

Minimum Driveway Width:

Sherwood Municipal Code Section 16.96.020

Minimum Residential standards:

A. Driveways

The shared driveway for lots 40 & 41 in the flagpole section of Cedar Creek Gardens, is listed as twelve (12) feet wide with a length of three hundred and fifty-four (354) feet. (See Map #5)

Section 16.96.020 the Sherwood Municipal Code states:

16.96.020 Minimum - Residential standards Minimum standards for private, on-site circulation improvements in residential developments:

A. Driveways

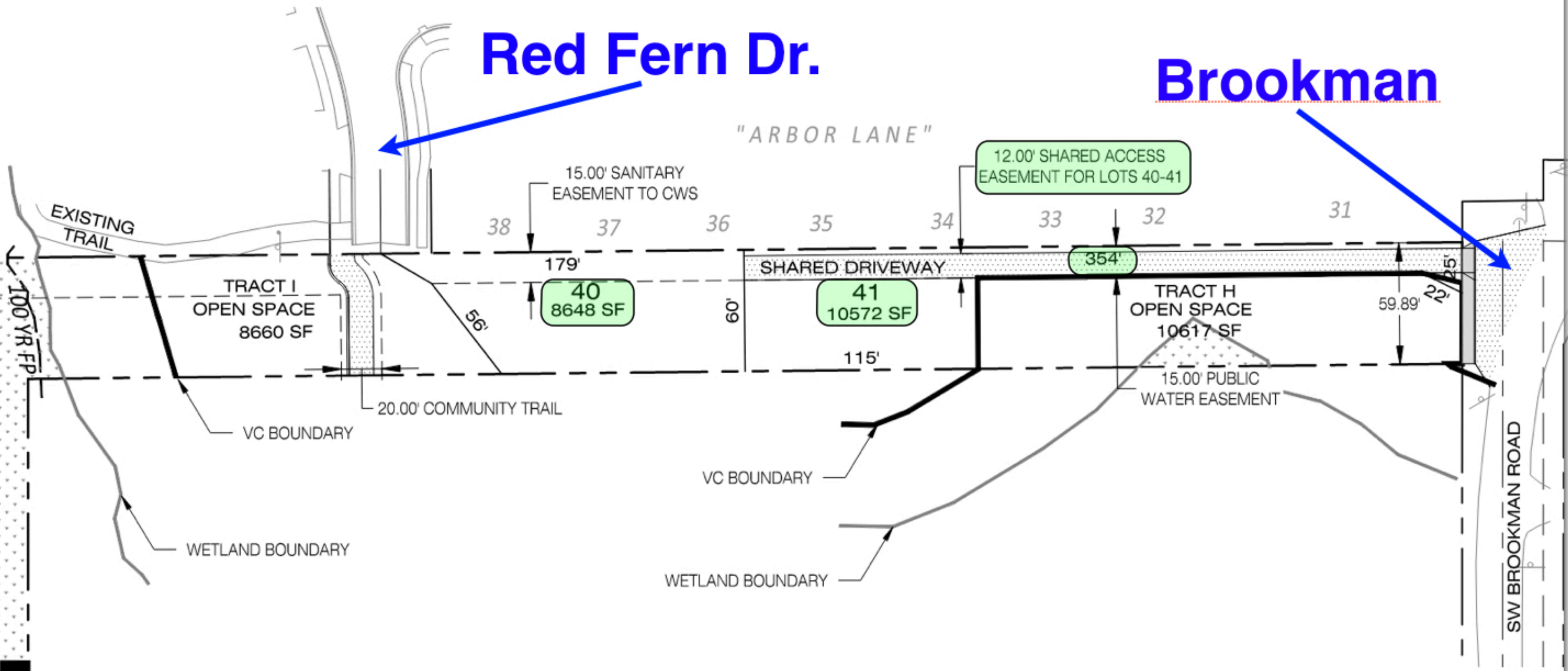
2. Two-Family: One (1) shared driveway improved with hard surface pavement with a minimum width of twenty (20) feet; or two (2) driveways improved with hard surface pavement with a minimum width of ten (10) feet each. Permeable surfaces and planting strips between driveway ramps are encouraged in order to reduce stormwater runoff.)

The shared driveway (aka private street) in the flagpole section that serves lots 40 & 41 has a width of twelve (12) feet (see Map #5). The code (above) specifies that the minimum width (my underlining) for a two-family driveway should be twenty (20) feet.

Since the shared driveway/private street that serves lots 40 & 41 is only 12 feet wide, the developer *does not meet* the minimum standards of twenty feet in width for a driveway serving two families.

Red Fern Dr.

Brookman



#5

Private Streets and Sidewalks:

Sherwood Municipal Code Section 16.106.040 - Design Private Streets and 16.106.060 -Sidewalks

In Section 16.106.040.N.1 the Sherwood Municipal Codes states:

N. Private Streets

- 1. The construction of a private street serving a single-family residential development is prohibited unless it provides principal access to two or fewer residential lots or parcels (i.e. flag lots).*

And then in Section 16.10.020 the Code defines Flag Lot as:

Flag Lot: A building lot which is provided access to a public street by means of a narrow strip of land with minimal frontage.

The “shared driveway” serving lots 40 & 41 (see Map #5) is, in fact, a private street as it *provides principal access to two of fewer residential lots* as stated in the Code above and is, in fact, located in a flag lot (aka the flagpole section).

And in section 16.106.040.N.2 the Sherwood Municipal Codes states:

- 2. “Provisions shall be made to assure private responsibility for future access and maintenance through recorded easements. Unless otherwise specifically authorized, a private street shall comply with the same standards as a public street identified in the Community Development Code and the Transportation System Plan.”*

In Section 16.106.060.A.1 the Sherwood Municipal Codes states:

16.106.060 - Sidewalks

A. Required Improvements

1. Except as otherwise provided, sidewalks shall be installed on both sides of a public street and in any special pedestrian way within new development.

B.2 - Local Streets

“Local streets shall have minimum five (5) foot wide sidewalks, located as required by this Code.”

On page 37 of the developer’s Written Narrative, the developer, in his response to 16.106.040.N.2 claims that, *“The application includes one private street, located in Tract G. This private street will serve only lots 19 and 20. Therefore, these criteria are met.”*

These criteria are not met as his narrative totally ignores the private street (aka shared driveway) that also serves two lots (40 & 41) in the flagpole section (see Map #5). By not calling the access road to lots 40 & 41 a “private street” the developer hopes to avoid the requirements of a private street. As in the required sidewalks. He has *not* met the criteria.

It is of note that the developer also ignores a third private street in his application. In addition to the private street that serves lots 19 & 20 (see Map #7) and the private street that serves lots 40 & 41 (flagpole section), the developer does not acknowledge a third private street that serves lots 2 & 3 (see Map #8) yet it is clearly a private street

serving two lots, and almost a carbon copy of the street that serves lots 19 & 20.

It is also of note that the width of the private street serving lots 19 & 20 is twenty (20) feet (see Map #7). This is important as it relates to the width of the private street (aka “shared driveway”) serving lots 40 & 41 which, for a driveway/street serving two families, is required by Code to be twenty (20) feet in width as well.

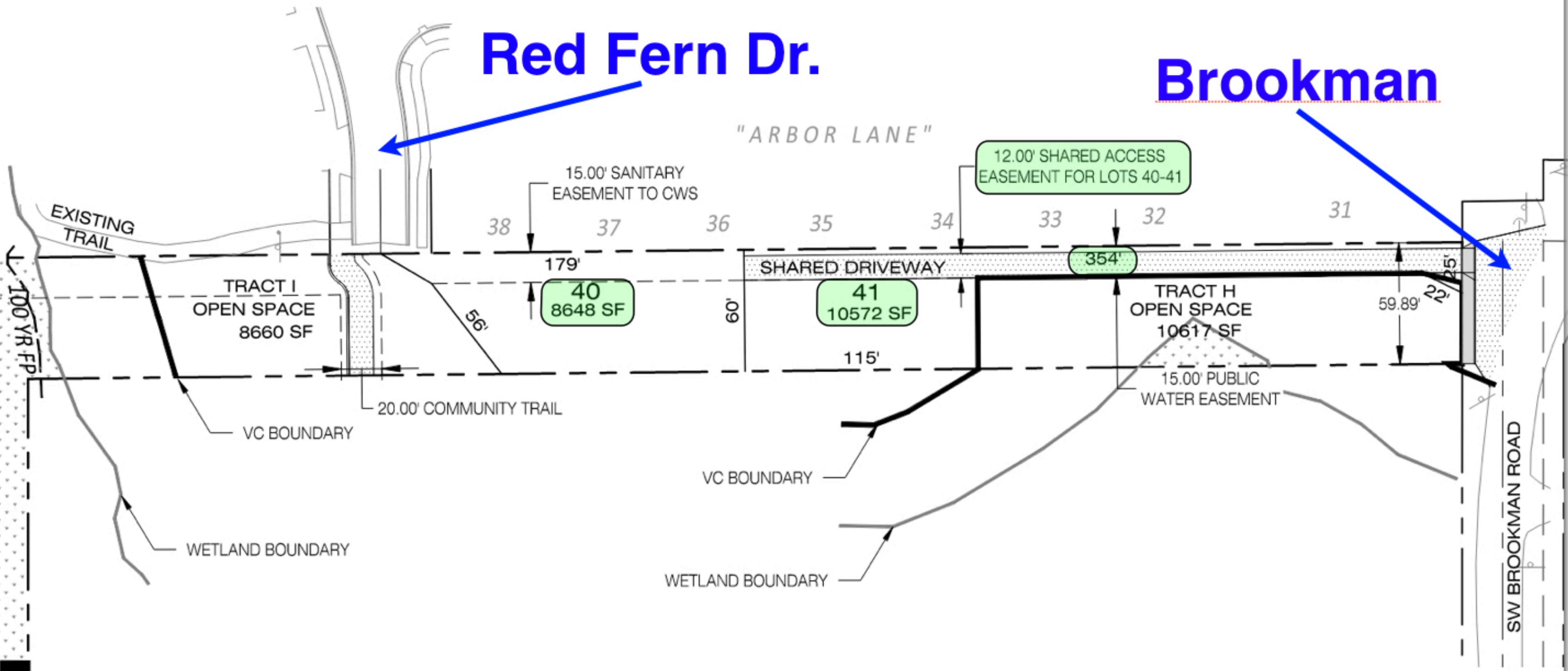
Then there is a fourth private street the developer also does not acknowledge. The private street that serves only lot 39 (see Map #14). This private street (serving only one lot) that abuts lot 38, is also twenty (20) feet in width.

So in summary, the developer does not acknowledge the street (aka shared driveway) that serves lots 40 & 41 as being a private street when it is clearly the same type of private street that serves lots 19 & 20 (Map #7) and the private street that serves lots 2 & 3 (Map #8). In all three cases you have a single street that serves only two lots. All three are private streets and as such are subject to Municipal Code Section(s) 16.106.040 and 16.106.060.

And in all three cases the developer has not provided for the required sidewalks in any of the three private streets.

Red Fern Dr.

Brookman



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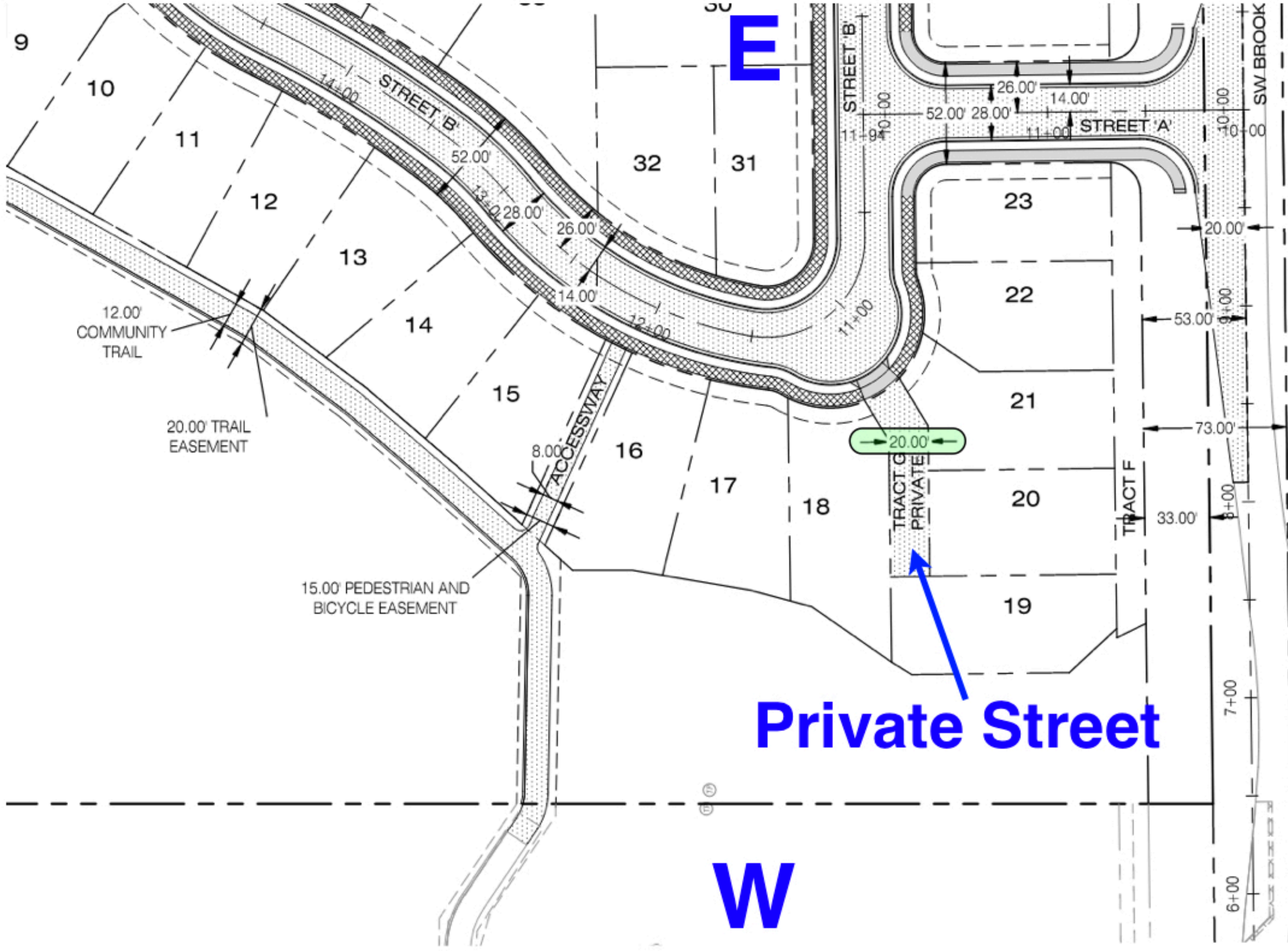
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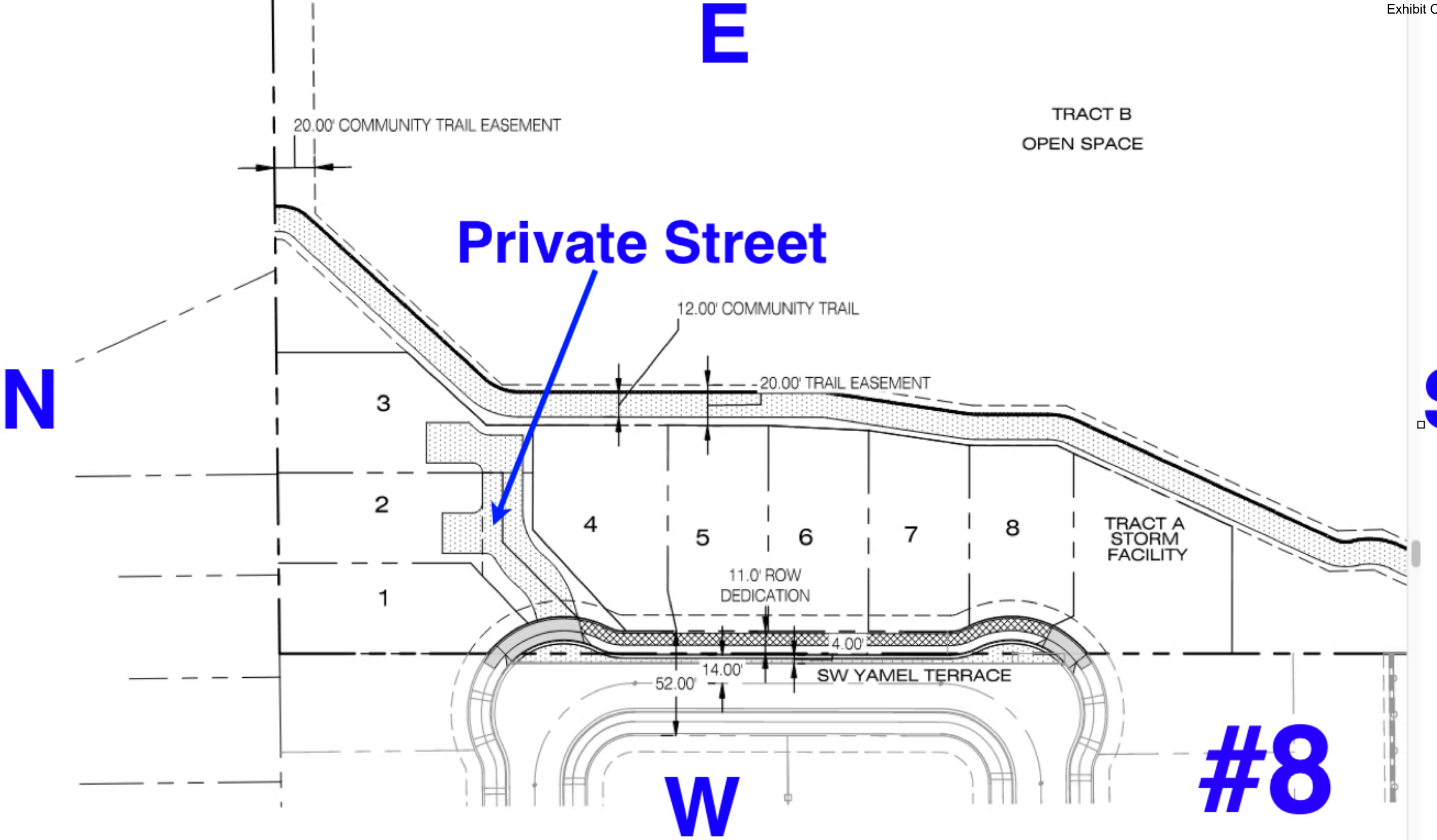
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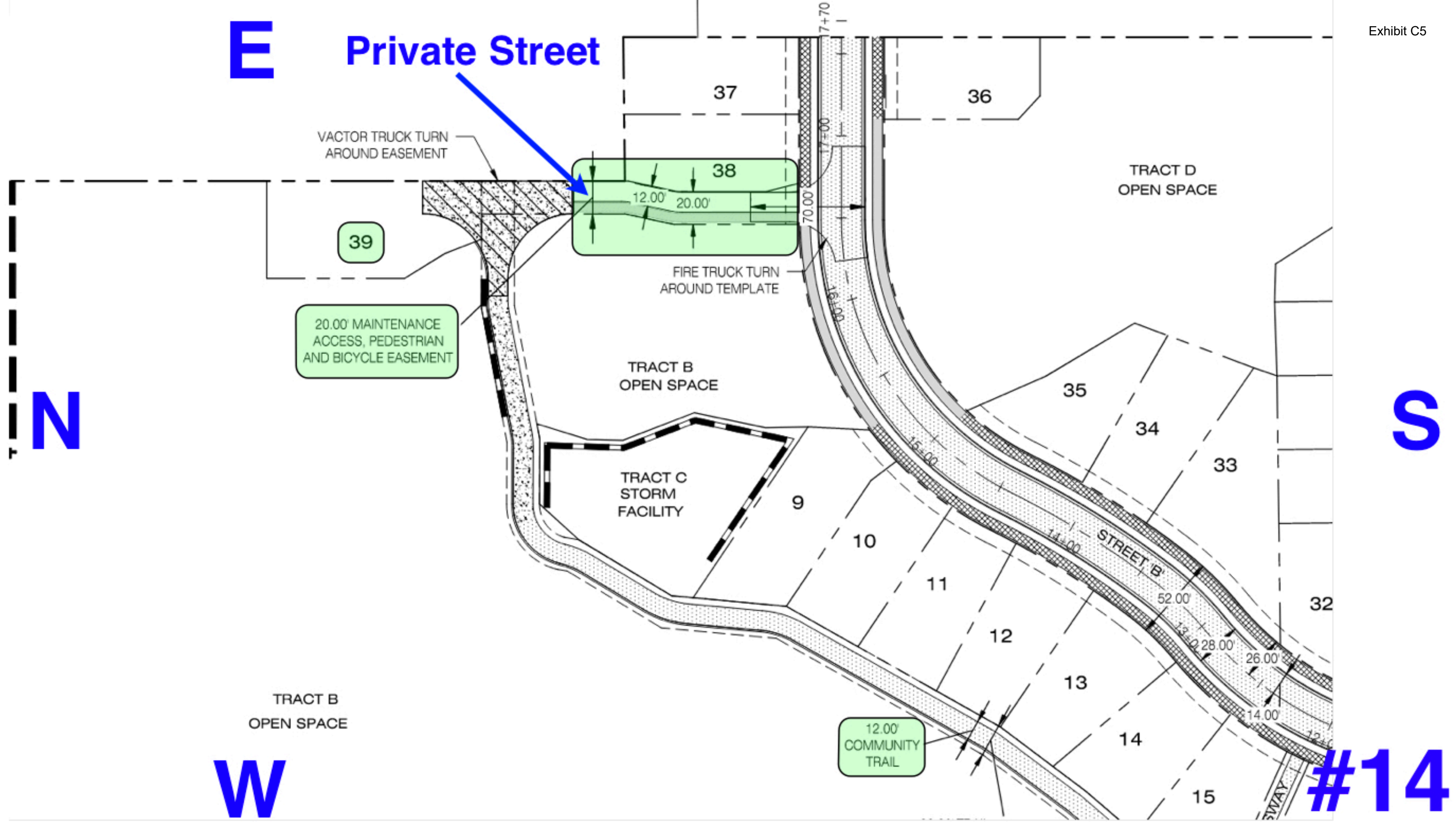


Private Street

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E Private Street



#14

Cul-de-sacs and Street blocks:

Sherwood Municipal Code Section 16.106.040 - Design and 16.04.020 and 16.04.030 Street/block

E. Cul-de-sacs

In Section 16.106.040.E the Sherwood Municipal Codes states the following under E.1 & E.2:

E. Cul-de-sacs

- 1. All cul-de-sacs shall be used only when exceptional topographical constraints, existing development patterns, or compliance with other standards in this code preclude a street extension and circulation. A **cul-de-sac shall not be more than two hundred (200) feet in length** and shall not provide access to more than 25 dwelling units.*
- 2. All cul-de-sacs shall terminate with a turnaround in accordance with the specifications in the Engineering Design Manual.*

I highlight “not be more than 200’ in length” because the “shared driveway/private street in the flagpole section serving lots 40 & 41 is 354’ in length or 77% (154’) longer than the maximum allowed 200’ for a cul-de-sac. (See Map #5)

The argument then becomes that the shared driveway/private street serving lots 40 & 41 is not (technically) a cul-de-sac because it does not terminate in a turnaround as required by E.2. However, by most any dictionary definition of a cul-de-sac from an overwhelming number of dictionaries (Merriam-Webster, Collins, Cambridge, Macmillan, Oxford, Britannica, Dictionary.com, et al) a cul-de-sac is defined as, “*a street or passage closed at one end.*” And by *that* definition, the street/driveway in question *is* a cul-de-sac.

My point however, is not to re-define that 354' street/driveway as a cul-de-sac. It is not (technically) because it doesn't terminate in a turnaround. But it *is*, by virtually any dictionary's definition, a cul-de-sac.

So why the fuss?

Because, if Sherwood limits the maximum length of a cul-de-sac to 200', a cul-de-sac that can potentially serve up to 25 lots, why in the world would a shared driveway/private street (that will serve *only two lots*) be allowed to exceed that 200 foot, maximum length? And not just exceed it by a little but exceed it by 77% of the maximum length.

In Sherwood Municipal Code section 16.10.020 - Specifically under the definition of "Street" E., a Cul-de-sac is defined as:

E. Cul-de-Sac: A short street that terminates in a vehicular turnaround.

And then in section 16.106.030.B.3 it states:

3. "Block Length. For new streets except arterials, block length shall not exceed 530 feet".

So, if a cul-de-sac (defined as a "short street") is limited to a maximum length of 200 feet and an entire block is limited to a maximum length of 530 feet, how can a shared driveway/private street be allowed to have a length of 354 feet? A driveway/private street of that length is not only 77% longer than the maximum allowed length of a cul-de-sac, it is also 66.7% as long as the maximum length allowed *for an entire block!*

This is not farm land or rural land we're talking about.

This is a MDRL (Medium Density Residential-Low) subdivision located within the city limits of Sherwood.

And, call it what you will, but a road/shared driveway/private street of that excessive length (354') and area (it would add 4,248 square feet, or almost a tenth of an acre, of asphalt to the landscape), serving a grand total of two lots, borders on the obscene. It is entirely inconsistent with both the letter and the purpose/intent of the Sherwood Municipal Code.

Title 16 - Zoning and Community Development Code states:

16.02.020 - Purpose

“This Code is enacted to:

A. Encourage the most appropriate use of land.”

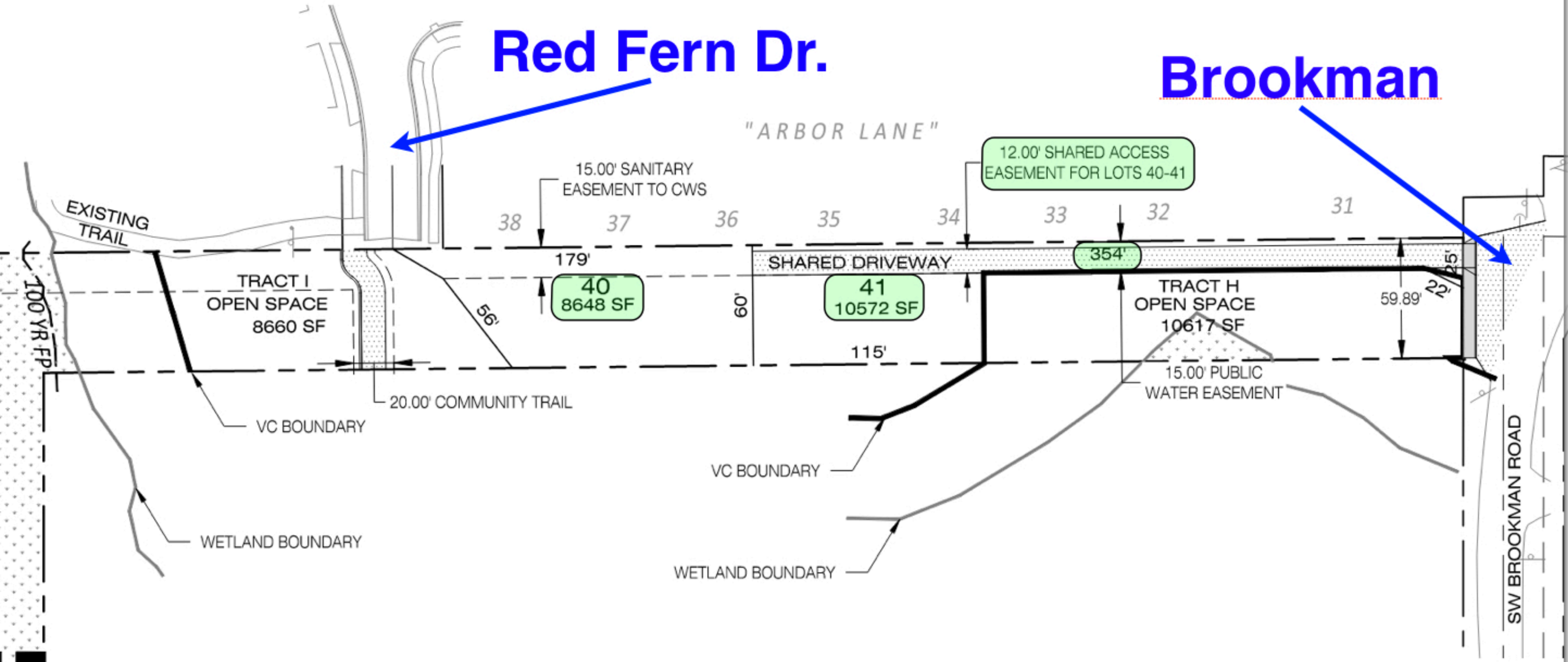
That’s the very first stated purpose of this section of the Code.

This driveway is anything but “the most appropriate use of (the) land.”

It should not be allowed.

Red Fern Dr.

Brookman



#5

Lot Averaging:

Sherwood Municipal Code Section 16.120.020 - General Subdivision Provisions

In section 16.120.020.E, the Sherwood Municipal Codes states under E:

E. Lot averaging

“Lot size may be averaged to allow lots less than the minimum lot size allowed in the underlying zoning district subject to the following regulations:

- 1. The average lot area for all lots is not less than allowed by the underlying zoning district.*
- 2. No lot created under this provision shall be less than 90 % of the minimum lot size allowed in the underlying zoning district.*
- 3. The maximum lot size cannot be greater than 10 % of the minimum lot size.”*

I raise this part of the Code because on page 51 of the developers Written Narrative, this is his response to that part of the Code:

RESPONSE: “As previously described, each of the lots meets the required dimensional standards of the MDRL Zone, with the exception that a small number of the lots (Lots 1, 7, 8, 23-30, 36 and 38) do not meet the minimum lot size for lot area and lots 24, 25 and 27-30 do not meet the minimum lot width at the building line.”

Side note here:

So 13 lots out of 41 lots constitute a “small number of lots”? Really...31% of all the lots, almost a third, in the subdivision are considered a “small number”?
Hardly an accurate statement.

“In accordance with Section 16.144.030.B.1., the applicant is requesting an exception to these dimensional standards for those lots which do not meet the minimum requirement, to the maximum permitted 10% reduction, to allow for some level of flexibility in Final Plat design.

However, the minimum lot size proposed is 4,500 square feet with a minimum lot width at the building line of 45 feet (multiple lots). Please see the response to Section 16.144.030.B.1. for findings related to the exception criteria.”

The developer goes on to say:

“As the applicant is demonstrating compliance with the requirements of Section 16.144.030.B.1., the applicant is not utilizing the lot averaging standards of this Section.”

But that’s just it. The developer is NOT “demonstrating compliance with the requirements of Section 16.144.030.B.1.” in any way what so ever.

In section 16.144.030.B.1, the Sherwood Municipal Codes states:

B. Standards modified

1. Lot size — Not withstanding density transfers permitted through [Chapter 16.40](#), when a development contains inventoried regionally

significant fish and wildlife habitats as defined in [Section 16.144.020](#) above, lot sizes may be reduced up to ten percent (10%) below the minimum lot size of the zone when an equal amount of inventoried resource above and beyond that already required to be protected is held in a public or private open space tract or otherwise protected from further development.

Now the developer *mentions* that section of the Code. He says he's complying. But he provides absolutely NO evidence what-so-ever that he *is* complying.

None!

Still, because he says he's complying he wants you to believe that he actually *is* complying. All so he can claim that he is not utilizing the lot averaging standards of that Section of Code. But in fact, he IS using Lot Averaging. He's using the minimum lot size averaging while claiming that he's using section 16.144.030.B.1. but providing no evidence.

The developer doesn't want you to believe he's using Lot Averaging because the 16.120.020.E.3. part of the Code (see above) states:

3. The maximum lot size cannot be greater than 10 % of the minimum lot size."

That won't work for the developer because three of his lots (the last three 39, 40 & 41) are grossly out of proportion to the rest of the subdivision. (see Maps #5 & #6)

Map #5 shows Lots 40 & 41 while Map #6 shows Lots 1-39.

Notice Map #6 is on it's side.

-Lot #39 has.....11,083 square feet.

-Lot #40 has.....8648 square feet

-Lot #41 has.....10,572 square feet

Average square footage of Lots 39-41 is....10,101sf

In contrast to the previous three lots, the average square footage of Lots 1-38 is... 5287sf.

The developer wants you to believe that he's not using Lot Averaging so that he doesn't have to comply with the maximum standard. If the developer complies with the maximum standard the maximum lot size cannot be larger than 10% of the minimum lot size (5000sf) or 5500sf.

He uses Lot Averaging when it suits him and he can use it to his advantage, to reduce the minimum lot size by 10%. But then he'll turn around and claim that he's *not* using Lot Averaging when it works against him for the maximum lot size, especially with lots 39, 40 & 41.

And will someone please tell me why lots 39, 40 & 41 are so wildly out of proportion to all the rest of the lots in the subdivision? Lot 39 has a square footage of 11,083 while the average of lots 1-38 is 5287sf. Why is lot 39 almost twice as large as the vast majority of lots in the subdivision? Who lives there the King of the development?

And lots 40 & 41 in the flagpole section also far exceed the average lot size. Lot 40 is 8648sf while lot 41 is 10,572sf. Even *if* these two houses are allowed to be built (and I will fight vigorously to see that that doesn't happen) if you simply cut their size down to 6000sf or so (still 20% above the minimum) you would save a substantial number of trees from destruction. Smaller lots in the flagpole section is not without precedence.

In an earlier version of the subdivision's site plan the developer had a total of 42 lots where Lot #40 (in the flagpole section) had a square footage of 6062sf (see Map #15). And in an even earlier version that included only 40 lots, lot #38 (at that time in the flagpole section) had a square footage of 7870sf (see Maps 12a & 12b). The point here is the developer has been willing to put smaller lots in the flagpole section. And again, if he would simply reduce the lot sizes of lots 40 & 41 to the 6000 square foot range he would save a substantial number of trees.

We should be trying to save every tree we possibly can and reducing the size of those two lots would help greatly.

All that being said, the developer does not seem particularly interested in protecting the environment.

In Code Section 16.144.030 - Exceptions to Standards, it states the following in relation to the purpose of this Section of the Code:

16.144.030 - Exceptions to Standards

*In order to **protect environmentally sensitive areas** that are not also governed by floodplain, wetland and Clean Water Services vegetated corridor regulations, the City allows flexibility of the specific standards in exchange for the specified amount of protection inventoried environmentally sensitive areas as defined in this code.*

The fact is that the developer has already cut down more than 600 trees (and in the process destroyed environmentally sensitive areas) with plans to cut down 80 to 85 more trees in the flagpole section to squeeze in two more houses (lots 40 & 41). This is a direct contradiction of the stated purpose (above) of this Code section "**to protect environmentally sensitive areas**". The developer is NOT protecting environmentally sensitive areas, he is destroying them.

He should be held to the Lot Averaging Standards both minimum **and** maximum.

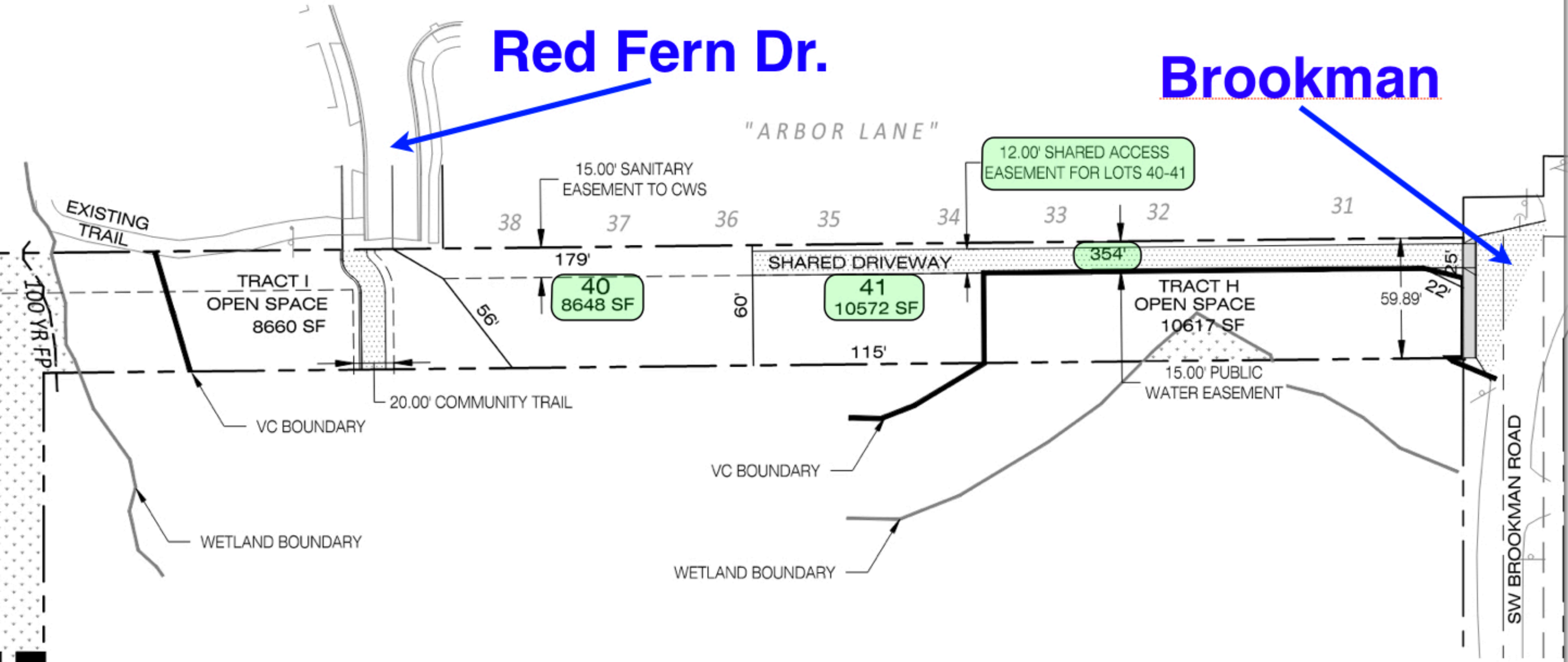
Here are the lot sizes for all 41 lots in Cedar Creek Gardens:

Lot # and Square Footage:

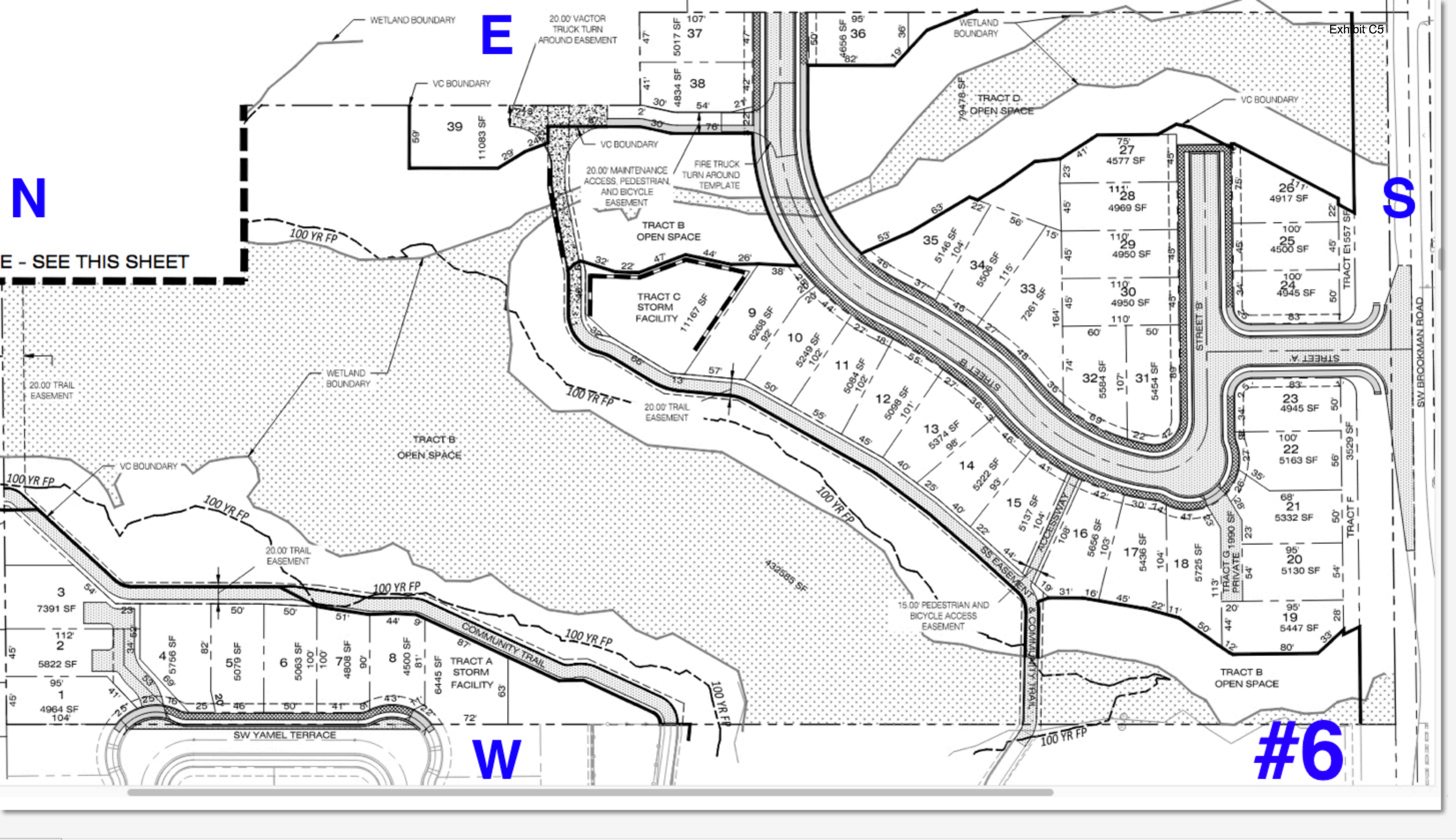
#1...4964 sf	#21...5332 sf	#40...8648 sf
#2...5822 sf	#22...5163 sf	#41...10,572 sf
#3...7391 sf	#23...4945 sf	Lots 40 & 41 are in the
#4...5756 sf	#24...4945 sf	Flagpole Section
#5...5079 sf	#25...4500 sf	
#6...5063 sf	#26...4917 sf	Lots 1-38 average: 5287 sf
#7...4808 sf	#27...4577 sf	Lots 39-41 average: 10,101 sf
#8...4500 sf	#28...4969 sf	
#9...6268 sf	#29...4950 sf	
#10...5249 sf	#30...4950 sf	
#11...5084 sf	#31...5454 sf	
#12...5098 sf	#32...5584 sf	
#13...5374 sf	#33...7261 sf	
#14...5222 sf	#34...5506 sf	
#15...5137 sf	#35...5146 sf	
#16...5656 sf	#36...4656 sf	
#17...5436 sf	#37...5017 sf	
#18...5725 sf	#38...4834 sf	
#19...5447 sf	#39...11,083 sf	
#20...5130 sf		

Red Fern Dr.

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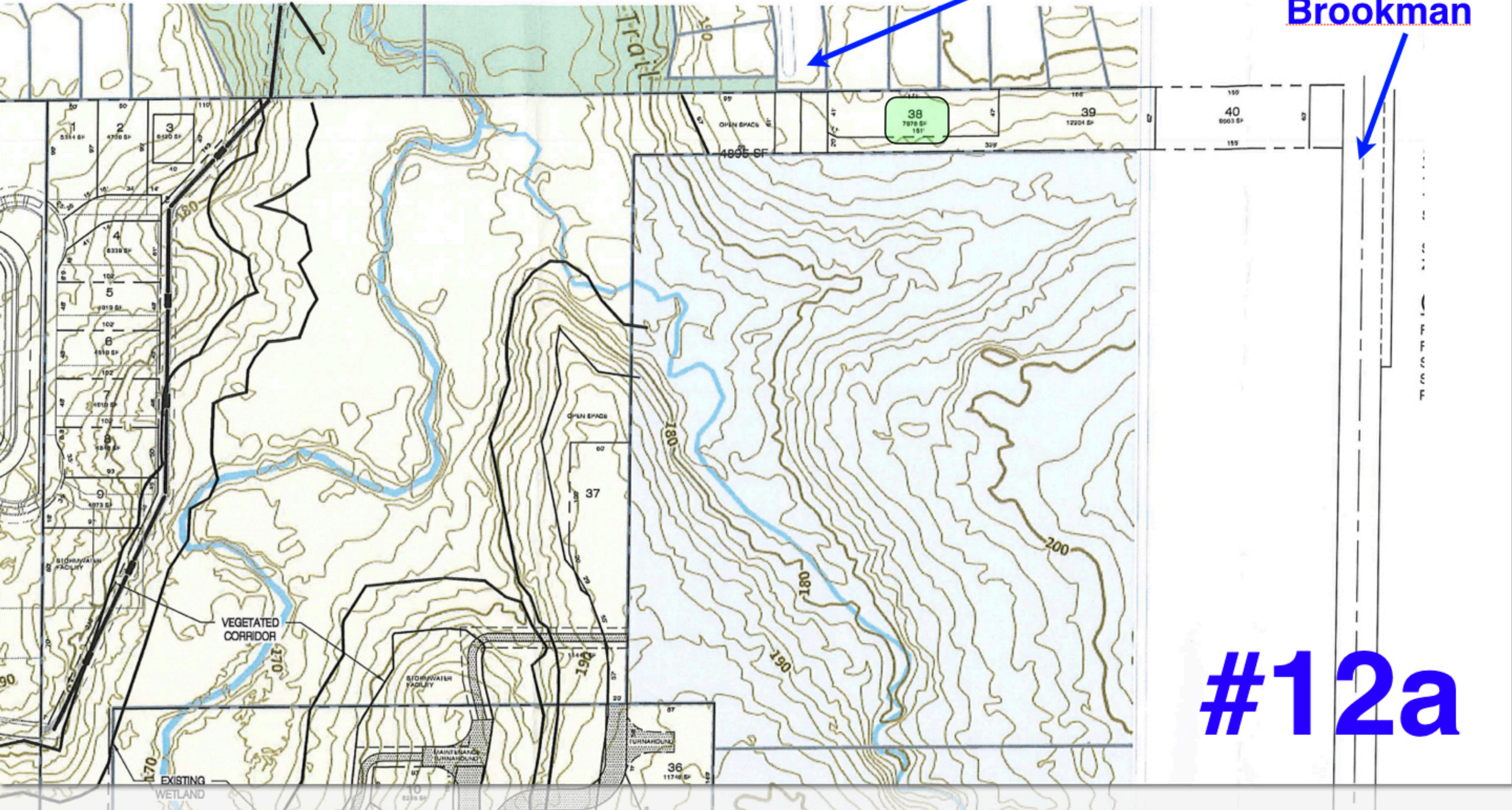
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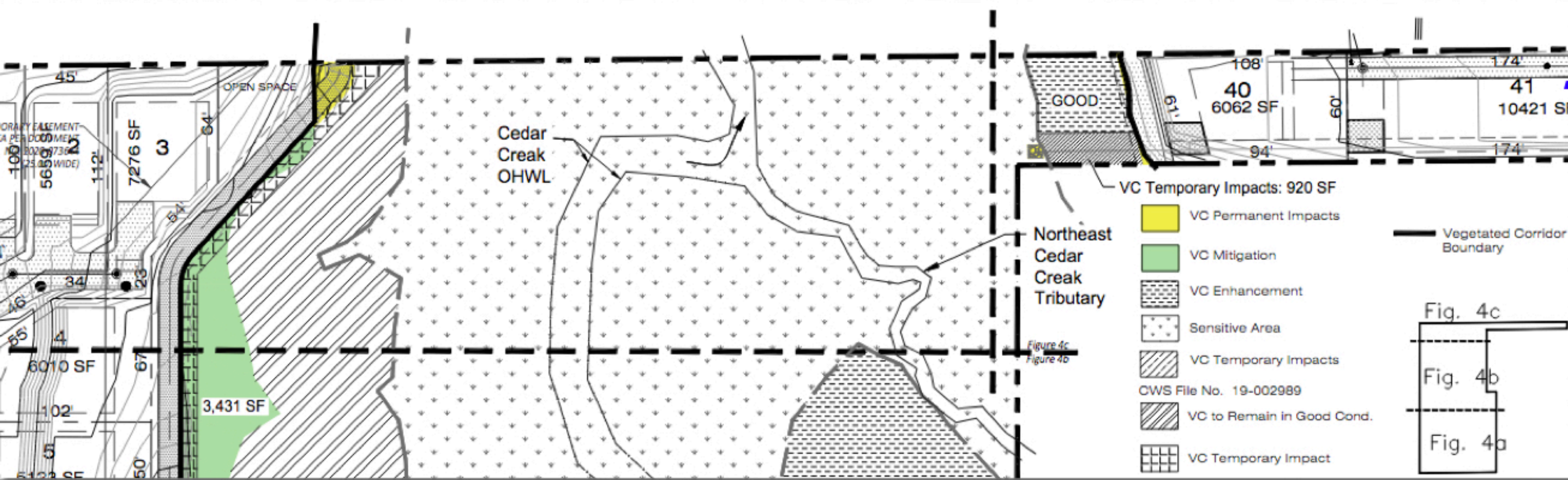
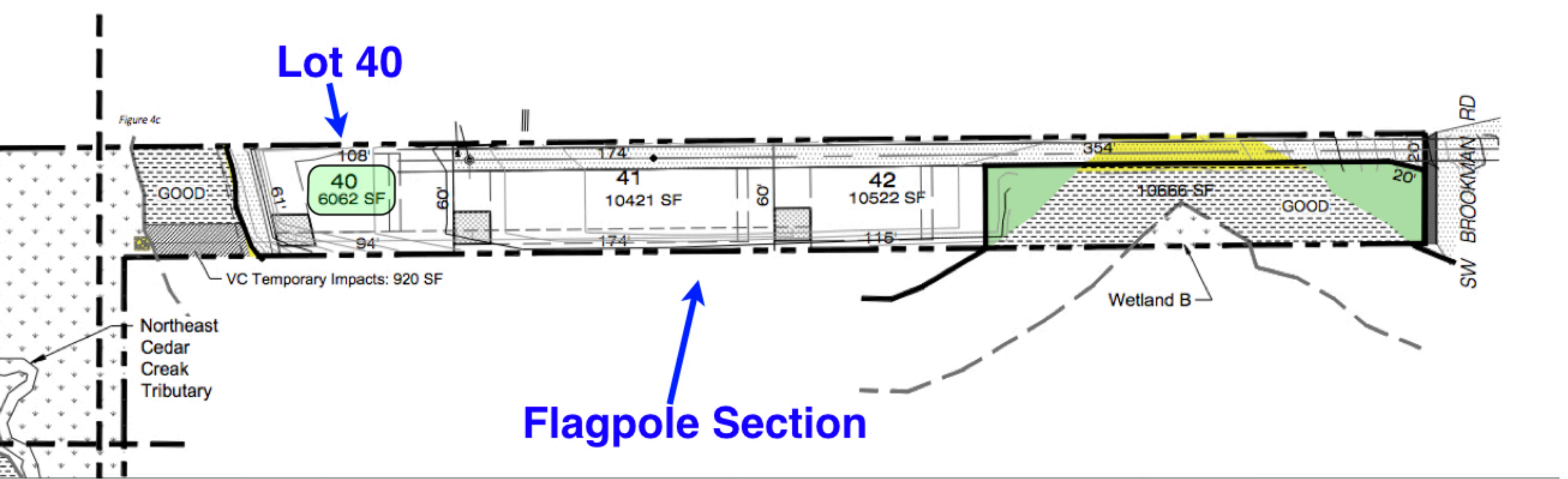
Red Fern Dr.

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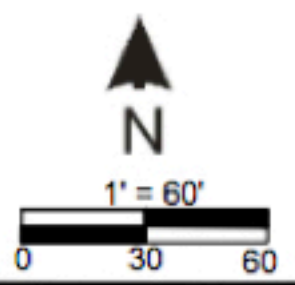


#12a

Site Plan
 Cedar Creek Gardens
 Sherwood, Oregon



#15



Base Map Source:
 Pioneer Design Group, Inc.

Modified By: KR

Date: 10/21

Job: 21004

Rev: 00/00

Figure 4c

Red Fern Dr. N

Brookman

W

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#12b

S



Retaining Large Stature Trees:

Sherwood Municipal Code Section 16.142.070 - Trees on Property Subject to Certain Land Use Applications.

The developer is scheduled to remove 702 trees from his subdivision site. While most of these 702 trees have already been removed (in the section with lots 1-39), there still remain some 80-85 trees in the Flagpole section...however, all 80-85 are scheduled to be removed. (See Map #13, every tree with an "X" is scheduled to be removed).

I would like to see many/most/all of those trees be retained. While most of the arguments I'm submitting at this hearing are geared to preventing the two houses on lots 40 & 41 from being built at all (and thus preserving all of the trees), there is a scenario whereby a number of trees can be preserved and yet the houses still can be built. That scenario is what I'm addressing here.

16.142.070 - Trees on Property Subject to Certain Land Use Applications

The very first sentence of the very first Section of this part of the Code states the purpose of the Section (my underlining highlight).

A. Generally

"The purpose of this Section is to establish processes and standards which will minimize cutting or destruction of trees and woodlands within the City. This Section is intended to help protect the scenic beauty of the City; to retain a livable environment through the beneficial effect of trees on air pollution, heat and glare, sound, water quality, and surface water and erosion control; to encourage the retention and planting of tree species native to the Willamette

Valley and Western Oregon; to provide an attractive visual contrast to the urban environment, and to sustain a wide variety and distribution of viable trees and woodlands in the community over time.”

It doesn't get any clearer than that:

“The purpose of this Section is to establish processes and standards which will minimize cutting or destruction of trees and woodlands within the City.”

Then in Section 16.142.070.D.4.e it states this:

4. *“The City may determine that, regardless of D.1 through D.3, that certain trees or woodlands may be required to be retained...”*

e. *“Otherwise merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.”*

The developer's application addresses this Section of the Code in his Written Narrative page 87.

RESPONSE: “The proposed subdivision preserves a substantially large area of open space along the Cedar Creek riparian corridor, including flood plain, wetland, vegetated corridor, open space along two unnamed tributaries to Cedar Creek and their associated wetlands and Vegetated Corridor and additional upland areas. The result is the preservation of a significant tree stand through the center of the site, preserved within Tracts Band D. Tract H preserves Vegetated Corridor areas adjacent to offsite wetlands on its southern boundary, as does Tract I depending on the final neighborhood park design. There are no known historic associations or species located on the site. Wildlife habitat preservation

is also provided through the preservation of natural areas within Tracts B, D, H, and I. No additional tree retention is appropriate under the requirements of this Section.”

You will note that the developer addressed all of the categories in Section 4.e (ie. size of the tree stand, historic association, habitat or wildlife preservation) **EXCEPT the first category...Unusual Size.**

In Section 16.142.070.C.3.c of the Code it defines a “large stature tree” as:

c. “A large stature tree is over 20 feet tall and wide with a minimum trunk diameter of 30 inches at DBH.”

And here’s why all that is so important...

In the flagpole section there are a substantial number of “large stature trees” aka trees of an “unusual size”.

In order to squeeze in two houses into the flagpole section, the developer wants to cut down some 80-85 trees, many of which are large stature trees.

Here’s a partial list of some of the large stature trees recommended for removal in the flagpole section:

-6602.....DBH 16” & 29”, co-dominant leaders (two trunks).

-6603.....DBH 37”	Approximate Age: 185 years
-6560.....DBH 37”	Approximate Age: 185 years
-6565.....DBH 34”	Approximate Age: 170 years
-6571.....DBH 35”	Approximate Age: 175 years
-8284.....DBH 28”	Approximate Age: 140 years
-8339.....DBH 40”	Approximate Age: 200 years
-8338.....DBH 36”	Approximate Age: 180 years

-8271.....DBH 32”	Approximate Age: 160 years
-8284.....DBH 28”	Approximate Age: 140 years
-8265.....DBH 32”	Approximate Age: 160 years
-9221.....DBH 28”	Approximate Age: 140 years
-9224.....DBH 42”	Approximate Age: 210 years
-8220.....DBH 32”	Approximate Age: 160 years
-8379.....DBH 43”	Approximate Age: 215 years
-8358.....DBH 39”	Approximate Age: 195 years

(FYI...You get the approximate age of a Doug Fir tree by multiplying the DBH (Diameter at Breast Height or 4.5 feet) by the growth rate of a Douglas Fir which is 5. So for a Doug Fir to be 100 years old (or more) the DBH has to be 20” or wider. ie: $20 \times 5 = 100$)

As you can see, all of those trees are well over 100 years old and well worth preserving as the stated purpose of this Section of Code is to “minimize cutting or destruction of trees and woodlands within the City.” Right now the developer is doing anything but “minimizing the cutting of trees.” In fact, he’s doing the exact opposite of what the Code requires by planning to remove *all* of the (80-85) trees. I believe the developer should do just what the Code asks him to do. Cut the bare minimum number of trees required to build the houses while preserving the absolute maximum number of trees possible.

He should not be allowed to just go in and clear cut the entire area. It violates the stated purpose of this Section of the Code: 16.142.070.A

In yet *another* Section of the Code, **16.142.080.A, Trees on Private Property – not subject to a land use action** (under Generally) it states:

“In general, existing mature trees on private property shall be retained unless determined to be a hazard to life or property. For the purposes of this section only, existing mature trees shall be considered any deciduous tree greater than ten (10) inches diameter at the breast height (dbh) or any coniferous tree greater than twenty (20) inches dbh.”

Again, right from the beginning of *another* Section of the Code, the City (Code) stresses it's strong desire to preserve as many trees as possible!

So, what to do to preserve as many trees as possible?

There are three areas of the flagpole section (one near Brookman Road and two near Red Fern Drive) where, I contend, some specific trees should not be removed. Additionally, all of the trees I propose to be retained here not only further the purposes and goals of Section 16.142.070.D.4.e but also are both feasible and practical within the context of the proposed land use plan.

The following is a list of trees to be retained from those three areas: All of the trees are numbered (with the numbers from the Tree Plan part of the application) and the trees and numbers I reference are highlighted in green on Maps 1-4 as are Open Space areas, lots 40 & 41 and the community trail. Map #4 is an overview of the entire flagpole section while Maps 1-3 are for specific areas.

Area 1: Open Space H near Brookman Road

Common Name	DBH	Condition	Comments
-9221.....Doug Fir	28" DBH	Good	Unbalanced
-9222.....Doug Fir	27" DBH	Good	
-9223.....Doug Fir	17" DBH	Good	
-9224.....Doug Fir	42" DBH	Good	
-9225.....Doug Fir	8" DBH	Fair	

All five trees (9221, 9222, 9223, 9224 and 9225) *ALL lie within the boundary of Tract H Open Space*, Eastern end of the flagpole, abutting Brookman Rd. They line up in a North-South line, on the East edge of the flagpole section, and they are all marked for removal.

Yet, not only do they all lie within Open Space H, they also all lie within the Vegetative Corridor. And yet, the purple **tree protection fence** has been placed (or "adjusted") to just slightly to the West (left) of these five trees to exclude them from the protective, safe area! *They should not be removed.*

-8339.....Doug Fir 40" DBH Good

Tree #8339 straddles the property line and belongs, in part, to the land owner to the North.

It is a tree of "unusual size" tree and a "large stature" tree according to the Sherwood Code (16.142.070.3.C.). *It should not be removed.*

-8252.....Doug Fir 18" DBH Good Unbalanced,
on lot # 34 of Arbor Lane

While tree # 8252 is clearly on the Arbor Lane, homeowners property (it is listed as "offsite" on the developers Tree Plan), it is nonetheless, recommended for removal in the footnote #3, on page three of the developers Tree Plan part of the application. *It should not be removed.*

-8284.....Doug Fir 28" DBH Good

This tree is clearly inside the top left corner of Open Space H and inside the purple *tree protection fence*. *It should not be removed.*

* -8271.....Doug Fir 32" DBH Good Sweeping Trunk

This tree is just outside the Western (left) edge of Open Space H. It is a tree of "unusual size" and considered a "large stature" tree by the Sherwood Code.

* While it is just barely outside of Open Space H, *it could easily be retained, increasing the property value and adding to the esthetics of the lot.*

Area 2: Near the South End of Red Fern Drive

-6616.....Western Red Cedar 49" DBH Good Marked RETAIN!!!

Tree #6616 is on the North side of the Arbor Lane path and **not part of the flagpole area at all**. While it is clearly part of Arbor Lane subdivision (and is clearly marked retain on the developers Tree Plan list of trees) it nonetheless is found in footnote #3, on page three of the developers Tree Plan part of the application, as recommended for removal.

This tree, above all others, SHOULD NOT BE REMOVED!

-6602.....Doug Fir 16,29" DBH Good Co-dominant
leaders (two trunks)

-6603.....Doug Fir 37" DBH Good

Both trees # 6602 & 6603 (at the South end of Red Fern) are on the "save" side of, or West (left) of the purple *tree protection fence*. Both trees are of "unusual size" and considered "large stature" trees by the Sherwood Code.

They should not be removed.

-6565.....Doug Fir 34" DBH Good

-6571.....Doug Fir 35" DBH Good

Both trees #6565 & #6571 are of "unusual size" and considered "large stature" trees by the Sherwood Code. *They should not be removed.*

-6560.....Doug Fir 37" DBH Good

This tree is of "unusual size" and considered "large stature" trees by the Sherwood Code. And, while it does lie within the boundaries of lot #40, it is on the edge of the lot and not (likely) near the house site. There are a number of

houses in Arbor Lane that have retained large stature trees within their boundaries and are an examples of how those trees enhance property values and do not need to be needlessly cut down. *This tree could easily be retained.*

Area 3: Near the South End of Red Fern Drive

This area is immediately to the right of the proposed community trail that is part of Tract I Open Space (the thatched area) (the same area as map #2). And, although it is clearly part of the Open Space tract, all the trees in that area are scheduled to be removed. I've highlighted all the trees in question in green (on Map #3) but have not listed them by number. Because, while most of those trees are not "large stature" trees, the value to the area is not in their size but in their esthetics to the neighborhood and their value to the neighborhood kids. Several generations of neighborhood kids have played back there among those trees for the past 25 years, making forts, riding bikes and just enjoying the *forest* experience. There's no reason to remove those trees. They are of no great value to anyone except for the neighborhood. Keep it as part of the forest. Keep it part of the unofficial, natural park area it has been for a quarter of a century. It makes no sense at all to strip it bare.

Then there's the matter of the community trail the developer wants to build in that area. While I am a *big* fan of the trail system in here Sherwood (I use the one behind my house extensively), I intend to argue against building that trail at this time in a separate comment. Suffice it to say that building a 60 foot asphalt strip to nowhere makes absolutely no sense. You would basically end up with a useless, 60 foot strip of asphalt. (Please see my argument against building the trail at this time because it impacts the trees in this area.)

Lastly, there is a very simple way to preserve a significant number of trees and still build the two houses.

Just reduce the lot sizes of lots 40 & 41.

As I point out in my “Lot Averaging” argument, the size of lots 40 & 41 are grossly out of proportion with the average lot sizes of lots 1 thru 38. (See Maps #5 & 6).

The average lot size for lots 1 - 38 is *5287sf* while the lot sizes for 40 & 41 are *8648sf* and *10,572sf* respectively.

By reducing those two lot sizes you would preserve a significant number of trees (which, after all, is the stated purpose of this part of the Code) and still build the two houses. Win win.

