

Final Documents
for
Annexation to
Tualatin Hills Park & Recreation District

WA0608
Res/Order: 08-36

DOR: 34-1905-2008
Secretary of State: SD 2008-0048



April 2, 2008

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 April 2, 2008, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
08-16	SD 2008-0044
08-17	SD 2008-0045
08-18	SD 2008-0046
08-19	SD 2008-0047
08-36	SD 2008-0048
08-37	SD 2008-0049
4475 (Beaverton)	AN 2008-0078
4476 (Beaverton)	AN 2008-0079

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

Tualatin Hills Park and Rec. Dist.
Budget Officer
15707 SW Walker Road
Beaverton, OR 97006

Description and Map Approved

March 25, 2008

As Per ORS 308.225

Description Map received from: COUNTY (KEN MARTIN)
On: 3/24/2008

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

ANNEX TO TUALATIN HILLS PARK & RECREATION DISTRICT (WA-0608)

RES. & ORDER #08-36

has been: Approved 3/25/2008
 Disapproved

Notes:

Department of Revenue File Number: 34-1905-2008

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-P449-2008
Preliminary Review**



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

Tualatin Hills Park and Rec. Dist.
Budget Officer
15707 SW Walker Road
Beaverton, OR 97006

Date: 2/14/2008

This letter is to inform you that the map and description for your PLANNED Tualatin Hills Park & Recreation District (Order No.420029) 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, 2008 per ORS 308.225.

The description is hard to follow on the Assessor map. If possible please have the description on the map. The attached survey on the last page made it possible to follow.

**Preliminary
Review**

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Department of Land Use & Transportation (CPO 7)

Agenda Title: APPROVE THE ANNEXATION OF PROPERTY ENCOMPASSING APPROXIMATELY 2.11 ACRES TO THE TUALATIN HILLS PARK & RECREATION DISTRICT (WA-0608)

Presented by: Brent Curtis, Planning Manager

SUMMARY:

The county received a request from Portland General Electric to annex one parcel to the Tualatin Hills Park & Recreation District (District) in order to fulfill a condition of development approval in Casefile 07-231- P/AMP. The parcel is located in the District's ultimate service area and is within the Urban Growth Boundary. The annexation request is made to comply with the Community Development Code Section 501-8.3B, which requires new development in the District's long-term service area to annex prior to final development approval. The property is located generally in the north part of the District on the east edge of NW Kaiser Road, north of NW Purvis Drive, and south of NW Benjamin Court. It is further identified as tax map and lot number 1N120DD/5100 as depicted in Exhibit B.

Notice of today's hearing has been made in accordance with state statutory requirements. The staff report will be provided to you prior to the hearing and it will also be available at the clerk's desk. A Resolution and Order to approve the annexation is attached to the agenda.

Attachments: Resolution and Order which includes:

1. Findings (Exhibit A)
2. Site Map (Exhibit B)
3. Legal Description (Exhibit C)

DEPARTMENT'S REQUESTED ACTION:

Conduct the public hearing to consider the annexation of the subject property into the Tualatin Hills Park & Recreation District. Adopt a Resolution and Order approving the annexation with the approval becoming effective on May 21, 2008. Authorize the Chair to sign Resolution and Order for Service District Annexation WA-0608.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

100-601000

RO 08-36

Agenda Item No.	<u>5.b.</u>
Date:	03/18/08

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IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Approving Boundary) RESOLUTION AND ORDER
Change Proposal No. WA-0608) No. 08-36

The above-entitled matter (WA-0608) came before the Board at its regular meeting on March 18, 2008; and

It appearing to the Board that this proposal involves the annexation of one tax lot (1N120DD/5100) located on the east edge of NW Kaiser Road north of NW Purvis Drive and south of NW Benjamin Court to the Tualatin Hills Park & Recreation District; and

It appearing to the Board that WA-0608 was initiated by a consent petition of all of the property owners and meets the requirement for initiation set forth in ORS 198.855 (1), ORS 198.750 and Metro Code 3.09.040 (a); and

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

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

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

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

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RESOLVED AND ORDERED that Boundary Change Proposal No. WA-0608, as described in the staff report, is hereby approved, based on the analysis, findings and conclusions set forth in Exhibit A, incorporated herein by reference; and it is further

RESOLVED AND ORDERED that the property depicted in Exhibit B and legally described in Exhibit C is hereby declared to be annexed to the Tualatin Hills Park & Recreation District; and it is further

RESOLVED AND ORDERED that the minor boundary change approval shall be effective on May 21, 2008 in accord with the requirements of ORS 198.747 (1) (a); and it is further

RESOLVED AND ORDERED that the County Administrator or his designees shall take all necessary steps to effectuate this proposal.

