

December 9, 2021

ERIC RUTLEDGE

City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140

Project: Sherwood Commerce Center – Phase 2

Re: Annexation Application for tax lots 200, 201, 300, 401, 403, and 25' ROW.

Dear Eric,

Enclosed is an application for annexation of multiple contiguous lots currently within unincorporated Clackamas County. The applicant wishes to annex these lots so that they may then consolidate with tax lot 600 to the north, and then permit a second phase of development on this enlarged lot similar in nature to the phase 1 development currently proposed.

Sincerely,
VLMK Engineering + Design

Jennifer Kimura
Permit Coordinator

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1 EXECUTIVE SUMMARY

Applicant/Owner:

Sherwood Commerce Center LLC
1121 SW Salmon Street, Suite 500
Portland, OR 97205

Contact: Andrew Goodman
Phone: (503)-242-2900
Email: andrewg@harsch.com

Applicant's Consultant:

VLMK Engineering + Design
3933 S Kelly Avenue
Portland, OR 97239

Contact: Jennifer Kimura
Phone: (503)-222-4453
Email: jenniferk@vlmk.com

Properties:

Washington County Assessor's Map 2S13300, tax lots 200, 201, 300, 401, 403 and a 25' strip of adjacent ROW per book 926, page 721 (herein referred to as just "25' ROW").

The Applicant is seeking approval to annex the Properties to the City of Sherwood. The Properties are located within the Tonquin Employment Area (TEA) that was added to the Urban Growth Boundary (UGB) by the Metro Council in 2004. In conjunction with Metro adding this area to the UGB, the City of Sherwood undertook extensive planning of the TEA including transportation and infrastructure and adopted a Preferred Concept Plan consistent with growth in the Urban Reserve. Annexation of the Properties into the City of Sherwood is the next step in progressing the City's vision of this area.

This written narrative, together with the preliminary plans and other documentation included with this application, establishes that the application complies with all applicable approval criteria. This documentation provides the basis for the City to recommend approval of the application.

Pursuant to ORS 199.510(c) this application includes a simultaneous annexation of the property into the boundaries of Clean Water Services (CWS) for the provision of sanitary sewer, storm and surface water management.

2 SITE DESCRIPTION

The Properties are located southeast of SW Oregon Street and are adjacent to an unnamed roadway/access that lies within the 25' ROW and connects to SW Tonquin Road to the west. The Properties are occupied by single-family homes and a variety of outbuildings. The Properties are currently within Washington County jurisdiction and have an FD-20 zoning designation. The Properties are identified in Area 48 of the TEA, and further designated as Employment Industrial (EI) on the Sherwood Comprehensive Plan.

Transportation

The Properties currently all have roadway access via the 25' ROW. Annexation will have no impact on this access. Furthermore, the Owner intends to consolidate the Properties with tax lot 600 to the north after annexation. Tax lot 600 is currently in for Land Use (LU 2021-012). Access to existing Oregon Street is proposed under LU 2021-012. Future construction of Tonquin Court and Ice Age Drive to serve tax lot 600, paired with consolidation of the Properties to tax lot 600, will provide improved access to the subject lands.

Public Utilities

The Properties are currently served by overhead power and data that runs through the 25' ROW. It is assumed that water supply is provided by well, sanitary sewerage is provided by septic systems, and stormwater management is addressed with onsite flow dispersal. Development under LU 2021-012 will provide water, sanitary and storm mains to the Properties within the east half-ROW dedication for future Tonquin Court.

3 APPLICABLE REVIEW CRITERIA

OREGON REVISED STATUTES

Senate Bill 1573:

Section 2. (2)

Notwithstanding a contrary provision of the city charter or a city ordinance, open receipt of a petition proposing annexation of territory submitted by all owners of land in the territory, the legislative body of the city shall annex the territory without submitting the proposal to the electors of the city if:

- (a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015

Response: This annexation involves properties that are all located within the Portland Metro Urban Growth Boundary. The Owner owns all Properties, and has signed the required petition for each of the Properties, thus 100% of the land owners have signed annexation petitions. This petition is included in the application materials (Exhibit D).

- (b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city.

Response: The TEA Concept Plan, which includes a Comp Plan Zoning Map, was adopted by the City Council on October 5, 2010. The Properties are in the TEA, and upon approval of this annexation application, will all be zoned Employment Industrial (EI), as shown on Figure VI-I Proposed Zoning of the TEA Concept Plan Zoning Map.

- (c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right of way or a body of water.

Response: As shown on the legal descriptions and map, the Properties included in this application are contiguous to the City limits.

- (d) The proposal conforms to all other requirements of the city's ordinances.

Response: Required information, forms and documents found in the "Checklist for Annexation Request to the City of Sherwood" are included in this annexation application.

Section 2. (3)

The territory to be annexed under this section includes any additional territory described in ORS 222.111 (1) that must be annexed in order to locate infrastructure and right of way access for services necessary for development of the territory described in subsection (2) of this section at a density equal to the average residential density within the annexing city.

Response: The territory to be annexed includes all territories that must be annexed in order to locate infrastructure and right of way access for services necessary for development of the territory at a density equal to the average residential density within the annexing City per the TEA Concept Plan. Access is available currently via unnamed roadway in 25' ROW. Further access is proposed to lot 600 on Oregon Street under LU 2021-012, and when paired with consolidation of the Properties to tax lot 600, will provide improved access to the subject lands. Future construction of Tonquin Court and Ice Age Drive will provide additional access to the subject lands. Similarly, water, sanitary and stormwater services will be provided under LU 2021-012 in the east half-ROW dedications proposed for future Tonquin Court.

Section 2. (4)

When the legislative body of the city determines that the criteria described in subsection (2) of this section apply to territory proposed for annexation, the legislative body may declare that the territory described in subsections (2) and (3) of this section is annexed to the city by ordinance that contains a description of the territory annexed.

Response: The criteria of subsection 2 of this section are met through information provided in individual responses to each of the criterion. Therefore, a legal description and map for the Properties prepared by a Professional Land Surveyor is included in the application materials (Exhibit I).

Section 3

This 2016 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect on its passage.

Response: Senate Bill 1573 was signed by the Governor and became effective on March 15, 2016.

METRO CODE

Chapter 3.09 – Local Government Boundary Changes

3.09.040 Requirements for Petitions

- A. A petition for a boundary change must contain the following information:
1. The jurisdiction of the reviewing entity to act on the petition;
 2. A map and legal description of the affected territory in the form prescribed by the reviewing entity;
 3. For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected territory as shown in the records of the tax assessor and county clerk; and
 4. For boundary changes under ORS 198.855(3), 198.857, 222.125 or 222.170, statements of consent to the annexation signed by the requisite number of owners or electors.
- B. A city, county and Metro may charge a fee to recover its reasonable costs to carry out its duties and responsibilities under this chapter.

Response: The City is the reviewing entity that will act on this petition. Necessary application forms and exhibits, as well as associated review fees, have been submitted with this application. A map and legal description of the Properties are included in Exhibit I. The names and mailing addresses of persons owning property in the affected territory, per tax assessor and County Clerk records are included in Exhibit H. Finally, a statement of

consent from the requisite owner and/or elector is included in Exhibit D. The criteria are met.

3.09.045 Expedited Decisions

- D. To approve a boundary change through an expedited process, the city shall:
1. Find that the change is consistent with expressly applicable provisions in:
 - a. Any applicable urban service agreement adopted pursuant to ORS 195.065;
 - b. Any applicable annexation plan adopted pursuant to ORS 195.205;
 - c. Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;
 - d. Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;
 - e. Any applicable comprehensive plan;
 - f. Any applicable concept plan; and

Response: The Washington County-Sherwood Urban Planning Area Agreement contains guidance to coordinate planning efforts for properties added to the urban growth boundary within the City of Sherwood's boundaries. This agreement outlines the process to coordinate shared planning efforts between Washington County and Sherwood for development of lands within an Urban Reserve Planning Area.

The TEA Concept Plan dated October 2010 guides development of properties within the TEA. It identifies infrastructure need that will support development of this employment area and shows that public utilities can be made available to serve this site and others within this area. The criteria are met.

2. Consider whether the boundary change would:
 - a. Promote the timely, orderly and economic provisions of public facilities and services;
 - b. Affect the quality and quantity of urban services; and
 - c. Eliminate or avoid unnecessary duplication of facilities or services.

Response: The proposed boundary change will promote the timely and economic provision of public facilities and services and will avoid duplication of the same. The TEA Concept Plan describes how and when these facilities and services can be provided. The criteria are met.

- E. A city may not annex a territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and partially outside the UGB.

Response: The Properties are located within the Tonquin Employment Area (TEA) that was added to the Urban Growth Boundary (UGB) by the Metro Council in 2004.

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.

Response: This narrative and the accompanying exhibits respond to applicable State and local requirements pertaining to boundary changes. Additionally, Metro Code Section 3.09 and Sherwood Development Code implement the applicable annexation provisions from ORS Chapters 198, 221, and 222. This narrative demonstrates that applicable boundary change requirements have been met. The criterion is met.

- 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 identified 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;

Response: Urban services are, or will be made, available to serve the Properties to a level consistent with City and CWS standards. The criterion is met.

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

Response: Metro Code Section 3.09.020 defines the following terms: "affected territory" means a territory described in a petition; "necessary party" means any county, city, or district whose jurisdictional boundary or adopted urban service area includes any part of the affected territory, or who provides any urban service to any portion of the affected territory, Metro, or any other unit of local government, as defined in ORS 190.003, that is a party to any agreement for provision of an urban service to the affected territory. The annexation will withdraw Properties from the current Washington County jurisdictional boundary. The legal description of the area to be withdrawn from the Washington County jurisdictional boundary is included in Exhibit I.

3. The proposed effective date of the boundary change.

Response: The Applicant anticipates approval of the Annexation application by October 2021. The criterion is met.

- C. The person or entity proposing the boundary change has the burden to demonstrate that the proposed boundary change meets the applicable criteria.

Response: This application includes responses demonstrating compliance to applicable boundary change criteria. The criterion is 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.

Response: Responses to Metro Code Sections 3.09.045 (D) and (E) are included above.

CITY OF SHERWOOD COMPREHENSIVE PLAN

CHAPTER 3

3.1 Growth Management

B. POLICY GOALS AND OBJECTIVES

1. POLICY GOAL

To adopt and implement a growth management policy which will accommodate growth consistent with growth limits, desired population densities, land carrying capacity, environmental quality and livability.

2. POLICY OBJECTIVES

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

Response: The Properties are contiguous with Sherwood City limits. Therefore, this application does not require “leap frogging” over developable property.

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

Response: This application involves Properties that are located within the TEA and annexation of the Properties will allow industrial land use to occur within City limits in a location that would be harmonious with other nearby industrially zoned properties.

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

Response: The Properties included in this annexation application were brought into the UGB in 2004. Services have been identified in the City's TEA Concept Plan to be available or available for extension in this area.

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

Response: The Properties included in this application are part of the City's TEA Concept Plan and was brought into the UGB in 2004. By including the subject area within the UGB, both Metro and the City of Sherwood have identified this land as more appropriate for future urbanization than for the conservation of the area for agricultural uses.

- e. Achieve the maximum preservation of natural features.

Response: Upon annexation of the Properties into the City limits, the City of Sherwood's regulations for natural features will apply, whereas currently they do not. This includes the City's Zoning and Development Code and the rules and regulations of Clean Water Services, which apply to sensitive areas.

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

Response: Transportation and circulation improvements needed to serve the future development of the annexed area have been identified in the City's TEA Concept Plan and Transportation System Plan (TSP) and will further be reviewed at the time of a future development application.

- 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.

