



Home of the Tualatin River National Wildlife Refuge

CITY COUNCIL MEETING PACKET

FOR

Tuesday, August 4, 2015

**Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**

6:00 pm Council Work Session

7:00 pm City Council Regular Meeting



Home of the Tualatin River National Wildlife Refuge

6:00 PM WORK SESSION

1. Water Rate Increase (Blums, Sheldon)

REGULAR CITY COUNCIL MEETING

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF AGENDA

5. CONSENT AGENDA

- A. Approval of July 1, 2015 City Council Meeting Minutes
- B. Approval of July 7, 2015 City Council Meeting Minutes
- C. Approval of July 28, 2015 City Council Meeting Minutes
- D. Resolution 2015-064 establishing definition of gross revenue for utility operators privilege tax under FY 2015-16 schedule of master fees and charges
- E. Resolution 2015-065 Appointing Paul Mayer to the Budget Committee
- F. Resolution 2015-066 Appointing Bill Middleton to the Budget Committee

6. PRESENTATIONS

- A. Recognition of Sherwood High School Student Academic & Athletic Achievements
- B. Greater Portland Inc. Small Cities Consortium (Derrick Olsen, Tom Pessemier)

7. CITIZEN COMMENTS

8. NEW BUSINESS

- A. Resolution 2015-067 to begin the process to eliminate the water rate increase approved on June 16, 2015 (Joe Gall, City Manager)

9. PUBLIC HEARINGS

- A. Resolution 2015-068 Calling an election on and approving a ballot title, summary, and explanatory statement for the annexation of 8 tax lots comprising 84.21 acres of land in the Brookman Road Plan Area for the November 3, 2015 Election (Brad Kilby, Planning Manager)

10. CITY MANAGER AND DEPARTMENT REPORTS

AGENDA

**SHERWOOD CITY COUNCIL
August 4, 2015**

6:00 pm Council Work Session

7:00 pm City Council Meeting

**Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140**

11. COUNCIL ANNOUNCEMENTS

12. ADJOURN

How to Find Out What's on the Council Schedule:

City Council meeting materials and agenda are posted to the City web page at www.sherwoodoregon.gov, by the Friday prior to a Council meeting. Council agendas are also posted at the Sherwood Library/City Hall, the YMCA, the Senior Center, and the Sherwood Post Office. Council meeting materials are available at the Sherwood Public Library. **To Schedule a Presentation before Council:** If you would like to schedule a presentation before the City Council, please submit your name, phone number, the subject of your presentation and the date you wish to appear to the City Recorder Sylvia Murphy, 503-625-4246 or murphys@sherwoodoregon.gov



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
July 1, 2015

EXECUTIVE SESSION

1. **CALL TO ORDER:** Mayor Krisanna Clark called the meeting to order at 5:03 pm.
2. **COUNCIL PRESENT:** Mayor Clark, Council President Sally Robinson, Councilors Jennifer Kuiper and Dan King. Councilor Jennifer Harris arrived at 5:06 pm and Councilor Linda Henderson arrived at 5:14 pm.
3. **STAFF PRESENT:** Assistant City Manager Tom Pessemier, HR Analyst Sherryl Childers, Community Services Director Kristen Switzer, Finance Director Julie Blums, Public Works Director Craig Sheldon and City Recorder Sylvia Murphy.

4. TOPICS:

- A. Employment of Public Officers, ORS 192.660(2)(a) and ORS 192.660(7), conduct interviews for City Attorney position.

The Council recessed at 6:00 pm for dinner and reconvened at 6:32 pm.

5. ADJOURN

Mayor Clark adjourned the Executive Session at 8:44 pm.

Submitted by:

Sylvia Murphy, MMC, City Recorder

Krisanna Clark, Mayor



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
July 7, 2015

EXECUTIVE SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 5:06 pm.
2. **COUNCIL PRESENT:** Mayor Clark, Councilors Linda Henderson, Jennifer Kuiper, Jennifer Harris, Dan King and Renee Brouse. Council President Robinson via conference call.
3. **STAFF PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, HR Analyst Sherryl Childers, and City Recorder Sylvia Murphy.
4. **TOPICS:**
 - A. Employment of Public Officers, ORS 192.660(2)(a) and ORS 192.660(7). City Attorney selection.

5. ADJOURN

Mayor Clark adjourned the Executive Session at 5:28 pm and convened to a work session.

WORK SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 5:35 pm.
2. **COUNCIL PRESENT:** Mayor Clark, Council President Sally Robinson, Councilors Linda Henderson, Jennifer Kuiper, Jennifer Harris, Dan King and Renee Brouse.
3. **STAFF PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Public Works Director Craig Sheldon, IT Director Brad Crawford, Finance Director Julie Blums, Community Services Director Kristen Switzer, Field House Manager Lance Gilgan, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy.

4. TOPICS:

A. Recreation Programs

Community Services Director Kristen Switzer provided a presentation, Recreation Overview-Part 1 (see record, Exhibit A). Kristen provided background information, information on youth sports, Sherwood Field

House and the Marjorie Stewart Community Center. Council questions and discussion occurred throughout the presentation.

Record Note: Councilor Dan King exited the work session prior to conclusion of discussion.

5. ADJOURN

Mayor Clark adjourned the work session at 6:45 pm and convened to a regular Council meeting.

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 7:02 pm.
2. **COUNCIL PRESENT:** Mayor Clark, Council President Robinson, Councilors Linda Henderson, Jennifer Kuiper, Jennifer Harris, and Renee Brouse. Councilor Dan King arrived at 7:24 pm.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Police Chief Jeff Groth, Community Development Director Julia Hajduk, Finance Director Julie Blums, Public Works Director Craig Sheldon, Community Services Director Kristen Switzer, Library Manager Adrienne Doman Calkins, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy. City Attorney Chris Crean.

Mayor Clark addressed the next agenda and stated the following motions.

4. APPROVAL OF AGENDA:

MOTION TO AMEND: FROM MAYOR CLARK TO REMOVE ITEM 5.G. RESOLUTION 2015-063 A RESOLUTION REMOVING COMMISSIONER JAMES COPFER FROM THE PLANNING COMMISSION AS MR. COPFER TENDERED HIS RESIGNATION, SECONDED BY COUNCILOR KUIPER. MOTION PASSED 6:0, ALL MEMBERS VOTED IN FAVOR. (COUNCILOR KING WAS ABSENT).

Record Note: Legislative Number 2015-063 was placed back into circulation for future use.

MOTION TO AMEND: FROM MAYOR CLARK TO MOVE ITEM 5.C. ADMINISTRATIVE OVERHEAD TO 5.A., SECONDED BY COUNCIL PRESIDENT ROBINSON. MOTION PASSED 6:0, ALL MEMBERS VOTED IN FAVOR. (COUNCILOR KING WAS ABSENT).

Mayor Clark asked for a motion to adopt the amended agenda.

MOTION AS AMENDED: FROM COUNCILOR HENDERSON TO APPROVE THE AMENDED AGENDA, SECONDED BY COUNCILOR HARRIS. MOTION PASSED 6:0, ALL MEMBERS VOTED IN FAVOR. (COUNCILOR KING WAS ABSENT).

Mayor Clark addressed the next item on the agenda.

5. CONSENT AGENDA:

- A. Approval of June 9, 2015 City Council Meeting Minutes
- B. Approval of June 16, 2015 City Council Meeting Minutes
- C. Resolution 2015-058 amending the existing contract with Murray Smith & Associates (MSA) to include Sanitary Fee and System Development Charge (SDC) Rate Study as part of the Sanitary Sewer Master Plan update
- D. Resolution 2015-059 amending the existing contract with Murray Smith & Associates (MSA) to include storm water fee and system development charge (SDC) Rate Study as part of the Storm Water Master Plan update
- E. Resolution 2015-060 authorizing the City Manager to enter into a contract with Blackline Inc. for the 2015 Slurry Seal Program
- F. Resolution 2015-061 Authorizing the City Manager to surplus equipment to the City of Battleground, Washington

MOTION: FROM COUNCIL PRESIDENT ROBINSON TO APPROVE THE CONSENT AGENDA, SECONDED BY MAYOR CLARK. MOTION PASSED 6:0, ALL MEMBERS VOTED IN FAVOR. (COUNCILOR KING WAS ABSENT).

Mayor Clark addressed the next item on the agenda.

6. PRESENTATIONS:

A. Proclamation, Robin Hood Festival Weekend July 17-18, 2015

Mayor Clark stated the City will declare the weekend of July 17 and 18 as Robin Hood Festival Days 2015. She read the proclamation and said this is a Sherwood tradition. She stated the Sherwood Robin Hood Festival Committee is made up entirely of volunteers from the community who have willingly given countless hours to make this a memorable and successful event. She encouraged citizens and the surrounding communities to participate fully in all of the festival ceremonies, activities, and events.

B. Police Officer Swearing-In Ceremony

Police Chief Jeff Groth introduced newly hired Officer Timothy Teft and said Officer Teft came from Cedar Rapids, Iowa Police Department where he served for 4 years. Chief Groth stated Officer Teft is filling a vacant position from an officer who has left the department. Chief Groth administered the Oath of Office to Officer Teft.

Mayor Clark thanked and welcomed Officer Teft.

C. Eagle Scout Recognition

Mayor Clark stated the scout scheduled to be recognized was unable to attend and will be recognized at a future date.

D. Recognition of Sherwood High School Students, Academic & Athletic Achievements

Mayor Clark welcomed the students and families and the City Council recognized Sherwood High School students for Academic Achievements, students that received a perfect 4.0 GPA for the 2014-15 school year and recognized students for Athletic Achievements, students that placed 1st in State in a sport or art, as a team or individual. City Manager Gall called forward students and the Council presented them with Certificates of Achievement.

E. Washington County Public Safety and Library Levies

City Manager Gall introduced Washington County Sheriff Pat Garrett and WCCLS Director Eva Calcagno, they presented information on upcoming County levies, Measure 34-236 Public Safety Levy Renewal and Measure 34-235 Library Levy Replacement (see record, Exhibit B).

F. 124th Avenue Extension Project Overview-Russ Knoebel, Washington County

Julia Hajduk, Community Development Director reminded the Council of a work session on the Tonquin Employment Area, where there were many questions regarding 124th Ave. She said although not directly related to the project, staff realized it was time for the Council to receive an update on that project.

Russ Knoebel, Principal Engineer with Washington County provided a presentation (see record, Exhibit C) on 124th Avenue and the Basalt Creek Parkway extension. He referred to the exhibit and stated the areas in bold yellow are all part of the 124th Avenue project. He said there are improvements extending 124th, Tonquin Road improvements, the new Basalt Creek Parkway and improvements on Grahams Ferry Road. He referred to the purple area of the exhibit and said this is the Basalt Creek Parkway extension. He said this is taking the Basalt Creek Parkway from Grahams Ferry on over to Boones Ferry. He said the Basalt Creek Parkway came out of numerous studies of the Westside Bypass, and then the I-5/99W study, and this study talked about a southern arterial. He said out of this study came the concept of building a portion of that southern arterial at this point in time and in the future, looking at that southern arterial on over to 99W somewhere in Sherwood or south of Sherwood.

He stated the project is close to being bid and the cost is at \$30 million now. He said this money comes from the MSTIP 3C Measure and also from MSTIP 3D.

He stated another major part of this project is the Willamette Water Supply program and said they will be putting their pipeline in this stretch of 124th, also in Tonquin and Grahams Ferry Road. He said their cost adding to this project is close to \$20-\$25 million. He said it is going to be a large project with a lot of construction activity over the next three years. He spoke of the Basalt Creek Parkway Extension and said this piece, even though it was small in comparison to the rest of the project, is a very large bridge, about a 600-700 foot long bridge, it's a deep canyon in between Grahams Ferry and Boones Ferry. He said we are just kicking off an environmental/preliminary design effort of that and a MSTIP 3D, out of the \$11 million that was approved in the Basalt Creek Area, \$1 million was taken out of that along with regional flexible funds that are awarded from the federal government through Metro. He said these funds were awarded about 2 years ago. He said there is \$3.2 million and we will need more money in the future and these sources could be from the federal government, they could be from the MSTIP Program, TDT or local SDC's.

Mr. Knoebel highlighted the 124th project and said it's an extension of 124th from Tualatin-Sherwood Road down to Tonquin and the new Basalt Creek Parkway that goes from Tonquin over to Grahams Ferry. He said what people will see out there, in the interim, and is in their transportation plan as a 5-lane arterial and they will build a 2-3 lane interim cross-section with the understanding that as the area develops the development community will build out the rest of that full 5-lane cross-section. He said what the County is doing is building the walls and bridges out there to a full 5-lane width because these are the expensive pieces of any project and development tends to not widen bridges, move walls therefore we are getting this in place at this time. He said Tonquin and Grahams Ferry will also be improved and said this project was expanded to put in the waterline in both of these roads. He said the project will also rebuild the Tonquin and Grahams Ferry intersection. He said there will be an improved rail crossing on Tonquin and the new Basalt Creek crossing will be an overpass, a bridge over the railroad tracks. He said another thing that has been added is realigning the curves on Tonquin in front of the TVFR facility. He spoke of the number of accidents in this area and improved site distance on Tonquin. He said there will also be 6-7 foot wide shoulders to accommodate bikes.

Mr. Knoebel spoke of the schedule and said the County is currently purchasing right-of-way, and said there are about 90 different lots they are purchasing, not necessarily 90 different groups. He said we are looking to bid the project in August 2015 and if this is the case, work will begin in the fall of this year. He said the manner the project is scheduled to build out is, 124th would be built first along with the Basalt Creek Parkway and once this is built and open to traffic, hopefully by the end of December 2016, Tonquin Road would be closed to traffic and traffic would be detoured onto the new Basalt Creek Parkway. He said the reason to close Tonquin is because of the waterline and the raising of the Tonquin and Grahams Ferry intersection about 12 feet. He said January 2017 through December 2017 there will be a lot of activity in this area and the project completion would be June 2018. Mr. Knoebel explained the Basalt Creek Parkway extension.

Councilor Henderson said Mr. Knoebel mentioned a light at Tonquin and Grahams Ferry and asked if a light was going in. He said there will be a light at the Basalt Creek Parkway and Grahams Ferry and there will not be one at Tonquin and Grahams Ferry at this point in time. He said as this area builds out there's a chance a signal will be placed there.

Council President Robinson said she sees it stops at Day Road and asked if there was any coordination with Clackamas County to repave Day Road. Mr. Knoebel replied through the Basalt Creek Transportation Refinement Study, Wilsonville had a lot of concerns about Day Road and it definitely needs improvements and there was a lot of conversation about whether it stays as a 3 lane road or becomes a 5 lane road. He said the recent TSP that Wilsonville did will become a 5 lane road and we will see a rebuild of that road sometime in the future, but it is not funded at this time. He said Wilsonville prefers concrete roads and explained the work performed by the County was in concrete to help set up the future build out.

Councilor Brouse asked, when Tonquin Road is shut down, what will that do to the entry into TVFR.

Mr. Knoebel said TVFR is just west of the Basalt Creek Parkway so they will be able to quickly respond by using the parkway.

Mayor Clark asked about the construction and installation of the water pipeline, she asked if the County was doing this to utilize economies of scale since the County is redoing the roadway anyway.

Mr. Knoebel said yes and referred to the earlier presentation given by Washington County Sherriff Pat Garret and partnerships. He said this was a great partnership that came along half way through this project and we had to apply pressure to TVWD to catch up with us. He said in their analysis \$75 million is what they are saving by putting in this pipe in 124th along with this project. He said it's a great partnership not only for us but for their rate payers to take advantage of that economy of scale. He said they did provide funding to allow us to widen Tonquin and Grahams Ferry Road and rebuild those and said we would not have done that if they had not come to the table.

Mayor Clark thanked Mr. Knoebel and addressed the next item on the agenda.

7. NEW BUSINESS

A. Administrative Overhead

Finance Director Julie Blums stated she was asked by the Mayor to prepare a presentation on administrative overhead (see record, Exhibit D), what it is, why we charge it and if other cities do this. She said this was a question that came from the budget committee this year. She said administrative overhead is something that is charged to pay for administrative staff: administration, human resources (HR), IT, finance, payroll, accounts payable, legal services, and facility maintenance. She said you get economies of scale by having centralized administrative services, you can have a smaller amount of staff doing the same amount of work so it is less expensive than having each department having to hire their own staff, for example their own payroll person. She stated those costs are put together at the end of the month and they allocate those out to all the different funds and departments that use those services. She said charging administrative overhead is more cost effective, efficient and allows for smaller staffing levels. She commented that many cities and private businesses have centralized administrative services for that reason. She referred specifically to the Water Fund and explained how the administrative overhead is calculated. She said the overhead rate for administration is calculated the same way for every department, every fund and every capital project. She said the calculation starts with what the total personal services costs are, and for the Water Fund that is \$660,000. She stated that number is divided by the total non-administrative personal service costs City wide and that provides you with a rate, and for the Water Fund that is 7.8%. She said then you multiply 7.8% by the total administrative costs for the entire year and that equals \$288,600. She said the next step is to add in the direct fleet costs, which are costs for fuel and new equipment and that comes out to what the administrative overhead charge is. She said they use the same exact formula for every fund to calculate the administrative overhead charge. She stated this pays for the City Recorder, City Manager, Assistant City Manager, Human Resources, Finance, IT, and the Legal Department. She said part of the reason the administrative overhead is higher this year than last year is because the Legal Department will now be in house and allocated through overhead versus direct charging.

Councilor Harris clarified with an example of having an HR issue in the water department and rather than hiring a water employee HR person to manage those situations, we use the City's HR person and that is what this fund is covering.

Ms. Blums replied yes and said this cost comes out to be, at least for the Water Fund, about 5% of total expenditures in the Water Fund for the year.

Ms. Blums said she spoke with other cities and pretty much everyone does this, public and private industries, because there is savings by having it centralized. She said Sherwood is not alone, nor are we doing something different or odd, every City calculates it differently and has different models. She said this is our model, and we have had it since she has been at the City. She said one of her next big projects, as spoken about at the budget committee meetings, is to have a cost allocation model to better refine some of these charges and have a more sophisticated system. She said some cities have more sophisticated systems and there are some tradeoffs, they have to do all of their numbers based on budget and can't do them on actuals and we do them on actuals. She said what we put in the budget is based on what was budgeted, but every month we charge the actual rate. Julie shared information from the City of Tualatin regarding their processes. She said moving forward she would like to see Sherwood do something more sophisticated and said this is on her project list.

Councilor Harris referred to the presentation and said for her own clarification, in lieu of hiring all of these people and paying them out of the Water Fund, we are borrowing them from the City and paying the City for them. Julie replied yes.

Mayor Clark referred to a series of questions she asked Ms. Blums and wanted to present both the questions and the answers she received. Mayor Clark stated, when you're talking about, when we were talking about the employees that were working on water, for example, when Craig Sheldon works on water, you had said during our budget meeting, that Craig's portion of the time that he has worked on water, that income that he makes at that time, is paid out of the Water Fund. Julie replied yes.

Mayor Clark asked, is that what you are calling administrative overhead or is it an additional charge? Julie replied, it's additional and said the people that direct charge can do that because they are specifically working on a water project, water maintenance, or sanitary maintenance, they can directly attribute their time to a fund. She said what these are, these are the costs that are not directly attributable to any specific fund, they are general administrative costs that have to be allocated out.

Mayor Clark read the questions that she posed to Ms. Blums prior to the meeting. What is the amount paid last year from the Water Fund to the General Fund on overhead charges? Ms. Blum's response: the approximate amount that the Water Fund will pay to the General Fund for FY 2014-15 is \$276,000. We have not completed year-end processing so the actual final number will be slightly different. What do the other neighboring communities of Wilsonville, Tigard, Tualatin and Beaverton charge their Water Funds on overhead charges? Mayor Clark said that the presentation stated that these cities all charge it, but you could not give me the numbers, and that you would be working on that, but that they were all different. Mayor Clark asked what is the percentage that we charge? Ms. Blums said our charge for the Water Fund is approximately 5% of total expenditures and it will be different for every fund.

Mayor Clark replied and said that is not her question, she said are you saying that the administrative overhead costs, you charge 5% from the water that goes back to the general? Is that correct? What is the 5% coming from? Julie replied the total cost of administrative charges in the Water Fund are 5% of the total expenditures in the Water Fund.

Mayor Clark replied ok, and said her last question is, what is the amount projected to be collected from the citizens of Sherwood next year as a result of the 4% rate increase passed at the last Council meeting? She said Julie's answer was: We are projecting an increase of approximately \$350,000 in water revenue for FY 2015-16. This increase is due to all the charges made to water rates the 4% increase in

change to irrigation rate as well as taking into account for the growth and changes in consumption, so there is a little flexibility in the \$350,000 number. Mayor Clark clarified that \$350,000 is next year's number as opposed to the \$276,000 which was last year's number. Ms. Blums responded that \$276,000 was last year's administrative charge.

Councilor Kuiper commented and provided an example, and said she works for an engineering firm and there are accountants, admin staff, and she works on projects. She said if she has a project she knows what she is charging too, but the folks that are doing the billing for her or answering the phones, don't charge that time to my project. She said they have to charge something somewhere so that my company can afford to pay them. She said therefore, there is a 6% on all overhead charges that gets charged to my project to recoup the time and the pay of paying the overhead. She asked Ms. Blums if that is similar to administrative overhead for every fund we have in Sherwood. Ms. Blums said that is correct.

Mayor Clark referred to the City Council meeting minutes from June 17, 2015 on page 14, when the Council was discussing the 4% increase in the water rate. She read the following: *Mayor Clark said this money is specifically allocated for those water needs. Julie replied yes. Mayor Clark said this money does not go into any general fund? Julie replied no. Mayor Clark said this money does not fund the employment of any individual in the City? Julie replied, water employees, that are part of the operating system. Mayor Clark asked who would be a water employee? Craig Sheldon replied, there is a small percentage of his time, a small percentage of the Utility Manager's time and the meter reader, and a couple of maintenance people. Craig said, that we might get some crossover for people that are actually working in water if we have a main break or any leaks. Mayor said, each one of those employees being paid under this fund are specifically addressing water needs and water issues in the City. Craig and Julie replied yes. Mayor Clark stated that she does not think that the answer aligns with what she is hearing tonight and that is concerning to her. She said when she made her vote it was her understanding that money collected from the citizens would pay for water, not employees and this is why she asked those questions. She said that is why she asked the questions and the answer provided was "no". She stated that changes her feelings about her vote and that concerns her. She said she would have liked to have known that there was an administrative overhead which paid for employees. She said when the water is being serviced by employees she understands that we should be paying those employees under the Water Fund. She does not believe personally that we should be paying administrative overhead and said she thinks that should be paid by the General Fund and said that is what the General Fund is for in her opinion. She said she is open to other comments and that has been her assessment and she did not feel that she received the correct answers to direct questions she asked.*

Council President Robinson stated she would follow up to that and said, if you look at the minutes, it states on page 13: *Council President Robinson asked what if we don't increase the rates on water consumption? Julie replied there are several options, there are some capital projects that could not be done, eventually we will consume our fund balance and we will be out of compliance for our debt, which can affect our credit rating in the future. She said we won't have enough money to cover our fixed costs for operating the system. Mayor Clark asked where does the 4% go? Julie said it goes into the water operations fund to pay for maintenance, debt and some of it will pay for a small portion of capital projects are not eligible for SDC funding.*

Council President Robinson said she is really upset that Council was not advised of the background for the water rate increase. She said she very strongly opposed a water rate increase and she opposes it today even more because the rate increase is about the same as the overhead charge to this fund. She

stated she doesn't think our citizens appreciate that they are having to pay more money to pay for an administrative staff person. She said not only are they paying for an administrative staff person at about a 5% cost, they may or may not utilize that person in HR, you may not get any services from HR for the water fund that year. She said you're paying more money on a water rate increase. She said this is very disturbing to her and she doesn't think that was made known to Council and she is very upset about it. She said so much so that she would like to make a motion.

MOTION: FROM COUNCIL PRESIDENT ROBINSON TO DIRECT THE CITY MANAGER DRAFT AND RETURN TO US A RESOLUTION THAT TAKES AWAY THE WATER INCREASE AND REESTABLISHES THE OLD RATE.

Councilor Kuiper said there is a lot more information that is out there that Council has not discussed in terms of understanding what a 4% administrative cost really is. She said 4% of a total Water Fund is not going to be the same as 4% of total overhead charges. She provided a scenario and said when talking about percentages they need to determine percentages of what. She stated she is not in favor of amending anything and said she thinks this is a knee-jerk and said she thinks we need to reevaluate and discuss, and if we need another work session then she suggests the Council do this, but she is not in favor of making any motions or amendments to do something that is off-the-cuff after there has been discussion on it.

MAYOR CLARK SECONDED THE MOTION.

Mayor Clark said she is more concerned, because she feels they do equate and feels that the numbers have aligned, but she is more concerned about the practice of administrative overhead, because as in everything, it is a budget. She said it is a balancing of a budget and said if you remove the administrative overhead from the water budget, not from everything as there are checks and balances in different areas of the City, but if we remove the administrative overhead from the water that would remove the necessity for a 4% increase. She stated the following motion.

MOTION: FROM MAYOR CLARK TO REMOVE THE ADMINISTRATIVE OVERHEAD FROM OUR WATER BUDGET.

City Recorder Murphy informed the Council they need to deal with the first motion and the second and vote on that motion and then another motion can be made.

Mayor Clark commented to Council President Robinson and said she feels that her motion should be addressed before your motion, and asked the Council President if she was willing to withdraw her motion from the table.

Council President Robinson said she can withdraw the motion after your motion.

Mayor Clark asked Council President Robinson if she effectively withdraws her motion. Council President Robinson said sure. Mayor Clark withdrew her second and made the following motion.

MOTION: FROM MAYOR CLARK TO REMOVE THE ADMINISTRATIVE OVERHEAD FROM BEING CHARGED TO OUR WATER FUND WHICH TAKES THE WATER FUND MONEY AND PLACES IT INTO THE GENERAL BUDGET.

Councilor Harris asked if we do that, how do all these get paid? Do we hire employees and have them come in on a temporary basis to cover the IT services?

Mayor Clark said no, they are already paid by the General Fund. She said the employees from the City who work on the water specifically will still be paid because that is not an administrative overhead. She said they will still be paid from the Water Fund for their services on the Water Fund. She said she is against the practice of utilizing administrative overhead, which she thinks is a fancy word for slush fund that pays for employees who should already be paid under our general budget.

Councilor King asked Mayor Clark if she is stating that this applies to all the other departments.

Mayor Clark said no, she is specifically talking about Water budget only.

Councilor Kuiper and Harris asked why not the other funds.

Mayor Clark said because the water budget is a budget that we talked about, the budget itself is a pie, the water budget is its own piece of the pie, and she does not feel that in the water budget situation that we should be taking from that piece of the pie and paying for overhead charges from the general budget.

Councilor Harris asked aren't there other pieces of the pie that do the same thing? She said in her opinion if we do it to one, we have to do it to all of them.

Mayor Clark said she disagrees.

Councilor Harris asked staff, what's another piece of the pie? Ms. Blums replied Sanitary Fund, Storm Fund and Street Fund. Councilor Harris stated she is trying to understand how it would be different or why it would be different.

Mayor Clark said the biggest thing for her, is our water rates are not commensurate with our neighbors. She said our water rates are dramatically higher than our neighbors and she thinks this administrative overhead is a piece of that reason why our costs are so high. She said she thinks by taking away the administrative overhead and leaving the water budget, be just the water budget, that it will no longer have to grow to build on what should be paid for by administration.

Councilor King asked if this money is supposed to stay in the General Fund and be allocated from the General Fund, in the original plan, if the money is coming out of the Water Fund going back to the General Fund, wouldn't there be extra money.

Mayor Clark said that is a good point. She said what would happen is, the Water Fund, instead of being depleted, would remain taking care of what our needs are and we would no longer need a 4% increase, because they are almost identical numbers, give or take, because they are projected, one is last year's numbers and one is next year's number of two different things.

Ms. Blums said if we do this, we will leave a hole in the General Fund of \$300,000 and will need to cut something, or something's out of the General Fund budget to make that up.

Mayor Clark replied, right and staff can bring that before the Council.

Ms. Blums said she would look for recommendations from Council of what to cut.

City Manager Gall said that is a significant amount of the money and that would be people.

Mayor Clark said out of a \$49 million dollar budget she has trouble believing that.

Councilor King stated he believes the Council should have further discussion. Councilor Kuiper and Harris stated they agreed on having further discussion.

Councilor Harris commented that she understands these things with real life situations, and gave an example of an employee who works for the City and has to do something for the water the employee is getting a salary no matter what projects he/she works on but some of that took place for the Water Fund. She clarified that the employee is getting a salary so for the Water Fund to pay into the General Fund again it is not like the employee is getting a bonus for going to the water, it just goes into the General Fund and that is part of what pays the employee's salary. Ms. Blums said that is correct.

Mayor Clark said it goes into the General Fund and does not necessarily go straight to the employee's salary, it gets allocated within the General Fund.

Councilor King said he thinks when they calculate the General Fund they are counting on a certain amount of dollars being billed to these different pools of money and that is how they build the budget. He said the \$300,000 is not just sitting there in the General Fund to pay for the water issue.

Mayor Clark responded, except the 4% that we just added. She said she is not creating a hole, it is repairing what she thinks is a practice that she does not agree with.

Councilor Harris asked if we don't have the \$350,000 then the facilities employee isn't able to go do the Water Fund work.

Mayor Clark said yes he is because he is paid under the General Fund to do it.

Councilor Harris said but that is part of the \$350,000.

Mayor Clark said she is not taking money away and said what we are doing, she feels, is that the administrative overhead....

Councilor Kuiper said Council needs to discuss this further and be able to understand the issue and with more discussion the Council will have a better idea on where to go. She said her main concern is that we are setting precedence for all of the other funds. She noted that all of the neighboring cities using this practice can't be wrong, she requested a work session to further discuss.

Councilor Harris said she believes this is new information that maybe all of us did not understand and she does not understand the issue the same way Mayor Clark does.

Councilor Brouse referred to the comments made by Julie that it is based on actuals and asked, if there is a budgeted amount and the actuals are less, what happens? Ms. Blums replied we charge less. Councilor Brouse replied, it's all based on actuals.

Councilor Harris asked where does that money go? Ms. Blums said if the charges in the General Fund for administration staff is smaller, than we don't need to collect as much money and allocate as much cost to the other funds, so the charge to the other funds would go down.

Ms. Harris said for instance, \$350,000 is your amount. Ms. Blums replied, it's \$305,000, is the estimated.

Ms. Harris said that's the estimated and let's say it comes in at \$250,000 or \$300,000, that other 5 just never gets put into the General Fund? Julie replied correct, because it wasn't charged there to begin with.

Councilor Kuiper stated it's just a percent of the actual. Julie provided an example and said if we have vacancies in the administration division, someone leaves and we don't replace them for 2-3 months, that means that our expenses will go down, so the actual charge to the other funds will go down.

Councilor Brouse referred to the portion of the minutes read by Mayor Clark and Council President Robinson on pages 13 and 14, and asked Ms. Blums what her response is knowing what is being brought up now.

Ms. Blums said there was no intent to mislead and said that she thinks of overhead as a normal part of how the budgets works and just part of a normal cost that is allocated. She said her intent was not to mislead the Council and she does not think of it as paying for employees, because it's not just employees, its supplies, training, it pays for conferences, pays for the Council to attend conferences. She said she doesn't think of it the same way and that was why she responded the way she did, there was no intent to mislead at all.

Council President Robinson said the difference being to the Water Fund is that it was the only department that we are asking the public to increase their fees for, and that is a problem for her. She said she does not disagree with administrative costs allocations, they may be part of every budget in every City worldwide, she doesn't know, but she doesn't think it is appropriate to, when the numbers are very close together, it's not appropriate to make the public pay for administrative overhead as a general cost allocation, when on top of that we are billing to the water fund for certain individuals. She said if we want to not have a water rate increase and include those costs, my position would be different. She said she thinks that making it a rate increase to fund that particular thing, in her mind is just wrong.

Mayor Clark said she agrees and said she does not hear a second to her motion.

COUNCIL PRESIDENT ROBINSON SECONDED THE MOTION TO REMOVE THE ADMINISTRATIVE OVERHEAD FROM THE WATER FUND.

Mayor Clark asked if there was any more discussion.

Councilor Harris and Kuiper said they need more information before they can make an educated decision. Mayor Clark called for a vote.

MOTION FAILED 2:5 (MAYOR CLARK AND COUNCIL PRESIDENT ROBINSON VOTED IN FAVOR, COUNCILORS KING, HARRIS, KUIPER, BROUSE AND HENDERSON VOTED AGAINST).

Mayor Clark asked for any other motion.

Council President Robinson stated she will renew her motion and stated the following:

MOTION: FROM COUNCIL PRESIDENT ROBINSON THAT THE CITY MANAGER RETURN TO US AT THE NEXT MEETING FOR CONSIDERATION A RESOLUTION THAT TAKES AWAY THE INCREASE IN THE WATER RATE OR CONSUMPTION RATE OF 4% AND WE CAN HAVE ANOTHER FURTHER DISCUSSION ABOUT IT WHEN WE CONSIDER THAT RESOLUTION AND SHE WOULD LIKE TO BE PRESENTED WITH THAT RESOLUTION AT THE NEXT MEETING, SECONDED BY MAYOR CLARK.

Councilor Harris asked if it has been billed yet, and if so, will the customers be repaid.

Mayor Clark clarified that the motion is not to remove the increase, her motion is bring it back to Council to discuss. Council President Robinson added, and to remove then.

Mayor Clark replied, it's for him to write it up.

Mr. Gall said he would assume that if he brings a resolution back and the resolution is adopted by the majority we would then figure out what to do about what has been paid.

Mayor Clark clarified that this vote would not change that in any way, this vote is only directing the City Manager to bring the item back to Council.

Councilor Kuiper asked if there would be a work session before the meeting to determine whether or not we need such a resolution. Mr. Gall said that is the motion.

Council President Robinson clarified that her motion is to bring it back to Council and as part of the adoption of a resolution we have a discussion. She said that is what her motion was intended to do.

Councilor Henderson said if the City Manager brings back a resolution eliminating the water rate increase and that has consequences on the budget we adopted, when and how do we adjust that?

Mayor Clark said they will discuss the implications of that at that meeting.

Councilor Henderson asked what is the direction to staff? To come up with 100 different ways to cut \$300,000 out of a \$48 million dollar budget?

Mayor Clark said no, because the 4% was adopted after the budget and the 4% is an increase, so it's in addition to the budget that was adopted.

Ms. Blums stated the overhead charge was budgeted.

Mayor Clark replied, correct, but her motion was on the 4% increase which was made after the adoption of the budget.

Ms. Blums clarified, to reverse the 4% and reduce the revenue?

Mayor Clark said, correct to be brought forward to us, not for that to occur, but for it to be brought before the Council again as Councilor Kuiper brought up, to discuss, to have another work session on this

because this issue was not brought up before and to have another discussion about it and to have a resolution written.

Mayor Clark asked Councilor Robinson if that was correct, Councilor Robinson replied yes. Mayor Clark said it would not be a direct action, it would be a request to bring it forward as an action item that will be discussed.

Councilor Kuiper clarified at the next Council meeting, Mayor Clark replied correct. Ms. Kuiper asked before a work session?

Mayor Clark replied we can have a work session as well and the information will be presented in the resolution.

Councilor Harris said the resolution is to take away the 4% increase for now and get more information and vote on it again.

Mayor Clark said no.

City Manager Gall said he heard the motion fairly clearly as, to bring back a resolution that would remove the 4% increase, basically for a discussion at the Council meeting and possible action. He said we can have a work session the same night ahead of time for more information. He said that is the motion, to bring that resolution back and the Council will vote on that resolution at the next meeting.

Mayor Clark said as the Mayor she sets the agenda and she is more than happy to have a work session on the same night before the Council meeting.

Councilor Kuiper said she understands that and she does not like the idea of having a work session and then immediately a resolution afterwards to say aye or nay to something as important as this. She said she feels this is extremely important and she thinks there needs to be thoughtful, thorough discussion and she would rather see a work session and then if in fact the decision is made to go with a resolution do that at the next session. She does not like this idea of addressing it all quickly as she needs time to assimilate and to make sure everyone else on the Council is getting what she is getting.

Councilor Harris said there is a work session scheduled this month but not another Council meeting until the 4th, she said feasibly that could happen.

Mayor Clark said yes, she could place it on that one and is happy to do that. She said our next Council meeting is not until after our already scheduled work session, which would not be an action item.

Mayor Clark said there is a motion on the table and a second and asked for any other clarification needed or comments.

Councilor Brouse asked for clarification, what would be the cons of this coming back before, if that 4% is eliminated?

Mayor Clark said there are no cons to just talking about something.

Councilor Harris said, it doesn't change what has already gone through, it allows us more opportunity to talk about it, understand it and see how we feel about it. Mayor Clark replied exactly.

Councilor Henderson asked if we plan to take public comment on the resolution?

Mayor Clark said she would be happy to take public comment and noted that there is public comment at every Council meeting.

Councilor Henderson said she doesn't think the resolution that is on the table clarifies what happens if we don't have a water increase.

Mayor Clark said that will be discussed at the work session.

Councilor Henderson replied, which the public doesn't get to comment on.

Councilor Kuiper said the public can attend the work session and comment at the Council meeting.

Councilor Henderson stated, public comment is after the business.

Ms. Blums commented, the formal action, if we have a work session and the consensus of the work session is to move forward and remove the 4%, is an adjustment to the fee schedule which requires a public hearing and then the actual adjustment to the budget requires a supplemental budget which also requires another public hearing.

Mayor Clark said we will have the correct order for the public to have their comments.

Julie said, we can't, unless we publically notice, because some of those action require different public noticing than what the City Recorder has to do. She said it would be better if we did the work session on the 21st and did action at the next meeting if needed.

Mayor Clark replied, perfect. She asked if this works for the Council. Yes, replies were received from the Council members.

Mayor Clark called for a vote.

MOTION PASSED 6:1. (MAYOR CLARK, COUNCIL PRESIDENT ROBINSON, COUNCILORS KING, HARRIS, BROUSE AND KUIPER VOTED IN FAVOR. COUNCILOR HENDERSON VOTED AGAINST)

Mayor Clark addressed the next item on the agenda.

B. Resolution 2015-062 Authorizing an IGA between the City of Sherwood and the Urban Renewal Agency for the Center for the Arts building financial and operational responsibilities

Assistant City Manager Tom Pessemier recapped the staff report and said this resolution has been put together to deal with some idiosyncrasies relative to the construction of the Center for the Arts. He said at the URA meeting there will be a similar item on the agenda that basically mirrors this and it needs to be adopted by both agencies. He reminded the Council that the City of Sherwood and the URA are actually

separate entities and this in an IGA between the City and the URA and the IGA was meant to cover different things that happen with similar employees or similar types of actions that are happening where there could be some overlap between the two agencies. He said in this particular situation the Center for the Arts building is partially constructed but not fully constructed and at this time the URA owns the property, built the building and they own the building, but the City is operating portions of the building. He said the retail area has not been leased yet and there are improvements that need to be made with URA monies. He stated we have ended up with a situation where it is not a clean transfer and on many occasions on our projects between the URA and the City, the project is completed and is transferred between the agencies and everything is clean. He said in this case, there are multiple things happening because of the timing. He said this IGA clarifies the different responsibilities between the City and the URA, who's operating what, who's paying for the tenant improvements inside the space as well as who will be negotiating lease contracts.

Mayor Clark asked for Council questions, with none received she asked for a motion

MOTION: FROM COUNCILOR HARRIS TO APPROVE RESOLUTION 2015-062, SECONDED BY COUNCILOR KING. MOTION PASSED 7:0, ALL PRESENT MEMBERS VOTED IN FAVOR.

Mayor Clark addressed the next item on the agenda.

C. Council Discussion - Initiative Petition Request to Place on Ballot

City Manager Gall reminded the Council that there is a brief staff report in the packet.

Sherwood resident Bill Middleton approached the Council and said what he is trying to do is get an initiative, a charter amendment, on the ballot that would limit the amount of increases every year of our fees, the only ones paid by the City. He said everyone knows what the fees are; they are storm water charges, sewer consumption charges, sewer base charges, sidewalk repair fees, streetlight fees, street maintenance fees, safe sidewalk fees, and other franchise taxes that increase when we have contract negotiations, and water fees. He said we would like to get on the ballot and have started gathering signatures and have gathered 400 signatures in three weeks with 92% of people signing. He said rather than continuing to gather signatures he would like the Council to put this on the ballot as a charter amendment so that every year the City can increase the water rates 2%, so the homeowner knows how much he is paying every year. He said the General Fund has increased nearly 30% in three years and said obviously we have some money that can be reduced. He said this would help the taxpayers. He commented about the councilors campaigning period and people stating our taxes were too high. He said property taxes are set and we can't change those. He said the citizens should have the option of voting on any type of increases of more than 2%. He said 2% can be added as an escalator every year, this way people can budget. He said the City budget increased 10% this year and commented about MODA insurance increasing 20% in healthcare costs. He said if the City had a big catastrophic issue and needed to increase more than 2% they can bring it to a vote. He said the police department was built by a vote of the public. He commented about putting this on the ballot and letting the people decide and said the Council members are elected to provide input on a minute (small) scale but on the bigger scale you're part of the public too. He said a 2% increase on anything is about what a cost of living is.

He said the Council could put the Charter amendment on the next general election so we don't have to do a special election. He said it would be good to have it on the next general election. When he confirmed

when the next general election was, he said he did not think it would be good to have it on a ballot this year unless the Council made it for the next budget because the Council is already having trouble with the 4% and it would be a mess if it passed in November, unless it went into effect in July. He said he could live with a water bill going up 2% every year, but if it increased 6,8,10 or 12%, people's incomes don't increase like that. He said our water rates have increased since 2005, 158%. He said this is difficult for people who don't make a lot of money or are retired. He recommended placing it on a May 2016 ballot. He said he and the former City Recorder wrote this initiative. He offered to answer questions.

Council President Robinson said the language, according to the staff report says, any increase in tax, charge or fee garnered from taxes, charges, fees imposed shall not be effective unless ratified by a majority of the City's qualified voters where at least 50% cast a ballot. She said she cannot remember a time when 50% of the eligible voters, about 10,000 now, actually voted.

Mr. Middleton said he would be willing to remove that language and he agreed that it will probably never happen. He suggested Council make an amendment to the proposed language.

Council President Robinson stated we pass our budgets in June so this initiative would require us to wait 5 months to basically do what we need to do for the fiscal year.

Mr. Middleton said he can guarantee that it will pass so the City will base their budget knowing an increase will have to go before the voters or the City can have two budgets. He said it will only affect the water rates by 2%.

Council President Robinson said she doubts that and said we have a Storm Water update being done currently, a new plan. We have a Street Master Plan being updated too. She said she anticipated these coming down the road. She asked what if we have a catastrophic failure and we need to spend \$2 million on a repair of the reservoir, what if it leaked?

Mr. Middleton stated that is what you have your funds for, that is why you have a budget every year, there are other allocated monies out there, we have a reserve fund.

Council President Robinson said she thinks this would bankrupt the City to make that repair and wait.

Mr. Middleton said there might be insurance in this case. He commented on the master plans that are being done, and having to increase everything by 45%, and asked, you think the public is going to tolerate this much longer? He said we need to bring our budget back to the real world, 30% in three years is crazy.

Council President Robinson said she agrees with the concern and she has these concerns. She said she obviously does not want the water rate increase, that's very clear, but she does not think the average voter will take the time to review what needs to be reviewed in order to make an educated decision on whatever tax or fee that may be imposed, that might be over 2%. She said if you knew the amount of time that we spent going through the planning commission to get these updates, water master plan, there was at least four sessions that she attended, and then public hearings at both the planning commission and the City Council, she doesn't think the average voter is going to be that educated in what we actually need to do.

Councilor Harris said she agrees and said she would not have a clue about where all our water.....she said she was with the general population with our water bill, it doubled in one month when we went from TVWD to Sherwood. She referred to the hours of presentations she has sat through to understand where this issue started in 2005. She said there is no way as an average citizen you would have the time to be educated enough. She said most people are just so financially focused because of budgets and it would be hard to educate the public to the level that some of the Council gets educated too, to make these decisions. She said she often wonders why do you need a Council if you are going to send everything to the voters.

Mr. Middleton said we aren't sending everything to the voters, we are sending one thing. He said one thing he thinks needs to be looked at, the 30% budget increase in 3 years and said maybe the City could look within itself and say they are going to save the taxpayers a little. He said this is coming directly on the backs of the citizens, the water budget. He said you're saying it is okay that the City takes the 10% and increases the budget everywhere and then we can raise fees on the public rather than trying to save fees and save money in the budget and give back to the people. He said what you are doing now is allowing the City to write the ticket on what they need and then raise fees. He stated they will get the signatures.

Councilor Kuiper commented on the 30% budget increase in 3 years and noted there has been a 50% increase in population over probably 8 years. She said there is some equivalent expansion of the City budget, it's somewhat equivalent to the growth of the City.

Mr. Middleton said 280 people in the last 2 years does not allocate 30%.

Councilor Kuiper said her concern is those costs that the City cannot control such as fees that the City is subjected to that might be more than 2%.

Mr. Middleton said you can't vote on those and that has nothing to do with this.

Councilor Kuiper noted the City has to afford for these cost, such as PERS.

Mr. Middleton stated maybe the City should be saving right now.

Councilor Kuiper said those kinds of things are going to have to be addressed in some way. She said she is not saying these will be passed on to the taxpayer, but there are other things out there that the City will have to address internally with its budget and she is concerned that being bound by a 2% by vote is going to strap the City.

Mr. Middleton noted this initiative is only on the fees that the citizens pay on their water bills. He said it has nothing to do with PERS and the City should be saving now for PERS and health insurance cost increases. He said the problem is the taxpayers see everything increasing constantly and asked why the taxpayers should have their sidewalk fees raised for PERS. He said this deals strictly with the fees. He said the City should have a 5 year budget so they know what is going on. He noted 10 years ago these fees did not exist and they are solely put on the taxpayer. He said he is subsidizing the increase in the budget because the City does not want to look and start saving. He stated no other city has raised their budget as much as Sherwood has in the last three years. He said that is not because of the earlier growth. He commented on the reserve fund and said the City added 6 new employees. He asked if this is

the time to add employees with PERS and health insurance increases. He said we need to start thinking about the taxpayers for a change and let the taxpayers decide. He said he takes offense to the comments that the Council hears about things and other people don't have the big picture, he said a lot of people do and the ball park picture given to the Council is given by staff.

Councilor King said there is one thing left out, is that the City went through a bubble and tax collection decreased yet the City has a very healthy reserve coming out of the bubble and staff has done a good job in managing that crisis. He stated Sherwood is in a much better position than most cities.

Mr. Middleton responded that this should be a no brainer and these little fees irritate the people.

Council President Robinson said it sounds to her that Mr. Middleton is limiting the initiative to the City fees that are charged on the City of Sherwood bills that go out.

Mr. Middleton said except for Clean Water Services (CWS) which the City does not have anything to do with. He said included in all those bills are all the rates that we approved as an increase because its passed on through sewer, storm water, we don't have a choice in that and it's more than 2% every year.

He said currently we pay approximately \$26 in City fees. He noted the CWS fee is about \$43 and we have no choice on this. He said this only affects the fees on the back of the water bill and water rates at 2%. He said if there is a catastrophic issue, and you take out the double majority, people will vote on it and pass it if necessary. He said Council has to listen to the public and stated the signatures gathered are getting a 92% positive. He noted the water rates could increase 2% every year which is reasonable. He said be good to the people for a change and let the voters have a livable wage and be able to pay our water bill. He commented that rates have gone up so much in the past he does not think it will need to increase more than 2% anyway.

Council President Robinson said she hears him completely and understands and appreciates that we want to try and cap fees, but it's also a little disappointing to think that we as elected officials are not representing the City's interest. She said she thinks that we all take it upon ourselves to educate ourselves fully and don't think we vote our own interest and we think about it and we questioned our budget meetings and we questioned everything, there was a lot of discussion. She said we spend an exorbitant amount of time going through that budget and trying to keep things low. She said she did throughout the process and knows the Mayor did, and others. She said she is fearful that there is not enough time for the average person. She said quite frankly, you ask the average person whether or not they want to vote for an increase in fees, the answer will undoubtedly, 90% of the time will be no.

Mr. Middleton stated that she just commented that she does not want to raise the water rates. Council President Robinson stated that she voted against the water rate increase. Mr. Middleton asked why not let the public have a say. He said the fees need to reasonable. He asked the Council what they cut from the budget this year and how many positions they cut.

Councilor King asked Mr. Middleton what he would have preferred to be cut from the budget.

Mr. Middleton said he would have cut 4 positions right away. He asked if the City needs another person to work at the Center for the Arts when it isn't even up and running. He said the City does not need another Police Officer.

Councilor King said that is if you base it on a 2 car or 3 car patrols. Mr. Middleton commented that there are 8 people working day shift and asked why they don't put them on nights. He said Council King knows little or nothing about it, and he would not get into an argument about it.

Councilor Henderson said it is important to maintain respectable responses back and forth and that was not a respectable response. Mr. Middleton replied he did not care what she thinks.

Councilor Henderson asked City Attorney Chris Crean if a ballot measure can be retroactive if placed on the ballot? She said, it reads, "After July 1, 2015 any ordinance, resolution or order approved by a majority of the Council".

Mr. Crean said in general, whether a resolution can be retroactive depends on the resolution itself. He said this one could be retroactive and would place the City in a position to have to come up with the funds first and means of distributing them back to whomever they came from. He provided the example of Measure 49 and 50 which rolled property taxes back to an earlier tax year.

Mr. Middleton said he is done and left the room.

Councilor Henderson read, "fees solely or partially garnered from taxes, charges or fees imposed on residential properties" and asked if businesses can be taxed at any rate and would they have to be taxed separately. For example, separate water bills, separate street fee bills, separate light bills, separate sewer bills, separate telecom or enterprise funds. She said we essentially would have to create two separate billing systems, one for residential and one for nonresidential. She said she needs help understanding "owners and/or occupants," and read, "residential properties occupied by owners and/or occupants within the City of Sherwood boundaries" means?

Mayor Clark asked Mr. Middleton to return. She said it seems to her that there is... you're circulating a petition and getting a lot of support.

Mr. Middleton said they have 400 signatures and will continue to get signatures and make it retro.

Mayor Clark said she agrees with Council President Robinson and agrees with Mr. Middleton on the fee increases, that a 2% increase is more commensurate with incomes. She referred to his remarks that there are parts of the language that could be changed and improved. She said she would rather have the initiative improved before going to the public for signatures. She asked Mr. Middleton if he would be willing to have a work session.

Mr. Middleton said no, they will just gather signatures since they are having such an easy time doing it.

