

Final Documents
for
Annexation to
Tri-City Service District #4

CL0307
Ordinance: 2007-270
Annexation:
DOR: 3-1792-2007
Secretary of State: SD 2007-0079



May 14, 2007

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 May 14, 2007, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
2007-270 (Clackamas)	SD 2007-0079
2007-271 (Clackamas)	SD 2007-0080
07-71 (Washington)	SD 2007-0081

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

Notice to Taxing Districts

ORS 308.225



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

Tri-City Service District 4
 Budget Officer
 9101 SE Sunnybrook
 Clackamas, OR 97015

Description and Map Approved
May 7, 2007
As Per ORS 308.225

Description Map received from: METRO
 On: 5/3/2007

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

ANNEX TO TRI-CITY SERVICE DISTRICT

ORDER #2007-270 (CL-0307)

has been: Approved 5/7/2007
 Disapproved

Notes:

Department of Revenue File Number: 3-1792-2007

Prepared by: Carolyn Sunderman, 503-945-8882

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

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Approving
Boundary Change Proposal
No. CL-0307

} ORDER NO. 2007-270

This matter coming before the Board at this time, and it appearing that more than half the electors and owners of more than half the land in the territory to be annexed have petitioned to annex the territory to Tri-City Service District;

It further appearing that this Board is charged with deciding this proposal for a boundary change pursuant to ORS Chapters 198 and Metro Code 3.09; and

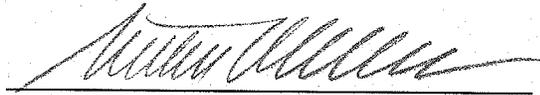
It further appearing that staff retained by the County have reviewed the proposed boundary change and issued a report which complies with the requirements of Metro Code 3.09.050(b); and

It further appearing that this matter came before the Board for public hearing on April 26, 2007 and that a decision of approval was made on April 26, 2007;

NOW, THEREFORE, IT IS HEREBY ORDERED that Boundary Change Proposal No. CL-0307 is approved for the reasons stated in attached Exhibit A and the territory described in Exhibit B and depicted on Exhibit C is annexed to Tri-City Service District.

ADOPTED this 26th day of April, 2007.

BOARD OF COUNTY COMMISSIONERS


Martha Schrader, Chair


Mary Raethke, Recording Secretary

FINDINGS

Based on the study and the public hearing the Board found:

1. The territory to be annexed contains 1.85 acres, 1 single family dwelling, a population of 1 and is valued at \$285,560.
2. The property owner desires sewer service to facilitate additional residential development. A six-lot subdivision has been approved for the site.
3. Oregon Revised Statute 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. That Code states that a final decision shall be based on substantial evidence in the record of the hearing and that the written decision must include findings of fact and conclusions from those findings. The findings and conclusions shall address seven minimum criteria:

1. Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065. [Urban service provider agreements are agreements between various service providers about who will provide which services where. The agreements are mandated by ORS 195 but none are currently in place. Annexation plans are timelines for annexation, which can only be done after all required 195 agreements are in place and which must have been voted on by the City residents and the residents of the area to be annexed.]
2. Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party.
3. Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans.
4. Consistency with specific directly applicable standards for boundary changes contained in the Regional Framework Plan or any functional plan.
5. Whether the proposed boundary change will promote or not interfere with the timely, orderly and economic provision of public facilities and services.
6. The territory lies within the Urban Growth Boundary.

7. Consistency with other applicable criteria for the boundary change in question under state and local law.

The Metro Code also contains a second set of 10 factors which are to be considered where no ORS 195 agreements have been adopted and the boundary change is being contested by a necessary party. This boundary change is not being contested by a necessary party.

4. This territory is inside of Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).

The law that requires Metro to adopt criteria for boundary changes specifically states that those criteria shall include " . . . compliance with adopted regional urban growth goals and objectives, functional plans . . . and the regional framework plan of the district [Metro]." In fact, while the first two mentioned items were adopted independently, they are actually now part of Metro's Regional Framework Plan. Another previously freestanding construct that is now an element of the Framework Plan is the 2040 Growth Concept.

Metro has adopted the Urban Growth Management Functional Plan and the Regional Transportation Functional Plan. Nothing in these two functional plans speaks to criteria for deciding on boundary changes for sanitary sewer districts.