Response: The extension for community services and public facilities to serve the area were considered in the TEA Concept Plan and were found to be available or able to be appropriately extended with the future development in the area.

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

Response: The Properties are in the TEA and are designated as EI in the City's Comprehensive Plan. The TEA was extensively planned by the City to help guide future development of the area in an orderly fashion.

F. GROWTH MANAGEMENT POLICY

The following policies and strategies are established for the management of urban growth in the Planning Area.

1. GROWTH AREAS

a. URBAN GROWTH AREA BOUNDARY POLICIES

Policy 5

Changes in the City limits map 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.

Policy 7

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

b. CITY LIMITS POLICIES

Policy 6

The City will coordinate with Washington County policies and procedures governing the conversion of the urbanizable land to urban land. Such policies shall be included in the Washington County-Sherwood Urban Planning Area Agreement (UPAA). Specifically, the City will consider whether proposals to annex to the City include lands which meet one or more of the following criteria:

- 1) Land contiguous to the City limits needed to extend facilities or services to areas within the City limits.
- 2) Lands where urban services are available or are programmed for the immediate future.
- 3) Conservation of a needed amount of open space.
- 4) Land where existing man-made conditions indicate a pre-existing commitment to urban development.

Response: The City of Sherwood entered into a UPAA dated September 20, 2017 (Ordinance No. 821). A copy of this agreement is included in this application (Exhibit K). This agreement includes this property within the Urban Planning Area as shown on Exhibit A of the agreement. The Properties included in this annexation are contiguous to the existing City boundaries within the TEA. The TEA has been extensively planned to help meet the needs of the City of Sherwood for future employment growth. The TEA: Preferred Concept Plan Report dated October 2010 identifies the key infrastructure in order to serve this area. The criteria are met.

CHAPTER 8 URBAN GROWTH BOUNDARY ADDITIONS

D.4 Area 48 – Tonquin Employment Area Implementation

1. The City of Sherwood shall amend the Zoning and Community Development Code to include an Employment Industrial zone that implements the goals and policies in this section.

Response: The City of Sherwood has amended the Zoning and Community Development Code to include an EI zone through ordinance 2010-014.

2. The Employment Industrial zone may be applied only to those properties within city limits, or upon their annexation to the city.

Response: Upon annexation of the Properties into the City of Sherwood, the Properties will be zoned EI.

4 CONCLUSION

The submittal requirements have been met and the required findings have been made for the applicable approval criteria. These findings serve as the basis for the City to approve the application and are supported by substantial evidence in the application materials.

EXHIBIT A – CITY APPLICATION FORM AND CHECKLIST



Home of the Tualatin River National Wildlife Refuge

Case No. _____
Fee _____
Receipt # _____
Date _____
TYPE _____

City of Sherwood Application for Land Use Action

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

- Annexation
- Plan Amendment (Proposed Zone _____)
- Planned Unit Development
- Site Plan (square footage of building and parking area)
- Variance (list standards to be varied in description)
- 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 Government/Finance/Fee Schedule.

Owner/Applicant Information:

Applicant: VLMK Engineering + Design - Jennifer Kimura Phone: 503.222.4453
 Applicant Address: 3933 S Kelly Avenue Portland, Oregon 97239 Email: jenniferk@vlmk.com
 Owner: Sherwood Commerce Center LLC Phone: 503.242.2900
 Owner Address: 1121 SW Salmon Street, Suite 500 Portland, Oregon 97205 Email: andrewg@harsch.com
 Contact for Additional Information: VLMK Engineering + Design - Jennifer Kimura

Property Information:

Street Location: 14250 SW Tonguin Road (TL - 300), 14240 SW Tonguin Road (TL 403), 14260 SW Tonguin Road (TL 201), TL 200 & TL 403 do not have assigned addresses
 Tax Lot and Map No: 2S1330000300/200/401/403/201
 Existing Structures/Use: Houses, outbuildings
 Existing Plan/Zone Designation: SFR/FOR/VAC
 Size of Property(ies) TL 300 - .82 acres, TL 200 - 7 acres, TL 401 - 7.89 acres, TL 403 - 1.05 acres, TL 201 - 3 acres

Proposed Action:

Purpose and Description of Proposed Action:

Annexation by Petition of Owner

Proposed Use: Commercial/Industrial

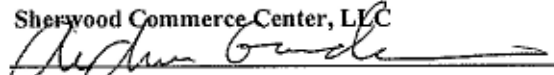
Proposed No. of Phases (one year each): N/A

LAND USE APPLICATION FORM

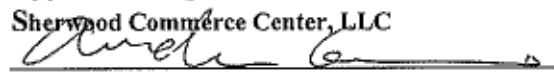
Authorizing Signatures:

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.

Sherwood Commerce Center, LLC

Applicant's Signature

October
November 28, 2021
Date

Sherwood Commerce Center, LLC

Owner's Signature

October
November 28, 2021
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. Applicant can verify submittal includes specific materials necessary for the application per checklist.

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 copies of narrative addressing application criteria*

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

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

* **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.



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) 625-5522.

- 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 City of Sherwood.
- Mailing labels: Submit two (2) sets of mailing labels for property owners within 1000 feet of the outside edge of the territory to be annexed. 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.

Annexations to the City of Sherwood

There are generally four 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 three of the four 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. This method requires a vote of the citizens of the City of Sherwood.

Triple Majority- An annexation method that requires consent from a majority of the land owners 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. This method requires a vote of the citizens of the City of Sherwood.

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. This method requires a vote of the citizens of the City of Sherwood.

SB1573 Method- When 100% of the property owners file a petition to be annexed, and if all criteria outlined in SB1573 are satisfied, then the requirement from the City Charter for a mandated City wide vote is exempted (this is required in all three other methods). The City Council becomes the acting authority and no vote of the public is required or permitted.

I. Application Process for Property Owners and Registered Voters

PLEASE READ ALL INSTRUCTIONS BEFORE FILING A PETITION WITH THE CITY

Step 1. Petition

Please complete the attached Petition form.

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 is multiple ownership 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 only).
3. Buy two ¼ Section Maps showing the property to be annexed (all methods).
4. Certify the map and legal description using the attached *Certification of Assessed Value* form (all methods).
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 only). 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 indicates 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 1000 feet of the outside edge of the territory to be annexed. 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 8. Draft a Narrative

The application must include a detailed narrative of how the project complies with criteria for approval. There are three levels of criteria/requirements, State, Regional and City. It is the applicant's responsibility to justify the petition.

For the State, Oregon Revised Statutes guide the process for annexations, ORS 222. See:

https://www.oregonlegislature.gov/bills_laws/ors/ors222.html.

For the fourth method outlined above, Senate Bill 1573 was added to, and made a part of, ORS 222.111 to 222.180 and provides specific criteria for deciding city boundary changes. See:

<https://www.oregonlaws.org/ors/222.111>.

For the regional level Metro is governing agency. Metro has criteria for reviewing annexations (Metro Code 3.09). See:

http://www.oregonmetro.gov/sites/default/files/309_eff_071112_final.pdf.

In addition, the City of Sherwood Comprehensive Plan goals and policies, specifically those in Chapter 3 and Chapter 8 are applicable and should be addressed in the narrative. See:

<https://www.sherwoodoregon.gov/planning/page/comprehensive-plan-ii>.

Step 9. Submit Application to City

Submit all materials to City Planning Department.

II. City Review

BELOW IS A SUMMARY OF THE STEPS WHICH WILL BE TAKEN REGARDING ANNEXATIONS INITIATED BY ANY OF THESE FOUR 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 45 days of the day the proposal is judged to be complete pursuant to Metro rules.

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. This report will cover all applicable criteria specified in State ORS 222, the Metro Code, and all applicable criteria and goals from the City of Sherwood Comprehensive Plan. 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 applicable criteria. For the SB1573 Method, this is the final decision making body that acts on the petition.

For the other three methods, 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, except those that use the SB1573 Method, 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.

III. Additional Information

1. In order to officially change the boundary, Staff must send 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. Staff will mail the notice of decision to

several local, regional, and State agencies and departments as required by law to complete the annexation.

2. Annexation to the City of Sherwood boundary allows for City Services. Additional service district boundary annexations may be necessary (e.g. Clean Water Services, Metro Regional Boundary, etc.).
3. All annexations fees to the City are deposit based, meaning the City will charge all required time and materials against the funds, and request additional from the applicant should additional funds be required.
4. Metro requires a fee to process city-approved annexations for individual applicants. That fee will be paid by the City as a pass through, and varies depending on the size and type of the annexation. The Metro fee will be taken from the applicants application deposit.

EXHIBIT B – WASHINGTON COUNTY ASSESSOR’S MAP

EXHIBIT C – EXISTING CONDITIONS PLAN

LEGAL DESCRIPTION (TITLE A)

PARCEL 1:
THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF WASHINGTON AND STATE OF OREGON.

EXCEPTING THEREFROM THAT PORTION DESCRIBED IN DOCUMENT RECORDED JANUARY 7, 1974 IN BOOK 95B, PAGE 754, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON; THENCE NORTH ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, 349 FEET TO A POINT; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, 375 FEET TO A POINT; THENCE SOUTH AND PARALLEL WITH SAID WEST LINE, 349 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE WEST ALONG SAID SOUTH LINE 375 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:
BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON; THENCE NORTH ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, 349 FEET TO A POINT; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, 375 FEET TO A POINT; THENCE SOUTH AND PARALLEL WITH SAID WEST LINE, 349 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE WEST ALONG SAID SOUTH LINE 375 FEET TO THE TRUE POINT OF BEGINNING.

THE LEGAL DESCRIPTION SHOWN ABOVE DESCRIBES ALL THAT PROPERTY IN THE PRELIMINARY TITLE REPORT IDENTIFIED AS "TICOR TITLE COMPANY OF OREGON" ORDER NUMBER 36262004449, WITH AN EFFECTIVE DATE OF MAY 26, 2020.

NOTES CORRESPONDING TO SCHEDULE B (TITLE A)

TICOR TITLE COMPANY OF OREGON; ORDER NO: 36262004449; EFFECTIVE DATE: MAY 26, 2020;
THE FOLLOWING SURVEY RELATED ITEMS WERE FOUND IN SAID TITLE REPORT AND ARE REFERENCED ON THIS MAP.

[8] RESERVATION OF MINERAL RIGHTS RECORDED DECEMBER 22, 1888 IN BOOK Z, PAGE 311. SAID ITEM IS BLANKET IN NATURE OVER THE SUBJECT PROPERTY AND IS THEREFORE NOT SHOWN HEREON.

