

Final Documents
for
Annexation to
King City

Metro proposal number: WA0624
Ordinance/Resolution: 2023-06
Annexation: LU 23-08
DOR: 34-2537-2024
SOS: AN 2024-0037

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

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

Fax (503) 378-4118
<http://sos.oregon.gov/archives>

March 28, 2024

Washington County
155 N First Ave. Suite 350
MS-14
Hillsboro, Oregon 97124

Dear Recorder:

Please be advised that we have received and filed, as of **March 28, 2024**, the following records annexing territory to the following:

Ordinance/Resolution Number(s)

Our File Number

ORD 2023-06

AN 2024-0037

SD 2024-0029

(Approx. 200 acres into King City+Clean Water Services District; withdrawal from various service districts)

For your records, please verify the effective date through the Applicable ORS.

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

Sincerely,

Crystal Zoodsma
Oregon State Archives
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@dor.oregon.gov

City of King City
City Manager
15300 SW 116th Avenue
King City OR 97224-2693

Description and Map Approved
March 13, 2024
As per ORS 308.225

✓ Description ✓ Map - Received from: Ronnie Smith
On: 1/26/2024, 2/27/2024, 2/29/2024

This is to notify you that your Description and Map in Washington County for:
Annex to the City of King City;
Annex to Clean Water Services;
Withdraw from Several Service Districts

ORD. #O-2023-06_(LU#23-08) (Kingston Terr. Town Ctr.) (New Home Co.)

has been: ✓ Approved 3/13/2024
Disapproved

Notes: DOR received a Revised annexation description and Revised annexation Exhibit maps
dated 2-27-24. These should also be sent to the county assessor and any other required agencies.

Department of Revenue File Number: 34-2537-2024

Reviewed by: Elise Bruch, Elise.A.Bruch@dor.oregon.gov

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 Description and Map must also be
filed with the County Assessor

- Transfer
Merge
Establishment of Tax Zone

ORDINANCE NO. O-2023-06

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF KING CITY AND WITHDRAWING THE TRACT FROM TERRITORY OF WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, AND TO CHANGE THE ZONING DESIGNATIONS FROM WASHINGTON COUNTY FUTURE DEVELOPMENT, 20-ACRE TO KING CITY ZONE(S), MAIN STREET/TOWN CENTER, BEEF BEND NEIGHBORHOOD, AND CENTRAL NEIGHBORHOOD

RECITALS

WHEREAS, King City received an application for annexation on behalf of New Homes Inc. Submitted by Pacific Community Design; and,

WHEREAS, the application seeks annexation approval of approximately 210 acres of land. This also includes the portion of SW Beef Bend Rd right-of-way south of the midline from the current city limits near SW 137th Ave. to SW Roy Rogers Rd, and the right-of-way for SW Roy Rogers Rd. and SW Elsner Rd. adjacent to the properties proposed for annexation; and,

WHEREAS, the property is located at Tax Map No. 2S117 Tax Lots 0208, 0203, 0204, 0400, 1000, and 0601; and Tax Map No. 2S118 Tax Lots 1501 and 1502; and,

WHEREAS, the City received written consent from a majority of the electors in the territory proposed to be annexed and owners of more than half the land in the territory proposed to be annexed, before the date of the public hearing, as required by ORS 222.170 (2); and,

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

WHEREAS, King City is authorized by ORS 222.120(5) and 222.520 to annex property which currently lies within the Urban Growth Boundary and withdraw areas from Washington County Urban Roads Maintenance District, Washington County Enhanced Sheriff's Patrol District, Washington County Vector Control District, and Washington County Service District No. 1 for Street Lights upon completion of the annexation; and,

WHEREAS, pursuant to ORS 222.524, the City must declare the withdrawal of the annexed property from the Washington County Urban Roads Maintenance District, Washington County Enhanced Sheriff's Patrol District, Washington County Vector Control District, and Washington County Service District No. 1 for Street Lights; and,

WHEREAS, the applicant also requested a zone change for the entire property from Washington County FD-20 (Future Development, 20-Acre District) to King City Zones, Main Street/Town Center, Beef Bend Neighborhood, and Central Neighborhood; and,

WHEREAS, the City provided notice to DLCD of the hearings before the Planning Commission and City Council as required by law; and,

WHEREAS, the City provided notice of the hearings before the Planning Commission and City Council as required by ORS 227.186(4); and,

WHEREAS, on December 6, 2023, the King City Planning Commission held a public hearing and, considered all public testimony, and recommended that the City Council approve and adopt the Ordinance 2023-06, Annexation Application on behalf of New Homes Inc. Submitted by Pacific Community Design; and

WHEREAS, on December 20, 2023 & January 17, 2024, the City Council of King City held a public hearing to consider the Planning Commission's recommendation, hear public testimony, apply Metro Code 3.09, Oregon Revised Statutes, King City Comprehensive Plan, Kingston Terrace Master Plan, Title 16 Community Development Code including section 16.192.050 of the CDC, and applicable intergovernmental agencies; and,

WHEREAS, based upon the recommendations, evidence, and public testimony already in the record and the evidence and testimony presented at the December 20, 2023 & January 17, 2024, City Council public hearing; and,

WHEREAS, a report was prepared as required by law, and the City Council having considered the report and the testimony at the public hearing, does hereby favor the annexation of the subject tract of land and withdrawal from the districts; and,

WHEREAS, LU # 23-09; Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI) for the properties proposed for annexation is acknowledged and adopted with O-2023-07; and,

WHEREAS, Exhibit "A" shows the property location of the annexation maps; and,

WHEREAS, Substantial evidence exists within the record to demonstrate that the proposed annexation, including the maps, meets the Local, Regional, and State law requirements as described in the Recommended Findings and Conclusions; and,

NOW, THEREFORE, CITY OF KING CITY ORDAINS AS FOLLOWS:

Section 1. Property: The City Council authorized under ORS 222.120(5) and 222.520 approves the annexation request depicted in Exhibit "A."

Section 2. Zoning Map and Land Designation: the property located at and depicted in Exhibit "A" is hereby zoned and designated in the King City Comprehensive Plan as Main Street/Town Center, Beef Bend Neighborhood, and Central Neighborhood (Tax Map No. 2S117 Tax Lots 0208, 0203, 0204, 0400, 1000, and 0601; and Tax Map No. 2S118 Tax Lots 1501 and 1502.) as shown in the updated King City Zoning Map.

Section 3. Findings: The City Council finds that the proposed amendments are consistent with the applicable provisions of the King City Comprehensive Plan. The findings and conclusions provided by the applicant's attorney at the public hearing and in the Planning Commission recommendation attached hereto as Exhibit "B" are hereby adopted in support of this decision.

Section 4. Local Wetlands Inventory (LWI): Annexed properties shall comply with Ordinance 2023-07.

Section 5. Withdraw: The City Council under ORS 222.120(5) and 222.520 authorizes the request to withdraw areas from Washington County Urban Roads Maintenance District, Washington County Enhanced Sheriff's Patrol District, Washington County Vector Control District, and Washington County Service District No. 1 for Street Lights upon completion of the annexation.

Section 6. Notice to Interested Parties: The City will post the decision on the city website for interested parties in accordance with 195.615(4). Mailed notice will be provided to interested parties requesting such notification.

Section 7. Notice to DLCD: This decision will be provided to the Department of Land Conservation and Development Director within 5 days of the final decision as required by ORS 197.615(1).

Section 8. Notice to Metro: The City Recorder shall mail or deliver a copy of this Ordinance to Metro per the Metro Code Chapter 3.09.030(E).

Section 9. Notice to Utilities: This decision will be provided to Public Utilities within 10 working days after the final decision as required by ORS 222.005.

Section 10. Clean Water Services: Pursuant to ORS 199.510(2)(c), the property is also being annexed into the boundaries of Clean Water Services for the provision of sanitary sewer, storm and surface water management.

Section 11. Special Districts: The City Council further supports the future annexation into any special districts necessary for the provision of urban services to the properties described in Exhibit A.

Section 12. Severability Clause: If any section, subsection, sentence, clause, phrase, paragraph, or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereof.

Section 13. Effective Date: This Ordinance shall be effective 30 days after its adoption.

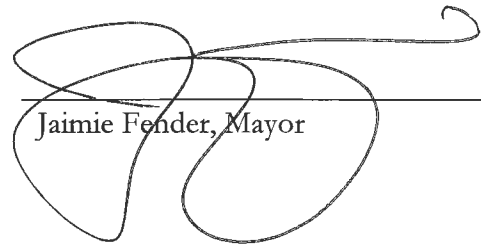
Read the first time on December 20th, 2023 and moved to the second reading by roll call vote of the City Council.

Read the second time and adopted by the City of King City Council on January 17th, 2024.

Vote: Yeas: 6

Nays: 0 Abstained: 0

Signed by the Mayor on January 22, 2024.



Jaimie Fender, Mayor

ATTEST:



Ronnie L. Smith, City Recorder
{City Seal}

Approved as to Form:
Peter O. Watts, City Attorney

City Attorney



Read the first time on December 20th, 2023 and moved to the second reading by roll call vote of the City Council.

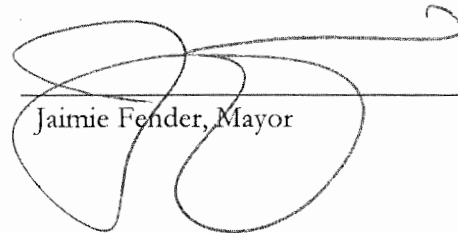
Read the second time and adopted by the City of King City Council on January 17th, 2024.

Vote: Yeas: 6

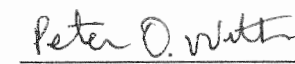
Nays: 0 Abstained: 0

Signed by the Mayor on January 22, 2024.

ATTEST:




Jaimie Fender, Mayor



Approved as to Form:
Peter O. Watts, City Attorney

City Attorney



Ronnie L. Smith, City Recorder
{City Seal}

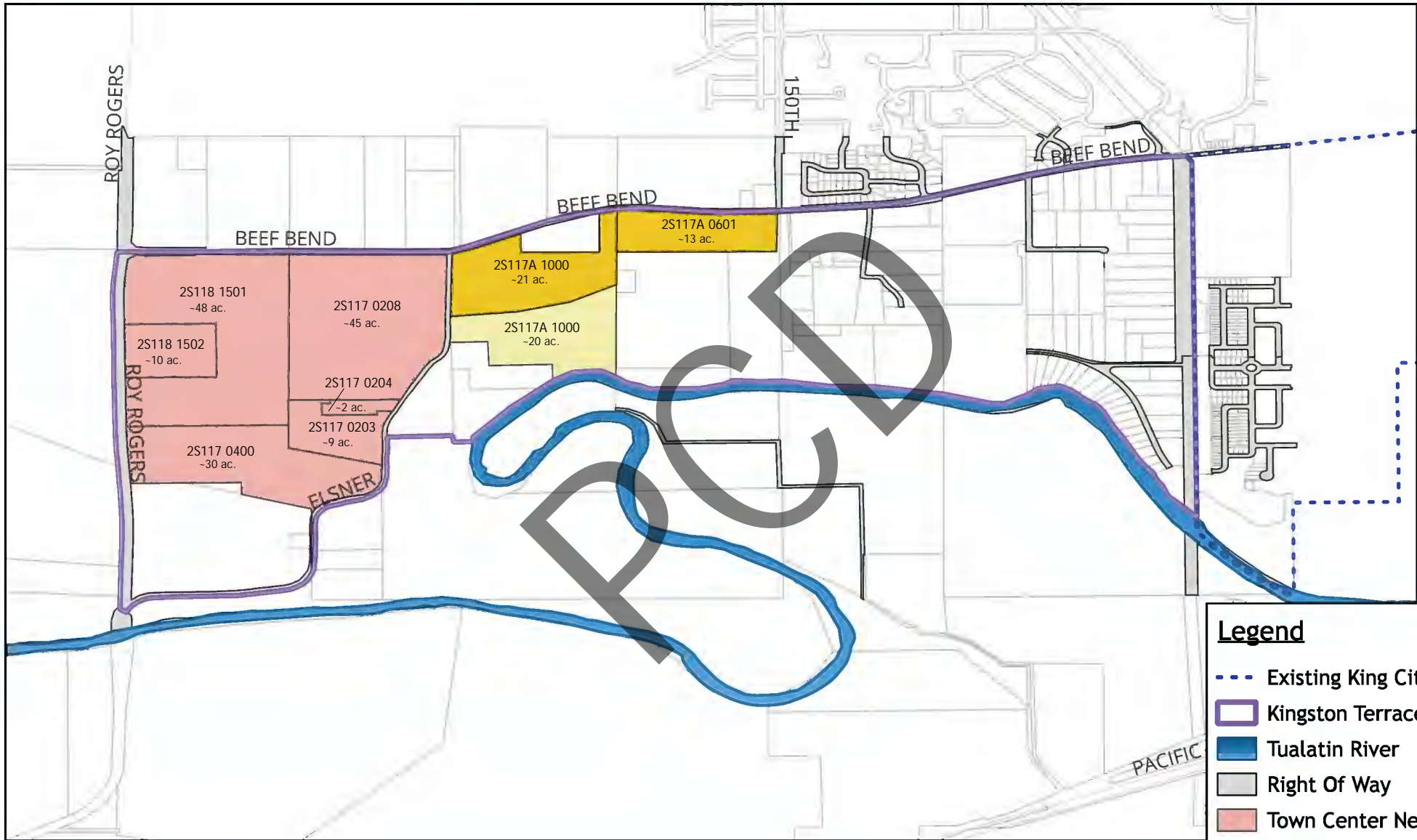


EXHIBIT A

Annexation Map, Legal Descriptions & Zone Map

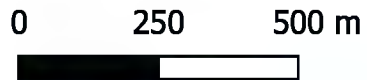
Kingston Terrace Annexation Zoning Designation

EXHIBIT A



Legend

- - - Existing King City Limits
- Kingston Terrace Boundary
- Tualatin River
- Right Of Way
- Town Center Neighborhood
- Beef Bend Neighborhood
- Central Neighborhood
- Arterials
- WaCoTax Lots



Note: The neighborhood boundary for tax lot 2S117A 1000 is approximate, and the final boundary will be set once the alignment of the East-West collector street is established.



SW ROY ROGERS ROAD
WD2017-0006

SW BEEF BEND &
SW ELSNER ROAD
WD2023-0436

2S117A 0601
13.36 ac
WD2022-0513

2S118 1501
48.23 ac
WD2022-0513

2S117 0208
45.27 ac
WD2022-0513

2S117 1000
42.33 ac
WD2023-0352

2S118 1502
10.50 ac
WD2023-0380

2S117 0203
& 0204
11.62 ac
WD2023-0197

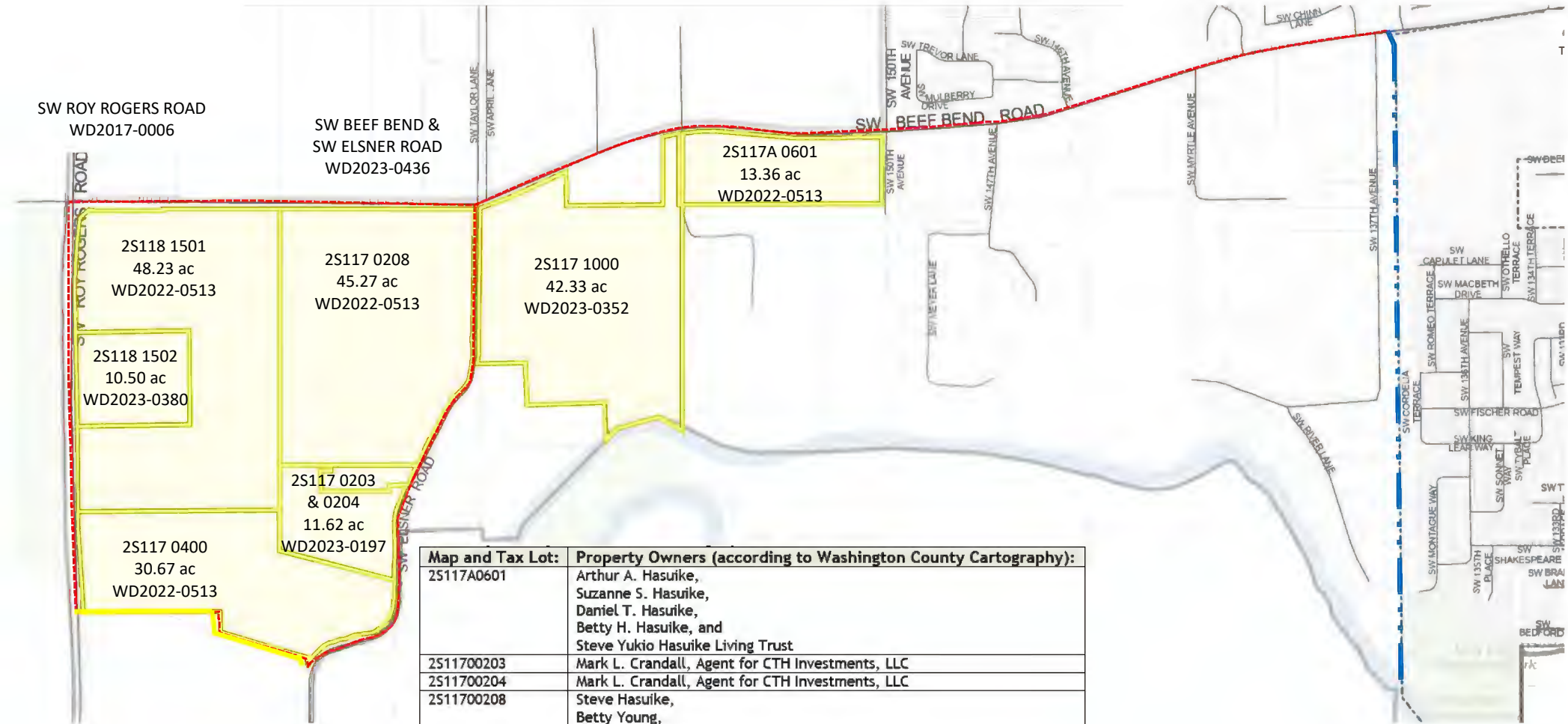
2S117 0400
30.67 ac
WD2022-0513

Map and Tax Lot:	Property Owners (according to Washington County Cartography):
2S117A0601	Arthur A. Hasuike, Suzanne S. Hasuike, Daniel T. Hasuike, Betty H. Hasuike, and Steve Yukio Hasuike Living Trust
2S11700203	Mark L. Crandall, Agent for CTH Investments, LLC
2S11700204	Mark L. Crandall, Agent for CTH Investments, LLC
2S11700208	Steve Hasuike, Betty Young, Arthur A. Hasuike, Daniel T. Hasuike, Steve Yukio Hasuike Living Trust, Betty H. Young, and Betty L. Young
2S11700400	Arthur A. Hasuike, Daniel T. Hasuike, Steve Y. Hasuike, Betty H. Young, and Betty L. Young
2S11701000	Michael O'Halloran, Manager for Sharlin Farms, LLC
2S11801501	Sean Keys, Manager for MF Beef Bend, LLC
2S11801502	Sean Keys, Manager for MF Beef Bend, LLC
Washington County's SW Beef Bend Road Right-of-Way - From center line to southern right-of-way boundary, starting at western boundary of King City to SW Roy Rogers Road intersection.	
Washington County's SW Roy Rogers Road Right-of-Way - Right of way in its entirety from southern portion of intersection of SW Beef Bend Road along western boundary of tax lots 2S11801501, 2S11801502, and 2S11700400.	
Washington County's SW Elsner Road Right-of-Way - Right of way in its entirety from SW Beef Bend Road to the southern boundary of tax lot 2S11700400.	

Properties to be Annexed

Right-of-way to be Annexed

City Limits



CERTIFICATION OF LEGAL DESCRIPTION AND MAP

(100% Property Ownership Method)

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 251 16, 17, & 18) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME TED FOSTER
TITLE GIS TECH
DEPARTMENT CARTOGRAPHY
COUNTY OF WASHINGTON
DATE: 10/3/23

ANNEXATION CERTIFIED

BY TF

OCT 03 2023

**WASHINGTON COUNTY A & T
CARTOGRAPHY**



EXHIBIT A

February 27, 2024

LEGAL DESCRIPTION
King City Annexation

Job No. 148-001

A parcel of land as described in Document Nos. 2000-31295, 2004-041849, 2013-074627, 2015-079367, 2018-085182, Parcel II of Document No. 2018-085185, Parcels 1 and 2 of Document No. 2021-026044, Washington County Records, and public Right-of-Way in Sections 16, 17, and 18, Township 2 South, Range 1 West, Willamette Meridian, Washington County, State of Oregon, more particularly described as follows:

BEGINNING at the intersection of the westerly Right-of-Way line of SW Roy Rogers Road (County Road No. 3150) and the extension of the centerline of SW Beef Bend Road (County Road No. 3150);

thence along said centerline of SW Beef Bend Road and its extension, South 83° 30' 08" East, a distance of 162.62 feet to a point of tangential curvature;

thence continuing along said centerline, along a 984.25 foot radius tangential curve to the left, arc length of 105.18 feet, central angle of 06° 07' 23", chord distance of 105.13 feet, and chord bearing of South 86° 33' 49" East to a point of tangency;

thence continuing along said centerline, South 89° 37' 31" East, a distance of 359.67 feet to the terminus of said centerline of SW Beef Bend Road (County Road No. 3150), also being the beginning of the centerline of SW Beef Bend Road (County Road No. 3276);

thence along said centerline, South 89° 37' 31" East, a distance of 2054.09 feet to an angle point;

thence continuing along said centerline, North 68° 23' 29" East, a distance of 182.96 feet to a point of tangential curvature;

thence continuing along said centerline, along a 3000.00 foot radius tangential curve to the left, arc length of 147.48 feet, central angle of 02° 49' 00", chord distance of 147.47 feet, and chord bearing of North 66° 58' 59" East to a point of tangency;

thence continuing along said centerline, North 65° 34' 29" East, a distance of 120.35 feet to a point of tangential curvature;

thence continuing along said centerline, along a 8600.00 foot radius tangential curve to the left, arc length of 100.07 feet, central angle of 00° 40' 00", chord distance of 100.06 feet, and chord bearing of North 65° 14' 29" East to a point of tangency;

thence continuing along said centerline, North 64°54' 29" East, a distance of 38.34 feet to a point on the extension of the northerly line of said land described in Document No. 2013-074627;

thence along said northerly line and its extension, South 00°45' 49" East, a distance of 231.53 feet to an angle point;

thence continuing along said northerly line, North 89°58' 32" East, a distance of 630.67 feet to an angle point;

thence continuing along said northerly line and its extension, North 00°05' 32" East, a distance of 463.12 feet to a point on said centerline of SW Beef Bend Road;

thence along said centerline, North 75°42' 14" East, a distance of 33.55 feet to a point of tangential curvature;

thence continuing along said centerline, along a 1150.00 foot radius tangential curve to the right, arc length of 388.55 feet, central angle of 19°21' 31", chord distance of 386.71 feet, and chord bearing of North 85°23' 00" East to a point of tangency;

thence continuing along said centerline, South 84°56' 15" East, a distance of 328.36 feet to a point of tangential curvature;

thence continuing along said centerline, along a 2375.00 foot radius tangential curve to the left, arc length of 194.82 feet, central angle of 04°42' 00", chord distance of 194.77 feet, and chord bearing of South 87°17' 15" East to a point of tangency;

thence continuing along said centerline, South 89°38' 15" East, a distance of 103.07 feet to a point of tangential curvature;

thence continuing along said centerline, along a 7000.00 foot radius tangential curve to the left, arc length of 239.93 feet, central angle of 01°57' 50", chord distance of 239.92 feet, and chord bearing of North 89°22' 50" East to a point of tangency;

thence continuing along said centerline, North 88°23' 55" East, a distance of 166.68 feet to an angle point;

thence continuing along said centerline, North 85°18' 34" East, a distance of 972.87 feet to an angle point;

thence continuing along said centerline, North 73°26' 28" East, a distance of 378.82 feet to an angle point;

thence continuing along said centerline, North 72°29' 26" East, a distance of 706.12 feet to an angle point;

thence continuing along said centerline, North 75°00' 27" East, a distance of 249.98 feet to a point of tangential curvature;

thence continuing along said centerline, along a 5729.58 foot radius tangential curve to the right, arc length of 776.50 feet, central angle of $07^{\circ}45'54''$, chord distance of 775.91 feet, and chord bearing of North $78^{\circ}53'24''$ East to a point of tangency;

thence continuing along said centerline, North $82^{\circ}46'21''$ East, a distance of 176.12 feet to an angle point;

thence continuing along said centerline, North $33^{\circ}14'28''$ West, a distance of 1.01 feet to an angle point;

thence continuing along said centerline, North $82^{\circ}32'09''$ East, a distance of 110.46 feet to a point on the easterly line of the B.P.A. Right-of-Way;

thence along said easterly Right-of-Way line, South $33^{\circ}22'14''$ East, a distance of 33.35 feet to a point on the southerly Right-of-Way line of said SW Beef Bend Road;

thence along said southerly Right-of-Way line, South $82^{\circ}32'09''$ West, a distance of 65.09 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $85^{\circ}35'50''$ West, a distance of 78.02 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $82^{\circ}46'21''$ West, a distance of 157.82 feet to a point of tangential curvature;

thence continuing along said southerly Right-of-Way line, along a 5704.58 foot radius tangential curve to the left, arc length of 773.11 feet, central angle of $07^{\circ}45'54''$, chord distance of 772.52 feet, and chord bearing of South $78^{\circ}53'24''$ West to a point of tangency;

thence continuing along said southerly Right-of-Way line, South $75^{\circ}00'27''$ West, a distance of 185.56 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $71^{\circ}08'14''$ West, a distance of 92.94 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $72^{\circ}29'26''$ West, a distance of 676.71 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $73^{\circ}26'28''$ West, a distance of 382.19 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $85^{\circ}18'34''$ West, a distance of 947.04 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $00^{\circ}03'43''$ East, a distance of 3.30 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $86^{\circ}15'17''$ West, a distance of 20.04 feet to an angle point;

thence continuing along said southerly Right-of-Way line, North 00°03' 43" West, a distance of 2.97 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South 85°18' 34" West, a distance of 9.69 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South 88°23' 55" West, a distance of 10.34 feet to a point on the easterly line of said land described in Document No. 2000-31295;

thence along said easterly line, South 00°03' 43" East, a distance of 436.19 feet to the Southeast corner of said land;

thence along the southerly line of said land, South 89°48' 33" West, a distance of 1300.96 feet to the Southwest corner of said land;

thence along the easterly line of said land described in Document No. 2013-074627, South 00°39' 02" East, a distance of 1318.90 feet to an angle point;

thence continuing along said easterly line, South 00°12' 09" West, a distance of 187.00 feet to the center of Tualatin River;

thence along said center of Tualatin River for the following three courses:

North 53°30' 18" West, a distance of 157.00 feet,

South 87°33' 51" West, a distance of 222.00 feet,

South 55°11' 13" West, a distance of 208.00 feet;

thence leaving said center of Tualatin River, North 00°07' 34" East, a distance of 248.00 feet to a point on the southerly line of said land described in Document No. 2013-074627;

thence continuing along said southerly line, North 89°52' 26" West, a distance of 511.02 feet to an angle point;

thence continuing along said southerly line, North 00°19' 53" West, a distance of 274.81 feet to an angle point;

thence continuing along said southerly line, North 89°57' 35" West, a distance of 291.88 feet to the Southwest corner of said land;

thence along the westerly line of said land, North 00°24' 14" West, a distance of 522.34 feet to a point on the easterly Right-of-Way line of SW Elsner Road (County Road No. 1440);

thence along said easterly Right-of-Way line, South 01°17' 31" West, a distance of 689.25 feet to an angle point;

thence continuing along said easterly Right-of-Way line, South 50°23' 10" West, a distance of 179.06 feet to an angle point;

thence continuing along said easterly Right-of-Way line, South 27°03' 18" West, a distance of 772.67 feet to an angle point;

thence continuing along said easterly Right-of-Way line, South 26°07' 39" West, a distance of 19.34 feet to an angle point;

thence continuing along said easterly Right-of-Way line, South 00°27' 39" West, a distance of 577.46 feet to a point of tangential curvature;

thence along a 268.75 foot radius tangential curve to the right, arc length of 345.55 feet, central angle of 73°40' 09", chord distance of 322.23 feet, and chord bearing of South 37°17' 44" West to a point of tangency;

thence continuing along said easterly Right-of-Way line, South 74°07' 48" West, a distance of 233.62 feet to a point of tangential curvature;

thence continuing along said easterly Right-of-Way line, along a 208.75 foot radius tangential curve to the left, arc length of 268.10 feet, central angle of 73°35' 07", chord distance of 250.05 feet, and chord bearing of South 37°20' 15" West;

thence leaving said easterly Right-of-Way line, North 89°27' 19" West, a distance of 60.00 feet to a point on the westerly Right-of-Way line of SW Elsner Road;

thence along said westerly Right-of-Way line, along a 268.75 foot radius non-tangential curve, concave easterly, with a radius point bearing South 89°27' 19" East, arc length of 128.20 feet, central angle of 27°19' 50", chord distance of 126.98 feet, and chord bearing of North 14°12' 36" East to the most southerly Southeast corner of said land described in Document No. 2018-085182;

thence along the southerly line of said land, North 00°32' 41" East, a distance of 55.17 feet to an angle point;

thence continuing along said southerly line, North 75°31' 39" West, a distance of 615.78 feet to an angle point;

thence continuing along said southerly line, North 00°36' 45" West, a distance of 128.84 feet to an angle point;

thence continuing along said southerly line, South 89°23' 15" West, a distance of 989.56 feet to a point on the westerly Right-of-Way line of SW Roy Rogers Road (County Road No. 3150);

thence along said westerly Right-of-Way line, North 02°45' 16" West, a distance of 402.81 feet to a point of tangential curvature;

thence continuing along said westerly Right-of-Way line, along a 5048.56 foot radius tangential curve to the right, arc length of 242.75 feet, central angle of 02°45' 18", chord distance of 242.73 feet, and chord bearing of North 01°22' 37" West to a point of tangency;

thence continuing along said westerly Right-of-Way line, North 00°00' 02" East, a distance of 1459.11 feet to a point of tangential curvature;

thence continuing along said westerly Right-of-Way line, along a 3047.25 foot radius tangential curve to the right, arc length of 345.32 feet, central angle of 06°29' 34", chord distance of 345.13 feet, and chord bearing of North 03° 14' 49" East to a point of tangency;

thence continuing along said westerly Right-of-Way line, North 06°29' 36" East, a distance of 239.84 feet to the POINT OF BEGINNING.

Containing 216.86 acres, more or less.

Basis of bearings being Survey No. 29,570, Washington County Survey Records.

ANNEXATION CERTIFIED

BY TF

FEB 29 2023

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

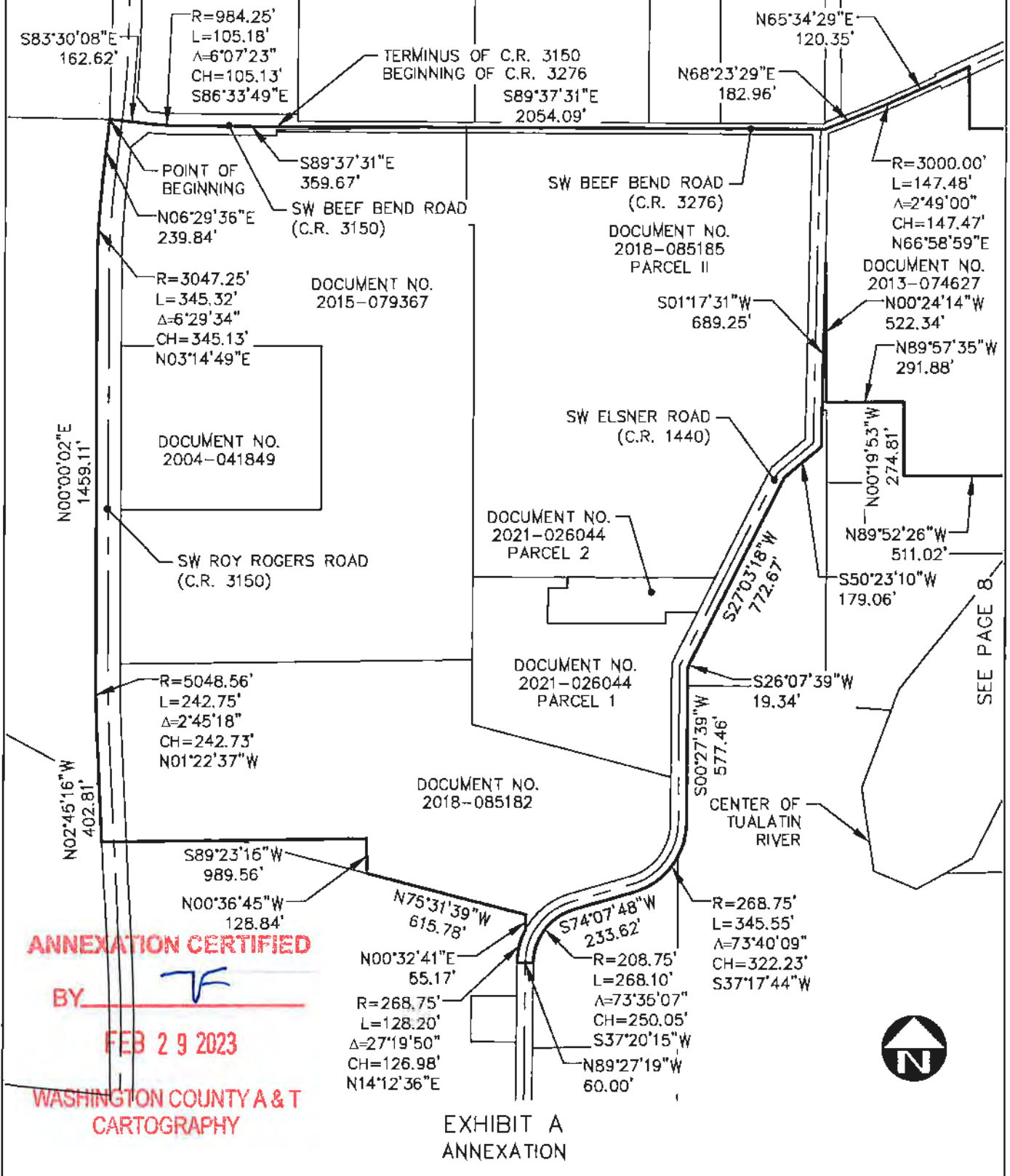
DocuSigned by:

Travis Jansen

33055EEA078A1B
OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWALS: 6/30/2025

SECTIONS 16, 17, AND 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON



ANNEXATION CERTIFIED
 BY TF
FEB 29 2023
 WASHINGTON COUNTY A & T
 CARTOGRAPHY

EXHIBIT A
ANNEXATION



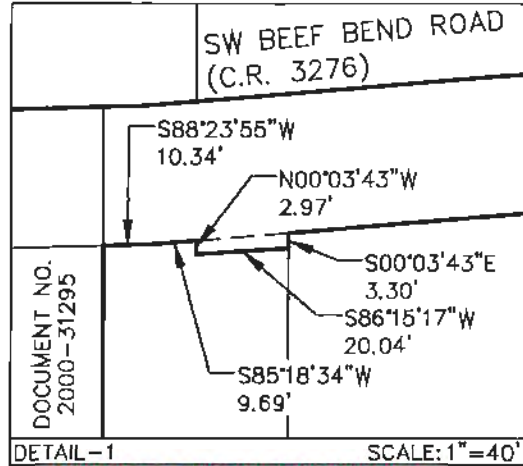
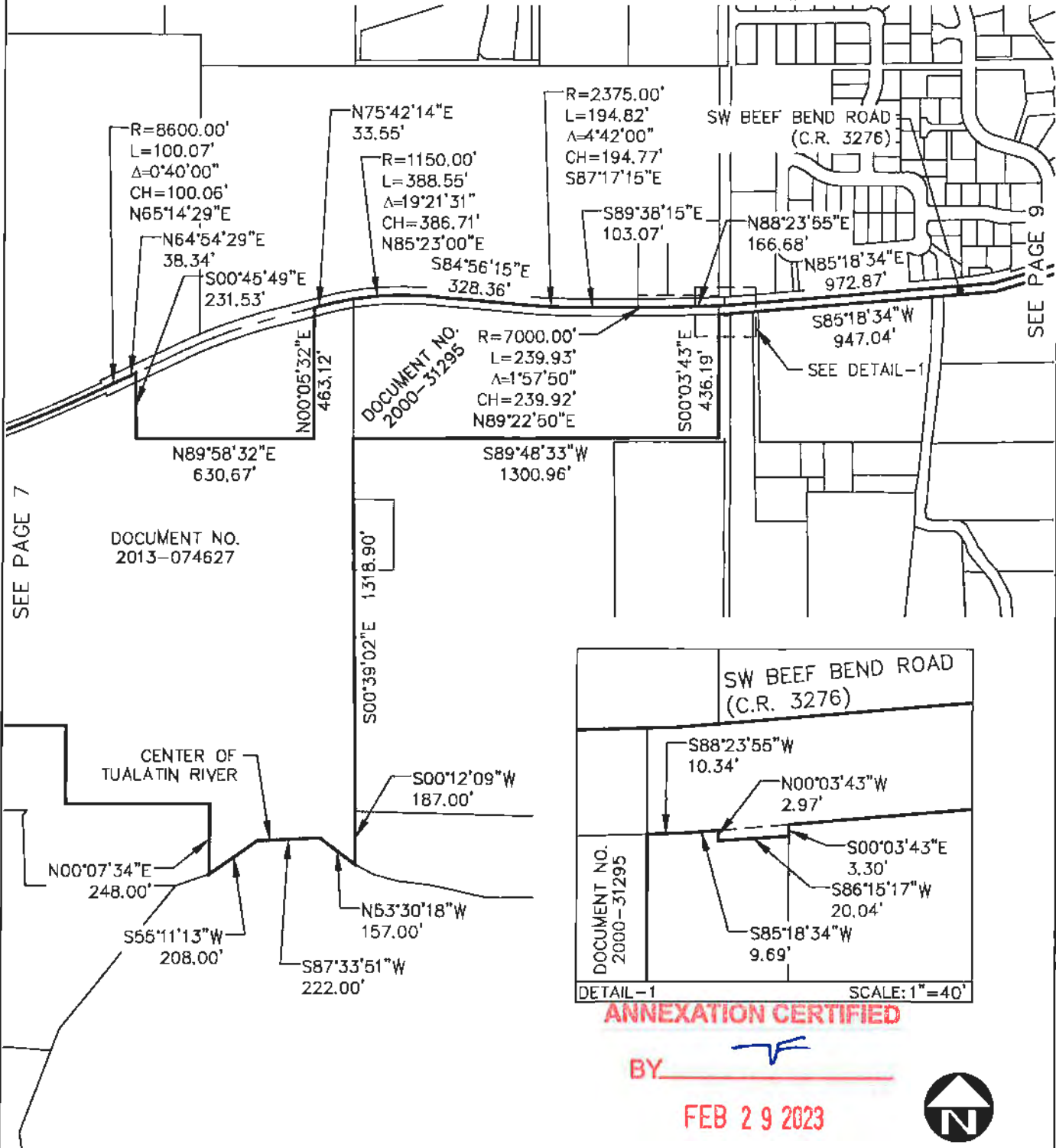
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 REVIEWED BY: TRK DATE: 2/27/24
 PROJECT NO.: 148-001
 SCALE: 1"=500'
 PAGE 7 OF 9



12564 SW Main St
 Tigard, OR 97223
 [T] 503-941-9484
 [F] 503-941-9485

SECTIONS 16, 17, AND 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON



ANNEXATION CERTIFIED

BY
FEB 29 2023



EXHIBIT A
ANNEXATION

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

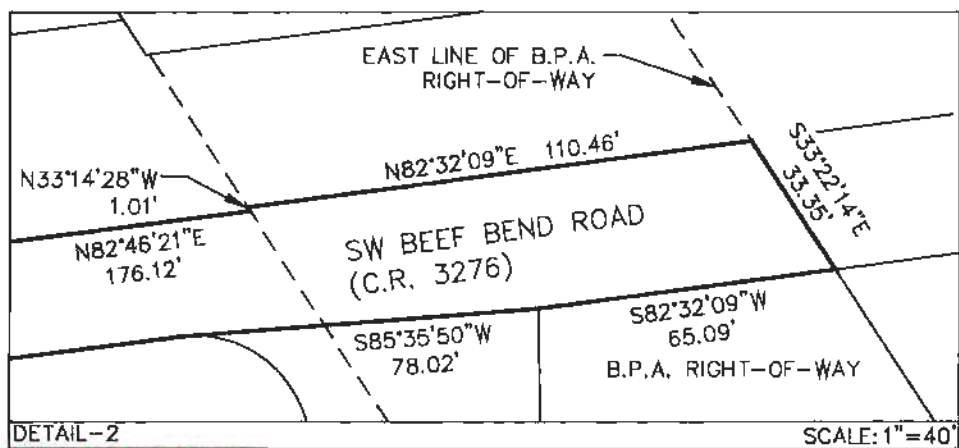
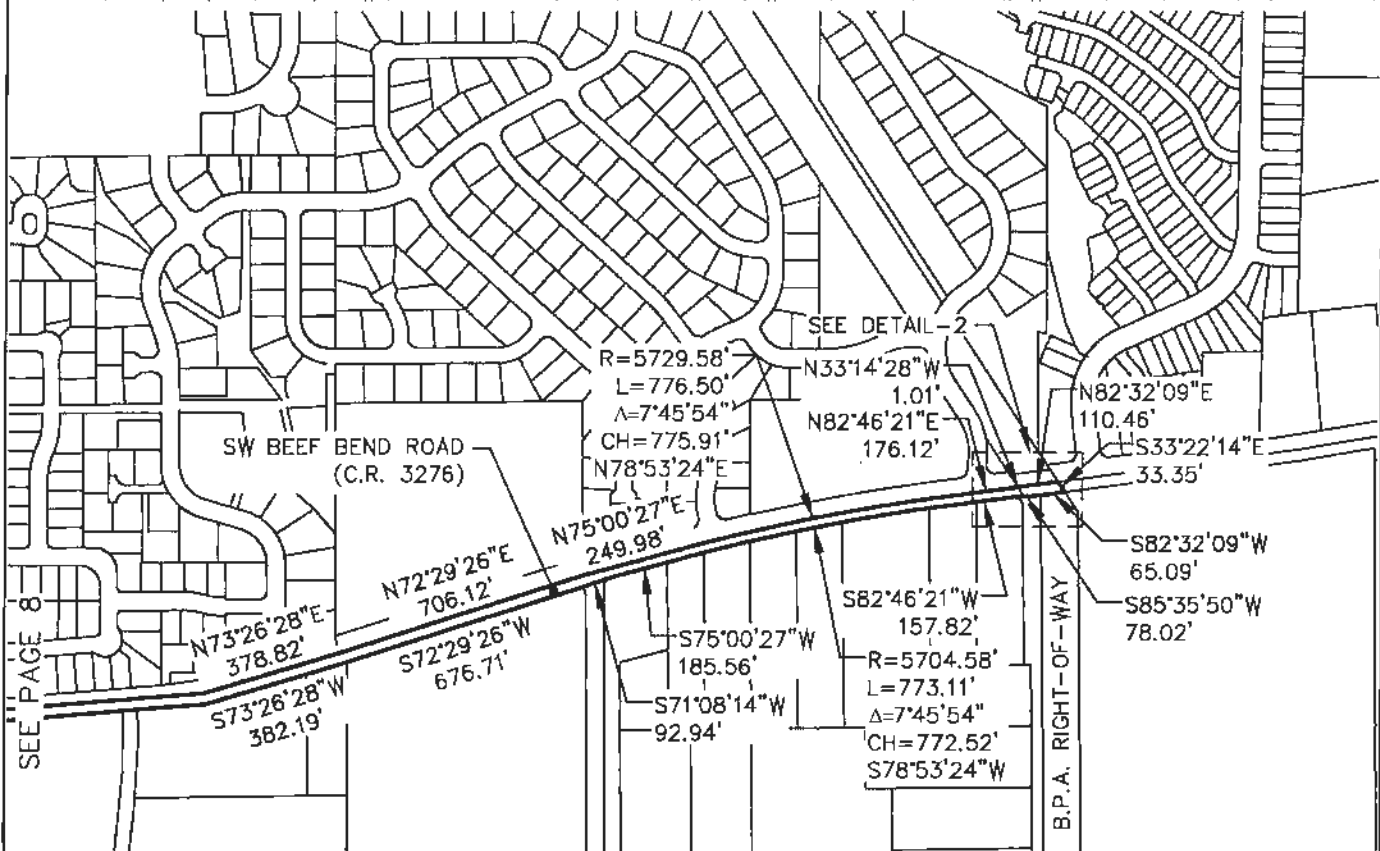
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 REVIEWED BY: TRK DATE: 2/27/24
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 PAGE 8 OF 9



12564 SW Main St
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SECTIONS 16, 17, AND 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON



ANNEXATION CERTIFIED

BY

FEB 29 2023

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

**EXHIBIT A
ANNEXATION**



DRAWN BY: FAM DATE: 2/27/24
 REVIEWED BY: TRK DATE: 2/27/24
 PROJECT NO.: 148-001
 SCALE: 1"=500'
PAGE 9 OF 9



12564 SW Main St
 Tigard, OR 97223
 [T] 503-941-9484
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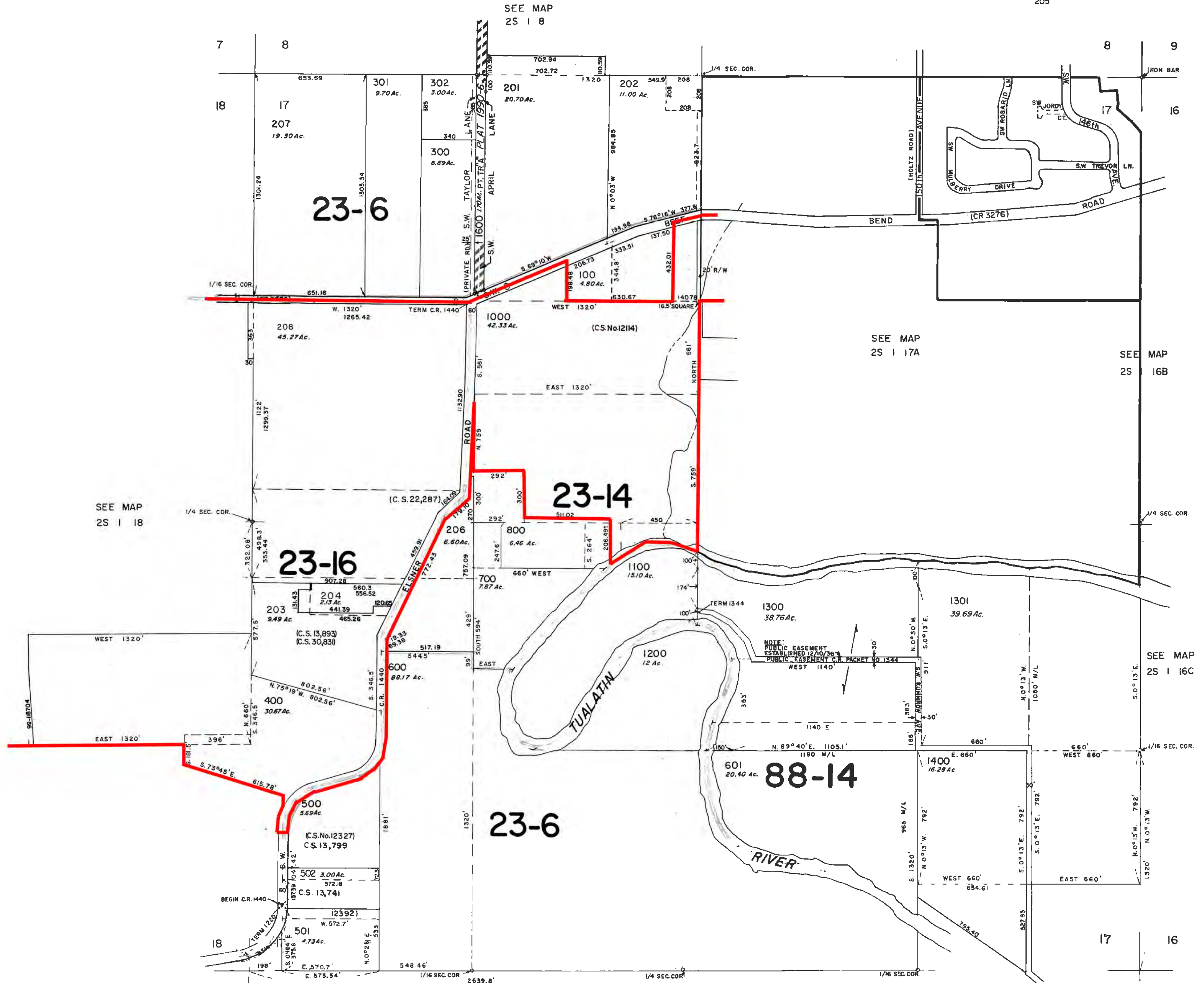
SECTION 17 T2S RIW W.M.