DATED this 18th day of March, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

	AYE	NAY	ABSENT
BRIAN	/	—	—
SCHOUTEN	/	—	—
STRADER	/	—	—
ROGERS	/	—	—
DUYCK	/	—	—

Tom Brian
CHAIRMAN

Barbara Heitmanek
RECORDING SECRETARY

Date Signed: March 18, 2008

Approved as to form:

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

FINDINGS

Based on the study and the public hearing the Board of County Commissioners (Board) finds:

1. The proposal was initiated by a consent petition of the property owners and registered voters. 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).
2. The territory to be annexed is located generally in the north part of the District on the east edge of NW Kaiser Road, north of NW Purvis Drive and south of NW Benjamin Court. The territory consists of 2.11 acres containing one single family dwelling and a PGE substation.
3. The Board of County Commissioners has identified an ultimate service area for THPRD and entered into an agreement with the District which states that THPRD is the sole provider of park and recreation services in the District's unincorporated service area. The agreement also specifies that annexation is the preferred means of providing adequate services in the long-term. Section 501-8.3B of the Washington County Community Development Code is relevant to this annexation. It requires new development in the Districts' long-term service boundary to annex to the District prior to final development approval. The private property owner in this proposal has signed a petition requesting annexation.
4. 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.

5. The property to be annexed is inside 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 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.

6. The County's Comprehensive Plan 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.

Since there is not an adopted urban service agreement for the District's long term service boundary, Washington County amended its Comprehensive Plan to identify the District's long term service boundary in the urban unincorporated Washington County. As noted below in (q) the Plan identifies THPRD as the appropriate provider of parks & recreation within these urban unincorporated areas in Washington County. To implement this Plan provision, CDC Section 501-8.3B requires new development in the District's long-term service area to annex prior to final approval. Therefore the County will not oppose this annexation and the action is considered to be consistent with the Washington County Comprehensive Plan.

Policy 15 also states:

- p. Require developing properties not currently located within the service area of a park district that provides park & recreation services to annex to a park district when the following conditions are met:*
 - 1. The property lies with an area identified for park and recreation service by a park district in an urban service agreement adopted pursuant to ORS 195.065; or, if no urban service agreement applies to the property, the property lies within an area for which a park district is designated a party to a cooperative agreement adopted pursuant to ORS 195.020; and*
 - 2. The park district has adopted a Park Master Plan for the subject area which provides the basis for that development of park and recreation facilities.*
 - q. Identify the Tualatin Hills Park and Recreation District as the park and recreation provider to urban unincorporated properties lying between the Hillsboro, Tigard and Portland urban service boundaries, excluding properties outside of THPRD that were added to the Regional Urban Growth Boundary after 2001.*
7. 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. Since there is not an adopted urban service agreement for the District's long term service boundary, Washington County amended its Comprehensive Plan to identify the District's long term service boundary in the urban unincorporated Washington County.

8. Sanitary sewer service is provided to the urban unincorporated area by Clean Water Services District.
9. Tualatin Valley Water District serves the area to be annexed.
10. The Clean Water Services District has responsibility for surface water management within the Washington County urban growth boundary.
11. Tualatin Hills Park and Recreation District serves much of the lands adjacent to the area to be annexed.
12. Transportation services are provided by the County.
13. The area to be annexed is served by Tualatin Valley Fire & Rescue.
14. The County provides police services through the County Sheriff's office and via the Washington County Service District for Enhanced Law Enforcement.