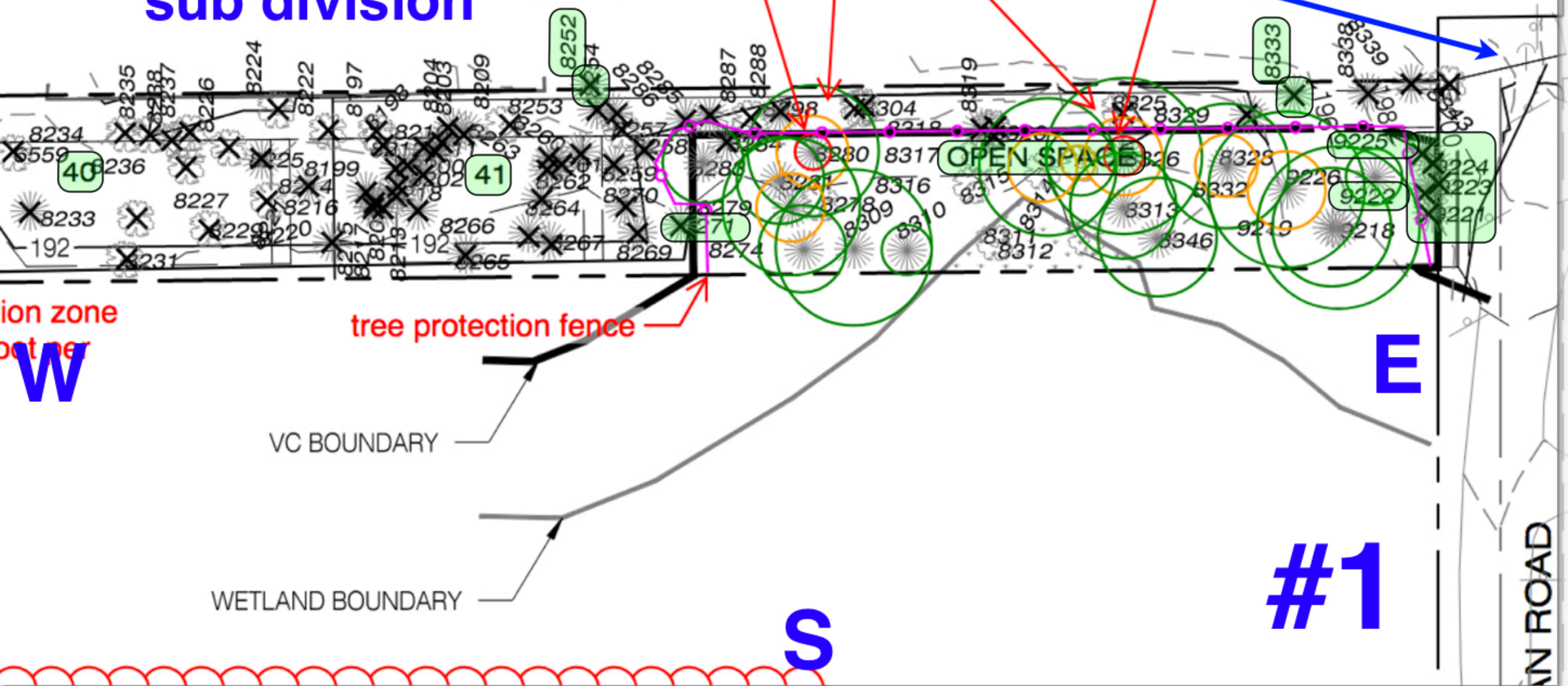
Arbor Lane sub division

minimal excavation beyond litter layer of soil to protect trees from root damage

arborist oversight required

Extreme minimum setback radius of 3x DBH (arborist oversight required)

Brookman Road



ion zone
oot ne
W

tree protection fence

VC BOUNDARY

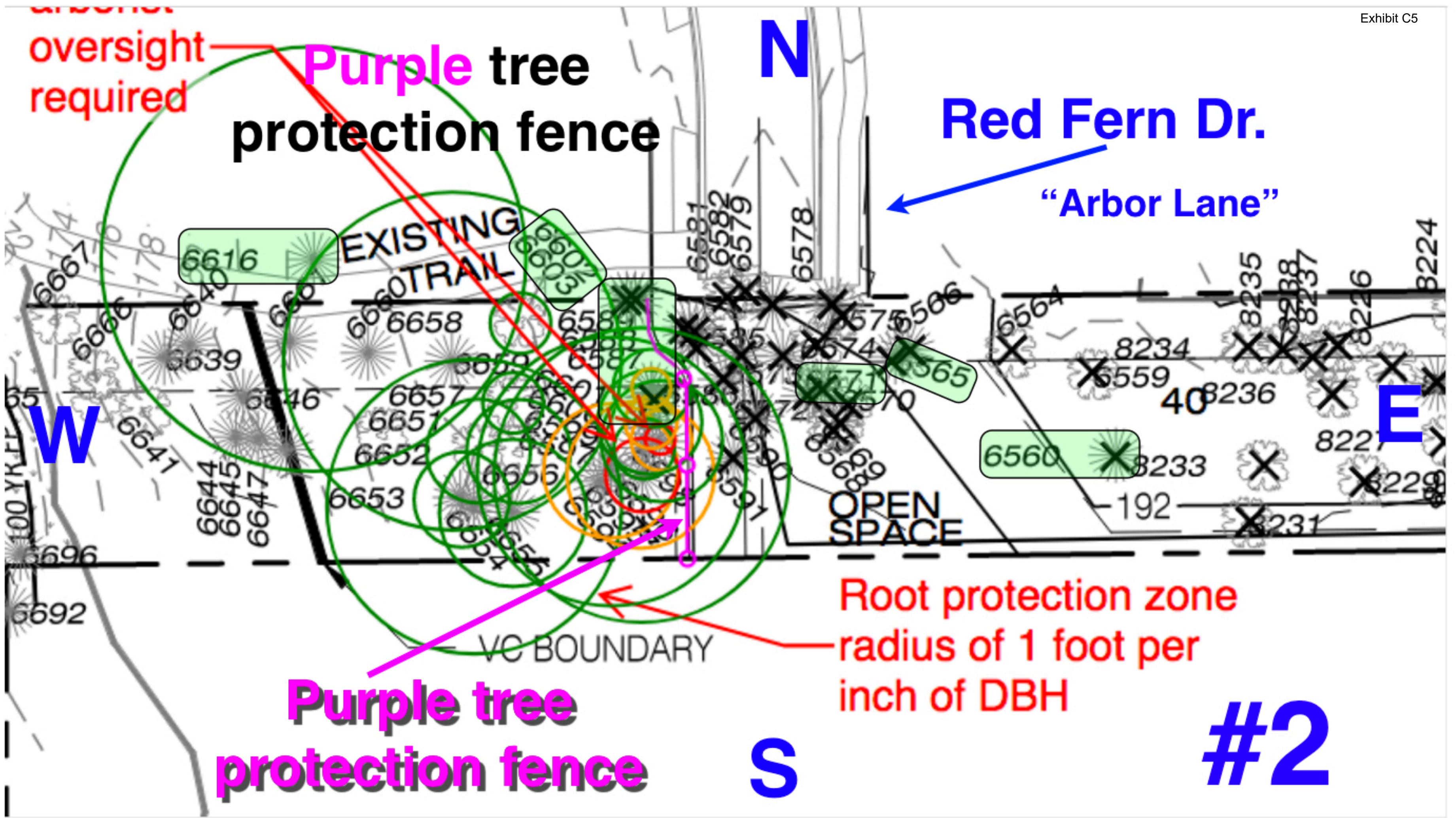
WETLAND BOUNDARY

S

E

#1

IN ROAD



oversight required

Purple tree protection fence

N

Red Fern Dr.

Arbor Lane

W

E

OPEN SPACE

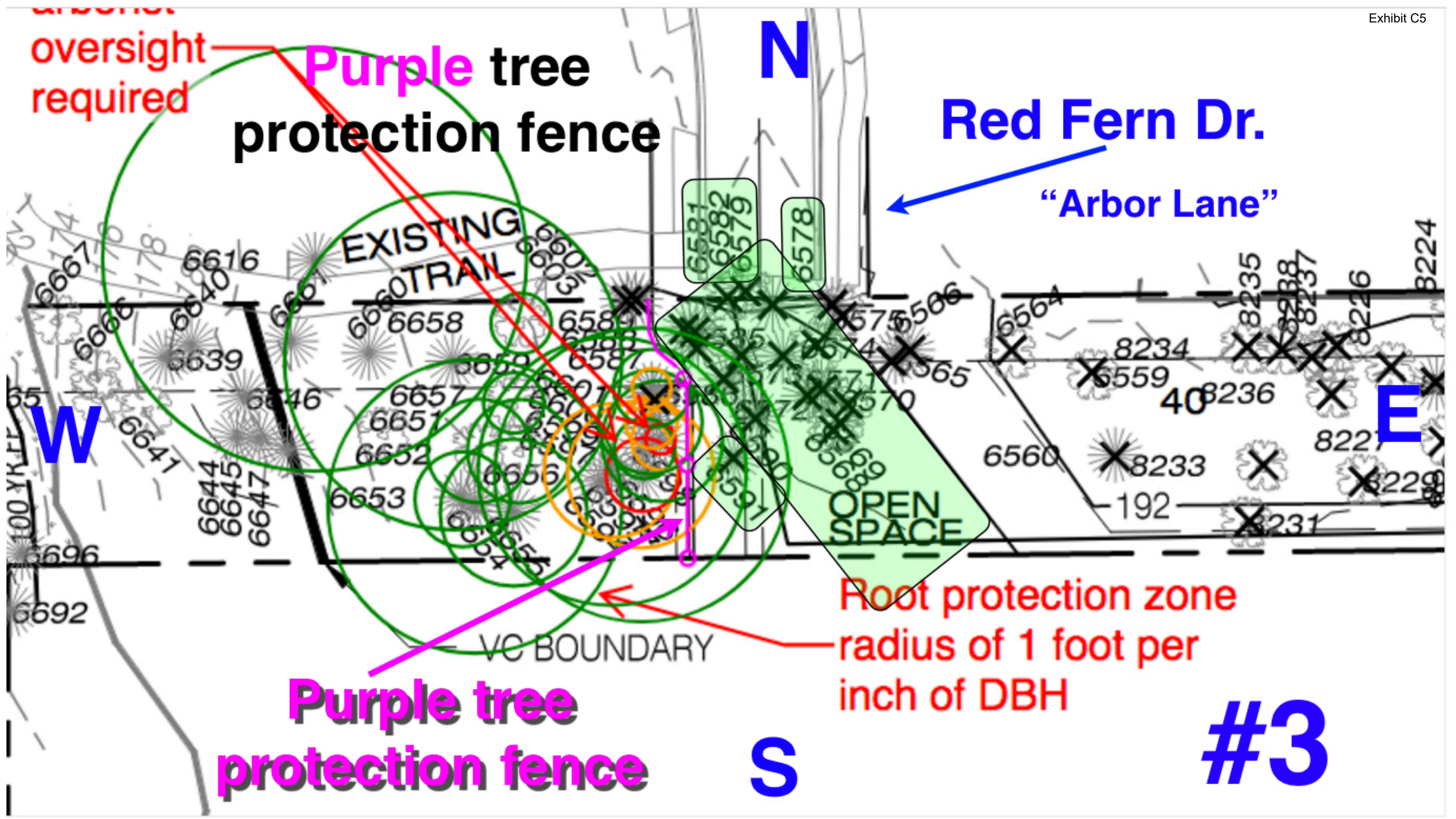
VC BOUNDARY

Purple tree protection fence

S

Root protection zone radius of 1 foot per inch of DBH

#2



Red Fern Dr.

N
"Arbor Lane"

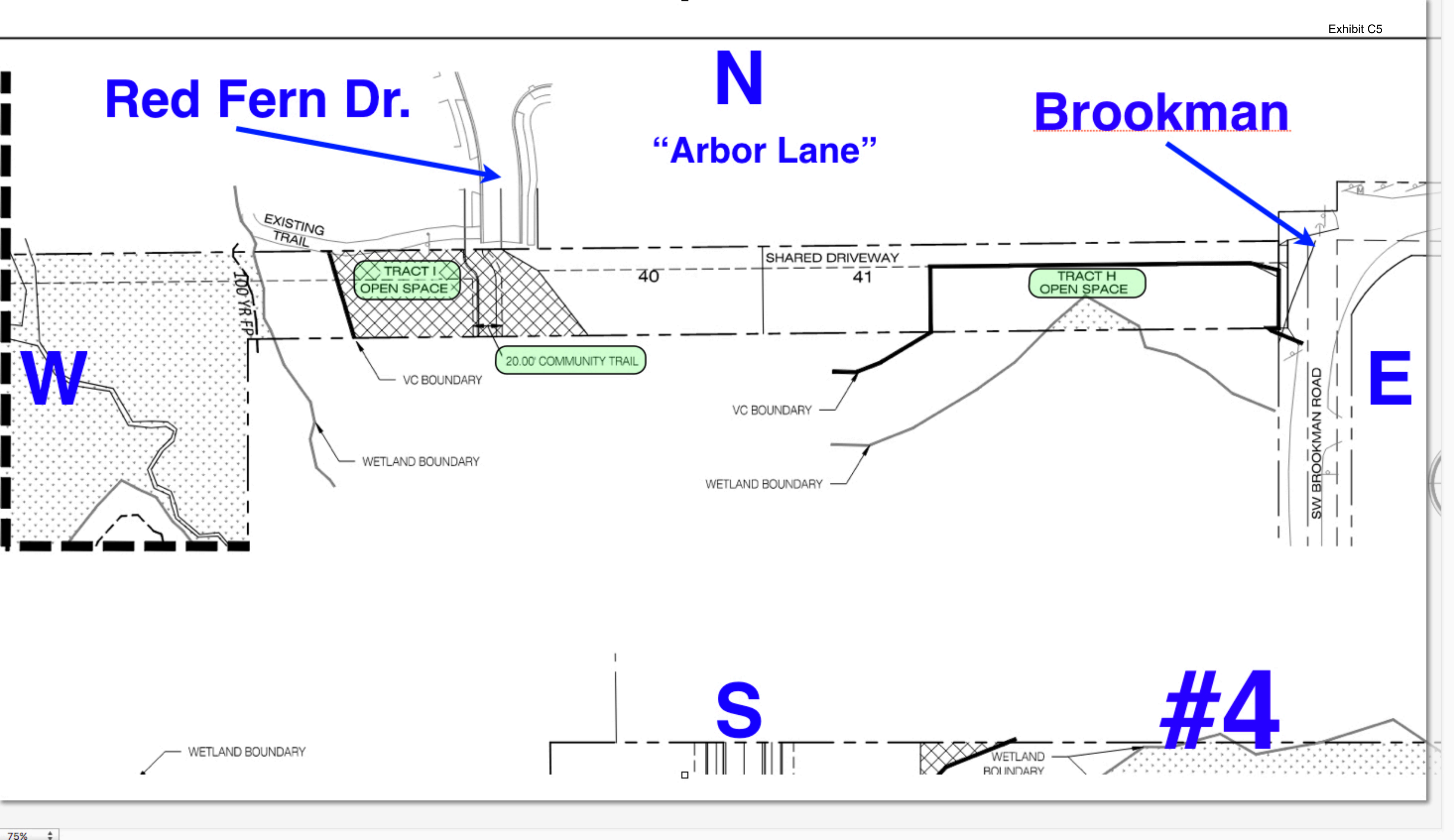
Brookman

W

E

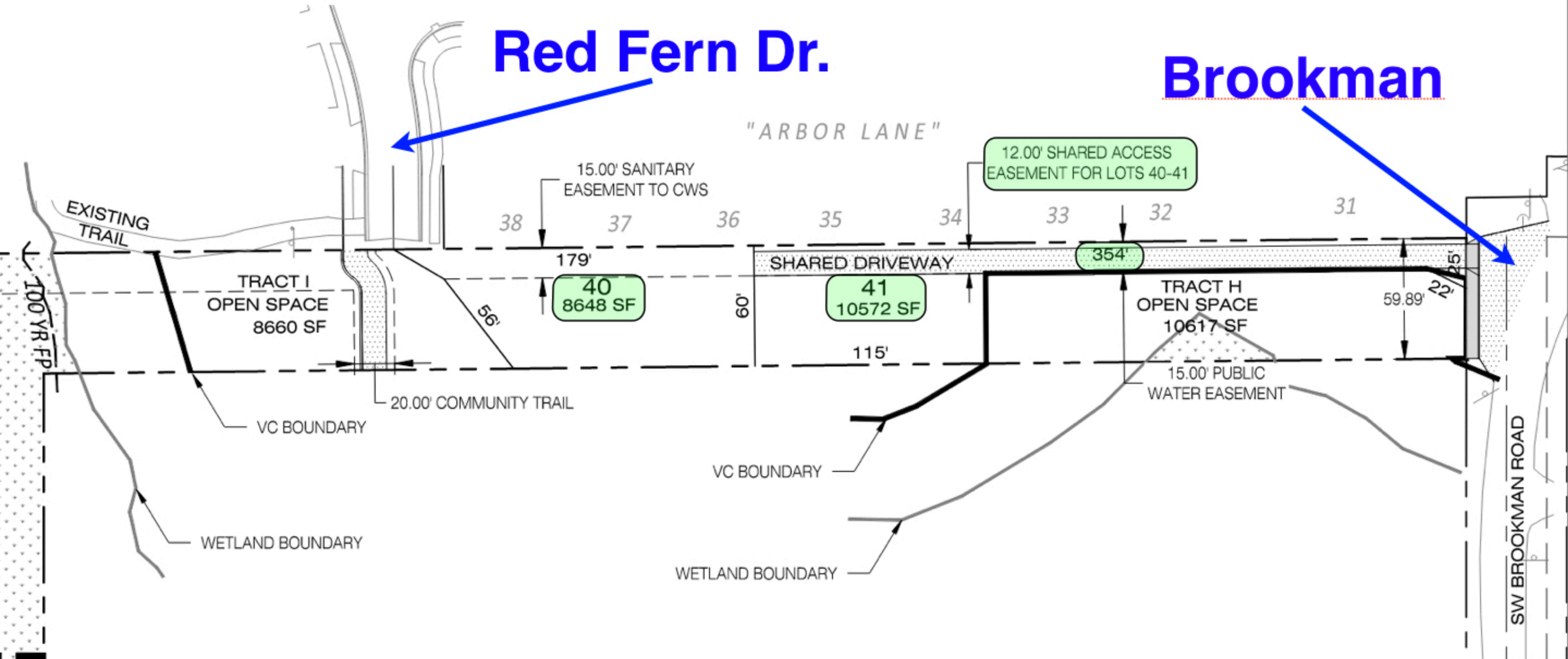
S

#4

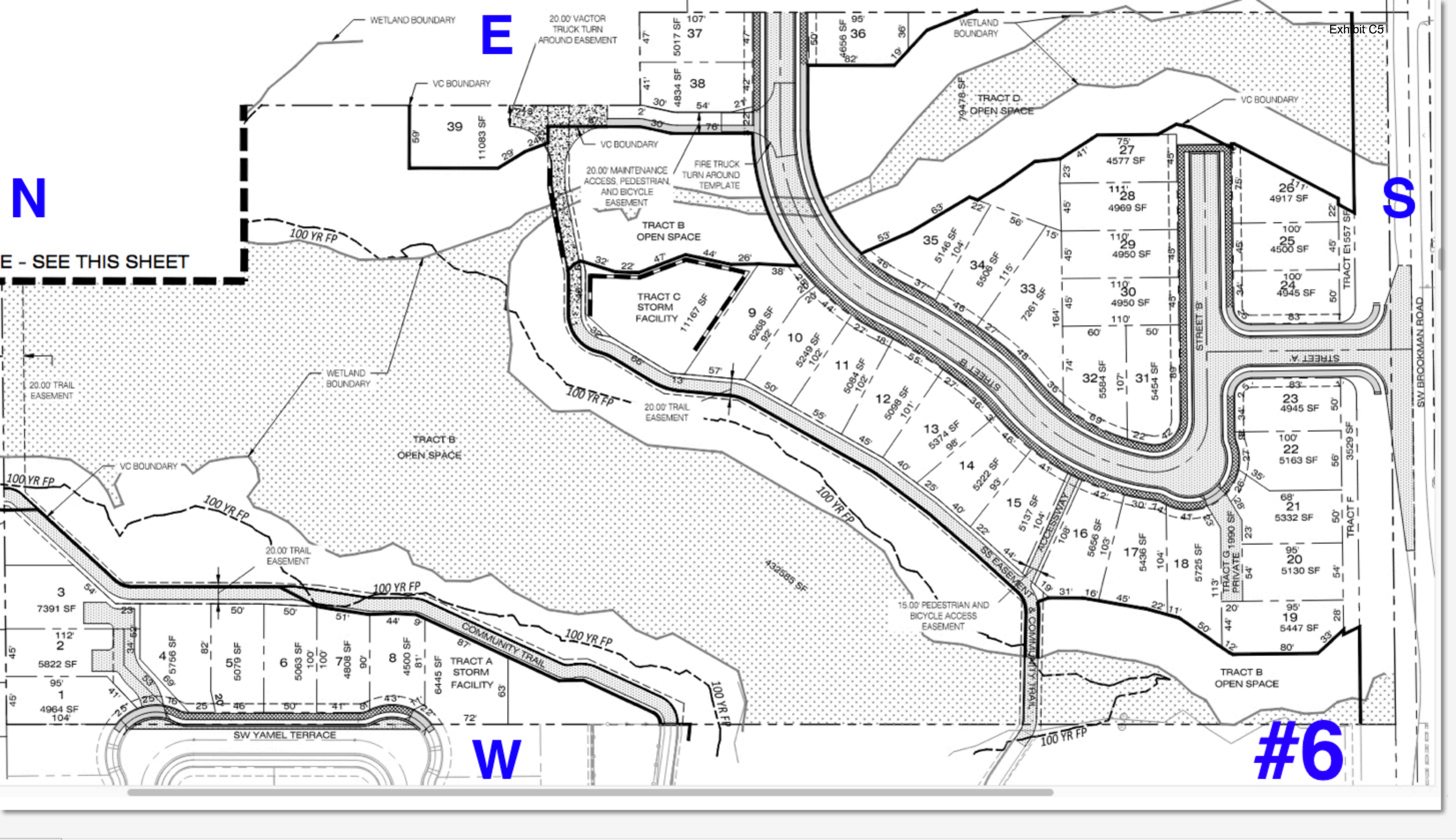


Red Fern Dr.

Brookman



#5



N

E

S

E - SEE THIS SHEET

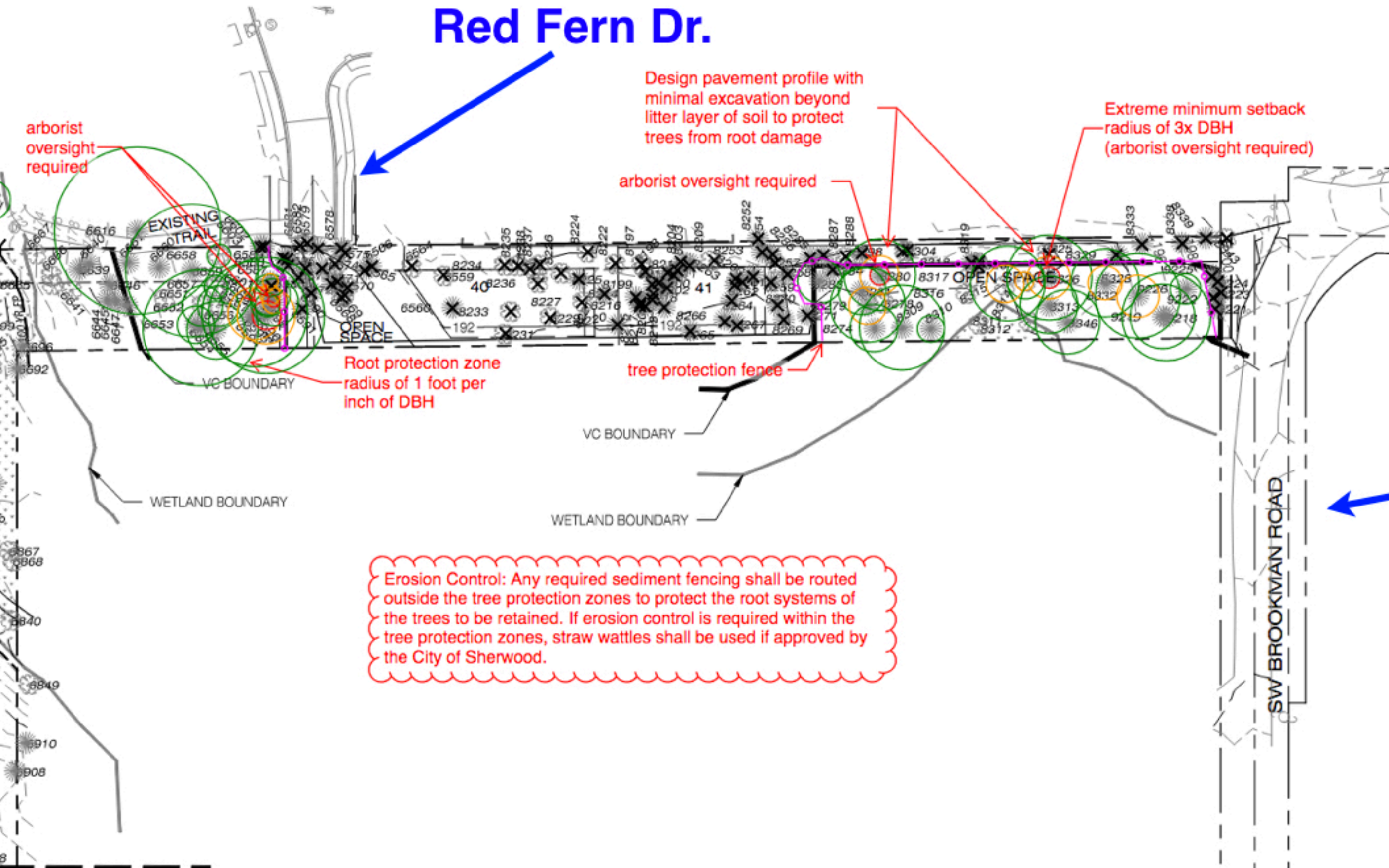
#6

W

Red Fern Dr.

LEGEND

---	171	---	EXISTING 1' CONTOUR
---	175	---	EXISTING 5' CONTOUR
---	171	---	PROPOSED 1' CONTOUR
---	175	---	PROPOSED 5' CONTOUR
			EXISTING TREE TO REMAIN
			EXISTING TREE TO BE REMOVED
---		---	PROPOSED VEGETATED CORRIDOR
---		---	100-YEAR FLOOD PLAIN
---		---	EXISTING WETLANDS



Design pavement profile with minimal excavation beyond litter layer of soil to protect trees from root damage

Extreme minimum setback radius of 3x DBH (arborist oversight required)

arborist oversight required

arborist oversight required

Root protection zone radius of 1 foot per inch of DBH

tree protection fence

Erosion Control: Any required sediment fencing shall be routed outside the tree protection zones to protect the root systems of the trees to be retained. If erosion control is required within the tree protection zones, straw wattles shall be used if approved by the City of Sherwood.

Brookman

#13

The Case to Retain ALL the Flagpole Trees:

The case for the City to preserve ALL of the trees in the flagpole section and it is as follows:

In Section 16.142.070.D.4.b the Code states this:

4. *“The City may determine that, regardless of D.1 through D.3, that certain trees or woodlands may be required to be retained...”*

b. “A landscape or natural feature as per applicable policies of the City Comprehensive Plan, or are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes”

In the yards and properties of families on Shady Grove that abut the flagpole section there are a number of tall and large Douglas Fir trees. These trees are significant here because, if the 80-85 flagpole trees are allowed to be cut down, that will create a long, treeless corridor between the Arbor Lane homes and yards and the receded (to the South) edge of the forest. In effect the developer will be creating a 400-500 foot long and 60 foot wide *wind tunnel*. Instead of being part of a grove of trees, the trees in the Arbor Lane yards will become exposed, individual trees and much more vulnerable to wind, rain and snow and ice. Those “yard trees” are *now* part of a grove of trees and as such are protected from the elements except for one side.

Removing the flagpole trees removes the protection afforded by the grove to wind, rain, snow and ice *on all four sides*. The developer will, in effect, be significantly weakening the “yard trees” defenses to the elements. A tree in a grove of trees benefits from sharing the burden of rain, snow and ice with it’s fellow grove trees. By stranding the yard trees from the grove, the yard trees will receive *more* rain, *more* snow and *more* ice than if it were still part of the grove. Add in the effect of

unimpeded wind to the equation and that's a potential for disaster. And if one of those yard trees were to fall on the property of an Arbor Lane resident, the developer and the City could be held liable for any damage and/or, God forbid, personal injury incurred on that property.

The cutting of those flagpole section trees becomes a safety issue!

Those trees should not be allowed to be removed.

Community Trail Size:

2014 Sherwood Transportation System Plan, page 55, Figure 16F

First, regardless of what happens to the Red Fern trees, the developer should not be allowed to build ANY “community trail” *in the Flagpole section* of Cedar Creek Gardens at this time. (see Map #9)

Instead, I would strongly recommend that the “right-of-way” (or an easement) for a trail be granted but the trail itself not allow to be built right now for the following reasons.

-One, at this time, the land South of the flagpole section has not been annexed to the City.

-Two, that land (south of the flagpole) is still privately owned and the owners (the Gregory's) strongly prefer to not sell their property to a developer. They would much rather have the City purchase their land and preserve it as a natural park or nature preserve or environmental learning center for the use of the entire community.

-Three, even if the land *were* to be developed there is no indication (much less guarantee) that the next developer would connect to the “flagpole” trail. ***No trail should be built on the flagpole section before there is a final plan in place for the use of the land south of the flagpole.*** Don't get me wrong, I love Sherwood's trail system but to slap down a strip of asphalt just so a developer can check off a box that says, “I put a trail there”, is highly irresponsible.

-Fourth and most important, extending the “flagpole” trail another 60-80 feet (south) would run it smack dab into the Vegetative Corridor (VC) and Wetland boundaries. And THAT would prohibit any further extension of the trail. The developer would end up destroying a section of useable forest

open space for the sake of 720 (unusable) square feet of asphalt. Quite literally, a trail to nowhere with nowhere to go. (see Map #9). (Note: The red “best fit” lines on the map are my approximation of how the VC boundary and the Wetland boundary would connect).

Second, the developer should be required to follow the Sherwood Trail Standards, he is not.

In the 2014 Sherwood Transportation System Plan, page 55, Figure 16F, it shows that the “Feeder Trails” in Sherwood are to be 8-10 feet wide while the “Primary Trails are to be 12’ wide. (See Map #16).

Most of the trails in Sherwood are “Feeder Trails”. Most of the trails in Sherwood are in fact 8-10’ wide.

- the Arbor Lane Trail is 9’ wide.

- the Woodhaven trails are 9’ to 10’ wide.

- the trails in Stella Olsen Park are from 8 to 10’ wide with the exception of the big bridge South of the stage (to the left as you look at the stage). That bridge is 12’ wide but then the path on either side tapers quickly to 8-9’. The bridge that connects the playground section to the stage area section is 8’ wide while the path under the road is 9’ wide.

- the trail that parallels highway 99 from the new Cedar Creek bridge is (mostly) 9’ wide.

- even the newest trail at The Reserve at Cedar Creek, the development right next to Cedar Creek Gardens, is 9’ wide.

- The only trail that is 12’ feet wide is the new Cedar Creek Trail that leads from Stella Olsen Park to highway 99. That trail *is* 12’ wide. But that trail serves the entire community and would certainly be considered a “Primary Trail”.

And here’s the rub...*all of the trails in Cedar Creek Gardens are 12 feet wide.* (See Maps #s 9, 10 & 11)

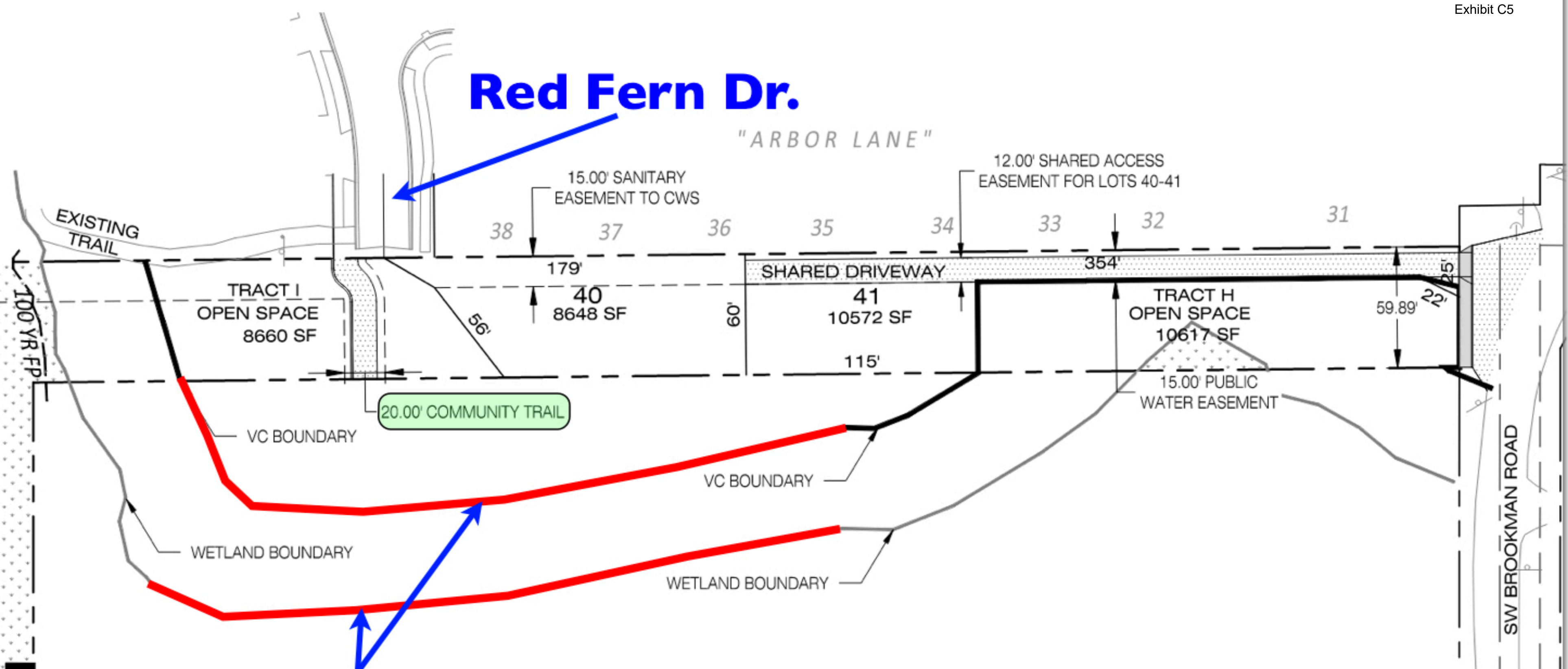
There's no way any trail serving just 39 houses should be considered a "Primary" trail. The Cedar Creek Garden trails are (most obviously) Feeder Trails and as such should be 8-10 feet wide as are the vast majority of neighborhood trails in Sherwood.

Having 12' wide trails in the Cedar Creek Gardens subdivision is simply wrong!

It's a violation of the Sherwood Trail Standards and should not be allowed to happen!

Red Fern Dr.

"ARBOR LANE"



Best Fit Lines (approx.)

#9

B:\Projects\285-021-19\Planning\28521_P5.0strt.dwg 5/17/2022 4:50:29 PM

N

E

S

20.00' COMMUNITY TRAIL EASEMENT

TRACT B
OPEN SPACE

12.00' COMMUNITY TRAIL

20.00' TRAIL EASEMENT

3

2

1

4

5

6

7

8

TRACT A
STORM
FACILITY

11.0' ROW
DEDICATION

4.00'

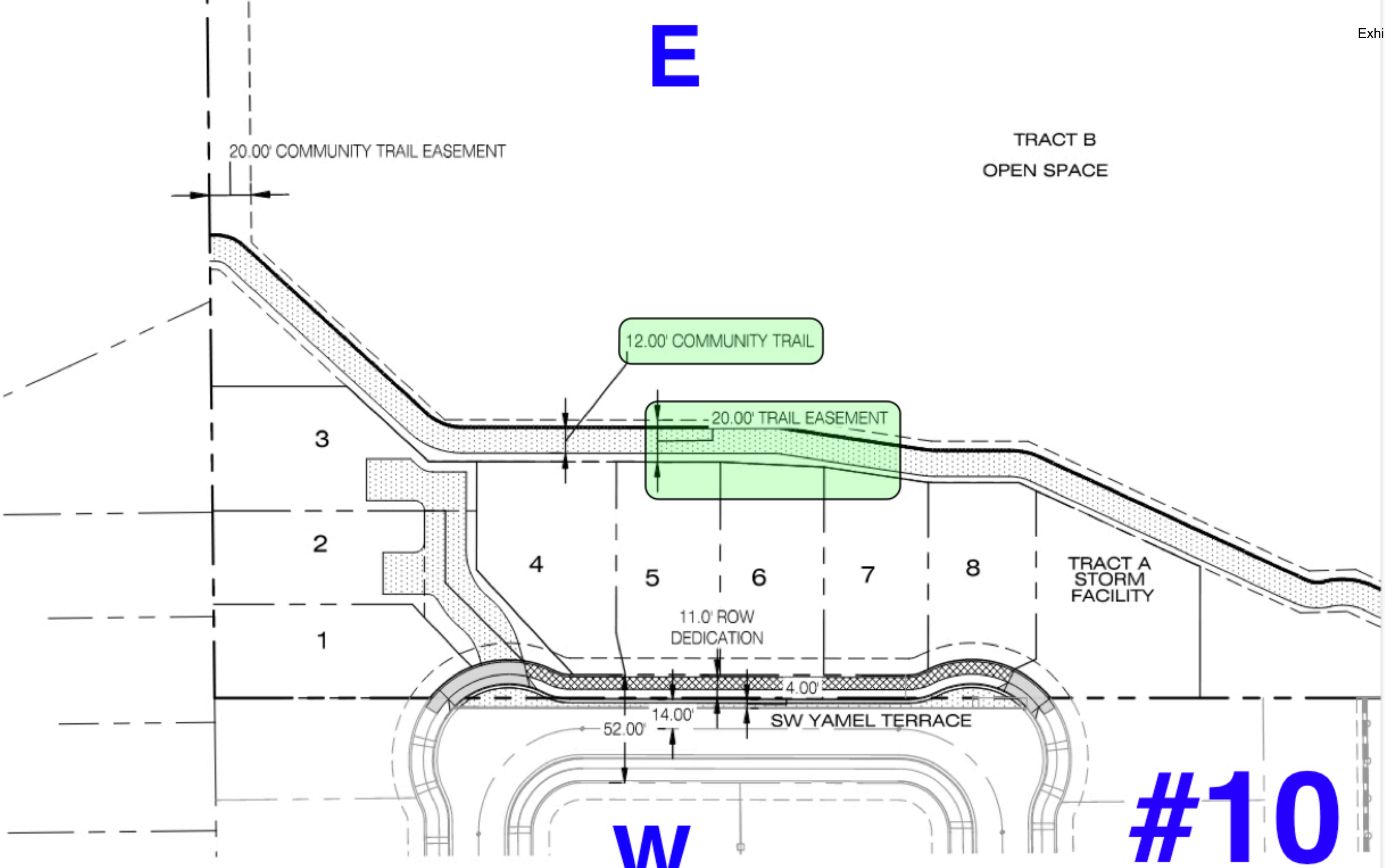
SW YAMEL TERRACE

52.00'

14.00'

W

#10



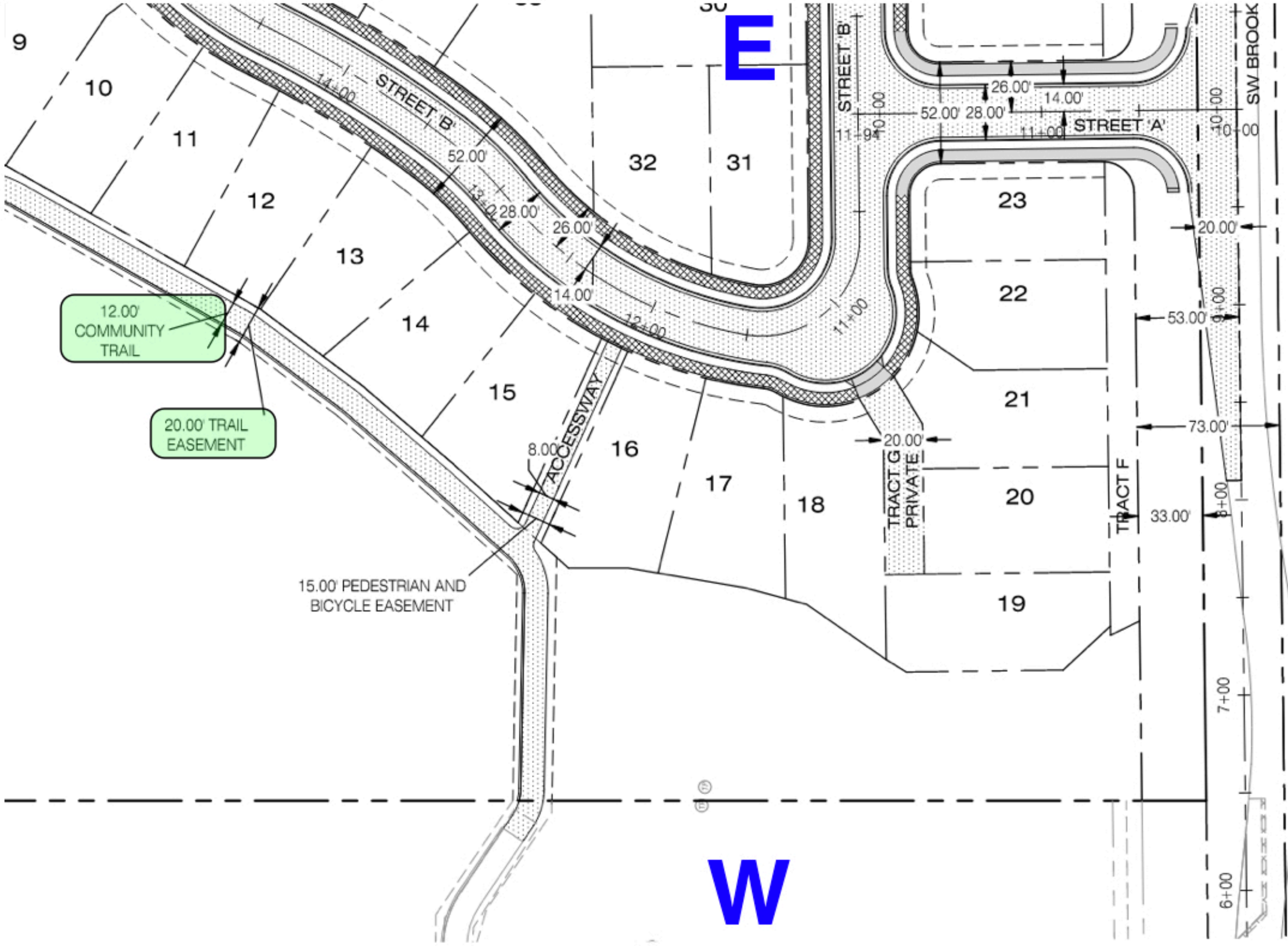
N

W

E

S

#11



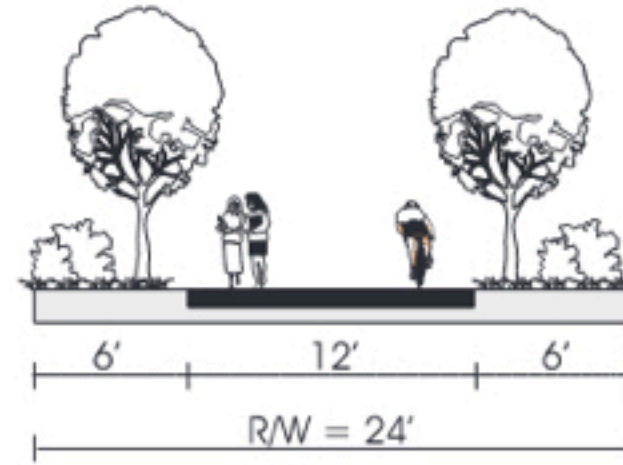
12.00' COMMUNITY TRAIL

20.00' TRAIL EASEMENT

15.00' PEDESTRIAN AND BICYCLE EASEMENT



Primary Trail



Feeder Trail

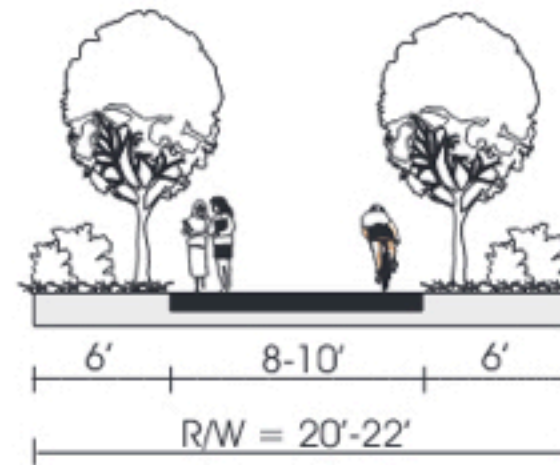


Figure 16F
TRAIL STANDARDS
SHERWOOD
CROSS SECTIONS

#16

50 foot Width of the Flagpole Section:

Back in 2013 the City of Sherwood commissioned AKS Engineering and Forestry, LLC to survey “Properties North of SW Brookman Road” (see Graphic #1). The purpose of that survey was to annex that property to the City of Sherwood. That survey was conducted by Registered Professional Land Surveyor, Robert D. Dettig, 60124LS and certified by Washington County A & T Cartography on June 21, 2013.

In that 2013 AKS Survey report under the Section titled: *“Legal Description of Properties to be Annexed”*, on page 9 of 15 under the heading, “This Section is to be Completed by County Assessor’s Office” and “Certification of Legal Description and Map” it states the following:

“I hereby certify the description of the property included within the attached petition (located on the Assessor’s Map) 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 (see Map #17). That, by the way, is the same Ted Foster (now the Senior Cartographer with Washington County) that the City of Sherwood quotes (from Exhibit B5) in its most recent staff report.

In that 2013 report, Exhibit B (of Sheet 2 of 6), shows that the width of the narrow flagpole section to be Fifty (50) feet. (see Map #18, my highlight in green).

Then in 2017 the City again commissioned AKS to do a final survey of the same property, in a report labeled: “Final Documents for Annexation to Sherwood” (see Graphic #2). This time the survey was conducted by Registered Professional Land Surveyor, Michael S. Kalina, 89558PLS and certified by Washington County A & T Cartography on February 01, 2017.

In this final report, Exhibit B (of Sheet 3 of 6) also showed that the width of the narrow flagpole section to be fifty (50) feet. (see Map #19, my highlight in green).

So, to be clear, we have *two separate surveys*, conducted by *two different surveyors*, *four years apart from each other*.

I should note here that the 50' width, indicated by both of the AKS surveys, is also in agreement with what the Gregory's (the current owners of the property immediately South of the flagpole section...tax lot #106) were told by Mr. Charles Hays (the person who sold them their property some 45 years ago, July 1977). Mr. Hays also owned Tax Lot #107 and told the Gregorays that, since Tax Lot #107 had no access to Brookman Road at that time, he (the property owner) needed an access strip of land to connect #107 to Brookman in order to make it salable.

Well the City accepted the findings of both surveys and annexed the property to the City (based on those AKS surveys) and that was that. For three years the City accepted the AKS surveys as completely precise and accurate.

*Until...*the developer of the Cedar Creek Gardens subdivision made the "claim" in his Developers Narrative part of the application (page 3, paragraph 4) of the following:

"It is noted that when the Brookman Road area was annexed into the City of Sherwood, Exhibit B of annexation WA2917 (<http://library.oregonmetro.gov/annexation/WA2917.pdf>) (Sheet 3 of 6))

incorrectly labelled *the narrow north eastern strip of Tax Lot 3S1060000107 as being 50 feet in width where it extends to Brookman Road. Staff with the Washington County Department of Assessment and Taxation have confirmed that the reference to the point of call in Exhibit A of the annexation documents controls over the distance given in Exhibit B. As per the survey submitted with this application, and consistent with available public records from the Washington County Surveyors Office and Department*

of Assessment and Taxation, the actual width of the strip is 59.89 feet, based on the point of call.”

Well, what a convenient and fortuitous “discovery” that was. Instead of the width of the narrow strip (aka flagpole section) being 50 feet as concluded by *both* AKS surveys, the developer has now claimed that, because the strip had been “incorrectly labelled”, the “actual” width was 59.89 feet. This is critically important because, if the strip is only 50 feet wide (as stated by both AKS surveys), the developer cannot build houses in the flagpole section. Twenty (20) feet of setbacks plus twelve (12) feet of “shared driveway”, a total of 32 feet, would only leave room for an 18 foot wide house. And that is below the bare minimum width for a house of 25 feet.

However, if the lot is allowed to be 60 feet in width (another 10 feet from the initial 50 feet), then the house would scrape by with a width of 28 feet or 3 more that the bare minimum width of 25 feet.

What’s interesting is that the two official annexation surveys (accepted as settled fact for three years), contracted by the City of Sherwood from AKS, a highly reputable company who has been in business for more than 25 years, would BOTH be so imprecise as to be “off” by *almost ten feet*. An inaccuracy that conveniently happens to benefit the developer. I find it essentially unbelievable that an experienced, reliable company such as AKS (who’s entire reputation depends on accuracy and precision) would make such a consequential error in not one but two different surveys, conducted by two different surveyors, separated by four years.

The only way the developer can build those two houses in the flagpole section is if the width is allowed to be 60 *not* 50 feet. So, in order to get the needed, extra 10 feet, the developer publicly questions the accuracy of the AKS surveys. The developer is impugning the accuracy and integrity of AKS by blatantly accusing them of incompetence (which conveniently benefits him) and, in the process, potentially opening himself (and the City of Sherwood) up to a potential lawsuit.

But it doesn’t end there.

The City of Sherwood, in their most recent staff report on the application, has accepted the developers claim *without ever contacting AKS for their input*. The City of Sherwood has not even allowed AKS the dignity of a response to the developers claim of 60 feet. The City of Sherwood has not provided AKS with the opportunity to defend itself and it's surveys against the developer's claim. Common courtesy would dictate that, the City could have, at the very least, reached out to AKS to give their side of the survey story. But that's not what the City did. What the City did...was nothing. By not even reaching out to AKS for comment, the City of Sherwood has forfeited any right to consider themselves fair and impartial in this matter. Their behavior here is callous, it is shameful and it should not be allowed to prevail. At the very least, AKS should be given the opportunity to confront the developer's 60 foot claim before any final decision is made. For the City of Sherwood to willfully ignore AKS is simply unconscionable...and possibly actionable.

The 60' foot width of the flagpole claim of the developer should not be allowed to stand (at the bare minimum) without a measured input from AKS.

After accepting the AKS surveys as accurate and precise for three years, that's the very least the City can do.

ANNEXATION APPLICATION FOR PROPERTIES NORTH OF SW BROOKMAN ROAD

DATE: MAY 2013

SUBMITTED TO: CITY OF SHERWOOD
PLANNING DEPARTMENT
22560 SW PINE STREET
SHERWOOD, OR 97140

APPLICANT: THE HOLT GROUP, INC.
2601 NE 163RD COURT
VANCOUVER, WA 98687

PREPARED BY: AKS ENGINEERING & FORESTRY, LLC
13910 SW GALBREATH DRIVE, SUITE 100
SHERWOOD, OR 97140

AN 13-01
RECEIVED

MAY 03 2013

BY
PLANNING DEPT



13910 SW GALBREATH DRIVE, SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969
WEB: WWW.AKS-ENG.COM



ANNEXATION APPLICATION FOR PROPERTIES NORTH OF SW BROOKMAN ROAD

TABLE OF CONTENTS

APPLICATION:

- CITY APPLICATION FOR LAND USE ACTION
- CITY CHECKLIST FOR ANNEXATION REQUEST FORMS
- PETITIONS FOR ANNEXATION TO THE CITY OF SHERWOOD
- LEGAL DESCRIPTION OF PROPERTIES TO BE ANNEXED
- MAP OF PROPERTIES TO BE ANNEXED
- BOUNDARY CHANGE DATA SHEET
- ANNEXATION QUESTIONNAIRES
- WORKSHEETS FOR ANNEXATION TO THE CITY OF SHERWOOD
- PROPERTY OWNERS LIST
- REGISTERED VOTERS LIST
- WASHINGTON COUNTY ASSESSOR'S MAPS

~~INCLUDED SEPARATELY WITH APPLICATION:~~

- ~~COUNTY ASSESSOR'S CERTIFICATIONS (PROVIDED UNDER SEPARATE COVER):~~
 - ~~CERTIFICATION OF PROPERTY OWNERSHIP~~
 - ~~CERTIFICATION OF ASSESSED VALUE~~
 - ~~CERTIFICATION OF LEGAL DESCRIPTION AND MAP~~
- TITLE INFORMATION FROM FIRST AMERICAN TITLE COMPANY
- MAILING LABELS (2 SETS) *-included under separate cover*
- COMPACT DISC (CD) OF APPLICATION MATERIALS *-Included under separate cover*
- CITY OF SHERWOOD ANNEXATION APPLICATION FEE *- Paid*



CITY APPLICATION FOR LAND USE ACTION



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

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

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

Owner/Applicant Information:

Applicant: The Holt Group, Inc. Phone: Contact Applicant's Representative
 Applicant Address: 2601 NE 163rd Court, Vancouver, WA 98687 Email: Contact Applicant's Representative
 Owner: See Attached Phone: Contact Applicant's Representative
 Owner Address: See Attached Email: Contact Applicant's Representative
 Contact for Additional Information: AKS Engineering & Forestry - Phone: (503) 925-8799
 Alex Hurley: alex@aks-eng.com/ Chris Goodell: chrisg@aks-eng.com

Property Information:

Street Location: North of SW Brookman Road and East of Southern Pacific Railroad
 Tax Lot and Map No: Map No.: 3516 Tax Lots: 100, 102, 104, 107; Map No.: 3516B Tax Lots: 100, 103, 200; Map No.: 35168B Tax Lots: 1100, 2302, 2590
 Existing Structures/Use: Either vacant or residential dwelling units and accessory structures
 Existing Plan/Zone Designation: FD-20 (Washington County)
 Size of Property(ies) 91.86 acres per Legal Description

Proposed Action:

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

Proposed Use: Annexation of properties at this time.

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

LAND USE APPLICATION FORM

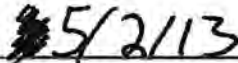
Authorizing Signatures:

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.



 Applicant's Signature



 Date

See Attached Annexation Petitions

 Owner's Signature

See Attached

 Date

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

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

Copy of Deed to verify ownership, easements, etc. (Title Information from First American Title Company included for all properties)

At least 3 * folded sets of plans

At least 3 * sets of narrative addressing application criteria

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

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

N/A **Signed checklist** verifying submittal includes specific materials necessary for the application process

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



CITY CHECKLIST FOR ANNEXATION REQUEST FORMS



CHECKLIST FOR ANNEXATION REQUEST TO THE CITY OF SHERWOOD

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

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

Steps Following Application Submittal to the City of Sherwood:

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

Annexations to the City of Sherwood

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

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

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

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

I. Application Process for Property Owners and Registered Voters

PLEASE READ ALL INSTRUCTIONS BEFORE FILING A PETITION WITH THE CITY

✓ Step 1. Petition

Complete the attached petition.

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

Have the County Assessor's Office:

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

✓ Step 2. Legal Description

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

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

✓ Step 3. Map

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

✓ Step 4. Notice List & Labels

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

✓ Step 5. Information Sheet

Complete the attached *Boundary Change Data Sheet*.

Step 6. Work Sheet

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

✓ Step 7. Annexation Questionnaire

Complete the Annexation Questionnaire.

✓ Step 7. Submit Application to the City

Submit all materials to the City of Sherwood Planning Department.

II. City Review

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

Step 1. Compliance Review

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

Step 2. Public Hearing Date Set

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

Step 3. Public Hearing Notice

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

Step 4. Staff Study and Report

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

Step 5. Public Hearing

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

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

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



PETITIONS FOR ANNEXATION TO THE CITY OF SHERWOOD

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

**CERTIFICATION OF PROPERTY OWNERSHIP
(All Methods)**

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

NAME: TED FOSTER

TITLE: GIS TECH

DEPARTMENT: CARTOGRAPHY

COUNTY OF: WASHINGTON

DATE: 6/21/13

* "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

JUN 21 2013

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

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

CERTIFICATION OF ASSESSED VALUE
(Triple Majority Method)

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

NAME: Edie Hernandez

TITLE: DATA CONTROL COORDINATOR

DEPARTMENT: A+T Administration

COUNTY OF: Washington

DATE: 6/24/13

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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



LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	GERALD OUELLETTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17045 SW BROOKMAN RD SHERWOOD, OR 97140	35106 100	9.90 AC.	\$317,900'
	LIZ OUELLETTE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Charles W Bissett</i>	CHARLES BISSETT			X	16871 SW BROOKMAN RD SHERWOOD OR 97140	3510600 102	9.72 AC	\$211,030
<i>Louise M Bissett</i>	LOUISE BISSETT			X				

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE 1 OF 1

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Teresa Jaynes-Lockwood</i>	TERESA JAYNES-LOCKWOOD	x			17495 SW BROOKMAN RD. SHERWOOD, OR 97140	35106 103	13.50 AC.	\$435,500

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Linda R Scott</i>	LINDA SCOTT			X	17433 SW BROOKMAN RD Sherwood, Or 97140	3510600 104	10.47 AC	\$241,450
<i>Richard Scott</i>	RICHARD SCOTT	X						

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

THREE SEPARATE 1/3 INTEREST ALL AS TENANTS IN COMMON SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	WAYNE CHRONISTER LINDA CHRONISTER				17033 SW BROOKMAN RD SHERWOOD, OR 97140	35106 107	9.92 AC.	\$63,990
<i>Gerald Ouellette</i>	GERALD OUELLETTE	<input checked="" type="checkbox"/>						
<i>Elizabeth Ouellette</i>	ELIZABETH OUELLETTE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
	ROSEMARY RUBSAM BARBARA RUBSAM							

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

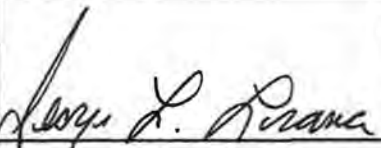
LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	SHERWOOD LAND LLC BY: GEORGE LORANCE	X			17601 SW BROOKMAN RD SHERWOOD, OR 97140	3S106B 100	13.03 AC.	\$176,790

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>George Boyd</i>	GEORGE BOYD REV LIVING TRUST				17769 SW BROOKMAN RD. SHERWOOD, OR 97140	35106B 200	15.82 AC.	\$203,760
<i>Carleen Brewer</i>	CARLEEN BREWER REV LIVING TRUST							

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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


LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	JOSEPH BROADHURST	X			24350 SW MIDDLETON RD SHERWOOD, OR 97140	35106BB 1100	4.80 AC	\$ 84,840
		X			18081 SW BROOKMAN RD SHERWOOD, OR 97140	35106BB 2302	.20 AC	\$ 600
		X			NO SITE ADDRESS	35106BB 2590	.47 AC	\$ 620

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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



LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE 1 OF 1

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	David P Sadler <i>as trustee of the David P Sadler + Carol A Sadler 2012 Trust</i>	X			18127 SW Brookman Road	35106BB - 2400	2.48 AC	\$ 244,140
	Carol A Sadler <i>as trustee of the David P. Sadler + Carol A. Sadler 2012 Trust</i>	X			18127 SW Brookman Road	35106BB - 2400	2.48 AC	(see above)

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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


LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Brad Miller	X			18025 SW Brookman Road	3S106BB - 2502	+/-2.39 AC	174,260

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



LEGAL DESCRIPTION OF PROPERTIES TO BE ANNEXED

THIS SECTION IS TO BE COMPLETED BY 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) 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 TEJ FOSTER
TITLE GIS TECH
DEPARTMENT CARTOGRAPHY
COUNTY OF WASHINGTON
DATE 6/21/13

ANNEXATION CERTIFIED

BY VF

JUN 21 2013

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

**ENGINEERING PLANNING
FORESTRY**
13910 S.W. Galbreath Dr., Suite 100
Sherwood, Oregon 97140
Phone: (503) 925-8799
Fax: (503) 925-8969
AKS Job No. 3591



**LANDSCAPE ARCHITECTURE
SURVEYING**

AKS Group of Companies:
SHERWOOD, OREGON
SALEM, OREGON
VANCOUVER, WASHINGTON
www.aks-eng.com

ANNEXATION CERTIFIED

JUN 21 2013

EXHIBIT A
Annexation Parcel

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

A tract of land located in the northwest one-quarter and in the northeast one-quarter of Section 6, Township 3 South, Range 1 West, and in the southwest one-quarter of Section 30, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon and being more particularly described as follows:

Parcel 1:

Beginning at the northeast corner of said Section 6, being a point on the southerly line of the City of Sherwood city limits; thence along the east line of said section and being on the east line of Washington County, South 01°51'49" West 50.00 feet to a point; thence leaving said county line, along a line parallel to and 50.00 feet southerly of the north line of said Section 6, North 88°45'45" West 766.59 feet to the northwest corner of Deed Book 1182 Page 951; thence along the northerly west line of said Deed, South 01°51'49" West 554.81 feet to a point on the north line of Document Number 87-027469; thence along the north line of said Deed, South 88°45'45" East 107.00 feet to the northeast corner thereof; thence along the east line of said Deed and the southerly extension thereof, South 01°51'49" West 746.00 feet to a point on the southerly right-of-way line of Brookman Road (County Road No. 493) (20.00 feet from centerline); thence along said southerly right-of-way line, North 88°50'38" West 912.80 feet to a point on the southerly extension of the east line of Document Number 99-109559; thence along said southerly extension and the east line of said Deed, North 02°23'45" East 891.20 feet to the northeast corner thereof; thence along the north line of said Deed, North 88°50'38" West 300.00 feet to the northwest corner thereof; thence along the west line of said Deed and the southerly extension thereof, South 02°23'45" West 891.20 feet to a point on said southerly right-of-way line; thence along said southerly right-of-way line, North 88°50'38" West 1095.50 feet to a point on the southerly extension of the east line of Document Number 87-037951; thence along said southerly extension and the east line of said Deed, North 02°23'45" East 459.00 feet to the northeast corner thereof; thence along the north line of said Deed, North 88°50'38" West 208.00 feet to the northwest corner thereof; thence along the west line of said Deed, South 02°23'45" West 459.00 feet to a point on said southerly right-of-way line; thence along said southerly right-of-way line, North 88°50'38" West 882.98 feet to a point on the southerly extension of the west line of Document Number 2011-080743; thence along said southerly extension and the west line of said Deed, North 03°58'43" East 434.07 feet to the northwest corner thereof; thence along the south line of Document Number 2010-044613 North 89°25'18" West 200.20 feet to the northeast corner of Document Number 2012-044756; thence along the east line of said Deed and the southerly extension thereof, South 03°58'43" West 432.05 feet to a point on the southerly right-of-way line of Brookman Road (County Road No. 493) (20.00 feet from centerline); thence along said southerly right-of-way line, North 88°50'38" West 279.82 feet to a point on the southerly extension of the west line of said Deed; thence along said southerly extension and the west line of said Deed, North 03°58'43" East 429.23 feet to a point on the south line of Document Number 2010-044612; thence along the south line of said Deed, North 89°25'18" West 81.97 feet to a point on the southeast right-of-way line of Middleton Road (20.00 feet from centerline); thence along said southeast right-of-way line North 41°02'43" East 49.07 feet to a point; thence along the north line

of Document Number 2010-044612 South 89°52'17" East 143.27 feet to the southwest corner of Lot 7, Block 11 of the Plat of "Middleton"; thence along the west line of said Lot 7 and the west line of Lot 2, Block 11 of said plat and the northerly extension thereof, North 00°07'56" East 244.61 feet to a point on the southeasterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline); thence along said southeasterly right-of-way line, North 68°14'32" East 646.65 to a point on the east line of said Plat and referenced as **Point 'A'**; thence continuing along said southeasterly right-of-way line North 68°14'32" East 1260.43 feet to a point on the City of Sherwood city limits; thence along the City of Sherwood city limits, North 66°48'03" East 46.53 feet to the northwest corner of Lot 97 of the Plat of "Abney Revard No. 2", being an angle point of the southerly line of the City of Sherwood city limits; thence along the west line of said Lot 97 and the City of Sherwood city limits, South 01°15'43" West 120.84 feet to the north one-quarter corner of said Section 6; thence along the north line thereof and the City of Sherwood City Limits, South 88°45'45" East 2647.18 feet to the Point of Beginning.

Parcel 2:

Beginning at said **Point 'A'**, thence along the east line of the Plat of "Middleton", North 00°07'56" East 64.68 feet to a point on the northwesterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline) and the **True Point of Beginning**; thence continuing along said east line, North 00°07'56" East 170.17 feet to the southwest corner of Tract 'U' of the Plat "Woodhaven No. 4", and the City of Sherwood city limits; thence along the southerly line of said Tract 'U' and the City of Sherwood city limits, South 87°19'51" East 381.82 feet to a point on said northwesterly right-of-way line; thence leaving the City of Sherwood city limits along said northwesterly right-of-way line, South 68°14'32" West 411.09 feet to the True Point of Beginning.

Parcel 3:

Beginning at said **Point 'A'**, thence along the southeast right-of-way of the Southern Pacific Railroad (30.00 feet from centerline) South 68°14'32" West 193.99 feet to a point; thence along the west line of Block 8 of the plat "Middleton" North 00°07'56" East 64.68 feet to a point on the northwesterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline) and the **True Point of Beginning**; thence continuing along said west line, North 00°07'56" East 2.74 feet to a point; thence along the north line of said Block 8 South 89°52'17" East 6.83 feet to a point; thence along the northwesterly right-of-way line of said Southern Pacific Railroad South 68°14'32" West 7.36 feet to the True Point of Beginning.

The above described tracts of land contain 97.49 acres, more or less.



