

Final Documents

For

Annexation to the
City of Hillsboro

WA0505
Ordinance 5482
DOR 34-1725-2005
Sec. State: AN-2005-0042

Final to DOR: _____

Signature:

 _____

Date of

Mailing: 2/16/05

Final to Secretary of State: _____

Signature:

 _____

Date of

Mailing: 2/22/05

WA0505

Sent

Received

DOR:

2/16/05

2/22/05

Sec. State:

2/22/05

3/3/05

Assessor:

2/22/05

Elections:

2/22/05

Mapped:

Yes

Address Information:

1N214D 00600

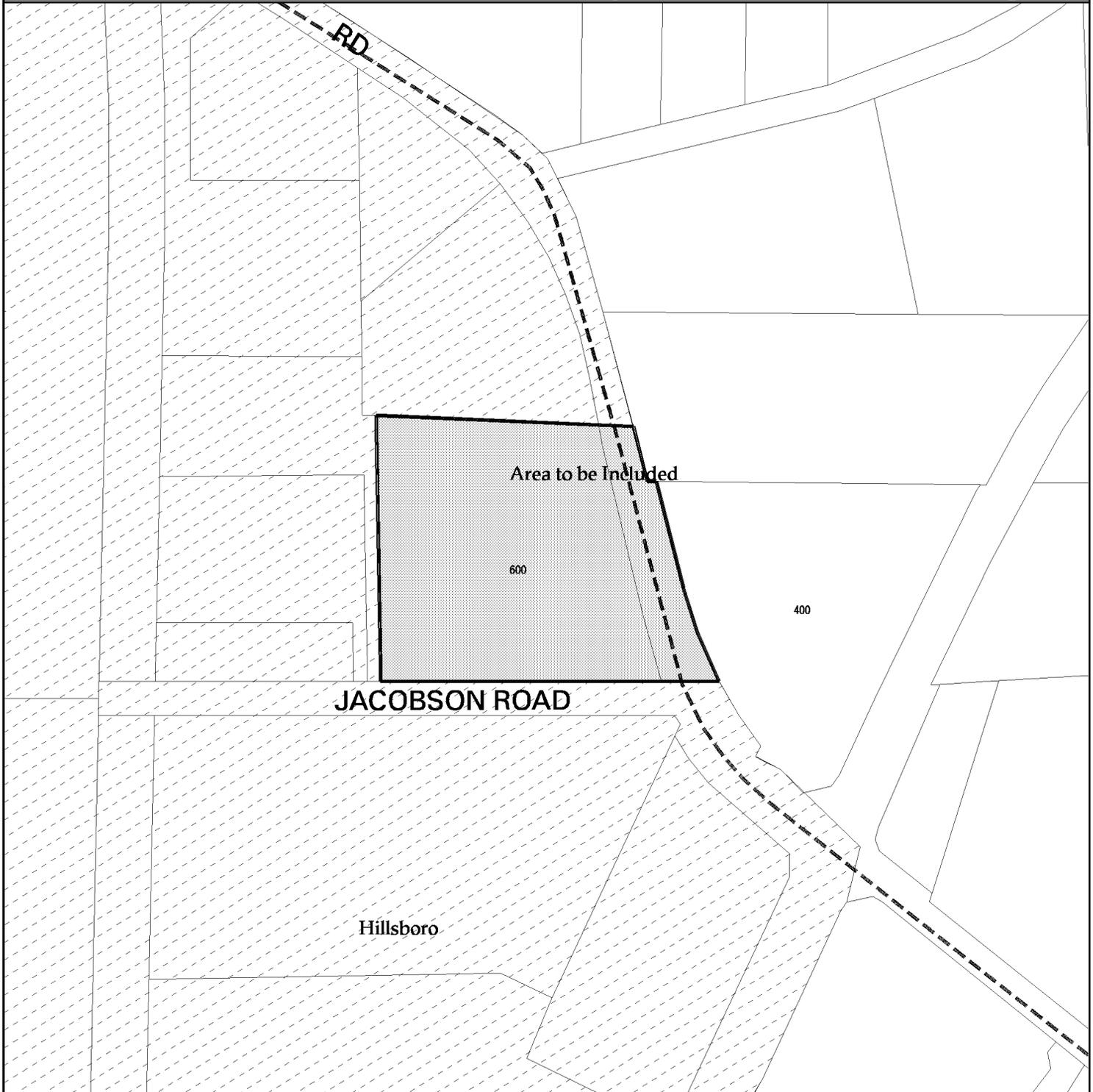
21305 NW Mauzey Road

Proposal No. WA0505

1N2W14

Annexation to the City of Hillsboro

Washington Co.



R L I S
REGIONAL LAND INFORMATION SYSTEM



600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email drc@metro-region.org

METRO

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

County lines

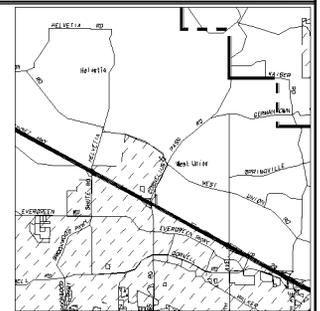
City

Annexation boundary

Urban Growth Boundary

Proposal No. WA0505
CITY OF HILLSBORO
Figure 1

Scale: 1" = 250'





February 23, 2005

Metro
Robert Knight
600 NE Grand
Portland, Oregon 97232-2736

Dear Mr. Knight:

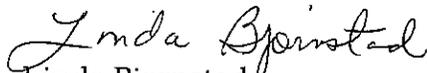
Please be advised that we have received and filed, as of February 23, 2005, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
ORD NO 2005-03	SD 2005-0012
ORD NO 05-13	SD 2005-0013
ORD NO 05-14	SD 2005-0014
ORD NO 759	AN 2005-0039
ORD NO 5466	AN 2005-0040
ORD NO 5480	AN 2005-0041
ORD NO 5482	AN 2005-0042
ORD NO 5484	AN 2005-0043

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

City of Hillsboro
 City Manager
 123 W. Main St.
 Hillsboro, OR 97123

Description and Map Approved
February 22, 2005
As Per ORS 308.225

Description Map received from: METRO
 On: 2/17/2005

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

ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS
 WA0505

ORD. #5482 (AN 30-04)

has been: Approved 2/22/2005
 Disapproved

Notes:

Department of Revenue File Number: 34-1725-2005

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

**DOR 34-P305-2005
Preliminary Review**



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

City of Hillsboro
Planning Department
Attn: Marty Stockton
123 W. Main St., Room 250
Hillsboro, OR 97123

Date: 2/11/2005

This letter is to inform you that the map and description for your PLANNED annex to City of Hillsboro (AN 30-04 (Tye)) 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, 2005 per ORS 308.225.