Mayor Clark referred to Mr. Middleton's suggestion of putting the initiative on the May 2016 ballot and said there is a lot of time so let's make it great.

Councilor Harris asked Mr. Middleton if he would be willing, if a motion was made, to have the City staff work with the language. Mr. Middleton said no, he does not trust staff. She said this is something she would vote yes on.

Mayor Clark said you could review it. Mr. Middleton asked why the staff didn't take this year, when there was a surplus of funds, to start saving a little bit.

Councilor Kuiper said if staff drafts a resolution Mr. Middleton could review it. Mr. Middleton said his initiative has been approved and he has time to get the signatures.

Councilor Harris said she would vote yes if she could have the staff remove the 50% language and fix the dates. She said Mr. Middleton could then decide if he likes the resolution. She said as it is written it is hard to understand.

Mayor Clark said even Mr. Middleton agreed that part of it he would take out so the staff can clean up the language.

Councilor Harris said if Mr. Middleton does not agree with what is drafted he can continue gathering signatures. She said she is more likely to vote yes if the changes can be made, like the 50% issue.

Mayor Clark said she wants to see us working together on solutions. She said there is time to make changes, changes we can both agree on, and work together in coming up with a great product that serves everyone and moves everything forward.

Record Note: Dialog continued from the audience, unable to transcribe.

MOTION: COUNCILOR HARRIS MOVED TO DIRECT STAFF TO LOOK THIS OVER AND COME UP WITH A BALLOT TITLE AND INFORMATION TO TAKE TO THE VOTERS ABOUT AN INCREASE OF 2 PERCENT OR MORE ON FEES GOES TO THE VOTERS ON THE FEES THAT ARE PROPER AND WE CAN ACTUALLY HAVE A SAY IN.

Record Note: Dialog continued from the audience, unable to transcribe.

Councilor Harris commented that we don't have to just allocate water it could cover everything.

Mayor Clark clarified with Councilor Harris, that the motion is giving direction to staff to rework this from the discussion just held and bring it back. Councilor Harris replied yes.

MAYOR CLARK SECONDED THE MOTION.

Councilor Henderson noted that neither of her 3 questions were answered.

Councilor Harris said if the language is rewritten that is where you will get the answers.

Councilor Henderson said her question about this only applying to residential properties, so business should be taxed separately?

Mayor Clark said she thinks we should address that, and Councilor Henderson talked about it and Councilor Harris' motion addresses everything we talked about tonight.

Record Note: Dialog continued from the audience, unable to transcribe.

Mayor Clark asked for other discussion and noted there is a motion and a second on the table and called for a vote.

VOTE FAILED 3:4. (MAYOR CLARK AND COUNCILORS HARRIS AND KUIPER VOTED IN FAVOR, COUNCIL PRESIDENT ROBINSON, COUNCILORS KING, BROUSE AND HENDERSON VOTED AGAINST).

Mayor Clark addressed the next item on the agenda.

Councilor Harris excused herself at 9:00 pm stating she had to leave town due to a death in the family and said she would listen to the citizen comments on the video.

8. CITIZEN COMMENTS:

Sandy Wallace, Sherwood resident, approached the Council and said her purpose is to bring additional awareness to the Robin Hood Festival and thanked the Council for the proclamation. She said it is a tradition that started in 1954 and in 1956 the International Archery Match began which is sponsored by the Robin Hood Festival between Sherwood, Oregon and Nottingham, England. She said there are volunteers needs to continue the archery match. She thanked the City for their in-kind services and financial services and invited the Council to attend the archery match and noted the opening ceremony is Saturday, July 18 at 8:30 am at Edy Ridge.

Tony Bevel, Sherwood resident, came forward and referred to comments that Sherwood citizens were called stupid, nit specifically that word, but uneducated and they do not care. He said he did not think that is not the case and it is a failure of not engaging the public and making the public aware of what is happening. He said the Sherwood Gazette does a good job of doing that and provided examples of ways to reach the public. He commented on the budget and said it looks like a lot of smoke and mirrors and there is a lot of shifting and there needs to be some clarity. He said he thinks that the 2% is a reasonable request and makes the job of the elected officials harder, he said their feet will be held to a fire if the 2% limit is installed, but thinks it's a good thing. He commented on how much the water bills have increased and the need for fee restraints, commented on the elected Council members being an elite group and they not always knowing what is best for the larger community all of the time.

Nancy Taylor, Sherwood resident, approached the Council and said she is insulted by what was said tonight, about citizens and their inability to make wise decisions on ballot issues. She said in her years as a Sherwood resident, she has never seen anything fail in Sherwood that was on the ballot. The school issues have passed, the water issue passed, all bonds have passed, she doesn't know why the Council doesn't think the citizens have the capacity to vote correctly when the issue is important. She said there have been things she has voted yes on that she did not agree with and stated she is insulted. She said we are the citizens and the people who forked over the 4% extra and we are the people who pay those bills monthly. She said we are a little disgusted and made reference to the budget committee meetings and the finance director, and the director's compensation and being well paid and the Council members giving staff kudo's and the staff doing their job, no more and no less and said they are paid a lot of money to do that job. She referred to a report in the recent news and Oregon being rated the 49th amongst 50 states as a good place to work and said this is because of taxes and fees and the burden of being a worker here is amazing. She referred to the ratings of other states and told the Council to think about the

next time they want to impose a fee on her and to think about what they are doing to the working population in this state. She said they are only doing a small amount and if they can't see in their hearts, to cap 2%, a very small amount of money, they are maybe looking at \$36 per year per person to do this cap and yet they say no. She said she doesn't get it and thinks some of the Council members are extremely educated and she is ashamed and insulted by the Council.

Mike Maaranen, Sherwood resident, came forward and addressed the issue of parking on Pine Street. He said he understands that the Planning division has proposed to install No Parking signs on Pine Street below the proposed dog park. He said this affects himself and most of his neighbors and said when Pine Street was rebuilt the parking on his driveway went from 4 vehicles to 2 vehicles and he now has no on-street parking which he had before the rebuild. He said putting No Parking in this one small area of 4-5 cars, makes it difficult for himself and all the neighbors on Pine Street from Division Street to the rebuild site, there is no space for visitors or family to park within a reasonable area of their residence.

Councilor King asked what was the reason for them eliminating the parking? Mr. Maaranen said, he understands it had to do with the dog park and a problem with people parking in that parking area as it is immediately below the dog park.

Councilor Kuiper asked if there are No Parking signs now.

Mr. Maaranen said there are not any signs out at this point but it is his understanding it was passed by the Planning Commission and they did not receive any notification.

Council President Robinson replied, she is not quite sure that is accurate.

Mr. Gall said this is news to him and stated Mr. Maaranen submitted his contact information and will talk to staff. He asked Julia Hajduk if she can clarify.

Community Development Director Julia Hajduk replied, she is pretty sure it was not a condition, a requirement, that is was discussed that this would happen because of the parking because of the street width and what is out there now. She said she believes the discussion was that there should have been No Parking signs there already and they were going to do that as part of this project. She said she would confirm this information and get back to the Council. Mayor Clark thanked Mr. Maaranen and said someone would get back to him.

Jim Claus, Sherwood resident, approached the Council and said he has never heard citizens called stupid before. He shared a story regarding going after a national account for a big company. He referred to a case of Reed vs. Gilbert. He commented that Mr. Crean said the sign code was passed and Pat Allen said it was constitutional and Mr. Claus said it was not constitutional. He commented on how we got the billboards permits and said they challenged the code, they did not build them on the code, they challenged the code. He suggested Council read Gilbert and said Sherwood has a content based code. He referred to political decisions being made by prior City Council's and provided examples. He said Mr. Gall is starting to change all of that and he and the staff are working hard but until the Council gets a staff attorney here the political decisions won't stop. He commented on possible initiative petitions and referendums in the future by citizens. Mr. Claus stated he left a copy of the Gilbert code for the Council.

Neil Shannon, Sherwood resident, came forward and commented regarding his term on the budget committee, which has expired and said he has reapplied. He said he heard discussion on the water rate increases and the administrative overhead discussion. He said he thinks the Council is applying a link between the two that should not be there. He said it may be a coincidence that it's 4% on both sides, but there is no link to those two increases. He said the purpose of the water rate increase as he understands it, is a refreshment or increase in the reserve. He said it would require a supplemental budget before the City can spend that money so any rate increases would be added to the Water Fund reserve for future expenses or in case of emergency. He said the concept is the reserve is being spent down and the recommendation was to increase the rates to refresh the reserve. He said he thinks there has been a great deal of poor discussion or poor ideas in regards to try to control fees. He said the concept of trying to control fees means we are going to not bill people for services that are being provided. He said as a Council if you want to control the water rates you need to control the spending. He stated the spending is driving the rate increases. He said if its necessary as part of the budget, the Council needs to tell Craig Sheldon, he can't replace equipment and gave examples and referred to the automatic meter reading system. He said this was a fair expense with a 7 year payback and he is not sure he would have recommended it. He commented on the administrative charges and said as a former member of the Budget Committee he would have suggested that this was a discussion that should have been brought before the Budget Committee as opposed to a knee jerk reaction of the City Council. He said there is going to be overhead charges and the City and you will have administration writing payroll checks, calculating taxes, placing ads to hire people and the City administration so far has decided to try and control those costs by just allocating on a percentage basis and this is what they have done. He said you can clearly say you don't want to allocate that percentage, and then what, do you submit a bill every time a paycheck is issued? He said the other way that you're currently looking at, is to not charge the administration fee, which means that the General Fund is then subsidizing the Water Fund and said he believes this would be a serious mistake.

Mayor Clark addressed the next item on the agenda.

9. CITY MANAGER REPORT:

None.

Councilor Henderson excused herself at 9:20 pm. Mayor Clark addressed the next item on the agenda.

10. COUNCIL ANNOUNCEMENTS:

Councilor King announced the Sherwood Main Street meeting will be Thursday, July 16 at 8 am at the Rebekah Lodge. He referred to the water issue and said out of all of the municipalities in the State, Wilsonville and Sherwood have the most secure water future and everybody is moving in that direction, including TVWD. He said fortunately Sherwood had people focused on what the future needed to be and what it would look like, and this is where we are today. He said people may not be happy with the rates, but when they turn on their faucets water comes out, as opposed to cities in California. He asked how much is water worth? He said previous Councils put Sherwood on a course to where Sherwood will always have water. He said it is important to have water and there is a cost. He said it takes a lot of money, planning and work to deliver that water every day.

Council President Robinson reported there was a Citizens Advisory Committee meeting at Edy Ridge and they had an Ice Cream social and staff served ice cream with her. She said she believes there are a few more meetings to attend and encouraged people to look on the calendar for those future meetings. She reported that Council has been very busy interviewing for the City Attorney position and said we are hopeful that we will soon conclude that process and have an in house attorney relatively soon. She said we are taking our time and doing background checks and interviews and said she is proud the Council has put a lot of effort into finding the right person. She announced the Planning Commission will meet on July 14 to discuss chickens. She said the Council had their first work session today on recreation in Sherwood and said they are learning how many different pieces there are, they are not in one centralized system, and we are exploring what we have and possible options. She said in our second meeting of the month, we will continue to have further work sessions on this topic. She encouraged people to attend.

Councilor Kuiper reiterated Councilor King's position on water and suggested listening to a recent program on NPR regarding water issues in California, and said it is enlightening and sobering. She said our Council does not make decisions lightly where there is a lot of discussion and a lot of hard thought that goes into these discussions and decisions, and water is just one of those issues amongst many that the Council has discussion, does research, and has staff time involved. She commented about there never being enough time to invest as a Council in a topic that is as important as dealing with the citizen's money and said decisions that are made will be approved by some and not others. She reported on the dog park and said things should get rolling by the first of August or mid-August and said it will take 3-4 weeks to get the park built. She said Phase 2 of Woodhaven Park is nearly approved and should go out to bid in the winter, January-February of 2016. She announced the annual production of the Sherwood Foundation for the Arts, a production of Into the Woods is Wednesday through Saturday at 7:30 pm at Stella Olsen Park.

Councilor Brouse apologized for the conversation that took place at the dais that offended some citizens. She reported she did not have updates on her liaison assignments and said the School Board doesn't meet until August and the Water Consortium doesn't meet until October. She said she had local updates on businesses that will be coming into our community. She reported that on Saturday, July 11 Hungry Heroes will have a grand opening. She said other new businesses include: Jalapeno Taqueria, Baja Fresh, Anytime Fitness, Killer Burger, Jersey Mike's is opening July 22 and has chosen the Sherwood YMCA as a benefactor for that week, and T-Mobile's grand opening and ribbon cutting is August 13. She reported 503 Uncorked is moving to the former Bank of Oswego building. She said the Chamber of Commerce Golf outing is July 28 at Meriwether. She announced that the Sherwood YMCA has received a grant from the YMCA USA and the Center for Disease Control to launch a local diabetes program and said it is currently being operated out of the Salem YMCA and housed at our facility and will be an official program starting in September.

Mayor Clark interjected and said she loves the announcements and Councilor Brouse is an employee of the YMCA and she thinks it is inappropriate for Councilor Brouse to use her position on the Council to promote the YMCA. She suggested that Councilor Brouse give those announcements to another Councilor to get the information out.

Councilor Brouse replied, duly noted and announced that she will not be in attendance at the City Council meeting on August 4 as she will be in Colombia on a humanitarian project.

Mayor Clark said she also feels bad that citizens felt that they were put down. She said she doesn't want the public to feel like they are not welcomed and wants the public to come forward with their concerns and she wants to reach solutions. She said whether she thinks a petition that someone brings forward is perfect or not, she would like to try and work through our issues and believes that working through stuff is the way we get somewhere. She said if anyone was insulted she apologizes on behalf of the Council. She said she did not feel this was the intent. She commented about a prior statement she made at budget meetings, that we can disagree without being disagreeable. She thanked Council for the lively discussion and said it was kept cordial and that is how it should be. She reported that she attended the July 4th Woodhaven parade and thanked Michelle Graham who drove her in the Mayor's car. She announced that she will be attending the Mayor's Bocce Ball Tournament at the kickoff of the Special Olympics. She said Robin Hood Festival is next weekend and Music on the Green will begin Wednesday, July 15 at 6:30 pm.

Mayor Clark asked for a motion to adjourn.

MOTION: FROM COUNCILOR KING TO ADJOURN, SECONDED BY COUNCILOR KUIPER. MOTION PASSED 5:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (COUNCILOR HARRIS AND HENDERSON WERE ABSENT).

12. ADJOURN:

Mayor Clark adjourned the meeting at 9:38 pm.

Submitted by:

Sylvia Murphy, MMC, City Recorder

Krisanna Clark, Mayor



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
July 28, 2015

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 6:04 pm.
2. **COUNCIL PRESENT:** Mayor Krisanna Clark, Council President Sally Robinson, Councilors Linda Henderson, Dan King and Renee Brouse and Jennifer Harris via conference call. Councilor Jennifer Kuiper was absent.
3. **STAFF PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Community Services Director Kristen Switzer, Public Works Director Craig Sheldon, Community Development Director Julia Hajduk, Administrative Assistant Colleen Resch, and City Recorder Sylvia Murphy.

4. APPROVAL OF AGENDA:

MOTION: FROM COUNCIL PRESIDENT SALLY ROBINSON TO APPROVE THE AGENDA, SECONDED BY MAYOR CLARK. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR, (COUNCILOR KUIPER WAS ABSENT).

Mayor Clark addressed the next item on the agenda.

5. NEW BUSINESS

A. Resolution 2015-063 Approving an employment agreement for City Attorney

Assistant City Manager Tom Pessemier stated this is a resolution that is an employment agreement between Josh Soper and the City. He stated in March of 2015 the City went out for a recruitment for a City Attorney and received a number of applications and on May 8 the Council held an executive session where candidates were reviewed and a subsequent executive session was held resulting in Mr. Soper being the leading candidate. He said the Council asked staff and Councilor's Henderson and Brouse to work on an agreement. Tom stated we worked with Beery Elsner Hammond on the initial agreement and worked closely with the Councilors and Mr. Soper who was very helpful with the process.

Tom thanked Councilor's Henderson and Brouse for their work and timeliness. He said Mr. Soper is due to start August 10, 2015.

Councilor Henderson referred to a question previously asked by Council President Robinson about a mediator and asked if the issue was resolved.

Council President Robinson stated City Attorney Chad Jacobs responded to her question and noted that it is standard practice to have a dispute resolution clause. She stated that she had never heard of it and there is no rule or statute that calls for it but they think they can do it. She said hopefully it will never come to be and stated she was satisfied with the response.

Mr. Pessemier stated there was a delay in getting the emails to the Council because the original email went out to a distribution list and the response did not go the entire Council. He said the email with the response from Mr. Jacobs was forwarded late.

With no other questions, Mayor Clark asked for a motion.

MOTION: FROM COUNCILOR HENDERSON TO ADOPT RESOLUTION 2015-063, SECONDED BY COUNCILOR BROUSE, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR, (COUNCILOR KUIPER WAS ABSENT).

6. ADJOURN

Mayor Clark adjourned the session at 6:10 pm and convened to a Council work session.

WORK SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 6:12 pm.
2. **COUNCIL PRESENT:** Mayor Krisanna Clark, Council President Sally Robinson, Councilors Linda Henderson, Dan King and Renee Brouse and Jennifer Harris via conference call. Councilor Jennifer Kuiper was absent.
3. **STAFF PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Community Services Director Kristen Switzer, Public Works Director Craig Sheldon, IT Director Brad Crawford and City Recorder Sylvia Murphy.

4. TOPICS:

A. TOPIC: Recreation Overview-Part 2

Kristen Switzer and Craig Sheldon provided a presentation, Recreation Overview-Part 2 (see record, Exhibit A) which focused on the Sherwood Center for the Arts, recreation, events and volunteer services and the City's IGA with the Sherwood School District. Council questions and discussion occurred throughout the presentation.

5. ADJOURN:

Mayor Clark adjourned the meeting at 7:02 pm

Submitted by:

Sylvia Murphy, MMC, City Recorder

Krisanna Clark, Mayor

TO: Sherwood City Council

FROM: Joseph Gall, ICMA-CM, City Manager
Through: Craig Sheldon, Public Works Director and Julie Blums, Finance Director

SUBJECT: Resolution 2015-064, Establishing Definition of Gross Revenue for Utility Operators Privilege Tax under FY2015-16 Schedule of Master Fees and Charges

Issue:

Shall the City Council establish a different definition of Gross Revenue for Utility Operators Privilege Tax?

Background:

During the lengthy franchise negotiation process with Portland General Electric (PGE) in 2013 and 2014, the electric utility had requested that the City of Sherwood use the definition of "gross revenue" adopted by the Oregon Public Utility Commission in OAR 860-022-0040(2) which provides a more accurate and appropriate calculation of gross revenue for utilities that provide electrical services. PGE made the decision in June 2014 to not pursue a franchise agreement with the City of Sherwood for use of our Right-of-Way and instead, the company chose to operate under Chapter 12.16 Utility Facilities in Public Right-Of-Way.

PGE has again formally requested that the City Council use the definition of "gross revenue" adopted by Oregon Public Utility Commission. Chapter 12.16.120 of the Sherwood Municipal Code does allow the City Council to determine a different definition that what is defined in the code by resolution.

The current definition in the Code defines "Gross Revenues" *as any and all revenue, of any kind, nature or form, without deduction for expense, less net uncollectibles.*

The more specific definition that PGE is requesting from the Oregon Public Utility Commission defines "gross revenues" *as revenues received from utility operations within the city less related net uncollectibles. Gross revenues of an energy utility shall include revenues from the use, rental, or lease of the utility's operating facilities other than residential-type space and water heating equipment. Gross revenues shall not include proceeds from the sale of bonds, mortgage or other evidence of indebtedness, securities or stocks, sales at wholesale by one utility to another when the utility purchasing the service is not the ultimate customer, or revenue from joint pole use.*

In addition to the definition for electric utility providers, this resolution clarifies the definition for gross revenues for telecommunications utilities to be consistent with state statutes along with other utility providers.

Financial Impacts:

There are no anticipated financial impacts due to the approval of this resolution.

Recommendation:

Staff respectfully recommends to the City Council to approve Resolution 2015-064 establishing definition of Gross Revenue for Utility Operators Privilege Tax under FY2015-16 Schedule of Master Fees and Charges.



RESOLUTION 2015-064

ESTABLISHING DEFINITION OF GROSS REVENUE FOR UTILITY OPERATORS PRIVILEGE TAX UNDER FY 2015-16 SCHEDULE OF MASTER FEES AND CHARGES

WHEREAS, Sherwood Municipal Code Chapter 12.16 requires every utility operator, except those utility operators with a valid franchise agreement from the city, to obtain a license from the city to construct, place or locate any utility facilities in the rights of way of the City (“ROW”); and

WHEREAS, Chapter 12.16 also requires every utility operator to pay a privilege tax for use of the rights of way in an amount set by Resolution of the City Council, which privilege tax payment is reduced by any franchise fees paid pursuant to a franchise agreement; and

WHEREAS, Chapter 12.16.120 describes the privilege tax as a percentage of gross revenue, to include all revenue of any kind earned by providing service within the City (excluding uncollectable amounts), “unless the City Council, by resolution, determines otherwise;” and

WHEREAS, the City Council has determined that the definition of “gross revenue” adopted by the Oregon Public Utility Commission in OAR 860-022-0040(2) provides a more accurate and appropriate calculation of gross revenue for utilities that provide electrical services; and

WHEREAS, the purpose of this Resolution is to facilitate the administration of the FY2015-16 schedule of Master Fees and Charges as relates to the privilege tax imposed on utility service providers within the City.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. Approval. For purposes of calculating the privilege tax under the FY2015-16 schedule of Master Fees and Charges, Section D.2, gross revenue shall be defined as follows:

- A. For a telecommunications utility (as defined in ORS 759.005), gross revenue is defined in ORS 221.515.
- B. For an electric utility provider, gross revenue is defined in OAR 860-022-0040(2).
- C. For all other utility providers, gross revenue is defined in SMC 12.16.120.A.1.

Section 2. Effective Date. This Resolution shall take effect after its approval and adoption.

Duly passed by the City Council this 4th day of August, 2015.

Krisanna Clark, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Julie Blums, Finance Director
Through: Joseph Gall, ICMA-CM, City Manager

SUBJECT: Resolution 2015-065, Appointing Paul Mayer to Budget Committee and Resolution 2015-066, Appointing Bill Middleton to the Budget Committee

Issue:

Should the City Council adopt legislation appointing Paul Mayer and Bill Middleton to the Budget Committee?

Background:

The Budget Committee consists of the City Council and seven Sherwood citizens. There are currently two positions open on the Budget Committee. The City received seven applications to serve on the Committee. Andy McConnell, Citizen Member of the Budget Committee, and I interviewed four of the candidates, and Mayor Clark held second interviews for three of those candidates.

Mayor Clark recommends that Paul Mayer and Bill Middleton be appointed to the Budget Committee to serve a three year term ending June 30, 2018.

Financial Impacts:

None

Recommendation:

City Council consideration of Resolution 2015-065 appointing Paul Mayer to the Budget Committee and Resolution 2015-066 appointing Bill Middleton to the Budget Committee.



RESOLUTION 2015-065

APPOINTING PAUL MAYER TO THE BUDGET COMMITTEE

WHEREAS, there are two vacancies on the Budget Committee for citizen members; and

WHEREAS, the City advertised the vacancies and received seven applications for consideration; and

WHEREAS, Paul Mayer was interviewed by Mayor Clark, the Council liaison to the Budget Committee, Finance Director Julie Blums, and Budget Committee Citizen member Andy McConnell; and

WHEREAS, Paul Mayer was endorsed by Mayor Clark.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. Paul Mayer is hereby appointed to the Budget Committee for a three year term pursuant to ORS 294.414 (5), with a term ending June 30, 2018.

Section 2. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 4th day of August 2015.

Krisanna Clark, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder



RESOLUTION 2015-066

APPOINTING BILL MIDDLETON TO THE BUDGET COMMITTEE

WHEREAS, there are two vacancies on the Budget Committee for citizen members; and

WHEREAS, the City advertised the vacancies and received seven applications for consideration; and

WHEREAS, Bill Middleton was endorsed by Mayor Clark.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. Bill Middleton is hereby appointed to the Budget Committee for a three year term pursuant to ORS 294.414 (5), with a term ending June 30, 2018.

Section 2. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 4th day of August 2015.

Krisanna Clark, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Joseph Gall, ICMA-CM, City Manager

Through: Craig Sheldon, Public Works Director and Julie Blums, Finance Director

SUBJECT: Resolution 2015-067, beginning the Process to Eliminate the Water Rate Increase Approved on June 16, 2015

Issue:

Shall the City Council begin the process to eliminate the water rate increase approved on June 16, 2015?

Background:

On April 21, 2015, the Sherwood City Council held a work session that included a presentation of a recent Water Rate Study from city staff and our consultant, Galardi Rothstein Group. The purpose of the study was to assist the City in developing a new water system financial plan and SDC methodology to fund ongoing operational costs and the capital improvements identified in the recently completed Water System Master Plan Update.

One of the key recommendations of the Water Rate Study is that a series of rate increases will be necessary to generate the revenues required to support the proposed capital financing and fund ongoing operation and maintenance costs, including increases in water purchase costs at the Willamette River Water Treatment Plant in Wilsonville. The study recommends annual rate increases of 4% each year for the period of FY2015-16 to FY2019-20 and 5% each year for the period of FY2020-21 to FY2024-25.

As part of the annual update to the City's Fee Schedule that is always reviewed and updated in June each year, the City Council approved a 4% increase in both the base and consumption water rates based on the updated Water Master Plan and Rate Study through the passage of Resolution 2015-055 on June 16, 2015. This water rate increase, as well as all other changes within our Fee Schedule, went into effect on July 1, 2015.

At the July 7, 2015 meeting of the City Council, a motion was approved directing City staff to bring forward a new resolution eliminating the 4% increase in water rates. This resolution for your consideration is a result of this Council directive.

Another work session to discuss the Water Rate Study, and in particular, the recent 4% rate increase that went into effect on July 1, 2015, is scheduled before the regular City Council meeting on August 4, 2015. Deb Galardi from the Galardi Rothstein Group will be in attendance at both the work session and regular City Council meeting to respond to questions about the Water Rate

Study (attached as Exhibit A) and the potential implications of eliminating the recent water rate increase.

Financial Impacts:

If the recent water rate increase of 4% is eliminated, there are a number of significant financial risks to the water utility for the City of Sherwood, including:

- Within the next few years, debt service coverage requirements may not be met which would put the City out of compliance with State requirements.
- Non-compliance with debt coverage can result in a reduced bond rating which will affect all future debt borrowings for the City, not just the Water Fund.
- Insufficient funds would be available to pay for the capital projects that are not SDC eligible; which could put the City in violation of Intergovernmental Agreement's with other agencies that are partners in the water system.
- Within the next few years, there is significant risk that there will not be enough revenue to cover ongoing operations and maintenance costs of the water system.

The City hired an outside expert to assist in developing a water system financial plan that ensures that we can meet both short-term and long-term needs for our water system. The City Council was presented with that plan back in April, 2015 and approved the first rate increase for the water fund in three years in June, 2015. While it is always difficult to raise rates on our customers, the City Council made the prudent, fiscally-responsible decision to begin implementing the water system financial plan. Reversing that decision at this juncture essentially "kicks the can down the road" and risks higher rate increases in future years.

Recommendation:

Staff respectfully recommends to the City Council to not approve Resolution 2015-067 beginning the legislative process to eliminate the water rate increase approved on June 16, 2015.

Attachment:

- Water Rate Study, June 2015

Water Rate Study

Prepared for:



Prepared by:

Galardi Rothstein Group



JUNE 2015

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1.0 Introduction

1.1 Authorization and Purpose

The City of Sherwood (the City) authorized Galardi Rothstein Group to conduct a Water Rate and System Development Charge (SDC) Study in 2014. The purpose of the study was to assist the City in developing a new water system financial plan and SDC methodology to fund the capital improvements identified in the recently completed Water System Master Plan Update (Murray, Smith & Associates, February 2015).

The results of the water SDC analysis were documented in a methodology report dated April 14, 2015. This report presents the results of the water rate study.

1.2 Report Organization

The purpose of this report is to document the technical methodology and assumptions used to develop projected annual revenue adjustments for the water system.

The following additional sections are included in this report:

- Section 2, Financial Plan, presents the projected costs and revenue requirements from rates for the period fiscal year (FY) 2014/15 through FY2024/25.
- Section 3, Conclusions, summarizes the key findings and recommendations related to the water rates, and provides a comparison with other communities.

2.0 Financial Plan

2.1 Introduction

This section presents the water system financial plan. The financial plan provides the framework within which to analyze the overall impact on water rates of implementing the near-term capital improvements recommended in the Water System Master Plan Update (Master Plan), along with continued operation and maintenance of the system. The building blocks of the financial plan are the projections of costs or “revenue requirements” that the City will incur during the planning period and the revenues, under existing rates, that the City expects to generate during the same period.

In order to develop adequate revenues from water rates, the annual revenue requirements of the system must be determined. The basic revenue requirements are composed of the following:

- Operation and maintenance (O&M) costs;
- Annual capital improvement projects funded by rates and reserves (cash outlays or pay as you go capital), and;
- Debt service expenditures (principal and interest on long-term debt).

Revenue requirements are presented for the current fiscal year (FY2014/15) through FY2024/25.

2.2 Key Forecast Assumptions

The financial plan is based on a set of overall assumptions related to customer growth, inflation, and other factors, as well as the phasing of the water system Capital Improvement Plan (CIP). The following is a list of key assumptions used in the forecast:

- Annual customer growth is estimated to average 0.5 percent throughout the study period, reflecting recent trends.¹
- O&M costs are based on the current (FY2014/15) budget, adjusted for one-time expenses (e.g., installation of automatic meter reading technology) and cost escalation (a combination of inflation and system growth). Specific escalation factors used are:
 - Personnel costs – 5.0%
 - Material and service costs – 3.0%
 - Willamette River Water Treatment Plan production costs – 3.5%
 - General cost escalation rate (for non-specified categories)– 3.0%
 - Franchise fees – 5% of annual sales revenue

¹ The financial analysis uses a more conservative growth estimate compared to the Master Plan in the short run; the latter of which is based on the Regional Government Metro’s growth forecast. It is appropriate in the financial analysis to base customer growth assumptions on more recent growth trends, in order to more accurately project revenue in the short-term.

- Future capital costs are increased at an annual rate of 3.0%.
- Non-rate revenues are escalated at 1.5% annually.
- Water consumption per account will continue to decline, consistent with recent trends locally and nationally. Specifically, reductions in the average use per account are estimated based on the following factors:
 1. A water conservation adjustment of 0.5%-1.0% annually is assumed due to water conservation education (regionally and nationally), and installation of low-flow plumbing fixtures.
 2. An elasticity of demand factor equal to -1.00 is assumed for all rate increases (i.e. for every 10% increase in rates, consumption will decrease 1.0%)
- Revenues from revised SDCs are projected to average – based on the projected number of new customers and the updated system development charge-- about \$200,000 per year during the study period.
- Interest earnings on fund balances and reserves are estimated to accrue at a rate of 0.5% annually.
- The City will target to maintain a minimum operating fund balance of at least 45 days of operating expense (the minimum industry standard). A separate maintenance reserve will be maintained and escalated by \$30,000 per year.

Each component of the baseline financial projection is discussed in more detail below.

2.3 Operations and Maintenance Costs

Operation and maintenance costs include all costs associated with operating and maintaining the system, including personnel, materials and services, and routine capital outlay. Water system O&M costs are projected for the study period based on the City’s FY2014/15 budget and the assumed escalation rates presented previously, as well as reductions to recognize one-time expenses that will not continue in the forecast period (primarily reduction of \$600,000 associated with the installation of automatic meter reading technology which will be completed in FY2015/16.)

Table 2-1 provides a summary of projected O&M costs for the water system for FY2014/15 through FY 2024/25. Water O&M costs are about \$3.3 million currently²; future O&M costs are projected to increase to about \$3.8 million in FY2024/25.

² Excludes budgeted operating cost contingency

Table 2-1
 City of Sherwood
 Water System Financial Plan
 Summary of Forecasted Operations and Maintenance Costs

Item	Budget FY 2014-15	Forecast FY 2015-16	Forecast FY 2016-17	Forecast FY 2017-18	Forecast FY 2018-19	Forecast FY 2019-20	Forecast FY 2020-21	Forecast FY 2021-22	Forecast FY 2022-23	Forecast FY 2023-24	Forecast FY 2024-25
Personnel Services	\$588,781	\$618,220	\$649,131	\$681,588	\$715,667	\$751,450	\$789,023	\$828,474	\$869,898	\$913,393	\$959,062
Materials and Services	2,461,660	2,348,178	1,912,575	1,979,736	2,048,848	2,119,977	2,197,703	2,277,970	2,360,652	2,446,577	2,537,122
Equipment	5,000	5,150	5,305	5,464	5,628	5,796	5,970	6,149	6,334	6,524	6,720
Reimbursement	249,000	256,470	264,164	272,089	280,252	288,659	297,319	306,239	315,426	324,889	334,635
Capital Outlay	25,000	25,750	26,523	27,318	28,138	28,982	29,851	30,747	31,669	32,619	33,598
Total O&M Costs	\$3,329,441	\$3,253,768	\$2,857,697	\$2,966,194	\$3,078,532	\$3,194,865	\$3,319,867	\$3,449,579	\$3,583,978	\$3,724,002	\$3,871,137

2.4 Capital Costs

Future capital expenditures for the water system are based on the Master Plan, which identifies \$21.4 million (2015 dollars) in system improvements for the next 10 years. **Table 2-2** provides a summary of the 10-year CIP; the costs in Table 2-2 are adjusted for inflation, consistent with recent construction cost trends. As shown in Table 2-2, about half of the CIP projects during the study period relate to the City’s share of upgrade and expansion of the Willamette River Water Treatment Plant (WRWTP), and the other half are improvements to the City’s water distribution system.

Table 2-2
 City of Sherwood
 Water System Financial Plan
 10-year Capital Improvement Plan (adjusted for inflation)

Project	Total
WRWTP Upgrades (achieve max 15 mgd)	\$1,186,133
WRWTP purchase (5 mgd intake capacity)	2,419,788
WRWTP Expansion (additional 5 mgd)	9,313,453
Well Projects	51,500
Distribution Projects	9,409,211
Main Replacements	590,390
PRV Projects	354,091
SCADA	79,568
Planning	584,663
Total	\$23,988,796

The Master Plan identifies projects in 5-year increments; however, for the purpose of the financial analysis, individual project timing for the first 5 years was developed by the project team. The second 5-year period assumes a level expenditure for each distribution project over the 5-year period; WRWTP project costs planned for the second 5-year period are assumed to require funding in FY2021/22. Based on the anticipated project schedules and an estimated annual capital cost escalation rate of 3.0%, the total, inflation-adjusted CIP over the 10-year planning period is almost \$24.0 million.

The projected funding sources for the CIP are shown in **Table 2-3**. Existing capital fund balance, SDC revenue, and minimal other sources are assumed to fund capital in the first 5-year period. Due to the significant requirements in the second 5-year period, additional debt proceeds of \$10.2 million (to fund improvements at the WRWTP), in conjunction with operating fund transfers and SDCs are assumed as funding sources.

Table 2-3
 City of Sherwood
 Water System Financial Plan
 10-year CIP Funding Sources

	First 5 Yrs.	2nd 5 Yrs.	10-Yr. Total
Capital Fund Sources			
Beginning Fund Balance	\$4,843,436	\$1,867	\$4,843,436
SDCs	1,050,000	1,000,000	2,050,000
Debt Proceeds	0	10,200,000	10,200,000
Operating Transfers	60,000	6,850,000	6,910,000
Other Revenue	74,149	978	75,127
Total Sources of Funds	\$6,027,585	\$18,052,845	\$24,078,563
Capital Fund Uses			
Capital Improvements ¹	5,988,218	18,000,578	\$23,988,796
Other Costs ²	37,500	37,500	75,000
Ending Balance	1,867	14,767	14,767
Total Uses of Funds	\$6,027,585	\$18,052,845	\$24,078,563

¹Adjusted for Inflation

²Includes personnel & materials & services

2.5 Revenues

Service (rate) revenues are generally the main source of funding for water system revenue requirements. Under state law, SDCs may not be used to fund O&M costs, and the portion of capital costs eligible for SDC funding is also limited³. Other revenue sources available to fund a portion of the annual revenue requirements for the water system include meter installation charges, interest income, and miscellaneous revenue.

2.5.1 Existing Water Rates

The City last modified rates in January 2012 (4 percent). The current rate schedule is shown in **Table 2-4**. The adopted rates include a monthly service charge based on meter size and customer class. A volume charge is assessed based on actual water usage. For residential customers, there volume charge is based on a 2-block inclining rate structure, where use up to 21,000 gallons is charged at \$0.51 per 100 gallons, and usage over 21,000 gallons is charge \$0.79 per 100 gallons. For commercial (including dedicated irrigation customers), all use is currently charged at \$0.57 per 100 gallons.

³ The improvement fee portion of SDC revenue may only be used to fund growth-related capital expenditures.

Table 2-4
 City of Sherwood
 Water System Financial Model
 Current Water Rates (FY2014/15)

Item	Residential	Commercial
Service Charge (\$/month)		
5/8-3/4"	\$18.74	\$19.37
3/4"	\$0.00	\$0.00
1"	\$23.17	\$23.95
1-1/2"	\$41.18	\$42.57
2"	\$59.88	\$61.90
3"	\$120.49	\$124.55
4"	\$205.87	\$212.80
6"	\$427.38	\$441.76
8"	\$791.08	\$817.70
10"	\$1,142.39	\$1,180.83
Customer Class		
	Block 1 (1st 21,000 gal)	Block 2 (Over 21,000 gal)
Volume Charge (\$/100 gal.)		
Commercial	\$0.57	\$0.57
Irrigation	\$0.57	\$0.57
Residential	\$0.51	\$0.79

2.5.2 Other Revenues

Other operating revenues, including interest income and meter installation charges, have also been projected for the study period. Other operating revenues are projected to total less than \$50,000 per year through the study period. As discussed previously, SDC revenues are projected to average approximately \$200,000. SDC revenues may only be spent on capital-related costs, including debt service.

2.6 Revenue Requirements from Rates

Table 2-5 shows how the current revenue from rates (about \$4.4 million) is distributed across major expense categories. Current O&M costs, net of nonrate revenues, represent 75 percent of revenue from rates in FY2014/15. After O&M costs, only \$1.1 million remains for capital-related costs. As shown in Table 2-5, existing debt service exceeds \$1.8 million, and the City budgeted transfers of \$400,000 in FY2014/15 to fund capital improvements. Therefore, over \$1.1 million of capital expenditures in the current budget is being supported by drawing down existing operating fund balances.

Projected requirements from rates are also shown in Table 2-5 - annually through FY2020/21, and for the last year of the 10-year period (FY2024/25). As mentioned previously, capital improvements in the first 5-year period are assumed to be funded primarily by existing capital fund balances (reserves) and SDC revenues. Therefore, additional transfers to capital projects are minimal until the FY2020/21-FY2024/25 period, when they will need to exceed \$1 million per year to fund the projected CIP. Debt service is also projected to increase by the end of the planning period, in order to fund the City's share of capital improvements at the WRWTP.

Table 2-5
 City of Sherwood
 Water System Financial Plan
 Revenue Requirements from Rates

	Budget FY 2014-15	Forecast FY 2015-16	Forecast FY 2016-17	Forecast FY 2017-18	Forecast FY 2018-19	Forecast FY 2019-20	Forecast FY 2020-21	Forecast FY 2024-25
Operation & Maintenance	\$3,304,441	\$3,228,018	\$2,831,175	\$2,938,876	\$3,050,394	\$3,165,883	\$3,290,015	\$3,837,539
Capital								
Transfers for Capital Improvements	400,000	0	0	0	0	60,000	1,300,000	1,450,000
Debt Service	1,837,668	1,839,667	1,836,468	1,839,017	1,836,117	1,838,518	1,840,118	2,738,188
Routine Capital Outlay	25,000	25,750	26,523	27,318	28,138	28,982	29,851	33,598
Subtotal Capital	2,262,668	1,865,417	1,862,990	1,866,335	1,864,255	1,927,500	3,169,969	4,221,786
Total Requirements	5,567,109	5,093,435	4,694,165	4,805,211	4,914,649	5,093,382	6,459,985	8,059,325
Less Nonrate Revenue	29,720	38,704	39,083	41,143	43,798	46,917	47,576	35,498
Net Requirements	5,537,389	5,054,731	4,655,082	4,764,068	4,870,851	5,046,466	6,412,408	8,023,827
Use of (Additions to) Fund Balance	1,151,072	315,490	(293,580)	(413,029)	(536,224)	(592,156)	450,352	626,252
Requirements from Rates	\$4,386,317	\$4,739,240	\$4,948,662	\$5,177,097	\$5,407,075	\$5,638,622	\$5,962,056	\$7,397,575

2.6.1 Projected Water Rate Increases

A series of rate increases will be necessary to generate the revenues required to support the proposed capital financing and fund ongoing operation and maintenance costs, including increases in water purchase costs at the WRWTP. The following rate adjustments are recommended to generate revenues approximating those shown in Table 2-5 (when customer growth and changes in water use are incorporated):

- FY2015/16 – 4% increase on all rate components (rounded up to \$0.02), with the exception of irrigation rates which are recommended to increase to the Block 2 residential rate (an increase of about 38%)
- FY2016/17 through FY2019/20 – 4% increase on all rate components (rounded up to \$0.02)
- FY2020/21 through FY2024/25 – 5% increase on all rate components (rounded up to \$0.02)

The proposed rate schedule is included in Appendix A. To the extent that actual key variables differ from those projected in this financial plan, it may be necessary to modify the rate increase schedule.

2.7 Financial Performance Targets

Table 2-6 presents the expected changes in fund balance for the City's operating and capital funds for the 10-year period ending June 30, 2025. Table 2-7 presents the forecast operating results for the same period.

Fund Balances

As shown in Table 2-6, the City's beginning operating fund balance in FY2014/15 was almost \$4.4 million. A portion of fund balance is reserved for a maintenance reserve (\$100,000 currently, and forecast to grow \$30,000 per year over the forecast period). The forecast revenue requirements also include an operating contingency of 45 days of O&M, which is on the lower end of industry standards. However, the fund balances are not projected to reach minimum levels until the second half of the forecast period, as the City will need to transfer current reserves to fund projected capital projects current planned for the latter part of the planning period.

Debt Service Coverage

Lending agencies generally require a minimum debt service coverage ratio of 1.2 times annual average debt. Net revenues available to pay debt service are calculated as operating revenues minus operating expenses. The City currently has only subordinate debt and full faith and credit obligations (the latter, not subject to coverage requirements). As shown in Table 2-7, the City's subordinate debt service coverage is expected to exceed the minimum requirements during the study period. Future senior lien debt has been assumed for the improvement at the WRWTP. As specific debt financing is secured, the City should revisit the financial forecast.

Table 2-6

City of Sherwood
Water System Financial Model
Sources and Uses of Funds

	Budget FY 2014-15	Forecast FY 2015-16	Forecast FY 2016-17	Forecast FY 2017-18	Forecast FY 2018-19	Forecast FY 2019-20	Forecast FY 2020-21	Forecast FY 2021-22	Forecast FY 2022-23	Forecast FY 2023-24	Forecast FY 2024-25
Operating Fund											
Sources of Funds											
<i>Beginning Balance</i>	\$4,209,981	\$3,058,909	\$2,743,419	\$3,036,999	\$3,450,028	\$3,986,252	\$4,578,408	\$4,128,056	\$3,378,192	\$2,379,020	\$1,545,721
Water Service Revenues	4,386,317	4,739,240	4,948,662	5,177,097	5,407,075	5,638,622	5,962,056	6,294,879	6,633,159	6,992,065	7,397,575
Non-Rate Revenues	9,720	20,000	20,300	20,605	20,914	21,227	21,546	21,869	22,197	22,530	22,868
Interest Earned, Operating Fund	20,000	18,704	18,783	20,538	22,884	25,690	26,031	24,145	20,888	16,296	12,631
Total Sources of Funds	\$8,626,018	\$7,836,854	\$7,731,164	\$8,255,239	\$8,900,900	\$9,671,790	\$10,588,041	\$10,468,949	\$10,054,435	\$9,409,911	\$8,978,794
Uses of Funds											
O&M Costs: Personnel Services	\$588,781	\$618,220	\$649,131	\$681,588	\$715,667	\$751,450	\$789,023	\$828,474	\$869,898	\$913,393	\$959,062
O&M Costs: Materials, Supplies & Equip	2,466,660	2,353,328	1,917,879	1,985,199	2,054,475	2,125,773	2,203,674	2,284,120	2,366,985	2,453,101	2,543,841
O&M Reimbursements	249,000	256,470	264,164	272,089	280,252	288,659	297,319	306,239	315,426	324,889	334,635
Capital Outlay	25,000	25,750	26,523	27,318	28,138	28,982	29,851	30,747	31,669	32,619	33,598
Transfer to Capital Improvement Fund	400,000	0	0	0	0	60,000	1,300,000	1,350,000	1,350,000	1,400,000	1,450,000
Debt Service	1,837,668	1,839,667	1,836,468	1,839,017	1,836,117	1,838,518	1,840,118	2,291,178	2,741,437	2,740,188	2,738,188
<i>Ending Fund Balance</i>	<i>2,525,187</i>	<i>2,185,444</i>	<i>2,497,950</i>	<i>2,867,701</i>	<i>3,360,176</i>	<i>3,908,094</i>	<i>3,412,438</i>	<i>2,616,692</i>	<i>1,571,064</i>	<i>690,619</i>	<i>16,348</i>
Contingency	403,722	397,975	349,049	362,327	376,076	390,314	405,618	421,500	437,956	455,102	473,121
Maintenance Reserve	130,000	160,000	190,000	220,000	250,000	280,000	310,000	340,000	370,000	400,000	430,000
Total Uses of Funds	\$8,626,018	\$7,836,854	\$7,731,164	\$8,255,239	\$8,900,900	\$9,671,790	\$10,588,041	\$10,468,949	\$10,054,435	\$9,409,911	\$8,978,794
Capital Improvements Fund											
Sources of Funds											
<i>Beginning Balance</i>	\$4,211,200	\$4,843,436	\$4,782,401	\$4,193,121	\$2,562,315	\$906,376	\$1,867	\$17,372	\$80,003	\$55,847	\$34,568
Interest	0	24,005	22,383	16,846	8,650	2,265	48	243	339	225	123
Transfer in from Operating Fund	400,000	0	0	0	0	60,000	1,300,000	1,350,000	1,350,000	1,400,000	1,450,000
SDC & TIF charges	370,000	\$250,000	\$200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
Revenue Bond Proceeds	0	0	0	0	0	0	0	10,200,000	0	0	0
Intergovernmental	2,415	0	0	0	0	0	0	0	0	0	0
Total Sources of Funds	\$4,983,615	\$5,117,441	\$5,004,783	\$4,409,968	\$2,770,966	\$1,168,641	\$1,501,915	\$11,767,615	\$1,630,342	\$1,656,073	\$1,684,691
Uses of Funds											
Salaries	\$11,996	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Benefits	5,648	-	-	-	-	-	-	-	-	-	-
M&S	115,035	-	-	-	-	-	-	-	-	-	-
Admin Overhead	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500
Capital Improvement Expenditures	-	327,540	804,162	1,840,152	1,857,090	1,159,274	1,477,043	11,680,112	1,566,995	1,614,004	1,662,425
<i>Ending Fund Balance</i>	<i>4,843,436</i>	<i>4,782,401</i>	<i>4,193,121</i>	<i>2,562,315</i>	<i>906,376</i>	<i>1,867</i>	<i>17,372</i>	<i>80,003</i>	<i>55,847</i>	<i>34,568</i>	<i>14,767</i>
Total Uses of Funds	\$4,983,615	\$5,117,441	\$5,004,783	\$4,409,968	\$2,770,966	\$1,168,641	\$1,501,915	\$11,767,615	\$1,630,342	\$1,656,073	\$1,684,691

Table 2-7
 City of Sherwood
 Water System Financial Model
Projected Senior and Subordinate Debt Service Coverage

	Budget FY 2014-15	Forecast FY 2015-16	Forecast FY 2016-17	Forecast FY 2017-18	Forecast FY 2018-19	Forecast FY 2019-20	Forecast FY 2020-21	Forecast FY 2021-22	Forecast FY 2022-23	Forecast FY 2023-24	Forecast FY 2024-25
Water Service Revenue	\$4,386,317	\$4,739,240	\$4,948,662	\$5,177,097	\$5,407,075	\$5,638,622	\$5,962,056	\$6,294,879	\$6,633,159	\$6,992,065	\$7,397,575
Other Operating Revenue											
Non-Rate Revenue	9,720	20,000	20,300	20,605	20,914	21,227	21,546	21,869	22,197	22,530	22,868
SDC Revenue	370,000	250,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
Interest Earned	20,000	42,709	41,166	37,385	31,534	27,955	26,079	24,388	21,227	16,522	12,754
Total Operating Revenue	\$4,786,037	\$5,051,950	\$5,210,128	\$5,435,087	\$5,659,523	\$5,887,804	\$6,209,681	\$6,541,136	\$6,876,583	\$7,231,117	\$7,633,196
Operations & Maintenance	3,329,441	3,253,768	2,857,697	2,966,194	3,078,532	3,194,865	3,319,867	3,449,579	3,583,978	3,724,002	3,871,137
Adjustment Out: Capital Outlay	(25,000)	(25,750)	(26,523)	(27,318)	(28,138)	(28,982)	(29,851)	(30,747)	(31,669)	(32,619)	(33,598)
Total Operating Expenses	\$3,304,441	\$3,228,018	\$2,831,175	\$2,938,876	\$3,050,394	\$3,165,883	\$3,290,015	\$3,418,832	\$3,552,309	\$3,691,382	\$3,837,539
Net Revenue Available for Sr Lien Debt	1,481,596	1,823,931	2,378,953	2,496,211	2,609,129	2,721,921	2,919,665	3,122,303	3,324,274	3,539,734	3,795,658
Existing Senior Lien Debt	0	0	0	0	0	0	0	0	0	0	0
New Senior Lien Debt	0	0	0	0	0	0	0	450,260	900,520	900,520	900,520
Total Senior Lien Debt Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$450,260	\$900,520	\$900,520	\$900,520
Senior Lien Debt Service Coverage	NA	NA	NA	NA	NA	NA	NA	6.93	3.69	3.93	4.21
Net Revenue Available for Subordinate Debt	1,481,596	1,823,931	2,378,953	2,496,211	2,609,129	2,721,921	2,919,665	2,672,043	2,423,753	2,639,214	2,895,137
Existing Subordinate Debt	858,949	858,948	858,949	858,948	858,948	858,949	858,949	858,949	858,948	858,949	858,949
New Subordinate Debt	-	-	-	-	-	-	-	-	-	-	-
Total Subordinate Debt Service	\$858,949	\$858,948	\$858,949	\$858,948	\$858,948	\$858,949	\$858,949	\$858,949	\$858,948	\$858,949	\$858,949
Subordinate Coverage (w/SDCs)	1.72	2.12	2.76	2.90	3.03	3.16	3.39	3.11	2.82	3.07	3.37
Subordinate Coverage (w/out SDCs)	1.29	1.83	2.54	2.67	2.80	2.94	3.17	3.40	3.64	3.89	4.19
Total Debt	1,837,668	1,839,667	1,836,468	1,839,017	1,836,117	1,838,518	1,840,118	2,291,178	2,741,437	2,740,188	2,738,188
Total Debt Coverage	0.81	0.99	1.30	1.36	1.42	1.48	1.59	1.36	1.21	1.29	1.39

3.0 Conclusions

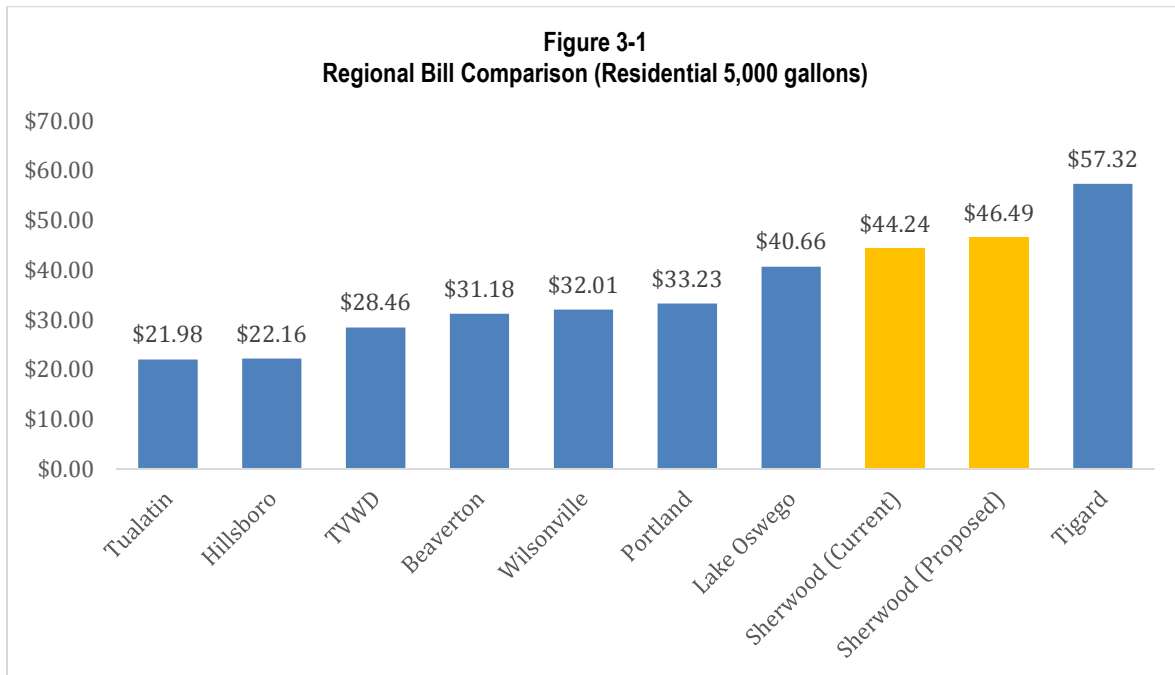
3.1 Rate and Revenue Increases

In FY2014/15, revenue from existing rates is estimated to be \$4.4 million; rate revenue requirements are projected to increase to \$5.6 million by FY2019/20, and over \$7.0 million in FY2024/25. The growth in revenue requirements is attributed to ongoing increases in O&M expenses (primarily annual contract costs at the WRWTP), as well as increases in cash outlays and debt service to fund the capital expenditures identified in the Master Plan.

