Final Documents

For

Annexation to the
City of Hillsboro

WA4704
Ord. #5395
DOR 34-1694-2004
Sec. State: AN-2004-0189

Final to DOR: _____

Signature:

_____

Date of Mailing: 7/26/04

Final to Secretary of State: _____

Signature:

_____

Date of Mailing: 8/16/04

WA4704	Sent	Received	
DOR:	7/26/04	8/13/04	
Sec. State:	8/16/04	8/19/04	
Assessor:	8/16/04		
Elections:	8/16/04		
Mapped:	Yes		
Properties:	1N2350003400		22200 NW Birch St

Proposal No. WA4704

1N2W35 | Annexation to the City of Hillsboro | Washington Co.

NE STONEWATER ST
Hillsboro
NE 70TH AVE
NE ROCKY BROOK ST
NW CHERRY LN
NW ALDER ST
NW BIRCH ST
NW 228TH AVE
NW 225TH AVE
Area to be Included
NW CORNELIUS PASS RD
N
NW DOGWOOD ST
3400
228TH AVE
NW 228TH AVE
NW 225TH AVE
NW ELM ST
NW 227TH
NW FIR ST
NW QUATAMA RD
NE AUTUMNWOOD TERR
NE 74TH AVE
NE ANDOVER ST
NE 76TH AVE
Hillsboro
NW WILLOWGROVE ST
NE ASHMONT ST
NE CHESAPEAKE ST
NE WOODSONG S
NE DANBURY AVE
NE 75TH AVE

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

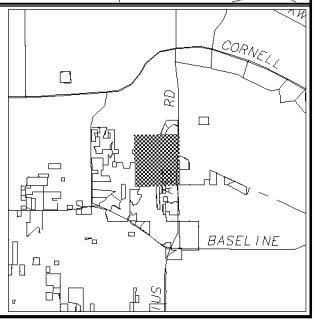
METRO

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. WA4704
CITY OF HILLSBORO
Figure 1

Scale: 1" = 500'
0 500 1000



Please recycle with colored office grade paper

Office of the Secretary of State

Bill Bradbury
Secretary of State

Archives Division
ROY TURNBAUGH
Director

800 Summer Street NE
Salem, Oregon 97310
(503) 373-0701

Facsimile (503) 373-0953

RECEIVED
AUG 19 2004
By

August 17, 2004

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

Dear Mr. Knight:

Please be advised that we have received and filed, as of August 17, 2004, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number	
ORD NO 1933	AN 2004-0186	(Milwaukie)
ORD NO 178597	AN 2004-0187	(Portland)
ORD NO 5404	AN 2004-0188	(Hillsboro)
ORD NO 5395	AN 2004-0189	(Hillsboro)

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

Linda Bjornstad
Official Public Documents

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

DOR 34-1694-2004

Notice to Taxing Districts

ORS 308.225

OREGON DEPARTMENT OF REVENUE
Cartographic 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
August 12, 2004
As Per ORS 308.225

☒ Description ☒ Map received from: METRO
On: 7/27/2004

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

ANNEXATION TO CITY OF HILLSBORO; WITHDRAWAL FROM SEVERAL DISTRICTS
WA4704

ORD. #5395 (AN 16-04)

has been: ☒ Approved 8/12/2004
☐ Disapproved

Notes:

Department of Revenue File Number: 34-1694-2004

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

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

ORDINANCE NO. 5395
AN 16-04: ORENCO WOODS GOLF COURSE

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, WASHINGTON COUNTY SERVICE DISTRICT NO. 1 FOR STREET LIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City received a complete petition from the property owner 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 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;

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 July 20, 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;

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 20th day of July, 2004.

Approved by the Mayor this 20th day of July, 2004.

Tom Hughes
Mayor

ATTEST: Paul Waibel
City Recorder

City of Hillsboro
Annexation 16-04: Orenco Woods Golf Course
Proposed legal description
NS, June 25, 2004

Exhibit 'A'

A tract of land in Section 35, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the southwest corner of the Isaac Butler Donation Land Claim No. 48;

thence South 89°56'00" East a distance of 957.0 feet;

thence North 0°32'00" West a distance of 1969.90 feet to the south right of way line of the Tri-Met West Side Light Rail Line and the north line of that tract of land conveyed to Hillsboro Lodge No. 1862 of the Benevolent and Protective Order of Elks of the United States of America by deed recorded February 28, 1973 in Book 911, Page 194 in Deed Records of said county, said point being the TRUE POINT OF BEGINNING;

thence North 65°10'00" West, along said north line, a distance of 168.80 feet to an angle point;

thence North 89°56'00" West, along the north line of said Elks Tract, a distance of 126.90 feet to the northwest corner thereof;

thence South 0°04'00" West along the west line of said tract, a distance of 1625.0 feet;

thence continuing along the boundary of said tract the following courses and distances:

North 89°56'00" East a distance of 298.6 feet;

South 0°41'00" East a distance of 103.3 feet;

North 89°56'00" East a distance of 518.0 feet;

North 0°31'00" West a distance of 131.0 feet;

North 89°56'00" East a distance of 493.2 feet;

South 0°22'00" West, a distance of 420.0 feet to a point on the north right of way line of Northwest Quatama Road;

thence North 89°56'00" East, along said north right of way line, a distance of 416.41 feet to a point on the west right of way line of Northwest Cornelius Pass Road;

thence North 1°39'00" West, along said right of way line, a distance of 647.98 feet to the intersection of said right of way line and the westerly projection of the north line of that tract of land conveyed to the Portland General Electric Company by deed recorded in Book 416, Page 418 in Deed Records of said county;

thence East, along said westerly projection, a distance of 60.02 feet to a point on the east right of way line of Northwest Cornelius Pass Road;

thence North 1°39'00" West, along said east right of way line, a distance of 377.62 feet to the beginning of a 543.0 foot radius curve to the right;

thence along said curve, with chord bearing North 10°22'04" East 226.90 feet, a distance of 228.59 feet to a point on the south right of way line of the Tri-Met West Side Light Rail Line;

thence North 65°18'00" West, along said south right of way line, a distance of 60.04 feet to a point on the west right of way line of Northwest Cornelius Pass Road and the northeast corner of the aforementioned Ellis Tract;

thence continuing North 65°18'00" West, along said south right of way line, a distance of 1605.23 feet to the POINT OF BEGINNING.

8397

KNOW ALL MEN BY THESE PRESENTS, [illegible] THAT [illegible]

in consideration of [illegible] Dollars, and other good and valuable [illegible]

to us paid by [illegible]

do hereby grant, bargain, sell and convey unto said [illegible]

its successors [illegible] and assigns all the following real property, with the tenements, hereditaments and [illegible] in the County of Washington and State of Oregon, bounded and described as follows, to wit:

PARCEL I: The South 650 feet of the following: Being a part of the West half of the Isaac Butler D.L.C. No. 48, in Township 1 North, Range 2 West of the W.M., Washington County, Oregon, and being more particularly described as follows: Beginning at the iron pipe marking the southeast corner of the West half of the said Butler claim and running thence West along the South line of said claim a distance of 82.2 feet to the center of County Road No. 1014; thence North 1° 39' West along the center of said road a distance of 1049.7 feet to the beginning of a curve to the right in said road; thence along a 573.0 feet radius curve to a point on the Southerly boundary of the right of way of the Oregon Electric Railway, said point being North 10° 26' East 240.7 feet from the last named beginning of said curve in said road; thence South 65° 15' East along said railway right of way a distance of 86.2 feet to an iron on the East line of the West half of said Butler claim; thence South 0° 26' West along the said East line of the West half of said Butler claim, a distance of 1250.10 feet to the place of beginning.

PARCEL II: The South 650 feet of the following: Part of the East half of the Isaac Butler D.L.C. No. 48, beginning at an iron pin 20 feet North and 16½ feet East of the Southwest corner of the East half of said claim and running North parallel to the division line between the East and West halves of said claim as laid out in 1890 by John Hall, County Surveyor in official survey No. 1008, 18.55 chains to the South line of the right of way of the Oregon Electric Railway Co., thence South 65½ 20' East 7.155 chains; thence South 0° 4' West 15.557 chains to an iron pin 20 feet North of the South line of said claim; thence South 89° 55' West 6.443 chains to the place of beginning.----------

To Have and to Hold, the above described and granted premises unto the said Grantee,

its successors ~~[illegible]~~ and assigns forever.

And We, the grantor s above named do covenant to and with the above named grantee its successors and assigns that we are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances,

and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever,

Witness our hand s and seal s this 15th day of April, 19 59.

Executed in the Presence of

William H. Sabo (SEAL)

Eileen Sabo (SEAL)

(SEAL)

BOOK 416 PAGE 418

(SEAL)

STATE OF OREGON
County of Washington } SS

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.