**Preliminary
Review**

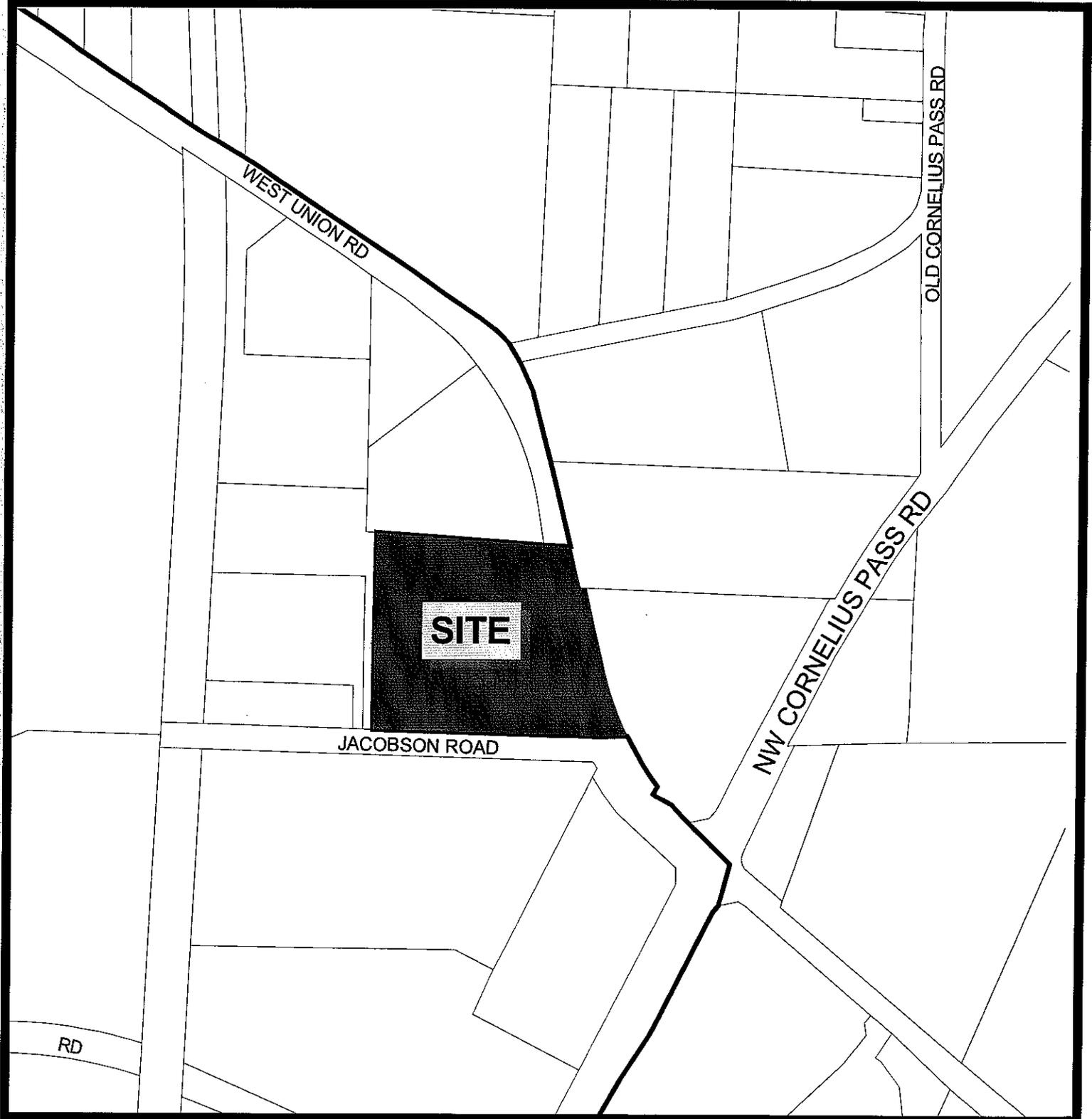
If you have any questions please contact: Carolyn Sunderman, 503-945-8882



AN 30-04: TYE
ZC 34-04: TYE



A Request for Annexation of One Property and a
Request for Zone Change Approval from County IND
(Industrial District) to City M-P Industrial Park



ORDINANCE NO. 5482
AN 30-04: TYE

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO, WITHDRAWING THE TRACT FROM THE TERRITORIES OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2, WASHINGTON COUNTY SERVICE DISTRICT FOR ENHANCED LAW ENFORCEMENT, WASHINGTON COUNTY SERVICE DISTRICT FOR URBAN ROAD MAINTENANCE, AND WASHINGTON COUNTY SERVICE DISTRICT NO. 1 FOR STREET LIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City received a complete petition from the property owners of a certain tract of land, described in Exhibit A to this ordinance, requesting that the property be annexed to the city limits of Hillsboro;

WHEREAS, the petition represented 100 percent of the property owners of the territory requesting to be annexed into the City Limits of Hillsboro as required by ORS 222.125 in order to consent to an annexation;

WHEREAS, the tract of land is contiguous to the City and can be served by City services;

WHEREAS, the City Council dispenses with submitting the question of the proposed annexation to the electors of the City for their approval or rejection;

WHEREAS, the tract of land is located within Urban Planning Area A of the Urban Area Agreement between Washington County and the City of Hillsboro, adopted on December 15, 1998;

WHEREAS, the Urban Planning Area Agreement specifies that all property owners in Urban Planning Area A interested in annexation are welcome to contact the City for information and assistance they need to initiate and complete the annexation process;

WHEREAS, the tract of land lies within the following districts: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District #1 for Street Lights;

WHEREAS, notice of the proposed annexation and withdrawals has been published, mailed and posted in the manner provided by law;

WHEREAS, the City Council conducted a public hearing on this matter on January 18, 2004, and does hereby favor the annexation of the subject tract of land and withdrawals from the districts based on the findings attached hereto as Exhibit B;

WHEREAS, the annexation and withdrawals are not contested by any necessary party;

CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL
Paul Wickell
Recorder, City of Hillsboro

NOW, THEREFORE, THE CITY OF HILLSBORO DOES ORDAIN AS FOLLOWS:

Section 1. The tract of land, described in Exhibit A, is declared to be annexed to the City of Hillsboro, Oregon.

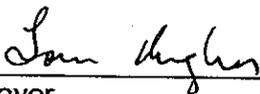
Section 2. The tract of land annexed by this ordinance and described in Section 1 is withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District #1 for Street Lights.