WASHINGTON COUNTY OREGON

SCALE 1" = 400'

2S 1 17
& INDEX

Tax Lot 1500 Cancelled
900
200
205



SEE MAP
2S 1 20

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

17 16
20 21
& INDEX
2S 1 17

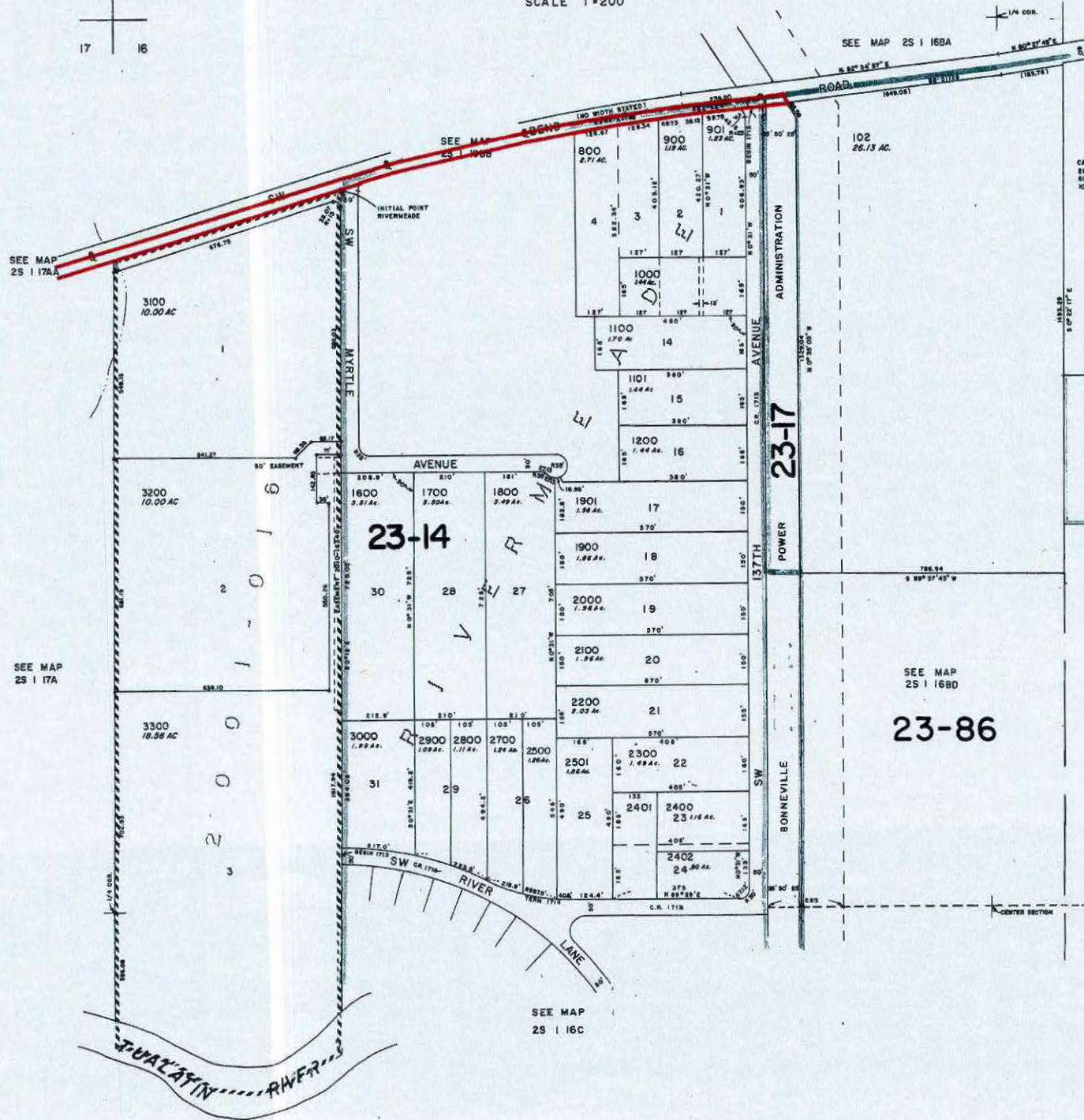
7/20/20 2:15
MAY

NW1/4 SECTION 16 T2S RIW WM.

2S | 16B

WASHINGTON COUNTY OREGON

SCALE 1"=200'



CANCELLED TAX LOT NUMBERS
2800, 800, 300, 302, 400, 401, 800,
800, 750, 1500, 1400, 1800, 800, 102,
900, 300, 150.

SEE MAP
2S | 16AB

SEE MAP
2S | 16BD

SEE MAP
2S | 16AC

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

SEE MAP
2S | 16C

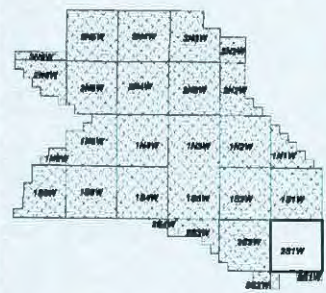
KING CITY
2S | 16B

JAN. 3/8/59



2S 1 16BA

2S 1 16BA



WASHINGTON COUNTY OREGON
NE1/4 NW1/4 SECTION 16 T2S R1W W.M.
SCALE 1" = 100'

30	31	32	33	34	35	36	37
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us

BB	BA	AB	AA
B			A
BC	BD	AC	AD
SECTION 16			
CB	CA	DB	DA
C			D
CC	CD	DC	DD

Cancelled Taxlots For: 2S116BA
300,400.



PLOT DATE: January 03, 2000
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

2S 1 16BA

2S 1 16BA

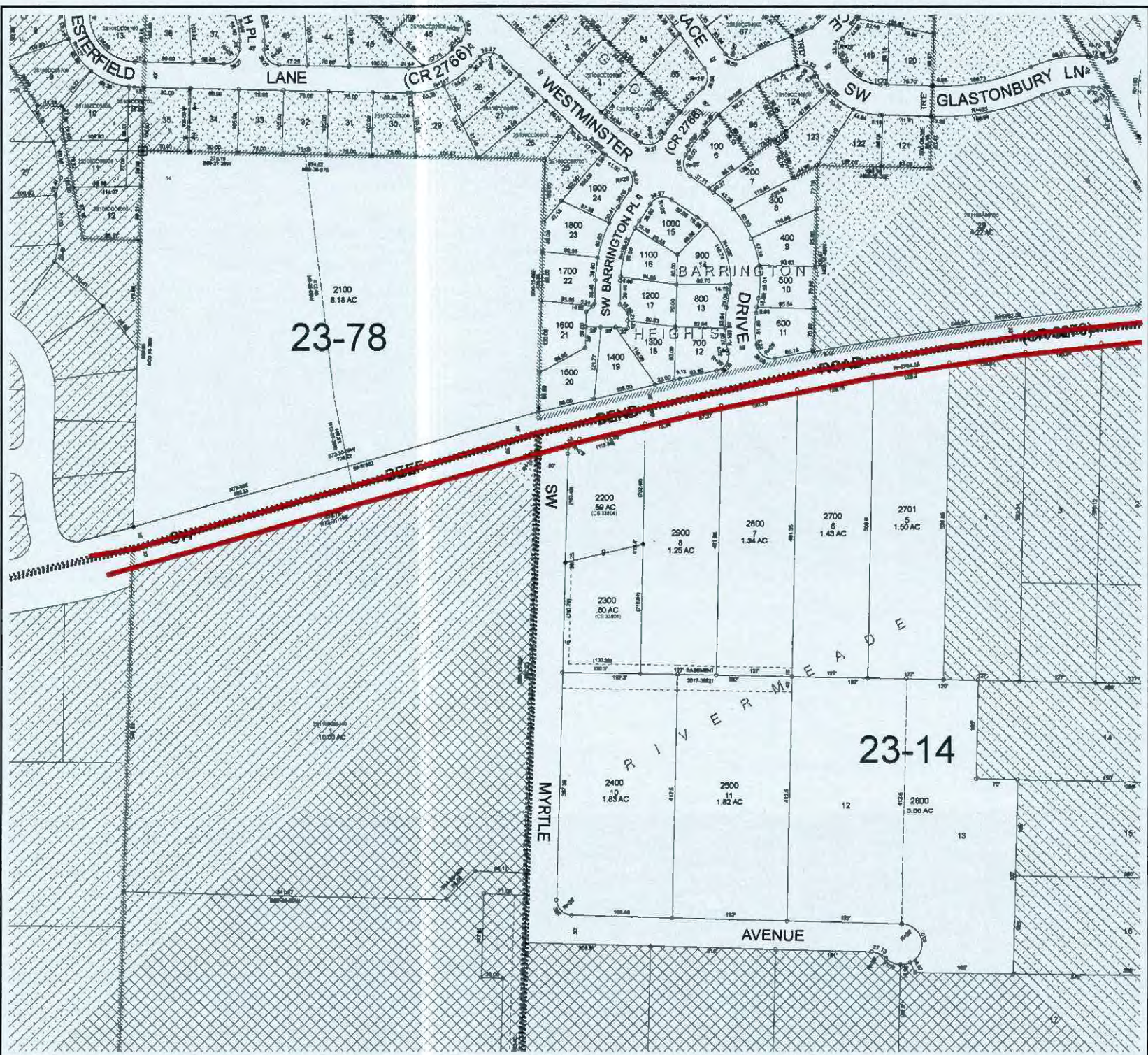
WASHINGTON COUNTY OREGON
NW 1/4 NW 1/4 SECTION 16 T2S R1W
SCALE 1"= 100'



36	37	38	39	40	41
1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

BB	BA	AB	AP
BC	BD	AC	AD
CB	CA	DB	DA
CC	CD	DC	DD

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us



23-78

23-14

Cancelled Taxlots For: 2S116BB
2000

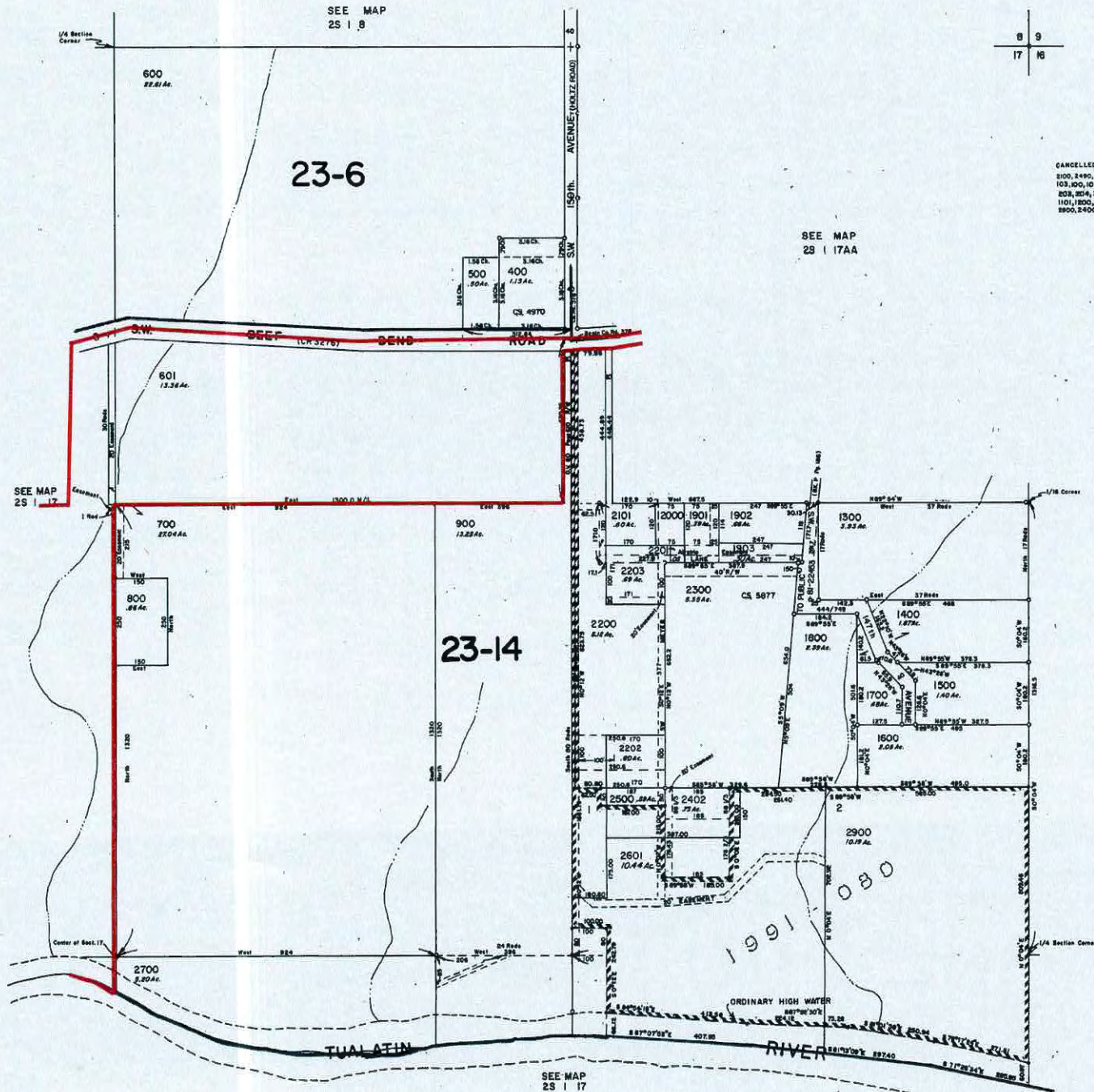


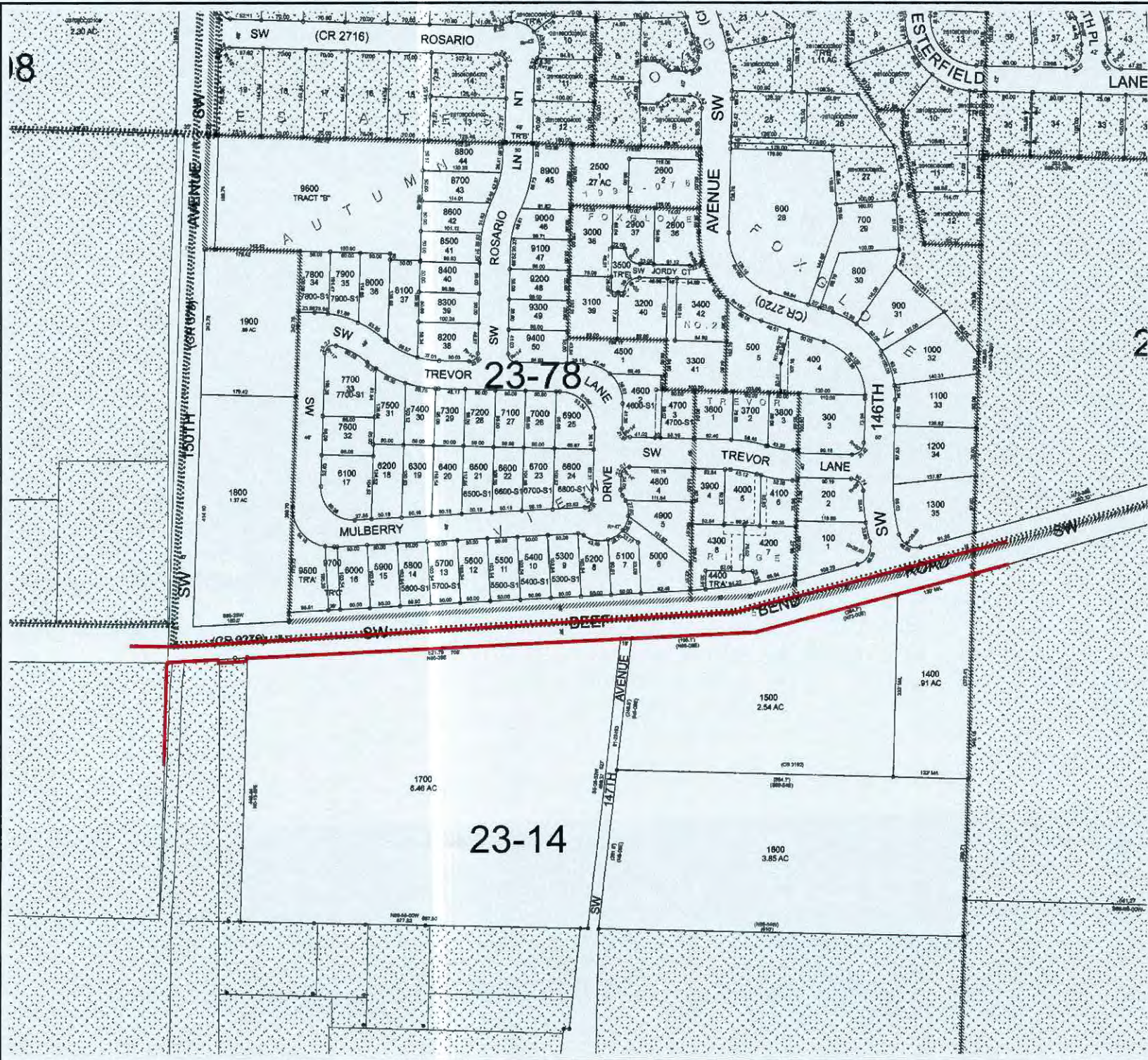
PLAT DATE: 8/30/2022
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

Map areas delineated by either grey shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

N.E. 1/4 SECTION 17 T2S RIW W.M.
WASHINGTON COUNTY OREGON
SCALE 1" = 200'

2S | 17A





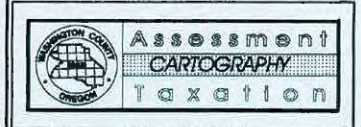
WASHINGTON COUNTY OREGON
 NE 1/4 NE 1/4 SECTION 17 T2S R1W
 SCALE 1"= 100'



34	37	38	39	40	41	42	43	44	45	BB	BA	AB	AA	
16	17	18	19	20	21	22	23	24	25	BC	BD	AC	AD	
46	47	48	49	50	51	52	53	54	55	SECTION 17	CA	CB	DA	DB
26	27	28	29	30	31	32	33	34	35	CC	CD	DC	DD	
14	15	16	17	18	19	20	21	22	23					

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.washingtoncountyor.gov/gis

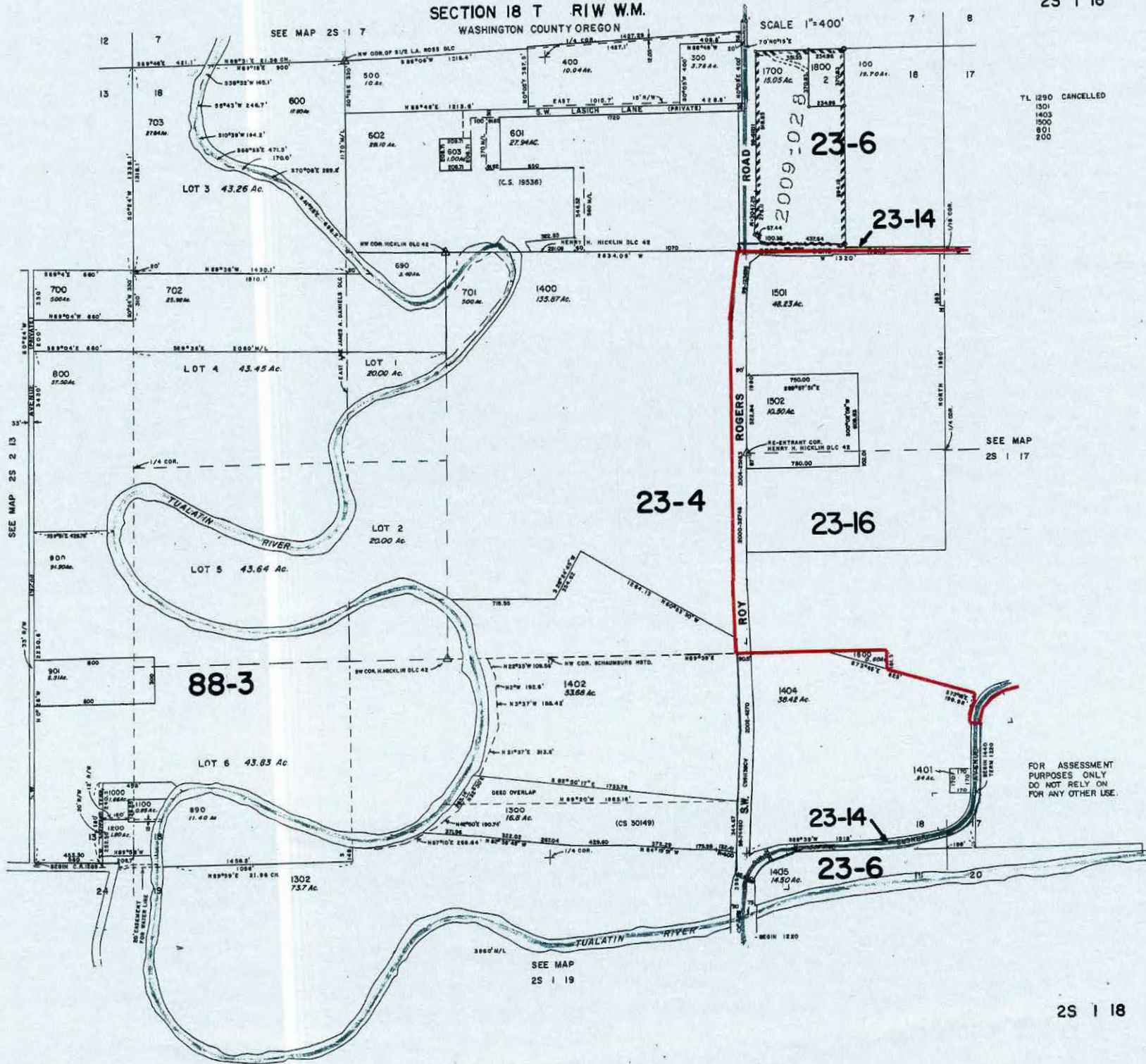
Cancelled Taxlots For: 2S117AA
 2301, 2100, 2201, 2300, 2700, 2000, 2200, 2400



PLOT DATE: 8/25/2023
 Revision: 0
 FOR ASSESSMENT PURPOSES
 ONLY - DO NOT RELY ON
 FOR OTHER USE

Map areas delineated by either grey shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

SECTION 18 T RIW W.M.
WASHINGTON COUNTY OREGON



25 18 9/2/03

CERTIFICATION OF PROPERTY OWNERSHIP
(100% Property Ownership Method)

I hereby certify that the attached petition for a proposed Minor Boundary Change involving the property described in the petition contains 100 percent of the names of owners of the land area within the area to be annexed described in the petition, as shown on the last available complete assessment roll. *

NAME TED FOSTER
TITLE GIS TECH
DEPARTMENT CARTOGRAPHY
COUNTY OF WASHINGTON
DATE 10/3/23

* "Landowner" or "owner of land" means any person shown as the owner of land on the last available assessment roll; however, where such person no longer holds the title to the property, then the terms mean any person entitled to be shown as owner of land on the next assessment roll; or, where land is subject to a written agreement of sale, the terms mean any person shown in the agreement as purchaser to the exclusion of the seller; and the terms include any public agency owning land.

ANNEXATION CERTIFIED
BY TF
OCT 03 2023
WASHINGTON COUNTY A & T
CARTOGRAPHY



**CERTIFICATION OF REGISTERED VOTERS
FOR ANNEXATION PURPOSES***

I hereby certify that the attached petition for the annexation of the territory listed herein to the CITY OF KING CITY contains, as of the date listed, the following information:

- 6 Number of signatures of individuals on petition.
- 1 Number of active **registered voters** within the territory to be annexed.
- 1 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S117A000601 15260 SW Beef Bend Rd

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: October 24, 2023
 NAME: Angie Muller
 TITLE: Senior Administrative Specialist



Angie Muller
 (Signature of Election Official)

*This 'Certification of Registered Voters for Annexation Purposes' DOES NOT, in any way, make the determination if this petition meets the annexation requirements of the city/district listed.

Annexation certification sht rev4-043009



**CERTIFICATION OF REGISTERED VOTERS
FOR ANNEXATION PURPOSES***

I hereby certify that the attached petition for the annexation of the territory listed herein to the CITY OF KING CITY contains, as of the date listed, the following information:

- 2 Number of signatures of individuals on petition.
- 2 Number of active **registered voters** within the territory to be annexed.
- 1 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S1170000203 N/A
2S1170000204 17147 SW Elsner Rd

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: October 24, 2023
 NAME: Angie Muller
 TITLE: Senior Administrative Specialist



Angie Muller
 (Signature of Election Official)

*This 'Certification of Registered Voters for Annexation Purposes' DOES NOT, in any way, make the determination if this petition meets the annexation requirements of the city/district listed.

Annexation certification sht rev4-043009



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- 6 Number of signatures of individuals on petition.
- 2 Number of active **registered voters** within the territory to be annexed.
- 2 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S1170000208 16170 SW Beef Bend Rd
 (no voters) _____
2S1170000208 16180 SW Beef Bend Rd

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: October 24, 2023
 NAME: Angie Muller
 TITLE: Senior Administrative Specialist



Angie Muller
 (Signature of Election Official)

*This 'Certification of Registered Voters for Annexation Purposes' DOES NOT, in any way, make the determination if this petition meets the annexation requirements of the city/district listed.

Annexation certification sht rev4-043009

Department of Assessment & Taxation, Elections Division

3700 SW Murray Blvd. Suite 101 Beaverton OR 97005 Phone: 503/846-5800 Fax: 503/846-5810

Email: election@co.washington.or.us Website: www.co.washington.or.us/elections



**CERTIFICATION OF REGISTERED VOTERS
FOR ANNEXATION PURPOSES***

I hereby certify that the attached petition for the annexation of the territory listed herein to the CITY OF KING CITY contains, as of the date listed, the following information:

- 4 Number of signatures of individuals on petition.
- 0 Number of active **registered voters** within the territory to be annexed.
- 0 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S1170000400 N/A

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: October 6, 2023
 NAME: Angie Muller
 TITLE: Senior Administrative Specialist



Angie Muller
 (Signature of Election Official)

*This 'Certification of Registered Voters for Annexation Purposes' DOES NOT, in any way, make the determination if this petition meets the annexation requirements of the city/district listed.

Annexation certification sht rev4-043009



**CERTIFICATION OF REGISTERED VOTERS
FOR ANNEXATION PURPOSES***

I hereby certify that the attached petition for the annexation of the territory listed herein to the CITY OF KING CITY contains, as of the date listed, the following information:

- 0 Number of signatures of individuals on petition.
- 0 Number of active **registered voters** within the territory to be annexed.
- 0 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S1170001000 15822 SW Beef Bend Rd

DIVISION: ELECTIONS
COUNTY: WASHINGTON
DATE: October 6, 2023
NAME: Angie Muller
TITLE: Senior Administrative Specialist



Angie Muller
(Signature of Election Official)

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Annexation certification sht rev4-043009



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FOR ANNEXATION PURPOSES***

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- 0 Number of signatures of individuals on petition.
- 0 Number of active **registered voters** within the territory to be annexed.
- 0 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S1180001501 17158 SW Roy Rogers Rd
2S1180001501 16282/16300 SW Beef Bend Rd

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: October 6, 2023
 NAME: Angie Muller
 TITLE: Senior Administrative Specialist



Angie Muller
 (Signature of Election Official)

*This 'Certification of Registered Voters for Annexation Purposes' DOES NOT, in any way, make the determination if this petition meets the annexation requirements of the city/district listed.

Annexation certification sht rev4-043009

Department of Assessment & Taxation, Elections Division

3700 SW Murray Blvd. Suite 101 Beaverton OR 97005 Phone: 503/846-5800 Fax: 503/846-5810

Email: election@co.washington.or.us Website: www.co.washington.or.us/elections



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FOR ANNEXATION PURPOSES***

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- 0 Number of signatures of individuals on petition.
- 0 Number of active **registered voters** within the territory to be annexed.
- 0 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S11801502 16920 SW Roy Rogers Rd

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: October 6, 2023
 NAME: Angie Muller
 TITLE: Senior Administrative Specialist



Angie Muller
 (Signature of Election Official)

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Annexation certification sht rev4-043009

EXHIBIT B

City Council Adopts the Planning Commission Recommendation and Additional Findings in regards to the "Reasonableness Standard" and provided by the applicant attached hereto:



MEMORANDUM

DATE: January 16, 2024

TO: Mike Weston, City Manager
Max Carter, City Planner
Keith Liden, Contract Planner
King City

CC: Fred Gast, Partner & President, Oregon Division
Pam Verdadero, VP, Acquisitions & Entitlements
New Home Co.

FROM: Stacy Connery, AICP
Maureen Jackson, AICP

RE: Kingston Terrace Town Center Annexation
Ordinance # 0-2023-06, King City Land Use File LU #23-08

PCD is submitting this supplemental memo in response to the comments submitted by Ken Dobson on behalf of Mike Meyer regarding the Kingston Terrace Town Center annexation, Land Use File LU # 23-08. In the letter dated January 9, 2024, Mr. Dobson argues that the Kingston Terrace Master Plan (KTMP) does not comply with Statewide Land Use Planning Goal 5 and that rezoning of the property opens the “*area to new conflicting uses*”.

As Mr. Dobson notes, upon annexation the zoning designation of the property will be changed from Future Development, 20-acres (FD-20) to the appropriate Kingston Terrace zone (i.e. KTTC, KTBB, or KTC). However, annexation in and of itself does not result in conflicting uses. Future development or change of use of the annexed property is required to conform to the requirements and standards of Title 16 of King City’s Municipal Code.

Ordinance No. 2023-04, adopted October 18, 2023, amended the Municipal Code to include Chapter 16.114 - Kingston Terrace District Code and protections to natural resources within the Kingston Terrace District. Proposed development within the annexed area will be subject to the standards of Section 16.114.080 - Kingston Terrace District Goal 5 Safe Harbor Review and Section 16.114.090 - Upland Wildlife Habitat Conservation Areas. Applications for proposed development or change in use within the Kingston Terrace District boundary will be reviewed and administered through the Development Plan Review Process detailed in Section 16.114.150.

Submittal requirements for a Development Review Plan include site analysis drawings that identify the location of natural resources areas including Class A and B Upland Wildlife Habitat conservation Areas, Class I and II riparian areas, wetlands, trees larger than 6-inches dbh, streams, and waterways. In accordance to Sections 16.114.080.F. and 16.114.090.F, any proposed development located on property identified to include a Locally Significant Wetland

(LSW), or within 100-feet of an LSW, will trigger a Goal safe harbor review, and development located on a lot that includes or is within 100-feet of an Upland Wildlife Habitat Conservation Area (HCA) is subject to an Upland HCA review.

As noted in purpose section of the Goal 5 and HCA Code, King City's regulations are intended to supplement requirements enforced by Clean Water Services (CWS), Oregon Division of State Lands (DSL), and federal agencies that have jurisdiction over the resources. Development Plan Review applications that propose impacts to wetlands determined not to be locally significant are required to demonstrate approval from the applicable agencies.

Thank you.

Conclusionary Findings Annexation Application

Ordinance # 0-2023-06

LU# 23-08

Annexation of 215.90 acres of land including tax lots 2S11801501, 2S11801502, 2S11700208, 2S11700203, 2S11700400, 2S11701000, and 2S117A0601, and rights-of-way including SW Beef Bend Road between 137th Avenue and SW Roy Rogers Road south of the centerline, and SW Beef Bend Road and SW Elsner Road adjacent to the properties proposed for annexation.

The applicant's project narrative in which the staff report is based, demonstrates compliance with applicable local, regional, and state criteria for a King City "Double Majority" Jurisdictional Boundary Change. In response to public comments received, the applicant provided further evidence in the form of written and oral testimony that demonstrates the following:

- **Consent was obtained from all affected property owners.** The applicant requested approval of a "double majority" annexation pursuant to ORS 222.170(2). Under the "double majority" annexation method written consent must be obtained from owners of more than half of the land in the territory, and a majority of the electors registered in the territory to be annexed. The Double Majority Worksheet provided in Exhibit J and the Certification of Property Ownership provided by Washington County's Cartographer, in Exhibit G, demonstrate that the owners of 100% of land within the territory to be annexed have consented to the annexation, excluding the right-of-way. Inclusion of the SW Beef Bend Road right-of-way, an area less than 15-acres, in the "double majority" calculation results in written consent from owners for more than 93% of the land in the territory. The Certification of Registered Voters provided by Washington County's elections office, in Exhibit I, demonstrates that 80% of the electors registered in the territory have consented to the annexation. Inclusion of the right-of-way does not impact the percent of electors registered in the territory who have consented to the annexation, as there are no electors registered within the right-of-way.
- **The proposed "cherry stem" annexation is reasonable.** The "reasonableness" standard applied to annexation in Oregon is imposed on a case-by-case basis, based on the facts of each case. Since the UGB expansion by Metro in 2018, the area has been specifically identified to accommodate planned growth and provide "needed housing". The annexation has been submitted to facilitate development of the Terrace Town Center neighborhood located in the north-western portion of the Kingston Terrace Master Plan area, which is where public infrastructure construction must begin to support the planned development. The adopted Kingston Terrace Master Plan *"envision development to occur in two phases, with more immediate development in the western portion of Kingston Terrace, and slower, more incremental development in the eastern portion over a longer period of time"* (pg. 72). Anticipated to be the densest neighborhood in the master plan area, the Town Center will provide the greatest mix of housing types, largest amount of commercial area, a future municipal site, parks and open space area that will serve the greater community, and transportation and utility infrastructure that will support future development to the south and east.
- **The annexation complies with KCDC 16.192.040(2)(A) which requires the applicant to submit a description of the existing site conditions.** The annexation package includes extensive

information that thoroughly describes the existing conditions of the territory. Supporting exhibits include Wetland Delineation Reports approved by Department of State Lands (DSL) of the subject property (Exhibit L), Oregon Freshwater Wetlands Assessment Method (OFWAM) Report approved DSL (Exhibit M), Floodplain Analysis (Exhibit N), and a thorough written response to the submittal requirement that details the existing land use of the property.

- **The annexation complies with Statewide Land Use Planning Goal 5.** Statewide Planning Goal 5 requires local governments to adopt programs that protect natural resources. King City adopted Ordinance No. 2023-04 on October 18, 2023, which amended the Municipal Code to include Chapter 16.114 – Kingston Terrace District Code. The adopted Code ensures protection to natural resources within the Kingston Terrace District through the standards of Section 16.1114.080 – Kingston Terrace District Goal 5 Safe Harbor Review and Section 16.114.090 - Upland Wildlife Habitat Conservation Areas. Furthermore, the City adopted a local wetland inventory (LWI) for the properties proposed to be annexed under Ordinance # 0-2023-07.
- **The annexation complies with the approval criteria of Municipal Code Section 16.192.050.** The applicant's project narrative in which the staff report is based and supporting exhibits demonstrate the annexation complies with the approval criteria of Section 16.192.050.

Cherry Stem Annexation and “Reasonableness” Standard

Ken Dobson, on behalf of the Meyers, argues that the “cherry stem” annexation is not reasonable and therefore must be rejected. Mr. Dobson is incorrect. Although Oregon courts do impose a “reasonableness” standard on all annexations, reasonableness is based on the facts of each case.

Portland Gen. Elec. Co. v. City of Estacada, 194 Or 145, 159 (1952) “never did, and current law surely does not, support [the] conclusion that all cherry stem annexations are unreasonable *per se*.” *Department of Land Conservation & Dev. v. City of St. Helens*, 138 Or App 222, 227 (1995). As the court explained in *PGE*, reasonableness can be measured by several factors. “Among the factors that the court pointed to in [*PGE*] as favoring a finding of reasonableness are that the contiguous properties ‘represent the actual growth of the town beyond its legal boundary,’ ‘are valuable by reason of their adaptability for prospective town uses,’ or are needed ‘for the extension of its streets or to supply places for the abode or business of its residents.” *Id.*, quoting *PGE*, 194 Or at 165.

As the record demonstrates, the proposed annexation is within an urban growth boundary expansion area adopted by Metro in 2018. The proposed annexation area is wholly within the areas designated by Metro for urban growth, are needed to accommodate housing and commercial needs consistent with Statewide Planning Goals 9 and 10 (economy and housing). Contrary to Mr. Dobson’s argument, there simply is no “standard” that regulates the reasonableness of a cherry stem. Similarly, the “minimal amount of intervening land” which Mr. Dobson underlines, italicizes and places in bold text (apparently to highlight its relevance) is simply not applicable to this annexation. That standard applies to non-contiguous annexations, not contiguous annexations. *DLCD v. City of St. Helens*, 138 Or App at 228.