CONCLUSIONS AND REASONS FOR DECISION

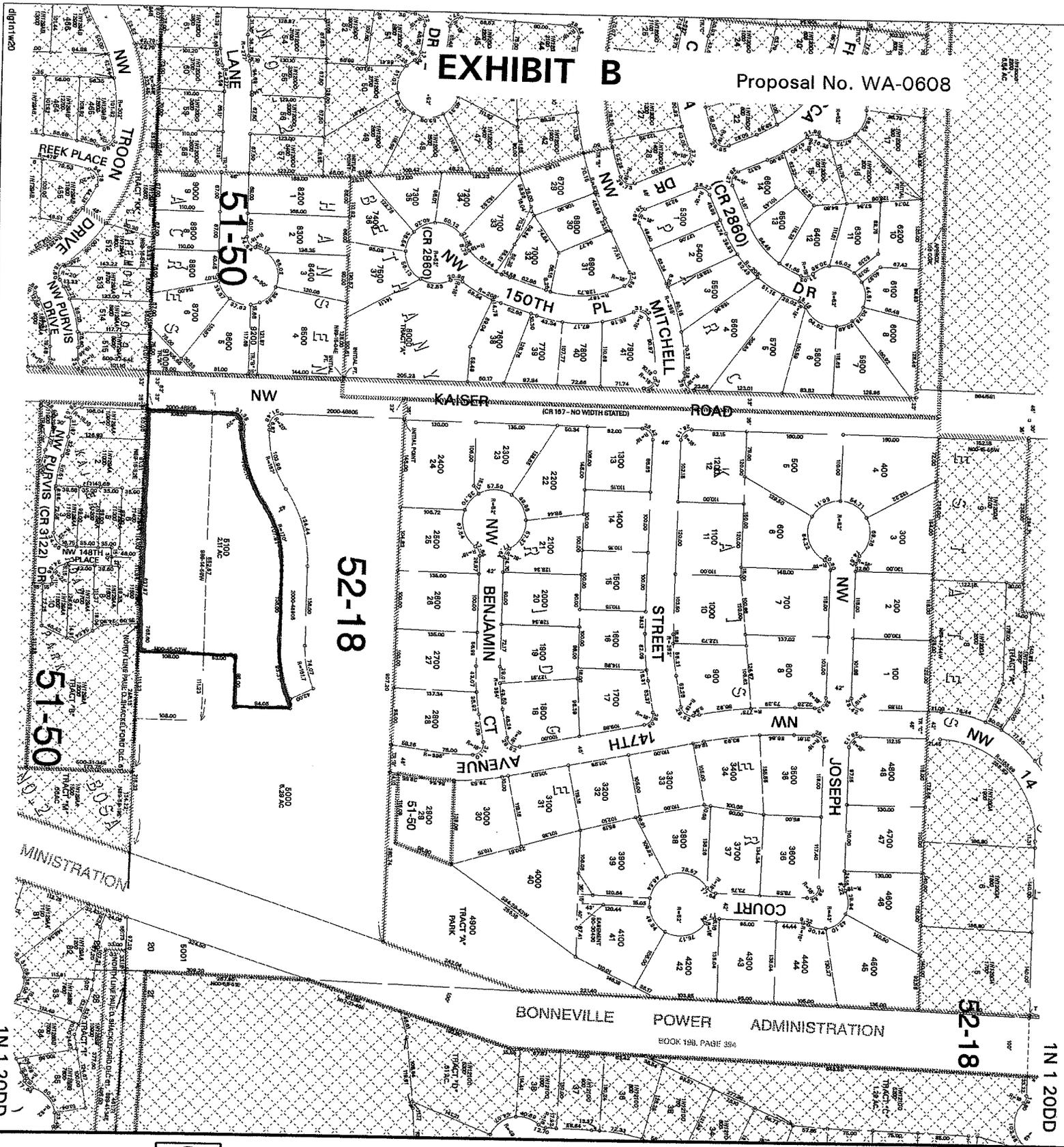
Based on the Findings, the Board determined:

1. The Metro Code calls for consistency with expressly applicable provisions of urban service agreements adopted pursuant to ORS 195. The annexing entity (Tualatin Hills Park and Recreation District) does not have an urban service agreement adopted pursuant to ORS 195. Therefore the boundary change is not inconsistent with any such agreement.
2. The Metro Code requires consistency with expressly applicable provisions of any applicable annexation plan adopted pursuant to ORS 195.205. No city or district annexation plan covers this area. Therefore the boundary change is not inconsistent with any such plan.
3. Metro Code 3.09.045 (d) (1) (C) requires the County to find that the boundary change is consistent with any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party. No such agreements exist. The Board therefore finds no inconsistencies.

4. The Metro Code at 3.09.045 (d) (1) (C) calls for consistency between the Board decision and any "expressly applicable provisions" contained in any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services. Public Facility Plans under Oregon Administrative Rules (OAR's) relate only to sewer, water and transportation services. Therefore this criteria is not applicable to this proposed boundary change.
5. The Metro Code calls for consistency with expressly applicable provisions any applicable comprehensive land use plans. ORS 198 requires consideration of the applicable comprehensive plan and any service agreements affecting the area. The Board has reviewed the applicable comprehensive plan, which is the Washington County Comprehensive Plan and concludes this proposal complies with it. As noted in Finding 6, the Plan calls for the District to be the appropriate provider of parks & recreation in the urban unincorporated area of Washington County. The annexation is consistent with the Washington County-Tualatin Hills Park & Recreation District Agreement noted in Finding 3.
6. Metro Code 3.09.045 (d) (2) (A) requires consideration of whether the boundary change would "Promote the timely, orderly and economic provision of public facilities and services." The District already provides services to surrounding areas. The Board therefore concludes that annexation promotes the timely, orderly and economic provision of this service.
7. The Metro Code at 3.09.045 (d) (2) (B) calls for consideration of whether the boundary change will affect the quality and quantity of urban services. Given the size of the District, this one lot annexation will have little or no impact on the District's ability to provide services.
8. The Board is to consider whether the boundary change would "Eliminate or avoid unnecessary duplication of facilities or services." Each small annexation to the District adds to the efficiency of having the District be the sole provider of parks & recreation services in the area. Therefore the Board concludes this criterion is met.
9. The annexation is needed to comply with conditions of approval of Casefile 07-231-P/AMP, which implements CDC Section 501-8.3B.