To fund the projected revenue requirements, and to maintain cash reserves consistent with industry standards, the following rate increases are recommended:

- FY2015/16 – 4% increase on all rate components (rounded up to \$0.02), with the exception of irrigation rates which are recommended to increase to the Block 2 residential rate (an increase of about 38%)
- FY2016/17 through FY2019/20 – 4% increase on all rate components (rounded up to \$0.02)
- FY2020/21 through FY2024/25 – 5% increase on all rate components (rounded up to \$0.02)

A comparison of the City’s current and proposed FY2015/16 water bill for a typical residential customer (5,000 gallon consumption) is shown in Figure 3-1.



3.2 Financial Plan Updating

The financial plan presented in this report is based on available information on revenue, expenditures, customer accounts, and water use as of December 2014. There will usually be differences between assumed and actual conditions because events and circumstances frequently do not occur as expected, and those differences may be significant. Therefore, it is important that the City continue to monitor the financial plan annually, and make adjustments as needed.

Among the variables that could impact future rate increases are changes in customer growth and water consumption patterns. Over the past several years, the City has observed fluctuating water use per account. The financial plan assumes modest customer growth averaging 0.5% per year over the forecast period, and reductions in water use per account as a result of water conservation and price elasticity (reductions in use, in response to increasing prices).

Key assumptions related to capital funding are:

1. The City will secure favorable borrowing terms for the WRWTP expansion (currently estimated in FY2021/22) for approximately \$10 million.
2. The City will increase rates in order to build additional cash funding capacity for improvements to the water distribution system, including pipe replacement.

Appendix A												
City of Sherwood												
Water System Financial Model												
<i>Current & Proposed Water Rates</i>												
Item	Current FY 2014-15	Proposed FY 2015-16	Forecast FY 2016-17	Forecast FY 2017-18	Forecast FY 2018-19	Forecast FY 2019-20	Forecast FY 2020-21	Forecast FY 2021-22	Forecast FY 2022-23	Forecast FY 2023-24	Forecast FY 2024-25	
Service Charge -Residential												
5/8-3/4"	\$18.74	\$19.49	\$20.27	\$21.09	\$21.94	\$22.82	\$23.97	\$25.17	\$26.43	\$27.76	\$29.15	
1"	\$23.17	\$24.10	\$25.07	\$26.08	\$27.13	\$28.22	\$29.64	\$31.13	\$32.69	\$34.33	\$36.05	
1-1/2"	\$41.18	\$42.83	\$44.55	\$46.34	\$48.20	\$50.13	\$52.64	\$55.28	\$58.05	\$60.96	\$64.01	
2"	\$59.88	\$62.28	\$64.78	\$67.38	\$70.08	\$72.89	\$76.54	\$80.37	\$84.39	\$88.61	\$93.05	
3"	\$120.49	\$125.31	\$130.33	\$135.55	\$140.98	\$146.62	\$153.96	\$161.66	\$169.75	\$178.24	\$187.16	
4"	\$205.87	\$214.11	\$222.68	\$231.59	\$240.86	\$250.50	\$263.03	\$276.19	\$290.00	\$304.50	\$319.73	
6"	\$427.38	\$444.48	\$462.26	\$480.76	\$500.00	\$520.00	\$546.00	\$573.30	\$601.97	\$632.07	\$663.68	
8"	\$791.08	\$822.73	\$855.64	\$889.87	\$925.47	\$962.49	\$1,010.62	\$1,061.16	\$1,114.22	\$1,169.94	\$1,228.44	
10"	\$1,142.39	\$1,188.09	\$1,235.62	\$1,285.05	\$1,336.46	\$1,389.92	\$1,459.42	\$1,532.40	\$1,609.02	\$1,689.48	\$1,773.96	
Service Charge -Non-Residential												
5/8-3/4"	\$19.37	\$20.15	\$20.96	\$21.80	\$22.68	\$23.59	\$24.77	\$26.01	\$27.32	\$28.69	\$30.13	
1"	\$23.95	\$24.91	\$25.91	\$26.95	\$28.03	\$29.16	\$30.62	\$32.16	\$33.77	\$35.46	\$37.24	
1-1/2"	\$42.57	\$44.28	\$46.06	\$47.91	\$49.83	\$51.83	\$54.43	\$57.16	\$60.02	\$63.03	\$66.19	
2"	\$61.90	\$64.38	\$66.96	\$69.64	\$72.43	\$75.33	\$79.10	\$83.06	\$87.22	\$91.59	\$96.17	
3"	\$124.55	\$129.54	\$134.73	\$140.12	\$145.73	\$151.56	\$159.14	\$167.10	\$175.46	\$184.24	\$193.46	
4"	\$212.80	\$221.32	\$230.18	\$239.39	\$248.97	\$258.93	\$271.88	\$285.48	\$299.76	\$314.75	\$330.49	
6"	\$441.76	\$459.44	\$477.82	\$496.94	\$516.82	\$537.50	\$564.38	\$592.60	\$622.23	\$653.35	\$686.02	
8"	\$817.70	\$850.41	\$884.43	\$919.81	\$956.61	\$994.88	\$1,044.63	\$1,096.87	\$1,151.72	\$1,209.31	\$1,269.78	
10"	\$1,180.83	\$1,228.07	\$1,277.20	\$1,328.29	\$1,381.43	\$1,436.69	\$1,508.53	\$1,583.96	\$1,663.16	\$1,746.32	\$1,833.64	
Volume Charge												
Commercial	\$0.57	\$0.60	\$0.63	\$0.66	\$0.69	\$0.72	\$0.76	\$0.80	\$0.84	\$0.89	\$0.94	
Irrigation	\$0.57	\$0.83	\$0.87	\$0.91	\$0.95	\$0.99	\$1.04	\$1.10	\$1.16	\$1.22	\$1.29	
Multifamily - Block 1	\$0.51	\$0.54	\$0.57	\$0.60	\$0.63	\$0.66	\$0.70	\$0.74	\$0.78	\$0.82	\$0.87	
Multifamily - Block 2	\$0.79	\$0.83	\$0.87	\$0.91	\$0.95	\$0.99	\$1.04	\$1.10	\$1.16	\$1.22	\$1.29	
Residential - Block 1	\$0.51	\$0.54	\$0.57	\$0.60	\$0.63	\$0.66	\$0.70	\$0.74	\$0.78	\$0.82	\$0.87	
Residential - Block 2	\$0.79	\$0.83	\$0.87	\$0.91	\$0.95	\$0.99	\$1.04	\$1.10	\$1.16	\$1.22	\$1.29	



RESOLUTION 2015-067

**TO BEGIN THE PROCESS TO ELIMINATE THE WATER RATE INCREASE
APPROVED ON JUNE 16, 2015**

WHEREAS, Sherwood City Council adopted a new fee schedule on June 16, 2015 by approval of Resolution 2015-055; and

WHEREAS, one of the fees that was adopted in Resolution 2015-055 was a 4% increase in both the base and consumption water rates based on the updated Water Master Plan and Rate Study; and

WHEREAS, the new fee for water rates became effective on July 1, 2015; and

WHEREAS, at the regular City Council meeting held on July 7, 2015, City Council approved a motion directing City staff to bring forward a new resolution eliminating the 4% increase in water rates; and

WHEREAS, this proposed resolution begins the process to eliminate this recent increase in water rates; and

WHEREAS, upon approval of this proposed resolution by the City Council, City staff would begin the process to amend the Fee Schedule and hold a public hearing at the next regular City Council meeting.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. Staff shall prepare legislation to eliminate the 4% water rate increase adopted in Resolution 2015-055 and schedule a public hearing at the next regular City Council meeting to allow the public an opportunity to provide testimony.

Section 2. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 4th day of August 2015.

Krisanna Clark, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Brad Kilby, Planning Manager

Through: Joseph Gall, ICMA-CM, City Manager, Tom Pessemier, Assistant City Manager and Julia Hajduk, Community Development Director

SUBJECT: Resolution 2015-068, Calling an Election on and approving a ballot title, summary, and Explanation Statement for the Annexation of 8 Tax Lots Comprising 84.21 Acres of Land in the Brookman Road Plan Area for the November 3, 2015 Election

Issue:

Shall the City Council approve a resolution calling an Election on and approving a ballot title, summary, and Explanation Statement for the Annexation of 8 Tax Lots Comprising 84.21 Acres of Land in the Brookman Road Plan Area for the November 3, 2015 Election?

Summary:

The attached resolution will call for an election and approve a Ballot Title and Explanatory Statement for a potential annexation of 84.21 acres in the Brookman Concept Plan area (Area 54-55). There are two annexation methods used by the City: owner-initiated annexation and City-initiated annexation. In this case, The Holt Group, Inc., on behalf of the owners of 6 tax parcels within the area, initiated the annexation of 8 tax parcels under the Triple Majority Method. During the public comment period, the owners of four additional tax lots requested that their property be added to the petition. The Holt Group, Inc. indicated that they didn't want to stop the process to add the additional properties, but they would not object to the properties being added either if the property owners petitioned the City and the Council decided to accommodate the request.

The Triple Majority Method, authorized by ORS 222.170, requires that the majority of the owners, owning the majority of the land within the area, and the majority of the assessed value petition for annexation. Since all annexations must be approved by the City of Sherwood voters, the Council needs to vote whether to place the issue on the upcoming November ballot. If the Council approves this resolution, the item will be placed on the ballot for the November 3, 2015 election.

Previous Council Actions:

In 2013, the City Council placed a similar request from some of the same property owners onto the ballot. That measure failed in the November 2013 election.

Background/Problem Discussion:

There are currently only 95 residentially zoned buildable acres within the City limits, and a continued demand for new housing by incoming residents. The City of Sherwood approved the concept plan for the Brookman Plan area in 2009 via Ordinance 2009-004. The area remains in Washington County and under County jurisdiction until annexation. Urban development within the area cannot occur until annexation occurs. If the annexation is successful, additional land will be added to the City for the purposes of residential development in either the Medium Density Residential Low or the Medium Density Residential High zoning classifications. Staff has

reviewed the proposed annexation and, as described in detail in the attached staff report, recommends approval. However it is recognized that there are several key questions which are not truly technical in nature and the Council will need to consider in making its decision on whether to approve the annexation:

- Would annexation of this area negatively or positively affect the quality or quantity of urban services?
- Does annexation of the area encourage or discourage development within the existing City and, if so, is that desirable for the Community or not?
- Does the annexation support the orderly transition from rural to urban?

Alternatives:

The City Council could choose not to approve the resolution, thereby eliminating the possibility of a November 2015 vote on the annexation. The next possible election date would be March 2016 with a special election.

The Council could chose to approve the annexation and the additional parcels requested for inclusion. In the event this option is chosen, staff has prepared and alternative resolution which is also attached to this staff report.

Financial Implications:

There are upfront and staff costs associated with processing an annexation. Under property-owner initiated annexations, the property owner pays 100% of costs associated with the annexation, including staff time. The landowners have paid a deposit of \$7,500 to initiate this annexation. This cost includes staff time, filing fees, mailings, ballot costs, notice costs and professional services for the review of the applicant's submitted items.

If annexation were to occur, the area would be brought into the City limits and begin contributing to the City's tax base. While it is impossible to determine what the future assessed value of new homes built in the area will be, as an example from the City's FY15-16 budget document (pg 27) illustrates that the average property tax on a \$300,000 home will be approximately \$5,654. While the City portion of that is only 15% it is clear that development in the area will bring in additional tax revenues to the City and other taxing districts.


Costs associated with developing the area would most likely be fully born by the developer either by upfront development (constructing new roads for example) or paying system development charges for parks, streets, sanitary, storm and water.

Recommendation and Proposed Motion:

Staff respectfully recommends that the City Council adopt the attached resolution calling for an election and approving a Ballot Title and Explanatory Statement for the proposed annexation.

Attachments:

- Staff Report for Brookman Annexation with Exhibits A-I
- Alternate Resolution in the event Council determines to include additional parcels as requested.

Signed: 
Brad Kilby AICP, Planning Manager

Proposal: The applicant is proposing to annex the property under the triple majority annexation method. This means property owners within the proposed annexation area, who own the majority of land, and the majority of the assessed value of approximately 84.21 acres, including the Brookman Road right-of-way, are proposing to annex their land into the City of Sherwood. The proposal includes eight individual properties. Owners of five of the eight properties have signed petitions indicating their intent to annex into the City.

I. BACKGROUND

- A. Applicant: **The Holt Group, Inc.**
2601 NE 163rd Court
Vancouver, WA 98687
- B. Location: South of the existing Sherwood City limits, generally north of Brookman Road, east of Pacific Highway and west of Ladd Hill Road. A map of the project area is attached as Exhibit F and a list of tax lots, owners, and assessed values within the area to be annexed is included as Exhibit D.
- C. Review Type: An annexation is a legislative decision by the City Council and the City Charter requires a vote on annexation if approved by the City Council. Council approval of this request would place the issue before the voters on the November 2015 ballot. If approved by the City voters, the area subject to this application would come into the city limits upon acceptance of the election results by the City Council.
- D. Public Notice and Hearing: Notice of the August 4, 2015 City Council hearing on the proposed annexation was provided to affected agencies and service providers, posted in five public locations around town, posted in three locations in the subject vicinity. While ORS only required mailed notice within 250 feet, the City mailed notice to all property owners within 1,000 feet of the area proposed to be annexed. Notice of the hearing was also provided in the July 16, 2015 edition of The Times, and the August edition of the Gazette.
- E. Review Criteria: While the Oregon Revised Statutes (ORS 222) guide the process for annexations, there are no specific criteria for deciding city boundary changes within the statutes. Metro, the regional government for this area, has legislative authority to provide criteria for reviewing (Metro Code 3.09). In addition, the City of Sherwood Comprehensive Plan Growth Management policies for urbanization are applicable and are addressed within this report.

- F. History: The Brookman Area was brought into the Sherwood Urban Growth Boundary in 2002 via Metro Ordinance 02-0969B to provide for needed residential land. The entire Brookman area is comprised of 66 tax lots and approximately 258 acres. The area was concept planned between 2007 and 2009. In June 2009, via Ordinance 09-004 the City approved the concept plan and associated implementing comprehensive plan and map amendments. There have been two prior attempts to annex the area into the City. The first attempt was initiated by the City in 2011, and was intended to bring the entire area into the city limits at once. The measure required approval of both the citizens of Sherwood, and the registered voters in the Brookman Area. That ballot initiative failed within both the City (48.41% to 51.59%) and within the Brookman Area (21.27% to 78.72%).

The second attempt to annex land from the area into the City was initiated by a group of property owners that owned approximately 100 acres. The request was made under the triple majority annexation method, which meant that the majority of property owners who own a majority of land area and a majority of assessed value in the area petitioned to have the land annexed. That initiative did not require a vote of owners within the Brookman area, but it also did not obtain enough “yes” votes from voters within the City to pass (39.52% to 60.48%).

- G. Site Characteristics and Existing Zoning: The proposed annexation area includes eight tax lots totaling approximately 84.21 acres of land including the Brookman Road right-of-way. The area is bisected by the Cedar Creek corridor. A railroad line cuts through the northwest corner of the area proposed to be annexed. The area proposed to be annexed is gently to moderately sloped, heavily treed, and contains protected resource areas.

Currently, the property is zoned Future Development (FD-20) by Washington County. According to Washington County’s code, the FD-20 purpose statement is, “The FD-20 District applies to the unincorporated urban lands added to the urban growth boundary by Metro through a Major or Legislative Amendment process after 1998. The FD-20 District recognizes the desirability of encouraging and retaining limited interim uses until the urban comprehensive planning for future urban development of these areas is complete. The provisions of this District are also intended to implement the requirements of Metro’s Urban Growth Management Functional Plan.” The county has intentionally zoned this property so that development is limited until it is annexed into the City and developed under urban standards consistent with the adopted concept plan. Although the zoning allows for limited uses, it generally prohibits divisions of land that result in lots smaller than 20 acres.

In this instance, many of the lots in the area are already below 20 acres in size and was already being urbanized when it was rezoned FD-20 by Washington County. If the area is brought into the City, then the properties would be zoned consistent with the Brookman Concept Plan.

The majority of the properties, approximately 82 acres are zoned Medium Density Residential Low (MDRL). There is also a portion of the site, approximately 2 acres,

zoned Medium Density Residential High (MDRH). The MDRL zoning district allows for single-family and two-family housing, manufactured housing, and other related uses with a density of 5.6 to 8 dwelling units per developable acre. The MDRH zoning district provides for a variety of medium density housing, including single-family, two-family housing, manufactured housing, multi-family housing, and other related uses with a density of 5.5 to 11 dwelling units per developable acre.

As part of their application, the applicant provided a concept plan that would provide for approximately 257 single-family units within the proposed annexation area. These plans are conceptual and are only intended to identify the applicants' vision for the area. It should be noted that their plan is based upon the previously adopted Concept Plan referenced earlier in this report. It is likely that future development within the area would look different than what is shown by the applicant, but it is also unlikely that the area would develop with large multi-family developments given that there is only a small portion of the property within the proposed annexation area that would allow for multi-family development.

Any future development would not be approved unless an applicant submits a formal land use proposal to develop the site that is consistent with the city zoning and subdivision design standards. The concept plan provided by the applicant is not binding on the property owners and is simply provided to illustrate what future development within the area is likely to look like should the property be brought in to the City by this applicant.

II. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

Agencies:

The following agencies: Tri-Met, NW Natural Gas, Sherwood Broadband, Bonneville Power Administration, City of Sherwood Public Works, Tualatin Valley Fire and Rescue, Sherwood School District, ODOT, Pride Disposal, Allied Waste, Waste Management, Sherwood Engineering, Kinder Morgan, Raindrops2Refuge, PGE, Washington County, Clackamas County, Metro, and Clean Water Services.

Tualatin Valley Fire and Rescue – Provided an e-mail indicating that they had no comment on the proposal.

ODOT Outdoor Advertising Sign Program – Provided an e-mail indicating that they had no comment on the proposal.

Sherwood Public Works – In a telephone conversation with Rich Sattler, the Public Works Operations Supervisor, he indicated that they can support the annexation area provided any improvements made within the area are consistent with the infrastructure system plans.

Sherwood Engineering Department – Bob Galati, the City of Sherwood Engineer provided the following comments with regard to the proposed annexation:

Engineering staff has reviewed the information provided for the above cited project. Review of the proposed annexation materials is based on data of existing City infrastructure and the proposed improvements necessary to provide services to the area covered by the annexation request.

The information below is to provide an explanation of the utility needs, a description of the proposed utility system required to serve the annexation area and the ability to service areas beyond the proposed annexation area.

City of Sherwood Engineering Department comments are as follows:

Sanitary Sewer

The City's Sanitary Master Plan (dated July 2007) indicates that sanitary service will be provided by the extension of an existing 15" diameter sanitary mainline located at the southern City limits boundary between Redfern Drive and Greengate Drive.

The Sanitary Master Plan shows the proposed extension of a 15" diameter line through the Brookman area following the stream corridor intersecting with Brookman Drive and continuing north towards Hwy 99W. Construction of the 15" diameter mainline to the City's southern City limits has already occurred as a City capital improvement project.

The Brookman area has access to existing City sanitary mainline utilities which have the capacity to provide public utility service. As development within the area occurs, there is a need to extend services to ensure that all new lots have access to public services. Extensions of these services will be required of all new development within the area.

Water

The City's adopted 2015 Water Master Plan indicates that water service will be provided by the extension of existing 12" diameter water mainlines located within Ladd Hill Road, Inkster Drive, and Old Highway 99W.

The "Draft" Water Master Plan shows a mainline system capable of serving the Brookman area. Complexities with the design and construction include crossing the railroad right-of-way, wetland corridor and stream crossings, and the need for looping for system pressure/flow balancing.

The Brookman area has access to existing City water mainline utilities which have the capacity to provide public utility service. A certain amount of extending existing water system and public easements will be required to provide full access.

Storm Sewer

The Brookman Concept Plan indicates that the development will be serviced by several regional storm water treatment facilities. The location and number of the facilities are predicated on the phase of development under which they are being constructed. Out of phase development relative to treatment basin limits should be avoided.

The Brookman area has access to existing stormwater drainage corridors.

Transportation

The City's Transportation System Plan (TSP) and Washington County (WACO) TSP are referenced and indicate the type of future transportation impacts. These impacts include future ROW needs, intersection impacts (Hwy 99W), and out of phase roadway development issues.

The Brookman area has access to existing transportation facilities, but these facilities will need major expansion and upgrading to bring them into conformance with future needs (i.e., traffic flows and road section configuration) and County Standards.

Conclusion

The Brookman area has access to existing City utility and transportation facilities, which appear to have capacity to provide service, but will require a certain level of extension and expansion to make usable.

Public Notice and Comments:

On June 30, 2015, the City sent notice of the proposed annexation to all property owners located within 1,000 feet of the boundary of the annexation area. As of the date of this report, the City received two letters from a group of property owners who wanted their land included within the annexation request.

First, the City received a letter from Jerry Clark, Elisabeth Clark, and Donald Richards of 24350 SW Middleton Road requesting that three additional tax lots totaling approximately 5.47 acres be included in the annexation request. The three parcels are WCTM 3S16BB tax lots 1100, 2302, and 2590.

The City also received a letter from Charles and Louise Bissett requesting that their parcel of approximately 9.72 acres be included in the annexation request. The parcel owned by the Bissetts' is WCTM 3S106 tax lot 00102.

Staff Response: After notice of the proposal was sent out, the property owners above contacted staff requesting what they would need to do to be included in the annexation request. Staff anticipated that some people might make this request, as it had happened the last time annexation within the area was requested, and for this reason increased the notice area beyond the state required 250 feet to the 1,000 feet to ensure that any such requests would be covered by the notice should the applicant or the Council decide to honor their request.

The applicant was contacted by both property owners and in turn contacted the City to indicate that they did not want to delay the process to amend their application, but would not object to additional area being included in the proposed annexation if the Council agreed. The two parties were instructed to prepare the petitions for annexation, attend the public hearing on August 4, 2015, and make a formal request of the Council to consider adding their properties to the annexation area.

All of the properties are adjacent to the proposed annexation area, so it is feasible that if the area was brought in that the properties could be served in an orderly and efficient manner consistent with what has been envisioned in the Brookman Area Concept Plan. The four properties included in these requests are also zoned MDRL upon annexation to the City. If the Council is inclined to include the properties within this request, then the

property owners have been informed that the legal description for the area would need to be amended at their expense. An alternative map illustrating the properties listed above is included in the Council packet as Exhibit E. An alternative explanatory statement and ballot title are also included within the Council packet should this request be considered.

No other public comments have been received by staff as of the date of this report.

III. REQUIRED CRITERIA AND FINDINGS FOR ANNEXATION AND BOUNDARY CHANGE

State

Oregon revised Statute 222 authorizes and guides the process for annexations of unincorporated and adjacent areas of land into the incorporated boundary of the City. In this particular instance, the property owners of the area are petitioning the City to annex under the triple majority method as allowed by ORS 222.170. Since the City of Sherwood charter requires all annexations to be approved by the electors within the City, ORS 222.160 is applicable. ORS 222.160 states that when the annexation is put to the electors, the City shall proclaim the annexation via resolution or ordinance if it receives a majority vote. Assuming the annexation is approved by the voters, a resolution proclaiming the annexation and forwarding notification to the Secretary of State, Department of Revenue and affected agencies and districts will be prepared for Council approval.

Regional Standards

There are no specific criteria for deciding city boundary changes within the Oregon statutes. However, the Legislature has directed Metro to establish criteria, which must be used by all cities within the Metro boundary. This area is within the Urban Growth Boundary; however Metro has not extended their jurisdictional boundaries to include this area. Regardless, the City will err on the side of caution and review the annexation for compliance with the applicable Metro Code Chapter, Chapter 3.09 (Local Government Boundary Changes).

3.09.050 Hearing and Decision Requirements for Decisions Other Than Expedited Decisions

(a) The following requirements for hearings on petitions operate in addition to requirements for boundary changes in ORS Chapters 198, 221 and 222 and the reviewing entity's charter, ordinances or resolutions.

(b) Not later than 15 days prior to the date set for a hearing the reviewing entity shall make available to the public a report that addresses the criteria in subsection (d) and includes the following information:

(1) The extent to which urban services are available to serve the affected territory, including any extra territorial extensions of service;

The Brookman Area Concept Plan, developed in 2009 identifies the location and size of urban services including water, sanitary and storm sewer. The Water System Master Plan, Storm Water Master Plan, and Sanitary Sewer Master Plan already include assumptions for the Brookman area and upgrades needed to serve the Brookman area are already programmed in. Therefore, while urban services are not immediately available within the Brookman area, they have been extended to locations where it is feasible for them to be extended to serve the proposed annexation area.

Water: The Water System Master Plan identifies the need for several major improvements to extend water service to the area. These projects include: the seismic upgrade to the existing reservoirs; construction of new reservoirs; installation of a pressure reducing valve; and the addition of several pipeline segments. These improvements are required to provide a “backbone” network that will serve the area. Several of these items, including a seismic upgrade of the Main Reservoir and a new 4.0 million gallon reservoir have been completed. The Southwest Sherwood Pressure Reduction Valve (PRV) station and associated piping will be constructed in the right-of-way of Old Highway 99 at the border of the 455-foot pressure zone. This connection will provide service to the western portion of the concept plan area, located in the 380- foot pressure zone. The PRV reduces the water pressure in the piping as it moves from the 455-foot pressure zone to the lower pressure, 380-foot pressure zone. This project is programmed for 2018 within the most recently adopted Water System Master Plan, however it may be completed sooner as development occurs within the area.

Sewer: The Sanitary Sewer Master Plan identifies needed system upgrades including the extension of a 15-inch line to the southern limit of the annexation area, and a 12-inch line west and across Highway 99 to serve future development within the overall Brookman Plan area. The 15-inch line will be completed with development of the area proposed to be annexed. The 12-inch line will not be necessary to serve the annexation area.

The City is within the Clean Water Services County Service District and is served by the Durham regional treatment plant. The territory to be annexed is not currently within the District and will require separate annexation request to CWS.

Storm Drainage. The Concept Plan and Storm Water Master Plan identifies regional water quality facilities to meet the storm water needs of the area. The concept plan identifies several ideal locations for these facilities, however, they do not currently exist and it is unlikely funding will be available in the near future to provide for these facilities prior to development. Developers could construct a regional stormwater facility and create a Local Improvement District (LID) or Reimbursement District to recoup the costs. Otherwise, developments will be required to provide private on-site storm water facilities. It may also be possible to recoup some of the costs through System Development Charges (SDC) credits.

Parks and Recreation. The City of Sherwood maintains a number of developed parks and open spaces. Additionally the City maintains over 300 acres of greenway/greenspace/natural areas. Dedication and construction of new parks and trails generally occurs with development or with system development charges required of new development. Maintenance and operations of the parks and open space system is funded out of the General Fund.

Transportation. The proposed annexation area is within Washington County. According to on-line County records, none of the properties proposed to be annexed are within the boundary of the Washington County Urban Road Maintenance District. If any are subsequently found to be within the district in error, the City will withdraw the territory from the District upon annexation. ORS 222.520 and 222.120(5).

Access to the area occurs via several locations including Highway 99W, Brookman Road, Ladd Hill, Middleton Road, Old Highway 99W, Pinehurst and Timbrel streets. Road upgrades will be necessary with development. Transportation improvement needs were identified in the development of the concept plan and the funding plan that was adopted by Council in 2011 (RES 2011-072) demonstrates that these identified transportation improvements are “reasonably likely” to be funded with existing local, county, regional, State, and developer funding sources.

Fire. The territory is within the boundary of the Tualatin Valley Fire and Rescue District, which is served by Station 33 located on SW Oregon Street. Station 35 in King City and Station 34 in Tualatin are also in close proximity. This will not change with annexation.

Police. According to online County records, none of the proposed properties to be annexed are within the Washington County Enhanced Sheriff's Patrol District. If it is subsequently found that the properties are within the district, the City will withdraw the territory from the District upon annexation. ORS 222.520 and 222.120(5). If the City declares the territory withdrawn from the District on the effective date of the annexation the District's tax levy will no longer apply.

Upon annexation police services will be provided by the Sherwood Police Department which provides 24-hour/day protection.

(2) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and

As discussed above, none of the properties proposed to be annexed are within the Washington County Enhanced Sherriff's Patrol District or Urban Road Maintenance District. If the County's records are in error, it is expected that these areas will be withdrawn from the district upon annexation into the City.

(3) The proposed effective date of the boundary change.

Because of the City of Sherwood charter requirement that annexations be approved by the citizens of Sherwood, the annexation would not take effect until after voter approval at the November 2015 election. The effective date of annexation will be finalized after the election and Council acceptance of the election results via resolution and filing of the approval and election

results with the Secretary of State, Department of Revenue, and other affected agencies.

(c) The person or entity proposing the boundary change has the burden to demonstrate that the proposed boundary change meets the applicable criteria.

The applicant has submitted the annexation application along with certified petitions and legal descriptions required to initiate the request. This staff report evaluates whether the applicant's materials, the Brookman Concept Plan and applicable standards to determine whether the applicable criteria have been met.

(d) To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in Subsections (d) and (e) of Section 3.09.045.

The criteria are evaluated immediately below

Metro Criteria § 3.09.045 (d.)

1. **Find that the change is consistent with expressly applicable provisions in:**
 - (a) **any applicable urban service agreement adopted pursuant to ORS 195.065**

Under the Washington County/Sherwood Urban Planning Area Agreement (UPAA), the City was responsible for preparing the comprehensive plan and public facilities plan within the regional urban growth boundary surrounding the City limits. In the UPAA the County agreed that the City would be responsible for comprehensive planning within the Urban Planning Area and would be responsible for the preparation, adoption and amendment of the public facility plan required by OAR 660-11 within the Urban Planning Area. The UPAA also identifies the City as the appropriate provider of local water, sanitary sewer, storm sewer and transportation facilities within the urban planning area.

As discussed within this report, the concept plan for the area was developed consistent with the UPAA. The agreement specifies that the City of Sherwood is the appropriate urban service provider for this area and that Washington County will not oppose annexation. Therefore, the annexation is fully consistent with Washington County policies and agreements.

- (b) **Any applicable annexation plan adopted pursuant to ORS 195.205**

This is not applicable

- (c) **Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party**

The City is in the Clean Water Services District and this area will need to be annexed into the CWS district. The City and CWS have cooperative agreements that will not be affected by this annexation. The territory is also in the TVF&R service district which will not change upon annexation. The proposed annexation area is within the Washington County Enhanced Sherriff Patrol District and Urban Road Maintenance District and is expected to be withdrawn upon annexation.

Both the City and Washington County will continue to honor the mutual aid agreements which ensure coverage of law enforcement regardless of the jurisdictional boundary. The area to be annexed will be withdrawn from these districts as the City of Sherwood provides these services and the special district services are no longer necessary. Pursuant to the ORS, the cooperative agreements call for coordination of planning activities. As affected agencies, Washington County, CWS and TVF&R received notice of the proposed annexation and the opportunity to provide comments.

(d) Any applicable public facility plan adopted pursuant to a Statewide planning goal on public facilities and services; and

The Sherwood City Council reviewed and adopted the Brookman Concept Plan in June 2011. The Brookman Concept Plan incorporated the recommendations found in the City's water, sanitary sewer and storm water master plan and the Transportation System Plan. At that hearing the Council evaluated the Plan's consistency with the Comprehensive Plan and the applicable master plans and found that these were met; however, the discussions and findings in this report also demonstrate that the proposed annexation can feasibly comply with those plans.

(e) Any applicable comprehensive plan; and

Compliance with the local Comprehensive Plan is discussed further in this report under the "Local Standards" section.

2. Consider whether the boundary change would:

(a) Promote the timely, orderly and economic provision of public facilities and services;

The proposed annexation area can be served by extending existing sewer and water services that abut the City limits. Within this specific area, two potential locations for extending sewer and water have been identified by the applicant and are considered feasible to the City Engineer provided that improvements and upgrades to the system are provided by future development in the area. Franchise utilities and road access are already provided by both Washington County and the respective utility service provider. Upgrades to these utilities will be studied, and if needed, required to be paid for by development. Finally, by annexing the area, the City will be able to collect the SDC's necessary to make infrastructure improvements needed to serve the area consistent with the applicable master plans.

Provision of public facilities and services in this area can occur in a timely and orderly manner concurrent with proposed development applications. The services can be provided relatively economically in that significant extensions are not required. Any necessary upgrades to existing facilities have already been identified in existing plans, including the Brookman Concept Plan and it has been determined that funding is “reasonably likely” which is a necessary finding in order to meet state Transportation Planning Rule requirements.

(b) Affect the quality and quantity of urban services; and

The Metro Code defines urban services as “sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit.”

Currently there are no urban infrastructure in the territory proposed to be annexed; therefore, annexation will provide the opportunity for extension of urban services to City standards. There are existing roads that vary in quality. Annexation will not immediately affect these positively or negatively, however as development occurs, road improvements will likely be required, and utility extensions and upgrades will be made. Other urban infrastructure is expected to be provided at the expense of the developer when mitigation is required for impacts resulting from subsequent development of the area. Further, upon development of the area, SDC’s will be collected to assist in the construction of identified needs or improvements to City services to offset impacts to existing City and County facilities.

TVF&R, the fire protection provider for the area, has indicated that they have no comments on the proposal.

Parks and open space will be increased through the annexation and development of the area as required by the development code and illustrated in the applicant’s conceptual layout.

Mass transit will not be directly affected by the annexation; however with additional people comes additional demand on the transit system and increased opportunities for better transit service to serve the existing and future populations.

While not an “urban service” identified by Metro in this chapter, staff has heard concerns about the existing capacity of the schools to accommodate additional growth. The school district was given an opportunity to provide comments and while formal written comments were not provided, staff did consult with them. With an estimated 257 single family dwelling units identified as potential within this annexation area, this would result in approximately 136 additional elementary school students¹, 54 middle school students and 51 high school students at full build out. The Sherwood School

¹ Based on ratio identified for a single family home in the 2010 PSU population forecast.
AN 15-01 Brookman Annexation

District has indicated that they commissioned a Facilities Planning and Assessment Report which includes a Capacity Analysis of the District's existing schools. The report, while not yet completed, indicates that the District's only high school is presently over capacity. Therefore, the District has noted that any additional development would compound the utilization challenges in the building. It is important to keep in mind that full build out is likely to take many years. The developer does not have options on all the properties to be annexed and all are not interested in development at this time. In addition, it will take approximately 1-2 years to go through the land use and engineering process prior to submitting for building permits. Before a house can be occupied by potential students it must first be constructed and sold. In the meantime, existing students within the school system age through the system. In addition, the District commissioned a population forecast study with PSU as part of the boundary committee discussion process which indicated that overall, the district would most likely be seeing a decline in enrollment. Regardless of annexation, the District will need to closely monitor new development and redevelopment while weighing these studies' projections against real conditions within the District.

While development in the area will increase the number of residents utilizing urban services, as discussed above, it is unlikely that the quantity of urban services will be diminished by the addition of this area and the anticipated residents. In addition, these new homes will be assessed taxes which will contribute to schools, fire department, transit providers and the City which will off-set the additional impacts of serving this area. In other words, the quality of services provided are not expected to decrease because the new developments will be contributing to the tax base which funds services.

A key question for the Council in making the decision to approve placing the annexation on the ballot is whether this addition of approximately 257 single family homes would negatively or positively affect the quality and quantity of urban services. It is staff's assessment that the addition of this area would not affect the quality or quantity of urban services; however this is a decision that Council and ultimately the public would need to make.

(c) Eliminate or avoid unnecessary duplication of facilities or services.

The existing property owners most likely use City facilities such as the library and parks, while also relying upon County services for road maintenance and law enforcement. However, because of the proximity to the City, Sherwood would be a first responder on many emergency calls. In addition, there can sometimes be confusion on the part of both the City and residents when an area is developed in such close proximity to the City in regard to who the service provider is. Annexation will eliminate any confusion or potential duplication of services.

C. Local Standards

The territory is within the City's Urban Planning Area as identified in Sherwood/Washington County Urban Planning Area Agreement. As such, the Comprehensive Plan goals and

policies for urbanization apply. In addition, the city adopted the Brookman Concept Plan, including amendments to the Comprehensive Plan to implement the concept plan. Ordinance 09-004 designated zoning on the properties in the area. A copy of the adopted comprehensive plan zoning map is attached as Exhibit C. This zoning will be applied upon annexation of the area.

The Growth Management Chapter of the City's Comprehensive Plan contains several policy objectives which are reviewed below.

Chapter 3, section B.2

a. Focus growth into areas contiguous to existing development rather than "leap frogging" over developable property.

The subject property is immediately south of existing fully built out development inside the City limits. Any proposed development within the area is contiguous to existing urban development, and does not "leap frog" vacant land, therefore this policy is addressed.

b. Encourage development within the present city limits, especially on large passed-over parcels that are available.

The area was brought into the UGB by Metro in 2002 to provide for residential development. The decision to annex the property provides for additional development opportunities within the City. According to a recent buildable lands inventory conducted by City staff and ECONorthwest, there are approximately 95 residentially zoned buildable acres within the existing City limits. In some cases, the land available for residential development is being actively pursued by developers, and the owners have not demonstrated a willingness to develop. By and large, the majority of land available for residential redevelopment is infill.

The proposed annexation area was included within the UGB in 2002, and has been identified as necessary to meet the local and regional need for residential development over the then 20 year planning horizon. That was 13 years ago. The annexation of this area will not significantly affect the ability for existing parcels inside the City limits to develop when and if they are ready to develop. In addition, by providing additional opportunities for development of residential land, it could relieve pressures within the existing City limits.

The Council will need to make a determination on whether the addition of this area encourages development within the existing City, and if so whether that is a good thing or not. As discussed above, it is staff's assessment that the addition of this area would be consistent with this policy.

c. Encourage annexation inside the UGB where services are available.

The area to be annexed is in the UGB and services are available to be extended into the area.

- d. **When designating urban growth areas, consider lands with poorer agricultural soils before prime agricultural lands.**

This is a criterion that Metro considered in its decision to expand the UGB. Any land's brought into the UGB have already undergone extensive weighing of the need and ultimately the decisions that were made to allow the area to be urbanized outweighs the need to preserve the area for agricultural use.

- e. **Achieve the maximum preservation of natural features.**

The annexation of the area, in and of itself will not preserve natural features; however, the development of the concept plan considered the natural environment and development of the area must be in compliance with Clean Water Services standards and the development code standards which apply to development in and near natural areas. The applicant's conceptual development layout shows stream corridors protected and utilized as an amenity similar to existing development within the City.

- f. **Provide proper access and traffic circulation to all new development.**

The concept plan for the area identifies transportation improvements necessary to serve the anticipated development of this area. As development occurs, new roads will be required of developers and intersection and off-site improvements made in accordance with the existing Development Code, and County and City Transportation System Plans.

- g. **Establish policies for the orderly extension of community services and public facilities to areas where new growth is to be encouraged, consistent with the ability of the community to provide necessary services. New public facilities should be available in conjunction with urbanization in order to meet future needs. The City, Washington County, and special service districts should cooperate in the development of a capital improvements program in areas of mutual concern. Lands within the urban growth boundary shall be available for urban development concurrent with the provision of the key urban facilities and services.**

This is a goal that is achieved through the concept planning and public facility planning for new urban areas. This was done concurrent with the Brookman Area Concept Plan.

- h. **Provide for phased and orderly transition from rural to suburban or urban uses.**

The concept plan was developed to ensure that the urbanization of this area was orderly and met the needs of the community; therefore the annexation of the proposed area is also consistent with the policies as outlined above. A key question for the Council in making the decision to approve placing the annexation on the ballot is whether this addition of approximately 257 single family homes would support an orderly transition. It is staff's assessment on a purely technical basis that

the area could be developed in an orderly and efficient way that does not burden existing residents in the community; however this is a decision that Council and ultimately the public would need to make.

The Growth Management chapter of the Comprehensive Plan also contains the following City Limits Policies

Chapter 3 section F.1.b

Policy 5 Changes in the City limits may be proposed by the City, County, special districts or individuals in conformance with City policies and procedures for the review of annexation requests and County procedures for amendment of its comprehensive plan.

The proposed annexation has been initiated by an individual corporation on behalf of a majority of the property owners within the affected area. Five of the eight property owners within the proposal have all indicated by petition, that they are interested in annexing their properties into the City. Additionally, the owners of four properties adjacent to the proposed annexation area have requested to be included within the proposed annexation area, and are prepared to submit the necessary petitions if the Council determines that their properties should be included in the request.

Policy 6 provides guidelines for the UPAA consideration and is not directly relevant to the annexation proposal since the UPAA already exists.

Policy 7 All new development must have access to adequate urban public sewer and water service.

As discussed previously, while the area must still be annexed into the Clean Water Services District Boundaries, the subject area will have access to public sewer and water. Services, once extended and upgraded, will have adequate capacity to service the area.

Policy 8 through 10 are not relevant to annexation proposals.

Specific requirements of the Brookman Concept Plan include:

Chapter 8, Comp Plan policy 8.2:

To facilitate and ensure implementation in accordance with the concept plan policies, annexation of properties within the Brookman Addition concept plan area may not occur until development code amendments are made to implement applicable policies, including but not limited to policy 4.4.

Upon detailed review of the policies, the majority are already implemented with the existing code standards. The only specific policy found to be applicable is 5.2 which called for the City to “Develop an open space requirement (e.g. as a percentage of land area) for all new development.” This was addressed when the Council adopted new standards for Parks and Open Spaces via Ordinance 2011-009.

Policy 4.4, referenced in the implementation policy is specifically regarding the extension of Red Fern from the existing City limits into the area. Staff has determined that a

development code amendment is not necessary as the Comprehensive Plan and Concept Plan already identify Red Fern as an area of special concern. However, the draft resolution includes a clause specifying Red Fern as an area of special concern to make it clear that this policy still exists and will be applied.

- a. **prior to or concurrent with annexation, and assignment of zoning of properties within the Brookman addition area, a plan shall be prepared and adopted by Council to ensure that necessary infrastructure improvements will be available and a funding mechanism or combination of funding mechanisms are in place for the necessary infrastructure improvements consistent with the funding options identified in the concept plan and in full compliance with the Transportation Planning Rule. The plan for annexation may address all or part of the concept plan area, subject to Council approval.”**

The Brookman area funding plan, adopted August 16, 2011, by Ordinance 2011-072 identifies that the infrastructure improvements identified in the Concept Plan are available to serve the area and funding will be available to extend the infrastructure into the area with the collection of SDC's and the allocation of transportation funds. The funding plan, created to discuss funding for all properties within the Brookman area also acknowledges that some property owners may wish to develop their property prior to a point in time which the City could be expected to have adequate funds collected from SDC's to install the infrastructure. In these instances, the responsibility to extend services will be the developers with the possibility that they might recoup some of their costs through SDC credits or the development of a reimbursement district.

IV. RECOMMENDATION

This staff report provides a review and analysis of the existing criteria for annexation. Based on a purely technical review, it is staff's recommendation that the annexation be approved. However, Council is not required to review this from a purely technical basis. There are major decision points that are inherently discretionary that Council must consider:

- Would annexation of this area negatively or positively affect the quality or quantity of urban services?
- Does annexation of the area encourage or discourage development within the existing City and, if so, is that desirable for the Community or not?
- Does the annexation support the orderly transition from rural to urban?

Sherwood is at a crossroads with respect to growth. On one hand, there is very little land available for residential development within the existing city limits, and the City has traditionally accommodated a moderate to aggressive growth rate in the past. It is unlikely that the demand to live within Sherwood will go away because of the unavailability of land within the existing city limits resulting in increased pressure to develop or redevelop within the existing city limits. This increased demand impacts the community character which the public attributes to growth and results in an “anti-growth” sentiment. The challenge that we face in planning for Sherwood's future is maintaining the character that makes

Sherwood a great place and the question for Council is whether the addition of this area furthers that plan or not. One of the consequences of having a limited land supply and a strong market demand is that there will be continued pressure to rezone commercial properties for residential development and to redevelop existing large lots within Sherwood. As an example of anticipated infill, three single-family lots along SW Main Street were recently redeveloped with 8 single-family lots on much smaller lots.

V. EXHIBITS

- A. Legal description of area to be annexed
- B. Exhibits to legal description
- C. Comprehensive zoning map adopted via Ord. 2009-004
- D. List of tax lots, owners, and assessed values within the area to be annexed
- E. Alternative map for properties that petitioned during the public comment period
- F. Map of areas proposed to be annexed
- G. Applicant's Materials
- H. Applicant's Conceptual Development Plan
- I. Letter from Chris Goodell, AKS Engineering and Forestry dated June 15, 2015



EXHIBIT A

Annexation Parcel

A tract of land located in the northwest one-quarter and in the northeast one-quarter of Section 6, Township 3 South, Range 1 West, and in the southwest one-quarter of Section 31, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon and being more particularly described as follows:

Parcel 1:

Beginning at the northeast corner of said Section 6, being a point on the southerly line of the City of Sherwood city limits; thence along the east line of said section and being on the east line of Washington County, South 01°51'49" West 50.00 feet to a point; thence leaving said county line, along a line parallel to and 50.00 feet southerly of the north line of said Section 6, North 88°45'45" West 766.59 feet to the northwest corner of Deed Book 1182 Page 951; thence along the northerly west line of said Deed, South 01°51'49" West 554.81 feet to a point on the north line of Document Number 87-027469; thence along the north line of said Deed, North 88°45'45" West 493.00 feet to the northwest corner thereof; thence along the west line of said Deed and the southerly extension thereof, South 01°51'49" West 746.85 feet to a point on the southerly right-of-way line of Brookman Road (County Road No. 493) (20.00 feet from centerline); thence along said southerly right-of-way line, North 88°50'38" West 2510.53 feet to a point on the southerly extension of the east line of Document Number 2011-080743; thence along said southerly extension and the east line of said Deed, North 01°07'39" East 479.83 feet to the northeast corner thereof; thence along the north line of said Deed North 89°52'17" West 54.60 feet to the southeast corner of the Plat of "Middleton"; thence along the east line of said Plat North 00°07'56" East 485.66 feet to a point on the southeasterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline) and referenced as **Point 'A'**, which bears South 00°07'56" West 234.85 feet from the southerly southwest corner of Tract 'U' of the Plat "Woodhaven No. 4", and the City of Sherwood city limits; thence along said southeasterly right-of-way line, North 68°14'32" East 1260.43 feet to a point on the City of Sherwood city limits; thence along the City of Sherwood city limits, North 66°48'03" East 46.53 feet to the northwest corner of Lot 97 of the Plat of "Abney Revard No. 2", being an angle point of the southerly line of the City of Sherwood city limits; thence along the west line of said Lot 97 and the City of Sherwood city limits, South 01°15'43" West 120.84 feet to the north one-quarter corner of said Section 6; thence along the north line of Section 6 and the City of Sherwood City Limits, South 88°45'45" East 2647.18 feet to the Point of Beginning.