Mr. Dobson also ignores the fact that the properties adjacent to the cherry stem are free to annex to the city whenever the underlying owners elect to do so. These owners are not being excluded, rather, some are actively trying to delay or prevent the city from expanding into the recognized urban growth boundary in an effort to stop or delay urbanization. Years of planning went into the 2018 UGB expansion by Metro. The area has been specifically identified as an area to accommodate planned growth—including providing areas for “needed housing.” At a point where the entire state is in a recognized housing crisis, it is more than a bit disingenuous to argue that the cherry stem is too long because some property owners along the stem want to prevent urbanization of areas specifically identified for urbanization.

Under the “reasonableness” standards set forth in *PGE*, the annexed areas will “represent the actual growth” of King City as established by the 2018 Metro UGB amendment. The annexed areas are valuable to the city because they are adaptable to urban uses, as demonstrated by the years of planning that preceded the annexation proposal. Lastly, the annexed areas are suitable for the extension of streets, and will provide areas specifically suitable and designated for commercial and residential uses. The city’s annexation clearly meets the “reasonableness” standard set forth in *PGE*.

EXHIBIT B2

Planning Commission recommendation

MEMORANDUM



TO: City Council for King City
FROM: Planning Commission Chair, Ann Marie Paulsen; City Manager; Michael Weston; City Planner, Max Carter
SUBJECT: Planning Commission Recommendations for Annexation of King City Town Center Area
DATE: December 15th, 2023

KING CITY “DOUBLE MAJORITY” JURISDICTIONAL BOUNDARY CHANGE APPROVAL CRITERIA

GENERAL INFORMATION:

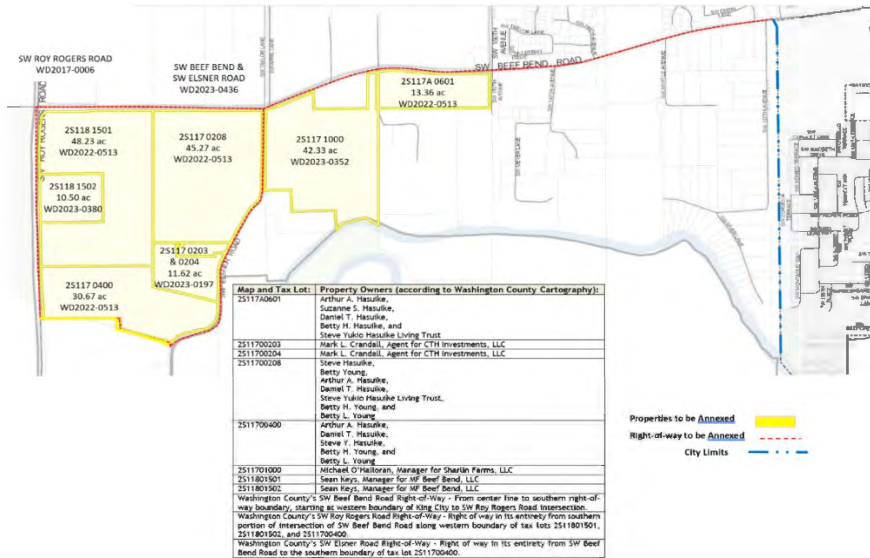
ANNEXATION APPLICATION

ORDINANCE # 0-2023-06

LU# 23-08

AN ANNEXATION APPLICATION TO THE CITY OF KING CITY ON BEHALF OF THE NEW HOME COMPANY. THIS ANNEXATION ENCOMPASSES 215.9 ACRES OF LAND THAT IS CURRENTLY UNDER THE JURISDICTION OF WASHINGTON COUNTY. THIS ALSO INCLUDES THE PORTION OF SW BEEF BEND RD BETWEEN 137TH AVE. AND SW ROY ROGERS RD RIGHT-OF-WAY SOUTH OF CENTERLINE, AND THE RIGHT-OF-WAY FOR SW ROY ROGERS RD. AND SW ELSNER RD. ADJACENT TO THE PROPERTIES PROPOSED FOR ANNEXATION.

AS REQUIRED BY COMMUNITY DEVELOPMENT CODE SECTION 16.192.050 C, THE PROPERTIES SHALL BE REZONED UPON ANNEXATION IN ACCORDANCE WITH THE KINGSTON TERRACE MASTER PLAN FROM WASHINGTON COUNTY FD-20 TO TOWN CENTER NEIGHBORHOOD (AREA BETWEEN ROY ROGERS RD. AND ELSNER RD.), BEEF BEND NEIGHBORHOOD (TAX LOT 2S117A 0601), AND BEEF BEND NEIGHBORHOOD AND CENTRAL NEIGHBORHOOD (TAX LOT 2S117 1000). THE AREA PROPOSED FOR ANNEXATION IS ILLUSTRATED IN THE MAP BELOW.



THE ANNEXATION PROPOSAL (LU#23-08) SHALL BE EVALUATED BASED UPON RELEVANT PORTIONS OF THE FOLLOWING:
THE REQUIREMENTS OF TITLE 16 COMMUNITY DEVELOPMENT CODE
METRO CODE 3.09
THE OREGON REVISED STATUTES
THE KING CITY COMPREHENSIVE PLAN
THE KINGSTON TERRACE MASTER PLAN
WASHINGTON COUNTY – KING CITY URBAN DEVELOPMENT AGREEMENT

ANALYSIS

THE APPLICANT, PACIFIC COMMUNITY DESIGN, HAS PROVIDED APPLICATION MATERIALS, WHICH DEMONSTRATE COMPLIANCE WITH LOCAL, REGIONAL, STATE, AND FEDERAL REQUIREMENTS. STAFF HAS INSERTED SUPPLEMENTAL FINDINGS TO THIS ANALYSIS.

RECOMMENDATION

THE STAFF RECOMMENDS THAT THE PLANNING COMMISSION REVIEWS THESE MATERIALS, CONSIDERS PUBLIC TESTIMONY, AND MAKES A RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL REGARDING THIS ANNEXATION APPLICATION.

STAFF REPORT BASED UPON THE APPLICANT’S NARRATIVE

**KING CITY “DOUBLE MAJORITY” JURISDICTIONAL BOUNDARY CHANGE APPROVAL
CRITERIA**

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Exhibits

1. Exhibit A - Map of Proposed Annexation
2. Exhibit B - Signed Land Use Applications
3. Exhibit C - Preliminary Title Reports
4. Exhibit D - Signed Annexation Petitions
5. Exhibit E - Legal Description and Map of Proposed Annexation
6. Exhibit F - Completed Boundary Change Data Sheet
7. Exhibit G - Certification of Property Ownership
8. Exhibit H - Certification of Legal Description and Map
9. Exhibit I - Certification of Registered Voters
10. Exhibit J - Double Majority Worksheet
11. Exhibit K - Washington County Letter of Concurrence
12. Exhibit L - Wetland Delineation Reports for Subject Property
13. Exhibit M - Oregon Freshwater Wetlands Assessment Method (OFWAM) Report
14. Exhibit N - Floodplain Analysis
15. Exhibit O - Notice List

I. GENERAL INFORMATION

Applicant: The New Home Company
(on behalf of property owners identified below)
15455 Greenbrier Pkwy. Suite 240
Beaverton, Oregon 97006
503-313-7795
Contact: Pam Verdadero, Sr. Vice President

Authorized Representative: Pacific Community Design, Inc.
12564 SW Main Street
Tigard, OR 97223
(503) 941-9484
Contacts: Stacy Connery, AICP
Maureen Jackson, AICP

Site Area: 215.90 acres

County’s Existing Land Use District: Future Development (FD - 20)

Proposed King City Zoning: Town Center (KTTC), Beef Bend Neighborhood (KTBB), and Central Neighborhood (KTC)

Request: “Double Majority” Annexation into the City of King City’s Jurisdictional Boundary

Table 1. Properties Proposed to be Annexed into King City

Map and Tax Lot:	Property Owners (according to Washington County Cartography):
2S117A0601	Arthur A. Hasuike, Suzanne S. Hasuike, Daniel T. Hasuike, Betty H. Hasuike, and Steve Yukio Hasuike Living Trust
2S11700203	Mark L. Crandall, Agent for CTH Investments, LLC
2S11700204	Mark L. Crandall, Agent for CTH Investments, LLC
2S11700208	Steve Hasuike, Betty Young, Arthur A. Hasuike, Daniel T. Hasuike, Steve Yukio Hasuike Living Trust, Betty H. Young, and Betty L. Young
2S11700400	Arthur A. Hasuike, Daniel T. Hasuike, Steve Y. Hasuike, Betty H. Young, and Betty L. Young
2S11701000	Michael O'Halloran, Manager for Sharlin Farms, LLC
2S11801501	Sean Keys, Manager for MF Beef Bend, LLC
2S11801502	Sean Keys, Manager for MF Beef Bend, LLC
Washington County's SW Beef Bend Road Right-of-Way - From center line to southern right-of-way boundary, starting at western boundary of King City to SW Roy Rogers Road intersection.	
Washington County's SW Roy Rogers Road Right-of-Way - Right of way in its entirety from southern portion of intersection of SW Beef Bend Road along western boundary of tax lots 2S11801501, 2S11801502, and 2S11700400.	
Washington County's SW Elsner Road Right-of-Way - Right of way in its entirety from SW Beef Bend Road to the southern boundary of tax lot 2S11700400.	
Map and Tax Lot:	Electors (according to Washington County Elections):
2S117A0601	Kenneth Drysdale
2S11700204	Suzanne Bladey
2S11700208	Nicholas Schlenker Melisa Kaneaster

**II. COMPLIANCE WITH KING CITY COMMUNITY DEVELOPMENT AND ZONING CODE
ANNEXATION APPROVAL CRITERIA**

16.192.020 Applicability of provisions.

The provisions of this chapter apply to all proposals to bring property under Washington County jurisdiction into the City.

Response: On behalf of 100% of the property owners and more than 50% of the active registered voters in the territory, the applicant is requesting property currently under the jurisdiction of Washington County to be annexed into the City of King City. A site map of the proposed annexation is included as Exhibit A for reference. The purpose of the request is to obtain urban services from the City of King City needed to urbanize the area and provide housing as envisioned by Metro when the area was annexed into the Urban Growth Boundary in 2019.

Staff Findings:

This criterion will be satisfied. The staff concurs with the response. Property Owner signatures and affidavits will be submitted with the application.

16.192.030 Administration.

- A. A quasi-judicial annexation application shall be processed through the Type III CC procedure as provided in Section 16.40.030.
- B. A legislative annexation application shall be processed through the Type IV procedure as provided in Section 16.40.040.

Response: The applicant is requesting approval of this legislative annexation application, to be processed through the Type IV procedure, to transfer property currently under the jurisdiction of Washington County into the City of King City and update the zoning designations accordingly.

Staff Findings:

The application will be processed in accordance with the legislative annexation requirements contained within Section 16.40.040 and Chapter 16.192.

This Criterion will be satisfied.

16.192.040 Submittal requirements.

- A. In addition to the application form and information required in Section 16.44.030, the applicant shall submit the following:
 - 1. A site map and necessary data or narrative which explains how the annexation conforms to the approval criteria in Section 16.192.050, and:

Response: Exhibit A illustrates the requested annexation. The following section of this narrative details how the annexation complies with Section 16.192.050.

Staff Findings:

This Criterion is satisfied and the Staff approve of the site map and associated data.

16.192.050 Approval criteria.

A. The city council shall approve or approve with modification an annexation application when it complies with the relevant provisions of:

- 1. Metro Code 3.09;***
- 2. The Oregon Revised Statutes;***
- 3. The comprehensive plan;***
- 4. Kingston Terrace Master Plan;***
- 5. The requirements of this title;***
- 6. Applicable intergovernmental agreements; and***
- 7. Section 16.192.060 for properties to be annexed to the Kingston Terrace District.***

B. The comprehensive plan and zoning designation placed on the property shall conform with the city or Washington County comprehensive plan designation. Where the county comprehensive plan and zoning designation govern, the city shall assign a zoning designation that most closely resembles the county zoning designation.

C. Assignment of comprehensive plan and zoning designations. Assignment of the designation shall occur automatically and concurrently with annexation approval. In the case of land that carries county designations, the City will convert the County's Comprehensive Plan Map and Zoning Designations to the appropriate City designation. Land within the Kingston Terrace Master Plan will receive a designation of Kingston Terrace District.

2. Site information and narrative shall include the following:

- a. A description of the existing site conditions;**

Response: The area to be annexed is made up of contiguous parcels totaling approximately 205.9-acres. The area is contiguous to the City of King City boundary, connected by SW Beef Bend Road right-of-way, which is also proposed for annexation from the centerline to the southern edge of its right-of-way.

The site is located within the City's Kingston Terrace Master Plan area. In 2011 the site was included in an area designated by Metro as Urban Reserve Area (URA) 6D. The site is within the boundary of King City's Concept Plan for URA 6D adopted by the City Council in April 2018, under Resolution Number R-2018-03. The subject properties were annexed into the Metropolitan Service District, brought into the Urban Growth Boundary in December 2019, through Ordinance Number 18-1427. The properties are currently designated Future Development, 20-acres (FD-20) under the Washington County Land Use districts.

The current primary use of the properties is agricultural. Following are the uses and structures located on each property:

- Tax lot 2S117A00601 contains a single-family residence and structures used to support agricultural operation.

- Tax lots 2S11700203 and 204 contain a single-family residence and structures that support an equestrian boarding operation.
- Tax lot 2S11700208 contains a single-family residence and structures used to support agricultural operations.
- Tax lot 2S11700400 contains two structures used to support agricultural operations.
- Tax lot 2S11701000 contains a single structure used to support agricultural operations.
- Tax lot 2S11801501 contains a commercial building and agricultural pond that supports the nursery operation.
- Tax lot 2S11801502 contains Al’s Garden Center, an active commercial nursery enterprise.

Floodplain and wetland areas were also identified on the site. Exhibit N is a floodplain analysis prepared in accordance with Washington County’s Development Code Section 421 - Floodplain and Drainage Hazard Area Development. Also Included are copies of wetland delineation reports as Exhibit L that were submitted to the Department of State Lands detailed in Table 2 and a wetland assessment report prepared in accordance with Oregon Freshwater Wetland Assessment Methodology (OFWAM). As noted on page 8 in the report, the property proposed to be annexed includes 4 wetlands (KT-C, KT-D, SF-B, and SF-C+D+E) determined to be locally significant and subject to the requirements of Section 16.192.060.

Table 2. Wetland Delineation Detail

Map and Tax Lot:	DSL File Number	Status
2S117A0601	WD2022-0513	Concurrence Granted April 19, 2023
2S11700203	WD2023-0197	Concurrence Granted August 10, 2023
2S11700204	WD2023-0197	Concurrence Granted August 10, 2023
2S11700208	WD2022-0513	Concurrence Granted April 19, 2023
2S11700400	WD2022-0513	Concurrence Granted April 19, 2023
2S11701000	WD2023-0352	Concurrence Granted October 26, 2023
2S11801501	WD2022-0513	Concurrence Granted April 19, 2023
2S11801502	WD2023-0380	Concurrence Granted October 9, 2023
SW Roy Rogers	WD2017-0006	Concurrence Granted April 17, 2017
SW Beef Bend & SW Elsner Road	WD2023-0436	Concurrence Granted November 22, 2023

Inventory of Goal 5 resources completed through the Kingston Terrace concept and master planning process identifies the Gustave Plieth Residence located on tax lot 2S11700208. Current zoning of the property includes Washington County’s Cultural Resource Overlay District applied to the Plieth residence and various outbuildings identified on record number 115/409. The resource is not listed on the National Register of Historic Places.

Based on information available, Oregon Administrative Rule Chapter 660 Division 16 - *Requirements and Application Procedures for Complying with Statewide Goal 5* permits local governments to “*determine that a particular resource site is not important enough to warrant inclusion on the plan inventory, or is not required to be included in the inventory based on the specific Goal standards. No further action need be taken with*

regard to these sites. The local government is not required to justify in its comprehensive plan a decision not to include a particular site in the plan inventory” (OAR 660-016-0000(5)(a)). With the goal of providing at least 3,300 dwelling units in the Kingston Terrace Planning Area and a high-density, mixed-use main street/ town center neighborhood, King City’s comprehensive plan was not amended to include the Plieth residence in the city’s Goal 5 inventory. Rezoning of the property in accordance with the Comprehensive Plan and Kingston Terrace Master Plan effectively removes the Cultural Resource Overlay District designation.

The Kingston Terrace Master Plan identifies the annexed properties to be suitable for high density uses. The tax lots being proposed for annexation will be developed to provide attached and detached single-family housing, mixed-use buildings with multi-family above commercial and retail, commercial buildings, municipal buildings, and public parks and open spaces.

Staff Findings:

This Criterion is satisfied. The staff concurs. A decision has been by the City determining that the Plieth Residence is not historically significant enough to warrant inclusion on the plan inventory and is not required to be included in the inventory based on specific Goal standards. Renovation and upkeep of the Plieth residence is not justified fiscally, nor logistically in line with development goals outlined in the Kingston Terrace Master Plan.

Through the Kingston Terrace master planning process, the City has determined future development of the site of the Plieth Residence provides a higher-value with high-density residential development than the existing buildings which have been determined by SWCA Environmental Consultants’ Cultural Resources Inventory to be not-eligible for listing on the National Register of Historic Places and not contributing historic, cultural, or architectural significance. Located within the Kingston Terrace Town Center Neighborhood Zone, development of the site has been determined to be necessary to contribute to the minimum residential density requirement of 22-units per net acre and development of the backbone street network.

16.192.060 Kingston Terrace District Protection of Locally Significant Wetlands. Applicability. The regulations of this Section 16.192.060 shall be applicable to all properties included within the Kingston Terrace planning area. This area contains approximately 528-acres, located south of Beef Bend Road, east of Roy Rogers Road, and north of the Tualatin River between 137th Avenue and Roy Rogers Road. This area is shown on the comprehensive plan and zoning maps.

Purpose. The purpose of Section 16.192.060 is to establish:

- 1. Procedures and criteria for the adoption of the Local Wetlands Inventories (LWIs) and list of Locally Significant Wetlands (LSW) for the Kingston Terrace District consistent with OAR 660-023-0100; and***

2. The implementation of a Goal 5 program to protect LSW through adoption of one or both of the following:

- a. A program to achieve the goal, as identified by an ESEE analysis meeting the requirements of OAR 660-023-0040 and 660-023-0050;**
- b. A safe harbor ordinance.**

Application Procedures. The application shall include the LWI products developed in accordance with OAR 141-180-through 0350 that have been submitted to Department of State Lands for review.

EXHIBIT A - DRAFT TITLE 16 COMMUNITY DEVELOPMENT CODE AMENDMENTS 119

Notice Requirements. Upon receipt of all required application materials, including those set forth above in Section 16.192.040, the City shall provide public notice of the LWI consistent with Section 8.02 of the King City Charter of 2006 and Chapter 16.48. The notice shall state that comments on the proposed LWI must be received by the City no later than fourteen (14) days after the date of mailing of the public notice. The City shall forward any comments received regarding the LWI to the Oregon Department of State Lands consistent with the requirements of OAR 141-086-0228.

Adoption of Local Wetlands Inventory. The City shall not schedule a public hearing for adoption of a Kingston Terrace LWI until the City has received a letter of approval for the LWI from the Department of State Lands pursuant to OAR 141-086-0228(5).

Landowner Notification. When the LWI is approved by Oregon Department of State Lands, the City shall notify by mail within 120 calendar days all landowners of record whose parcel contains or abuts a mapped wetland or probable wetland. The City shall provide a copy of the landowner notification letter to the Oregon Department of State Lands consistent with the requirements of OAR 141-086-0240(2).

Public Hearing Notice. Upon receipt of a letter of approval from the Department of State Lands pursuant to OAR 141-086-0228(5), the City shall schedule a public hearing for the first reading of an ordinance adopting the LWI. Notice of the public hearings shall be as set forth in Section 8.02 of the King City Charter of 2006 and Chapter 16.48.

Local Wetlands Inventory. The ordinance adopting the LWI shall include a map identifying the location of the inventoried wetlands, including any wetlands designated as LSW pursuant to OAR 141-086-0350, and all associated inventory materials. The LWI shall be consistent with the letter of approval from the Department of State Lands pursuant to OAR 141-086-0228(5). The ordinance shall also revise the map in Section 16.114.080 to include the inventoried locally significant wetlands associated with the subject LWI. The ordinance adopting the LWI and map of inventoried wetlands in Section 16.114.080 shall thereafter constitute a part of the City's LWI as required by OAR 660-023-0100.

Annexation. The city shall not adopt an ordinance for annexation of a property to the city into the Kingston Terrace District before the LWI that includes the subject property and that meets the requirements set forth in Section 16.192.060(E) is adopted.

Locally Significant Wetlands. Properties annexed to City in the Kingston Terrace District, and which contain or are within 100 feet of LSW pursuant to OAR 141-086-0350 shall be subject to one of the following:

- 1. The Kingston Terrace Wetland Safe Harbor provisions in Section 16.114.080; or**
- 2. Land use regulations adopted by the city as a program to achieve Goal 5, as identified by an ESEE analysis meeting the requirements of OAR 660-023-0040 and 660-023-0050.**

The Local Wetland Inventory and associated Oregon Freshwater Wetland Assessment Methodology has been performed by SWCA Environmental Consultants and submitted to the Department of State Lands and Conservation (DLCD) for review. Submittal of notice to the

DLCD was produced 35 days prior to the public hearing of the Planning Commission, scheduled for December, 6th 2023. Public notice has been sent out 21 days prior to the public hearing, and a published notice will be made available 14 days prior to the public hearing in accordance with ORS 192.640.

b. The comprehensive plan and zoning designations sought; and

Response: The applicant is requesting the following comprehensive plan and zoning designations to be applied upon annexation:

Table 3. Comprehensive Plan and Zoning Designations Sought

Map and Tax Lot:	Comprehensive Plan: Kingston Terrace -	Zoning Designation: Kingston Terrace -
2S117A0601	Beef Bend Neighborhood (KTBB)	Beef Bend Neighborhood (KTBB)
2S11700203	Town Center (KTTC)	Town Center (KTTC)
2S11700204	Town Center (KTTC)	Town Center (KTTC)
2S11700208	Town Center (KTTC)	Town Center (KTTC)
2S11700400	Town Center (KTTC)	Town Center (KTTC)
2S11701000	Beef Bend Neighborhood (KTBB), and Central Neighborhood (KTC)	Beef Bend Neighborhood (KTBB), and Central Neighborhood (KTC)
2S11801501	Town Center (KTTC)	Town Center (KTTC)
2S11801502	Town Center (KTTC)	Town Center (KTTC)

Staff Findings:

This Criterion is satisfied, the Staff concurs with the zoning designation provided.

c. A copy of all existing restrictions or covenants.

Response: Exhibit C shows the preliminary title reports for each tax lot which demonstrate that there are no restrictions or covenants that preclude development of the property consistent with the comprehensive plan or zoning designations.

Staff Findings:

This Criterion is satisfied, the Staff concurs with the findings in the Title Report written by First American Title, detailed in Exhibit C.

B. For annexation into the Kingston Terrace District, one of the of the following:

1. An adopted Local Wetlands Inventory (LWI) that includes the subject property; or
2. A Department of State Lands approved Local Wetland Inventory (LWI) that includes the subject property;

3. Proof that Department of State Lands is currently reviewing a proposed LWI that includes the subject property together with the materials submitted to the Department of State Lands in connection with such inventory.

Response: The applicant has submitted an application to the City requesting adoption of a Local Wetland Inventory (LWI) for the subject properties. Adoption of the LWI will occur prior to approval of this annexation.

Due to the delay in identifying a need for a LWI and interest from property owners to annex for the purpose of furthering development to provide needed housing, Oregon Department of State Land (DSL) agreed that the existing approved wetland delineations and an approved Oregon Freshwater Wetland Assessment Methodology (OFWAM) report would comprise the first phase of a LWI for Kingston Terrace. Included as Exhibit L are copies of the wetland delineation reports submitted to the Department of State Lands detailed in Table 2 on page 4 of this report. Also included as Exhibit M is the OFWAM report prepared by C. Mirth Walker, Senior Wetland Scientist with SWCA Environmental Consultants. As noted on page 8 in the report, the property proposed to be annexed includes 4 wetlands (KT-C, KT-D, SF-B, and SF-C+D+E) subject to the local wetland inventory requirements of OAR 660-023-0100. The OFWAM report was submitted to Oregon Department of State Lands on September 21, 2023 and is currently under review.

Staff Findings:

This criterion is satisfied, the Staff concurs with the documents submitted to the Department of State Lands, the Wetland delineation was approved on April 19th, 2023. It is confirmed that the Kingston Terrace Town Center Oregon Freshwater Wetlands Assessment Method Report (OFWAM) is currently under review by the Department of State Lands. As of the date of this report, the annexation application is contingent upon the approval of the LWI by the Department of State Lands

- C. The manager may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.
- D. The manager may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

Response: The applicant will provide additional required information upon request from the city manager.

Staff Findings:

This criterion is satisfied.

16.192.050 Approval criteria.

A. The city council shall approve or approve with modification an annexation application when it complies with the relevant provisions of:

1. Metro Code 3.09;

Response: The applicant is requesting approval of an annexation through an expedited process subject to the provisions of Metro Code Section 3.09.045 (D) and (E) (Local Government Boundary Changes). Responses demonstrating compliance with these requirements are provided in Section III of this narrative.

Staff Findings:

This Criterion will be satisfied. Metro Code Section 3.09.045.D.e “any applicable comprehensive plan (The King City Comprehensive Plan), The proposed annexation territory is within the UGB in accordance with Metro Code Section 3.09.045.E.

2. The Oregon Revised Statutes;

Response: Oregon Revised Statutes (ORS) Chapter 222 - City Boundary Changes; Consolidations; Withdrawals is applicable to annexations. The sections of ORS 222 that are applicable to this annexation are addressed in Section IV of this narrative.

Staff Findings:

This Criterion is satisfied. Refer to section IV of this narrative for specific details on the sections of ORS 222 that are applicable, addressed, and adhered to.

3. The comprehensive plan;

Response: Compliance with the City’s Comprehensive Plan policies for the Kingston Terrace Planning Area adopted in July 2023 is demonstrated Section V of this narrative.

Staff Findings:

This Criterion is satisfied. Refer to section V of this narrative for specific details on the sections of the King City Comprehensive Plan that are applicable, addressed, and adhered to.

4. Kingston Terrace Master Plan;

Response: The provision of the Kingston Terrace Master Plan (KTMP) relevant to this annexation is the “Implementation” section which identifies four requirements (p. 92). Compliance with those requirements provided in Section VI of this narrative.

Staff Findings:

This Criterion is satisfied. Refer to section VI of this narrative for specific details on the sections of the King City Comprehensive Plan that are applicable, addressed, and adhered to.

5. The requirements of this title; and

Response: This narrative and the supporting documents demonstrate compliance with the requirements of this title.

Staff Findings:

This Criterion is satisfied. The Staff concur that the appropriate documents have been submitted to King City for review before the Planning Commission and City Council.

6. Applicable intergovernmental agreements; and

Response: The requested annexation is subject to Section II.D. of the Washington County - King City Urban Planning Area Agreement (BCC 19-0226). Section VII. of this narrative provides responses that demonstrate compliance with the agreement.

Staff Findings:

This Criterion is satisfied. Refer to section VII of this narrative for specific details on the sections of the King City Comprehensive Plan that are applicable, addressed, and adhered to.

7. Section 16.192.060 for properties to be annexed into the Kingston Terrace District.

Response: Compliance with the requirements of Section 16.192.060 is demonstrated in the following section of this narrative.

Staff Findings:

This Criterion is satisfied. Refer to section to the next section of this narrative for specific details on the section adherence to 16.192.060.

- B. The comprehensive plan and zoning designation placed on the property shall conform with the city or Washington County comprehensive plan designation. Where the county comprehensive plan and zoning designation govern, the city shall assign a zoning designation that most closely resembles the county zoning designation.

Response: The subject properties are currently zoned FD-20 by the County, which identifies an interim use until the City undergoes plan and zone designations. Pursuant to the Kingston Terrace Master Plan, the properties will receive a zoning designation of Kingston Terrace District upon annexation. The comprehensive plan and zoning designations sought are identified Table 3 of this narrative, in response to CDC Section 16.192.040.A.2.b.

Staff Findings:

This Criterion is satisfied. Refer to section to table 3 of this narrative for specific details on the section adherence to CDC 16.192.050 (B)

- C. Assignment of comprehensive plan and zoning designations. Assignment of the designation shall occur automatically and concurrently with annexation approval. In the case of land that carries county designations, the City will convert the County's Comprehensive Plan Map and Zoning Designations to the appropriate City designation. Land within the Kingston Terrace Master Plan will receive a designation of Kingston Terrace District.

Response: The applicant is requesting the zoning designations identified in Table 3 of this narrative, in response to CDC Section 16.192.040.A.2.b., to be applied upon approval of annexation.

Staff Findings:

This Criterion is satisfied. Refer to section to table 3 of this narrative for specific details on the section adherence to CDC 16.192.050 (B)

16.192.60 Kingston Terrace District Local Wetlands Inventory Provisions.

Response: The applicant has submitted an application to the City requesting adoption of a Local Wetland Inventory (LWI) for the subject properties. The application demonstrates compliance with the requirements of Section 16.192.60. Adoption of the LWI will occur prior to approval of this annexation.

Properties proposed to be annexed are located within Kingston Terrace District boundary. Exhibit M wetland assessment report prepared in accordance with Oregon Freshwater Wetland Assessment Methodology (OFWAM) identifies 4 wetlands (KT-C, KT-D, SF-B, and SF-C+D+E) on the properties proposed to be annexed that are subject to the local wetland inventory requirements of OAR 660-023-0100; therefore, development of the property that results in an impact to these wetlands will be subject to the requirements of Section 16.114.080 Kingston Terrace District Goal 5 Safe Harbor Review. Compliance with the Safe Harbor Review code will be demonstrated at the time of Development Plan Review.

Staff Findings:

This Criterion will be satisfied at the time of the City Council vote on adoption of LU #23-09; Ordinance 2023-07. The annexation application is contingent on the status of adoption of the LWI. At the time of this report, the LWI is currently under review by the Department of State Lands.

III. COMPLIANCE WITH METRO CODE SECTION 3.09

Metro Code Section 3.09.045(D) & (E):

Response: The applicant is requesting approval of an annexation through an expedited process subject to the provisions of Metro Code Section 3.09.045 (D) and (E) (Local Government Boundary Changes). The following responses demonstrate compliance with these requirements:

D. To approve a boundary change through an expedited process, the city shall:

(1) Find that the change is consistent with expressly applicable provisions in:

(A) Any applicable urban service agreement adopted pursuant to ORS 195.065;

Response: The Washington County - King City Urban Planning Area Agreement (UPAA) is applicable to this application. The UPAA between the city and the county provides coordination of comprehensive planning and development, defines the area of interest, and includes policies with respect to the active planning area and annexation. The UPAA designates the properties proposed to be annexed as Urban Reserve Planning Area (BCC 19-0226). Compliance with the applicable requirements of the intergovernmental agreement is demonstrated later in this narrative.

The boundary of the 2007 King City Urban Service Agreement between the city, Washington County, Metro, Tigard Water District (TWD), Clean Water Services (CWS) for sewer and stormwater, TriMet for transit, and Tualatin Valley Fire and Rescue (TVF&R) for emergency services does not include properties proposed to be annexed; therefore, the agreement is not applicable to this request.

Staff Findings

This criterion is satisfied. BCC19-0226 is the relevant urban planning area agreement between King City and Washington county.

(B) Any applicable annexation plan adopted pursuant to ORS 195.205;

Response: There is no applicable annexation plan. ORS 195.205 defines the process for annexation initiated by a city or urban service district. The request to annex the property is being initiated by the property owners; therefore, the statute is not applicable.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

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

Response: The subject properties are not currently included in the boundary of the 2007 King City Urban Service Agreement between the City, Washington County, Metro, TWD, CWS, TriMet, or TVF&R. Thus, there is no currently applicable planning agreement between the affected entity and a necessary party. Through the concept and master planning process, the city has coordinated with these agencies and jurisdictions to ensure adequate capacity is available to serve the entirety of the Kingston Terrace planning area, including the subject properties. Upon annexation to the city the property owners will work to annex the site into the CWS service area. Service provider letters and plans depicting how the sites will be served will be included in subsequent development plan review applications.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

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

Response: Public facility plans applicable to the subject properties include: King City's Transportation System Plan, and Clean Water Services' East Basin Master Plan.

King City recently adopted their Transportation System Plan in June 2023 as LU File #23-01 which provides approximate location and desired improvements to existing facilities. Future development of the properties proposed to be annexed will provide the following public transportation and improvements based upon the needs identified in the City's Transportation System Plan and the Kingston Terrace Master Plan:

- Improvements to Washington County arterial roads, SW Beef Bend and SW Roy Rogers including pedestrian and bicycle facilities and enhanced intersections.
- Urbanization of existing collector, SW Elsner Road, with improvements that include bicycle and pedestrian facilities.
- Extension of SW River Terrace Boulevard, collector, designed to support a multi-modal main street corridor.
- East-west collector, from SW Roy Rogers to SW Elsner roads, designed to extend eastward through the residential neighborhoods of Kingston Terrace.
- Roundabouts, traffic circles, and enhanced intersections designed to improve the safety of pedestrians and bicycles into and through the Town Center neighborhood.

Clean Water Services' (CWS) East Basin Master Plan notes "the District engaged in a collaborative process" with King City "to coordinate on master planning goals and timing of development." CWS's River Terrace South Pump Station is located in the southwest corner of tax lot 2S11700400. As noted in the Kingston Terrace Master Plan (KTMP), "the station is designed to serve the western portion of the KTMP area along with upslope areas on the south and west side of Bull Mountain. It also currently serves as a regional pump station to convey flows from the River Terrace and Cooper Mountain developments north of the KTMP planning area. A force main connects the pump station to the CWS' regional gravity sanitary sewer system by traversing north along SW Roy Rogers Road, then east along SW Beef Bend Road, discharging to a manhole near SW Myrtle Avenue. In the future, as development continues in the region, CWS will construct new conveyance facilities to reroute flows around the River Terrace South Pump Station. This will free up pump station capacity to serve additional development in the sewer service area, including full buildout of the KTMP planning area" (p. 70). Annexation of the property will allow incremental capacity upgrades as well as new conveyance facilities planned by CWS that will allow the River Terrace South Pump station to have more capacity to service the entire master plan area; therefore, annexation allowing for the inclusion of this site is integral to the timeliness of sanitary sewer provision.

Staff Findings

This criterion is satisfied. The staff concurs with the response above based upon TSP Information.

The King City TSP is a long-range plan to guide transportation investments within the City's planning area through the future horizon year of 2040. These transportation system improvements address current deficiencies and serve future local and regional needs, and align with the community's goals, objectives, and vision for the future. This TSP was developed through community and stakeholder input and is based on the City's transportation system needs, opportunities, and anticipated available funding.

In compliance with state and regional requirements OAR 660-011, OAR 660-012 and METRO 3.09.045(D), King City has created a Transportation System Plan, which will be used to make strategic decisions about transportation system investments, to support grant applications to fund future projects, and to ensure that projects are built in coordination with land use actions and future development, particularly in Kingston Terrace. Any applicable comprehensive plan and;

(E) Any applicable comprehensive plan and;

Response: The subject properties are located within King City and are subject to the King City Comprehensive Plan. Compliance with the applicable comprehensive plan policies is demonstrated later in this narrative.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

(F) Any applicable concept plan and;

Response: The subject properties are included within the King City Urban Reserve Area (URA) 6D Concept Plan. In accordance with Section 7, Next Steps of the Concept Plan, the following planning processes, required to be completed prior to initiation of annexation by property owners, have been completed as noted below:

- Concept Plan: The King City Urban Reserve Area 6D Concept Plan was adopted by the City Council on Resolution No. R-2018-03.
- Inclusion of the Urban Reserve Area 6D into Metro’s Urban Growth Boundary (UGB): Metro adopted Ordinance No. 18-1427 which amended the UGB to include URA 6D.
- Transportation System Plan (TSP): Metro’s approval of the UGB expansion required King City to complete a Transportation System plan. King City’s City Council adopted the TSP on Ordinance No. 2023-01.
- Master Plan: King City’s City Council adopted the Kingston Terrace Master Plan on Ordinance No. 2023-02.
- Amendment to King City’s Comprehensive Plan: King City’s City Council amended the City’s Comprehensive Plan to Support the Kingston Terrace Master Plan on Ordinance No. 2023-03.
- Amendment to King City’s Community Development Code: King City’s City Council adopted a series of Community Development Code (CDC) amendments to reflect the master plan and support its implementation on Ordinance No. 2023-04. Amendments to the CDC include a new zoning district and development regulations that ensure appropriate development outcomes in URA 6D.

The Concept Plan also requires properties to be annexed into the city prior to development, and *“the initiation of annexation will be the responsibility of property owners”* (p. 92).

On behalf of the property owners, the applicant is requesting this annexation to be reviewed and approved through the applicable provisions of the City's newly updated Community Development Code and adopted Kingston Terrace Master Plan. Compliance with applicable provisions of Kingston Terrace Master Plan is demonstrated later in this narrative.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

(2) Consider whether the boundary change would:

- (A) Promote the timely, orderly, and economic provision of public facilities and services;
- (B) Affect the quality and quantity of urban services; and
- (C) Eliminate or avoid unnecessary duplication of facilities and services.

Response: The subject properties are within the planning areas of the Kingston Terrace Master Plan (KTMP), King City's Urban Reserve Area 6D Concept Plan (Concept Plan), and King City's Transportation System Plan (TSP). The Plans detail how timely, orderly, and economic provision of adequate public facilities will be provided to avoid unnecessary duplication of services as noted below:

Water: There is currently an intergovernmental agreement between the City of Tigard and City of King City which will allow Tigard to supply water to the KTMP plan area, including the properties proposed to be annexed. Tigard's existing water supply is planned to undergo expansion as well as main extensions to serve and increase storage capacity for the master plan area. Tigard is planning an addendum to their Water Master Plan to account for these updates needed for the master plan area. Currently there is a connection to the Tigard Water District potable water service through an existing large diameter water main on SW Beef Bend Road, while a future connection to another large diameter water main will be provided from the River Terrace South development along SW Beef Bend Road. Backbone piping will be added throughout the subject properties to provide this connection and account for peak water demands. To ensure a timely and orderly provision of water services to the proposed properties, future development of the annexed properties will comply with current Tigard Municipal Code Water System Rules and Regulations (Tigard Municipal Code Chapter 12.10).

Sanitary Sewer: The subject properties will also be applying for annexation into Clean Water Services (CWS) District for the provision of sanitary sewer service, which will occur prior to development. CWS provides the nearest existing sanitary/ sewer system which flows southeast from Bull Mountain's western and southern boundaries. The system then flows to the northernmost boundary of the subject properties and follows SW Beef Bend Road into King City where it outlets to the Durham Advanced Wastewater Treatment Facility. The River Terrace South Pump Station, located on SW Roy Rogers Rd, is the western edge of the proposed annexation area on tax lot 2S11700400. Incremental capacity upgrades as well as new conveyance facilities planned by CWS will allow the River Terrace

South Pump station to have more capacity to service the entire master plan area; therefore, annexation allowing for the inclusion of this site is integral to the timeliness of sanitary sewer provision.

Stormwater: The subject properties will also be applying for annexation into CWS service district for the provision of stormwater services, which will occur prior to development. CWS provides stormwater management to the subject properties and utilizes natural stormwater infiltration and conveyance along the drainage ways and corridors that naturally exist throughout the subject properties, which eventually discharge in the Tualatin River. Future development of the subject properties will be subject to coordination with CWS to mitigate impacts to the existing natural systems. CWS is preparing a stormwater management study for the KTMP plan area. Findings from the study will inform any updates to the current system. This will help ensure the orderliness of stormwater service provision for the proposed annexation properties.

Transportation: The subject properties are included within the boundaries of the newly adopted TSP and KTMP. The Plan details a transportation system that can adequately serve the subject properties at density levels consistent with the KTMP's zoning of the subject properties. The Plans identify a future collector road, new local roads and neighborhood routes, and improvements to the county arterials, SW Roy Rogers Road and SW Beef Bend Road. The Plans also include potential funding strategy mechanisms, and the City has employed consulting services to explore the implementation of transportation system development charges which will support the orderly, timely, and economic provision of transportation services to serve the annexed properties.

Parks: The subject properties are within the boundaries of the KTMP plan area which identify public parks and open spaces to serve the community. The Plan also includes potential funding strategy mechanisms, and the City has employed consulting services to explore the implementation of park and recreation system development charges which support the orderly, timely, and economic provision of park and recreation facilities that will serve the annexed properties.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

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

Response: The subject properties were annexed into the Metropolitan Service District, brought into the Urban Growth Boundary in December 2019, through Ordinance Number 18-1427.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

IV. COMPLIANCE WITH OREGON REVISED STATUTES (ORS)

Chapter 222 City Boundary Changes; Mergers; Consolidations; Withdrawals

Response: Oregon Revised Statutes (ORS) Chapter 222 - City Boundary Changes; Consolidations; Withdrawals is applicable this annexation request. Compliance with the applicable sections of ORS 222 is demonstrated below:

Staff Findings

This criterion is satisfied. The staff concurs with the response.

ORS 222.111 Authority and Procedure for annexation

(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 (Authority and procedure for annexation) to 222.180 (Effective date of annexation) or 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915), the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.

Response: The properties proposed for annexation are contiguous to the City boundary. All 8 parcels, including the public right of way of SW Beef Bend Road provide a contiguous extension of the city boundary. ORS 222.111(1) provides that a city may annex territory (1) that is contiguous to the city or (2) that is "separated from it only by a public right-of-way or a stream, bay, lake or other body of water." Because the annexation includes both the target properties and the intervening public roadway, the single territory is contiguous to the city limits. *Link v. City of Florence, 58 Or LUBA 348, 374 (2009)*.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

(2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

Response: On behalf of 100% of the property owners of this annexation request, the applicant is requesting the subject property currently under the jurisdiction of Washington County to be annexed into the City of King City.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

(3) []

- (a) Except as provided in paragraph (b) of this subsection, the proposal of this subsection, the proposal for annexation may provide that, during each of not more than 10 full fiscal years beginning with the first fiscal year after the annexation takes effect, the rate of taxation for city purposes on property in the annexed territory shall be at a specified ratio of the highest rate of taxation applicable that year for city purposes to other property in the city.
- (b) For purposes of paragraph (a) of this subsection, a proposal for annexation initiated by the legislative body of a city may provide for a duration of not more than 20 full fiscal years.
- (c) The proposal may provide for the ratio to increase from fiscal year to fiscal year according to a schedule of increase specified in the proposal, but in no case may the proposal provide for a rate of taxation for city purposes in the annexed territory that exceeds the highest rate of taxation for city purposes applicable to other property in the city for the current year.
- (d) If the annexation takes place pursuant to a proposal providing for taxation at a ratio, the city may not tax property in the annexed territory at a rate other than the ratio that the proposal authorizes for that fiscal year.
- (e) Notwithstanding paragraph (d) of this subsection, during the term of fiscal years provided for pursuant to paragraph (b) of this subsection, the ratio shall be 100 percent for property that is sold or transferred to new ownership, beginning with the first property tax year that begins after the sale or transfer.