EXHIBIT B

Proposal No. WA-0608

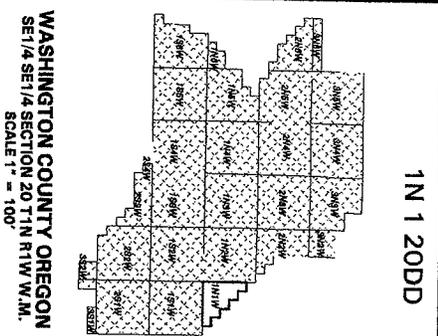
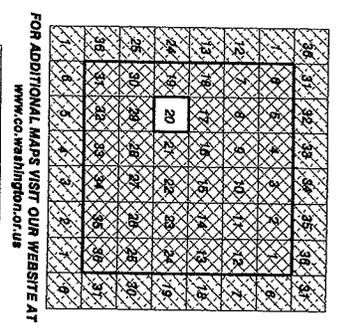
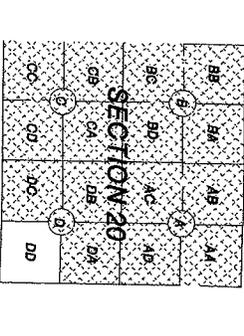


ASSESSMENT
TOPOGRAPHY

PLAT DATE: April 26, 2006
 FOR ASSESSMENT PURPOSES
 ONLY - DO NOT RELY ON
 FOR OTHER USE

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

Cancelled Taxlots For: 1N1 20DD
 3901, 4101, 510A, 510B, 510C, 510D, 510E, 510F, 510G, 510H, 510I, 510J, 510K, 510L, 510M, 510N, 510O, 510P, 510Q, 510R, 510S, 510T, 510U, 510V, 510W, 510X, 510Y, 510Z



1N 1 20DD

1N 1 20DD

EXHIBIT C

Proposal No. WA-0608

Order No.: 420029

LEGAL DESCRIPTION

A tract of land in the Southeast quarter of the Southeast quarter of Section 20, Township 1 North, Range 1 West, Willamette Meridian, in the County of Washington and State of Oregon, being a portion of that certain land conveyed to Portland General Electric Company, an Oregon corporation (PGE), by Warranty Deed recorded January 6, 1997 at Fee No. 97000881, Washington County Deed Records, said tract of land being more particularly described as follows:

Beginning at a brass cap marking the Southeast corner of Section 20, Township 1 North, Range 1 West, Willamette Meridian; thence South $89^{\circ}14'58''$ West, along the South line of Section 20, for a distance of 520.92 feet to the true point of beginning; thence continuing South $89^{\circ}14'58''$ West, 445.00 feet to the Southwest corner of said PGE land at a point on the centerline of N.W. Kaiser Road (County Road No. 167); thence North $0^{\circ}59'00''$ West along said road centerline, 183.00 feet; thence leaving said County Road centerline North $88^{\circ}50'00''$ East, 60.00 feet to a point of curve; thence along the arc of a 188 foot radius curve to the left, (the chord of which bears North $71^{\circ}00'00''$ East, 115.15 feet), for an arc length of 117.03 feet to a point of reverse curvature; thence along the arc of a 191 foot radius curve to the right, (the chord of which bears North $71^{\circ}20'00''$ East, 119.10 feet), for an arc length of 121.12 feet to a point of tangency; thence North $89^{\circ}30'00''$ East, 248.06 feet; thence South $0^{\circ}45'02''$ East, 94.05 feet; thence at right angles, South $89^{\circ}14'58''$ West, 85.00 feet; thence at right angles, South $0^{\circ}45'02''$ East, 161.00 feet to the South line of Section 20 and the true point of beginning.

EXCEPTING THEREFROM that portion dedicated to Washington County by instrument recorded June 20, 2000, as Recorder's Fee No. 2000-048905.