ANNEXATION CERTIFIED
BY RF
JUN 21 2013
WASHINGTON COUNTY A & T
CARTOGRAPHY



MAP OF PROPERTIES TO BE ANNEXED

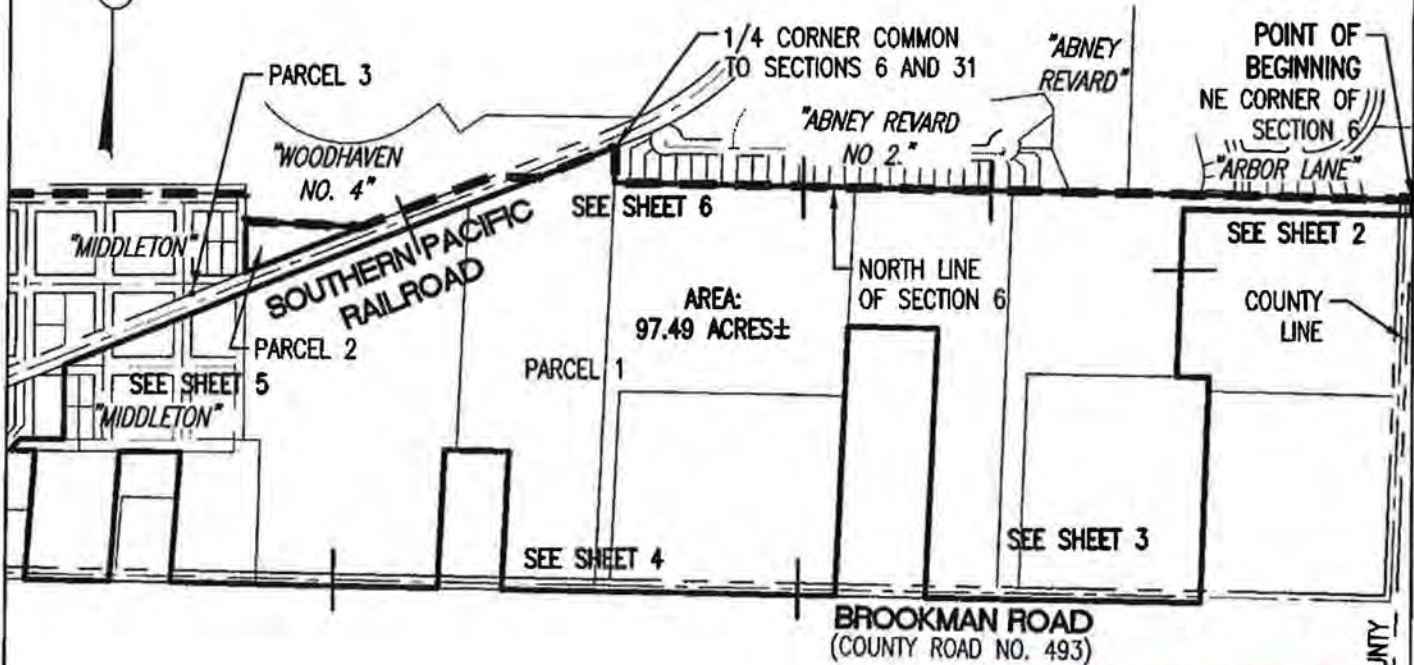
EXHIBIT B

SHEET 1 OF 6

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



SCALE 1" = 600 FEET



LEGEND

▣▣▣▣▣ CITY OF SHERWOOD CITY LIMITS

ANNEXATION CERTIFIED

BY RF

JUN 21 2013

WASHINGTON COUNTY A & T
CARTOGRAPHY

WASHINGTON COUNTY

06-18-13

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEWS: 12/31/14

JOB NAME: BROOKMAN AREA

JOB NUMBER: 3591

DRAWN BY: MSK

CHECKED BY: RDR

DWG NO.: 3591EXH

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
FORESTRY • SURVEYING



LICENSED IN OR & WA

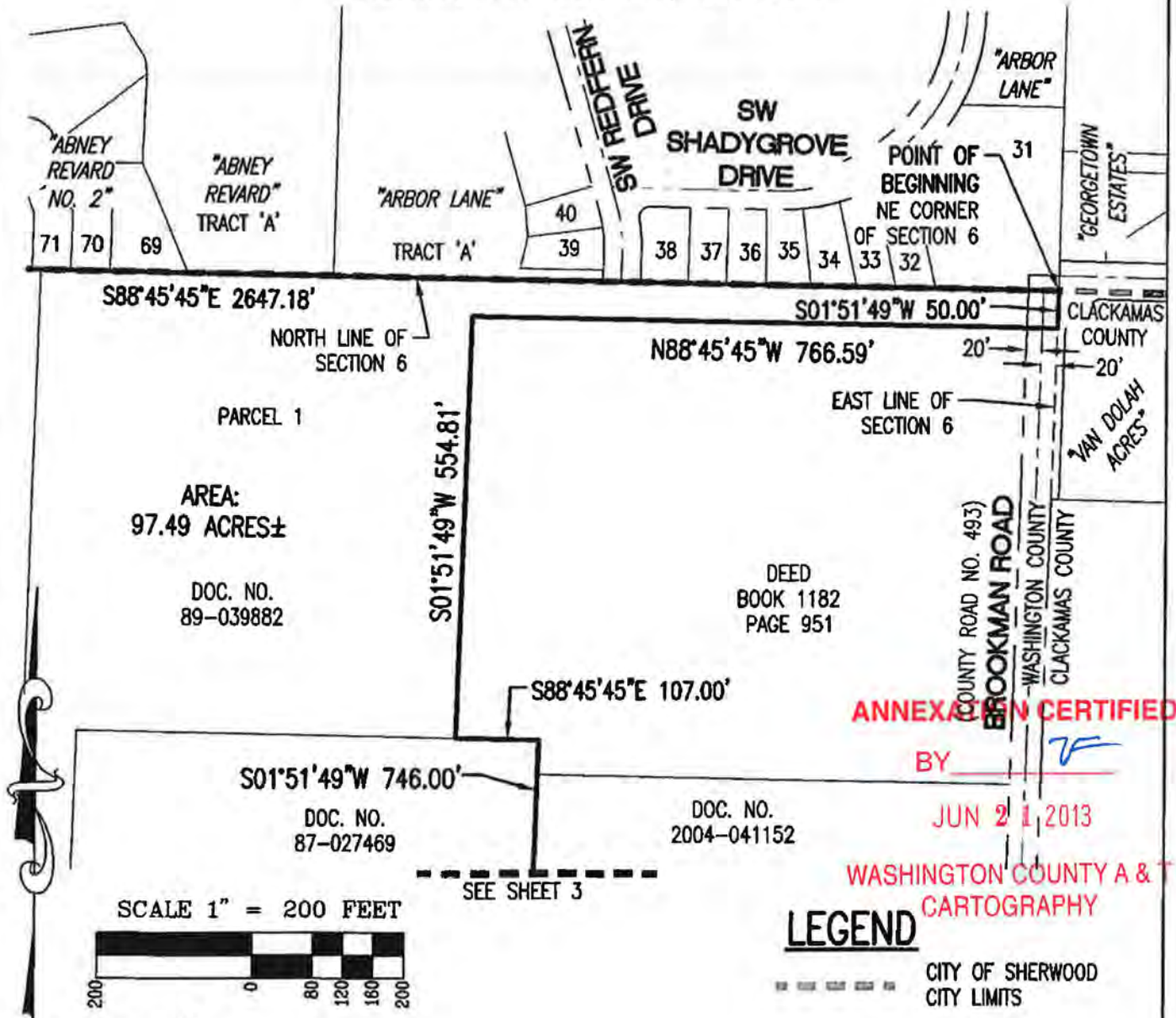
13910 SW GALBREATH
DRIVE, SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969

OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

EXHIBIT B

SHEET 2 OF 6

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

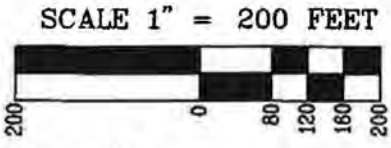


AREA:
97.49 ACRES±
DOC. NO.
89-039882

DEED
BOOK 1182
PAGE 951

S01°51'49"W 746.00'
DOC. NO.
87-027469

DOC. NO.
2004-041152




ANNEXATION CERTIFIED
BY 
JUN 21 2013
WASHINGTON COUNTY A & T
CARTOGRAPHY

LEGEND

 CITY OF SHERWOOD CITY LIMITS

06-18-13

REGISTERED PROFESSIONAL LAND SURVEYOR


OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS
RENEWS: 12/31/14

JOB NAME: BROOKMAN AREA
JOB NUMBER: 3591
DRAWN BY: MSK
CHECKED BY: RDR
DWG NO.: 3591EXH

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
FORESTRY • SURVEYING

AKS
ENGINEERING & FORESTRY

LICENSED IN OR & WA
13910 SW GALBREATH DRIVE, SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969
OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

EXHIBIT B

SHEET 3 OF 6

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

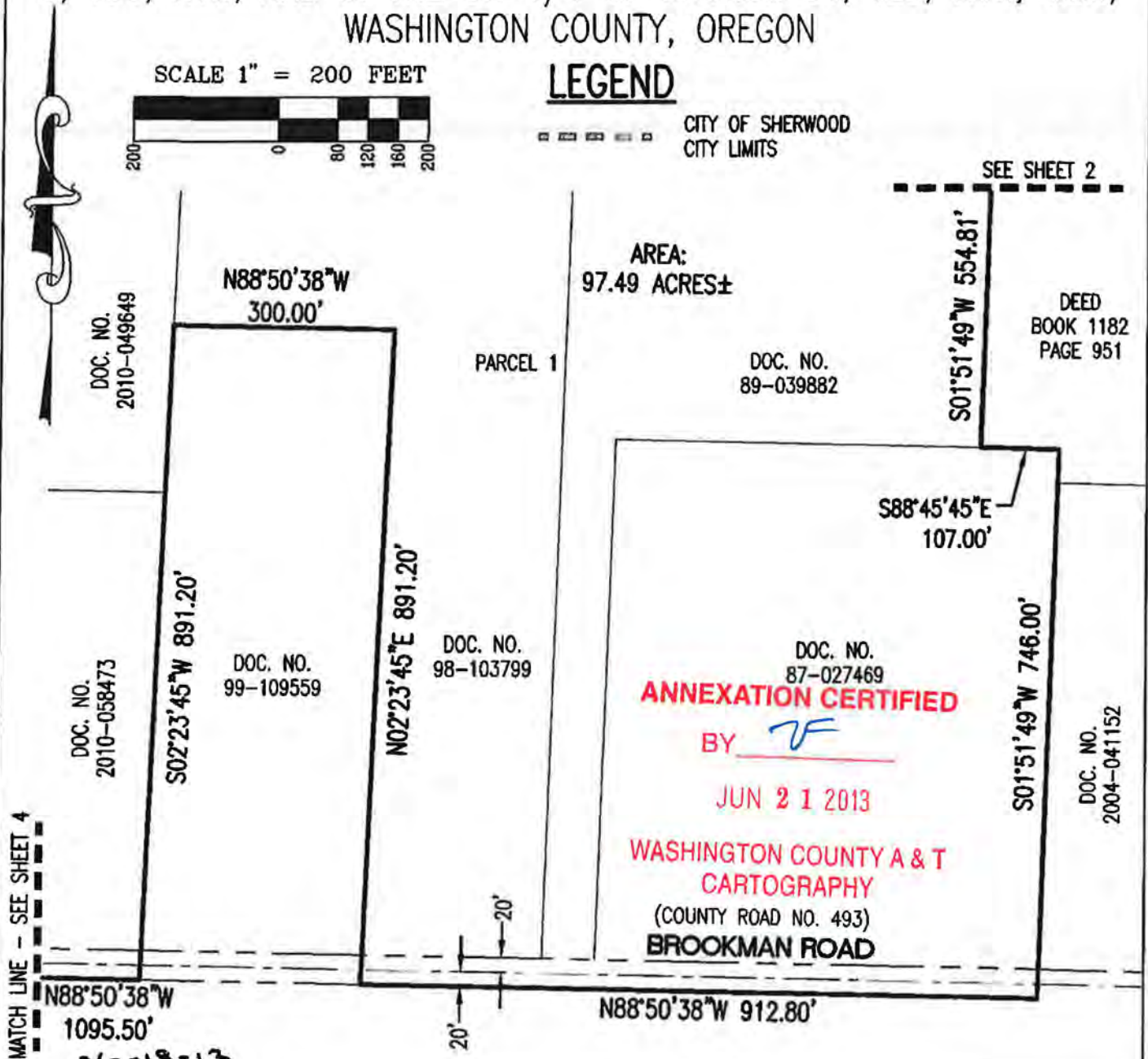
SCALE 1" = 200 FEET



LEGEND

▬▬▬▬▬ CITY OF SHERWOOD CITY LIMITS

SEE SHEET 2



MATCH LINE - SEE SHEET 4

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JANUARY '11, 2005
 ROBERT D. RETTIG
 60124LS
 RENEWS: 12/31/14

JOB NAME: BROOKMAN AREA
JOB NUMBER: 3591
DRAWN BY: MSK
CHECKED BY: RDR
DWG NO.: 3591EXH

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
 FORESTRY • SURVEYING

AKS
 ENGINEERING & FORESTRY

LICENSED IN OR & WA
 13910 SW GALBREATH DRIVE, SUITE 100
 SHERWOOD, OR 97140
 PHONE: (503) 925-8799
 FAX: (503) 925-8969
 OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

ANNEXATION CERTIFIED
 BY *[Signature]*
 JUN 21 2013
 WASHINGTON COUNTY A & T
 CARTOGRAPHY
 (COUNTY ROAD NO. 493)
 BROOKMAN ROAD

AREA:
 97.49 ACRES±

DEED
 BOOK 1182
 PAGE 951

DOC. NO.
 89-039882

DOC. NO.
 98-103799

DOC. NO.
 87-027469

DOC. NO.
 2004-041152

DOC. NO.
 2010-049649

DOC. NO.
 2010-058473

DOC. NO.
 99-109559

N88°50'38"W
 1095.50'

06-18-13

N88°50'38"W 912.80'

EXHIBIT B

SHEET 4 OF 6

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

SCALE 1" = 200 FEET



NO. 839

DOC. NO. 97-038339

AREA: 97.49 ACRES±

DOC. NO. 2005-079964

PARCEL 1

DOC. NO. 2010-049649

ANNEXATION CERTIFIED

BY *VF*

JUN 21 2013

WASHINGTON COUNTY A & T
CARTOGRAPHY

DOC. NO. 2010-058473

N88°50'38"W
208.00'
S02°23'45"W 459.00'
N02°23'45"E 459.00'

DOC. NO. 87-037951

20'
(COUNTY ROAD NO. 493)
BROOKMAN ROAD

MATCH LINE - SEE SHEET 5

MATCH LINE - SEE SHEET 3

N88°50'38"W
882.98'

N88°50'38"W 1095.50'

LEGEND

--- CITY OF SHERWOOD CITY LIMITS

06-18-13

REGISTERED PROFESSIONAL LAND SURVEYOR

Robert D. Rettig

OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEWS: 12/31/14

JOB NAME: BROOKMAN AREA

JOB NUMBER: 3591

DRAWN BY: MSK

CHECKED BY: RDR

DWG NO.: 3591EXH

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
FORESTRY • SURVEYING



LICENSED IN OR & WA

13910 SW GALBREATH DRIVE, SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969

OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

EXHIBIT B

SHEET 5 OF 6

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



06-18-13
REGISTERED PROFESSIONAL LAND SURVEYOR

[Signature]
 OREGON
 JANUARY 11, 2005
 ROBERT D. RETTIG
 60124LS
 RENEWS: 12/31/14

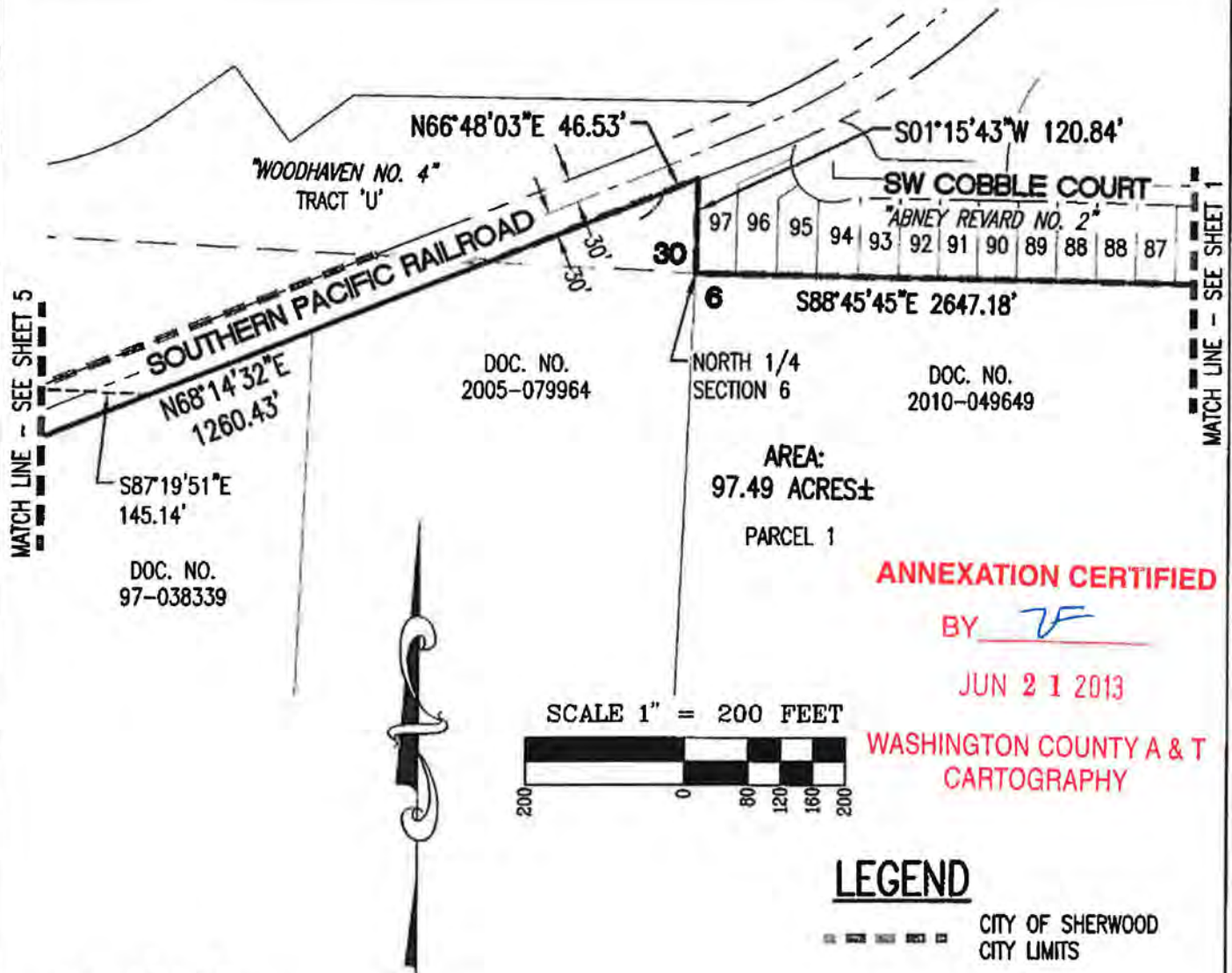
JOB NAME: BROOKMAN AREA
 JOB NUMBER: 3591
 DRAWN BY: MSK
 CHECKED BY: RDR
 DWG NO.: 3591EXH

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
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 OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

EXHIBIT B

SHEET 6 OF 6

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



06-12-13

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEWS: 12/31/14

JOB NAME: BROOKMAN AREA

JOB NUMBER: 3591

DRAWN BY: MSK

CHECKED BY: RDR

DWG NO.: 3591EXH

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
FORESTRY • SURVEYING



LICENSED IN OR & WA

13910 SW GALBREATH DRIVE, SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969

OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA



BOUNDARY CHANGE DATA SHEET

BOUNDARY CHANGE DATA SHEET

I. EXISTING CONDITIONS IN AREA TO BE ANNEXED OR WITHDRAWN

- A. General location: Within the Brookman Road Concept Plan, southeast of the Southern Pacific Railroad tracks, north of SW Brookman Road.
- B. Land Area: Acres 91.86 acres or Square Miles _____
per Legal Description _____
- C. General description of territory. (Include topographic features such as slopes, vegetation, drainage basins, floodplain areas, which are pertinent to this proposal.)

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

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

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

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

East: Rural single-family dwellings within Washington County.

South: Rural single-family dwellings within Washington County.

West: Rural single-family dwellings within Washington County

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

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

Number of commercial structures 0 Number of industrial structures 0

Public facilities or other uses None

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

- F. Total current year Assessed Valuation: \$1,929,910, 2 mobile homes totaling \$27,350 (not included)

- G. Total existing population: 10 properties with 15 owners

II. REASON FOR BOUNDARY CHANGE

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

See attached explanation.

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

See attached explanation.

III. LAND USE AND PLANNING

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

Inside

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

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

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

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

FD-20

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

 Yes X No

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

 Yes X No

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

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

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

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

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

Washington County Citizen Participation Organization 5

IV. SERVICES AND UTILITIES

A. Please indicate the following:

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

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

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

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

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

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

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

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

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

Unknown at this time.

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

City of Sherwood

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

City _____ Rural Fire Dist. Tualatin Valley Fire and Rescue

County Service Dist. _____ Sanitary District _____

Hwy. Lighting Dist. _____ Water District _____

Grade School Dist. City of Sherwood _____ Drainage District _____

High School Dist. City of Sherwood _____ Diking District _____

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

Special Road Dist. _____ Other District Supplying Water Service _____

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

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

V. APPLICANT INFORMATION

APPLICANT'S NAME The Holt Group, Inc.

MAILING ADDRESS 2601 NE 163rd Court

Vancouver, WA 98687

TELEPHONE NUMBER (503) 925-8799 (Applicant's Representative) (Work)

(503) 925-8969 - Fax (Applicant's Representative) (Res.)

Boundary Change Data Sheet

II. Reason for Boundary Change

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

The application includes an Annexation into the City of Sherwood for ten (10) properties with fifteen (15) different owners and totaling 91.86 acres. The properties were included in the Urban Growth Boundary (UGB) in 2002 and are some of the outermost properties between the City's boundary and the UGB.

The triple majority method was used to determine the territory's support for annexation. The triple majority method requires consent from a majority of the landowners who own a majority of the property and a majority of the assessed value of land within the area that is to be annexed. Included are signatures from 93% of the landowners who own a majority of the real property as well as own 98% of the assessed value of land within the area.

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

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

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



ANNEXATION QUESTIONNAIRES

ANNEXATION QUESTIONNAIRE

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

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

Fill out one sheet per property that is being annexed.

Address: 35106BB 1100 2302 2590

Housing type:

- Single-family home
 - Multi-family residence
 - Manufactured home
- NO HOUSE ON SITE

Occupancy:

- Owner occupied
 - Renter occupied
 - Vacant
 - Seasonal
- NO OCCUPANTS

Resident Information:

Last Name	First Name	Sex	Age
Broadhurst	Joseph	M	

ANNEXATION QUESTIONNAIRE

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Fill out one sheet per property that is being annexed.

Address: 17045 SW. BROOKMAN RD. SHERWOOD, OR 97140

Housing type:

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

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
Ouellette	Gerald	M	58
Ouellette	Liz	F	55
Ouellette	Megan	F	16
Ouellette	Cali	F	9

ANNEXATION QUESTIONNAIRE

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Fill out one sheet per property that is being annexed.

Address: 17433 SW BROOKMAN RD Sherwood, Or 97140

Housing type:

- Single-family home
 Multi-family residence
 Manufactured home

Occupancy:

- Owner occupied
 Renter occupied
 Vacant
 Seasonal

Resident Information:

Last Name	First Name	Sex	Age
SCOTT	Richard	M	63
SCOTT	Linda	F	62
SCOTT	PRESTON	M	33
SCOTT	LISA	F	42

ANNEXATION QUESTIONNAIRE

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Fill out one sheet per property that is being annexed.

Address: 16871 SW BROOKMAN RD SHERWOOD, OR 97140

Housing type:

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

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident information:

Last Name	First Name	Sex	Age
BISSETT	Charles W	M	65
BISSETT	Louise M	F	62

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: 17033 SW BROOKMAN RD SHERWOOD, OR 97140

Housing type:

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

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
Chrowister	Wayne		
Chrowister	Linda		



WORKSHEETS FOR ANNEXATION TO THE CITY OF SHERWOOD

WORKSHEET FOR ANNEXATION TO THE CITY OF SHERWOOD

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

PROPERTY INFORMATION (ALL METHODS)

PROPERTY DESIGNATION (Tax Lot Numbers)	NAME OF PROPERTY OWNER	TOTAL ACRES	ASSESSED VALUE OF THE PROPERTY	SIGNED PETITION	
				YES	NO
3S106BB: 1100, 2302, 2590	Joseph Broadhurst	5.47	86,060	X	
3S106B: 100	Sherwood Land LLC - George Lorange	13.03	176,790	X	
3S106B: 200	George Boyd Rev Living Trust	15.82	209,870	X*	
"	Carleen Brewer Rev Living Trust	"	"	X*	
3S106: 100 & 107 (1/3)	Gerald Ouellette	13.20	339,230	X	
"	Liz (Elizabeth) Ouellette	"	"	X	
TOTALS:		47.52	\$811,950		

*Signatures forthcoming.

REGISTERED VOTERS (DOUBLE MAJORITY METHOD)

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

SUMMARY

TOTAL NUMBER OF REGISTERED VOTERS IN THE PROPOSAL: <u>N/A</u>	TOTAL NUMBER OF COMMERCIAL STRUCTURES: <u>0</u>
NUMBER OF REGISTERED VOTERS WHO SIGNED PETITION: <u>N/A</u>	TOTAL NUMBER OF INDUSTRIAL STRUCTURES: <u>0</u>
PERCENTAGE OF REGISTERED VOTERS WHO SIGNED PETITION: <u>N/A</u>	Total Assessed Value: <u>\$1,755,650</u>
TOTAL ACREAGE IN THE PROPOSAL: <u>87.83</u>	Value Signed For: <u>\$1,712,990***</u>
ACREAGE SIGNED FOR: <u>81.21***</u>	Percentage Value Signed For: <u>98%***</u>
PERCENTAGE OF ACREAGE SIGNED FOR: <u>93%***</u>	
TOTAL NUMBER OF SINGLE-FAMILY UNITS: <u>7</u>	
TOTAL NUMBER OF MULTI-FAMILY UNITS: <u>0</u>	

***Calculations based on signatures forthcoming.

WORKSHEET FOR ANNEXATION TO THE CITY OF SHERWOOD

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

PROPERTY INFORMATION (ALL METHODS)

PROPERTY DESIGNATION (Tax Lot Numbers)	NAME OF PROPERTY OWNER	TOTAL ACRES	ASSESSED VALUE OF THE PROPERTY	SIGNED PETITION	
				YES	NO
3S106: 102	Charles Bissett	9.72	211,030	X	
"	Louise Bissett	"	"	X	
3S106: 103	Teresa Lockwood	13.50	448,560	X*	
3S106: 104	Linda Scott	10.47	241,450	X	
"	Richard Scott	"	"	X	
TOTALS:		33.69	\$901,040		

*Signature forthcoming.

REGISTERED VOTERS (DOUBLE MAJORITY METHOD)

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

SUMMARY

TOTAL NUMBER OF REGISTERED VOTERS IN THE PROPOSAL: _____

NUMBER OF REGISTERED VOTERS WHO SIGNED PETITION: _____

PERCENTAGE OF REGISTERED VOTERS WHO SIGNED PETITION: _____

TOTAL ACREAGE IN THE PROPOSAL: _____

ACREAGE SIGNED FOR: _____

PERCENTAGE OF ACREAGE SIGNED FOR: _____

TOTAL NUMBER OF SINGLE-FAMILY UNITS: _____

TOTAL NUMBER OF MULTI-FAMILY UNITS: _____

TOTAL NUMBER OF COMMERCIAL STRUCTURES: _____

TOTAL NUMBER OF INDUSTRIAL STRUCTURES: _____

WORKSHEET FOR ANNEXATION TO THE CITY OF SHERWOOD

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

PROPERTY INFORMATION (ALL METHODS)

PROPERTY DESIGNATION (Tax Lot Numbers)	NAME OF PROPERTY OWNER	TOTAL ACRES	ASSESSED VALUE OF THE PROPERTY	SIGNED PETITION	
				YES	NO
3S106: 107 (2/3)	Wayne Chronister	6.62	42,660		X
"	Linda Chronister	"	"		X
"	Rosemary Rubsam	"	"		X
"	Barbara Rubsam	"	"		X
TOTALS:		6.62	\$42,660		

REGISTERED VOTERS (DOUBLE MAJORITY METHOD)

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

SUMMARY

TOTAL NUMBER OF REGISTERED VOTERS IN THE PROPOSAL: _____

NUMBER OF REGISTERED VOTERS WHO SIGNED PETITION: _____

PERCENTAGE OF REGISTERED VOTERS WHO SIGNED PETITION: _____

TOTAL ACREAGE IN THE PROPOSAL: _____

ACREAGE SIGNED FOR: _____

PERCENTAGE OF ACREAGE SIGNED FOR: _____

TOTAL NUMBER OF SINGLE-FAMILY UNITS: _____

TOTAL NUMBER OF MULTI-FAMILY UNITS: _____

TOTAL NUMBER OF COMMERCIAL STRUCTURES: _____

TOTAL NUMBER OF INDUSTRIAL STRUCTURES: _____



PROPERTY OWNERS LIST

PROPERTY OWNER LIST

JOSEPH BROADHURST	3S106BB 1100, 2302, 2590 24350 SW MIDDLETON RD. Sherwood, Or 97140 18081 SW BROOKMAN RD. Sherwood, Or 97140
BRADLEY MILLER	3S106BB 2502 18025 SW BROOKMAN RD. Sherwood, Or 97140
SHERWOOD LAND LLC BY: GEORGE LORANCE	3S106B 100 17601 SW BROOKMAN RD Sherwood, Or 97140
GEORGE BOYD REV LIVING TRUST CARLEEN BREWER REV LIVING TRUST	3S106B 200 17769 SW BROOKMAN RD. Sherwood, Or 97140
GERALD OUELLETTE LIZ OUELLETTE	3S10600 100 17045 SW BROOKMAN RD. Sherwood, Or 97140
TERESA JAYNES-LOCKWOOD	3S10600 103 17495 SW BROOKMAN RD. Sherwood, Or 97140
LINDA SCOTT RICHARD SCOTT	3S10600 104 17433 SW BROOKMAN RD. Sherwood, Or 97140
WAYNE CHRONISTER LINDA CHRONISTER GERALD OUELLETTE ELIZABETH OUELLETTE ROSEMARY RUBSAM BARBARA RUBSAM	3S10600 107 17033 SW BROOKMAN RD. Sherwood, Or 97140



REGISTERED VOTERS LIST

REGISTERED VOTERS

3S106B

100 17061 SW Brookman Rd. Colleen Fuller-Smith
Sherwood, Or 97140 Cheryl Nehler

200 17769 SW Brookman Rd. Carleen Brewer
Sherwood, Or 97140

3S10600

100 17495 SW Brookman Rd. Hensley -- Amy, Michelle, Dierdre,
Sherwood, Or 97140 Marshall

103 17495 SW Brookman Rd Elizabeth Ouellette
Sherwood, Or 97140 Barbara and Rosemary Rubsam

104 17433 SW Brookmand Rd. Scott -- Linda, Lisa, Preston, Tori
Sherwood, Or 97140

107 17033 SW Brookman Rd. Linda Chronister
Sherwood, Or 97140

WASHINGTON COUNTY ASSESSOR'S MAPS INCLUDED SEPARATELY

TITLE INFORMATION FROM FIRST AMERICAN TITLE COMPANY

CHARLES DAVID HAYS

hereinafter called grantor, convey(s) to
BYRON D. GREGORY and RUTH ANN GREGORY, husband and wife

all that real property situated in the County
of Washington, State of Oregon, described as:

That portion of the North half of the Northeast quarter of Section 6,
Township 3 South, Range 1 West, of the Willamette Meridian, Washington
County, Oregon:

Beginning at the Southeast corner of the North half of the Northeast
quarter of Section 6, thence North along the East line of said Section
6, a distance of 680.6 feet to the true place of beginning, then North along
the East line of said Section 6, a distance of 589.4 feet, then West
parallel with the North line of said Section 6, a distance of 747 feet,
then South, parallel with the East line of said Section 6, a distance of 544
feet, then East, parallel with the North line of said Section 6, a distance
of 107 feet, then South, parallel with the East line of said Section 6,
a distance of 45.4 feet, then East parallel with the North line of said
Section 6, a distance of 640 feet to the true point of beginning.

TRANSAMERICA TITLE
INSURANCE COMPANY
21-1053

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except 1977/78
taxes, a lien but not yet payable, Rights of public and governmental bodies
to that portion of property lying below the high water mark of Cedar Creek,
Rights of public to property lying within limits of County Road No 493,
and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 25,000.00

** Mail tax statements to: Byron D. and Ruth Ann Gregory
11716 SW Pacific Hwy
Tigard, OR 97223

Dated this 13 day of July, 1977

NOTE: THIS DEED IS GIVEN IN FULFILLMENT
OF THAT CERTAIN REAL ESTATE
CONTRACT DATED 4/1/77 AND REC-
ORDED 4/1/77 BK 1154 PG 965, ALL
WARRANTIES EXPRESSED HEREIN ARE AS OF THAT DATE

Charles David Hays
Charles David Hays

STATE OF OREGON, County of Washington) ss.

July 13, 1977 personally appeared the above named
Charles David Hays and acknowledged the foregoing
instrument to be his voluntary act and deed.

Before me:
Sandra A. Dierker
Notary Public for Oregon
My Commission expires: 3/21/80

- * The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume.
- ** If consideration includes other property or value, add the following: "However, the actual consideration consists of or includes other property or value given or promised which is part of the/the whole consideration." (Indicate which)

WARRANTY DEED (INDIVIDUAL)

Charles David Hays

TO
Byron D. Gregory
Ruth Ann Gregory

After Recording Return to:
Mr. and Mrs. Gregory
11716 SW Pacific Hwy
Tigard, OR 97223

STATE OF OREGON
County of Washington

I certify
on the _____
at _____
on page _____
Witness _____

I, Roger Thomssen, Director of Records
and Elections, and Ex-Officio, Recorder of Con-
veyances for said county, do hereby certify that
the within instrument of writing was received
and recorded in Book of records
No. _____
of said County.
Witness my hand and seal affixed.
ROGER THOMSEN, Director of
Records & Elections

SH
Deputy

BOOK 1182 PAGE 951

JUL 14 4 12 PM '77

000146

MAY 29 1987

5-10-17-
FA



Northwest Title Company

87027469

STATUTORY WARRANTY DEED

JAMES A. MORRIS and PATRICIA E. MORRIS

conveys and warrants to CHARLES W. BISSETT, Jr. and LOUISE M. BISSETT, husband and wife Grantor, and wife Grantee.

the following described real property free of liens and encumbrances, except as specifically set forth herein:

A tract of land in the Northeast quarter of Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

Beginning at the Southwest corner of the North half of the Northeast quarter of said Section 6; thence East along the South line thereof, 1400 feet to the true place of beginning; thence East along said South line, 600 feet; thence North parallel to the East line of said Section 6, a distance of 726 feet; thence West parallel with the North line of said Section 6, a distance of 600 feet; thence South parallel to the East line of said Section 6, a distance of 726 feet to the true place of beginning.

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

This property is free of liens and encumbrances, EXCEPT: Current "Potential Forest Land" tax status, Rights of the public to premises lying below the high water mark of Cedar Creek, Rights of the Public to Roads and Highways, Mortgage to Department of Veterans as recorded in Fee No. 80018096 which the Grantee hereby agrees to assume according to terms and provisions; Judgement in favor of Pacific Western Bank Case No. 86-1-250
The true consideration for this conveyance is \$ 116,754.49

DATED this 26 day of May 19 87

James A. Morris
JAMES A. MORRIS

Patricia E. Morris
PATRICIA E. MORRIS

CORPORATE ACKNOWLEDGMENT

STATE OF OREGON, County of Yamhill)ss. STATE OF OREGON, County of)ss.

The foregoing instrument was acknowledged before me this 26 day of May 19 87 by James A. Morris and Patricia E. Morris

The foregoing instrument was acknowledged before me this ___ day of ___ 19 ___ by ___ and by ___ of ___ a corporation, on behalf of the corporation.

Kathleen Trichas
Notary Public for Oregon
My commission expires 5-5-91

Notary Public for Oregon
My commission expires:

Title Order No. 361458
Escrow No. 12986

After recording return to:
NORTHWEST TITLE COMPANY
601 E. Hancock
Newberg, OR 97132
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.
Mr. & Mrs. Charles W. Bissett, Jr.
Rt. 3 Box 84L
Sherwood, OR 97140
NAME, ADDRESS, ZIP

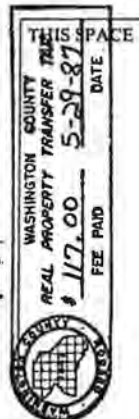
STATE OF OREGON }
County of Washington } SS

I, Donald W. Mason, Director of Assessment and Taxation and Ex-Oficio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

Donald W. Mason, Director of Assessment and Taxation, Ex-Oficio County Clerk

1987 MAY 29 PM 3:50

Recorded By
First American Title Insurance Company of Oregon
361458



STATE OF OREGON

County of Washington

55

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

Jerry R. Hanson, Director of Assessment and Taxation, Executive County Clerk

Doc : 99109559

Rect: 240564

361.00

09/23/1999 02:32:23pm

Title Order No. 99174161

Escrow No. 99174161

After Recording Return To:
Mr. and Mrs. Douglas K. David
17117 SW Brookman Road
Sherwood, Oregon 97140

Name, Address, Zip
Until a change is requested all tax statements shall be sent to the following address.

Mr. and Mrs. Douglas K. David
17117 SW Brookman Road
Sherwood, Oregon 97140

Name, Address, Zip

STATUTORY WARRANTY DEED

Emma J. Weston, Grantor, conveys and warrants to Douglas K. David and Bonnie J. David, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in Washington County, Oregon, to wit:

See Exhibit A attached hereto and made a part hereof.

This property is free from encumbrances, EXCEPT: 1999-2000 Taxes, a lien not yet payable; Rights of the public in and to any portion of the premises lying within the boundaries of SW Brookman Road; All matters arising from any shifting in the course of Cedar Creek including but not limited to accretion, reliction and avulsion;

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

The true consideration for this conveyance is \$320,000.00. (Here comply with the requirements of ORS 93.030)

Dated this September 20th, 1999

Emma J. Weston by Duaine Stanley Weston
Emma J. Weston by Duaine Stanley Weston,
Her attorney in fact

WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
\$320.00 9-23-99
FEE PAID DATE

STATE OF OREGON } ss
County of Washington

On this September 20th, 1999, before me, the undersigned, personally appeared the within named Duaine Stanley Weston, attorney in fact for Emma J. Weston known to me to be the identical individuals who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

Yvonne M. Clifford
Notary Public for the State of Oregon
My commission expires 6/23/01

OFFICIAL SEAL
YVONNE M. CLIFFORD
NOTARY PUBLIC - OREGON
COMMISSION NO. 301351
MY COMMISSION EXPIRES JUNE 21 2001

ORSTWD

COB 82 JRC

5-6
320
20

4C

99174161-W

Pacific NW Title

Exhibit A

A tract of land situated in Section 6, Township 3 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, more particularly described as follows, to-wit:

Beginning at the Southwest corner of that certain tract described in deed to Charles H. Hays recorded in Book 124, page 444, Deed Records of Washington County, Oregon, being also the Southwest corner of the North one-half of the Northeast quarter of said Section 6; thence East along the South line thereof, 800 feet to the true point of beginning of the tract herein described; thence East along said South line 300 feet to a point; thence North and parallel with the West line of the Northeast quarter of said Section 6 a distance of 871.2 feet to a point; thence West and parallel with North line of said Section 6 a distance of 300 feet to a point; thence South and parallel with said West line, 871.2 feet to the true point of beginning.

CERTIFICATION OF VITAL RECORD

01044
Total File Number

CENTER FOR HEALTH STATISTICS
CERTIFICATE OF DEATH 13c

State File Number

175-56/104

1. DECEASED'S NAME Lowell Eugene WESTON		2. SEX Male		3. DATE OF DEATH June 19, 1995	
4. SOCIAL SECURITY NUMBER 544-12-8221		5. AGE LAST BIRTHDAY 74		6. PLACE OF BIRTH Creston, Iowa	
7. DATE OF BIRTH October 19, 1920		8. PLACE OF DEATH (Form only use) Meridian Park Hospital Tualatin		9. COUNTY OF DEATH Clackamas	
10. DECEASED'S USUAL OCCUPATION Technician		11. KIND OF BUSINESS INDUSTRY Civil Service		12. MARRIAGE STATUS Married	
13. RESIDENCE STATE Oregon		14. COUNTY Washington		15. CITY, TOWN OR LOCATION Sherwood	
16. STREET AND NUMBER 17117 SW Brookman Rd.		17. RACE White		18. DECEASED'S EDUCATION 12	
19. FATHER'S NAME Claude J. Weston		20. MOTHER'S NAME Pearl Butts		21. INFORMANT'S NAME Duaine Weston - Son	
22. METHOD OF DEPOSITION <input checked="" type="checkbox"/> Burial <input type="checkbox"/> Cremation <input type="checkbox"/> Other		23. PLACE OF BURIAL Willamette National Cemetery		24. LOCATION Portland, Oregon	
25. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON AS SUCH <i>[Signature]</i>		26. LICENSE NUMBER 3050		27. NAME, ADDRESS AND ZIP OF FUNERAL HOME LINCOLN WILLAMETTE FUNERAL DIRECTORS 9775 SW MT SCOTT, PORTLAND, OR 97266	
28. DATE FILED JUN 26 1995		29. SIGNATURE OF REGISTRAR <i>[Signature]</i>		30. DID HOSPITAL REPRESENTATIVE MAKE REQUEST FOR ANATOMICAL GIFT CONSENT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
31. TIME OF DEATH 9:30 PM			32. DATE PHONICALLY DEAD 6-22-95		
33. NAME, TITLE, ADDRESS AND ZIP OF CERTIFYING PHYSICIAN Nancy Crumpacker, M.D., 6475 SW Borland St. Suite M Tualatin, Oregon 97062					
34. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFYING PHYSICIAN					
35. IMMEDIATE CAUSE OF DEATH (ENTER ONE OR MORE CAUSES PER LINE FOR ICD-10 AND ICD-9 BY THE SAME MODE OF DEATH, e.g. Cancer or Respiratory Arrest)					
PART I a. Lymphoma					
b. g					
c. due to, or as a consequence of:					
PART II OTHER SIGNIFICANT CONDITIONS Acute respiratory failure, sepsis, perforated colon					
36. MANNER OF DEATH <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Pending Investigation <input type="checkbox"/> Accidental <input type="checkbox"/> Unintentional Poisoning <input type="checkbox"/> Suicide <input type="checkbox"/> Homicide <input type="checkbox"/> Legal Intervention <input type="checkbox"/> Other		37. DATE OF INJURY 6-22-95		38. TIME OF INJURY PM	
39. PLACE OF INJURY At home, farm, camp, locality, etc.		40. INJURY AT WORK? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		41. LOCATION (Street and number or Rural Route number, City or Town, State)	

ORIGINAL VITAL STATISTICS COPY

4-7 Rev 1994

THIS IS A TRUE AND EXACT REPRODUCTION OF THE DOCUMENT OFFICIALLY REGISTERED AT THE OFFICE OF THE CLACKAMAS COUNTY REGISTRAR

DATE ISSUED **JUN 26 1995**

3

[Signature]
**THOMAS M TROXEL
COUNTY REG STRAR
CLACKAMAS COUNTY OREGON**



0000123

JUL 24 1987

1000
77A
26-19363

87037951

WARRANTY DEED—STATUTORY FORM
INDIVIDUAL GRANTOR

JOHN A. YEAGER and ELEANOR G. YEAGER, husband and wife
Grantor,
conveys and warrants to THOMAS A. BARTLETT and MARIE A. BARTLETT,
husband and wife
Grantee, the following described real property free of encumbrances
except as specifically set forth herein situated in Washington County, Oregon, to-wit:

AS PER EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)
The said property is free from encumbrances except NONE

The true consideration for this conveyance is \$ 27,000.00 (Here comply with the requirements of ORS 93.030)

Dated this 27th day of June, 1987

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

John A. Yeager
Eleanor G. Yeager

STATE OF OREGON, County of Clackamas) ss.
This instrument was acknowledged before me on June 8, 1987
by John A. Yeager and Eleanor G. Yeager

(SEAL)

Veronica Spelman
Notary Public for Oregon
My commission expires 1/23/89

251 66, P. # 101

WARRANTY DEED	
John A. Yeager	GRANTOR
Eleanor G. Yeager	GRANTOR
Thomas A. Bartlett	GRANTEE
Marie A. Bartlett	GRANTEE
GRANTEE'S ADDRESS, ZIP	
After recording return to:	
Thomas A. & Marie A. Bartlett	
1717 Springbrook Way	
Newberg, Or. 97132	
NAME, ADDRESS, ZIP	
Until a change is requested, all tax statements shall be sent to the following address:	
same as above	
NAME, ADDRESS, ZIP	

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,) ss.
County of _____
I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as lee/life/instrument/microfilm/reception No. _____, Record of Deeds of said county.
Witness my hand and seal of County allixed.
NAME TITLE
By _____ Deputy

1-2

000124

JUL 24 1987

Title No. 26-19363

BL

EXHIBIT "A"

Beginning at the quarter section corner on the North line of said Section 6, Township 3 South, Range 1 West, Willamette Meridian, in the County of Washington and State of Oregon, and running thence South on half section line 20.19 chains; thence West 516 feet to the Southwest corner of the Shaw Tract described in Contract of Sale recorded June 9, 1959 in Book 418, Page 522, Deed Records, and the true point of beginning of the tract herein described; thence East along the South line of said Shaw Tract, a distance of 208 feet; thence North, parallel to the West line of said Shaw Tract, a distance of 439 feet to a point; thence West a distance of 208 feet, more or less, to the West line of said Shaw Tract; thence South following the West line of said Shaw Tract to the true point of beginning.

STATE OF OREGON }
County of Washington } SS

I, Donald W. Mason, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

Donald W. Mason, Director of Assessment and Taxation, Ex-Officio County Clerk

1987 JUL 24 AM 9: 21

2

Washington County, Oregon
 11/16/2011 11:10:38 AM
 D-DTR Cnt=1 Str=12 S PFEIFER
 \$25.00 \$5.00 \$11.00 \$15.00 - Total = \$56.00

2011-080743



01649346201100807430050058

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

Richard Hobernicht
 Richard Hobernicht, Director of Assessment and
 Taxation, Ex-Officio County Clerk



25
31
After recording return to:

Bradley T. Miller
17581 S Fieldstone Ct
Oregon City, OR 97045

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

Same as above

TRUSTEE'S DEED

T.S. No. 11 -0030002

Consideration: \$248,401.00

THIS INDENTURE, made October 24, 2011 between RECONTRUST COMPANY, N.A. hereinafter called Trustee, and Bradley T. Miller hereinafter called the second party;

WITNESSETH

RECITALS: SELMA C BROADHURST SOLELY, as grantor, executed and delivered to: FIRST AMERICAN TITLE, as Trustee, for the benefit of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as beneficiary, a certain Trust Deed dated 02/13/2006, duly recorded on 02/16/2006 in the mortgage records of Washington County, or as Recorder's fee/file/instrument/microfilm/reception No. 2006-018622. .

In said Trust Deed the real property therein and hereinafter described was conveyed by said grantor to said Trustee to secure, among other things, the performance of certain obligations of the grantor to the said beneficiary. The said grantor thereafter defaulted in grantor's performance of the obligations secured by said Trust Deed as stated in the notice of default hereinafter mentioned and such default still existed at the time of the sale hereinafter described.

By reason of said default, the owner and holder of the obligations secured by said Trust Deed, being the beneficiary therein named, or beneficiary's successor in interest, declared all sums so secured immediately due and owing; a notice of default, containing an election to sell the said real property and to foreclose said Trust Deed by advertisement and sale to satisfy grantor's said obligations was recorded in the mortgage records of said county on 05/12/2011, thereof or as fee/file/instrument/microfilm/reception No. 2011 35572 to which reference is now made.

After the recording of said notice of default, as aforesaid, RECONTRUST COMPANY, N.A., the undersigned Trustee gave notice to the grantor(s) and occupant(s) as required by and in accordance with Sections 20 and 21 of Chapter 19, Oregon Laws 2008, (amending and/or supplementing ORS 86.705 to 86.795) by mailing said notice by both first class and certified mail with return receipt requested. The mailing of said notices is shown by an affidavit of mailing recorded prior to sale date. In addition, the undersigned trustee gave notice of the time for and place of sale of said real property as fixed by the Trustee and as required by law; copies of the Trustee's Notice of Sale were served pursuant to ORCP 7D.(2) and 7D.(3) or mailed by both first class and certified mail with return receipt requested, to the last-known address of the persons or their legal representatives, if any, named in ORS 86.740 (1) and

TRUSTEE'S DEED

T.S. No. 11 -0030002

(2)(a), at least 120 days before the date the property was sold, and the Trustee's Notice of Sale was mailed by first class and certified mail with return receipt requested, to the last-known address of the guardian, conservator, administrator, or executor of any person named in ORS 86.740 (1), promptly after the Trustee received knowledge of the disability, insanity or death of any such person; the Notice of Sale was served upon occupants of the property described in the Trust Deed in the manner in which a summons is served pursuant to ORCP 7D.(2) and 7D.(3) at least 120 days before the date the property was sold, pursuant to ORS 86.750(1). If the foreclosure proceedings were stayed and released from stay, copies of an Amended Notice of Sale in the form required by ORS 86.755(6) were mailed by registered or certified mail to the last-known address of those persons listed in ORS 86.740 and 86.750(1) and to the address provided by each person who was present at the time and place set for the sale which was stayed within 30 days after the release from stay. Further, the Trustee published a copy of said notice of sale in a newspaper of general circulation in each county in which the said real property is situated, once a week for four successive weeks; the last publication of said notice occurred more than twenty days prior to the date of such sale. The mailing, service and publication of said notice of sale are shown by one or more affidavits or proof of service duly recorded prior to the date of sale in the records of said county, together with the said notice of default and election to sell and the Trustee's notice of sale, being now referred to and incorporated in and made a part of this Trustee's Deed as fully as if set out herein verbatim. The undersigned Trustee has no actual notice of any person, other than the persons named in said affidavits and proofs as having or claiming a lien on or interest in said described real property, entitled to notice pursuant to ORS 86.740 (1)(b) or (1)(c).

Pursuant to the said notice of sale, the undersigned Trustee on 10/21/2011, at the hour of 10:00 AM, of said day, in accordance with the standard of time established by ORS 187.110, and at the place so fixed for sale, as aforesaid, in full accordance with the laws of the state of Oregon and pursuant to the powers conferred upon said Trustee by said Trust Deed, sold said real property in one parcel at public auction to the said second party for the sum of \$248,401.00, said second party being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property. The true and actual consideration paid for this transfer is the sum of \$248,401.00.

NOW, THEREFORE, in consideration of the said sum so paid by the second party in cash, the receipt whereof is acknowledged, and by the authority vested in said Trustee by the laws of the State of Oregon and by said Trust Deed, the Trustee does hereby convey unto the second party all interest which the grantor had or had the power to convey at the time of the grantor's execution of said Trust Deed, together with any interest the said grantor or grantor's successors in interest acquired after the execution of said Trust Deed in and to the following described real property to-wit:

PLEASE SEE ATTACHED LEGAL DESCRIPTION

TO HAVE AND TO HOLD the same unto the second party, the second party's heirs, successors-in-interest and assigns forever.

In constructing this instrument and wherever the context so requires, the singular includes the plural; the word "grantor" includes any successor-in-interest to the grantor as well as each and all other persons owing an obligation, the performance of which is secured by said Trust Deed; the word "Trustee" includes any successor Trustee, the word "beneficiary" includes any successor-in-interest of the

TRUSTEE'S DEED

T.S. No. 11 -0030002

beneficiary first named above, and the word "person" includes corporation and any other legal or commercial entity.

BY WITNESS WHEREOF, the undersigned Trustee has hereunto executed this document, if the undersigned is a corporation, it has caused its corporate name to be signed and its seal affixed hereto by an officer duly authorized thereunto by order of its Board of Directors.

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

RECONTRUST COMPANY, N.A.

NOV 04 2011

Lucy Mansourian Assistant Vice President

State of California

County of Ventura

Subscribed and sworn to (or affirmed) before me on this NOV 04 2011 day of NOV 04 2011, 2011, by Lucy Mansourian, ~~personally known to me or~~ proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

(seal)



Signature

RAMON OLIVAS

EXHIBIT "A"

A PORTION OF THAT TRACT OF LAND IN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN, COUNTY OF WASHINGTON, STATE OF OREGON, CONVEYED TO MARY E. BATCHELOR BY DEED RECORDED APRIL 15, 1954 IN BOOK 355, PAGE 259, WASHINGTON COUNTY, OREGON, DEED RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE FIRST MENTIONED TRACT OF LAND IN THE SAID BATCHELOR DEED; THENCE WEST, ALONG THE SOUTH LINE OF SAID BATCHELOR TRACT, A DISTANCE OF 287.10 FEET TO THE SOUTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO ALBERT S. JOHNSON, ET UX, BY DEED RECORDED APRIL 28, 1965 IN BOOK 550, PAGE 390, SAID DEED RECORDS; THENCE NORTH, ALONG THE EAST LINE OF SAID JOHNSON TRACT AND A CONTINUATION THEREOF, A DISTANCE OF 396.56 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID BATCHELOR TRACT; THENCE EAST, ALONG THE NORTH LINE OF SAID BATCHELOR TRACT, A DISTANCE OF 183.09 FEET, MORE OR LESS, TO THE RE-ENTRANT CORNER; THENCE NORTH ALONG THE WEST LINE OF SAID BATCHELOR TRACT, A DISTANCE OF 42.9 FEET TO THE MOST NORTHERLY NORTHWEST CORNER THEREOF; THENCE EAST, ALONG THE NORTH LINE OF SAID BATCHELOR TRACT, A DISTANCE OF 84.60 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH, ALONG THE EAST LINE OF SAID BATCHELOR TRACT, A DISTANCE OF 440.59 FEET TO THE POINT OF BEGINNING.

Washington County, Oregon 2010-044613
06/14/2010 11:04:30 AM
D-DBB Cr#1 Stn=16 D HOFFMAN
\$10.00 \$5.00 \$11.00 \$15.00 \$400.00 - Total = \$441.00



01490555201000446130020024
I, Richard Hobemicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.
Richard Hobemicht, Director of Assessment and Taxation, Ex-Officio County Clerk



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

Joe Broadhurst
28440 Sw Ladd Hill Road
Sherwood, OR 97140

After recording, return to:
DONALD P. RICHARDS, Attorney
P. O. Box 1488
Wilsonville, OR 97070

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that JERRY D. CLARK and ELISABETH A. CLARK, hereinafter referred to as "Grantors," for the consideration hereinafter stated, do hereby grant, bargain, sell, and convey unto JOE BROADHURST, hereinafter referred to as "Grantee," and unto Grantee's heirs, successors, and assigns, all of that certain real property with tenements, hereditaments, and appurtenances thereunto belonging or in any way appertaining, situated in the County of Washington, State of Oregon, commonly known as and legally described as follows:

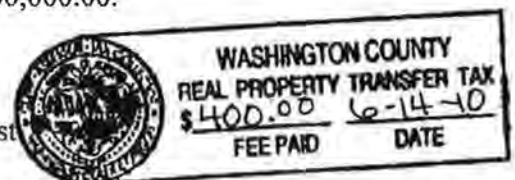
TAX LOT 2590

A portion of the Northwest one-quarter of Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in Washington County, State of Oregon described as follows:

BEGINNING at the monumented Southeast corner of MIDDLETON also being the most Northerly Northwest corner of that parcel conveyed to William M. Rife by deed recorded April 24, 1899 in Book 53, Page 242, Deed Records; thence South 0 degrees 31 minutes East 42.9 feet to an angle point in the Northerly boundary of said Rife Parcel; thence continuing along said boundary South 88 degrees 56 minutes West 515.7 feet to the Southeast corner of that parcel described in instrument recorded in Book 367, Page 39, Deed Records; thence North 0 degrees 31 minutes West 38.8 feet to the South line of MIDDLETON; thence East to the point of Beginning.

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

The true and actual consideration for this transfer is \$400,000.00.



Recorded by TICOR TITLE

3626025017

500
17
10
31

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

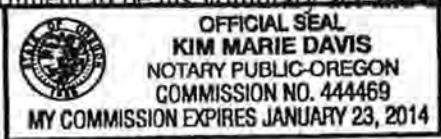
IN WITNESS WHEREOF, the Grantors have executed this instrument this 2nd day of June, 2010.

Jerry D. Clark
JERRY D. CLARK, Grantor

Elisabeth Clark
ELISABETH A CLARK, Grantor

STATE OF OREGON)
)ss.
County of Clackamas)

Personally appeared the above-named JERRY D. CLARK and acknowledged the foregoing * instrument to be his voluntary act and deed. June 2, 2010



Kim Davis
Notary Public for Oregon
My commission expires: 1/23/14

STATE OF OREGON)
)ss.
County of Clackamas)

Personally appeared the above-named ELISABETH A. CLARK and acknowledged the foregoing instrument to be her voluntary act and deed. June 2, 2010



Kim Davis
Notary Public for Oregon
My commission expires: 1/23/14

*instrument to be his voluntary act and deed

Washington County, Oregon
06/04/2012 10:55:22 AM
D-DQ Cnt=1 Stn=9 D MOON
\$5.00 \$5.00 \$11.00 \$15.00 - Total = \$36.00

2012-044756



01712247201200447560010013

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



WHEN RECORDED MAIL TO:
Alan E. Millet, P.S.
P.O. Box 1029
Sequim, WA 98382

MAIL TAX STATEMENTS TO:
David P. and Carol A. Sadler, trustees
453 Louella Heights Drive
Sequim, WA 98382

QUIT CLAIM DEED

Assessor's Tax Parcel ID#:

For and in consideration of a transfer to a revocable trust with no monetary consideration, The Grantors, David Paul Sadler and Carol Ann Sadler, husband and wife, 453 Louella Heights Drive, Sequim WA 98382, convey and quit claim to David P. Sadler and Carol Ann Sadler, as Trustees under a grantor revocable trust dated February 3, 2012 and titled the David P. Sadler and Carol A. Sadler 2012 Trust, 453 Louella Heights Drive, Sequim, WA 98382, the following described real estate, situated in Washington County, State of Oregon, together with all after acquired title of the Grantor therein:

A tract of land in the Northwest quarter of Section 6, Township 3 South, Range 1 West of the Willamette Meridian, describe4d as follows: Beginning at a point which lies South 88 degrees 56' West 383.13 feet and South 0 degrees 31' East 42.9 feet from a stone described in County Survey no. 1906 as being the Southeast corner of Middleton; thence South 88 degrees 56' West 280.00 feet; thence South 2 degrees 19' West 406.8 feet to the center of County Road No. 493; thence Easterly along the center line of said County Road South 89 degrees 55' East 279.7 feet; thence North 2 degrees 19' East 412.4 feet to the point of beginning, Washington County, Oregon.

Dated March 27, 2012

David Paul Sadler

David Paul Sadler

Carol Ann Sadler

Carol Ann Sadler

STATE OF WASHINGTON)
COUNTY OF CLALLAM)

I certify that I know or have satisfactory evidence that David Paul Sadler and Carol Ann Sadler are the persons who appeared before me, and acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated March 27, 2012

Notary Public
State of Washington
Toni L Bumgarner
Commission Expires 1-6-2014

Notary Public
My appointment expires: 1-6-14

Toni L Bumgarner

Washington County, Oregon 2010-044612
06/14/2010 11:04:30 AM
D-DBS Crd=1 Str=16 D HOFFMAN
\$15.00 \$5.00 \$11.00 \$15.00 - Total = \$46.00



01490551201000446120030037

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

Richard Hobemicht, Director of Assessment and Taxation, Ex-Officio County Clerk



46
15
31
Until a change is requested, all tax statements shall be sent to:

Joe Broadhurst
28440 Sw Ladd Hill Road
Sherwood, OR 97140

After recording, return to:
DONALD P. RICHARDS, Attorney
P. O. Box 1488
Wilsonville, OR 97070

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that JOE BROADHURST and MARK COTTLE, hereinafter referred to as "Grantors," for the consideration hereinafter stated, do hereby grant, bargain, sell, and convey unto JOE BROADHURST, hereinafter referred to as "Grantee," and unto Grantee's heirs, successors, and assigns, all of that certain real property with tenements, hereditaments, and appurtenances thereunto belonging or in any way appertaining, situated in the County of Washington, State of Oregon, commonly known as and legally described as follows:

See Exhibit "A" attached hereto and incorporated herein.

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

The true and actual consideration for this transfer is \$0.00.

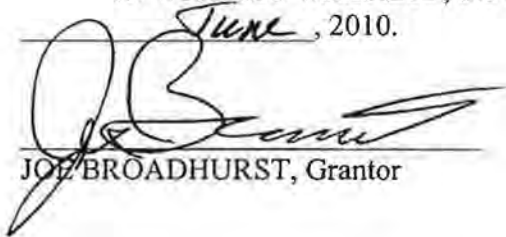
In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

Recorded by TICOR TITLE

3626025017

IN WITNESS WHEREOF, the Grantors have executed this instrument this 1st day of JUNE, 2010.

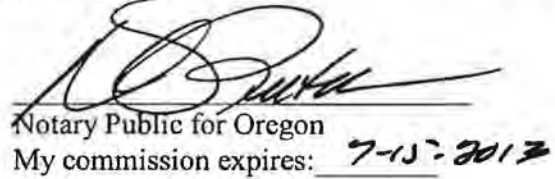

JOE BROADHURST, Grantor


MARK COTTLE, Grantor

STATE OF OREGON)
County of Clatsop)ss.
)

Personally appeared the above-named JOE BROADHURST and acknowledged the foregoing instrument to be his voluntary act and deed. JUNE 1, 2010

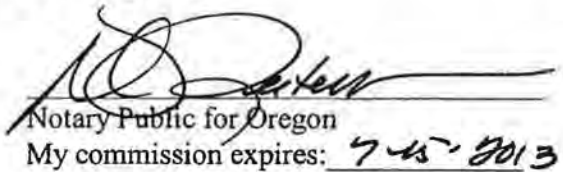



Notary Public for Oregon
My commission expires: 7-15-2013

STATE OF OREGON)
County of Clatsop)ss.
)

Personally appeared the above-named MARK COTTLE and acknowledged the foregoing instrument to be his voluntary act and deed. JUNE 1, 2010




Notary Public for Oregon
My commission expires: 7-15-2013

//
//
//
//
//
//
//

//
//**EXHIBIT A**
(Legal Description)

TAX LOT 2302

Parcel I:

In Section 6, Township 3 South, Range 1 West of the Willamette Meridian, County of Washington and State of Oregon; beginning at the Southeast corner of MIDDLETON, a duly recorded subdivision of record in Washington County, Oregon; thence South 0 degrees 31 minutes East 42.9 feet to a point; thence South 88 degrees 56 minutes West 515.7 feet to the true point of beginning of this description; thence South 88 degrees 56 minutes West 100 feet to a point; thence North 0 degrees 31 minutes West 38.8 feet to the South line of Middleton, said subdivision of record in Washington County, Oregon; thence North 88 degrees 28 minutes East along said South line 100 feet to a point; thence South 0 degrees 31 minutes East to the true point of beginning.

Parcel II:

In the Northwest one-quarter of the Northwest one-quarter of Section 6, Township 3 South, Range 1 West of the Willamette Meridian, County of Washington and State of Oregon; beginning at a point which is South 88 degrees 56 minutes West 663.13 feet and South 0 degrees 31 minutes East 42.9 feet from a stone described in County Survey No. 1906, as being the Southeast corner of plat of Middleton, which point of beginning is the Northwest corner of tract conveyed to Robert J. Scheller, et ux, by deed recorded August 13, 1958, in Book 408, Page 26; thence South 88 degrees 56 minutes West 90 feet more or less to a point in the Easterly line of Middleton Road, which point is the true point of beginning of the tract to be described; thence Easterly 90 feet more or less to the Northwest corner of said Scheller Tract ; thence North 88 degrees 56 minutes East 50 feet more or less to the westerly line of tract conveyed to Mary E. Batchelor by deed recorded March 18, 1955, in Book 367, Page 39; thence North along said Westerly line 38.8 feet to the Southerly line of Plat of MIDDLETON; thence Westerly along the Southerly line of the Plat and an extension thereof, 100 feet more or less to the Easterly line of Middleton Road; thence Southwesterly along said Easterly line 50 feet more or less to the true point of beginning.

Final Documents
for
Annexation to
Sherwood

Metro proposal number: WA2917
Ordinance/Resolution: 2017-002
Annexation: AN16-01
Department of Revenue: 34-2286-2017
Secretary of State: AN 2017-0049

OFFICE OF THE SECRETARY OF STATE

KATE BROWN
SECRETARY OF STATE



ARCHIVES DIVISION
MARY BETH HERKERT
DIRECTOR
800 Summer Street NE
Salem, Oregon 97310
(503) 373-0701
Facsimile (503) 378-4118

May 23, 2017

City of Sherwood
Comm. Dev. Div. – Planning Dept
22560 SW Pine St
Sherwood, OR 97140

Dear City Recorder:

Please be advised that we have received and filed, as of **May 23, 2017**, the following records annexing territory to the following:

Ordinance/Resolution Number	Our File Number
Ord# 2017-002_ (AN16-01) _Brookman Area Annex Metro Proposal Number WA2917	AN 2017-0049

For your records please verify the effective date through the applicable ORS.

Our assigned file number(s) are included in the above information.

Sincerely,

Dani Morley
Official Public Documents

Cc: Department of Revenue
Population Research Center

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
fax 503-945-8737
boundary.changes@oregon.gov

City of Sherwood
Comm. Dev. Div.--Planning Dept.
22560 SW Pine St
Sherwood OR 97140

Description and Map Approved
April 24, 2017
As per ORS 308.225

Description Map - Received from: Sambo Kirkman
On: 4/10/2017

This is to notify you that your boundary change in Washington County for:
ANNEX to CITY OF SHERWOOD

ORD. #2017-002_(AN 16-01)_Brookman Area Annex

has been: Approved 4/24/2017
 Disapproved

Department of Revenue File Number: 34-2286-2017
Reviewed by: Robert Ayers, 503-983-3032
Boundary: Change Proposed Change

The change is for:
 Formation of a new district
 Annexation of a territory to a district
 Withdrawal of a territory from a district
 Dissolution of a district

If you have not already done so, the approved version of the map(s), legal descriptions(s) and signed ordinance must also be filed with the County Assessor and Secretary of State

Transfer
 Merge
 Establishment of Tax Zone



ORDINANCE 2017-002

APPROVING ANNEXATION TO THE CITY OF SHERWOOD OF 92.30 ACRES, COMPRISED OF 8 TAX LOTS AND ADJACENT BROOKMAN ROAD RIGHT-OF-WAY WITHIN THE BROOKMAN ADDITION CONCEPT PLAN AREA

WHEREAS, the Holt Group, Inc., on behalf of the owners of 8 tax lots, has submitted an application for annexation of certain land, as described in Exhibits A and B to this Ordinance, to the City of Sherwood; and

WHEREAS, the property owners initiated this annexation in accordance with ORS Chapter 222 and SB 1573 (2016); and

WHEREAS, SB 1573 requires City approval without submission to the electors, regardless of any local charter or ordinance requirements to the contrary, of annexation requests submitted by all owners of land in the territory proposed to be annexed, when:

- (a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;
- (b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city;
- (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 body of water; and
- (d) The proposal conforms to all other requirements of the city's ordinances; and

WHEREAS, the Brookman Addition Concept Plan area, which includes the territory proposed to be annexed, was brought into the Urban Growth Boundary in 2002 by Metro via Ordinance 02-0969B; and

WHEREAS, the City of Sherwood developed a concept plan for that area and adopted the concept plan and implementing ordinances in 2009 via Ordinance 2009-004; and

WHEREAS, at least one lot or parcel within the territory proposed to be annexed is contiguous to the current city limits; and

WHEREAS, the City does not presently have any other ordinance requirements applicable to this annexation request; and

WHEREAS, the properties proposed to be annexed are currently in unincorporated Washington County and part of the Washington County Service Districts for Enhanced Law Enforcement and Urban Road Maintenance; and

WHEREAS, Washington County and the City of Sherwood have entered into an agreement acknowledging that the City of Sherwood should be the ultimate provider of services in the Brookman area; and

WHEREAS, these properties must be within the City limits in order to be developed for the urban uses and densities planned for in the Brookman Concept Plan; and

WHEREAS, after proper legal notice, public hearings were held on the proposed annexation by the City Council on March 21, 2017 and April 4, 2017, at which public comments and testimony were received and considered; and

WHEREAS, the Council reviewed and considered the staff report with proposed findings and reasons for the decision;

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

Section 1. The territory proposed to be annexed is specifically identified in the legal description (Exhibit A) and map (Exhibit B) attached to this Ordinance.