Response: The process does not include any applicable substantive approval criteria. The application does not include a proposal regarding the rate of taxation for the property. The applicant recognizes that the city cannot assess taxes on the property in an amount that exceeds the highest city tax rate for the year.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

(4) []

- (a) When the territory to be annexed includes a part less than the entire area of a district named in ORS 222.510 (Annexation of entire district), the proposal for annexation may provide that if annexation of the territory occurs the part

of the district annexed into the city is withdrawn from the district as of the effective date of the annexation.

- (b) Notwithstanding paragraph (a) of this subsection, if the affected district is a district named in ORS 222.465 (Effective date of withdrawal from domestic water supply district, water control district or sanitary district), the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465 (Effective date of withdrawal from domestic water supply district, water control district or sanitary district).

Response: The properties proposed to be annexed are located in urban unincorporated Washington County and do not include land currently located in a district named in ORS 222.465 (domestic water supply district, water control district or sanitary district) or ORS 222.510 (rural fire protection district, a water district, a park and recreation district, a highway lighting district, a county service district, a special road district, a road assessment district, or a sanitary district or authority).

The properties are currently within and will continue to be in the Tualatin Valley Fire and Rescue (TVF&R) fire district and Pride Disposal solid waste hauler district. Concurrent with annexation into the City, the property owners will work to annex the site into the CWS service area. Service provider letters and plans depicting how the sites will be served will be included in subsequent development plan review applications.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

- (5) The legislative body of the city shall submit, except when not required under ORS 222.120 (Procedure for annexation without election), 222.170 (Annexation by consent before public hearing or order for election) and 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915) to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 (Procedure for annexation without election) or 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915) to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.

Response: The applicant is requesting annexation of property contiguous to the city's boundary on behalf of 100% of the property owners and at least 50% of the active registered voters in the annexed area. The applicant requests that the application be processed as Type IV City Council review requiring a public hearing. Therefore, in accordance with ORS 222.120 and 222.170(2), the city does not need to call or hold an election.

Staff Findings

This criterion is satisfied. The staff concurs with the response. Property Owner signatures and affidavits have been submitted with the application.

- (6) The proposal for annexation may be voted upon by the electors of the city and of the territory simultaneously or at different times not more than 12 months apart.

Response: The proposed annexation does not require a vote by the City’s electors; therefore, this process is not applicable.

Staff Findings

This criterion is satisfied. The staff concurs with the response in accordance with ORS 222.170

- (7) Two or more proposals for annexation of territory may be voted upon simultaneously, but in the city, each proposal shall be stated separately on the ballot and voted on separately, and in the territory proposed for annexation, no proposal for annexing other territory may appear on the ballot.

Response: The proposed annexation does not require a vote by the City’s electors; therefore, this process is not applicable.

Staff Findings

This criterion is satisfied. The staff concurs with the response in accordance with ORS 222.170.

ORS 222.120 Procedure for annexation without election

- (1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.

Response: King City’s City Charter does not expressly require an election for annexation; therefore, the applicant is requesting that the City approve the proposed annexation without an election.

Staff Findings

This criterion is satisfied. The staff concurs with the response in accordance with ORS 222.170.

- (2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.

Response: In lieu of an election, this application will be processed as a legislative annexation through the Type IV procedure which requires a public hearing before the legislative body of King City.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

- (3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.

Response: Notice of the public hearing for the will be posted as required.

Staff Findings

This criterion is satisfied. The staff concurs with the response and will publish hearings as required.

- (4) After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question:
- (a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;
 - (b) Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 (Annexation by consent of all owners of land and majority of electors) or 222.170 (Annexation by consent before public hearing or order for election), prior to the public hearing held under subsection (2) of this section; or
 - (c) Declare that the territory is annexed to the city where the Oregon Health Authority, prior to the public hearing held under subsection (1) of this

section, has issued a finding that a danger to public health exists because of conditions within the territory as provided by ORS 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915).

Response: The applicant is requesting that following the public hearing, King City's legislative body declare the territory annexed into the City in accordance with ORS 222.125.

Staff Findings

This criterion is satisfied. The staff concurs with the response and will act in accordance with required actions as outlines in ORS 222.120 and ORS 222.125. Annexation legislation will be processed through King City's Type IV procedure, a City Council Vote, as required by Chapter 16.40.040

(5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510 (Annexation of entire district), the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465 (Effective date of withdrawal from domestic water supply district, water control district or sanitary district), the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465 (Effective date of withdrawal from domestic water supply district, water control district or sanitary district).

Response: The properties proposed to be annexed are located in urban unincorporated Washington County and do not include land currently located in a district named in ORS 222.465 (domestic water supply district, water control district or sanitary district) or ORS 222.510 (rural fire protection district, a water district, a park and recreation district, a highway lighting district, a county service district, a special road district, a road assessment district, or a sanitary district or authority); therefore, withdrawal from a district is not required.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

(6) The ordinance referred to in subsection (4) of this section is subject to referendum.

Response: The applicant is requesting approval of this legislative annexation application, to be processed through King City’s Type IV procedure.

Staff Findings

This criterion is satisfied. The staff concurs with the response. Annexation legislation will be processed through King City’s Type IV procedure, as City Council Vote, as required by Chapter 16.40.040.

(7) For the purpose of this section, ORS 222.125 (Annexation by consent of all owners of land and majority of electors) and 222.170 (Annexation by consent before public hearing or order for election), “owner” or “landowner” means the legal owner of record or, where there is a recorded 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.

Response: The applicant is requesting annexation of property contiguous to the city’s boundary on behalf of 100% of the property owners and a majority of the electors in the annexed area. Included as Exhibit G and Exhibit C are certifications of property ownership and title reports. Ownership of the properties is detailed in Table 1 of this narrative.

Staff Findings

This criterion is satisfied. The staff concurs with the response.

ORS 222.125 Annexation by consent of all owners of land and majority of electors

The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 (Procedure for annexation without election) when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance,

may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

Response: The applicant is requesting annexation of property contiguous to the city's boundary on behalf of 100% of the property owners and at least 50% of the active registered voters in the annexed area. Included as Exhibit G and Exhibit I are certifications of property ownership and registered voters respectively.

The applicant requests that the annexation application be processed as a legislative Type IV City Council review requiring a public hearing; therefore, in accordance with ORS 222.120, the city does not need to call or hold an election.

Staff Findings

This criterion will be satisfied. Property Owner signatures and affidavit will be submitted with the application. The Staff concurs with the response and will hold a public hearing in accordance with ORS 222.210

ORS 222.170 Annexation by consent before public hearing or order for election

- (1) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the legislative body on or before the day:
 - (a) The public hearing is held under ORS 222.120 (Procedure for annexation without election), if the city legislative body dispenses with submitting the question to the electors of the city; or
 - (b) The city legislative body orders the annexation election in the city under ORS 222.111 (Authority and procedure for annexation), if the city legislative body submits the question to the electors of the city.

Response: The applicant is requesting annexation of property contiguous to the city's boundary on behalf of 100% of the property owners and at least 50% of the registered voters in the annexed area, in accordance with ORS 222.120(2).

Staff Findings

This criterion will be satisfied. Property Owner signatures and affidavit will be submitted with the application. The Staff concurs with the response and will hold a public hearing in accordance with ORS 222.210

- (2) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if a majority of the electors registered in the territory proposed to be annexed consent in writing to annexation and the owners of more than half of the land in that territory consent in writing to the annexation of their land and those owners and electors file a statement of their consent with the legislative body on or before the day:
- (a) The public hearing is held under ORS 222.120 (Procedure for annexation without election), if the city legislative body dispenses with submitting the question to the electors of the city; or
 - (b) The city legislative body orders the annexation election in the city under ORS 222.111 (Authority and procedure for annexation), if the city legislative body submits the question to the electors of the city.

Response: The applicant is requesting annexation of property contiguous to the city's boundary on behalf of 100% of the property owners and at least 50% of the active registered voters in the annexed area. Exhibit G and Exhibit I demonstrate certifications of property ownership and registered voters.

Staff Findings

This criterion will be satisfied. The territory proposed to be annexed is contiguous with current King City boundaries. Property Owner signatures and affidavit will be submitted with the application. The Staff concurs with the response and will hold a public hearing in accordance with ORS 222.210

- (3) If the city legislative body has not dispensed with submitting the question to the electors of the city and a majority of the votes cast on the proposition within the city favor annexation, or if the city legislative body has previously dispensed with submitting the question to the electors of the city as provided in ORS 222.120 (Procedure for annexation without election), the legislative body, by resolution or ordinance, shall set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

Response: The applicant is requesting King City's legislative body to dispense with submitting the question of annexation to the electors. In accordance with ORS 222.120 and 222.170(2), the city is not required to hold an election for annexations of property contiguous to the city's boundary if 100% of the property owners and at least 50% of the registered voters in the territory have consented in writing to the annexation.

Staff Findings

This criterion will be satisfied. Property Owner signatures and affidavit will be submitted with the application and in accordance with 222.170(2) the legislative body of the city need not call or hold an election if a majority of the electors registered in the territory proposed to be annexed consent to the annexation of their land and those owners and electors file a statement of their consent with the legislative body on or before the day. The Staff concurs with the response and will hold a public hearing in accordance with ORS 222.120.

- (4) Real property that is publicly owned, is the right of way for a public utility, telecommunications carrier as defined in ORS 133.721 (Definitions for ORS 41.910 and 133.721 to 133.739) or railroad or is exempt from ad valorem taxation shall not be considered when determining the number of owners, the area of land or the assessed valuation required to grant consent to annexation under this section unless the owner of such property files a statement consenting to or opposing annexation with the legislative body of the city on or before a day described in subsection (1) of this section.

Response: The area of annexation includes public rights-of-way: SW Roy Rogers, SW Beef Bend, and SW Elsner Roads. Included as Exhibit K is a letter from Washington County's Director of Land Use and Transportation documenting concurrence with the annexation of the Roy Rogers and Beef Bend Road rights-of-way.

Staff Findings

This Criterion is satisfied. The staff concurs with the response. Washington County and King City updated their Urban Planning Area Agreement in 2018 and the area in question is identified as part of the King City "Urban Reserve Planning Area" in agreement with Washington County.

ORS 222.173 Time limit for filing statements of consent

- (1) For the purpose of authorizing an annexation under ORS 222.170 (Annexation by consent before public hearing or order for election) or under a proceeding initiated as provided by ORS 199.490 (Procedure for minor boundary changes or transfers of territory) (2), only statements of consent to annexation which are filed within any one-year period shall be effective, unless a separate written agreement waiving the one-year period or prescribing some other period of time has been entered into between an owner of land or an elector and the city.
- (2) Statements of consent to annexation filed with the legislative body of the city by electors and owners of land under ORS 222.170 (Annexation by consent before public hearing or order for election) are public records under ORS 192.311

(Definitions for ORS 192.311 to 192.478) to 192.478 (Exemption for Judicial Department).

Response: The application includes petitions signed by 100% of the property owners and at least 50% of the electors, all of which were obtained within a one-year period, meeting the thresholds required by ORS 222.170(2).

Staff Findings

This Criterion will be satisfied. Property Owner signatures and affidavit will be submitted with the application and in accordance with 222.170(2) the legislative body of the city need not call or hold an election if a majority of the electors registered in the territory proposed to be annexed consent to the annexation of their land and those owners and electors file a statement of their consent with the legislative body on or before the day. The Staff concurs with the response and will hold a public hearing in accordance with ORS 222.120.

ORS 222.175 City to provide information on taxes and services when soliciting statements of consent

If a city solicits statements of consent under ORS 222.170 (Annexation by consent before public hearing or order for election) from electors and owners of land in order to facilitate annexation of unincorporated territory to the city, the city shall, upon request, provide to those electors and owners information on that city's ad valorem tax levied for its current fiscal year expressed as the rate per thousand dollars of assessed valuation, a description of services the city generally provides its residents and owners of property within the city and such other information as the city considers relevant to the impact of annexation on land within the unincorporated territory within which statements of consent are being solicited.

Response: The statements of consent are being offered voluntarily and at the initiation of the owners of the annexation area; therefore, this standard is not applicable.

Staff Findings

This criterion is satisfied. The Staff concurs with the Response.

V. COMPLIANCE WITH KING CITY'S COMPREHENSIVE PLAN

King City's Comprehensive Plan - Kingston Terrace Planning Area

Response: The applicant is requesting annexation of the subject properties to facilitate development of the northern portion of the Town Center neighborhood. Future development of the Town Center by the applicant will comply with the Kingston Terrace Planning Area policies identified in the City's Comprehensive Plan as demonstrated below. An Annexation Agreement for properties within the Town Center neighborhood and an Agreement for properties outside the Town Center will further document how the applicant proposes future development of these properties in as envisioned in the Kingston Terrace Master Plan.

Staff Findings

This Criterion is satisfied. The Staff concurs with the Response. The annexation application adheres to the requirements of King City's Comprehensive Plan and Kingston Terrace Master Plan. Future development plans will be considered at a later date through Development Agreements for consideration to adherence to the Kingston Terrace Master Plan.

Policies Natural Systems:

1. Use a conservative approach to protecting natural resources, with a progression of physical transitions from south to north between the river and developed areas. [...]
2. Development in areas with lower quality resources are designed to prevent damage to the environment and mitigated to restore ecological functions lost or damaged due to the development. [...]
3. Open space dedications add to environmental protections in and adjacent to identified resource areas, with the amount of open space increasing as development progresses from west to east. [...]

Response: The applicant's request to annex the subject properties is the first step required for future development of the Town Center neighborhood. Through the concept and master planning processes, the site was identified as the town center because it contains lesser-quality natural resources than the rest of the Kingston Terrace plan area and is located more than 700-feet west and more than 1,000-feet north, is disconnected from and located outside of the 125-foot minimum vegetated corridor of the Tualatin River. The applicant's concept plan for the project uses locates the highest-density mixed-use areas along the extensions of SW River Terrace Boulevard and SW Fischer Road. Areas of the neighborhood adjacent to the natural recourse area and closest to the river across SW Elsnor Road, are proposed to provide single-family detached housing. With development of the Town Center neighborhood, the applicant proposes to enhance the

wetlands in the natural resource area to create an attractive easily accessible amenity. A preliminary agreement between the city and applicant for dedication of open space and environmental protection will be documented through the Annexation Agreement.

Staff Findings

This Criterion is satisfied. The Staff Concurs with the Response. The annexation application adheres to the requirements of King City’s Comprehensive Plan and Kingston Terrace Master Plan. Future development plans will be considered at a later date through Development Agreements for consideration to adherence to the Kingston Terrace Master Plan.

Policies Community and Neighborhood Design:

1. Integrate green spaces and wetlands into each neighborhood. [...]
2. A wide variety of housing types are intermixed together into the same neighborhood, even on the same block, providing housing choices to people of all ages and income levels. [...]

Response: The mixed-use project will provide a variety of housing types, retail and commercial, civic services, a parks and trail system, and multi-modal circulation that will foster connectivity, support a walkable community, and allow residents to efficiently access community amenities. The applicant proposes to integrate a public park and open space system into the town center neighborhood that includes park blocks, a natural area open space amenity, urban plazas, an urban park, linear greens, and trails. The town center neighborhood is designed to include mixed-use and apartment buildings, townhomes, small single-detached dwellings, single-detached alley loaded homes, single-detached medium size homes, and single-detached standard size homes that will offer a variety of housing for people of all ages and income levels. The Annexation Agreement is supported by the applicant’s concept plan for the project which identifies the areas of green space and wetlands integrated into the neighborhood and the number and type of housing proposed to be provided.

Staff Findings

This Criterion is satisfied. The Staff concurs with the Response. The annexation application adheres to the requirements of King City’s Comprehensive Plan and Kingston Terrace Master Plan. Future development plans will be considered at a later date through Development Agreements for consideration to adherence to the Kingston Terrace Master Plan.

Policies Parks and Open Space:

1. Provide different choices for recreation and parks, including pocket parks, recreation and playfields, and a connected trail system and ensure that all residents have visual and physical access to natural edges, trails, and natural resources. [...]
2. King City will use developer agreements to designate land for parks or obtain funds through SDC allocation to acquire property for specific parks.

Response: The Annexation Agreement is supported by the applicant’s concept plan for the project which identifies parks and open space amenities proposed to be integrated into the town center neighborhood. The amenities include park blocks, a natural area open space amenity, urban plazas, an urban park, linear greens, and trails. The applicant agrees to draft a Development Agreement detailing dedication of land and park system development charges payment/ credit received for public parks and open space if conditioned for Development Plan Review approval.

Staff Findings

This Criterion is satisfied. The Staff concurs with the Response. The annexation application adheres to the requirements of King City’s Comprehensive Plan and Kingston Terrace Master Plan. Future development plans will be considered at a later date through Development Agreements for consideration to adherence to the Kingston Terrace Master Plan.

Policies Mobility:

1. Highly connected neighborhoods and a fine-grained network of streets and trails. [...]
2. Most streets serving Kingston Terrace change in character to match the neighborhood they traverse. [...]
3. Narrow streets and appropriate traffic controls “tame streets” by reducing speeds through use of geometric design, signals, roundabouts and mini-roundabouts (traffic circles), bicycle and pedestrian protections (e.g., refuge islands and pedestrian-activated signals). [...]
4. Micro mobility, active transportation, and universal design concepts are built into the network and into the design of each individual street from the beginning and not as an afterthought. [...]
5. Streets like SW Beef Bend Road play a role in the future: connecting the region and serving local needs. [...]

Response: As illustrated on the applicant’s concept plan for the town center, the project proposes improvements to existing arterial streets and an internal street system that will provide a robust pedestrian and bicycle network that supports safe, efficient, and convenient multi-modal access to amenities and services minimizing automobile dependency. The applicant has procured the services of a traffic engineer to conduct a

traffic impact analysis that will ensure appropriately designed streets and traffic controls are provided.

Staff Findings

This criterion is satisfied. The Staff concurs with the Response.

Policies Public Utilities and Services:

1. New development in Kingston Terrace is designed so as not to create an adverse impact to the existing storm drainage systems. [...]
2. King City works with local and regional service providers to ensure that new infrastructure serves the region while benefitting King City and reducing the cost of local development. [...]

Response: The applicant’s Development Plan Review application will include a Service Provider Letter (SPL) from Clean Water Services (CWS). The SPL will demonstrate how stormwater management is implemented in the town center to comply with CWS’s water quality standards. The applicant will also obtain SPLs from the City of Tigard for water service and CWS for sanitary sewer service.

Staff Findings

The Criterion will be satisfied. The Staff concurs with the Response. The City is currently working with Pacific Community Design, Clean Water Services, Metropolitan Land Group, New Homes Development Inc, the City of Tigard, and Washington County to develop public utilities and services plans moving forward.

Policies Infrastructure Funding:

1. King City will use an equitable infrastructure fee system that works with property ownership and development pacing. [...]
2. Develop infrastructure plans that can be paid for by the development yield and is comparable to development fees in nearby jurisdictions.

Response: If conditioned for Development Plan Review approval, the applicant agrees to draft a Development Agreement detailing payment and/or credit received for applicable system development charges.

Staff Findings

The Criterion will be satisfied. The Staff concurs with the Response. The City will work with developers, local, state, and federal agencies and

governments to draft a comprehensive Development Agreement as the process for Kingston Terrace continues.

VI. COMPLIANCE WITH KINGSTON TERRACE MASTER PLAN (KTMP)

Kingston Terrace Master Plan (KTMP) - Implementation (p. 92)

1. Development phasing and annexation strategy.

Response: On behalf of the property owners, the applicant is requesting annexation of the area prior to development in accordance with the KTMP development strategy. Annexation is being requested in accordance with the City's newly adopted CDC Chapter 16.192, Annexation, which defines the annexation process. The applicant is requesting the properties be assigned zoning designations identified in Table 3 of this narrative.

Staff Findings

The Criterion will be satisfied. The Staff concurs with the Response.

2. Ensuring that new development is consistent with the KTMP.

Response: The applicant will work in partnership with the City to draft an annexation/development agreement that once executed will provide a commitment to the future development of the property that will comply with the Kingston Terrace Master Plan and applicable provisions of the City's Community Development Code; specifically, the City's newly adopted CDC Chapter 16.114 - Kingston Terrace District Code. Compliance with applicable Clean Water Services (CWS), state, and federal agency standards will be demonstrated through the development plan review process requirements of CDC Chapter 16.114.

Staff Findings

The Criterion will be satisfied. The Staff concurs with the Response.

3. Confirming planning roles for King City and partner jurisdictions.

Response: At the time of development plan review, the applicant will submit Service Provider Letters (SPLs) that confirm the area will be adequately served. To ensure coordination of infrastructure improvements, preliminary transportation, utility, and stormwater management plans will be reviewed by Washington County, City of Tigard, and Clean Water Services during the development plan review process.

Staff Findings

The Criterion will be satisfied. The Staff concurs with the Response.

4. Developing funding mechanisms for public infrastructure.

Response: An annexation/ development agreement between the applicant and City will outline the financial mechanisms to fund public improvements and amenities to be constructed by the developer.

Staff Findings

The Criterion will be satisfied. The Staff concurs with the Response.

VII. COMPLIANCE WITH WASHINGTON COUNTY - KING CITY URBAN PLANNING AREA AGREEMENT (BCC 19-0226)

II. Coordination of Comprehensive Planning and Development

D. Annexation of COUNTY Urban Areas

1. Definition - The CITY's Area of Interest means the unincorporated urban land adjacent to the CITY and within the CITY's Urban Planning Area.

Response: The subject properties are within the City's Area of Interest, the Urban Planning Reserve area.

Staff Findings

The Criterion will be satisfied. The Staff concurs with the Response.

2. The CITY's Area of Interest is identified on "Exhibit A" to this Agreement

Response: The subject properties fall within the outlined Area of Interest in "Exhibit A".

Staff Findings

The Criterion will be satisfied. The Staff concurs with the Response.

3. The CITY does not conduct comprehensive planning for the CITY's Area of Interest until after annexation to the city, but maintains an interest in the COUNTY's comprehensive planning and development actions because of the potential impacts to the CITY's Urban Planning Area.

Response: The properties are currently designated Future Development, 20-acres (FD-20). In 2011 the properties were included in an area designated by Metro as Urban Reserve Area (URA) 6D; in 2018 the properties were included in the boundary of King City's Concept Plan for URA 6D; in 2019 the properties were annexed into the Metropolitan Service District and brought into the Urban Growth Boundary; and the properties are within the City's newly adopted Kingston Terrace Master Plan area. The applicant is requesting zoning designations that comply with and implement the comprehensive plan designations, identified in Table 3 of this narrative, be applied to the property upon approval of the annexation.

Staff Findings

The Criterion will be satisfied. The Staff concurs with the Response.

4. Upon annexation of land identified within the CITY's Area of Interest, the CITY agrees to convert COUNTY plan designations to CITY plan and zoning designations which most closely approximate the density, use provisions and standards of the COUNTY designations.

Response: The subject properties are currently zoned FD-20 by the County, which identifies an interim use until the City undergoes plan and zone designations. Pursuant to the Kingston Terrace Master Plan, the properties will receive zoning designations as identified in Table 3 of this narrative upon annexation, in response to CDC Section 16.192.040.A.2.b.

Staff Findings

The Criterion will be satisfied. The Staff concurs with the Response.

VIII. PROPOSAL SUMMARY & CONCLUSION

This Narrative, in conjunction with the attached information, describes the proposal and demonstrates compliance with the applicable approval criteria for an annexation; therefore, the applicant respectfully requests approval of the annexation to bring the subject property into the jurisdictional boundary of the City of King City.

CONCLUSION: STAFF FINDINGS RESPONSE

After a thorough examination of the annexation findings submitted by Pacific Community Design for the Town Center area of Kingston Terrace, in adherence to King City Municipal Code Chapter 16.192, Metro 3.09, ORS 222, and the King City Comprehensive Plan, the following conclusions and observations are made:

I. General Information - The general information provided lists the appropriate, accurate, and adequate data for this annexation application.

II. King City Community Development Code Chapter 16.192 - The findings align with the requirements outlined in Chapter 16.192 of the King City Municipal Code. - Legal and procedural aspects of the annexation process have been appropriately addressed. The Staff concurs with PCD findings and finds the Criterion satisfied.

III. Metro 3.09 - The findings demonstrate compliance with the Local Government Boundary Change code as outlined in Metro 3.09. Metro Code 3.09 has been adequately addressed in the annexation proposal. The Staff concurs with PCD findings and finds the Criterion satisfied.

IV. Oregon Revised Statutes (ORS) 222 - Compliance with ORS 222 City Boundary Changes, the state statute governing municipal annexation, is evident in the submitted findings. - Legal requirements and procedural obligations mandated by ORS 222 have been duly met. The Staff concurs with PCD findings and finds the Criterion satisfied.

V. King City Comprehensive Plan and Kingston Terrace Master Plan - The annexation findings are consistent with the goals and policies outlined in the King City Comprehensive Plan.

VI. Kingston Terrace Master Plan - The annexation findings are consistent with the goals and policies outlined in the Kingston Terrace Master Plan. Early-stage design drafts presented to King City have aligned with the long-term vision for the Town Center area, and community enhancement.

VII. Washington County and King City Urban Planning Area Agreement - The annexation findings are compliant with the Comprehensive Planning and Development criteria as outlined in the BCC 19-0226.

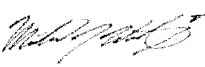
PLANNING COMMISSION RECOMMENDED FINDINGS AND CONCLUSIONS

A Planning Commission Hearing was held on December 6th to determine a recommendation regarding two Land Use Cases. LU #23-09 and LU #23-08. LU #23-09 details the adoption of a Local Wetland Inventory which is necessary prior to annexation per Land Use Goal 5 Safe Harbors and King City CDC 16.192. The Land Use case detailed in this report (LU #23-08) encompasses the annexation of approximately 215 acres of property into the City of King City. The Annexation of property is contingent upon a local wetland inventory being adopted that details to-be protected locally significant wetlands.

After a staff report findings presentation, applicant presentation, public testimony, collaborative discussion, and careful consideration, the Planning Commission voted 5-0 in favor of recommending approval of this annexation to the City Council. This recommendation is contingent upon the adoption of the LWI.

Ann Marie Paulsen	14/12/2023
<hr/>	
Annie Paulsen, Chair King City Planning Commission	Date
Michael J Weston II	14/12/2023
<hr/>	
Michael Weston City Manager for King City	Date

Signature: 
Ann Marie Paulsen (Dec 14, 2023 16:50 PST)
Email: apaulsen@ci.king-city.or.us

Signature: 
Email: mweston@ci.king-city.or.us

CCW edits to annexation application (01369847.DOCX;1)

Final Audit Report

2023-12-15

Created:	2023-12-15
By:	Max Carter (mcarter@ci.king-city.or.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAABgCbbvUtzXunFZ72uxr62_N5ROEBhKL-

"CCW edits to annexation application (01369847.DOCX;1)" History










-  Document created by Max Carter (mcarter@ci.king-city.or.us)
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-  Signer Dr. Ann Marie Paulsen (apaulsen@ci.king-city.or.us) entered name at signing as Ann Marie Paulsen
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-  Document e-signed by Ann Marie Paulsen (apaulsen@ci.king-city.or.us)
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-  Document e-signed by Michael Weston (mweston@ci.king-city.or.us)
Signature Date: 2023-12-15 - 1:10:36 AM GMT - Time Source: server
-  Agreement completed.
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EXHIBIT C

Applicant Narrative

NARRATIVE

KING CITY “DOUBLE MAJORITY” JURISDICTIONAL BOUNDARY CHANGE APPROVAL CRITERIA

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Exhibits

1. Exhibit A - Map of Proposed Annexation
2. Exhibit B - Signed Land Use Applications
3. Exhibit C - Preliminary Title Reports
4. Exhibit D - Signed Annexation Petitions
5. Exhibit E - Legal Description and Map of Proposed Annexation
6. Exhibit F - Completed Boundary Change Data Sheet
7. Exhibit G - Certification of Property Ownership
8. Exhibit H - Certification of Legal Description and Map
9. Exhibit I - Certification of Registered Voters
10. Exhibit J - Double Majority Worksheet
11. Exhibit K - Washington County Letter of Concurrence
12. Exhibit L - Wetland Delineation Reports for Subject Property
13. Exhibit M - Oregon Freshwater Wetlands Assessment Method (OFWAM) Report
14. Exhibit N - Floodplain Analysis
15. Exhibit O - Notice List

I. GENERAL INFORMATION

Applicant: The New Home Company
(on behalf of property owners identified below)
15455 Greenbrier Pkwy. Suite 240
Beaverton, Oregon 97006
503-313-7795
Contact: Pam Verdadero, Sr. Vice President

Authorized Representative: Pacific Community Design, Inc.
12564 SW Main Street
Tigard, OR 97223
(503) 941-9484
Contacts: Stacy Connery, AICP
Maureen Jackson, AICP

Site Area: 215.90 acres

County’s Existing Land Use District: Future Development (FD - 20)

Proposed King City Zoning: Town Center (KTTC), Beef Bend Neighborhood (KTBB), and Central Neighborhood (KTC)

Request: “Double Majority” Annexation into the City of King City’s Jurisdictional Boundary

Table 1. Properties Proposed to be Annexed into King City

Map and Tax Lot:	Property Owners (according to Washington County Cartography):
2S117A0601	Arthur A. Hasuike, Suzanne S. Hasuike, Daniel T. Hasuike, Betty H. Hasuike, and Steve Yukio Hasuike Living Trust
2S11700203	Mark L. Crandall, Agent for CTH Investments, LLC
2S11700204	Mark L. Crandall, Agent for CTH Investments, LLC
2S11700208	Steve Hasuike, Betty Young, Arthur A. Hasuike, Daniel T. Hasuike, Steve Yukio Hasuike Living Trust, Betty H. Young, and Betty L. Young
2S11700400	Arthur A. Hasuike, Daniel T. Hasuike, Steve Y. Hasuike, Betty H. Young, and Betty L. Young
2S11701000	Michael O'Halloran, Manager for Sharlin Farms, LLC
2S11801501	Sean Keys, Manager for MF Beef Bend, LLC
2S11801502	Sean Keys, Manager for MF Beef Bend, LLC
Washington County's SW Beef Bend Road Right-of-Way - From center line to southern right-of-way boundary, starting at western boundary of King City to SW Roy Rogers Road intersection.	
Washington County's SW Roy Rogers Road Right-of-Way - Right of way in its entirety from southern portion of intersection of SW Beef Bend Road along western boundary of tax lots 2S11801501, 2S11801502, and 2S11700400.	
Washington County's SW Elsner Road Right-of-Way - Right of way in its entirety from SW Beef Bend Road to the southern boundary of tax lot 2S11700400.	
Map and Tax Lot:	Electors (according to Washington County Elections):
2S117A0601	Kenneth Drysdale
2S11700204	Suzanne Bladey
2S11700208	Nicholas Schlenker Melisa Kaneaster

II. COMPLIANCE WITH KING CITY COMMUNITY DEVELOPMENT AND ZONING CODE ANNEXATION APPROVAL CRITERIA

16.192.020 Applicability of provisions.

The provisions of this chapter apply to all proposals to bring property under Washington County jurisdiction into the City.

Response: On behalf of 100% of the property owners and more than 50% of the active registered voters in the territory, the applicant is requesting property currently under the jurisdiction of Washington County to be annexed into the City of King City. A site map of the proposed annexation is included as Exhibit A for reference. The purpose of the request is to obtain urban services from the City of King City needed to urbanize the area and provide housing as envisioned by Metro when the area was annexed into the Urban Growth Boundary in 2019.

16.192.030 Administration.

- A. A quasi-judicial annexation application shall be processed through the Type III CC procedure as provided in Section 16.40.030.
- B. A legislative annexation application shall be processed through the Type IV procedure as provided in Section 16.40.040.

Response: The applicant is requesting approval of this legislative annexation application, to be processed through the Type IV procedure, to transfer property currently under the jurisdiction of Washington County into the City of King City and update the zoning designations accordingly.

16.192.040 Submittal requirements.

- A. In addition to the application form and information required in Section 16.44.030, the applicant shall submit the following:
 - 1. A site map and necessary data or narrative which explains how the annexation conforms to the approval criteria in Section 16.192.050, and:

Response: Exhibit A illustrates the requested annexation. The following section of this narrative details how the annexation complies with Section 16.192.050.

- 2. Site information and narrative shall include the following:
 - a. A description of the existing site conditions;

Response: The area to be annexed is made up of contiguous parcels totaling approximately 205.9-acres. The area is contiguous to the City of King City boundary, connected by SW Beef Bend Road right-of-way, which is also proposed for annexation from the centerline to the southern edge of its right-of-way.

The site is located within the City's Kingston Terrace Master Plan area. In 2011 the site was included in an area designated by Metro as Urban Reserve Area (URA) 6D. The site is within the boundary of King City's Concept Plan for URA 6D adopted by the City Council in April 2018, under Resolution Number R-2018-03. The subject properties were annexed into the Metropolitan Service District, brought into the Urban Growth Boundary in December 2019,

through Ordinance Number 18-1427. The properties are currently designated Future Development, 20-acres (FD-20) under the Washington County Land Use districts.

The current primary use of the properties is agricultural. Following are the uses and structures located on each property:

- Tax lot 2S117A00601 contains a single-family residence and structures used to support agricultural operation.
- Tax lots 2S11700203 and 204 contain a single-family residence and structures that support an equestrian boarding operation.
- Tax lot 2S11700208 contains a single-family residence and structures used to support agricultural operations.
- Tax lot 2S11700400 contains two structures used to support agricultural operations.
- Tax lot 2S11701000 contains a single structure used to support agricultural operations.
- Tax lot 2S11801501 contains a commercial building and agricultural pond that supports the nursery operation.
- Tax lot 2S11801502 contains Al’s Garden Center, an active commercial nursery enterprise.

Floodplain and wetland areas were also identified on the site. Exhibit N is a floodplain analysis prepared in accordance with Washington County’s Development Code Section 421 - Floodplain and Drainage Hazard Area Development. Also Included are copies of wetland delineation reports as Exhibit L that were submitted to the Department of State Lands detailed in Table 2 and a wetland assessment report prepared in accordance with Oregon Freshwater Wetland Assessment Methodology (OFWAM). As noted on page 8 in the report, the property proposed to be annexed includes 4 wetlands (KT-C, KT-D, SF-B, and SF-C+D+E) determined to be locally significant and subject to the requirements of Section 16.192.060.

Table 2. Wetland Delineation Detail

Map and Tax Lot:	DSL File Number	Status
2S117A0601	WD2022-0513	Concurrence Granted April 19, 2023
2S11700203	WD2023-0197	Concurrence Granted August 10, 2023
2S11700204	WD2023-0197	Concurrence Granted August 10, 2023
2S11700208	WD2022-0513	Concurrence Granted April 19, 2023
2S11700400	WD2022-0513	Concurrence Granted April 19, 2023
2S11701000	WD2023-0352	Concurrence Granted October 26, 2023
2S11801501	WD2022-0513	Concurrence Granted April 19, 2023
2S11801502	WD2023-0380	Concurrence Granted October 9, 2023
SW Roy Rogers	WD2017-0006	Concurrence Granted April 17, 2017
SW Beef Bend & SW Elsner Road	WD2023-0436	Pending Review - Submitted September 28, 2023

Inventory of Goal 5 resources completed through the Kingston Terrace concept and master planning process identifies the Gustave Plieth Residence located on tax lot 2S11700208. Current zoning of the property includes Washington County’s Cultural Resource Overlay

District applied to the Plieth residence and various outbuildings identified on record number 115/409. The resource is not listed on the National Register of Historic Places.

Based on information available, Oregon Administrative Rule Chapter 660 Division 16 - *Requirements and Application Procedures for Complying with Statewide Goal 5* permits local governments to “determine that a particular resource site is not important enough to warrant inclusion on the plan inventory, or is not required to be included in the inventory based on the specific Goal standards. No further action need be taken with regard to these sites. The local government is not required to justify in its comprehensive plan a decision not to include a particular site in the plan inventory” (OAR 660-016-0000(5)(a)). With the goal of providing at least 3,300 dwelling units in the Kingston Terrace Planning Area and a high-density, mixed-use main street/ town center neighborhood, King City’s comprehensive plan was not amended to include the Plieth residence in the city’s Goal 5 inventory. Rezoning of the property in accordance with the Comprehensive Plan and Kingston Terrace Master Plan effectively removes the Cultural Resource Overlay District designation.

The Kingston Terrace Master Plan identifies the annexed properties to be suitable for high density uses. The tax lots being proposed for annexation will be developed to provide attached and detached single-family housing, mixed-use buildings with multi-family above commercial and retail, commercial buildings, municipal buildings, and public parks and open spaces.

- b. The comprehensive plan and zoning designations sought; and

Response: The applicant is requesting the following comprehensive plan and zoning designations to be applied upon annexation:

Table 3. Comprehensive Plan and Zoning Designations Sought

Map and Tax Lot:	Comprehensive Plan: Kingston Terrace -	Zoning Designation: Kingston Terrace -
2S117A0601	Beef Bend Neighborhood (KTBB)	Beef Bend Neighborhood (KTBB)
2S11700203	Town Center (KTTC)	Town Center (KTTC)
2S11700204	Town Center (KTTC)	Town Center (KTTC)
2S11700208	Town Center (KTTC)	Town Center (KTTC)
2S11700400	Town Center (KTTC)	Town Center (KTTC)
2S11701000	Beef Bend Neighborhood (KTBB), and Central Neighborhood (KTC)	Beef Bend Neighborhood (KTBB), and Central Neighborhood (KTC)
2S11801501	Town Center (KTTC)	Town Center (KTTC)
2S11801502	Town Center (KTTC)	Town Center (KTTC)

- c. A copy of all existing restrictions or covenants.

Response: Exhibit C shows the preliminary title reports for each tax lot which demonstrate that there are no restrictions or covenants that preclude development of the property consistent with the comprehensive plan or zoning designations.

- B. For annexation into the Kingston Terrace District, one of the of the following:

- 1. An adopted Local Wetlands Inventory (LWI) that includes the subject property; or

2. A Department of State Lands approved Local Wetland Inventory (LWI) that includes the subject property;
3. Proof that Department of State Lands is currently reviewing a proposed LWI that includes the subject property together with the materials submitted to the Department of State Lands in connection with such inventory.

Response: Due to the delay in identifying a need for a LWI and interest from property owners to annex for the purpose of furthering development to provide needed housing, Oregon Department of State Land (DSL) agreed that the existing approved wetland delineations and an approved Oregon Freshwater Wetland Assessment Methodology (OFWAM) report would comprise the first phase of a LWI for Kingston Terrace. Included as Exhibit L are copies of the wetland delineation reports submitted to the Department of State Lands detailed in Table 2 on page 4 of this report. Also included as Exhibit M is the OFWAM report prepared by C. Mirth Walker, Senior Wetland Scientist with SWCA Environmental Consultants. As noted on page 8 in the report, the property proposed to be annexed includes 4 wetlands (KT-C, KT-D, SF-B, and SF-C+D+E) subject to the local wetland inventory requirements of OAR 660-023-0100. The OFWAM report was submitted to Oregon Department of State Lands on September 21, 2023 and is currently under review.

- C. The manager may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.
- D. The manager may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

Response: The applicant will provide additional required information upon request from the city manager.

16.192.050 Approval criteria.

- A. The city council shall approve or approve with modification an annexation application when it complies with the relevant provisions of:
 1. Metro Code 3.09;

Response: The applicant is requesting approval of an annexation through an expedited process subject to the provisions of Metro Code Section 3.09.045 (D) and (E) (Local Government Boundary Changes). Responses demonstrating compliance with these requirements are provided in Section III of this narrative.

2. The Oregon Revised Statutes;

Response: Oregon Revised Statutes (ORS) Chapter 222 - City Boundary Changes; Consolidations; Withdrawals is applicable to annexations. The sections of ORS 222 that are applicable to this annexation are addressed in Section IV of this narrative.

3. The comprehensive plan;

Response: Compliance with the City's Comprehensive Plan policies for the Kingston Terrace Planning Area adopted in July 2023 is demonstrated Section V of this narrative.

4. Kingston Terrace Master Plan;

Response: The provision of the Kingston Terrace Master Plan (KTMP) relevant to this annexation is the “Implementation” section which identifies four requirements (p. 92). Compliance with those requirements provided in Section VI of this narrative.

5. The requirements of this title; and

Response: This narrative and the supporting documents demonstrate compliance with the requirements of this title.

6. Applicable intergovernmental agreements; and

Response: The requested annexation is subject to Section II.D. of the Washington County - King City Urban Planning Area Agreement (BCC 19-0226). Section VII. of this narrative provides responses that demonstrate compliance with the agreement.

7. Section 16.192.060 for properties to be annexed into the Kingston Terrace District.

Response: Compliance with the requirements of Section 16.192.060 is demonstrated in the following section of this narrative.

B. The comprehensive plan and zoning designation placed on the property shall conform with the city or Washington County comprehensive plan designation. Where the county comprehensive plan and zoning designation govern, the city shall assign a zoning designation that most closely resembles the county zoning designation.

Response: The subject properties are currently zoned FD-20 by the County, which identifies an interim use until the City undergoes plan and zone designations. Pursuant to the Kingston Terrace Master Plan, the properties will receive a zoning designation of Kingston Terrace District upon annexation. The comprehensive plan and zoning designations sought are identified Table 3 of this narrative, in response to CDC Section 16.192.040.A.2.b.

C. Assignment of comprehensive plan and zoning designations. Assignment of the designation shall occur automatically and concurrently with annexation approval. In the case of land that carries county designations, the City will convert the County’s Comprehensive Plan Map and Zoning Designations to the appropriate City designation. Land within the Kingston Terrace Master Plan will receive a designation of Kingston Terrace District.

Response: The applicant is requesting the zoning designations identified in Table 3 of this narrative, in response to CDC Section 16.192.040.A.2.b., to be applied upon approval of annexation.

16.192.60 Kingston Terrace District Local Wetlands Inventory Provisions.

B. The purpose of Section 16.192.060 is to establish:

- 1. Procedures and criteria for the adoption of Local Wetland Inventories (LWIs) and list of Locally Significant Wetlands (LSW) for the Kingston Terrace District consistent with OAR 660-023-0100; and**
- 2. The implementation of a Goal 5 program to protect LSW through adoption of one or both of the following:**
 - a. A program to achieve the goal, as identified by an ESEE analysis meeting the requirements of OAR 660-023-0040 and 600-023-0050;**

b. A safe harbor ordinance.