ALSO EXCEPTING THEREFROM that portion lying within the limits of NW Kaiser Road.

ANNEXATION CERTIFIED

BY P. A. K.

JAN 22 2008

WASHINGTON COUNTY A & T
CARTOGRAPHY

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LUT-B

STATE OF OREGON }
County of Washington } SS

I, Jerry E. Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for said county, do hereby certify that the within instrument containing the same was received and recorded in the public records of said county.



After recording, please return to:
Washington County Surveyor's Office
155 North First #350-15
Hillsboro, Oregon 97124

Doc : 2000048905
Inv : 8932 42.00
06/20/2000 03:18:01pm

**RIGHT-OF-WAY
DEDICATION DEED**

KNOW ALL MEN BY THESE PRESENTS, that **Portland General Electric Company**, an Oregon corporation, which took title as **Portland General Electric Co.**, an Oregon corporation, hereinafter called the grantors, in consideration of the granting of a **Special Use and Development Review Approval, Item No. 98-044-SU/D/FP/DHA/PLA**, which is the whole consideration, does hereby grant to Washington County, a political subdivision of the State of Oregon, Grantee, for the use of the public as a public way forever, an easement for right-of-way purposes over that certain real property situated in the County of Washington and State of Oregon, shown on the attached Exhibit "B" and being more particularly described as follows:

DEDICATION OF RIGHT-OF-WAY
Described in Exhibit "A", and shown on Exhibit "B",
Attached hereto and by this reference made a part hereof.

Grantor hereby covenants to and with Grantee, that it is the owner of said property which is free from all encumbrances, except for easements, conditions and restrictions of record, and will warrant and defend the easement rights herein granted from all lawful claims whatsoever, except as stated herein.

To Have and To Hold, the above described and granted premises unto Washington County for the public forever for the uses and purposes hereinabove mentioned.

Land 6744-1
Audit 45175-1

1-5

IN WITNESS WHEREOF, the Grantor above named, by and through its Manager of Property Department has caused this instrument to be duly signed hereto.

Dated this 8 day of June, 2000.

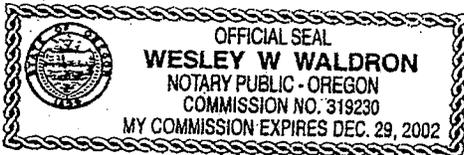
Portland General Electric Company,
an Oregon corporation.

By: [Signature] W
Mike Livingston, Manager of Property Dept.

STATE OF OREGON)
) ss.
County of Washington)

This instrument was acknowledged before me on 8 day of June, 2000, by Mike Livingston, Manager of Property Department, on behalf of said corporation.

[Signature]
Notary Public for Oregon
My Commission Expires: 12-29-00



Accepted on behalf of Washington County, Oregon.

Dated this 20th day of June, 2000

By: [Signature]
Kenneth A. Bauer, County Surveyor

Approved as to form:

Loretta S. Skurdahl
Senior Assistant County Counsel

Date: 12/17/98

Dedication Deed, Page 2 of 2
Item No. 98-044-SU/D/FP/DHA/PLA
Ik

2

Land 6744-1
Audit 45175-1

EXHIBIT "A"

PARCEL 1

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, IN THE COUNTY OF WASHINGTON AND STATE OF OREGON, BEING A PORTION OF THAT CERTAIN LAND CONVEYED TO PORTLAND GENERAL ELECTRIC COMPANY, AN OREGON CORPORATION (PGE), BY WARRANTY DEED RECORDED JANUARY 6, 1997 AT FEE NO. 97000881, WASHINGTON COUNTY DEED RECORDS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MARKING THE SOUTHEAST CORNER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN; THENCE SOUTH $89^{\circ} 14' 58''$ WEST, ALONG THE SOUTH LINE OF SECTION 20, FOR A DISTANCE OF 965.92 FEET TO THE SOUTHWEST CORNER OF SAID PGE LAND AT A POINT ON THE CENTERLINE OF N.W. KAISER ROAD AND THE TRUE POINT OF BEGINNING; THENCE NORTH $0^{\circ} 59' 00''$ WEST, ALONG SAID ROAD CENTERLINE, 427.95 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF "KAISER RIDGE" AS SHOWN IN BOOK 64 OF PLATS, PAGE 49, WASHINGTON COUNTY AUDITOR'S RECORDS; THENCE NORTH $89^{\circ} 28' 43''$ EAST, ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF "KAISER RIDGE" 33.00 FEET; THENCE SOUTH $00^{\circ} 59' 00''$ EAST, 427.81 FEET TO THE SOUTH LINE OF SAID PGE LAND; THENCE SOUTH $89^{\circ} 14' 58''$ WEST, 33.00 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE EXISTING RIGHT-OF-WAY OF N.W. KAISER ROAD.