GENERAL NOTES

1. THE LOCATION OF UTILITIES SERVING THE SUBJECT PROPERTY CAN ONLY BE DETERMINED BY OBSERVED EVIDENCE TOGETHER WITH PLANS AND MARKINGS PROVIDED BY CLIENT, UTILITY COMPANIES, AND OTHER APPROPRIATE SOURCES. THE LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY FOR THIS SURVEY WAS DETERMINED BY OBSERVATION OF ABOVE GROUND EVIDENCE. THIS SURVEY WOULD NOT SHOW UTILITIES COVERED BY VEHICLES, OR OVERGROWTH OF FOLIAGE, TREES, BUSH OR SHRUBS.
2. THE BUILDING FOOTINGS WERE NOT EASILY ACCESSIBLE AND THEREFORE THE BUILDING LIMITS SHOWN HEREON, AND THE BUILDING SQUARE FOOT CALCULATIONS, WERE MEASURED ALONG THE BUILDING FASCIA.
3. ITEM NUMBERS SHOWN HEREON ARE STATED AS MATTERS ON REFERENCED COMMITMENT. NO RESPONSIBILITY FOR THE COMPLETENESS, ACCURACY, OR CONTENT OF SAID REPORT IS ASSUMED BY THIS MAP.
4. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BLDG. ADDITIONS WITHIN RECENT MONTHS.
5. THERE ARE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED TO THE BEST OF OUR KNOWLEDGE, AND AVAILABLE FROM THE CONTROLLING JURISDICTION.
6. THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
7. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A CEMETERY.
8. THIS SURVEY MAP CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.
9. THERE ARE NO DISCREPANCIES BETWEEN THE BOUNDARY LINES OF THE PROPERTY AS SHOWN ON THIS SURVEY MAP AND AS DESCRIBED IN THE LEGAL DESCRIPTION PRESENTED IN THE TITLE COMMITMENT.
10. THE BOUNDARY LINE DIMENSIONS AS SHOWN ON THIS SURVEY MAP FORM A MATHEMATICALLY CLOSED FIGURE WITHIN +/-0.1'.
11. THE BOUNDARY LINES OF THE PROPERTY ARE CONTIGUOUS WITH THE BOUNDARY LINES OF ALL ADJOINING STREETS, HWYS., RIGHTS OF WAY AND EASEMENTS, PUBLIC OR PRIVATE, AS DESCRIBED IN THEIR MOST RECENT RESPECTIVE LEGAL DESCRIPTIONS OF RECORD.
12. EXCEPT AS OTHERWISE NOTED BELOW, IF THE PROPERTY CONSISTS OF TWO OR MORE PARCELS, THERE ARE NO GAPS OR CORES BETWEEN SAID PARCELS.
13. THE SUBJECT PROPERTY HAS DIRECT ACCESS TO/FROM AN UN-NAMED DEDICATED ROAD, BEING A PUBLIC RIGHT-OF-WAY, GAINING INDIRECT ACCESS TO/FROM SW TONQUIN ROAD BY WAY OF SAID UN-NAMED ROAD.
14. THE SUBJECT PARCEL IS LANDSCAPED WITH TREES/SHRUBS. THIS SURVEY REFLECTS MEASUREMENTS OF HARDSCAPE ONLY AND THEREFORE LANDSCAPING, LANDSCAPE LIGHTING AND IRRIGATION SYSTEMS ARE NOT SHOWN HEREON.
15. ELEVATIONS CONTOURS HEREON ARE SHOWN AT 2 FOOT INTERVALS, AND ARE BASED ON A MIX OF TERRESTRIAL AND AERIAL DATA. CERTAIN PORTIONS OF THE PROPERTY WERE TOO OVERGROWN TO GET ANY ELEVATION DATA AT THE TIME OF THE SURVEY, AS NOTED HEREON.

ELEVATIONS ARE SHOWN ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929. ELEVATIONS WERE ESTABLISHED BY OPUS RESOLUTION USING GEOID 18, WHICH GAVE AN ELEVATION IN THE NORTH AMERICAN VERTICAL DATUM OF 1988. THE ELEVATION WAS MODIFIED TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 BY SUBTRACTING 3.471 FEET, AS DETERMINED THROUGH NCAT.

LAND AREA

THE LAND AREA OF THE PROPERTY DESCRIBED IN TITLE A IS 429,307 SF (9.86 ACRES). THE LAND AREA OF THE PROPERTY DESCRIBED IN TITLE B IS 331,967 SQUARE FEET (7.62 ACRES).

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M. AS SHOWN ON A RECORD OF SURVEY, FILED AS SURVEY NO. 33413 IN THE OFFICE OF THE WASHINGTON COUNTY SURVEYOR, STATE OF OREGON, BEING SOUTH 00°50'52" EAST.

LEGAL DESCRIPTION (TITLE B)

A TRACT OF LAND IN THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF WASHINGTON AND STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 33, RUNNING THENCE EAST ALONG THE NORTH LINE OF SAID SECTION, 157-1/2 FEET TO THE NORTH LINE OF SAID SECTION; THENCE SOUTH AND PARALLEL WITH THE WEST LINE OF SAID SECTION, 250 FEET; THENCE EAST AND PARALLEL WITH THE NORTH LINE OF SAID SECTION, 157-1/2 FEET; THENCE NORTH AND PARALLEL WITH THE WEST LINE OF SAID SECTION, 250 FEET TO THE NORTH LINE OF SAID SECTION; THENCE EAST ALONG THE NORTH LINE OF SAID SECTION, 345 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF PROPERTY CONVEYED TO HAROLD E. SEVERSON AND LORANE R. SEVERSON, BY DEED RECORDED AT DEED BOOK 400, PAGE 106, WASHINGTON COUNTY, OREGON; THENCE SOUTH AND PARALLEL TO THE WEST LINE OF SAID SECTION, 660 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THE SAID SEVERSON PROPERTY; THENCE WEST AND PARALLEL TO THE NORTH LINE OF SAID SECTION TO A POINT, 660 FEET MORE OR LESS, TO A POINT SOUTH OF THE POINT OF BEGINNING OF THE TRACT HEREIN CONVEYED; THENCE NORTH AND PARALLEL TO THE WEST LINE OF SAID SECTION, 660 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION AND TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY: A PORTION OF THAT TRACT OF LAND IN THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF WASHINGTON AND STATE OF OREGON, CONVEYED TO IVAN C. REED, ET UX, BY DEED RECORDED APRIL 22, 1960, IN BOOK 429, PAGE 692, IN THE COUNTY OF WASHINGTON AND STATE OF OREGON, DEED RECORDS; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO JOHN J. GOULD, JR., BY DEED RECORDED JANUARY 25, 1965, IN BOOK 538, PAGE 438, RECORDS OF WASHINGTON COUNTY, OREGON; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID REED TRACT, 75 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID SECTION 33, A DISTANCE OF 270 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID REED TRACT, 325 FEET TO THE NORTH LINE OF SAID REED TRACT; THENCE WEST ALONG THE NORTH LINE OF SAID REED TRACT, 112.50 FEET TO THE NORTHEAST CORNER OF SAID GOULD TRACT; THENCE SOUTH ALONG THE EAST LINE OF SAID GOULD TRACT, 250 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE WEST ALONG THE SOUTH LINE OF SAID GOULD TRACT, 157.50 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THE NORTH 25 FEET THEREOF, BEING THAT PORTION DEDICATED TO THE PUBLIC AS PUBLIC WAY BY DEDICATION DEED RECORDED MAY 25, 1973 IN BOOK 926, PAGE 721, RECORDS OF WASHINGTON COUNTY, OREGON.

THE LEGAL DESCRIPTION SHOWN ABOVE DESCRIBES ALL THAT PROPERTY IN THE PRELIMINARY TITLE REPORT IDENTIFIED AS "TICOR TITLE COMPANY OF OREGON" ORDER NUMBER 36262004447, WITH AN EFFECTIVE DATE OF MAY 26, 2020.

NOTES CORRESPONDING TO SCHEDULE B (TITLE B)

TICOR TITLE COMPANY OF OREGON; ORDER NO: 36262004447; EFFECTIVE DATE: MAY 26, 2020;
THE FOLLOWING SURVEY RELATED ITEMS WERE FOUND IN SAID TITLE REPORT AND ARE REFERENCED ON THIS MAP.

[8] RESERVATION OF MINERAL RIGHTS RECORDED DECEMBER 22, 1888 IN BOOK Z, PAGE 311. SAID ITEM IS BLANKET IN NATURE OVER THE SUBJECT PROPERTY AND IS THEREFORE NOT SHOWN HEREON.

SITE RESTRICTIONS

ZONING INFORMATION WAS NOT PROVIDED TO SURVEYOR PURSUANT TO TABLE A ITEM 6.
EXISTING PARKING:
NO STRIPED PARKING EXISTS ON THE SUBJECT PROPERTY.

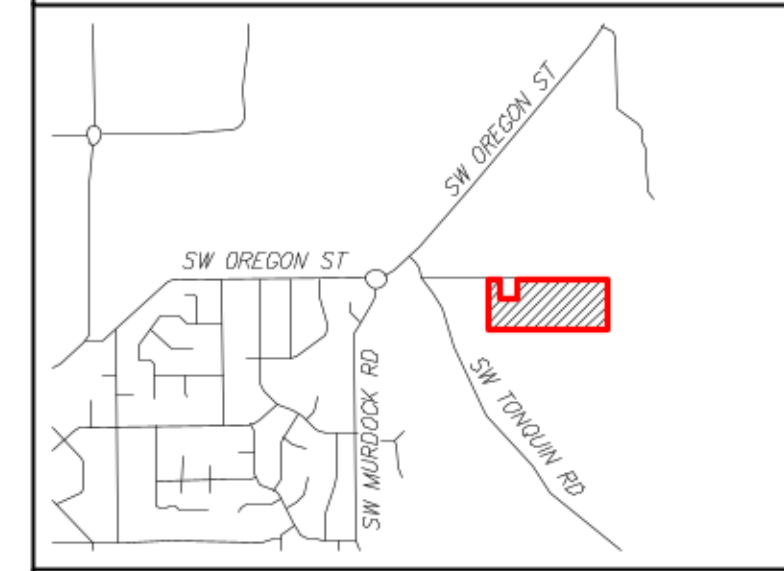
FLOOD NOTE

THE SUBJECT PROPERTY LIES WITHIN ZONE "X" (UNSHADED) OF THE FLOOD INSURANCE RATE MAP NO. 41067C0602F, COMMUNITY PANEL NO. 410238 0602 F, WHICH BEARS AN EFFECTIVE DATE OF OCTOBER 19, 2018. ZONE "X" (UNSHADED) IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

STATEMENT OF POSSIBLE ENCROACHMENTS

- (A) WIRE FENCED AREA EXTENDS UP TO 98.8' WESTERLY INTO THE ADJOINING PROPERTY.
- (B) MONUMENT SIGN EXTENDS UP TO 8.6' NORTHERLY INTO THE UN-NAMED DEDICATED ROADWAY.
- (C) WIRE FENCE EXTENDS UP TO 4.5' NORTHERLY INTO THE UN-NAMED DEDICATED ROADWAY.
- (D) WIRE FENCE EXTENDS UP TO 4.8' EASTERLY INTO THE ADJOINING PROPERTY.
- (E) WIRE FENCE EXTENDS UP TO 2.3' NORTHERLY INTO THE ADJOINING PROPERTY.
- (F) WIRE FENCE EXTENDS UP TO 2.5' WESTERLY INTO THE ADJOINING PROPERTY.
- (G) WIRE FENCE EXTENDS UP TO 11.0' SOUTHERLY INTO THE ADJOINING PROPERTY.