Response: Properties proposed to be annexed are located within Kingston Terrace District boundary. Exhibit M wetland assessment report prepared in accordance with Oregon Freshwater Wetland Assessment Methodology (OFWAM) identifies 4 wetlands (KT-C, KT-D, SF-B, and SF-C+D+E) on the properties proposed to be annexed that are subject to the local wetland inventory requirements of OAR 660-023-0100; therefore, development of the property that results in an impact to these wetlands will be subject to the requirements of Section 16.114.080 Kingston Terrace District Goal 5 Safe Harbor Review. Compliance with the Safe Harbor Review code will be demonstrated at the time of Development Plan Review.

C. Application Procedures. The application shall include the LWI products developed in accordance with OAR 141-180 through 0350 that have been submitted to Department of State Lands for review.

Response: Included in this submittal are copies of wetland delineation reports and a wetland assessment report prepared in accordance with Oregon Freshwater Wetland Assessment Methodology (OFWAM). These documents, which have been submitted to the Department of State Lands (DSL) for review, encompass the Local Wetland Inventory (LWI) products developed in accordance with applicable Oregon Administrative Rules.

D. Notice Requirements. Upon receipt of all required application materials, including those set forth above in Section 16.192.060(B), the city shall provide public notice of the LWI consistent with Section 8.02 of the King City Charter of 2006 and Chapter 16.48. The notice shall state that comments on the proposed LWI must be received by the city no later than fourteen (14) days after the date of mailing of the public notice. The city shall forward any comments received regarding the LWI to the Oregon Department of State Lands consistent with the requirements of OAR 141-086-0228.

Response: The applicant acknowledges that public notice will be given as required.

E. Adoption of Local Wetlands Inventory. The city shall not schedule a public hearing for adoption of a Kingston Terrace LWI until the city has received a letter of approval for the LWI from the Department of State Lands pursuant to OAR 141-086-0228(5).

Response: The applicant acknowledges that that a public hearing for adoption of the LWI will not occur until a letter of approval from DSL has been received by the city.

F. Landowner Notification. When the LWI is approved by Oregon Department of State Lands, the City shall notify by mail within 120 calendar days all landowners of record whose parcel contains or abuts a mapped wetland or probable wetland. The City shall provide a copy of the landowner notification letter to the Oregon Department of State Lands consistent with the requirements of OAR 131-086-0240(2).

Response: The above criteria is procedural and is the responsibility of City staff.

G. Public Hearing Notice. Upon receipt of a letter of approval from the Department of State Lands pursuant to OAR 141-086-0228(5), the city shall schedule a public hearing for the first reading of an ordinance adopting the LWI. Notice of the public hearings shall be as set forth in Section 8.02 of the King City Charter of 2006 and Chapter 16.48.

Response: The applicant acknowledges that public hearing notice will be given as required.

H. Local Wetland Inventory. The ordinance adopting the LWI shall include a map identifying the location of the inventoried wetlands, including any wetlands designated as LSW pursuant to OAR 141-086-0350, and all associated inventory materials. The LWI shall be consistent with the letter of approval from the Department of State Lands pursuant to OAR 141-086-0228(5). The ordinance shall also revise the map in Section 16.114.080 to include the inventoried wetlands associated with the subject LWI. The ordinance adopting the LWI and map of inventoried wetlands in Section 16.114.080 shall thereafter constitute a part of the City's LWI as required by OAR 660-023-0100.

Response: The applicant acknowledges that public hearing notice will be given as required.

I. Annexation. The city shall not adopt an ordinance for annexation of a property to the city into the Kingston Terrace District before the LWI that includes the subject property and that meets the requirements set forth in Section 16.192.060(F) is adopted.

Response: The applicant acknowledges that the city will not adopt an ordinance for the proposed annexation prior to adoption of the Kingston Terrace Phase 1 LWI.

J. Locally Significant Wetlands. Properties annexed to the City in the Kingston Terrace District, and which contain or are within 100 feet of LSW pursuant to OAR 141-086-0350 shall be subject to one of the following:

1. The Kingston Terrace wetland Safe Harbor provisions in Section 16.114.080; or
2. Land use regulations adopted by the city as a program to achieve Goal 5, as identified by and ESEE analysis meeting the requirements of OAR 660-023-0040 and 660-023-0050.

Response: Properties proposed to be annexed contain or are within 100 feet of Locally Significant Wetland (LSW); therefore, development of the property that results in an impact to these wetlands will be subject to the requirements of Section 16.114.080 Kingston Terrace District Goal 5 Safe Harbor Review. Compliance with the Safe Harbor Review code will be demonstrated at the time of Development Plan Review.

III. COMPLIANCE WITH METRO CODE SECTION 3.09

Metro Code Section 3.09.045(D) & (E):

Response: The applicant is requesting approval of an annexation through an expedited process subject to the provisions of Metro Code Section 3.09.045 (D) and (E) (Local Government Boundary Changes). The following responses demonstrate compliance with these requirements:

- D. To approve a boundary change through an expedited process, the city shall:
- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.065;

Response: The Washington County - King City Urban Planning Area Agreement (UPAA) is applicable to this application. The UPAA between the city and the county provides coordination of comprehensive planning and development, defines the area of interest, and includes policies with respect to the active planning area and annexation. The UPAA designates the properties proposed to be annexed as Urban Reserve Planning Area (BCC

19-0226). Compliance with the applicable requirements of the intergovernmental agreement is demonstrated later in this narrative.

The boundary of the 2007 King City Urban Service Agreement between the city, Washington County, Metro, Tigard Water District (TWD), Clean Water Services (CWS) for sewer and stormwater, TriMet for transit, and Tualatin Valley Fire and Rescue (TVF&R) for emergency services does not include properties proposed to be annexed; therefore, the agreement is not applicable to this request.

(B) Any applicable annexation plan adopted pursuant to ORS 195.205;

Response: There is no applicable annexation plan. ORS 195.205 defines the process for annexation initiated by a city or urban service district. The request to annex the property is being initiated by the property owners; therefore, the statute is not applicable.

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

Response: The subject properties are not currently included in the boundary of the 2007 King City Urban Service Agreement between the City, Washington County, Metro, TWD, CWS, TriMet, or TVF&R. Thus, there is no currently applicable planning agreement between the affected entity and a necessary party. Through the concept and master planning process, the city has coordinated with these agencies and jurisdictions to ensure adequate capacity is available to serve the entirety of the Kingston Terrace planning area, including the subject properties. Upon annexation to the city the property owners will work to annex the site into the CWS service area. Service provider letters and plans depicting how the sites will be served will be included in subsequent development plan review applications.

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

Response: Public facility plans applicable to the subject properties include: King City's Transportation System Plan, and Clean Water Services' East Basin Master Plan.

King City recently adopted their Transportation System Plan in June 2023 as LU File #23-01 which provides approximate location and desired improvements to existing facilities. Future development of the properties proposed to be annexed will provide the following public transportation and improvements based upon the needs identified in the City's Transportation System Plan and the Kingston Terrace Master Plan:

- Improvements to Washington County arterial roads, SW Beef Bend and SW Roy Rogers including pedestrian and bicycle facilities and enhanced intersections.
- Urbanization of existing collector, SW Elsner Road, with improvements that include bicycle and pedestrian facilities.
- Extension of SW River Terrace Boulevard, collector, designed to support a multi-modal main street corridor.
- East-west collector, from SW Roy Rogers to SW Elsner roads, designed to extend eastward through the residential neighborhoods of Kingston Terrace.

- Roundabouts, traffic circles, and enhanced intersections designed to improve the safety of pedestrians and bicycles into and through the Town Center neighborhood.

Clean Water Services' (CWS) East Basin Master Plan notes "the District engaged in a collaborative process" with King City "to coordinate on master planning goals and timing of development." CWS's River Terrace South Pump Station is located in the southwest corner of tax lot 2S11700400. As noted in the Kingston Terrace Master Plan (KTMP), "the station is designed to serve the western portion of the KTMP area along with upslope areas on the south and west side of Bull Mountain. It also currently serves as a regional pump station to convey flows from the River Terrace and Cooper Mountain developments north of the KTMP planning area. A force main connects the pump station to the CWS' regional gravity sanitary sewer system by traversing north along SW Roy Rogers Road, then east along SW Beef Bend Road, discharging to a manhole near SW Myrtle Avenue. In the future, as development continues in the region, CWS will construct new conveyance facilities to reroute flows around the River Terrace South Pump Station. This will free up pump station capacity to serve additional development in the sewer service area, including full buildout of the KTMP planning area" (p. 70). Annexation of the property will allow incremental capacity upgrades as well as new conveyance facilities planned by CWS that will allow the River Terrace South Pump station to have more capacity to service the entire master plan area; therefore, annexation allowing for the inclusion of this site is integral to the timeliness of sanitary sewer provision.

(E) Any applicable comprehensive plan and;

Response: The subject properties are located within King City and are subject to the King City Comprehensive Plan. Compliance with the applicable comprehensive plan policies is demonstrated later in this narrative.

(F) Any applicable concept plan and;

Response: The subject properties are included within the King City Urban Reserve Area (URA) 6D Concept Plan. In accordance with Section 7, Next Steps of the Concept Plan, the following planning processes, required to be completed prior to initiation of annexation by property owners, have been completed as noted below:

- Concept Plan: The King City Urban Reserve Area 6D Concept Plan was adopted by the City Council on Resolution No. R-2018-03.
- Inclusion of the Urban Reserve Area 6D into Metro's Urban Growth Boundary (UGB): Metro adopted Ordinance No. 18-1427 which amended the UGB to include URA 6D.
- Transportation System Plan (TSP): Metro's approval of the UGB expansion required King City to complete a Transportation System plan. King City's City Council adopted the TSP on Ordinance No. 2023-01.
- Master Plan: King City's City Council adopted the Kingston Terrace Master Plan on Ordinance No. 2023-02.

- Amendment to King City’s Comprehensive Plan: King City’s City Council amended the City’s Comprehensive Plan to Support the Kingston Terrace Master Plan on Ordinance No. 2023-03.
- Amendment to King City’s Community Development Code: King City’s City Council adopted a series of Community Development Code (CDC) amendments to reflect the master plan and support its implementation on Ordinance No. 2023-04. Amendments to the CDC include a new zoning district and development regulations that ensure appropriate development outcomes in URA 6D.

The Concept Plan also requires properties to be annexed into the city prior to development, and “*the initiation of annexation will be the responsibility of property owners*” (p. 92). On behalf of the property owners, the applicant is requesting this annexation to be reviewed and approved through the applicable provisions of the City’s newly updated Community Development Code and adopted Kingston Terrace Master Plan. Compliance with applicable provisions of Kingston Terrace Master Plan is demonstrated later in this narrative.

- (2) Consider whether the boundary change would:
- (A) Promote the timely, orderly, and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

Response: The subject properties are within the planning areas of the Kingston Terrace Master Plan (KTMP), King City’s Urban Reserve Area 6D Concept Plan (Concept Plan), and King City’s Transportation System Plan (TSP). The Plans detail how timely, orderly, and economic provision of adequate public facilities will be provided to avoid unnecessary duplication of services as noted below:

Water: There is currently an intergovernmental agreement between the City of Tigard and City of King City which will allow Tigard to supply water to the KTMP plan area, including the properties proposed to be annexed. Tigard’s existing water supply is planned to undergo expansion as well as main extensions to serve and increase storage capacity for the master plan area. Tigard is planning an addendum to their Water Master Plan to account for these updates needed for the master plan area. Currently there is a connection to the Tigard Water District potable water service through an existing large diameter water main on SW Beef Bend Road, while a future connection to another large diameter water main will be provided from the River Terrace South development along SW Beef Bend Road. Backbone piping will be added throughout the subject properties to provide this connection and account for peak water demands. To ensure a timely and orderly provision of water services to the proposed properties, future development of the annexed properties will comply with current Tigard Municipal Code Water System Rules and Regulations (Tigard Municipal Code Chapter 12.10).

Sanitary Sewer: The subject properties will also be applying for annexation into Clean Water Services (CWS) District for the provision of sanitary sewer service, which will occur prior to development. CWS provides the nearest existing sanitary/ sewer system which

flows southeast from Bull Mountain's western and southern boundaries. The system then flows to the northernmost boundary of the subject properties and follows SW Beef Bend Road into King City where it outlets to the Durham Advanced Wastewater Treatment Facility. The River Terrace South Pump Station, located on SW Roy Rogers Rd, is the western edge of the proposed annexation area on tax lot 2S11700400. Incremental capacity upgrades as well as new conveyance facilities planned by CWS will allow the River Terrace South Pump station to have more capacity to service the entire master plan area; therefore, annexation allowing for the inclusion of this site is integral to the timeliness of sanitary sewer provision.

Stormwater: The subject properties will also be applying for annexation into CWS service district for the provision of stormwater services, which will occur prior to development. CWS provides stormwater management to the subject properties and utilizes natural stormwater infiltration and conveyance along the drainage ways and corridors that naturally exist throughout the subject properties, which eventually discharge in the Tualatin River. Future development of the subject properties will be subject to coordination with CWS to mitigate impacts to the existing natural systems. CWS is preparing a stormwater management study for the KTMP plan area. Findings from the study will inform any updates to the current system. This will help ensure the orderliness of stormwater service provision for the proposed annexation properties.

Transportation: The subject properties are included within the boundaries of the newly adopted TSP and KTMP. The Plan details a transportation system that can adequately serve the subject properties at density levels consistent with the KTMP's zoning of the subject properties. The Plans identify a future collector road, new local roads and neighborhood routes, and improvements to the county arterials, SW Roy Rogers Road and SW Beef Bend Road. The Plans also include potential funding strategy mechanisms, and the City has employed consulting services to explore the implementation of transportation system development charges which will support the orderly, timely, and economic provision of transportation services to serve the annexed properties.

Parks: The subject properties are within the boundaries of the KTMP plan area which identify public parks and open spaces to serve the community. The Plan also includes potential funding strategy mechanisms, and the City has employed consulting services to explore the implementation of park and recreation system development charges which support the orderly, timely, and economic provision of park and recreation facilities that will serve the annexed properties.

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

Response: The subject properties were annexed into the Metropolitan Service District, brought into the Urban Growth Boundary in December 2019, through Ordinance Number 18-1427.

IV. COMPLIANCE WITH OREGON REVISED STATUTES (ORS)

Chapter 222 City Boundary Changes; Mergers; Consolidations; Withdrawals

Response: Oregon Revised Statutes (ORS) Chapter 222 - City Boundary Changes; Consolidations; Withdrawals is applicable this annexation request. Compliance with the applicable sections of ORS 222 is demonstrated below:

ORS 222.111 Authority and Procedure for annexation

(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 (Authority and procedure for annexation) to 222.180 (Effective date of annexation) or 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915), the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.

Response: The properties proposed for annexation are contiguous to the City boundary. All 8 parcels, including the public right of way of SW Beef Bend Road provide a contiguous extension of the city boundary. ORS 222.111(1) provides that a city may annex territory (1) that is contiguous to the city or (2) that is "separated from it only by a public right-of-way or a stream, bay, lake or other body of water." Because the annexation includes both the target properties and the intervening public roadway, the single territory is contiguous to the city limits. *Link v. City of Florence, 58 Or LUBA 348, 374 (2009)*.

(2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

Response: On behalf of 100% of the property owners of this annexation request, the applicant is requesting the subject property currently under the jurisdiction of Washington County to be annexed into the City of King City.

(3) []

- (a) Except as provided in paragraph (b) of this subsection, the proposal of this subsection, the proposal for annexation may provide that, during each of not more than 10 full fiscal years beginning with the first fiscal year after the annexation takes effect, the rate of taxation for city purposes on property in the annexed territory shall be at a specified ratio of the highest rate of taxation applicable that year for city purposes to other property in the city.
- (b) For purposes of paragraph (a) of this subsection, a proposal for annexation initiated by the legislative body of a city may provide for a duration of not more than 20 full fiscal years.
- (c) The proposal may provide for the ratio to increase from fiscal year to fiscal year according to a schedule of increase specified in the proposal, but in no case may the proposal provide for a rate of taxation for city purposes in the

annexed territory that exceeds the highest rate of taxation for city purposes applicable to other property in the city for the current year.

- (d) If the annexation takes place pursuant to a proposal providing for taxation at a ratio, the city may not tax property in the annexed territory at a rate other than the ratio that the proposal authorizes for that fiscal year.
- (e) Notwithstanding paragraph (d) of this subsection, during the term of fiscal years provided for pursuant to paragraph (b) of this subsection, the ratio shall be 100 percent for property that is sold or transferred to new ownership, beginning with the first property tax year that begins after the sale or transfer.

Response: The process does not include any applicable substantive approval criteria. The application does not include a proposal regarding the rate of taxation for the property. The applicant recognizes that the city cannot assess taxes on the property in an amount that exceeds the highest city tax rate for the year.

(4) []

- (a) When the territory to be annexed includes a part less than the entire area of a district named in ORS 222.510 (Annexation of entire district), the proposal for annexation may provide that if annexation of the territory occurs the part of the district annexed into the city is withdrawn from the district as of the effective date of the annexation.
- (b) Notwithstanding paragraph (a) of this subsection, if the affected district is a district named in ORS 222.465 (Effective date of withdrawal from domestic water supply district, water control district or sanitary district), the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465 (Effective date of withdrawal from domestic water supply district, water control district or sanitary district).

Response: The properties proposed to be annexed are located in urban unincorporated Washington County and do not include land currently located in a district named in ORS 222.465 (domestic water supply district, water control district or sanitary district) or ORS 222.510 (rural fire protection district, a water district, a park and recreation district, a highway lighting district, a county service district, a special road district, a road assessment district, or a sanitary district or authority).

The properties are currently within and will continue to be in the Tualatin Valley Fire and Rescue (TVF&R) fire district and Pride Disposal solid waste hauler district. Concurrent with annexation into the City, the property owners will work to annex the site into the CWS service area. Service provider letters and plans depicting how the sites will be served will be included in subsequent development plan review applications.

- (5) The legislative body of the city shall submit, except when not required under ORS 222.120 (Procedure for annexation without election), 222.170 (Annexation by consent before public hearing or order for election) and 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915) to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 (Procedure for annexation without election) or 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915) to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the

city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.

Response: The applicant is requesting annexation of property contiguous to the city's boundary on behalf of 100% of the property owners and at least 50% of the active registered voters in the annexed area. The applicant requests that the application be processed as Type IV City Council review requiring a public hearing. Therefore, in accordance with ORS 222.120 and 222.170(2), the city does not need to call or hold an election.

(6) The proposal for annexation may be voted upon by the electors of the city and of the territory simultaneously or at different times not more than 12 months apart.

Response: The proposed annexation does not require a vote by the City's electors; therefore, this process is not applicable.

(7) Two or more proposals for annexation of territory may be voted upon simultaneously, but in the city, each proposal shall be stated separately on the ballot and voted on separately, and in the territory proposed for annexation, no proposal for annexing other territory may appear on the ballot.

Response: The proposed annexation does not require a vote by the City's electors; therefore, this process is not applicable.

ORS 222.120 Procedure for annexation without election

(1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.

Response: King City's City Charter does not expressly require an election for annexation; therefore, the applicant is requesting that the City approve the proposed annexation without an election.

(2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.

Response: In lieu of an election, this application will be processed as a legislative annexation through the Type IV procedure which requires a public hearing before the legislative body of King City.

(3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.

Response: Notice of the public hearing for the will be posted as required.

- (4) After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question:
- (a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;
 - (b) Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 (Annexation by consent of all owners of land and majority of electors) or 222.170 (Annexation by consent before public hearing or order for election), prior to the public hearing held under subsection (2) of this section; or
 - (c) Declare that the territory is annexed to the city where the Oregon Health Authority, prior to the public hearing held under subsection (1) of this section, has issued a finding that a danger to public health exists because of conditions within the territory as provided by ORS 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915).

Response: The applicant is requesting that following the public hearing, King City’s legislative body declare the territory annexed into the City in accordance with ORS 222.125.

- (5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510 (Annexation of entire district), the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465 (Effective date of withdrawal from domestic water supply district, water control district or sanitary district), the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465 (Effective date of withdrawal from domestic water supply district, water control district or sanitary district).

Response: The properties proposed to be annexed are located in urban unincorporated Washington County and do not include land currently located in a district named in ORS 222.465 (domestic water supply district, water control district or sanitary district) or ORS 222.510 (rural fire protection district, a water district, a park and recreation district, a highway lighting district, a county service district, a special road district, a road assessment district, or a sanitary district or authority); therefore, withdrawal from a district is not required.

- (6) The ordinance referred to in subsection (4) of this section is subject to referendum.

Response: The applicant is requesting approval of this legislative annexation application, to be processed through King City’s Type IV procedure.

- (7) For the purpose of this section, ORS 222.125 (Annexation by consent of all owners of land and majority of electors) and 222.170 (Annexation by consent before public hearing or order for election), “owner” or “landowner” means the legal owner of record or, where there is a recorded 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.

Response: The applicant is requesting annexation of property contiguous to the city's boundary on behalf of 100% of the property owners and a majority of the electors in the annexed area. Included as Exhibit G and Exhibit C are certifications of property ownership and title reports. Ownership of the properties is detailed in Table 1 of this narrative.

ORS 222.125 Annexation by consent of all owners of land and majority of electors

The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 (Procedure for annexation without election) when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

Response: The applicant is requesting annexation of property contiguous to the city's boundary on behalf of 100% of the property owners and at least 50% of the active registered voters in the annexed area. Included as Exhibit G and Exhibit I are certifications of property ownership and registered voters respectively.

The applicant requests that the annexation application be processed as a legislative Type IV City Council review requiring a public hearing; therefore, in accordance with ORS 222.120, the city does not need to call or hold an election.

ORS 222.170 Annexation by consent before public hearing or order for election

- (1) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the legislative body on or before the day:
 - (a) The public hearing is held under ORS 222.120 (Procedure for annexation without election), if the city legislative body dispenses with submitting the question to the electors of the city; or
 - (b) The city legislative body orders the annexation election in the city under ORS 222.111 (Authority and procedure for annexation), if the city legislative body submits the question to the electors of the city.

Response: The applicant is requesting annexation of property contiguous to the city's boundary on behalf of 100% of the property owners and at least 50% of the registered voters in the annexed area, in accordance with ORS 222.120(2).

- (2) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if a majority of the electors registered in the territory proposed to be annexed consent in writing to annexation and the owners of more than half of the land in that territory consent in writing to the annexation of their land and those owners and electors file a statement of their consent with the legislative body on or before the day:
- (a) The public hearing is held under ORS 222.120 (Procedure for annexation without election), if the city legislative body dispenses with submitting the question to the electors of the city; or
 - (b) The city legislative body orders the annexation election in the city under ORS 222.111 (Authority and procedure for annexation), if the city legislative body submits the question to the electors of the city.

Response: The applicant is requesting annexation of property contiguous to the city's boundary on behalf of 100% of the property owners and at least 50% of the active registered voters in the annexed area. Exhibit G and Exhibit I demonstrate certifications of property ownership and registered voters.

- (3) If the city legislative body has not dispensed with submitting the question to the electors of the city and a majority of the votes cast on the proposition within the city favor annexation, or if the city legislative body has previously dispensed with submitting the question to the electors of the city as provided in ORS 222.120 (Procedure for annexation without election), the legislative body, by resolution or ordinance, shall set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

Response: The applicant is requesting King City's legislative body to dispense with submitting the question of annexation to the electors. In accordance with ORS 222.120 and 222.170(2), the city is not required to hold an election for annexations of property contiguous to the city's boundary if 100% of the property owners and at least 50% of the registered voters in the territory have consented in writing to the annexation.

- (4) Real property that is publicly owned, is the right of way for a public utility, telecommunications carrier as defined in ORS 133.721 (Definitions for ORS 41.910 and 133.721 to 133.739) or railroad or is exempt from ad valorem taxation shall not be considered when determining the number of owners, the area of land or the assessed valuation required to grant consent to annexation under this section unless the owner of such property files a statement consenting to or opposing annexation with the legislative body of the city on or before a day described in subsection (1) of this section.

Response: The area of annexation includes public rights-of-way: SW Roy Rogers, SW Beef Bend, and SW Elsner Roads. Included as Exhibit K is a letter from Washington County's Director of Land Use and Transportation documenting concurrence with the annexation of the Roy Rogers and Beef Bend Road rights-of-way.

ORS 222.173 Time limit for filing statements of consent

- (1) For the purpose of authorizing an annexation under ORS 222.170 (Annexation by consent before public hearing or order for election) or under a proceeding initiated as provided by ORS 199.490 (Procedure for minor boundary changes or

transfers of territory) (2), only statements of consent to annexation which are filed within any one-year period shall be effective, unless a separate written agreement waiving the one-year period or prescribing some other period of time has been entered into between an owner of land or an elector and the city.

- (2) Statements of consent to annexation filed with the legislative body of the city by electors and owners of land under ORS 222.170 (Annexation by consent before public hearing or order for election) are public records under ORS 192.311 (Definitions for ORS 192.311 to 192.478) to 192.478 (Exemption for Judicial Department).

Response: The application includes petitions signed by 100% of the property owners and at least 50% of the electors, all of which were obtained within a one-year period, meeting the thresholds required by ORS 222.170(2).

ORS 222.175 City to provide information on taxes and services when soliciting statements of consent

If a city solicits statements of consent under ORS 222.170 (Annexation by consent before public hearing or order for election) from electors and owners of land in order to facilitate annexation of unincorporated territory to the city, the city shall, upon request, provide to those electors and owners information on that city's ad valorem tax levied for its current fiscal year expressed as the rate per thousand dollars of assessed valuation, a description of services the city generally provides its residents and owners of property within the city and such other information as the city considers relevant to the impact of annexation on land within the unincorporated territory within which statements of consent are being solicited.

Response: The statements of consent are being offered voluntarily and at the initiation of the owners of the annexation area; therefore, this standard is not applicable.

V. COMPLIANCE WITH KING CITY'S COMPREHENSIVE PLAN

King City's Comprehensive Plan - Kingston Terrace Planning Area

Response: The applicant is requesting annexation of the subject properties to facilitate development of the northern portion of the Town Center neighborhood. Future development of the Town Center by the applicant will comply with the Kingston Terrace Planning Area policies identified in the City's Comprehensive Plan as demonstrated below. An Annexation Agreement for properties within the Town Center neighborhood and an Agreement for properties outside the Town Center will further document how the applicant proposes future development of these properties in as envisioned in the Kingston Terrace Master Plan.

Policies Natural Systems:

1. Use a conservative approach to protecting natural resources, with a progression of physical transitions from south to north between the river and developed areas. [...]
2. Development in areas with lower quality resources are designed to prevent damage to the environment and mitigated to restore ecological functions lost or damaged due to the development. [...]

3. Open space dedications add to environmental protections in and adjacent to identified resource areas, with the amount of open space increasing as development progresses from west to east. [...]

Response: The applicant's request to annex the subject properties is the first step required for future development of the Town Center neighborhood. Through the concept and master planning processes, the site was identified as the town center because it contains lesser-quality natural resources than the rest of the Kingston Terrace plan area and is located more than 700-feet west and more than 1,000-feet north, is disconnected from and located outside of the 125-foot minimum vegetated corridor of the Tualatin River. The applicant's concept plan for the project uses locates the highest-density mixed-use areas along the extensions of SW River Terrace Boulevard and SW Fischer Road. Areas of the neighborhood adjacent to the natural recourse area and closest to the river across SW Elsner Road, are proposed to provide single-family detached housing. With development of the Town Center neighborhood, the applicant proposes to enhance the wetlands in the natural resource area to create an attractive easily accessible amenity. A preliminary agreement between the city and applicant for dedication of open space and environmental protection will be documented through the Annexation Agreement.

Policies Community and Neighborhood Design:

1. Integrate green spaces and wetlands into each neighborhood. [...]
2. A wide variety of housing types are intermixed together into the same neighborhood, even on the same block, providing housing choices to people of all ages and income levels. [...]

Response: The mixed-use project will provide a variety of housing types, retail and commercial, civic services, a parks and trail system, and multi-modal circulation that will foster connectivity, support a walkable community, and allow residents to efficiently access community amenities. The applicant proposes to integrate a public park and open space system into the town center neighborhood that includes park blocks, a natural area open space amenity, urban plazas, an urban park, linear greens, and trails. The town center neighborhood is designed to include mixed-use and apartment buildings, townhomes, small single-detached dwellings, single-detached alley loaded homes, single-detached medium size homes, and single-detached standard size homes that will offer a variety of housing for people of all ages and income levels. The Annexation Agreement is supported by the applicant's concept plan for the project which identifies the areas of green space and wetlands integrated into the neighborhood and the number and type of housing proposed to be provided.

Policies Parks and Open Space:

1. Provide different choices for recreation and parks, including pocket parks, recreation and playfields, and a connected trail system and ensure that all residents have visual and physical access to natural edges, trails, and natural resources. [...]
2. King City will use developer agreements to designate land for parks or obtain funds through SDC allocation to acquire property for specific parks.

Response: The Annexation Agreement is supported by the applicant’s concept plan for the project which identifies parks and open space amenities proposed to be integrated into the town center neighborhood. The amenities include park blocks, a natural area open space amenity, urban plazas, an urban park, linear greens, and trails. The applicant agrees to draft a Development Agreement detailing dedication of land and park system development charges payment/ credit received for public parks and open space if conditioned for Development Plan Review approval.

Policies Mobility:

1. **Highly connected neighborhoods and a fine-grained network of streets and trails. [...]**
2. **Most streets serving Kingston Terrace change in character to match the neighborhood they traverse. [...]**
3. **Narrow streets and appropriate traffic controls “tame streets” by reducing speeds through use of geometric design, signals, roundabouts and mini-roundabouts (traffic circles), bicycle and pedestrian protections (e.g., refuge islands and pedestrian-activated signals). [...]**
4. **Micro mobility, active transportation, and universal design concepts are built into the network and into the design of each individual street from the beginning and not as an afterthought. [...]**
5. **Streets like SW Beef Bend Road play a role in the future: connecting the region and serving local needs. [...]**

Response: As illustrated on the applicant’s concept plan for the town center, the project proposes improvements to existing arterial streets and an internal street system that will provide a robust pedestrian and bicycle network that supports safe, efficient, and convenient multi-modal access to amenities and services minimizing automobile dependency. The applicant has procured the services of a traffic engineer to conduct a traffic impact analysis that will ensure appropriately designed streets and traffic controls are provided.

Policies Public Utilities and Services:

1. **New development in Kingston Terrace is designed so as not to create an adverse impact to the existing storm drainage systems. [...]**
2. **King City works with local and regional service providers to ensure that new infrastructure serves the region while benefitting King City and reducing the cost of local development. [...]**

Response: The applicant’s Development Plan Review application will include a Service Provider Letter (SPL) from Clean Water Services (CWS). The SPL will demonstrate how stormwater management is implemented in the town center to comply with CWS’s water quality standards. The applicant will also obtain SPLs from the City of Tigard for water service and CWS for sanitary sewer service.

Policies Infrastructure Funding:

1. **King City will use an equitable infrastructure fee system that works with property ownership and development pacing. [...]**
2. **Develop infrastructure plans that can be paid for by the development yield and is comparable to development fees in nearby jurisdictions.**

Response: If conditioned for Development Plan Review approval, the applicant agrees to draft a Development Agreement detailing payment and/or credit received for applicable system development charges.

VI. COMPLIANCE WITH KINGSTON TERRACE MASTER PLAN (KTMP)

Kingston Terrace Master Plan (KTMP) - Implementation (p. 92)

1. Development phasing and annexation strategy.

Response: On behalf of the property owners, the applicant is requesting annexation of the area prior to development in accordance with the KTMP development strategy. Annexation is being requested in accordance with the City's newly adopted CDC Chapter 16.192, Annexation, which defines the annexation process. The applicant is requesting the properties be assigned zoning designations identified in Table 3 of this narrative.

2. Ensuring that new development is consistent with the KTMP.

Response: The applicant will work in partnership with the City to draft an annexation/development agreement that once executed will provide a commitment to the future development of the property that will comply with the Kingston Terrace Master Plan and applicable provisions of the City's Community Development Code; specifically, the City's newly adopted CDC Chapter 16.114 - Kingston Terrace District Code. Compliance with applicable Clean Water Services (CWS), state, and federal agency standards will be demonstrated through the development plan review process requirements of CDC Chapter 16.114.

3. Confirming planning roles for King City and partner jurisdictions.

Response: At the time of development plan review, the applicant will submit Service Provider Letters (SPLs) that confirm the area will be adequately served. To ensure coordination of infrastructure improvements, preliminary transportation, utility, and stormwater management plans will be reviewed by Washington County, City of Tigard, and Clean Water Services during the development plan review process.

4. Developing funding mechanisms for public infrastructure.

Response: An annexation/development agreement between the applicant and City will outline the financial mechanisms to fund public improvements and amenities to be constructed by the developer.

VII. COMPLIANCE WITH WASHINGTON COUNTY - KING CITY URBAN PLANNING AREA AGREEMENT (BCC 19-0226)

II. Coordination of Comprehensive Planning and Development

D. Annexation of COUNTY Urban Areas

1. Definition - The CITY's Area of Interest means the unincorporated urban land adjacent to the CITY and within the CITY's Urban Planning Area.

Response: The subject properties are within the City's Area of Interest, the Urban Planning Reserve area.

2. The CITY's Area of Interest is identified on "Exhibit A" to this Agreement

Response: The subject properties fall within the outlined Area of Interest in "Exhibit A".

3. The CITY does not conduct comprehensive planning for the CITY's Area of Interest until after annexation to the city, but maintains an interest in the COUNTY's comprehensive planning and development actions because of the potential impacts to the CITY's Urban Planning Area.

Response: The properties are currently designated Future Development, 20-acres (FD-20). In 2011 the properties were included in an area designated by Metro as Urban Reserve Area (URA) 6D; in 2018 the properties were included in the boundary of King City's Concept Plan for URA 6D; in 2019 the properties were annexed into the Metropolitan Service District and brought into the Urban Growth Boundary; and the properties are within the City's newly adopted Kingston Terrace Master Plan area. The applicant is requesting zoning designations that comply with and implement the comprehensive plan designations, identified in Table 3 of this narrative, be applied to the property upon approval of the annexation.

4. Upon annexation of land identified within the CITY's Area of Interest, the CITY agrees to convert COUNTY plan designations to CITY plan and zoning designations which most closely approximate the density, use provisions and standards of the COUNTY designations.

Response: The subject properties are currently zoned FD-20 by the County, which identifies an interim use until the City undergoes plan and zone designations. Pursuant to the Kingston Terrace Master Plan, the properties will receive zoning designations as identified in Table 3 of this narrative upon annexation, in response to CDC Section 16.192.040.A.2.b.

VIII. PROPOSAL SUMMARY & CONCLUSION

This Narrative, in conjunction with the attached information, describes the proposal and demonstrates compliance with the applicable approval criteria for an annexation; therefore, the applicant respectfully requests approval of the annexation to bring the subject property into the jurisdictional boundary of the City of King City.

EXHIBIT D

Application Materials

APPLICANT EXHIBIT B

Signed Land Use Application Forms



City of King City, Oregon Land Use Action Application

Title 16 Community Development and Zoning Code

Land Use Application Type:

- Accessory Dwelling Unit (ADU) Comprehensive Plan Map Amendment Conditional Use
- Home Occupation Land Partition Lot Line Adjustment/Lot Consolidation
- Planned Development: Flood review: Site Development Review: Subdivision Temporary Use Permit
- Zoning Map Amendment Variance Miscellaneous: Annexation

PROJECT INFORMATION:

Annexation

Project Name: _____

Brief description of the project:

Annexation of properties in Kingston Terrace Master Plan area. (See enclosed Annexation application for details.)

APPLICATION INFORMATION:

Pam Verdadero, VP - New Home Company

Name: (Last, First)
15455 NW Greenbrier Pkway., Suite 240

Mailing Address:
Beaverton, OR 97006

City State Zip
503-313-7795

Telephone Fax
pverdadero@nwhm.com

Email Address (Correspondence)

Maureen Jackson Pacific Community Design

Applicants representative (company, person name):
503-941-9484 maureen@pacific-community.com

Representative Phone Representative email:

SITE INFORMATION

16170 SW Beef Bend Rd. Sherwood OR

Location (address if available)
2S117 208

Tax Map Number Tax Lot Number
45.27 ac FD-20

Site size: Current Zoning:

Property Owner Information Same as applicant

(Attach list for additional owners)
Hasuike

Name: (Last, First)

City State Zip

Telephone Fax

Email Address (Correspondence)

SUBMITTAL REQUIREMENTS:

In addition to this application form, you must submit all required items listed in [Title 16 Community Development and Zoning Code](#) of King City Community Development Code. If you are unsure what is required with your application, please contact the planner on duty at 503-639-4082 or generalinformation@ci.king-city.or.us

PLEASE RETURN APPLICATION AND REMIT PAYMENT TO:

CITY OF KING CITY
15300 S.W. 116TH AVE.
KING CITY, OR 97224
PHONE (503)639-4082
EMAIL: GENERALINFORMATION@CI.KING-CITY.OR.US

King City Oregon Land Use Action Application Continued

It shall be the responsibility of the undersigned to comply with King City Development Code, Chapter 16. If you have questions about your application, call (503)639-4082 or send an email to generalinformation@ci.king-city.or.us.

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.

Betty H. Young
Signature of Property Owner

4/1/23
Date

Tax Lot 2S1170000208

Address: 16170 SW Beef Bend Rd. Sherwood, OR

Signature of Applicant (required if different)

Date

Fees and other Information:

TO BE SUBMITTED WITH THE APPLICATION:

To complete the application, submit fifteen (15) copies of the following:

1. A brief statement describing how the proposed action satisfies the requested findings criteria contained in the Comprehensive Plan for the action requested.
2. Applicable existing conditions and proposed development plan information and materials listed in part ___Chapter___Section___of the Comprehensive Plan. The information in Section 4.100, which is applicable to a given application shall be determined during a pre-application conference with the Planning Department.

Fee Information:

Please go the City Online Forms section for the Master Fee Schedule. [Click here.](#)

FOR OFFICE USE ONLY:

Approved Denied Withdrawn

Application #: _____

Date: _____

Amount Paid: _____

Received By: _____

Receipt #: _____

Reviewed By: _____

King City Oregon Land Use Action Application Continued

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Steve Y Hasumka 9/8/23
Signature of Property Owner Date

Tax Lot 2S1170000208
Address: 16170 SW Beef Bend Rd. Sherwood, OR

Signature of Applicant (required if different) Date

Fees and other Information:

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David J. Asmus

Signature of Property Owner

4/5/23

Date

Tax Lot 2S1170000208

Address: 16170 SW Beef Bend Rd. Sherwood, OR

Signature of Applicant (required if different)

Date

Fees and other Information:

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Signature of Property Owner

4-1-2003

Date

Tax Lot 2S1170000208
Address: 16170 SW Beef Bend Rd. Sherwood, OR

Signature of Applicant (required if different)

Date

Fees and other Information:

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FOR OFFICE USE ONLY:

Approved Denied Withdrawn

Application #: _____

Date: _____

Amount Paid: _____

Received By: _____

Receipt # _____

Reviewed By: _____



City of King City, Oregon Land Use Action Application

Title 16 Community Development and Zoning Code

Land Use Application Type:

- Accessory Dwelling Unit (ADU) Comprehensive Plan Map Amendment Conditional Use
- Home Occupation Land Partition Lot Line Adjustment/Lot Consolidation
- Planned Development: Flood review: Site Development Review: Subdivision Temporary Use Permit
- Zoning Map Amendment Variance Miscellaneous: Annexation

PROJECT INFORMATION:

Annexation

Project Name: _____

Brief description of the project:

Annexation of properties in Kingston Terrace Master Plan area. (See enclosed Annexation application for details.)

APPLICATION INFORMATION:

Pam Verdadero, VP - New Home Company

Name: (Last, First)
15455 NW Greenbrier Pkway., Suite 240

Mailing Address:
Beaverton, OR 97006

City _____ State _____ Zip _____
503-313-7795

Telephone _____ Fax _____
pverdadero@nwhm.com

Email Address (Correspondence)
Maureen Jackson Pacific Community Design

Applicants representative (company, person name):
503-941-9484 maureen@pacific-community.com

Representative Phone _____ Representative email: _____

SITE INFORMATION

n/a Sherwood OR

Location (address if available)
2S117 400

Tax Map Number _____ Tax Lot Number _____
30.67 ac FD-20

Site size: _____ Current Zoning: _____

Property Owner Information Same as applicant

(Attach list for additional owners)
Hasuike

Name: (Last, First) _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Email Address (Correspondence) _____

SUBMITTAL REQUIREMENTS:

In addition to this application form, you must submit all required items listed in [Title 16 Community Development and Zoning Code](#) of King City Community Development Code. If you are unsure what is required with your application, please contact the planner on duty at 503-639-4082 or generalinformation@ci.king-city.or.us

PLEASE RETURN APPLICATION AND REMIT PAYMENT TO:

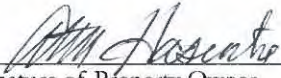
CITY OF KING CITY
15300 S.W. 116TH AVE.
KING CITY, OR 97224
PHONE (503)639-4082
EMAIL: GENERALINFORMATION@CI.KING-CITY.OR.US

King City Oregon Land Use Action Application Continued

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

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 4-1-2023
Signature of Property Owner Date

Signature of Applicant (required if different) Date

Tax Lot 251170000400
Address: no address - Sherwood, OR

Fees and other Information:

TO BE SUBMITTED WITH THE APPLICATION:

To complete the application, submit fifteen (15) copies of the following:

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FOR OFFICE USE ONLY:

Approved Denied Withdrawn

Application #: _____

Date: _____

Amount Paid: _____

Received By: _____

Receipt # _____

Reviewed By: _____

King City Oregon Land Use Action Application Continued

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David J. Asmike

Signature of Property Owner

4/5/23

Date

Tax Lot 2S1170000400

Address: no address - Sherwood, OR

Signature of Applicant (required if different)

Date

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Alex Haskin
Signature of Property Owner

4/5/23
Date

Tax Lot 2S1170000400
Address: no address - Sherwood, OR

Signature of Applicant (required if different)

Date

Fees and other Information:

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Betty H. Young 4/1/23
Signature of Property Owner Date

Signature of Applicant (required if different) Date

Tax Lot 2S1170000400
Address: no address - Sherwood, OR

Fees and other Information:

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FOR OFFICE USE ONLY:

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Date: _____

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Received By: _____

Receipt # _____

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City of King City, Oregon Land Use Action Application

Title 16 Community Development and Zoning Code

Land Use Application Type:

- Accessory Dwelling Unit (ADU) Comprehensive Plan Map Amendment Conditional Use
- Home Occupation Land Partition Lot Line Adjustment/Lot Consolidation
- Planned Development: Flood review: Site Development Review: Subdivision Temporary Use Permit
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PROJECT INFORMATION:

Annexation

Project Name: _____

Brief description of the project:

Annexation of properties in Kingston Terrace Master Plan area. (See enclosed Annexation application for details.)