Parcel 2:

Beginning at said **Point 'A'**, which bears South 00°07'56" West 234.85 feet from the southerly southwest corner of Tract 'U' of the Plat "Woodhaven No. 4"; thence along the east line of the Plat of "Middleton", North 00°07'56" East 64.66 feet to a point on the northwesterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline) and the **True Point of Beginning**; thence continuing along said east line, North 00°07'56" East 170.19 feet to the southerly southwest corner of Tract 'U' of the Plat "Woodhaven No. 4", and the City of Sherwood city limits; thence along the southerly line of said Tract 'U' and the City of Sherwood city limits, South 87°19'51" East 381.87 feet

to a point on said northwesterly right-of-way line; thence leaving the City of Sherwood city limits along said northwesterly right-of-way line, South 68°14'32" West 411.14 feet to the True Point of Beginning.

The above described tracts of land contain 84.21 acres, more or less (of which 2.35 acres is existing right-of-way and 81.86 acres is private property).



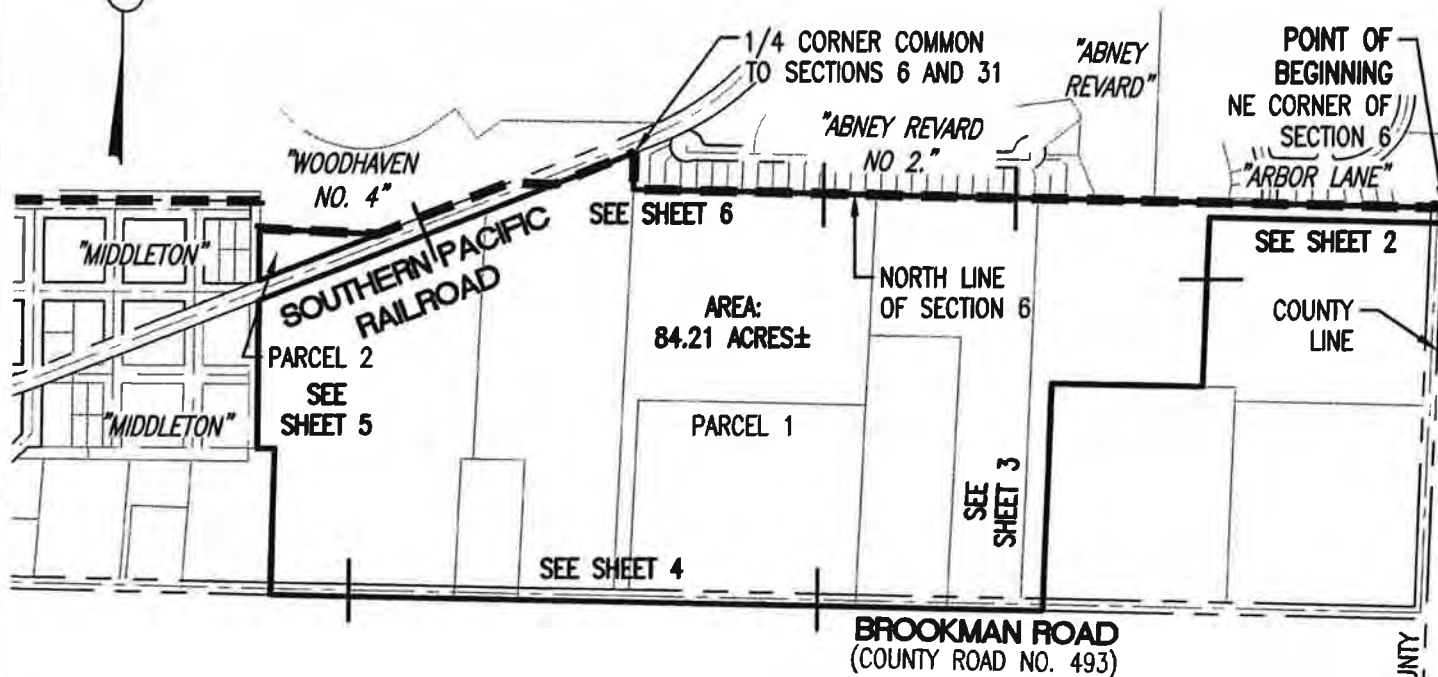
EXHIBIT B

SHEET 1 OF 6

A TRACT OF LAND LOCATED IN THE NW 1/4 AND NE 1/4 OF SECTION 6, T3S, R1W, AND IN THE SW 1/4 OF SECTION 31, T2S, R1W, W.M., WASHINGTON COUNTY, OREGON



SCALE 1" = 600 FEET



LEGEND

----- CITY OF SHERWOOD CITY LIMITS

AREA TABLE

TOTAL AREA: 84.21 ACRES±
 RIGHT-OF-WAY AREA: 2.35 ACRES±
 PROPERTY AREA: 81.86 ACRES±

DATE: 07/06/2015

07-06-15
 REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
 JANUARY 11, 2005
 ROBERT D. RETTIG
 60124LS

RENEWS: 12/31/16
 Resolution 2015-068, Exhibit A to Staff Report

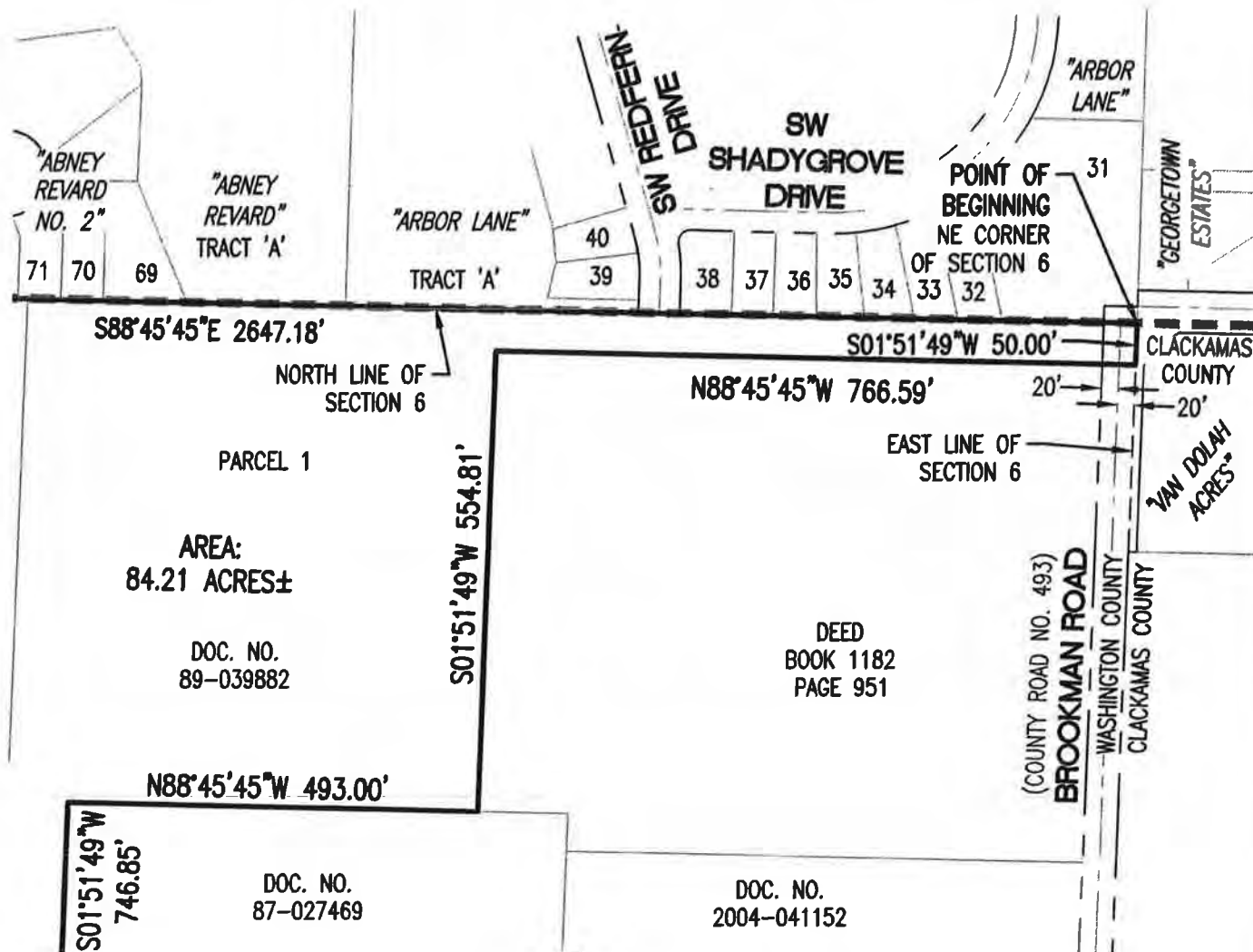
BROOKMAN AREA ANNEXATION		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: MSK CHKD: RDR AKS JOB: 3591



EXHIBIT B

SHEET 2 OF 6

A TRACT OF LAND LOCATED IN THE NW 1/4 AND NE 1/4 OF SECTION 6, T3S, R1W, AND IN THE SW 1/4 OF SECTION 31, T2S, R1W, W.M., WASHINGTON COUNTY, OREGON



S88°45'45"E 2647.18'

NORTH LINE OF SECTION 6

PARCEL 1

AREA:
84.21 ACRES±

DOC. NO.
89-039882

S01°51'49"W 50.00'

N88°45'45"W 766.59'

EAST LINE OF SECTION 6

DEED
BOOK 1182
PAGE 951

S01°51'49"W 554.81'

N88°45'45"W 493.00'

S01°51'49"W
746.85'

DOC. NO.
87-027469

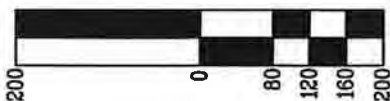
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SEE SHEET 3

LEGEND

----- CITY OF SHERWOOD CITY LIMITS

SCALE 1" = 200 FEET



07-06-15
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EXHIBIT B

SHEET 3 OF 6

A TRACT OF LAND LOCATED IN THE NW 1/4 AND NE 1/4 OF SECTION 6, T3S, R1W, AND IN THE SW 1/4 OF SECTION 31, T2S, R1W, W.M., WASHINGTON COUNTY, OREGON

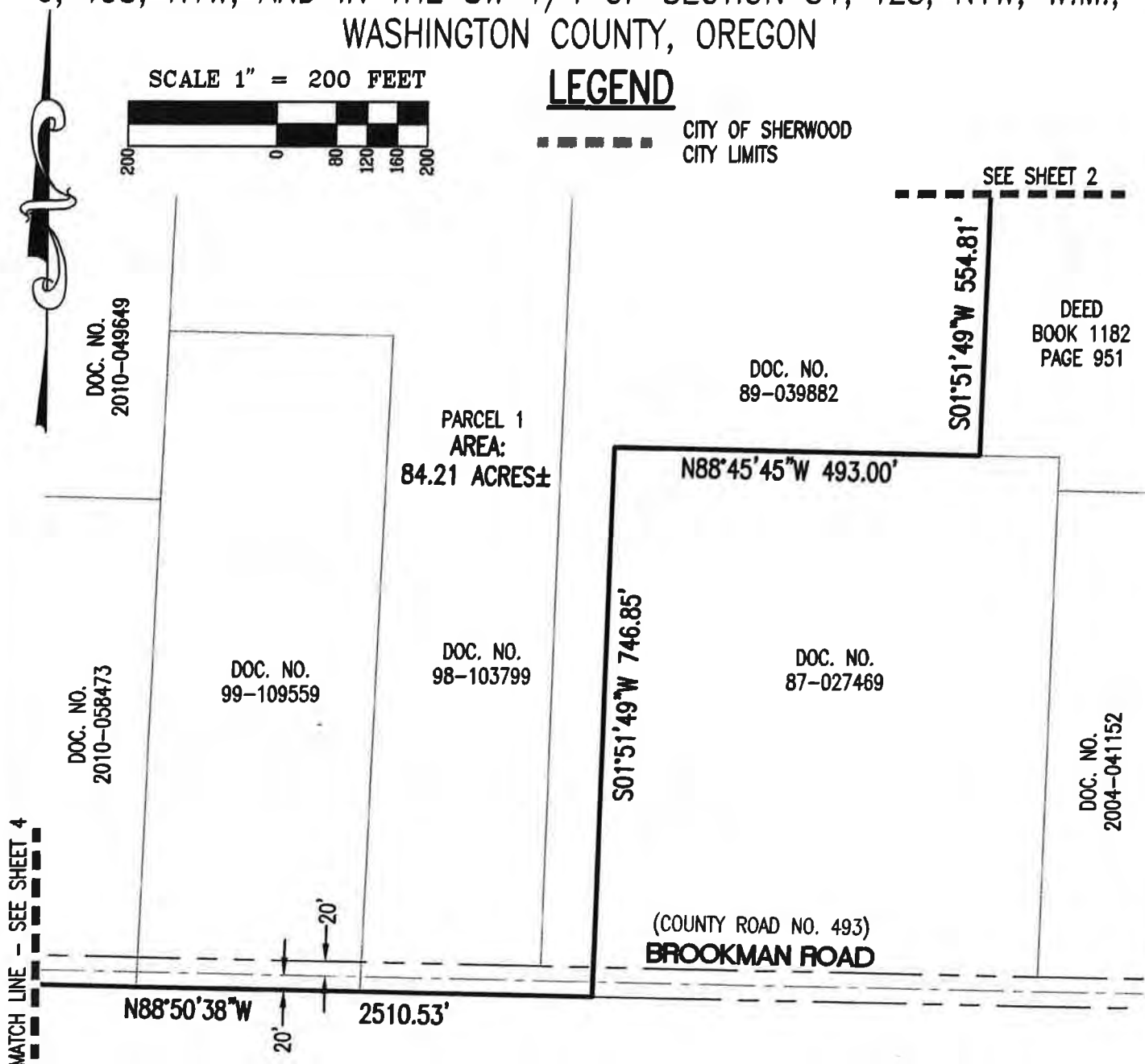
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LEGEND

--- CITY OF SHERWOOD CITY LIMITS

SEE SHEET 2



07-06-15

REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]
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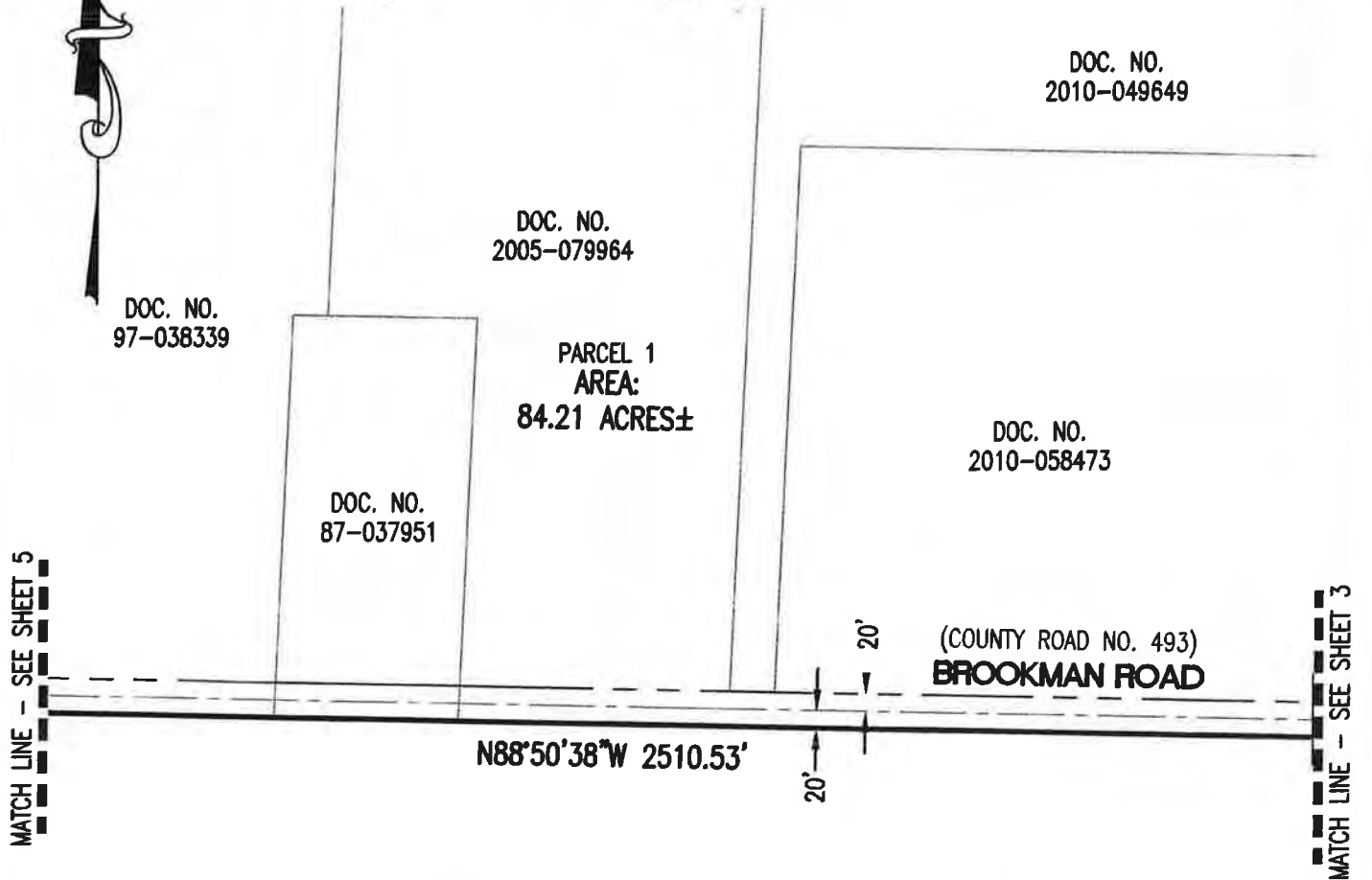
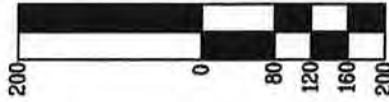
EXHIBIT B

SHEET 4 OF 6

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SCALE 1" = 200 FEET



LEGEND

----- CITY OF SHERWOOD CITY LIMITS

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RENEWS: 12/31/16

DATE: 07/06/2015

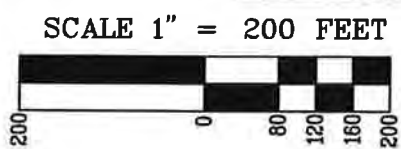
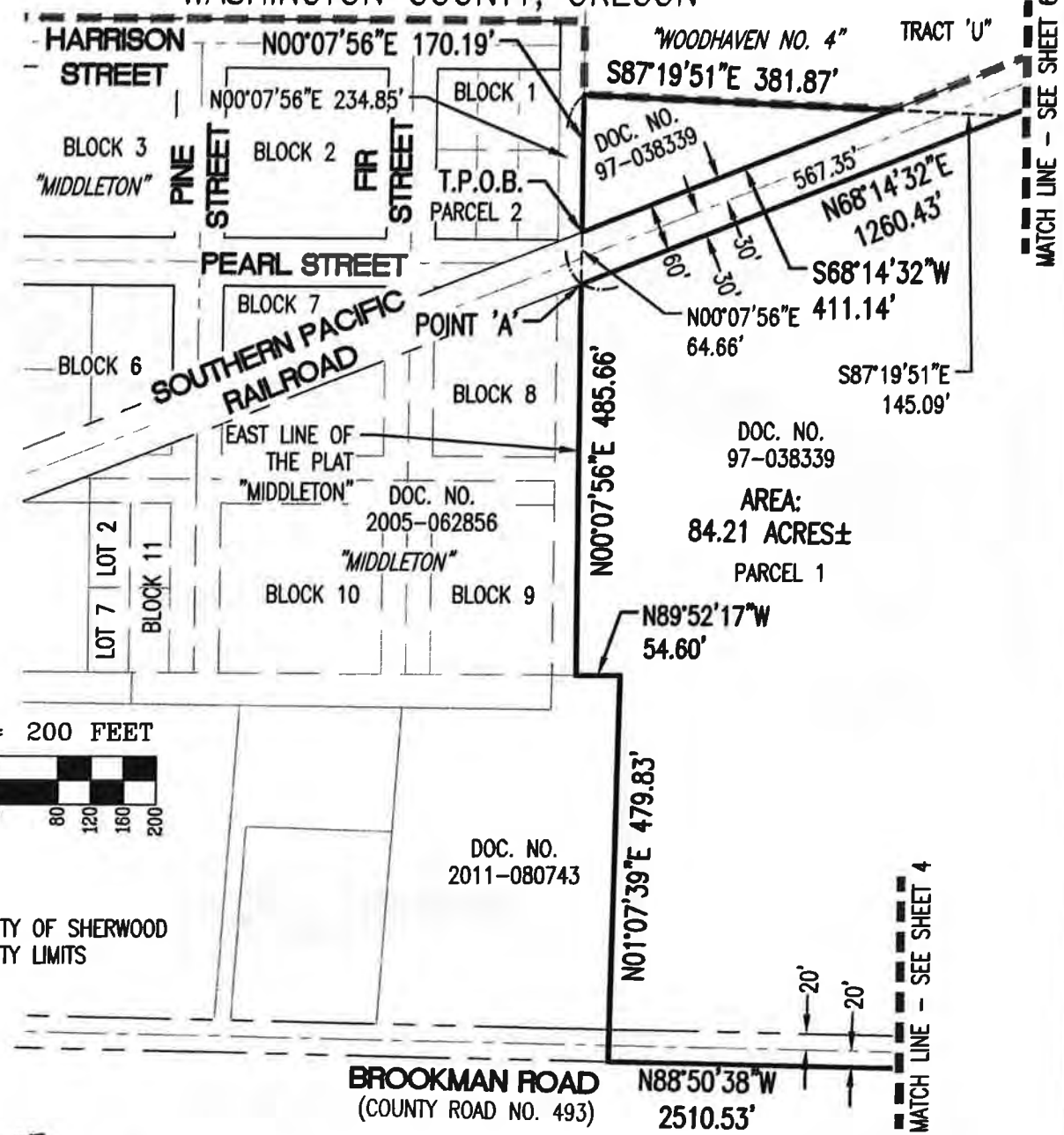
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EXHIBIT B

SHEET 5 OF 6

A TRACT OF LAND LOCATED IN THE NW 1/4 AND NE 1/4 OF SECTION 6, T3S, R1W, AND IN THE SW 1/4 OF SECTION 31, T2S, R1W, W.M., WASHINGTON COUNTY, OREGON



LEGEND
 - - - - - CITY OF SHERWOOD CITY LIMITS

07-06-15
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 LAND SURVEYOR

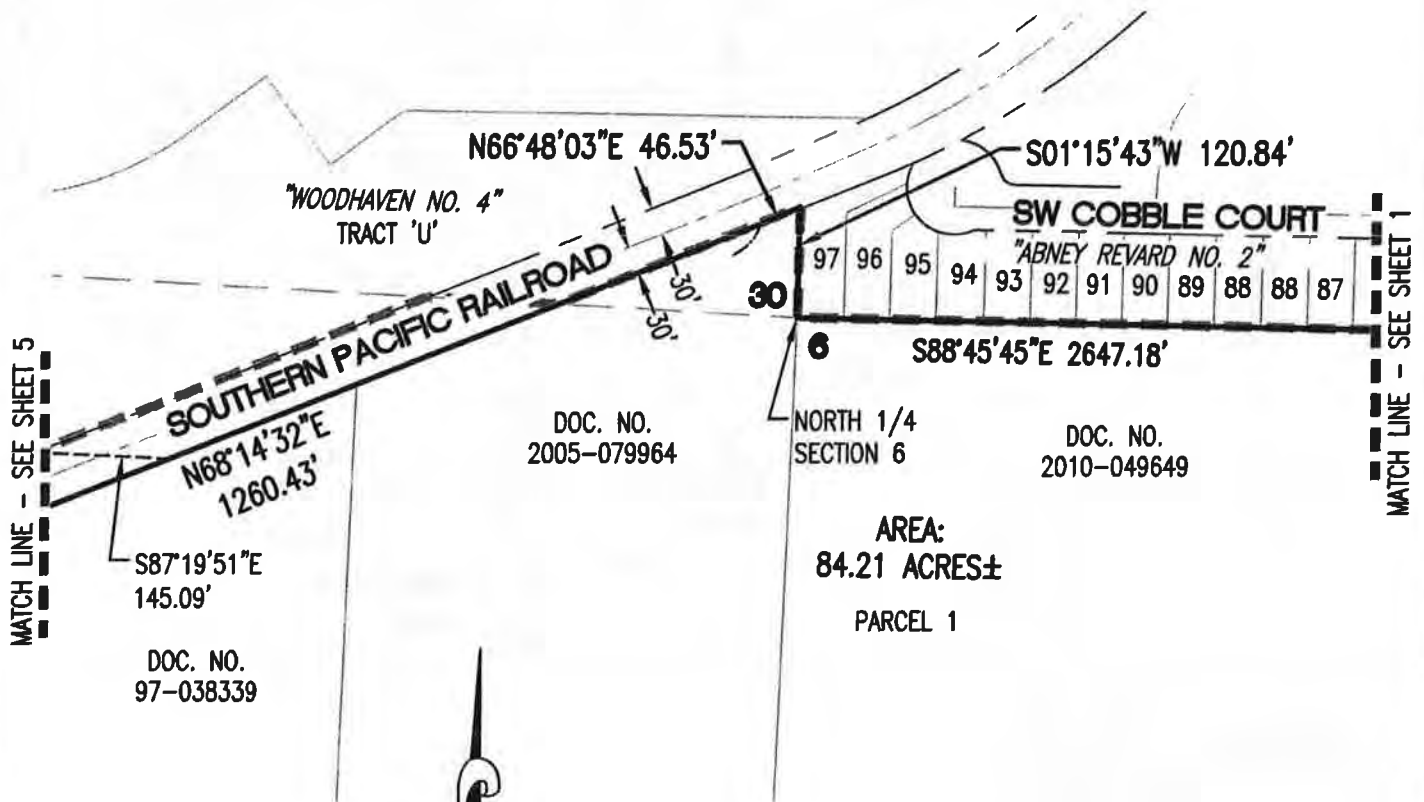
 OREGON
 JANUARY 11, 2005
 ROBERT D. RETTIG
 60124LS
 RENEWS: 12/31/16

BROOKMAN AREA ANNEXATION		DATE: 07/06/2015
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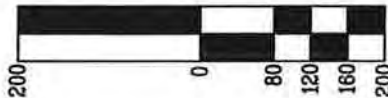
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SHEET 6 OF 6

A TRACT OF LAND LOCATED IN THE NW 1/4 AND NE 1/4 OF SECTION 6, T3S, R1W, AND IN THE SW 1/4 OF SECTION 31, T2S, R1W, W.M., WASHINGTON COUNTY, OREGON



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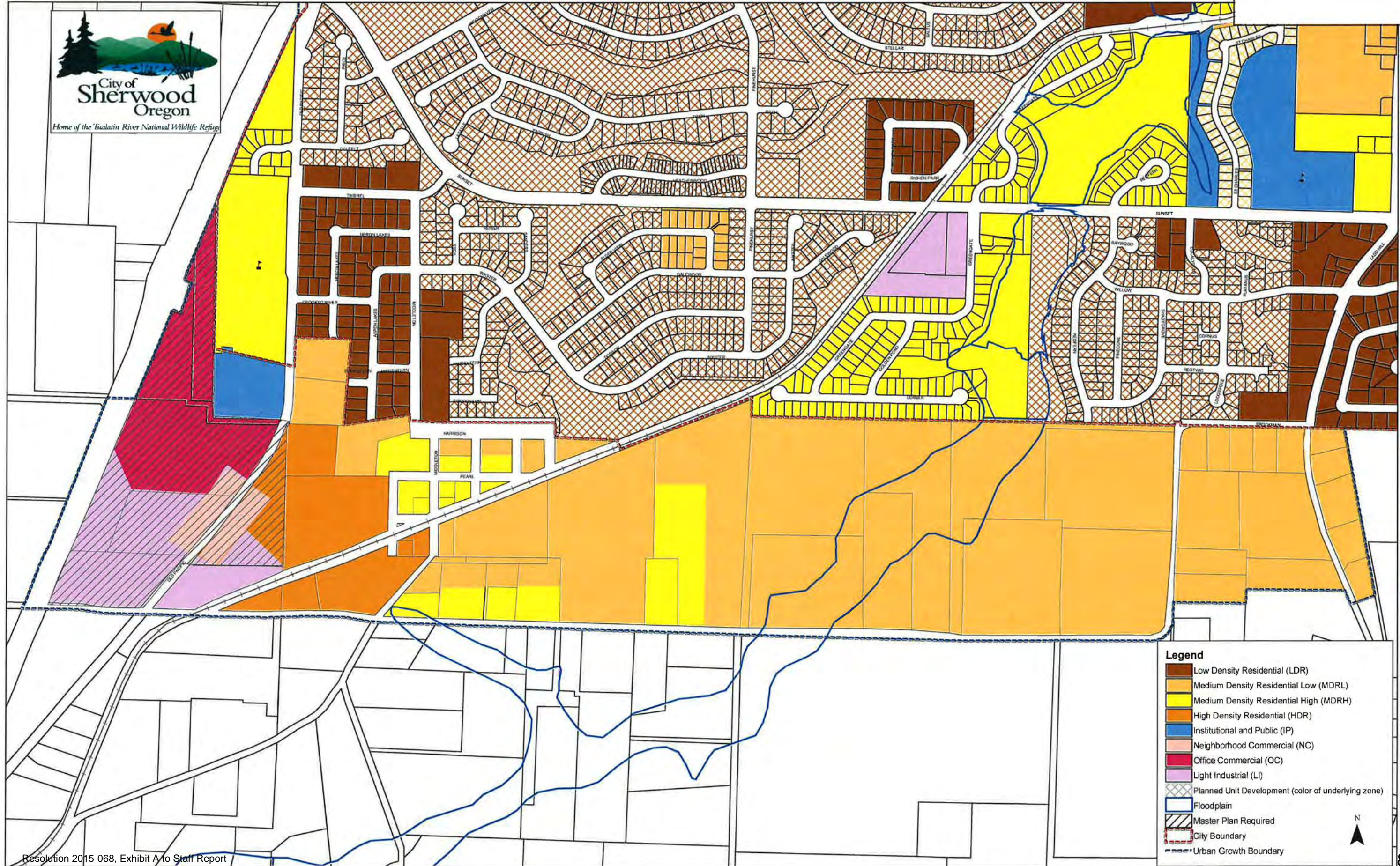
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Brookman Addition Zoning- May 14, 2009

Exhibit C



Legend

- Low Density Residential (LDR)
- Medium Density Residential Low (MDRL)
- Medium Density Residential High (MDRH)
- High Density Residential (HDR)
- Institutional and Public (IP)
- Neighborhood Commercial (NC)
- Office Commercial (OC)
- Light Industrial (LI)
- Planned Unit Development (color of underlying zone)
- Master Plan Required
- City Boundary
- Urban Growth Boundary

Exhibit D List of Tax Lots, Owners, and Assessed Value

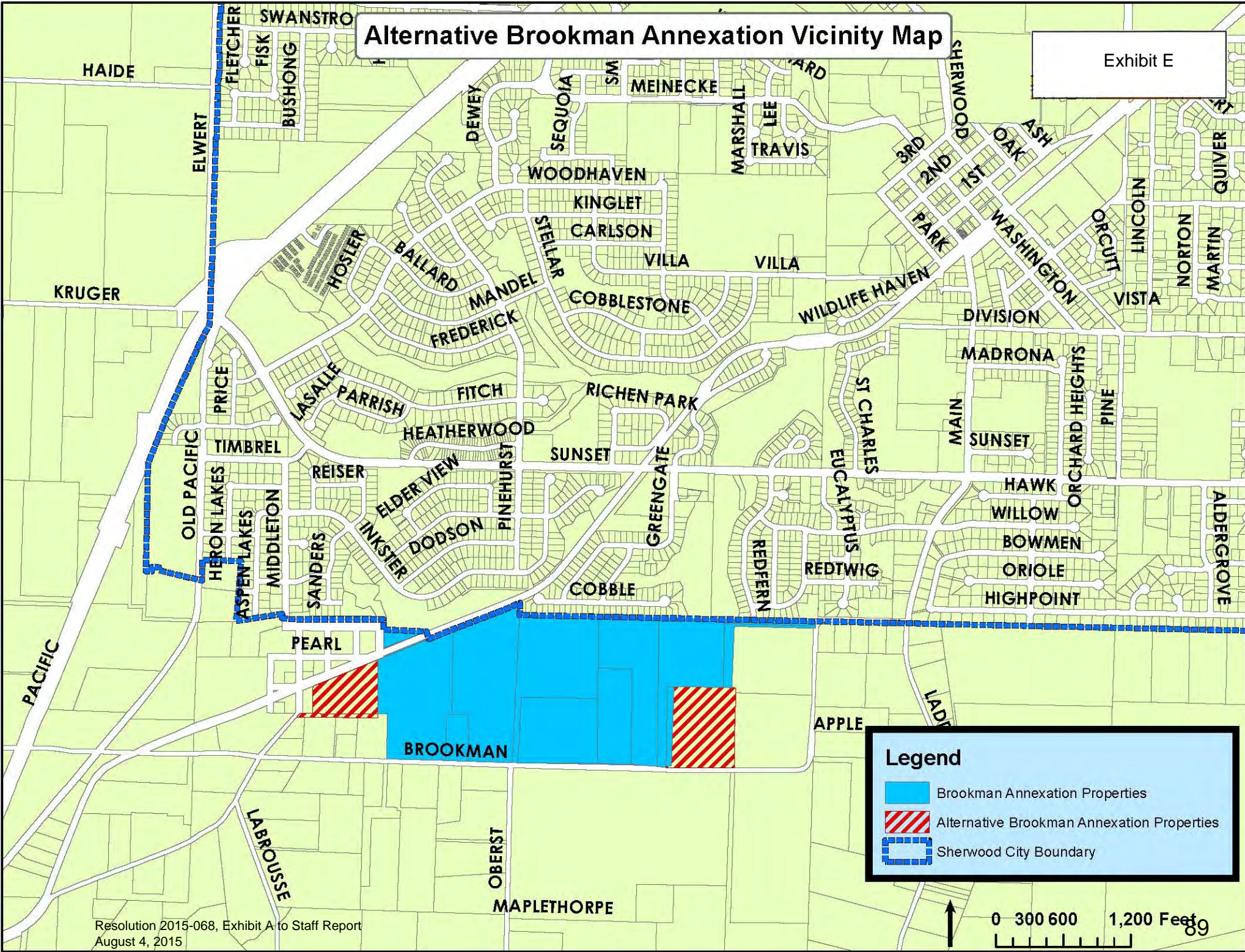
Property Owner	Parcel Number	Parcel Size (ac)	Assessed Value	Signed Petition
Gerald and Liz Oulette	3S10600-00100	9.9	\$344,830.00	Yes
Teresa Jaynes-Lockwood	3S10600-00103	13.5	\$475,870.00	Yes
Richard and Linda Scott	3S10600-00104	10.47	\$256,130.00	Yes
Sherwood Land, LLC	3S106B0-00100	12.76	\$181,520.00	Yes
George Boyd and Carleen Brewer	3S106B0-00200	15.82	\$222,640.00	Yes
TOTAL YES		62.45	\$1,480,990.00	
Thomas and Marie Bartlett	3S106B0-00101	2	\$255,300.00	No
Wayne and Linda Chronister	3S10600-00107	9.92	\$67,870.00	No
Bonnie J David	3S10600-00101	5.86	\$293,640.00	No
TOTAL NO		17.78	\$616,810.00	

Alternative Resolution

Jerry and Elisabeth Clark, and Donald Richards	3S16BB-01100	4.8	\$90,000.00
	3S16BB-02302	0.2	\$620.00
	3S16BB-02590	0.47	\$640.00
Charles and Louise Bissett	3S10600-00102	9.72	\$223,870.00
TOTAL		15.19	\$315,130.00

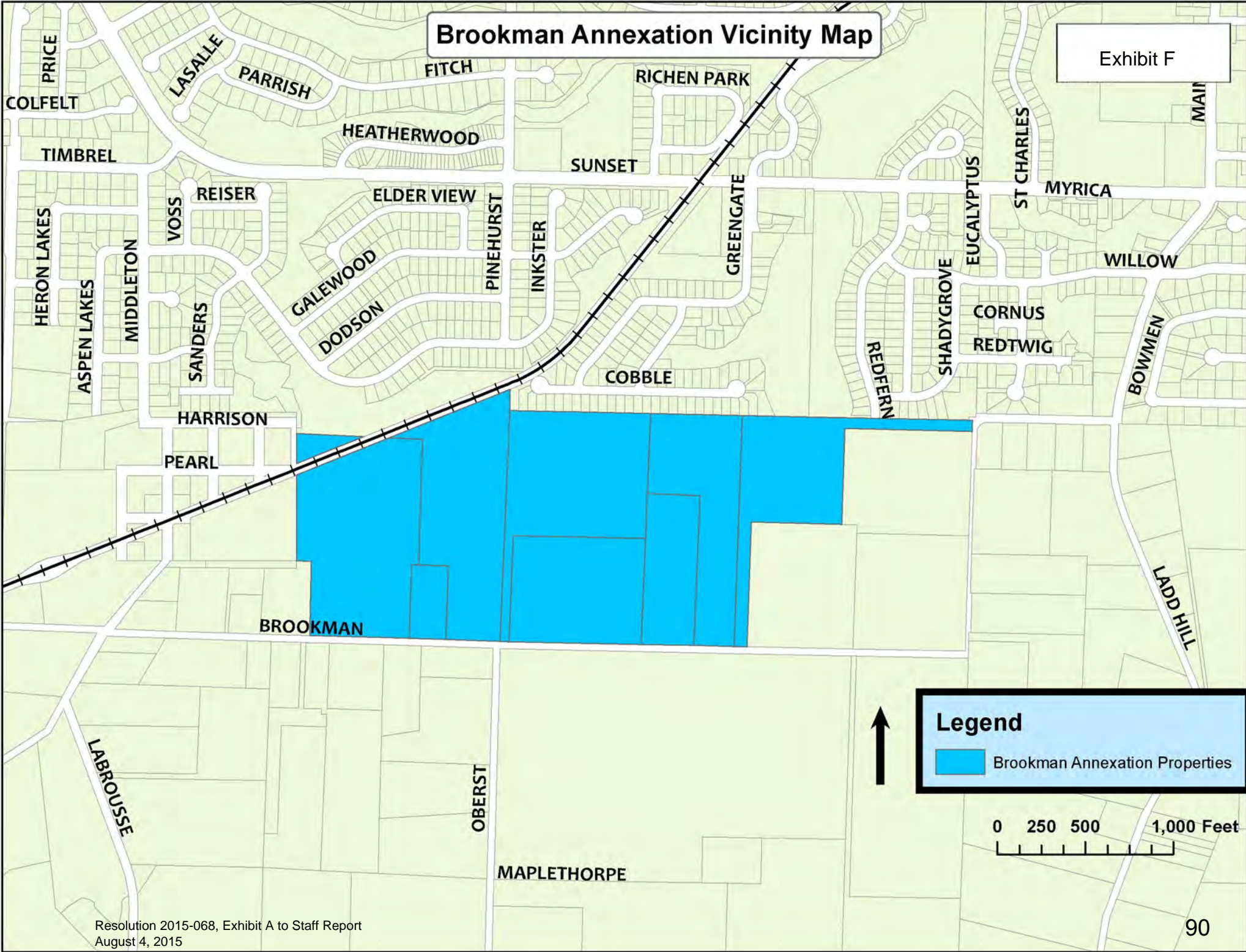
Alternative Brookman Annexation Vicinity Map

Exhibit E



Brookman Annexation Vicinity Map

Exhibit F



ANNEXATION APPLICATION FOR PROPERTIES NORTH OF SW BROOKMAN ROAD

DATE: April 2015

SUBMITTED TO: City of Sherwood
Planning Department
22560 SW Pine Street
Sherwood, OR 97140

APPLICANT: The Holt Group, Inc.
PO Box 87970
Vancouver, WA 98687



12965 SW Herman Road, Suite 100
Tualatin, OR 97062
P: (503) 563-6151
F: (503) 563-6152
www.aks-eng.com

ANNEXATION APPLICATION FOR PROPERTIES NORTH OF SW BROOKMAN ROAD

TABLE OF CONTENTS

APPLICATION CONTENTS (3 COPIES):

- City Application for Land Use Action
- City Checklist for Annexation Request Form
- Petitions for Annexation to the City of Sherwood
- Boundary Change Data Sheet
- Annexation Questionnaires
- Worksheets for Annexation to the City of Sherwood
- Property Owners List
- Washington County Assessor's Maps
- County Assessor's Certifications
 - Certification of Property Ownership
 - Certification of Assessed Value
 - Certification of Legal Description and Map
- Title Company Information

INCLUDED SEPARATELY WITH APPLICATION:

- Mailing Labels (2 Sets)
- Compact Disc (CD) of Application Materials
- City of Sherwood Annexation Application Fee

CITY APPLICATION FOR LAND USE ACTION



Home of the Tualatin River National Wildlife Refuge

Case No. AN 15-01
Fee 7500
Receipt # 173668
Date 4-1-15
TYPE V

City of Sherwood Application for Land Use Action

Type of Land Use Action Requested: (check all that apply)

- Annexation
- Plan Amendment (Proposed Zone _____)
- Variance (list standard(s) to be varied in description)
- Site Plan (Sq. footage of building and parking area)
- Planned Unit Development
- Conditional Use
- Partition (# of lots _____)
- Subdivision (# of lots _____)
- Other: _____

By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Sherwood employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

Note: See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at www.sherwoodoregon.gov. Click on Departments/Planning/Fee Schedule.

Owner/Applicant Information:

Applicant: The Holt Group Inc. Phone: Contact Applicant's Consultant
 Applicant Address: PO Box 87970, Vancouver WA 98687 Email: Contact Applicant's Consultant
 Owner: See Attached Annexation Petitions Phone: Contact Applicant's Consultant
 Owner Address: See Attached Annexation Petitions Email: Contact Applicant's Consultant
 Contact for Additional Information: Applicant's Consultant

AKS Engineering & Forestry, LLC - Phone: (503) 563-6151

Property Information:

12965 SW Herman Road, Tualatin, OR 97062
 Street Location: North of SW Brookman Road and East of Southern Pacific Railroad
 Tax Lot and Map No: Map No.: 35106 Tax Lots: 100, 101, 103, 104, and 107; Map No.: 35106B Tax Lots: 100, 101 and 200 (See attached maps)
 Existing Structures/Use: Either vacant or residential dwelling units and accessory structures
 Existing Plan/Zone Designation: FD-20 (Washington County)
 Size of Property(ies) Total of 80.23 acres without adjacent right-of-way (per Wash. County Assessors Information)
84.21 acres including adjacent right-of-way on SW Brookman Road

Proposed Action:

Purpose and Description of Proposed Action: Annexation of properties north of SW Brookman Road from unincorporated Washington County to the City of Sherwood.

Proposed Use: Annexation of properties at this time.

Proposed No. of Phases (one year each): N/A
N/A

LAND USE APPLICATION FORM

Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

Applicant's Signature

Date

Gerald J Ouellette & Liz A Ouellette

3-17-15

Owner's Signature

Date

Gerald J Ouellette & Liz A Ouellette

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

3 * copies of Application Form completely filled out and signed by the property owner (or person with authority to make decisions on the property).

Copy of Deed to verify ownership, easements, etc.

At least 3 * folded sets of plans

At least 3 * sets of narrative addressing application criteria

Fee (along with calculations utilized to determine fee if applicable)

N/A **Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)

Signed checklist verifying submittal includes specific materials necessary for the application process

* **Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

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Applicant's Signature

Date

Teresa Jaynes Lockwood

3-17-15

Owner's Signature

Date

Teresa Jaynes-Lockwood

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

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Linda R Scott
Applicant's Signature

3/20/15
Date

Linda R Scott
Owner's Signature

3/20/15
Date

Linda R Scott & Richard L Scott

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- 3 * copies of Application Form completely filled out and signed by the property owner (or person with authority to make decisions on the property).
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LAND USE APPLICATION FORM

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Richard L Scott
Applicant's Signature

3-20-15
Date

Richard L Scott
Owner's Signature

3-20-15
Date

Linda R Scott & Richard L Scott

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

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At least 3 * sets of narrative addressing application criteria

Fee (along with calculations utilized to determine fee if applicable)

N/A **Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)

Signed checklist verifying submittal includes specific materials necessary for the application process

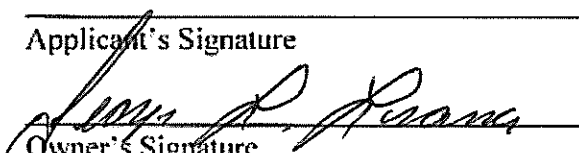
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LAND USE APPLICATION FORM

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Applicant's Signature


Owner's Signature
Sherwood Land LLC

Date
3/16/15

Date

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

3 * copies of Application Form completely filled out and signed by the property owner (or person with authority to make decisions on the property).

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At least 3 * sets of narrative addressing application criteria

Fee (along with calculations utilized to determine fee if applicable)

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LAND USE APPLICATION FORM

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I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

Carleen Brewer
Applicant's Signature

3-24-15
Date

Carleen Brewer
Owner's Signature

3-24-15
Date

George W Boyd & Carleen H Brewer

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

3 * copies of Application Form completely filled out and signed by the property owner (or person with authority to make decisions on the property).

Copy of Deed to verify ownership, easements, etc.

At least 3 * folded sets of plans

At least 3 * sets of narrative addressing application criteria

Fee (along with calculations utilized to determine fee if applicable)

N/A **Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)

Signed checklist verifying submittal includes specific materials necessary for the application process

* **Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

LAND USE APPLICATION FORM

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I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

[Signature]

 Applicant's Signature

3-24-15

 Date

[Signature]

 Owner's Signature

3-24-15

 Date

George W Boyd & Carleen H Brewer

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- 3 * copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc.
- At least 3 * folded sets of plans**
- At least 3 * sets of narrative** addressing application criteria
- Fee** (along with calculations utilized to determine fee if applicable)
- N/A **Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)
- Signed checklist** verifying submittal includes specific materials necessary for the application process

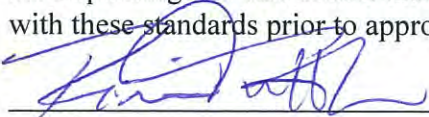
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LAND USE APPLICATION FORM

Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.


Applicant's Signature

3/31/15
Date

Owner's Signature

Date

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- 3 * copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc. (Title Information from First American Title Company included for all properties)
- At least 3 * folded** sets of plans
- At least 3 * sets** of narrative addressing application criteria
- Fee** (along with calculations utilized to determine fee if applicable)
- N/A **Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)
- Signed checklist** verifying submittal includes specific materials necessary for the application process

* **Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

CITY CHECKLIST FOR ANNEXATION REQUEST FORMS



CHECKLIST FOR ANNEXATION REQUEST TO THE CITY OF SHERWOOD

Submit the following to the City of Sherwood Planning Department, 22560 SW Pine Street, Sherwood, OR 97140: (503) 925-2308.

- ✓ **Fee- \$7,500.** Applicants are required to pay the \$7,500 filing fee which will be applied to all costs related to processing the annexation application. Money not used for costs will be returned to the applicant.
- ✓ An original and one copy of the enclosed packet titled **Annexations to the City of Sherwood.**
- ✓ **Mailing labels:** two (2) sets of mailing labels for property owners within 100 feet of the outside edge of the territory to be annexed, if the territory to be annexed is within an adopted urban growth boundary. If the proposed annexation is outside an urban growth boundary, but *not* within a farm or forest zone, you must submit two (2) sets of mailing labels for all property owners within 250 feet. If the area *is* within a farm or forest zone, you must submit two (2) sets of mailing labels for all property owners within 500 feet. Mailing labels can be obtained from a private title insurance company.
- ✓ Additionally, you must submit a list of all property owners and registered voters in the area to be annexed regardless of whether they signed the annexation petition or not.
- ✓ Electronic copy of all items submitted


Steps Following Application Submittal to the City of Sherwood:

The City of Sherwood will check the forms. If the fee and information is provided, the City will review it in detail for completeness. If complete, the City will prepare a staff report and schedule a public hearing before the Sherwood City Council. If the proposed annexation is approved at the public hearing, the City Council will direct the City Recorder to place the proposal on the ballot. Annexation proposals can be placed on a regular scheduled election or a special election. Contact the City Recorder regarding deadlines for placing items on the ballot at (503) 625-4246.

Annexations to the City of Sherwood

There are generally three methods of owner initiated annexation. These methods are described below, and the information needed to initiate either method is covered in this application. It should be noted that a vote of the citizens of the City of Sherwood are required in all three methods.

Double Majority - An annexation where the majority of electors and a majority of the landowners in the proposed annexation area have agreed to annex into the City. In this instance, a majority of the landowners, and at least 51% of the registered voters within the area to be annexed must support the annexation.

 **Triple Majority** – An annexation method that requires consent from a majority of the landowners who own a majority of real property and a majority of the assessed value of land within the area that is to be annexed. This method does not require that 51% of the registered voters in the area to be annexed support the application.

Super Majority – An annexation method where more than 50% of the registered voters within the affected territory, and 100% of the property owners within the affected territory support annexation.

I. Application Process for Property Owners and Registered Voters

PLEASE READ ALL INSTRUCTIONS BEFORE FILING A PETITION WITH THE CITY

Step 1. Petition

Complete the attached petition.

Who May Sign: An elector registered to vote in the territory to be annexed; a property owner who is the legal owner of record or, where there is a recorded land contract, the purchaser thereunder. If there are multiple owners, each signer is counted in proportion to the size of their ownership. If a corporation owns land, the corporation is considered the individual owner, and the form must be signed by an officer of the corporation who has the right to sign on behalf of the corporation.

Have the County Assessor's Office:

1. Certify the property owner signatures using the attached *Certification of Property Ownership* form (all methods).
2. Certify the assessed value for the properties on the attached *Certification of Assessed Value* form (for the Triple Majority Method).
3. Buy two 1/4 Section Maps showing the property to be annexed.
4. Certify the map and legal description using the attached *Certification of Legal Description and Map* form.
5. Proceed to the County Elections Department and have them certify the signatures of the registered voters by completing the attached *Certification of Registered Voters* form (for the Double Majority and Super Majority Method). Do this even if the property is vacant. In that case they certify that there are no registered voters in the affected territory.

Step 2. Legal Description

The legal description noted above must be a metes and bounds legal description of the territory to be annexed. This description should be inserted in or attached to the Petition. In addition, one separate copy of the metes and bounds description should be submitted to

the City along with the application. (A lot, block and subdivision description may be substituted for the metes and bounds description if the area is platted and no metes and bounds description is available, and if this is acceptable to the County Assessor's Office.) If the legal description contains any deed or book and page references, legible copies of these must be submitted with the legal description.

