

Final Documents
for
Annexation to
Clean Water Services District

WA0210
Ordinance/Resolution: 10-27

DOR: 34-1965-2010
Secretary of State: SD 2010-0024

OFFICE OF THE SECRETARY OF STATE

KATE BROWN
SECRETARY OF STATE

BARRY PACK
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
MARY BETH HERKERT
DIRECTOR
800 Summer Street NE
Salem, Oregon 97310
(503) 373-0701
Facsimile (503) 378-4118

March 30, 2010

Metro
Linda Martin
600 NE Grand Ave
Portland, Oregon 97232-2736

Dear Ms. Martin:

Please be advised that we have received and filed, as of March 26, 2010, the following records annexing territory to the following:

Ordinance/Resolution Number(s)

Our File Number

10-27 [Clean Water Services District]

SD 2010-0024

For your records please verify the effective date through the application of ORS 199.519.

Our assigned file number(s) are included in the above information.

Sincerely,


Linda Bjornstad
Official Public Documents

cc: County Clerk(s)
Department of Revenue
ODOT
Population Research Center



WASHINGTON COUNTY OREGON

March 23, 2010

Metro
Linda Martin
Data Resource Center
600 NE Grand Ave.
Portland, OR 97232-2736

Re: Notice of Decision for Proposal WA-0210

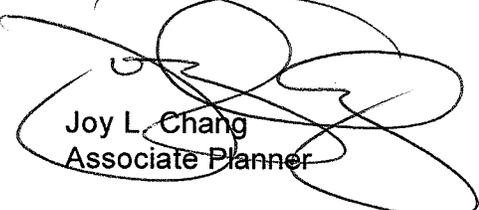
Dear Ms. Martin,

On March 16, 2010 the Washington County Board of Commissioners approved the annexation of one parcel into Clean Water Service District.

The Oregon Department of Revenue approved the final review on March 23, 2010. I've enclosed the mapping fee, DOR Final and Preliminary Review, Notice of Decision, and the Signed Resolution and Order. The legal description and map of the subject property is attached to the R&O, exhibit B and C, respectively.

If you have any questions on this request please contact me at 503-846-3873 or via e-mail at joy_chang@co.washington.or.us.

Sincerely,



Joy L. Chang
Associate Planner

Enclosures

S:\PLNGWPSHARE\Minor Boundary Changes\Casefiles\2010\WA-0210_CWS_Smith\DOR & Metro\WA-0210_MetroFinal.doc

Department of Land Use & Transportation • Planning Division
155 N. First Avenue, Suite 350-14, Hillsboro, OR 97124-3072
phone: (503) 846-3519 • fax: (503) 846-4412

Final Documents

for

Annexation to the
Clean Water Services District

WA-0210

R&O 10-27

DOR: 34-1965-0210

DOR 34-1965-2010

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

Clean Water Services Dist.
Support Services Manager
155 N First Ave, Suite 270
Hillsboro, OR 97124

Description and Map Approved

March 23, 2010

As Per ORS 308.225

Description Map received from: WASH. CO. PLANNING
On: 3/17/2010

This is to notify you that your boundary change in Washington County for

ANNEX TO CLEAN WATER SERVICES DISTRICT

RES.&ORDER #10-27(WA-0210

has been: Approved 3/23/2010
 Disapproved

Notes:

The maps, legal descriptions and signed ordinance must also be filed with the COUNTY ASSESSOR prior to March 31, 2010 per ORS 308.225.

Department of Revenue File Number: 34-1965-2010

Prepared by: Elise Bruch 503-945-8344

Boundary: Change Proposed Change
The change is for:

- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge

**DOR 34-P505-2010
Preliminary Review**



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

Washington County Planning
Dept. of Land Use & Transportation
Attn: Joy Chang
155 N. First Ave., Suite 350-14
Hillsboro, OR 97124-3072

Date: 2/19/2010

This letter is to inform you that the map and description for your PLANNED Annex to Clean Water Services (WA-0210 (1s2-10DC 400)) in Washington County have been reviewed per your request. They MEET the requirements for use with an Order, Ordinance, or Resolution which must be submitted in final form before March 31, 2010 per ORS 308.225.

The maps, legal descriptions, signed and dated ordinance must be filed with the COUNTY ASSESSOR and the Dept. of Revenue in final approved form prior to March 31, 2010 per ORS 308.225.

**Preliminary
Review**

If you have any questions please contact: Elise Bruch, 503-945-8344



WASHINGTON COUNTY
 DEPARTMENT OF LAND USE AND TRANSPORTATION
 PLANNING DIVISION
 ROOM 350-14
 155 NORTH FIRST AVENUE
 HILLSBORO, OREGON 97124
 (503) 846-3519 fax: (503) 846-4412

CASE FILE NO: WA-0210

APPLICANT:
 Brad and Kimberly Smith
 PO Box 103
 Hillsboro, OR 97123

NOTICE OF DECISION

PROPERTY OWNERS:
 Brad and Kimberly Smith

PROCEDURE TYPE III

CPO: 10

ASSESSOR MAP No: 1S2 10DC

TAX LOT No.: TL 400

SITE SIZE: 0.57 total acres

ADDRESS: 3859 SW 229th Ave., Beaverton, OR 97007

LOCATION: North of SW Noble Street, south of SE Alexander Street, west of SW 229th Avenue and east of SW 234th Avenue

PROPOSED MINOR BOUNDARY CHANGE:

Annexation to Clean Water Services District (CWS) of 0.57 acres of land within the City of Hillsboro.