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

Doc : 97039249
Inv : 6826 28.00
04/29/1997 10:15:18am

1-4

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

20
8
LUT

DEDICATION DEED

KNOW ALL MEN BY THESE PRESENTS, that **Portland General Electric Company**, a corporation, hereinafter called the grantor being lawfully seized in fee simple of the following described premises, in consideration of the granting of a **Special Use Approval and Development Review, Item No. 94-690-RC/SU/D(IND)**, which is the whole consideration, heretofore granted by Washington County, a political subdivision of the State of Oregon, does hereby dedicate for the use of the public as a public way forever that certain real property situated in the County of Washington and State of Oregon, shown on the attached Exhibit "A" and being more particularly described as follows, to-wit:

PARCEL I

Those portions of the following described tracts of land lying Southerly of a line which is parallel with and 33.00 feet Northerly from, when measured at right angles to, the centerline of County Road No. 414 (NW Quatama Road), to Wit:

TRACT 1
The South 650 feet of the following: Part of the East half of the Isaac Butler D.L.C. No. 48, beginning at an iron pin 20 feet North and 16.5 feet East of the Southwest corner of the East half of said claim and running North parallel to the division line between the East and West halves of said claim as laid out in 1890 by John Hall, County Suveyor in official survey No. 1008, 18.55 chains to the South line of the right-of-way of the Oregon Electric Railway Co., thence South 65°30'20" East 7.155 chains; thence 0°04' West 15.557 chains to an iron pin 20 feet North of the South line of said claim; thence South 89°55' West 6.443 chains to the place of beginning.

Approved As To Description
Eng. Dept.
4-7-97

TRACT 2
The South 650 feet of the following: Being a part of the West half of the Isaac Butler D.L.C. No. 48, in Township 1 North, Range 2 West of the W.M., Washington County, Oregon, and being more particularly described as follows; Beginning at the iron pipe marking the southeast corner of the West half of the said Butler claim and running thence West along the South line of said claim a distance of 82.2 feet to the center of County Road No. 1014; thence North 1°39' West along the center of said road a distance of 1049.7 feet to the beginning of a curve to the right in said road; thence along a 573.00 feet radius curve to a point on the Southerly boundary of the right-of-way of the Oregon Electric Railway, said point being North 10°26' East 240.7 feet from the last named beginning of said curve in said road; thence South 65°15' East along said railway right of way a distance of 86.2 feet to an iron on the East line of the West half of said Butler claim; thence South 0°26' West along the said East line of the West half of said Butler claim, a distance of 1250.10 feet to the place of beginning. Together with that portion of County Road No. 763 vacated by Vacation Order No. 1887 as recorded in Book 25, Page 238 in the Washington County Deed Records.

EXCEPTING THEREFROM that portion thereof lying within the right-of-way of County Road No. 414 (NW Quatama Road) and County Road No. 1040 (NW 216th Avenue).

PARCEL II

That portion of the following described tract of land lying Westerly of a line which is parallel with and 45.00 feet Easterly from, when measured at right angles to, the centerline of County Road No. 1040 (NW 216th Avenue).

The South 650 feet of the following: Being a part of the West half of the Isaac Butler D.L.C. No. 48, in Township 1 North, Range 2 West of the W.M., Washington County, Oregon, and being more particularly described as follows; Beginning at the iron pipe marking the southeast corner of the West half of the said Butler claim and running thence West along the South line of said claim a distance of 82.2 feet to the center of County Road No. 1014;

thence North 1°39' West along the center of said road a distance of 1049.7 feet to the beginning of a curve to the right in said road; thence along a 573.00 feet radius curve to a point on the Southerly boundary of the right-of-way of the Oregon Electric Railway, said point being North 10°26' East 240.7 feet from the last named beginning of said curve in said road; thence South 65°15' East along said railway right of way a distance of 86.2 feet to an iron on the East line of the West half of said Butler claim; thence South 0°26' West along the said East line of the West half of said Butler claim, a distance of 1250.10 feet to the place of beginning.

EXCEPTING THEREFROM that portion thereof lying within the right-of-way of County Road No. 1040 (NW 216th Avenue), County Road No. 414 (NW Quatama Road) and that portion lying in PARCEL I above.

PARCEL III

That portion of that tract of land as described in PARCEL II, lying southwesterly of the arc of a 30.00 foot radius curve, said curve being tangent at the northwesterly end to the east line of PARCEL II and tangent at the southeasterly end to the north line of PARCEL I.

EXCEPTING THEREFROM that portion thereof lying within PARCEL I and that portion within PARCEL II.

Grantor hereby covenant to and with Grantee, its successors and assigns, 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.

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.

To Have and To Hold, the above described and granted premises for the purposes hereinbefore set forth unto the public forever.

IN WITNESS WHEREOF, the Grantor above named, by and through its Vice President of Administration for Portland General Electric has caused this instrument to be duly signed this 17 day of APRIL, 1997.

Portland General Electric Company,
a corporation

By Fred D. Miller
FRED D. MILLER

STATE OF OREGON)
County of Washington)ss.