PARCEL 2

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, IN THE COUNTY OF WASHINGTON AND STATE OF OREGON; BEING A PORTION OF THAT CERTAIN LAND CONVEYED TO PORTLAND GENERAL ELECTRIC COMPANY, AN OREGON CORPORATION (PGE), BY WARRANTY DEED RECORDED JANUARY 6, 1997 AT FEE NO. 97000881, WASHINGTON COUNTY DEED RECORDS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MARKING THE SOUTHEAST CORNER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN; THENCE SOUTH $89^{\circ} 14' 58''$ WEST, ALONG THE SOUTH LINE OF SECTION 20, FOR A DISTANCE OF 965.92 TO THE SOUTHWEST CORNER OF SAID PGE LAND AT A POINT ON THE CENTERLINE OF N.W. KAISER ROAD; THENCE NORTH $0^{\circ} 59' 00''$ WEST, ALONG SAID ROAD CENTERLINE, 183.00 FEET; THENCE LEAVING SAID COUNTY ROAD CENTERLINE, NORTH $88^{\circ} 50' 00''$ EAST, 33.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH $00^{\circ} 59' 00''$ EAST, 40.94 FEET;

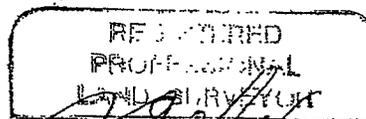
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Land 6744-1
Audit 45175-1

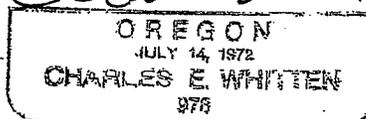
THENCE NORTHEASTERLY, ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS NORTH 43° 55' 30" EAST, 28.24 FEET) THROUGH A CENTRAL ANGLE OF 89° 49' 00", FOR AN ARC DISTANCE OF 31.35 FEET; THENCE NORTH 88° 50' 00" EAST, 7.13 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A 209.00 FOOT RADIUS CURVE TO THE LEFT, (THE CHORD OF WHICH BEARS NORTH 71° 00' 00" EAST, 128.01 FEET), FOR AN ARC LENGTH OF 130.10 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE ARC OF A 170.00 FOOT RADIUS CURVE TO THE RIGHT, (THE CHORD OF WHICH BEARS NORTH 71° 20' 00" EAST, 106.01 FEET), FOR AN ARC LENGTH OF 107.80 FEET TO A POINT OF TANGENCY; THENCE NORTH 89° 30' 00" EAST, 136.00 FEET; THENCE ALONG THE ARC OF A 203.70 FOOT RADIUS CURVE TO THE LEFT (THE CHORD OF WHICH BEARS NORTH 76° 22' 38" EAST, 92.50 FEET) THROUGH A CENTRAL ANGLE OF 26° 14' 44", FOR AN ARC LENGTH OF 93.31 FEET; THENCE NORTH 26° 44' 44" WEST, 42.00 FEET; THENCE ALONG THE ARC OF A 161.70 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS SOUTH 76° 22' 38" EAST, 73.42 FEET) THROUGH A CENTRAL ANGLE OF 26° 14' 44", FOR AN ARC LENGTH OF 74.07 FEET; THENCE SOUTH 89° 30' 00" WEST 136.00 FEET; THENCE ALONG THE ARC OF A 212.00 FOOT RADIUS CURVE TO THE LEFT (THE CHORD OF WHICH BEARS SOUTH 71° 20' 00" WEST, 132.20 FEET) THROUGH A CENTRAL ANGLE OF 36° 20' 00", FOR AN ARC LENGTH OF 134.44 FEET; THENCE ALONG THE ARC OF A 167.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS SOUTH 71° 00' 00" WEST, 102.29 FEET) THROUGH A CENTRAL ANGLE OF 35° 40' 00", FOR AN ARC LENGTH OF 103.96 FEET; THENCE SOUTH 88° 50' 00" WEST, 6.87 FEET; THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS NORTH 46° 04' 30" WEST, 28.33 FEET) THROUGH A CENTRAL ANGLE OF 90° 11' 00", FOR AN ARC LENGTH OF 31.48 FEET; THENCE SOUTH 00° 59' 00" EAST, 41.06 FEET TO THE TRUE POINT OF BEGINNING.

BEARINGS RECITED ABOVE ARE TAKEN FROM SURVEY NO. 28129, RECORDED APRIL 7, 2000 IN THE WASHINGTON COUNTY (OR) SURVEYOR'S OFFICE.