Section 3. The findings attached as Exhibit B are adopted. The City Recorder shall immediately file a certified copy of this Ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(f) and ORS 222.005. The annexation and withdrawals shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

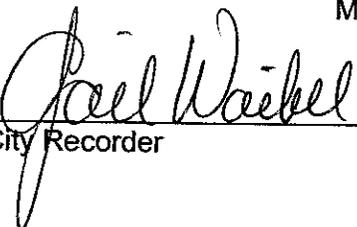
Section 4. Inasmuch as it is necessary that this annexation become effective soon, so as to avoid unnecessary hardship to the property owner and allow for the immediate provision of City services, an emergency is declared to exist and this ordinance shall become effective immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council this 18th day of January, 2004.

Approved by the Mayor this 18th day of January, 2004.



Mayor

ATTEST: 

City Recorder

City of Hillsboro
Annexation 30-04 : Tye
Proposed legal description
MF, December 21, 2004

Exhibit 'A'

A portion of Lot 63, Bendemeer, a duly recorded subdivision located in Section 14, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the northwest corner of Lot 63, Bendemeer;

thence East, along the north boundary of said Lot 63, a distance of 25.0 feet to the northwest corner of that tract of land described in deed to John a. Tye and Julane B. Tye, recorded 10/06/2000 as document number 200008139 in deed records of said county, and the TRUE POINT OF BEGINNING.

thence East, along the north boundary of said Tye tract and easterly projection thereof, a distance of 445.78 feet to the east right-of-way line of West Union Road;

thence tracing said right-of-way line, South 14° 41' 55" East, a distance of 84.69 feet to an angle point therein;

thence North 89° 58' 58" East, along said right-of-way line, a distance of 15.62 feet to an angle point therein;

thence South 14° 41' 55" East, along said right-of-way line, a distance of 233.66 to its intersection with the easterly projection of the north right-of-way line of NW Mauzey Road;

thence West, along said projection and right-of-way line, a distance of 605.50 feet to the west boundary of said Tye tract;

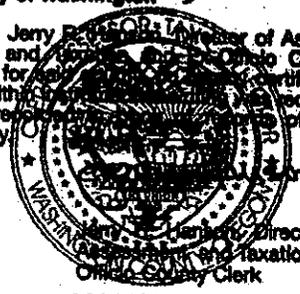
thence North, along said west boundary, a distance of 470.02 feet to the TRUE POINT OF BEGINNING.

1N214D-00600

County of Washington ss

After recording, please return to:
BROWNING LAW OFFICES, PC
3012-B Pacific Avenue
P.O. Box 430
Forest Grove, Oregon 97116-0430

I, Jerry E. [unclear] Director of Assessment and Taxation, Oregon County Clerk for [unclear] County, Oregon, certify that the within instrument has been received and recorded in the office of said county.



Doc : 2000081390
Rect: 264495 22.00
10/06/2000 01:16:38pm

5
6
11
C

QUITCLAIM DEED
(Per ORS 93.865)

Grantor(s):
D. STANLEY RICHARDS

Grantee(s):
JOHN A. TYE
JULANE B. TYE

True and Actual Consideration per ORS 93.030: NONE

However, the actual consideration includes other property or value given or promised which is the whole of the consideration.

Until a change is requested, please send all tax statements, if any, to the following address:

JOHN A. TYE
JULANE B. TYE
21305 N.W. Jacobson Road
Hillsboro, OR 97124

The space above this line is reserved for the Recorder's use.

D. STANLEY RICHARDS ("the Grantor") releases and quitclaims to JOHN A. TYE and JULANE B. TYE, husband and wife ("the Grantee"), all of the Grantor's right, title, and interest in and to that certain real property in Washington County, Oregon, including any and all appurtenances thereto and improvements thereon, commonly known as 21305 NW Jacobson Road, Hillsboro, Oregon and also as Assessor's Tax Lot No. 1N2-14D-00600 (Account No. R0657006), which real property is more particularly described as follows:

Lot 63, BENDEMEER, a subdivision of record in Washington County, Oregon, excepting therefrom the westerly 25 feet thereof.

The true and actual consideration for this conveyance stated in terms of dollars is NONE, the actual consideration being the extinguishment termination of that certain unrecorded Option to Purchase Real Property, a Memorandum of which was recorded April 11, 1997 as Document No. 97033201, as amended by that certain unrecorded First Extension of Option, a Memorandum of which was recorded January 12, 2000 as Document No. 2000002470, both of the Records of Washington County, Oregon, which is the whole of the consideration.

Pursuant to ORS 93.040, notice is given that 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 ON ORS 30.930.

SIGNED on the dates set forth below.

THE GRANTOR:

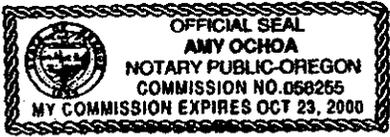
D. Stanley Richards
D. Stanley Richards

Date: Oct. 6, 2000

STATE OF OREGON, County of Washington ss.

This instrument was acknowledged before me on October 6, 2000 by D. Stanley Richards.

[SEAL]



Amy Ochoa
Notary Public for Oregon
My commission expires: 10-23-00

9781

KNOW ALL MEN BY THESE PRESENTS, That I, JOHN A. TYE

of County of Washington State of Oregon, in consideration of Love and Affection

to me paid by my wife, JULANE B. TYE, of Washington, State of Oregon, have bargained and sold, and by these presents do grant, bargain, sell and convey unto said JULANE B. TYE

an undivided one-half interest in all the following bounded and described real property, retaining to myself a like undivided one-half interest therein, situated in the County of Washington and State of Oregon; for the purpose of creating an estate in entirety between myself the grantor herein and my wife, the grantees herein:

Lot 63, Bendemeer, and Lot 60, Bendemeer, excepting therefrom that portion conveyed to Lester K. Wandrey and Gladys Wandry, husband and wife, by deed recorded in Book 404, page 426, Deed Records of Washington County, Oregon;

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and also my estate, right, title and interest, in and to the same.

To Have and to Hold, the above described and granted premises unto the said Julane B. Tye, forever

Witness my hand and seal this 31st day of August, 1970

STATE OF OREGON,

County of Washington

On this 31st day of August, 1970

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named John A. Tye who is

known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that he 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.



Francis L. S. J. Notary Public for Oregon. My commission expires Aug 25, 1975.

DEED CREATING ESTATE IN ENTIRETY. AFTER RECORDING RETURN TO...

INDEXED. (DON'T USE THIS SPACE; RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON. ROGER THOMASSEN, Director of Records & Elections. Witness my hand and seal...