Notice is hereby given that the County Board of Commissioners **APPROVED** the request for the above-stated proposed Minor Boundary Change at a meeting on **March 16, 2010.**

NOTICE MAILING DATE: March 17, 2010

THE COMPLETE APPLICATION, REVIEW STANDARDS, RECORD OF PROCEEDINGS, FINDINGS FOR THE DECISION AND DECISION ARE AVAILABLE AT THE COUNTY FOR REVIEW.

THE APPROVED MINOR BOUNDARY CHANGE DOES NOT AUTHORIZE OR PREVENT ANY SPECIFIC USE OF LAND. CURRENT COUNTY PLANNING DESIGNATIONS WILL NOT BE AFFECTED BY THIS PROPOSED CHANGE.

FOR FURTHER INFORMATION, PLEASE CONTACT:

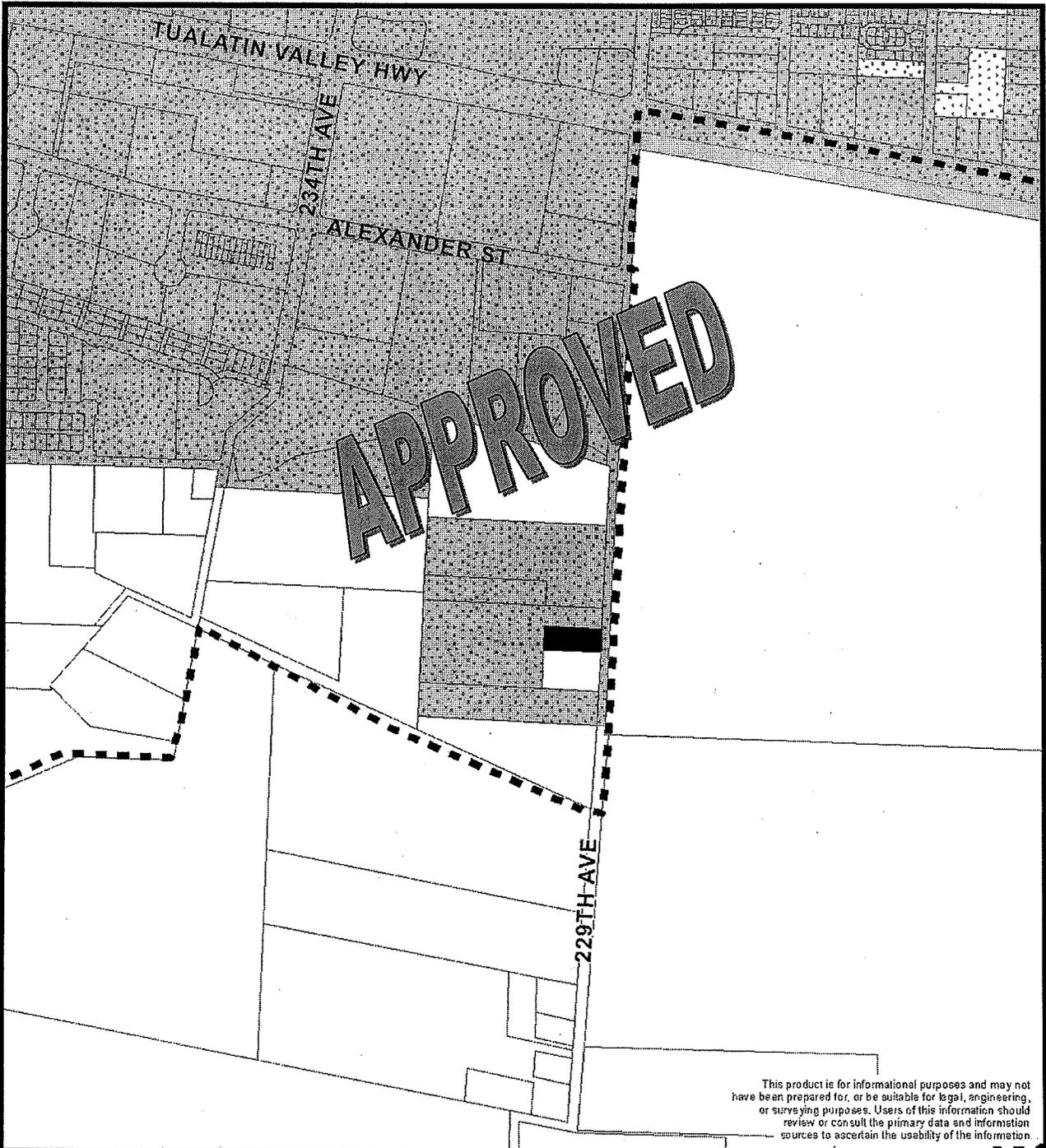
Joy L. Chang, Associate Planner
 WASHINGTON COUNTY
 DEPARTMENT OF LAND USE & TRANSPORTATION
 (503) 846-3519.

