCIL OF THE CITY OF  
LA PINE, OREGON

  
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Jesse C. Daggett

  
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Luana Damerval

  
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Stuart Martinez

  
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Kitty Shields

ATTEST:

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Recording Secretary

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Ann D. Thomas