9781

BOOK 90 PAGE 973

AUG 31 4 15 PM '70

D. C. Deputy

1N214D-00900

Pacific NW Title W-054-03

Washington County, Oregon 2003-028195
02/27/2003 09:12:23 AM
D-DBS Cnt=1 Btm=4 A DUYCK
\$10.00 \$6.00 \$11.00 - Total = \$27.00



00270671200300281950020027

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

Jerry Hanson

Jerry R. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk



10-b
11

**FILED FOR RECORD AT REQUEST OF/
AFTER RECORDING RETURN TO:**

Christine P. Brown, Esq.
Garvey, Schubert & Barer
Eleventh Floor
121 S.W. Morrison Street
Portland, Oregon 97204

**UNTIL A CHANGE IS REQUESTED, ALL
TAX STATEMENTS SHALL BE SENT TO
THE FOLLOWING ADDRESS:**

Steinborn Properties, LLC
10817 NW Cornelius Pass Road
Portland, OR 97231

RECORDED BY PACIFIC NW TITLE AS AN ACCOMMODATION
ONLY. NO LIABILITY IS ACCEPTED FOR THE CONDITION
OF TITLE OR FOR THE VALIDITY, SUFFICIENCY, OR
EFFECT OF THIS DOCUMENT

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that Egon A. Steinborn, individually, hereinafter called Grantor, for true and actual consideration paid for this transfer consisting of or including other property or value given or promised which is the whole consideration, grants, bargains, sells and conveys to Steinborn Properties, LLC, an Oregon limited liability company, hereinafter called the Grantee, and unto Grantee and Grantee's successors and assigns, any and all of his interest in all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of Washington, State of Oregon, described as follows:

Beginning at the Northwest Corner of Lot 60
BENDEMEER, a plat of record in Section 14, T1N, R2W,
W.M., Washington County, Oregon and running thence S
89° 58' 40" E along the North Line of said Lot 60 358.98
feet to the Northeast Corner thereof, thence S 0° 00' 15"
W along the East Line of said Lot 60 100.00 feet to the
Northwest Corner of Lot 63 BENDEMEER, thence East
along the North Line of said Lot 63 28.32 feet to an Iron
Rod, thence S 0° 00' 15" W 470.08 feet to an Iron Rod on
the North Line of Jacobson Road as established in County
Survey No. 21,107, thence N 89° 59' 45" W along the
said North Line of Jacobson Road 25.00 feet to an Iron
Rod, thence N 0° 00' 15" E 362.40 feet to an Iron Rod,



thence N 89° 59' 45" W 366.70 feet to an Iron Rod on the West Line of said Lot 60, thence N 1° 13' 00" E along the said West Line of Lot 60 207.84 feet to the point of beginning. Containing 2.00 Acres more or less.

TOGETHER WITH AND SUBJECT TO: the East 21.68 feet of the South 369.60 feet of said Lot 60 and the West 28.32 feet of the South 369.60 feet of said Lot 63 which is to be used for roadway and utility purposes.

To have and to hold the same unto the Grantee and Grantee's successors and assigns forever. In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the Grantor has executed this instrument on the date set forth below.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 11th day of Feb, 2003.

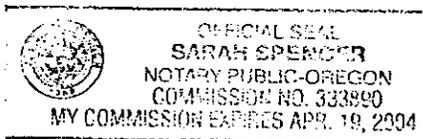
Egon A. Steinborn
Egon A. Steinborn, Grantor

STATE OF OREGON)
) ss.
County of Washington)

This instrument was acknowledged before me on Feb 11th, 2003 by Egon A. Steinborn.

Sarah Spencer
Notary Public for Oregon

PDX_DOCS:295167.1



1N214D-01600

DEC 15 2000

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11
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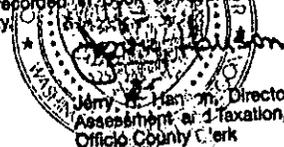
After recording return to:
Thomas N. Tibbs Jr. & Julia M. Tibbs
6070 SW 190th Avenue
Beaverton, OR 97007

Until a change is requested all tax statements shall be sent to the following address:
Thomas N. Tibbs Jr. & Julia M. Tibbs
6070 SW 190th Avenue
Beaverton, OR 97007

Escrow No. 00170726
Title No. 905798

STATE OF OREGON } 83
County of Washington }

I, Jerry R. Hanson, Director of Assessment and Taxation, and Ex-Officio 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 : 2000100163
Rect: 268747 472.00
12/15/2000 11:27:39a

002149

FATCO. NO. 905798-473

STATUTORY WARRANTY DEED

Kenneth R. Stinger and Barbara J. Stinger, Grantor, conveys and warrants to Thomas N. Tibbs, Jr. Trustee and Julia M. Tibbs, Trustees of the Thomas N. Tibbs Jr. Living Trust dated 1-20-1999 and Julia M. Tibbs and Thomas N. Tibbs, Jr., Trustees of the Julia M. Tibbs Living Trust dated 1-20-1999, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Parcel 2, Partition Plat 1998-098, in the City of Hillsboro, County of Washington and State of Oregon

This property is free of liens and encumbrances, EXCEPT: Covenants, conditions, restrictions and easements of record if any.

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 consideration for this conveyance is \$450,000.00^{*} which is being paid by a Qualified Intermediary as part of a 1031 deferred exchange.

Dated this 14 day of December, 2000.

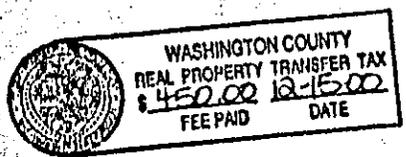
Kenneth R. Stinger
Kenneth R. Stinger

Barbara J. Stinger
Barbara J. Stinger

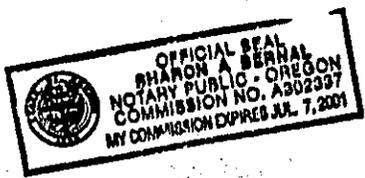
STATE OF Oregon }
County of Washington } ss.

This instrument was acknowledged before me on this 14 day of December, 2000 by Kenneth R. Stinger and Barbara J. Stinger

Sharon A Bernal
Notary Public for



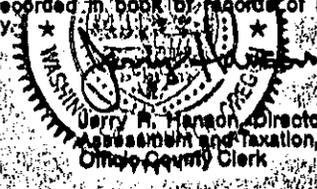
My commission expires: 07/07/2001



STATE OF OREGON
County of Washington

88

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



Jerry B. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc: 97121632
Rect: 200397 207.00
12/30/1997 02:51:06pm

1-6

002026

002026

002027

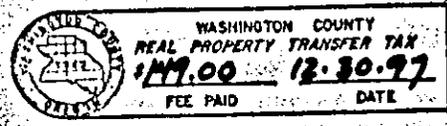
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That David F. Van Raden, Chris Van Raden, Jeffrey Van Raden, Scott B. Van Raden, Roy E. Van Raden, Debra Jo Tappendoff, and hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Van Raden

Property L.L.C. hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Washington County, State of Oregon, described as follows, to-wit: their individual one-fourteenth (1/14th) interests in:

Tract 65, Bandemer, except therefrom that portion conveyed to the State of Oregon by deed book 273, page 286, and recorded April 23, 1947, record of deeds for Washington County, Oregon.