The Regional Framework Plan contains chapters on citizen involvement, on policies, parks, housing, etc. All of these chapters of the Framework Plan have been examined and found not to contain any directly applicable standards and criteria for boundary changes.

5. The *Community Facilities Goals And Services* Chapter of the Oregon City Comprehensive Plan contains the following pertinent sections.

Goal

Serve the health, safety, education, welfare and recreational needs of all Oregon City residents through the planning and provision of adequate community facilities.

Policies

1. *The City of Oregon City will provide the following urban facilities and services as funding is available from public and private sources:*
 - a. *Streets and other roads and paths*
 - b. *Minor sanitary and storm water facilities*
 - c. *Police protection*
 - d. *Fire protection*

- e. *Parks and recreation*
- f. *Distribution of water*
- g. *Planning, zoning and subdivision regulation*

* * *

- 3. *Urban public facilities shall be confined to the incorporated limits.*

Sanitary Sewers

* * *

- 4. *Urban development within the City's incorporated boundaries will be connected to the Tri-City sewer system with the exception of buildings that have existing sub-surface sewer treatment, if service is not available.*

* * *

- 6. *The Tri-City Service District will be encouraged to extend service into the urban growth area concurrent with annexation approval by Oregon City.*
- 6. 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. There are no urban service agreements relative to sewer service in this area of Clackamas County.
 - 7. The District provides treatment and major sewer transmission lines for the cities of Oregon City, West Linn and Gladstone. The City has an 8-inch sewer line in Holcomb Blvd. which can serve the property.
 - 8. There is a 16-inch water line in Holcomb Blvd. which will serve this area.
 - 9. The area receives police service from the City of Oregon City.
 - 10. The area receives fire service from the City of Oregon City.
 - 11. The area to be annexed receives park & recreation service from the City of Oregon City.

CONCLUSIONS AND REASONS FOR DECISION

Based on the Findings, the Board determined:

1. The Metro Code requires the boundary change decision to be consistent with any urban service agreements under ORS 195. As noted in Finding No. 6 there are no ORS 195 agreements in place in this area. The Board concludes that its decision is not inconsistent with any such agreements.
2. The Metro Code calls for consistency with directly applicable provisions of urban planning area agreements between the annexing entity and any necessary party. The annexing entity (Tri-City Service District) does not have an urban planning area agreement with any necessary party.
3. The Metro Code at 3.09.050 (d) (3) calls for consistency between the Board decision and any "specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans." ORS 198 requires consideration of the comprehensive plan and any service agreements affecting the area. The Board has reviewed the applicable comprehensive plan, which is Oregon City's Comprehensive Plan and concludes this proposal complies with it. No directly applicable service agreements were found to exist.
4. The Metro Code at 3.09.050 (d) (4) calls for consistency between the Board decision and any "specific directly applicable standards or criteria for boundary changes contained in the regional framework or any functional plans."

There are no directly applicable criteria in Metro's two adopted functional plans, the Urban Growth Management Functional Plan and the Regional Transportation Functional Plan. All elements of the Regional Framework Plan were examined and found not to contain any directly applicable standards and criteria for service district boundary changes.

5. Metro Code 3.09.050 (d) (5) states that another criterion to be addressed is: "Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services." Annexation will simplify administration by the County Assessor's Office and allow the owner to proceed with development plans within the City of Oregon City. The Board therefore concludes that annexation promotes the timely, orderly and economic provision of this service.
6. Metro Code 3.09.050 (d) (6) establishes as a major criterion whether the affected territory lies within the Urban Growth Boundary. The territory in this proposed annexation does lie within the Urban Growth Boundary.
7. Metro Code 3.09.050 (d) (6) requires "consistency with other applicable criteria for the boundary change in question under state and local law." The Board staff has examined state statutes and local laws relative to boundary changes and found no other applicable criteria.

EXHIBIT B

Proposal No. CL-0307

The property to be annexed is described as follows:

LOCATED IN THE NORTHWEST $\frac{1}{4}$ OF SECTION 27, TOWNSHIP 2 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON.