THIS DECISION MAY BE APPEALED TO THE LAND USE BOARD OF APPEALS (LUBA) BY FILING A NOTICE OF INTENT TO APPEAL WITH LUBA WITHIN 21 DAYS OF THE DATE THIS DECISION IS FINAL. CONTACT YOUR ATTORNEY IF YOU HAVE QUESTIONS REGARDING AN APPEAL TO LUBA.

(SEE REVERSE SIDE FOR SITE MAP)

THIS DECISION WILL BE FINAL IF NO CONTEST OR APPEAL IS FILED BY THEIR RESPECTIVE DUE DATE.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER



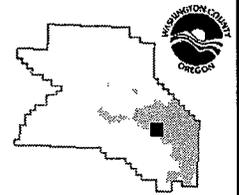
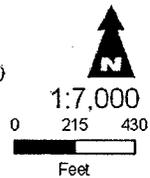
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

WASHINGTON COUNTY- GEOGRAPHIC INFORMATION SYSTEMS

WA-0210

Annexation to
Clean Water
Services
(CWS)

- Subject Property (1S210DC00400)
- Other Lots
- CWS Boundary
- Urban Growth Boundary (UGB)
- City of Hillsboro



AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Land Use & Transportation (CPO 10)

Agenda Title: CONSIDER THE ANNEXATION OF ONE PROPERTY ENCOMPASSING APPROXIMATELY 0.57 ACRES TO THE CLEAN WATER SERVICES DISTRICT (WA-0210)

Presented by: Brent Curtis, Planning Manager

SUMMARY:

The county received a request from the property owners to annex one parcel to the Clean Water Services District. The property is generally located north of SW Noble Street, south of SE Alexander Street, west of SW 229th Avenue and east of SW 234th Avenue, in the City of Hillsboro. It is further identified as tax map and lot number 1S2 10DC / 400 (see Exhibit B).

The parcel was brought into the City of Hillsboro on November 23, 2009 under city Ordinance No. 5922, Case File No. AN 5-09 Smith. In order for the property to receive the necessary sanitary and storm sewer service from the District, it must be annexed to the District. The City of Hillsboro has endorsed this minor boundary change.

If the Board approves this proposal, the boundary change would become effective on May 19, 2010 per ORS 198.747 (1) (a). The statute prohibits an annexation from becoming effective within 90 days of an election. Due to the May 18, 2010 primary election, the earliest the annexation could be effective is May 19, 2010.

Notice of today's hearing has been made in accordance with state statutory requirements.

Attachments: Resolution and Order
Staff Report (Exhibit A)
Site Map (Exhibit B)
Legal Description (Exhibit C)

DEPARTMENT'S REQUESTED ACTION:

Conduct the public hearing to consider the annexation of the subject property into the Clean Water Services District. Adopt a Resolution and Order approving the annexation with the approval becoming effective on May 19, 2010. Authorize the Chair to sign the Resolution and Order for Service District Annexation WA-0210.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

100-601000

RO 10-27

Agenda Item No.	<u>5.a.</u>
Date:	3/16/10

1
2 IN THE BOARD OF COUNTY COMMISSIONERS

3
4 FOR WASHINGTON COUNTY, OREGON

5
6
7 In the Matter of Approving Boundary) RESOLUTION AND ORDER
8 Change Proposal No. WA-0210) No. 10-27

9
10 The above-entitled matter (WA-0210) came before the Board at its
11 regular meeting on March 16, 2010; and
12

13
14 It appearing to the Board that this proposal involves the annexation of
15 one tax lot (1S2 10 DC / 400) located north of SW Noble Street, south of SE
16 Alexander Street, west of SW 229th Avenue and east of SW 234th Avenue to
17 the Clean Water Services District; and

18 It appearing to the Board that WA-0210 was initiated by a consent
19 petition of all of the property owners and meets the requirement for initiation
20 set forth in ORS 198.855 (1), ORS 198.750 and Metro Code 3.09.040 (a); and

21 It appearing to the Board that the Board is charged with deciding
22 petitions for boundary changes pursuant to ORS Chapter 198 and Metro Code
23 Chapter 3.09; and

24 It appearing to the Board that notice of the meeting was provided
25 pursuant to ORS 198.730, ORS 197.763 and Metro Code 3.09.030; and

26 It appearing to the Board that County staff have reviewed the proposed
27 boundary change and determined that it complies with the applicable
28 procedural and substantive standards and should be approved; and

29 It appearing to the Board that the Board has reviewed whatever written
30 and oral testimony has been provided regarding this proposal; now, therefore
31 it is

1 RESOLVED AND ORDERED that Boundary Change Proposal No. WA-
2 0210 is hereby approved, based on the analysis and findings in the Staff
3 Report set forth in Exhibit A, incorporated herein by reference; and it is further

4 RESOLVED AND ORDERED that the property depicted in Exhibit B
5 and legally described in Exhibit C is hereby declared to be annexed to the
6 Clean Water Services District; and it is further

7 RESOLVED AND ORDERED that the minor boundary change approval
8 shall be effective on May 19, 2010 in accord with the requirements of ORS
9 198.747 (1) (a); and it is further

10 RESOLVED AND ORDERED that the County Administrator, or his
11 designee, shall mail this decision to all necessary parties, file a map in final
12 approved form with the Department of Revenue as soon as practicable but not
13 later than March 31, 2010 and take such other steps as are required by law to
14 effectuate this proposal.