Heidi V.R. Yager.



(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever. And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantee will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which). (The number between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural. In Witness Whereof, the grantor has executed this instrument this 30th day of December, 1997.

See attached signature page and notary blocks. 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 TOWNING OR FOREST PRACTICES AS DEFINED BY ORS 30.930.

STATE OF OREGON, County of Washington

This instrument was acknowledged before me on 30th day of December, 1997

by Heidi V.R. Yager

Notary Public for Oregon My commission expires

See attached signature page FOR REGISTERED GRANTOR'S USE GRANTOR'S NAME AND ADDRESS David F. Van Raden, Chris Van Raden, Jeffrey Van Raden, Scott B. Van Raden, Roy E. Van Raden, Debra Jo Tappendoff 575 NW Mason Way Hillsboro, OR 97124-8331 GRANTOR'S NAME AND ADDRESS Heidi V.R. Yager After recording return to (Name, Address, Zip) Bath Junction, Hillsboro, OR 97124-8331 888 SW Fifth Avenue, Suite 1600 Portland, OR 97204 (If all requested certificates sent all but this return to (Name, Address, Zip) Van Raden Property L.L.C. Attn: Scott 575 NW Mason Way Hillsboro, OR 97124-8331

STATE OF OREGON, County of Washington I certify that the within instrument was received on the 30th day of December, 1997 at 11:00 clock AM, and recorded in book 1/volume No. on page of the Records of said County. Witness my hand and seal of County attized. By Deputy

2

Signature Page for
WARRANTY DEED

David F. Van Raden
David F. Van Raden
Address: 13652 N.W. LOGIE TR
HILLSBORO, OR
97124

STATE OF OREGON)
) ss.
County of WASHINGTON)

The foregoing instrument was acknowledged before me this 29 day of
December, 1997, by David F. Van Raden.

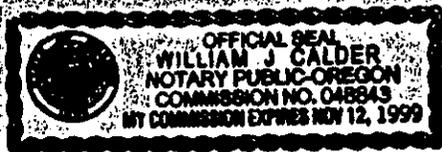


William J. Calder
Notary Public for Oregon
My Commission Expires: NOV 12, 1999.

Chris Van Raden
Chris Van Raden
Address: 14525 NW Rock Creek Rd
Portland, OR
97231

STATE OF OREGON)
) ss.
County of WASHINGTON)

The foregoing instrument was acknowledged before me this 29 day of
December, 1997, by Chris Van Raden.

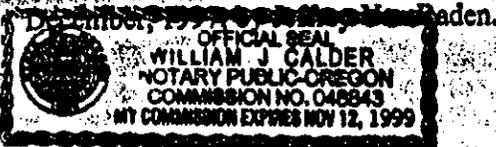


William J. Calder
Notary Public for Oregon
My Commission Expires: NOV 12, 1999.

Jeffrey Van Raden
Address: 14625 NW GERMANTOWN RD
PORTLAND, OR 97231

STATE OF OREGON)
) ss.
County of WASHINGTON

The foregoing instrument was acknowledged before me this 27 day of

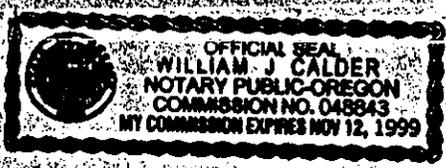


William J Calder
Notary Public for Oregon
My Commission Expires: NOV 12, 1999

Scott B. Van Raden
Scott B. Van Raden
Address: 21122 NW OLD PASS RD
HILLSBORO OR
97124

STATE OF OREGON)
) ss.
County of WASHINGTON

The foregoing instrument was acknowledged before me this 19th day of
December, 1997, by Scott B. Van Raden.



William James Calder
Notary Public for Oregon
My Commission Expires: NOV 12, 1999

1N214D-00901

Washington County, Oregon
04/10/2003 02:48:31 PM 2003-055365
D-DW Cnt=1 Sht=11 C WHITE
\$10.00 \$8.00 \$11.00 - Total = \$27.00



00305478200300553650020021

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

Jerry R. Hanson, Director of Assessment and Taxation, Ex-Office County Clerk



After Recording, Return to:

Leanne M. Bowker, Esq.
HARRIS & BOWKER, LLP
10300 SW Greenburg Road, Suite 495
Portland, Oregon 97223-5464

Send Tax Statements to:

James W. Gernhart, Manager
GERNHART HILLSBORO, LLC
3445 NW 118th Avenue
Portland, OR 97229

STATUTORY WARRANTY DEED

James W. Gernhart, Grantor, conveys and warrants to Gernhart Hillsboro, LLC, an Oregon limited liability company, Grantee, all of Grantor's right, title and interest in and to the real property and improvements commonly known as 21465 NW Jacobson Road, Hillsboro, Oregon and more particularly described as follows:

A portion of Lots 60 and 63, BENDEMEER, Washington County, Oregon, more particularly described as follows:

Beginning at an iron rod which bears South 2° 13' 00" West 207.84 feet from the Northwest corner of Lot 60, BENDEMEER, in plat of record in Section 14, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon; and running thence South 89° 59' 45" East, 366.70 feet to an iron rod, being within Lot 63; thence South 00° 00' 15" West, 362.40 feet to an iron rod on the North line of Jacobson Road as established in County Survey No. 21,107; thence North 89° 59' 45" West along the said North line of Jacobson Road, 25.00 feet to an iron rod; thence North 0° 00' 15" East 110.00 feet to an iron rod at the Northeast corner of tract described in deed to Lester K. Wardry recorded in Book 404, Page 426; thence North 89° 59' 45" West along North line of said Wardry tract 347.04 feet to an iron rod on the West line of said Lot 60; thence North 1° 13' 00" East along the said West line of Lot 60, 252.46 feet to the point of beginning.

TOGETHER WITH and subject to the East 21.68 feet of the South 362.40 feet of said Lot 60 and the West 28.32 feet of the South 362.40 feet of said Lot 63 which is to be used for roadway and utility purposes.

Assessor's Tax Parcel #R2004592

The true consideration for this conveyance is transfer into a limited liability company.

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



2003-55365

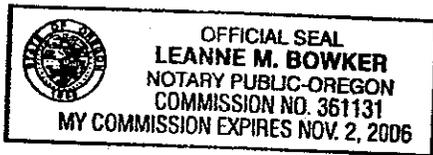
ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 7th day of April, 2003.

James W. Gernhart
James W. Gernhart, Grantor

STATE OF OREGON)
County of Washington) ss.

On the 7th day of April, 2003, James W. Gernhart personally appeared before me and acknowledged the foregoing instrument to be his voluntary act and deed.