Section 2. The applicant has demonstrated that the annexation of the territory proposed to be annexed to the City of Sherwood meets all applicable requirements, as documented in Exhibit 1 to the City Council Staff Report.

Section 3. Upon annexation, the Comprehensive Plan zoning designations adopted via Ordinance 2009-004 implementing the Brookman Addition Concept Plan, will apply to the territory proposed to be annexed.

Section 4. Pursuant to ORS 222.520 and 222.120(5), the City Council declares that upon the effective date of the annexation, the annexed territory will be withdrawn from the Washington County Service Districts for Enhanced Law Enforcement and Urban Road Maintenance. The City Council further supports the future annexation into any special districts necessary for the provision of urban services to the property.

Section 5. The territory proposed to be annexed is hereby declared annexed to the City of Sherwood.

Section 6. This Ordinance shall become effective 30 days from its adoption

Duly passed by the City Council this 4th of April, 2017.


Krisanna Clark, Mayor 4/4/17
Date

Attest:


Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Young	✓	—
Garland	✓	—
Robinson	✓	—
Kuiper	✓	—
King	✓	—
Harris	✓	—
Clark	✓	—



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #3591

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

EXHIBIT A

Annexation Parcel

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

Parcel 1:

Beginning at the one-quarter corner common to said sections 6 and 31, also being the southwesterly corner of the Plat of "Abney Revard No. 2", thence along the north line of said section 6 and the City of Sherwood City Limits, South 88°45'45" East 2647.18 feet to the east line of said section 6 and the Washington County-Clackamas County line; thence leaving the City of Sherwood city limits along the said east line of said section 6, South 01°51'49" West 50.00 feet to the easterly extension of the north line of Deed Book 1182 Page 951; thence along said easterly extension and the north line of said Deed, North 88°45'45" West 766.59 feet to the west line of said Deed; thence along said west line, South 01°51'49" West 554.81 feet to the north line of Document Number 87-027469; thence along said north line, South 88°45'45" East 107.00 feet to the east line of said Deed; thence along said east line and the southerly extension thereof, South 01°51'49" West 746.00 feet to the southerly right-of-way line of Brookman Road (20.00 feet from centerline); thence along said southerly right-of-way line, North 88°50'38" West 2308.30 feet to the southerly extension of the east line of Document Number 87-037951; thence along said southerly extension and the east line of said Deed, North 02°23'45" East 459.00 feet to the northeast corner thereof; thence along the north line of said Deed, North 88°50'38" West 208.00 feet to the northwest corner thereof; thence along the west line of said Deed and the southerly extension thereof, South 02°23'45" West 459.00 feet to the southerly right-of-way line of Brookman Road (County Road No. 493) (20.00 feet from centerline); thence along said southerly right-of-way line, North 88°50'38" West 594.24 feet to the southerly extension of the east line of Document Number 2011-080743; thence along said southerly extension and the east line of said Deed, North 01°07'39" East 479.83 feet to the northeast corner of said Deed; thence along the north line of said Deed, North 89°52'17" West 54.60 feet to the east line of the Plat of "Middleton"; thence along the east line of said Plat, North 00°07'56" East 485.66 feet to the southeasterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline), also referenced as **Point 'A'**, which bears South 00°07'56" West 234.85 feet from the southerly southwest corner of Tract 'U' of the Plat "Woodhaven No. 4", and the City of Sherwood city limits; thence along said southeasterly right-of-way line, North 68°14'32" East 1260.43 feet; thence continuing along said southerly right-of-way line and along the City of Sherwood city limits, North 66°48'03" East 46.53 feet to the northwest corner of Lot 97 of the Plat of "Abney Revard No. 2", being an angle point of the southerly line of the City of Sherwood city limits; thence along the west line of said Lot 97 and the City of Sherwood city limits, South 01°15'43" West 120.84 feet to the Point of Beginning.

Parcel 2:

Beginning at said **Point 'A'**, which bears South 00°07'56" West 234.85 feet from the southerly southwest corner of Tract 'U' of the Plat "Woodhaven No. 4"; thence along the east line of the Plat of

Exhibit A

“Middleton”, North 00°07’56” East 64.66 feet to the northwesterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline) and the **True Point of Beginning**; thence continuing along said east line, North 00°07’56” East 170.19 feet to the southerly southwest corner of Tract ‘U’ of the Plat “Woodhaven No. 4”, and the City of Sherwood city limits; thence along the southerly line of said Tract ‘U’ and the City of Sherwood city limits, South 87°19’51” East 381.87 feet to the northwesterly right-of-way line of said Railroad (30.00 feet from centerline); thence leaving the City of Sherwood city limits along said northwesterly right-of-way line, South 68°14’32” West 411.14 feet to the True Point of Beginning.

The above described tracts of land contain 92.30 acres, more or less (of which 2.71 acres is existing right-of-way and 89.59 acres is private property).

01/06/2017

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael Kalina

OREGON
JANUARY 12, 2018
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/17

ANNEXATION CERTIFIED

BY VF

FEB 01 2017

WASHINGTON COUNTY A & T
CARTOGRAPHY

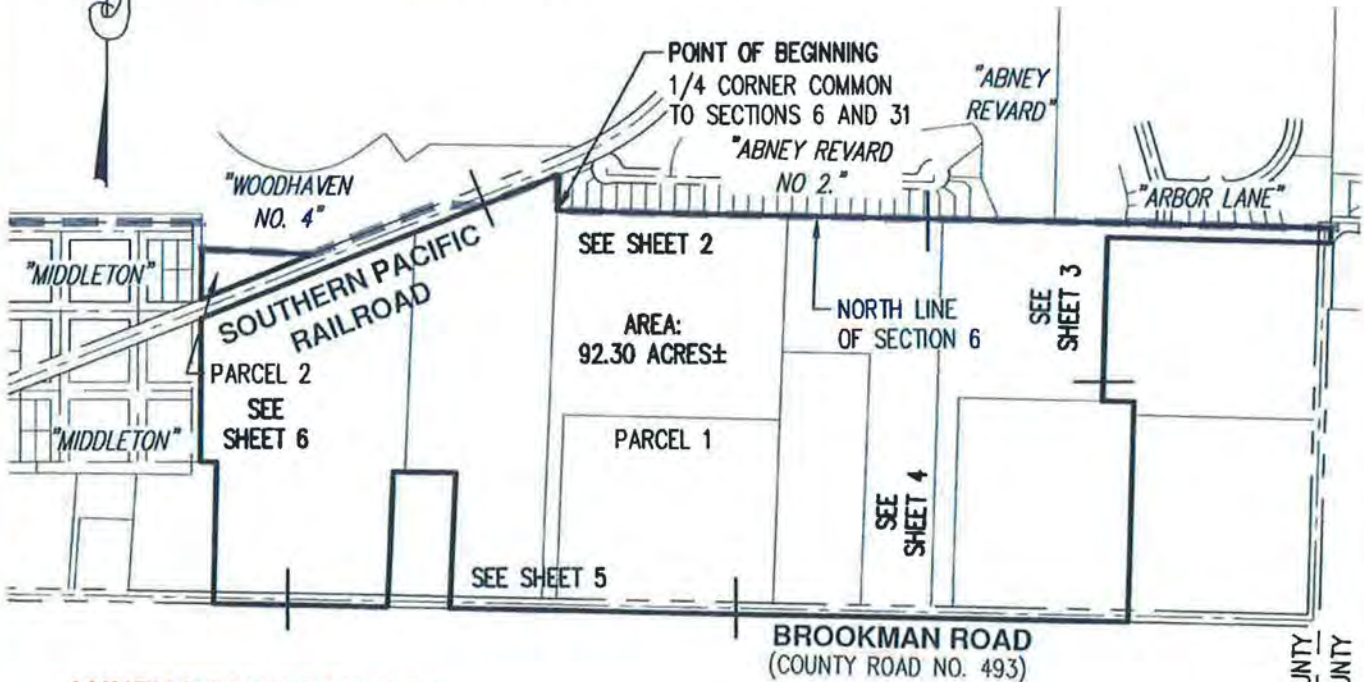
EXHIBIT B

SHEET 1 OF 6

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



SCALE 1" = 600 FEET



ANNEXATION CERTIFIED

BY TF

FEB 01 2017

WASHINGTON COUNTY A & T
 CARTOGRAPHY

01/06/2017

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Michael Kalina

OREGON
 JANUARY 12, 2016
 MICHAEL S. KALINA
 89558PLS

RENEWS: 6/30/17

LEGEND

--- CITY OF SHERWOOD
 CITY LIMITS

AREA TABLE

TOTAL AREA: 92.30 ACRES±
 RIGHT-OF-WAY AREA: 2.71 ACRES±
 PROPERTY AREA: 89.59 ACRES±

WASHINGTON COUNTY
 CLACKAMAS COUNTY

Exhibit B

BROOKMAN AREA ANNEXATION

DRAWN BY: MSK | CHECKED BY: RDR | DWG: 3591 ANNEX EXHIBIT | JOB: 3591

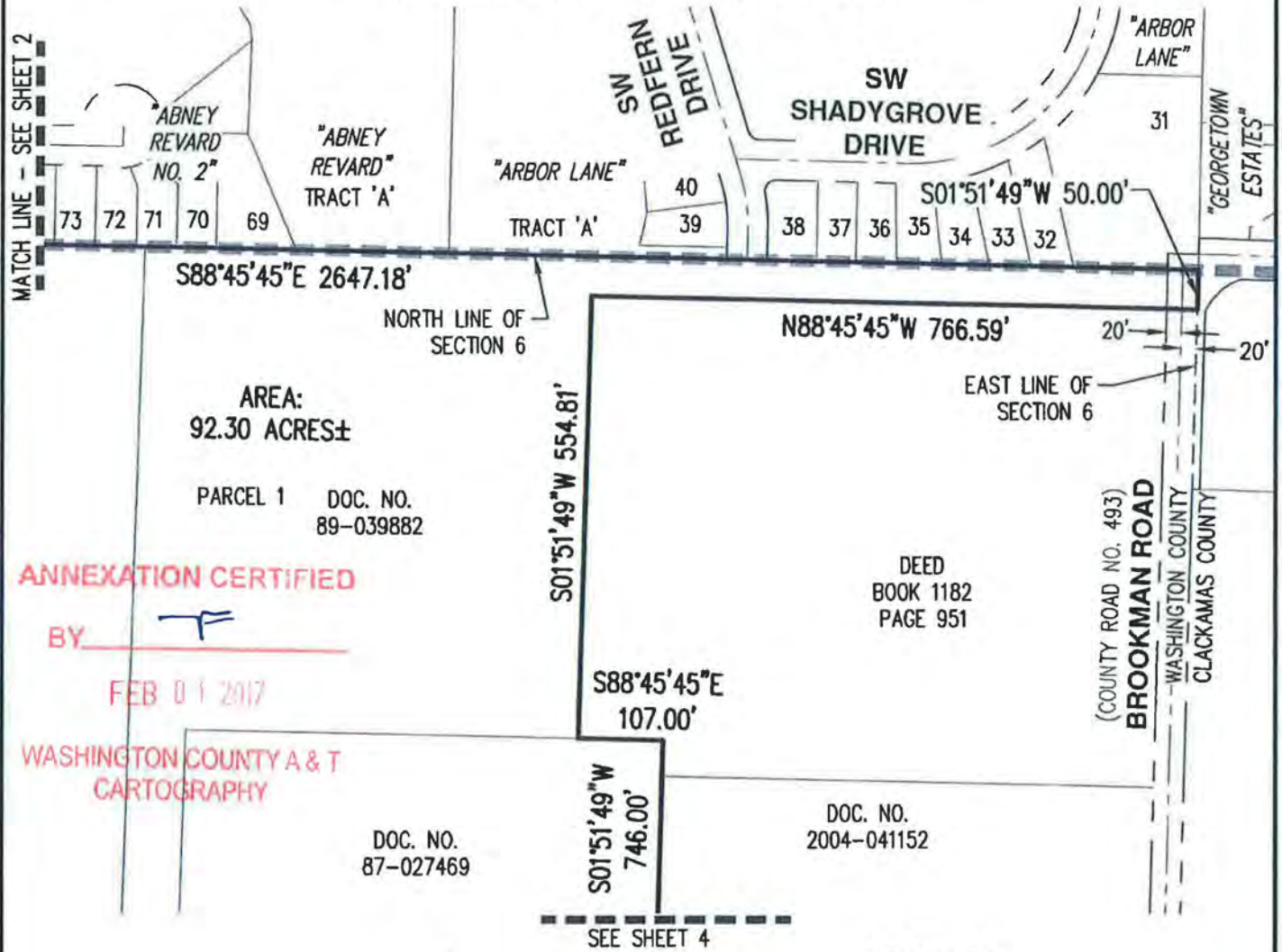
AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD SUITE 100
 TUALATIN, OR 97062 www.aks-eng.com
 PHONE: 503.563.6151 FAX: 503.563.6152



EXHIBIT B

SHEET 3 OF 6

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



LEGEND

--- CITY OF SHERWOOD CITY LIMITS

SCALE 1" = 200 FEET



01/06/2017

REGISTERED PROFESSIONAL LAND SURVEYOR

Michael Kalina

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/17

BROOKMAN AREA ANNEXATION

DRAWN BY:MSK|CHECKED BY:RDR|DWG:3591 ANNEX EXHIBIT|JOB: 3591

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD SUITE 100
TUALATIN, OR 97062 www.aks-eng.com
PHONE: 503.563.6151 FAX: 503.563.6152



EXHIBIT B

SHEET 4 OF 6

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

SCALE 1" = 200 FEET



LEGEND

CITY OF SHERWOOD CITY LIMITS

ANNEXATION CERTIFIED

BY

FEB 01 2017

WASHINGTON COUNTY A & T
CARTOGRAPHY

AREA:
92.30 ACRES±

PARCEL 1

DOC. NO.
99-109559

DOC. NO.
98-103799

DOC. NO.
89-039882

SEE SHEET 3

S88°45'45"E
107.00'

DOC. NO.
87-027469

S01°51'49"W 746.00'

DOC. NO.
2004-041152

(COUNTY ROAD NO. 493)
BROOKMAN ROAD

N88°50'38"W 2308.30'

MATCH LINE - SEE SHEET 5

01/06/2017

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/17

BROOKMAN AREA ANNEXATION

DRAWN BY: MSK | CHECKED BY: RDR | DWG: 3591 ANNEX EXHIBIT | JOB: 3591

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD SUITE 100
TUALATIN, OR 97062 www.aks-eng.com
PHONE: 503.563.6151 FAX: 503.563.6152



EXHIBIT B

SHEET 5 OF 6

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

SCALE 1" = 200 FEET



PARCEL 1

AREA:
92.30 ACRES±

DOC. NO.
2005-079964

DOC. NO.
2010-049649

DOC. NO.
97-038339

N88°50'38"W
208.00'

DOC. NO.
87-037951

S02°23'45"W 459.00'

N02°23'45"E 459.00'

DOC. NO.
2010-058473

(COUNTY ROAD NO. 493)
BROOKMAN ROAD

MATCH LINE - SEE SHEET 6

N88°50'38"W
594.24'

20'
20'

N88°50'38"W 2308.30'

MATCH LINE - SEE SHEET 4

ANNEXATION CERTIFIED

BY JK

FEB 01 2017

WASHINGTON COUNTY A & T
CARTOGRAPHY

LEGEND

■ ■ ■ ■ CITY OF SHERWOOD
CITY LIMITS

01/06/2017

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael Kalina

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/17

BROOKMAN AREA ANNEXATION

DRAWN BY: MSK | CHECKED BY: RDR | DWG: 3591 ANNEX EXHIBIT | JOB: 3591

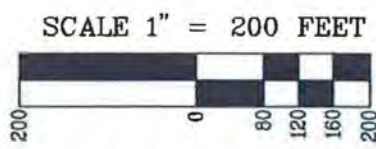
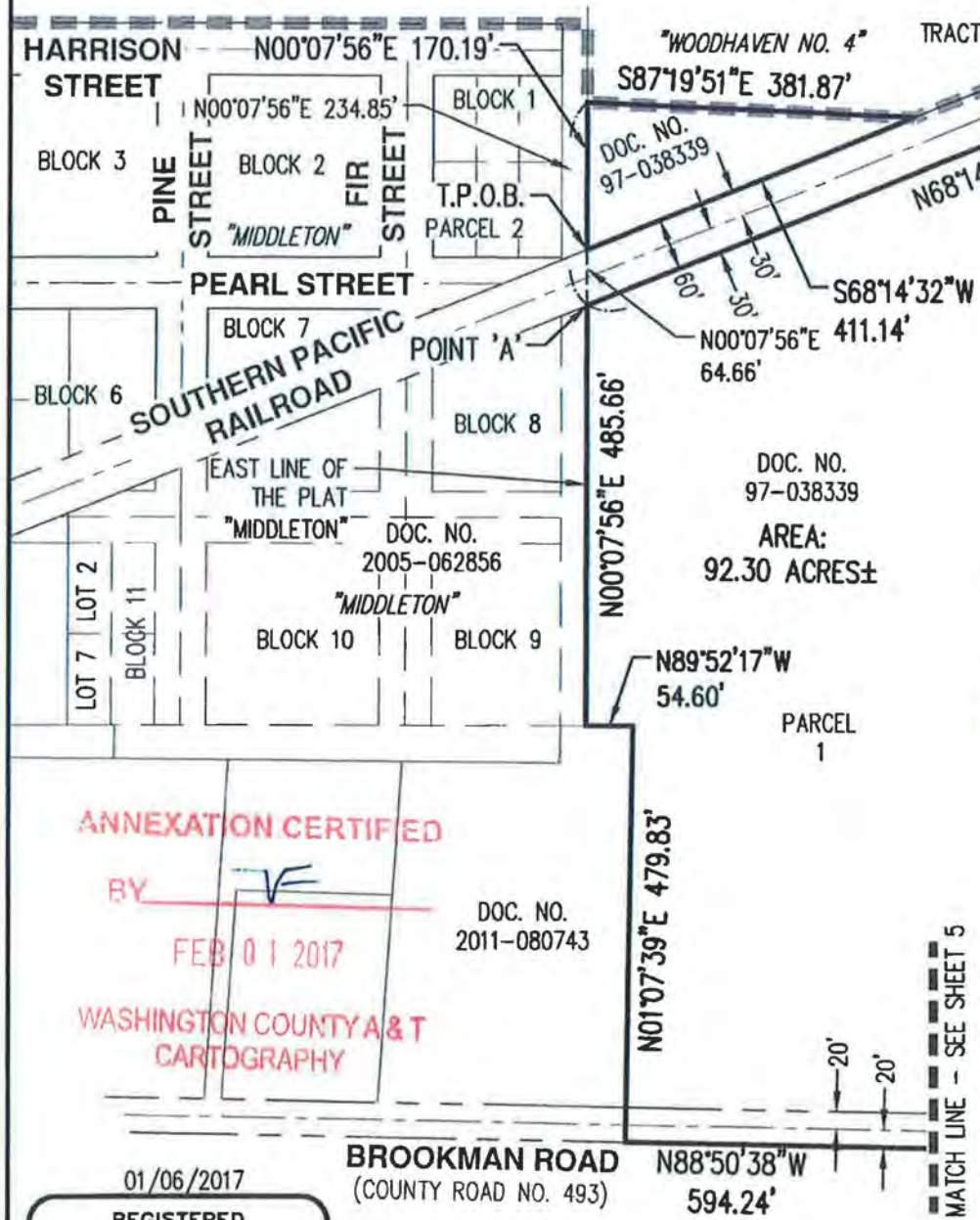
AKS ENGINEERING & FORESTRY, LLC
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TUALATIN, OR 97062 www.aks-eng.com
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EXHIBIT B

SHEET 6 OF 6

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



LEGEND

--- CITY OF SHERWOOD CITY LIMITS



ANNEXATION CERTIFIED
 BY VF
 FEB 01 2017
 WASHINGTON COUNTY & T
 CARTOGRAPHY

DOC. NO.
2011-080743

DOC. NO.
97-038339
 AREA:
92.30 ACRES±

01/06/2017
 REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Michael Kalina
 OREGON
 JANUARY 12, 2016
 MICHAEL S. KALINA
 89558PLS
 RENEWS: 6/30/17

BROOKMAN AREA ANNEXATION
 DRAWN BY: MSK | CHECKED BY: RDR | DWG: 3591 ANNEX EXHIBIT | JOB: 3591
 AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD SUITE 100
 TUALATIN, OR 97062 www.aks-eng.com
 PHONE: 503.563.6151 FAX: 503.563.6152



Council Meeting Date: April 4, 2017

Agenda Item: Public Hearing (*Second Reading*)

TO: Sherwood City Council

FROM: Connie Randall, Planning Manager

Through: Josh Soper, City Attorney, Joseph Gall, ICMA-CM, City Manager and Julia Hajduk, Community Development Director

SUBJECT: Ordinance 2017-002, Approving Annexation into the City of Sherwood of 92.30 Acres, Comprised of 8 Tax Lots and Adjacent Brookman Road Right-of-Way within the Brookman Addition Concept Plan Area

Issue:

Shall the City Council approve the proposed annexation of 92.30 acres of land within the Brookman Addition Concept Plan area?

Background:

The City of Sherwood approved the concept plan for the Brookman Addition Concept Plan area in 2009 via Ordinance 2009-004. The area remains in Washington County and under County jurisdiction until annexation to the City. Under current zoning and agreements, urban development within the area cannot occur until annexation occurs. The applicant is proposing to annex eight (8) parcels of land and the adjacent right-of-way totaling 92.30 acres into the City of Sherwood under the annexation method detailed in Senate Bill 1573 (2016) and ORS Chapter 222. Under this method, 100% of the landowners have petitioned the City to be annexed. Upon annexation, the exiting comprehensive plan designations of Medium Density Residential Low and Medium Density Residential High will be applied to the properties, consistent with the adopted comprehensive plan/zone map.

The City Council has held hearings and forwarded requests to annex portions of the Brookman area to the voters in the past, most recently in 2015. In accordance with the City Charter, each of those requests were forwarded to the ballot for voter approval, and subsequently were not approved by the voters. Since that time, the State Legislature passed SB 1573 which requires annexation without referral to the voters, superseding local charters requiring voter approval, when certain criteria are met. This application has been submitted under SB 1573 and the staff report (Exhibit 1) finds that the criteria have been met. The attached staff report reviews the applicable criteria that must be considered for annexations and documents how the application meets the specific criteria that make it eligible for annexation under SB 1573. Based on this information and analysis, staff recommends approval of the annexation.

The City Council held the first reading and public hearing on this item on March 21, 2017.

Alternatives:

If the City Council finds that the proposed annexation does not meet the criteria identified in SB 1573, it could not approve the Ordinance.

Financial Impacts:

There are upfront and staff costs associated with processing an annexation, however the applicant is required to pay 100% of costs associated with the annexation, including staff time. The applicant has paid a deposit of \$7,500 to initiate this annexation.

Upon annexation, the area would be brought into the City limits and begin contributing to the City's tax base. It is impossible to determine what the future assessed value of new homes built in the area will be; however, an example from the City's FY2016-17 budget document (pg 27) illustrates that the average property tax on a \$300,000 home will be approximately \$5,454. While the City portion of that is only 17%, it is clear that development in the area will bring in additional tax revenues to the City and other taxing districts.

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

Recommendation:

Staff respectfully recommends that the City Council hold the second public hearing and adopt Ordinance 2017-002 Approving Annexation into the City of Sherwood of 92.30 Acres, Comprised of 8 Tax Lots and Adjacent Brookman Road Right-of-Way within the Brookman Addition Concept Plan Area.

City of Sherwood
Staff Report for Brookman Annexation:

March 21, 2017
File No: AN 16-01

Signed: 
Connie Randall, Planning Manager

Proposal: The applicant is proposing to annex eight parcels of land and the adjacent right of way totaling 92.30 acres into the City of Sherwood under the annexation method detailed in Senate Bill 1573 and ORS 222. Under this method, 100% of the landowners have petitioned the City to be annexed.

I. BACKGROUND

- A. Applicant: **The Holt Group, Inc.**
PO Box 61426
Vancouver, WA 98666
- B. Location: The properties are generally located north of SW Brookman Road, south of the existing Sherwood City limits, west of the "S" curve, and east of the Southern Pacific Railroad. A map of the project area is attached as Exhibit E and a list of tax lots, owners, and assessed values within the area to be annexed is included as Exhibit D.
- C. Review Type: The City Charter requires a vote on annexation if approved by the City Council. However, Senate Bill 1573 includes language that supersedes the City's Charter, requiring the City Council to take action on an annexation petition for territory of land submitted by all owners of land in the territory without submitting the proposal to the electors if the criteria outlined in Section 2(2)(a)-(d) are met. Senate Bill 1573 provides specific criteria that the City Council must consider and act upon. Consequently, this application is being processed as a quasi-judicial action.
- D. Public Notice and Hearing: Notice of the March 21, 2017 City Council hearing on the proposed annexation was posted in five public locations around town on February 28, 2017 and provided to affected agencies and service providers on March 1, 2017. Notice was posted in three locations in the subject vicinity on March 6, 2017. While ORS only required mailed notice within 250 feet, the City mailed notice to all property owners within 1,000 feet of the area proposed to be annexed on February 24, 2017. Notice of the hearing was also provided in the February 23, 2017 and March 16, 2017 edition of The Times.
- E. Review Criteria: Oregon Revised Statutes (ORS 222) guide the process for annexation. 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. Metro, the regional government for this area, has legislative authority to provide criteria for reviewing (Metro Code 3.09). In addition, the City of Sherwood Comprehensive Plan Growth Management policies for urbanization are applicable and are addressed within this report.

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

The second attempt to annex land from the area into the City was initiated by a group of property owners that owned approximately 100 acres. The request was made under the triple majority annexation method, which meant that the majority of property owners who own a majority of land area and a majority of assessed value in the area petitioned to have the land annexed. That initiative did not require a vote of owners within the Brookman area, but it also did not obtain enough “yes” votes from voters within the City to pass (39.52% to 60.48%) in November 2013.

The third attempt to annex land from the area into the City in 2015 was similarly initiated by a group of property owners that owned approximately 84 acres. The request was also made under the triple majority annexation method. The annexation area was expanded by the City Council, at the request of property owners, to include additional parcels which brought the total area to be annexed to 101.79 acres. That initiative did not require a vote of owners within the Brookman area, but it also did not obtain enough “yes” votes from voters within the City to pass (30.79% to 69.21%).

- G. Site Characteristics and Existing Zoning: The proposed annexation area includes eight tax lots totaling approximately 92.30 acres of land including the adjacent Brookman Road right-of-way. The area is bisected by the Cedar Creek corridor. A railroad line cuts through the northwest corner of the area proposed to be annexed. The area proposed to be annexed is gently to moderately sloped, heavily treed, and contains protected resource areas.

Currently, the property is zoned Future Development (FD-20) by Washington County. According to Washington County’s code, the FD-20 purpose statement is, “The FD-20 District applies to the unincorporated urban lands added to the urban

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

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

The majority of the properties, approximately 84 acres (excluding the adjacent Brookman Road right-of-way) are zoned Medium Density Residential Low (MDRL). There is also a portion of the site, approximately 4 acres (excluding the adjacent Brookman Road right-of-way), zoned Medium Density Residential High (MDRH). The MDRL zoning district allows for single-family and two-family housing, manufactured housing, and other related uses with a density of 5.6 to 8 dwelling units per developable acre. The MDRH zoning district provides for a variety of medium density housing, including single-family, two-family housing, manufactured housing, multi-family housing, and other related uses with a density of 5.5 to 11 dwelling units per developable acre. Any future development would not be approved unless an applicant submits a formal land use proposal to develop the site that is consistent with the city zoning and subdivision design standards.

II. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

Agencies:

Notice was provided to the following agencies on March 1, 2017: Tri-Met, NW Natural Gas, Sherwood Broadband, Bonneville Power Administration (BPA), City of Sherwood Public Works, Tualatin Valley Fire and Rescue (TVFR), Sherwood School District, Oregon Department of Transportation (ODOT), Oregon Department of State Lands, Pride Disposal, Allied Waste, Waste Management, City of Sherwood Engineering, City of Sherwood Economic Development, Kinder Morgan, Raindrops2Refuge, Portland Gas and Electric (PGE), Washington County, Portland Western Railroad, Metro, and Clean Water Services (CWS).

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

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

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

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

The criteria for information is to provide an explanation of the utility needs, a description of the proposed utility system needed to serve the annexation area and ability to service areas beyond, and an associated cost estimate of the added system in terms of construction and maintenance to the City.

City of Sherwood Engineering Department comments are as follows:

Sanitary Sewer

The City's Sanitary Master Plan (dated September 2016) indicates that sanitary service will be provided by the extension of an existing 15" diameter sanitary mainline located at the southern City limits boundary between Redfern Drive and Greengate Drive.

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

The Brookman area has access to existing City sanitary mainline utilities which have the capacity to provide public utility service.

Water

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

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

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

Storm Sewer

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

Transportation

The City's Transportation System Plan (dated June 2014) and Washington County (WACO) TSP are referenced and indicate the type of future transportation impacts. These impacts include future ROW needs, intersection impacts (Hwy 99W), and out of phase roadway development issues.

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

Conclusion

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

Washington County Department of Land Use and Transportation – Sambo Kirkman, Associate Planner, provided comments noting that the Annexation Ordinance should reference the City's endorsement of special district annexations to avoid potential delays with Clean Water Services (Exhibit T). Erin Wardell, Principal Planner, stated that Washington County staff support the annexation of the eight parcels in the Brookman Addition Concept Plan into the City of Sherwood with conditions noting that Brookman Road is identified as a 5-lane arterial in the Washington County Transportation System Plan (TSP) and that as an arterial, access directly onto Brookman Road is intended to be limited (Exhibit U). Finally, she notes that the Washington County TSP identifies the I-5 to 99W connection as a refinement area because the alignment of the planned Southern Arterial has not been determined.

Staff Response: It should be noted that any future development of land within the Brookman Addition Concept Plan area will require extensive coordination with Washington County to ensure that City and County TSPs and standards are met.

Public Notice and Comments:

On February 24, 2017, the City sent notice of the proposed annexation to all property owners located within 1,000 feet of the boundary of the annexation area. As of the date of this report, the City received 9 letters from the public commenting on the proposal. Letters were received from Ken and Christy Reckard (Exhibit G); Jeremy Romig (Exhibit H); Karen Romig (Exhibit I); Stephanie Gengler (Exhibit J); Wendy Wells (Exhibit K); Stephen Kuske (Exhibit L); Brandon Kuske (Exhibit M); Michelle Percey (Kuske) (Exhibit N); Philip Lapp (Exhibit O); and Melvin Taylor (Exhibit P).

The majority of the comments are against the proposed annexation; Mr. Taylor states that he is in favor of the annexation, but shares similar concerns as those opposed to the request. Public concerns expressed include increased population and the impact on the school system in particular, and other city services in general. Additionally, concerns about increased traffic and safety issues on Brookman Road and the need for public improvements prior to annexation and development. Ms. Gengler does not believe that adequate planning, consistent with Comprehensive Plan policy objectives a) and f) as identified in Chapter 3, Section B.2., has occurred for the proposed annexation area. Mr. Lapp would also like the Council to consider the effect of urbanization of the property north of Brookman Road on his ability to farming his land located on the south side of Brookman Road. The public comments also express concern about the degradation of the community character if the property is annexed and developed. Finally, commenters are frustrated by the fact that voters have repeatedly said "No" to similar annexation requests in the past and the changes to state annexation law in Senate Bill 1573 which have spurred this recent request.

Staff also received one telephone call from Mr. Dan Tatman requesting to review the plot plans for the proposed homes, roads and access points.

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

Staff Response: At this time, the applicant is seeking annexation of land into the City. No specific development proposals have been submitted or are under review. If the property is successfully annexed, future land use applications will need to be submitted and reviewed, through a fully noticed public process consistent with the City's Zoning and Community Development Code.

State law requires the City of Sherwood to plan for growth over a 20-year period. The Brookman area was brought into the UGB in 2002 by Metro, the Regional Government responsible for ensuring there is an adequate supply of land for urban development. The Brookman Addition Concept Plan was adopted in 2009 in accordance with City, Metro and state law. The Concept Plan was never envisioned to be developed at one time, in one phase. Rather, the Concept Plan was developed in accordance with the Comprehensive Plan goals and policies and identifies the infrastructure and public improvements that are necessary to support future development and the ultimate build-out of the Brookman area.

Annexation of land, in and of itself, will not increase population or traffic. Rather, future development of this land at urban levels, once annexed into the City, will increase population, traffic and demand for city services, all of which were considered when developing the Concept Plan and subsequent Transportation System Plan, Storm Water Master Plan, Sanitary Sewer Master Plan and Water Master Plan. Impact fees and public improvements are assessed, based on projects identified in the City Master Plan documents, and required at the time of development through future land use processes.

With respect to the impact on the Sherwood Public School system, staff requested agency comments from the School District on March 1, 2017. As of the date of this report, no comments have been received from the school district. If comments are received prior to the City Council Public Hearings, staff will provide those comments at the time of the hearing.

It is the school district's responsibility to plan for growth in the same sense that the City does. In reviewing the District's "10-Year Student Population Projections by Residence" document¹, dated May 11, 2016, the development of 1,088 single-family homes in the Brookman area was considered and included in the District's student population forecast. The area being proposed to be annexed at this time is only 88.22 acres, excluding the adjacent Brookman Road right-of-way, which is about one-third of the entire Brookman Addition Concept Plan. A map of the "active and future residential developments" in the District's boundary can be found on page 11 of the report. It is important to note that the Sherwood School District boundary is independent of the city limits, so any growth within the boundaries of the school district will likely contribute students to the system even if that growth that occurs outside of the city limits.

III. REQUIRED CRITERIA AND FINDINGS FOR ANNEXATION AND BOUNDARY CHANGE

A. State Standards

Oregon revised Statute 222 authorizes and guides the process for annexations of unincorporated and adjacent areas of land into the incorporated boundary of the City. In this particular instance, the property owners of the area, via The Holt Group, Inc., are petitioning the City to annex under the annexation provisions outlined in Senate Bill 1573, which was added to ORS 222.111 to 222.180. Senate Bill 1573, Subsection 2(4) states that when the legislative body (City Council) determines that the annexation petition meets the criteria described in subsection (2), the territory is annexed to the city by ordinance. Assuming the City Council determines that the annexation petition meets the prescribed criteria, an ordinance annexing the territory and forwarding notification to the Secretary of State, Department of Revenue and affected agencies and districts will be prepared for Council approval.

Senate Bill 1573, Section 2.

- (1) This section applies to a city whose laws require a petition proposing annexation of territory to be submitted to the electors of the city.**
- (2) Notwithstanding a contrary provision of the city charter or a city ordinance, upon 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:**

The annexation petition is proposed by The Holt Group, Inc., representing 100%

¹ The Sherwood School District's report, "10-Year Student Population Projections by Residence: Fall 2016-2025", is available on the City's Website at <http://www.sherwoodoregon.gov/planning/project/brookman-area-annexation>.

of the property owners within the territory proposed for annexation. All property owners have signed the annexation petition.

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

The territory proposed for annexation is located within the urban growth boundary, in what is known as the Brookman area. The Brookman area was brought into the Sherwood Urban Growth Boundary in 2002 via Metro Ordinance 02-0969B to provide for needed residential land.

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

The entire Brookman area is comprised of 66 tax lots and approximately 258 acres. The area was concept planned between 2007 and 2009. In June 2009, via Ordinance 09-004, the City approved the concept plan and associated implementing comprehensive plan and map amendments.

(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 body of water; and

Five of the eight lots in the territory proposed for annexation are contiguous to the current city limits: Tax lots 3S10600100, 3S10600103, 3S10600107, 3S106B00100, and 3S106B00200.

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

The annexation petition was prepared in accordance with the city's requirements and all information required in the city's "Checklist for Annexation Request to the City of Sherwood" has been submitted.

(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.

The territory proposed for annexation includes approximately 88.22 acres of privately owned property and 4.08 acres of adjacent Brookman Road right-of-way for a total 92.30 acres.

- (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 an ordinance that contains a description of the territory annexed.**

As discussed above, the criteria described in subsection (2) apply to the territory proposed for annexation.

B. Regional Standards

In addition to the specific criteria for deciding city boundary changes within Senate Bill 1573, the Legislature has directed Metro to establish criteria, which must be used by all cities within the Metro boundary. This area is within the Urban Growth Boundary; however Metro has not extended their jurisdictional boundaries to include this area. Regardless, the City will err on the side of caution and review the annexation for compliance with the applicable Metro Code Chapter, Chapter 3.09 (Local Government Boundary Changes).

3.09.050 Hearing and Decision Requirements for Decisions Other Than Expedited Decisions

- A. The following requirements for hearings on petitions operate in addition to requirements for boundary changes in ORS Chapters 198, 221 and 222 and the reviewing entity's charter, ordinances or resolutions.**
- B. Not later than 15 days prior to the date set for a hearing the reviewing entity shall make available to the public a report that addresses the criteria in subsection (d) and includes the following information:**
- 1. The extent to which urban services are available to serve the affected territory, including any extra territorial extensions of service;**

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

Water: The Water System Master Plan identifies the need for several major improvements to extend water service to the area. These projects include: the seismic upgrade to the existing reservoirs; construction of new reservoirs; installation of a pressure reducing valve; and the addition of several pipeline segments. These improvements are required to provide a "backbone" network that will serve the area. Several of these items, including a seismic upgrade of the Main Reservoir and a new 4.0 million gallon reservoir have been completed. The Southwest Sherwood Pressure Reduction Valve (PRV) station and associated piping will be constructed in the right-of-way of Old Highway 99 at

the border of the 455-foot pressure zone. This connection will provide service to the western portion of the concept plan area, located in the 380-foot pressure zone. The PRV reduces the water pressure in the piping as it moves from the 455-foot pressure zone to the lower pressure, 380-foot pressure zone. This project is programmed for 2018 within the most recently adopted Water System Master Plan, however it may be completed sooner as development occurs within the area.

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

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

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

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

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

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

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

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

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

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

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

3. The proposed effective date of the boundary change.

The effective date of annexation will be finalized after Council adoption of the ordinance annexing the territory and filing of the approval with the Secretary of State, Department of Revenue, and other affected agencies.

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

The applicant has submitted the annexation application along with certified petitions and legal descriptions required to initiate the request. This staff report

evaluates whether the applicant's materials, the Brookman Addition Concept Plan and applicable standards to determine whether the applicable criteria have been met.

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

The criteria are evaluated immediately below.

Metro Criteria § 3.09.045 (D)

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

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

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

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

This is not applicable

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

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

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

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

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

e. Any applicable comprehensive plan; and

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

f. Any applicable concept plan.

Compliance with the Brookman Addition Concept Plan is discussed further in this report under the "Local Standards" section.

2. Consider whether the boundary change would:

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

The proposed annexation area can be served by extending existing sewer and water services that abut the City limits. Franchise utilities and road access are already provided by both Washington County and the respective utility service provider. Upgrades to these utilities will be studied, and if needed, required to be paid for by development. Finally, by annexing the area, the City will be able to collect the SDC's necessary to make infrastructure improvements needed to serve the area consistent with the applicable master plans.

Provision of public facilities and services in this area can occur in a timely and orderly manner concurrent with proposed development applications. The services can be provided relatively economically in that significant extensions

are not required. Any necessary upgrades to existing facilities have already been identified in existing plans, including the Brookman Addition Concept Plan and it has been determined that funding is “reasonably likely” which is a necessary finding in order to meet state Transportation Planning Rule requirements.

b. Affect the quality and quantity of urban services; and

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

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

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

Parks and open space will be increased through the annexation and development of the area as required by the development code.

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

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

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

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

Metro Criteria § 3.09.045 (E)

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

The proposed annexation territory lies entirely within the UGB.

C. Local Standards

The territory is within the City's Urban Planning Area as identified in Sherwood/Washington County Urban Planning Area Agreement. As such, the Comprehensive Plan goals and policies for urbanization apply. In addition, the city adopted the Brookman Addition Concept Plan, including amendments to the Comprehensive Plan to implement the concept plan. Ordinance 09-004 designated zoning on the properties in the area. A copy of the adopted comprehensive plan zoning map is attached as Exhibit C. This zoning will be applied upon annexation of the area.

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

Chapter 3. Section B.2

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

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

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

The area was brought into the UGB by Metro in 2002 to provide for residential development. The decision to annex the property provides for additional development opportunities within the City. According to a recent buildable lands inventory conducted by City staff and ECO Northwest, there were approximately 95 residentially zoned buildable acres within the existing City limits. Since that

report was published, the Mandel Farms subdivision was approved and is under construction on 22 acres, further reducing the amount of residentially-zoned buildable acres within the city limits. In some cases, the land available for residential development is being actively pursued by developers and the owners have not demonstrated a willingness to develop. By and large, the majority of land available for residential redevelopment is infill.

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

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

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

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

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

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

e. Achieve the maximum preservation of natural features.

The annexation of the area, in and of itself, will not preserve natural features; however, the development of the concept plan considered the natural environment and development of the area must be in compliance with Clean Water Service standards and the development code standards which apply to development in and near natural areas.

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

The concept plan for the area identifies transportation improvements necessary to serve the anticipated development of this area. As development occurs, new roads will be required of developers and intersection and off-site improvements made in

accordance with the existing Development Code, and County and City Transportation System Plans.

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

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

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

The concept plan was developed to ensure that the urbanization of this area was orderly and met the needs of the community; therefore the annexation of the proposed area is also consistent with the policies as outlined above. Existing infrastructure and services have been planned and designed for extension into the Brookman area to ensure an orderly transition from rural to suburban/urban uses.

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

Chapter 3 section F.1.b

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

The proposed annexation has been initiated by an individual corporation on behalf of all of the property owners within the affected area.

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

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

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

Services, once extended and upgraded, will have adequate capacity to service the area.

Policy 8 through 10 are not relevant to annexation proposals.

Specific requirements of the Brookman Addition Concept Plan include:

Chapter 8, Comp Plan policy 8.2:

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

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

Policy 4.4, referenced in the implementation policy, is specifically regarding the extension of Red Fern from the existing City limits into the area. Staff has determined that a development code amendment is not necessary as the Comprehensive Plan and Concept Plan already identify Red Fern as an area of special concern. However, the draft resolution includes a clause specifying Red Fern as an area of special concern to make it clear that this policy still exists and will be applied.

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

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

IV. RECOMMENDATION

This staff report provides a review and analysis of the existing criteria for annexation. It is staff's recommendation, based on the criteria in Senate Bill 1573, Metro annexation criteria and the City's policies in the Comprehensive Plan and Brookman Addition Concept Plan, that the annexation be approved.

V. EXHIBITS

- A. Legal description of area to be annexed
- B. Exhibits to legal description
- C. Comprehensive zoning map adopted via Ord. 2009-004
- D. List of tax lots, owners, and assessed values within the area to be annexed
- E. Map of areas proposed to be annexed
- F. Applicant's Materials
- G. Letter from Ken and Christy Reckard, dated March 2, 2017
- H. Letter from Jeremy Romig, dated March 9, 2017
- I. Letter from Karen Romig, dated March 9, 2017
- J. Letter from Stephanie Gengler, dated March 9, 2017
- K. Letter from Wendy Wells, dated March 10, 2017
- L. Letter from Steve Kuske, dated March 10, 2017
- M. Letter from Brandon Kuske, dated March 10, 2017
- N. Letter from Michelle Percey (Kuske), dated March 10, 2017
- O. Letter from Philip Lapp, dated March 10, 2017
- P. Letter from Melvin Taylor, dated March 11, 2017
- Q. Comments from Tom Mooney, Tualatin Valley Fire & Rescue, dated March 1, 2017
- R. Comments from Jill Hendrickson, ODOT Outdoor Advertising Sign Program, dated March 2, 2017
- S. Comments from Bob Galati, Sherwood City Engineer, dated March 13
- T. Comments from Sambo Kirkman, Washington County, dated March 7, 2017
- U. Comments from Erin Wardell, Washington County, dated March 10, 2017
- V. Comments from Jim Rose, Sherwood School District, dated March 15, 2017
- W. Letter from George Lorange, dated March 20, 2017
- X. Letter from Charles and Louise Bissett, dated March 21, 2017
- Y. Letter from Gerald and Liz Ouellette, dated March 21, 2017
- Z. Letter from Terry Stewart, dated March 21, 2017
- AA. Letter from Carleen Brewer, dated March 21, 2017
- BB. Letter from James Humphrey, dated March 23, 2017



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #3591

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

EXHIBIT A

Annexation Parcel

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

Parcel 1:

Beginning at the one-quarter corner common to said sections 6 and 31, also being the southwesterly corner of the Plat of "Abney Revard No. 2", thence along the north line of said section 6 and the City of Sherwood City Limits, South 88°45'45" East 2647.18 feet to the east line of said section 6 and the Washington County-Clackamas County line; thence leaving the City of Sherwood city limits along the said east line of said section 6, South 01°51'49" West 50.00 feet to the easterly extension of the north line of Deed Book 1182 Page 951; thence along said easterly extension and the north line of said Deed, North 88°45'45" West 766.59 feet to the west line of said Deed; thence along said west line, South 01°51'49" West 554.81 feet to the north line of Document Number 87-027469; thence along said north line, South 88°45'45" East 107.00 feet to the east line of said Deed; thence along said east line and the southerly extension thereof, South 01°51'49" West 746.00 feet to the southerly right-of-way line of Brookman Road (20.00 feet from centerline); thence along said southerly right-of-way line, North 88°50'38" West 2308.30 feet to the southerly extension of the east line of Document Number 87-037951; thence along said southerly extension and the east line of said Deed, North 02°23'45" East 459.00 feet to the northeast corner thereof; thence along the north line of said Deed, North 88°50'38" West 208.00 feet to the northwest corner thereof; thence along the west line of said Deed and the southerly extension thereof, South 02°23'45" West 459.00 feet to the southerly right-of-way line of Brookman Road (County Road No. 493) (20.00 feet from centerline); thence along said southerly right-of-way line, North 88°50'38" West 594.24 feet to the southerly extension of the east line of Document Number 2011-080743; thence along said southerly extension and the east line of said Deed, North 01°07'39" East 479.83 feet to the northeast corner of said Deed; thence along the north line of said Deed, North 89°52'17" West 54.60 feet to the east line of the Plat of "Middleton"; thence along the east line of said Plat, North 00°07'56" East 485.66 feet to the southeasterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline), also referenced as **Point 'A'**, which bears South 00°07'56" West 234.85 feet from the southerly southwest corner of Tract 'U' of the Plat "Woodhaven No. 4", and the City of Sherwood city limits; thence along said southeasterly right-of-way line, North 68°14'32" East 1260.43 feet; thence continuing along said southerly right-of-way line and along the City of Sherwood city limits, North 66°48'03" East 46.53 feet to the northwest corner of Lot 97 of the Plat of "Abney Revard No. 2", being an angle point of the southerly line of the City of Sherwood city limits; thence along the west line of said Lot 97 and the City of Sherwood city limits, South 01°15'43" West 120.84 feet to the Point of Beginning.

Parcel 2:

Beginning at said **Point 'A'**, which bears South 00°07'56" West 234.85 feet from the southerly southwest corner of Tract 'U' of the Plat "Woodhaven No. 4"; thence along the east line of the Plat of

Exhibit A

“Middleton”, North 00°07’56” East 64.66 feet to the northwesterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline) and the **True Point of Beginning**; thence continuing along said east line, North 00°07’56” East 170.19 feet to the southerly southwest corner of Tract ‘U’ of the Plat “Woodhaven No. 4”, and the City of Sherwood city limits; thence along the southerly line of said Tract ‘U’ and the City of Sherwood city limits, South 87°19’51” East 381.87 feet to the northwesterly right-of-way line of said Railroad (30.00 feet from centerline); thence leaving the City of Sherwood city limits along said northwesterly right-of-way line, South 68°14’32” West 411.14 feet to the True Point of Beginning.

The above described tracts of land contain 92.30 acres, more or less (of which 2.71 acres is existing right-of-way and 89.59 acres is private property).

01/06/2017



Michael Kalina



RENEWS: 6/30/17

ANNEXATION CERTIFIED

BY VF

FEB 01 2017

WASHINGTON COUNTY A & T
CARTOGRAPHY

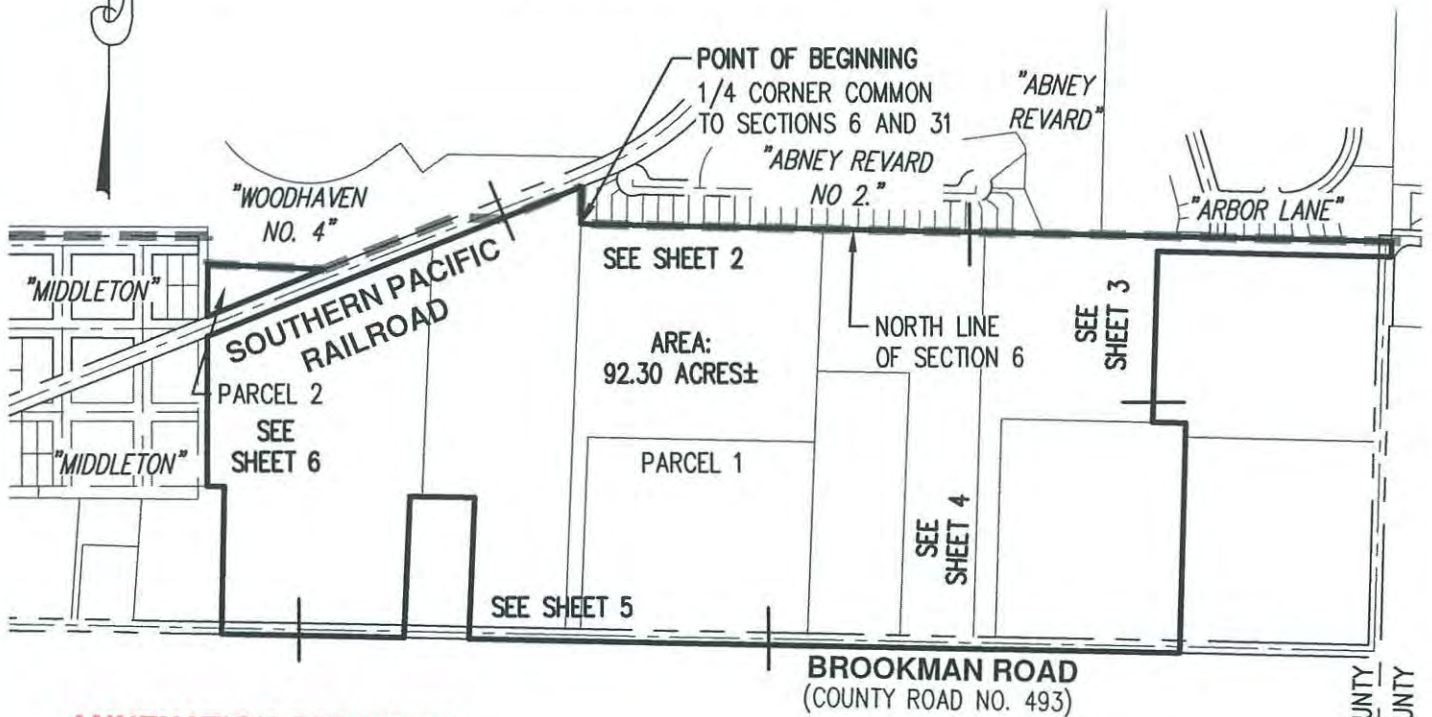
EXHIBIT B

SHEET 1 OF 6

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



SCALE 1" = 600 FEET



ANNEXATION CERTIFIED

BY TF

FEB 01 2017

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

01/06/2017

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Michael Kalina

**OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS
RENEWS: 6/30/17**

LEGEND

--- CITY OF SHERWOOD
--- CITY LIMITS

AREA TABLE

TOTAL AREA: 92.30 ACRES±
RIGHT-OF-WAY AREA: 2.71 ACRES±
PROPERTY AREA: 89.59 ACRES±

WASHINGTON COUNTY
CLACKAMAS COUNTY

Exhibit B

BROOKMAN AREA ANNEXATION			
DRAWN BY: MSK	CHECKED BY: RDR	DWG: 3591 ANNEX EXHIBIT	JOB: 3591
AKS ENGINEERING & FORESTRY, LLC			
12965 SW HERMAN RD		SUITE 100	
TUALATIN, OR 97062		www.aks-eng.com	
PHONE: 503.563.6151	FAX: 503.563.6152		

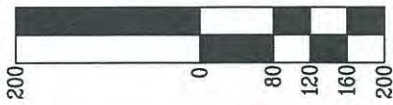


EXHIBIT B

SHEET 4 OF 6

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

SCALE 1" = 200 FEET



LEGEND

--- CITY OF SHERWOOD
--- CITY LIMITS

ANNEXATION CERTIFIED

BY 

FEB 01 2017

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

AREA:
92.30 ACRES±

PARCEL 1

DOC. NO.
99-109559

DOC. NO.
98-103799

DOC. NO.
89-039882

DOC. NO.
87-027469

S88°45'45"E
107.00'

S01°51'49"W 746.00'

DOC. NO.
2004-041152

(COUNTY ROAD NO. 493)
BROOKMAN ROAD

MATCH LINE - SEE SHEET 5

N88°50'38"W 2308.30'

01/06/2017

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/17

BROOKMAN AREA ANNEXATION

DRAWN BY:MSK | CHECKED BY:RDR | DWG: 3591 ANNEX EXHIBIT | JOB: 3591

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD SUITE 100
TUALATIN, OR 97062 www.aks-eng.com
PHONE: 503.563.6151 FAX: 503.563.6152



Exhibit C
Adopted Comprehensive Plan
Designations in Brookman Plan area

Brookman Zoning- 2013

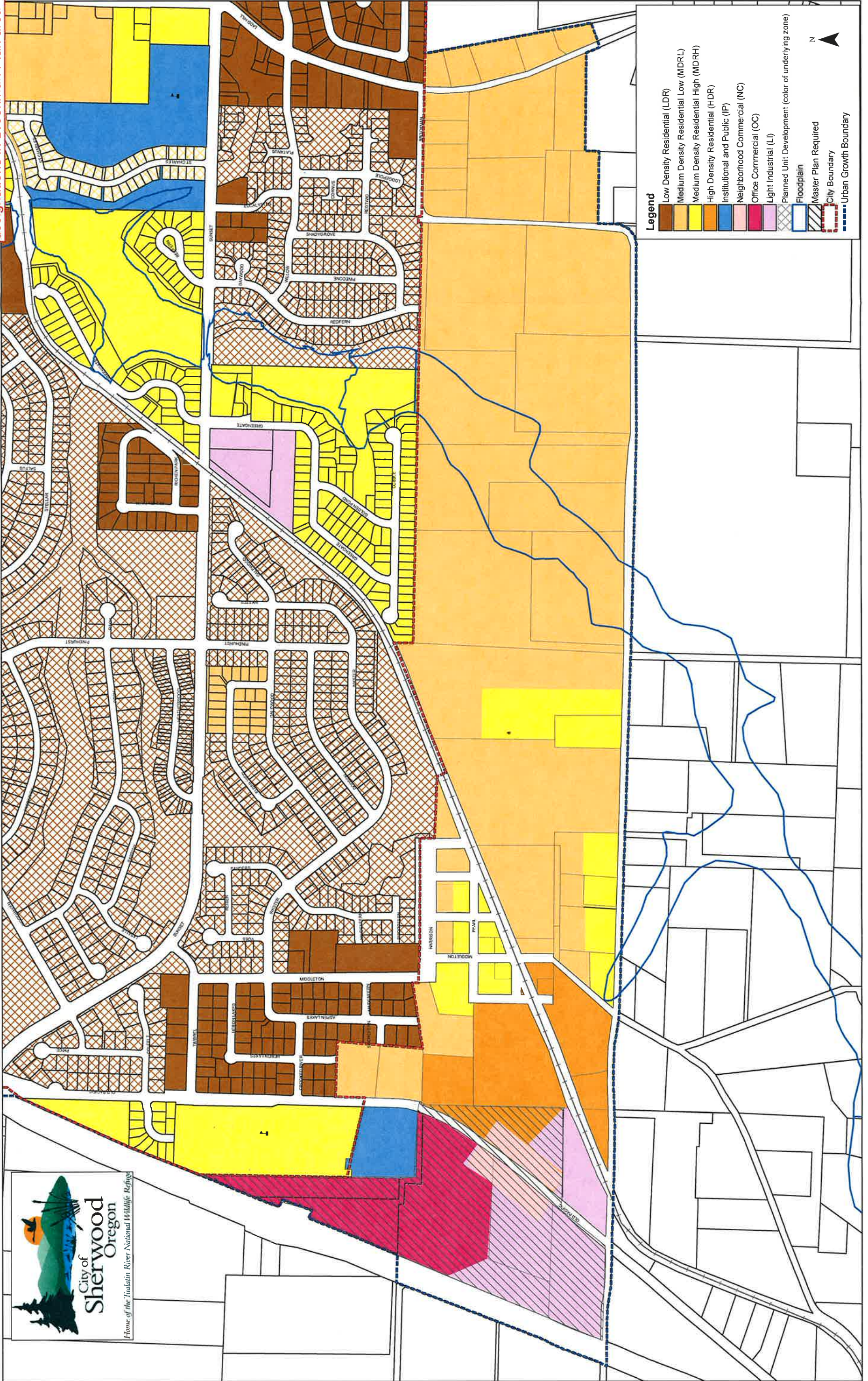


Exhibit C

Brookman Area Annexation Request (2017)

List of Tax Lots, Owners, and Assessed Value				
Property Owner	Parcel Number	Parcel Size (ac)	Assessed Value	Signed Petition
Gerald and Liz Oullette	3S1060000100	9.9	\$355,170.00	Yes
Bonnie J David	3S1060000101	5.86	\$302,440.00	Yes
Charles and Louise Bissett	3S1060000102	9.72	\$261,700.00	Yes
Teresa Jaynes-Lockwood	3S1060000103	13.5	\$490,140.00	Yes
Richard and Linda Scott	3S1060000104	10.47	\$263,820.00	Yes
Wayne and Linda Chronister, Barbara Rubsam, Larry Rubsam, Liz Ouellette	3S1060000107	9.92	\$72,000.00	Yes
Sherwood Land, LLC	3S106B000100	13.03	\$181,520.00	Yes
George Boyd and Carleen Brewer	3S106B000200	15.82	\$229,320.00	Yes
TOTAL YES		88.22	\$2,156,110.00	100%

ANNEXATION APPLICATION FOR PROPERTIES NORTH OF SW BROOKMAN ROAD

DATE: February 2017

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

APPLICANT: The Holt Group, Inc.
PO Box 61426
Vancouver, WA 98666



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

Exhibit F



ANNEXATION APPLICATION FOR PROPERTIES NORTH OF SW BROOKMAN ROAD

TABLE OF CONTENTS

APPLICATION CONTENTS (3 COPIES):

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

INCLUDED SEPARATELY WITH APPLICATION:

- Mailing Labels (2 Sets)
- Compact Disc (CD) of Application Materials



CITY APPLICATION FOR LAND USE ACTION



Case No. AN 16-01
Fee \$7500
Receipt # 872144
Date 2-2-17 (Revised)
TYPE V

City of Sherwood
Application for Land Use Action

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

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

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

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

Owner/Applicant Information:

Applicant: The Holt Group Inc. Phone: Contact Applicant's Consultant
 Applicant Address: PO Box 61426, Vancouver WA 98666 Email: Contact Applicant's Consultant
 Owner: See Attached Annexation Petitions Phone: Contact Applicant's Consultant
 Owner Address: See Attached Annexation Petitions Email: Contact Applicant's Consultant
 Contact for Additional Information: Applicant's Consultant
AKS Engineering & Forestry, LLC - Phone: (503) 563-6151

Property Information:

12965 SW Herman Road, Tualatin, OR 97062
 Street Location: North of SW Brookman Road and East of Southern Pacific Railroad
 Tax Lot and Map No: Map No.: 35106 Tax Lots: 100, 101, 102, 103, 104, 107; Map No.: 35106B Tax Lots: 100 and 200 (See attached maps)
 Existing Structures/Use: Either vacant or residential dwelling units and accessory structures
 Existing Plan/Zone Designation: FD-20 (Washington County)
 Size of Property(ies) Total of ±88.22 without adjacent right-of-way (per Wash. County Assessors Information)
Total of ±92.30 acres including adjacent right-of-way on SW Brookman Road (per attached Legal Desc. and Map)

Proposed Action:

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

Proposed Use: Annexation of properties at this time.

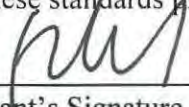
Proposed No. of Phases (one year each): N/A

LAND USE APPLICATION FORM

Authorizing Signatures:

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

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



Applicant's Signature

4/14/16

Date

Owner's Signature

Date

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

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

Copy of Deed to verify ownership, easements, etc.

At least 3 * folded sets of plans

At least 3 * sets of narrative addressing application criteria

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

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

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

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



CITY CHECKLIST FOR ANNEXATION REQUEST FORMS



CHECKLIST FOR ANNEXATION REQUEST TO THE CITY OF SHERWOOD

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

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

Steps Following Application Submittal to the City of Sherwood:

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

Annexations to the City of Sherwood

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

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

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

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

I. Application Process for Property Owners and Registered Voters

PLEASE READ ALL INSTRUCTIONS BEFORE FILING A PETITION WITH THE CITY

Step 1. Petition

Complete the attached petition.

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

Have the County Assessor's Office:

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

Step 2. Legal Description

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

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

✓ Step 3. Map

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

✓ Step 4. Notice List & Labels

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

✓ Step 5. Information Sheet

Complete the attached *Boundary Change Data Sheet*.

✓ Step 6. Work Sheet

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

✓ Step 7. Annexation Questionnaire

Complete the Annexation Questionnaire.

✓ Step 7. Submit Application to the City

Submit all materials to the City of Sherwood Planning Department.