✓ Step 3. Map

As noted above you must submit two copies of the 1/4 Section map. This should be the latest County Assessor's quarter section map (or maps) which indicate the territory to be annexed. Outline the area to be annexed on the maps with a red marker or pencil.

✓ Step 4. Notice List & Labels

You must submit two (2) sets of mailing labels for property owners within 100 feet of the outside edge of the territory to be annexed, if the territory to be annexed is within an adopted urban growth boundary. If the proposed annexation is outside an urban growth boundary, but *not* within a farm or forest zone, you must submit two (2) sets of mailing labels for all property owners within 250 feet. If the area *is* within a farm or forest zone, you must submit two (2) sets of mailing labels for all property owners within 500 feet. Mailing labels can be obtained from a private title insurance company. Additionally, you must submit a list of all property owners and registered voters in the area to be annexed regardless of whether they signed the annexation petition or not.

✓ Step 5. Information Sheet

Complete the attached *Boundary Change Data Sheet*.

Step 6. Work Sheet

A *Worksheet* is attached. Fill out the worksheet to help verify that all requirements are met.

✓ Step 7. Annexation Questionnaire

Complete the Annexation Questionnaire.

✓ Step 7. Submit Application to the City

Submit all materials to the City of Sherwood Planning Department.

II. City Review

BELOW IS A SUMMARY OF THE STEPS WHICH WILL BE TAKEN REGARDING ANNEXATIONS INITIATED BY ANY OF THESE THREE METHODS.

Step 1. Compliance Review

Submitted materials will be checked for compliance with requirements of state statutes and the Metro Code section 3.09 requirements.

Step 2. Public Hearing Date Set

The proposal will be set for a hearing by the City Council at the next hearing date for which all the requirements of the Metro Code and state statutes can be met. The setting of the hearing date must occur within 30 days of the day the proposal is judged to be complete.

Step 3. Public Hearing Notice

Notice of the public hearing will be sent to service providers in the area, to the applicant, to adjacent property owners and to appropriate neighborhood or community organizations. Notice of the hearing will be posted in and around the territory to be annexed. The hearing will also be advertised twice in a newspaper of general circulation in the area

Step 4. Staff Study and Report

A staff report will be prepared on each proposed boundary change. This report will cover at a minimum five items specified in the Metro Code including availability of services, compatibility with regional and local plans, etc. This report will be made available to the public 15 days prior to the hearing.

Step 5. Public Hearing

The City Council holds a public hearing. At the hearing the Council will consider 7 minimum criteria laid out in the Metro Code including compliance with urban service agreements, consistency with applicable land use plans and service availability. At the conclusion of the public hearing, if Council supports the annexation, they will forward the issue to the voters at the next available election (usually no less than 60 days).

All annexations in Sherwood require a majority approval of the voters. After the election, the Council will accept the certified election results and, if approved by the voters, proclaim the annexation.

In order to officially change the boundary, the order must be sent to Secretary of State, County Recorder and County Assessor, State Revenue Department, and City Recorder. Other interested parties (such as the utilities) are notified as well.

PETITIONS FOR ANNEXATION TO THE CITY OF SHERWOOD

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:


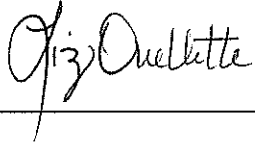
We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Gerald J Ouellette	X			17045 SW Brookman Road Sherwood OR 97140	3S10600 00100	9.90 AC	\$344,830.00
	Liz A Ouellette	X	X	X				

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Teresa Jaynes Lockwood</i>	Teresa Jaynes-Lockwood	X			17495 SW Brookman Road Sherwood OR 97140	3S10600 00103	13.50 AC	\$475,870.00

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

We, the undersigned owner(s) of the property described in Attachment A and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Linda R Scott</i>	Linda R Scott			✓	17433 SW Brookman Road Sherwood OR 97140	3S10600 00104	10.47AC	\$256,130.00
	Richard L Scott							

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Linda R Scott				17433 SW Brookman Road Sherwood OR 97140	3S10600 00104	10.47AC	\$256,130.00
<i>Richard L Scott</i>	Richard L Scott			X	15625 Ponderosa Ln Sisters, OR 97759	✓	✓	✓

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Wayne K Chronister Linda A Chronister				17033 SW Brookman Road Sherwood OR 97140	3S10600 00107	9.92 AC	\$67,870.00
<i>Gerald Ouellette</i> <i>Elizabeth Ouellette</i>	Gerald Ouellette Elizabeth Ouellette	X	X	X				
	Rosemary Rubsam Barbara Rubsam							

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

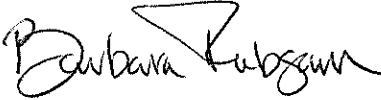
We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Wayne K Chronister Linda A Chronister				17033 SW Brookman Road Sherwood OR 97140	3S10600 00107	9.92 AC	\$67,870.00
	Gerald Ouellette Elizabeth Ouellette							
	Rosemary Rubsam Barbara Rubsam	✓		✓				

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

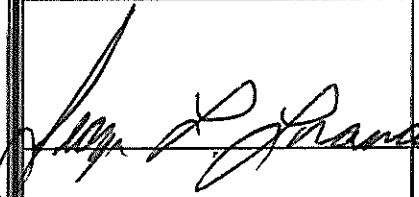
We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Sherwood Land LLC	X			17601 SW Brookman Road Sherwood OR 97140	3S106B0 00100	12.76AC	\$181,520.00

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	George W Boyd				17769 SW Brookman Road Sherwood OR 97140	3S106B0 00200	15.82 AC	\$222,640.00
<i>Carleen Brewer</i>	Carleen H Brewer			X				

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:


We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	George W Boyd	X			17769 SW Brookman Road Sherwood OR 97140	3S106B0 00200	15.82 AC	\$222,640.00
	Carleen H Brewer							

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

BOUNDARY CHANGE DATA SHEET

BOUNDARY CHANGE DATA SHEET

I. EXISTING CONDITIONS IN AREA TO BE ANNEXED OR WITHDRAWN

A. General location: Within the Brookman Road Concept Plan, southeast of the Southern Pacific Railroad tracks, north of SW Brookman Road.

B. Land Area: Acres 80.23 acres without R-O-W or Square Miles _____
(per Washington County Assessor's Information)

C. General description of territory. (Include topographic features such as slopes, vegetation, drainage basins, floodplain areas, which are pertinent to this proposal.)

The eastern portion of the territory includes a drainage way and has existing trees and vegetation.

The topography ranges from 165 feet in elevation to 235 feet in elevation.

D. Describe Land uses on surrounding parcels. Use tax lots as reference points.

North: Residential subdivision within the City of Sherwood City Limits.

East: Rural single-family dwellings within Washington County.

South: Rural single-family dwellings within Washington County.

West: Rural single-family dwellings within Washington County

E. Existing Land Use within the area to be annexed:

Number of single-family units 7 Number of multi-family units 0

Number of commercial structures 0 Number of industrial structures 0

Public facilities or other uses None

What is the current use the land proposed to be annexed: Residential, vacant.

F. Total current year Assessed Valuation: \$2,097,800

G. Total existing population: 8 properties with 16 owners (one property is owned by a trust)

II. REASON FOR BOUNDARY CHANGE

- A. The Metro Code spells out criteria for consideration (Metro Code 3.09.050). Considering these criteria, please provide the reasons the proposed boundary change should be made. Please be very specific. Use additional pages if necessary.

See attached explanation.

- B. If the property to be served is entirely or substantially undeveloped, what are the plans for future development? Be specific. Describe type (residential, industrial, commercial, etc.), density, etc.

See attached explanation.

III. LAND USE AND PLANNING

- A. Is the subject territory inside or outside of the Metro Regional Urban Growth Boundary?

Inside

- B. What is the applicable County Planning Designation? Future Development 20 Acres (FD-20)
Or City Planning Designation? _____

Does the proposed development comply with applicable regional, county or city comprehensive plans?
Please describe.

The area to be annexed is consistent with the Brookwood Concept Plan which complements
the City of Sherwood's Comprehensive Plan.

- C. What is the zoning on the territory to be served?

FD-20

- D. Can the proposed development be accomplished under current county zoning?

____ Yes X No

If No, has a zone change been sought from the county either formally or informally?

____ Yes X No

Please describe outcome of zone change request if answer to previous questions was Yes.

E. Please indicate all permits and/or approvals from a City, County or Regional Government which will be needed for the proposed development. If already granted, please indicate date of approval and identifying number:

APPROVAL	PROJECT FILE NO.	DATE OF APPROVAL	FUTURE REQUIREMENT
Metro UGB Amendment	02-0969B	12/5/2002	
City of County Plan Amendment			✓
Pre-Application Hearing (City or County)			✓
Preliminary Subdivision Approval			✓
Final Plat Approval			✓
Land Partition			
Conditional Use			
Variance			
Sub-Surface Sewage Disposal			
Building Permit			✓

Please submit copies of proceedings relating to any of the above permits or approvals which are pertinent to the annexation.

F. If a city and/or county-sanctioned citizens' group exists in the area of the annexation, please list its name and address of a contact person.

Washington County Citizen Participation Organization 5

IV. SERVICES AND UTILITIES

A. Please indicate the following:

1. Location and size of nearest water line that can serve the subject area.

8" water line stubbed in Swordfern Lane, northwest of the annexation properties,
and an 8" water line stubbed in Red Fern Road, northeast of annexation properties.

2. Location and size of nearest sewer line which can serve the subject area.

According to the City of Sherwood Sanitary Sewer Master Plan, an existing 18" sewer main is
located west of Saint Charles Street.

3. Proximity of other facilities (storm drains, fire engine companies, etc.) which can serve the subject area.

According to the City of Sherwood Brookman addition Stormwater Concept Plan Diagram,
new detention facilities will need to be constructed with future residential development in
area. TVFR currently serves the area and will continue to do so once annexed.

4. The time at which services can be reasonably provided by the city or district.

Services are available once funding is procured to construct the necessary extensions or
expansion of facilities.

5. The estimated cost of extending such facilities and/or services and what is to be the method of financing. (Attach any supporting documents.)

Unknown at this time.

6. Availability of desired service from any other unit of local government. (Please indicate the government.)

City of Sherwood

B. If the territory described in the proposal is presently included within the boundaries of or being served extraterritorially or contractually by, any of the following types of governmental units please so indicate by stating the name or names of the governmental units involved.

City _____ Rural Fire Dist. Tualatin Valley Fire and Rescue

County Service Dist. _____ Sanitary District _____

Hwy. Lighting Dist. _____ Water District _____

Grade School Dist. City of Sherwood Drainage District _____

High School Dist. City of Sherwood Diking District _____

Library Dist. City of Sherwood Park & Rec. Dist. City of Sherwood

Special Road Dist. _____ Other District Supplying
Water Service _____

C. If any of the above units are presently servicing the territory (for instance, are residents in the territory hooked up to a public sewer or water system), please so describe.

TVFR currently serves the area and will continue to do so once annexed.

V. APPLICANT INFORMATION

APPLICANT'S NAME The Holt Group, Inc.

MAILING ADDRESS PO Box 87970
Vancouver, WA 98687

TELEPHONE NUMBER (503) 563-6151(Applicant's Consultant) (Work)
(503) 563-6152- Fax (Applicant's Consultant) (Res.)

Boundary Change Data Sheet

II. Reason for Boundary Change

- A. *The Metro Code spells out criteria for consideration (Metro Code 3.09.050). Considering these criteria, please provide the reasons the proposed boundary change should be made. Please be very specific. Use additional pages if necessary.*

The application includes an Annexation into the City of Sherwood for eight (8) properties with sixteen (16) different owners and totaling 80.23 acres (According to Washington County Assessor's Information). The properties were included in the Urban Growth Boundary (UGB) in 2002 and are located between the City's boundary and the UGB.

The triple majority method was used to determine the territory's support for annexation. The triple majority method requires consent from a majority of the landowners who own a majority of the property and a majority of the assessed value of land within the area that is to be annexed. Included are signatures from the landowners who own a majority of the real property as well as own a majority of the assessed value of land within the area.

The City of Sherwood included these properties in their Brookman Addition Concept Plan (Brookman Plan). The Brookman Plan further discusses existing water, sanitary sewer and stormwater services in the area and confirm services can either be extended from the City of Sherwood City limits or constructed with the future development of the properties. The area is currently served by Tualatin Valley Fire and Rescue and will continue to benefit from their services after the annexation into the City. Washington County provides law enforcement for the area. Once annexed, the City of Sherwood would provide these services.

- B. *If the property to be served is entirely or substantially underdeveloped, what are the plans for future development? Be specific. Describe type (residential, industrial, commercial, etc.) density, etc.*

The area is largely underdeveloped and will require City approvals for future development. According to the Brookman Plan, the area is planned to be developed with a variety of different residential densities from medium density residential low to medium density residential high. Properties would need to be subdivided, PUDs proposed, new streets constructed, and utilities extended or installed to support these densities. Some utilities will be extended from the southern City limits of Sherwood, such as water and sewer. New stormwater facilities will be installed with the new residential development as it is constructed. The area has potential for important residential development for the City.

ANNEXATION QUESTIONNAIRES

ANNEXATION QUESTIONNAIRE

It is the applicant's responsibility to obtain the information requested on the attached annexation questionnaire. The information is used by the Center for Population Research and Census (CPRC) at Portland State University to update the estimate of the population for the City of Sherwood after annexations.

The information collected is confidential and is used for no other purpose. Please obtain the information prior to submitting the annexation petition. It is your responsibility to update this information if changes are made between the original application filing and the effective date of the application.

Fill out one sheet per property that is being annexed.

Address: 17433 SW Brookman Road, Sherwood, OR 97140

Housing type:

- Single-family home
- Multi-family residence
- Manufactured home

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
Scott	Richard	M	65
Scott	Linda	F	64
Scott	Preston	M	35
Scott	Lisa	F	44

ANNEXATION QUESTIONNAIRE

It is the applicant's responsibility to obtain the information requested on the attached annexation questionnaire. The information is used by the Center for Population Research and Census (CPRC) at Portland State University to update the estimate of the population for the City of Sherwood after annexations.

The information collected is confidential and is used for no other purpose. Please obtain the information prior to submitting the annexation petition. It is your responsibility to update this information if changes are made between the original application filing and the effective date of the application.

Fill out one sheet per property that is being annexed.

Address: 17045 SW Brookman Road, Sherwood, OR 97140

Housing type:

- Single-family home
- Multi-family residence
- Manufactured home

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
Ouellette	Gerald	M	60
Ouellette	Liz	F	57
Ouellette	Megan	F	18
Ouellette	Cali	F	11

ANNEXATION QUESTIONNAIRE

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The information collected is confidential and is used for no other purpose. Please obtain the information prior to submitting the annexation petition. It is your responsibility to update this information if changes are made between the original application filing and the effective date of the application.

Fill out one sheet per property that is being annexed.

Address: 17495 SW Brookman Road, Sherwood, OR 97140 _____

Housing type: _____

- Single-family home
- Multi-family residence
- Manufactured home

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
Jaynes-Lockwood	Teresa	F	

ANNEXATION QUESTIONNAIRE

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The information collected is confidential and is used for no other purpose. Please obtain the information prior to submitting the annexation petition. It is your responsibility to update this information if changes are made between the original application filing and the effective date of the application.

Fill out one sheet per property that is being annexed.

Address: 17117 SW Brookman Road, Sherwood, OR 97140 _____

Housing type: _____

- Single-family home
- Multi-family residence
- Manufactured home

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
David	Bonnie	F	

ANNEXATION QUESTIONNAIRE

It is the applicant's responsibility to obtain the information requested on the attached annexation questionnaire. The information is used by the Center for Population Research and Census (CPRC) at Portland State University to update the estimate of the population for the City of Sherwood after annexations.

The information collected is confidential and is used for no other purpose. Please obtain the information prior to submitting the annexation petition. It is your responsibility to update this information if changes are made between the original application filing and the effective date of the application.

Fill out one sheet per property that is being annexed.

Address: 17033 SW Brookman Road, Sherwood, OR 97140 _____

Housing type: _____

- Single-family home
- Multi-family residence
- Manufactured home

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
Chronister	Wayne	M	
Chronister	Linda	F	

ANNEXATION QUESTIONNAIRE

It is the applicant's responsibility to obtain the information requested on the attached annexation questionnaire. The information is used by the Center for Population Research and Census (CPRC) at Portland State University to update the estimate of the population for the City of Sherwood after annexations.

The information collected is confidential and is used for no other purpose. Please obtain the information prior to submitting the annexation petition. It is your responsibility to update this information if changes are made between the original application filing and the effective date of the application.

Fill out one sheet per property that is being annexed.

Address: 17769 SW Brookman Road, Sherwood, OR 97140

Housing type: _____

- Single-family home
- Multi-family residence
- Manufactured home

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
Boyd	George	M	70
Brewer	Carleen	F	62

ANNEXATION QUESTIONNAIRE

It is the applicant's responsibility to obtain the information requested on the attached annexation questionnaire. The information is used by the Center for Population Research and Census (CPRC) at Portland State University to update the estimate of the population for the City of Sherwood after annexations.

The information collected is confidential and is used for no other purpose. Please obtain the information prior to submitting the annexation petition. It is your responsibility to update this information if changes are made between the original application filing and the effective date of the application.

Fill out one sheet per property that is being annexed.

Address: 17687 SW Brookman Road, Sherwood, OR 97140 _____

Housing type:

- Single-family home
- Multi-family residence
- Manufactured home

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
Bartlett	Thomas	M	
Bartlett	Marie	F	

WORKSHEETS FOR ANNEXATION TO THE CITY OF SHERWOOD

WORKSHEET FOR ANNEXATION TO THE CITY OF SHERWOOD

Please list all properties/registered voters included in the proposal. (If needed, use separate sheets for additional listings.)

PROPERTY INFORMATION (ALL METHODS)

PROPERTY DESIGNATION (Tax Lot Numbers)	NAME OF PROPERTY OWNER	TOTAL ACRES	ASSESSED VALUE OF THE PROPERTY	SIGNED PETITION	
				YES	NO
3S106: 100	Gerald Ouellette, Liz (Elizabeth) Ouellette	9.90	344,830	X	
3S106: 103	Teresa Jaynes-Lockwood	13.50	475,870	X	
3S106: 104	Linda R Scott, Richard L Scott	10.47	256,130	X	
3S106B: 100	Sherwood Land LLC	12.76	181,520	X	
3S106B: 200	George W Boyd, Carleen H Brewer	15.82	222,640	X	
TOTALS:	(Subtotal)	62.45	\$1,480,990		

REGISTERED VOTERS (DOUBLE MAJORITY METHOD)

ADDRESS OF REGISTERED VOTER	NAME OF REGISTERED VOTER	SIGNED PETITION	
		YES	NO
N/A	N/A		
TOTALS:			

SUMMARY

TOTAL NUMBER OF REGISTERED VOTERS IN THE PROPOSAL: <u>N/A</u>	TOTAL NUMBER OF COMMERCIAL STRUCTURES: <u>0</u>
NUMBER OF REGISTERED VOTERS WHO SIGNED PETITION: <u>N/A</u>	TOTAL NUMBER OF INDUSTRIAL STRUCTURES: <u>0</u>
PERCENTAGE OF REGISTERED VOTERS WHO SIGNED PETITION: <u>N/A</u>	Total Assessed Value: \$2,097,800
TOTAL ACREAGE IN THE PROPOSAL: <u>80.23</u>	Value Signed For: \$1,480,990
ACREAGE SIGNED FOR: <u>62.45</u>	Percentage Value Signed For: 71%
PERCENTAGE OF ACREAGE SIGNED FOR: <u>77%</u>	
TOTAL NUMBER OF SINGLE-FAMILY UNITS: <u>7</u>	
TOTAL NUMBER OF MULTI-FAMILY UNITS: <u>0</u>	

WORKSHEET FOR ANNEXATION TO THE CITY OF SHERWOOD

Please list all properties/registered voters included in the proposal. (If needed, use separate sheets for additional listings.)

****PROPERTY INFORMATION** (ALL METHODS)**

PROPERTY DESIGNATION (Tax Lot Numbers)	NAME OF PROPERTY OWNER	TOTAL ACRES	ASSESSED VALUE OF THE PROPERTY	SIGNED PETITION	
				YES	NO
3S106B: 101	Thomas R Bartlett, Marie A Bartlett	2.0	255,300		X
3S106: 101	Bonnie J David	5.86	293,640	X	
3S106: 107	Wayne & Elizabeth, Chronister	9.92	67,870		X
TOTALS:	(Subtotal)	17.78	\$616,810		

****REGISTERED VOTERS** (DOUBLE MAJORITY METHOD)**

ADDRESS OF REGISTERED VOTER	NAME OF REGISTERED VOTER	SIGNED PETITION	
		YES	NO
TOTALS:			

****SUMMARY****

TOTAL NUMBER OF REGISTERED VOTERS IN THE PROPOSAL: <u> N/A </u>	TOTAL NUMBER OF COMMERCIAL STRUCTURES: <u> 0 </u>
NUMBER OF REGISTERED VOTERS WHO SIGNED PETITION: <u> N/A </u>	TOTAL NUMBER OF INDUSTRIAL STRUCTURES: <u> 0 </u>
PERCENTAGE OF REGISTERED VOTERS WHO SIGNED PETITION: <u> N/A </u>	Total Assessed Value: <u> \$2,097,800 </u>
TOTAL ACREAGE IN THE PROPOSAL: <u> 80.23 </u>	Value Signed For: <u> \$1,480,990 </u>
ACREAGE SIGNED FOR: <u> 62.45 </u>	Percentage Value Signed For: <u> 71% </u>
PERCENTAGE OF ACREAGE SIGNED FOR: <u> 77% </u>	
TOTAL NUMBER OF SINGLE-FAMILY UNITS: <u> 7 </u>	
TOTAL NUMBER OF MULTI-FAMILY UNITS: <u> 0 </u>	

PROPERTY OWNERS LIST

PROPERTY OWNER LIST

GERALD OUELLETTE LIZ OUELLETTE	3S10600 100 17045 SW BROOKMAN RD. Sherwood, OR 97140
BONNIE J. DAVID	3S10600 101 17433 SW BROOKMAN RD. Sherwood, OR 97140
TERESA JAYNES - LOCKWOOD	3S10600 103 17495 SW BROOKMAN RD. Sherwood, OR 97140
LINDA R SCOTT	3S10600 104 17433 SW BROOKMAN Sherwood, OR 97140
WAYNE CHRONISTER LINDA CHRONISTER GERALD OULLETTE ELIZABETH OUELLETE ROSEMARY RUBSAM BARBARA RUBSAM	3S10600 107 17033 SW BROOKMAN RD. Sherwood, OR 97140
SHERWOOD LAND LLC BY: GEORGE LORANCE	3S106B 100 17601 SW BROOKMAN RD. Sherwood, OR 97140
THOMAS R BARTLETT MARIE A BARTLETT	3S106B 101 17687 SW BROOKMAN RD. Sherwood, OR 97140
GEORGE W BOYD CARLEEN H BREWER	3S106B 200 17769 SW BROOKMAN RD. Sherwood, OR 97140

WASHINGTON COUNTY ASSESSOR'S MAPS

SECTION 6 T3S RIW W.M.

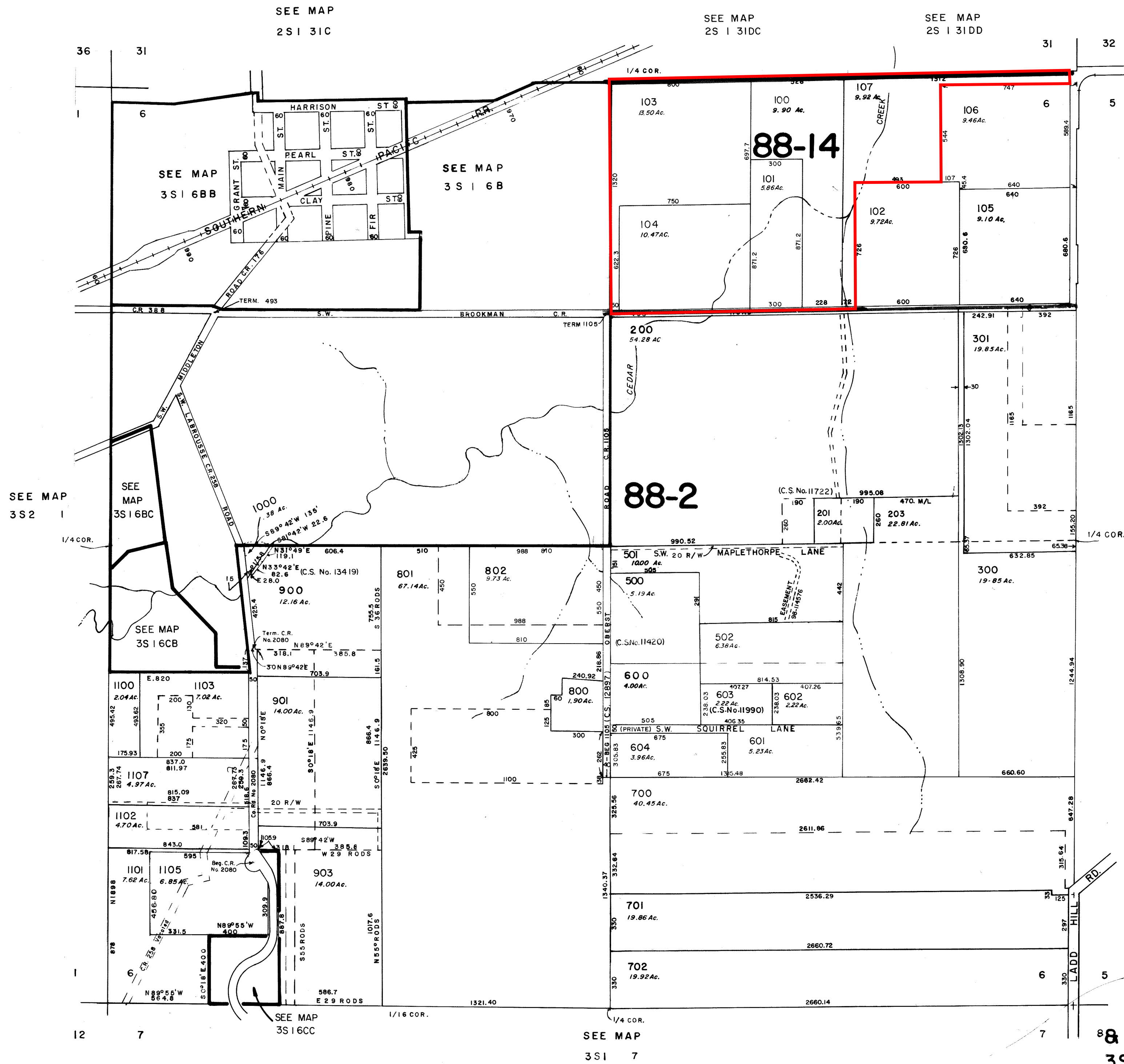
WASHINGTON COUNTY OREGON

SCALE 1"=400'

3S1 6
& INDEX

FOR ASSESSMENT PURPOSES ONLY
DO NOT RELY ON FOR ANY OTHER USE

CANCELLED 1200, 1290,
1104, 1106, 902, 202, 703, 400,
204,



C L A S K A M A S
C O U N T Y

8 & INDEX
3S1 6

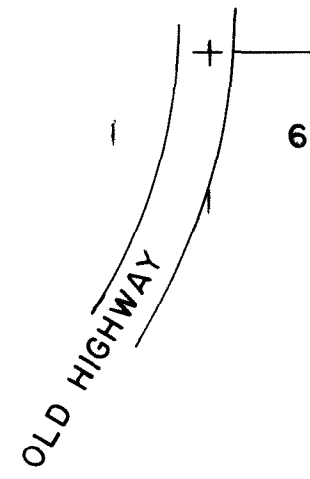
NW1/4 SECTION 6 T3S RIW W.M.

WASHINGTON COUNTY OREGON

SEE MAP 2S1 31C

SCALE 1"=200'

36 31



6

3S1 6B

SEE MAP
3S1 6BB

88-14

CANCELLED
301, 1300, 1701,
1100, 1100 M1, 1600,
1500, 1600,

SEE MAP
3S2 1A

SEE MAP
3S1 6

FOR ASSESSMENT
PURPOSES ONLY
DO NOT RELY ON
FOR ANY OTHER USE

SEE MAP
3S1 6BC

SEE MAP
3S1 6CB

SEE MAP
3S1 6

3S1 6B

COUNTY ASSESSOR'S CERTIFICATIONS

THIS SECTION IS TO BE COMPLETED BY COUNTY ASSESSOR'S OFFICE

CERTIFICATION OF PROPERTY OWNERSHIP
(All Methods)

I hereby certify that the attached petition for a proposed boundary change (annexation) of the territory described in Attachment A of the petition contains the names of the owners* of the land area within the annexation area described, as shown on the last available complete assessment roll.

NAME: TED FOSTER

TITLE: GIS TECH

DEPARTMENT: CARTOGRAPHY

COUNTY OF: WASHINGTON

DATE: 3/25/15

* "Owner" means the legal owner of record or, where there is a recorded a land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.

ANNEXATION CERTIFIED

BY VF

MAR 25 2015

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

CERTIFICATION OF ASSESSED VALUE
(Triple Majority Method)

I hereby certify that the attached petition for a proposed boundary change (annexation) of the territory described in Attachment A of the petition contains the current assessed value for the properties within the annexation area described, consistent with the last available complete assessment roll.

NAME: Diane Belt

TITLE: Tax Collection Supervisor

DEPARTMENT: Washington Co Assessment & Taxation

COUNTY OF: Washington

DATE: March 24, 2015

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.


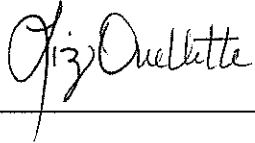
LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE 1 OF 1

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Gerald J Ouellette	X			17045 SW Brookman Road Sherwood OR 97140	3S10600 00100	9.90 AC	\$344,830.00
	Liz A Ouellette	X	X	X				

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Teresa Jaynes Lockwood</i>	Teresa Jaynes-Lockwood	X			17495 SW Brookman Road Sherwood OR 97140	3S10600 00103	13.50 AC	\$475,870.00

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

We, the undersigned owner(s) of the property described in Attachment A and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Linda R Scott</i>	Linda R Scott			✓	17433 SW Brookman Road Sherwood OR 97140	3S10600 00104	10.47AC	\$256,130.00
	Richard L Scott							

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Linda R Scott				17433 SW Brookman Road Sherwood OR 97140	3S10600 00104	10.47AC	\$256,130.00
<i>Richard L Scott</i>	Richard L Scott			X	15625 Ponderosa Ln Sisters, OR 97759	✓	✓	✓

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

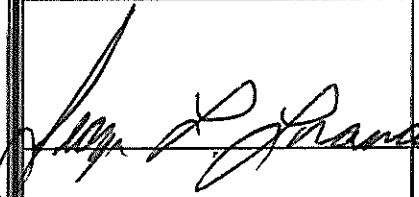
We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Sherwood Land LLC	X			17601 SW Brookman Road Sherwood OR 97140	3S106B0 00100	12.76AC	\$181,520.00

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	George W Boyd				17769 SW Brookman Road Sherwood OR 97140	3S106B0 00200	15.82 AC	\$222,640.00
<i>Carleen Brewer</i>	Carleen H Brewer			X				

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:


We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	George W Boyd	X			17769 SW Brookman Road Sherwood OR 97140	3S106B0 00200	15.82 AC	\$222,640.00
	Carleen H Brewer							

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

CERTIFICATION OF LEGAL DESCRIPTION AND MAP
(All Methods)

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 35106 AM 35106B) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME TED FOSTER
TITLE GIS TECH
DEPARTMENT CARTOGRAPHY
COUNTY OF WASHINGTON
DATE 3/25/15

ANNEXATION CERTIFIED
BY TF
MAR 25 2015
WASHINGTON COUNTY A & T
CARTOGRAPHY

EXHIBIT A

Annexation Parcel

A tract of land located in the northwest one-quarter and in the northeast one-quarter of Section 6, Township 3 South, Range 1 West, and in the southwest one-quarter of Section 31, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon and being more particularly described as follows:

Parcel 1:

Beginning at the northeast corner of said Section 6, being a point on the southerly line of the City of Sherwood city limits; thence along the east line of said section and being on the east line of Washington County, South 01°51'49" West 50.00 feet to a point; thence leaving said county line, along a line parallel to and 50.00 feet southerly of the north line of said Section 6, North 88°45'45" West 766.59 feet to the northwest corner of Deed Book 1182 Page 951; thence along the northerly west line of said Deed, South 01°51'49" West 554.81 feet to a point on the north line of Document Number 87-027469; thence along the north line of said Deed, North 88°45'45" West 493.00 feet to the northwest corner thereof; thence along the west line of said Deed and the southerly extension thereof, South 01°51'49" West 746.85 feet to a point on the southerly right-of-way line of Brookman Road (County Road No. 493) (20.00 feet from centerline); thence along said southerly right-of-way line, North 88°50'38" West 2510.53 feet to a point on the southerly extension of the east line of Document Number 2011-080743; thence along said southerly extension and the east line of said Deed, North 01°07'39" East 479.83 feet to the northeast corner thereof; thence along the north line of said Deed North 89°52'17" West 54.60 feet to the southeast corner of the Plat of "Middleton"; thence along the east line of said Plat North 00°07'56" East 485.66 feet to a point on the southeasterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline) and referenced as **Point 'A'**, which bears South 00°07'56" West 234.85 feet from the southerly southwest corner of Tract 'U' of the Plat "Woodhaven No. 4", and the City of Sherwood city limits; thence along said southeasterly right-of-way line, North 68°14'32" East 1260.43 feet to a point on the City of Sherwood city limits; thence along the City of Sherwood city limits, North 66°48'03" East 46.53 feet to the northwest corner of Lot 97 of the Plat of "Abney Revard No. 2", being an angle point of the southerly line of the City of Sherwood city limits; thence along the west line of said Lot 97 and the City of Sherwood city limits, South 01°15'43" West 120.84 feet to the north one-quarter corner of said Section 6; thence along the north line thereof and the City of Sherwood City Limits, South 88°45'45" East 2647.18 feet to the Point of Beginning.

Parcel 2:

Beginning at said **Point 'A'**, which bears South 00°07'56" West 234.85 feet from the southerly southwest corner of Tract 'U' of the Plat "Woodhaven No. 4"; thence along the east line of the Plat of "Middleton", North 00°07'56" East 64.66 feet to a point on the northwesterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline) and the **True Point of Beginning**; thence continuing along said east line, North 00°07'56" East 170.19 feet to the southerly southwest corner of Tract 'U' of the Plat "Woodhaven No. 4", and the City of Sherwood city limits; thence along the southerly line of said Tract 'U' and the City of Sherwood city limits, South 87°19'51" East 381.87 feet

to a point on said northwesterly right-of-way line; thence leaving the City of Sherwood city limits along said northwesterly right-of-way line, South 68°14'32" West 411.14 feet to the True Point of Beginning.

The above described tracts of land contain 84.21 acres, more or less (of which 2.31 acres is existing right-of-way and 81.90 acres is private property).



ANNEXATION CERTIFIED

BY RF

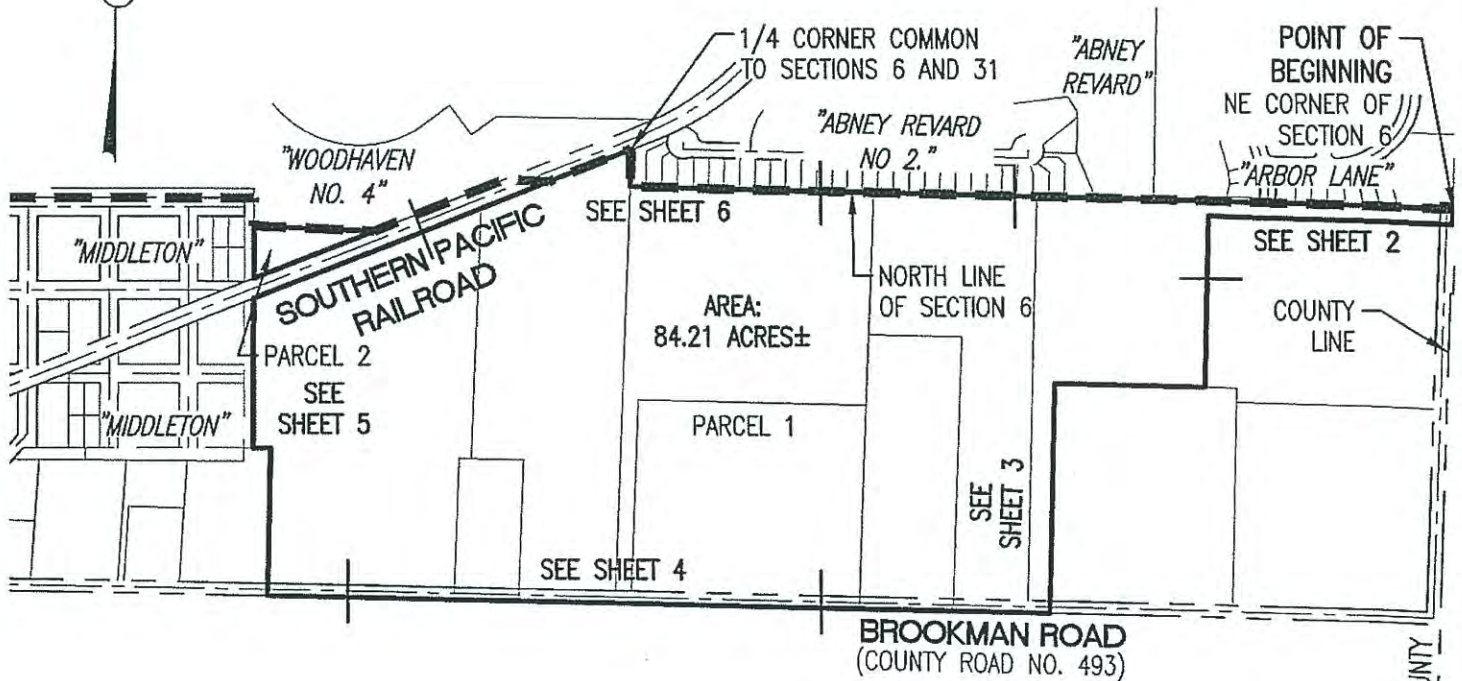
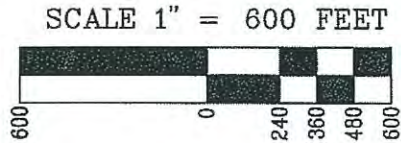
MAR 25 2015

WASHINGTON COUNTY A & T
CARTOGRAPHY

EXHIBIT B

SHEET 1 OF 6

A TRACT OF LAND LOCATED IN THE NW 1/4 AND NE 1/4 OF SECTION 6, T3S, R1W, AND IN THE SW 1/4 OF SECTION 31, T2S, R1W, W.M., WASHINGTON COUNTY, OREGON



LEGEND

--- CITY OF SHERWOOD CITY LIMITS

ANNEXATION CERTIFIED

BY VF

MAR 25 2015

WASHINGTON COUNTY A & T
CARTOGRAPHY

AREA TABLE

TOTAL AREA: 84.21 ACRES±
RIGHT-OF-WAY AREA: 2.31 ACRES±
PROPERTY AREA: 81.90 ACRES±

DATE: 03/25/2015

63-25-15
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert D. Rettig
OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS
RENEWS: 12/31/16

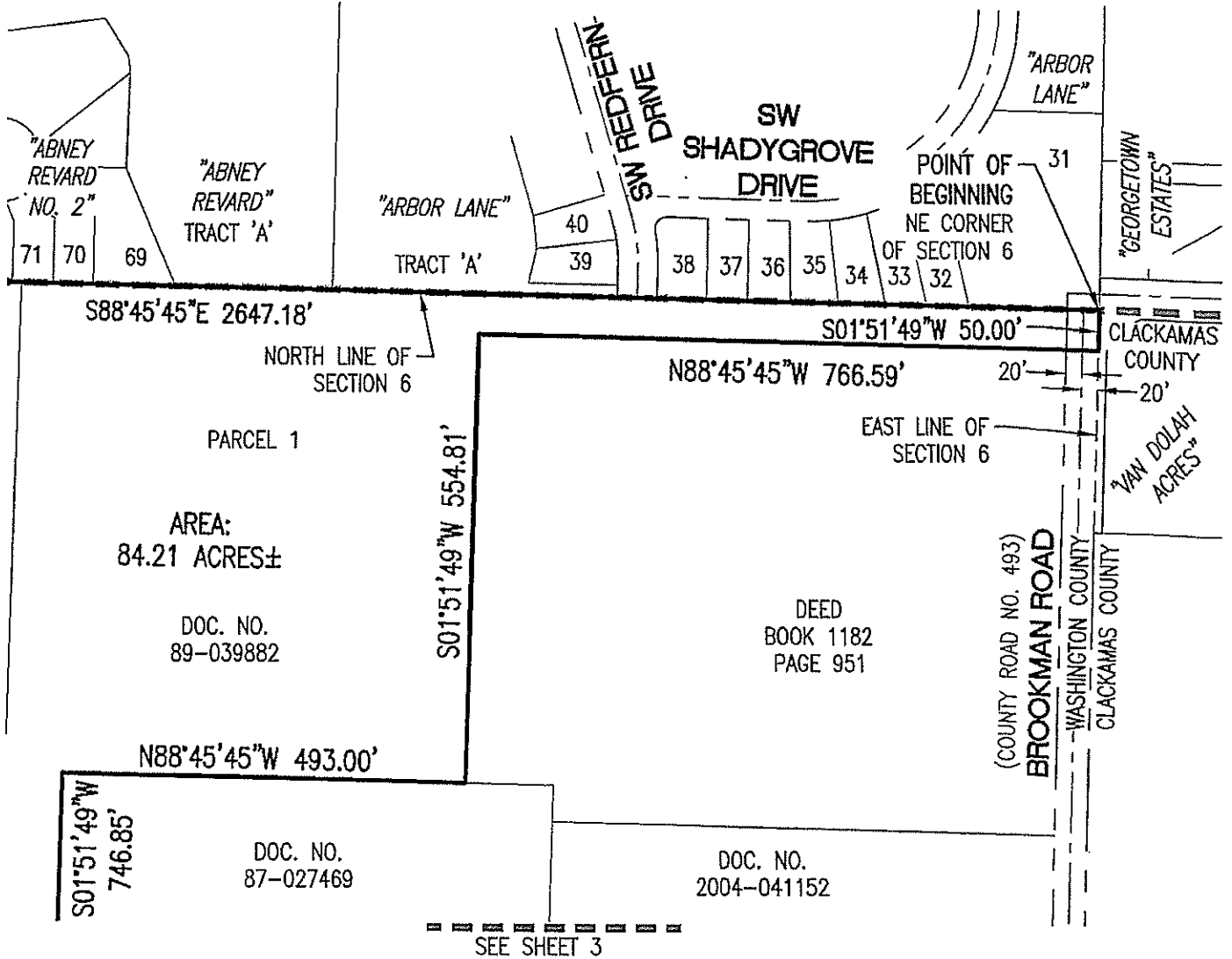
BROOKMAN AREA ANNEXATION		
DRAWN BY: MSK	CHECKED BY: RDR	DWG: 3591-EXHIBIT
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD SUITE 100 TUALATIN, OR 97062 www.aks-eng.com		JOB: 3591
PHONE: 503.653.6151	FAX: 503.653.6152	



EXHIBIT B

SHEET 2 OF 6

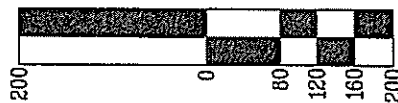
A TRACT OF LAND LOCATED IN THE NW 1/4 AND NE 1/4 OF SECTION 6, T3S, R1W, AND IN THE SW 1/4 OF SECTION 31, T2S, R1W, W.M., WASHINGTON COUNTY, OREGON



LEGEND

--- CITY OF SHERWOOD CITY LIMITS

SCALE 1" = 200 FEET



DATE: 03/25/2015

63-25-15
 REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
R. D. Rettig
 OREGON
 JANUARY 11, 2005
 ROBERT D. RETTIG
 60124LS
 RENEWS: 12/31/16

BROOKMAN AREA ANNEXATION		
DRAWN BY: MSK	CHECKED BY: RDR	DWG: 3591-EXHIBIT
AKS ENGINEERING & FORESTRY, LLC		SUITE 100
12965 SW HERMAN RD		TUALATIN, OR 97062
PHONE: 503.653.6151	FAX: 503.653.6152	www.aks-eng.com



EXHIBIT B

SHEET 3 OF 6

A TRACT OF LAND LOCATED IN THE NW 1/4 AND NE 1/4 OF SECTION 6, T3S, R1W, AND IN THE SW 1/4 OF SECTION 31, T2S, R1W, W.M., WASHINGTON COUNTY, OREGON

SCALE 1" = 200 FEET



LEGEND

--- CITY OF SHERWOOD CITY LIMITS

SEE SHEET 2



DOC. NO.
2010-049649

DOC. NO.
2010-058473

DOC. NO.
99-109559

DOC. NO.
98-103799

DOC. NO.
89-039882

DOC. NO.
87-027469

DEED
BOOK 1182
PAGE 951

S01°51'49"W 554.81'

S01°51'49"W 746.85'

DOC. NO.
2004-041152

PARCEL 1
AREA:
84.21 ACRES±

N88°45'45"W 493.00'

(COUNTY ROAD NO. 493)
BROOKMAN ROAD

N88°50'38"W 2510.53'

MATCH LINE - SEE SHEET 4

03-25-15
REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]
OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEWS: 12/31/16

DATE: 03/25/2015

BROOKMAN AREA ANNEXATION		
DRAWN BY: MSK	CHECKED BY: RDR	DWG: 3591-EXHIBIT
AKS ENGINEERING & FORESTRY, LLC		JOB: 3591
12965 SW HERMAN RD	SUITE 100	
TUALATIN, OR 97062	www.aks-eng.com	
PHONE: 503.653.6151	FAX: 503.653.6152	



EXHIBIT B

SHEET 4 OF 6

A TRACT OF LAND LOCATED IN THE NW 1/4 AND NE 1/4 OF SECTION 6, T3S, R1W, AND IN THE SW 1/4 OF SECTION 31, T2S, R1W, W.M., WASHINGTON COUNTY, OREGON

SCALE 1" = 200 FEET



DOC. NO.
2010-049649

DOC. NO.
2005-079964

DOC. NO.
97-038339

PARCEL 1
AREA:
84.21 ACRES±

DOC. NO.
2010-058473

DOC. NO.
87-037951

(COUNTY ROAD NO. 493)
BROOKMAN ROAD

N88°50'38"W 2510.53'

20'

20'

MATCH LINE - SEE SHEET 5

MATCH LINE - SEE SHEET 3

LEGEND

--- CITY OF SHERWOOD
--- CITY LIMITS

03-25-15

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEWS: 12/31/16

DATE: 03/25/2015

BROOKMAN AREA ANNEXATION

DRAWN BY:MSK | CHECKED BY:RDR | DWG:3591-EXHIBIT

JOB: 3591

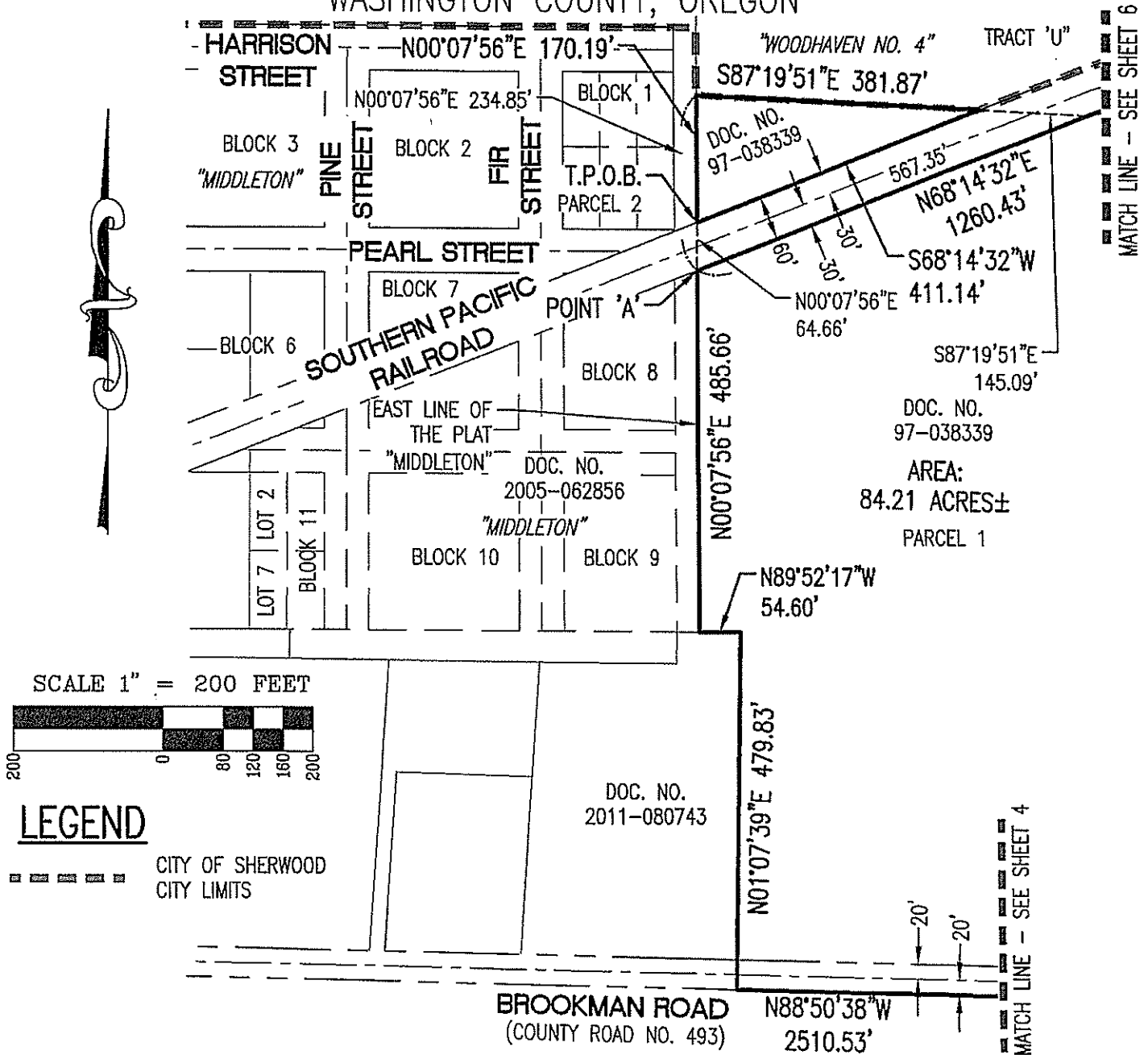
AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD SUITE 100
TUALATIN, OR 97062 www.aks-eng.com
PHONE: 503.653.8151 FAX: 503.653.6152