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 27; THENCE NORTH $89^{\circ}56'47''$ EAST ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 757.68 FEET TO A STONE; THENCE SOUTH $1^{\circ}24'47''$ WEST ALONG THE EAST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO CHRIS JOSI, RECORDED MAY 1, 1968, AS RECORDER'S FEE NO. 68 8102, FILM RECORDS, A DISTANCE OF 1281.36 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN TO BE DESCRIBED; THENCE NORTH $88^{\circ}37'13''$ WEST A DISTANCE OF 230.83 FEET; THENCE SOUTH $7^{\circ}27'16''$ WEST A DISTANCE OF 311.37 FEET TO THE CENTER LINE OF HOLCOMB ROAD; THENCE SOUTH $71^{\circ}52'14''$ EAST ALONG THE CENTER LINE OF SAID ROAD A DISTANCE OF 275.51 FEET TO THE SOUTHEAST CORNER OF SAID JOSI TRACT; THENCE NORTH $1^{\circ}22'47''$ EAST A DISTANCE OF 389.73 FEET TO THE TRUE POINT OF BEGINNING.

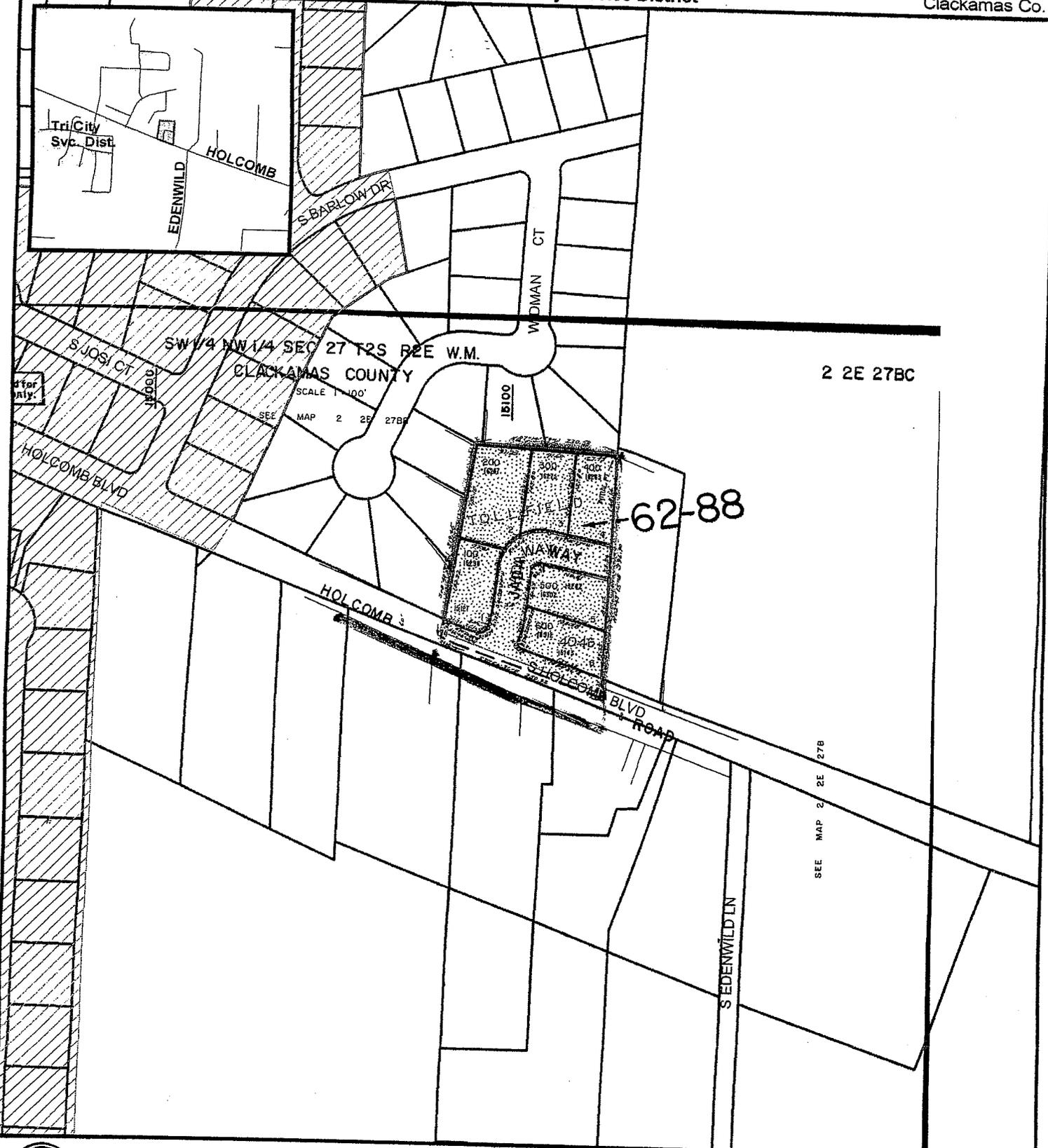


Proposal No. CL0307

2S2E27

Annexation to Tri City Service District

Clackamas Co.