APPLICATION INFORMATION:

Pam Verdadero, VP - New Home Company

Name: (Last, First)
15455 NW Greenbrier Pkway., Suite 240

Mailing Address:
Beaverton, OR 97006

City State Zip
503-313-7795

Telephone Fax
pverdadero@nwhm.com

Email Address (Correspondence)
Maureen Jackson Pacific Community Design

Applicants representative (company, person name):
503-941-9484 maureen@pacific-community.com

Representative Phone Representative email:

SITE INFORMATION

15260 SW Beef Bend Rd., Tigard OR

Location (address if available)
2S117A 601

Tax Map Number Tax Lot Number
13.36 ac FD-20

Site size: Current Zoning:

Property Owner Information Same as applicant

(Attach list for additional owners)
Hasuike

Name: (Last, First)

City State Zip

Telephone Fax

Email Address (Correspondence)

SUBMITTAL REQUIREMENTS:

In addition to this application form, you must submit all required items listed in [Title 16 Community Development and Zoning Code](#) of King City Community Development Code. If you are unsure what is required with your application, please contact the planner on duty at 503-639-4082 or generalinformation@ci.king-city.or.us

PLEASE RETURN APPLICATION AND REMIT PAYMENT TO:

CITY OF KING CITY
15300 S.W. 116TH AVE.
KING CITY, OR 97224
PHONE (503)639-4082
EMAIL: GENERALINFORMATION@CI.KING-CITY.OR.US

King City Oregon Land Use Action Application Continued

It shall be the responsibility of the undersigned to comply with King City Development Code, Chapter 16. If you have questions about your application, call (503)639-4082 or send an email to generalinformation@ci.king-city.or.us.

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.

Betty H. Young
Signature of Property Owner

1/5/23
Date

Tax Lot 2S117A000601

Address: 15260 SW Beef Bend Rd. Tigard, OR

Signature of Applicant (required if different)

Date

Fees and other Information:

TO BE SUBMITTED WITH THE APPLICATION:

To complete the application, submit fifteen (15) copies of the following:

1. A brief statement describing how the proposed action satisfies the requested findings criteria contained in the Comprehensive Plan for the action requested.
2. Applicable existing conditions and proposed development plan information and materials listed in part ___Chapter___Section___of the Comprehensive Plan. The information in Section 4.100, which is applicable to a given application shall be determined during a pre-application conference with the Planning Department.

Fee Information:

Please go the City Online Forms section for the Master Fee Schedule. [Click here.](#)

FOR OFFICE USE ONLY:

Approved Denied Withdrawn

Application #: _____

Date: _____

Amount Paid: _____

Received By: _____

Receipt # _____

Reviewed By: _____

King City Oregon Land Use Action Application Continued

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Suzanne Hasuke 4-2-23
Signature of Property Owner Date

Signature of Applicant (required if different) Date

Tax Lot 2S117A000601
Address: 15260 SW Beef Bend Rd. Tigard, OR

Fees and other Information:

TO BE SUBMITTED WITH THE APPLICATION:

To complete the application, submit fifteen (15) copies of the following:

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FOR OFFICE USE ONLY:

Approved Denied Withdrawn

Application #: _____

Date: _____

Amount Paid: _____

Received By: _____

Receipt # _____

Reviewed By: _____

King City Oregon Land Use Action Application Continued

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Steve Y. Hoswiler
Signature of Property Owner

4/15/23
Date

Tax Lot 2S117A000601

Address: 15260 SW Beef Bend Rd. Tigard, OR

Signature of Applicant (required if different)

Date

Fees and other Information:

TO BE SUBMITTED WITH THE APPLICATION:

To complete the application, submit fifteen (15) copies of the following:

1. A brief statement describing how the proposed action satisfies the requested findings criteria contained in the Comprehensive Plan for the action requested.
2. Applicable existing conditions and proposed development plan information and materials listed in part ___Chapter___Section___of the Comprehensive Plan. The information in Section 4.100, which is applicable to a given application shall be determined during a pre-application conference with the Planning Department.

Fee Information:

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FOR OFFICE USE ONLY:

Approved Denied Withdrawn

Application #: _____

Date: _____

Amount Paid: _____

Received By: _____

Receipt # _____

Reviewed By: _____

King City Oregon Land Use Action Application Continued

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

David Z. Hamrick 4/5/23
Signature of Property Owner Date

Tax Lot 2S117A000601
Address: 15260 SW Beef Bend Rd. Tigard, OR

Signature of Applicant (required if different) Date

Fees and other Information:

TO BE SUBMITTED WITH THE APPLICATION:

To complete the application, submit fifteen (15) copies of the following:

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2. Applicable existing conditions and proposed development plan information and materials listed in part Chapter Section of the Comprehensive Plan. The information in Section 4.100, which is applicable to a given application shall be determined during a pre-application conference with the Planning Department.

Fee Information:

Please go the City Online Forms section for the Master Fee Schedule. [Click here.](#)

FOR OFFICE USE ONLY:

Approved Denied Withdrawn

Application #: _____

Date: _____

Amount Paid: _____

Received By: _____

Receipt # _____

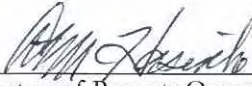
Reviewed By: _____

King City Oregon Land Use Action Application Continued

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 4-1-2023
Signature of Property Owner Date

Signature of Applicant (required if different) Date

Tax Lot 2S117A000601
Address: 15260 SW Beef Bend Rd. Tigard, OR

Fees and other Information:

TO BE SUBMITTED WITH THE APPLICATION:

To complete the application, submit fifteen (15) copies of the following:

1. A brief statement describing how the proposed action satisfies the requested findings criteria contained in the Comprehensive Plan for the action requested.
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Fee Information:

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FOR OFFICE USE ONLY:

Approved Denied Withdrawn

Application #: _____

Date: _____

Amount Paid: _____

Received By: _____

Receipt # _____

Reviewed By: _____



City of King City, Oregon Land Use Action Application

Title 16 Community Development and Zoning Code

Land Use Application Type:

- Accessory Dwelling Unit (ADU) Comprehensive Plan Map Amendment Conditional Use
- Home Occupation Land Partition Lot Line Adjustment/Lot Consolidation
- Planned Development: Flood review: Site Development Review: Subdivision Temporary Use Permit
- Zoning Map Amendment Variance Miscellaneous: Annexation

PROJECT INFORMATION:

Annexation

Project Name: _____

Brief description of the project:

Annexation of properties in Kingston Terrace Master Plan area. (See enclosed Annexation application for details.)

APPLICATION INFORMATION:

Pam Verdadero, VP - New Home Company

Name: (Last, First)
15455 NW Greenbrier Pkway., Suite 240

Mailing Address:
Beaverton, OR 97006

City State Zip
503-313-7795

Telephone Fax
pverdadero@nwhm.com

Email Address (Correspondence)
Maureen Jackson Pacific Community Design

Applicants representative (company, person name):
503-941-9484 maureen@pacific-community.com

Representative Phone Representative email:

SITE INFORMATION 16920 SW Roy Rogers Rd. &
16282 SW Beef Bend Rd., Sherwood

Location (address if available)
2S118 1501 & 1502

Tax Map Number Tax Lot Number
48.23 ac FD-20

Site size: Current Zoning:

Property Owner Information Same as applicant
(Attach list for additional owners) MF Beef Bend LLC

Name: (Last, First)
City State Zip

Telephone Fax

Email Address (Correspondence)

SUBMITTAL REQUIREMENTS:

In addition to this application form, you must submit all required items listed in [Title 16 Community Development and Zoning Code](#) of King City Community Development Code. If you are unsure what is required with your application, please contact the planner on duty at 503-639-4082 or generalinformation@ci.king-city.or.us

PLEASE RETURN APPLICATION AND REMIT PAYMENT TO:

CITY OF KING CITY
15300 S.W. 116TH AVE.
KING CITY, OR 97224
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King City Oregon Land Use Action Application Continued

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

Signature of Property Owner

Date

Tax Lot 251180001501 & 1502

Signature of Applicant (required if different)

Date

**Address: 16282 SW Beef Bend Rd. Sherwood, OR
16920 SW Roy Rogers Rd. Sherwood, OR**

Fees and other Information:

TO BE SUBMITTED WITH THE APPLICATION:

To complete the application, submit fifteen (15) copies of the following:

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Fee Information:

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FOR OFFICE USE ONLY:

Approved Denied Withdrawn

Application #: _____

Date: _____

Amount Paid: _____

Received By: _____

Receipt # _____

Reviewed By: _____



City of King City, Oregon Land Use Action Application

Title 16 Community Development and Zoning Code

Land Use Application Type:

- Accessory Dwelling Unit (ADU) Comprehensive Plan Map Amendment Conditional Use
- Home Occupation Land Partition Lot Line Adjustment/Lot Consolidation
- Planned Development: Flood review: Site Development Review: Subdivision Temporary Use Permit
- Zoning Map Amendment Variance Miscellaneous: Annexation

PROJECT INFORMATION:

Annexation

Project Name: _____

Brief description of the project:

Annexation of properties in Kingston Terrace Master Plan area. (See enclosed Annexation application for details.)

APPLICATION INFORMATION:

Pam Verdadero, VP - New Home Company

Name: (Last, First)
15455 NW Greenbrier Pkway., Suite 240

Mailing Address:
Beaverton, OR 97006

City State Zip
503-313-7795

Telephone Fax
pverdadero@nwhm.com

Email Address (Correspondence)

Maureen Jackson Pacific Community Design

Applicants representative (company, person name):
503-941-9484 maureen@pacific-community.com

Representative Phone Representative email:

SITE INFORMATION

17147 SW Elsnor Rd., Sherwood OR

Location (address if available)
2S117 204

Tax Map Number Tax Lot Number
2.13 ac FD-20

Site size: Current Zoning:

Property Owner Information Same as applicant
(Attach list for additional owners)

CTH Investments, LLC

Name: (Last, First)
City State Zip

Telephone Fax

Email Address (Correspondence)

SUBMITTAL REQUIREMENTS:

In addition to this application form, you must submit all required items listed in [Title 16 Community Development and Zoning Code](#) of King City Community Development Code. If you are unsure what is required with your application, please contact the planner on duty at 503-639-4082 or generalinformation@ci.king-city.or.us

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KING CITY, OR 97224
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King City Oregon Land Use Action Application Continued

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



Signature of Property Owner Date

Signature of Applicant (required if different) Date

Tax Lot 2S1170000204
Address: 17147 SW Elsner Rd. Sherwood, OR

Fees and other Information:

TO BE SUBMITTED WITH THE APPLICATION:

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Fee Information:

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FOR OFFICE USE ONLY:

<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Withdrawn
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Application #: _____
Date: _____
Amount Paid: _____
Received By: _____
Receipt #: _____
Reviewed By: _____



City of King City, Oregon Land Use Action Application

Title 16 Community Development and Zoning Code

Land Use Application Type:

- Accessory Dwelling Unit (ADU) Comprehensive Plan Map Amendment Conditional Use
- Home Occupation Land Partition Lot Line Adjustment/Lot Consolidation
- Planned Development: Flood review: Site Development Review: Subdivision Temporary Use Permit
- Zoning Map Amendment Variance Miscellaneous: Annexation

PROJECT INFORMATION:

Annexation

Project Name: _____

Brief description of the project:

Annexation of properties in Kingston Terrace Master Plan area. (See enclosed Annexation application for details.)

APPLICATION INFORMATION:

Pam Verdadero, VP - New Home Company

Name: (Last, First)
15455 NW Greenbrier Pkway., Suite 240

Mailing Address:
Beaverton, OR 97006

City State Zip
503-313-7795

Telephone Fax
pverdadero@nwhm.com

Email Address (Correspondence)

Maureen Jackson Pacific Community Design

Applicants representative (company, person name):
503-941-9484 maureen@pacific-community.com

Representative Phone Representative email:

SITE INFORMATION

n/a Sherwood OR

Location (address if available)
2S117 203

Tax Map Number Tax Lot Number
9.49 ac FD-20

Site size: Current Zoning:

Property Owner Information Same as applicant
(Attach list for additional owners)

CTH Investments, LLC

Name: (Last, First) _____

City State Zip _____

Telephone Fax _____

Email Address (Correspondence) _____

PLEASE RETURN APPLICATION AND REMIT PAYMENT TO:

CITY OF KING CITY
15300 S.W. 116TH AVE.
KING CITY, OR 97224
PHONE (503)639-4082
EMAIL: GENERALINFORMATION@CI.KING-CITY.OR.US

SUBMITTAL REQUIREMENTS:

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King City Oregon Land Use Action Application Continued

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Signature of Property Owner

Date

Tax Lot 2S1170000203

Address: n/a Sherwood, OR

Signature of Applicant (required if different)

Date

Fees and other Information:

TO BE SUBMITTED WITH THE APPLICATION:

To complete the application, submit fifteen (15) copies of the following:

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Fee Information:

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FOR OFFICE USE ONLY:

Approved Denied Withdrawn

Application #: _____

Date: _____

Amount Paid: _____

Received By: _____

Receipt # _____

Reviewed By: _____



City of King City, Oregon Land Use Action Application

[Title 16 Community Development and Zoning Code](#)

Land Use Application Type:

- Accessory Dwelling Unit (ADU) Comprehensive Plan Map Amendment Conditional Use
- Home Occupation Land Partition Lot Line Adjustment/Lot Consolidation
- Planned Development: Flood review: Site Development Review: Subdivision Temporary Use Permit
- Zoning Map Amendment Variance Miscellaneous: Annexation

PROJECT INFORMATION:

Annexation

Project Name: _____

Brief description of the project:

Annexation of properties in Kingston Terrace Master Plan area. (See enclosed Annexation application for details.)

APPLICATION INFORMATION:

Pam Verdadero, VP - New Home Company

Name: (Last, First)
15455 NW Greenbrier Pkway., Suite 240

Mailing Address:
Beaverton, OR 97006

City State Zip
503-313-7795

Telephone Fax
pverdadero@nwhm.com

Email Address (Correspondence)
Maureen Jackson Pacific Community Design

Applicants representative (company, person name):
503-941-9484 maureen@pacific-community.com

Representative Phone Representative email:

SITE INFORMATION

15822 SW Beef Bend Rd. Sherwood, OR

Location (address if available)
2S117 1000

Tax Map Number Tax Lot Number
42.33 ac FD-20

Site size: Current Zoning:

Property Owner Information Same as applicant
(Attach list for additional owners) Sharlin Farm, LLC

Name: (Last, First)
City State Zip

Telephone Fax

Email Address (Correspondence)

SUBMITTAL REQUIREMENTS:

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King City Oregon Land Use Action Application Continued

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DocuSigned by:		
<i>Michael O'Halloran</i>	4/6/2023	
<small>DocuSigned by:</small>		
<i>[Signature]</i>	Date	Tax Lot 2S1170001000
<small>Signature of Property Owner</small>	4/6/2023	Address: 15822 SW Beef Bend Rd. Sherwood, OR
<small>Signature of Applicant (required if different)</small>	Date	

Fees and other Information:

TO BE SUBMITTED WITH THE APPLICATION:

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Fee Information:

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FOR OFFICE USE ONLY:

<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn
Application #: _____
Date: _____
Amount Paid: _____
Received By: _____
Receipt # _____
Reviewed By: _____

APPLICANT EXHIBIT C

Title Reports



First American Title™

First American Title Insurance Company

1 SW Columbia Street, Ste 1600
Portland, OR 97204
Phn - (503)222-3651 (800)929-3651
Fax - (877)242-3513

Order No.: 7031-3916821
March 15, 2023

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

CHRISTINA BRUSCO, Escrow Officer/Closer

Phone: (503)469-5345 - Fax: (866)734-1381- Email:cbrusco@firstam.com

First American Title Insurance Company
9755 SW Barnes Rd, Ste 460, Portland, OR 97225

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Blake Spencer, Title Officer

Toll Free: (800)929-3651 - Direct: (503)219-8730 - Email: BSpencer@firstam.com

3rd Supplemental Preliminary Title Report

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

Please be advised that any provision contained in this document, or in a document that is attached, linked or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.

County Tax Roll Situs Address: 16170 SW Beef Bend Road, Washington County, OR 97140

2006 ALTA Owners Standard Coverage	Liability \$ 20,000,000.00	Premium \$	28,100.00
2006 ALTA Owners Extended Coverage	Liability \$	Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$	Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$	Premium \$	
Endorsement		Premium \$	
Govt Service Charge		Cost \$	
City Lien/Service District Search		Cost \$	
Other		Cost \$	

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of March 09, 2023 at 8:00 a.m., title to the fee simple estate is vested in:

Arthur A. Hasuike, Daniel T. Hasuike, Steve Y. Hasuike, Betty H. Young, as their interest appears, as to
Parcels 1 and 3 and Arthur Hasuike and Suzanne Hasuike, Trustees, or their successors in trust, under
the Arthur and Suzanne Hasuike Living Trust, dated July 6, 2022, and any amendments thereto, Daniel T.
Hasuike, Betty H. Young, Arthur A. Hasuike, Steve Y. Hasuike, Betty L. Young and the Heirs and Devisees
of Torazo Hasuike, deceased, as their interests appears, as to Parcel 2

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
7. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
8. The rights of the public in and to any portion of the premises herein described lying within the limits of SW Roy Rogers Road (County Road 3150), SW Beef Bend Road (County Road 3276) or SW Elsner Road (County Road 1440).

9. Easement, including terms and provisions contained therein:
Recording Information: October 20, 1999 as Fee No. 99118704
In Favor of: Washington County, a political subdivision of the State of Oregon
For: Dedication of right-of-way, slope easement and drainage easement
Affects: Parcel 3

10. Easement, including terms and provisions contained therein:
Recording Information: June 26, 2012 as Fee No. 2012-051827
In Favor of: Portland General Electric Company ("PGE")
For: Electric line
Affects: Parcel 2

11. Memorandum of Option, including terms and provisions thereof.
Recorded: Mary 16, 2019 as Fee No. 2019-029984

12. INTENTIONALLY DELETED

13. INTENTIONALLY DELETED

14. INTENTIONALLY DELETED

15. INTENTIONALLY DELETED

16. INTENTIONALLY DELETED

17. INTENTIONALLY DELETED

18. INTENTIONALLY DELETED

19. To clear the interest of Torazo Hasuike in Parcel 2, the Company will require a corrective deed, along with a Record Matter Indemnity Agreement, both executed by the remaining vestee's of Parcel 2.

20. Unrecorded leases or periodic tenancies, if any.

21. The following matters disclosed by an ALTA/NSPS survey made by Pacific Community Design on August 9, 2022, last revised _____, designated Job No. 148-001:
(A) Utility pole lies up to 1.6 feet West of portion of Easterly boundary line (Parcel II - Tract B)
(B) Sign lies up to 7.8 feet South of portion of Northerly boundary line (Parcel II - Tract B)
(C) Power Pole crosses portion of Northwesterly boundary line (Parcel II - Tract B)
(D) Overhead line crosses portions of Northerly and Easterly boundary lines (Parcel II - Tract B)
(E) Bollard lies up to 2.9 feet South of portion of Southerly boundary line (Parcel II - Tract B)
(F) Wall lies up to 2.3 feet South of portion of Southerly boundary line (Parcel II - Tract B)
(G) Building lies up to 4.8 feet South of portion of Southerly boundary line (Parcel II - Tract B)
(H) Meandering fence along portion of Southerly boundary line (Parcel III and Parcel II)
(I) Guy Anchor in Northerly portion not benefited from an easement of record (Parcel II)
(J) Building up to 4.8 feet South of portion of Southerly boundary line (Parcel II)
(K) Utility pole lies up to 16.6 feet North of portion of Southerly boundary line (Parcel III)

22. Stipulated General Judgment and Order of Disbursement, including terms and provisions thereof.
Recorded: May 20, 2022 as Fee No. 2022-033963

23. INTENTIONALLY DELETED
24. In order to insure a transaction involving the herein named trust, we will need to be provided a Certification of Trust pursuant to ORS 130.800 through ORS 130.910.
25. INTENTIONALLY DELETED
26. INTENTIONALLY DELETED
27. INTENTIONALLY DELETED

- END OF EXCEPTIONS -

NOTE: We find no matters of public record against LC BB5, LLC that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: Any conveyance or encumbrance by LC BB5, LLC should be executed pursuant to their Operating Agreement, a copy of which should be submitted to this office for inspection.

NOTE: Taxes for the year 2022-2023 PAID IN FULL

Tax Amount:	\$5,995.75
Map No.:	2S1170000208
Property ID:	R1494831
Tax Code No.:	023.16

(Affects Parcel 1)

NOTE: Taxes for the year 2022-2023 PAID IN FULL

Tax Amount:	\$3,889.28
Map No.:	2S117A0000601
Property ID:	R528021
Tax Code No.:	023.14

(Affects Parcel 2)

NOTE: Taxes for the year 2022-2023 PAID IN FULL

Tax Amount:	\$1,643.82
Map No.:	2S1170000400
Property ID:	R527772
Tax Code No.:	023.04

(Affects Parcel 3)

NOTE: This Preliminary Title Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Clerk covering Crops on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

NOTE: We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

NOTE: Washington County Ordinance No. 267, filed August 5, 1982 in Washington County, Oregon, imposes a tax of \$1.00 per \$1,000.00 or fraction thereof on the transfer of real property located within Washington County.

Certain conveyances may be exempt from said ordinance, in which case, Washington County will require a correct and timely filing of an Affidavit of Exemption. For all deeds/conveyance documents which are recorded (including situations to meet lender requirements) either the transfer tax must be paid or affidavit acceptable to the County must be filed.

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**

RECORDING INFORMATION

Filing Address: **Washington County**
161 NW Adams Avenue, Suite 103
Hillsboro, OR 97124

Recording Fees: **\$ 81.00 First Page**
(Comprised of:
\$ 5.00 per page
\$ 5.00 per document - Public Land Corner Preservation Fund
\$ 11.00 per document - OLIS Assessment & Taxation Fee
\$ 60.00 per document - Oregon Housing Alliance Fee)
\$ 5.00 E-Recording fee per document
\$ 5.00 for each additional page
\$ 5.00 for each additional document title, if applicable
\$ 20.00 Non-Standard Document fee, if applicable

Exhibit "A"

Real property in the County of Washington, State of Oregon, described as follows:

PARCEL 1:

TRACT A:

COMMENCING AT A POINT 80 RODS SOUTH OF THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, TO THE NORTHEAST CORNER OF THAT TRACT DESCRIBED IN THAT DEED OF RECORD FROM FRED PLIETH TO LOUISE R. PLIETH, DATED MARCH 5, 1969, AND RECORDED IN BOOK 735, PAGE 868, WASHINGTON COUNTY DEED RECORDS; THENCE RUNNING SOUTHERLY ALONG THE EASTERLY LINE OF SAID TRACT 363 FEET TO A POINT; THENCE WEST 30 FEET, PARALLEL TO THE NORTHERLY LINE OF SAID PLIETH TRACT; THENCE NORTHERLY ON A LINE 30 FEET FROM AND PARALLEL TO THE EASTERLY LINE OF SAID PLIETH TRACT TO THE NORTHERLY LINE OF SAID PLIETH TRACT, THENCE 30 FEET EAST ALONG THE NORTHERLY LINE OF SAID PLIETH TRACT TO THE POINT OF BEGINNING.

TRACT B:

THE FOLLOWING DESCRIBED PARCEL OF LAND BEING SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON.

BEGINNING AT A POINT ON THE WEST LINE OF SECTION 17, ON THE SOUTH RIGHT-OF-WAY LINE OF S.W. BEEF BEND ROAD (20 FEET SOUTH OF THE CENTER LINE THEREOF) SOUTH 00°07'55" WEST 1341.24 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 17; THENCE ALONG THE SOUTH LINE OF S.W. BEEF BEND ROAD SOUTH 89°35'50" EAST 1265.42 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF S.W. ELSNER ROAD (30 FEET FROM THE CENTER LINE THEREOF); THENCE ALONG SAID EAST RIGHT-OF-WAY LINE SOUTH 01°19'15" WEST 1132.90 FEET TO AN ANGLE POINT; THENCE SOUTH 50°24'14" WEST 164.09 FEET TO AN ANGLE POINT; THENCE SOUTH 27°04'47" WEST 459.91 FEET TO THE NORTH LINE OF THAT PROPERTY SURVEYED IN C.S. 13893 WASHINGTON COUNTY SURVEY RECORDS; THENCE PARALLEL WITH THE ACCEPTED SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 17, NORTH 89°49'31" WEST 907.28 FEET TO THE WEST LINE OF SECTION 17; THENCE NORTH 00°07'14" EAST 353.44 FEET TO A 1 1/2" IRON PIPE AT THE WEST ONE-QUARTER CORNER OF SECTION 17; THENCE ALONG THE WEST LINE OF SECTION 17, NORTH 00°07'55" EAST 1299.37 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, AND RUNNING THENCE WEST 20.0 FEET ALONG THE SOUTH LINE OF SAID NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER TO THE TRUE POINT OF BEGINNING, ALSO BEING THE SOUTHWEST CORNER OF THAT TRACT OF LAND RECORDED AS BEING AN EXCEPTION IN BOOK 107, PAGE 481, WASHINGTON COUNTY DEED RECORDS; THENCE NORTH 470.25 FEET, MORE OR LESS, PARALLEL WITH THE EAST LINE OF SAID NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER TO A POINT IN THE CENTER OF BEEF BEND ROAD (COUNTY ROAD NO. A-148); THENCE EAST 20.0 FEET ALONG THE CENTERLINE OF SAID ROAD TO THE POINT OF INTERSECTION WITH THE EAST LINE OF SAID NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER; THENCE NORTH 30.0 FEET ALONG THE SAID EAST LINE TO THE SOUTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO SCHOOL DISTRICT NO. 40 AND BEING RECORDED AS AN EXCEPTION IN BOOK 111, PAGE 501, SAID DEED RECORDS; THENCE WEST 312.84 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ROAD TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO JAMES HASUIKE, AS RECORDED IN BOOK 201, PAGE 501, SAID DEED RECORDS; THENCE SOUTH 30.0 FEET TO A POINT IN

THE CENTER OF SAID ROAD; THENCE WESTERLY ALONG THE CENTER LINE OF SAID COUNTY ROAD TO A POINT ON THE WEST LINE OF SAID NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER; THENCE SOUTH 485.0 FEET, MORE OR LESS, ALONG THE WEST LINE OF SAID NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER TO THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST CORNER THEREOF; THENCE EAST 1,300.0 FEET, MORE OR LESS, ALONG THE SOUTH LINE OF THE SAID NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER TO THE POINT OF BEGINNING.

PARCEL 3:

A TRACT OF LAND IN SECTIONS 17 AND 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SECTION LINE BETWEEN SECTIONS 17 AND 20, A DISTANCE OF 11.69 CHAINS EAST OF THE CORNER OF SECTIONS 17, 18, 19 AND 20; THENCE NORTH 23.25 CHAINS; THENCE NORTH 75°19' WEST 12.16 CHAINS; THENCE SOUTH 5.25 CHAINS; THENCE WEST 6 CHAINS; THENCE SOUTH 2.75 CHAINS; THENCE SOUTH 73°45' EAST 9.33 CHAINS; THENCE SOUTH 15.87 CHAINS TO A POINT 3 CHAINS EAST OF SAID SECTION CORNER; THENCE EAST 8.69 CHAINS TO THE PLACE OF BEGINNING.

ALSO BEGINNING AT A POINT ON THE SECTION LINE BETWEEN SECTIONS 18 AND 17; A DISTANCE OF 200 RODS SOUTH OF THE NORTHEAST CORNER OF SECTION 18; THENCE WEST 80 RODS; THENCE SOUTH 40 RODS; THENCE EAST 80 RODS; THENCE NORTH 40 RODS TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF THE ABOVE DESCRIBED PROPERTIES LYING SOUTH AND EAST OF THE COUNTY ROAD.

NOTE: This Legal Description was created prior to January 01, 2008.



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 7-22-08



Privacy Notice

Effective: October 1, 2019

Notice Last Updated: January 1, 2021

This Privacy Notice describes how First American Financial Corporation and its subsidiaries and affiliates (together referred to as "First American," "we," "us," or "our") collect, use, store, and share your information. This Privacy Notice applies to information we receive from you offline only, as well as from third parties, when you interact with us and/or use and access our services and products ("Products"). For more information about our privacy practices, including our online practices, please visit <https://www.firstam.com/privacy-policy/>. The practices described in this Privacy Notice are subject to applicable laws in the places in which we operate.

What Type Of Information Do We Collect About You? We collect a variety of categories of information about you. To learn more about the categories of information we collect, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Collect Your Information? We collect your information: (1) directly from you; (2) automatically when you interact with us; and (3) from third parties, including business parties and affiliates.

How Do We Use Your Information? We may use your information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, comply with relevant laws and our policies, and handling a claim. To learn more about how we may use your information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Share Your Information? We do not sell your personal information. We only share your information, including to subsidiaries, affiliates, and to unaffiliated third parties: (1) with your consent; (2) in a business transfer; (3) to service providers; and (4) for legal process and protection. To learn more about how we share your information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Store and Protect Your Information? The security of your information is important to us. That is why we take commercially reasonable steps to make sure your information is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your information.

How Long Do We Keep Your Information? We keep your information for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.

Your Choices We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and sharing of your information. You can learn more about your choices by visiting <https://www.firstam.com/privacy-policy/>.

International Jurisdictions: Our Products are offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Products from another country, please be advised that you may be transferring your information to us in the US, and you consent to that transfer and use of your information in accordance with this Privacy Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Products, and your agreements with us.

We may change this Privacy Notice from time to time. Any and all changes to this Privacy Notice will be reflected on this page, and where appropriate provided in person or by another electronic method. **YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR PRODUCTS OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THIS PRIVACY NOTICE.**

Contact Us dataprivacy@firstam.com or toll free at 1-866-718-0097.



For California Residents

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018 ("CCPA"). All phrases used in this section shall have the same meaning as those phrases are used under California law, including the CCPA.

Right to Know. You have a right to request that we disclose the following information to you: (1) the categories of **personal information** we have collected about or from you; (2) the categories of sources from which the **personal information** was collected; (3) the business or commercial purpose for such collection and/or disclosure; (4) the categories of third parties with whom we have shared your **personal information**; and (5) the specific pieces of your **personal information** we have collected. To submit a verified request for this information, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097.

Right of Deletion. You also have a right to request that we delete the **personal information** we have collected from and about you. This right is subject to certain exceptions available under the CCPA and other applicable law. To submit a verified request for deletion, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097.

Verification Process. For either a request to know or delete, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Notice of Sale. We do not sell California resident information, nor have we sold California resident information in the past 12 months. We have no actual knowledge of selling the information of minors under the age of 16.

Right of Non-Discrimination. You have a right to exercise your rights under California law, including under the CCPA, without suffering discrimination. Accordingly, First American will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

Notice of Collection. To learn more about the categories of **personal information** we have collected about California residents over the last 12 months, please see "What Information Do We Collect About You" in <https://www.firstam.com/privacy-policy>. To learn about the sources from which we have collected that information, the business and commercial purpose for its collection, and the categories of third parties with whom we have shared that information, please see "How Do We Collect Your Information", "How Do We Use Your Information", and "How Do We Share Your Information" in <https://www.firstam.com/privacy-policy>.

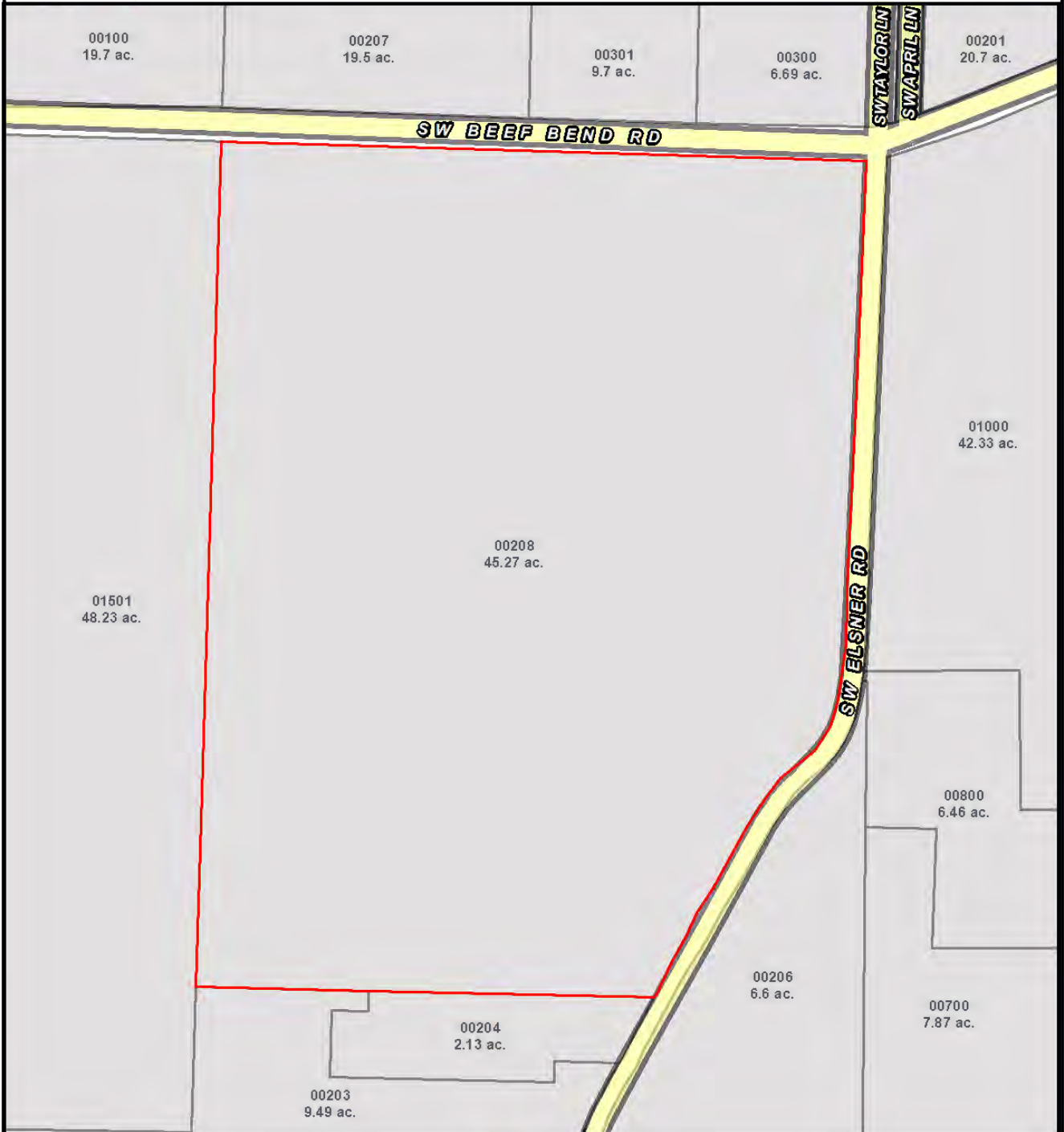
Notice of Sale. We have not sold the **personal information** of California residents in the past 12 months.

Notice of Disclosure. To learn more about the categories of **personal information** we may have disclosed about California residents in the past 12 months, please see "How Do We Use Your Information" and "How Do We Share Your Information" in <https://www.firstam.com/privacy-policy>.



First American Title

2S11700-00208
16180 SW Beef Bend Rd
Sherwood, OR 97140



Taxlot



Subject



Taxlot

3/17/2022

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First American Title™

First American Title Insurance Company

1 SW Columbia Street, Ste 1600
Portland, OR 97204
Phn - (503)222-3651 (800)929-3651
Fax - (877)242-3513

Order No.: 7031-3998859
March 15, 2023

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

CHRISTINA BRUSCO, Escrow Officer/Closer

Phone: (503)469-5345 - Fax: (866)734-1381- Email: cbrusco@firstam.com

First American Title Insurance Company
9755 SW Barnes Rd, Ste 460, Portland, OR 97225

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Blake Spencer, Title Officer

Toll Free: (800)929-3651 - Direct: (503)219-8730 - Email: BSpencer@firstam.com

Supplemental Preliminary Title Report

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

Please be advised that any provision contained in this document, or in a document that is attached, linked or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.

County Tax Roll Situs Address: Parker Stables, , OR

2021 ALTA Owners Standard Coverage	Liability \$	7,000,000.00	Premium \$	7,215.00 BR
2021 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2021 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2021 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement			Premium \$	
Govt Service Charge			Cost \$	
City Lien/Service District Search			Cost \$	
Other			Cost \$	

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of March 09, 2023 at 8:00 a.m., title to the fee simple estate is vested in:

CTH Investments LLC

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings

by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
7. INTENTIONALLY DELETED
8. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
9. INTENTIONALLY DELETED
10. Restrictive Covenant to Waive Remonstrance, pertaining to Customarily (common) accepted farm or forestry practices including the terms and provisions thereof including the terms and provisions thereof
Recorded: August 08, 1983 as Fee No. 83028614
11. INTENTIONALLY DELETED
12. Any conveyance or encumbrance by CTH Investments LLC should be executed pursuant to their Operating Agreement , a copy of which should be submitted to this office for inspection.

13. Unrecorded leases or periodic tenancies, if any.
14. This report has been submitted to our underwriter for review and approval. We will inform you of any further exceptions and/or requirements.
15. The following matters disclosed by an ALTA/NSPS survey made by Pacific Community Design on December 21, 2022, last revised _____, 2022, designated Job No. 148-001:
 - (A) Fence lies up to 1.0 foot East of portion of Easterly boundary line
 - (B) Wetland lies up to 3.0 feet East of portion of Westerly boundary line
 - (C) Gate lies up to 0.5' feet East of portion of Westerly boundary line
 - (D) 5.0 foot wide grave access crosses portion of Westerly boundary line

- END OF EXCEPTIONS -

NOTE: We find no matters of public record against TNHC OREGON LLC, a Delaware limited liability company that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: Taxes for the year 2022-2023 PAID IN FULL

Tax Amount:	\$9,786.20
Map No.:	2S1170000203
Property ID:	R527727
Tax Code No.:	023.16

(Affects Parcel I)

NOTE: Taxes for the year 2022-2023 PAID IN FULL

Tax Amount:	\$10,759.21
Map No.:	2S1170000204
Property ID:	R527736
Tax Code No.:	023.16

(Affects Parcel II)

NOTE: We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.

NOTE: An application to Exempt Mobile Home from Registration and Titling was recorded June 16, 2005 as Fee No. 2005 068757 of Washington County Official Records.

NOTE: This Preliminary Title Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Clerk covering Crops on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: Statutory Warranty Deed recorded March 01, 2021 as Fee No. 2021 026044, Cindy Lee Parker and Lindsey Parker, who acquired title as Lindsey Whitcher, Cindy Lee Parker to CTH Investments LLC.

NOTE: Washington County Ordinance No. 267, filed August 5, 1982 in Washington County, Oregon, imposes a tax of \$1.00 per \$1,000.00 or fraction thereof on the transfer of real property located within Washington County.

Certain conveyances may be exempt from said ordinance, in which case, Washington County will require a correct and timely filing of an Affidavit of Exemption. For all deeds/conveyance documents which are recorded (including situations to meet lender requirements) either the transfer tax must be paid or affidavit acceptable to the County must be filed.

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**

RECORDING INFORMATION

Filing Address: **Washington County**
161 NW Adams Avenue, Suite 103
Hillsboro, OR 97124

Recording Fees: **\$ 81.00 First Page**
(Comprised of:
\$ 5.00 per page
\$ 5.00 per document - Public Land Corner Preservation Fund
\$ 11.00 per document - OLIS Assessment & Taxation Fee
\$ 60.00 per document - Oregon Housing Alliance Fee)
\$ 5.00 E-Recording fee per document
\$ 5.00 for each additional page
\$ 5.00 for each additional document title, if applicable
\$ 20.00 Non-Standard Document fee, if applicable

Exhibit "A"

Real property in the County of Washington, State of Oregon, described as follows:

PARCEL 1:

A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE ONE-QUARTER CORNER COMMON TO SECTIONS 17 AND 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, THENCE ALONG THE WEST LINE OF SECTION 17 SOUTH 00° 06' 24" WEST 353.44 TO THE TRUE POINT OF BEGINNING, BEING A 5/8 INCH IRON ROD WITH A RED PLASTIC CAP INSCRIBED "W.L.MC. LS 808" AT THE SOUTHWEST CORNER OF PARCEL 1, DOCUMENT NUMBER 2000-031295; THENCE ALONG THE SOUTH LINE OF SAID PARCEL 1 SOUTH 89° 52' 46" EAST 350.78 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE SOUTH 00° 13' 00" EAST 39.74 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE NORTH 89° 44' 20" WEST 71.37 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE SOUTH 00° 15' 40" WEST 131.43 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE SOUTH 89° 44' 20" WEST 441.39 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE NORTH 00° 07' 33" EAST 42.01 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE SOUTH 89° 52' 29" EAST 120.65 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR." ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SW ELSNER ROAD (30 FEET FROM CENTERLINE); THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 27° 00' 01" WEST 179.94 FEET TO A 5/8 INCH IRON ROD AT AN ANGLE POINT IN SAID RIGHT-OF-WAY LINE; THENCE SOUTH 26° 05' 15" WEST 33.48 FEET TO A 5/8 INCH IRON ROD AT AN ANGLE POINT IN SAID RIGHT-OF-WAY LINE; THENCE SOUTH 00° 28' 25" WEST 421.38 FEET TO A 5/8 INCH IRON ROD AT THE SOUTHEAST CORNER OF DOCUMENT NUMBER 2004-094967; THENCE ALONG THE SOUTH LINE OF SAID DOCUMENT NUMBER NORTH 75° 12' 46" WEST 767.63 FEET TO A POINT ON THE WEST LINE OF SECTION 17 AT THE SOUTHWEST CORNER OF SAID DOCUMENT NUMBER, FROM WHICH A 1/2 INCH IRON PIPE BEARS SOUTH 84° 25' 47" EAST 1.05 FEET; THENCE ALONG THE WEST LINE OF SAID SECTION NORTH 00° 06' 24" EAST 547.69 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE ONE -QUARTER CORNER COMMON TO SECTIONS 17 AND 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, THENCE ALONG THE WEST LINE OF SECTION 17 SOUTH 00° 06' 24" WEST 353.44 TO A 5/8 INCH IRON ROD WITH A RED PLASTIC CAP INSCRIBED "W.L.MC. LS 808" AT THE SOUTHWEST CORNER OF PARCEL 1, DOCUMENT NUMBER 2000-031295; THENCE ALONG THE SOUTH LINE OF SAID PARCEL 1 SOUTH 89° 52' 46" EAST 350.78 FEET TO THE TRUE POINT OF BEGINNING, BEING A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE CONTINUING ALONG THE SOUTH LINE OF SAID PARCEL 1 SOUTH 89° 52' 46" EAST 556.52 FEET TO A 5/8 INCH IRON ROD AT THE SOUTHEAST CORNER OF PARCEL 1, DOCUMENT NUMBER 2000-031295 ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SW ELSNER ROAD (30 FEET FROM CENTERLINE); THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 27° 00' 01" WEST 145.84 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE NORTH 89° 52' 29" WEST 120.65 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE SOUTH 00° 07' 33" WEST 42.01 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE NORTH 89° 44' 20" WEST 441.39 FEET TO A 5/8 INCH

IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE NORTH 00° 15' 40" EAST 131.43 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE SOUTH 89° 44' 20" EAST 71.37 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE NORTH 00° 13' 00" WEST 39.74 FEET TO THE TRUE POINT OF BEGINNING.