LD-2000\BETHANY5.cew



Charles E. Whitten 5-17-2000



EXPIRES 6-30-2000

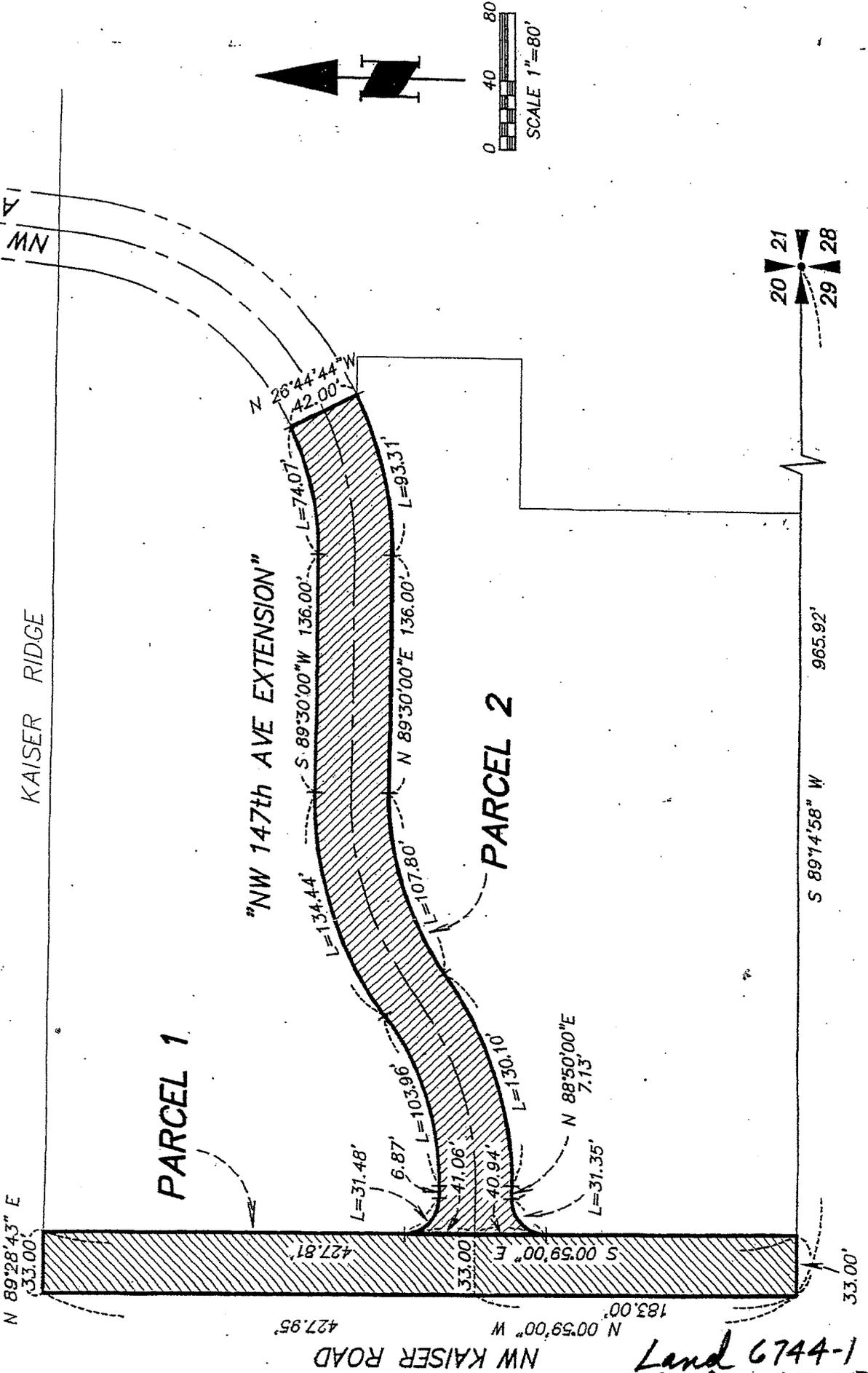
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Land 6744-1
Audit 45175-1

EXHIBIT "B"

SKETCH SHOWING DEDICATIONS

in the SE 1/4 SE 1/4 OF SECTION 20, T1N, R1W, W.M.
WASHINGTON COUNTY, OREGON



SCALE: 1"=80' JOB NO.: 98-194 DRAWN BY: CC
DATE: 5/17/00 CALC. BY: CEW HAGEDORN, INC

DWC# 98-194A

Land 6744-1
Audit 45175-1

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"KAISER RIDGE"
BOOK 64 OF PLATS, PAGE 49