VICINITY MAP



SCALE: NONE

SURVEYOR'S CERTIFICATION

TO: HARSH INVESTMENT PROPERTIES, LLC; FIRST AMERICAN TITLE INSURANCE COMPANY
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6(A), 6(B), 7(A), 7(B)(1), 7(C), 8, 9, 13, 14, 16, AND 17 OF TABLE A THEREOF.
THE FIELDWORK WAS COMPLETED ON: 7/27/2020
DATE OF LAST REVISION:

Michael A. Hoffmann 8/4/2020
MICHAEL A. HOFFMANN, P.L.S. 57847 (OREGON) DATE
EXP: JUNE 30, 2021
MIKEH@TERRAMARKINC.COM

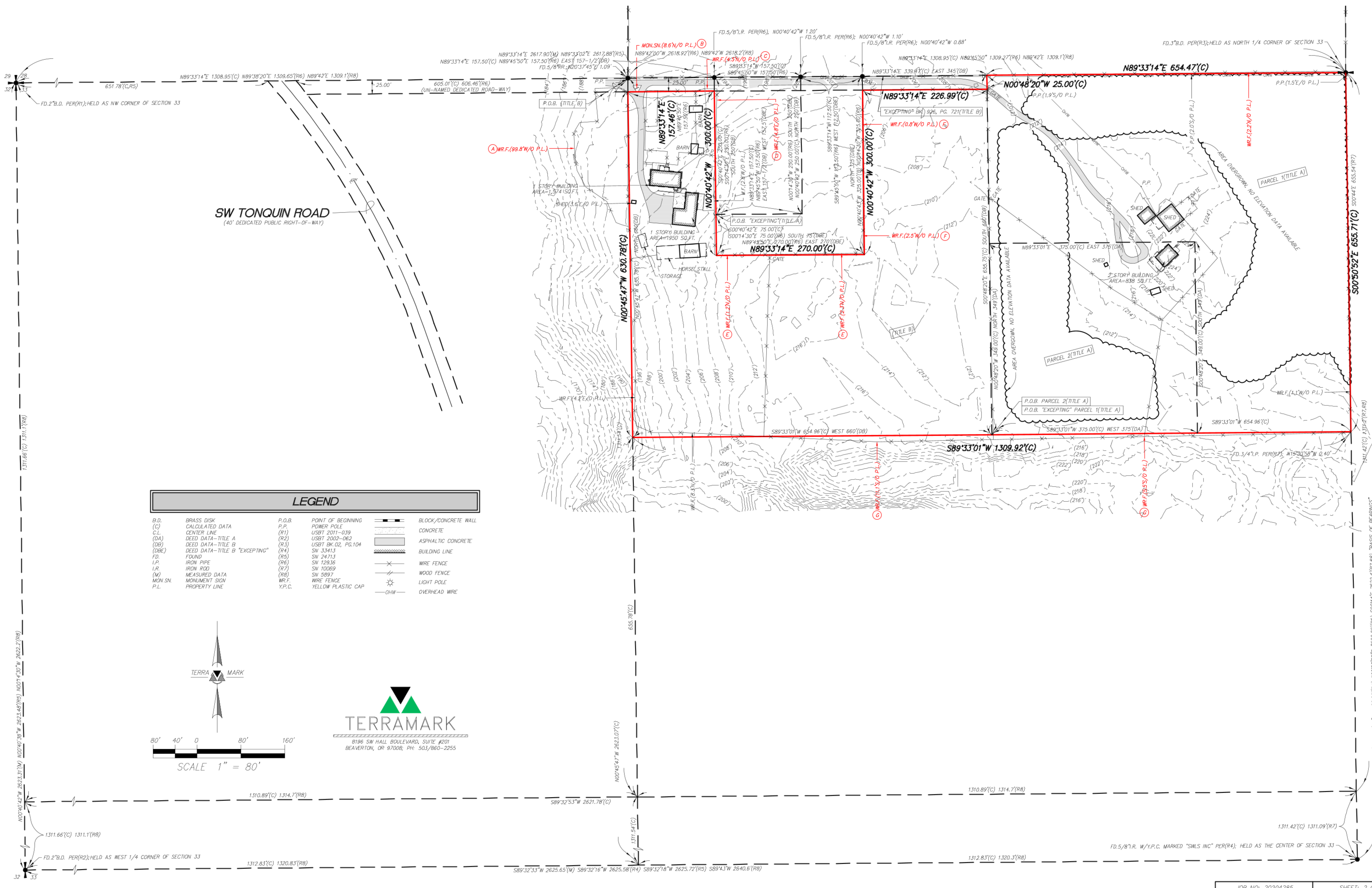
REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON FEBRUARY 19, 1999
MICHAEL A. HOFFMANN 57847LS
EXPIRES: 30 JUNE, 2021

TERRAMARK
8198 SW HALL BOULEVARD, SUITE #201
BEAVERTON, OR 97008; PH: 503/860-2255

ALTA/NSPS LAND TITLE SURVEY
SHERWOOD COMMERCE CENTER
14240 & 14260 SW TONQUIN RD
SHERWOOD, OREGON 97140

DATE: 7/29/2020 DRAWN BY: K.J.M.
SCALE: 1" = 80' CHECKED BY: M.A.H. JOB NO: 20204285 SHEET: 1 OF 2



LEGEND

B.D.	BRASS DISK	P.O.B.	POINT OF BEGINNING	—	BLOCK/CONCRETE WALL
(C)	CALCULATED DATA	P.P.	POWER POLE	—	CONCRETE
C.L.	CENTER LINE	(R1)	USBT 2011-039	—	ASPHALTIC CONCRETE
(DA)	DEED DATA-TITLE A	(R2)	USBT 2002-062	—	BUILDING LINE
(DB)	DEED DATA-TITLE B	(R3)	USBT BK.02, PG.104	—	WIRE FENCE
(DBE)	DEED DATA-TITLE B "EXCEPTING"	(R4)	SN 339413	—	WOOD FENCE
FD.	FOUND	(R5)	SN 24713	—	LIGHT POLE
I.P.	IRON PIPE	(R6)	SN 12936	—	YELLOW PLASTIC CAP
I.R.	IRON ROD	(R7)	SN 10069	—	OVERHEAD WIRE
(M)	MEASURED DATA	(R8)	SN 5897	—	
MON.SN.	MONUMENT SIGN	WR.F.	WIRE FENCE		
P.L.	PROPERTY LINE	Y.P.C.	YELLOW PLASTIC CAP		

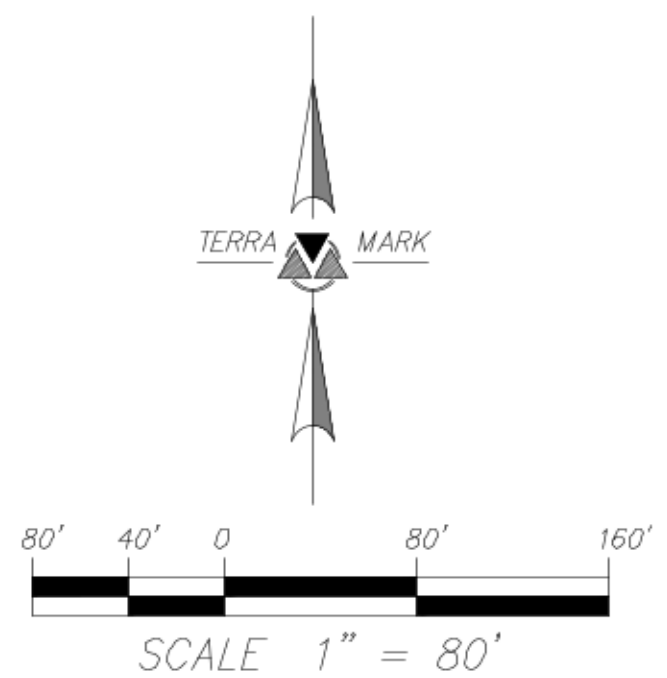


EXHIBIT D – PETITION TO ANNEX

EXHIBIT E – BOUNDARY CHANGE DATA SHEET

BOUNDARY CHANGE DATA SHEET

I. EXISTING CONDITIONS IN AREA TO BE ANNEXED OR WITHDRAWN

A. General location: 14250, 14240, 14260 SW Tonquin Road plus 2 lots.

B. Land Area: Acres 19.76 or Square Miles _____

C. General description of territory. (Include topographic features such as slopes, vegetation, drainage basins, floodplain areas, which are pertinent to this proposal.)
The sites are located along an unnamed County roadway off Tonquin Rd and
consists of multiple single-family houses and out buildings. It gently slopes
southwest and is mostly forested.

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

North: Tax Lot 600 (2S128C)

East: Tax Lot 100 (2S13300)

South: Tax Lot 400 (2S13300)

West: Tax Lot 100 (2S133BB)

E. Existing Land Use:

Number of single-family units 3 Number of multi-family units 0

Number of commercial structures 0 Number of industrial structures 0

Public facilities or other uses n/a

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

F. Total current year Assessed Valuation: \$ 577,730

G. Total existing population: <10

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 enclosed narrative.

- 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 enclosed narrative.

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? 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 Tonquin Employment Area

Concept Plan which complements the City of Sherwood Comp Plan.

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

Washington County FD-20

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

_____ Yes No

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

_____ Yes No

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

n/a

- 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		2004	N/A
City of County Plan Amendment			N/A
Pre-Application Hearing (City or County)			N/A
Preliminary Subdivision Approval			N/A
Final Plat Approval			N/A
Land Partition			N/A
Conditional Use			N/A
Variance			N/A
Sub-Surface Sewage Disposal			N/A
Building Permit			N/A

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 CPO5 (inactive)

IV. SERVICES AND UTILITIES

- A. Please indicate the following:

- Location and size of nearest water line that can serve the subject area.
 Water Main in Tonquin Court proposed with Sherwood CC phase 1 LU,

 otherwise existing main through Oregon Street.

- Location and size of nearest sewer line which can serve the subject area.
 Sanitary main in Tonquin Court proposed with Sherwood CC phase 1 LU,

 otherwise existing manhole in Oregon Street near Rock Creek.

- Proximity of other facilities (storm drains, fire engine companies, etc.) which can serve the subject area.
 Storm main in Tonquin Court proposed with Sherwood CC phase 1 LU.

 TVF&R station located within one mile of site.

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

Services will be available upon annexation to the City.

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

The cost of extending necessary utilities will be paid upon future site dev.

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

n/a

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 n/a Rural Fire Dist. TVF&R

County Service Dist. Washington Sanitary District n/a

Hwy. Lighting Dist. n/a Water District n/a

Grade School Dist. Sherwood SD Drainage District n/a

High School Dist. Sherwood SD Diking District n/a

Library Dist. WCCLS Park & Rec. Dist. n/a

Special Road Dist. n/a Other District Supplying Water Service n/a

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.

TVF&R currently serves the area and will continue to do so once annexed.

V. APPLICANT INFORMATION

APPLICANT'S NAME Andrew Goodma

MAILING ADDRESS 1121 SW Salmon Street, Suite 500
Portland, OR 97205

TELEPHONE NUMBER 503-242-2900 (Work)
 (Res.)

REPRESENTING Sherwood Commerce Center LLC

DATE September 13th, 2021

EXHIBIT G – WORKSHEET FOR ANNEXATION

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	
2S13300 Tax Lot 300	Sherwood Commerce Center LLC	0.82	\$155,150	Yes	
2S13300 Tax Lot 200	Sherwood Commerce Center LLC	7.00	\$3,450	Yes	
2S13300 Tax Lot 401	Sherwood Commerce Center LLC	7.89	\$233,320	Yes	
2S13300 Tax Lot 403	Sherwood Commerce Center LLC	1.05	\$17,340	Yes	
2S13300 Tax Lot 201	Sherwood Commerce Center LLC	3.00	\$168,470	Yes	
Totals:		19.76	\$577,730		

Registered Voters (DOUBLE MAJORITY METHOD ONLY)

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

Summary

TOTAL NUMBER OF REGISTERED VOTERS IN THE PROPOSAL: 0
 NUMBER OF REGISTERED VOTERS WHO SIGNED PETITION: 0
 PERCENTAGE OF REGISTERED VOTERS WHO SIGNED PETITION:
 TOTAL ACREAGE IN THE PROPOSAL: 19.76
 ACREAGE SIGNED FOR: 19.76

PERCENTAGE OF ACREAGE SIGNED FOR: 100
 TOTAL NUMBER OF SINGLE-FAMILY UNITS: 3
 TOTAL NUMBER OF MULTI-FAMILY UNITS: 0
 TOTAL NUMBER OF COMMERCIAL STRUCTURES: 0
 TOTAL NUMBER OF INDUSTRIAL STRUCTURES: 0

EXHIBIT H – CERTIFICATION OF PROPERTY OWNERSHIP

THIS SECTION IS TO BE COMPLETED BY WASHINGTON 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 at least one-half 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: 10/25/21