II. City Review

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

Step 1. Compliance Review

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

Step 2. Public Hearing Date Set

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

Step 3. Public Hearing Notice

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

Step 4. Staff Study and Report

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

Step 5. Public Hearing

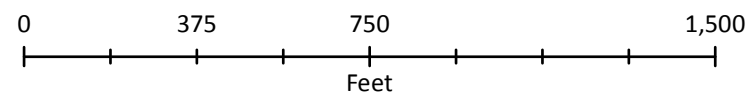
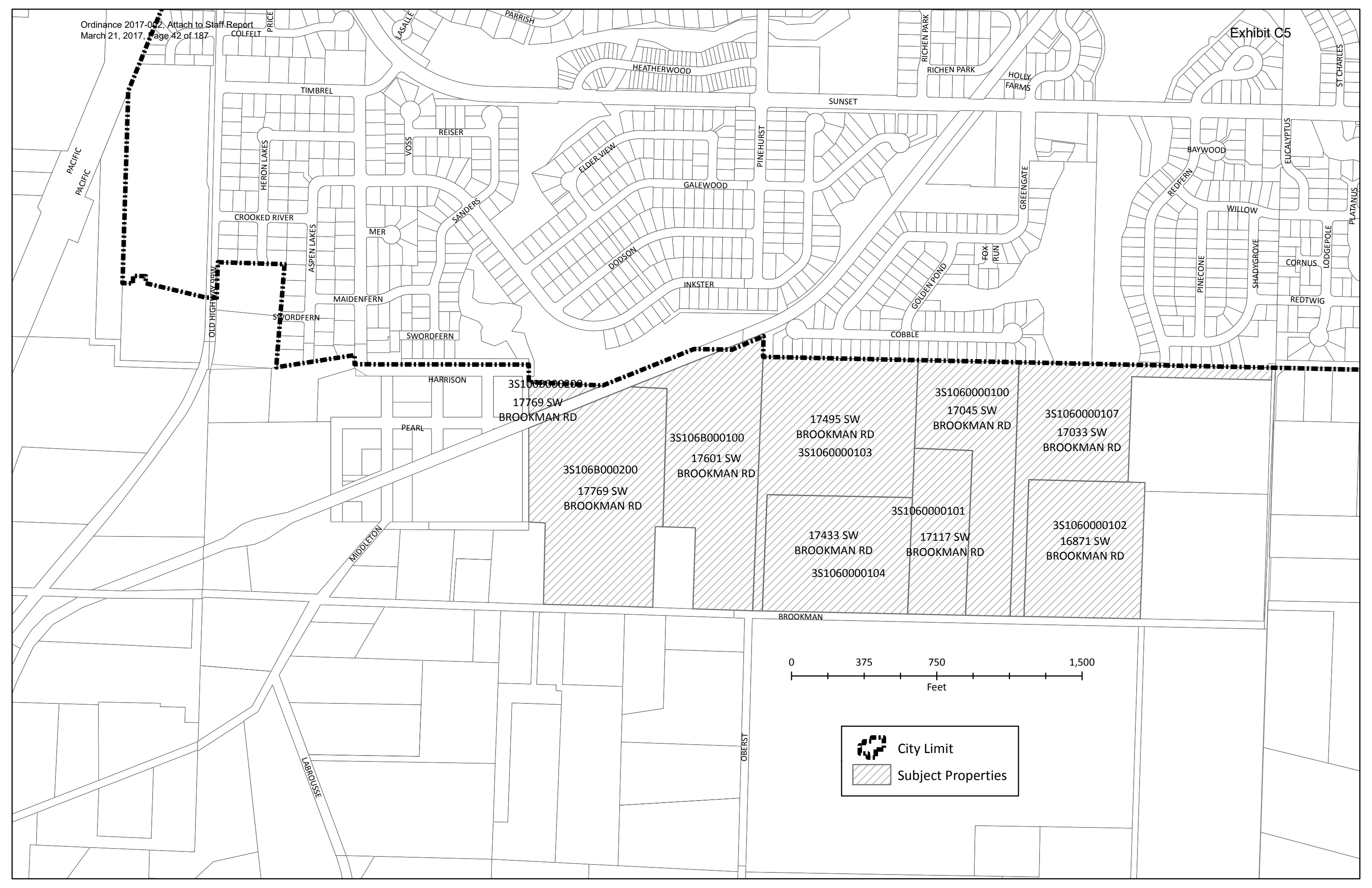
The City Council holds a public hearing. At the hearing the Council will consider 7 minimum criteria laid out in the Metro Code including compliance with urban service agreements, consistency with applicable land use plans and service availability. At the conclusion of the public hearing, if Council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



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

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



MAP OF ANNEXATION AREA



	City Limit
	Subject Properties



PETITIONS FOR ANNEXATION TO THE CITY OF SHERWOOD

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:


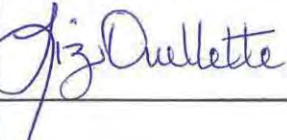
We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Gerald J Ouellette	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17045 SW Brookman Road Sherwood OR 97140	3S10600 00100	9.90 AC	\$355,170
	Liz A Ouellette	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>				

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Bonnie J. David</i>	Bonnie J. David			✓	17117 SW Brookman Road Sherwood OR 97140	3S10600 00101	5.86 AC	\$302,440

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Charles W. Bissett</i>	Charles W. Bissett			X	16871 SW Brookman Road Sherwood, OR 97140	3S1060000102	9.72 AC	\$ 261,700
<i>Louise M. Bissett</i>	Louise M. Bissett			X				

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE 1 OF 1

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Teresa Jaynes-Lockwood</i>	Teresa Jaynes-Lockwood	X			17495 SW Brookman Road Sherwood OR 97140	3S10600 00103	13.50 AC	\$490,140

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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



LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE 1 OF 1

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Linda R Scott			X	17433 SW Brookman Road Sherwood OR 97140	3S10600 00104	10.47AC	\$263,820
	Richard L Scott			X	✓	✓	✓	✓

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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


LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

THREE SEPARATE 1/3 INTEREST ALL AS TENANTS IN COMMON	SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
			PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
		Rosemary Rubsam				17033 SW Brookman Road Sherwood, OR 97140	351060000107	9.92 AC	\$72,000
		Barbara Rubsam			✓				

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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





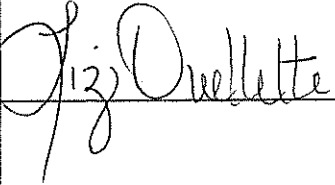
LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Barbara Rubsam			✓	17033 SW Brookman Sherwood, OR 97140	3S1060000107	9.92 AC	\$72,000
	Linda Chronister			✓				
	Larry Rubsam			✓				
	Liz Ouellette			✓				

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

11-5-75

BC

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS

FILED OREGON JUDICIAL DEPT WASHINGTON COUNTY

15 MAR 24 AM 10:22

In the Probate Court of the County of Washington, Oregon

In the Matter of the Estate of:

Rosemary Rubsam

Deceased.

Estate No. C15-0097SE SMALL ESTATE AFFIDAVIT INTESTATE ESTATE

STATE OF OREGON, County of Washington ss.

I, Barbara Rubsam, being first duly sworn, depose and say that: I am a claiming successor of the above named decedent. My address is 17045 SW Brookman Rd Sherwood, OR 97140, and my telephone number is [REDACTED]

This affidavit is made pursuant to ORS 114.505 to 114.560.

(1) Name of Decedent Rosemary Rubsam Age 91 Soc. Sec. No. [REDACTED] Domicile/Post Office Address 17045 SW Brookman Rd Sherwood, OR 97140

(2) Decedent died on August 01, 2014, at Legacy Meridian Park, Tualatin, OR

A certified copy of decedent's death record is attached hereto.

(3) A description of all of decedent's property, including the fair market value of the real property and the fair market value of the personal property, is:

Real Property Legal Description (Including County) Fair Market Value

None

Personal Property Description Fair Market Value Wells Fargo Bank checking acct# [REDACTED] \$1521.33

(4) No application or petition for the appointment of a personal representative has been granted in Oregon.

(5) The decedent died intestate.

(6) Decedent's heirs, and the last address of each as known to affiant, are:

Table with 2 columns: Name, Last Known Address. Rows include Barbara Rubsam, Linda Chronister, Larry Rubsam, and Liz Ovellette.

A copy of this affidavit showing the date of filing will be delivered to each heir or mailed to each heir at the heir's last known address stated above.

(7) The interest in decedent's property to which each heir is entitled is:*

Table with 2 columns: Name, Interest. Rows include Barbara Rubsam, Linda Chronister, Larry Rubsam, and Liz Ovellette, all with 25% interest.

*If any property of decedent's estate escheats (i.e., reverts to the state for want of an individual to inherit), use a portion of this paragraph to so state. Describe the property and interest therein which will escheat.

(CONTINUED)



(8) Reasonable efforts have been made to ascertain creditors of the estate. The expenses of and claims against the estate remaining unpaid or on account of which the affiant or any other person is entitled to reimbursement from the estate, including the known or estimated amounts thereof, and the names and addresses of the creditors, as known to the affiant, are (if none, so state):

Name of Creditor	Address	Nature of Expense/Claim	Known or Estimated Amount
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

A copy of the affidavit showing the date of filing will be delivered to each creditor who has not been paid in full or mailed to such creditor at the creditors's last known address stated above.

(9) The name and address of each person known to the affiant to assert a claim against the estate that the affiant disputes, and the last known or estimated amount thereof, are (if none, so state):

Name	Address	Known or Estimated Amount
None		

A copy of the affidavit showing the date of filing will be delivered or mailed to each such person at each such person's last known address.

(10) A copy of the affidavit showing the date of filing will be mailed or delivered to the Department of Human Services and to the Oregon Health Authority, P.O. Box 14021, Salem, OR 97309-5024.*

(11) Claims against the estate not listed herein or in amounts larger than those listed herein may be barred unless:

(a) A claim is presented to the affiant within four months of the filing of this affidavit at the following address: PO Box 1473, Sherwood, OR 97140 ; or

(b) A personal representative of the estate is appointed within the time allowed under ORS 114.555.

(12) The claim(s), if any, listed in Section (9) may be barred unless:

(a) A petition for summary determination is filed within four months of the filing of this affidavit; or

(b) A personal representative of the estate is appointed within the time allowed under ORS 114.555.

Barbara Rubsam

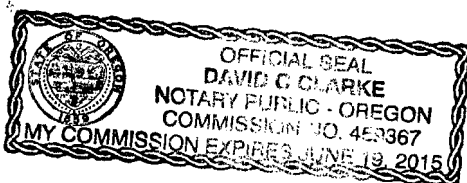
SIGNED AND SWORN TO before me on March 18, 2015

by Barbara Rubsam

David G. Clarke

Notary Public for Oregon

My commission expires 6/19/15



*At time of publication, a single copy delivered to this address provides sufficient notice to both agencies.

NOTE - A creditor of an estate of a decedent who dies intestate and without heirs must receive written authorization from the Director of the Division of State Lands before filing an affidavit pursuant to ORS 114.515. Creditors should become familiar with and comply with this statute before proceeding.

ORS 114.515 specifies maximum values for small estates. Before filing a small estate, review this statute to be sure the fair market value of the estate's property does not exceed these limits.

ORS 114.54(3) requires that an affiant's or claiming successor's deed executed in the manner required by ORS Chapter 93 be recorded in the deed records of any county in which real property belonging to the decedent is situated.

STATE OF OREGON
CERTIFICATION OF VITAL RECORD

689719

OREGON HEALTH AUTHORITY
CENTER FOR HEALTH STATISTICS
CERTIFICATE OF DEATH

136-2014-022543

I.D. TAG NO.

STATE FILE NUMBER

TO BE COMPLETED BY FUNERAL FACILITY

Legal Name		First	Middle	Last	Suffix	Death Date	
		Rosemary		Rubsam		August 01, 2014	
Sex	Age	Social Security Number			County of Death		
Female	91 years	[REDACTED]			Clackamas		
Birthdate		Birthplace			Was Decedent Ever in U.S. Armed Forces?		
[REDACTED]		Terre Haute, Indiana			[REDACTED]		
Residence:				City/Town			
17045 SW Brookman Road				Sherwood			
Residence County			State or Foreign Country		Zip Code + 4		Inside City Limits?
Washington			Oregon		97140		Yes
Marital Status at Time of Death			Spouse's Name Prior to First Marriage				
[REDACTED]			[REDACTED]				
Father's Name				Mother's Name Prior to First Marriage			
[REDACTED]				[REDACTED]			
Informant's Name		Telephone Number		Relationship to Decedent		Mailing Address	
[REDACTED]		Not Available		[REDACTED]		[REDACTED]	
Place of Death							
[REDACTED]							
Location of Death				City/Town or Location of Death		State	Zip Code + 4
[REDACTED]				[REDACTED]		[REDACTED]	[REDACTED]
Method of Disposition		Place of Disposition			Location (City/Town and State)		
[REDACTED]		[REDACTED]			[REDACTED]		
Name and Complete Address of Funeral Facility							
[REDACTED]							
Date of Disposition		Funeral Director's Signature				OR License Number	
August 06, 2014		[Signature] Heather Lewis				CO-3895	
Registrar's Signature				Date Received		Local File Number	
[Signature] Jennifer A. Woodward				September 18, 2014			
Amendment Res. Address was 22787 SW Lincoln Avenue amended by F. Dir. aff. Z#124574 J.A. Woodward, State Reg., Sep-24-2014 pt, Res. Address Street Name was Bookman amended electronically by funeral director Oct-14-2014 J.A. Woodward, State Reg., pt							

45-2CCS (01/06)



I CERTIFY THAT THIS IS A TRUE, FULL AND CORRECT COPY OF THE ORIGINAL CERTIFICATE ON FILE OR THE VITAL RECORD FACTS ON FILE IN THE VITAL RECORDS UNIT OF THE OREGON CENTER FOR HEALTH STATISTICS.

January 03, 2017

DATE ISSUED:

[Signature] Jennifer A. Woodward
JENNIFER A. WOODWARD, Ph.D.
STATE REGISTRAR



TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

THREE SEPARATE 1/3 INTEREST ALL AS TENANTS IN COMMON	SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
			PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	<i>Gerald J. Ouellette</i>	Gerald J. Ouellette	✓			17033 SW Brookman Road Sherwood, OR 97140	3S1060000107	9.92 AC	\$72,000
	<i>Elizabeth A. Ouellette</i>	Elizabeth A. Ouellette			✓				

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

THREE SEPARATE 1/3 INTEREST ALL AS TENANTS IN COMMON	SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
			PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	<i>Wayne K. Chronister</i>	Wayne K. Chronister			X	17033 SW Brookman Road Sherwood, OR 97140	3S1060000107	9.92 AC	\$72,000
	<i>Linda A. Chronister</i>	Linda A. Chronister			X				

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:


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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Sherwood Land LLC				17601 SW Brookman Road Sherwood OR 97140	3S106B0 00100	13.03 AC	\$241,450
	George L. Lorance	X			8212 NW Fruit Valley Rd Vanc, WA 98665			

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>George W Boyd</i>	George W Boyd Revocable Living Trust	X			17769 SW Brookman Road Sherwood OR 97140	3S106B0 00200	15.82 AC	\$229,320
<i>Carleen H Brewer 3-25-16</i>	Carleen H Brewer Revocable Living Trust			X	same	same	same	same

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



BOUNDARY CHANGE DATA SHEET

BOUNDARY CHANGE DATA SHEET

I. EXISTING CONDITIONS IN AREA TO BE ANNEXED OR WITHDRAWN

- A. General location: Within the Brookman Addition Concept Plan, southeast of the Southern Pacific Railroad tracks, north of SW Brookman Road.
- B. Land Area: Acres ±88.22 acres without R.O.W. or Square Miles _____
(per Washington County Assessor's Information) and ±92.30 acres including adjacent R.O.W. (per legal description and map)
- C. General description of territory. (Include topographic features such as slopes, vegetation, drainage basins, floodplain areas, which are pertinent to this proposal.)

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

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

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

North: Residential subdivision within the City of Sherwood City Limits

East: Single-family dwellings within Washington County

South: Single-family dwellings within Washington County

West: Single-family dwellings within Washington County

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

Number of single-family units 8 Number of multi-family units 0

Number of commercial structures 0 Number of industrial structures 0

Public facilities or other uses None

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

- F. Total current year Assessed Valuation: \$2,216,040

- G. Total existing population: 8 properties with 17 owners

II. REASON FOR BOUNDARY CHANGE

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

See attached explanation.

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

See attached explanation.

III. LAND USE AND PLANNING

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

Inside

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

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

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

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

FD-20

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

____ Yes 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.

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

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

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

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

Washington County Citizen Participation Organization No. 5

IV. SERVICES AND UTILITIES

- A. Please indicate the following:

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

8" water line stubbed in SW Swordfern Lane, northwest of the annexation properties,
and an 8" water line stubbed in SW Redfern Drive, northeast of annexation properties.

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

According to the City of Sherwood Sanitary Sewer Master Plan, an existing sewer line is
located north of the Brookman Addition area and west of SW Redfern Drive.

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

According to the City of Sherwood Brookman Addition Stormwater Concept Plan Diagram,
new stormwater facilities will be constructed with future residential development in the
area. TVF&R currently serves the area and will continue to do so once annexed.

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

Services 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 infrastructure construction by those developing the property.

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

City of Sherwood

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

City _____ Rural Fire Dist. Tualatin Valley Fire and Rescue

County Service Dist. _____ Sanitary District _____

Hwy. Lighting Dist. _____ Water District _____

Grade School Dist. Sherwood School Dist. Drainage District _____

High School Dist. Sherwood School Dist. Diking District _____

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

Special Road Dist. _____ Other District Supplying
Water Service _____

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

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

V. APPLICANT INFORMATION

APPLICANT'S NAME The Holt Group, Inc.

MAILING ADDRESS PO Box 61426

Vancouver, WA 98666

TELEPHONE NUMBER (503) 563-6151- Phone (Applicant's Consultant) (Work)

(503) 563-6152- Fax (Applicant's Consultant) (Res.)

Boundary Change Data Sheet

II. Reason for Boundary Change

Senate Bill 1573:

In response to Senate Bill 1573, which went into effect March 15, 2016, and, “applies to a city whose laws require a petition proposing annexation of territory to be submitted to the electors of the city,” the following criteria found in Sections 2 and 3 of Senate Bill 1573 have been addressed.

Section 2. (2)

Notwithstanding a contrary provision of the city charter or a city ordinance, upon 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: 100% of the land owners have signed annexation petitions. These petitions are included in the application materials. The territory is included within the Portland Metropolitan Urban Growth Boundary.

(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 Brookman Addition Concept Plan, and associated implementing Comprehensive Plan acknowledged under ORS 197.625, which includes a Comprehensive Plan Zoning Map was adopted by the City Council in June 2009 and became final on April 5, 2010. Upon approval of this annexation application, the majority of the properties, approximately ±83.22 acres will be zoned Medium Density Residential Low (MDRL). The remaining ±5.0 acres will be zoned Medium Density Residential High (MDRH), as shown on the Brookman Addition Zoning Map May 14, 2009 included in the Brookman Addition Concept Plan.

(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 description and map, at least one lot or parcel within the territory to be annexed is contiguous to the City limits.

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

Response: All required information, forms and documents found in the “Checklist for Annexation Request to the City of Sherwood” have been 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 Brookman Addition Concept Plan. Access is available from SW Brookman Road and sewer and water from land to the northeast that is located within the City.

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 an 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 eight (8) properties planned for annexation prepared by a Professional Land Surveyor is included in the application materials.

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.

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

The application is for an Annexation into the City of Sherwood for eight (8) properties totaling ±88.22 acres (According to Washington County Assessor's Information). The properties were included in the Urban Growth Boundary (UGB) in 2002 and are located in the City of Sherwood's Brookman Addition Concept Plan, which identified approximately ±258 acres of land for future growth. This Annexation application is consistent with achieving that goal.

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

The area is largely underdeveloped and will require City approvals for future development. Consistent with the Brookman Addition Concept Plan, the applicant envisions a neighborhood of new low to medium density single-family residential housing, open space areas, preservation of natural resource areas, and efficient and convenient access and circulation by providing public streets and sidewalks. This will be consistent with the existing nearby residential development patterns in the area.

Annexation of the ±88.22 acre Brookman Addition Area is consistent with goals and policies related to annexation in Chapter 3 Growth Management, of the City of Sherwood's Comprehensive Plan addressed below.

City of Sherwood Comprehensive Plan (Chapter 3, section B.2):

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.

Policy Objectives

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

Response: The territory included in the application is 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: The recent buildable lands inventory conducted by City staff and ECONorthwest concluded that there are approximately 95 acres of residentially zoned land left within the City limits suitable for development. Annexation of the subject properties into the City will reduce pressure on infill development that is not harmonious with existing neighborhoods, and will not preclude existing properties inside the City limits to develop if those property owners so choose.

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

Response: The ±88.22 acres of land (per County Assessor records and not including right-of-way) included in this annexation application were included in the UGB in 2002. City services have been identified in the City’s Brookman Addition Concept Plan to be available for extension into the area.

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

Response: The ±88.22 acres of land included in this annexation application are part of the City’s Brookman Addition Concept Plan, which was included in the UGB in 2002. By including the subject area within the UGB, both the 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: This annexation application preserves natural features because upon annexation, City regulations for natural features will apply, whereas currently they do not. At time of development, properties will be subject to the standards of the City’s Development Code and the rules and regulations of Clean Water Services, which regulate the preservation of sensitive lands.

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

Response: Transportation and circulation improvements needed to serve the future development of the annexation area have been identified in the City’s Brookman Addition Concept Plan and Transportation System Plan, which will be reviewed at 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 of community services and public facilities to serve the Brookman area were considered concurrently with the Brookman Area Concept Plan and found to be available or able to be appropriately extended with the future development of the area.

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

Response: Consistent with previous annexation applications for properties within the Brookman area, the future development of the subject properties can be developed in an orderly and efficient way that does not burden existing residents in the community. Existing services and infrastructure have been designed for the future extension into the subject area in a manner as to minimize impact to surrounding neighborhoods.

City of Sherwood Comprehensive Plan (Chapter 3, section F.1.b):

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

Response: 100% of the property owners within the annexation territory have signed the appropriate petitions, which are included in the application materials.

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

Response: As illustrated by the Brookman Addition Concept Plan, public sewer and water is available to the northeast of the subject properties between SW Redfern Drive and SW Cobble Court. Once annexation to the City occurs, the subject properties will be required to annex into the Clean Water Services District Boundary.

Specific requirements of the Brookman Concept Plan include:

City of Sherwood Comprehensive Plan (Chapter 8):

Policy 8.2: *To facilitate and ensure implementation in accordance with the concept plan policies, annexation of properties within the Brookman Addition concept plan area may not occur until development code amendments are made to implement applicable policies, including but not limited to policy 4.4.*

Response: The majority of the concept plan policies associated with the annexation of properties within the Brookman Addition Concept Plan area within Chapter 8 of the City's Comprehensive Plan are already implemented with the City's existing Development Code. Policy 4.4, referenced in this policy refers to the identification of a local connection to SW Red Fern Drive as an "area of special

concern.” The feasibility of a new connection to SW Red Fern Drive will be addressed under future development applications as it becomes available.

Policy 8.2.a: prior to or concurrent with annexation, and assignment of zoning of properties within the Brookman addition area, a plan shall be prepared and adopted by Council to ensure that necessary infrastructure improvements will be available, and a funding mechanism or combination of funding mechanisms are in place for the necessary infrastructure improvements consistent with the funding options identified in the concept plan and in full compliance with the Transportation Planning Rule. The plan for annexation may address all or part of the concept plan area, subject to Council approval.

Response: It is understood that future improvements will be paid for and constructed by persons developing in the annexation area. In addition to the development costs necessary to pay for improvements, future land developers and/or home builders will be responsible for paying System Development Charges and Construction Excise Taxes when new homes are constructed. This will include money paid to the City in the form of park SDC’s, water and sewer SDC’s, stormwater system SDC’s, and transportation SDC’s. In addition, similar to all property owners in the City, future residents of the annexation area will be responsible for paying property taxes which help fund schools, police and fire protection services, as well as other basic City services.



ANNEXATION QUESTIONNAIRES

ANNEXATION QUESTIONNAIRE

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

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

Fill out one sheet per property that is being annexed.

Address: 17045 SW Brookman Road, Sherwood, OR 97140

Housing type:

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

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
Ouellette	Gerald	M	61
Ouellette	Liz	F	58
Ouellete	Megan	F	19
Ouellette	Cali	F	12

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: 17495 SW Brookman Road, Sherwood, OR 97140 _____

Housing type: _____

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

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
Jaynes-Lockwood	Teresa	F	

ANNEXATION QUESTIONNAIRE

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

Fill out one sheet per property that is being annexed.

Address: 17433 SW Brookman Road, Sherwood, OR 97140

Housing type:

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

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
Scott	Richard	M	66
Scott	Linda	F	65
Scott	Preston	M	36
Scott	Lisa	F	45

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: 17117 SW Brookman Road, Sherwood, OR 97140 _____

Housing type: _____

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

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
David	Bonnie	F	

ANNEXATION QUESTIONNAIRE

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

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

Fill out one sheet per property that is being annexed.

Address: 17769 SW Brookman Road, Sherwood, OR 97140

Housing type:

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

Occupancy:

- Owner occupied
- Renter occupied
- Vacant
- Seasonal

Resident Information:

Last Name	First Name	Sex	Age
Boyd	George	M	71
Brewer	Carleen	F	63



WORKSHEETS FOR ANNEXATION TO THE CITY OF SHERWOOD

WORKSHEET FOR ANNEXATION TO THE CITY OF SHERWOOD

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

PROPERTY INFORMATION (ALL METHODS)

PROPERTY DESIGNINATION (Tax Lot Numbers)	NAME OF PROPERTY OWNER	TOTAL ACRES	ASSESSED VALUE OF THE PROPERTY	SIGNED PETITION YES NO
3S106: 100	Gerald Ouellette, Liz (Elizabeth) Ouellette	9.90	355,170	X
3S106: 101	Bonnie David	5.86	302,440	X
3S106: 102	Charles W. Bissett, Louise M. Bissett	9.72	261,700	X
3S106: 103	Teresa Jaynes - Lockwood	13.50	490,140	X
3S106: 104	Linda R Scott, Richard L Scott	10.47	263,820	X
3S106: 107	Rubsam's, Ouellette's, Chronister's	9.92	72,000	X
TOTALS:	(Subtotal)	59.37	\$1,745,270	

REGISTERED VOTERS (DOUBLE MAJORITY METHOD)

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

SUMMARY

TOTAL NUMBER OF REGISTERED VOTERS IN THE PROPOSAL: N/A TOTAL NUMBER OF COMMERCIAL STRUCTURES: 0
 NUMBER OF REGISTERED VOTERS WHO SIGNED PETITION: N/A TOTAL NUMBER OF INDUSTRIAL STRUCTURES: 0
 PERCENTAGE OF REGISTERED VOTERS WHO SIGNED PETITION: N/A
 TOTAL ACREAGE IN THE PROPOSAL: 88.22 Total Assessed Value: \$2,216,040
 ACREAGE SIGNED FOR: 88.22 Value Signed For: \$2,216,040
 PERCENTAGE OF ACREAGE SIGNED FOR: 100% Percentage Value Signed For: 100%
 TOTAL NUMBER OF SINGLE-FAMILY UNITS: 8
 TOTAL NUMBER OF MULTI-FAMILY UNITS: 0



PROPERTY OWNERS LIST

PROPERTY OWNER LIST

GERALD J. OUELLETTE ELIZABETH A. OUELLETTE	3S10600 100 17045 SW BROOKMAN RD. Sherwood, OR 97140
BONNIE J. DAVID	3S10600 101 17117 SW BROOKMAN RD. Sherwood, OR 97140
CHARLES W. BISSETT LOUISE M. BISSETT	3S10600 102 16871 SW BROOKMAN RD. Sherwood, OR 97140
TERESA JAYNES - LOCKWOOD	3S10600 103 17495 SW BROOKMAN RD. Sherwood, OR 97140
LINDA R SCOTT RICHARD SCOTT	3S10600 104 17433 SW BROOKMAN Sherwood, OR 97140
BARBARA RUBSAM LARRY RUBSAM GERALD J. OUELLETTE ELIZABETH (LIZ) A. OUELLETTE WAYNE K. CHRONISTER LINDA A. CHRONISTER	3S10600 107 17033 SW BOOKMAN RD. SHERWOOD, OR 97140
SHERWOOD LAND LLC BY: GEORGE LORANCE	3S106B 100 17601 SW BROOKMAN RD. Sherwood, OR 97140
GEORGE W BOYD REV. TRUST CARLEEN H BREWER REV. TRUST	3S106B 200 17769 SW BROOKMAN RD. Sherwood, OR 97140

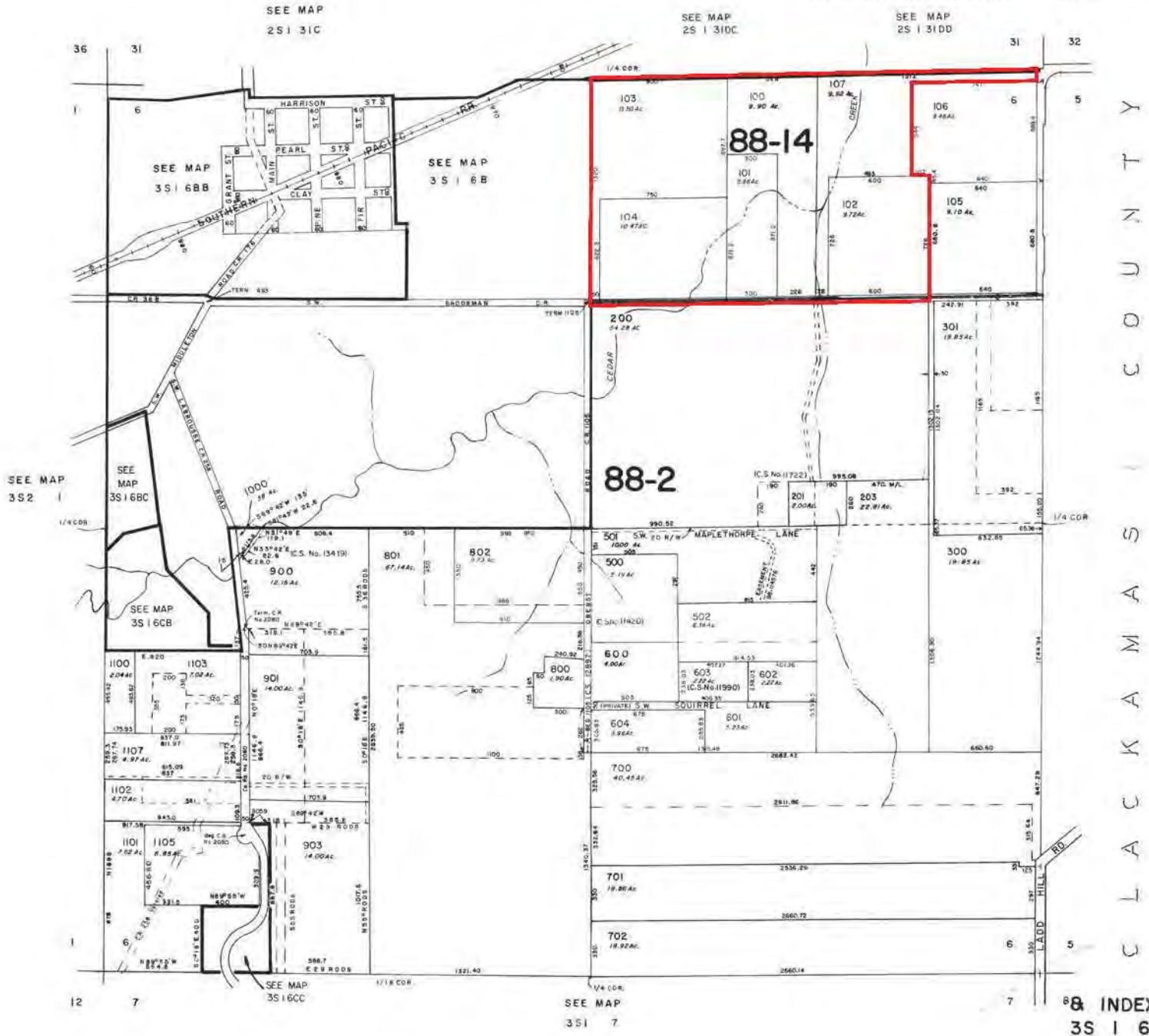


WASHINGTON COUNTY ASSESSOR'S MAPS

SECTION 6 T3S R1W W.M.
WASHINGTON COUNTY OREGON
SCALE 1"=400'

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

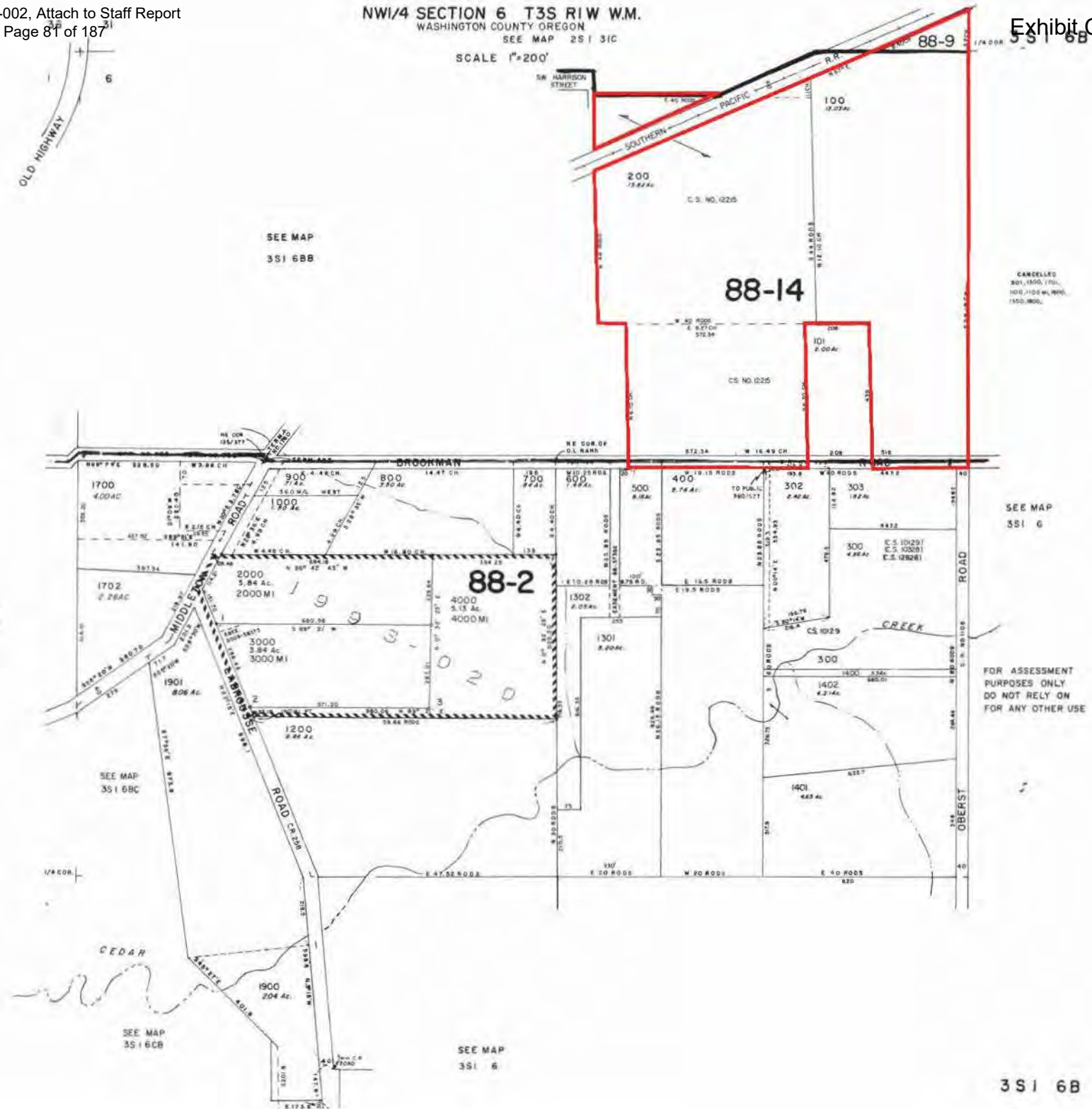
CANCELLED 1206, 1290,
1104, 1104, 902, 202, 703, 400,
204.



NW1/4 SECTION 6 T3S R1W W.M.
WASHINGTON COUNTY OREGON

SCALE 1"=200'

Exhibit C5



CANCELLED
801, 800, 1701,
100, 102, 103, 104,
1500, 1600.

SEE MAP
3S1 G

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

SEE MAP
3S2 1A

SEE MAP
3S1 6BC

SEE MAP
3S1 6CB

SEE MAP
3S1 6



WASHINGTON COUNTY ASSESSOR'S CERTIFICATIONS

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

CERTIFICATION OF PROPERTY OWNERSHIP
(All Methods)

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

NAME: TED FOSTER

TITLE: GIS TECH

DEPARTMENT: CARTOGRAPHY

COUNTY OF: WASHINGTON

DATE: 2/1/17

* "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

FEB 01 2017

WASHINGTON COUNTY A & T
CARTOGRAPHY

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

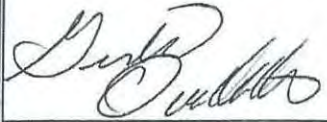
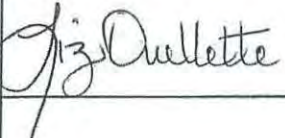
LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE 1 OF 1

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Gerald J Ouellette	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17045 SW Brookman Road Sherwood OR 97140	3S10600 00100	9.90 AC	\$355,170
	Liz A Ouellette	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>				

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

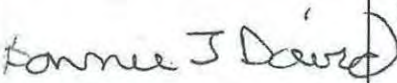
We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Bonnie J. David			✓	17117 SW Brookman Road Sherwood OR 97140	3S10600 00101	5.86 AC	\$302,440

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Charles W. Bissett</i>	Charles W. Bissett			X	16871 SW Brookman Road Sherwood, OR 97140	3S1060000102	9.72 AC	\$ 261,700
<i>Louise M. Bissett</i>	Louise M. Bissett			X				

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE 1 OF 1

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Teresa Jaynes-Lockwood</i>	Teresa Jaynes-Lockwood	X			17495 SW Brookman Road Sherwood OR 97140	3S10600 00103	13.50 AC	\$490,140

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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


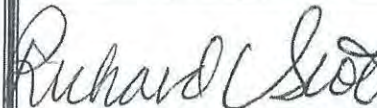
LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE 1 OF 1

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Linda R Scott			X	17433 SW Brookman Road Sherwood OR 97140	3S10600 00104	10.47AC	\$263,820
	Richard L Scott			X	✓	✓	✓	✓

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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


LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

THREE SEPARATE 1/3 INTEREST ALL AS TENANTS IN COMMON	SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
			PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
		Rosemary Rubsam				17033 SW Brookman Road Sherwood, OR 97140	3S1060000107	9.92 AC	\$72,000
		Barbara Rubsam			✓				

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

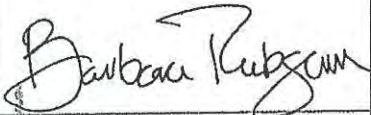

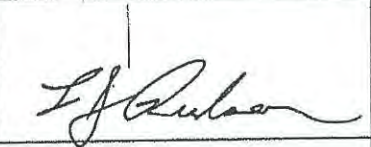
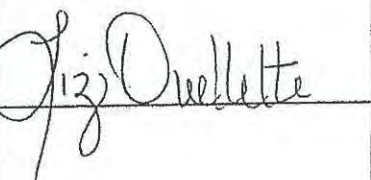
LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ____ OF ____

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Barbara Rubsam			✓	17033 SW Brookman Sherwood, OR 97140	3S1060000107	9.92 AC	\$72,000
	Linda Chronister			✓				
	Larry Rubsam			✓				
	Liz Ouellette			✓				
	All on behalf of Rosemary Rubsam							

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

Ordinance 2017-002, Attach to Staff Report
March 21, 2017, Page 90 of 187

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

THREE SEPARATE 1/3 INTEREST ALL AS TENANTS IN COMMON	SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
			PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	<i>Gerald J. Ouellette</i>	Gerald J. Ouellette	✓			17033 SW Brookman Road Sherwood, OR 97140	3S1060000107	9.92 AC	\$72,000
	<i>Elizabeth A. Ouellette</i>	Elizabeth A. Ouellette			✓				

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

THREE SEPARATE 1/3 INTEREST ALL AS TENANTS IN COMMON	SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
			PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	<i>Wayne K Chronister</i>	Wayne K. Chronister			X	17033 SW Brookman Road Sherwood, OR 97140	3S1060000107	9.92 AC	\$72,000
	<i>Linda A. Chronister</i>	Linda A. Chronister			X				


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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

- PO - Property Owner
- RV - Registered Voter
- OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Sherwood Land LLC				17601 SW Brookman Road Sherwood OR 97140	3S106B0 00100	13.03 AC	\$241,450
	by George L. Lorange			X	8212 NW Fruit Valley Rd Vanc., WA 98665			

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

- PO - Property Owner
- RV - Registered Voter
- OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>George W Boyd</i>	George W Boyd Revocable Living Trust	X			17769 SW Brookman Road Sherwood OR 97140	3S106B0 00200	15.82 AC	\$229,320
<i>Carleen H Brewer</i> 3-25-16	Carleen H Brewer Revocable Living Trust			X	same	same	same	same

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

THIS SECTION IS TO BE COMPLETED BY 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 35106 + 35106B) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME TED FOSTER
TITLE GIS TECH
DEPARTMENT CARTOGRAPHY
COUNTY OF WASHINGTON
DATE 2/1/17

ANNEXATION CERTIFIED

BY TF

FEB 01 2017

WASHINGTON COUNTY A & T
CARTOGRAPHY



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #3591

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

EXHIBIT A

Annexation Parcel

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

Parcel 1:

Beginning at the one-quarter corner common to said sections 6 and 31, also being the southwesterly corner of the Plat of "Abney Revard No. 2", thence along the north line of said section 6 and the City of Sherwood City Limits, South 88°45'45" East 2647.18 feet to the east line of said section 6 and the Washington County-Clackamas County line; thence leaving the City of Sherwood city limits along the said east line of said section 6, South 01°51'49" West 50.00 feet to the easterly extension of the north line of Deed Book 1182 Page 951; thence along said easterly extension and the north line of said Deed, North 88°45'45" West 766.59 feet to the west line of said Deed; thence along said west line, South 01°51'49" West 554.81 feet to the north line of Document Number 87-027469; thence along said north line, South 88°45'45" East 107.00 feet to the east line of said Deed; thence along said east line and the southerly extension thereof, South 01°51'49" West 746.00 feet to the southerly right-of-way line of Brookman Road (20.00 feet from centerline); thence along said southerly right-of-way line, North 88°50'38" West 2308.30 feet to the southerly extension of the east line of Document Number 87-037951; thence along said southerly extension and the east line of said Deed, North 02°23'45" East 459.00 feet to the northeast corner thereof; thence along the north line of said Deed, North 88°50'38" West 208.00 feet to the northwest corner thereof; thence along the west line of said Deed and the southerly extension thereof, South 02°23'45" West 459.00 feet to the southerly right-of-way line of Brookman Road (County Road No. 493) (20.00 feet from centerline); thence along said southerly right-of-way line, North 88°50'38" West 594.24 feet to the southerly extension of the east line of Document Number 2011-080743; thence along said southerly extension and the east line of said Deed, North 01°07'39" East 479.83 feet to the northeast corner of said Deed; thence along the north line of said Deed, North 89°52'17" West 54.60 feet to the east line of the Plat of "Middleton"; thence along the east line of said Plat, North 00°07'56" East 485.66 feet to the southeasterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline), also referenced as **Point 'A'**, which bears South 00°07'56" West 234.85 feet from the southerly southwest corner of Tract 'U' of the Plat "Woodhaven No. 4", and the City of Sherwood city limits; thence along said southeasterly right-of-way line, North 68°14'32" East 1260.43 feet; thence continuing along said southerly right-of-way line and along the City of Sherwood city limits, North 66°48'03" East 46.53 feet to the northwest corner of Lot 97 of the Plat of "Abney Revard No. 2", being an angle point of the southerly line of the City of Sherwood city limits; thence along the west line of said Lot 97 and the City of Sherwood city limits, South 01°15'43" West 120.84 feet to the Point of Beginning.

Parcel 2:

Beginning at said **Point 'A'**, which bears South 00°07'56" West 234.85 feet from the southerly southwest corner of Tract 'U' of the Plat "Woodhaven No. 4"; thence along the east line of the Plat of

“Middleton”, North 00°07’56” East 64.66 feet to the northwesterly right-of-way line of the Southern Pacific Railroad (30.00 feet from centerline) and the **True Point of Beginning**; thence continuing along said east line, North 00°07’56” East 170.19 feet to the southerly southwest corner of Tract ‘U’ of the Plat “Woodhaven No. 4”, and the City of Sherwood city limits; thence along the southerly line of said Tract ‘U’ and the City of Sherwood city limits, South 87°19’51” East 381.87 feet to the northwesterly right-of-way line of said Railroad (30.00 feet from centerline); thence leaving the City of Sherwood city limits along said northwesterly right-of-way line, South 68°14’32” West 411.14 feet to the True Point of Beginning.

The above described tracts of land contain 92.30 acres, more or less (of which 2.71 acres is existing right-of-way and 89.59 acres is private property).

01/06/2017



Michael Kalina



RENEWS: 6/30/17

ANNEXATION CERTIFIED

BY VF

FEB 01 2017

WASHINGTON COUNTY A & T
CARTOGRAPHY

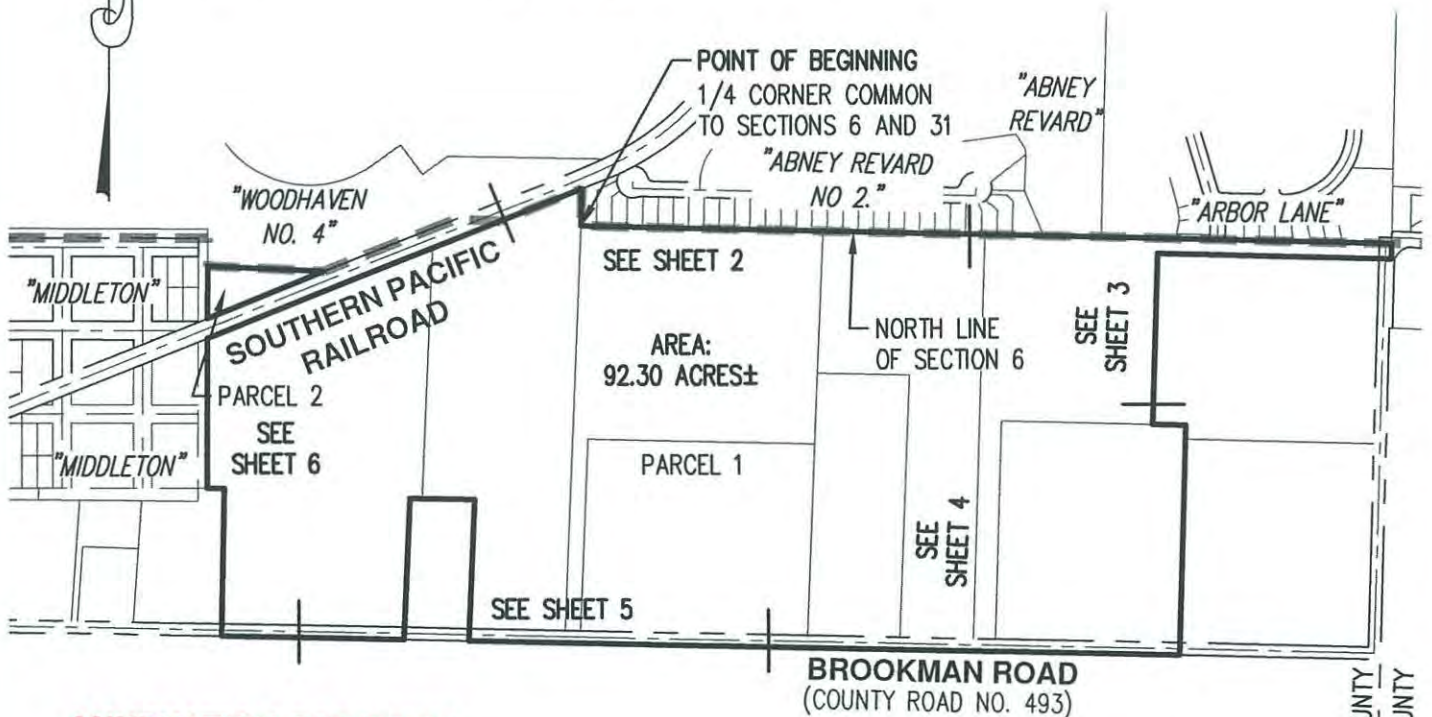
EXHIBIT B

SHEET 1 OF 6

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



SCALE 1" = 600 FEET



ANNEXATION CERTIFIED

BY TF

FEB 01 2017

WASHINGTON COUNTY A & T
 CARTOGRAPHY

01/06/2017

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Michael Kalina

OREGON
 JANUARY 12, 2016
 MICHAEL S. KALINA
 89558PLS
 RENEWS: 6/30/17

LEGEND

--- CITY OF SHERWOOD
 CITY LIMITS

AREA TABLE

TOTAL AREA: 92.30 ACRES±
 RIGHT-OF-WAY AREA: 2.71 ACRES±
 PROPERTY AREA: 89.59 ACRES±

BROOKMAN AREA ANNEXATION

DRAWN BY: MSK | CHECKED BY: RDR | DWG: 3591 ANNEX EXHIBIT | JOB: 3591

AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD SUITE 100
 TUALATIN, OR 97062 www.aks-eng.com
 PHONE: 503.563.6151 FAX: 503.563.6152

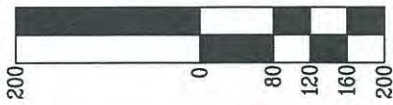


EXHIBIT B

SHEET 4 OF 6

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

SCALE 1" = 200 FEET



LEGEND

--- CITY OF SHERWOOD
--- CITY LIMITS

ANNEXATION CERTIFIED

BY 

FEB 01 2017

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

AREA:
92.30 ACRES±

PARCEL 1

DOC. NO.
99-109559

DOC. NO.
98-103799

DOC. NO.
89-039882

DOC. NO.
87-027469

S88°45'45"E
107.00'

S01°51'49"W 746.00'

DOC. NO.
2004-041152

(COUNTY ROAD NO. 493)
BROOKMAN ROAD

MATCH LINE - SEE SHEET 5

N88°50'38"W 2308.30'

01/06/2017

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/17

BROOKMAN AREA ANNEXATION

DRAWN BY: MSK | CHECKED BY: RDR | DWG: 3591 ANNEX EXHIBIT | JOB: 3591

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD SUITE 100
TUALATIN, OR 97062 www.aks-eng.com
PHONE: 503.563.6151 FAX: 503.563.6152



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

**CERTIFICATION OF ASSESSED VALUE
(Triple Majority Method)**

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

NAME: Theresa Ellis

TITLE: Property Tax Supervisor

DEPARTMENT: Assessment and Taxation

COUNTY OF: Washington

DATE: April 13, 2016



APR 13 2016

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:


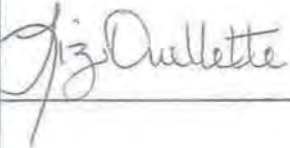
We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Gerald J Ouellette	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17045 SW Brookman Road Sherwood OR 97140	3S10600 00100	9.90 AC	\$355,170
	Liz A Ouellette	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>				



TE 4.13.16

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:


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

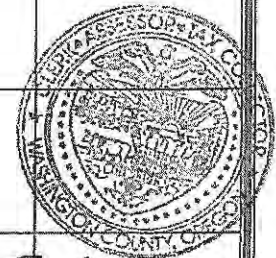
LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Sherwood Land LLC				17601 SW Brookman Road Sherwood OR 97140	3S106B0 00100	13.03 AC	\$241,450
	GEORGE L. LORANGE			X	8212 NW FINE VALLEY RD VANC., WA 98665			



FE 4.13.16

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Teresa Jaynes-Lockwood</i>	Teresa Jaynes-Lockwood	X			17495 SW Brookman Road Sherwood OR 97140	3S10600 00103	13.50 AC	\$490,140



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

Ordinance 2017-002, Attach to Staff Report
March 21, 2017, Page 107 of 187

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:


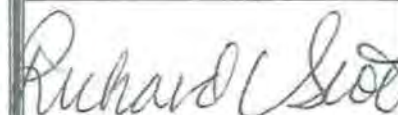
We, the undersigned owner(s) of the property described in **Attachment A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Sherwood.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	Linda R Scott			X	17433 SW Brookman Road Sherwood OR 97140	3S10600 00104	10.47AC	\$263,820
	Richard L Scott			X	✓	✓	✓	✓



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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Bonnie J. David</i>	Bonnie J. David			✓	17117 SW Brookman Road Sherwood OR 97140	3S10600 00101	5.86 AC	\$302,440



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

Ordinance 2017-002, Attach to Staff Report
March 21, 2017, Page 109 of 187

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>By W Boyd</i>	George W Boyd Revocable Living Trust	X			17769 SW Brookman Road Sherwood OR 97140	3S106B0 00200	15.82 AC	\$229,320
<i>Carleen H Brewer 3-25-16</i>	Carleen H Brewer Revocable Living Trust			X	same	same	same	same



4-13-16

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

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

**CERTIFICATION OF ASSESSED VALUE
(Triple Majority Method)**

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

NAME: Theresa Ellis

TITLE: Property tax Supervisor

DEPARTMENT: Assessment + Taxation

COUNTY OF: Washington County

DATE: January 6th, 2017



TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

- PO - Property Owner
- RV - Registered Voter
- OV - Property Owner & Registered Voter

PAGE ___ OF ___

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
		PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
<i>Charles W. Bissett</i>	Charles W. Bissett			X	16871 SW Brookman Road Sherwood, OR 97140	351060000102	9.72 AC	\$ 261,700
<i>Louise M. Bissett</i>	Louise M. Bissett			X				



1-9-17

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


TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

- PO - Property Owner
- RV - Registered Voter
- OV - Property Owner & Registered Voter

PAGE ___ OF ___

THREE SEPARATE 1/3 INTEREST ALL AS TENANTS IN COMMON	SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
			PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
		Rosemary Rubsam				17033 SW Brookman Road Sherwood, OR 97140	351060000107	9.92 AC	\$72,000
		Barbara Rubsam			✓				



Ⓜ 19-17

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE ___ OF ___

THREE SEPARATE 1/3 INTEREST ALL AS TENANTS IN COMMON	SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
			PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	<i>Gerald J. Ouellette</i>	Gerald J. Ouellette	✓			17033 SW Brookman Road Sherwood, OR 97140	3S1060000107	9.92 AC	\$72,000
	<i>Elizabeth A. Ouellette</i>	Elizabeth A. Ouellette			✓				



Ⓟ 19-17

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

TO THE COUNCIL OF THE CITY OF SHERWOOD, OREGON:

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

LEGEND:

- PO - Property Owner
- RV - Registered Voter
- OV - Property Owner & Registered Voter

PAGE ___ OF ___

THREE SEPARATE 1/3 INTEREST ALL AS TENANTS IN COMMON	SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION		ASSESSED VALUE
			PO	RV	OV		PARCEL NUMBER	PARCEL SIZE	
	<i>Wayne K. Chronister</i>	Wayne K. Chronister			X	17033 SW Brookman Road Sherwood, OR 97140	3S1060000107	9.92 AC	\$72,000
	<i>Linda A. Chronister</i>	Linda A. Chronister			X				



Handwritten initials/signature

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



TITLE COMPANY INFORMATION



Fidelity National Title

Company Of Oregon

Prepared By :
 Date : 3/3/2015

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

OWNERSHIP INFORMATION

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

TRANSFER HISTORY

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

PROPERTY DESCRIPTION

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

ASSESSMENT AND TAX INFORMATION

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

PROPERTY CHARACTERISTICS

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



Fidelity National Title

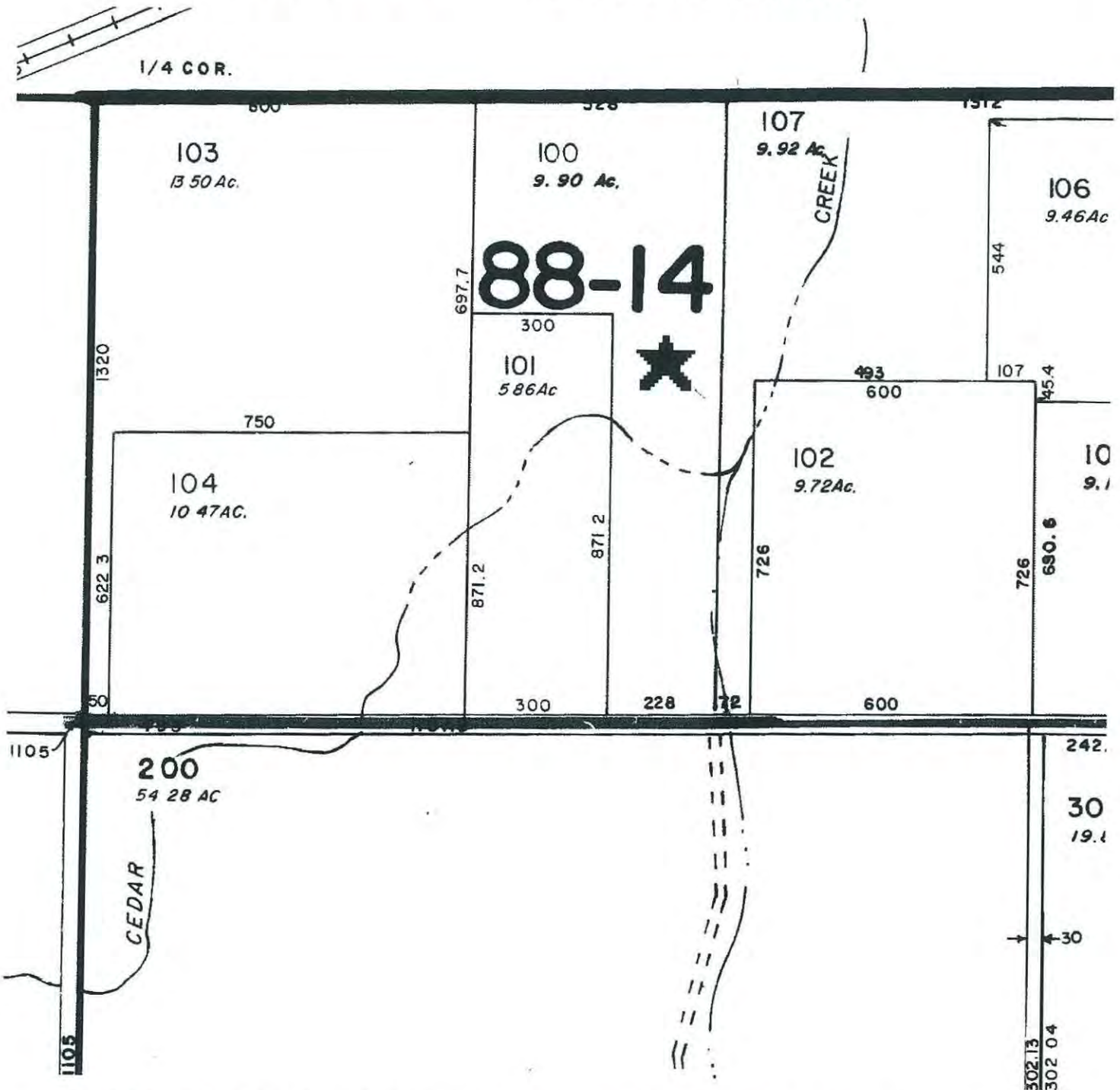
Company Of Oregon

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



Parcel #: R0586100

Ref Parcel Number : 3S10600 00100



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



Fidelity National Title

Company Of Oregon

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

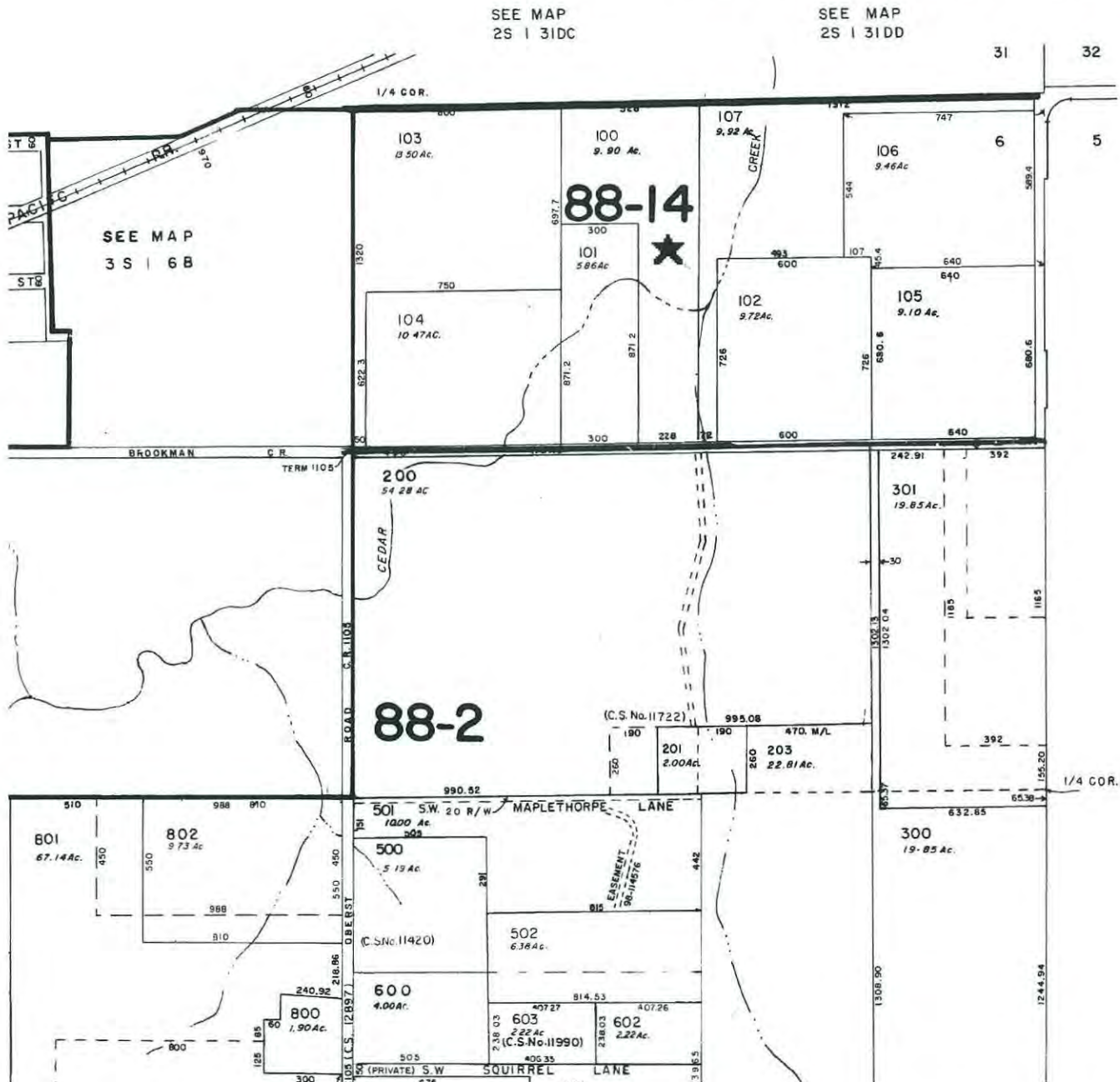


Parcel #: R0586100

Ref Parcel Number : 3S10600 00100

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

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



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

SEP 18 1998

OREGON TITLE INS. CO.



OREGON TITLE Insurance Company

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

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

SAME AS ABOVE

STATUTORY BARGAIN AND SALE DEED
(Individual)

STATE OF OREGON }
County of Washington } SS

I, Jerry R. Hansen, Director of Assessment and Taxation and Eschscholtz County Clerk for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

Jerry R. Hansen, Director of Assessment and Taxation, Eschscholtz County Clerk

Doc : 98103799
Rect: 217156 36.00
09/18/1998 02:30:14pm

(Above Space Reserved for Recorder's Use)

Gerald J Ouellette, Liz A Ouellette and Rosemary Rubsam

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

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

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

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

Tax Account Number(s): R586100

The true consideration for this conveyance is \$0.00

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

DATED this 14 day of September, 1998.

Gerald J Ouellette
Gerald J Ouellette
Rosemary Rubsam
Rosemary Rubsam

Liz A Ouellette
Liz A Ouellette

(Continued)

Order No.: 128795w

1-2

STATUTORY BARGAIN AND SALE DEED
(CONTINUED)

ACKNOWLEDGEMENTS (Continued)

Order No.: 128795w

SEP 10 1998

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

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



STATE OF OREGON, COUNTY OF _____) ss.
The foregoing instrument was acknowledged before me this 14 day of September 1998 by
Rosemary Rubsam.

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



2



Fidelity National Title

Company Of Oregon

Prepared By :
 Date : 3/3/2015

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

OWNERSHIP INFORMATION

Owner	: David Bonnie J	Bldg #	1	Of	1
CoOwner	:	Ref Parcel Number	: 3S10600 00101		
Site Address	: 17117 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W	S: 06	Q: QQ:
Mail Address	: 17117 SW Brookman Rd Sherwood Or 97140	Parcel Number	: R0586119		
Telephone	:	County	: Washington (OR)		

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
:David Bonnie J	:09/23/1999	109559	:\$320,000	:Warranty	:\$153,000	:Conventi
:Weston Lowell E	:	9620155	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 F2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TLO
 Subdivision/Plat :
 School District : Sherwood
 Class Code : Single Family Res
 Land Use : 6411 For,Farm Use,Improved
 Legal : ACRES 5.86, FORESTLAND-POTENTIAL
 : ADDITIONAL TAX LIABILITY
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$384,450
 Mkt Structure : \$151,120
 Mkt Total : \$537,630
 %Improved : 28
 M50AssdTotal : \$293,640
 Levy Code : 08814
 14-15 Taxes : \$4,197.39
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	: 2	Year Built	: 1976	Attic SqFt	:
Bathrooms	: 2.00	EffYearBlt	: 1976	Deck SqFt	: 704
Heat Method	: Heat Pump	BsmFin SF	: 1,352	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Stud'shtg
Lot Acres	: 5.86	Bldg Sq Ft	: 2,875	Roof Shape	: Complex
Lot SqFt	: 255,262	1stFlrSF	: 1,523	Roof Matl	: Comp Shingle
Garage Type	: Attached	UpperFISF	:	InteriorMat	: Drywall
Garage SF	: 520	Porch SqFt	:	Paving Matl	: Concrete



Fidelity National Title

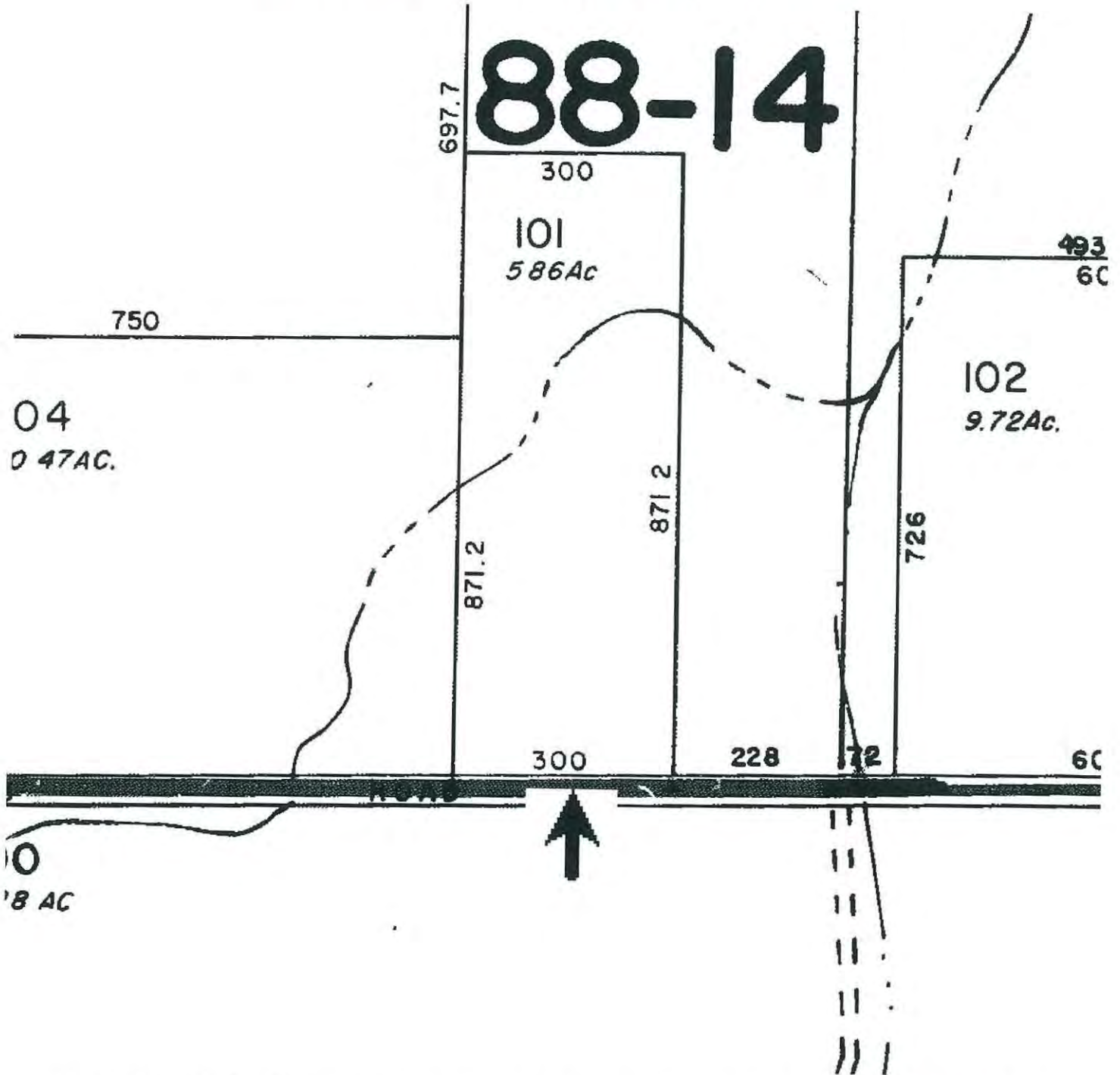
Company Of Oregon

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



Parcel # : R0586119

Ref Parcel Number : 3S10600 00101



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

SEP 23 1999

DL
330
20

Title Order No. 99174161
Escrow No. 99174161

After Recording Return To:
Mr. and Mrs. Douglas K. David
17117 SW Brookman Road
Sherwood, Oregon 97140

Name, Address, Zip
Until a change is requested all tax statements shall be sent to the following address:
Mr. and Mrs. Douglas K. David
17117 SW Brookman Road
Sherwood, Oregon 97140

Name, Address, Zip

STATE OF OREGON }
County of Washington } SS

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

Jerry R. Hansen, Director of Assessment and Taxation, Washington County Clerk

Doc : 99109559
Rect : 240564 361.00
09/23/1999 02:32:23pm

4C

STATUTORY WARRANTY DEED

Emma J. Weston, Grantor, conveys and warrants to Douglas K. David and Bonnie J. David, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in Washington County, Oregon, to wit:

See Exhibit A attached hereto and made a part hereof.