Data Resource Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.metro-region.org/drc>

-  Area to be annexed
-  Tri City Service District

Figure 2
 1:2,500

Ken Martin Consulting
 P.O. Box 29079
 Portland, OR 97296-9079
 (503) 222-0955

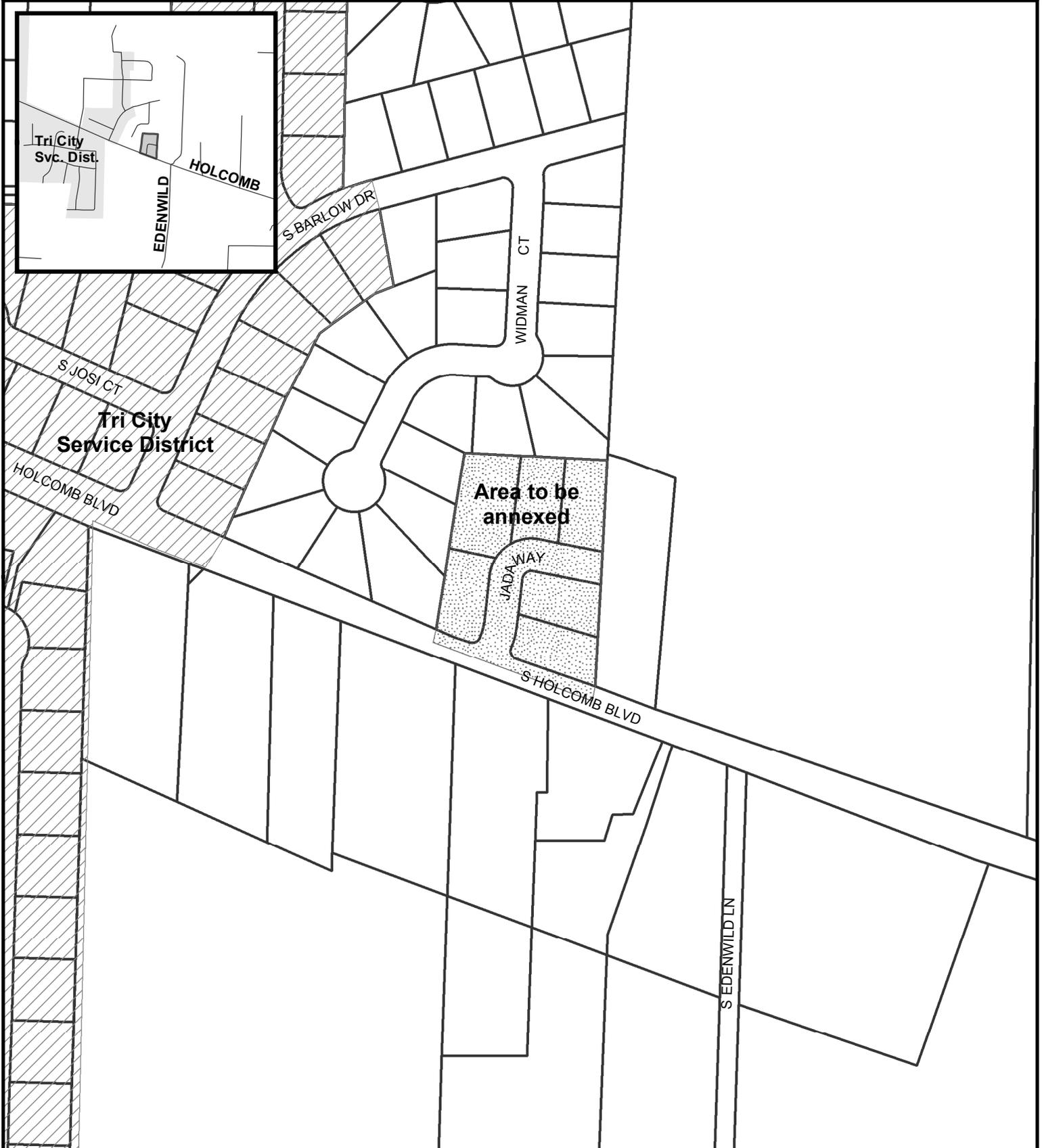


Proposal No. CL0307

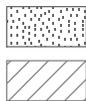
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Clackamas Co.