BE IT REMEMBERED that on this 17 day of APRIL, 1997, personally appeared FRED D. MILLER who, being duly sworn, did say that he is the SENIOR VICE PRESIDENT for Portland General Electric Company, a corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of its board of directors, and he acknowledged said instrument to be his voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Arthur L Krueger
Notary Public for Oregon
My Commission expires: APRIL 13, 2000

OFFICIAL SEAL
ARTHUR L KRUEGER
NOTARY PUBLIC-OREGON
COMMISSION NO. 062846
MY COMMISSION EXPIRES APRIL 13, 2000

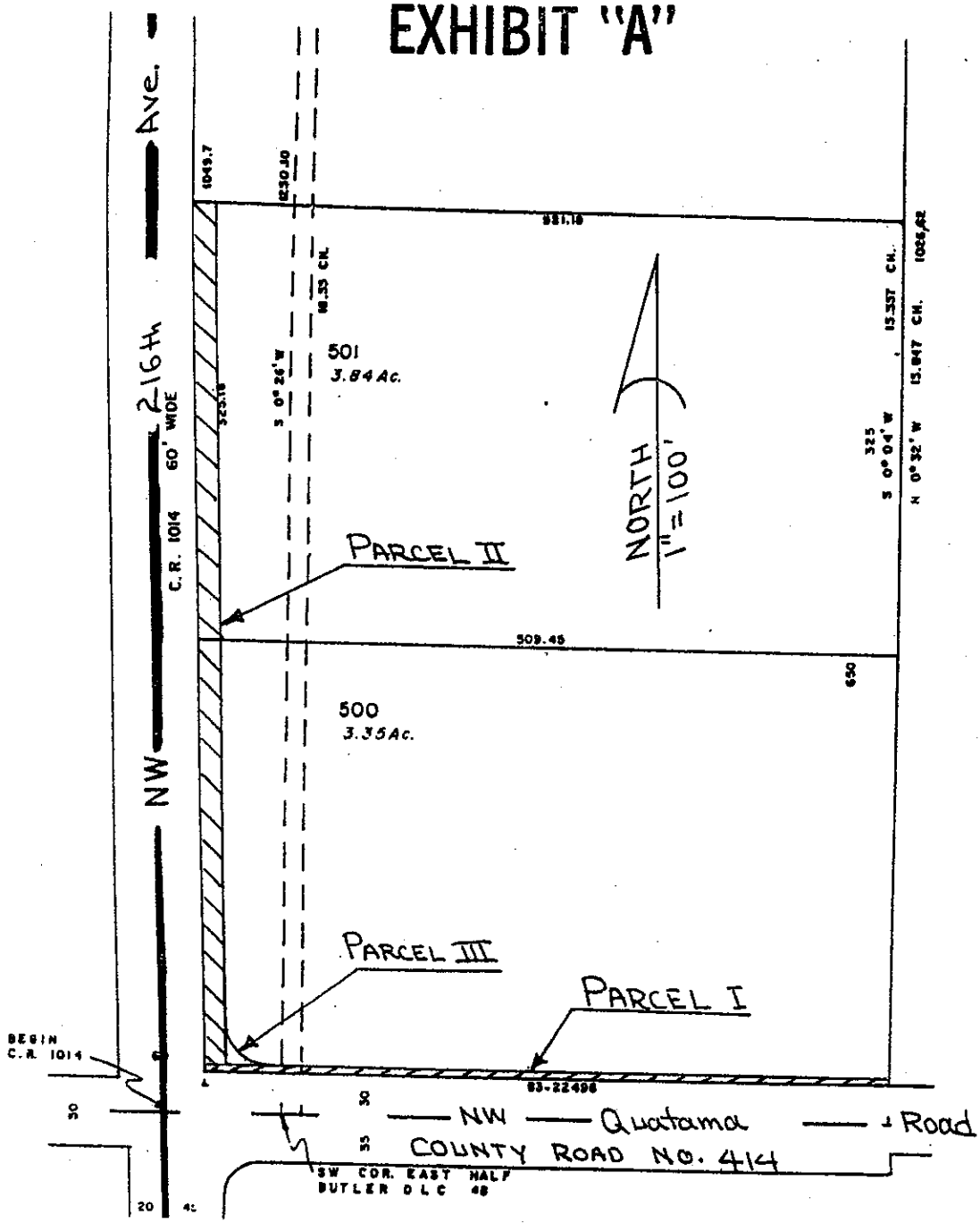
Accepted as a public road on behalf of the Board of Commissioners of Washington County, Oregon, pursuant to Resolution and Order No. 78-208.

Dated this 28th day of April, 1997.

By John Thomas for
County Surveyor - R. A. Pearson

Dedication Deed, Page 2 of 2
Item No. 94-690-RC/SU/D(IND)
Jk/2

EXHIBIT "A"



A PORTION OF THE
ASSESSORS' MAP
1N2 35 DB

4

FORM No. 633—WARRANTY DEED

1967 SO

2309

STEVENS-NESS LAW PUB. CO. PORTLAND, ORE.