15 DATED this 16th day of March, 2010.

16 BOARD OF COUNTY COMMISSIONERS
17 FOR WASHINGTON COUNTY, OREGON
18
19
20
21

22 Tom Brim
23 CHAIRMAN
24

25
26

	AYE	NAY	ABSENT
27 BRIAN	✓	—	—
28 SCHOUTEN	✓	—	—
29 STRADER	✓	—	—
30 ROGERS	✓	—	—
31 DUYCK	✓	—	—

32
33
34
35
36

Barbara Hejtmanek
RECORDING SECRETARY

37 Date Signed: 3-16-10

38 Approved as to form:

[Signature]
Sr. County Counsel for
Washington County, Oregon



WASHINGTON COUNTY

OREGON

March 1, 2010

To: Board of County Commissioners

From: Brent Curtis, Planning Manager *BC*

Subject: **MINOR BOUNDARY CHANGE PROPOSAL NO. WA-0210— ANNEXATION TO THE CLEAN WATER SERVICES DISTRICT**

STAFF REPORT

For the March 16, 2010 Board of Commissioners hearing
(The public hearing will begin no sooner than 10:00 AM)

STAFF RECOMMENDATION

Based on the analysis and findings in this staff report, staff recommends that the Board **APPROVE** Minor Boundary Change WA-0210 with the approval becoming effective on May 19, 2010.

REQUESTED ACTION

It is proposed that one parcel be annexed to the Clean Water Services District (District).

Applicants / Owners: Brad and Kimberly Smith

Affected Property: 1S2 10DC / 400

Parcel Size: 0.57 acre

ENDORSEMENTS

The District supports the proposed annexation to its boundary. The Board of County Commissioners (Board) has endorsed the request as the Board of Directors of Clean Water Services District as required by statute.

This property was brought into the City of Hillsboro on November 23, 2009 under city Ordinance No. 5922, AN 5-09 Smith. Annexation of the property into the City serves as the City's endorsement.

CITIZEN PARTICIPATION

Notice of this hearing inviting testimony from interested parties was provided as required by

Department of Land Use & Transportation • Long Range Planning Division
155 N. First Avenue, Suite 350-14, Hillsboro, OR 97124-3072
phone: (503) 846-3519 • fax: (503) 846-4412

statute and Metro Code. Notice consisted of: 1) Posting notices near the territory and in the Public Services Building at least 20 days prior to the hearing; 2) Publishing notice twice in The Oregonian; 3) Mailing notices to all affected local governments and adjacent property owners. At the time of writing this staff report no comments were received.

FINANCIAL IMPACT

There are no known financial impacts associated with this minor boundary change that would prevent the Board from approving the annexation.

LEGAL ISSUES

There are no known legal impacts associated with this minor boundary change that would prevent the Board from approving the annexation. If the Board approves the proposal the boundary change could become effective on May 19, 2010 per ORS 198.747 (1) (a). The statute prohibits an annexation from becoming effective within 90 days of an election. Due to the May 18, 2010 primary election, the earliest the annexation could be effective is May 19, 2010.

BACKGROUND

Proposal No. WA-0210 was initiated by a consent petition of the property owners who are also registered voters for the site. The petition meets the requirement for initiation set forth in ORS 198.855 (3) (double majority annexation law), ORS 198.750 (section of statute which specifies contents of petition) and Metro Code 3.09.040 (a) (which lists minimum requirements for petition).

The territory to be annexed is located generally in the western part of the District inside the City of Hillsboro, located north of SW Noble Street, south of SE Alexander Street, west of SW 229th Avenue, and east of SW 234th Avenue. The territory consists of 0.57 acres containing one single family dwelling and is valued at \$202,970.

REASON FOR ANNEXATION

The property owners desire to annex into the district for the future use of the sewer and storm water facilities.

CRITERIA

Oregon Revised Statute Chapter 198 directs the Board to "consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district."

A second set of criteria can be found in the Metro Code. To approve a boundary change, the reviewing entity [the County Board] must apply the criteria and consider the factors set forth in

the Code. To approve a boundary change the County must:

- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
 - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
 - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and
 - (E) Any applicable comprehensive plan; and
- (2) Consider whether the boundary change would:
 - (A) Promote the timely, orderly and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

The District, Washington County and the City of Hillsboro are parties to the Hillsboro Urban Service Agreement which specifies which unit of government will handle which aspects of sanitary sewer service. No City or district annexation plans are in place for this area. The District, Washington County and the City of Hillsboro are parties to cooperative agreements under ORS 195. Under the District's master plan and urban and cooperative service agreements the area is identified as appropriate for receipt of sewer service from the District and the City.