This property is free from encumbrances, EXCEPT: 1999-2000 Taxes, a lien not yet payable; Rights of the public in and to any portion of the premises lying within the boundaries of SW Brookman Road; All matters arising from any shifting in the course of Cedar Creek including but not limited to accretion, reliction and avulsion;

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

The true consideration for this conveyance is \$320,000.00. (Here comply with the requirements of ORS 93.030)

Dated this September 20th, 1999

Emma J. Weston by Duaine Stanley Weston
Emma J. Weston by Duaine Stanley Weston,
Her attorney in fact

STATE OF OREGON }
County of Washington } SS

WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
\$320.00 9-23-99
FEE PAID DATE

On this September 20th, 1999, before me, the undersigned, personally appeared the within named Duaine Stanley Weston, attorney in fact for Emma J. Weston known to me to be the identical individuals who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

Yvonne M. Clifford
Notary Public for the State of Oregon
My commission expires: 6/23/01

OFFICIAL SEAL
YVONNE M. CLIFFORD
NOTARY PUBLIC - OREGON
COMMISSION NO. 301361
MY COMMISSION EXPIRES JUNE 23, 2001

ORSTWD

1-3

Pacific NW Title
44174161-W

SEP 23 8 58 AM '17

Exhibit A

A tract of land situated in Section 6, Township 3 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, more particularly described as follows, to-wit:

Beginning at the Southwest corner of that certain tract described in deed to Charles H. Hays recorded in Book 124, page 444, Deed Records of Washington County, Oregon, being also the Southwest corner of the North one-half of the Northeast quarter of said Section 6; thence East along the South line thereof, 800 feet to the true point of beginning of the tract herein described; thence East along said South line 300 feet to a point; thence North and parallel with the West line of the Northeast quarter of said Section 6 a distance of 871.2 feet to a point; thence West and parallel with North line of said Section 6 a distance of 300 feet to a point; thence South and parallel with said West line, 871.2 feet to the true point of beginning.

2

ORSTWD

SEP 23 1995

15-545-54

CERTIFICATION OF VITAL RECORD
CENTER FOR HEALTH STATISTICS
CERTIFICATE OF DEATH

Local File Number: **011444** State File Number: _____

1. DECEDENT'S NAME: **Lowell Eugene WEBSTON** SEX: **Male** DATE OF BIRTH: **June 19, 1925**

2. ADEQUATE BIRTHDAY: **74** MO. UNDER 1 YEAR: _____ DAY UNDER 1 DAY: _____

3. PLACE OF BIRTH: **Creston, Iowa** DATE OF BIRTH: **October 19, 1920**

4. HOSPITAL: **Deceased** PLACE OF DEATH: **Decedent's Home**

5. COUNTY OF DEATH: **Clackamas**

6. DECEASED'S USUAL OCCUPATION: _____ KIND OF BUSINESS/INDUSTRY: _____ MARITAL STATUS: **Never Married, Widowed**

7. RESIDENCE - STATE: **Oregon** COUNTY: **Washington** CITY, TOWN OR LOCATION: **Sherwood** STREET AND NUMBER: **17117 SW Brookman Rd.**

8. FATHER: **Lowell Eugene** MOTHER: **Eugene** INFORMANT: **Richard Stuart**

9. METHOD OF DISPOSITION: **Burial** PLACE OF DISPOSITION: **Willamette National Cemetery** LOCATION: **Portland, Oregon**

10. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH: **Zentho Bellman** LICENSE NUMBER: **3050** ADDRESS AND ZIP OF FACILITY: **LINCOLN WILLAMETTE FUNERAL DIRECTORS, 9775 SE MT SCOTT, PORTLAND, OR 97266**

11. DATE FILED: **JUN 26 1995** DID HOSPITAL REPRESENTATIVE MAKE REQUEST FOR ANATOMICAL ORT CONSENT? **YES**

12. TIME OF DEATH: **9:30 PM** DATE PRONOUNCED DEAD: _____

13. SIGNATURE OF CERTIFYING PHYSICIAN: **N Crumacker** DATE SIGNED: **6-22-95**

14. NAME, TITLE, ADDRESS AND ZIP OF CERTIFYING PHYSICIAN: **Nancy Crumacker, M.D., 6475 SW Borland St. Suite M Tualatin, Oregon 97062**

15. IMMEDIATE CAUSE OF DEATH: **Heart Disease**

16. MANNER OF DEATH: **Natural** DATE OF INJURY: _____ TIME OF INJURY: _____

ORIGINAL VITAL STATISTICS COPY

THIS IS A TRUE AND EXACT REPRODUCTION OF THE DOCUMENT OFFICIALLY REGISTERED AT THE OFFICE OF THE CLACKAMAS COUNTY REGISTRAR.

DATE ISSUED: **JUN 26 1995**

3

Thomas M. Troxel
THOMAS M. TROXEL
COUNTY REGISTRAR
CLACKAMAS COUNTY, OREGON



Northwest Title Company

STATUTORY WARRANTY DEED

JAMES A. MORRIS and PATRICIA E. MORRIS

conveys and warrants to CHARLES W. BISSETT, Jr. and LOUISE M. BISSETT, husband and wife Grantor, Grantee.

the following described real property free of liens and encumbrances, except as specifically set forth herein:

A tract of land in the Northeast quarter of Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

Beginning at the Southwest corner of the North half of the Northeast quarter of said Section 6; thence East along the South line thereof, 1400 feet to the true place of beginning; thence East along said South line, 600 feet; thence North parallel to the East line of said Section 6, a distance of 726 feet; thence West parallel with the North line of said Section 6, a distance of 600 feet; thence South parallel to the East line of said Section 6, a distance of 726 feet to the true place of beginning.

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

This property is free of liens and encumbrances, EXCEPT: Current "Potential Forest Land" tax status, Rights of the public to premises lying below the high water mark of Cedar Creek, Rights of the Public to Roads and Highways, Mortgage to Department of Veterans as recorded in Fee No. 80018096 which the Grantee hereby agrees to assume according to terms and provisions; Judgement in favor of Pacific Western Bank Case No. 86-1-250
The true consideration for this conveyance is \$ 116,754.49

DATED this 26 day of May, 19 87

James A. Morris
JAMES A. MORRIS

Patricia E. Morris
PATRICIA E. MORRIS

STATE OF OREGON, County of Yamhill)ss.

CORPORATE ACKNOWLEDGMENT
STATE OF OREGON, County of _____)ss.

The foregoing instrument was acknowledged before me this 26 day of May 19 87 by James A. Morris and Patricia E. Morris

The foregoing instrument was acknowledged before me this _____ day of _____ 19 _____ and by _____ of _____ a corporation, on behalf of the corporation.



Kathleen Tucker
Notary Public for Oregon
My commission expires: 5-5-91

Notary Public for Oregon
My commission expires: _____

Title Order No. 361458
Escrow No. 12986

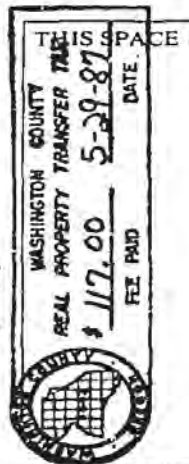
After recording return to:
NORTHWEST TITLE COMPANY
601 E. Hancock
Newberg, OR 97132
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:
Mr. & Mrs. Charles W. Bissett, Jr.
RT. 3 Box 84L
Sherwood, OR 97140
NAME, ADDRESS, ZIP

STATE OF OREGON }
County of Washington } SS

I, Donald W. Mason, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

Donald W. Mason, Director of Assessment and Taxation, Ex-Officio County Clerk



1987 MAY 29 PM 3:50

MAY 29 1987

50-177
EX-177

Recorded By
First American Title Insurance Company of Oregon
361458



Fidelity National Title

Company Of Oregon

Prepared By :
 Date : 3/3/2015

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

OWNERSHIP INFORMATION

Owner	: Jaynes-Lockwood Teresa	Bldg #	1	Of	1
CoOwner	:	Ref Parcel Number	: 3S10600 00103		
Site Address	: 17495 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W	S: 06	Q: QQ:
Mail Address	: PO Box 284 Seaside Or 97138	Parcel Number	: R0586137		
Telephone	:	County	: Washington (OR)		

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
:Jaynes-Lockwood Teresa	:06/30/2010	49649	:\$3,834	:In Lieu of For	:	:
:Rcm Dev LLC	:08/30/2005	105248	:\$2,160,000	:Contract of S	:	:
:Lockwood Teresa Jaynes	:06/23/1995	43200	:	:Warranty	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 F2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TLO
 Subdivision/Plat :
 School District : Sherwood
 Class Code : Single Family Res
 Land Use : 1910 Res,Potential Development,Improved
 Legal : ACRES 13.50

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$1,353,810
 Mkt Structure : \$152,320
 Mkt Total : \$1,506,130
 %Improved : 10
 M50AssdTotal : \$475,870
 Levy Code : 08814
 14-15 Taxes : \$6,897.37
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	: 4	Year Built	: 1975	Attic SqFt	:
Bathrooms	: 3.00	EffYearBlt	: 1975	Deck SqFt	:
Heat Method	: Heat Pump	BsmFin SF	:	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Stud'shtg
Lot Acres	: 13.50	Bldg Sq Ft	: 2,414	Roof Shape	: Hip
Lot SqFt	: 588,060	1stFlrSF	: 2,414	Roof Matl	: Composition
Garage Type	: Attached	UpperFISF	:	InteriorMat	: Drywall
Garage SF	: 528	Porch SqFt	:	Paving Matl	: Concrete



Fidelity National Title

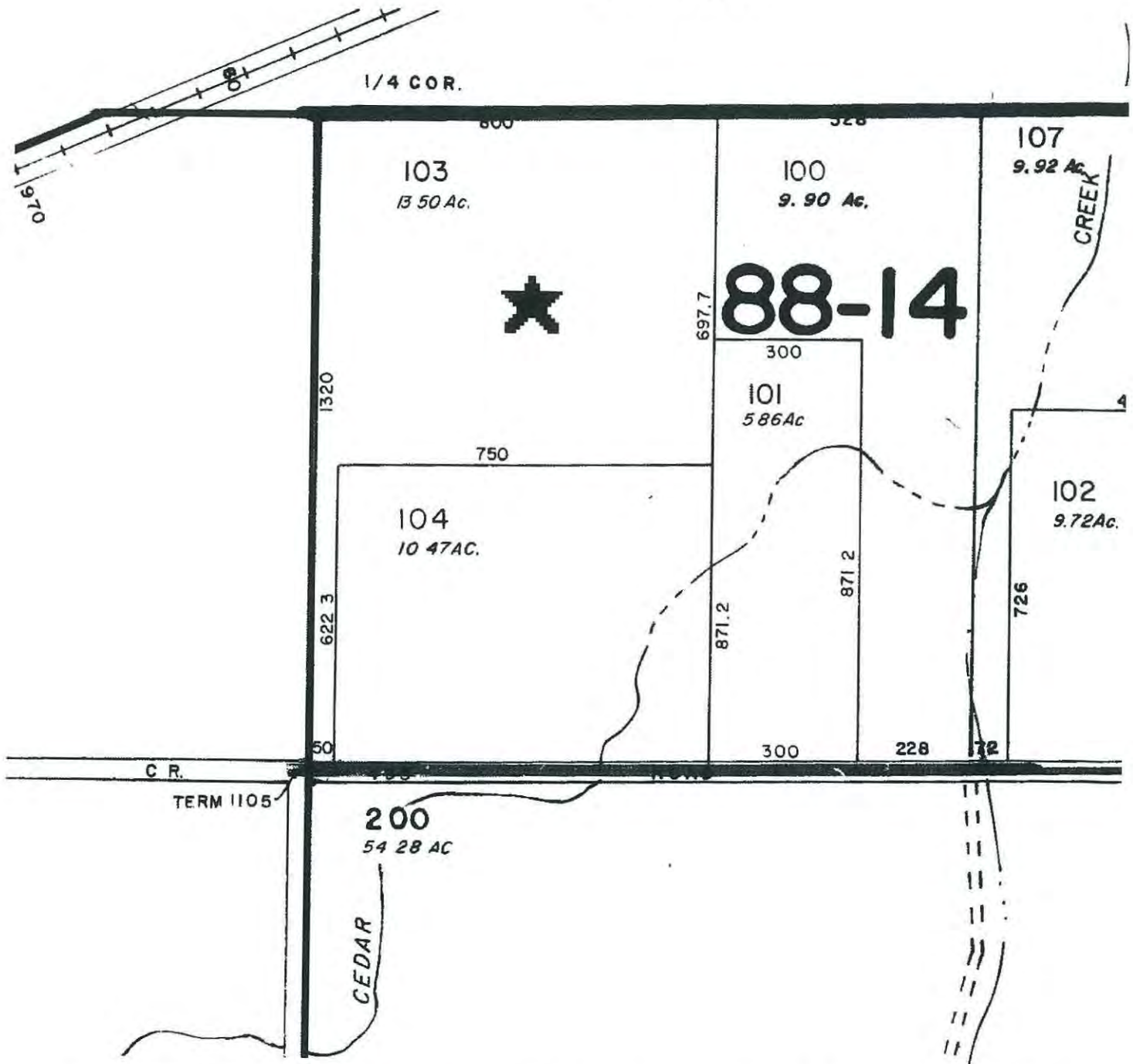
Company Of Oregon

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



Parcel #: R0586137

Ref Parcel Number : 3S10600 00103



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

Washington County, Oregon
06/30/2010 03:31:43 PM 2010-049649
D-CFA Crt=1 Stn=11 C WHITE
\$15.00 \$5.00 \$11.00 \$15.00 - Total = \$46.00



01496359201000496490030035
I, Richard Hobemicht, Director of Assessment and
Taxation and Ex-Officio County Clerk for Washington
County, Oregon, do hereby certify that the within
instrument of writing was received and recorded in the
book of records of said county.
Richard Hobemicht, Director of Assessment and
Taxation, Ex-Officio County Clerk



After recording return to:

Eiph
Daniel J. Drazan, Esq.
Dunn Carney Allen Higgins & Tongue LLP
851 SW Sixth Avenue, Suite 1500
Portland, OR 97204

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

Teresa Jaynes-Lockwood
P.O. Box 284
Sherwood, OR 97138

DEED IN LIEU OF FORFEITURE

THIS DEED IN LIEU OF FORFEITURE (this "Deed") is given by SHERWOOD LAND, LLC, an Oregon limited liability company ("Grantor"), to TERESA JAYNES-LOCKWOOD ("Grantee").

For valuable consideration other than money, the receipt and sufficiency of which is hereby acknowledged (the true and actual consideration paid for this conveyance is \$0.00), Grantor hereby grants, conveys, releases, quit claims, and warrants forever unto Grantee, her successors and assigns, all of its right, title, and interest in and to the real property and all improvements thereon with street address 17495 SW Brookman Road, Sherwood, Oregon 97140, Tax Account No. R586137, in Washington County, Oregon, and more particularly described as follows:

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

Beginning at the Southwest corner of the said North half of the Northeast quarter of Section 6; thence East, along the South line of the said North half of the Northeast quarter a distance of 50 feet to the true point of beginning of the tract to be described; thence North, parallel to the North-South center section line of said Section 6, a distance of 622.3 feet to a point; thence East, parallel with the South line of the said North half of the Northeast quarter, a distance of 750 feet, more or less, to the West line of that tract of land conveyed to Lowell E. Weston, et ux, by deed recorded in Book 962, Page 155, Records of Washington County; thence North along the West line of the Weston tract and the northerly extension thereof, a distance of 697.7 feet, more or less, to the North line of said Section 6; thence West along the North section line, a distance of 800 feet, more or less, to the

North quarter corner of said section; thence South, parallel to the North-South section centerline, a distance of 1,320 feet, more or less, to the South line of the North half of the Northeast quarter of said Section 6; thence East along said South line, a distance of 50 feet to the true point of beginning (the "Property").

Grantor hereby knowingly and voluntarily waives all rights, if any, under ORS 93.905-93.945, and hereby surrenders and delivers possession of the Property to Grantee. Grantor further declares that this conveyance is freely and fairly made, and Grantor is not acting under any misapprehension as to the legal effect of this Deed, nor under any duress, undue influence, or misrepresentation of Grantee. Grantor acknowledges that by way of this Deed, Grantor has transferred to Grantee all of Grantor's right, title, and interest in and to the Property, as set forth in that certain Land Sale Contract dated August 29, 2005, between Grantee and Grantor's predecessors in interest, RCM Development, LLC, an Oregon limited liability company, and Double D Development, Inc., an Oregon corporation, with the Purchasers' interest transferred to Grantor by that certain Assignment of Purchasers' Rights dated August 29, 2005, and amended by that certain First Amendment to Land Sale Contract dated December 1, 2008 (collectively, the "Land Sale Contract"). A Memorandum of Land Sale Contract was recorded on August 30, 2005, as Document Number 2005-105248 in the real property records of Washington County, Oregon (the "Memorandum"). This Deed shall remove the Memorandum from title to the Property.

Grantor acknowledges that the Land Sale Contract is in default, that Grantor is unable to make the payments, and has agreed to execute this Deed in favor of Grantee. This conveyance is not intended and shall not be construed to be a mutual rescission of the Land Sale Contract, and Grantee shall retain all previous payments made pursuant to the Land Sale Contract with no obligation to return such payments to Grantor. Grantor represents that Grantor is the Purchaser under the Land Sale Contract, that Grantor has not assigned any of its rights in the Land Sale Contract to any other party, and that the Property is free of all encumbrances, except for the following real property taxes:

1. Taxes for the year 2008-2009: Unpaid Balance: \$3,834.72; and
2. Taxes for the year 2009-2010: Unpaid Balance: \$6,052.46.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY



Fidelity National Title

Company Of Oregon

Prepared By :
 Date : 3/3/2015

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

OWNERSHIP INFORMATION

Owner	: Scott Linda R	Bldg #	1	Of	1
CoOwner	: Scott Richard L	Ref Parcel Number	: 3S10600 00104		
Site Address	: 17433 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W	S: 06	Q: QQ:
Mail Address	: 17433 SW Brookman Rd Sherwood Or 97140	Parcel Number	: R0586146		
Telephone	:	County	: Washington (OR)		

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
: Scott Linda R	: 08/02/2010	58473	:	: Warranty	:	:
: Scott Trust	: 04/02/2003	50889	:	: Warranty	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 F2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TLO
 Subdivision/Plat :
 School District : Sherwood
 Class Code : Single Family Res
 Land Use : 6411 For, Farm Use, Improved
 Legal : ACRES 10.47, FORESTLAND-POTENTIAL
 : ADDITIONAL TAX LIABILITY
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$734,400
 Mkt Structure : \$116,990
 Mkt Total : \$855,100
 %Improved : 14
 M50AssdTotal : \$256,130
 Levy Code : 08814
 14-15 Taxes : \$3,712.40
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Year Built	: 1976	Attic SqFt	: 720
Bathrooms	: 2.00	EffYearBlt	: 1976	Deck SqFt	:
Heat Method	: Heat Pump	BsmFin SF	:	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Stud/shtg
Lot Acres	: 10.47	Bldg Sq Ft	: 1,958	Roof Shape	: Gable
Lot SqFt	: 456,073	1stFtrSF	: 1,238	Roof Matl	: Composition
Garage Type	: Attached	UpperFISF	:	InteriorMat	: Drywall
Garage SF	: 636	Porch SqFt	: 72	Paving Matl	: Concrete



Fidelity National Title

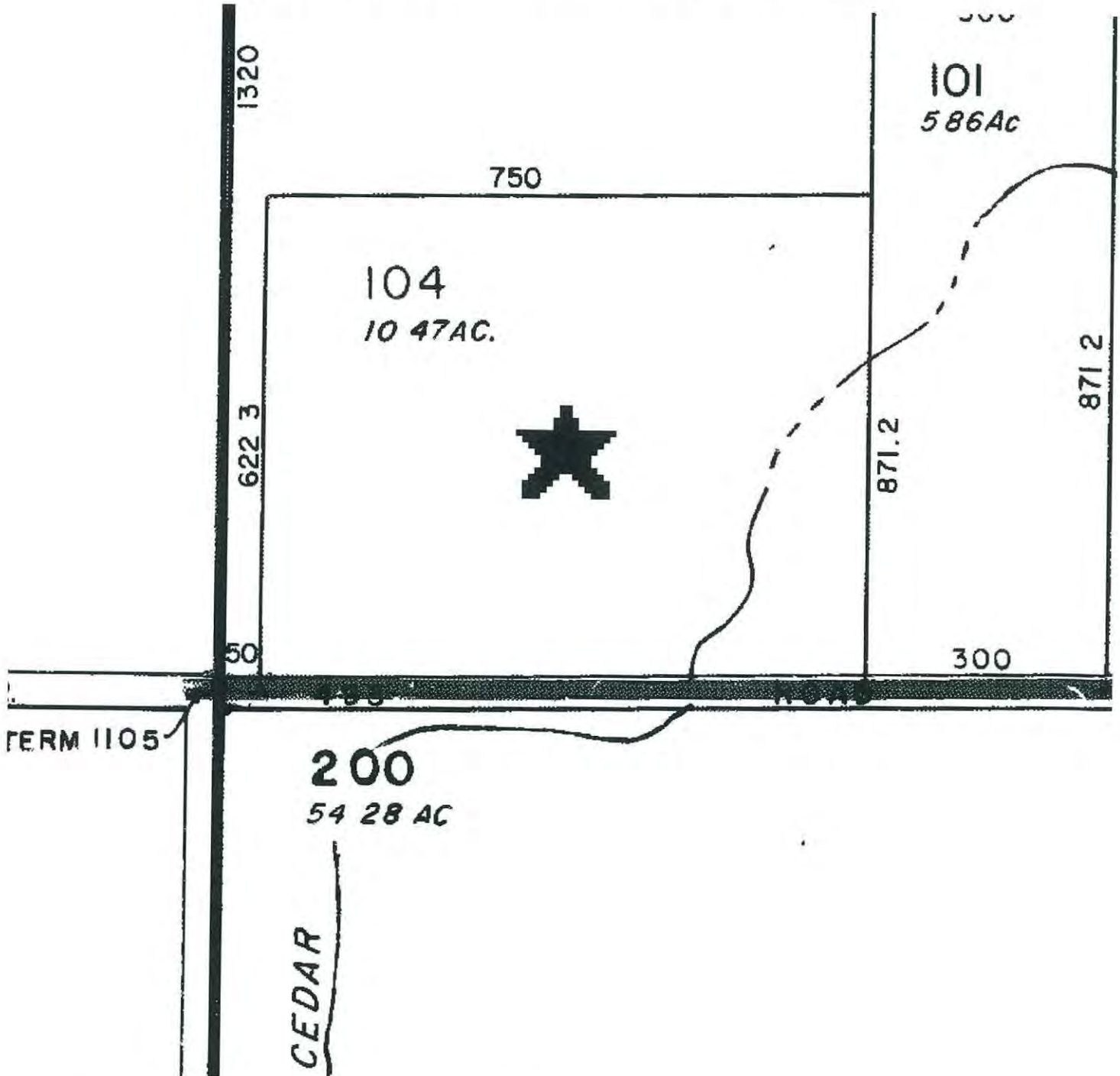
Company Of Oregon

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



Parcel #: R0586146

Ref Parcel Number : 3S10600 00104



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



Fidelity National Title

Company Of Oregon

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

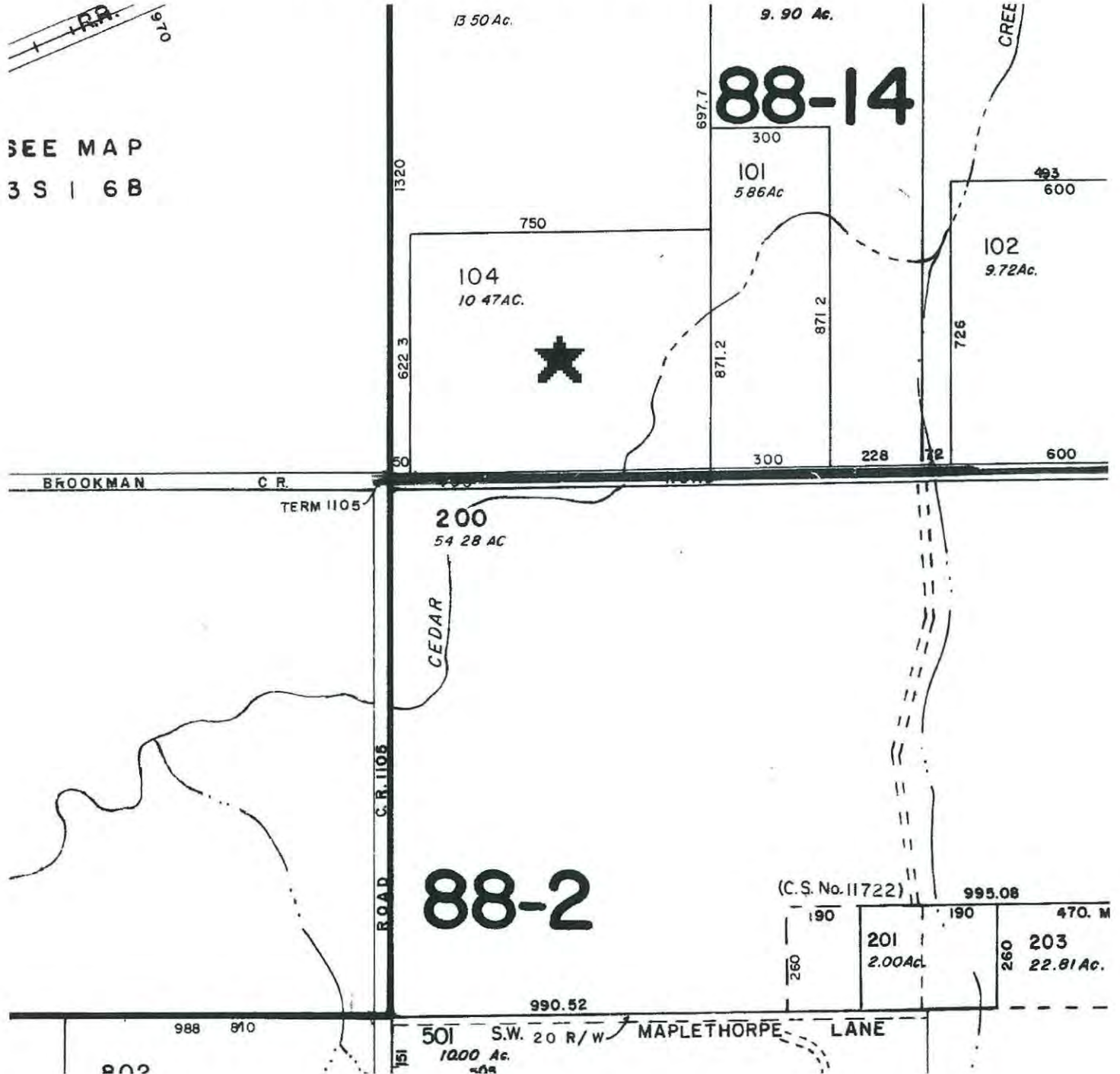


Parcel #: R0586146

Ref Parcel Number : 3S10600 00104



SEE MAP
3 S | 6 B



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

Washington County, Oregon **2010-058473**
08/02/2010 10:14:31 AM
D-DW Cnt=1 Stn=21 RECORDS1
\$10.00 \$5.00 \$11.00 \$18.00 - Total = \$41.00



01506207201000684730020021
I, Richard Hobernicht, Director of Assessment and
Taxation and Ex-Officio County Clerk for Washington
County, Oregon, do hereby certify that the within
instrument of writing was received and recorded in the
book of records of said county.



Richard Hobernicht
Richard Hobernicht, Director of Assessment and
Taxation, Ex-Officio County Clerk

Linda Scott, Trustee
Scott Living Trust
17433 SW Brookman Road
Sherwood, OR 97140-8801

Richard Scott, Trustee
Scott Living Trust
3401 Crawford SE
Salem, OR 97302
Grantors' Name and Address

Linda Scott
17433 SW Brookman Road
Sherwood, OR 97140-8801

Richard Scott
3401 Crawford SE
Salem, OR 97302
Grantees' Name and Address

AFTER RECORDING, RETURN TO:
Richard A. Carlson
Attorney at Law
4040 Douglas Way
Lake Oswego, or 97035

Until requested otherwise, send all tax statements to:
Linda & Richard Scott
17433 SW Brookman Road
Sherwood, OR 97140-8801

WARRANTY DEED - STATUTORY FORM

Linda R. Scott and Richard L. Scott, Trustees of the Scott Living Trust, **Grantor**, convey and warrant to Linda R. Scott and Richard L. Scott, as equal tenants in common without a right of survivorship, **Grantee**, the following described real property free of encumbrances, except as specifically set forth herein, located at 17433 SW Brookman Road, Sherwood, Washington County, Oregon, more particularly described as follows:

That portion of the North half of the Northeast quarter of Section 6, Township 3 South, Range 1 West, of the Willamette Meridian, Washington County, Oregon, described as follows: Beginning at the Southwest corner of the said North half of the Northeast quarter, a distance of 50 feet to the true point of beginning of the tract to be described; thence North, parallel to the North-South center section line of said Section 6, a distance of 622.3 feet to a point; thence East, parallel with the South line of the said North half of the Northeast quarter, a distance of 750 feet, more or less, to the West line of that tract of land conveyed to Lowell E. Weston, et ux, by deed recorded in Book 962, page 155; Records of Washington County, thence South along the West line of the Weston tract, a distance of 622.3 feet more or less, to the South line of the North half of the Northeast quarter of said section 6; thence West along the South line of the North half of the Northeast

quarter of said Section 6, a distance of 750 feet, more or less, to the true point of beginning, in the County of Washington, State of Oregon; EXCEPTING THEREFROM any portion thereof lying within the boundaries of public roads.

The property is free from encumbrances, except those of record.

The true consideration for this conveyance is \$0, pursuant to the General Judgment of Unlimited Separation (Stipulated) entered in Linda Ruth Scott and Richard Lawrence Scott, Washington County Circuit Court Case No. C091964DRC.

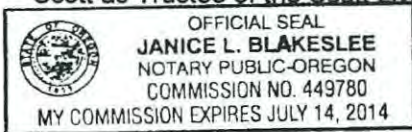
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300 , 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855. OREGON LAWS 2009.

Dated this 15th day of July, 2010.

Linda R. Scott

STATE OF OREGON, County of Clatsop) ss.

This instrument was acknowledged before me on July 15, 2010, by Linda R. Scott as Trustee of the Scott Living Trust.



Janice L. Blakeslee
Notary Public

STATE OF OREGON, County of Marion) ss.

This instrument was acknowledged before me on Richard Scott, 2010, by Richard L. Scott as Trustee of the Scott Living Trust.

Kaylyn Kimball
Notary Public



89-39882
Washington County



STEWART TITLE

AFTER RECORDING, RETURN TO:

Rosemary Rubsam et al
7185 SW 103rd Avenue
Beaverton, OR 97005

UNTIL FURTHER NOTICE, ALL FUTURE
TAX STATEMENTS SHALL BE SENT TO:
Rosemary Rubsam et al
7185 SW 103rd Avenue
Beaverton, OR 97005
TAX ACCOUNT # 3S16 00107

STATUTORY WARRANTY DEED

DANIEL M. MARTIN, Grantor, conveys and warrants to ROSEMARY RUBSAM & BARBARA RUBSAM, as to a 1/3 interest, AND GERALD J. OUELLETTE & ELIZABETH A. OUELLETTE, husband & wife, as to a 1/3 interest, AND WAYNE K. CHRONISTER & LINDA A. CHRONISTER, husband and wife, as to a 1/3 interest, ALL AS TENANTS IN COMMON, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Washington County, Oregon, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof

The said property is free from encumbrances EXCEPT: 1) 1989-90 taxes, a lien not yet payable; 2) Any additional tax or penalties in the event tax classification for forest land use is disqualified; 3) Rights of the public to any portion lying within road ways; 4) All matters arising from any shifting in course of Cedar Creek;

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

The true consideration for this conveyance is \$ 41,000.00.

Dated this 24th day of August, 1989.

Daniel M. Martin

Daniel M. Martin

STATE OF OREGON
County of CLACKAMAS

	WASHINGTON COUNTY	
	REAL PROPERTY TRANSFER TAX	
	\$ 4100	8-28-89
	FEE PAID	DATE



Personally appeared the above named DANIEL M. MARTIN and acknowledged the foregoing instrument to be his voluntary act and deed.

Deborah L. Schaben
Notary Public for State of OREGON
My commission expires 1/6/91.

20 1989

10-16
41-
ST

Stewart Title
89025331-W
DS

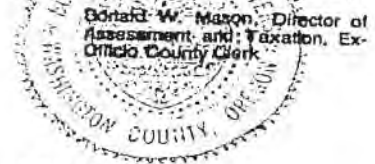
Order No. 89025331-W

EXHIBIT "A"

That portion of the North one-half of the Northeast one-quarter of Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:
 Beginning at the Southwest corner of the North one-half of the Northeast one-quarter of said Section 6; thence East, along the South line of said North one-half 1400 feet to the Southwest corner of that tract conveyed to Elmer Larry Countryman, et ux, by Deed recorded August 15, 1975 in Book 1039, page 17, said point being the true point of beginning of the tract described herein; thence North, along the West line of said Countryman tract, 726 feet to the Northwest corner thereof; thence East, along the North line of said Countryman tract 493 feet to the most Westerly Southwest corner of that tract conveyed to Byron D. Gregory, et ux, by deed recorded July 14, 1977 in Book 1182, page 951; thence North, along the West line of said Gregory tract, 544 feet to the Northwest corner thereof; thence East, along the North line of said Gregory tract, 747 feet to the Northeast corner thereof, said point being on the East line of Section 6; thence North on the East line of said Section 6, a distance of 50 feet to the Northeast corner thereof; thence West along the North line of said Section 6, a distance of 1312 feet, more or less, to the Northeast corner of that tract conveyed to Thomas Ames Curran, et ux, by Contract recorded January 9, 1978, Fee No. 78-918; thence South along the East line of said Curran tract, 1320 feet to the Southeast corner thereof, said point being on the South line of the North one-half of said Northeast one-quarter of Section 6; thence East along said South line, 72 feet, more or less, to the true point of beginning.

STATE OF OREGON }
 County of Washington } SS

I, Donald W. Mason, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.



Doc : 89039882
 Rect: 16805 57.00
 08/28/1989 10:03:03AM

2

THIS CONTRACT IS BEING RE-RECORDED TO CORRECT LEGAL DESCRIPTION
CONTRACT - REAL ESTATE

THIS IS A DUPLICATE COPY OF THAT CONTRACT RECORDED 12-20-77 IN BOOK: 1226, PAGE: 268
THIS CONTRACT, Made this 16th day of December, 1977, between
CHARLES DAVID HAYS

and DANIEL M. MARTIN, hereinafter called the seller,

and DANIEL M. MARTIN, hereinafter called the buyer,

WITNESSETH: That in consideration of the mutual covenants and agreements herein contained, the seller agrees to sell unto the buyer and the buyer agrees to purchase from the seller all of the following described lands and premises situated in Washington County, State of Oregon, to-wit: That portion of the North one-half of the Northeast one-fourth of Section 6, Township 3 South, Range 1 West, of the Willamette Meridian, Washington County, Oregon, described as follows:

Beginning at the Northeast corner of said Northeast one-fourth of Section 6, thence West along North line 1312 feet to a point which point is also 1328 feet East on North line of said section from the North one-fourth corner; thence South parallel the East line of Section 6, 1320 feet to the centerline of Brookman Road, also known as County Road 493; thence East along centerline of said road 72 feet to a point; thence North, parallel to East line of Section 6, 726 feet to a point; thence East, parallel to the North line of Section 6, a distance of 493 feet to a point; thence North parallel to East line of Section 6, 544 feet to a point; thence East, parallel to the North Section line, 747 feet to a point on the Easterly line of said Right of Way of County Road 493, in its Northerly extension; thence North along East line of said Right of Way 50 feet to point of beginning. SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" WHICH BY REFERENCE SHALL BE A PART HEREOF AND SHALL REPLACE DESCRIPTION LISTED ABOVE.

for the sum of THIRTY THOUSAND and no/100-----Dollars (\$ 30,000.00)

(hereinafter called the purchase price) on account of which FIVE THOUSAND and no/100-----Dollars (\$ 5,000.00) is paid on the execution hereof (the receipt of which is hereby acknowledged by the seller), and the remainder to be paid to the order of the seller at the times and in amounts as follows, to-wit:

Monthly installments of not less than \$156.25 per month, such payments including interest on the unpaid balance at the rate of seven and one-half (7-1/2%) percent per annum accruing from the date of this agreement. The first of such payments shall be \$555.55 on January 15, 1977, and each payment shall be applied first to interest to the date of payment and the balance to principal. Commencing December 15, 1983, and in each month thereafter, the monthly payment shall be not less than \$231.75. Buyer shall arrange and pay for a survey of the actual boundaries of the subject premises. Buyer shall pay for title insurance to be purchased as part of this transaction. (Over for other terms and conditions).

The buyer warrants to and covenants with the seller that the real property described in this contract is (B) for an organization or (even if buyer is a natural person) for business or commercial purposes other than agricultural purposes.

The buyer shall be entitled to possession of said lands on 1 day after execution of this agreement

he is not in default under the terms of this contract. The buyer agrees that at all times he will keep the buildings on said premises, now or hereafter erected, in good condition and repair and will not suffer or permit any waste or strip thereof; that he will keep said premises free from mechanic's and all other liens and save the seller harmless therefrom and reimburse seller for all costs and attorney's fees incurred by him in defending against any such liens; that he will pay all taxes hereafter levied against said property, as well as all water rents, public charges and municipal liens which hereafter lawfully may be imposed upon said premises, all promptly before the same or any part thereof become past due; that at buyer's expense, he will insure and keep insured all buildings now or hereafter erected on said premises against loss or damage by fire (with extended coverage) in an amount not less than \$

-0- in a company or companies satisfactory to the seller, with loss payable first to the seller and then to the buyer as their respective interests may appear and all policies of insurance to be delivered to the seller as soon as insured. Now if the buyer shall fail to pay any such liens, costs, water rents, taxes, or charges or to procure and pay for such insurance, the seller may do so and any payment so made shall be added to and become a part of the debt secured by this contract and shall bear interest at the rate aforesaid, without waiver, however, of any right arising to the seller for buyer's breach of contract.

The seller agrees that at his expense and within 1 day from the date hereof, he will furnish unto buyer a title insurance policy insuring (in an amount equal to said purchase price) marketable title in and to said premises in the seller on or subsequent to the date of this agreement, save and except the usual printed exceptions and the building and other restrictions and covenants now on record, if any. Seller also agrees that when said purchase price is fully paid and upon request and upon surrender of this agreement, he will deliver a good and sufficient deed conveying said premises in fee simple unto the buyer, his heirs and assigns, free and clear of encumbrances as of the date hereof and free and clear of all encumbrances since said date placed, permitted or arising by, through or under seller, excepting, however, the said encumbrances and restrictions and the taxes, municipal liens, water rents and public charges so assumed by the buyer and further excepting all liens and encumbrances created by the buyer or his assigns.

(Continued on reverse)

IMPORTANT NOTICE: Delete, by lining out, whichever phrase and whichever warranty (A) or (B) is not applicable. If warranty (A) is applicable and if the seller is a creditor, as such word is defined in the Truth-in-Lending Act and Regulation Z, the seller MUST comply with the Act and Regulation by making required disclosures for this purpose, use Stevens-Ness Form No. 1308 or similar unless the contract will become a first lien to finance the purchase of a dwelling in which event use Stevens-Ness Form No. 1307 or similar.

CHARLES DAVID HAYS
2698 Chambers
Eugene, Oregon - 97405
SELLER'S NAME AND ADDRESS

DANIEL M. MARTIN
4001 N.E. Halsey
Portland, Oregon
BUYER'S NAME AND ADDRESS

After recording return to:
CHARLES DAVID HAYS
2698 Chambers
Eugene, Oregon - 97405
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:
CHARLES DAVID HAYS
2698 Chambers
Eugene, Oregon - 97405
NAME, ADDRESS, ZIP

STATE OF OREGON,
County of } ss.

I certify that the within instrument was received for record on the day of , 19, at o'clock M., and recorded in book on page or as file/reel number Record of Deeds of said county. Witness my hand and seal of County affixed.

By Recording Officer
Deputy

AUG 28 1989

89025331-K
DS
Stevens-Ness

For log, ble copy see Book 1226 Page 268

89-39880
Washington County

And it is understood and agreed between said parties that time is of the essence of this contract, and in case the buyer shall fail to make the payments above required, or any of them punctually within ten days of the time limited therein, or fail to keep any agreement herein contained, then the seller at his option shall have the following rights: (1) to declare this contract null and void; (2) to declare the whole unpaid principal balance of said purchase price with the interest thereon at once due and payable and (3) to enforce this contract by suit in equity, and in any of such cases, all rights and interest created or then existing in favor of the buyer as against the seller hereunder shall utterly cease and determine and the right to the possession of the premises above described and all other rights acquired by the buyer hereunder shall revert to and remain in said seller without any act of re-entry, or any other act of said seller to be performed and without any right of the buyer of return, reclamation or compensation for amounts paid on account of the purchase of said property as absolutely, fully and perfectly as if this contract and such payments had never been made, and in case of such default all payments theretofore made on this contract are to be retained by and belong to said seller as the agreed and reasonable rent of said premises up to the time of such default. And the said seller, in case of such default, shall have the right immediately, or at any time thereafter, to enter upon the land aforesaid, without any process of law, and take immediate possession thereof, together with all the improvements and appurtenances thereon or thereto belonging.

The buyer further agrees that failure by the seller at any time to require performance by the buyer of any provision hereof shall in no way affect his right hereunder to enforce the same, nor shall any waiver by said seller of any provision hereof be held to be a waiver of any succeeding breach of any such provision, or as a waiver of the provision itself.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 30,000.00

In case suit or action is instituted to foreclose this contract or to enforce any of the provisions hereof, the buyer agrees to pay such suit, as the court may adjudge reasonable as attorney's fees to be allowed plaintiff in said suit or action and if an appeal is taken from any judgment or decree of the trial court, the buyer further promises to pay such sum as the appellate court shall adjudge reasonable as plaintiff's attorney's fees on such appeal.

In construing this contract, it is understood that the seller or the buyer may be more than one person; that if the context so requires, the singular pronoun shall be taken to mean and include the plural, the masculine, the feminine and the neuter; and that generally all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, said parties have executed this instrument in duplicate; if either of the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal affixed hereto by its officers duly authorized thereunto by order of its board of directors.

Charles David Hays
CHARLES DAVID HAYS

Daniel M. Martin
DANIEL M. MARTIN

"Seller"

"Buyer"

NOTE—The sentences between the symbols ©, if not applicable, should be deleted. See ORS 93.030.

STATE OF OREGON,
County of Washington } ss.
December 15, 1977

STATE OF OREGON, County of _____ } ss.
_____, 19____
Personally appeared _____ and _____

Personally appeared, the above named DANIEL M. MARTIN

each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____

and acknowledged the foregoing instrument to be his voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon
My commission expires 3-30-81

Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

Terms & Conditions (cont.)

Property Taxes. In addition to the above described payments for principal and interest, Buyer shall pay monthly an amount toward principal equal to one-twelfth of the then assessed property tax on the premises. Seller shall pay the real property taxes when due; and said amounts paid will be added to the contract balance due to the Seller. All other municipal liens, such as water rents, public charges or special assessments, which hereafter lawfully may be imposed upon these premises shall be the liability of Buyer. All monthly payments of property taxes, principal and interest shall be on the 15th day of each month.

Tax Deferral. Prior to execution of this agreement, the premises have qualified for reduced property tax charges because of classification as forest land. Buyer shall assume and pay any deferred property taxes which may be charged against the premises because the land no longer qualifies as forest land for property tax deferral purposes.

Subordination. Seller agrees to subordinate his interests in the premises created by this contract at any time after the principal balance due is less than \$24,000.00, to a first mortgage from a bank or other financial institution, if so requested by Buyer. Seller and Buyer must mutually agree upon the specific lending institution and the first mortgage must be solely to finance development of an improvement on the premises. Buyer shall pay for any and all surveys or other costs arising from said subordination.

Prepayment. At any time during the life of this contract, Buyer shall have the right to pay the unpaid balance of principal due or any portion thereof. If such payment in any calendar year exceeds \$4,800.00, Buyer shall pay to Seller at the close of that calendar year a sum equal to the additional amount of income tax liability, federal and state, incurred in that year because of the prepayment of principal under the contract.

See Attached Addendum for other terms and conditions.

AUG 21 1977

ADDENDUM TO HAYS--MARTIN CONTRACT

Condition of Premises. Buyer accepts the land and all other aspects of the property in their present condition, AS IS, without any representations or warranties, express or implied. Buyer has determined from sources other than Seller the applicable zoning, building, housing, and other regulatory ordinances and laws, and he accepts the property with full awareness of these ordinances and laws. Buyer has determined from sources other than Seller suitability of the premises for septic tank approval, availability of well water and suitability of the premises as a buildable lot in compliance with local ordinances and laws.

Improvements. The buyer shall have the right to make improvements to and upon the property during the term of this contract; provided, however, that the buyer shall hold the seller harmless and release the seller from any and all liabilities for any improvements made to this property during the term of this contract.

STATE OF OREGON,

County of WASHINGTON

} ss.

FORM NO. 23 - ACKNOWLEDGMENT
STEEB-NESS LAW FIRM CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 18th day of December, 1977, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Charles David Hays

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

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



[Signature]
Notary Public for Oregon.
My Commission expires 6/1/78

Order No. 89023786-W

REVISED EXHIBIT "A"

That portion of the North one-half of the Northeast one-quarter of Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:
Beginning at the Southwest corner of the North one-half of the Northeast one-quarter of said Section 6; thence East, along the South line of said North one-half 1400 feet to the Southwest corner of that tract conveyed to Elmer Larry Countryman, et ux, by Deed recorded August 15, 1975 in Book 1039, page 17, said point being the true point of beginning of the tract described herein; thence North, along the West line of said Countryman tract, 726 feet to the Northwest corner thereof; thence East, along the North line of said Countryman tract 493 feet to the most Westerly Southwest corner of that tract conveyed to Byron D. Gregory, et ux, by deed recorded July 14, 1977 in Book 1182, page 951; thence North, along the West line of said Gregory tract, 544 feet to the Northwest corner thereof; thence East, along the North line of said Gregory tract, 747 feet to the Northeast corner thereof, said point being on the East line of Section 6; thence North on the East line of said Section 6, a distance of 50 feet to the Northeast corner thereof; thence West along the North line of said Section 6, a distance of 1312 feet, more or less, to the Northeast corner of that tract conveyed to Thomas Ames Curran, et ux, by Contract recorded January 9, 1978, Fee No. 78-918; thence South along the East line of said Curran tract, 1320 feet to the Southeast corner thereof, said point being on the South line of the North one-half of said Northeast one-quarter of Section 6; thence East along said South line, 72 feet, more or less, to the true point of beginning.

Charles David Hays
Charles David Hays

Daniel M. Martin
Daniel M. Martin

STATE OF OREGON,
County of ~~Washington~~ *Clackamas* } ss.

FORM NO. 23 - ACKNOWLEDGMENT
STEVENS-NEWS LAW PUB. CO. - PORTLAND, ORE.

BE IT REMEMBERED, That on this 22nd day of August, 1989, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ~~the~~ *within* named Charles David Hays and Daniel M. Martin

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

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

STATE OF OREGON } ss
County of Washington

Deborah F. Schaller
Notary Public for Oregon
My Commission expires 1/6/91

I, Donald W. Mason, Director of Assessment and Taxation and the Official Recorder of Conveyances for said County, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.



Doc : 89039880
Rect: 16805
08/28/1989 10:03:03AM 26.00

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That CHARLES DAVID HAYS

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

See Exhibit "A" attached hereto and by this reference made a part hereof.

THIS DEED IS GIVEN IN FULFILLMENT OF THAT CERTAIN CONTRACT OF SALE, BETWEEN CHARLES DAVID HAYS AND DANIEL M. MARTIN, RECORDED: DEC. 20, 1977, BOOK: 1226, PAGE: 268

*** any liens or encumbrances suffered or created by contract purchaser after recording of said contract 12720777 Book: 1226, Page: 268.

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

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances EXCEPT: Any additional taxes or penalties and interest, should this land no longer be classified for Forest Land Use; The Rights of the Public to any roadways; All matters resulting in any shifting of Cedar Creek, including accretion, reliction & avulsion; AND *** and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 30,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the consideration intended to which, if applicable, should be added.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 7th day of August, 1989; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

X Charles David Hays
Charles David Hays

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, }
County of Clackamas } ss.
August 7th, 19 89

STATE OF OREGON, County of _____) ss.
_____, 19 _____

Personally appeared the above named Charles David Hays

Personally appeared _____, and _____, who, being duly sworn, each for himself and not one for the other, did say that the former is the _____ president and that the latter is the _____ secretary of _____

and acknowledged the foregoing instrument to be _____ voluntarily act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

(OFFICIAL SEAL) Notary Public for Oregon
My commission expires: 1/6/91

Notary Public for Oregon
My commission expires: _____

GRANTOR'S NAME AND ADDRESS
GRANTEE'S NAME AND ADDRESS
After recording return to:
Daniel M. Martin
NAME, ADDRESS, ZIP
Mail a change is requested all tax statements shall be sent to the following address:
Daniel M. Martin
NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, } ss.
County of _____
I certify that the within instrument was received for record on the _____ day of _____, 19_____, at _____ o'clock _____ M., and recorded in book _____ on page _____ or as file/reel number _____ Record of Deeds of said county.
Witness my hand and seal of County affixed.

Recording Officer
By _____ Deputy

Order No. 89023786-W

REVISED EXHIBIT "A"

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

Beginning at the Southwest corner of the North one-half of the Northeast one-quarter of said Section 6; thence East, along the South line of said North one-half 1400 feet to the Southwest corner of that tract conveyed to Elmer Larry Countryman, et ux, by Deed recorded August 15, 1975 in Book 1039, page 17, said point being the true point of beginning of the tract described herein; thence North, along the West line of said Countryman tract, 726 feet to the Northwest corner thereof; thence East, along the North line of said Countryman tract 493 feet to the most Westerly Southwest corner of that tract conveyed to Byron D. Gregory, et ux, by deed recorded July 14, 1977 in Book 1182, page 951; thence North, along the West line of said Gregory tract, 544 feet to the Northwest corner thereof; thence East, along the North line of said Gregory tract, 747 feet to the Northeast corner thereof, said point being on the East line of Section 6; thence North on the East line of said Section 6, a distance of 50 feet to the Northeast corner thereof; thence West along the North line of said Section 6, a distance of 1312 feet, more or less, to the Northeast corner of that tract conveyed to Thomas Ames Curran, et ux, by Contract recorded January 9, 1978, Fee No. 78-918; thence South along the East line of said Curran tract, 1320 feet to the Southeast corner thereof, said point being on the South line of the North one-half of said Northeast one-quarter of Section 6; thence East along said South line, 72 feet, more or less, to the true point of beginning.

STATE OF OREGON }
County of Washington } SS

I, Donald W. Mason, Director of Assessment and Taxation and Ex-Officio, Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.



Doc : 89039881
Rect: 16805
08/28/1989 10:03:03AM 16.00



Fidelity National Title

Company Of Oregon

Prepared By :
 Date : 3/3/2015

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

OWNERSHIP INFORMATION

Owner	: Sherwood Land LLC	Bldg #	Of
CoOwner	:	Ref Parcel Number	: 3S106B0 00100
Site Address	: 17601 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W S: 06 Q: NW QQ:
Mail Address	: 8212 NW Fruit Valley Rd #D Vancouver Wa 98665	Parcel Number	: R0586459
Telephone	:	County	: Washington (OR)

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
: Sherwood Land LLC	: 06/22/2007	69303	: \$1,628,750	: Special Warr	: \$1,900,000	: Construct
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 E2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TL0
 Subdivision/Plat :
 School District : Sherwood
 Class Code :
 Land Use : 6611 For, Designated Forest, Improved
 Legal : ACRES .27, CODE SPLIT, FORESTLAND,
 : SMALL TRACT FORESTLAND, POTENTIAL
 : ADDITIONAL TAX LIABILITY

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$25,660
 Mkt Structure :
 Mkt Total : \$25,660
 %Improved :
 M50AssdTotal : \$25,660
 Levy Code : 08809
 14-15 Taxes : \$417.38
 Millage Rate : 16.5148

PROPERTY CHARACTERISTICS

Bedrooms	:	Year Built	:	Attic SqFt	:
Bathrooms	:	EffYearBlt	:	Deck SqFt	:
Heat Method	:	BsmFin SF	:	ExtFinish	:
Foundation	:	BsmUnfinSF	:	Const Type	:
Lot Acres	: .27	Bldg Sq Ft	:	Roof Shape	:
Lot SqFt	: 11,761	1stFtrSF	:	Roof Matl	:
Garage Type	:	UpperFISF	:	InteriorMat	:
Garage SF	:	Porch SqFt	:	Paving Matl	:

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



Fidelity National Title

Company Of Oregon

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

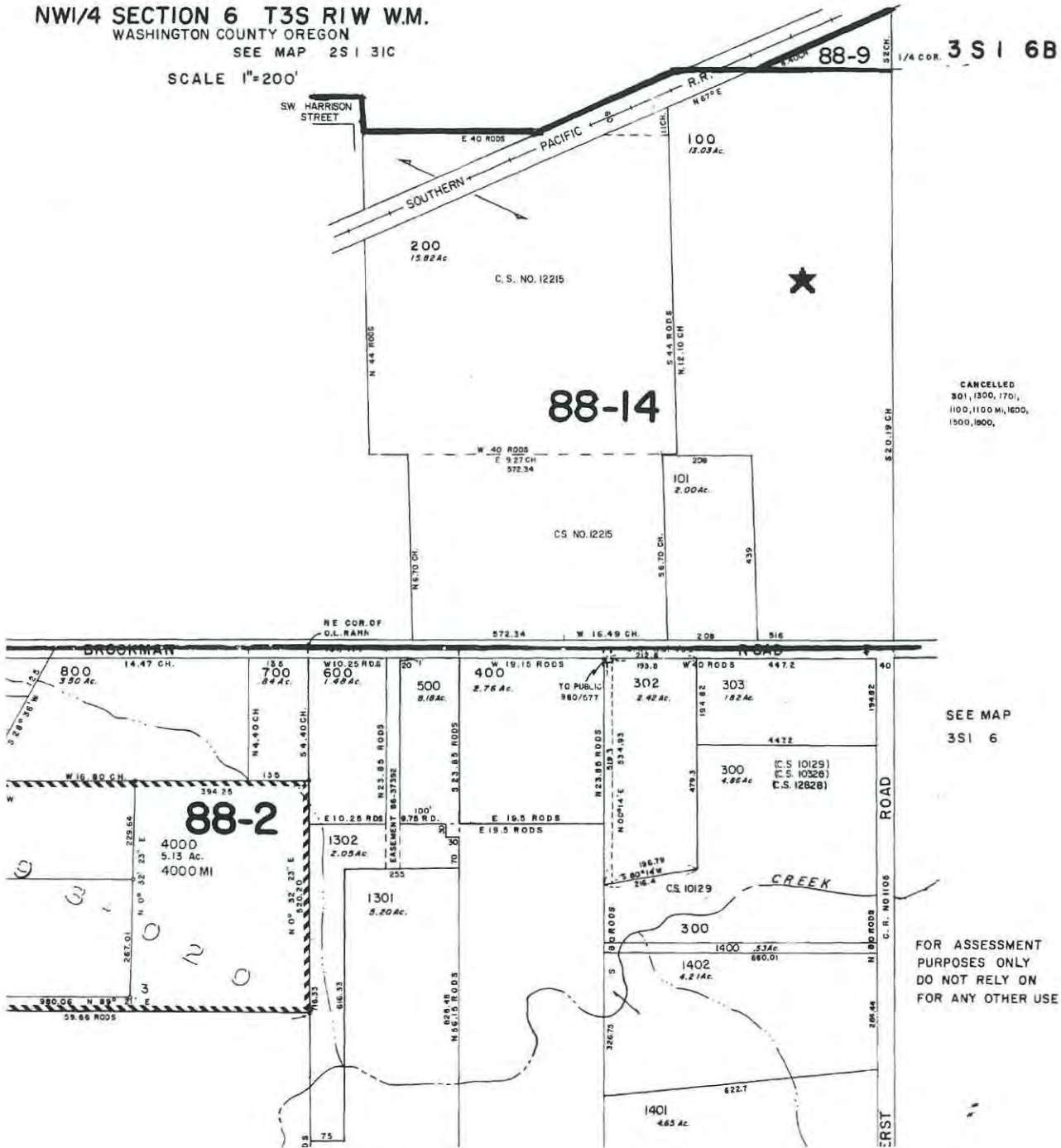


Parcel #: R0586431

Ref Parcel Number : 3S106B0 00100

NW1/4 SECTION 6 T3S RIW W.M.
WASHINGTON COUNTY OREGON
SEE MAP 2S1 31C

SCALE 1"=200'



CANCELLED
301, (300, 170),
1100, 1100 M, 1600,
1500, 1600,

SEE MAP
3S1 6

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

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



Fidelity National Title

Company Of Oregon

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

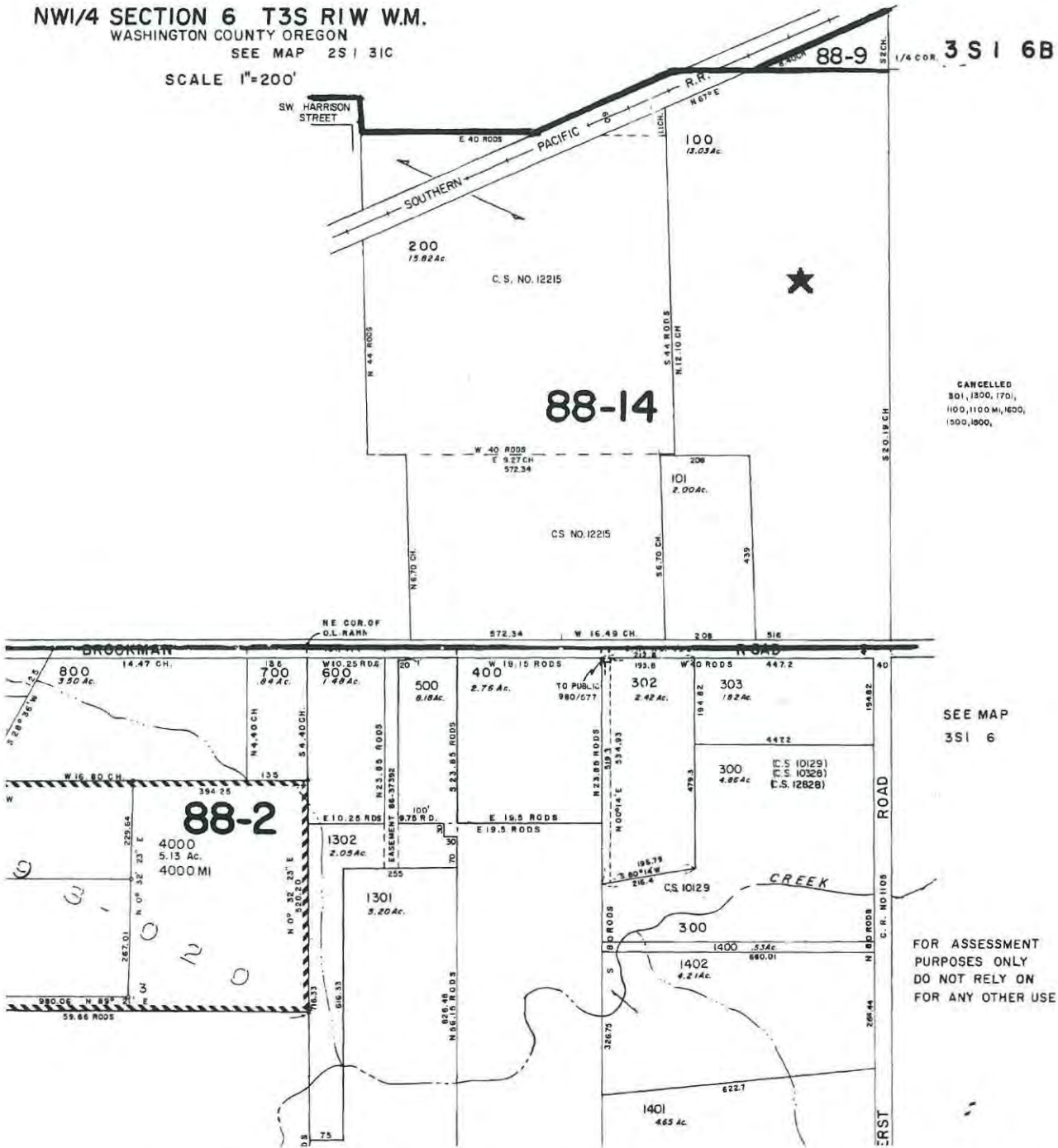


Parcel #: R0586459

Ref Parcel Number : 3S106B0 00100

NW1/4 SECTION 6 T3S RIW W.M.
WASHINGTON COUNTY OREGON
SEE MAP 2S1 31C

SCALE 1"=200'



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

30
=6

1,629

Washington County, Oregon
07/11/2005 10:33:23 AM 2005-079964
D-C Cnt=1 Str=7 K GRUNEWALD
\$30.00 \$6.00 \$11.00 \$1,629.00 - Total = \$1,676.00



00799704200500799640060068

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

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



After Recording Return To:

Stuart K. Cohen, Esq.
Landye Bennett Blumstein LLP
1300 SW Fifth Ave, Suite 3500
Portland, OR 97201

RECORDED BY
TICOR TITLE INSURANCE

W 823300

MEMORANDUM OF LAND SALE CONTRACT

DATE: July 8, 2005

BETWEEN: John A. and Eleanor G. Yeager, Co-Trustees of the Revocable Living Trust of John A. Yeager and Eleanor G. Yeager dated September 2, 1993 ("Seller")

AND: Sherwood Land, LLC, an Oregon limited liability company ("Purchaser")

Pursuant to a Land Sale Contract dated 7-8, 2005, Seller sold to Purchaser all of Seller's interest in that certain real property in Washington County, Oregon described in the attached Exhibit A. If not earlier paid, all amounts owned under this Contract shall be due and payable at such time as set forth in the Contract.