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Area to be annexed
Tri City Service District

Figure 1
1:2,500

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P.O. Box 29079
Portland, OR 97296-9079
(503) 222-0955

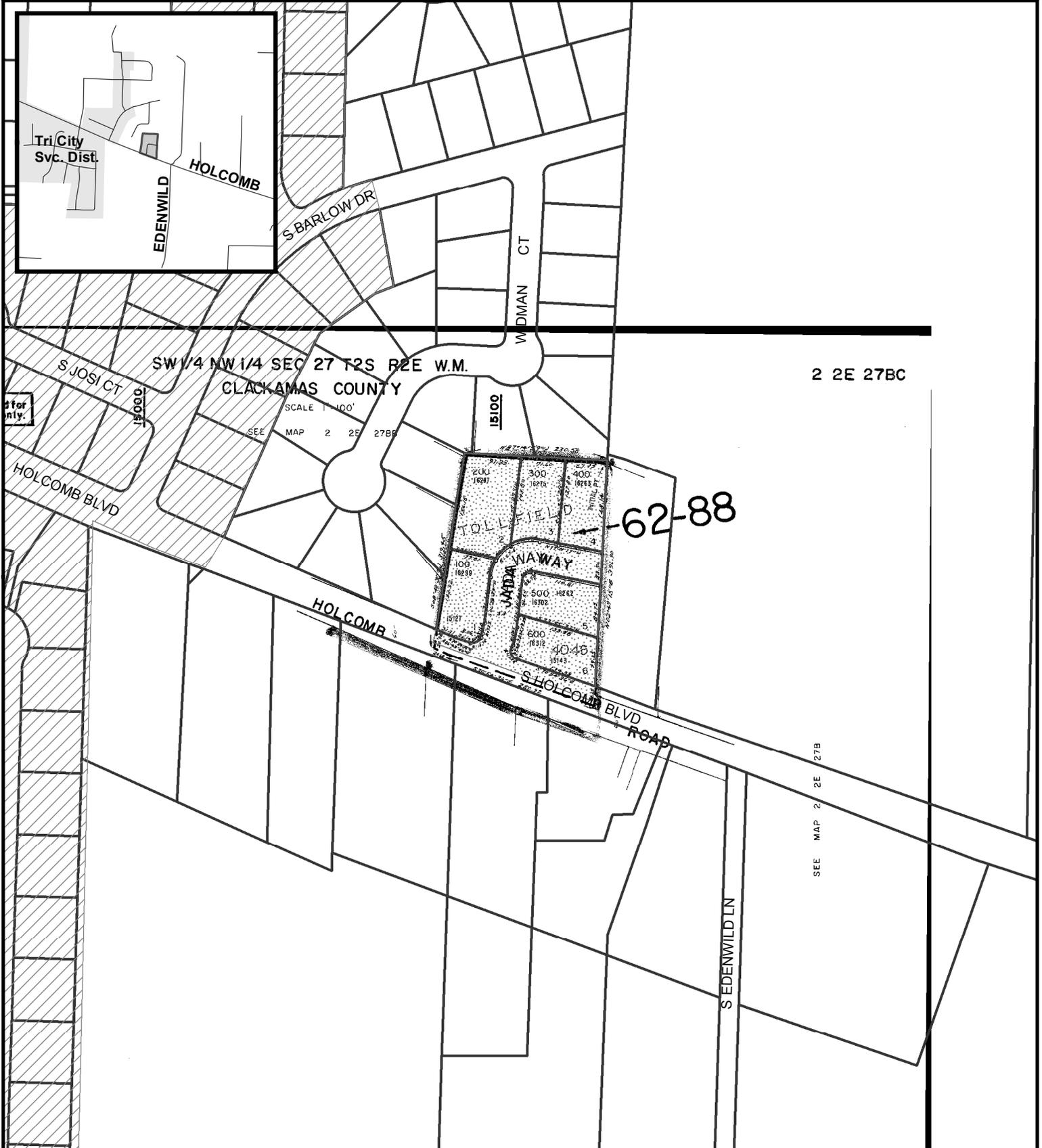


Proposal No. CL0307

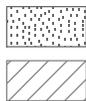
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Area to be annexed