KNOW ALL MEN BY THESE PRESENTS, That A. Melvin Anderson and M. Louise Anderson, husband and wife,

, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Lodge No. 1862 (Hillsboro), Benevolent and Protective Order of Elks, a non-profit corporation

, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Washington *and State of Oregon, described as follows, to-wit:*

A tract of land in the Isaac Butler DLC #48, in Section 35, Township 1 North, Range 2 West, W.M., Washington County, Oregon, described as follows, to-wit: Beginning at a point on the south line of the Isaac Butler DLC #48, which is East 1869.48 feet from the Southwest corner of said DLC, said point being also the Southeast corner of that tract of land conveyed to Frederick Allen Serjent et ux by deed recorded in Deed Book 408, page 442, on August 27, 1958; thence North 00° 33' West 445.00 feet along the East line of said Serjent tract to an iron rod on the Northeast corner thereof; thence East 297.42 feet to a fir tree from which an iron pipe bears West 1.0 feet; thence South 0° 26' West 445.00 feet to a point on the South line of said Butler DLC; thence West 289.82 feet along said South line to the place of beginning.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said 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 grantor will warrant and forever defend the above granted 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 $ 31,000.00 *. However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole consideration (indicate which).*

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 1st *day of* April *, 1974.*

A. Melvin Anderson

M. Louise Anderson

STATE OF OREGON, County of Washington *) ss.* 4-1, 1974

Personally appeared the above named A. Melvin Anderson and M. Louise Anderson

and acknowledged the foregoing instrument to be their *voluntary act and deed.*

Before me: L. C. Lunke

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires 7-26-74

NOTE—The sentence between the symbols ⊤, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

sec

WARRANTY DEED

TO

AFTER RECORDING RETURN TO

Hillsboro Elks Lodge
PO Box 455
Hillsboro

No.

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

STATE OF OREGON
County of Washington } ss

Deed

I, Roger Thomssen, Director of Records and Elections and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records

No. ..... of said County

Witness my hand and seal affixed.

ROGER THOMSSEN, Director of Records & Elections

A. Kendel
Deputy

968 ALL 839

APR 2 2 02 PM '74

633

Until a change is requested, all tax statements shall be sent to the following name and address ⇨ Hillsboro Elks Lodge

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that ORENCO WOODS GOLF COURSE, INC., a corporation duly organized and existing under the laws of the State of Oregon for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto HILLSBORO LODGE NO. 1862 OF THE BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE UNITED STATES OF AMERICA, an Oregon non-profit corporation, hereinafter called grantee and grantee's successors and assigns, all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining situated in the County of Washington, State of Oregon, described as follows, to-wit:

> That part of the Isaac Butler Claim Number 48, in Township 1 North, Range 2 West of the Willamette Meridian, in Washington County, Oregon, described as follows: Beginning at a point which is reached by running South 89° 56' East 957.0 feet and North 0° 32' West 935.5 feet from the Southwest corner of said claim and running thence North 0° 32' West 1034.4 feet to the Southerly line of the right of way of the Oregon Electric Railway Company and the true point of beginning; thence North 65° 10' West 168.8 feet; thence North 89° 56' West 126.9 feet to the east line of Fir Street in First Addition to Orenco; thence South 0° 04' West along said street line 1625.0 feet to an iron; thence North 89° 56' East 298.6 feet to an iron; thence South 0° 41' east 103.3 feet to an iron; thence North 89° 56' East 518.0 feet to an iron; thence North 0° 31' West 131.0 feet to an iron; thence North 89° 56' East 493.2 feet; thence South 0° 22' West 445.0 feet; thence North 89° 56' East 529.5 feet to an iron at the Southeast corner of the West half of said Donation Land Claim; thence North 0° 01' East along the East line of said West half to said Southerly right of way line and thence North 65° 18' West 1712.8 feet to said true point of beginning together with all existing water rights.
> SUBJECT to county road along the most southerly line thereof and county road near the east line of said tract of land, and except that part thereof lying east of said last mentioned county road.

To Have and to Hold the same unto the said Grantee and Grantee's successors and assigns forever.

And the Grantor hereby coveants to and with said Grantee and Grantee's successors and assigns that said real property is free from encumbrances created or suffered thereon by Grantor except:

(1) Rights of the Public in and to any portion thereof lying within the boundaries of roads and highways.

(2) Regulations, including levies, assessments, water and water control rights of McKay Creek Water Control District.