Leanne M. Bowker
Notary Public for Oregon
My Commission Expires: 11/02/06

Fidelity National Title Company of Oregon

STATUTORY WARRANTY DEED
(Individual or Corporate)

COR-WEST PARTNERSHIP, A General Partnership

2000
569106-000

..... grantor, conveys and warrants to
JAMES A. SMEJKAL, an unmarried man-----
..... grantee, the following described real property, free and clear of encumbrances except as specifically set forth herein, situated
in the county of Washington State of Oregon, to wit:

---SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF---

Subject to and excepting: Covenants, conditions, restrictions and easements of record.
Leases of record.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLA-
TION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRU-
MENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY
OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

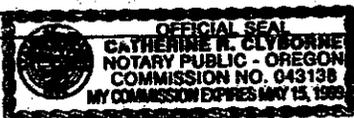
THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$ 950,000.00*
* which is paid to and by an accommodator as part of a IRC 1031 Tax Deferred Exchange.
(See ORS 93.030)

Dated this 30 day of June, 1995 .

COR-WEST PARTNERSHIP
By: [Signature]
By: _____

STATE OF OREGON, County of Washington) §
This instrument was acknowledged before me on June 30, 1995
by Sven R. Roslund, Managing Partner-----

This instrument was acknowledged before me on _____, 1995
by _____
as _____
of _____



[Signature]
Notary Public in and for Oregon
My commission expires: _____

GRANTOR'S NAME
Cor-West Partnership

GRANTEE'S NAME
James A. Smejkal

Until further notice send future tax statements to:
James A. Smejkal
42142 NW PALACE DRIVE
BANKS, OR 97106

AFTER RECORDING RETURN TO:
SAME AS GRANTEE ABOVE

Space reserved for recorder's use

WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
\$ 950.00 6/30/95
FEE PAID DATE

2

FIDELITY NATIONAL TITLE

EXHIBIT A

PARCEL I:

That certain parcel of land in Section 14, Township 1 North, Range 2 West of the Willamette Meridian, Washington County, Oregon, conveyed to Ben R. Surcher and Marjorie M. Surcher, husband and wife, recorded October 28, 1954 in Book 362, Page 48, Deed Records, Washington County, Oregon, being Lot 66, BENDMEER, Excepting Therefrom that certain parcel of land conveyed to the State of Oregon, recorded September 2, 1947 in Book 277, Page 675, and Excepting that certain parcel of land conveyed to Richard L. Hagenlocker and Shirley M. Hagenlocker, husband and wife, recorded June 24, 1954 in Book 357, Page 438, Deed Records, Washington County, Oregon.

PARCEL II:

That certain parcel of land in Section 14, Township 1 North, Range 2 West of the Willamette Meridian, Washington County, Oregon, conveyed to George J. Surcher and Ben R. Surcher, recorded August 2, 1938 in Book 174, Page 287, Deed Records, Washington County, Oregon, said parcel being bound on the westerly line by North Plains Cedar Hill Road (County Road No. 1173) and bound on the easterly line of NW Cornelius Pass Road (County Road No. 1172); said parcel of land has previously been more particularly described as the west half of the following described tract:

Beginning at the southwest corner of the lot or Tract No. 66 in BENDMEER, a subdivision of a part of the William Mausey Donation Land Claim in Section 14, Township 1 North, Range 2 West of the Willamette Meridian, and running thence East following the south line of said Tract No. 66 522 feet; thence South 325 feet, more or less, to a point on the north boundary line of the county road, which said point is 532 feet in a southeasterly direction following the north boundary line of said county road from the point of beginning of the tract herein described, and thence Northwesterly along the north boundary line of the county road to the point of beginning.

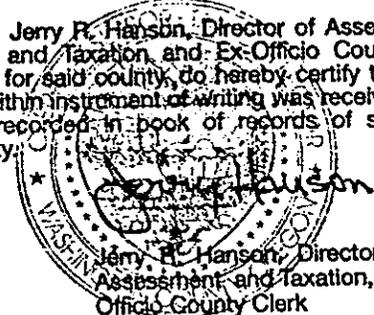
After recording, please return to:

Washington County
LUT, Right-of-Way Section
1400 SW. Walnut St. Mail Stop #18
Hillsboro, OR 97124-5625

30
6
11
LUT-b

STATE OF OREGON } SS
County of Washington }

I, Jerry R. Hanson, Director of Assessment and Taxation and Ex-Officio 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 : 2001011919
Inv : 9387 47.00
02/14/2001 11:25:36am

DONATION DEDICATION DEED

JAMES A. SMEJKAL, Grantor, grants to Washington County, a political subdivision of the State of Oregon, Grantee, on behalf of the public, for the use of the public forever, the following easements in that certain real property situated in the County of Washington and State of Oregon, described on the attached Exhibit "A," and shown on the attached Exhibit "B."

Consideration in terms of dollars is NONE , reflecting the Grantors intent to donate the subject property to the Grantee.

PARCEL 1 - DEDICATION OF RIGHT-OF-WAY

Including the right to construct, operate, and maintain a public road, all customary associated uses, and appurtenant facilities;

PARCEL 2 - TEMPORARY CONSTRUCTION EASEMENT

Including the right for Grantee, its employees, agents, and employees of independent contractors performing work under contract for Washington County, to enter and use the easement area for a construction work area in connection with the construction of the NW Cornelius Pass Road/NW West Union Road project as designed.

The term and duration of this temporary construction easement shall be for a period of two (2) years, from June 1, 2001, to June 1, 2003, or upon completion of the above-mentioned construction project, whichever is sooner.

This document is intended to grant easements on the property described, not to convey fee title or any interest in the underlying property except as expressly stated herein. The easements granted shall not prevent Grantors from the use of said property provided, however, that such use shall not be permitted to interfere with the rights herein granted. Grantor shall not be permitted to endanger the lateral support of any facilities constructed within the easements granted herein.

Grantor hereby covenants to and with Grantee that they are 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.