Tri City Service District

Figure 2
1:2,500

Ken Martin Consulting
P.O. Box 29079
Portland, OR 97296-9079
(503) 222-0955



Tollfield
#4046

Tri City Service District Annexation Packet

January 5, 2007

Contact: Glenda Kennedy
Technical Services Specialist
Water Environment Services
9101 SE Sunnybrook Blvd.
Clackamas, OR 97015
Ph# 503-353-4578
Dept. Ph# 503-353-4567

Exhibit "A"

The property to be annexed is described as follows:

LOCATED IN THE NORTHWEST ¼ OF SECTION 27, TOWNSHIP 2 SOUTH,
RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON.

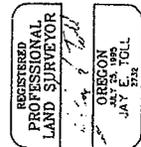
BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 27; THENCE
NORTH 89°56'47" EAST ALONG THE NORTH LINE OF SAID SECTION A
DISTANCE OF 757.68 FEET TO A STONE; THENCE SOUTH 1°24'47" WEST
ALONG THE EAST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED
TO CHRIS JOSI, RECORDED MAY 1, 1968, AS RECORDER'S FEE NO. 68
8102, FILM RECORDS, A DISTANCE OF 1281.36 FEET TO THE TRUE POINT
OF BEGINNING OF THE TRACT OF LAND HEREIN TO BE DESCRIBED;
THENCE NORTH 88°37'13" WEST A DISTANCE OF 230.83 FEET; THENCE
SOUTH 7°27'16" WEST A DISTANCE OF 311.37 FEET TO THE CENTER LINE
OF HOLCOMB ROAD; THENCE SOUTH 71°52'14" EAST ALONG THE
CENTER LINE OF SAID ROAD A DISTANCE OF 275.51 FEET TO THE
SOUTHEAST CORNER OF SAID JOSI TRACT; THENCE NORTH 1°22'47"
EAST A DISTANCE OF 389.73 FEET TO THE TRUE POINT OF BEGINNING.



4046
BOOK 132 PAGE 028

TOLLFIELD

LOCATED IN THE NW 1/4 OF SECTION 27,
TOWNSHIP 2 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN,
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON
CITY OF OREGON CITY PLANNING FILE NO. TP 04-15
DATE OF SURVEY: JUNE 26, 2004



SURVEYED BY:
JAY E. TOLL
P.O. BOX 2334
15111 HOLCOMB BLVD.
OREGON CITY, OREGON 97045
503-655-1891
JUNE 6, 2006

I CERTIFY THAT THIS TRACING IS AN EXACT
COPY OF THE ORIGINAL SUBDIVISION PLAT.
JAY E. TOLL, PLS 2732

CITY OF OREGON CITY APPROVALS:

APPROVED THIS 27th DAY OF June, 2004
BY: Jay E. Toll
OREGON CITY ENGINEER
BY: [Signature]
OREGON CITY PLANNING MANAGER

CLACKAMAS COUNTY APPROVALS:

APPROVED THIS 27th DAY OF June, 2004
BY: [Signature]
CLACKAMAS COUNTY SURVEYOR

ALL TAXES, FEES, ASSESSMENTS AND OTHER
CHARGES AS PROVIDED BY O.R.S. 92.095
HAVE BEEN PAID THRU JUNE 30, 2006

APPROVED THIS 27th DAY OF June, 2004

BY: [Signature]
RAY ERLAND, CLACKAMAS COUNTY ASSESSOR
& TAX COLLECTOR

APPROVED THIS 27th DAY OF June, 2004

BY: [Signature]
CLACKAMAS COUNTY BOARD OF COMMISSIONERS
CODE CHAPTER 11.02

COUNTY OF CLACKAMAS }
STATE OF OREGON } SS

I DO HEREBY CERTIFY THAT THE ATTACHED
PLAT WAS RECEIVED AND RECORDED ON

THIS 27th DAY OF June, 2004 AT 2:30 CLOCK P.M.