(3) Mortgage, including the terms and provisions thereof, dated April 24, 1967, and recorded April 25, 1967, in Film Record Book 639, Page 317, given to secure the payment of $83,000.00 with interest thereon and such future advances as may be provided therein, executed by Orenco Woods Golf Course, Inc., an Oregon corporation, to United States National Bank of Oregon, a national banking association.

and that Grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all person whomsoever, except those claiming under the above described premises.

The true and actual consideration paid for this transfer, stated in terms of dollars is $167,902.28.

In construing this deed the singular includes the plural as the circumstances may require.

Done by order of the Grantor's Board of Directors, with its corporate seal affixed this 8th day of February, 1973.

ORENCO WOODS GOLF COURSE, INC.

By _____
President

By _____
Secretary

STATE OF OREGON)
; ss.
County of Washington)

February 8, 1973.

Personally appeared Murlan E. Winjum and Barry Kremkau who, being duly sworn, each for himself and not one for the other, did say that the former is the President and that the latter is the Secretary of Orenco Woods Golf Course, Inc., a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: _____
Notary Public for Oregon
My commission expires: My Commission Expires May 14, 1976

STATE OF OREGON
County of Washington } ss

Deeds

I, Roger Thomssen, Director of Records and Elections and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records No. _____ of said County

Witness my hand and seal affixed.
ROGER THOMSSEN, Director of Records & Elections

_____
Deputy

FEB 28 10 05 AM '73

FORM No. 961 – BARGAIN AND SALE DEED – STATUTORY FORM (Individual Grantor). STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR 97204

NN

William D. and Faye Ellen Sabo
770 SW Cornelius Pass Road
Hillsboro, OR 97124
Grantor's Name and Address

Sabo Family Trust
770 SW Cornelius Pass Road
Hillsboro, OR 97124
Grantee's Name and Address

After recording, return to (Name, Address, Zip):
Thomas A. Davis
610 SW Broadway, Suite 310
Portland, OR 97205

Until requested otherwise, send all tax statements to (Name, Address, Zip):
Sabo Family Trust
770 SW Cornelius Pass Road
Hillsboro, OR 97124

SPACE RESERVED FOR RECORDER'S USE

Washington County, Oregon
08/26/2002 02:08:39 PM **2002-098251**
D-DBS Cnt=1 Stn=11 C WHITE
$10.00 $8.00 $11.00 - Total=$27.00

00163321200200982610020028

I, Jerry Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, 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

NAME TITLE

By _____, Deputy.

BARGAIN AND SALE DEED – STATUTORY FORM
(INDIVIDUAL GRANTOR)

William D. and Faye Ellen Sabo, Grantor,
conveys to Sabo Family Trust dated November 20, 2001, Grantee,
the following real property situated in Washington County, Oregon, to-wit:

See Exhibit A

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The true consideration for this conveyance is $ * . (Here, comply with the requirements of ORS 93.030.)
*Estate Planning

DATED _____, 200__

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.

William D. Sabo
William D. Sabo

Faye Ellen Sabo
Faye Ellen Sabo

STATE OF OREGON, County of Marion) ss.
This instrument was acknowledged before me on December 17, 2001,
by William D. Sabo and Faye Ellen Sabo

OFFICIAL SEAL
CHRISTINE MISTKAWI
NOTARY PUBLIC-OREGON
COMMISSION NO. 329836
MY COMMISSION EXPIRES DEC. 14, 2003

Christine Mistkawi
Notary Public for Oregon
My commission expires 12-14-03

2002-98251

EXHIBIT A

Being a part of the west half of the Isaac Butler D.L.C. #48 T. 1 N. R. 2 W. Will. Mer., Washington County, Oregon, and being more particularly described as follows, to-wit: Beginning at the iron pipe marking the S.E. corner of the west half of the said Butler Claim and running thence west along the south line of said claim a distance of 82.2 feet to the center of County Road #1014; thence N. 1 deg. 39' W. along the center of said road a distance of 1049.7 feet to the beginning of a curve to the right in said road; thence along a 573.0 ft. radius curve to a point on the southerly boundary of the right of way of the Oregon Electric Railway, said point being N. 10 deg. 20' E. 240.7 feet from the last named beginning of said curve in said road; thence S. 65 deg. 15' E. along said railway right of way a distance of 86.2 feet to an iron on the east line of the west half of said Butler Claim; thence S. 0 deg. 26' W. along the said east line of the west half of said Butler Claim a distance of 1250.0 feet to the place of beginning, containing 3.01 acres. Excepting, however, so much of said tract as lies within the boundaries of the county road.