* "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 TF

OCT 25 2021

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

EXHIBIT I – CERTIFICATION OF LEGAL DESCRIPTION AND MAP

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

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 25 1 33) 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 10/25/21

ANNEXATION CERTIFIED

BY TF

OCT 25 2021

**WASHINGTON COUNTY A & T
CARTOGRAPHY**



6950 SW Hampton St., Ste. 170
Tigard, OR 97223-8330
Ph.: (503) 941-9585
Fax: (503) 941-9640
www.weddlesurveying.com

October 20, 2021

Job No. 6107

LEGAL DESCRIPTION for Annexation

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1995
MICHAEL D. RENNICK
2718

RENEWS: DECEMBER 31, 2022

EXHIBIT "A"

A tract of land for City Annexation purposes in the Northwest 1/4 of Section 33, Township 2 South, Range 1 West, Willamette Meridian, in Washington County, Oregon, described as follows:

All of those tracts of land described in Statutory Warranty Deeds to Sherwood Commerce Center, LLC, recorded September 10, 2020, as Document Nos. 2020-087327 and 2020-087329 and a portion of that tract of land described in Statutory Warranty Deed to Sherwood Commerce Center, LLC, recorded May 20, 2021 as Document No. 2021-059814, Washington County Records, more particularly described as follows:

Beginning at the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of said Section 33, thence parallel with the West line of said Section 33, South 660 feet, more or less, to the Southwest corner of said Document No. 2020-087327;

Thence along the South line of said Document No. 2020-087327 and continuing along the South line of said Document No. 2020-087329, East 1320 feet, more or less to the Southeast corner thereof;

Thence along the East line of said Document No. 2020-087329, North 660 feet, more or less, to the North quarter corner of said Section 33;

Thence along the North line of said Section 33, West, 1320 feet more or less to the Point of Beginning.

Containing therein 20 acres, more or less.

ANNEXATION CERTIFIED

BY VF

OCT 25 2021

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

BY *JF*

EXHIBIT 'B'

A TRACT OF LAND LOCATED IN
THE N.W. 1/4 OF SECTION 33
T.2S., R.1W., W.M.
WASHINGTON COUNTY, OREGON

OCT 25 2021

WASHINGTON COUNTY A & T
CARTOGRAPHY

POINT OF BEGINNING
NW CORNER OF THE
NE 1/4 OF THE NW
1/4 OF SECTION 33

NORTH 1/4 CORNER
SECTION 33

SECTION 28

WEST 1320 FEET (MORE OR LESS)

SOUTH 660 FEET (MORE OR LESS)

NORTH 660 FEET (MORE OR LESS)
TAX LOT 100

SECTION 33

2S1 33BB-
TAX LOT 100

DOC. NO. 2021-059814

(20 ACRES
MORE OR LESS)

DOC. NO. 2020-087327

DOC. NO. 2020-087329

EAST 1320 FEET (MORE OR LESS)

TAX LOT 400

S.W. TONQUIN ROAD



SCALE: 1" = 200'
OCTOBER 20, 2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael D. Rennick

OREGON
JULY 25, 1995
MICHAEL D. RENNICK
2718

WEDDLE SURVEYING
Excellence is our benchmark. INC.

6950 SW HAMPTON ST., STE. 170, TIGARD, OR 97223
PH: (503) 941-9585 FAX: (503) 941-9640
www.weddlesurveying.com

EXPIRES: DECEMBER 31, 2022

JOB NO. 6107

Joe Nelson, Ex Officio
Washington County Clerk
155 N 1st Avenue Suite 130, MS 9
Hillsboro, Or 97124
PHONE 503-846-8752

Comments: SHERWOOD COMMERCE CENTER CERTIFICATION

Receipt #: 1034909
Station: 34
Receipt Name: VMLK

Receipt Date: 10/26/2021 09:44 AM
Cashier: T FOSTER

Thank You
Retain this receipt for your records

Miscellaneous Fees		
#	OF ANNEXATION 1/2 HRS	
1		\$33.50

Receipt Total **\$33.50**
CREDIT CARD 3816738487 \$33.50

EXHIBIT J – DOCUMENTS REFERENCED IN LEGAL DESCRIPTION AND MAP

EXHIBIT B

STATUTORY WARRANTY DEED

Recording requested by and
When recorded, return to:

Sherwood Commerce Center, LLC
ATTN: John W. Raborn, Vice President
1121 SW Salmon Street, Suite 500
Portland, Oregon 97205

**Until a change is requested, all tax
statements shall be sent to:**

same as above.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Wayne DePriest and Karen DePriest, ("Grantors"), hereby conveys and warrants to Sherwood Commerce Center, LLC, an Oregon limited liability company, ("**Grantee**"), the real property in Washington County, State of Oregon described as follows free of encumbrances except as provided herein:

14250 SW Tonquin Rd., Sherwood, Oregon 97140-8345 having the following legal description attached hereto as **Exhibit "A"** (the "Property").

Such Property is free from encumbrances except only for those matters shown on **Exhibit "B"** which is attached hereto and incorporated herein by this reference.

The true consideration for this conveyance is **NINE HUNDRED THOUSAND AND NO/100S DOLLARS (\$900,000.00)**.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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

WARRANTY DEED

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

GRANTOR:


WAYNE DEPRIEST

STATE OF OREGON)
) ss.
County of Washington)

This instrument was acknowledged before me on this 11 day of March, 2021 by individual **WAYNE DEPRIEST**.

Notary Public for Oregon

GRANTOR:


KAREN DEPRIEST

STATE OF OREGON)
) ss.
County of Washington)

This instrument was acknowledged before me on this ____ day of March, 2021 by **KAREN DEPRIEST**.

Notary Public for Oregon

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL I:

A tract of land in the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of Section 33, Township 2 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of the said Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 33; running thence East along the North line of said section, 157-1/2 feet to a point in the North line of said section, which is true point of beginning of the tract hereinafter described; thence South and parallel with the West line of said section, 250 feet; thence East and parallel with the North line of said section, 157-1/2 feet; thence North and parallel with the West line of said section, 250 feet to a point in the North line of said section; thence West along the North line of said section, 157-1/2 feet to the point of beginning.

PARCEL II:

A portion of that tract of land in the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of Section 33, Township 2 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, conveyed to Ivan C. Reed, et ux, by Deed recorded April 22, 1960, in Book 429, Page 692, Washington County, Oregon, Deed Records, more particularly described as follows: Beginning at the Southwest corner of that tract of land conveyed to John J. Gould, Jr., by Deed recorded January 25, 1965, in Book 538, Page 438, Records of Washington County, Oregon; thence South parallel with the West line of said Reed tract, a distance of 75 feet; thence East parallel with the North line of said Section 33, a distance of 270 feet; thence North parallel with the West line of said Reed tract, a distance of 325 feet to the North line of said Reed tract; thence West along the North line of said Reed tract, a distance of 112.5 feet to the Northeast corner of said Gould tract; thence South along the East line of said Gould tract, a distance of 250 feet to the Southeast corner thereof; thence West along the South line of said Gould tract, a distance of 157.5 feet to the point of beginning.

PARCEL III:

An easement for ingress and egress as set forth in Document recorded December 9, 1970, in Book 800, Page 749, Records of the County of Washington and State of Oregon, described as follows:

A tract of land in Section 33, Township 2 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

An easement for roadway purposes over the North 25 feet of that portion of the Northwest one-quarter of the Northwest one-quarter lying East of Tonquin Road and also over that portion of the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter lying West of the West line of that tract of land conveyed to John J. Gould, Jr., by Deed recorded January 25, 1965, in Book 538, Page 438, Records of Washington County, Oregon.

EXHIBIT "B"
TO
STATUTORY WARRANTY
Permitted Exceptions to Title:

WARRANTY DEED



02604242202000480390020020

I, Margaret Garza, Interim 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.



Margaret Garza, Interim Director of Assessment and Taxation, Ex-Officio County Clerk

**Recording requested by and
When recorded, return to:**

Sherwood Commerce Center, LLC
Attn: Wes Raborn, Senior General Counsel
1121 SW Salmon Street, Suite 500
Portland, OR 97205

**Until a change is requested, all tax
statements shall be sent to:**

same as above.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

BARGAIN & SALE DEED

John Niemeyer ("Grantor"), conveys to Sherwood Commerce Center, LLC, an Oregon limited liability company, ("Grantee"), the real property in Washington County, State of Oregon described as follows:


That portion of the Southeast one-quarter of the Southwest one-quarter of Section 28, Township 2 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, which lies South of County Road N. 492.

The true consideration for this conveyance is other valuable consideration, the receipt of which is hereby acknowledged.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 4th day of June, 2020

GRANTOR:

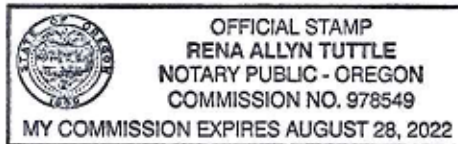
By 
John Niemeyer

State of Oregon
County of Clackamas)

On June 4, 2020 before me, Rena Allyn Tuttle, personally appeared John Niemeyer, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature  (Seal)



Washington County, Oregon **2020-087327**
D-DW **09/10/2020 12:37:56 PM**
Stn=7 C LOUCKS
\$20.00 \$11.00 \$5.00 \$60.00 \$1,300.00 **\$1,396.00**

I, Margaret Garza, 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.

Margaret Garza, Director of Assessment and Taxation, Ex-Officio County Clerk

Recording requested by and
When recorded, return to:

Harsch Investment Properties, LLC
Attn: Wes Raborn, Senior Counsel
1121 SW Salmon Street, Fifth Floor
Portland, OR 97205

Until a change is requested, all tax
statements shall be sent to:

Harsch Investment Properties, LLC
1121 S.W. Salmon Street, Fifth Floor
Portland, OR 97205
Attention: Tax Department

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Martin D. Walker and Cynthia Walker, as tenants by the entirety ("**Grantor**"), conveys and warrants to Sherwood Commerce Center, LLC, an Oregon limited liability company, ("**Grantee**"), the real property in Washington County, State of Oregon described as follows free of encumbrances except as provided herein:

2S1330-000401, Sherwood, OR 97140 having the following legal description attached hereto as Exhibit "A" (the "Property").

Such Property is free from encumbrances except only for those matters shown on Exhibit "B" which is attached hereto and incorporated herein by this reference.

The true consideration for this conveyance is **One Million Three Hundred Thousand AND NO/100S DOLLARS (\$1,300,000.00)**.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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

Recorded by TICOR TITLE 36262004447

Recording requested by and
When recorded, return to:

Harsch Investment Properties, LLC
Attn: Wes Raborn, Senior Counsel
1121 SW Salmon Street, Fifth Floor
Portland, OR 97205

Until a change is requested, all tax
statements shall be sent to:

Harsch Investment Properties, LLC
1121 S.W. Salmon Street, Fifth Floor
Portland, OR 97205
Attention: Tax Department

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Martin D. Walker and Cynthia Walker, as tenants by the entirety ("Grantor"), conveys and warrants to Sherwood Commerce Center, LLC, an Oregon limited liability company, ("Grantee"), the real property in Washington County, State of Oregon described as follows free of encumbrances except as provided herein:

2S1330-000401, Sherwood, OR 97140 having the following legal description attached hereto as Exhibit "A" (the "Property").

Such Property is free from encumbrances except only for those matters shown on Exhibit "B" which is attached hereto and incorporated herein by this reference.

The true consideration for this conveyance is **One Million Three Hundred Thousand AND NO/100S DOLLARS (\$1,300,000.00)**.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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

Recorded by TICOR TITLE 3626200447

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 8 day of sept, 2020

GRANTOR:

Martin D. Walker

By: *[Signature]*

Cynthia Walker

By: *Cynthia Walker*

STATE OF OREGON)
Yamhill ss. *(MJD)*
County of *Yamhill*

This instrument was acknowledged before me on this *8th* day of *Sept*, 2020 by Martin D. Walker and Cynthia Walker.