The true and actual consideration for this conveyance is \$1,628,750.00.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

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

Sherwood Land, LLC
c/o Double D Development, Inc.
Dennis L. Derby
12670 SW 68th Parkway, Suite 100
Portland, Oregon 97223



WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
\$ 1629.00 7-11-05
FEE PAID DATE

MEMORANDUM OF LAND SALE CONTRACT



Property Tax Account Numbers: R0586431 & R0586459

PURCHASER

SELLER

Sherwood Land, LLC
an Oregon limited liability

Revocable Living Trust of
John A. and Eleanor G. Yeager
dated September 2, 1993

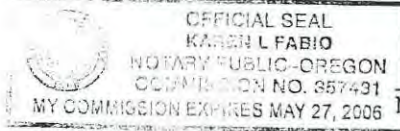
By: [Signature]
Dennis L. Derby,
Authorized Representative

[Signature]
John A. Yeager, ^{co} Trustee

[Signature]
Eleanor G. Yeager, ^{co} Trustee
CO

STATE OF OREGON)
County of Washington) ss.

This instrument was acknowledged before me on 7-8, 2005, by John A. Yeager, as ^{* co-trustee} Trustee of Revocable Living Trust of John A. Yeager and Eleanor G. Yeager, Dated September 2, 1993



[Signature]
NOTARY PUBLIC FOR OREGON

STATE OF OREGON)
County of Washington) ss.

NOTARY

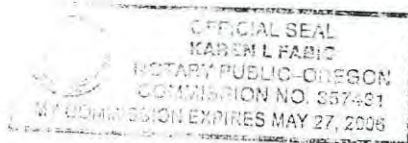
This instrument was acknowledged before me on 7-8, 2005, by Eleanor G. Yeager, as ^{* co-trustee} Trustee of Revocable Living Trust of John A. Yeager and Eleanor G. Yeager, Dated September 2, 1993



[Signature]
NOTARY PUBLIC FOR OREGON

STATE OF OREGON)
County of Washington) ss.

This instrument was acknowledged before me on 7-8, 2005, by Dennis L. Derby, as the authorized representative of Sherwood Land, LLC.



[Signature]
NOTARY PUBLIC FOR OREGON


MEMORANDUM OF LAND SALE CONTRACT



Purchaser:

Sherwood Land LLC
an Oregon Limited Liability

By  _____
Rcm Development LLC, member
Randall C. Myers, manager

By  _____
George L. Lorange, member



STATE OF OREGON,
County of Washington } ss.

On 7-8-05 before me personally appeared Randall C Myers
member of Sherwood Land LLC and RCM Development LLC
whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above.

Karen J Fabus
Notary Public for Oregon
My commission expires _____

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

FORM No. 23 - ACKNOWLEDGMENT, INDIVIDUAL EA

© 1992-2001 STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR www.stevensness.com

STATE OF OREGON,
County of Washington } ss.

On 7-8-05 before me personally appeared George L Lorange
member of Sherwood Land LLC
whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above.

Karen J Fabus
Notary Public for Oregon
My commission expires 05-27-08

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

FORM No. 23 - ACKNOWLEDGMENT, INDIVIDUAL EA

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EXHIBIT "A" FOR COMPLETE LEGAL DESCRIPTION

Being a part of the Donation Land Claim of Charles Talmage in Section 31, Township 2 South, Range 1 West and Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, and being particularly bounded and described as follows, to-wit:

Beginning at the one-quarter section corner on the North line of said Section 6, Township 3 South, Range 1 West of the Willamette Meridian and running thence South on one-half section line 20.19 chains; thence West 16.49 chains; thence North 6.70 chains; thence East 9.27 chains; thence North 12.10 chains to the right-of-way of the S.P. & S. (formerly the P & W V R R); thence following the South boundary line of said right-of-way North 67° East 8.40 chains to the East line of the Southwest one-quarter of said Section 31, Township 2 South, Range 1 West of the Willamette Meridian and thence South 2 chains to the point of beginning, EXCEPTING THEREFROM that tract described as follows, to-wit:

Beginning at the one-quarter section corner on the North line of said Section 6, Township 3 South, Range 1 West of the Willamette Meridian and running thence South on one-half section line 20.19 chains; thence West 516 feet to the true point of beginning; thence West 572.34 feet; thence North 6.70 chains; thence East 572.34 feet; thence South 6.70 chains to the point of beginning. ALSO EXCEPTING that tract conveyed to John A. Yeager, et ux, by Deed recorded February 22, 1971 in Book 807 page 355, Records of Washington County, Oregon.



ASSIGNMENT OF PURCHASERS' RIGHTS

On this 8 day of July, 2005, Double D Development, Inc., an Oregon corporation and RCM Development, LLC, an Oregon limited liability company, as Buyers, hereby assign all of their right, title and interest in the Land Sale Contract, dated July 8, 2005 with John A. And Eleanor G. Yeager, Co-Trustees of the Revocable Living Trust of John A. and Eleanor G. Yeager as Seller, to Sherwood Land, LLC., an Oregon limited liability company.

Double D Development, Inc.

By: [Signature]
Dennis L. Derby, President

RCM Development, LLC.

By: [Signature]
Randy C. Myers, Member

We hereby consent to the assignment set forth above.

Revocable Living Trust of John A. and Eleanor G. Yeager

[Signature] Trustee
John A. Yeager, Co-Trustee
Co

[Signature] Trustee
Eleanor G. Yeager, Co-Trustee
Co

Washington County, Oregon
06/22/2007 10:23:00 AM
D-DW Crt#1 8th=16 D HOFFMAN
\$5.00 \$8.00 \$11.00 - Total = \$22.00

2007-069303



01131513200700693030010011
Richard Hobsenicht, Director of Assessment and
Taxation and Ex-Officio County Clerk for Washington
County, Oregon, do hereby certify that the within
instrument of writing was received and recorded in the
book of records of said county.
Richard Hobsenicht, Director of Assessment and
Taxation, Ex-Officio County Clerk



1165

RECORDING REQUESTED BY:
Fidelity National Title Company of Oregon
{GRANTOR'S NAME:
Yeager

GRANTEE'S NAME:
Sherwood Land LLC

SEND TAX STATEMENTS TO:
Sherwood Land LLC
5 Centerpointe Drive #280
Lake Oswego, OR 97035

AFTER RECORDING RETURN TO:
Sherwood Land LLC
5 Centerointe Dr #280, Lake Oswego, OR
97035

Escrow No: 20070000660-FTPOR08

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY SPECIAL WARRANTY DEED IN FULFILLMENT OF CONTRACT

John A Yeager and Eleanor G Yeager, as Co-Trustees to the Revocable Living Trust of John A Yeager and Eleanor G Yeager, dated 9/2/1993

Grantor, conveys and specially warrants to Sherwood Land LLC, an Oregon Limited Liability Company, Grantee, the following described real property, free of encumbrances created or suffered by the Grantor except as specifically set forth below, situated in the County of Washington, State of Oregon:

Being a part of the Donation Land Claim of Charles Talmage in Section 31, Township 3 South, Range 1 West and Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, and being particularly bounded and described as follows, to-wit:

Beginning at the one-quarter section corner on the North line of said Section 6, Township 3 South, Range 1 West of the Willamette Meridian and running thence South on one-half section line 20.19 chains; thence West 16.49 chains; thence North 6.70 chains; thence East 9.27 chains; thence North 12.10 chains to the right-of-way of the S.P., & S. (formerly the P&W VRR); thence following the South boundary line of said right-of-way North 67° East 8.40 chains to the East line of the Southwest one-quarter of said Section 31, Township 2 South, Range 1 West of the Willamette Meridian and thence South 2 chains to the point of beginning.

EXCEPTING THEREFROM that tract described as follows, to-wit:

Beginning at the one-quarter section corner on the North line of said Section 6, Township 3 South, Range 1 West of the Willamette Meridian and running thence South on one-half section line 20.19 chains; thence West 516 feet to the true point of beginning; thence West 572.34 feet; thence North 6.70 chains; thence East 572.34 feet; thence South 6.70 chains to the point of beginning.

ALSO EXCEPTING THEREFROM that tract conveyed to John A. Yeager, et ux, by Deed recorded February 22, 1971 in Book 807, Page 355, Records of Washington County, Oregon.

THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS IN FULFILLMENT OF THAT CERTAIN CONTRACT RECORDED JULY 11, 2005 AS 2005-079964, WASHINGTON COUNTY, OREGON in the amount of \$1,628,750.00. (See ORS 93.030)
DATED: 0-21-2007

Revocable Living Trust of John A Yeager and Eleanor G Yeager dated 9/2/1993

By: John A. Yeager
John A Yeager, Co-Trustee

By: Eleanor G. Yeager
Eleanor G Yeager, Co-Trustee



State of Oregon County of Clackamas
This instrument was acknowledged before me on June 21, 2007 by John A Yeager and Eleanor G Yeager, as Co-Trustees of the Revocable Living Trust of John A Yeager and Eleanor G Yeager dated 9/2/1993

Kathi J. Lawrence
Notary Public of Oregon



70000660-08
This instrument filed for record by Fidelity National Title Company as an accommodation only. It has not been examined as to its execution or as to its effect upon the title.



Fidelity National Title

Company Of Oregon

Prepared By :
 Date : 3/3/2015

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

OWNERSHIP INFORMATION

Owner	: Boyd George W	Bldg #	1	Of	1
CoOwner	: Brewer Carleen H	Ref Parcel Number	: 3S106B0 00200		
Site Address	: 17769 SW Brookman Rd Sherwood 97140	T: 03S	R: 01W	S: 06	Q: NW QQ:
Mail Address	: PO Box 85 Tualatin Or 97062	Parcel Number	: R0586468		
Telephone	:	County	: Washington (OR)		

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
: Boyd George W	: 04/25/1997	38339	:	: Warranty	:	:
: Boyd George W	: 04/23/1997	37165	: \$128,900	: Warranty	:	:
: State of Oregon F-44462	:	86037837	: \$128,900	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

PROPERTY DESCRIPTION

Map Page Grid : 714 E2
 Census Tract : 321.03 Block: 3
 Neighborhood : 4TL0
 Subdivision/Plat :
 School District : Sherwood
 Class Code : Single Family Res
 Land Use : 5414 Agr, Farm Unzoned, Improved
 Legal : ACRES 15.82, UNZONED
 : FARMLAND-POTENTIAL ADDITIONAL TAX
 : LIABILITY

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$876,370
 Mkt Structure : \$80,070
 Mkt Total : \$963,980
 %Improved : 8
 M50AssdTotal : \$222,640
 Levy Code : 08814
 14-15 Taxes : \$3,226.98
 Millage Rate : 14.4942

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Year Built	: 1954	Attic SqFt	:
Bathrooms	: 2.00	EffYearBlit	: 1954	Deck SqFt	:
Heat Method	: Electric	BsmFin SF	: 1,280	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Stud\shgt
Lot Acres	: 15.82	Bldg Sq Ft	: 3,198	Roof Shape	: Gable
Lot SqFt	: 689,119	1stFirSF	: 1,918	Roof Matl	: Comp Shingle
Garage Type	:	UpperFISF	:	InteriorMat	: Drywall
Garage SF	:	Porch SqFt	:	Paving Matl	:



Fidelity National Title

Company Of Oregon

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



Parcel #: R0586468

Ref Parcel Number : 3S106B0 00200

N COUNTY OREGON
 SEE MAP 2S 1 31C
 LE 1"=200'



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



2018
18

The true consideration for
this conveyance is \$-None-

STATE OF OREGON }
County of Washington } SS

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

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

Doc : 97038339
Rect: 185119 38.00
04/25/1997 02:28:34pm

Until a change is requested,
all tax statements are to be
sent to the following:
George W. Boyd and Carleen H. Brewer
PO Box 85
Tualatin, OR 97062

After recording, return to:
George W. Boyd and Carleen H. Brewer
PO Box 85
Tualatin, OR 97062

STATUTORY WARRANTY DEED

George W. Boyd, Grantor, conveys and warrants to George W. Boyd and Carleen H. Brewer, each as to an undivided one-half interest as tenants in common, Grantees, the following described real property free of encumbrances except as specifically set forth herein situated in Washington County, State of Oregon, to wit:

Parcel I: A tract of land in Section 6, Township 3 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, described as follows: Beginning at the quarter section corner on the north line of said Section 6, Township 3 South, Range 1 West of the Willamette Meridian; and running thence South on half section line, 20.19 chains; thence West 516 feet to the true place of beginning; thence West 572.34 feet; thence North 6.70 chains; thence East 572.34 feet; thence South 6.70 chains to the place of beginning.

PAGE 1 - STATUTORY WARRANTY DEED

1-2



APR 25 1997

Parcel II: Part of Section 6, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows: Commencing at a stake 30 feet North and 30 feet East of the northeast corner of Block 1, in the Town of Middleton, Oregon; running thence due East to a stake 40 rods; from thence due South to a stake 44 rods; from thence due West to a stake 40 rods; from thence due North to the place of beginning, 44 rods. EXCEPTING therefrom a strip of land 60 feet wide running from Northeast to Southwest as described in deed to the Portland and Willamette Valley Railroad Company, recorded in Book 31, Page 217, on May 23, 1891.

SUBJECT ONLY TO THE FOLLOWING ENCUMBRANCES: Rights of the public in and to that portion of the premises herein described lying within the limits of Brookman Road, County Road No. 493.

The true consideration for this conveyance is \$-NONE-. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

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

DATED this 25 day of April, 1997.

George W. Boyd
GEORGE W. BOYD

STATE OF OREGON)
) ss.
County of Washington)

This instrument was acknowledged before me on 25 day of April, 1997 by George W. Boyd.

Dean C. Werst
Notary Public for Oregon
My commission expires: 1-9-99

OFFICIAL SEAL
DEAN C. WERST
NOTARY PUBLIC-OREGON
COMMISSION NO. 040265
MY COMMISSION EXPIRES JAN. 9, 1999

PAGE 2 - STATUTORY WARRANTY DEED

2



Connie Randall

From: Ken and Christy Reckard <kandcreckard@comcast.net>
Sent: Thursday, March 02, 2017 6:26 PM
To: Connie Randall
Subject: Brookman Road Annexation (AN16-01) Comments

Importance: High

Follow Up Flag: Follow up

Flag Status: Flagged

Dear Ms. Randall:

Thank you for notifying us of the requested annexation of property along Brookman Road. We truly appreciate the prior notice and having an opportunity to express our concerns and opposition.

While we can appreciate the property owners' desires to profit from their land, we are quite concerned about the effects annexation will most certainly cause. Clearly, since the annexation application was submitted by a developer, The Holt Group, the land in question will be developed promptly, consequently leading to population increases to our town. Since Sherwood already has a traffic congestion issue along with overpopulated schools, we strongly oppose annexation of the Brookman Road properties.

Granted, the new school bond was accepted to improve our schools' infrastructure. However, even the new schools will not tolerate additional population, but rather the present population. Thus, adding more students as a result of additional housing will negate the new bond and result in overpopulation once again.

Additionally, traffic in the area of Brookman Road has increased dramatically even without the advent of new housing. Development will simply add to the problem and create more risk of accidents. Brookman is not built for high traffic with its twists and turns and cannot be safely traversed with increased traffic.

Finally, increasing the population in general in Sherwood will put more strain and pressure on all of our services, including police, fire, water, and, of course, City Hall. While higher population may, in theory, bring more tax dollars, the amount of financial outflow required to serve the additional development will surely outweigh the increased tax dollars.

In short, we do not endorse the annexation of Brookman Road at this time and ask that you deny the application submitted. Thank you for your consideration and for helping us keep Sherwood the lovely town we all created.

Regards,
Ken and Christy Reckard

Connie Randall

From: Jeremy Romig <jkromig@gmail.com>
Sent: Thursday, March 09, 2017 2:15 PM
To: Connie Randall
Subject: Brookman Annexation

Follow Up Flag: Follow up
Due By: Thursday, March 09, 2017 4:00 PM
Flag Status: Flagged

To whom it may concern,

I have so many questions it's hard to know where to begin. It's frustrating to think you have a voice in your community and in turn find out you don't. I understand the law has changed but why can't we stand up and stay true to the residents of Sherwood. We have voted people in that represent us, as a community stand for. I hope with that what we have said in our voting down such growth is heard in return.

Part of what makes Sherwood a wonderful place to live is it isn't over populated like a lot of other cities around us. With opening up Brookman and the west side of 99 to developers we are letting go of what it is that makes us special. I understand growth happens but to what end? Do we really need to continue to push the growth. If adding 1,000 new dwellings is actually what we are doing, I beg for you to listen to your community and why we live here. I hope that isn't the direction we are headed. If we add on can we meet in the middle. Maybe add some new neighborhoods but not such a high quantity?

We have the power to make our city what we want of it. Look at walmart. We have one but it's not a 24 hour store. I appreciate that. We can allow builders in but can we cap how many they can build. Not pack it like a sardine can.

My children are invested in this community and I love that. I'm invested. I love living here. We want to keep it a small beautiful place to raise our children. Continue to make it magazine worthy. But as flattered as Sherwood may be about being one of the best smaller communities to live, we are changing just that. Over the years we have watched Beaverton become so massive. Is that our direction? Bringing in more trimet, stop lights, more congestion to already congested roads.

We are starting to get ready to build a new high school; are we going to add on a new elementary/middle school as well? Other cities with this amount of growth take on 2 high schools. At least if we build onto an already over crowded school system, let's get out of a small town mind set that is one school. Let's divide.

Thank you,
Karen Romig

Connie Randall

From: Karen Romig <jkromig@hotmail.com>
Sent: Thursday, March 09, 2017 5:47 PM
To: Connie Randall
Subject: Brookman Area Annexation

Follow Up Flag: Flag for follow up
Due By: Thursday, March 09, 2017 4:00 PM
Flag Status: Flagged

I have so many questions it's hard to know where to begin. It's frustrating to think you have a voice in your community and in turn find out you don't. I understand the law has changed but why can't we stand up and stay true to the residents of Sherwood. We have voted people in that represent us, as a community stand for. I hope with that what we have said in our voting down such growth is heard in return.

Part of what makes Sherwood a wonderful place to live is it isn't over populated like a lot of other cities around us. With opening up Brookman and the west side of 99 to developers we are letting go of what it is that makes us special. I understand growth happens but to what end? Do we really need to continue to push the growth. If adding 1,000 new dwellings is actually what we are doing, I beg for you to listen to your community and why we live here. I hope that isn't the direction we are headed. If we add on can we meet in the middle. Maybe add some new neighborhoods but not such a high quantity?

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Thank you,
Karen Romig

Sent from my iPhone

Planning Department, Sherwood City Hall

Re: Brookman Annexation

March 9, 2017

As a homeowner in the Middleton/Woodhaven area for 9 years I am particularly concerned about the traffic impact this proposed annexation will have on our neighborhood. The current proposed annexation is being presented alongside the original concept plan and studies from 2008. Traffic volumes on Hwy 99w and Sunset Blvd have already significantly increased in the past 9 years. The original 2008 concept plan also included the entire inclusion and development of Brookman Rd from Hwy 99w to Ladd Hill. This current annexation only benefits the eight landowners who wish to sell to a developer and is a modified portion of the original Brookman annexation. References made to the Brookman Addition concept plan provide little insight into the impact of the current proposed annexation and the number of homes The Holt Group is proposing to build.

In reviewing the current proposal and Senate Bill 1573, under Policy Objectives, I have the following concerns. **Letter a: Focus growth on areas contiguous to existing development rather than “leap frogging” over developable property.** The proposed annexation has no direct access to any existing residential development or city street. While the proposed property may border the current city limits, no road connection can be made. This proposed annexation will be surrounded by rural land owners and county road access. Brookman Rd would not be a safe road for any child to ride their bike or walk to school along. This annexation would be an isolated development with no real connection to any Sherwood neighborhood.

Letter f: “Provide proper access and traffic circulation to all new development.” The response that improvements are needed is vague and outlines no clear plan. Citing a 2008 concept plan and study is referencing information that is not relevant to this current proposal. Any new homes in the Brookman annexation would only have access to Brookman Rd, a county road with clear safety concerns if increased traffic is volume proposed.

The addition of a new subdivision of homes and drivers needing access to Hwy 99w and Sunset Blvd will have a huge impact on residents of Brookman Rd and Middleton Rd. I would like to know exactly how Brookman Rd and the proposed “neighborhood route” of Middleton Rd will now be impacted and/or improved and made safe for current residents. Will Middleton Rd, currently a school zone, have multiple safe crosswalks, speed bumps and enforced speed zones? Will Brookman Rd be developed and widened from Hwy 99w to Ladd Hill? How will new residents access Brookman Rd from Hwy 99w? Unless an additional intersection is added by ODOT at Hwy 99w and Brookman Rd, new residents will utilize Sunset Blvd and Middleton Rd as an access road to and from Hwy 99w, making Middleton Rd a high traffic street. I must mention that Middleton Rd, which connects into Timbrel Ln, is a road that hundreds of children cross everyday to attend Middleton Elementary. Timbrel Ln is also the main crosswalk at Sunset Blvd for all the children attending Middleton Elementary from the other side of

RECEIVED MAR 09 2017

Exhibit J

Sunset Blvd. Middleton Rd is a residential street and should not be utilized as an extension of Sunset Blvd. I am kept up at night by the thought that The Holt Group will build these homes and then the residential neighborhood surrounding Middleton Rd, the students at Middleton Elementary, and the rural residents of Brookman Rd will bear the burden of the traffic impact of this current Brookman annexation.

I would like to close by reminding the elected city council and the planning department that in addition to my specific neighborhood concerns, that the major concerns of Sherwood as a whole and the issues we face in our overcrowded schools and lacking infrastructure also need to be addressed. A majority of Sherwood voters have rejected the Brookman annexation in previous elections due to genuine concerns such a large development will have on our community. Senate Bill 1573 may give a developer the ability to avoid voters but we can't ignore the real problems Sherwood has regarding our schools, infrastructure and the consequences of rapid growth. These issues will not go away even if a developer can brush them aside. I do not believe that Senate Bill 1573 should be used as a loophole to avoid Sherwood voters and bypass the concerns of a majority of Sherwood residents and homeowners. The Brookman annexation would financially benefit a few but would not benefit Sherwood as a whole. I know Sherwood will continue to grow and expand but there are better options for new development that would continue growth with existing Sherwood neighborhoods.

Thank you,

Stephanie Gengler

Connie Randall

From: Wendy Wells <wendywells7@gmail.com>
Sent: Friday, March 10, 2017 11:20 AM
To: Connie Randall
Subject: Brookman Annexation: File No: AN 16-01

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Ms. Randall,

I hope this finds you enjoying the bright sunshine on a Friday morning.

I am writing you to share my concerns regarding the planned Annexation of 100 plus acres off Brookman Road.

I have lived in the Brookman area since the early 80's. My husband and I purchased our home on Oberst in 1990 and raised our two girls here. We have seen a lot of growth over the years. I am not opposed to growth and recognize it is a sign of progress.

I am very concerned to learn the plans to improve Brookman Road if the City is in fact planning to add a significant number of new homes in the area. The road is narrow, currently has no center stripe, no fog lines and no shoulder. The road today is heavily traveled by folks attempting to shorten the distance or avoid stop lights to access Tonquin, Tualatin Sherwood and Ladd Hill Roads. Many drivers today ignore the 25 mile an hour sign on the section near Ladd Hill, the 15 mile an hour recommended speed on the 90 degree curve, the 35 mile and hour speed limit on the section near HWY 99 and blow through the stop sign at the Railroad tracks near Middleton. The roads many twists and turns and hills with blinded viability make for a rather precarious journey at today's traffic volumes. Accessing Brookman from Oberst Road is currently exciting as traffic speeds over the top of the blind hill, making one anticipate being T-boned if turning to Hwy 99 or rear ended if heading to Ladd Hill.

I look to the City of Sherwood to insure, together with Washington County, a top priority is placed to improve Brookman Road safety. This is required for those who will access the new development and those who live in the community today. Speed enforcement will be key. Potentially your transportation planners may need to consider installing speed bumps to keep speed levels down. A stop sign at the 90 degree turns. It would be highly desirable to improve the sight lines over the current hills and curves. A widening of the road should be considered, as the road is currently utilized by runners and walkers, who today require one way traffic, on the narrow road to allow oncoming traffic pass them. I trust any planned high density housing for this area will justify the placement of a new traffic signal light at HWY99 at Brookman/Chapman Road.

Thank you for recording my concerns as the City evaluates this future development.

Wendy Wells
24895 SW Oberst Rd,
Sherwood, Or 97140
503-522-1917

Connie Randall

From: Stephen Kuske <Stephen.Kuske@evergreenps.org>
Sent: Friday, March 10, 2017 4:20 PM
To: Connie Randall
Subject: Brookman Area Annexation

City Council,

As are a lot of Sherwood residents, I am concerned about the Brookman Road Annexation proposal. I understand the reason the Holt Group has proposed it, as it will make a small group of people a lot of money. As to the affect it will have on our Sherwood community, I can only see a great number of problems associated it the project. I will outline them below.

1. Sherwood residents have voted against this proposal three times by wider margins each time. Our community has spoken and has resoundingly said that they do not want this annexation. I understand someone has changed “the rules” by suddenly not requiring a vote of people, but to accept this change, knowing that the people who vote for the people who will make this decision, is tantamount **political malpractice**. Our citizens **do not want this**.

2. Bigger is not better. While it may put a few more dollars in the city coffers, expanding the city in this way will not make the city better, just larger and more congested. We **do not** want a Potterville, we want a Bedford Falls. We value our small-town feel.

3. The new high school is not being built to accommodate this many new families. I’m sure you will be hearing this from multiple sources, so I will not site facts that you already have on hand. We care about our schools and care about overcrowding.

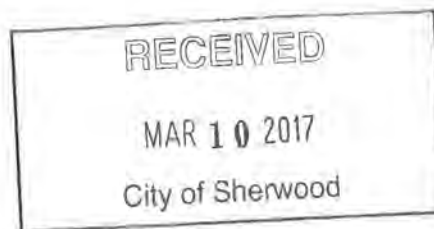
4. Many houses in that part of Sherwood will be negatively affected by the cutting down of hundreds of trees in that area. Many have purchased their homes in large part because of the beautiful trees and expansive views that are a part of the landscape of that area. We want to keep our Bedford Falls and not turn it into Potterville to line the pockets of developers.

5. We want a City Council that will fight for the wishes of it’s citizens!! To sit back and say that it is “progress,” or that City Council Members have little control over what happens in this process is shameful. Stand up for your voters or they won’t stand up for you the next time you run for any office. We trusted you when we voted for you. Now we need you to fight for us.

Thank you for your time. My hope is that someone can stand up and just say, “Sherwood Citizens have been very clear. We cannot support this annexation.” Please do the right thing.

Sincerely,

Steve Kuske
17562 SW Inkster Road,
Sherwood, Oregon



Sherwood City Council Members,

I am unable to attend the meeting on March 21st to speak for the Brookman Road Annexation project, so I am doing all I can to convey my thoughts and feelings on this issue.

I am a 15 year old student at Sherwood High school. Citizens my age rarely get a chance to voice their opinions, so I feel comfortable stating that I represent most of the minors of Sherwood, who currently make up over 60% of the population.

Our class sizes are enormous. We often have as many as 35-40 students in a regular period. Many students, including myself, are forced to eat our lunches in the hallways or even outside because the lunchroom is crowded with students. The new High School will be built to combat this, but the capacity of the new school is planned to be around 2000 students. If the annexation passes, the school will be over its limit before it even opens.

I am personally disappointed that the elected officials of Sherwood would even consider this proposal, blatantly going against their community's wishes, intentionally overcrowding schools and ruining the beautiful, small town of Sherwood for some extra money. I would like to have the knowledge that the political leaders who run my town can be trusted to overcome personal greed and do what is right for the community.

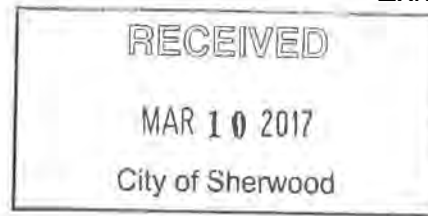
The annexation has been declined no less than three times with an increasing majority each time by the citizens of Sherwood, with the last attempt failing three to one. If that isn't indication that the citizens of Sherwood disagree with it, then I don't know what is. If this proposal passes, it would be more than a disappointment; it would be an outrage. If our representatives cannot be trusted to represent our opinions, then we don't want them to be in office. If you allow the annexation to pass, be prepared for a recall election.

The citizens of Sherwood like our small community, our trees and forests, and our reasonable class sizes. Shouldn't we keep these things the way they are? *These are the reasons that the annexation is so persistent.* People want to live in Sherwood because of these attributes that few other towns can compete with. Please, do the right thing. Represent the wishes of your citizens at the meeting on March 21st.

**Thank you for hearing and considering my view,
Brandon Kuske**

**17562 SW Inkster Drive
Sherwood, OR, 97140**

A handwritten signature in cursive script that reads "Brandon Kuske".



March 10, 2017

Mayor Clark, Sherwood City Council Members, and Sherwood Citizens,

My husband and I moved to Sherwood 17 years ago. As a couple planning to start a family, we were looking for a small town with many child-centered activities, and a caring community with good schools. We found this area and have made it our home.

As the community has grown, we have had increasing concerns about a possible shift from the small community to a larger disjointed city. We do not want our Sherwood to become like many other communities experiencing unwanted growth.

The proposal for the annexation of the properties along Brookman Road is just that, unwanted growth.

This proposal has been voted down three times, with an ever increasing majority each time. I'm sad to see that since it no longer requires a vote of the people, it is being proposed again just a year after it was voted down for a third time.

The proposed new homes that this annexation would bring would be devastating to our community. The families moving into a new neighborhood would increase our public school population beyond what our schools will be equipped to handle. Our current high school population is at 1770 students. Many of the classrooms have 40 or more students. Our new high school is being built to accommodate 2000 students. Currently there are new homes being built near Edy Ridge Elementary School and Laurel Ridge Middle School which will put the new high school at or above capacity when it opens. An additional neighborhood of families would put our brand new high school into the same overcrowded conditions our current high school struggles with now.

I am sorry that I cannot attend the meeting on March 21st. My children are performing at the Sherwood District Band Festival at Sherwood High School that night. If last year's concert was any indication, we will be in the "Standing Room Only" area, in the already overcrowded school, to experience our children's concert.

I certainly hope that our City Council members and Mayor will represent the citizens that voted them into their City Council positions. The Sherwood City Council should stand up for what the majority of Sherwood voters have already said, that we do NOT want this annexation.

Michelle Percey (Kuske)

17562 SW Inkster Drive Sherwood, Oregon 97140

To: Connie Randall, Planning Manager

From: Philip Lapp

Date: March 10, 2017

Subject: Brookman Rd Annexation AN16-01

Sherwood City Council,

Please consider the following issues and concerns when reaching a decision regarding the annexation of the Brookman Rd properties into the City of Sherwood.

For almost 60 years I have owned and operated an agricultural business on 60 acres on the south side of Brookman Rd. across from the properties involved. As I have testified before the City Council before, I have grave concerns about the effect development of this land will have on my ability to continue farming this land.

- This land is currently in various aged hazelnuts. The orchard has been subject to EFB (Eastern Filbert Blight) requiring extensive pruning and chemical applications to try to maintain a productive orchard. Trees that cannot be saved are removed and EFB resistant trees are replanted in order to bring the orchard back to full production. It takes seven to ten years for these trees to reach this stage. As you can see, this is not a short term project, but one which maintains the full agricultural potential for the land.
- All approved methods are employed which include: heavy pruning and chipping the pruning using high-powered machinery; spraying approved fungicides on a regular basis.
- Burning diseased prunings.
- Mowing, leveling and otherwise preparing the orchards for harvest
- Harvesting the crop.

All of these practices produce loud noise, odors, smoke and dust which, although approved and accepted by the agricultural community, are offensive to the city dweller. Most of the current owners of the subject properties moved here to be “out in the country” and have accepted the conditions of living next door to agricultural land.

Their properties create a buffer between the developed City and my agricultural operation. If this property is developed, that buffer will be forever lost and the conflict between urban and rural will intensify. Unfortunately, this will have a huge impact on my ability to continue my agricultural operation.

There are also some other issues that should be addressed:

- Traffic on Brookman Rd and the impact it will have on the road itself as well as the already busy intersections at Ladd Hill Rd and 99W.
- The voice of the citizens. This annexation has been voted down THREE times by the citizens of Sherwood.

Please consider the impact development of this land will have on my ability to continue my agricultural operation and the livability of the City of Sherwood and reject this annexation proposal.

Sincerely,

Philip Lapp

17400 SW Brookman Rd.

Sherwood, OR 97140

Connie Randall

From: Mel Taylor <meltaylor100@ymail.com>
Sent: Saturday, March 11, 2017 1:40 AM
To: Connie Randall
Cc: Mike Taylor
Subject: Written Statements on Brookman Annexation AN16-01
Attachments: Annexation Public Comment Letter.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Connie,

I am attaching written Statements on the Brookman Annexation. I might be too late to get them into the staff report, I didn't notice the deadline for that until I sat down to draft my written statements on the annexation.

Use my comments if you can. I will also mail them before the end of the comment period or bring them to the hearing.

I am sorry that the comments are so long, but it sounded like if I didn't raise issues, and provide evidence, I would not be able to bring those issues up in the future.

Thanks,
Melvin Taylor
541.225.7722
Meltaylor100@ymail.com

Melvin Taylor
16464 SW Brookman Rd
Sherwood OR 97140
March 10, 2017

Planning Department
City Hall
22560 SW Pine Street
Sherwood, OR 97140

Re: Brookman Annexation Comments/Concerns, Case File AN 16-01
Staff Contact, Connie Randall

After reviewing the above referenced application for annexation on Brookman Rd, that has been submitted to the City of Sherwood for approval, I have some concerns that I feel were not addressed in the application. My concerns deal with the applicant's plan to connect the 90 +/- acre development onto an old, narrow, rural county road that is already inadequate and unsafe. My concerns involve the following sections of the City of Sherwood City of Sherwood Comprehensive Plan (Chapter 3, section B.2). Sub sections a, c, f, g. and h.

I own property on Brookman Rd, and during the five years that I have lived here, there have been three elections on annexing our property. By increasingly wide margins, the people in Sherwood have voted "no, No, NO" on annexing land in the Brookman Concept Plan and UGB into the city. My read on why the voters were opposed to the annexation is that the roads and schools are already at capacity, so it does not make sense to add more density, until improvements are made to the infrastructure to accommodate the growth.

And now, months after the last clear NO, there is a new way to do the annexation. I don't want to comment on the annexation legal process, but I share the concern of the people in Sherwood about how the development will occur. I personally am in favor of the annexation and development, and someday I hope to do the same with my property at the east, "S" turn end of Brookman Rd. My comments/concerns are about how the applicant is hoping to do the development, and the impact it will have on the other property owners on Brookman who will potentially develop in the years ahead.

If you think that you can just connect the new development onto the existing Brookman Rd, and that is what I see in the application, you need to think again. And despite of the Sherwood Planning "Code" that for years, has required city planners to incorporate stubbed out streets etc. to accommodate the next increment of growth, I don't see any stubbed-out streets, except

for Redfern that would allow this area to be developed. And I am not sure that the planners planned on adding 90 acres of development off Redfern. What is the plan?

The applicant keeps referring to the original Brookman Concept Plan, which was an integrated plan to develop the entire 256 acres as a unit. The Brookman Concept Plan was never intended to support development that started in the middle and then someday connect it to the rest of the world. The Brookman Concept plan required a completely redesigned and upgraded Brookman Rd, that conceptually connected to Ladd Hill Rd, to make it wider and take out one of the 90 degree blind corners on the "S" turn end of Brookman Rd. Mentioning in an application, that there was an approved plan, does not make Brookman Rd any wider. The Brookman Concept Plan did call for connecting the development to Brookman Rd, but not before it was upgraded and reconfigured to handle the new growth.

Sub section a. of the Comprehensive plan discourages "leap frogging", for good reason. It is true that the land is contiguous, to the city, but there is no road access, except for a narrow county road. If the road is not improved all the way to the development, that is leap frogging. The application states that it "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". And it does not include any additional infrastructure or ROW to allow for the widening of Brookman Rd. It just says that "access is available on Brookman Rd." That tells me that the applicant has no plan for how improvements will be done to Brookman Rd. How are those needed improvements going to happen?

Sub Section f. required the applicant to show how they will "Provide proper access and traffic circulation to all new development." In response to this requirement the applicant said: "Transportation and circulation improvements needed to serve the future development of the annexation area have been identified in the City's Brookman Addition Concept Plan and Transportation System Plan, which will be reviewed at time of a future development application. What does this mean, and who's development? If they didn't include any additional infrastructure of ROW in the application, there will be nothing to review. They are hoping they can get by with connecting their city onto a narrow rural road. The ROW for the narrowest residential road in the development will be wider than the ROW for Brookman Rd, which will be the collector for the whole 90-acre medium density development. The Sherwood Comprehensive Plan outlines a commonsense way to do development. Follow it.

A related concern that I have is, if the road is not improved now, and new development is allowed to be connected to it, when it comes my turn to annex/develop, I will be asked to fill out the same form that that these eight property owners have filled out. And I will be asked how I am going to comply with sub section g. which is: 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.

The applicant's response to this plan guideline is no response at all! Their response was: "The extension of community services and public facilities to serve the Brookman area were considered concurrently with the Brookman Area Concept Plan and found to be available or able to be appropriately extended with the future development of the area." They are saying that the road is available, and mention the Brookman Concept Plan again. The Brookman Concept Plan has a completely upgraded and reconfigured Brookman Rd in it. By saying that the road is "available" does not make it adequate. The applicant is completely dodging the issue of the inadequate road and hopes no one will call them on it. And someday when I fill out the form to develop my property, I bet that just mentioning the Brookman Concept Plan and saying a road is available will not work for me. But if it works for this applicant, it would only be right to let me get away with the same thing.

Lots of people like Brookman Rd the way it is, and on nice days there is a steady stream of joggers, bikers, families walking dogs, people walking...there are marathons that use the road. I like the rural character of the road and lots of others do too. But some people use it as a connector, and it is not safe. It is narrow, with blind corners, and hills that leave blind spots. In the last four years, I have had to replace three mailboxes that were hit by passing cars/trucks, I assume that is because the road is narrow, without shoulders. And, I am afraid that even with the existing traffic that we have now, it is just a matter of time before someone walking or biking gets hit. If one or two people wanted to build on Brookman Rd, it wouldn't make sense to improve it. Before 90 acres of medium density residential is connected to the road, and develop it from the middle out, there needs to be a new concept plan developed for how that will happen. If you are going to quote the old Brookman Concept Plan, do what it requires, upgrade the road.

And there is no traffic control where Brookman intersects Highway 99W, and there was a serious injury-accident there last Wednesday, when a truck tried to get onto the highway, during the evening traffic rush. Adding 90 acres of new development will just make that situation worse. I am not opposed to the development of the land. But I think that the development should be done in accordance with the Sherwood Comprehensive Plan, and not by just mentioning the Brookman Concept Plan.

If these comments could be included in the staff report I would appreciate it.

Melvin Taylor, 541.225.7722 Meltaylor100@ymail.com



NOTICE OF APPLICATION AND REQUEST FOR COMMENTS

Notice Date: March 1, 2017
Please submit comments by: March 10, 2017

Notice is hereby given that the **Sherwood City Council** will conduct a public hearing consistent with ORS 222, Senate Bill 1573, and Metro Code 3.09 on **Tuesday, March 21, 2017** to consider a proposal by property owners within the Brookman Area to annex approximately 92.30 acres into the City of Sherwood.

Case File No.:	AN 16-01	Tax Map/Lot:	WCTM 3S106 – Tax lots 100, 101, 102, 103, 104, and 107 WCTM 3S106B – Tax lots 100 and 200
Applicant:	The Holt Group, Inc. PO Box 61426 Vancouver, WA 98666	General Location:	The properties are generally located north of SW Brookman Road, south of the current city limits, west of the “S” curve, and east of the Southern Pacific Railroad

Staff Contact: **Connie Randall, Senior Planner** 503-625-4208
randallc@sherwoodoregon.gov

Proposal: A proposal by the applicant to annex eight parcels of land and the adjacent right of way totaling 92.30 acres into the City of Sherwood under the annexation method detailed in Senate Bill 1573 and ORS 222. Under this method, 100% of the landowners have petitioned the City to be annexed.

Project Information: <http://www.sherwoodoregon.gov/planning/project/brookman-area-annexation>

Applicable Code Criteria: The Oregon Revised Statutes (ORS 222) guide the process for annexations and Senate Bill 1573 provide specific criteria for deciding city boundary changes. Metro, the regional government for this area, also has legislative authority to provide criteria for reviewing annexations (Metro Code 3.09). In addition, consistency with the City of Sherwood Comprehensive Plan Growth Management policies for urbanization are analyzed against the request.

COMMENTS – Brookman Annexation AN 16-01

- No comment
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

- We encourage denial of this request for the following reasons:

Please feel free to attach additional sheets as needed to complete your comments.

Comments by:	<u>Tom Mooney</u>	Date:	<u>MARCH 1, 2017</u>
Address:	<u>8445 SW ELIASSON RD</u>	Tel.:	<u>503 259 1419</u> (optional)
	<u>WILSONVILLE OR 97070</u>	Email:	<u>thomas.mooney@tufr.com</u> (optional)

Connie Randall

From: HENDRICKSON Jill M <Jill.M.HENDRICKSON@odot.state.or.us>
Sent: Thursday, March 02, 2017 9:24 AM
To: Connie Randall
Subject: RE: AN 16-01 Brookman Annexation - Request for Comments

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Connie,

The Outdoor Advertising Sign Program at ODOT does not have any comment on this application at this time.

Thank you for the opportunity for input and have a great weekend.

Jill

Jill Hendrickson | Program Coordinator | Outdoor Advertising Sign Program | Right of Way Section
Oregon Dept of Transportation | 4040 Fairview Industrial Drive SE, MS-2 | Salem, OR 97302
Voice: 503.986.3635 | Alt: 503.986.3656 | Fax: 503.986.3625

From: Connie Randall [mailto:RandallC@SherwoodOregon.gov]
Sent: Wednesday, March 01, 2017 2:55 PM
To: Andrea Kuehnel; Andrew Stirling; 'anita.huffman@dsl.state.or.us'; baldwinb@trimet.org; EBELING Robert W; Bob Galati; Brad Crawford; brian.moore@pgn.com; Craig Christensen; Craig Sheldon; crbelt@bpa.gov; d5b@nwnatural.com; gordon.hill@pgn.com; humphreysj@CleanWaterServices.org; Jason Waters; HENDRICKSON Jill M; Jo Guediri; Karen Mohling; Kevin_Rolph@kindermorgan.com; Kristin Leichner; MOHS Kurt A; Larry_Klimek@fws.gov; 'michaela.skiles@oregonmetro.gov'; mwerner@gwrr.com; Naomi_Vogel@co.washington.or.us; paulette.Copperstone@oregonmetro.gov; 'pjohanson@sherwood.k12.or.us'; r2g@nwnatural.com; raindrops2refuge@gmail.com; Region 1 DEVREV Applications; rfagliano@sherwood.k12.or.us; Richard Sattler; BRUMLEY Seth A; spieringm@CleanWaterServices.org; stephen_roberts@co.washington.or.us; Tom Mooney; Tom Pessemier; tumpj@trimet.org
Subject: FW: AN 16-01 Brookman Annexation - Request for Comments

Good Afternoon,

The City of Sherwood Planning Department is requesting agency comments on a request by property owners within the Brookman Area to annex approximately 92.30 acres into the City of Sherwood. The City Council will hold a public hearing consistent with ORS 222, Senate Bill 1573, and Metro Code 3.09 on Tuesday, March 21, 2017 at 7:00 PM.

Detailed project information can be found online at: <http://www.sherwoodoregon.gov/planning/project/brookman-area-annexation>

If you have comments on this proposal, please respond by **March 10, 2017** in order to be included in the City Council staff report. Comments will be accepted up to and during public hearing.

Exhibit R

Thank you in advance for your time,
Connie

Connie Randall

Planning Department

Planning Manager

City of Sherwood

(503) 625-4208

randallc@sherwoodoregon.gov





Engineering Annexation Application Comments

To: Connie Randall, Planning Department Manager

From: Bob Galati, P.E., City Engineer

Project: Brookman Annexation (AN16-01)
Submittal Review Comments

Date: February 15, 2017

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

The criteria for information is to provide an explanation of the utility needs, a description of the proposed utility system needed to serve the annexation area and ability to service areas beyond, and an associated cost estimate of the added system in terms of construction and maintenance to the City.

City of Sherwood Engineering Department comments are as follows:

Sanitary Sewer

The City's Sanitary Master Plan (dated September 2016) indicates that sanitary service will be provided by the extension of an existing 15" diameter sanitary mainline located at the southern City limits boundary between Redfern Drive and Greengate Drive.

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

The Brookman area has access to existing City sanitary mainline utilities which have the capacity to provide public utility service.

Water

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

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

Project: Brookman Area Annexation
Date: February 15, 2017
Page: 2 of 2

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

Storm Sewer

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

The Brookman area has access to existing stormwater drainage corridors.

Transportation

The City's Transportation System Plan (dated June 2014) and Washington County (WACO) TSP are referenced and indicate the type of future transportation impacts. These impacts include future ROW needs, intersection impacts (Hwy 99W), and out of phase roadway development issues.

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

Conclusion

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

END OF COMMENTS

DISCLAIMER: The comments provided above are initial in nature and are in no way binding as to what conditions may or may not be imposed upon the development in a Notice of Decision or approval.

Connie Randall

From: Sambo Kirkman <Sambo_Kirkman@co.washington.or.us>
Sent: Tuesday, March 07, 2017 3:00 PM
To: Connie Randall
Subject: AN 16-01 Brookman Annexation - Request for Comments

Follow Up Flag: Follow up
Flag Status: Flagged

Connie,

In the Annexation Ordinance, please make sure there is a reference to the City's endorsement of special district annexations so that when the applicant submits their CWS annexation there is not a delay. If the language is not in the Ordinance other jurisdictions have had to draft a separate R&O. Let me know if you need me to provide the language.

Regards,

Sambo Kirkman | Associate Planner

(503) 846-3593 direct | sambo_kirkman@co.washington.or.us

From: Connie Randall [<mailto:RandallC@SherwoodOregon.gov>]

Sent: Wednesday, March 01, 2017 2:55 PM

To: Andrea Kuehnel; Andrew Stirling; 'anita.huffman@dsl.state.or.us'; baldwinb@trimet.org; Bob Ebeling; Bob Galati; Brad Crawford; brian.moore@pgn.com; Craig Christensen; Craig Sheldon; crbelt@bpa.gov; d5b@nwnatural.com; gordon.hill@pgn.com; humphreysj@CleanWaterServices.org; Jason Waters; Jill Hendrickson (); Jo Guediri; Karen Mohling; Kevin_Rolph@kindermorgan.com; Kristin Leichner; kurt.A.MOHS@odot.state.or.us; Larry_Klimek@fws.gov; 'michaela.skiles@oregonmetro.gov'; mwerner@gwrr.com; Naomi Vogel; paulette.Copperstone@oregonmetro.gov; 'pjohanson@sherwood.k12.or.us'; r2g@nwnatural.com; raindrops2refuge@gmail.com; Region1DEVREVApplications@odot.state.or.us; rfragliano@sherwood.k12.or.us; Richard Sattler; Seth.A.BRUMLEY@odot.state.or.us; spieringm@CleanWaterServices.org; Stephen Roberts; Tom Mooney; Tom Pessemier; tumpj@trimet.org

Subject: FW: AN 16-01 Brookman Annexation - Request for Comments

Good Afternoon,

The City of Sherwood Planning Department is requesting agency comments on a request by property owners within the Brookman Area to annex approximately 92.30 acres into the City of Sherwood. The City Council will hold a public hearing consistent with ORS 222, Senate Bill 1573, and Metro Code 3.09 on Tuesday, March 21, 2017 at 7:00 PM.

Detailed project information can be found online at: <http://www.sherwoodoregon.gov/planning/project/brookman-area-annexation>

If you have comments on this proposal, please respond by **March 10, 2017** in order to be included in the City Council staff report. Comments will be accepted up to and during public hearing.

Thank you in advance for your time,
Connie

Exhibit T

Connie Randall

Planning Department

Planning Manager

City of Sherwood

(503) 625-4208

randallc@sherwoodoregon.gov





WASHINGTON COUNTY OREGON

March 10, 2017

Connie Randall, Planning Manager

City of Sherwood
22560 SW Pine St
Sherwood, OR 97140

Dear Ms Randall:

Washington County staff support the annexation of the eight parcels in the Brookman concept plan area into the City of Sherwood, with the following conditions:

- Brookman Road is identified as a 5-lane arterial in the County Transportation System Plan. Therefore as development occurs, the County requests that improvements be made in accordance with the County's TSP.
- As an arterial, access directly onto Brookman Road is intended to be limited. Prior to development, City of Sherwood should determine a road network and access management plan that implements the County's access standards. The County's Development Code (section 501-8.5) states that: "Direct access to arterial roads shall be from collector or other arterial streets."

The Washington County TSP identifies the I-5 to 99W connection as a refinement area, because the alignment of the planned Southern Arterial has not yet been determined. Until that decision is made, Brookman Road will serve an important role as an arterial. If at some point in the future the Southern Arterial is planned and funded, the role of Brookman Road could be reevaluated.

The County looks forward to coordinating with the City of Sherwood as this area develops.

Sincerely,

A handwritten signature in black ink that reads "Erin Wardell".

Erin Wardell, Principal Planner

Department of Land Use & Transportation
Planning and Development Services • Long Range Planning
155 N First Avenue, Suite 350, MS 14, Hillsboro, OR 97124-3072
phone: 503-846-3519 • fax: 503-846-4412
www.co.washington.or.us/lut • lutplan@co.washington.or.us

Exhibit U

Connie Randall

From: Jim Rose <jerose@sherwood.k12.or.us>
Sent: Wednesday, March 15, 2017 9:06 AM
To: Connie Randall
Cc: Julia Hajduk
Subject: Re: Sherwood School Bond Question

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Connie,

It was nice to meet you yesterday. Thanks for taking a moment to talk with me at the Chamber breakfast.

I appreciate the question about if the district factored in the expected growth of the district due to planned development. The answer is yes. As part of the work that Davis Demographics has done for the district over the last two years they have included construction that is underway as well as planned/expected developments. As we moved forward all of the expected development that was included in the Davis Demographics report, including the Brookman Road Concept Plan, was factored into our building needs when the district chose to ask the community to support the 2016 Capital Improvement bond.

Please let me know if you have questions I can help with.

Thanks.

Jim



On Mon, Mar 13, 2017 at 4:16 PM, Connie Randall <RandallC@sherwoodoregon.gov> wrote:

Good Afternoon Mr. Rose,

I left you a voice mail regarding this issue earlier today, but wanted to follow-up with an email.

As you probably know, the City has received a request from property owners north of Brookman Road to annex their property into the City, consistent with the Brookman Road Concept Plan. Property in this area has tried and failed to annex into the City on three occasions. One of the things the City has heard from residents is concern about the impact any future development will have on the school system. In reviewing the District's "10-Year Student Population Projections by Residence" (May 11, 2016) document, it appears that the

Exhibit V

development of 1,088 single-family homes in the Brookman area was considered and included in the District's student population projection.

The City has been asked about the impact of development on the school bond. Specifically, "Did the school bond assume development in the Brookman area?" I have been unable to locate any information on the Districts' or school bond's website regarding any development assumptions that were made. Can you provide any information regarding the potential impact of development in the Brookman area?

Thanks in advance for your assistance,

Connie Randall

Planning Department

Planning Manager

City of Sherwood

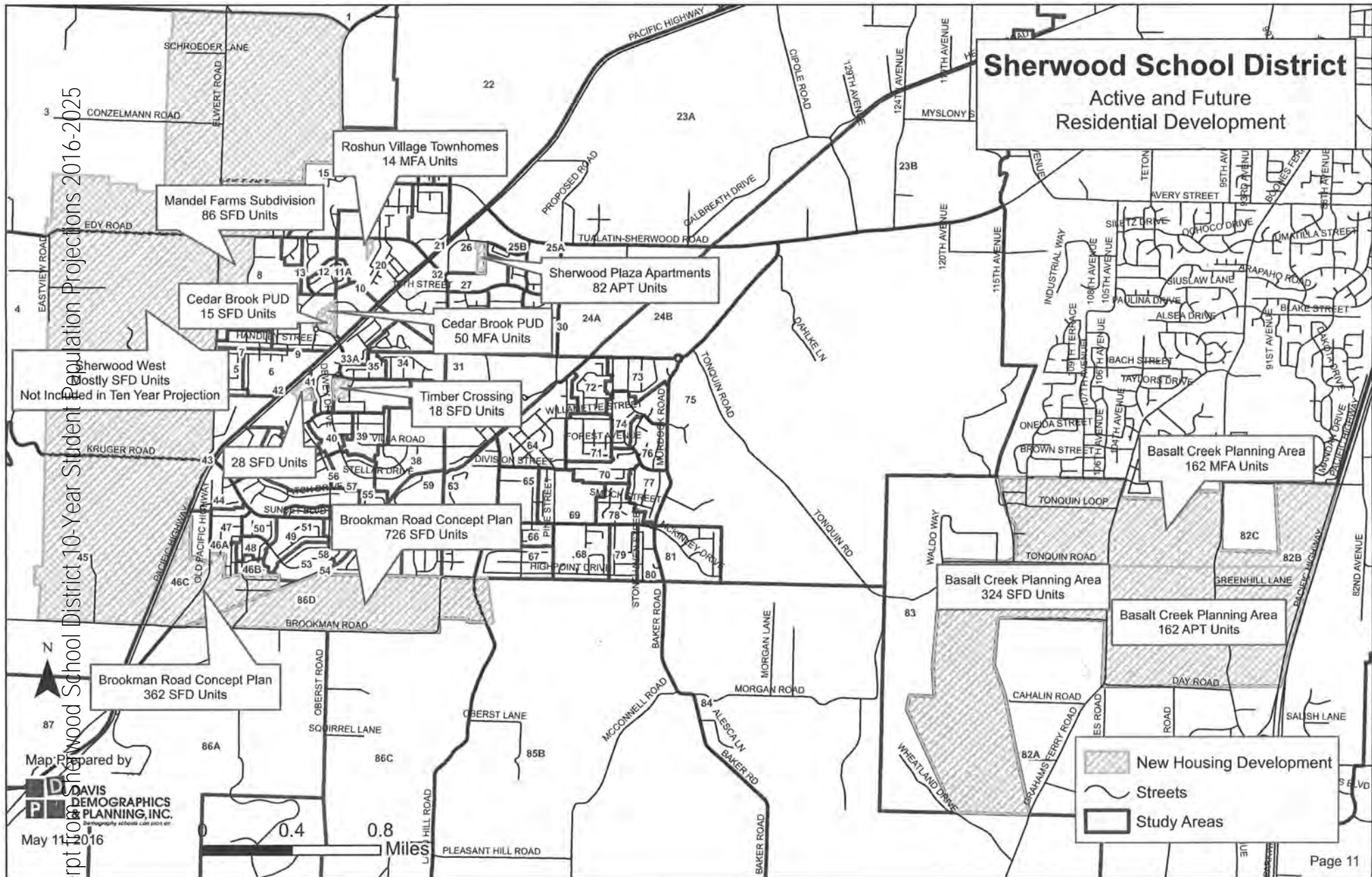
[\(503\) 625-4208](tel:5036254208)

randallc@sherwoodoregon.gov



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Sherwood School District Active and Future Residential Development



Excerpt from Sherwood School District 10-Year Student Population Projections 2016-2025

Connie Randall

From: george lorance <georgelrance@aol.com>
Sent: Monday, March 20, 2017 1:14 PM
To: Connie Randall
Subject: City Council Meeting

Ladies and gentlemen,

It is my understanding from other Brookman Addition property owners that we have the Council's support on the annexation of this important piece of Sherwood's future. I am very pleased to hear that and really appreciate it. This move forward will allow more folks to enjoy the beautiful environment that you folks have helped provide for the citizens of Sherwood. The schools will benefit from a broader tax base. More jobs will occur due to construction and support following that in the form of retail and service jobs. Not to mention the positive light that will be shined on future expansion of the area for Metro to consider. It has been 15 years I believe since this area was brought into the UGB and is sorely needed to provide the pent up demand for housing in Sherwood. Thank you for your support.

Sincerely,

George L. Lorance
Property owner on Brookman Rd.

Connie Randall

From: louise bissett <billnweezie@msn.com>
Sent: Tuesday, March 21, 2017 8:30 AM
To: Connie Randall
Subject: Brookman Rd

We would like to thank the City Councilors for there support of annexation of Brookman Rd

Charles & Louise Bissett

Sent from my iPhone

Connie Randall

From: Sylvia Murphy
Sent: Tuesday, March 21, 2017 9:19 AM
To: City Council
Cc: Joseph Gall; Julia Hajduk; Connie Randall; Josh Soper
Subject: FW: Annexation-Ord. 2017-002 Brookman Annexation

Council Members, See message below. I will include this written testimony as part of the public hearing record for tonight's meeting.

Sylvia Murphy, MMC, City Recorder
City of Sherwood
murphys@sherwoodoregon.gov
Ph: 503-625-4246
Fax: 503-625-4254

From: Liz Ouellette [mailto:liz.ouellette222@gmail.com]
Sent: Tuesday, March 21, 2017 9:11 AM
To: Sylvia Murphy <MurphyS@SherwoodOregon.gov>
Subject: Annexation

To: Sherwood City Counsel -

We are in support of the annexation of our property into the Sherwood City limits.

Our area was brought into the Urban Growth Boundary in 2002 in order to accommodate an identified region wide need for additional land, to provide housing and additional jobs. We live right on the boarder of the City, and we have homes right up to our property line. This took away from the feeling we used to have before the homes were there.

As Sherwood has become a very desirable town to live, population growth in the region is inevitable and the community will continue to grow.

We have been in the middle of this for many years. Ups and downs. We have been torn... Truth be told, we really feel this area would be an asset to the city. With Cedar creek and the beautiful trees, the promise of walking trails and more. The design of a real livable addition to the City of Sherwood, we feel this area would be an asset to the city and its citizens now and in the future.

Sincerely -

Gerald and Liz Ouellette

Connie Randall

From: Terry Stewart <terrystewart1@gmail.com>
Sent: Tuesday, March 21, 2017 4:36 PM
To: Connie Randall
Subject: RE: Annexation of 92.30 acres within the Brookman Addition Concept Plan Area

I am writing in support of the proposed annexation of 8 tax lots (92.30 acres) and adjacent Brookman Road Right-Of-Way within the Brookman Addition Concept Plan Area.

No one can argue that the Portland Metro area has been in the midst of a housing crisis for more than 3 years, with each year being worse than the last. According to data collected from the Regional Multiple Listing Service of Portland, the inventory of available homes for sale (active listings) throughout the Metro area has been between 1 and 2 months for the past 24 months. 6 months inventory is considered to be a level (normal) market, not a buyers or sellers market. The Metro area has not seen 6 months inventory since February of 2012 and with each year since, the inventory has continued to decline.

Sherwood has not been spared and is far worse than many other areas. Currently, within the city limits there are 28 active listings in the MLS. 12 of those homes are proposed or in the beginning of the construction stage. Of the remaining 16, 7 homes are priced under \$500,000 and 2 of those are more than 45-50 years old. Not much to choose from and this month is no different than the past months.

With the hundreds of thousands of people that have moved and are estimated to move into the Portland Metro area, prices will continue to skyrocket unless the supply of homes is increased.

Sincerely,

Terry Stewart, Broker
Oregon Realty Co
(Cell) [503-810-1287](tel:503-810-1287) (Fax) [1-866-251-4002](tel:1-866-251-4002)

LICENSED IN THE STATE OF OREGON
30+ Years in Real Estate and Over 200 Million in Closed Sales

Dear City of Sherwood City Council Members,

Thank you for your past support of the Brookman Addition Concept Plan area. I do believe it was originally 113 acres and that has been reduced to 92.3 acres. Sherwood is bound to grow some from time to time for, alas, people do populate.

There are going to be so many opponents with all of their “woe is me” objections to this addition. I do hope they only have one offspring. I was fascinated before the last vote concerning Brookman Annexation how vigorously the opponents campaigned. My favorite sign out on Edy Rd. at the 4-way stop said “DON’T BE TRICKED... WILL ADD 5000 PEOPLE”. (Someone was in desperate need of math-tutoring for I do believe that comes out to 20 residents per dwelling.)

Back before all the development from 1996-2001 from 99W in on Sunset, Sherwood was a podunk little town. I’m glad the city council and planning commission had that great vision to make Sherwood into what it is today and I’m confident the city council will exercise its best judgement in continuing to let Sherwood grow. Thank you for letting me add my comments to this meeting.

Carleen Brewer

Connie Randall

From: Sylvia Murphy
Sent: Thursday, March 23, 2017 4:23 PM
To: City Council
Cc: Joseph Gall; Josh Soper; Connie Randall
Subject: FW: Brookman Annexation -- Please read and consider!

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Council Members, see message below. Staff will include written testimony into the Council record for Ord. 2017-001 at the second reading scheduled for April 4.

Sylvia Murphy, MMC, City Recorder
City of Sherwood
murphys@sherwoodoregon.gov
Ph: 503-625-4246
Fax: 503-625-4254

From: B Humphrey [mailto:brickhumphrey@yahoo.com]
Sent: Thursday, March 23, 2017 3:06 PM
To: City Council <CityCouncil@SherwoodOregon.gov>
Cc: Krisanna Clark <ClarkK@SherwoodOregon.gov>; Krisanna Clark (Contact) <sherwoodmayorclark@gmail.com>
Subject: Brookman Annexation -- Please read and consider!

Dear Mayor and City Councilors,

I attended Tuesday's council meeting (my first in Sherwood), and plan to attend the April 4th meeting as well. I am concerned that even before you read this, your mind may already be made up regarding how to vote on the Brookman annexation proposal. I beg that you will read my email with an open mind, and consider my following suggestions.

I am a Sherwood resident who is opposed to the annexation, simply because it is contrary to how we as citizens have voted – three times. I also understand the restrictions and implications of SB 1573, and the very difficult position that puts you in. However, I still maintain there are some very good and practical reasons for you to vote against the annexation.

In listening to many of your comments from Tuesday's meeting, it seems as though you are quite concerned (and rightly so) that a "no" vote would trigger a lawsuit from the Holt group, and that lawsuit may be successful. Nonetheless, I maintain that as elected officials your first priority is to represent the will of the people, not make decisions based on fear of the possibility of a lawsuit, or fear of how successful that lawsuit may be.

A "no" vote may well bring about civil action from the Holt Group. If so, at THAT time you can decide how aggressively Sherwood should counter the lawsuit, if at all. If you desire, you could make a quick settlement, without allocating \$60,000.00 toward legal fees. At a minimum, a "no" vote would force the hand of the Holt group. Please don't let them off the hook so easily. Let's not worry about how aggressively we will (or won't) counter a hypothetical lawsuit until the lawsuit actually exists. This allows you, for now, to follow the obvious

Exhibit BB

will of your constituents. Should a lawsuit come about and you decide to quickly settle, you can do so knowing that you still did your best to represent the will of your constituents.

As a practical matter, a “no” vote will buy you time. I know we have all heard how unsuccessful (for now) similar challenges to SB 1573 from other municipalities have been. However, in buying time with a “no” vote, you will be given at least *some* more time to see if those legal decisions will be appealed, and how successful they may be.

A “no” vote also buys you time to involve the media. I would love to see a 7-0 “no” vote, then let the PR folks at the Holt group explain why they are so aggressive in attempting to thwart your will, as well as the will of Sherwood voters. Make them fight that PR battle, at least for a while. It may well be bad business for them. Keep in mind, this is the same Holt Group that on Tuesday said they will welcome public input on future proposed development. They have *already received* public input regarding future proposed development. Three times we’ve said we don’t want it to happen – at least for now. Force them to explain that contradiction in the media. We have an opportunity to publicly expose the Holt group for what they’re really doing – listening to us only when it benefits them, and being tone deaf to our voice when it doesn’t suit their financial purposes.

Be courageous. Don’t bend so quickly. Force their hand. Make them work a little harder for it. Vote no.