ALSO: Part of the East half of the Isaac Butler D.L.C. No. 48, beginning at an iron pin 20 feet N. and 16 feet E. of the S.W. corner of the East half of said claim and running N. parallel to the division line between the E. and W. halves of said claim as laid out in 1890 by John Hall, County Surveyor in official survey No. 1008, 18.55 chains to the S. line of the right-of-way of the Oregon Electric Railway Co., thence S. 65 deg. 20 mins. E. 7.155 chains, thence S. 0 deg. 4 mins. W. 15.557 chains to an iron pin 20 ft. N. of the S. line of said claim, thence S. 89 deg. 55 mins. W. 6.443 chains to the place of beginning, containing 11.05 acres.

Also included Permanent Easement recorded January 16, 1996, Document number 96004002.

Annex 35-96: VanRaden, PGE
P. N. October 8, 1996

A tract of land in Section 35, T. 1 N., R. 2 West of the W.M. in Washington County, Oregon, further described as follows:

Commencing at the southeast corner of the Isaac Butler D.L.C. No. 48;

thence South 89° 28' West, along the south line of said D. L.C., 1824.73 feet to the east line of the Bonneville Power Administration easement (250 feet wide) and the true point of beginning of the tract to be herein described;

thence South 00° 08' East, along said east line, twenty feet to the south right-of-way line of N.W. Quatama Road;

thence South 89° 28' West, along said right-of-way line, 425.78 feet to an angle point therein;

thence South, tracing an offset in said south line, 15.0 feet to another angle point therein;

thence South 89° 28' West, along said south right-of-way line, 455.0 feet to a point of curvature therein;

thence continuing South 89° 28' West, on a projection of the previous course, 95.0 feet to the west right-of-way line of N.W. Cornelius Pass Road;

thence North 01° 49' West, along said west right-of-way line, ten feet to the south right-of-way line of N.W. Quatama Road;

thence South 89° 28' West, along said south right-of-way line, ten feet to the projection of that section of the west right-of-way line of N.W. Corneluis Pass Road which lies immediately north of Quatama Road;

thence North 01° 49' West, along said projection and said west right-of-way line, 698.0 feet to the projection of the north boundary of that tract of land described in deed to Portland General Electric Company, recorded in Book 416. page 418 in deed records of said county;

thence East, along said projection and said north line, 577.0 feet to the west boundary of that tract of land described in deed to Columbia Trailer Co., Inc., recorded Jan. 4, 1983 as Document No. 83 000191 in deed records of said county;

thence North 00° 32' West along said west boundary, 374.0 feet to the south right-of-way line of the former Oregon Electric Railroad;

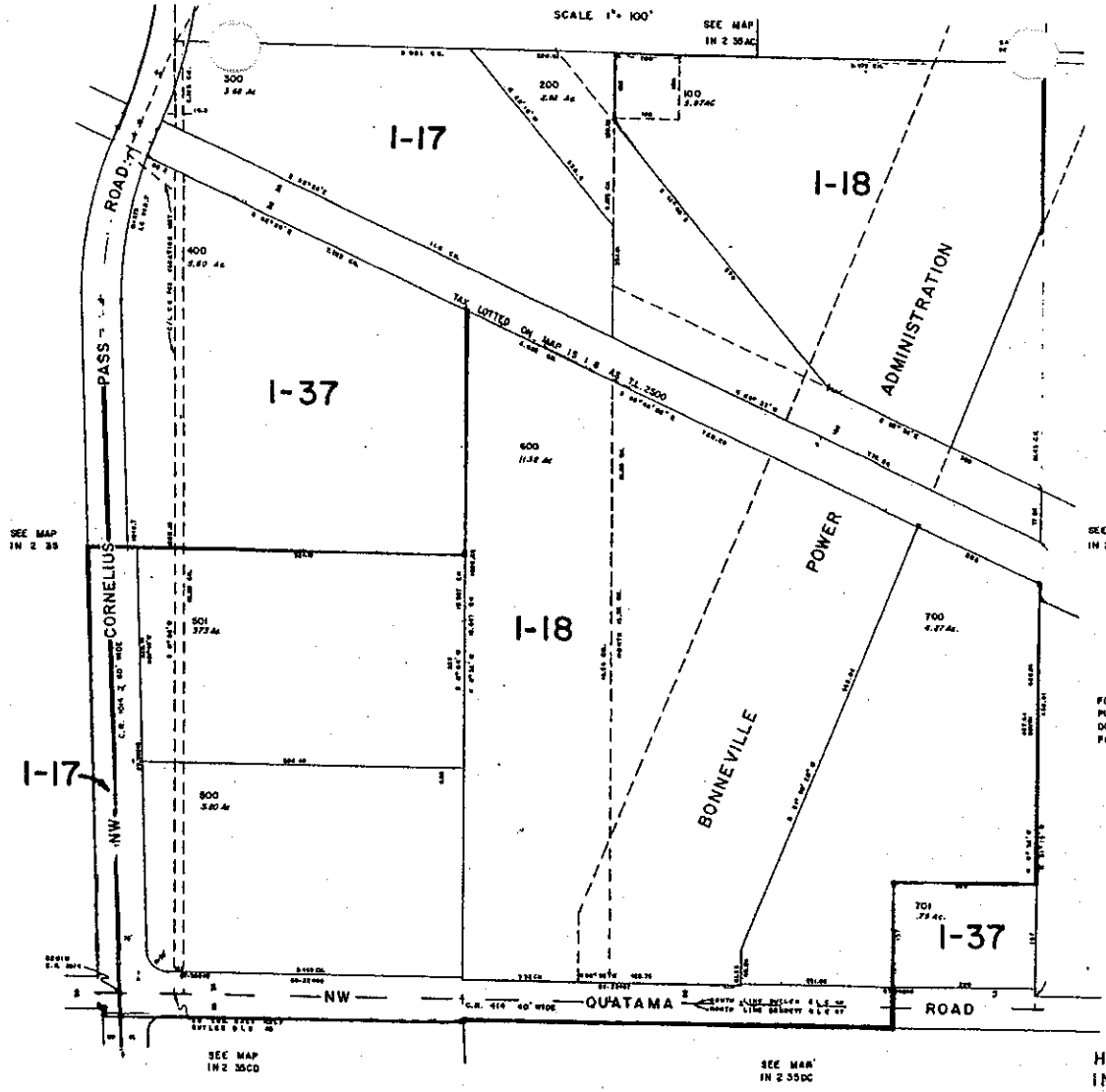
thence South 65° 48' East, along said right-of-way line, 760.26 feet to the northeast corner of said tract of land described in deed to Columbia Trailer Co., Inc.;