SHERRY HALL, CLACKAMAS COUNTY CLERK

BY: [Signature]
DEPUTY

SURVEYOR'S CERTIFICATE

I, JAY E. TOLL, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HAVE CORRECTLY SURVEYED AND MARKED, OR FOUND TO BE MARKED, WITH LAWFUL MONUMENTS, AS NOTED ELSEWHERE HEREON, THE LAND REPRESENTED ON THIS MAP IN THE NW QUARTER OF SECTION 27, T.2S., R.2E., W.M., CLACKAMAS COUNTY, OREGON, DESCRIBED AS FOLLOWS: BEGINNING AT THE INITIAL POINT, A 3/8" DIA. IRON ROD, BEARING PLASTIC CAP, INSCRIBED "LAND DEV. CONSULTANTS 'A', THE SOUTHEAST CORNER OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

DECLARATION

I, JAY E. TOLL, KNOW ALL PEOPLE BY THESE PRESENTS THAT I, JAY E. TOLL, OWNER OF THE LAND DESCRIBED HEREON, DO HEREBY MARK, ESTABLISH AND DECLARE THE ANKAGED PLAT OF "TOLLFIELD" AS DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE TO BE A TRUE AND CORRECT MAP AND PLAT THEREOF, AND I HEREBY DEDICATE TO THE PUBLIC HERON AND ALL STREETS OF THE WIDTHS THEREON, SET FORTH AND SHOWN HEREON AND TO THE PUBLIC AS PUBLIC WAYS FOREVER, ALL STREET RIGHT-OF-WAY, AND DOES HEREBY GRANT ALL PUBLIC EASEMENTS AS SHOWN NOTED OR STATED ON SAID MAP. THE DECLARANT DOES FURTHER STATE THAT THE PROPERTY HEREIN DESCRIBED IS SUBJECT TO RESTRICTIONS AS NOTED, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES.

JAY E. TOLL

ACKNOWLEDGEMENTS

COUNTY OF CLACKAMAS }
STATE OF OREGON } SS

THIS DECLARATION WAS ACKNOWLEDGED BEFORE ME ON June 20, 2004

BY JAY E. TOLL

[Signature]
NOTARY SIGNATURE

[Signature]
NOTARY PUBLIC - OREGON

COMMISSION NUMBER 13165145

MY COMMISSION EXPIRES March 23, 2007

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NO. 2003-039592, CLACKAMAS COUNTY DEED RECORDS, ON THE BASIS OF BEARING IS THE EAST LINE OF "BARLOW CREST PHASE 2" BOUNDARY DETERMINATION PER SURVEY NO. 2003-1986, CLACKAMAS COUNTY SURVEY RECORDS

NOTES:

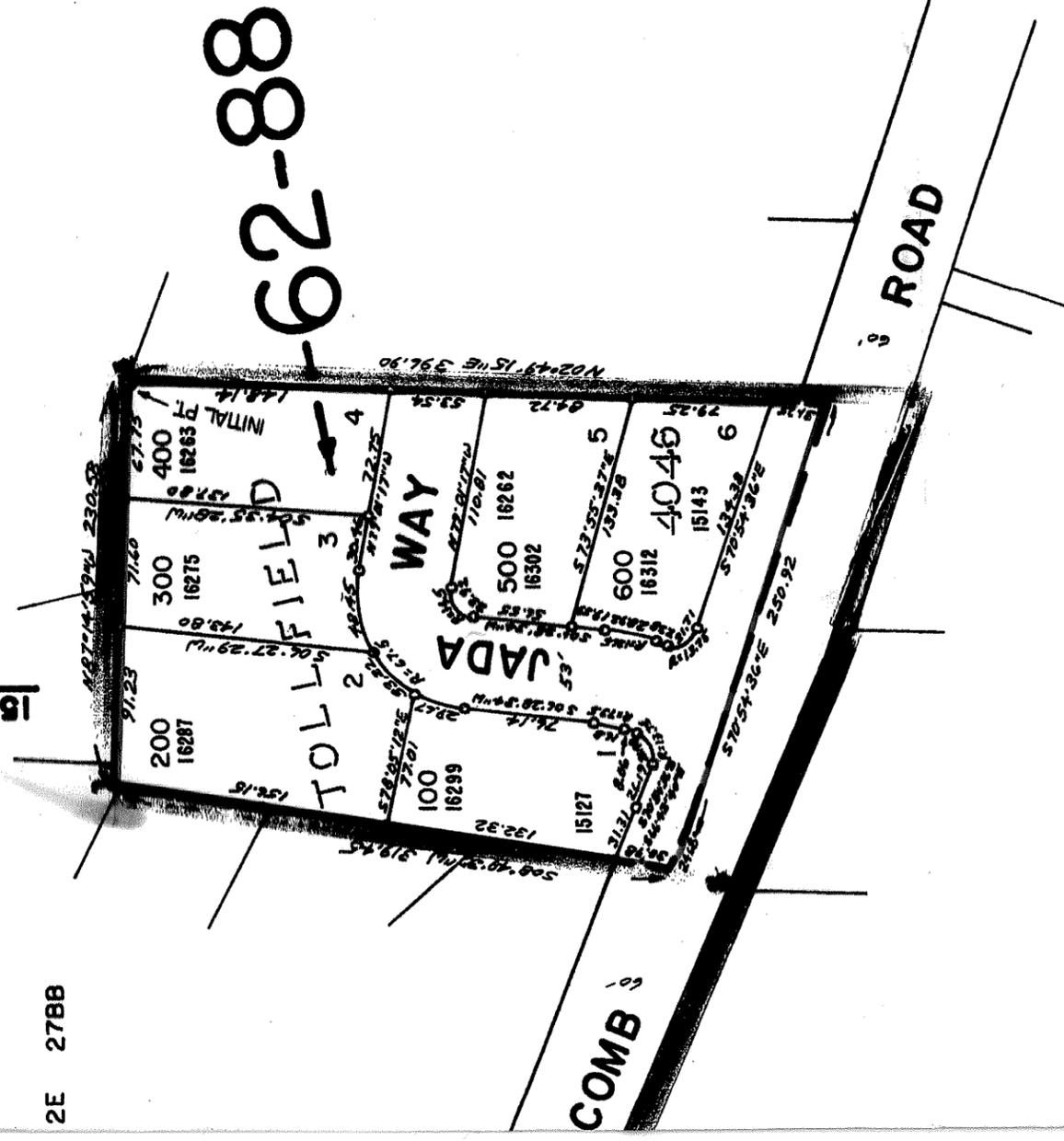
- THIS SUBDIVISION IS SUBJECT TO CONDITIONS OF APPROVAL IN THE CITY OF OREGON CITY PLANNING FILE NO. TP 04-15.
- THE CITY OF OREGON CITY AND ITS FRANCHISEES, SUCCESSORS AND ASSIGNS ARE HEREBY GRANTED THE RIGHT TO REMOVE OR REPLACE ANY MONUMENTS OR MARKS REPLACING THE LANDSCAPING FENCING OR OTHER STRUCTURES, SHRUBS OR TREES THAT MAY EXIST OR BE PLACED IN THESE PUBLIC EASEMENTS. NOTICE SHALL BE PROVIDED BEFORE SUCH ACTIVITIES ARE COMMENCED.
- THE VEHICULAR ACCESS CONTROL HAS NO WIDTH AND IS GRANTED TO THE CITY OF OREGON CITY BY THE RECORDING OF THIS PLAT. THE CITY OF OREGON CITY SHALL CONTROL OVER IT. I SHALL AUTOMATICALLY TERMINATE UPON THE ACCEPTANCE OF A PUBLIC RIGHT-OF-WAY DEDICATION OR THE RECORDING OF A PLAT WHICH EXTENDS THE RIGHT-OF-WAY ONTO THE ADJACENT PROPERTY.
- LOTS 1 AND 6 ARE SUBJECT TO A LANDSCAPE PRESERVATION RESTRICTION PER FEE NO. 2003-048423.

CONSENT AFFIDAVIT

A SUBDIVISION PLAT CONSENT AFFIDAVIT FROM JIM SMITH EXCAVATING, INC., TRUST DEED BENEFICIARY, AS RECORDED IN FEE NO. 2003-006671, HAS BEEN RECORDED AS DOCUMENT NO. 2003-058273, CLACKAMAS COUNTY DEED RECORDS.

15100

62-88



SEE MAP 2 2E 27B

SW 1/4 NW 1/4 SEC 27 T

CLACKAMAS C

SCALE 1" = 10'

SEE MAP 2

15000

This map was prepared for
assessment purpose only.

HOL

SEE MAP 2 2E 2788