[Signature]
Notary Public for Oregon
My commission

expires: *6/16/2024*

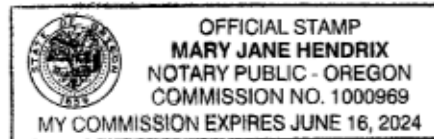


EXHIBIT A

(Legal Description)

A tract of land in the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of Section 33, Township 2 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of said Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 33; running thence East along the North line of said Section, 157-1/2 feet to the North line of said section; thence South and parallel with the West line of said Section, 250 feet; thence East and parallel with the North line of said Section, 157-1/2 feet; thence North and parallel with the West line of said section, 250 feet to the North line of said section; thence East along the North line of said section, 345 feet, more or less, to the Northwest corner of property conveyed to Harold E. Severson and Lorane R. Severson, by deed recorded at Deed Book 400, Page 106, Washington County, Oregon; thence South and parallel to the West line of said section, 660 feet, more or less, to the Southwest corner of the said Severson property; thence West and parallel to the North line of said section to a point, 660 feet, more or less, to a point South of the point of beginning of the tract herein conveyed; thence North and parallel to the West line of said section, 660 feet, more or less, to a point on the North line of said section and true point of beginning.

EXCEPTING THEREFROM the following described property: A portion of that tract of land in the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of Section 33, Township 2 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, conveyed to Ivan C. Reed, et ux, by deed recorded April 22, 1960, in Book 429, Page 692, in the County of Washington and State of Oregon, deed records; more particularly described as follows:

Beginning at the Southwest corner of that tract of land conveyed to John J. Gould, Jr., by deed recorded January 25, 1965, in Book 538, Page 438, Records of Washington County, Oregon; thence South parallel with the West line of said Reed tract, 75 feet; thence East parallel with the North line of said Section 33, a distance of 270 feet; thence North parallel with the West line of said Reed tract, 325 feet to the North line of said Reed tract; thence West along the North line of said Reed tract, 112.50 feet to the Northeast corner of said Gould tract; thence South along the East line of said Gould tract, 250 feet to the Southeast corner thereof; thence West along the South line of said Gould tract, 157.50 feet to the point of beginning.

ALSO EXCEPTING THEREFROM the North 25 feet thereof, being that portion dedicated to the public as public way by Dedication Deed recorded May 25, 1973 in Book 926, Page 721, Records of Washington County, Oregon.

EXHIBIT B

(Permitted Exceptions)

GENERAL EXCEPTIONS:

1. The Land has been classified as Forestland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.
2. Rights of the public, riparian owners and governmental bodies as to the use of the waters of unnamed creek and the natural flow thereof on and across that portion of the subject land lying below the high water line of said waterway.
3. Reservation, exception or other severance of minerals, contained in or disclosed by instrument,

In favor of: Oregon and California Railroad Company
Reservation of: See document for details
Recording Date: December 22, 1888
Recording No.: Book "Z", Page 311
4. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2020-2021

Recorded by TICOR TITLE 36262004449

Washington County, Oregon **2020-087329**
D-DW **09/10/2020 12:38:39 PM**
Str=61 N MEJIA
\$20.00 \$11.00 \$5.00 \$60.00 \$1,648.00 **\$1,744.00**

Recording requested by and
When recorded, return to:

Harsch Investment Properties, LLC
Attn: Wes Raborn, Senior Counsel
1121 SW Salmon Street, Fifth Floor
Portland, OR 97205

I, Margaret Garza, 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.

Margaret Garza, Director of Assessment and Taxation, Ex-Officio County Clerk

Until a change is requested, all tax statements shall be sent to:

Harsch Investment Properties, LLC
1121 S.W. Salmon Street, Fifth Floor
Portland, OR 97205
Attention: Tax Department

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Gertrude S. Barnard, an individual ("Grantor"), conveys and warrants to Sherwood Commerce Center, LLC, an Oregon limited liability company ("Grantee"), the real property in Washington County, State of Oregon described as follows free of encumbrances except as provided herein:

2S13300-00200 and 2S13300-00201, Sherwood, OR 97140 having the following legal description attached hereto as Exhibit "A" (the "Property").

Such Property is free from encumbrances except only for those matters shown on Exhibit "B" which is attached hereto and incorporated herein by this reference.

The true consideration for this conveyance is One Million Six Hundred Forty-Seven Thousand Six Hundred Sixty AND NO/100S DOLLARS (\$1,647,660.00).

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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,

Recording requested by and
When recorded, return to:

Harsch Investment Properties, LLC
Attn: Wes Raborn, Senior Counsel
1121 SW Salmon Street, Fifth Floor
Portland, OR 97205

Until a change is requested, all tax
statements shall be sent to:

Harsch Investment Properties, LLC
1121 S.W. Salmon Street, Fifth Floor
Portland, OR 97205
Attention: Tax Department

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Gertrude S. Barnard, an individual ("Grantor"), conveys and warrants to Sherwood Commerce Center, LLC, an Oregon limited liability company ("Grantee"), the real property in Washington County, State of Oregon described as follows free of encumbrances except as provided herein:

2S13300-00200 and 2S13300-00201, Sherwood, OR 97140 having the following legal description attached hereto as Exhibit "A" (the "Property").

Such Property is free from encumbrances except only for those matters shown on Exhibit "B" which is attached hereto and incorporated herein by this reference.

The true consideration for this conveyance is **One Million Six Hundred Forty-Seven Thousand Six Hundred Sixty AND NO/100S DOLLARS (\$1,647,660.00)**.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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,

Recorded by TICOR TITLE 3626200449

OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 8 day of Sept., 2020.

GRANTOR:

Gertrude S. Barnard

By: Gertrude S. Barnard

STATE OF OREGON

County of Wamliell) ss.

This instrument was acknowledged before me on this 8th day of Sept, 2020 by Gertrude S. Barnard.

Mary J. Hendrix
Notary Public for Oregon
My commission expires: 10/14/2024



EXHIBIT A

(Legal Description)

PARCEL 1: The Northeast quarter of the Northeast quarter of the Northwest quarter of Section 33, Township 2 South, Range 1 West, of the Willamette Meridian, in the County of Washington and State of Oregon.

EXCEPTING THEREFROM that portion described in document recorded January 7, 1974 in Book 958, Page 754, described as follows:

Beginning at the Southwest corner of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 33, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon; thence North along the West line of said Northeast quarter of the Northeast quarter of the Northwest quarter, 349 feet to a point; thence East and parallel to the South line of said Northeast quarter of the Northeast quarter of the Northwest quarter, 375 feet to a point; thence South and parallel with said West line, 349 feet to a point on the South line of said Northeast quarter of the Northeast quarter of the Northwest quarter; thence West along said South line 375 feet to the true point of beginning.

PARCEL 2: Beginning at the Southwest corner of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 33, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon; thence North along the West line of said Northeast quarter of the Northeast quarter of the Northwest quarter, 349 feet to a point; thence East and parallel to the South line of said Northeast quarter of the Northeast quarter of the Northwest quarter, 375 feet to a point; thence South and parallel with said West line, 349 feet to a point on the South line of said Northeast quarter of the Northeast quarter of the Northwest quarter; thence West along said South line 375 feet to the true point of beginning.

EXHIBIT B

(Permitted Exceptions)

1. The Land has been classified as Forestland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.
2. Rights of the public, riparian owners and governmental bodies as to the use of the waters of unnamed creek and the natural flow thereof on and across that portion of the subject land lying below the high water line of said waterway.
3. Reservation, exception or other severance of minerals, contained in or disclosed by instrument,

In favor of: Oregon and California Railroad Company
Reservation of: See document for details
Recording Date: December 22, 1888
Recording No.: Book "Z", Page 311

4. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2020-2021

EXHIBIT K – WASHINGTON COUNTY – SHERWOOD URBAN PLANNING AREA AGREEMENT

Washington County – Sherwood Urban Planning Area Agreement

THIS AGREEMENT is entered into by WASHINGTON COUNTY, a political subdivision of the State of Oregon, hereinafter referred to as the “COUNTY”, and the CITY OF SHERWOOD, an incorporated municipality of the State of Oregon, hereinafter referred to as the “CITY”.

WHEREAS, ORS 190.010 provides that units of local government may enter into agreements for the performance of any or all functions and activities that a party to the agreement, its officers or agents, have authority to perform; and

WHEREAS, Statewide Planning Goal #2 (Land Use Planning) requires that city, county, state and federal agency and special district plans and actions shall be consistent with the comprehensive plans of the cities and counties and regional plans adopted under ORS Chapter 197; and

WHEREAS, the Oregon State Land Conservation and Development Commission (LCDC) requires each jurisdiction requesting acknowledgment of compliance to submit an agreement setting forth the means by which comprehensive planning coordination within the Regional Urban Growth Boundary (UGB) will be implemented; and

WHEREAS, following the Urbanization Forum process, the COUNTY through Resolution & Order 09-63, and the CITY through Resolution 2009-046, agreed that all future additions to the UGB during or after 2010 must be governed and urbanized by the CITY in the COUNTY and also agreed to urge Metro to expand the UGB only to such areas as are contiguous to incorporated areas of Washington County; and

WHEREAS, the State legislature, with House Bill 4078-A in 2014 and House Bill 2047 in 2015, validated the acknowledged UGB and Urban and Rural Reserves established through the Metro Regional process involving both the COUNTY and the CITY; and

WHEREAS, the COUNTY and CITY desire to amend the Urban Planning Area Agreement (UPAA) to reflect the changes to the UGB, the CITY’s Urban Planning Area, and the need for urban planning of the new urban reserve lands; and

WHEREAS, the COUNTY and the CITY, to ensure coordinated and consistent comprehensive plans, consider it mutually advantageous to establish:

1. An Urban Planning Area Agreement incorporating both a site-specific Urban Planning Area within the UGB within which both the COUNTY and the CITY maintain an interest in comprehensive planning and an Urban Reserve Planning Area outside the UGB where both the COUNTY and the CITY maintain an interest in concept planning; and

2. A process for coordinating comprehensive planning and development in the Urban Planning Area and concept planning in the Urban Reserve Planning Area; and
3. Policies regarding comprehensive planning and development in the Urban Planning Area and concept planning in the Urban Reserve Planning Area; and
4. A process to amend the Urban Planning Area Agreement.

NOW THEREFORE, THE COUNTY AND THE CITY AGREE AS FOLLOWS:

I. Location of the Urban Planning Area and Urban Reserve Planning Area

The Urban Planning Area and Urban Reserve Planning Area, mutually defined by the COUNTY and the CITY, include the areas designated on the Washington County - Sherwood UPAA Map "Exhibit A" to this Agreement.

II. Coordination of Comprehensive Planning and Development

A. Amendments to or Adoption of a Comprehensive Plan or Implementing Regulation

1. Definitions

Comprehensive Plan means a generalized, coordinated land use map and policy statement of the governing body of a local government that interrelates all functional and natural systems and activities relating to the use of lands, including, but not limited to, sewer and water systems, transportation systems, educational facilities, recreational facilities, and natural resources and air and water quality management programs. "Comprehensive Plan" amendments do not include small tract comprehensive plan map changes.

Implementing Regulation means any local government zoning ordinance, land division ordinance adopted under ORS 92.044 or 92.046 or similar general ordinance establishing standards for implementing a comprehensive plan. "Implementing regulation" does not include small tract zoning map amendments, conditional use permits, individual subdivision, partitioning or planned unit development approvals or denials, annexations, variances, building permits and similar administrative-type decisions.