EXHIBIT B

SHEET 5 OF 6

A TRACT OF LAND LOCATED IN THE NW 1/4 AND NE 1/4 OF SECTION 6, T3S, R1W, AND IN THE SW 1/4 OF SECTION 31, T2S, R1W, W.M., WASHINGTON COUNTY, OREGON



03-25-15
 REGISTERED PROFESSIONAL LAND SURVEYOR

 OREGON
 JANUARY 11, 2005
 ROBERT D. RETTIG
 60124LS
 RENEWS: 12/31/16

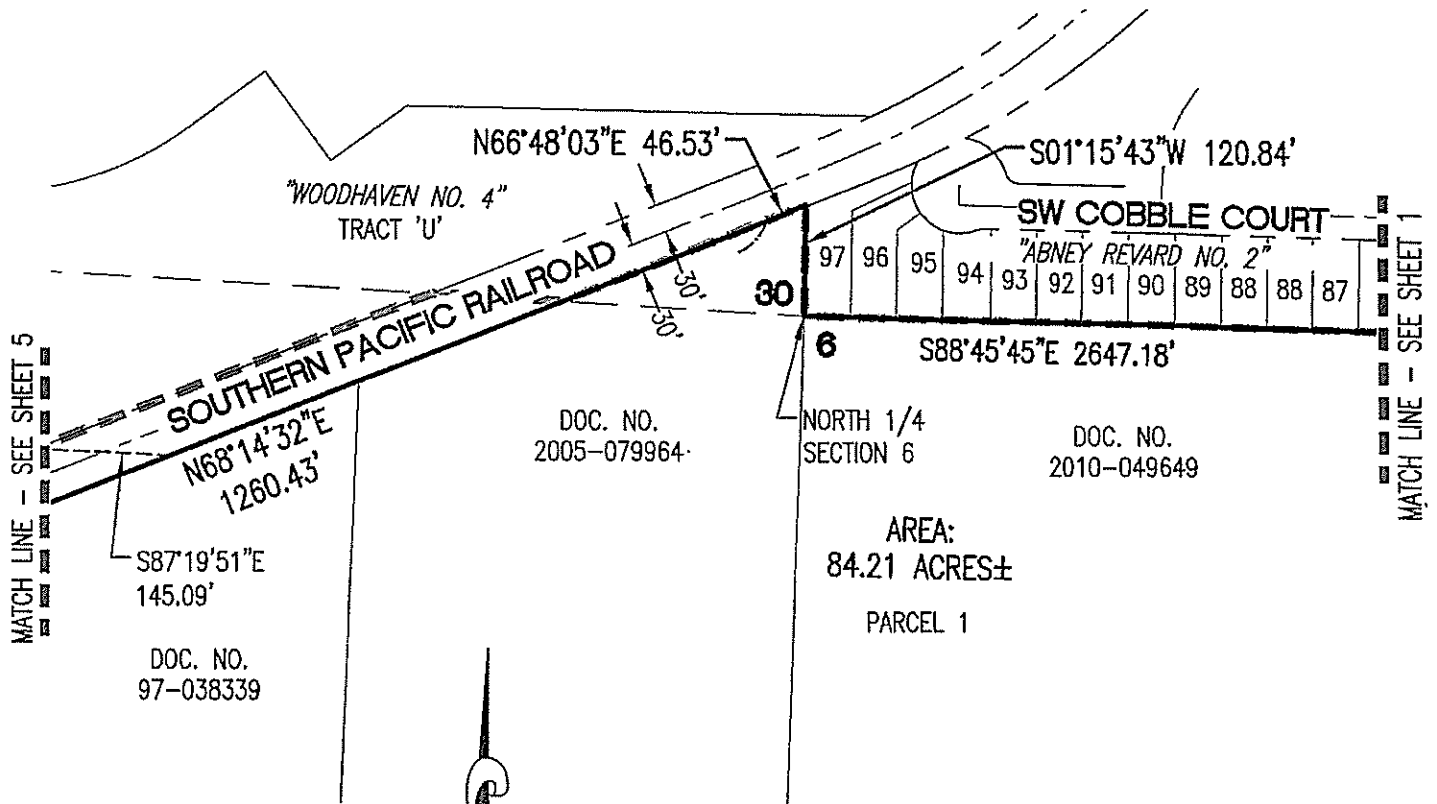
DATE: 03/25/2015
BROOKMAN AREA ANNEXATION
 DRAWN BY: MSK | CHECKED BY: RDR | DWG: 3591-EXHIBIT | JOB: 3591
 AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD SUITE 100
 TUALATIN, OR 97062 www.aks-eng.com
 PHONE: 503.653.6151 FAX: 503.653.6152



EXHIBIT B

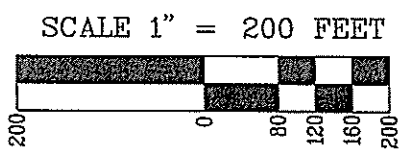
SHEET 6 OF 6

A TRACT OF LAND LOCATED IN THE NW 1/4 AND NE 1/4 OF SECTION 6, T3S, R1W, AND IN THE SW 1/4 OF SECTION 31, T2S, R1W, W.M., WASHINGTON COUNTY, OREGON



MATCH LINE - SEE SHEET 5

MATCH LINE - SEE SHEET 1



LEGEND

--- CITY OF SHERWOOD CITY LIMITS

03-25-15
 REGISTERED PROFESSIONAL LAND SURVEYOR

 OREGON
 JANUARY 11, 2005
 ROBERT D. RETTIG
 60124LS
 RENEWS: 12/31/16

DATE: 03/25/2015

BROOKMAN AREA ANNEXATION		
DRAWN BY: MSK	CHECKED BY: RDR	DWG: 3591-EXHIBIT
AKS ENGINEERING & FORESTRY, LLC		JOB: 3591
12965 SW HERMAN RD	SUITE 100	
TUALATIN, OR 97062	www.aks-eng.com	
PHONE: 503.653.6151	FAX: 503.653.6152	



TITLE COMPANY INFORMATION



Fidelity National Title

Company Of Oregon

Prepared By :
Date : 3/3/2015

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

OWNERSHIP INFORMATION

Owner	: Ouellette Gerald J	Bldg #	1	Of	1
CoOwner	: Ouellette Liz A	Ref Parcel Number	: 3S10600 00100		
Site Address	: 17045 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W	S: 06	Q: QQ:
Mail Address	: PO Box 1468 Sherwood Or 97140	Parcel Number	: R0586100		
Telephone	:	County	: Washington (OR)		

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
:Ouellette Gerald J	:09/18/1998	103799	:	:Bargain & Sal	:\$85,000	:Conventi
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 F2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TL0
 Subdivision/Plat :
 School District : Sherwood
 Class Code : Single Family Res
 Land Use : 6411 For,Farm Use,Improved
 Legal : ACRES 9.90, FORESTLAND-POTENTIAL
 : ADDITIONAL TAX LIABILITY
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$820,770
 Mkt Structure : \$206,690
 Mkt Total : \$1,031,130
 %Improved : 20
 M50AssdTotal : \$344,830
 Levy Code : 08814
 14-15 Taxes : \$4,961.65
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	: 6	Year Built	: 1991	Attic SqFt	:
Bathrooms	: 5.00	EffYearBlt	: 1991	Deck SqFt	: 364
Heat Method	: Forced	BsmFin SF	:	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Studlshtg
Lot Acres	: 9.90	Bldg Sq Ft	: 3,356	Roof Shape	: Gablehip
Lot SqFt	: 431,244	1stFlrSF	: 1,991	Roof Matl	: Composition
Garage Type	: Attached	UpperFISF	: 1,365	InteriorMat	: Drywall
Garage SF	: 461	Porch SqFt	: 52	Paving Matl	: Gravel

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Fidelity National Title

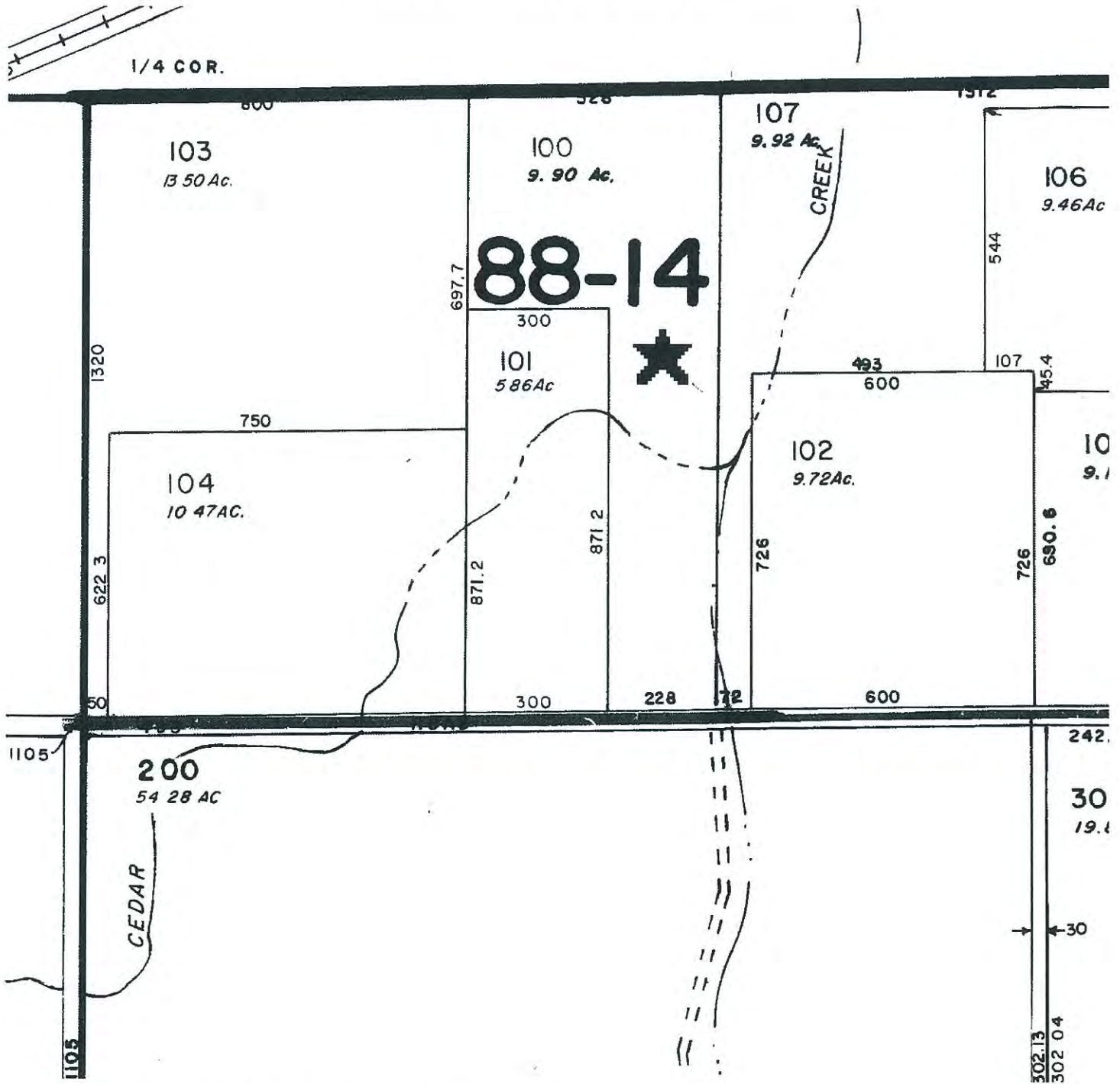
Company Of Oregon

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com



Parcel #: R0586100

Ref Parcel Number : 3S10600 00100



The map is copied from the public records and is provided solely for the purpose of assisting in locating the premises. Fidelity National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.



Fidelity National Title

Company Of Oregon

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

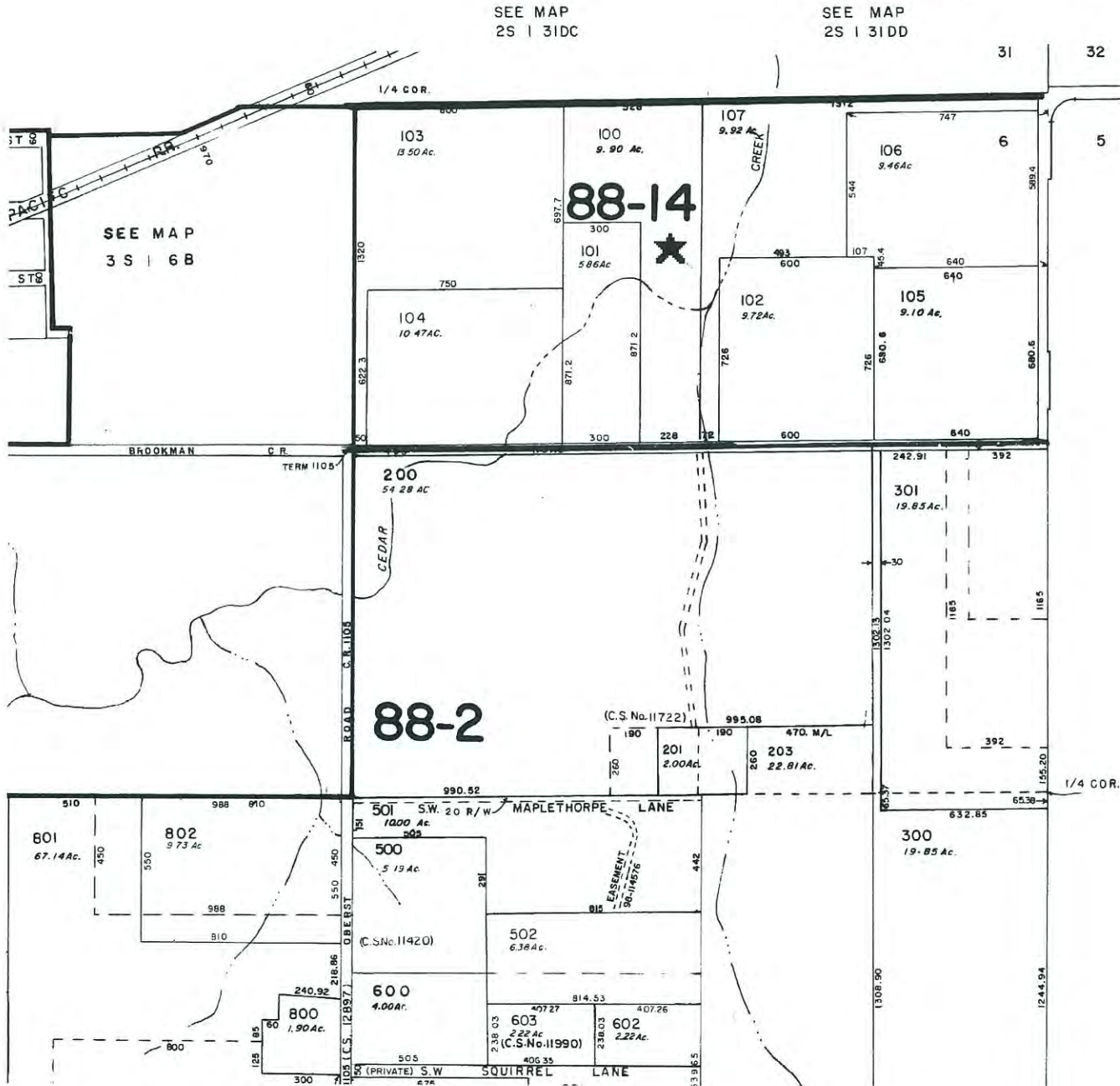


Parcel #: R0586100

Ref Parcel Number: 3S10600 00100

FOR ASSESSMENT PURPOSES ONLY
DO NOT RELY ON FOR ANY OTHER USE

CANCELLED 1200, 1290,
1104, 1106, 902, 202, 703, 400,
204,



A M A S S A C O U N T Y

The map is copied from the public records and is provided solely for the purpose of assisting in locating the premises. Fidelity National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.

SEP 18 1998

OREGON TITLE INS. CO.



OREGON TITLE Insurance Company

After Recording, Return to:
Gerald and Liz Ouellette
17045 SW Brookman Road
Sherwood, OR 97140

Until a change is requested, tax statements shall be sent to the following address:

SAME AS ABOVE

STATUTORY BARGAIN AND SALE DEED
(Individual)

STATE OF OREGON } SS
County of Washington }
I, Jerry R. Hanson, Director of Assessment and Taxation and Eschscholtz 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, Eschscholtz County Clerk
Doc : 98103799
Rect: 217156 36.00
09/18/1998 02:30:14pm
(Above Space Reserved for Recorder's Use)

Gerald J Ouellette, Liz A Ouellette and Rosemary Rubsam

conveys to
Gerald J Ouellette and Liz A Ouellette, as tenants by the entirety

the following described real property in the State of Oregon and County of Washington :

That portion of the North half of the Northeast quarter of Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

BEGINNING at the Southwest corner of the North half of the Northeast quarter of said Section 6; thence East along the South line there, 1100 feet to the true place of beginning; thence East along said South line 228 feet; thence North parallel to the East line of said Section 6, a distance of 1320 feet; thence West along the North line of said Section 6, a distance of 528 feet; thence South parallel to the East line of said Section 6, a distance of 448.8 feet; thence East along a line parallel with the North line of said Section 6, a distance of 300 feet; thence South parallel to the East line of said Section 6, a distance of 871.2 feet to the true point of beginning.

Tax Account Number(s): R586100

The true consideration for this conveyance is \$0.00

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 14 day of September, 1998.

Gerald J Ouellette
Gerald J Ouellette
Rosemary Rubsam
Rosemary Rubsam

Liz A Ouellette
Liz A Ouellette

(Continued)

Order No.: 128795w

1-2

STATUTORY BARGAIN AND SALE DEED
(CONTINUED)

ACKNOWLEDGEMENTS (Continued)

Order No.: 128795w

SEP 16 1998

STATE OF OREGON, COUNTY OF _____) ss.
The foregoing instrument was acknowledged before me this 14 day of September by Gerald
J Ouellette and Liz A Ouellette.

Laura J. Weber
Notary Public for Oregon
My Commission Expires:



STATE OF OREGON, COUNTY OF _____) ss.
The foregoing instrument was acknowledged before me this 14 day of September 1998 by
Rosemary Rubsam.

Laura J. Weber
Notary Public for Oregon
My Commission Expires:



2



Fidelity National Title

Company Of Oregon

Prepared By :
Date : 3/3/2015

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

OWNERSHIP INFORMATION

Owner	: David Bonnie J	Bldg #	1	Of	1
CoOwner	:	Ref Parcel Number	: 3S10600 00101		
Site Address	: 17117 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W	S: 06	Q: QQ:
Mail Address	: 17117 SW Brookman Rd Sherwood Or 97140	Parcel Number	: R0586119		
Telephone	:	County	: Washington (OR)		

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
:David Bonnie J	:09/23/1999	109559	:\$320,000	:Warranty	:\$153,000	:Conventi
:Weston Lowell E	:	9620155	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 F2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TLO
 Subdivision/Plat :
 School District : Sherwood
 Class Code : Single Family Res
 Land Use : 6411 For,Farm Use,Improved
 Legal : ACRES 5.86, FORESTLAND-POTENTIAL
 : ADDITIONAL TAX LIABILITY
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$384,450
 Mkt Structure : \$151,120
 Mkt Total : \$537,630
 %Improved : 28
 M50AssdTotal : \$293,640
 Levy Code : 08814
 14-15 Taxes : \$4,197.39
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	: 2	Year Built	: 1976	Attic SqFt	:
Bathrooms	: 2.00	EffYearBlt	: 1976	Deck SqFt	: 704
Heat Method	: Heat Pump	BsmFin SF	: 1,352	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Stud\shgt
Lot Acres	: 5.86	Bldg Sq Ft	: 2,875	Roof Shape	: Complex
Lot SqFt	: 255,262	1stFlrSF	: 1,523	Roof Matl	: Comp Shingle
Garage Type	: Attached	UpperFISF	:	InteriorMat	: Drywall
Garage SF	: 520	Porch SqFt	:	Paving Matl	: Concrete

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Fidelity National Title

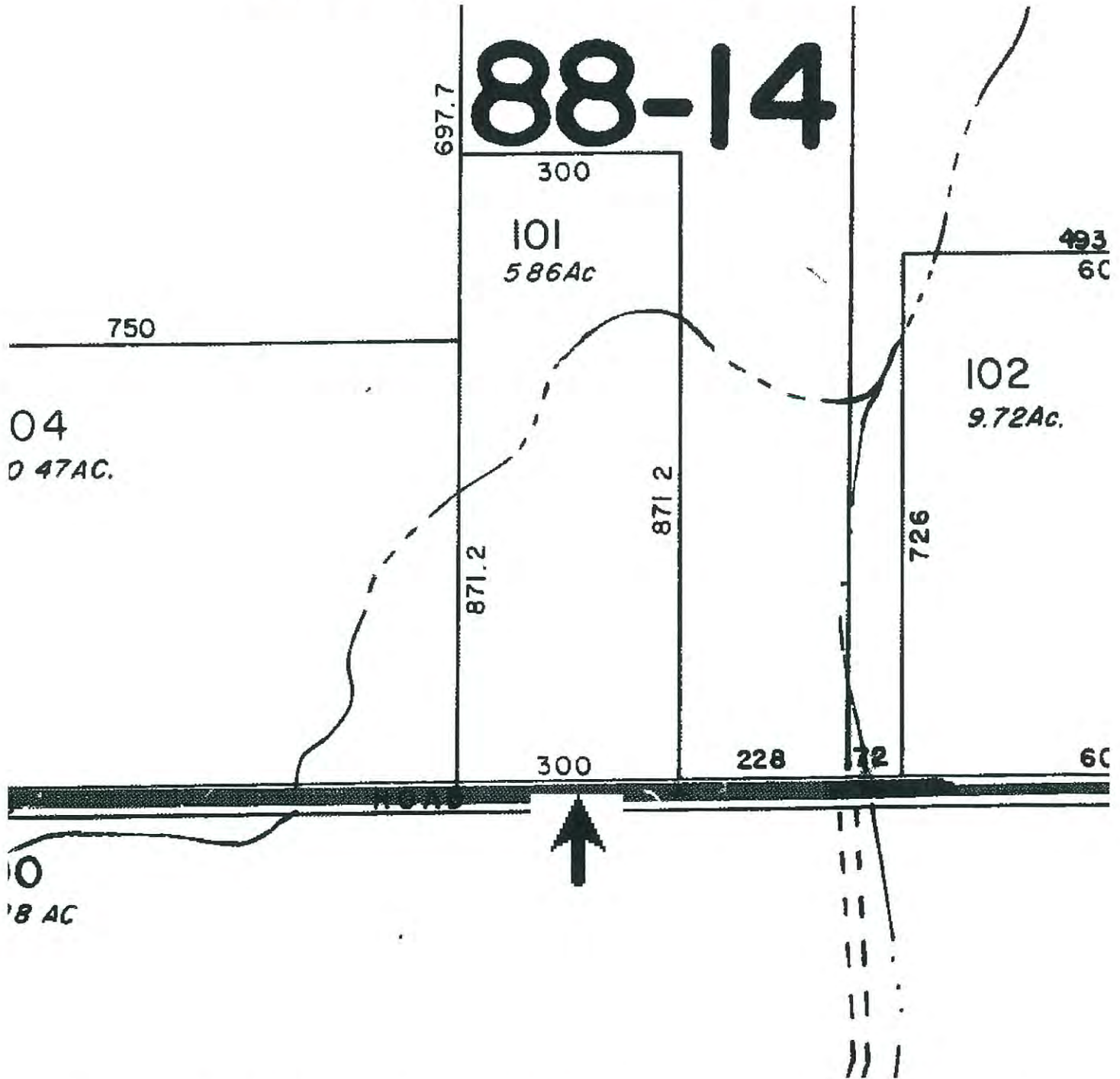
Company Of Oregon

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com



Parcel # : R0586119

Ref Parcel Number : 3S10600 00101



The map is copied from the public records and is provided solely for the purpose of assisting in locating the premises. Fidelity National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.



Fidelity National Title

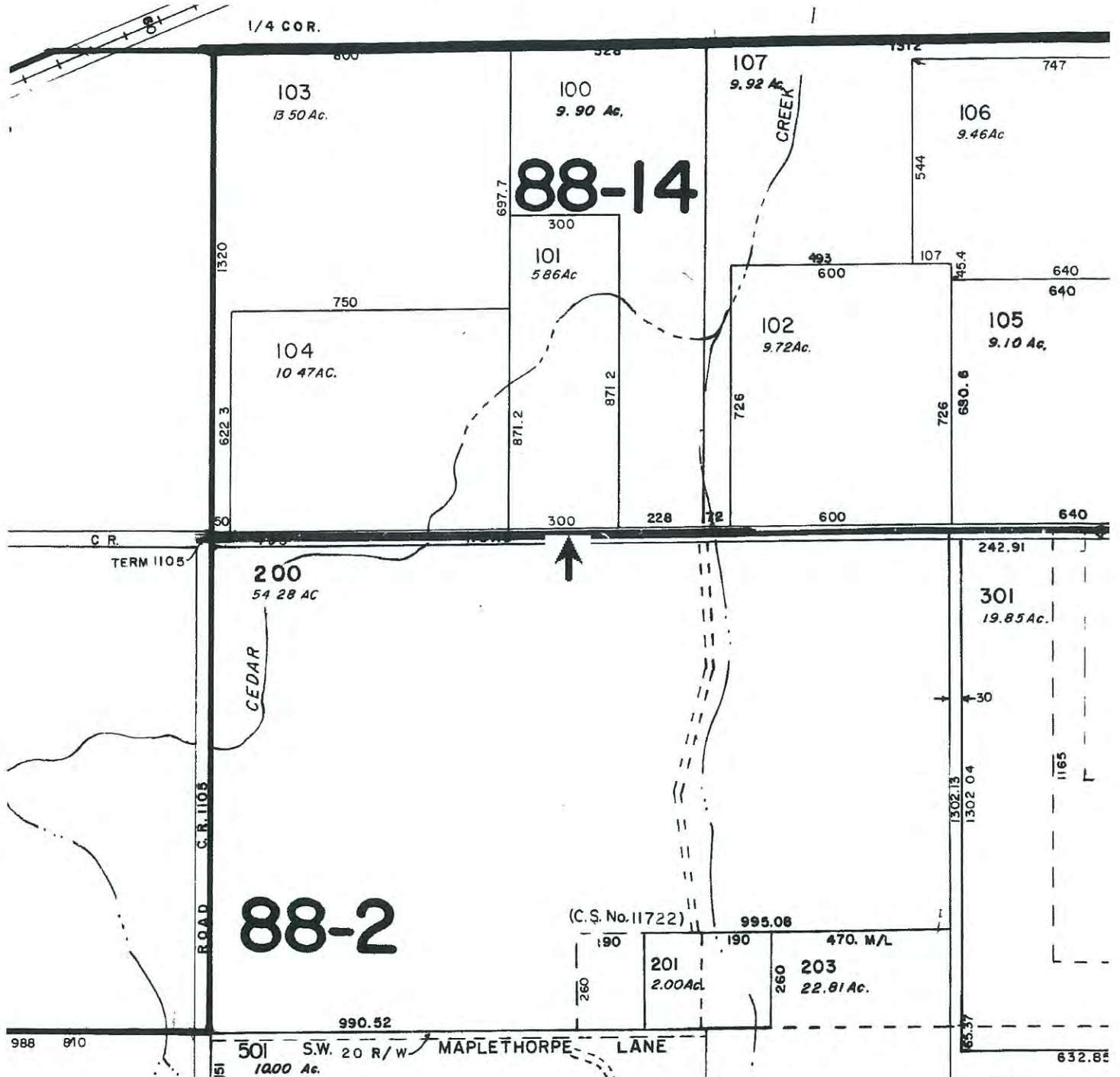
Company Of Oregon

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com



Parcel #: R0586119

Ref Parcel Number : 3S10600 00101



The map is copied from the public records and is provided solely for the purpose of assisting in locating the premises. Fidelity National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.

SEP 23 1999

B-16
380
20

4c

99174161-11

Pacific NW Title

STATE OF OREGON }
County of Washington } SS

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

Jerry R. Hanson
Jerry R. Hanson, Director of Assessment and Taxation, County of Washington

Doc : 99109559
Rect : 240564 361.00
09/23/1999 02:32:23pm

Title Order No. 99174161
Escrow No. 99174161

After Recording Return To:
Mr. and Mrs. Douglas K. David
17117 SW Brookman Road
Sherwood, Oregon 97140

Name, Address, Zip
Until a change is requested all tax statements shall be sent to the following address:
Mr. and Mrs. Douglas K. David
17117 SW Brookman Road
Sherwood, Oregon 97140

Name, Address, Zip

STATUTORY WARRANTY DEED

Emma J. Weston, Grantor, conveys and warrants to Douglas K. David and Bonnie J. David, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in Washington County, Oregon, to wit:

See Exhibit A attached hereto and made a part hereof.

This property is free from encumbrances, EXCEPT: 1999-2000 Taxes, a lien not yet payable; Rights of the public in and to any portion of the premises lying within the boundaries of SW Brookman Road; All matters arising from any shifting in the course of Cedar Creek including but not limited to accretion, reliction and avulsion;

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 \$320,000.00. (Here comply with the requirements of ORS 93.030)

Dated this September 20, 1999

Emma J. Weston by Duaine Stanley Weston
Emma J. Weston by Duaine Stanley Weston,
Her attorney in fact

STATE OF OREGON }
County of Washington } SS

WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
\$320.00 9-23-99
FEE PAID DATE

On this September 20, 1999, before me, the undersigned, personally appeared the within named Duaine Stanley Weston, attorney in fact for Emma J. Weston known to me to be the identical individuals who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

Yvonne M Clifford
Notary Public for the State of Oregon
My commission expires: 6/23/01

OFFICIAL SEAL
YVONNE M CLIFFORD
NOTARY PUBLIC - OREGON
COMMISSION NO. 301361
MY COMMISSION EXPIRES JUNE 23, 2001

ORSTWD

1-3

Title Data, Inc. FI POR10569 WN 99109559.001

SEP 2 9 09AM

Exhibit A

A tract of land situated in Section 6, Township 3 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, more particularly described as follows, to-wit:

Beginning at the Southwest corner of that certain tract described in deed to Charles H. Hays recorded in Book 124, page 444, Deed Records of Washington County, Oregon, being also the Southwest corner of the North one-half of the Northeast quarter of said Section 6; thence East along the South line thereof, 800 feet to the true point of beginning of the tract herein described; thence East along said South line 300 feet to a point; thence North and parallel with the West line of the Northeast quarter of said Section 6 a distance of 871.2 feet to a point; thence West and parallel with North line of said Section 6 a distance of 300 feet to a point; thence South and parallel with said West line, 871.2 feet to the true point of beginning.

2

ORSTWD

SEP 23 1999

CERTIFICATION OF VITAL RECORD
CENTER FOR HEALTH STATISTICS
CERTIFICATE OF DEATH

175-54/15-54

Local File Number **01744** Date File Number

1. DECEDENT'S NAME: **Lowell Eugene WEBSTON** SEX: **Male** 3. DATE OF DEATH (Month, Day, Year): **June 19, 1995**

4. SOCIAL SECURITY NUMBER: **544-12-8221** 5A. AGE LAST BIRTHDAY (Year): **74** 5B. UNDER 1 YEAR: **None** 5C. UNDER 1 DAY: **None** 6. BIRTHPLACE (City and State or Foreign Country): **Creston, Iowa** 7. DATE OF BIRTH (Month, Day, Year): **October 19, 1920**

8. WAS DECEDENT EVER IN U.S. ARMED FORCES? **No** 9. PLACE OF DEATH (Check only one): **HOSPITAL**

10. FACILITY NAME (If not institution, give street and number): **Meridian Park Hospital** 11. CITY, TOWN, OR LOCATION OF DEATH: **Tualatin** 12. COUNTY OF DEATH: **Clackamas**

13. DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired): **Technician** 14. KIND OF BUSINESS/INDUSTRY: **Civil Service** 15. MARITAL STATUS - Married, Never Married, Widowed, Divorced (Specify): **Married** 16. SPOUSE'S NAME (Last, First, Middle): **Emma Jean Weston**

17. RESIDENCE - STATE: **Oregon** 18. COUNTY: **Washington** 19. CITY, TOWN, OR LOCATION: **Sherwood** 20. STREET AND NUMBER: **17117 SW Brookman Rd.**

21. INHABITANT CITY LIMIT: **97140** 22. ZIP CODE: **97140** 23. WAS DECEDENT OF HISPANIC ORIGIN? (Specify if Yes - 1) Yes, Mexican, Puerto Rican, etc. 2) No **No** 24. RACE (American Indian, Black, White, etc. (Specify)): **White** 25. DECEDENT'S EDUCATION (Specify only highest grade completed) (Elementary/Secondary 9-12) College (14 or 16) 12

26. FATHER - NAME (First, Middle, Last): **Claude J. Weston** 27. MOTHER - NAME (First, Middle, Maiden): **Pearl Butts** 28. INFORMANT - NAME and relationship to decedent: **Dunnie Weston - Son**

29. METHOD OF DISPOSITION () Autopsy, () Burial, () Cremation, () Removal from State, () Donation, () Other (Specify): **Willamette National Cemetery** 30. PLACE OF DISPOSITION (Name of cemetery, crematorium, or other place): **Portland, Oregon**

31. SIGNATURE OF FUNERAL SERVICE LICENSED OR PERSON ACTING AS SUCH: **Zentho Bell** 32. LICENSE NUMBER (If Licensing): **3050** 33. NAME, ADDRESS AND ZIP OF FACILITY: **LINCOLN WILLAMETTE FUNERAL DIRECTORS, 9775 SE MT SCOTT, PORTLAND, OR 97266**

34. DATE FILED (Month, Day, Year): **JUN 26 1995** 35. REGISTRAR'S SIGNATURE: **[Signature]**

36. DID HOSPITAL REPRESENTATIVE MAKE REQUEST FOR ANATOMICAL GIFT CONSENT? (YES) () NO () YES () NO ()

37. TIME OF DEATH: **9:30 PM** 38. WAS MEDICAL EXAMINER NOTIFIED? () Yes () No **No**

39. TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT THE (TIME, DATE, PLACE AND DUE TO THE CAUSE(S) AND MANNER STATED (Signature): **N Crumacker**

40. DATE SIGNED (Month, Day, Year): **6-22-95**

41. NAME, TITLE, ADDRESS AND ZIP OF CERTIFYING MEDICAL EXAMINER (Type or Print): **Nancy Crumacker, M.D., 6475 SW Borland St., Suite M Tualatin, Oregon 97062**

42. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print):

43. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (A), (B), AND (C)) (Do not enter mode of dying, e.g., Cardiac or Respiratory Arrest). Internal between onset and death: **Lymphoma** 5. Cause: **5 mos**

44. DUE TO, OR AS A CONSEQUENCE OF: (A) (B) (C)

45. OTHER SIGNIFICANT CONDITIONS - Conditions contributing to death but not reported in the underlying cause given in PART I. Internal between onset and death: **Acute respiratory failure, sepsis, perforated colon**

46. MANNER OF DEATH: () Natural, () Pending investigation, () Accident, () Underdetermined, () Suicide, () Homicide, () Legal intervention, () Other

47. DATE OF INJURY (Month, Day, Year): **6-22-95** 48. TIME OF INJURY: **9:30 PM** 49. INJURY AT WORK? () Yes () No **No**

50. DID DECEDENT USE OR EXPOSE TO THE DEATH? () No () Probably () Unknown

51. AUTOPSY () Yes () No () N/A

52. IF YES, WERE REASONS CONSIDERED IN DETERMINING CAUSE OF DEATH? () Yes () No () N/A

53. DESCRIBE HOW INJURY OCCURRED

54. PLACE OF INJURY - At home, farm, street, factory, shop, building, etc. (Specify)

55. LOCATION (Street and Number or Rural Route Number, City or Town, State)

ORIGINAL VITAL STATISTICS COPY 45-2 Rev 12/94

THIS IS A TRUE AND EXACT REPRODUCTION OF THE DOCUMENT OFFICIALLY REGISTERED AT THE OFFICE OF THE CLACKAMAS COUNTY REGISTRAR.

DATE ISSUED: **JUN 26 1995**

3

[Signature]
THOMAS M. TROXEL
COUNTY REGISTRAR
CLACKAMAS COUNTY, OREGON



Fidelity National Title

Company Of Oregon

Prepared By :
Date : 3/3/2015

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

OWNERSHIP INFORMATION

Owner	: Jaynes-Lockwood Teresa	Bldg #	1	Of	1
CoOwner	:	Ref Parcel Number	: 3S10600 00103		
Site Address	: 17495 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W	S: 06	Q: QQ:
Mail Address	: PO Box 284 Seaside Or 97138	Parcel Number	: R0586137		
Telephone	:	County	: Washington (OR)		

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
:Jaynes-Lockwood Teresa	:06/30/2010	49649	:\$3,834	:In Lieu of For	:	:
:Rcm Dev LLC	:08/30/2005	105248	:\$2,160,000	:Contract of S	:	:
:Lockwood Teresa Jaynes	:06/23/1995	43200	:	:Warranty	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 F2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TL0
 Subdivision/Plat :
 School District : Sherwood
 Class Code : Single Family Res
 Land Use : 1910 Res,Potential Development,Improved
 Legal : ACRES 13.50
 :
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$1,353,810
 Mkt Structure : \$152,320
 Mkt Total : \$1,506,130
 %Improved : 10
 M50AssdTotal : \$475,870
 Levy Code : 08814
 14-15 Taxes : \$6,897.37
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	: 4	Year Built	: 1975	Attic SqFt	:
Bathrooms	: 3.00	EffYearBlt	: 1975	Deck SqFt	:
Heat Method	: Heat Pump	BsmFin SF	:	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Stud\shgt
Lot Acres	: 13.50	Bldg Sq Ft	: 2,414	Roof Shape	: Hip
Lot SqFt	: 588,060	1stFlrSF	: 2,414	Roof Matl	: Composition
Garage Type	: Attached	UpperFISF	:	InteriorMat	: Drywall
Garage SF	: 528	Porch SqFt	:	Paving Matl	: Concrete

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Fidelity National Title

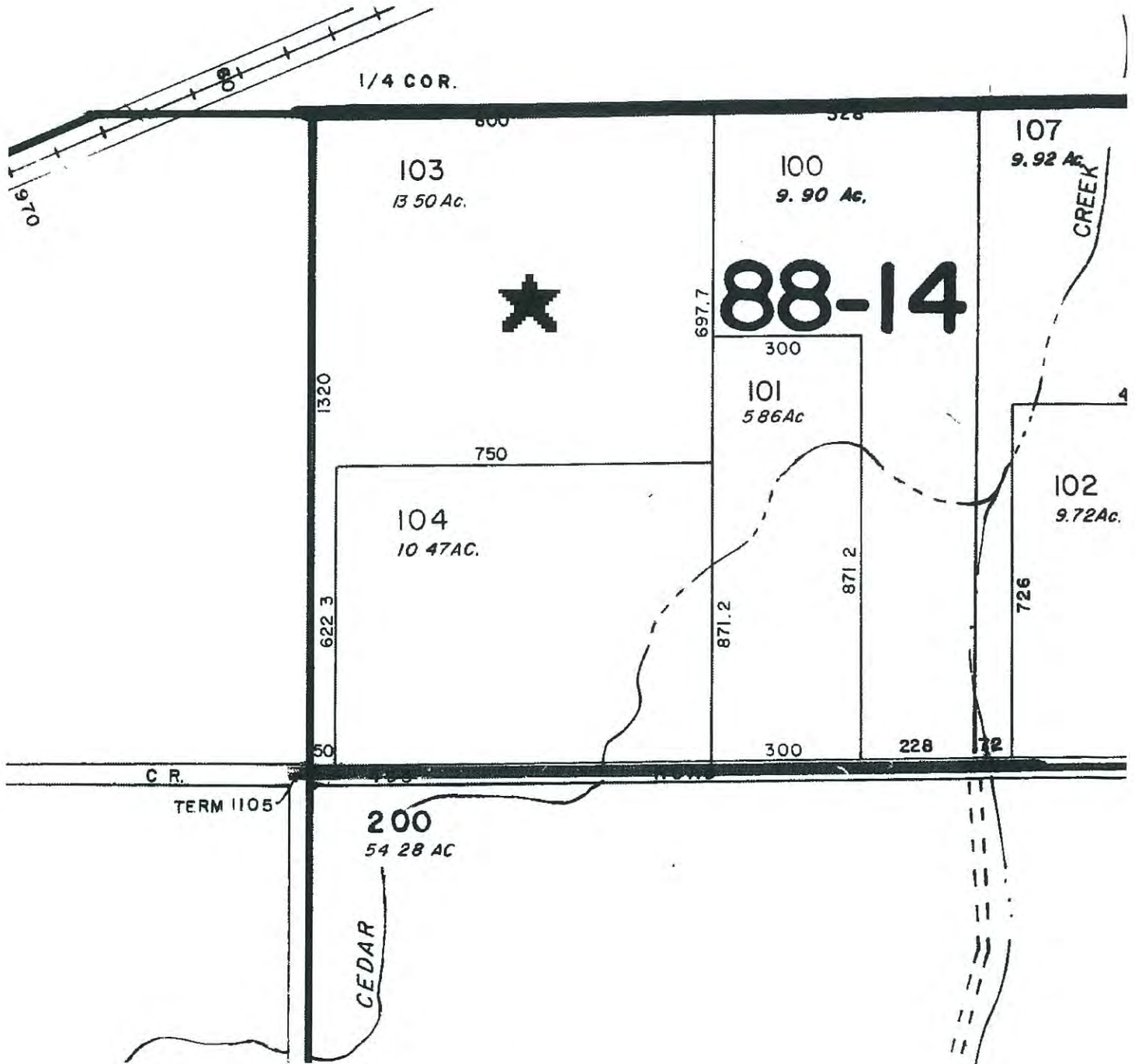
Company Of Oregon

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com



Parcel #: R0586137

Ref Parcel Number : 3S10600 00103



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Fidelity National Title

Company Of Oregon

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Parcel #: R0586137

Ref Parcel Number : 3S10600 00103

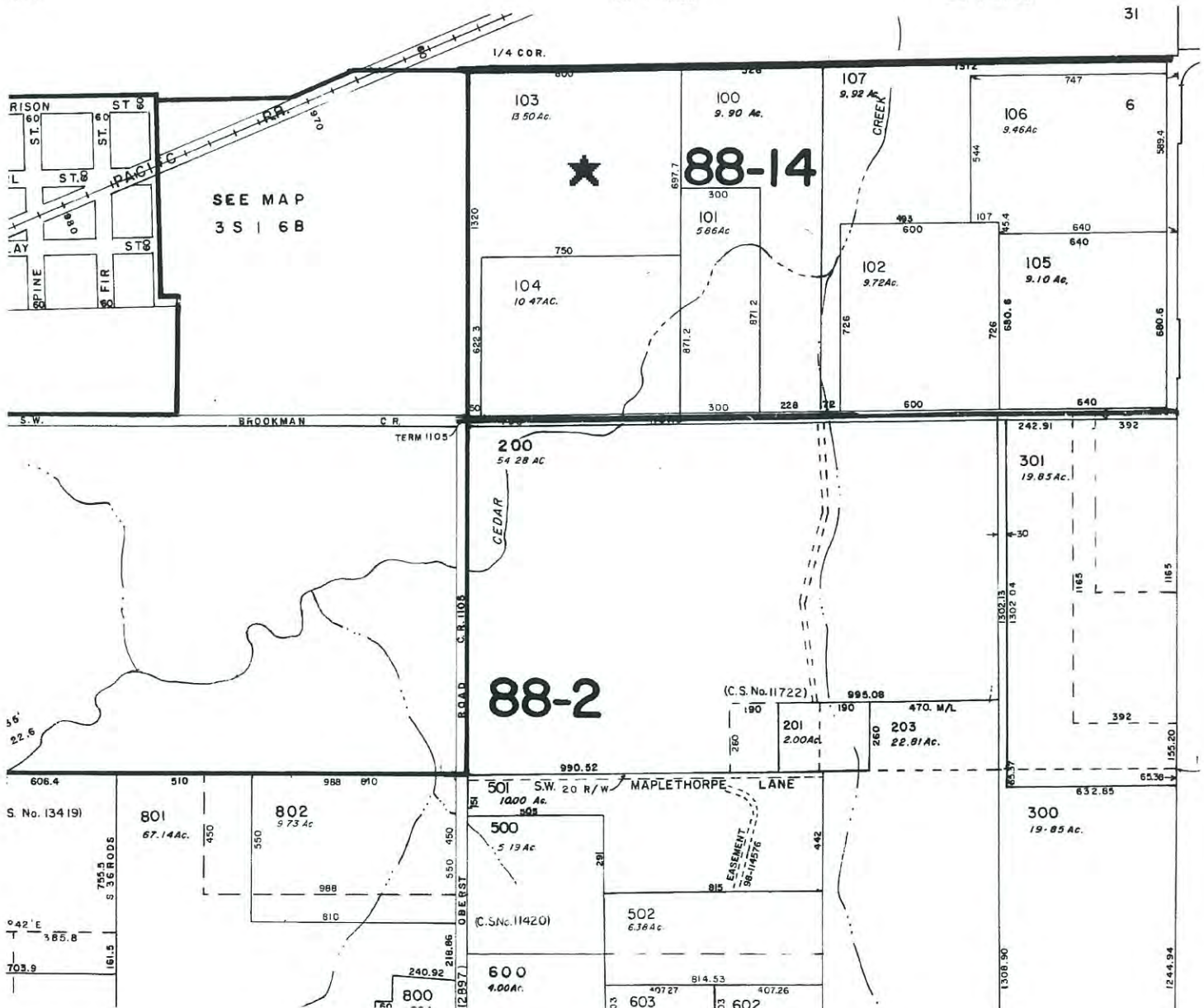
SCALE 1"= 400'

FOR ASSESSMENT PURPOSES ONLY
DO NOT RELY ON FOR ANY OTHER USE

MAP
31C

SEE MAP
2S 1 31DC

SEE MAP
2S 1 31DD



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01496359201000496490030035
I, Richard Hobemicht, 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.
Richard Hobemicht, Director of Assessment and Taxation, Ex-Officio County Clerk



After recording return to:

Eiph Daniel J. Drazan, Esq.
Dunn Carney Allen Higgins & Tongue LLP
851 SW Sixth Avenue, Suite 1500
Portland, OR 97204

Until a change is requested, all tax statements shall be sent to:

Teresa Jaynes-Lockwood
P.O. Box 284
Sherwood, OR 97138

DEED IN LIEU OF FORFEITURE

THIS DEED IN LIEU OF FORFEITURE (this "Deed") is given by SHERWOOD LAND, LLC, an Oregon limited liability company ("Grantor"), to TERESA JAYNES-LOCKWOOD ("Grantee").

For valuable consideration other than money, the receipt and sufficiency of which is hereby acknowledged (the true and actual consideration paid for this conveyance is \$0.00), Grantor hereby grants, conveys, releases, quit claims, and warrants forever unto Grantee, her successors and assigns, all of its right, title, and interest in and to the real property and all improvements thereon with street address 17495 SW Brookman Road, Sherwood, Oregon 97140, Tax Account No. R586137, in Washington County, Oregon, and more particularly described as follows:

That portion of the North half of the Northeast quarter of Section 6, Township 3 South, Range 1 West, of the Willamette Meridian, Washington County, Oregon, described as follows:

Beginning at the Southwest corner of the said North half of the Northeast quarter of Section 6; thence East, along the South line of the said North half of the Northeast quarter a distance of 50 feet to the true point of beginning of the tract to be described; thence North, parallel to the North-South center section line of said Section 6, a distance of 622.3 feet to a point; thence East, parallel with the South line of the said North half of the Northeast quarter, a distance of 750 feet, more or less, to the West line of that tract of land conveyed to Lowell E. Weston, et ux, by deed recorded in Book 962, Page 155, Records of Washington County; thence North along the West line of the Weston tract and the northerly extension thereof, a distance of 697.7 feet, more or less, to the North line of said Section 6; thence West along the North section line, a distance of 800 feet, more or less, to the

North quarter corner of said section; thence South, parallel to the North-South section centerline, a distance of 1,320 feet, more or less, to the South line of the North half of the Northeast quarter of said Section 6; thence East along said South line, a distance of 50 feet to the true point of beginning (the "Property").

Grantor hereby knowingly and voluntarily waives all rights, if any, under ORS 93.905-93.945, and hereby surrenders and delivers possession of the Property to Grantee. Grantor further declares that this conveyance is freely and fairly made, and Grantor is not acting under any misapprehension as to the legal effect of this Deed, nor under any duress, undue influence, or misrepresentation of Grantee. Grantor acknowledges that by way of this Deed, Grantor has transferred to Grantee all of Grantor's right, title, and interest in and to the Property, as set forth in that certain Land Sale Contract dated August 29, 2005, between Grantee and Grantor's predecessors in interest, RCM Development, LLC, an Oregon limited liability company, and Double D Development, Inc., an Oregon corporation, with the Purchasers' interest transferred to Grantor by that certain Assignment of Purchasers' Rights dated August 29, 2005, and amended by that certain First Amendment to Land Sale Contract dated December 1, 2008 (collectively, the "Land Sale Contract"). A Memorandum of Land Sale Contract was recorded on August 30, 2005, as Document Number 2005-105248 in the real property records of Washington County, Oregon (the "Memorandum"). This Deed shall remove the Memorandum from title to the Property.