1-6

Exhibit "A"

N.W. Cornelius Pass Road\
N.W. West Union Road
Washington County, Oregon
Date: December 07, 2000 Parcels 1 & 2

Project No. 2598
Tax Assessor No.
1N214D 400

Parcel No. 1 Dedication

A variable width strip of land located within the south half of Section 14, Township 1 North, Range 2 West, of the Willamette Meridian, Washington County, Oregon, being a portion of that parcel of land as described in Deed No. 95045749 of the Washington County Deed Records, said strip being that portion of said parcel lying northwesterly of the centerline of Cornelius Pass Road, as shown on survey no. 21,431 and northeasterly of the existing centerline N.W. West Union Road, as shown on survey no. 22,737 and that portion of the proposed centerline of said N.W. West Union Road as defined below by offset from centerlines with said proposed centerline more particularly described as follows:

Beginning at engineer's centerline station 7+648.140 being the centerline centerline intersection of Cornelius Pass Road and N.W. West Union Road as depicted on SN 21431 and SN 22737, Washington County Survey Records, said point bears North 23°58'20" East, 370.500m from the most northerly northwest corner of lot 58, Plat of "Landing No. 2", Washington County Plat Records; thence along the existing centerline of said N.W. West Union Road North 51°53'38" West, 12.391m to the beginning of a tangent curve; thence along the arc of a 243.000m curve concave northeasterly, through a central angle of 37°13'40" (the chord of which bears North 33°16'49" West, 155.126m) an arc distance of 157.889m to a point of tangency on the existing centerline of said N.W. West Union Road; thence along said existing centerline North 14°39'59" West, 81.580m to the terminus of the herein described proposed centerline.

The widths of the strip of land referred to above, are as follows:

Station	Width on the northwesterly side of centerline Cornelius Pass Road
3+525.000	13.716m
3+329.608	13.716m
3+322.672	15.249m

Station	Width on the northeasterly side of centerline N.W. West Union Road (Proposed)
7+681.078	13.716m
7+699.795	13.716m
7+714.402	7.879m
7+717.230	13.716m
7+900.000	13.716m

Excepting therefrom that portion of said strip lying within the existing right-of-way of Cornelius Pass Road and N.W. West union Road.

The parcel of land to which this description applies contains 1,191.636 square meters (12,827 square feet), more or less.

Parcel No. 2 Temporary Construction Easement

A 3.048m (10.00) foot wide strip of land located within the south half of Section 14, Township 1 North, Range 2 West, of the Willamette Meridian, Washington County, Oregon, being a portion of that parcel of land as described in Deed No. 95045749 of the Washington County Deed Records, said strip being that portion of said parcel lying northwesterly of the centerline of Cornelius Pass Road, as shown on survey no. 21,431 and northeasterly of the existing centerline N.W. West Union Road, as shown on survey no. 22,737 and that portion of the proposed centerline of said N.W. West Union Road as defined below by offset from centerlines with said proposed centerline as described in Parcel 1, above.

The widths of the strip of land referred to above, are as follows:

Station	Width on the northwesterly side of centerline Cornelius Pass Road
3+525.000	16.764m
3+330.301	16.764m
3+324.749	17.991m

Station	Width on the northeasterly side of centerline N.W. West Union Road (Proposed)
7+682.832	16.764m
7+690.816	16.764m
7+714.402	7.879m
7+718.774	16.764m
7+900.000	16.764m

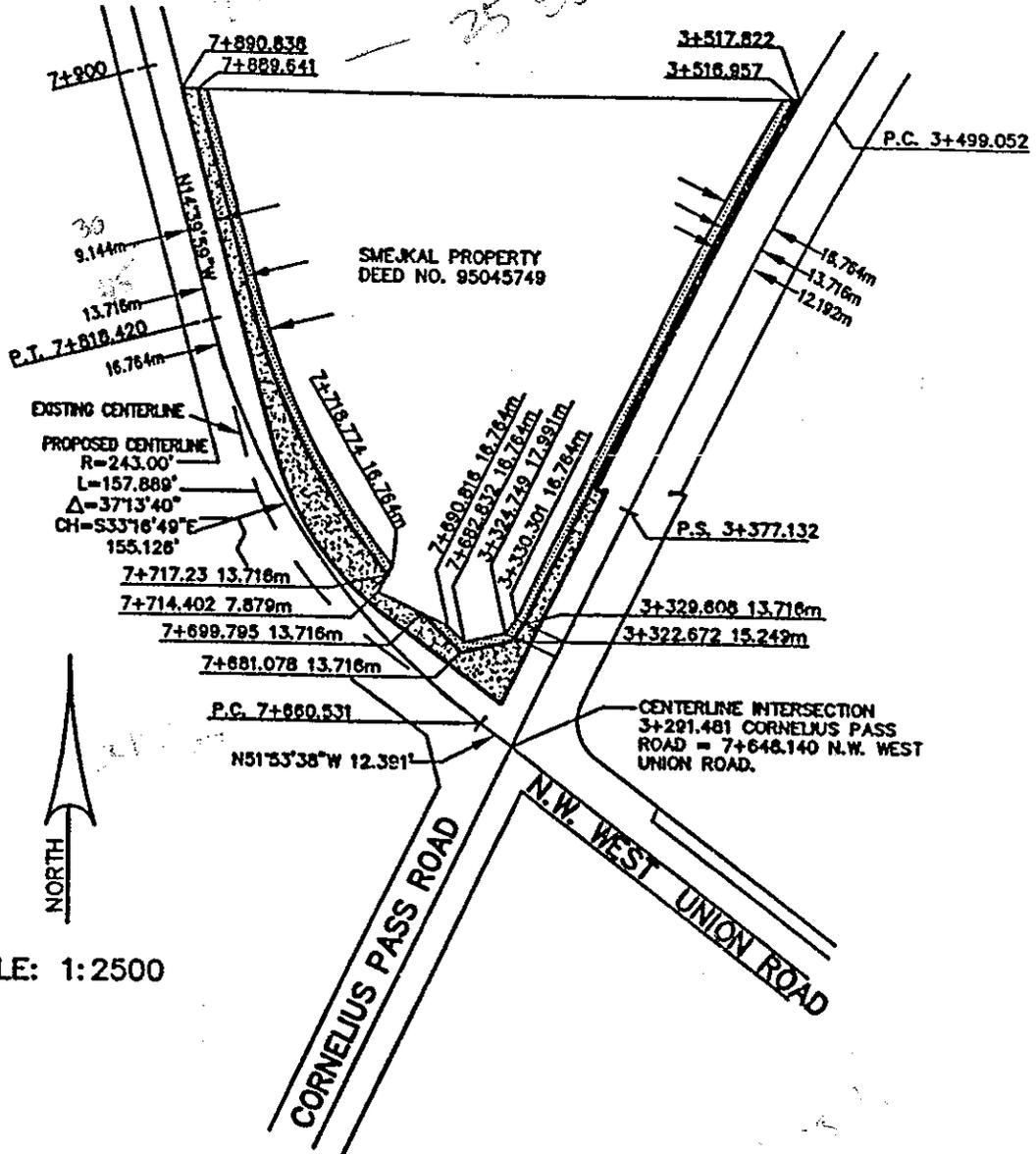
Excepting therefrom Parcel No. 1 and that portion of said parcel within the existing right-of-way of Cornelius Pass Road and N.W. West union Road.

The parcel of land to which this description applies contains 2,137.065 square meters (23,003 square feet), more or less.

The bearings of this description are based on the Oregon Coordinate System of 1983, North Zone, 1991 adjustment.