Sincerely,

James Humphrey

Concerned Sherwood Citizen

(503)758-4636

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) 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 6/21/13

ANNEXATION CERTIFIED

BY VF

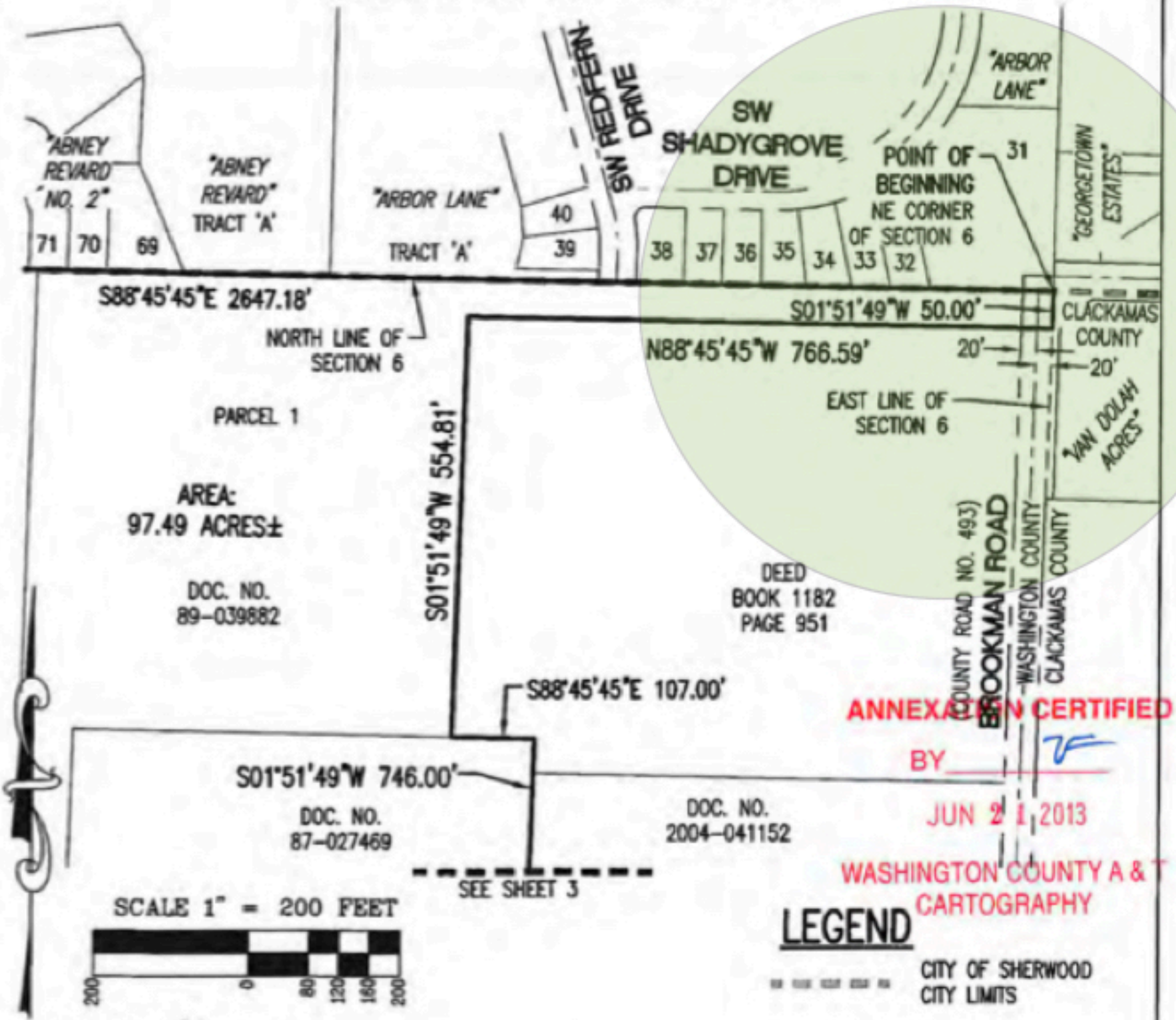
JUN 21 2013

WASHINGTON COUNTY A & T
CARTOGRAPHY

#17

EXHIBIT B

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



06-18-13

REGISTERED PROFESSIONAL LAND SURVEYOR

[Signature]

OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEWS: 12/31/14

JOB NAME: BROOKMAN AREA
JOB NUMBER: 3591
DRAWN BY: MSK
CHECKED BY: RDR
DWG NO.: 3591EXH

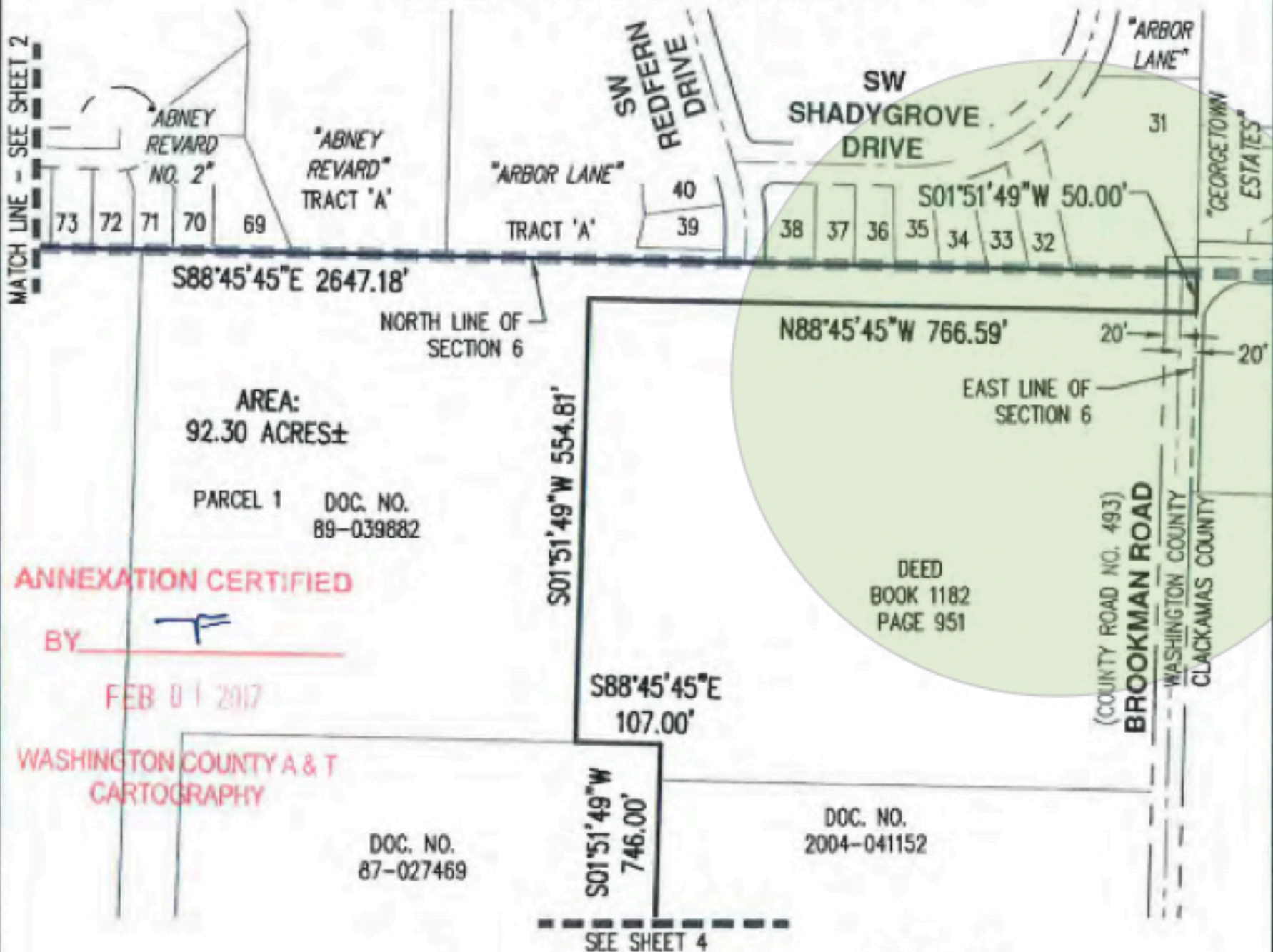
ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
FORESTRY • SURVEYING

AKS
ENGINEERING & FORESTRY

LICENSED IN OR & WA
13910 SW GALBREATH DRIVE, SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969
OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

EXHIBIT B

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




ANNEXATION CERTIFIED

BY 

FEB 01 2017

WASHINGTON COUNTY A & T
CARTOGRAPHY

LEGEND

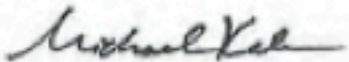
 CITY OF SHERWOOD CITY LIMITS



SCALE 1" = 200 FEET



01/06/2017
REGISTERED PROFESSIONAL LAND SURVEYOR



OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS
RENEWS: 6/30/17

BROOKMAN AREA ANNEXATION			
DRAWN BY: MSK	CHECKED BY: RDR	DWG: 3591 ANNEX EXHIBIT	JOB: 3591
AKS ENGINEERING & FORESTRY, LLC			
12965 SW HERMAN RD		SUITE 100	
TUALATIN, OR 97062		www.aks-eng.com	
PHONE: 503.563.6151	FAX: 503.563.6152		

Spotted Owl(s) Spotted?

On the 9th of May this year, one of our neighbors (Bryan Helzer) posted this picture (see Owl pic #1) of an owl in his backyard on the Arbor Lane Facebook Page. The fence that the owl is perched on is immediately adjacent to the flagpole lot of Cedar Creek Gardens. That fence, quite literally, separates Bryan's property from the Flagpole Section.

After studying the picture and comparing it to numerous pictures of spotted owls online, I've noticed that this "Red Fern Owl" is remarkably similar to a spotted owl.

So I reached out to the Audubon Society of Portland and contacted Bob Sallinger, Conservation Director, asking for his help. I told him that I knew it was a bit of a long shot and that my research had shown that the barred owl and the spotted owl are quite similar in appearance. But, while it might be *unlikely* that the owl in the picture was a spotted owl... it seemed *possible* that the owl was a spotted owl?

Mr. Sallinger's response to my question was, "A spotted owl is possible as you noted but very unlikely."

Then more recently, another neighbor, Jon Burgi, posted on June 30th, these two pictures (see Owl pics #2 & #3), again on our neighborhood Facebook page, of owls from *his* backyard here in Arbor Lane. Both pictures include owls that (again) look remarkably like spotted owls. One of the distinguishing characteristics of spotted owls is their eyes. Spotted owls have

blackish-brown eyes while most owls have yellow or red-orange eyes. Notice the eyes in all three photos. Dark?

Spotted owls prefer to live in large old-growth forests. This is because they need large trees to nest in, and they rely on the older trees for food and shelter. Most of the trees in the flagpole section are over one hundred feet tall and over one hundred years old. Many of those trees pre-date the Civil War while some pre-date the Oregon Trail. As deforestation and loss of habitat is a major threat to the spotted owl population, removing the flagpole trees would continue to have a negative impact on their existence.

Now, whether it is *very unlikely* or not that these owls are spotted owls, it is ***possible*** that they are.

Since the Northern Spotted Owl is listed as threatened under the Endangered Species Act, the developer may be subject to a *site specific evaluation*.

The question of spotted owl or not spotted owl needs to be settled before any of those old growth trees are removed and more habitat is destroyed.







Environmental Irregularities/Violations:

It seems that the developer has trampled all over the required Vegetative Corridor of fifty (50) feet out from the wetland boundary in several locations.

In Sherwood Municipal Code Section 16.134.080 - Floodplain Development under Section Section 16.134.080.A.4. - Alteration Site Plan is states in a.(4):

(4) No serious environmental degradation shall occur to the natural features and existing ecological balance of upstream and downstream areas.

The developer claims, at the top of page 65 in his Written Report part of the application the following:

“As designed, no permanent impacts to the Cedar Creek flood plain, which is proposed to be contained entirely within the boundaries of Tract B, are anticipated and therefore the requirements listed above generally are not applicable to the application.”

Well, looking at Map #23 there are indeed “permanent impacts” to the required VC (Vegetative Corridor). Looking at Map #23 you’ll notice the yellow section labeled “Permanent VC Impact in Yellow”. That area is the Western side of the indicated Vegetative Corridor. That area runs (from top to bottom) across the Community Trail from the lower half of the Eastern side of Lot #6 down through the Western edge of Lot #7 and continues down and includes part of the Western side of Lot #8 down the entire western half of the Storm Facility and exists farther down the Community Trail.

Notice also (on Map #23), how close the edge of Cedar Creek is to the backyard of lot #8. Whatever fertilizer or chemical lawn additive the owner of lot #8 puts on his lawn will drain right into Cedar Creek. I have two pictures illustrating how close the Vegetative Corridor was stripped to the edge of Cedar Creek. Cedar Creek Pic #1 was taken last October (2021) and you can see that every bit of vegetation was stripped right up to the edge of the creek. Yes, there are re-plantings but it will take years to grow the vegetation back to what it used to be. The second pic is Cedar Creek (drone) pic #2 also taken last October (2022) and showing an aerial view of the same section of Cedar Creek where All vegetation was stripped away literally to the creeks edge. Notice also in this pic at least three displaced deer who's habitat has been stripped away. And, although you can't see it well in this picture, the higher ground is to the right and the ground slopes down towards the creek. This is where lot #8 will be and all of his lawn runoff will end up in the creek.

Also notice on Maps #21a & 21b, the location of the 100 YR FP (Flood Plain). Follow the broken line down from above Lot #5 to where it intersects with a large part of the backyard of Lot #7, goes up from there through the middle of the Community Trail in back of ALL of Lot #8, continues through half of the Tract A Storm Facility and finally exists above the Community Trail into Open Space.

Then notice on Map #21b how the VC Boundary (highlighted in pink) runs across the Community Trail above Lot #6, then proceeds South through ALL of the backyard of Lot #7 and continued through the backyard of Lot #8 into and through the East side of Tract A Storm Facility,

continues South West of the Community Trail and finally crosses the Community Trail and exists into Open Space.

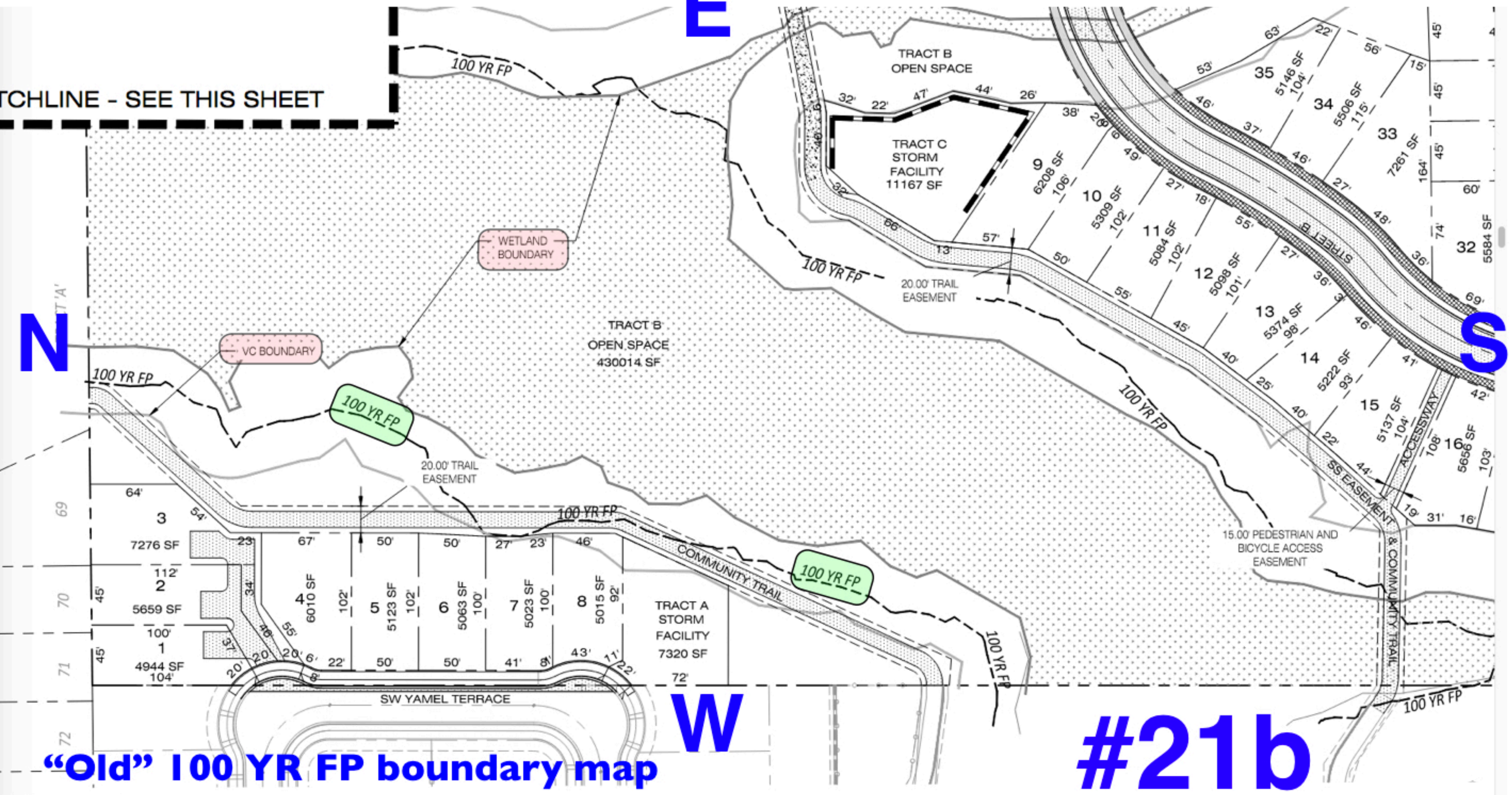
So to say that there are “no permanent impacts to the Cedar Creek flood plain” as the developer claims in his Written Narrative is simply not true. There are indeed, permanent impacts to that area.

But wait... something very interesting has happened. After the base map for my Maps 21a & 21b was issued (January of 2022), a few months later *another* base map (of the same area) replaced it in all the developers documents. I draw your attention to the location of the 100 YR FP. Notice how it *now* only runs through half of the back yard of Lot #7 and then immediately exists across the Community Trail and into Open Space. No longer does it run through the middle of the Community Trail as it does in Maps #21a & 21b. And the vegetative Corridor boundary has changed substantially. No longer does it run through the back yards of Lots 7 & 8 but instead follows the Eastern boundary of the Community trail. Well *that's* interesting. And those “alterations” just happens to give the impression that the developer is actually having *less* of an impact on that part of the development.

Call me a sceptic but 100 YR Flood Plain boundaries and VC boundaries don't change.

There ARE permanent environmental impacts in that part of the development and the developer should be held accountable.

ATCHLINE - SEE THIS SHEET



N

E

S

W

“Old” 100 YR FP boundary map

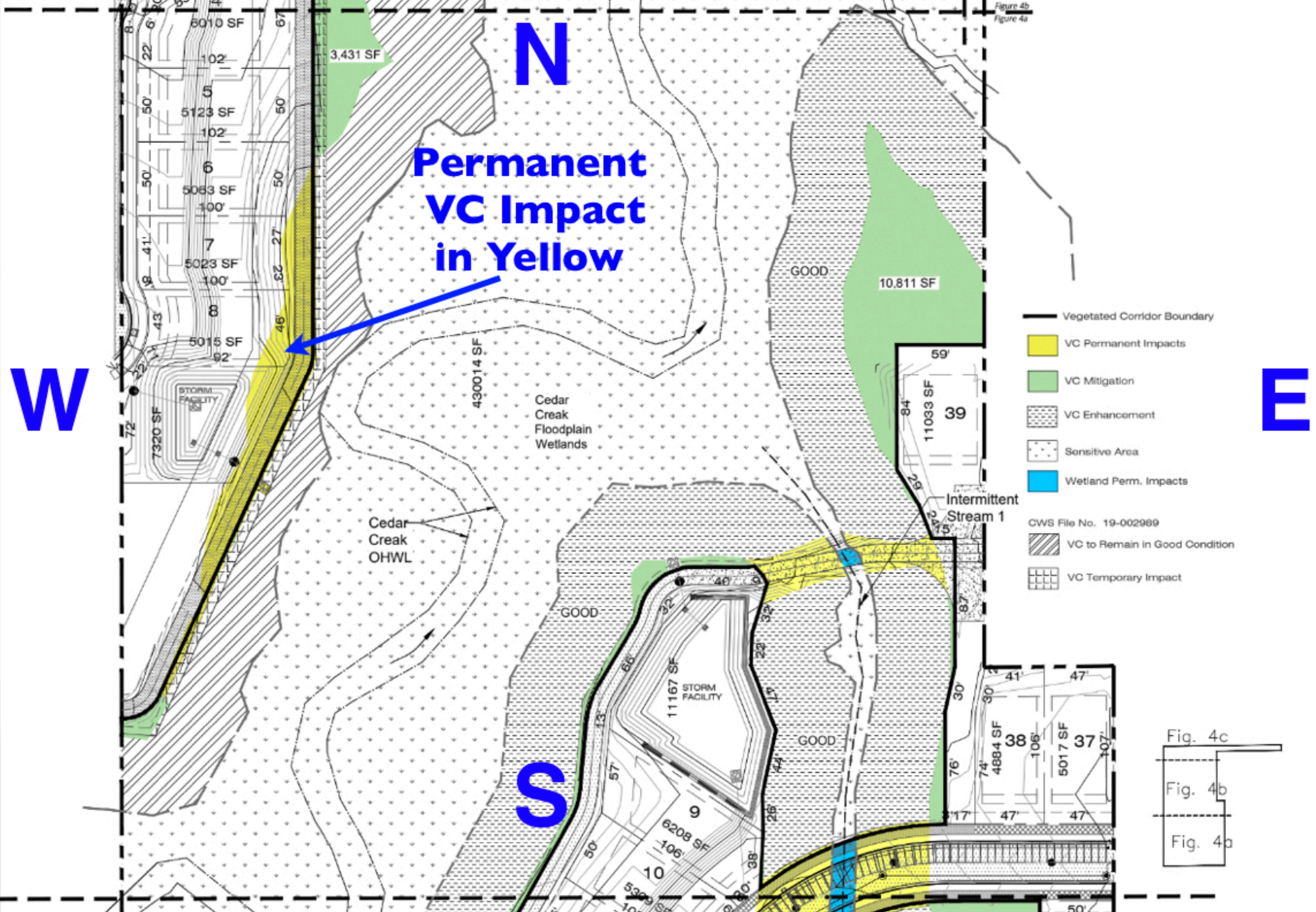
#21b

Environmental Science & Assessment, LLC

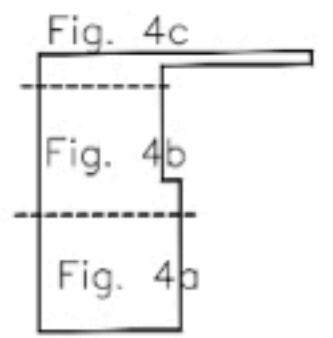
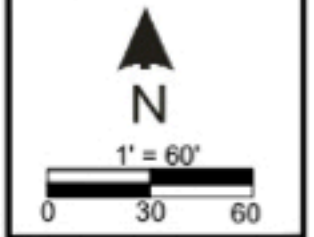


4831 NE Fremont St., Suite 2B
 Portland, OR 97213
 Phone: 503.478.0424
 www.esapdx.com

Existing Conditions Map
 Cedar Creek Gardens
 Sherwood, Oregon



- Vegetated Corridor Boundary
- VC Permanent Impacts
- VC Mitigation
- VC Enhancement
- Sensitive Area
- Wetland Perm. Impacts
- CWS File No. 19-002989
- VC to Remain in Good Condition
- VC Temporary Impact



Base Map Source:
Pioneer Design Group, Inc.

Modified By:	KR
Date:	10/21
Job:	21004
Rev:	00/00

Figure 4b

#23

My purpose here tonight is simple. I want to save some 80-85 old growth Douglas Fir trees from being cut down by the developer of the Cedar Creek Gardens subdivision. Most of those trees are over 100 feet tall, most are over 100 years old. Many of those trees pre-date the Civil War (1861), some pre-date the Oregon Trail (1843) and some go back to the presidency of Andrew Jackson (1830s) and further back.

In a very narrow, flagpole section of Cedar Creek Gardens, the developer wants to squeeze in 2 houses.....JUST TWO HOUSES. And in order to do that he intends to remove all of those 80-85 giant Doug Firs...for TWO HOUSES.

I don't want him to do that. Most of the people here tonight do not want him to do that. Over 200 of my neighbors and other Sherwood citizens signed a petition a few months ago saying THEY don't want him to do that.

For many years now, and in multiple publications, the City of Sherwood has loudly trumpeted it's concern for nature and the natural environment.

In it's 2040 Comprehensive Plan it states this about **open space**, *"Access to nature is one of the key elements in the unique quality of life in Sherwood."* And in the Sherwood Parks and Recreation Master Plan states this about **a healthy and valued ecosystem**, *"In 2040, Sherwood is a*

*leader as a steward of it's natural environment. Vegetated corridors are protected and weave through the city providing habitat, safe passage for wildlife, clean water and air and a place for people to connect with nature. **The city actively preserves mature trees and natural areas.***"

The City of Sherwood also has been a member of *Tree City USA* since 2005 and they proudly announce that fact every year in an Arbor Day proclamation. Yet here, in the flagpole section of Cedar Creek Gardens, they won't be adding to the city's tree inventory, they will be reducing it by allowing the destruction of a very old and significant part of a dwindling inventory.

That should not be allowed to happen.

And ultimately, at the root of all of this, is a fundamental question of The Greater Good.

“What’s More Important...to the citizens of Sherwood?”

Preserving some 80-85 majestic, old growth Douglas Firs in a section of Sherwood that, for the past 25 years, has been used as an unofficial natural park. A park where neighborhood kids have played building forts, riding bikes, walking pets and simply enjoying a forest experience in their own backyard.

Or....is it more important to create a 4-500 foot, treeless scar through a city forest in order to build **two houses**?

Whats. More. Important.

There are parts of the Sherwood Code that I strongly believe the developer of Cedar Creek Gardens has violated. There are parts of the Code I believe he has simply ignored and there are parts of the Code I believe he has attempted to avoid.

To challenge these issues, I've submitted, to the record, ten separate arguments to the Cedar Creek Gardens application. Each one of these arguments examines a specific part of the Sherwood Code or the Stated Purpose of the Code or both, each addressing my concerns.

Thank you.

From: [Pete LaRocca](#)
To: [Planning Mailbox](#)
Cc: [Keith Mays](#); [City Council](#)
Subject: Subdivision Application Case File: LU 2021-023 Sub Cedar Creek Gardens
Date: Wednesday, August 3, 2022 11:43:19 AM
Attachments: [IMG_2820.jpg](#)
[IMG_2800.jpg](#)
[IMG_2799.jpg](#)
[IMG_2816.jpg](#)

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Hearings Officer,

Attached is a copy of a letter I sent to the Mayor and all the City Council members that appeared in the April 2022 edition of the Sherwood Gazette. It sums up my thoughts on growth for Sherwood. I also attached a few photos.

I am not against growth. However, we need to plan and manage the growth in our city. It is very important that we include urban forests, parks, trails, green spaces, infrastructure, nature preserves, outdoor spaces, etc. as part of this planning and managing process.

Please keep Sherwood the beautiful city that it is.

Thank you,
Peter LaRocca



Sent from my iPhone

Immersion SUCCESS

known as additive bilingual programs for participating students; they give all students the opportunity to maintain and develop oral and written skills in their first language, while they simultaneously acquire oral and written skills in a second language.

Students develop high levels of proficiency in their first language while they have the opportunity to become literate in a second language. The language development of students learning English is not diminished in this model. In fact, research shows students learn to read in English better in a DLI program than in more traditional models of English language development instruction.

In this model, both English and Spanish speaking students thrive. Both groups of students demonstrate stronger reading performance in English, on average, than students not in a Dual Language Immersion program.

The district's DLI program is located at Hawks View Elementary School, and will serve families that reside in the attendance area of that school. If space allows, the program will open to other students within the Sherwood School District boundaries.

For more information, including information on how to apply for the program, please visit our website at www.bit.ly/dualssd.

fighting County

READERS' LETTERS

Time for city to manage growth

My wife and I moved to Sherwood, Oregon, about eight years ago. We moved here because our adult daughters, son-in-law and two grandchildren are living here. We consider ourselves lucky to live in the best city anyone could hope for. Sherwood has won numerous awards that confirm our opinion. To maintain our success, we as a city need to plan and manage our growth.

There is an excellent article, "It's time to save Sherwood's forest", in the Voices Section of the February 2022 issue of the Sherwood Gazette. It is written by Neil Shannon. I strongly recommend you take the time to read it.

It references Sherwood "expanding to the south with over 1,000 new households under construction in the Brookman Road area, and the proposed addition of another 1,300 acres in the Sherwood West Concept area." As a side note, I remember that the citizens of Sherwood voted down at least three times the annexing of the Brookman Road area into the city of Sherwood. For some reason, we were "forced" to annex the area.

Now I am asking you to do whatever it takes to properly plan and manage the process. This will certainly include urban forests, parks, trails, green spaces, infrastructure, nature preserves, outdoor spaces, etc. As Neil Shannon wrote, "I urge city leaders, specifically the City Council and Sherwood Parks Board, to listen to the populace and consider the opportunities in the Brookman Road area".

I am not against growth, but it needs to be planned and managed.

Peter LaRocca
Sherwood

administrators," Courtney Neron is one who has been there.

And, as a parent, she sincerely wants our children to thrive with a much-needed revitalized support system. The money will go towards summer learning programs and activities for K-12, addressing workforce shortages, and supporting schools impacted by wildfires. I have found Rep. Neron to be very compassionate and dedicated. I am deeply grateful for her tireless work to improve the quality of life for all of us, regardless of political affiliation.

Courtney is the kind of person who puts people, environment and critical issues first. Rising above divisiveness, Rep. Neron truly represents Washington County with integrity and selfless dedication.

Marianne Bickett
Sherwood

We can make Sherwood an 'age- friendly city'

In June of 2005 a global project was presented at The World Congress of Gerontology and Geriatrics in Brazil. The Global Age-Friendly Cities Project was then organized and developed by the World Health Organization (WHO).

Around the world, 33 cities participated in research including Portland. Portland was the only U.S. city to participate. The research identified eight areas of interest to improve the lives of seniors in each community. They are outdoor spaces and building transportation, housing, social participation, respect and social inclusion, civic participation and employment, communication and community information and community

This tree is approximately

192

Years Old

It started growing in 1830

The president at the time was Andrew Jackson

Westwood Homes LLC, the developer of Cedar Creek Gardens

WANTS TO CHOP IT DOWN!!

NOTICE

LAND USE ACTION

**SUBDIVISION APPLICATION
CASE FILE: LU 2021-023 SUB
CEDAR CREEK GARDENS**

HEARINGS OFFICER

PUBLIC HEARING

WED AUG 3, 2022 @ 7PM

More Information:

503-925-2308

Planning@SherwoodOregon.Gov

503-925-2308

planning@sherwoodoregon

August 2, 2022

Eric Rutledge
Associate Planner
City of Sherwood
erutledge@sherwoodoregon.gov

To whom it may concern,

We are writing to express our concerns about the Cedar Creek Garden Residential Subdivision Proposal, specifically plots 40 and 41 and the driveway that is required to support those lots. The driveway will run alongside our property and connect with the street right next to our existing driveway.

After reviewing the staff report, we have several concerns with this particular part of the development:

1. **Safety.** We are concerned with a driveway being on this corner. Unfortunately for all, this stretch of road is regularly travelled at an excessive speed, posted speed limit notwithstanding. Regularly we hear squeals as a car barely makes that corner. Although in the approximately 18 months we've owned this property an accident has not occurred, it's only a matter of time. With the proposed driveway, when approaching from the west, to turn into the proposed driveway, you cannot see around the corner to see approaching traffic. See attached photos. Generously, one can see 40 feet or less oncoming traffic. If the driveway is place where proposed, it is a safety hazard.
2. **Nearness to our existing driveway.** Based on the current plans, the proposed driveway will be incredibly close to our existing driveway and at a different exiting angle making it awkward. While we are unaware if this nearness violates any existing city code, we wanted to bring it to your attention and feel it should be noted.
3. **Tree removal.** Although we oppose removing trees along our property line, we understand that trees beyond the line are not ours and as such can only express our sadness at the loss of any of them and the disruption to the wildlife that we so greatly enjoy. However, one tree that is proposed to be removed is straddling the property line (Identified as #8339, a 40 inch in good condition Douglas Fir on the tree plan, Exhibit A15). This is a boundary tree on our property, and according to our understanding of Oregon state law, it cannot be removed without our consent. Even though this tree is listed in Exhibit A15 as slated for removal, we have never been contacted or asked about removing this tree. We do not now, nor will we consent to said tree being removed from our property.
4. **Notice.** This is the first hearing that we've been notified about. It is our understanding that notice of hearings on an application is required to be mailed to homeowners within 1,000 ft of a proposal. It is also our understanding that this is not the first hearing on these proposals. Given this, we feel we have had insufficient time to go over the thousands of pages of documents to even fully understand the proposal, therefor we have narrowed our efforts to what directly abuts our property, eg. the driveway.

Given the concerns above, with the safety concerns paramount, we would like to formally state our objection to the approval of lots 40 and 41 of the proposal. With so few lots being serviced by such a long unsafe driveway, the disruption to neighbors and wildlife, it hardly seems worth it. We would ask that this part of the proposed land use application be rejected.

Sincerely yours,

Handwritten signature in black ink, appearing to read "Renee Mangus" and "Everett Hill" joined together.

Renee Mangus and Everett Hill
16425 SW Brookman Rd
Sherwood, OR 97140

From: [DJ Mangus](#)
To: [Eric Rutledge](#)
Subject: Re: Cedar Creek Garden Residential Subdivision Letter
Date: Tuesday, August 2, 2022 10:58:32 PM
Attachments: [IMG_0143.jpg](#)
[IMG_0144.jpg](#)

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I'm sorry please see attached for the promised photographs as well.

The first shows visibility when pulling out of the proposed driveway, the 2nd visibility when someone would be making a left hand turn into the driveway from Brookman.



On Tue, Aug 2, 2022 at 10:33 PM DJ Mangus <dmangus@rednova.com> wrote:

Please see attached for a statement we would like consideration for tomorrow's hearing.

If at all possible we would like to attend virtually due to COVID concerns.

Thank you,

Renee Mangus and Everett Hill

--

DJ Mangus
Red Nova Technologies
<http://rednova.com>
503.610.3355

--

DJ Mangus
Red Nova Technologies
<http://rednova.com>
503.610.3355





From: [Madeline Robinette](#)
To: [Eric Rutledge](#)
Subject: Cedar Creek Gardens Development
Date: Monday, August 1, 2022 10:23:42 AM
Attachments: [IMG_6832.JPG](#)
[IMG_6830.JPG](#)
[IMG_6834.JPG](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you are expecting this email and/or know the content is safe.

Dear Mr. Rutledge,

I became aware of the planned development just last week when I went for a walk and ended up in the beautiful patch of woods at the end of Redfern. Walking through the trees there, I noticed a few trees that caught my interest and I have attached photos of the particular trees. These trees are all western red cedars and they were unusual in shape. They reminded me of some Culturally Modified Trees (CMTs) that I had run across in the Gifford Pinchot National Forest. The GPNF trees were very close to a planned thin, and I was able to report them to the Washington State Archaeologist as possible CMTs. In the end they were inventoried, cataloged and marked for preservation, having been found to be trees that indigenous peoples had shaped as trail markers or of other significance. Until a determination can be made about the cedars near Redfern, it is imperative that they be preserved. These trees could be marked as Heritage Trees. I will be reporting the trees to the Oregon State Archaeologist this week for their assessment.

I would like to strongly oppose the clearing of this patch of forest to build two homes on. I do not oppose the rest of the development, but I feel that the preservation of this wonderful forest resource for two homes (lots 40 and 41) far outweighs the benefit of putting a few more dollars into the pockets of the developer. Any walk path should be minimally destructive to the trees, even if costs the developer a little more to avoid them.

What makes Sherwood a great place for families of all ages and sizes? I contend that it is the careful planning that preserves large swaths of natural space. This is what drew us to Sherwood 20 years ago. My children grew up in Sherwood with the freedom to play in the woods and explore nature on their own. How many other cities could offer this experience to their children? We must keep these islands of nature in our city while allowing responsible growth to occur. Please do not allow Cedar Creek Gardens to build 2 homes on lots 40 and 41. Preserve the trees of Redfern.

Thank you,
Madeline Robinette







Arbor Lane Homeowners Association

Attn: Kyle Grant, Secretary
23837 SW Red Fern Dr.
Sherwood, Oregon 97140

August 3, 2022

City of Sherwood

Attn: Eric Rutledge, Associate Planner
Via Email: rutledgee@sherwoodoregon.gc

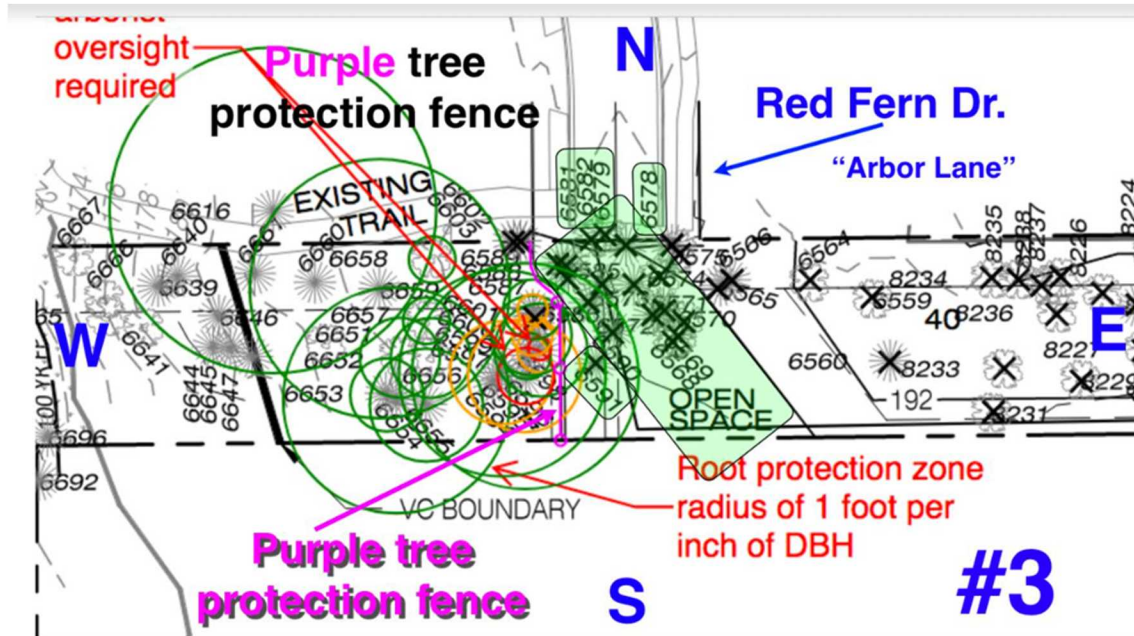
Re: LU 2021-023 SUB Cedar Creek Gardens - Written Testimony

Dear Mr. Rutledge,

I represent the Arbor Lane Homeowners Association as a member of the Board of Directors and as Secretary of the Association. I write on behalf of the Board to express our concerns about the Land Use Application identified above from Applicant Westwood Homes, LLC, and the Association submits this written testimony for consideration by the City. This letter is intended to be public testimony for the land use decision identified above.

Tree Removal

The Board is first and foremost concerned about the proposed removal of at least some trees that are located on Tract A of the Arbor Lane subdivision, which is Association commonly maintained property currently kept as as open green space. There are at least seven such trees from the diagram below provided by the applicant's arborist, Teragan & Associates, Inc. whose trunks lie in part on Tract A or the Red Fern right of way:



There appear to also be several other trees elsewhere that are noted for removal which lie on other neighboring properties of private owners. The Board harbors serious doubts about approving a plan which may result in timber trespass against property maintained by the Association as open green space and that of private owners within the Arbor Lane community.

More generally, the Board is concerned about the removal of trees in the “open space” designated above. Sherwood City Code states that trees may be considered for removal as part of a land use application to “accommodate the development including buildings, parking, walkways, grading etc.” Sherwood City Code, 16.142.070.D.1. Although Applicant goes to great lengths to explain compliance with the tree canopy requirements, there is no explanation about how the removal of trees located in the open space in the diagram above is necessary to accommodate any buildings, parking, walkways, grading or similar improvements. If the area is to be left open space, the City must require Applicant to retain those trees located in the proposed “open space”, which are not necessary for development.

Moreover, in Section 16.142.070.D.4, the City has discretion to require the retention of certain trees in spite of meeting canopy requirements if 1) the City finds that “retention of said trees or woodlands furthers the purposes and goals of [Section 16.142.070], is feasible and practical both within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan and 2) the trees “merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.”

As explained by the testimony of private owners in Arbor Lane and elsewhere in the community, the stand of trees in this immediate area south of the Arbor Lane community consist of historic and very mature trees which add significant value to the Arbor Lane properties and the

surrounding community. Applicant proposes to remove a very large number of historic trees solely for the purpose of developing two residential lots.

Accordingly, the Board urges the City to exercise its broad discretion to designate the entire area “flagpole” section of the subject property immediately south of Arbor Lane as an area required for tree retention in their entirety, and make such retention of the entire area a condition of approval for Applicant’s proposal.

Use of Red Fern Drive, Parking, and Construction Activities

The Board is concerned about the very unusual configuration of lots on the subject property. It is perplexing that Applicant does not have space to the south to include two additional lots as part of the main subdivision. In short, two lots will be closer in proximity and likely will have more impact on the Arbor Lane community in terms of parking, traffic, architectural harmony, etc., than they will on the subdivision to which it will supposedly belong.

The Board raises here the requirement that Applicant must provide sufficient off-street parking for vehicles on private residences, as was required of the Arbor Lane community in 1997. At that time, all Arbor Lane properties were required to provide off-street parking for up to four vehicles. The Arbor Lane community was developed to provide street parking for visitors and guests, and temporary parking by owners.

Here, the Board’s concern is that the development of two lots on the “flagpole” section of the subject property creates an unintended consequence of the owners of the two lots using Red Fern drive for vehicle and pedestrian access. Yet these lots are being developed without any contemplated extension of Red Fern drive sufficient to house the extra vehicle traffic.

In particular, the Board is concerned about the use of construction vehicles through Red Fern drive during construction of these two lots. The Board accordingly requests that a condition of approval include the requirement that all traffic, construction or otherwise, must use Brookman Road only for ingress and egress, and that under no circumstances may construction vehicles use Red Fern Drive or any other public streets within the Arbor Lane plat for parking, ingress or egress.

Noise

Lastly, the Board raises concerns about the level of noise and construction nuisances that may result from construction of the two lots. The Board requests that a condition of approval include reasonable noise restrictions and to limit construction activities from 8 a.m. to 7 p.m. each day. The City should impose other conditions to control any noxious construction activities that result in unreasonable debris, smoke, odors, light or other noxious activities to intrude on neighboring properties.

The Board respectfully submits these matters for the City's approval.

Sincerely,

Board of Directors
Arbor Lane Homeowners Association

From: [Kyle Grant](#)
To: [Eric Rutledge](#); [Planning Mailbox](#)
Subject: RE: LU 2021-023 SUB Cedar Creek Gardens - Arbor Lane HOA Testimony
Date: Wednesday, August 3, 2022 3:46:25 PM

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Yes please.

Also, note I'm not representing the Association as legal counsel. I'm a member of the Arbor Lane Board of Directors and I reside as 23837 SW Red Fern Dr.

Kyle

Kyle Grant | Tonkon Torp LLP
Attorney
888 SW Fifth Ave., Suite 1600
Portland OR 97204
971.219.7659
kyle.grant@tonkon.com | [website](#)

From: Eric Rutledge <RutledgeE@SherwoodOregon.gov>
Sent: Wednesday, August 3, 2022 3:45 PM
To: Kyle Grant <Kyle.Grant@tonkon.com>; [Planning Mailbox <planning@sherwoodoregon.gov>](mailto:planning@sherwoodoregon.gov)
Subject: RE: LU 2021-023 SUB Cedar Creek Gardens - Arbor Lane HOA Testimony

If you would like we can add this to the record.

Eric Rutledge
City of Sherwood
Associate Planner
rutledgee@sherwoodoregon.gov
Desk 503.625.4242
Work Cell 971.979.2315

From: Kyle Grant <Kyle.Grant@tonkon.com>
Sent: Wednesday, August 3, 2022 3:17 PM
To: Eric Rutledge <RutledgeE@SherwoodOregon.gov>; [Planning Mailbox <planning@sherwoodoregon.gov>](mailto:planning@sherwoodoregon.gov)
Subject: RE: LU 2021-023 SUB Cedar Creek Gardens - Arbor Lane HOA Testimony

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Eric,

6603 and 6602 appear on the line between Tract A and the subject property.

The following four border the Red Fern Right of Way:

6581

6582

6579

6578

I can't tell for sure because the labeling is not totally clear. Do you need this added to my letter?

Kyle

Kyle Grant | Tonkon Torp LLP

Attorney

888 SW Fifth Ave., Suite 1600

Portland OR 97204

971.219.7659

kyle.grant@tonkon.com | [website](#)

From: Eric Rutledge <RutledgeE@SherwoodOregon.gov>

Sent: Wednesday, August 3, 2022 2:44 PM

To: Kyle Grant <Kyle.Grant@tonkon.com>; Planning Mailbox <planning@sherwoodoregon.gov>

Subject: RE: LU 2021-023 SUB Cedar Creek Gardens - Arbor Lane HOA Testimony

Thanks Kye. Do you have the tree ID numbers that you believe are on your clients property?

Eric Rutledge

City of Sherwood

Associate Planner

rutledgee@sherwoodoregon.gov

Desk 503.625.4242

Work Cell 971.979.2315

From: Kyle Grant <Kyle.Grant@tonkon.com>

Sent: Wednesday, August 3, 2022 2:26 PM

To: Planning Mailbox <planning@sherwoodoregon.gov>; Eric Rutledge <RutledgeE@SherwoodOregon.gov>

Subject: LU 2021-023 SUB Cedar Creek Gardens - Arbor Lane HOA Testimony

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Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Mr. Rutledge,

Please see the attached written testimony submitted on behalf of the Arbor Lane Homeowners Association for public testimony for the hearing on LU 2021-023 SUB Cedar Creek Gardens.

Please let me know if you are able to open the attachment and if you need anything else from me in order to have this testimony entered in the record.

Kyle

Kyle Grant | Tonkon Torp LLP

Attorney

888 SW Fifth Ave., Suite 1600

Portland OR 97204

971.219.7659

kyle.grant@tonkon.com | [website](#)

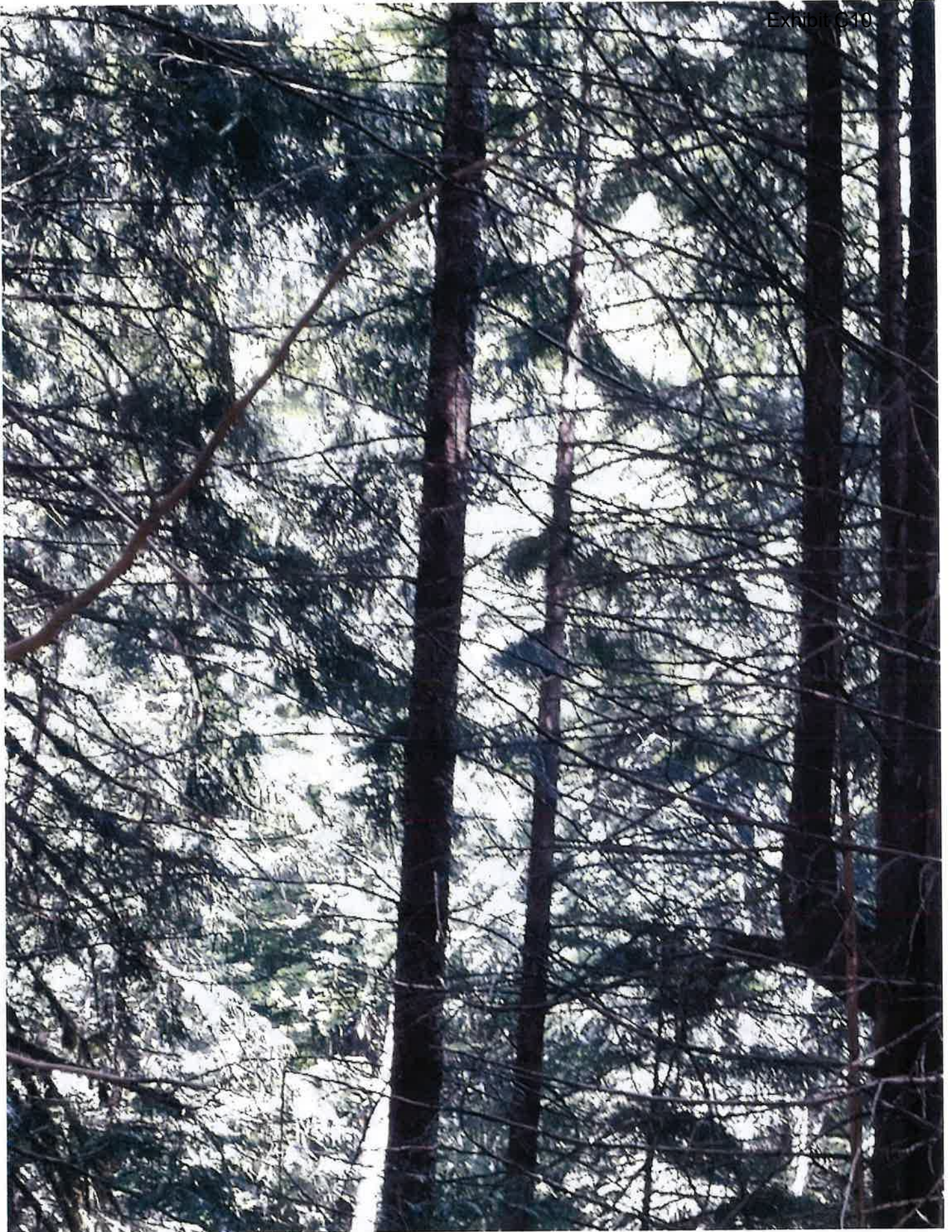
Erika Palmer

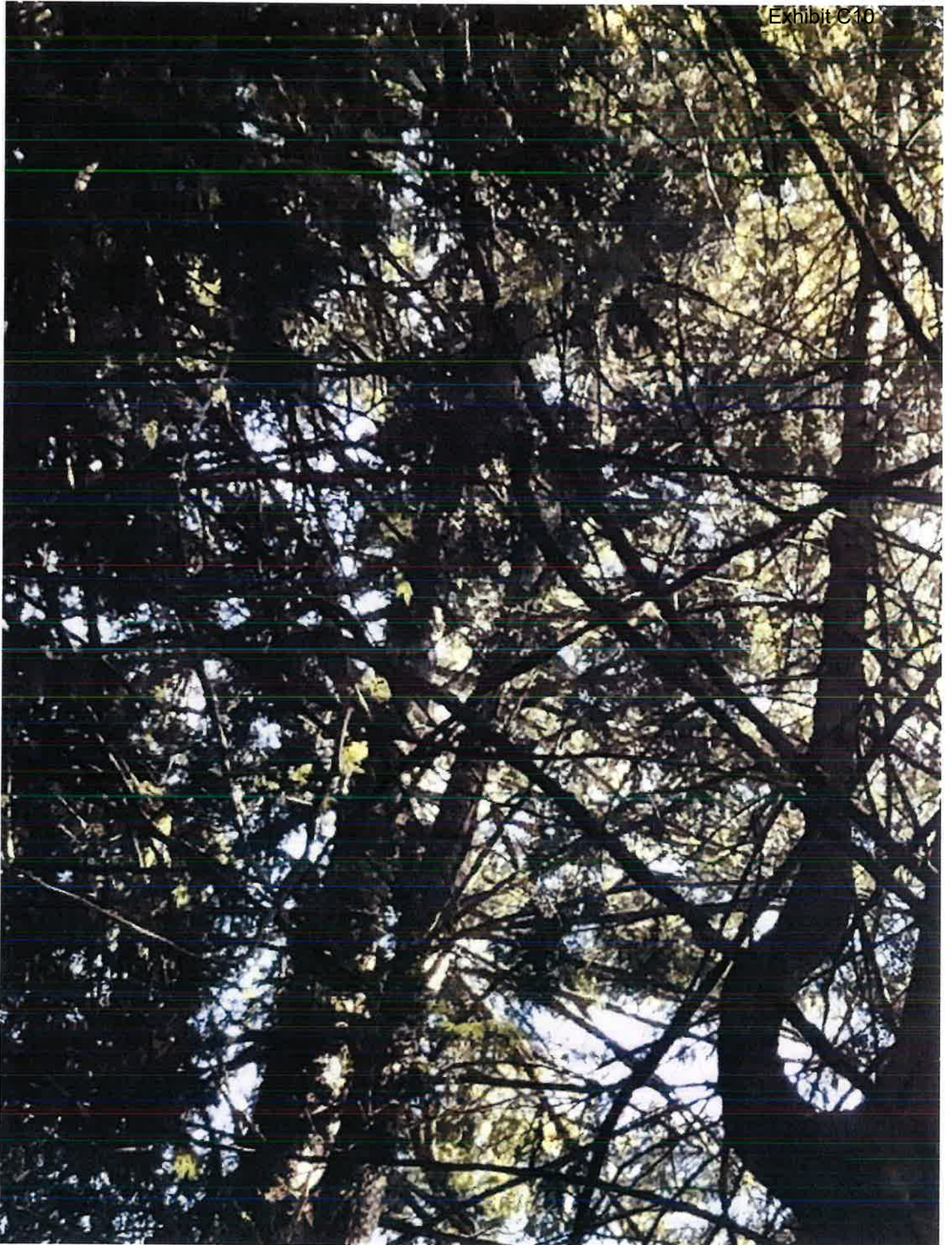
From: Madeline Robinette <madlinerobinette@gmail.com>
Sent: Wednesday, August 3, 2022 6:57 PM
To: Erika Palmer
Subject: Cedar Creek Gardens photos

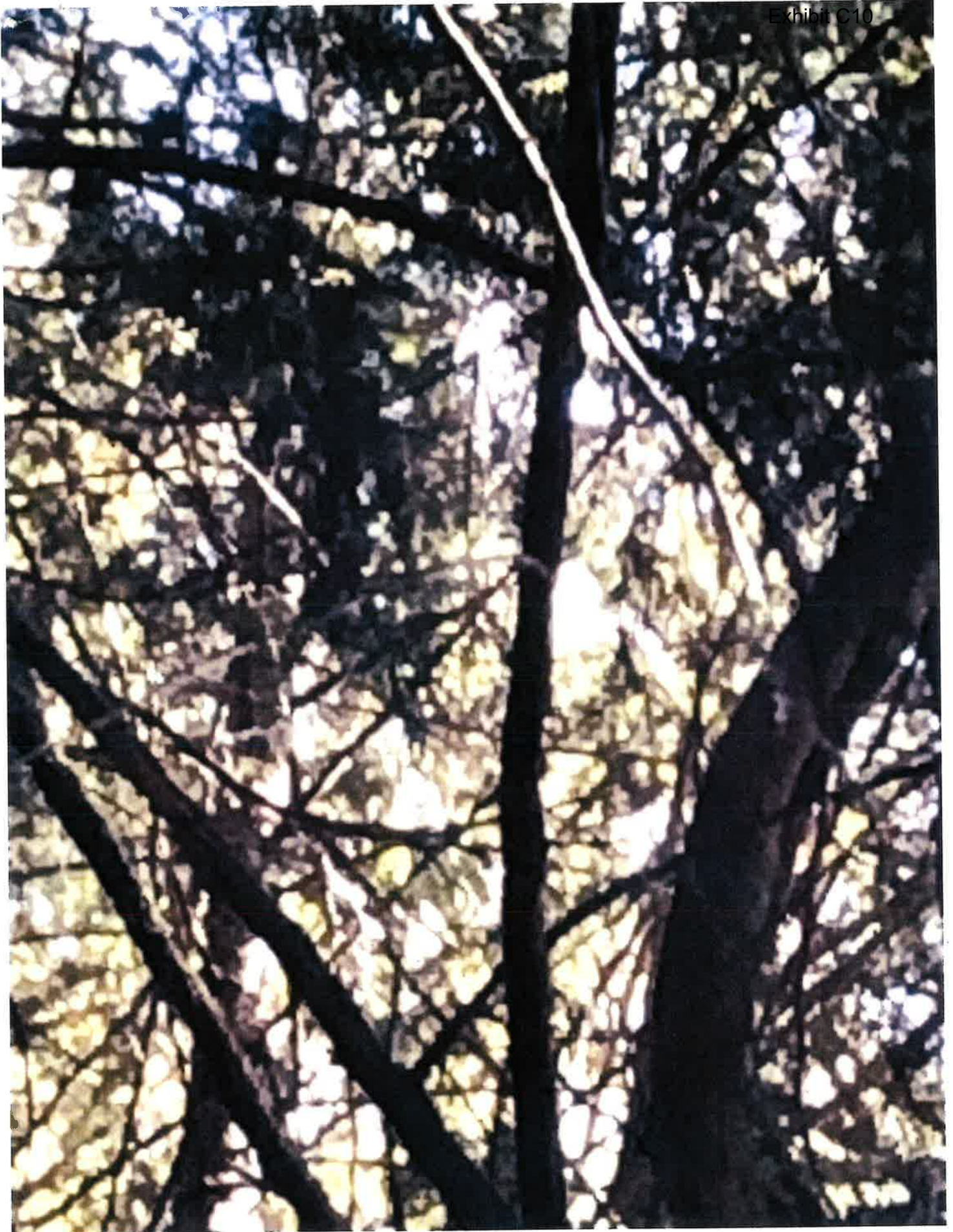
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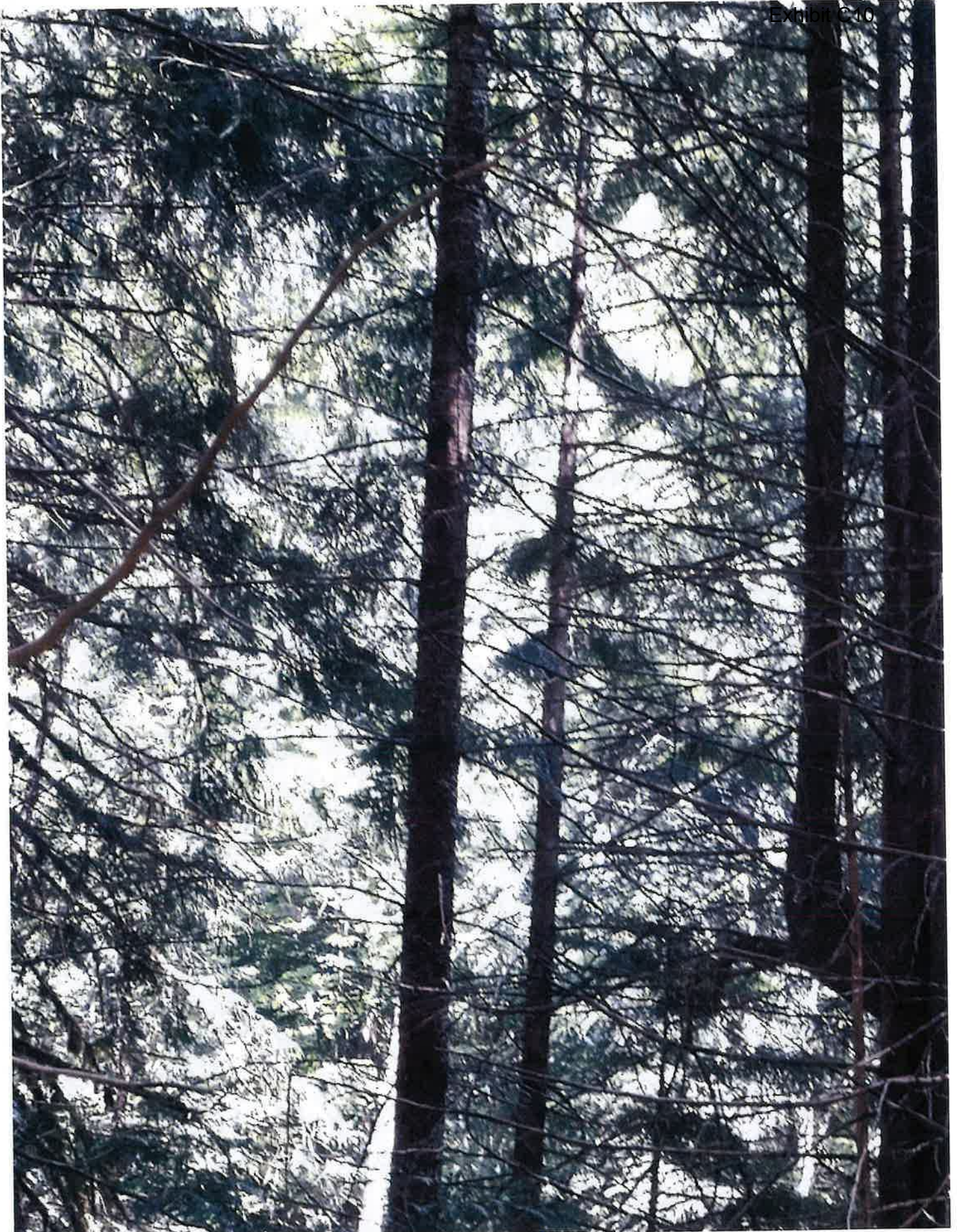
Culturally modified trees



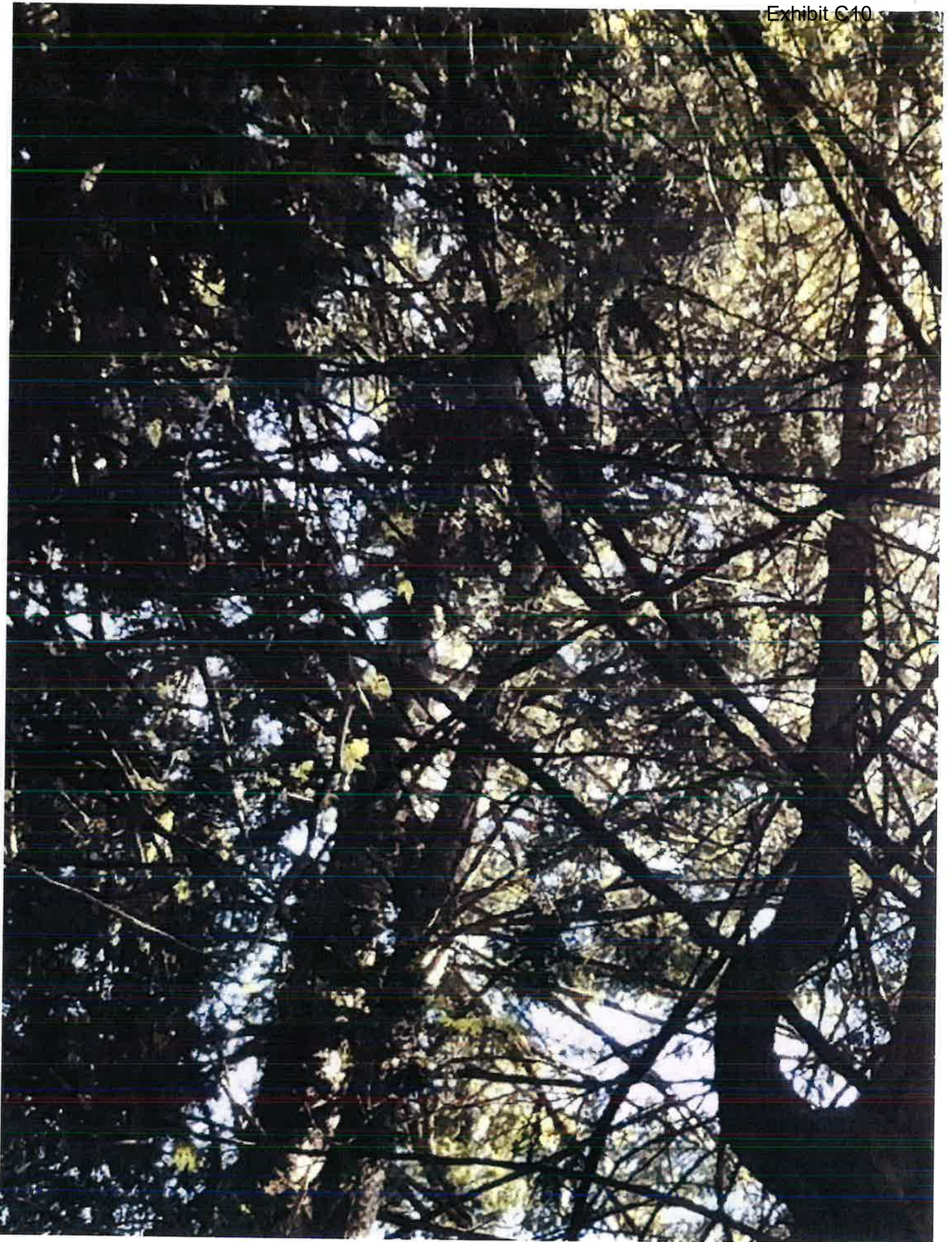








Culturally Modified Tree - GPNT



Redfern Tree⁴

My name is Neil Shannon and I reside at 23997 SW Redfern Drive. I rise in opposition to this sub-development or, to be more specific, I am in opposition to less than 5% of this sub-division. Specifically, I am in opposition to the proposal to create lots 40 and 41 as it is just too much damage to the natural habitat of the area, disruptive to existing neighborhoods, creates serious traffic hazards and establishes a fractured neighborhood.

With only four minutes allowed for testimony I would like to limit my comments to the hazards created by the proposed private driveway at the north-east corner of the site connecting to Brookman Road however I do request that the record remain open so that I may have the opportunity to address other issues after listening to the various presentations.

I have reviewed the PDG requested design modification for the TIA Study Intersection 5 (exhibit A p. 374 of 529), the request to allow private driveway access to Brookman Road from lot 41. It is my understanding that, while Washington County has indicated preliminary approval for the driveway access, such approval is challengeable as part of this type II procedure.

Naomi Vogel, Associate Planner for Washington County, in her letter of June 30th, confirms that a Design Exception in compliance with Section 220 of the Road Standards and Section 501-8.5 of the County Development Code will be required.

Section 220.020.1.b of the Road Standards allows for design exceptions when "Topography, right-of-way or other geographic conditions impose an economic hardship on the applicant and an equivalent alternative is available which can accomplish the same design objective." The key point here is "an equivalent alternative", I do not believe that adding a driveway to a major Arterial Road is an equivalent alternative.

In addition, Section 501.8.B.4 notes that "Exceptions for local streets and private accesses may be allowed through a Type II process when collector access is found to be unavailable and impracticable by the Director." and shall also comply with additional access standards (a) through (c).

The additional access standards noted above include a requirement that "Direct access to an arterial will be permitted provided that Point 'A' of such access is more than 600 feet from any intersection Point 'A' or other access to that Minor Arterial (Point 'C')." There are already two private driveways (point C) with direct access to Brookman Road and this additional access fails to meet this requirement as it will be directly adjacent to one driveway and 300 ft from a second. The code does have provisions for exceptions to the access criteria, 501.8.C, with the use of an Access Management Plan. Should the proposal for a private driveway go through I request that a condition include the requirement for Access Management Plan.

PNG notes in their application that the City of Sherwood, in the 2020 Addendum to the Brookman Addition Concept Plan, is recommending a revised alignment that would revert this portion of Brookman Road to a local street. As such, the application goes on to note, no design modification would be required. At that time, access to Brookman Road could be allowed and construction could proceed unimpaired.

I request that the Type II Design Modification be for the TIA Study Intersection 5 denied.