Grantor acknowledges that the Land Sale Contract is in default, that Grantor is unable to make the payments, and has agreed to execute this Deed in favor of Grantee. This conveyance is not intended and shall not be construed to be a mutual rescission of the Land Sale Contract, and Grantee shall retain all previous payments made pursuant to the Land Sale Contract with no obligation to return such payments to Grantor. Grantor represents that Grantor is the Purchaser under the Land Sale Contract, that Grantor has not assigned any of its rights in the Land Sale Contract to any other party, and that the Property is free of all encumbrances, except for the following real property taxes:

1. Taxes for the year 2008-2009: Unpaid Balance: \$3,834.72; and
2. Taxes for the year 2009-2010: Unpaid Balance: \$6,052.46.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY



Fidelity National Title

Company Of Oregon

Prepared By :
Date : 3/3/2015

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

OWNERSHIP INFORMATION

Owner	: Scott Linda R	Bldg #	1	Of	1
CoOwner	: Scott Richard L	Ref Parcel Number	: 3S10600 00104		
Site Address	: 17433 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W	S: 06	Q: QQ:
Mail Address	: 17433 SW Brookman Rd Sherwood Or 97140	Parcel Number	: R0586146		
Telephone	:	County	: Washington (OR)		

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
: Scott Linda R	: 08/02/2010	58473	:	: Warranty	:	:
: Scott Trust	: 04/02/2003	50889	:	: Warranty	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 F2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TLO
 Subdivision/Plat :
 School District : Sherwood
 Class Code : Single Family Res
 Land Use : 6411 For, Farm Use, Improved
 Legal : ACRES 10.47, FORESTLAND-POTENTIAL
 : ADDITIONAL TAX LIABILITY
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$734,400
 Mkt Structure : \$116,990
 Mkt Total : \$855,100
 %Improved : 14
 M50AssdTotal : \$256,130
 Levy Code : 08814
 14-15 Taxes : \$3,712.40
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Year Built	: 1976	Attic SqFt	: 720
Bathrooms	: 2.00	EffYearBlt	: 1976	Deck SqFt	:
Heat Method	: Heat Pump	BsmFin SF	:	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Stud/shtg
Lot Acres	: 10.47	Bldg Sq Ft	: 1,958	Roof Shape	: Gable
Lot SqFt	: 456,073	1stFlrSF	: 1,238	Roof Matl	: Composition
Garage Type	: Attached	UpperFISF	:	InteriorMat	: Drywall
Garage SF	: 636	Porch SqFt	: 72	Paving Matl	: Concrete

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Fidelity National Title

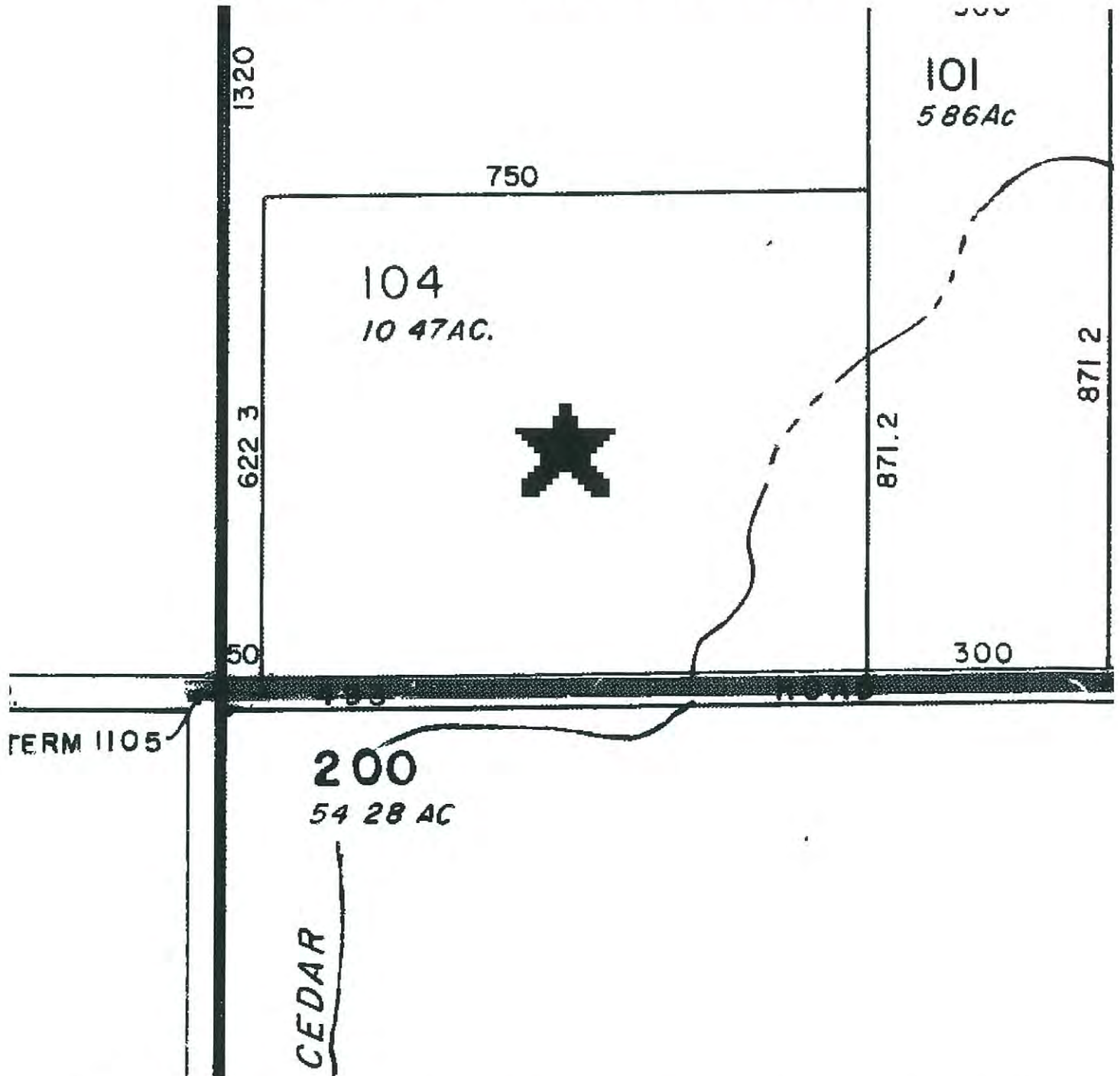
Company Of Oregon

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com



Parcel # : R0586146

Ref Parcel Number : 3S10600 00104



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Company Of Oregon

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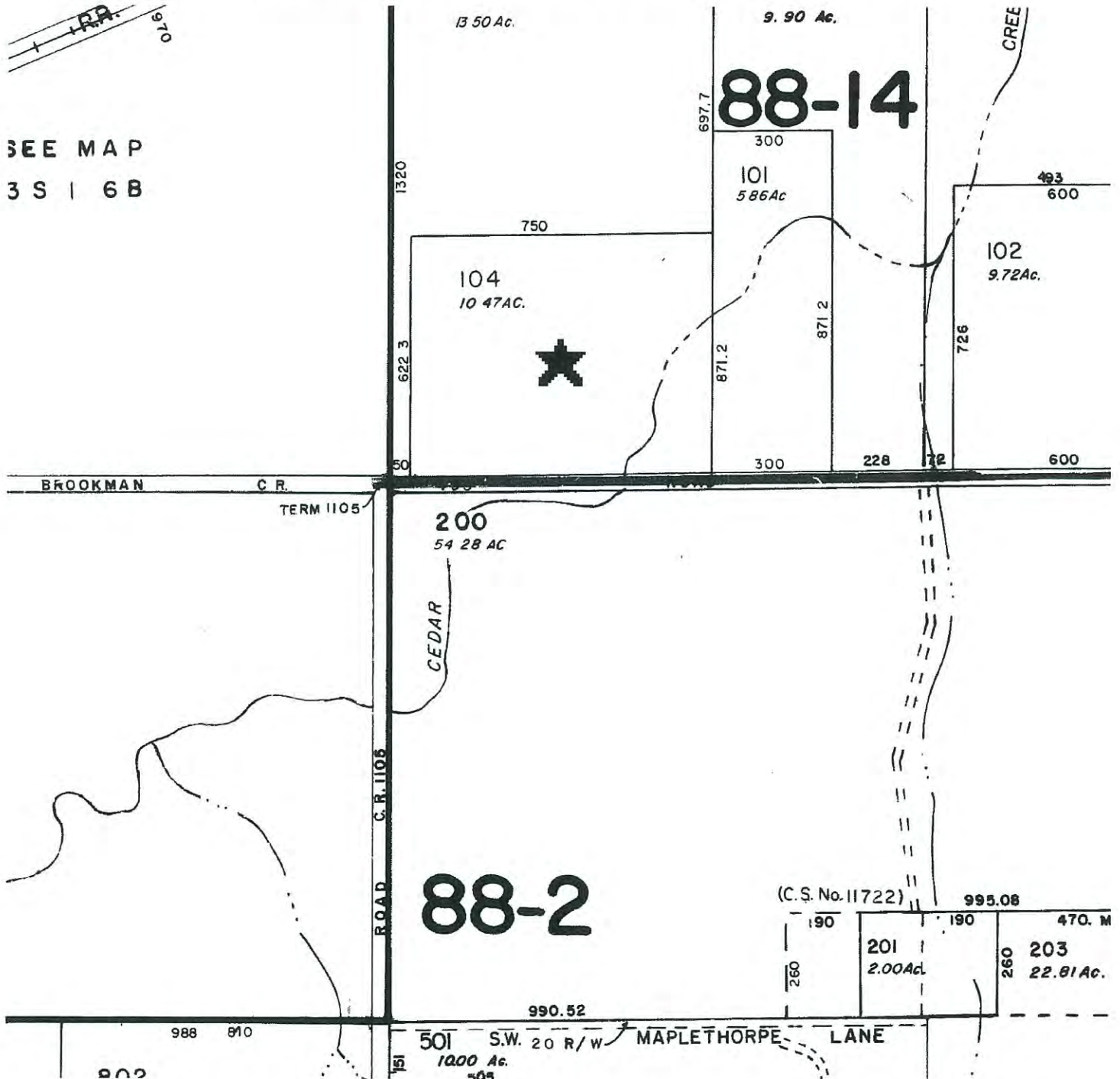


Parcel # : R0586146

Ref Parcel Number : 3S10600 00104



SEE MAP
3 S | 6 B



The map is copied from the public records and is provided solely for the purpose of assisting in locating the premises. Fidelity National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.



01506207201000684730020021

I, Richard Hobernicht, 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.

Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk



Linda Scott, Trustee
Scott Living Trust
17433 SW Brookman Road
Sherwood, OR 97140-8801

Richard Scott, Trustee
Scott Living Trust
3401 Crawford SE
Salem, OR 97302
Grantors' Name and Address

Linda Scott
17433 SW Brookman Road
Sherwood, OR 97140-8801

Richard Scott
3401 Crawford SE
Salem, OR 97302
Grantees' Name and Address

AFTER RECORDING, RETURN TO:
Richard A. Carlson
Attorney at Law
4040 Douglas Way
Lake Oswego, or 97035

Until requested otherwise, send all tax statements to:
Linda & Richard Scott
17433 SW Brookman Road
Sherwood, OR 97140-8801

WARRANTY DEED - STATUTORY FORM

Linda R. Scott and Richard L. Scott, Trustees of the Scott Living Trust, **Grantor**, convey and warrant to Linda R. Scott and Richard L. Scott, as equal tenants in common without a right of survivorship, **Grantee**, the following described real property free of encumbrances, except as specifically set forth herein, located at 17433 SW Brookman Road, Sherwood, Washington County, Oregon, more particularly described as follows:

That portion of the North half of the Northeast quarter of Section 6, Township 3 South, Range 1 West, of the Willamette Meridian, Washington County, Oregon, described as follows: Beginning at the Southwest corner of the said North half of the Northeast quarter, a distance of 50 feet to the true point of beginning of the tract to be described; thence North, parallel to the North-South center section line of said Section 6, a distance of 622.3 feet to a point; thence East, parallel with the South line of the said North half of the Northeast quarter, a distance of 750 feet, more or less, to the West line of that tract of land conveyed to Lowell E. Weston, et ux, by deed recorded in Book 962, page 155; Records of Washington County, thence South along the West line of the Weston tract, a distance of 622.3 feet more or less, to the South line of the North half of the Northeast quarter of said section 6; thence West along the South line of the North half of the Northeast

quarter of said Section 6, a distance of 750 feet, more or less, to the true point of beginning, in the County of Washington, State of Oregon; EXCEPTING THEREFROM any portion thereof lying within the boundaries of public roads.

The property is free from encumbrances, except those of record.

The true consideration for this conveyance is \$0, pursuant to the General Judgment of Unlimited Separation (Stipulated) entered in Linda Ruth Scott and Richard Lawrence Scott, Washington County Circuit Court Case No. C091964DRC.

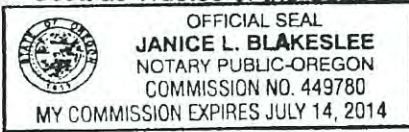
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300 , 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855. OREGON LAWS 2009.

Dated this 15th day of July, 2010.

Linda R. Scott

STATE OF OREGON, County of Clatsop ss.

This instrument was acknowledged before me on July 15, 2010, by Linda R. Scott as Trustee of the Scott Living Trust.



Janice L. Blakeslee
Notary Public

STATE OF OREGON, County of Marion ss.

This instrument was acknowledged before me on Richard Scott 2010, by Richard L. Scott as Trustee of the Scott Living Trust.

Kaylyn Kimball
Notary Public

Page 2 - WARRANTY DEED





Fidelity National Title

Company Of Oregon

Prepared By :
Date : 3/3/2015

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

OWNERSHIP INFORMATION

Owner	: Chronister Wayne K	Bldg #	1	Of	1
CoOwner	: Chronister Linda A	Ref Parcel Number	: 3S10600 00107		
Site Address	: 17033 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W	S: 06	Q: QQ:
Mail Address	: PO Box 1474 Sherwood Or 97140	Parcel Number	: M2119159		
Telephone	:	County	: Washington (OR)		

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
:Chronister Wayne K	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 F2
 Census Tract : 321.03 Block: 3
 Neighborhood : 8001
 Subdivision/Plat :
 School District : Sherwood
 Class Code : Mobile Home
 Land Use : 1090 Res,Mobile Homes
 Legal : MFD STRUCT X # M90000353 ON REAL
 : ACCT 3S16-00107, PERSONAL MS
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land :
 Mkt Structure : \$2,500
 Mkt Total : \$2,500
 %Improved : 100
 M50AssdTotal :
 Levy Code : 08814
 14-15 Taxes : \$6.00
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	:	Year Built	: 1977	Attic SqFt	:
Bathrooms	:	EffYearBlt	: 1977	Deck SqFt	:
Heat Method	: Forced	BsmFin SF	:	ExtFinish	:
Foundation	:	BsmUnfinSF	:	Const Type	:
Lot Acres	:	Bldg Sq Ft	: 840	Roof Shape	:
Lot SqFt	:	1stFlrSF	: 840	Roof Matl	:
Garage Type	:	UpperFISF	:	InteriorMat	:
Garage SF	:	Porch SqFt	:	Paving Matl	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Fidelity National Title

Company Of Oregon

Prepared By :
Date : 3/3/2015

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

OWNERSHIP INFORMATION

Owner	: Chronister Wayne K	Bldg #	Of
CoOwner	: Chronister Linda A	Ref Parcel Number	: 3S10600 00107
Site Address	: 17033 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W S: 06 Q: QQ:
Mail Address	: PO Box 1474 Sherwood Or 97140	Parcel Number	: R0586173
Telephone	:	County	: Washington (OR)

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
:Chronister Wayne K	:08/28/1989	89039882	:\$41,000	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 F2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TLO
 Subdivision/Plat :
 School District : Sherwood
 Class Code :
 Land Use : 6401 Vacant,Forest Zone,Farm Use
 Legal : ACRES 9.92, MS X# M90000353,
 : FORESTLAND -POTENTIAL ADDITIONAL
 : TAX LIABILITY

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$578,080
 Mkt Structure :
 Mkt Total : \$581,760
 %Improved :
 M50AssdTotal : \$67,870
 Levy Code : 08814
 14-15 Taxes : \$983.73
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	:	Year Built	:	Attic SqFt	:
Bathrooms	:	EffYearBlt	:	Deck SqFt	:
Heat Method	:	BsmFin SF	:	ExtFinish	:
Foundation	:	BsmUnfinSF	:	Const Type	:
Lot Acres	: 9.92	Bldg Sq Ft	:	Roof Shape	:
Lot SqFt	: 432,115	1stFlrSF	:	Roof Matl	:
Garage Type	:	UpperFISF	:	InteriorMat	:
Garage SF	:	Porch SqFt	:	Paving Matl	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Fidelity National Title

Company Of Oregon

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

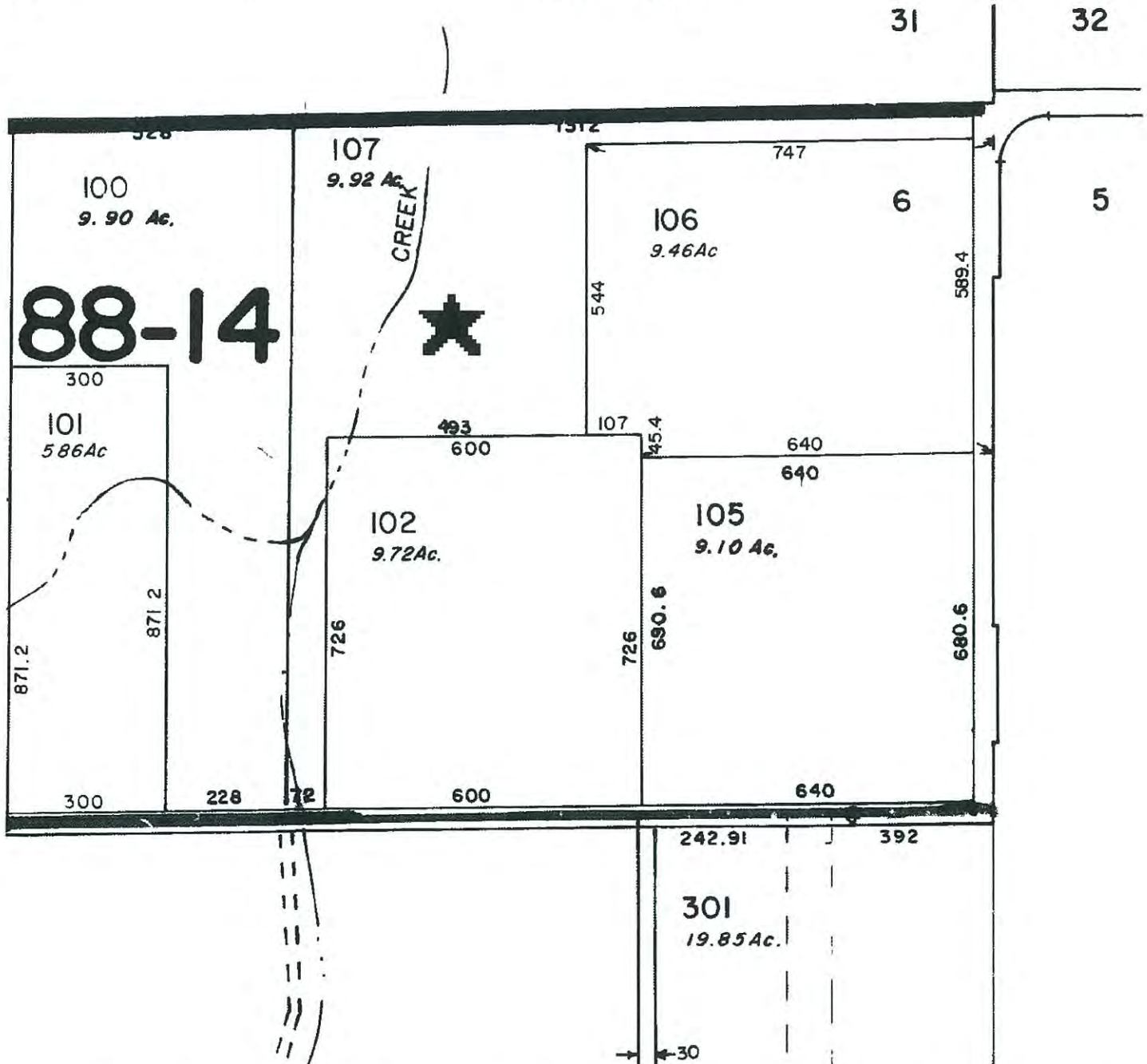


Parcel #: M2119159

Ref Parcel Number : 3S10600 00107

DC

2S 1 31DD



The map is copied from the public records and is provided solely for the purpose of assisting in locating the premises. Fidelity National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.



Fidelity National Title

Company Of Oregon

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com



Parcel # : M2119159

Ref Parcel Number : 3S10600 00107

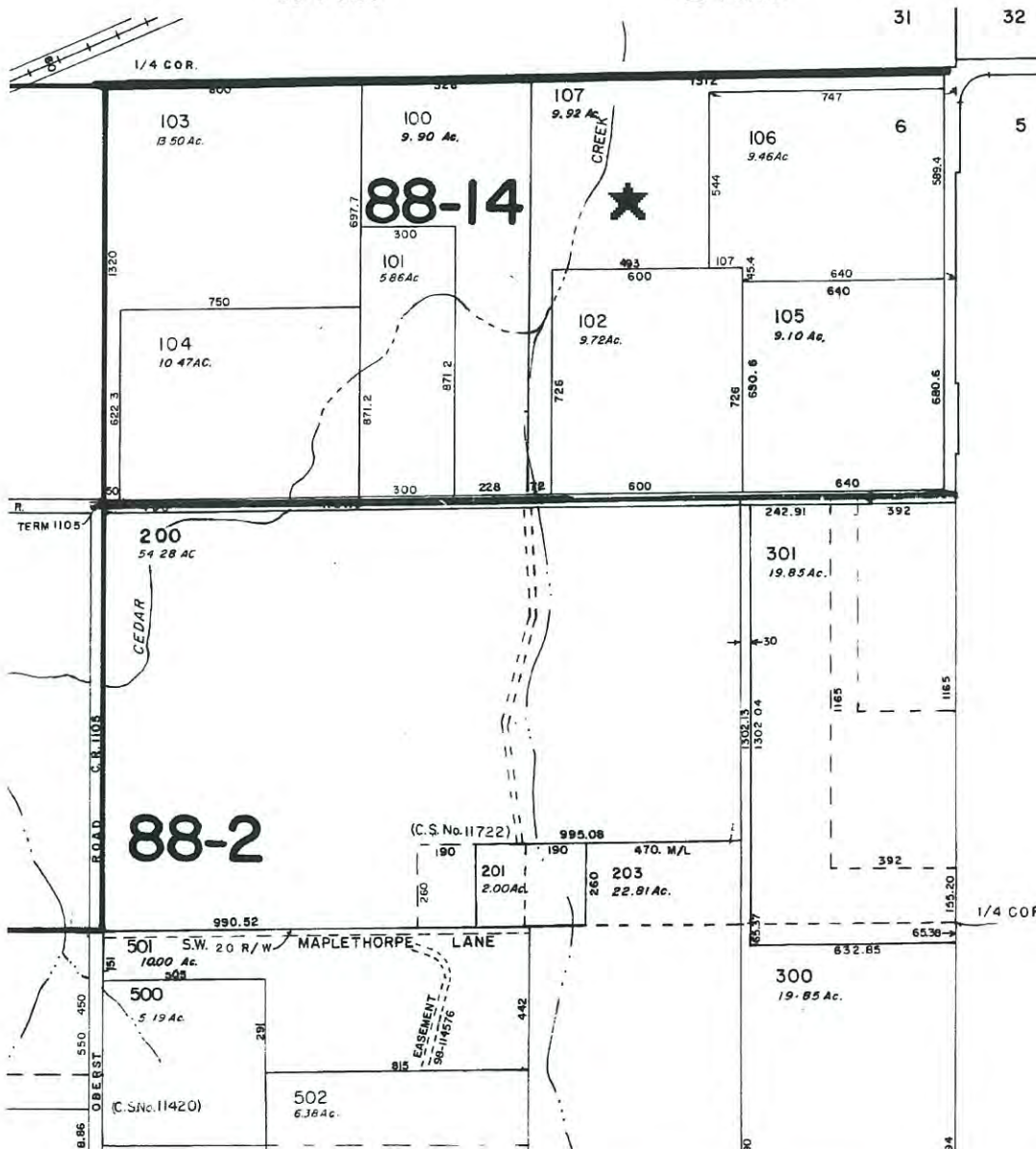
: 400'

FOR ASSESSMENT PURPOSES ONLY
DO NOT RELY ON FOR ANY OTHER USE

CANCELLED 1200, 1290,
1104, 1106, 902, 202, 703, 400,
204,

SEE MAP
2S 1 31DC

SEE MAP
2S 1 31DD



A S S E T S C O U N T Y

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1989

10-6
ST



STEWART TITLE

89-39882
Washington County

AFTER RECORDING, RETURN TO:

Rosemary Rubsam et al
7185 SW 103rd Avenue
Beaverton, OR 97005

UNTIL FURTHER NOTICE, ALL FUTURE
TAX STATEMENTS SHALL BE SENT TO:
Rosemary Rubsam et al
7185 SW 103rd Avenue
Beaverton, OR 97005
TAX ACCOUNT # 3S16 00107

Stewart Title
89025334W
DS

STATUTORY WARRANTY DEED

DANIEL M. MARTIN, Grantor, conveys and warrants to ROSEMARY RUBSAM & BARBARA RUBSAM, as to a 1/3 interest, AND GERALD J. OUELLETTE & ELIZABETH A. OUELLETTE, husband & wife, as to a 1/3 interest, AND WAYNE K. CHRONISTER & LINDA A. CHRONISTER, husband and wife, as to a 1/3 interest, ALL AS TENANTS IN COMMON, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Washington County, Oregon, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof

The said property is free from encumbrances EXCEPT: 1) 1989-90 taxes, a lien not yet payable; 2) Any additional tax or penalties in the event tax classification for forest land use is disqualified; 3) Rights of the public to any portion lying within road ways; 4) All matters arising from any shifting in course of Cedar Creek;

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.

The true consideration for this conveyance is \$ 41,000.00.

Dated this 24th day of August, 1989.

Daniel M. Martin

Daniel M. Martin

STATE OF OREGON
County of CLACKAMAS

WASHINGTON COUNTY	
REAL PROPERTY TRANSFER TAX	
\$ 4100	8-28-89
FEE PAID	DATE



Personally appeared the above named DANIEL M. MARTIN and acknowledged the foregoing instrument to be his voluntary act and deed.

Deborah L. Schaber
Notary Public for State of OREGON
My commission expires 1/6/91.

1-2

Order No. 89025331-W

EXHIBIT "A"

That portion of the North one-half of the Northeast one-quarter of Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

Beginning at the Southwest corner of the North one-half of the Northeast one-quarter of said Section 6; thence East, along the South line of said North one-half 1400 feet to the Southwest corner of that tract conveyed to Elmer Larry Countryman, et ux, by Deed recorded August 15, 1975 in Book 1039, page 17, said point being the true point of beginning of the tract described herein; thence North, along the West line of said Countryman tract, 726 feet to the Northwest corner thereof; thence East, along the North line of said Countryman tract 493 feet to the most Westerly Southwest corner of that tract conveyed to Byron D. Gregory, et ux, by deed recorded July 14, 1977 in Book 1182, page 951; thence North, along the West line of said Gregory tract, 544 feet to the Northwest corner thereof; thence East, along the North line of said Gregory tract, 747 feet to the Northeast corner thereof, said point being on the East line of Section 6; thence North on the East line of said Section 6, a distance of 50 feet to the Northeast corner thereof; thence West along the North line of said Section 6, a distance of 1312 feet, more or less, to the Northeast corner of that tract conveyed to Thomas Ames Curran, et ux, by Contract recorded January 9, 1978, Fee No. 78-918; thence South along the East line of said Curran tract, 1320 feet to the Southeast corner thereof, said point being on the South line of the North one-half of said Northeast one-quarter of Section 6; thence East along said South line, 72 feet, more or less, to the true point of beginning.

STATE OF OREGON }
County of Washington } SS

I, Donald W. Mason, Director of Assessment and Taxation 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 of said county.



Doc : 89039882
Rect: 16805 57.00
08/28/1989 10:03:03AM

2



Fidelity National Title

Company Of Oregon

Prepared By :
Date : 3/3/2015

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

OWNERSHIP INFORMATION

Owner	: Sherwood Land LLC	Bldg #	1	Of	1
CoOwner	:	Ref Parcel Number	: 3S106B0 00100		
Site Address	: 17601 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W	S: 06	Q: NW QQ:
Mail Address	: 8212 NW Fruit Valley Rd #D Vancouver Wa 98665	Parcel Number	: R0586431		
Telephone	:	County	: Washington (OR)		

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
: Sherwood Land LLC	: 07/11/2005	79964	: \$1,628,750	: Contract of S	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 E2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TL0
 Subdivision/Plat :
 School District : Sherwood
 Class Code : Single Family Res
 Land Use : 6611 For, Designated Forest, Improved
 Legal : ACRES 12.76, CODE SPLIT,
 : FORESTLAND, SMALL TRACT FORESTLAND,
 : POTENTIAL ADDITIONAL TAX LIABILITY

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$1,212,710
 Mkt Structure : \$1,000
 Mkt Total : \$1,214,600
 %Improved :
 M50AssdTotal : \$181,520
 Levy Code : 08814
 14-15 Taxes : \$2,588.65
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	: 2	Year Built	: 1925	Attic SqFt	:
Bathrooms	: 1.00	EffYearBlt	: 1925	Deck SqFt	: 400
Heat Method	: Forced	BsmFin SF	:	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	: 384	Const Type	: Wd Stud\shgt
Lot Acres	: 12.76	Bldg Sq Ft	: 2,259	Roof Shape	: Gable
Lot SqFt	: 555,826	1stFlrSF	: 1,875	Roof Matl	: Composition
Garage Type	: Detached	UpperFISF	:	InteriorMat	: Drywall
Garage SF	: 324	Porch SqFt	: 192	Paving Matl	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Fidelity National Title

Company Of Oregon

Prepared By :
Date : 3/3/2015

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

OWNERSHIP INFORMATION

Owner	: Sherwood Land LLC	Bldg #	Of
CoOwner	:	Ref Parcel Number	: 3S106B0 00100
Site Address	: 17601 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W S: 06 Q: NW QQ:
Mail Address	: 8212 NW Fruit Valley Rd #D Vancouver Wa 98665	Parcel Number	: R0586459
Telephone	:	County	: Washington (OR)

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
:Sherwood Land LLC	:06/22/2007	69303	:\$1,628,750	:Special Warr	:\$1,900,000	:Construct
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 E2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TL0
 Subdivision/Plat :
 School District : Sherwood
 Class Code :
 Land Use : 6611 For,Designated Forest,Improved
 Legal : ACRES .27, CODE SPLIT, FORESTLAND,
 : SMALL TRACT FORESTLAND, POTENTIAL
 : ADDITIONAL TAX LIABILITY

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$25,660
 Mkt Structure :
 Mkt Total : \$25,660
 %Improved :
 M50AssdTotal : \$25,660
 Levy Code : 08809
 14-15 Taxes : \$417.38
 Millage Rate : 16.5148

PROPERTY CHARACTERISTICS

Bedrooms	:	Year Built	:	Attic SqFt	:
Bathrooms	:	EffYearBlt	:	Deck SqFt	:
Heat Method	:	BsmFin SF	:	ExtFinish	:
Foundation	:	BsmUnfinSF	:	Const Type	:
Lot Acres	: .27	Bldg Sq Ft	:	Roof Shape	:
Lot SqFt	: 11,761	1stFlrSF	:	Roof Matl	:
Garage Type	:	UpperFISF	:	InteriorMat	:
Garage SF	:	Porch SqFt	:	Paving Matl	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



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Company Of Oregon

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Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com



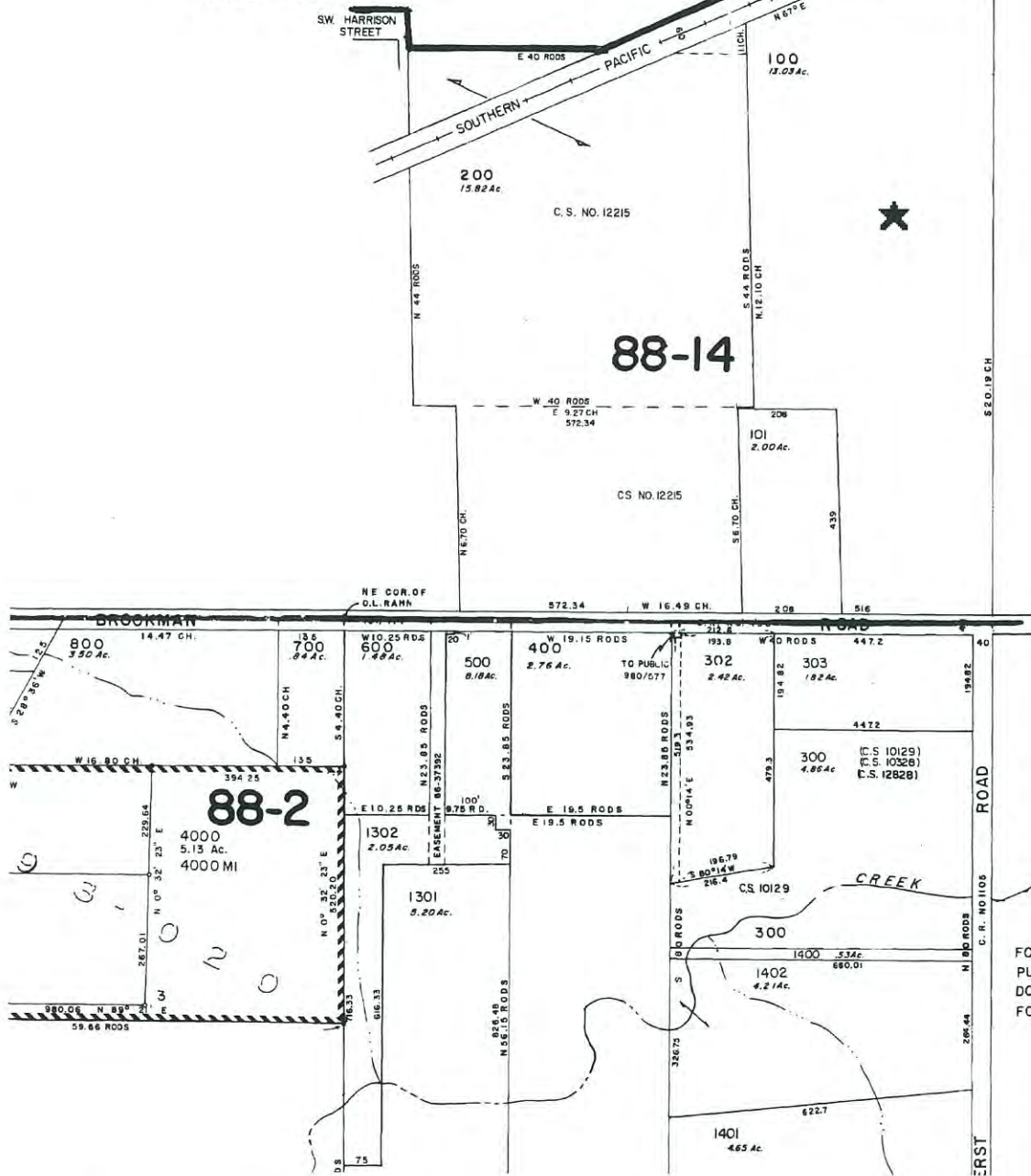
Parcel #: R0586431

Ref Parcel Number : 3S106B0 00100

NW1/4 SECTION 6 T3S RIW W.M.
WASHINGTON COUNTY OREGON
SEE MAP 2S1 31C

SCALE 1"=200'

88-9 1/4 COR. 3 S 1 6 B



CANCELLED
301, 1300, 1701,
1100, 1100 M, 1600,
1500, 1600.

SEE MAP
3S1 6

FOR ASSESSMENT
PURPOSES ONLY
DO NOT RELY ON
FOR ANY OTHER USE

The map is copied from the public records and is provided solely for the purpose of assisting in locating the premises. Fidelity National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.



Fidelity National Title

Company Of Oregon

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

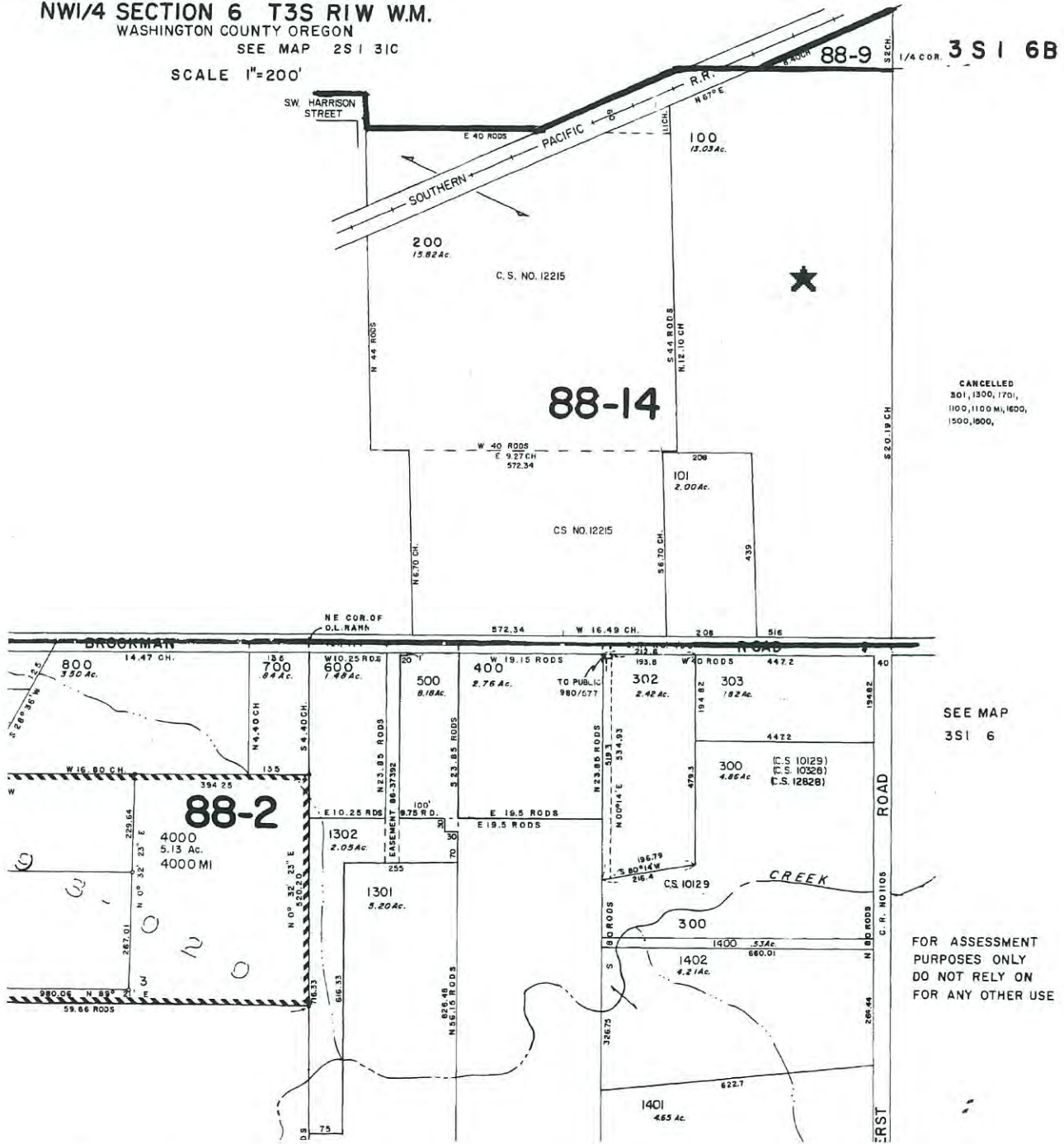


Parcel #: R0586459

Ref Parcel Number : 3S106B0 00100

NW1/4 SECTION 6 T3S RIW W.M.
WASHINGTON COUNTY OREGON
SEE MAP 2S1 31C

SCALE 1"=200'



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30
=6
1,629

Washington County, Oregon
07/11/2005 10:33:23 AM
D-C Cnt=1 Stn=7 K GRUNEWALD
\$30.00 \$6.00 \$11.00 \$1,629.00 - Total = \$1,676.00

2005-079964

After Recording Return To:

Stuart K. Cohen, Esq.
Landye Bennett Blumstein LLP
1300 SW Fifth Ave, Suite 3500
Portland, OR 97201



00799704200500799640060068

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



W 823300

RECORDED BY
TICOR TITLE INSURANCE

MEMORANDUM OF LAND SALE CONTRACT

DATE: July 8, 2005

BETWEEN: John A. and Eleanor G. Yeager, Co-Trustees of the Revocable Living Trust of John A. Yeager and Eleanor G. Yeager dated September 2, 1993 ("Seller")

AND: Sherwood Land, LLC, an Oregon limited liability company ("Purchaser")

Pursuant to a Land Sale Contract dated 7-8, 2005, Seller sold to Purchaser all of Seller's interest in that certain real property in Washington County, Oregon described in the attached Exhibit A. If not earlier paid, all amounts owed under this Contract shall be due and payable at such time as set forth in the Contract.

The true and actual consideration for this conveyance is \$1,628,750.00.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

Until a change is requested, all tax statements shall be sent to the following address:

Sherwood Land, LLC
c/o Double D Development, Inc.
Dennis L. Derby
12670 SW 68th Parkway, Suite 100
Portland, Oregon 97223



WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
\$ 1629.00
FEE PAID DATE
7-11-05

MEMORANDUM OF LAND SALE CONTRACT



Property Tax Account Numbers: R0586431 & R0586459

PURCHASER

SELLER

Sherwood Land, LLC
an Oregon limited liability

Revocable Living Trust of
John A. and Eleanor G. Yeager
dated September 2, 1993

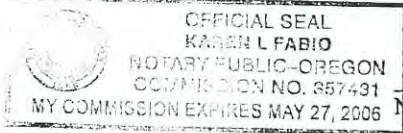
By: *Dennis L. Derby*
Dennis L. Derby,
Authorized Representative

John A. Yeager, Co-Trustee
John A. Yeager, ~~Co~~-Trustee

Eleanor G. Yeager, Co-Trustee
Eleanor G. Yeager, ~~Co~~-Trustee
Co

STATE OF OREGON)
County of Washington) ss.

This instrument was acknowledged before me on 7-8, 2005, by John A. Yeager, as ~~Trustee~~ * co-trustee of Revocable Living Trust of John A. Yeager and Eleanor G. Yeager, Dated September 2, 1993

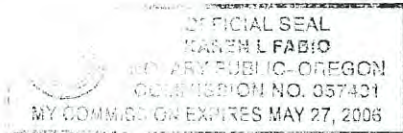


Karen L Fabio
NOTARY PUBLIC FOR OREGON

STATE OF OREGON)
County of Washington) ss.

NOTARY

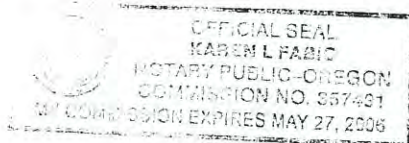
This instrument was acknowledged before me on 7-8, 2005, by Eleanor G. Yeager, as ~~Trustee~~ * co-trustee of Revocable Living Trust of John A. Yeager and Eleanor G. Yeager, Dated September 2, 1993



Karen L Fabio
NOTARY PUBLIC FOR OREGON

STATE OF OREGON)
County of Washington) ss.

This instrument was acknowledged before me on 7-8, 2005, by Dennis L. Derby, as the authorized representative of Sherwood Land, LLC.



Karen L Fabio
NOTARY PUBLIC FOR OREGON

MEMORANDUM OF LAND SALE CONTRACT



Purchaser:

Sherwood Land LLC
an Oregon Limited Liability

By [Signature]
Rcm Development LLC, member
Randall C Myers, manager

By [Signature]
George L. Lorange, member



STATE OF OREGON,
 County of Washington } ss.
 On 7-8-05 before me personally appeared Randall C Myers
member of Sherwood Land LLC and RCM Development LLC
 whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above.

Karen L Fabus
 Notary Public for Oregon
 My commission expires _____

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

FORM No. 23 - ACKNOWLEDGMENT, INDIVIDUAL. EA © 1992-2001 STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR www.stevensness.com

STATE OF OREGON,
 County of Washington } ss.
 On 7-8-05 before me personally appeared George L Lorange
member of Sherwood Land LLC
 whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above.

Karen L Fabus
 Notary Public for Oregon
 My commission expires 05-27-08

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

FORM No. 23 - ACKNOWLEDGMENT, INDIVIDUAL. EA © 1992-2001 STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR www.stevensness.com



EXHIBIT "A" FOR COMPLETE LEGAL DESCRIPTION

Being a part of the Donation Land Claim of Charles Talmage in Section 31, Township 2 South, Range 1 West and Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, and being particularly bounded and described as follows, to-wit:

Beginning at the one-quarter section corner on the North line of said Section 6, Township 3 South, Range 1 West of the Willamette Meridian and running thence South on one-half section line 20.19 chains; thence West 16.49 chains; thence North 6.70 chains; thence East 9.27 chains; thence North 12.10 chains to the right-of-way of the S.P. & S. (formerly the P & W V R R); thence following the South boundary line of said right-of-way North 67° East 8.40 chains to the East line of the Southwest one-quarter of said Section 31, Township 2 South, Range 1 West of the Willamette Meridian and thence South 2 chains to the point of beginning, EXCEPTING THEREFROM that tract described as follows, to-wit:

Beginning at the one-quarter section corner on the North line of said Section 6, Township 3 South, Range 1 West of the Willamette Meridian and running thence South on one-half section line 20.19 chains; thence West 516 feet to the true point of beginning; thence West 572.34 feet; thence North 6.70 chains; thence East 572.34 feet; thence South 6.70 chains to the point of beginning. ALSO EXCEPTING that tract conveyed to John A. Yeager, et ux, by Deed recorded February 22, 1971 in Book 807 page 355, Records of Washington County, Oregon.



2005-79964

ASSIGNMENT OF PURCHASERS' RIGHTS

On this 8 day of July, 2005, Double D Development, Inc., an Oregon corporation and RCM Development, LLC, an Oregon limited liability company, as Buyers, hereby assign all of their right, title and interest in the Land Sale Contract, dated July 8, 2005 with John A. And Eleanor G. Yeager, Co-Trustees of the Revocable Living Trust of John A. and Eleanor G. Yeager as Seller, to Sherwood Land, LLC., an Oregon limited liability company.

Double D Development, Inc.

By: *Dennis L. Derby*
Dennis L. Derby, President

RCM Development, LLC.

By: *Randy C. Myers*
Randy C. Myers, Member

We hereby consent to the assignment set forth above.

Revocable Living Trust of John A. and Eleanor G. Yeager

John A. Yeager, Trustee
John A. Yeager, ~~Co~~-Trustee
Co

Eleanor G. Yeager, Trustee
Eleanor G. Yeager, ~~Co~~-Trustee
Co



01131513200700693030010011

Richard Hobemicht, 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.
Richard Hobemicht, Director of Assessment and Taxation, Ex-Officio County Clerk



1165

RECORDING REQUESTED BY:
Fidelity National Title Company of Oregon
GRANTOR'S NAME:
Yeager

GRANTEE'S NAME:
Sherwood Land LLC

SEND TAX STATEMENTS TO:
Sherwood Land LLC
5 Centerpointe Drive #280
Lake Oswego, OR 97035

AFTER RECORDING RETURN TO:
Sherwood Land LLC
5 Centerointe Dr #280, Lake Oswego, OR
97035

Escrow No: 20070000660-FTPOR08

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY SPECIAL WARRANTY DEED IN FULFILLMENT OF CONTRACT

John A Yeager and Eleanor G Yeager, as Co-Trustees to the Revocable Living Trust of John A Yeager and Eleanor G Yeager, dated 9/2/1993

Grantor, conveys and specially warrants to Sherwood Land LLC, an Oregon Limited Liability Company, Grantee, the following described real property, free of encumbrances created or suffered by the Grantor except as specifically set forth below, situated in the County of Washington, State of Oregon:

Being a part of the Donation Land Claim of Charles Talmage in Section 31, Township 3 South, Range 1 West and Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, and being particularly bounded and described as follows, to-wit:

Beginning at the one-quarter section corner on the North line of said Section 6, Township 3 South, Range 1 West of the Willamette Meridian and running thence South on one-half section line 20.19 chains; thence West 16.49 chains; thence North 6.70 chains; thence East 9.27 chains; thence North 12.10 chains to the right-of-way of the S.P., & S. (formerly the P&W VRR); thence following the South boundary line of said right-of-way North 67° East 8.40 chains to the East line of the Southwest one-quarter of said Section 31, Township 2 South, Range 1 West of the Willamette Meridian and thence South 2 chains to the point of beginning.

EXCEPTING THEREFROM that tract described as follows, to-wit:

Beginning at the one-quarter section corner on the North line of said Section 6, Township 3 South, Range 1 West of the Willamette Meridian and running thence South on one-half section line 20.19 chains; thence West 516 feet to the true point of beginning; thence West 572.34 feet; thence North 6.70 chains; thence East 572.34 feet; thence South 6.70 chains to the point of beginning.

ALSO EXCEPTING THEREFROM that tract conveyed to John A. Yeager, et ux, by Deed recorded February 22, 1971 in Book 807, Page 355, Records of Washington County, Oregon.

THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS IN FULFILLMENT OF THAT CERTAIN CONTRACT RECORDED JULY 11, 2005 AS 2005-079964, WASHINGTON COUNTY, OREGON in the amount of \$1,628,750.00. (See ORS 93.030)
DATED: 6-21-2007

Revocable Living Trust of John A Yeager and Eleanor G Yeager dated 9/2/1993

By: John A. Yeager
John A Yeager, Co-Trustee

By: Eleanor G. Yeager
Eleanor G Yeager, Co-Trustee

State of Oregon County of Clackamas
This instrument was acknowledged before me on June 21, 2007 by John A Yeager and Eleanor G Yeager, as Co-Trustees of the Revocable Living Trust of John A Yeager and Eleanor G Yeager dated 9/2/1993

Kathi J Lawrence
Notary Public of Oregon



70000660-08
This instrument filed for record by Fidelity National Title Company as an accommodation only. It has not been examined as to its execution or as to its effect upon the title.