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement erected on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury law or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 13.b.
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

ALTA OWNER'S POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien" or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

Rev. 07-01-21



Privacy Notice

Effective: October 1, 2019

Notice Last Updated: January 1, 2022

This Privacy Notice describes how First American Financial Corporation and its subsidiaries and affiliates (together referred to as "First American," "we," "us," or "our") collect, use, store, and share your information with the exception that a subsidiary or affiliate has their own privacy policy, that policy governs. This Privacy Notice applies to information we receive from you offline only, as well as from third parties, when you interact with us and/or use and access our services and products ("Products"). For more information about our privacy practices, including our online practices, please visit <https://www.firstam.com/privacy-policy/>. The practices described in this Privacy Notice are subject to applicable laws in the places in which we operate.

What Type Of Information Do We Collect About You? We collect a variety of categories of information about you. To learn more about the categories of information we collect, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Collect Your Information? We collect your information: (1) directly from you; (2) automatically when you interact with us; and (3) from third parties, including business parties and affiliates.

How Do We Use Your Information? We may use your information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, comply with relevant laws and our policies, and handling a claim. To learn more about how we may use your information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Share Your Information? We do not sell your personal information. We only share your information, including to subsidiaries, affiliates, and to unaffiliated third parties: (1) with your consent; (2) in a business transfer; (3) to service providers; and (4) for legal process and protection. To learn more about how we share your information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Store and Protect Your Information? The security of your information is important to us. That is why we take commercially reasonable steps to make sure your information is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your information.

How Long Do We Keep Your Information? We keep your information for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.

Your Choices We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and sharing of your information. You can learn more about your choices by visiting <https://www.firstam.com/privacy-policy/>.

International Jurisdictions: Our Products are offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Products from another country, please be advised that you may be transferring your information to us in the US, and you consent to that transfer and use of your information in accordance with this Privacy Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Products, and your agreements with us.

We may change this Privacy Notice from time to time. Any and all changes to this Privacy Notice will be reflected on this page, and where appropriate provided in person or by another electronic method. **YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR PRODUCTS OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THIS PRIVACY NOTICE.**

Contact Us dataprivacy@firstam.com or toll free at 1-866-718-0097.



For California Residents

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018 ("CCPA"). All phrases used in this section shall have the same meaning as those phrases are used under California law, including the CCPA.

Right to Know. You have a right to request that we disclose the following information to you: (1) the categories of personal information we have collected about or from you; (2) the categories of sources from which the personal information was collected; (3) the business or commercial purpose for such collection and/or disclosure; (4) the categories of third parties with whom we have shared your personal information; and (5) the specific pieces of your personal information we have collected. To submit a verified request for this information, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097

Right of Deletion. You also have a right to request that we delete the personal information we have collected from and about you. This right is subject to certain exceptions available under the CCPA and other applicable law. To submit a verified request for deletion, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097.

Verification Process. For either a request to know or delete, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Notice of Sale. We do not sell California resident information, nor have we sold California resident information in the past 12 months. To the extent any First American affiliated entity has a different practice, it will be stated in the applicable privacy policy. We have no actual knowledge of selling the information of minors under the age of 16.

Right of Non-Discrimination. You have a right to exercise your rights under California law, including under the CCPA, without suffering discrimination. Accordingly, First American will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

Notice of Collection. To learn more about the categories of personal information we have collected about California residents over the last 12 months, please see "What Information Do We Collect About You" in <https://www.firstam.com/privacy-policy>. To learn about the sources from which we have collected that information, the business and commercial purpose for its collection, and the categories of third parties with whom we have shared that information, please see "How Do We Collect Your Information", "How Do We Use Your Information", and "How Do We Share Your Information" in <https://www.firstam.com/privacy-policy>.

Notice of Sale. We have not sold the personal information of California residents in the past 12 months.

Notice of Disclosure. To learn more about the categories of personal information we may have disclosed about California residents in the past 12 months, please see "How Do We Use Your Information" and "How Do We Share Your Information" in <https://www.firstam.com/privacy-policy>.



Taxlot



Subject



Taxlot

9/20/2022

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First American Title™

First American Title Insurance Company

1 SW Columbia Street, Ste 1600
Portland, OR 97204
Phn - (503)222-3651 (800)929-3651
Fax - (877)242-3513

Order No.: 7031-3916800
March 16, 2023

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

CHRISTINA BRUSCO, Escrow Officer/Closer

Phone: (503)469-5345 - Fax: (866)734-1381- Email: cbrusco@firstam.com

First American Title Insurance Company
9755 SW Barnes Rd, Ste 460, Portland, OR 97225

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Blake Spencer, Title Officer

Toll Free: (800)929-3651 - Direct: (503)219-8730 - Email: BSpencer@firstam.com

2nd Supplemental Preliminary Title Report

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

Please be advised that any provision contained in this document, or in a document that is attached, linked or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.

County Tax Roll Situs Address: 16920 SW Roy Rogers Road, Sherwood, OR 97140

2006 ALTA Owners Standard Coverage	Liability \$ 27,100,000.00	Premium \$	36,450.00
2006 ALTA Owners Extended Coverage	Liability \$	Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$	Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$	Premium \$	
Endorsement		Premium \$	
Govt Service Charge		Cost \$	
City Lien/Service District Search		Cost \$	
Other		Cost \$	

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of March 10, 2023 at 8:00 a.m., title to the fee simple estate is vested in:

MF Beef Bend, LLC, an Oregon limited liability company

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings

by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.

THE FOLLOWING AFFECTS BOTH THE TAX LOTS:

7. Easement, including terms and provisions contained therein:

Recording Information:	February 10, 1989 as Fee No. 89006294
In Favor of:	Native Plants, Incorporated, a Delaware corporation
For:	irrigation and incidental purposes

 Modification and/or amendment by instrument:

Recording Information:	September 05, 2000 as Fee No. 2000 071463
------------------------	---
8. Easement, including terms and provisions contained therein:

Recording Information:	November 02, 1999 as Fee No. 99123635
In Favor of:	Washington County
For:	slope and drainage

9. Any conveyance or encumbrance by MF Beef Bend, LLC, an Oregon limited liability company should be executed pursuant to their Operating Agreement , a copy of which should be submitted to this office for inspection.
10. Unrecorded leases or periodic tenancies, if any.

THE FOLLOWING AFFECTS TAX LOT #1501:

11. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed. POTENTIAL ADDITIONAL FARMLAND TAX LIABILITY IN THE AMOUNT OF \$31,941.96.
12. Easement, including terms and provisions contained therein:
Recording Information: March 20, 2018 as Fee No. 2018 019785
In Favor of: Clean Water Services
For: Sanitary Sewer Pump Station and force Main
13. INTENTIONALLY DELETED
14. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: MF Beef Bend, LLC, an Oregon limited liability company
Grantee/Beneficiary: First Republic Bank
Trustee: Fidelity National Title Insurance Company, a California corporation
Amount: \$1,000,000.00
Recorded: February 01, 2019
Recording Information: Fee No. 2019 006361

Note: This Deed of Trust contains Line of Credit privileges. If the current balance owing on said obligation is to be paid in full in the forthcoming transaction, confirmation should be made that the beneficiary will issue a proper request for full reconveyance.

Modification and/or amendment by instrument:

Recording Information: May 2, 2022 as Fee No. 2022 029957

15. Easement, including terms and provisions contained therein:
Recording Information: August 02, 2019 as Fee No. 2019 050680
In Favor of: Portland General Electric Company
For: PGE Utility
Affects: approximately 10 feet in width and 5 feet on each side of centre line
16. Easement, including terms and provisions contained therein:
Recording Information: January 21, 2020 as Fee No. 2020-005365
In Favor of: Clean Water Services
For: Sanitary sewer force main air release Valve assembly
17. Easement, including terms and provisions contained therein:
Recording Information: January 21, 2020 as Fee No. 2020-005366
In Favor of: Clean Water Services
For: Underground Vault
18. Memorandum of Option including the terms and provisions thereof:
Dated: September 26, 2022

Recorded: October 12, 2022 as Fee No. 2022-062244
Executed by: MF Beef Bend LLC, and TNHC Oregon LLC, successor to Stanton
Street Building

THE FOLLOWING AFFECTS TAX LOT #1502:

19. Lease and the terms and conditions thereof:

Lessor: Fisher Farms, LLC an Oregon limited liability company
Lessee: AGC Properties, LLC, an Oregon limited liability company
As disclosed by: Memorandum of Ground Lease
Recorded: April 20, 2004
Recording No.: Fee No. 2004 041849
(Affects Ground Lease)

Terms and provisions contained in the document entitled "Waiver of Right of First Refusal" recorded June 15, 2011 as Fee No. 2011 042714

Mortgage and the terms and conditions thereof.

Mortgagor: AGC Properties, LLC, an Oregon Limited Liability Company
Mortgagee: KeyBank National Association
Amount: \$9,340,000.00
Recorded: December 21, 2012
Recording Information: Fee No. 2012 108870

Modification and/or amendment by instrument:
Recording Information: July 08, 2019 as Fee No. 2019 043382

Line of Credit Mortgage, including the terms and conditions thereof, given to secure an indebtedness of up to \$5,700,000.00

Mortgagor: AGC Properties, LLC, an Oregon Limited Liability Company
Mortgagee: KeyBank National Association
Recorded: December 21, 2012
Recording Information: Fee No. 2012 108871

Modification and/or amendment by instrument:
Recording Information: October 28, 2016 as Fee No. 2016 088510

Modification and/or amendment by instrument:
Recording Information: December 12, 2016 as Fee No. 2016 102789

Modification and/or amendment by instrument:
Recording Information: January 10, 2019 as Fee No. 2019 001544

Modification and/or amendment by instrument:
Recording Information: March 23, 2020 as Fee No. 2020 024625

Modification and/or amendment by instrument:
Recording Information: March 17, 2021 as Fee No. 2021 033852

20. Restrictive Covenant to Waive Remonstrance, pertaining to customarily (commonly) accepted farm or forestry practices including the terms and provisions thereof
Recorded: September 26, 2005 as Fee No. 2005 117446

21. INTENTIONALLY DELETED

22. INTENTIONALLY DELETED

23. The following matters disclosed by an ALTA/NSPS survey made by Pacific Community Design on June 1, 2022, last revised _____, designated Job No. 148-001:

- (A) Meandering fence along portions of Northerly, Westerly and Easterly boundary lines
- (B) Electric Riser lies within Northerly right-of-way
- (C) Sanitary sewer structures within easement area in Northerly portion
- (D) Utilities within portions of Westerly right-of-way
- (E) Meandering Cable Riser along portions of Westerly boundary line
- (F) Lease Area not surveyed (Document No. 2004-041849)

(NOTE: The above exception affects all Parcels)

- END OF EXCEPTIONS -

NOTE: Taxes for the year 2022-2023 PAID IN FULL

Tax Amount:	\$8,143.74
Map No.:	2S1180001501
Property ID:	R528600
Tax Code No.:	023.16

NOTE: Taxes for the year 2022-2023 PAID IN FULL

Tax Amount:	\$77,263.52
Map No.:	2S1180001502
Property ID:	R2124500
Tax Code No.:	023.16

NOTE: This Preliminary Title Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Clerk covering Crops and Fixtures on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

NOTE: Washington County Ordinance No. 267, filed August 5, 1982 in Washington County, Oregon, imposes a tax of \$1.00 per \$1,000.00 or fraction thereof on the transfer of real property located within Washington County.

Certain conveyances may be exempt from said ordinance, in which case, Washington County will require a correct and timely filing of an Affidavit of Exemption. For all deeds/conveyance documents which are recorded (including situations to meet lender requirements) either the transfer tax must be paid or affidavit acceptable to the County must be filed.

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**

RECORDING INFORMATION

Filing Address: **Washington County**
161 NW Adams Avenue, Suite 103
Hillsboro, OR 97124

Recording Fees: **\$ 81.00 First Page**
(Comprised of:
\$ 5.00 per page
\$ 5.00 per document - Public Land Corner Preservation Fund
\$ 11.00 per document - OLIS Assessment & Taxation Fee
\$ 60.00 per document - Oregon Housing Alliance Fee)
\$ 5.00 E-Recording fee per document
\$ 5.00 for each additional page
\$ 5.00 for each additional document title, if applicable
\$ 20.00 Non-Standard Document fee, if applicable

Exhibit "A"

Real property in the County of Washington, State of Oregon, described as follows:

A TRACT OF LAND IN THE COUNTY OF WASHINGTON AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 80 RODS SOUTH OF THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN; AND RUNNING THENCE WEST 80 RODS; THENCE SOUTH 120 RODS; THENCE EAST 80 RODS TO SECTION LINE; THENCE NORTH 120 RODS TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM A STRIP OF LAND IN THE NORTHEASTERLY CORNER OF SAID TRACT, WHICH STRIP MEASURES 363 FEET FROM THE SAID NORTHEASTERLY CORNER IN A SOUTHERLY DIRECTION ALONG THE EASTERLY LINE OF SAID TRACT, AND MEASURES 30 FEET IN WIDTH, THE WESTERLY LINE OF SAID STRIP BEING PARALLEL TO THE EASTERLY LINE OF SAID TRACT AND THE SOUTHERLY LINE OF SAID STRIP BEING PARALLEL TO THE NORTHERLY LINE OF SAID TRACT.

FURTHER EXCEPTING THEREFROM THAT PORTION DEDICATED TO WASHINGTON COUNTY BY INSTRUMENT RECORDED NOVEMBER 02, 1999 AS FEE NO. 99123635.

TOGETHER WITH AN EASEMENT FOR IRRIGATION PURPOSES AS DESCRIBED IN INSTRUMENT RECORDED FEBRUARY 10, 1989 AS RECORDER'S FEE NO. 89-06294, RECORDS OF WASHINGTON COUNTY, OREGON.

NOTE: THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 7-22-08



Privacy Notice

Effective: October 1, 2019

Notice Last Updated: January 1, 2021

This Privacy Notice describes how First American Financial Corporation and its subsidiaries and affiliates (together referred to as "First American," "we," "us," or "our") collect, use, store, and share your information. This Privacy Notice applies to information we receive from you offline only, as well as from third parties, when you interact with us and/or use and access our services and products ("Products"). For more information about our privacy practices, including our online practices, please visit <https://www.firstam.com/privacy-policy/>. The practices described in this Privacy Notice are subject to applicable laws in the places in which we operate.

What Type Of Information Do We Collect About You? We collect a variety of categories of information about you. To learn more about the categories of information we collect, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Collect Your Information? We collect your information: (1) directly from you; (2) automatically when you interact with us; and (3) from third parties, including business parties and affiliates.

How Do We Use Your Information? We may use your information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, comply with relevant laws and our policies, and handling a claim. To learn more about how we may use your information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Share Your Information? We do not sell your personal information. We only share your information, including to subsidiaries, affiliates, and to unaffiliated third parties: (1) with your consent; (2) in a business transfer; (3) to service providers; and (4) for legal process and protection. To learn more about how we share your information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Store and Protect Your Information? The security of your information is important to us. That is why we take commercially reasonable steps to make sure your information is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your information.

How Long Do We Keep Your Information? We keep your information for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.

Your Choices We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and sharing of your information. You can learn more about your choices by visiting <https://www.firstam.com/privacy-policy/>.

International Jurisdictions: Our Products are offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Products from another country, please be advised that you may be transferring your information to us in the US, and you consent to that transfer and use of your information in accordance with this Privacy Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Products, and your agreements with us.

We may change this Privacy Notice from time to time. Any and all changes to this Privacy Notice will be reflected on this page, and where appropriate provided in person or by another electronic method. **YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR PRODUCTS OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THIS PRIVACY NOTICE.**

Contact Us dataprivacy@firstam.com or toll free at 1-866-718-0097.



For California Residents

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018 ("CCPA"). All phrases used in this section shall have the same meaning as those phrases are used under California law, including the CCPA.

Right to Know. You have a right to request that we disclose the following information to you: (1) the categories of **personal information** we have collected about or from you; (2) the categories of sources from which the **personal information** was collected; (3) the business or commercial purpose for such collection and/or disclosure; (4) the categories of third parties with whom we have shared your **personal information**; and (5) the specific pieces of your **personal information** we have collected. To submit a verified request for this information, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097.

Right of Deletion. You also have a right to request that we delete the **personal information** we have collected from and about you. This right is subject to certain exceptions available under the CCPA and other applicable law. To submit a verified request for deletion, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097.

Verification Process. For either a request to know or delete, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Notice of Sale. We do not sell California resident information, nor have we sold California resident information in the past 12 months. We have no actual knowledge of selling the information of minors under the age of 16.

Right of Non-Discrimination. You have a right to exercise your rights under California law, including under the CCPA, without suffering discrimination. Accordingly, First American will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

Notice of Collection. To learn more about the categories of **personal information** we have collected about California residents over the last 12 months, please see "What Information Do We Collect About You" in <https://www.firstam.com/privacy-policy>. To learn about the sources from which we have collected that information, the business and commercial purpose for its collection, and the categories of third parties with whom we have shared that information, please see "How Do We Collect Your Information", "How Do We Use Your Information", and "How Do We Share Your Information" in <https://www.firstam.com/privacy-policy>.

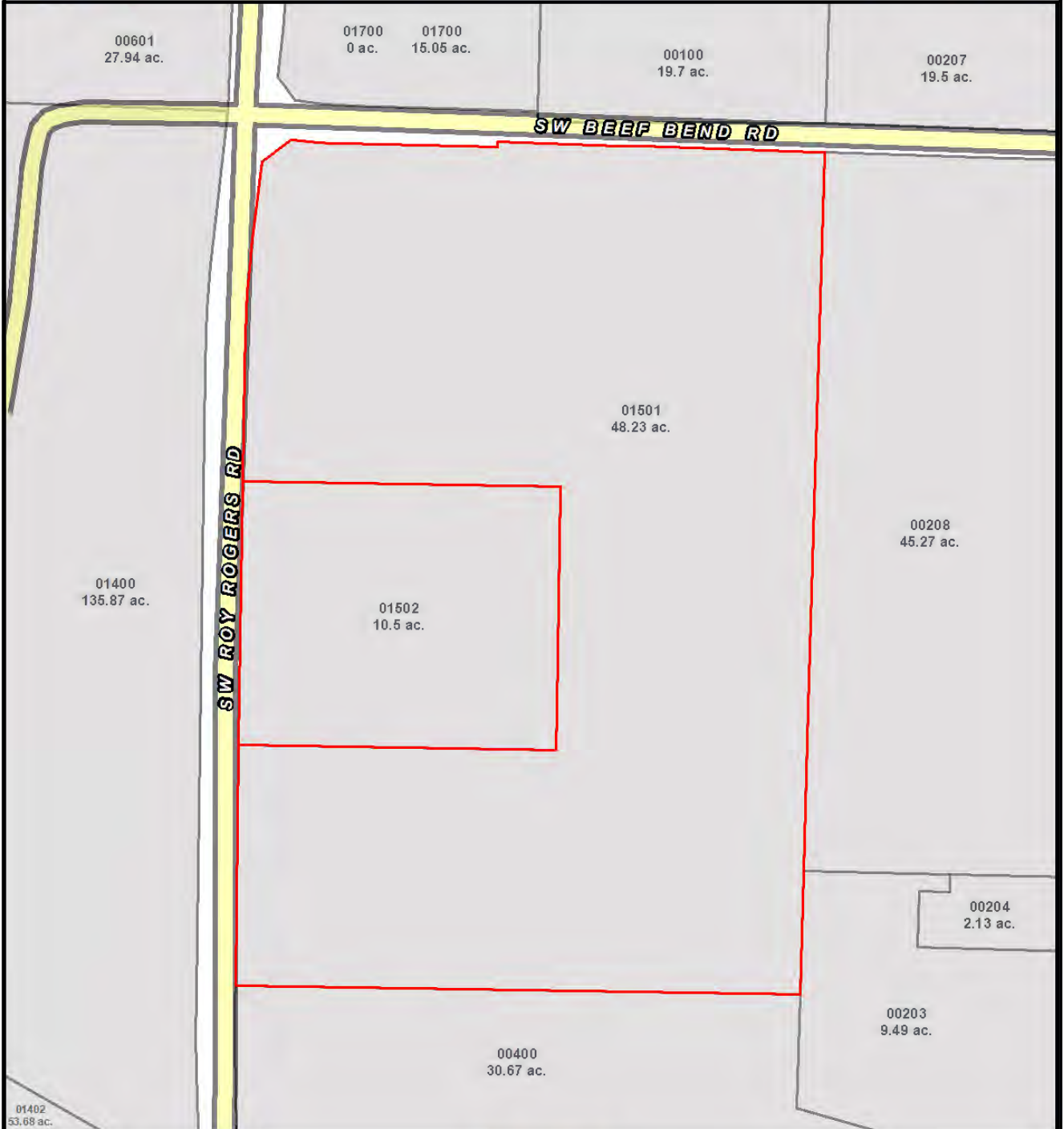
Notice of Sale. We have not sold the **personal information** of California residents in the past 12 months.

Notice of Disclosure. To learn more about the categories of **personal information** we may have disclosed about California residents in the past 12 months, please see "How Do We Use Your Information" and "How Do We Share Your Information" in <https://www.firstam.com/privacy-policy>.



First American Title

2S11800-01502, 2S11800-01501
16920 SW Roy Rogers Rd
Sherwood, OR 97140



Taxlot



Subject



Taxlot

3/17/2022

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Fidelity National Title[®]

Company of Oregon

PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Fidelity National Title Company of Oregon hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Insurance Company, a/an Florida corporation.

Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

Countersigned

A handwritten signature in black ink, appearing to read 'Karleen Huggins', written over a horizontal line.

Karleen Huggins



Fidelity National Title

Company of Oregon

900 SW 5th Avenue, Portland, OR 97204
 (503)222-2424 FAX (503)227-2274

PRELIMINARY REPORT

ESCROW OFFICER: Lori Medak
 Lori.Medak@fnf.com
 503-222-2424

ORDER NO.: 45142211350
Supplement 3: Exception 25

TITLE OFFICER: Robert Fleming

TO: Fidelity National Title Company of Oregon
 900 SW 5th Avenue
 Portland, OR 97204

ESCROW LICENSE NO.: 901000243

OWNER/SELLER: Sharlin Farm LLC, an Oregon limited liability company

BUYER/BORROWER: TNHC Oregon LLC, a Delaware limited liability company

PROPERTY ADDRESS: 15822 S.W. Beef Bend Road, Sherwood, OR 97140

EFFECTIVE DATE: February 22, 2023, 08:00 AM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	<u>AMOUNT</u>	<u>PREMIUM</u>
ALTA Standard Owner's Policy 2021	\$ 12,500,000.00	\$ 18,725.00
Owner's Standard		
OTIRO Endorsement No. 110		\$ 0.00
ALTA Extended Loan Policy 2021	\$ 0.00	\$ 100.00
Extended Lender's		
Proposed Insured:		
OTIRO 222-06 - Location (ALTA 22-06)		\$ 0.00
OTIRO 209.10-06 - Restrictions, Encroachments, Minerals - Current Violations (ALTA 9.10-06)		\$ 100.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Sharlin Farm LLC, an Oregon limited liability company

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE COUNTY OF WASHINGTON, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A" Legal Description

A tract of land being a portion of that property described in Deed Document No.. 2004-131415 of the Washington County Deed Records and being a portion of Tract I and a portion of Tract III of said Deed, located in the East one-half of the Northwest one-quarter of Section 17, Township 2 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, and being more particularly described as follows.

Commencing at the center North 1/16 corner of said Section, being a found 1/2 inch iron pipe, 1.5 feet below ground; thence South 00°20'47" East a distance of 1318.86 feet; thence South 00°28'42" West a distance of 264 feet, more or less, to a point on the North bank of the Tualatin River; thence Northwesterly along said West bank, the long chord being North 83°15'42" West a distance of 521.87 feet; thence North 00°24' 42" East a distance of 232 feet, more or less; thence North 89°35'18" West a distance of 511.02 feet; thence North 00°02'45" West a distance of 274.81 feet, thence North 89°40'27" West a distance of 291.78 feet; thence North 00°06'24" West a distance of 519.15 feet to a point on the Easterly right-of-way line of S.W. Elsner Road (County Road No. 1440) and being 30.00 feet from the centerline, when measured perpendicular thereto; thence along said Easterly right-of-way line North 01°35'30" East a distance of 479.67 feet to a point of intersection with the Southerly right-of-way line of S.W. Beef Bend Road (County Road No. 3276) and being 20.00 feet from the centerline when measured perpendicular thereto; thence along said Southerly right-of-way line, North 68°41'21" East 175.69 feet to a point of curvature; thence along the arc of a tangent 3020.00 foot radius curve, being concave Northerly, through a central angle of 02°49'00" (the long chord of which bears North 67°16'51" East 148.45 feet) an arc distance of 148.46 feet to the end thereof; thence North 65°52'21" East a distance of 120.35 feet to a point of curvature; thence along the arc of a tangent 8620.00 foot radius curve, being concave Southerly, through a central angle of 00°04'29" (the long chord of which bears North 65°50'07" East 11.24 feet) an arc distance of 11.24 feet; thence South 24°12'07" East a distance of 10.00 feet to a point of a 8630.00foot curve; thence along the arc of a 8630.00foot radius curve, being concave Northerly, through a central angle of 00°35'31" (the long chord of which bears North 65°30'07" East 89.16 feet) an arc distance of 89.16 feet; thence North 65°12'21" East 24.66 feet; thence leaving said Southerly right-of-way line, South 00°28'08" East a distance of 198.48 feet; thence South 89°43'47" East a distance of 630.67 feet; thence North 00°23'13" East a distance of 432.01 feet to a point on the Southerly right-of-way line of said S.W. Beef Bend Road; thence along said Southerly right-of-way line North 76°00'06" East a distance of 41.37 feet to a point of curvature; thence along said arc of a tangent 1120.00 foot radius curve, being concave Southerly through a central angle of 05°15'50" (the long chord of which bears North 78°38'02" East 102.86 feet) an arc distance of 102.90 feet; thence leaving said Southerly right-of-way line, South 00°23'13" West 462.95 feet to the point of beginning.

EXCEPTING THEREFROM the ownership of the State of Oregon in and to that portion lying below the line of mean high water of the Tualatin River.

AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims, which are not shown by the Public Records but which could be ascertained by an inspection of the Land or which may be asserted by persons in possession thereof.
3. Easements, or claims thereof, which are not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien, or right to a lien, for services, labor, material or equipment rental, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

SPECIFIC ITEMS AND EXCEPTIONS:

6. [Intentionally Deleted]
7. The Land has been classified as Farmland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.
8. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of the Tualatin River.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of the Tualatin River.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of the Tualatin River.

9. Rights of the public to any portion of the Land lying within Streets, Roads and Highways.

10. Easement for the purpose shown below and rights incidental thereto, as granted in a document:
Granted to: Oregon Iron and Steel Co.
Purpose: Construction and perpetual maintenance of dam
Recording Date: January 10, 1884
Book: "T"
Page: 495
Affects: Area adjoining the Tualatin River
11. Easement for the purpose shown below and rights incidental thereto, as granted in a document:
Granted to: Portland General Electric Company
Purpose: Underground distribution line
Recording Date: February 11, 1982
Recording No.: 82-003515
Affects: The Northeasterly portion
12. Easement for the purpose shown below and rights incidental thereto, as granted in a document:
Granted to: Adjoining property owner
Purpose: Road
Recording Date: April 5, 1993
Recording No.: 93-025560
Affects: The Northeasterly portion
13. Agreement For Road Maintenance, including the terms and provisions thereof;
Executed by: Adjoining property owners
Recording Date: April 5, 1993
Recording No.: 93-025561
14. Easement for the purpose shown below and rights incidental thereto, as granted in a document:
Granted to: Portland General Electric Company
Purpose: Electric line
Recording Date: June 26, 2012
Recording No.: 2012-051833
Affects: The Northwesterly portion
15. Easement for the purpose shown below and rights incidental thereto, as granted in a document:
Granted to: Portland General Electric Company
Purpose: Transmission, distribution, and sale of electricity and communication
Recording Date: October 6, 2016
Recording No.: 2016-081757
Affects: A 10 foot wide strip, exact location not disclosed
16. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.
17. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.

18. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: **Sharlin Farm LLC**

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created.
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

19. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

20. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

21. [Intentionally Deleted]

22. An option to purchase said Land with certain terms, covenants, conditions and provisions as set forth therein.

Optionor: Sharlin Farm LLC, an Oregon limited liability company
Optionee: TNHC Oregon LLC, a Delaware limited liability company
Disclosed by: Memorandum of Option
Recording Date: November 9, 2022
Recording No: 2022-066849

23. Any encroachment (of existing improvements located on the subject Land onto adjoining land or of existing improvements located on adjoining land onto the subject Land), encumbrance, violation, variation or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject Land.

The Company will require an inspection of the premises, and this exception may be eliminated or limited as a result thereof.

24. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey,

Job No.: 148-007
Dated: December 23, 2022
Prepared by: Pacific Community Design
Matters shown:

- A. Fences along and extending across the east property line.
- B. Fence along and extending across the west property line.
- C. Unrecorded easement for electric boxes, utility pole, power meter bank and irrigation control valve in the southeasterly portion of the property.
- D. Unrecorded easement for communication riser in northwesterly portion of the land.
- E. 11 foot gravel driveway extending across the east property line.
- F. Encroachment of RV Crossing PI along east property line.
- G. Encroachment of carport with downspout's along east property line.
- H. Septic tank possible belonging to adjacent property owner inside east property line.

25. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Ernest Harris and Ruth L. Harris, husband and wife
Purpose: Right of Way and Road
Recording Date: May 12, 1958
Recording No: Book 404, Page 538
Affects: Reference is hereby made to the document for particulars

ADDITIONAL REQUIREMENTS/NOTES:

- A. [Intentionally Deleted]
- B. Washington County imposes a transfer tax of \$1.00 per \$1,000 (or fraction thereof) of the selling price in a real estate transfer, unless the county approves an exemption application. Exemption criteria and applications are available at the county's website, see: <http://www.co.washington.or.us/AssessmentTaxation/Recording/TransferTaxExemption/index.cfm>.
- C. [Intentionally Deleted]
- D. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final ALTA Policy unless removed prior to issuance.
- E. NOTE: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.
- F. NOTE: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.
- G. NOTE: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.

- H. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.
- I. NOTE: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.
- J. Recording Charge (Per Document) is the following:
- | County | First Page | Each Additional Page |
|------------|------------|----------------------|
| Washington | \$81.00 | \$5.00 |
- NOTE: When possible the company will record electronically. An additional charge of \$5.00 applies to each document that is recorded electronically.
- NOTE: Please send any documents for recording to the following address:
Portland Title Group
Attn: Recorder
1433 S.W. 6th Avenue
Portland, OR 97201
- K. NOTICE: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
- L. NOTE: IMPORTANT INFORMATION REGARDING PROPERTY TAX PAYMENTS
Fiscal Year: July 1st through June 30th
Taxes become a lien on real property, but are not yet payable: July 1st
Taxes become certified and payable (approximately on this date): October 15th
First one third payment of taxes is due: November 15th
Second one third payment of taxes is due: February 15th
Final payment of taxes is due: May 15th
- Discounts: If two thirds are paid by November 15th, a 2% discount will apply. If the full amount of the taxes are paid by November 15th, a 3% discount will apply.
- Interest: Interest accrues as of the 15th of each month based on any amount that is unpaid by the due date. No interest is charged if the minimum amount is paid according to the above mentioned payment schedule.
- M. NOTE: The State of Oregon requires every ALTA Owner's Policy (07-01-2021) to include the OTIRO 110 Endorsement as a supplement to the definition of Insured in said Owner's Policy's Conditions to confirm coverage is the same for an Oregon Registered Domestic Partner as it is for a Spouse.

N. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties: TNHC Oregon LLC, a Delaware limited liability company

O. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: TNHC Oregon LLC, a Delaware limited liability company

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

P. Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year:	2022-2023
Amount:	\$2,624.89
Levy Code:	023.14
Account No.:	R527852
Map No.:	2S1170001000

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

EXHIBIT ONE
2021 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (07-01-2021)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or

- e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any reason not stated in the Covered Risk 13.b
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2021 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (07-01-2021)
EXCLUSIONS FROM COVERAGE

The following matters are excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection;
- b. any governmental forfeiture, police, regulatory, or national security power
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
- Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed or agreed to by the Insured Claimant;
 - b. not known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;

- d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
- e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
 - a. fraudulent conveyance or fraudulent transfer, or
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

EXHIBIT ONE

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
 - the occupancy, use, or enjoyment of the Land;
 - the character, dimensions or location of any improvement erected on the land;
 - the subdivision of land; or
 - environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters
 - created, suffered, assumed or agreed to by the Insured Claimant;
 - not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- resulting in no loss or damage to the Insured Claimant;
 - attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
- Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with the applicable doing-business laws of the state where the Land is situated.
 - Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
 - Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - a fraudulent conveyance or fraudulent transfer, or
 - a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
 - Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
 - the occupancy, use, or enjoyment of the Land;
 - the character, dimensions or location of any improvement erected on the land;
 - the subdivision of land; or
 - environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters
 - created, suffered, assumed or agreed to by the Insured Claimant;

- not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - resulting in no loss or damage to the Insured Claimant;
 - attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
- Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - a fraudulent conveyance or fraudulent transfer, or
 - a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
 - Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.



Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:

<http://www.fbi.gov>

Internet Crime Complaint Center:

<http://www.ic3.gov>

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective January 1, 2023

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to affiliated or nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to affiliated or nonaffiliated third parties with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: We are providing this notice pursuant to state law. You may be placed on our internal Do Not Call List by calling FNF Privacy at (888) 714-2710 or by contacting us via the information set forth at the end of this Privacy Notice. For further information concerning Nevada's telephone solicitation law, you may contact: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: aginquiries@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

For Virginia Residents: For additional information about your Virginia privacy rights, please email privacy@fnf.com or call (888) 714-2710.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

Accessing and Correcting Information; Contact Us

If you have questions or would like to correct your Personal Information, visit FNF's [Privacy Inquiry Website](#) or contact us by phone at (888) 714-2710, by email at privacy@fnf.com, or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

EXHIBIT ONE

2021 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (07-01-2021) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not known to the Company, not recorded in the Public Records at the Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.

4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any reason not stated in the Covered Risk 13.b
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2021 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (07-01-2021) EXCLUSIONS FROM COVERAGE

The following matters are excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection;
- b. any governmental forfeiture, police, regulatory, or national security power
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
- Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed or agreed to by the Insured Claimant;
 - b. not known to the Company, not recorded in the Public Records at the Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;

- d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
- e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
 - a. fraudulent conveyance or fraudulent transfer, or
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

EXHIBIT ONE

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
 - the occupancy, use, or enjoyment of the Land;
 - the character, dimensions or location of any improvement erected on the land;
 - the subdivision of land; or
 - environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters
 - created, suffered, assumed or agreed to by the Insured Claimant;
 - not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- resulting in no loss or damage to the Insured Claimant;
 - attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
- Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with the applicable doing-business laws of the state where the Land is situated.
 - Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
 - Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - a fraudulent conveyance or fraudulent transfer, or
 - a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
 - Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
 - the occupancy, use, or enjoyment of the Land;
 - the character, dimensions or location of any improvement erected on the land;
 - the subdivision of land; or
 - environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters
 - created, suffered, assumed or agreed to by the Insured Claimant;
 - not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- resulting in no loss or damage to the Insured Claimant;
 - attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
- Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - a fraudulent conveyance or fraudulent transfer, or
 - a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
 - Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective January 1, 2023

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to affiliated or nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to affiliated or nonaffiliated third parties with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: We are providing this notice pursuant to state law. You may be placed on our internal Do Not Call List by calling FNF Privacy at (888) 714-2710 or by contacting us via the information set forth at the end of this Privacy Notice. For further information concerning Nevada's telephone solicitation law, you may contact: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: aginquiries@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

For Virginia Residents: For additional information about your Virginia privacy rights, please email privacy@fnf.com or call (888) 714-2710.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

Accessing and Correcting Information; Contact Us

If you have questions or would like to correct your Personal Information, visit FNF's [Privacy Inquiry Website](#) or contact us by phone at (888) 714-2710, by email at privacy@fnf.com, or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

APPLICANT EXHIBIT D

Signed Annexation Petitions

PETITION SIGNERS

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

SIGNATURE	PRINTED NAME	I AM A :*			ADDRESS	PROPERTY DESCRIPTION				PRECINCT #	DATE
		PO	RV	OV		LOT #	1/4 SEC.	T	R		
	(for MF Beef Bend LLC)				16282 SW Beef Bend Rd. Sherwood, OR	1501	18	2S	1	454	
	(for Sharlin Farms LLC)				15822 SW Beef Bend Rd. Sherwood, OR	1000	17	2S	1	397	
	(for Beef Bend LLC)				14390 SW Beef Bend Rd. Tigard, OR	3100	16B	2S	1	397	
<i>Arthur A. Hasuike</i>	Arthur A. Hasuike			✓	16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	
<i>Arthur A. Hasuike</i>	Arthur A. Hasuike			✓	NS Sherwood, OR	400	17	2S	1	454	
	Daniel T. Hasuike				16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	
	Daniel T. Hasuike				NS Sherwood, OR	400	17	2S	1	454	
	Steve Y. Hasuike				16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	
	Steve Y. Hasuike				NS Sherwood, OR	400	17	2S	1	454	
	Betty H. Young				16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	
	Betty H. Young				NS Sherwood, OR	400	17	2S	1	454	
	(for CTH Investments, LLC)				17147 SW Elsner Rd. Sherwood, OR	204	17	2S	1	454	
	(for CTH Investments, LLC)				NS Sherwood, OR	203	17	2S	1	454	
<i>Arthur Hasuike</i>	Arthur Hasuike			✓	15260 SW Beef Bend Rd. Tigard, OR	601	17	2S	1	397	
<i>Suzanne Hasuike</i>	Suzanne Hasuike				15260 SW Beef Bend Rd. Tigard, OR	601	17	2S	1	397	

- PO = Property Owner
- RV = Registered Voter
- OV = Owner And Registered Voter

PETITION SIGNERS

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

SIGNATURE	PRINTED NAME	I AM A :*			ADDRESS	PROPERTY DESCRIPTION				PRECINCT #	DATE
		PO	RV	OV		LOT #	1/4 SEC.	T	R		
	(for MF Beef Bend LLC)				16282 SW Beef Bend Rd. Sherwood, OR	1501	18	2S	1	454	
	(for Sharlin Farms LLC)				15822 SW Beef Bend Rd. Sherwood, OR	1000	17	2S	1	397	
	(for Beef Bend LLC)				14390 SW Beef Bend Rd. Tigard, OR	3100	16B	2S	1	397	
	Arthur A. Hasuike				16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	
	Arthur A. Hasuike				NS Sherwood, OR	400	17	2S	1	454	
	Daniel T. Hasuike				16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	
	Daniel T. Hasuike				NS Sherwood, OR	400	17	2S	1	454	
	Steve Y. Hasuike				16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	
	Steve Y. Hasuike				NS Sherwood, OR	400	17	2S	1	454	
	Betty H. Young				16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	
	Betty H. Young				NS Sherwood, OR	400	17	2S	1	454	
	(for CTH Investments, LLC)				17147 SW Elsner Rd. Sherwood, OR	204	17	2S	1	454	
	(for CTH Investments, LLC)				NS Sherwood, OR	203	17	2S	1	454	
	Arthur Hasuike				15260 SW Beef Bend Rd. Tigard, OR	601	17	2S	1	397	
<i>Suzanne Hasuike</i>	Suzanne Hasuike			✓	15260 SW Beef Bend Rd. Tigard, OR	601	17	2S	1	397	

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<i>Daniel J. Hasuike</i>	Daniel T. Hasuike	✓		✓	16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	<i>4/5/23</i>
<i>Daniel J. Hasuike</i>	Daniel T. Hasuike	✓		✓	NS Sherwood, OR	400	17	2S	1	454	<i>4/5/23</i>
	Steve Y. Hasuike				16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	
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<i>Daniel J. Hasuike</i>	<i>DANIEL T. HASUIKE</i>	✓		✓	<i>15260 SW BEEF BEND RD Tigard</i>	<i>601</i>	<i>17</i>	<i>2S</i>	<i>1</i>	<i>397</i>	<i>4/5/23</i>

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	Steve Y. Hasulke				NS Sherwood, OR	400	17	2S	1	454	
<i>Betty H. Young</i>	Betty H. Young			✓	16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	<i>4/11/23</i>
<i>Betty H. Young</i>	Betty H. Young			✓	NS Sherwood, OR	400	17	2S	1	454	<i>4/11/23</i>
	(for CTH Investments, LLC)				17147 SW Elsner Rd. Sherwood, OR	204	17	2S	1	454	
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<i>Steve Y Hasuike</i>	Steve Y. Hasuike	X		X	16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	4/5/23
<i>Steve Y Hasuike</i>	Steve Y. Hasuike	X		X	NS Sherwood, OR	400	17	2S	1	454	4/5/23
	Betty H. Young				16170 SW Beef Bend Rd. Sherwood, OR	208	17	2S	1	454	
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<i>Steve Y Hasuike</i>	<i>Steve Y Hasuike</i>	X		X	"	"	"	"	"	"	4/5/23

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<i>Maui L. Corbett</i>	(for CTH Investments, LLC)				17147 SW Elsner Rd. Sherwood, OR	204	17	2S	1	454	
<i>Maui L. Corbett</i>	(for CTH Investments, LLC)				NS Sherwood, OR	203	17	2S	1	454	
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DocuSigned by: <i>Michael O'Halloran</i> 3DB0ECA417424E2	PRINTED NAME	I AM A :*			ADDRESS	PROPERTY DESCRIPTION				PRECINCT #	DATE
		PO	RV	OV		LOT #	1/4 SEC.	T	R		
	(for MF Beef Bend LLC)				16282 SW Beef Bend Rd. Sherwood, OR	1501	18	2S	1	454	4/6/2023
	(for Shalin Farms LLC)				15822 SW Beef Bend Rd. Sherwood, OR	1000	17	2S	1	397	
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					16920 SW Roy Rogers Rd.						
	(for MF Beef Bend LLC)				16282 SW Beef Bend Rd. Sherwood, OR	1502	1501	18	2S	1	454
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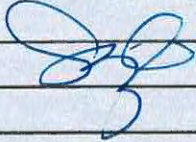