The property is currently zoned County FD-20 Future Development – 20 Acres. At present, the city limits extend southward on SW 229th Avenue to accommodate an elementary school site and the adjacent SW 229th Avenue right-of-way. The property is part of the concept planning for Area 71 which is incorporated into the larger concept planning for the South Hillsboro Community Plan. The current South Hillsboro Concept Plan Map identifies this parcel as having a future Comprehensive Plan designation of Low Density Residential. The approval of this service district annexation will accommodate the potential need to connect to City sewer and/or water services in the future.

Service from the District and the City are adjacent to the property which will promote the timely, orderly and economic provision of such services.

LAND USE PLANNING

REGIONAL PLANNING

General Information

The property to be annexed is inside Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).

Regional Framework Plan

The law that requires Metro to adopt criteria for boundary changes specifically states that Metro shall "... ensure that a boundary change is in compliance with the Metro regional framework plan as defined in ORS 197.015 and cooperative agreements and urban service agreements adopted pursuant to ORS 195." ORS 197.015 says "Metro regional framework plan means the regional framework plan required by the 1992 Metro Charter or its separate components." The Regional Framework Plan was reviewed and found not to contain specific criteria applicable to boundary changes.

There are two adopted regional functional plans, the Urban Growth Management Functional Plan and the Regional Transportation Plan, which were examined and found not to contain any directly applicable standards and criteria for boundary changes.

COUNTY PLANNING

The County's Comprehensive Framework Plan for the Urban Area does have a policy, *Policy 15*, which is relevant to the annexation. Implementation Strategy h. of Policy 15 says:

The County will:

.....

h. Not oppose proposed annexations to a special service district:

- 1. That are consistent with an urban service agreement; or*
- 2. If no urban service agreement applies to the property, the property lies within an area for which the district is designated a party in a cooperative agreement adopted pursuant to ORS 195.020 and the district has adopted a Master Plan for the area.*

Annexations to special service districts that are consistent with an adopted urban service agreement are deemed to be consistent with the Washington County Plan.

Washington County, the City of Hillsboro and Clean Water Services are parties to the Hillsboro Urban Service Agreement. Under the agreement the City provides local collector sewer lines and connections while the District is responsible for major transmission and treatment functions. Therefore, the action is considered to be consistent with the Washington County Comprehensive Plan.

CITY PLANNING

As previously stated, the property is currently zoned County FD-20 Future Development – 20 Acres. At present, the city limits extend southward on SW 229th Avenue to accommodate an elementary school site and the adjacent SW 229th Avenue right-of-way. The property is part of

the concept planning for Area 71 which is incorporated into the larger concept planning for the South Hillsboro Community Plan. The South Hillsboro Concept Plan Map identifies this parcel as having a future Comprehensive Plan designation of Low Density Residential. The approval of this service district annexation will accommodate the potential need to connect to City sewer and/or water services in the future. The city's delay in applying a Comprehensive Plan designation and zone to the property will postpone development of the site until the adoption of the South Hillsboro Area Community Plan.

Section IV.A. of Section 2 of the City Comprehensive Plan states:

- (A) Urban development shall occur only where urban services exist or are available. It is the intent of this Plan to encourage development in those areas where such services are currently available or can be readily provided in a logical manner.
- (1) Urban services necessary for development include adequate water, **sewer**, and fire protection.

FACILITIES AND SERVICES

ORS 195 Agreements ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. As noted above this area is covered by an urban service agreement.

Sewer The bulk of the City of Hillsboro (but not this site) is within the Clean Water Services District. A 24-inch sanitary sewer line in SW 229th Avenue right-of-way can serve the property. Water A 12-inch water line in SW 229th Avenue right-of-way can serve the property.