Fidelity National Title

Company Of Oregon

Prepared By :
Date : 3/3/2015

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

OWNERSHIP INFORMATION

Owner	: Bartlett Thomas R	Bldg #	1	Of	1
CoOwner	: Bartlett Marie A	Ref Parcel Number	: 3S106B0 00101		
Site Address	: 17687 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W	S: 06	Q: NW QQ:
Mail Address	: 17687 SW Brookman Rd Sherwood Or 97140	Parcel Number	: R0586440		
Telephone	:	County	: Washington (OR)		

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
:Bartlett Thomas R	:	87037951	:\$27,000	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 E2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TLO
 Subdivision/Plat :
 School District : Sherwood
 Class Code : Single Family Res
 Land Use : 1910 Res,Potential Development,Improved
 Legal : ACRES 2.00
 :
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$300,450
 Mkt Structure : \$130,810
 Mkt Total : \$431,260
 %Improved : 30
 M50AssdTotal : \$255,300
 Levy Code : 08814
 14-15 Taxes : \$3,700.38
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Year Built	: 1987	Attic SqFt	:
Bathrooms	: 2.00	EffYearBlt	: 1987	Deck SqFt	:
Heat Method	: Heat Pump	BsmFin SF	:	ExtFinish	: Wood 50% Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd 50% Shtg
Lot Acres	: 2.00	Bldg Sq Ft	: 1,834	Roof Shape	: Gable
Lot SqFt	: 87,120	1stFlrSF	: 1,834	Roof Matl	: Comp Shingle
Garage Type	: Attached	UpperFISF	:	InteriorMat	: Drywall
Garage SF	: 616	Porch SqFt	: 54	Paving Matl	: Concrete

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Fidelity National Title

Company Of Oregon

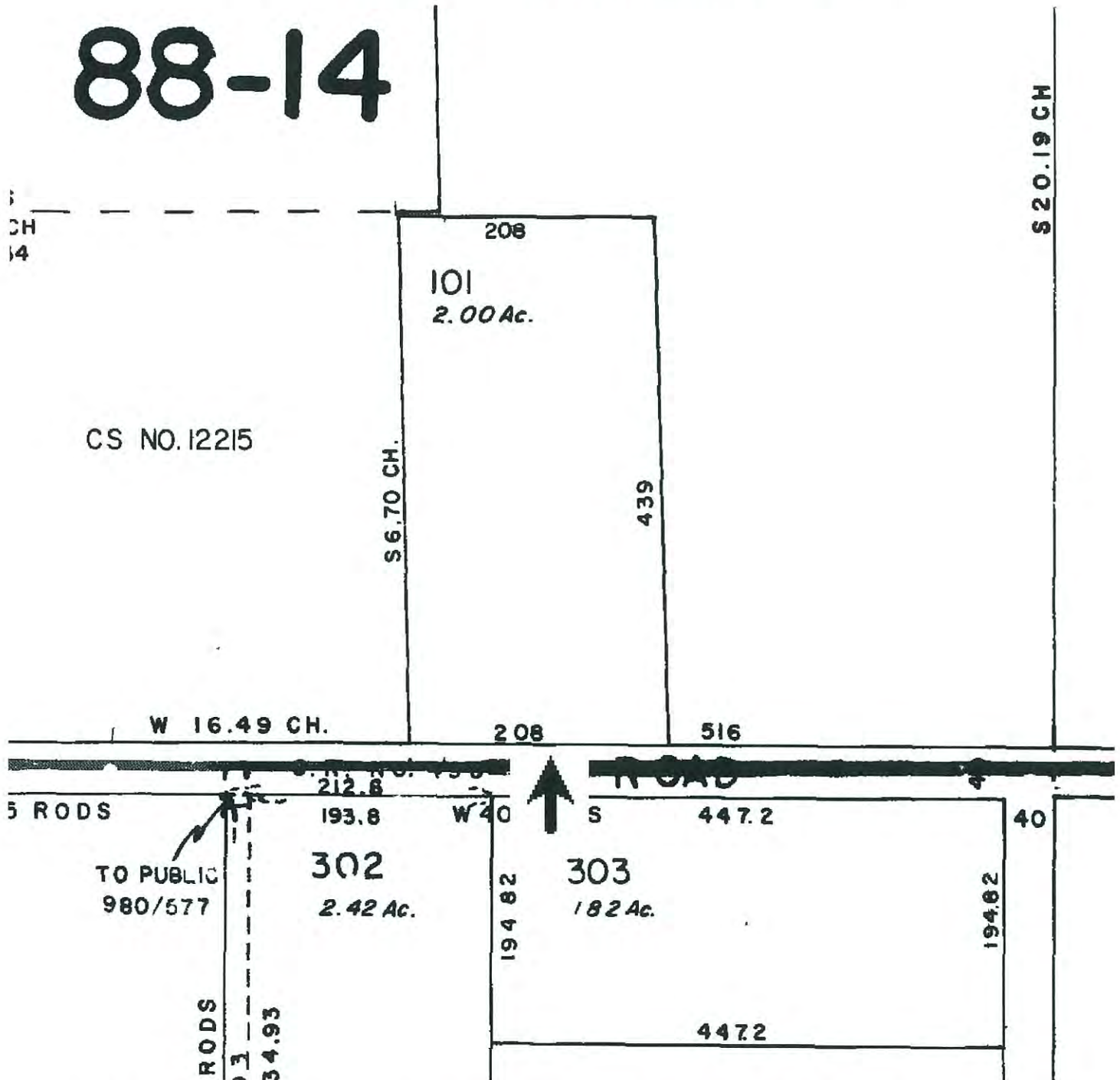
900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com



Parcel #: R0586440

Ref Parcel Number : 3S106B0 00101

88-14



The map is copied from the public records and is provided solely for the purpose of assisting in locating the premises. Fidelity National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.



Fidelity National Title

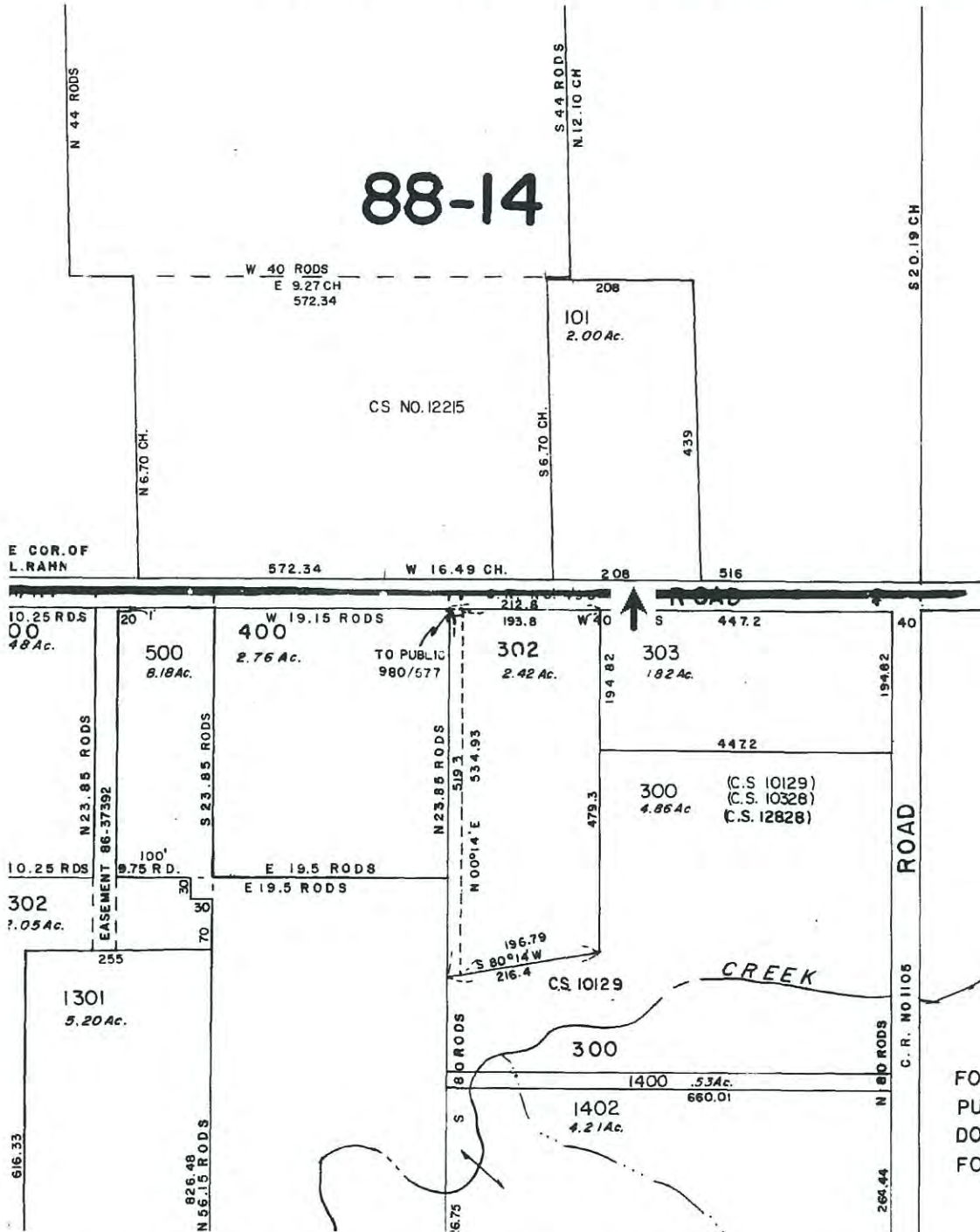
Company Of Oregon

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com



Parcel #: R0586440

Ref Parcel Number: 3S106B0 00101



CANCELLED
301, 1300, 1701,
1100, 1100 MI, 1600,
1500, 1800,

SEE MAP
3S1 6

FOR ASSESSMENT
PURPOSES ONLY
DO NOT RELY ON
FOR ANY OTHER USE

The map is copied from the public records and is provided solely for the purpose of assisting in locating the premises. Fidelity National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.

JUL 24 11:17

1000
1000
TA
26-19313

87037951

WARRANTY DEED—STATUTORY FORM

INDIVIDUAL GRANTOR
JOHN A. YEAGER and ELEANOR G. YEAGER, husband and wife

Grantor,
conveys and warrants to THOMAS A. BARTLETT and MARIE A. BARTLETT.
D.H.B.A.A.A. ADD. W.A.A.A.

Grantee, the following described real property free of encumbrances
except as specifically set forth herein situated in WASHINGTON County, Oregon, to-wit:

AS PER EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)
The said property is free from encumbrances except NONE

The true consideration for this conveyance is \$ 27,000.00. (Here comply with the requirements of ORS 93.030)

Dated this 26 day of JUNE, 1987

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.

John A. Yeager
John A. Yeager
Eleanor G. Yeager
Eleanor G. Yeager

STATE OF OREGON, County of Clackamas) ss.
This instrument was acknowledged before me on June 8, 1987
by John A. Yeager and Eleanor G. Yeager

Notary Public for Oregon
My commission expires 1/23/89

WARRANTY DEED	
John A. Yeager	GRANTOR
Eleanor G. Yeager	GRANTOR
Thomas A. Bartlett	GRANTEE
Marie A. Bartlett	GRANTEE
After recording return to:	
Thomas A. & Marie A. Bartlett	
1717 Springbrook Way	
Newberg, Or. 97132	
NAME, ADDRESS, ZIP	
If a change is requested, all tax statements shall be sent to the following address:	
same as above	
NAME, ADDRESS, ZIP	

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,
County of _____) ss.
I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said county.
Witness my hand and seal of County affixed.
NAME TITLE
By _____ Deputy

1-2

JUL 24 1987

Title No. 26-19363

bc

EXHIBIT "A"

Beginning at the quarter section corner on the North line of said Section 6, Township 3 South, Range 1 West, Willamette Meridian, in the County of Washington and State of Oregon, and running thence South on half section line 20.19 chains; thence West 516 feet to the Southwest corner of the Shaw Tract described in Contract of Sale recorded June 9, 1959 in Book 418, Page 522, Deed Records, and the true point of beginning of the tract herein described; thence East along the South line of said Shaw Tract, a distance of 208 feet; thence North, parallel to the West line of said Shaw Tract, a distance of 439 feet to a point; thence West a distance of 208 feet, more or less, to the West line of said Shaw Tract; thence South following the West line of said Shaw Tract to the true point of beginning.

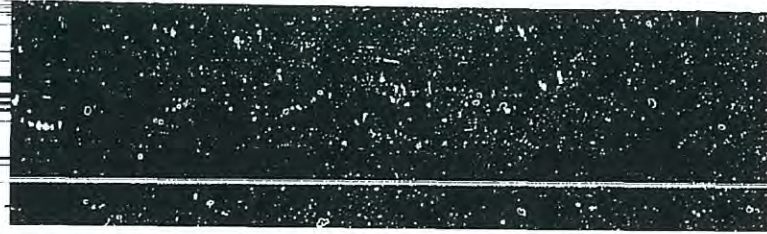
STATE OF OREGON }
County of Washington } SS

I, Donald W. Mason, Director of Assessment and Taxation 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 of said county.

Donald W. Mason, Director of Assessment and Taxation, Ex-Officio County Clerk

1987 JUL 24 AM 9:21

2





Fidelity National Title

Company Of Oregon

Prepared By :
Date : 3/3/2015

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com

OWNERSHIP INFORMATION

Owner	: Boyd George W	Bldg #	1	Of	1
CoOwner	: Brewer Carleen H	Ref Parcel Number	: 3S106B0 00200		
Site Address	: 17769 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W	S: 06	Q: NW QQ:
Mail Address	: PO Box 85 Tualatin Or 97062	Parcel Number	: R0586468		
Telephone	:	County	: Washington (OR)		

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
: Boyd George W	: 04/25/1997	38339	:	: Warranty	:	:
: Boyd George W	: 04/23/1997	37165	: \$128,900	: Warranty	:	:
: State of Oregon F-44462	:	86037837	: \$128,900	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 E2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TL0
 Subdivision/Plat :
 School District : Sherwood
 Class Code : Single Family Res
 Land Use : 5414 Agr, Farm Unzoned, Improved
 Legal : ACRES 15.82, UNZONED
 : FARMLAND-POTENTIAL ADDITIONAL TAX
 : LIABILITY

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$876,370
 Mkt Structure : \$80,070
 Mkt Total : \$963,980
 %Improved : 8
 M50AssdTotal : \$222,640
 Levy Code : 08814
 14-15 Taxes : \$3,226.98
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Year Built	: 1954	Attic SqFt	:
Bathrooms	: 2.00	EffYearBlt	: 1954	Deck SqFt	:
Heat Method	: Electric	BsmFin SF	: 1,280	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Stud'shtg
Lot Acres	: 15.82	Bldg Sq Ft	: 3,198	Roof Shape	: Gable
Lot SqFt	: 689,119	1stFtrSF	: 1,918	Roof Matl	: Comp Shingle
Garage Type	:	UpperFISF	:	InteriorMat	: Drywall
Garage SF	:	Porch SqFt	:	Paving Matl	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Fidelity National Title

Company Of Oregon

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
 Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com



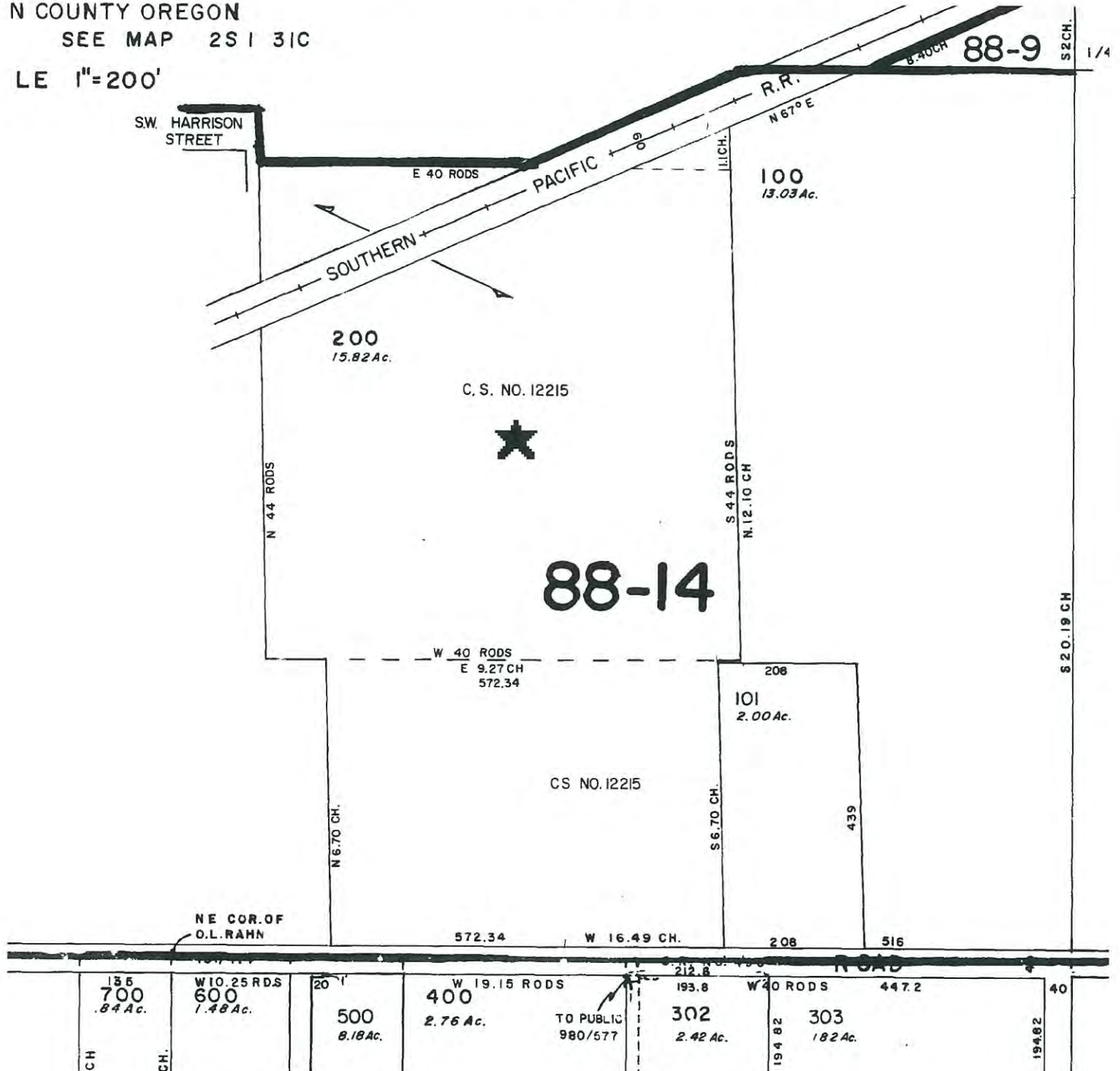
Parcel #: R0586468

Ref Parcel Number : 3S106B0 00200

N COUNTY OREGON

SEE MAP 2S 1 31C

LE 1"=200'



The map is copied from the public records and is provided solely for the purpose of assisting in locating the premises. Fidelity National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.



Fidelity National Title

Company Of Oregon

900 SW 5th Ave., Mezzanine Level Portland, Oregon 97204
Phone: (503) 227-LIST (5478) E-mail: csrequest@fnf.com



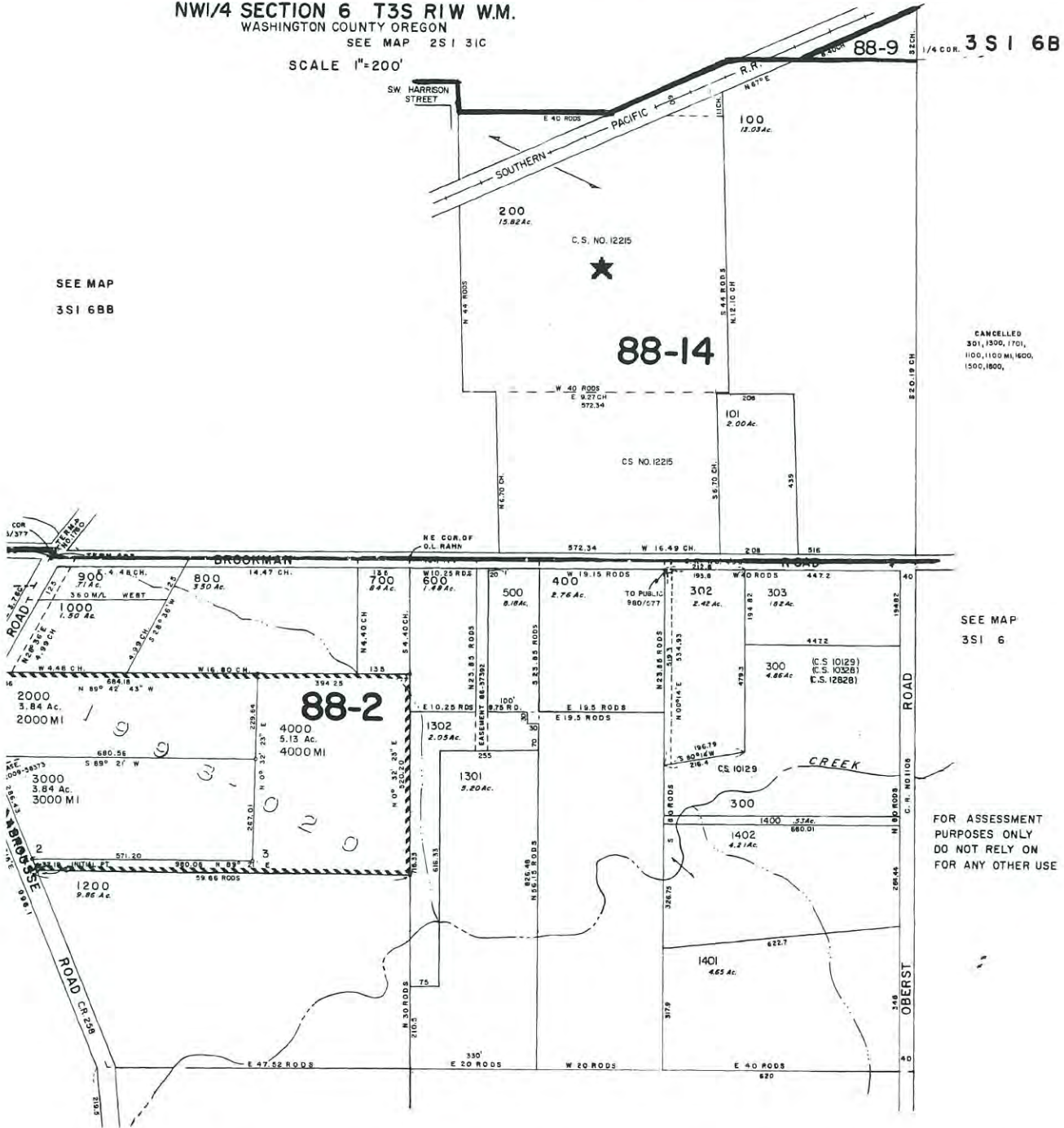
Parcel #: R0586468

Ref Parcel Number: 3S106B0 00200

NW1/4 SECTION 6 T3S RIW W.M.
WASHINGTON COUNTY OREGON

SEE MAP 2S1 31C

SCALE 1"=200'



The map is copied from the public records and is provided solely for the purpose of assisting in locating the premises. Fidelity National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.



2018
1 P

The true consideration for
this conveyance is \$-None-

STATE OF OREGON }
County of Washington } SS

I, Jerry R. 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 book of records of said county.

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

Doc : 97038339
Rect: 185119 38.00
04/25/1997 02:28:34pm

Until a change is requested,
all tax statements are to be
sent to the following:
George W. Boyd and Carleen H. Brewer
PO Box 85
Tualatin, OR 97062

After recording, return to:
George W. Boyd and Carleen H. Brewer
PO Box 85
Tualatin, OR 97062

STATUTORY WARRANTY DEED

George W. Boyd, Grantor, conveys and warrants to George W. Boyd and Carleen H. Brewer, each as to an undivided one-half interest as tenants in common, Grantees, the following described real property free of encumbrances except as specifically set forth herein situated in Washington County, State of Oregon, to wit:

Parcel I: A tract of land in Section 6, Township 3 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, described as follows: Beginning at the quarter section corner on the north line of said Section 6, Township 3 South, Range 1 West of the Willamette Meridian; and running thence South on half section line, 20.19 chains; thence West 516 feet to the true place of beginning; thence West 572.34 feet; thence North 6.70 chains; thence East 572.34 feet; thence South 6.70 chains to the place of beginning.

PAGE 1 - STATUTORY WARRANTY DEED

1-2



APR 25 1997

Parcel II: Part of Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows: Commencing at a stake 30 feet North and 30 feet East of the northeast corner of Block 1, in the Town of Middleton, Oregon; running thence due East to a stake 40 rods; from thence due South to a stake 44 rods; from thence due West to a stake 40 rods; from thence due North to the place of beginning, 44 rods. EXCEPTING therefrom a strip of land 60 feet wide running from Northeast to Southwest as described in deed to the Portland and Willamette Valley Railroad Company, recorded in Book 31, Page 217, on May 23, 1891.

SUBJECT ONLY TO THE FOLLOWING ENCUMBRANCES: Rights of the public in and to that portion of the premises herein described lying within the limits of Brookman Road, County Road No. 493.

The true consideration for this conveyance is \$-NONE-. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

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.

DATED this 25 day of April, 1997.

George W. Boyd


GEORGE W. BOYD

STATE OF OREGON)
) ss.
County of Washington)

This instrument was acknowledged before me on 25 day of April, 1997 by George W. Boyd.

Dean C. Werst

Notary Public for Oregon
My commission expires: 1-9-99


PAGE 2 - STATUTORY WARRANTY DEED

2



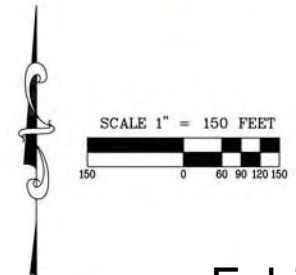


Exhibit H

Note: This conceptual plan is based on the City of Sherwood's adopted Brookman Addition Concept Plan and is non-binding upon property owners. The purpose of this plan is to show potential future utility connection locations, street and circulation configurations, and general land use patterns at a conceptual level of detail. Potential future development in this area will require detailed surveying as well as civil engineering design and will be subject to the City of Sherwood's land use permit review process.

June 15, 2015

City of Sherwood
Attn: Brad Kilby
22560 SW Pine Street
Sherwood, OR 97140

RE: Brookman Addition Annexation Application (AN15-01)

Dear Brad:

We received your Planning Review Letter dated May 1st, 2015. Thank you for taking the time to thoroughly review our application and for providing such a detailed response.

A recent study for Sherwood by ECONorthwest concluded the City will face a significant housing shortage within two years. This will increase pressure on existing developable land and inevitably increase housing densities in Sherwood neighborhoods. The ECONorthwest report makes it clear that development of the Brookman property will help preserve the characteristics that make Sherwood so livable: single family homes, open space, and neighborhood amenities.

Enclosed please find a conceptual layout for the +/-80 acre portion of the Brookman Addition Concept Plan area that is included in the annexation application. The plan and layout is fully consistent with the high development standards expected by the City of Sherwood as expressed Chapter 8 of the City of Sherwood's Comprehensive Plan. The subject area is contiguous to existing development, has access to existing public facilities, and has been identified by Metro as a "future urban growth area."

The applicant envisions a neighborhood of new low to medium density single-family residential homes with convenient access to park and open space areas with off-site trail systems and circulation patterns established by new local streets. The area will be served by a complete range of urban services including sanitary sewer and water services with efficient connections to existing main lines and stormwater facilities to properly manage and treat surface water runoff. Appropriate transportation circulation and access to streets, sidewalks, and off-street trails are also included in the conceptual layout in accordance with the Brookman Addition Concept Plan. This layered approach to transportation will serve the area well and will provide seamless circulation for the overall area

It is understood that the improvements shown on the conceptual layout will be paid for and constructed by persons developing in the annexation area. Existing residents will not be expected to pay for said improvements. In addition to the development costs necessary to pay for the improvements described above, future land developers and/or home builders will be responsible for paying System Development Charges and Construction Excise Taxes when new homes are constructed. This will include money paid to the City in the form of park SDC's, water and sewer SDC's, stormwater system SDC's, transportation SDC's. In addition, similar to all property owners in the City, future residents of the annexation area will be responsible for paying property taxes which help fund schools, police and fire protection services, as well as other basic City services.

The City of Sherwood is growing and is a destination for people looking for places to live, work, and play. As potential future development within the annexation area could occur during the next 2-5 years, the approval of this application will help ensure there is sufficient land available to accommodate this anticipated growth. Necessary improvements and amenities are included to support development of this area without impacting existing residents. Therefore, this application satisfies the applicable approval criteria for annexation, will benefit the City, and should be included within the City.

Sincerely,

AKS ENGINEERING & FORESTRY, LLC

A handwritten signature in black ink, appearing to read "Chris Goodell".

Chris Goodell, AICP
Associate



RESOLUTION 2015-068

CALLING AN ELECTION ON AND APPROVING A BALLOT TITLE, SUMMARY, AND EXPLANATORY STATEMENT FOR THE ANNEXATION OF 8 TAX LOTS COMPRISING 84.21 ACRES OF LAND IN THE BROOKMAN ROAD PLAN AREA FOR THE NOVEMBER 3, 2015 ELECTION

WHEREAS, the Brookman Concept Plan area was brought into the Urban Growth Boundary in 2002 by Metro via Ord. 02-0969B; and

WHEREAS, the City of Sherwood developed a concept plan for the area and adopted the Concept Plan and implementing Ordinances in 2009 via Ordinance 2009-004; and

WHEREAS, the properties proposed to be annexed within the Brookman area are currently in unincorporated Washington County; and

WHEREAS, Washington County and the City of Sherwood have entered into an agreement acknowledging that the City of Sherwood should be the ultimate provider of services in the Brookman area; and

WHEREAS, these properties must be in the City in order to be developed for the urban uses and densities planned for in the Brookman Concept Plan; and

WHEREAS The Holt Group, Inc., on behalf of the owners of 5 tax lots has submitted an application for annexation of the land into the City of Sherwood; and

WHEREAS, the property owners initiated this annexation in accordance with ORS 222.170; and

WHEREAS, after proper legal notice, a public hearing was held on the proposed annexation by the City Council on August 4, 2015, at which public comments and testimony were received and considered; and

WHEREAS, the Council reviewed and considered the staff report with proposed findings and reasons for the decision; and

WHEREAS, ORS 250.035 requires the notice for a ballot measure be prepared by the City and submitted to Washington County Elections Department by September 3, 2015 in order to appear on the ballot for the November 3, 2015 election; and

WHEREAS, under Section 3 of the City of Sherwood Charter, a decision to annex property into the City becomes effective only upon voter approval. Approval of the proposed annexation would annex 84.21 acres into the City, comprised of 8 tax lots bordered on the north by the existing Sherwood City Limits, and the south by Brookman Road; and

WHEREAS, if annexed, the area will be re-zoned consistent with the Comprehensive Plan which was updated via Ordinance 2009-004 to implement the Brookman Concept Plan and will include the following zones: Medium Density Residential Low and Medium Density Residential High, and

WHEREAS, the extension of Red Fern Street into the Brookman area is considered an area of special concern due to existing development constraints and upon subsequent annexation shall only be deemed appropriate for bicycle, pedestrian and emergency vehicle access consistent with the findings adopted with the adoption and implementation of the Brookman Concept Plan; and

WHEREAS, the City has prepared a ballot title and explanatory statement to be certified by the City Council and filed with the Washington County Elections Department for publication for the November 3, 2015 election as provided by state law.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. Based on the staff report to the City Council dated July 17, 2015, and the proposed findings and conclusions, the City Council approves Annexation AN 15-01, contingent upon approval by the electors in the City of Sherwood.

Section 2. Subject to voter approval, the City will annex the territory described in the map attached as Exhibit 1 to this Resolution.

Section 3. A City election on this annexation is called for November 3, 2015.

Section 4. The Washington County Elections Department will conduct the election.

Section 5. The precincts for the election are all those that include territory that is within the corporate limits of the City.

Section 6. The ballot title, will read as follows:

CAPTION: PROPOSAL TO ANNEX 84.21 ACRES INTO THE CITY OF SHERWOOD

QUESTION: Should 84.21 acres on the southern boundary of the City of Sherwood be annexed to the City of Sherwood?

SUMMARY: Approval of this ballot measure will annex 84.21 acres to the city, consisting of approximately 8 separate lots and parcels. The request to annex was made on behalf of the majority of the owners in the area to be annexed. The area to be annexed lies generally south of the current city boundary, north of Brookman Road, east of Highway 99W and west of Ladd Hill Road, included within the Brookman plan area. The area is subject to the Brookman Concept Plan that was approved by the City Council on June 2, 2009. Under the Brookman Concept Plan, the area will be zoned for a mix of residential uses at densities consistent with the Medium Density Residential low and Medium Density Residential High zoning districts. If approved by the voters of Sherwood, the area will be annexed into the City of Sherwood.

Section 7. The City Recorder will give notice of the election in the manner required by law.

Section 8. The Mayor is authorized to sign, and the City Recorder is authorized to submit, the following explanatory statement for the Washington County voters' pamphlet on behalf of the City. The explanatory statement for this measure will read as follows:

EXPLANATORY STATEMENT: The Sherwood City Council has referred a measure to the voters that, if approved, would annex approximately 84.21 acres of land into the City for residential and open space development. This area was brought into the Urban Growth Boundary in 2002 in order to provide more housing opportunities for the City. The annexation of this land was initiated at the request of the majority of property owners who own a majority of the land area and a majority of the assessed value within the area to be annexed.

The proposed annexation area is within Sherwood's "Brookman Road Concept Plan" area. The concept plan area is located south of downtown Sherwood (running south from Main Street), east of Oregon Highway 99 and west of Ladd Hill Road. The City Council approved the concept plan in 2009 after public review.

The concept plan calls for residential development in the proposed annexation area. If the area is annexed, development in the annexation area will include, in addition to single family homes, public and private open space and trails, preservation of natural areas and environmental enhancements of Cedar Creek. Public utilities and roads can be extended to the annexation area.

If approved by the voters, the annexation will become effective after the election results are certified and adopted by the Sherwood City Council. Annexation will allow property owners in the annexation area to submit development applications to the City for public review and approval by the City. Any development plans must be consistent with the concept plan and all other City requirements.

Section 9. The City Recorder will publish the ballot title in compliance with state law.

Section 10. Under ORS 222.520 and 222.120(5), the City Council declares that upon approval of the annexation by the voters and subsequent acceptance of the election results by the Sherwood City Council via separate resolution, the annexed territory will be withdrawn from the Washington County Service Districts for Enhanced Law Enforcement and Urban Road Maintenance effective on the date this annexation takes effect.

Section 11. If the annexation takes effect, the annexed territory will be designated in accordance with the zoning adopted into the Comprehensive Plan as part of the Brookman Concept Plan (see July 17, 2015, staff report, Exhibit C, for reference).

Section 12. This Resolution shall take effect immediately upon its passage by the Council and signature by the Mayor.

Duly passed by the City Council this 4th day of August 2015.

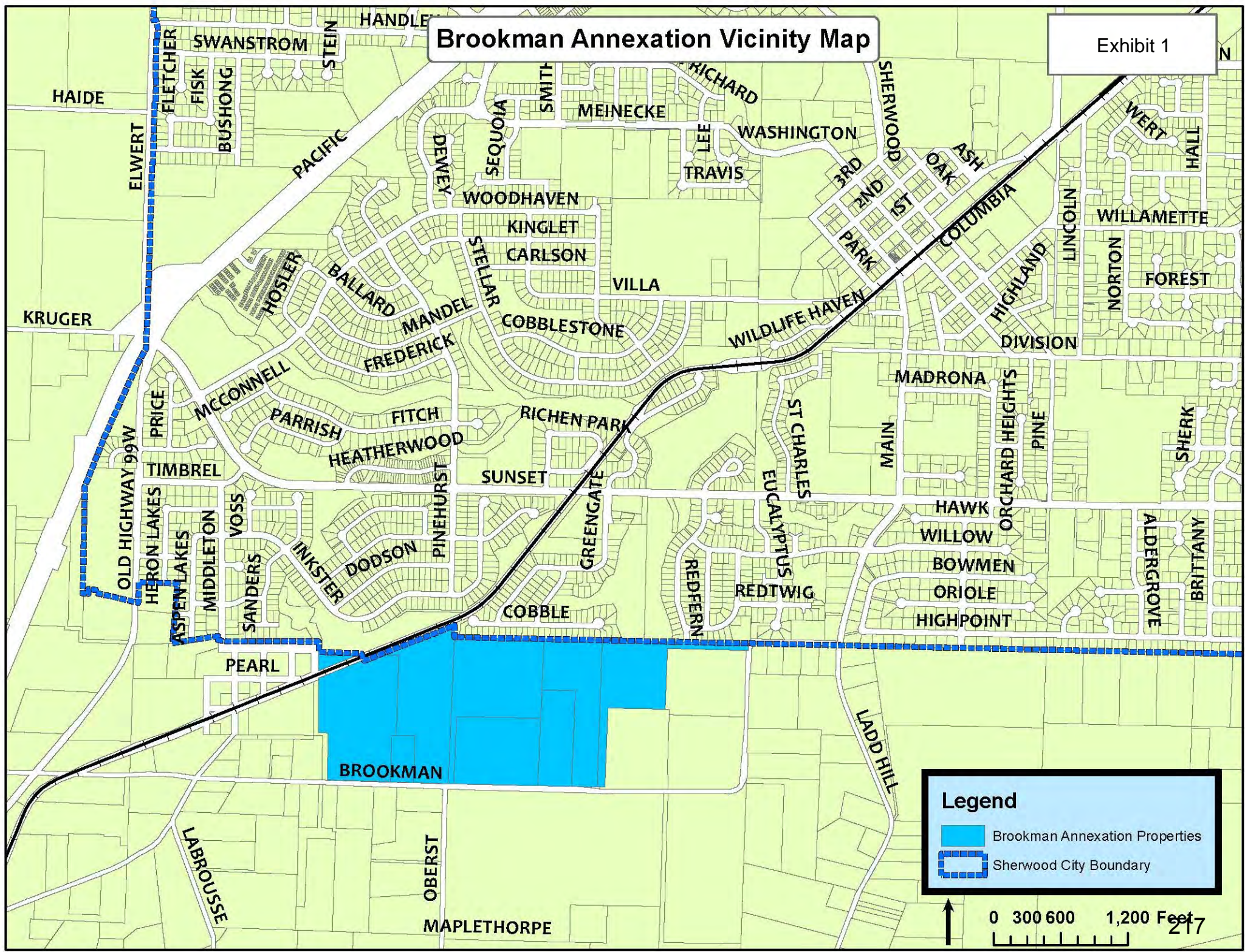
Krisanna Clark, Mayor

Attest:



Sylvia Murphy, MMC, City Recorder

Brookman Annexation Vicinity Map

Exhibit 1



Legend

-  Brookman Annexation Properties
-  Sherwood City Boundary





RESOLUTION 2015-XXX

CALLING AN ELECTION ON AND APPROVING A BALLOT TITLE, SUMMARY, AND EXPLANATORY STATEMENT FOR THE ANNEXATION OF 12 TAX LOTS COMPRISING APPROXIMATELY 99.4 ACRES OF LAND IN THE BROOKMAN ROAD PLAN AREA FOR THE NOVEMBER 3, 2015 ELECTION

WHEREAS, the Brookman Concept Plan area was brought into the Urban Growth Boundary in 2002 by Metro via Ord. 02-0969B; and

WHEREAS, the City of Sherwood developed a concept plan for the area and adopted the Concept Plan and implementing Ordinances in 2009 via Ordinance 2009-004; and

WHEREAS, the properties proposed to be annexed within the Brookman area are currently in unincorporated Washington County; and

WHEREAS, Washington County and the City of Sherwood have entered into an agreement acknowledging that the City of Sherwood should be the ultimate provider of services in the Brookman area; and

WHEREAS, these properties must be in the City in order to be developed for the urban uses and densities planned for in the Brookman Concept Plan; and

WHEREAS The Holt Group, Inc., on behalf of the owners of 5 tax lots has submitted an application for annexation into the City of Sherwood; and

WHEREAS Jerry D. Clark, Elisabeth A. Clark, and Donald P. Richards., owners of 3 tax lots totaling approximately 5.47 acres petitioned the Council at the August 4, 2015 public hearing to be included within the annexation request submitted by the Holt Group, Inc. ;and

WHEREAS Charles and Louise Bissett., owners of 1 tax lot totaling approximately 9.72 acres petitioned the Council at the August 4, 2015 public hearing to be included within the annexation request submitted by the Holt Group, Inc. ;and

WHEREAS, the property owners initiated this annexation in accordance with ORS 222.170; and

WHEREAS, after proper legal notice, a public hearing was held on the proposed annexation by the City Council on August 4, 2015, at which public comments and testimony were received and considered; and

WHEREAS, the Council reviewed and considered the staff report with proposed findings and reasons for the decision; and

WHEREAS, ORS 250.035 requires the notice for a ballot measure be prepared by the City and submitted to Washington County Elections Department by September 3, 2015 in order to appear on the ballot for the November 3, 2015 election; and

WHEREAS, under Section 3 of the City of Sherwood Charter, a decision to annex property into the City becomes effective only upon voter approval. Approval of the proposed annexation would annex approximately 99.4 acres into the City, comprised of 12 tax lots bordered on the north by the existing Sherwood City Limits, and the south by Brookman Road; and

WHEREAS, if annexed, the area will be re-zoned consistent with the Comprehensive Plan which was updated via Ordinance 2009-004 to implement the Brookman Concept Plan and will include the following zones: Medium Density Residential Low and Medium Density Residential High, and

WHEREAS, the extension of Red Fern Street into the Brookman area is considered an area of special concern due to existing development constraints and upon subsequent annexation shall only be deemed appropriate for bicycle, pedestrian and emergency vehicle access consistent with the findings adopted with the adoption and implementation of the Brookman Concept Plan; and

WHEREAS, the City has prepared a ballot title and explanatory statement to be certified by the City Council and be filed with the Washington County Elections Department for publication for the November 3, 2015 election as provided by state law.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. Based on the staff report to the City Council dated July 17, 2015, and the proposed findings and conclusions, the City Council approves Annexation AN 15-01, contingent upon approval by the electors in the City of Sherwood.

Section 2. Subject to voter approval, the City will annex the territory described in the map attached as Exhibit 1 to this Resolution.

Section 3. A City election on this annexation is called for November 3, 2015.

Section 4. The Washington County Elections Department will conduct the election.

Section 5. The precincts for the election are all those that include territory included within the corporate limits of the City.

Section 6. The ballot title, will read as follows:

CAPTION: PROPOSAL TO ANNEX APPROXIMATELY 99.4 ACRES INTO CITY OF SHERWOOD

QUESTION: Should 99.4 acres on the southern boundary of the City of Sherwood be annexed to the City of Sherwood?

SUMMARY: Approval of this ballot measure will annex approximately 99.4 acres to the city, consisting of approximately 12 separate lots and parcels. The request to annex was made on behalf of the majority of the owners in the area to be annexed. The area to be annexed lies generally south of the current city boundary, north of Brookman Road, east of Highway 99W and west of Ladd Hill Road, included within

the Brookman plan area. The area is subject to the Brookman Concept Plan that was approved by the City Council on June 2, 2009. Under the Brookman Concept Plan, the area will be zoned for a mix of residential uses at densities consistent with the Medium Density Residential low and Medium Density Residential High zoning districts. If approved by the voters of Sherwood, the area will be annexed into the City of Sherwood.

Section 7. The City Recorder will give notice of the election in the manner required by law.

Section 8. The Mayor is authorized to sign, and the City Recorder is authorized to submit, the following explanatory statement for the Washington County voters' pamphlet on behalf of the City. The explanatory statement for this measure will read as follows:

EXPLANATORY STATEMENT: The Sherwood City Council has referred a measure to the voters that, if approved, would annex approximately 99.4 acres of land into the City for residential and open space development. This area was brought into the Urban Growth Boundary in 2002 in order to provide more housing opportunities for the City. The annexation of this land was initiated at the request of the majority of property owners who own a majority of the land area and a majority of the assessed value within the area to be annexed.

The proposed annexation area is within Sherwood's "Brookman Road Concept Plan" area. The concept plan area is located south of downtown Sherwood (running south from Main Street), east of Oregon Highway 99 and west of Ladd Hill Road. The City Council approved the concept plan in 2009 after public review.

The concept plan calls for residential development in the proposed annexation area. If the area is annexed, development in the proposed annexation area will include, in addition to single family homes, public and private open space and trails, preservation of natural areas and environmental enhancements of Cedar Creek. Public utilities and roads can be extended to the annexation area.

The annexation will become effective after voter approval and upon certification and adoption of election results by the Sherwood City Council. Annexation to the City allows the property owners to then submit development applications to the City for public review and approval by the City. Any development plans must be consistent with the concept plan and all other City requirements.

Section 9. The City Recorder will publish the ballot title in compliance with state law.

Section 10. Under ORS 222.520 and 222.120(5), the City Council declares that upon approval of the annexation by the voters and subsequent acceptance of the election results by the Sherwood City Council via separate resolution, the annexed territory will be withdrawn from the County Service Districts for Enhanced Law Enforcement and Urban Road Maintenance effective on the date this annexation takes effect.

Section 11. If this annexation takes effect, the annexed territory will be designated in accordance with the zoning adopted into the Comprehensive Plan as part of the Brookman Concept Plan (see July 17, 2015, staff report, Exhibit C, for reference).

Section 12. This Resolution shall take effect immediately upon its passage by the Council and signature by the Mayor.

Duly passed by the City Council this 4th day of August 2015.

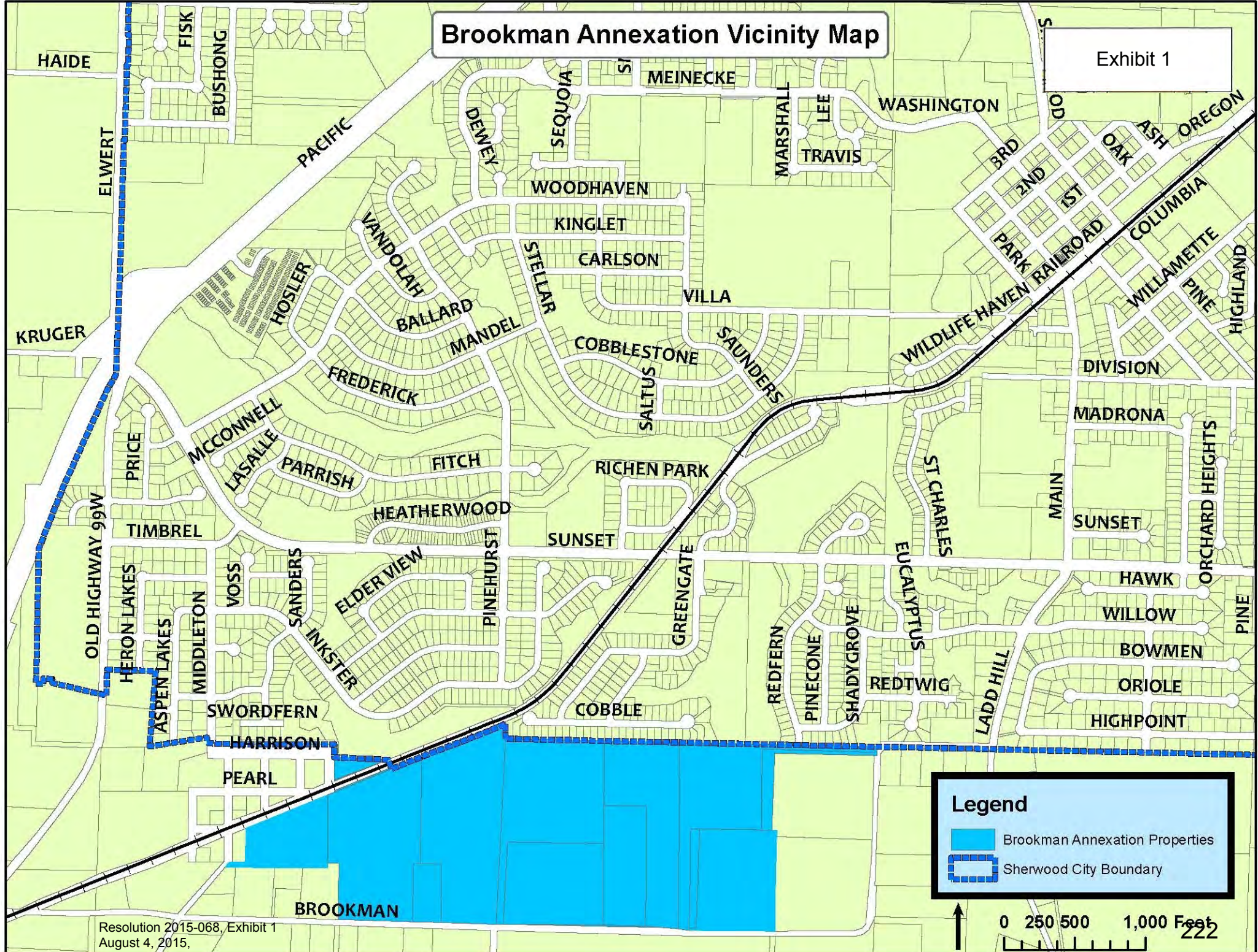
Krisanna Clark, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

Brookman Annexation Vicinity Map

Exhibit 1



Resolution 2015-068, Exhibit 1
August 4, 2015,

0 250 500 1,000 Feet
222

Field House Monthly Report June 2015

<u>June-15</u>	<u>Jun-15</u>		<u>YTD</u>		<u>Jun-14</u>
Usage		People		People	People
	<u>Count</u>	<u>Served*</u>	<u>Count</u>	<u>Served*</u>	<u>Served*</u>
Leagues	4	392	24	5896	350
Rentals	81	1215	912	15083	580
Other (Classes)					
[1] Day Use	4	30	94	725	9
Total Usage		1637		21704	939
Income	<u>Jun-15</u>	<u>YTD</u>			
Rentals	\$5,050	\$56,859			
League fees (indoor)	\$4,620	\$77,354			
Card fees (indoor)	\$70	\$3,580			
Day Use	\$110	\$2,125			
Advertising					
Snacks	\$115	\$5,471			
Classes					
Total	\$9,965	\$145,389			
FY 13 14					
Income	<u>Jun-14</u>	<u>YTD</u>			
Rentals	\$1,775	\$47,366			
League fees (indoor)	\$3,735	\$81,941			
Card fees (indoor)	\$130	\$3,689			
Day Use	\$15	\$1,674			
Advertising		\$1,500			
Snacks	\$100	\$4,847			
Classes					
Total	\$5,755	\$141,017			

*Estimated number of people served based on all rentals have a different # of people. Along with each team will carry a different # of people on their roster. This end the fiscal year 2014 2015



Fields and Gyms

Youth soccer's classic teams are already practicing all over town.

Youth baseball held their Senior tournaments on June 12th through the 14th they had 23 teams from out of town here and played 56 games during the weekend. Youth baseball also hosted the Midget American District. I do not have numbers for this event. With all that going on they also played 77 league games at the Midget, Junior and Seniors levels.

Youth softball held two tournaments during the month, June 6th and 7th and June 13th and 14th. They had approximately 22 teams from out of town and played 64 games over the two weekends. They also played 9 league games during the month.

Greater Portland Soccer District rented Snyder Park for 10 hours during the month for adult games.

Sherwood Youth Track still has a few kids practicing for Nationals at the high school.

Field House

We are still running 4 nights of adult leagues.

Wednesday pre-school play is doing well as moms want to get out of the heat.

Public works just had some fans installed to move the air around on and around the field.

We are coming into our slowest time of the year.

Respectfully Submitted

Lance Gilgan

July 6, 2015