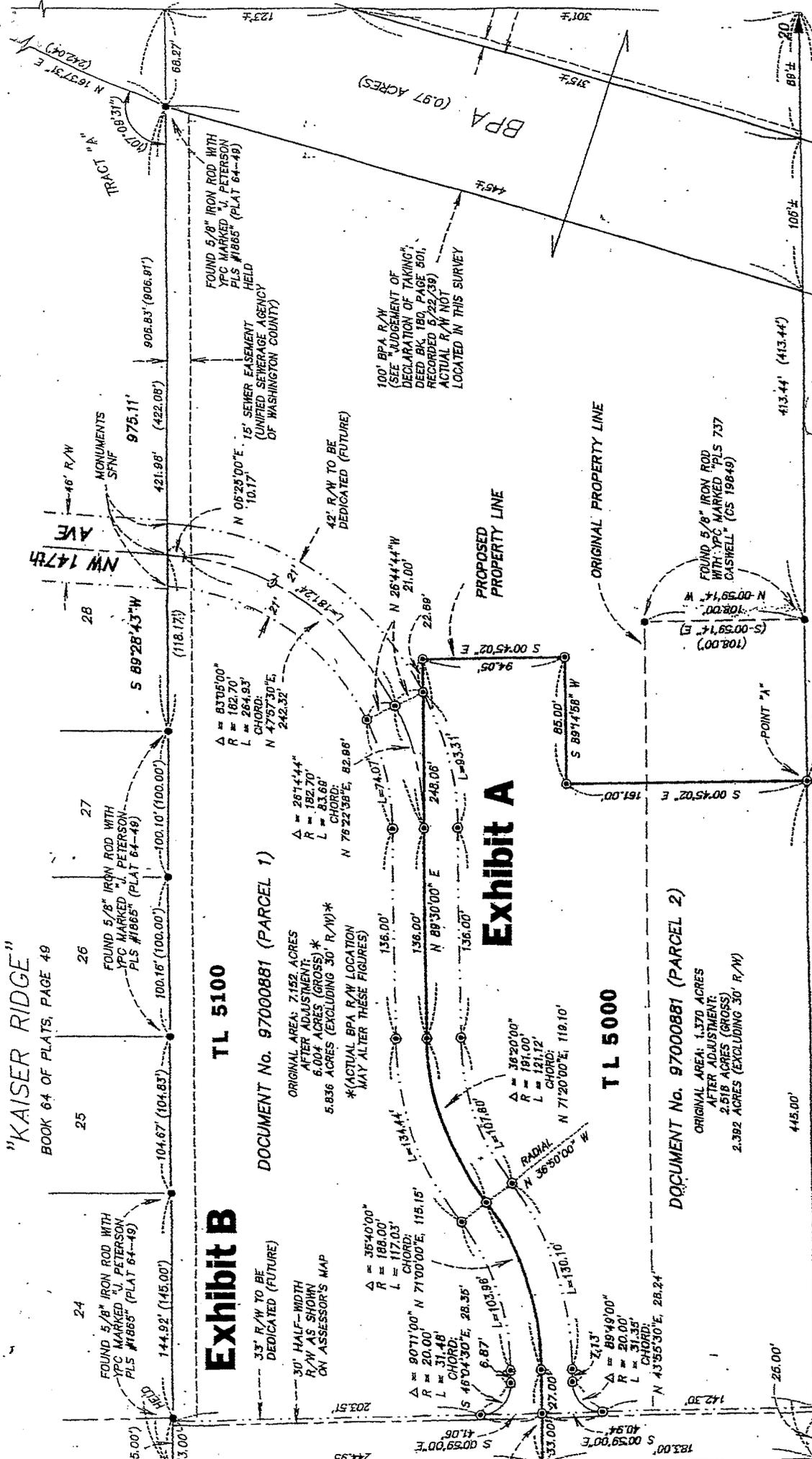


Exhibit B

TL 5100

DOCUMENT No. 97000881 (PARCEL 1)

ORIGINAL AREA: 7.152 ACRES
AFTER ADJUSTMENT:
6.004 ACRES (GROSS) *
5.836 ACRES (EXCLUDING 30' R/W)*
*(ACTUAL BPA R/W LOCATION
MAY ALTER THESE FIGURES)

Exhibit A

TL 5000

DOCUMENT No. 97000881 (PARCEL 2)

ORIGINAL AREA: 1.370 ACRES
AFTER ADJUSTMENT:
2.518 ACRES (GROSS)
2.392 ACRES (EXCLUDING 30' R/W)

Land 6744-1
Audit 45175-1