2. The COUNTY shall provide the CITY with the appropriate opportunity to participate, review and comment on proposed amendments to or adoption of the COUNTY comprehensive plan or implementing regulations. The CITY shall provide the COUNTY with the appropriate opportunity to participate, review and comment on proposed amendments to or adoption of the CITY comprehensive plan or implementing regulations. The following procedures shall be followed by the COUNTY and the CITY to notify and involve one another in the process to amend or adopt a comprehensive plan or implementing regulation.

- a. The CITY or the COUNTY, whichever has jurisdiction over the proposal, hereinafter the originating agency, shall notify the other agency, hereinafter the responding agency, by first class mail or as an attachment to electronic mail of the proposed action at the time such planning efforts are initiated, but in no case less than thirty-five (35) days prior to the first hearing on adoption. For COUNTY or CITY comprehensive plan updates with the potential to affect the responding agency's land use or transportation system, the originating agency shall provide the responding agency with the opportunity to participate in the originating agency's planning process prior to the notification period, such as serving on the originating agency's advisory committee.
- b. For COUNTY or CITY comprehensive plan updates with the potential to affect the responding agency's land use or transportation system, the originating agency shall transmit the draft amendments to the responding agency for its review and comment before finalizing. The responding agency shall have ten (10) days after receipt of a draft to submit comments orally or in writing. Lack of response shall be considered "no objection" to the draft.
- c. The originating agency shall respond to the comments made by the responding agency either by a) revising the final recommendations, or b) by letter to the responding agency explaining why the comments cannot be addressed in the final draft.
- d. Comments from the responding agency shall be given consideration as a part of the public record on the proposed action. If after such consideration, the originating agency acts contrary to the position of the responding agency, the responding agency may seek appeal of the action through the appropriate appeals body and procedures.
- e. Upon final adoption of the proposed action by the originating agency, it shall transmit the adopting ordinance to the responding agency as soon as publicly available, or if not adopted by ordinance, whatever other written documentation is available to properly inform the responding agency of the final actions taken.

B. Development Actions Requiring Individual Notice to Property Owners

1. Definition

Development Action Requiring Notice means an action by a local government which requires notifying by mail the owners of property which could potentially be affected (usually specified as a distance measured in feet) by a proposed development action which directly affects and is applied to a specific parcel or parcels. Such development actions may include, but not be limited to, small

tract zoning or comprehensive plan map amendments, conditional or special use permits, land divisions, planned unit developments, variances, and other similar actions requiring a quasi-judicial hearings process.

2. The COUNTY will provide the CITY with the opportunity to review and comment on proposed development actions requiring notice within the designated Urban Planning Area and Urban Reserve Planning Area. The CITY will provide the COUNTY with the opportunity to review and comment on proposed development actions requiring notice within the CITY limits that may have an effect on unincorporated portions of designated Urban Planning Area or the COUNTY's transportation network.
3. The following procedures shall be followed by the COUNTY and the CITY to notify one another of proposed development actions:
 - a. The CITY or the COUNTY, whichever has jurisdiction over the proposal, hereinafter the originating agency, shall send by first class mail or as an attachment to electronic mail a copy of the public hearing notice or comment period notice with no public hearing which identifies the proposed development action to the other agency, hereinafter the responding agency, at the earliest opportunity, but no less than ten (10) days prior to the date of the scheduled public hearing or end of the comment period. The failure of the responding agency to receive a notice shall not invalidate an action if a good faith attempt was made by the originating agency to notify the responding agency.
 - b. The agency receiving the notice may respond at its discretion. Comments may be submitted in written or electronic form or an oral response may be made at the public hearing. Lack of written or oral response shall be considered "no objection" to the proposal.
 - c. If received in a timely manner, the originating agency shall include or attach the comments to the written staff report and respond to any concerns addressed by the responding agency in such report or orally at the hearing.
 - d. Comments from the responding agency shall be given consideration as a part of the public record on the proposed action. If, after such consideration, the originating agency acts contrary to the position of the responding agency, the responding agency may seek appeal of the action through the appropriate appeals body and procedures.

C. Additional Coordination Requirements

1. The CITY and the COUNTY shall do the following to notify one another of proposed actions which may affect the community, but are not subject to the

notification and participation requirements contained in subsections A and B above.

- a. The CITY or the COUNTY, whichever has jurisdiction over the proposed actions, hereinafter the originating agency, shall send by first class mail or as an attachment to electronic mail a copy of all public hearing agendas which contain the proposed actions to the other agency, hereinafter the responding agency, at the earliest opportunity, but no less than three (3) days prior to the date of the scheduled public hearing. The failure of the responding agency to receive an agenda shall not invalidate an action if a good faith attempt was made by the originating agency to notify the responding agency.
- b. The agency receiving the public hearing agenda may respond at its discretion. Comments may be submitted in written or electronic form or an oral response may be made at the public hearing. Lack of written or oral response shall be considered “no objection” to the proposal.
- c. Comments from the responding agency shall be given consideration as a part of the public record on the proposed action. If, after such consideration, the originating agency acts contrary to the position of the responding agency, the responding agency may seek appeal of the action through the appropriate appeals body and procedures.

III. Concept Planning for Urban Reserve Areas

A. Definitions

1. Urban Reserve means those lands outside the UGB that have been so designated by Metro for the purpose of:
 - a. Future expansion over a long-term period (40-50 years), and
 - b. The cost-effective provision of public facilities and services when the lands are included within the UGB.
2. Urban Reserve Planning Area means those Urban Reserves identified as ultimately being governed by the CITY at such time as the UGB is amended to include the Urban Reserve Area.
3. Urban Reserve - Planning Responsibility Undefined means those Urban Reserves that the CITY and at least one other city may have an interest in ultimately governing, but no final agreement has been reached. These areas are not considered part of the Urban Reserve Planning Area.

B. The CITY’s Urban Reserve Planning Area and the Urban Reserve - Planning Responsibility Undefined are identified on “Exhibit A” to this Agreement.

Agreement amended by
Washington County Land Use A-Engrossed Ordinance No. 821
Adopted September 26, 2017

- C. The CITY and COUNTY shall be jointly responsible for developing a concept plan for the Urban Reserve Planning Area in coordination with Metro and appropriate service districts. The concept plan shall include the following:
 - 1. An agreement between the COUNTY and CITY regarding expectations for road funding, jurisdictional transfer over roadways to and from the CITY and COUNTY, and access management for county roads in the Urban Reserve Planning Area. The agreement should describe any changes to the CITY and/or COUNTY Transportation System Plans, other Comprehensive Plan documents, or codes that have been adopted or will be necessary to implement this agreement.
 - 2. An agreement between the COUNTY and CITY that preliminarily identifies the likely providers of urban services, as defined in ORS 195.065.(4), when the area is urbanized.
- D. The concept plan shall be approved by the CITY and acknowledged by the COUNTY.
- E. Upon completion and acknowledgement of the concept plan by the CITY and COUNTY, and the addition of the area into the UGB by Metro, the affected portion of the Urban Reserve Planning Area shall be designated as part of the Urban Planning Area. Inclusion in the Urban Planning Area is automatic and does not require an amendment to this agreement.

IV. Comprehensive Planning and Development Policies for Urban Planning Areas

A. Definition

Urban Planning Area means the incorporated area and certain unincorporated areas contiguous to the incorporated area for which the CITY conducts comprehensive planning and seeks to regulate development activities to the greatest extent possible. The CITY's Urban Planning Area is designated on "Exhibit A" to this Agreement.

- B. The CITY shall be responsible for comprehensive planning within the Urban Planning Area.
- C. The CITY and COUNTY will implement the applicable Urban Reserve concept plan and related agreements as the comprehensive plan is prepared for the Urban Planning Area to ensure consistency and continuing applicability with the original concept plan. If modifications to the original concept plan are made during the comprehensive planning process, the parties will update the related agreements to reflect these changes, which may include transportation, access and funding.
- D. The CITY shall be responsible for the preparation, adoption and amendment of the


public facility plan required by OAR 660-011 within the Urban Planning Area.

- E. As required by OAR 660-011-0010, the CITY is identified as the appropriate provider of local water, sanitary sewer, storm sewer and transportation facilities within the Urban Planning Area. Exceptions include facilities provided by other service providers subject to the terms of any intergovernmental agreement the CITY may have with other service providers; facilities under the jurisdiction of other service providers not covered by an intergovernmental agreement; and future facilities that are more appropriately provided by an agency other than the CITY.
 - F. The COUNTY shall not approve land divisions within the unincorporated Urban Planning Area that are inconsistent with the provisions of the Future Development 20-Acre District (FD-20).
 - G. The COUNTY shall not approve a development proposal in the Urban Planning Area if the proposal would not provide for, nor be conditioned to provide for, an enforceable plan for redevelopment to urban densities consistent with the CITY's Comprehensive Plan in the future upon annexation to the CITY as indicated by the CITY Comprehensive Plan.
 - H. The COUNTY will not oppose any orderly, logical annexation of land to the CITY within the CITY's Urban Planning Area.
- V. Amendments to the Urban Planning Area Agreement
- A. The following procedures shall be followed by the CITY and the COUNTY to amend the language of this agreement or the Urban Planning Area Boundary:
 - 1. The CITY or COUNTY, whichever jurisdiction originates the proposal, shall submit a formal request for amendment to the responding agency.
 - 2. The formal request shall contain the following:
 - a. A statement describing the amendment.
 - b. A statement of findings indicating why the proposed amendment is necessary.
 - c. If the request is to amend the planning area boundary, a map that clearly indicates the proposed change and surrounding area.
 - 3. Upon receipt of a request for amendment from the originating agency, the responding agency shall schedule a review of the request before the appropriate reviewing body, with said review to be held within forty-five (45) days of the date the request is received.

4. The CITY and COUNTY shall make good faith efforts to resolve requests to amend this agreement. Upon completion of the review, the reviewing body may approve the request, deny the request, or make a determination that the proposed amendment warrants additional review. If it is determined that additional review is necessary, the following procedures shall be followed by the CITY and COUNTY:
 - a. If inconsistencies noted by both parties cannot be resolved in the review process as outlined in Section V. A. (3), the CITY and the COUNTY may agree to initiate a joint study. Such a study shall commence within thirty (30) days of the date it is determined that a proposed amendment creates an inconsistency, and shall be completed within ninety (90) days of said date. Methodologies and procedures regulating the conduct of the joint study shall be mutually agreed upon by the CITY and the COUNTY prior to commencing the study.
 - b. Upon completion of the joint study, the study and the recommendations drawn from it shall be included within the record of the review. The agency considering the proposed amendment shall give careful consideration to the study prior to making a final decision.
 - B. The parties will jointly review this Agreement periodically, or as needed, to evaluate the effectiveness of the processes set forth herein and to make any necessary amendments. Both parties shall make a good faith effort to resolve any inconsistencies that may have developed since the previous review. If, after completion of a sixty (60) day review period inconsistencies still remain, either party may terminate this Agreement.
 - C. Any boundary changes due to annexation into the CITY or updates to the UGB are automatic and do not require an amendment to “Exhibit A”.
- VI. This Agreement shall become effective upon full execution by the COUNTY and the CITY and shall then repeal and replace the Washington County-Sherwood Urban Planning Area Agreement effective March 3, 2010. The effective date of this Agreement shall be the last date of signature on the signature page.

IN WITNESS WHEREOF the parties have executed this Urban Planning Area Agreement on the date set opposite their signatures.