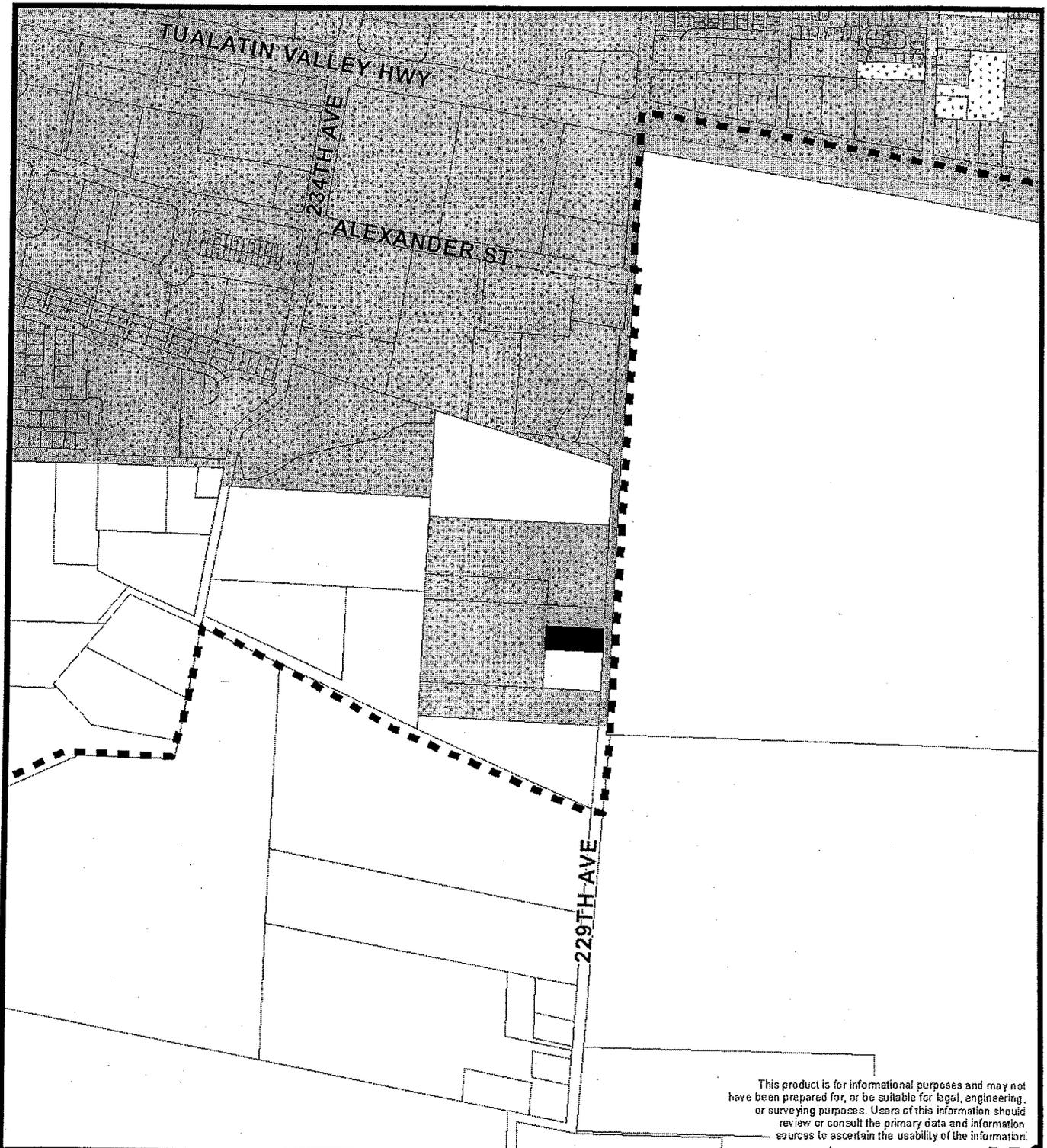
Storm Drainage The District has responsibility for surface water management within the Washington County urban growth boundary. The District has entered into an intergovernmental agreement with the City of Hillsboro for allocation of City and District responsibilities. The City has responsibility for operations and maintenance of storm and surface water facilities within Hillsboro. A 24-inch storm drainage line in SW 229th Avenue right-of-way can serve the property.

Parks and Recreation The City of Hillsboro provides parks & recreation services.

Transportation The property is served by SW 229th Avenue.

Fire The area to be annexed is served by the City's Fire Department. The closest fire station is the Brookwood station.

Police The City of Hillsboro provides police service to the area.



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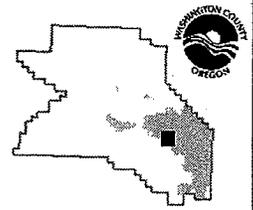
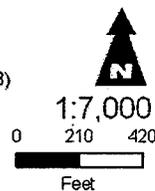
WASHINGTON COUNTY- GEOGRAPHIC INFORMATION SYSTEMS

Exhibit B

WA-0210

Annexation to
Clean Water
Services
(CWS)

-  Subject Property (1S210DC00400)
-  Other Lots
-  CWS Boundary
-  Urban Growth Boundary (UGB)
-  City of Hillsboro



A tract of land located in the Southeast 1/4 of Section 10, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the southeast corner of Lot 67 of Witch Hazel Little Farms, a duly recorded subdivision in said county;

thence North 1°00' East, along the east line of said lot, a distance of 173.85 feet to the southeast corner of that tract of land conveyed to Brad R. Smith and Kimberly A. Smith by deed recorded May 13, 1999 as Document No. 99058504 in Deed Records of said county, and the true point of beginning;

thence North 1°00' East, along the east line of said tract, a distance of 100.0 feet to the northeast corner thereof;

thence North 89°00' West, along the north line of said tract, a distance of 250 feet to the northwest corner thereof;

thence South 1°00' West, along the west line of said tract, a distance of 100.0 feet to the southwest corner thereof;

thence South 89°00' East, along the south line of said tract, a distance of 250 feet to the point of beginning.