thence South 21° 39' West along the east boundary of said tract, 699.24 feet to an angle point in said boundary;

thence South 00° 08' West, along said boundary and along the projection thereof, 81.26 feet to the true point of beginning.

WASHINGTON COUNTY OREGON

SCALE 1" = 100'



HILLSBORO
IN 2 35DB

EXHIBIT B

FINDINGS IN SUPPORT
ORENCO WOODS GOLF COURSE ANNEXATION
FILE NO. AN 16-04

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

One petitioner representing one property requested City Council approval for annexation of approximately 55.59 acres into the City Limits of Hillsboro.

The property under consideration is located generally north of NW Quatama Road, west of NW Cornelius Pass Road, south of the Westside Light Rail and east of NW 225th Avenue. The property can be specifically identified as Tax Lot 3400 on Washington County Tax Assessor's Map 1N2-35. The total assessed value of the property is $1,258,040.

The property has a variety of downward slopes toward Rock Creek with mature trees scattered through the site. Tax Lot 3400 has a 9-hole golf course with several structures on it, including a club house, maintenance buildings, and the House of Ruth, a non-profit transitional housing facility. Access to the site is provided from the northwest corner of the property at NW Birch Street and NW 225th Avenue. The property is addressed at 22200 NW Birch Street.

II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owner 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 July 6, 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

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 petitioner the ability to further develop the site.

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 designations for the property are OS – Open Space and FP – Flood Plain. Upon annexation, the petitioner has stated their intent to initiate a Minor Comprehensive Plan Map Change to SCPA – Station Community Planning Area, which is consistent with the urban growth goals and objectives. If the Plan Change were approved, the property could be rezoned to SCR-V Station Community Residential – Village or SCR-MD Station Community Residential – Medium Density pursuant to Section 97 of the Hillsboro Zoning Ordinance No. 1945. Both the Minor Comprehensive Plan Map Change and subsequent Zone Change applications would be subject to public hearings, pursuant to the Comprehensive Plan Section I.IV and Zoning Ordinance Sections 114 and 116.

Pursuant to the Zoning Ordinance Section 131.A (3)(a), that portion of the site identified as Impact Area or Potential Resource would be included in the Significant Natural Resource Overlay.

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

FINDING: There is an eighteen–inch TVWD water line located in the NW Cornelius Pass Road right-of-way, a twelve-inch TVWD water line located in the NW Quatama Road right-of-way and an eight-inch TVWD water line located in the NW Birch Street right-of-way. There is an eight-inch City sanitary sewer line located in the NW Quatama Road right-of-way, a ten-inch City sanitary sewer line located in the Westside Light Rail right-of-way and a forty-eight-inch Clean Water Service sanitary sewer line located under Rock Creek. There is a twelve-inch City storm water line located in the NW Cornelius Pass Road right-of-way, a ten-inch City storm water line located in NW Quatama Road right-of-way, and a twelve-inch and an eighteen-inch City storm water lines located in the NW 225th Avenue right-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 property 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 June 21, 2004.