CITY OF SHERWOOD


By  Date 10/17/17
~~Mayor~~ *Jennifer Harris, Council President*

Approved as to Form:

By  Date 10/23/17
City Attorney

By  Date 10/23/2017
City Recorder

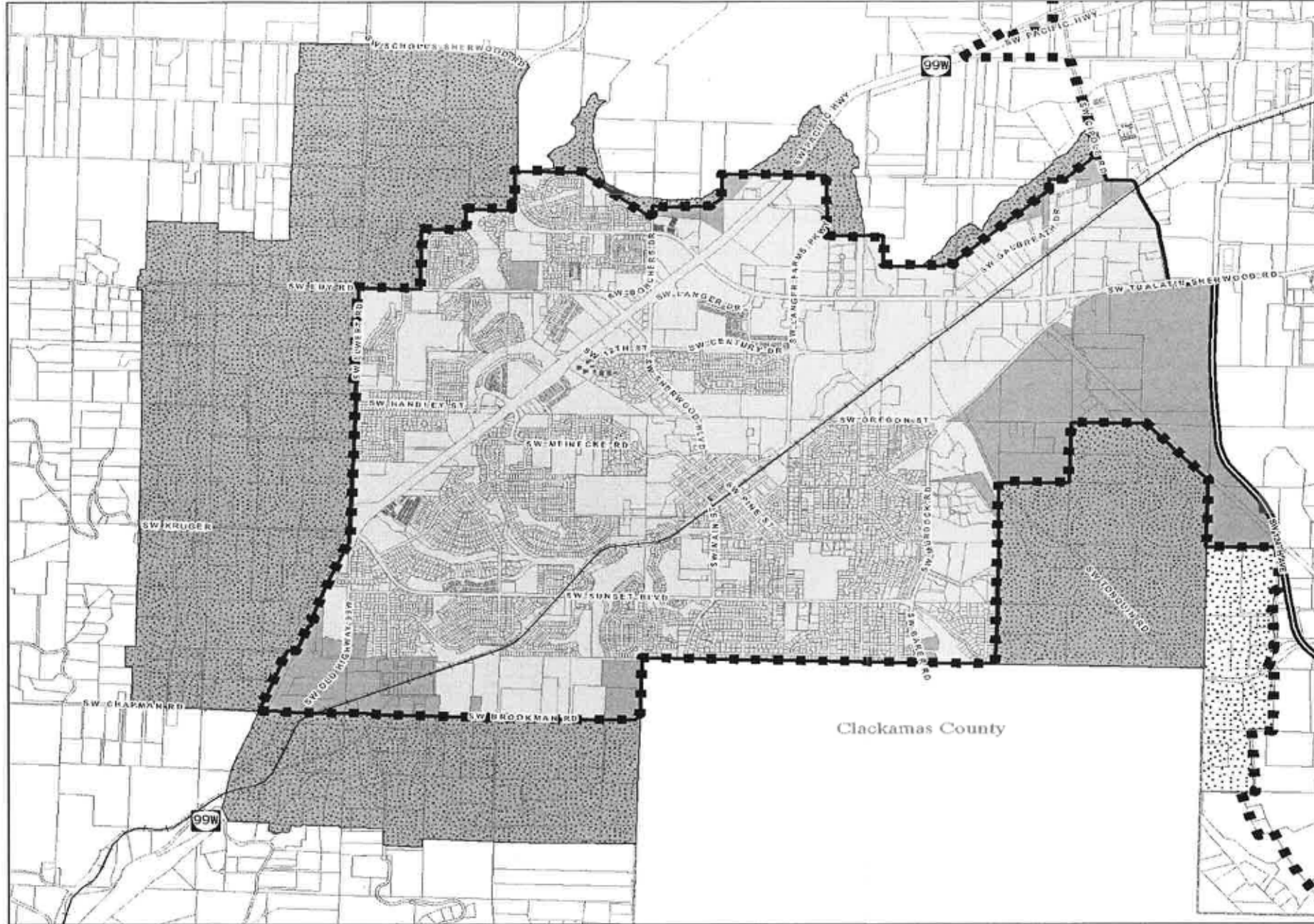
WASHINGTON COUNTY

By  Andy Duyck Date 11-7-17
Chair, Board of Commissioners RO 17-99 9-26-17

Approved as to Form:

By  Date 11/3/17
County Counsel

By _____ Date _____
Recording Secretary



J:\Workgroup\GIS\Planning\GIS\PROJ\CT\150617_P\maps\UPAA\Sherwood_UPAA_VER_01.mxd

City of Sherwood
 Urban Planning Area
 Washington County - Sherwood
 Urban Planning Area Agreement
 Exhibit A

City Limits
 Urban Planning Area
 Urban Reserve Planning Area
 Urban Reserve - Planning Responsibility Undefined
 Urban Growth Boundary
 County Boundary
 Railroad Right of Way
 Future SW 124th Ave Alignment

1 inch = 2,000 feet

0 1,000 2,000 3,000 4,000 Feet



* CUSTOM LIST
1000' BUFFER AROUND
2S1330000200_201_300_401_403
CREATED 8/18/21
BY TERI HEINO, WASHCO LUT

2S128C000501
ALLIED SYSTEMS CO
21433 SW OREGON ST
SHERWOOD OR 97140

2S133BC00300
BAYNE, BROOKS & ANNALISA M
22515 SW FAIROAKS CT
SHERWOOD OR 97140

2S133BC00400
CONROW, DEREK & MONICA
22500 SW FAIROAKS CT
SHERWOOD OR 97140

2S128D000800
GRONLI, STEVE
WILDER, RENEE
21700 SW DAHLKE LN
SHERWOOD OR 97140

2S128D000601
LIZARRAGA, ULDO GEOVANNI
21905 SW DAHLKE LN
SHERWOOD OR 97140

2S128D000600
MOREY, DON F & CORBY A
21825 SW DAHLKE LN
SHERWOOD OR 97140

2S128D000602
MUNGER, DOUGLAS S REV LIV TRUST
BY DOUGLAS S MUNGER TR
21775 SW DAHLKE LN
SHERWOOD OR 97140

2S128D000900
OREGON ASPHALTIC PAVING LLC
PO BOX 4810
TUALATIN OR 97062

2S128C000500
POLLEY, BRUCE D & KAREN M
PO BOX 1489
SHERWOOD OR 97140

2S128C000500
POLLEY, BRUCE D & KAREN M
PO BOX 1489
SHERWOOD OR 97140

2S128D000700
RIVERA, RICHARD & CARLA
PO BOX 688
SHERWOOD OR 97140

2S128C000600
SHERWOOD COMMERCE CENTER LLC
ATTN RABORN, WES
1121 SW SALMON ST STE 500
PORTLAND OR 97205

2S1330000403
SHERWOOD COMMERCE CENTER LLC
1121 SW SALMON ST STE 500
PORTLAND OR 97205

2S1330000401
SHERWOOD COMMERCE CENTER LLC
BY HARSCH INVESTMENT PROPERTIES LLC
1121 SW SALMON ST FIFTH FLOOR
PORTLAND OR 97205

2S1330000300
SHERWOOD COMMERCE CENTER LLC
1121 SW SALMON ST STE 500
PORTLAND OR 97205

2S1330000201
SHERWOOD COMMERCE CENTER LLC
BY HARSCH INVESTMENT PROPERTIES LLC
1121 SW SALMON ST FIFTH FLOOR
PORTLAND OR 97205

2S1330000200
SHERWOOD COMMERCE CENTER LLC
BY HARSCH INVESTMENT PROPERTIES LLC
1121 SW SALMON ST FIFTH FLOOR
PORTLAND OR 97205

2S133BB00300
SHERWOOD, CITY OF
22560 SW PINE ST
SHERWOOD OR 97140

2S1330001100
SNYDER LLC
10175 SW MARJORIE LN
BEAVERTON OR 97008

2S1330001100
SNYDER LLC
10175 SW MARJORIE LN
BEAVERTON OR 97008

2S133BC00500
SPARKS FAMILY LIVING TRUST
BY SPARKS, LINDSAY & BRIAN TRS
22520 SW FAIROAKS CT
SHERWOOD OR 97140

2S1330000402
TUAL VALLEY SPORTSMENS CLUB
7430 SW VARNIS
TIGARD OR 97223

2S1330000100
TUALATIN VALLEY SPORTSMEN'S CLUB
7430 SW VARNIS ST
TIGARD OR 97223

2S133BC01600
UNITED STATE OF AMERICA
BY US FISH & WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND OR 97232

2S1330002500
UNITED STATES OF AMERICA
FISH & WILDLIFE SERVICE
PORTLAND EASTSIDE FEDERAL COMPLEX
911 NE 11TH AVE
PORTLAND OR 97232

2S1330002500
UNITED STATES OF AMERICA
FISH & WILDLIFE SERVICE
PORTLAND EASTSIDE FEDERAL COMPLEX
911 NE 11TH AVE
PORTLAND OR 97232

2S133BB00400
UNITED STATES OF AMERICA
FISH & WILDLIFE SERVICE
PORTLAND EASTSIDE FEDERAL COMPLEX
911 NE 11TH AVE
PORTLAND OR 97232

2S133BB00200
UNITED STATES OF AMERICA
FISH & WILDLIFE SERVICE
PORTLAND EASTSIDE FEDERAL COMPLEX
911 NE 11TH AVE
PORTLAND OR 97232

2S128C000400
WASHINGTON COUNTY
ATTN PROPERTY MANAGEMENT
169 N FIRST AVE, MS 42
HILLSBORO OR 97124

2S128C000400
WASHINGTON COUNTY
ATTN PROPERTY MANAGEMENT
169 N FIRST AVE, MS 42
HILLSBORO OR 97124

2S1330000400
WOODBURN INDUSTRIAL CAPITAL GROUP LLC
395 SHENANDOAH LN
WOODBURN OR 97071

2S1330000600
WOODBURN INDUSTRIAL CAPITAL GROUP LLC
PO BOX 1060
WOODBURN OR 97071

2S133BB00100
WOODBURN INDUSTRIAL CAPITAL GROUP LLC
PO BOX 1060
WOODBURN OR 97071

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: 14250 SW Tonquin Road (lot 300)

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
DePriest	Wayne	M	Unknown

ANNEXATION QUESTIONNAIRE

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Fill out one sheet per property that is being annexed.

Address: 14240 SW Tonquin Road (lot 401)

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
Walker	Martin D	M	Unknown
Walker	Cynthia	F	Unknown

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: 14260 SW Tonquin Road (lot 201)

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
Barnard	Gertrude S	F	Unknown

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: no address, tax lot 200

Housing type:

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

N/A - Site is Vacant

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

LAST NAME	FIRST NAME	SEX	AGE

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: no address, tax lot 403

Housing type:

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

N/A - Site is Vacant

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

N/A - Site is Vacant

LAST NAME	FIRST NAME	SEX	AGE



LETTER OF TRANSMITTAL

To: City of Sherwood
 22560 SW Pine Street
 Sherwood, Oregon 97140

Attention: Eric Rutledge

Date: 12-09-2021

Project: Sherwood CC Annexation

Project Number: 20210190

WE ARE SENDING YOU

Copies	Date	Description
1		Annexation Fee - \$7,500.00

REMARKS

RECEIPT		DATE <u>12/10/21</u>	No. <u>745874</u>
RECEIVED FROM <u>VLMK</u>		\$ 7,500.00	
Seven <u>Seven Thousand Five Hundred and 00/100</u> DOLLARS			
<input type="radio"/> FOR RENT <input checked="" type="radio"/> FOR <u>LU 2021-024 AN COMMERCE CENTER</u>			
ACCOUNT		<input type="radio"/> CASH	✓# 39224166 FROM _____ TO _____ BY <u>er</u>
PAYMENT	<u>7,500.00</u>	<input checked="" type="radio"/> CHECK	
BAL. DUE	<u>0.00</u>	<input type="radio"/> MONEY ORDER <input type="radio"/> CREDIT CARD	