ANNEXATION CERTIFIED
BY sh

AUG 06 2009

WASHINGTON COUNTY A & T
CARTOGRAPHY

ANNEXATION CERTIFIED
BY P. A. Kelly

OCT 27 2009

WASHINGTON COUNTY A & T
CARTOGRAPHY

STATE OF OREGON
County of Washington

I, Jerry J. Hanson, Director of Assessment and Taxation and Clark County Clerk for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.



Doc : 99058504
Recd: 231598
05/13/1999 10:12:50am 206.00

RECORDING REQUESTED BY
FIDELITY NATIONAL TITLE COMPANY OF OREGON

GRANTOR'S NAME
Phillip N Smesrud and Tezhick Smesrud

GRANTEE'S NAME
Brad R Smith and Kimberly A Smith

SEND TAX STATEMENTS TO:
Mr. and Mrs. Brad R Smith
3859 SW 229th Ave
Beaverton, OR 97007

AFTER RECORDING RETURN TO:
Mr. and Mrs. Brad R Smith
3859 SW 229th Ave
Beaverton, OR 97007

MAY 13 1999

FIDELITY NATIONAL TITLE 63277

SPACE ABOVE THIS LINE FOR RECORDER'S USE

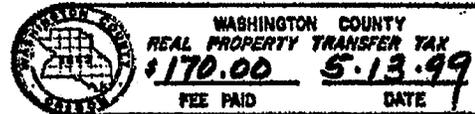
STATUTORY WARRANTY DEED

Phillip N Smesrud and Tezhick Smesrud as tenants by the entirety, Grantor, conveys and warrants to

Brad R Smith and Kimberly A Smith as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Washington, State of Oregon,

SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

Subject to and excepting:



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.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$169,900.00 (See ORS 93.030)

DATED: May 5, 1999

Phillip N Smesrud
Phillip N Smesrud

Tezhick Smesrud
Tezhick Smesrud

STATE OF OREGON,
County of Washington } 85.

FORM No. 23--ACKNOWLEDGMENT.
Stevens-Ness Law Publishing Co. NI
Portland, OR 97204 © 1992

BE IT REMEMBERED, That on this 5 day of May, 1999, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named Phillip N Smesrud and Tezhick Smesrud

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 affixed my official seal the day and year last above written.



Kellie S. Dotter
Notary Public for Oregon
My commission expires 12/20/00

Map No. 05-53277-KSD-28
Title Order No. 00083277

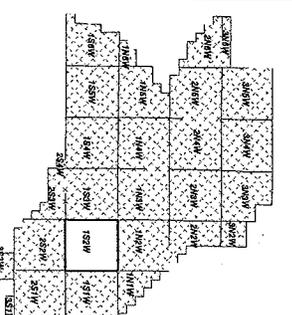
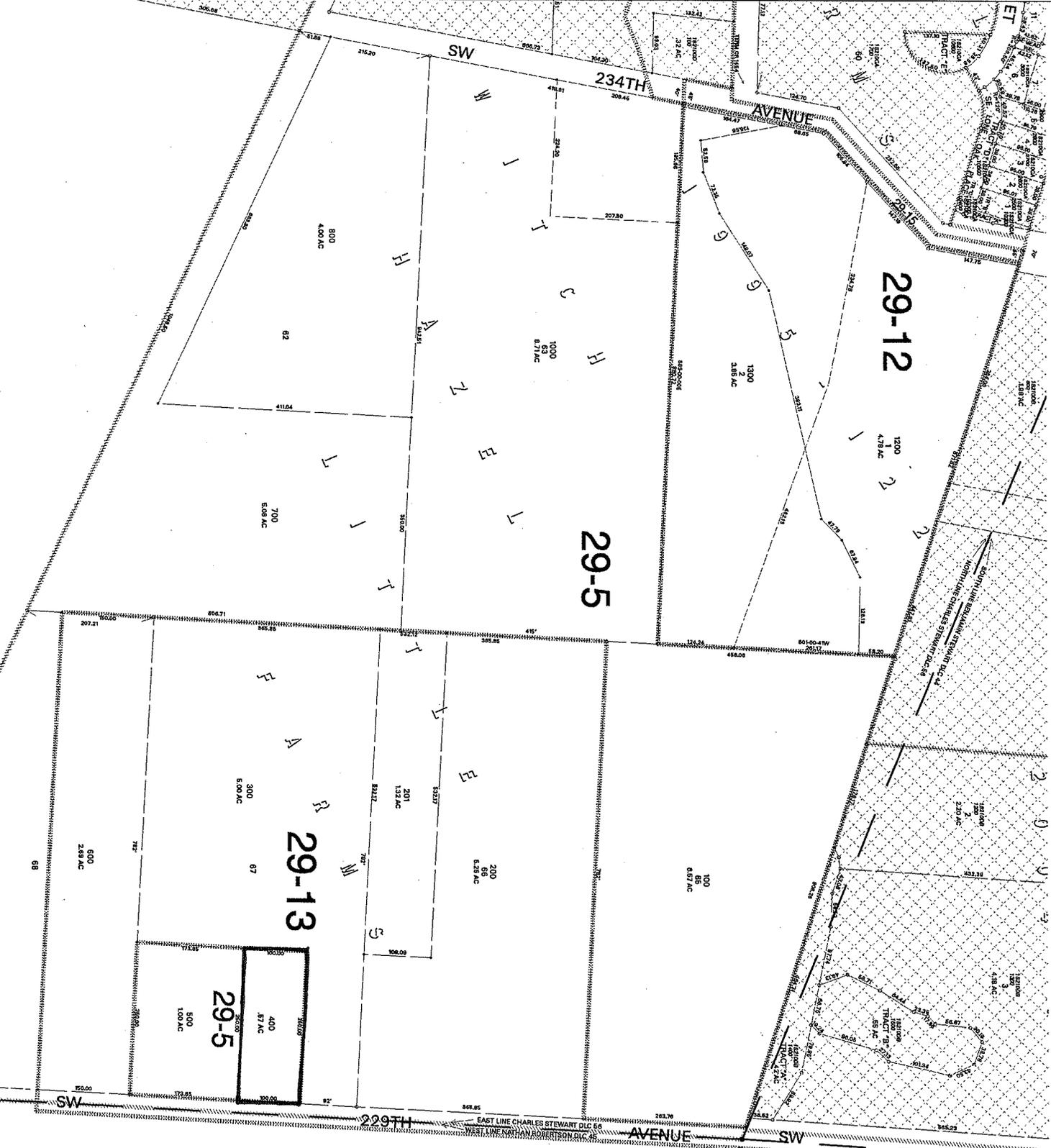
EXHIBIT ONE