Metric conversion factor: 1 meter = 3.28083 feet

LOCATED IN THE SOUTH 1/2 OF SECTION 14, T. 1 N., R. 2 W., W.M.,
 WASHINGTON COUNTY, OREGON
 DECEMBER 07, 2000



SCALE: 1:2500

LEGEND

-  - RIGHT-OF-WAY DEDICATION
±1,191.636 SQ. M., ±12,827 S.F.
-  - TEMPORARY CONSTRUCTION EASEMENT
±2,137.065 SQ. M., ±23,003 S.F.

EXNEWROWNORTH.DWG
 JOB NO. WAC001

W R G
DESIGN INC.

10450 SW NIMBUS AVE., PORTLAND, OREGON 97223

(503) 603-9933 FAX: (503) 603-9944

PLANNERS • ENGINEERS • LANDSCAPE ARCHITECTS • SURVEYORS

6

EXHIBIT B

FINDINGS IN SUPPORT TYE ANNEXATION FILE NO. AN 30-04

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Three petitioners representing one property requested City Council approval for annexation of approximately 4.74 acres into the City Limits of Hillsboro.

The property under consideration is located generally north of NW Mauzey Road, south and west of NW West Union Road. The property can be specifically identified as Tax Lot 600 on Washington County Tax Assessor's Map 1N2-14D. The total assessed value of the property is \$240,080. The Measure 50 Base Value is \$89,950.

The property has a gentle downward slope to the southwest with mature trees along the southern portion of the site. A single family residence and associated accessory structures are located on Tax Lot 600, which is addressed at 21305 NW Mauzey Road.

II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owners constituted 100 percent of the property owners and at least 50 percent of the registered voters residing on the property. Notice of the proposed annexation was given as specified by Metro Code Chapter 3.09.030 and ORS 222.120. A staff report was prepared and available 15 days prior to the hearing as stipulated by Metro Code Chapter 3.09.050. A public hearing on the matter was conducted by the City Council on January 18, 2004.

III. APPLICABLE APPROVAL CRITERIA

Metro Code Chapter 3.09.050(d) specifies the minimum review criteria for a proposed annexation. The six minimum applicable criteria are as follows:

- 1) *Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;*

FINDING: There is currently a Hillsboro Urban Service Provider Agreement in place for this area, dated April 2, 2003, as required by ORS 195.065 (Senate Bill 122). The units of local government which have entered into this agreement are as follows: Washington County; City of Hillsboro; City of Beaverton; Metro; Clean Water Services; TriMet; Tualatin Valley Park and Recreation District; Tualatin Valley Fire and Rescue District; Tualatin Valley Water District; and Washington County Fire

District No. 2. The annexation is consistent with the applicable provisions of the Agreement, specifically Section 1 Roles and Responsibilities(C) and (E).

- 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;*

FINDING: The property is identified as being within Urban Area A of the Urban Planning Area Agreement (UPAA) between Washington County and the City of Hillsboro, adopted on December 15, 1998. Pursuant to that agreement, *“the City shall regulate the conversion of vacant land to urban uses in Urban Area A through the extension of water and sewer service, land partitioning requirements, provision of transportation facilities and annexations within the area. Land within Urban Area A shall not be converted to urban uses prior to annexation to the City.”* Section IV (A) of the UPAA also specifies that *“all land in Area A shall annex to the City prior to development. As used in this subsection, “development” includes the construction of any residential dwelling unit structure or related accessory structures.”* Annexation of this property would be consistent with the UPAA, and allow the petitioners the ability to further develop the property.

- 3) *Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;*

FINDING: The annexation would be consistent with the following Comprehensive Plan policies and implementation measures:

Section 2. Urbanization Policy (III)(A) Urbanization within the planning area shall be consistent with the goals and policies of this Plan. Development shall occur according to the availability of urban services and within the context of the Urban Planning Area Agreement. The City and other government agencies shall encourage property owners to maintain the present rural use and character of undeveloped or underdeveloped lands within the Hillsboro Planning Area until such land is required and proposed for urban use and the necessary urban services are available.

Section 2. Urbanization Implementation Measure (IV)(A)(5) The infill of vacant, bypassed lands, between areas of development, at an urban level, shall be encouraged. Appropriate measures shall be taken to insure that new development in infill areas is compatible with existing developed areas. The City will support a proposed annexation of infill areas and allow subsequent development to occur under the clear and objective standards in its implementing ordinances, including the Zoning and Subdivision ordinances.

Section 2. Urbanization Implementation Measure (IV)(F) All land in the Hillsboro Planning Area is assumed to be available for annexation and/or development, consistent with the Comprehensive Plan, zoning, subdivision regulations, and the Urban Planning Area Agreement.

Section 12. Public Services Implementation Measure (V)(C)(2) The City shall require properties to annex to the City prior to the provision of sanitary sewer service.

Section 12. Public Services Implementation Measure (V)(I)(2) The City shall require properties in the urban area to annex to the City prior to the provision of water service.

In particular, the annexation would be consistent with Section 2. Urbanization Implementation Measure (IV)(A)(5), supporting the annexation of infill areas; and Section 2. Urbanization Implementation Measure (F), all land in the Hillsboro Planning Area is assumed to be available for annexation.

- 4) *Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;*

FINDING: The annexation would be consistent with regional framework and functional plans. The City's current plan designation for the property is IN – Industrial, which is consistent with the regional urban growth goals and objectives. The property has been recommended for M-P Industrial Park zoning, and the City Council will consider the recommended zone immediately following approval of the annexation (Casefile No. ZC 34-04).

- 5) *Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;*

FINDING: Water is available to the property from a 12-inch Tualatin Valley Water District water line located in the NW West Union Road right-of-way and a 24-inch Tualatin Valley Water District water line located in the NW Mauzey Road right-of-way. There are no City sanitary sewer lines located near the property at this time. There are 21-inch City storm water lines located in the NW West Union Road and NW Mauzey Road rights-of-way.

Fire and police protection would be provided by the City of Hillsboro and the properties would be withdrawn from the Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District No. 1 for Street Lights as of the effective date of the annexation.

Annexation of the subject property would not interfere with the provisions of public facilities and services.

- 6) *Consistency with other applicable criteria for the boundary change in question under state and local law.*

FINDING: Pursuant to ORS 222.524, the City of Hillsboro has determined that withdrawal of the properties from the Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District No. 1 for Street Lights is in the best interest of the City.

IV. TESTIMONY FROM NECESSARY PARTIES

No written testimony was received prior to or at the public hearing from a necessary party as defined in Metro Code Chapter 3.09.020(j), nor was oral testimony received by the City Council from a necessary party at the public hearing.

V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED IN FINDINGS

- Staff Report dated January 3, 2004