A parcel of land in Lot 67, Witch Hazel Little Farms, Washington County, Oregon, more particularly described as follows:

MAY 13 1989

Beginning at a point on the East line of said Lot 67, which point bears North 1°00' East 173.85 feet from the Southeast corner thereof and running thence North 1°00' East along said East line 100.0 feet; thence North 89°00' West parallel with the South line of said Lot 67, 250 feet; thence South 1°00' West parallel with the East line of said Lot 67, 100.00 feet; thence South 89°00' East parallel with the South line of said Lot 67, 250 feet to the place of beginning.

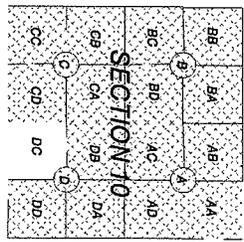
2



WASHINGTON COUNTY OREGON
 SW 1/4 SE 1/4 SECTION 10 T1S R2W W.M.
 SCALE 1" = 100'

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT WWW.CO.WASHINGTON.ORG/010118

36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
44	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6



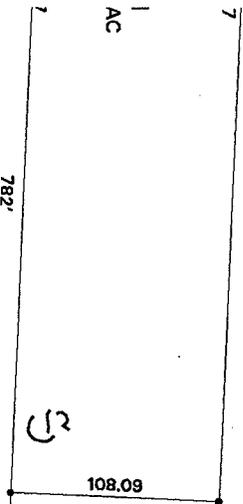
Cancelled Taxlots For: 1S210DC
 900.

ASSESSMENT
 CARTOGRAPHY
 INFORMATION

PLOT DATE: April 08, 2009
 FOR ASSESSMENT PURPOSES
 ONLY. DO NOT RELY ON
 FOR OTHER USE

Map areas delineated by other gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

5.25 AC



29-13

67

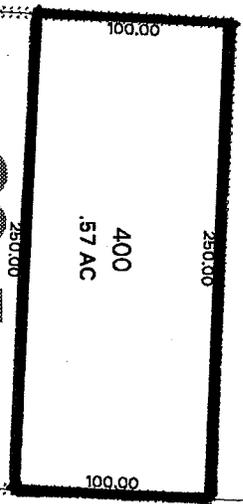
782'

600
2.69 AC

68

29-5

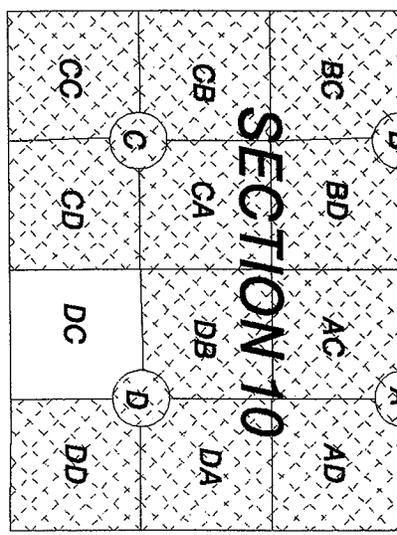
500
1.00 AC



1 S 2 1 N N R

HILLSBORO
1 S 2 1 N N R

229 FT
EAST WEST LINE



Cancelled Taxlots For: 1S210DC
900,

ANNEXATION CERTIFIED

BY *[Signature]*
OCT 27 2009

WASHINGTON COUNTY A & T
CARTOGRAPHY

WASHINGTON COUNTY OREGON
ASSESSMENT
CARTOGRAPHY
T Q X Q T I O N

PLOT DATE: April 08, 2009
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