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	Suzanne Bladley		X		17147 SW Elmer	2041	17	25	1W	454	10/17/23
					16180 SW Deer Bend						
	Kenneth Dunsdale		X		15260 SW Deer Bend	601	17A	25	1W	397	10/18/23
	Nicholas Schlenker		X		16180 SW Deer Bend	208	17	25	1W	454	10/18/23
	Melissa Kneaster		X		16180 SW Deer Bend	208	17	25	1W	454	10/18/23

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APPLICANT EXHIBIT E

Legal Description and Maps



EXHIBIT A

February 27, 2024

LEGAL DESCRIPTION
King City Annexation

Job No. 148-001

A parcel of land as described in Document Nos. 2000-31295, 2004-041849, 2013-074627, 2015-079367, 2018-085182, Parcel II of Document No. 2018-085185, Parcels 1 and 2 of Document No. 2021-026044, Washington County Records, and public Right-of-Way in Sections 16, 17, and 18, Township 2 South, Range 1 West, Willamette Meridian, Washington County, State of Oregon, more particularly described as follows:

BEGINNING at the intersection of the westerly Right-of-Way line of SW Roy Rogers Road (County Road No. 3150) and the extension of the centerline of SW Beef Bend Road (County Road No. 3150);

thence along said centerline of SW Beef Bend Road and its extension, South 83° 30' 08" East, a distance of 162.62 feet to a point of tangential curvature;

thence continuing along said centerline, along a 984.25 foot radius tangential curve to the left, arc length of 105.18 feet, central angle of 06° 07' 23", chord distance of 105.13 feet, and chord bearing of South 86° 33' 49" East to a point of tangency;

thence continuing along said centerline, South 89° 37' 31" East, a distance of 359.67 feet to the terminus of said centerline of SW Beef Bend Road (County Road No. 3150), also being the beginning of the centerline of SW Beef Bend Road (County Road No. 3276);

thence along said centerline, South 89° 37' 31" East, a distance of 2054.09 feet to an angle point;

thence continuing along said centerline, North 68° 23' 29" East, a distance of 182.96 feet to a point of tangential curvature;

thence continuing along said centerline, along a 3000.00 foot radius tangential curve to the left, arc length of 147.48 feet, central angle of 02° 49' 00", chord distance of 147.47 feet, and chord bearing of North 66° 58' 59" East to a point of tangency;

thence continuing along said centerline, North 65° 34' 29" East, a distance of 120.35 feet to a point of tangential curvature;

thence continuing along said centerline, along a 8600.00 foot radius tangential curve to the left, arc length of 100.07 feet, central angle of 00° 40' 00", chord distance of 100.06 feet, and chord bearing of North 65° 14' 29" East to a point of tangency;

thence continuing along said centerline, North 64°54' 29" East, a distance of 38.34 feet to a point on the extension of the northerly line of said land described in Document No. 2013-074627;

thence along said northerly line and its extension, South 00°45' 49" East, a distance of 231.53 feet to an angle point;

thence continuing along said northerly line, North 89°58' 32" East, a distance of 630.67 feet to an angle point;

thence continuing along said northerly line and its extension, North 00°05' 32" East, a distance of 463.12 feet to a point on said centerline of SW Beef Bend Road;

thence along said centerline, North 75°42' 14" East, a distance of 33.55 feet to a point of tangential curvature;

thence continuing along said centerline, along a 1150.00 foot radius tangential curve to the right, arc length of 388.55 feet, central angle of 19°21' 31", chord distance of 386.71 feet, and chord bearing of North 85°23' 00" East to a point of tangency;

thence continuing along said centerline, South 84°56' 15" East, a distance of 328.36 feet to a point of tangential curvature;

thence continuing along said centerline, along a 2375.00 foot radius tangential curve to the left, arc length of 194.82 feet, central angle of 04°42' 00", chord distance of 194.77 feet, and chord bearing of South 87°17' 15" East to a point of tangency;

thence continuing along said centerline, South 89°38' 15" East, a distance of 103.07 feet to a point of tangential curvature;

thence continuing along said centerline, along a 7000.00 foot radius tangential curve to the left, arc length of 239.93 feet, central angle of 01°57' 50", chord distance of 239.92 feet, and chord bearing of North 89°22' 50" East to a point of tangency;

thence continuing along said centerline, North 88°23' 55" East, a distance of 166.68 feet to an angle point;

thence continuing along said centerline, North 85°18' 34" East, a distance of 972.87 feet to an angle point;

thence continuing along said centerline, North 73°26' 28" East, a distance of 378.82 feet to an angle point;

thence continuing along said centerline, North 72°29' 26" East, a distance of 706.12 feet to an angle point;

thence continuing along said centerline, North 75°00' 27" East, a distance of 249.98 feet to a point of tangential curvature;

thence continuing along said centerline, along a 5729.58 foot radius tangential curve to the right, arc length of 776.50 feet, central angle of $07^{\circ}45'54''$, chord distance of 775.91 feet, and chord bearing of North $78^{\circ}53'24''$ East to a point of tangency;

thence continuing along said centerline, North $82^{\circ}46'21''$ East, a distance of 176.12 feet to an angle point;

thence continuing along said centerline, North $33^{\circ}14'28''$ West, a distance of 1.01 feet to an angle point;

thence continuing along said centerline, North $82^{\circ}32'09''$ East, a distance of 110.46 feet to a point on the easterly line of the B.P.A. Right-of-Way;

thence along said easterly Right-of-Way line, South $33^{\circ}22'14''$ East, a distance of 33.35 feet to a point on the southerly Right-of-Way line of said SW Beef Bend Road;

thence along said southerly Right-of-Way line, South $82^{\circ}32'09''$ West, a distance of 65.09 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $85^{\circ}35'50''$ West, a distance of 78.02 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $82^{\circ}46'21''$ West, a distance of 157.82 feet to a point of tangential curvature;

thence continuing along said southerly Right-of-Way line, along a 5704.58 foot radius tangential curve to the left, arc length of 773.11 feet, central angle of $07^{\circ}45'54''$, chord distance of 772.52 feet, and chord bearing of South $78^{\circ}53'24''$ West to a point of tangency;

thence continuing along said southerly Right-of-Way line, South $75^{\circ}00'27''$ West, a distance of 185.56 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $71^{\circ}08'14''$ West, a distance of 92.94 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $72^{\circ}29'26''$ West, a distance of 676.71 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $73^{\circ}26'28''$ West, a distance of 382.19 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $85^{\circ}18'34''$ West, a distance of 947.04 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $00^{\circ}03'43''$ East, a distance of 3.30 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $86^{\circ}15'17''$ West, a distance of 20.04 feet to an angle point;

thence continuing along said southerly Right-of-Way line, North 00° 03' 43" West, a distance of 2.97 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South 85° 18' 34" West, a distance of 9.69 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South 88° 23' 55" West, a distance of 10.34 feet to a point on the easterly line of said land described in Document No. 2000-31295;

thence along said easterly line, South 00° 03' 43" East, a distance of 436.19 feet to the Southeast corner of said land;

thence along the southerly line of said land, South 89° 48' 33" West, a distance of 1300.96 feet to the Southwest corner of said land;

thence along the easterly line of said land described in Document No. 2013-074627, South 00° 39' 02" East, a distance of 1318.90 feet to an angle point;

thence continuing along said easterly line, South 00° 12' 09" West, a distance of 187.00 feet to the center of Tualatin River;

thence along said center of Tualatin River for the following three courses:

North 53° 30' 18" West, a distance of 157.00 feet,

South 87° 33' 51" West, a distance of 222.00 feet,

South 55° 11' 13" West, a distance of 208.00 feet;

thence leaving said center of Tualatin River, North 00° 07' 34" East, a distance of 248.00 feet to a point on the southerly line of said land described in Document No. 2013-074627;

thence continuing along said southerly line, North 89° 52' 26" West, a distance of 511.02 feet to an angle point;

thence continuing along said southerly line, North 00° 19' 53" West, a distance of 274.81 feet to an angle point;

thence continuing along said southerly line, North 89° 57' 35" West, a distance of 291.88 feet to the Southwest corner of said land;

thence along the westerly line of said land, North 00° 24' 14" West, a distance of 522.34 feet to a point on the easterly Right-of-Way line of SW Elsner Road (County Road No. 1440);

thence along said easterly Right-of-Way line, South 01° 17' 31" West, a distance of 689.25 feet to an angle point;

thence continuing along said easterly Right-of-Way line, South 50° 23' 10" West, a distance of 179.06 feet to an angle point;

thence continuing along said easterly Right-of-Way line, South 27°03' 18" West, a distance of 772.67 feet to an angle point;

thence continuing along said easterly Right-of-Way line, South 26°07' 39" West, a distance of 19.34 feet to an angle point;

thence continuing along said easterly Right-of-Way line, South 00°27' 39" West, a distance of 577.46 feet to a point of tangential curvature;

thence along a 268.75 foot radius tangential curve to the right, arc length of 345.55 feet, central angle of 73°40' 09", chord distance of 322.23 feet, and chord bearing of South 37°17' 44" West to a point of tangency;

thence continuing along said easterly Right-of-Way line, South 74°07' 48" West, a distance of 233.62 feet to a point of tangential curvature;

thence continuing along said easterly Right-of-Way line, along a 208.75 foot radius tangential curve to the left, arc length of 268.10 feet, central angle of 73°35' 07", chord distance of 250.05 feet, and chord bearing of South 37°20' 15" West;

thence leaving said easterly Right-of-Way line, North 89°27' 19" West, a distance of 60.00 feet to a point on the westerly Right-of-Way line of SW Elsner Road;

thence along said westerly Right-of-Way line, along a 268.75 foot radius non-tangential curve, concave easterly, with a radius point bearing South 89°27' 19" East, arc length of 128.20 feet, central angle of 27°19' 50", chord distance of 126.98 feet, and chord bearing of North 14°12' 36" East to the most southerly Southeast corner of said land described in Document No. 2018-085182;

thence along the southerly line of said land, North 00°32' 41" East, a distance of 55.17 feet to an angle point;

thence continuing along said southerly line, North 75°31' 39" West, a distance of 615.78 feet to an angle point;

thence continuing along said southerly line, North 00°36' 45" West, a distance of 128.84 feet to an angle point;

thence continuing along said southerly line, South 89°23' 15" West, a distance of 989.56 feet to a point on the westerly Right-of-Way line of SW Roy Rogers Road (County Road No. 3150);

thence along said westerly Right-of-Way line, North 02°45' 16" West, a distance of 402.81 feet to a point of tangential curvature;

thence continuing along said westerly Right-of-Way line, along a 5048.56 foot radius tangential curve to the right, arc length of 242.75 feet, central angle of 02°45' 18", chord distance of 242.73 feet, and chord bearing of North 01°22' 37" West to a point of tangency;

thence continuing along said westerly Right-of-Way line, North 00°00' 02" East, a distance of 1459.11 feet to a point of tangential curvature;

thence continuing along said westerly Right-of-Way line, along a 3047.25 foot radius tangential curve to the right, arc length of 345.32 feet, central angle of 06°29' 34", chord distance of 345.13 feet, and chord bearing of North 03° 14' 49" East to a point of tangency;

thence continuing along said westerly Right-of-Way line, North 06°29' 36" East, a distance of 239.84 feet to the POINT OF BEGINNING.

Containing 216.86 acres, more or less.

Basis of bearings being Survey No. 29,570, Washington County Survey Records.

ANNEXATION CERTIFIED

BY



FEB 29 2023

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DocuSigned by:

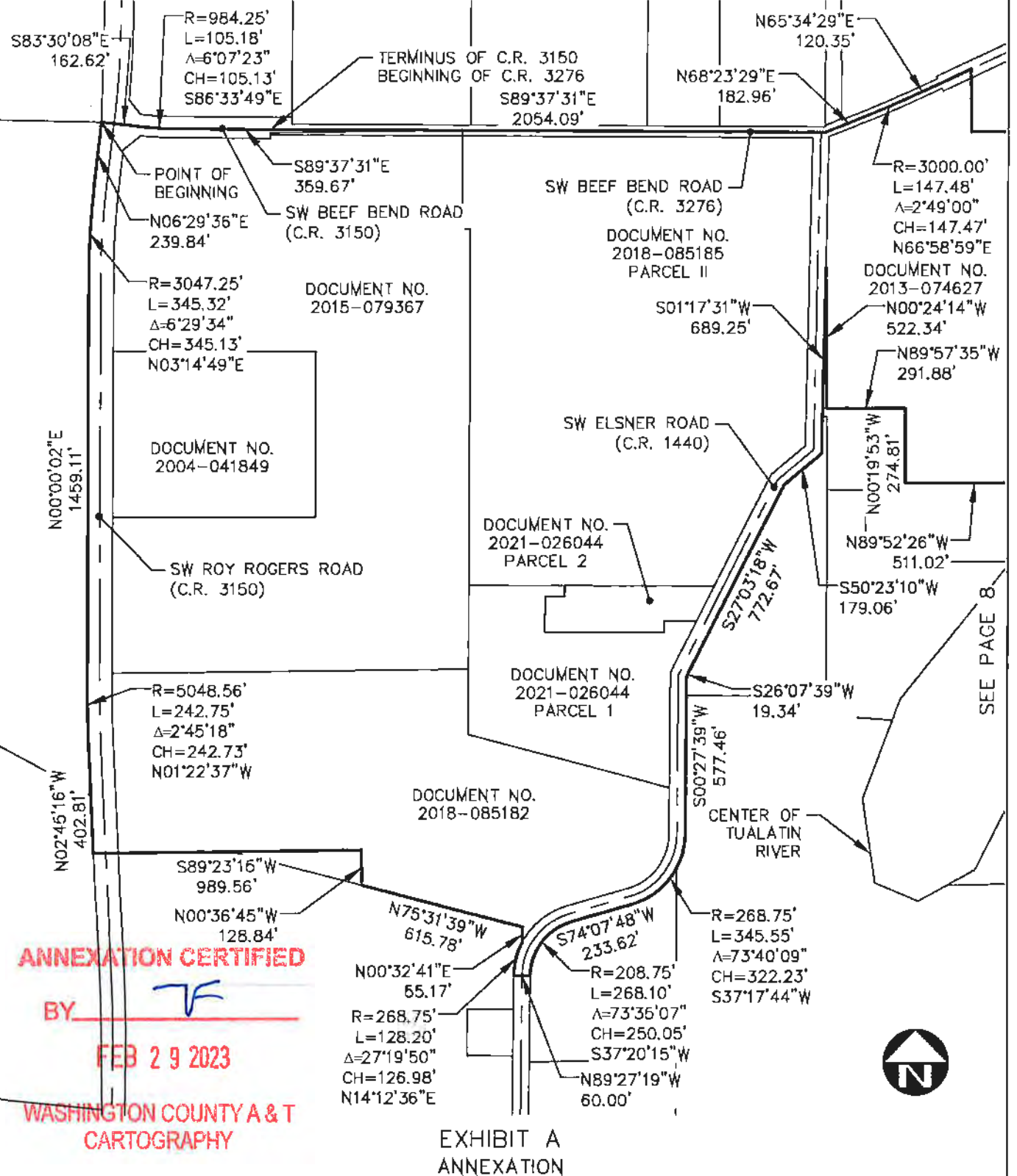
Travis Jansen

33055EEA078A1B

OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWALS: 6/30/2025

SECTIONS 16, 17, AND 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON



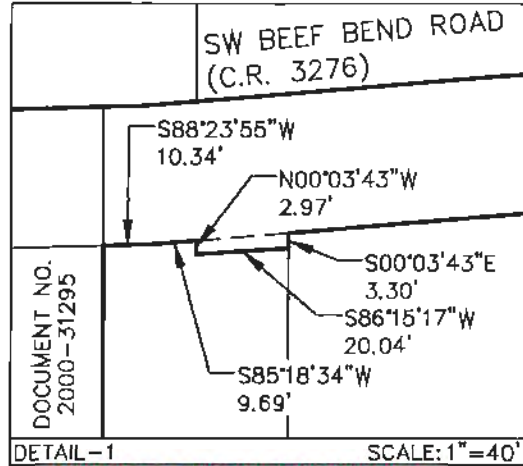
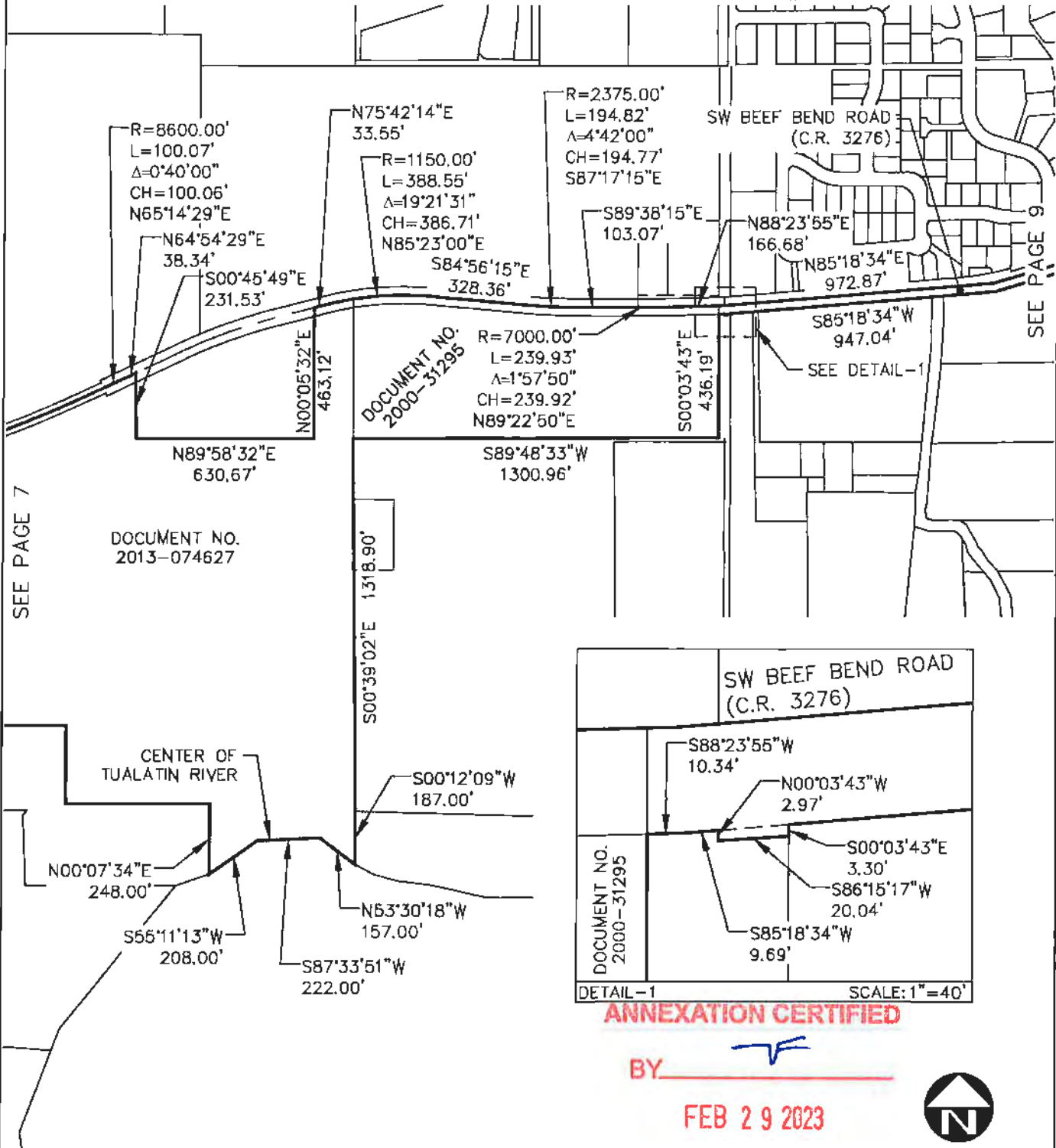
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DRAWN BY: FAM DATE: 2/27/24
 REVIEWED BY: TRK DATE: 2/27/24
 PROJECT NO.: 148-001
 SCALE: 1"=500'
 PAGE 7 OF 9



12564 SW Main St
 Tigard, OR 97223
 [T] 503-941-9484
 [F] 503-941-9485

SECTIONS 16, 17, AND 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON



ANNEXATION CERTIFIED

BY 

FEB 29 2023



EXHIBIT A **WASHINGTON COUNTY A & T**
ANNEXATION **CARTOGRAPHY**

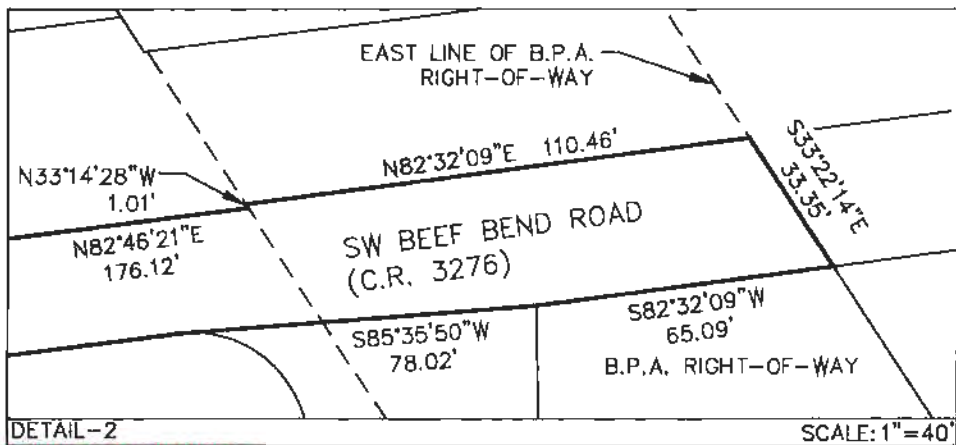
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 PAGE 8 OF 9



12564 SW Main St
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SECTIONS 16, 17, AND 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON



ANNEXATION CERTIFIED

BY *V*

FEB 29 2023

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

**EXHIBIT A
ANNEXATION**



DRAWN BY: FAM DATE: 2/27/24

REVIEWED BY: TRK DATE: 2/27/24

PROJECT NO.: 148-001

SCALE: 1"=500'

PAGE 9 OF 9



12564 SW Main St
Tigard, OR 97223
[T] 503-941-9484
[F] 503-941-9485

APPLICANT EXHIBIT F

Boundary Change Data Sheet

BOUNDARY CHANGE DATA SHEET

I. EXISTING CONDITIONS IN AREA TO BE ANNEXED OR WITHDRAWN

- A. General location North of the Tualatin River, South of SW Beef Bend Rd., West of SW Roy Rogers Rd.
- B. Land Area: Acres 215.90 (including public rights-of-way) or Square Miles _____
- C. General description of territory. (Include topographic features such as slopes, vegetation, drainage basins, floodplain areas, which are pertinent to this proposal).
- Territory is primarily undeveloped farm land with natural resource areas that contain: 100-year floodplain, Class I, II, and III Riparian Habitat, Class A, B, and C Upland Habitat, and slopes greater than 25%
- D. Describe land uses on surrounding parcels. Use tax lots as reference points.
- North: Farm use
- East: Farm use and single detached residential east of 150th Avenue
- South: Floodplain and farm use north of SW Elsner Road and the Tualatin River beyond Elsner
- West: Farm use west of SW Roy Rogers Road
- E. Existing Land Use:
- Number of single-family units 16 Number of multi-family units 0
- Number commercial structures 1 Number industrial structures 0
- Public facilities or other uses Equestrian stables
- What is the current use the land proposed to be annexed:
- Mix farmland, residential and commercial uses.
- F. Total current year Assessed Valuation \$ 8,555,000
- G. Total existing population _____

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 narrative

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

A Neighborhood Town Center including commercial, municipal uses, both single dwellings (attached and detached) and multi-family dwellings, parks and open space, and natural resource areas.

III. LAND USE AND PLANNING

- A. Is the subject territory to be developed at this time? Development of properties in the Town Center neighborhood will begin 2024.

- B. Generally describe the anticipated development (building types, facilities, number of units).

Single detached/attached dwellings, multi-family units, mixed use buildings, municipal buildings, parks and open space, and natural resource areas.

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

- D. What is the applicable County Planning Designation? FD-20
or City Planning Designation See attached narrative.

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

See attached narrative

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

FD-20

- F. 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. _____

- G. Is the proposed development compatible with the city's comprehensive land use plan for the area?

- Yes No City has no Plan for the area.

Has the proposed development been discussed either formally or informally with any of the following? (Please indicate)

- City Planning Commission City Planning Staff
 City Council City Manager

Please describe the reaction to the proposed development from the persons or agencies indicated above.

Several meetings have occurred between King City Planning staff, the City Manager, and the applicant's

_____ representative in which discussions about future zoning and development of the area have been agreed upon.

H. 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 #	DATE OF APPROVAL	FUTURE REQUIREMENT
Metro UGB Amendment	#18-1427	12/13/18	
City or County Plan Amendment	LU File # 23-02	07/19/23	
Pre-Application Hearing (City or County)			X
Preliminary Subdivision Approval			X
Final Plat Approval			X
Land Partition			X
Conditional Use			
Variance			
Sub-Surface Sewage Disposal			
Building Permit			X

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

I. 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.

IV. SERVICES AND UTILITIES

A. Please indicate the following:

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

Large diameter pipe in SW Beef Bend Rd/ SW 150th ave. Large diameter mains are planned to extend south from the future River Terrace South, just north of SW Beef Bend Rd. Large diameter backbone piping will be added to the subject areas which will connect to these Beef Bend connections.

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

Clean Water Services provides the nearest existing sanitary/ sewer which flows south/ east from Bull Mountain's western and southern boundaries. It then flows to the northernmost boundary of the subject properties and follows SW Beef Bend Rd. into King City where it outlets to the Durham Advanced wastewater Treatment Facility. Incremental capacity upgrades will occur with future development to the subject properties.

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

TVF&R will service the subject properties, and has a station located in East King City.

CWS provides stormwater management to the subject properties, and utilizes natural stormwater infiltration and conveyance along the drainage ways and corridors that naturally exist throughout the subject properties, which eventually discharge in the Tualatin River.

4. The time at which services can be reasonably provided by the city or district.
2024

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

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

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 King City Rural Fire Dist Tualatin Valley Fire & Rescue

County Service Dist. Washington County Sanitary District Clean Water Services

Hwy. Lighting Dist. _____ Water District Tigard Water District

Grade School Dist. Tigard- Tualatin School District Drainage District _____

High School Dist. Tigard- Tualatin School District Diking District _____

Library Dist. _____ Park & Rec. Dist. _____

Special Road Dist. _____ Other Dist. 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.

APPLICANT'S NAME Pam Verdadero, Sr. Vice President

MAILING ADDRESS 15455 Greenbrier Pkwy. Suite 240

Beaverton, OR 97006

TELEPHONE NUMBER 503-313-7795 (Work)

(Res.)

REPRESENTING The New Home Company (on behalf of the property owners)

DATE: November 2023

APPLICANT EXHIBIT G

Certification of Property Ownership

CERTIFICATION OF PROPERTY OWNERSHIP
(100% Property Ownership Method)

I hereby certify that the attached petition for a proposed Minor Boundary Change involving the property described in the petition contains 100 percent of the names of owners of the land area within the area to be annexed described in the petition, as shown on the last available complete assessment roll. *

NAME TED FOSTER
TITLE GIS TECH
DEPARTMENT CARTOGRAPHY
COUNTY OF WASHINGTON
DATE 10/3/23

* "Landowner" or "owner of land" means any person shown as the owner of land on the last available assessment roll; however, where such person no longer holds the title to the property, then the terms mean any person entitled to be shown as owner of land on the next assessment roll; or, where land is subject to a written agreement of sale, the terms mean any person shown in the agreement as purchaser to the exclusion of the seller; and the terms include any public agency owning land.

ANNEXATION CERTIFIED

BY TF

OCT 03 2023

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

APPLICANT EXHIBIT H

Certification of Legal Description and Map

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

(100% Property Ownership Method)

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 251 16, 17, + 18) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME TED FOSTER
TITLE GIS TECH
DEPARTMENT CARTOGRAPHY
COUNTY OF WASHINGTON
DATE: 10/3/23

ANNEXATION CERTIFIED

BY TF

OCT 03 2023

**WASHINGTON COUNTY A & T
CARTOGRAPHY**



EXHIBIT A

February 27, 2024

LEGAL DESCRIPTION
King City Annexation

Job No. 148-001

A parcel of land as described in Document Nos. 2000-31295, 2004-041849, 2013-074627, 2015-079367, 2018-085182, Parcel II of Document No. 2018-085185, Parcels 1 and 2 of Document No. 2021-026044, Washington County Records, and public Right-of-Way in Sections 16, 17, and 18, Township 2 South, Range 1 West, Willamette Meridian, Washington County, State of Oregon, more particularly described as follows:

BEGINNING at the intersection of the westerly Right-of-Way line of SW Roy Rogers Road (County Road No. 3150) and the extension of the centerline of SW Beef Bend Road (County Road No. 3150);

thence along said centerline of SW Beef Bend Road and its extension, South 83° 30' 08" East, a distance of 162.62 feet to a point of tangential curvature;

thence continuing along said centerline, along a 984.25 foot radius tangential curve to the left, arc length of 105.18 feet, central angle of 06° 07' 23", chord distance of 105.13 feet, and chord bearing of South 86° 33' 49" East to a point of tangency;

thence continuing along said centerline, South 89° 37' 31" East, a distance of 359.67 feet to the terminus of said centerline of SW Beef Bend Road (County Road No. 3150), also being the beginning of the centerline of SW Beef Bend Road (County Road No. 3276);

thence along said centerline, South 89° 37' 31" East, a distance of 2054.09 feet to an angle point;

thence continuing along said centerline, North 68° 23' 29" East, a distance of 182.96 feet to a point of tangential curvature;

thence continuing along said centerline, along a 3000.00 foot radius tangential curve to the left, arc length of 147.48 feet, central angle of 02° 49' 00", chord distance of 147.47 feet, and chord bearing of North 66° 58' 59" East to a point of tangency;

thence continuing along said centerline, North 65° 34' 29" East, a distance of 120.35 feet to a point of tangential curvature;

thence continuing along said centerline, along a 8600.00 foot radius tangential curve to the left, arc length of 100.07 feet, central angle of 00° 40' 00", chord distance of 100.06 feet, and chord bearing of North 65° 14' 29" East to a point of tangency;

thence continuing along said centerline, North 64°54' 29" East, a distance of 38.34 feet to a point on the extension of the northerly line of said land described in Document No. 2013-074627;

thence along said northerly line and its extension, South 00°45' 49" East, a distance of 231.53 feet to an angle point;

thence continuing along said northerly line, North 89°58' 32" East, a distance of 630.67 feet to an angle point;

thence continuing along said northerly line and its extension, North 00°05' 32" East, a distance of 463.12 feet to a point on said centerline of SW Beef Bend Road;

thence along said centerline, North 75°42' 14" East, a distance of 33.55 feet to a point of tangential curvature;

thence continuing along said centerline, along a 1150.00 foot radius tangential curve to the right, arc length of 388.55 feet, central angle of 19°21' 31", chord distance of 386.71 feet, and chord bearing of North 85°23' 00" East to a point of tangency;

thence continuing along said centerline, South 84°56' 15" East, a distance of 328.36 feet to a point of tangential curvature;

thence continuing along said centerline, along a 2375.00 foot radius tangential curve to the left, arc length of 194.82 feet, central angle of 04°42' 00", chord distance of 194.77 feet, and chord bearing of South 87°17' 15" East to a point of tangency;

thence continuing along said centerline, South 89°38' 15" East, a distance of 103.07 feet to a point of tangential curvature;

thence continuing along said centerline, along a 7000.00 foot radius tangential curve to the left, arc length of 239.93 feet, central angle of 01°57' 50", chord distance of 239.92 feet, and chord bearing of North 89°22' 50" East to a point of tangency;

thence continuing along said centerline, North 88°23' 55" East, a distance of 166.68 feet to an angle point;

thence continuing along said centerline, North 85°18' 34" East, a distance of 972.87 feet to an angle point;

thence continuing along said centerline, North 73°26' 28" East, a distance of 378.82 feet to an angle point;

thence continuing along said centerline, North 72°29' 26" East, a distance of 706.12 feet to an angle point;

thence continuing along said centerline, North 75°00' 27" East, a distance of 249.98 feet to a point of tangential curvature;

thence continuing along said centerline, along a 5729.58 foot radius tangential curve to the right, arc length of 776.50 feet, central angle of $07^{\circ}45'54''$, chord distance of 775.91 feet, and chord bearing of North $78^{\circ}53'24''$ East to a point of tangency;

thence continuing along said centerline, North $82^{\circ}46'21''$ East, a distance of 176.12 feet to an angle point;

thence continuing along said centerline, North $33^{\circ}14'28''$ West, a distance of 1.01 feet to an angle point;

thence continuing along said centerline, North $82^{\circ}32'09''$ East, a distance of 110.46 feet to a point on the easterly line of the B.P.A. Right-of-Way;

thence along said easterly Right-of-Way line, South $33^{\circ}22'14''$ East, a distance of 33.35 feet to a point on the southerly Right-of-Way line of said SW Beef Bend Road;

thence along said southerly Right-of-Way line, South $82^{\circ}32'09''$ West, a distance of 65.09 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $85^{\circ}35'50''$ West, a distance of 78.02 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $82^{\circ}46'21''$ West, a distance of 157.82 feet to a point of tangential curvature;

thence continuing along said southerly Right-of-Way line, along a 5704.58 foot radius tangential curve to the left, arc length of 773.11 feet, central angle of $07^{\circ}45'54''$, chord distance of 772.52 feet, and chord bearing of South $78^{\circ}53'24''$ West to a point of tangency;

thence continuing along said southerly Right-of-Way line, South $75^{\circ}00'27''$ West, a distance of 185.56 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $71^{\circ}08'14''$ West, a distance of 92.94 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $72^{\circ}29'26''$ West, a distance of 676.71 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $73^{\circ}26'28''$ West, a distance of 382.19 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $85^{\circ}18'34''$ West, a distance of 947.04 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $00^{\circ}03'43''$ East, a distance of 3.30 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South $86^{\circ}15'17''$ West, a distance of 20.04 feet to an angle point;

thence continuing along said southerly Right-of-Way line, North 00° 03' 43" West, a distance of 2.97 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South 85° 18' 34" West, a distance of 9.69 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South 88° 23' 55" West, a distance of 10.34 feet to a point on the easterly line of said land described in Document No. 2000-31295;

thence along said easterly line, South 00° 03' 43" East, a distance of 436.19 feet to the Southeast corner of said land;

thence along the southerly line of said land, South 89° 48' 33" West, a distance of 1300.96 feet to the Southwest corner of said land;

thence along the easterly line of said land described in Document No. 2013-074627, South 00° 39' 02" East, a distance of 1318.90 feet to an angle point;

thence continuing along said easterly line, South 00° 12' 09" West, a distance of 187.00 feet to the center of Tualatin River;

thence along said center of Tualatin River for the following three courses:

North 53° 30' 18" West, a distance of 157.00 feet,

South 87° 33' 51" West, a distance of 222.00 feet,

South 55° 11' 13" West, a distance of 208.00 feet;

thence leaving said center of Tualatin River, North 00° 07' 34" East, a distance of 248.00 feet to a point on the southerly line of said land described in Document No. 2013-074627;

thence continuing along said southerly line, North 89° 52' 26" West, a distance of 511.02 feet to an angle point;

thence continuing along said southerly line, North 00° 19' 53" West, a distance of 274.81 feet to an angle point;

thence continuing along said southerly line, North 89° 57' 35" West, a distance of 291.88 feet to the Southwest corner of said land;

thence along the westerly line of said land, North 00° 24' 14" West, a distance of 522.34 feet to a point on the easterly Right-of-Way line of SW Elsner Road (County Road No. 1440);

thence along said easterly Right-of-Way line, South 01° 17' 31" West, a distance of 689.25 feet to an angle point;

thence continuing along said easterly Right-of-Way line, South 50° 23' 10" West, a distance of 179.06 feet to an angle point;

thence continuing along said easterly Right-of-Way line, South 27°03' 18" West, a distance of 772.67 feet to an angle point;

thence continuing along said easterly Right-of-Way line, South 26°07' 39" West, a distance of 19.34 feet to an angle point;

thence continuing along said easterly Right-of-Way line, South 00°27' 39" West, a distance of 577.46 feet to a point of tangential curvature;

thence along a 268.75 foot radius tangential curve to the right, arc length of 345.55 feet, central angle of 73°40' 09", chord distance of 322.23 feet, and chord bearing of South 37°17' 44" West to a point of tangency;

thence continuing along said easterly Right-of-Way line, South 74°07' 48" West, a distance of 233.62 feet to a point of tangential curvature;

thence continuing along said easterly Right-of-Way line, along a 208.75 foot radius tangential curve to the left, arc length of 268.10 feet, central angle of 73°35' 07", chord distance of 250.05 feet, and chord bearing of South 37°20' 15" West;

thence leaving said easterly Right-of-Way line, North 89°27' 19" West, a distance of 60.00 feet to a point on the westerly Right-of-Way line of SW Elsner Road;

thence along said westerly Right-of-Way line, along a 268.75 foot radius non-tangential curve, concave easterly, with a radius point bearing South 89°27' 19" East, arc length of 128.20 feet, central angle of 27°19' 50", chord distance of 126.98 feet, and chord bearing of North 14°12' 36" East to the most southerly Southeast corner of said land described in Document No. 2018-085182;

thence along the southerly line of said land, North 00°32' 41" East, a distance of 55.17 feet to an angle point;

thence continuing along said southerly line, North 75°31' 39" West, a distance of 615.78 feet to an angle point;

thence continuing along said southerly line, North 00°36' 45" West, a distance of 128.84 feet to an angle point;

thence continuing along said southerly line, South 89°23' 15" West, a distance of 989.56 feet to a point on the westerly Right-of-Way line of SW Roy Rogers Road (County Road No. 3150);

thence along said westerly Right-of-Way line, North 02°45' 16" West, a distance of 402.81 feet to a point of tangential curvature;

thence continuing along said westerly Right-of-Way line, along a 5048.56 foot radius tangential curve to the right, arc length of 242.75 feet, central angle of 02°45' 18", chord distance of 242.73 feet, and chord bearing of North 01°22' 37" West to a point of tangency;

thence continuing along said westerly Right-of-Way line, North 00°00' 02" East, a distance of 1459.11 feet to a point of tangential curvature;

thence continuing along said westerly Right-of-Way line, along a 3047.25 foot radius tangential curve to the right, arc length of 345.32 feet, central angle of 06°29' 34", chord distance of 345.13 feet, and chord bearing of North 03° 14' 49" East to a point of tangency;

thence continuing along said westerly Right-of-Way line, North 06°29' 36" East, a distance of 239.84 feet to the POINT OF BEGINNING.

Containing 216.86 acres, more or less.

Basis of bearings being Survey No. 29,570, Washington County Survey Records.

ANNEXATION CERTIFIED
BY TF
FEB 29 2023
WASHINGTON COUNTY A & T
CARTOGRAPHY

REGISTERED
PROFESSIONAL
LAND SURVEYOR

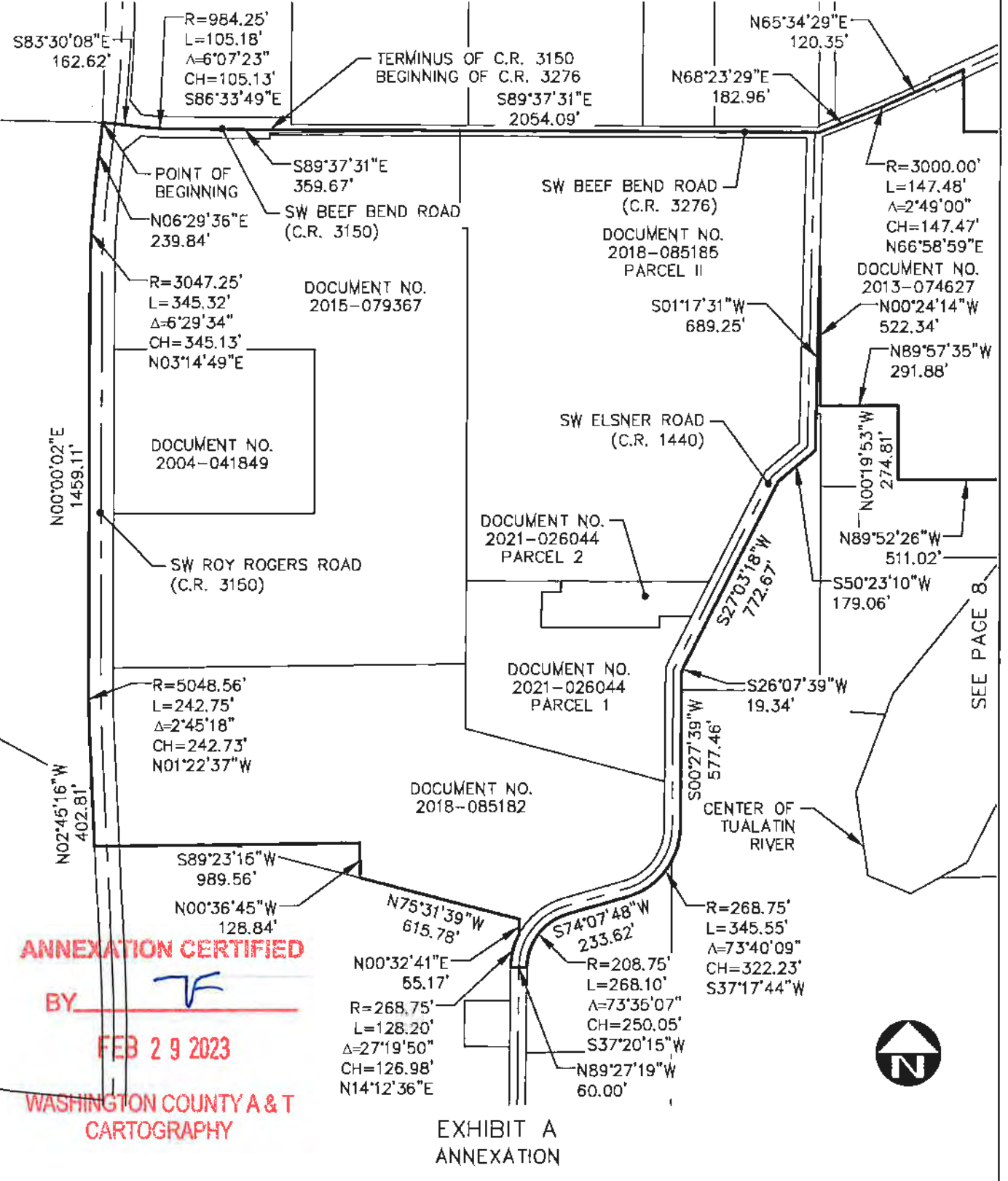
DocuSigned by:

Travis Jansen

33055EEA078A1B
OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWES: 6/30/2025

SECTIONS 16, 17, AND 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON



ANNEXATION CERTIFIED
BY
FEB 29 2023
**WASHINGTON COUNTY A & T
 CARTOGRAPHY**

**EXHIBIT A
 ANNEXATION**



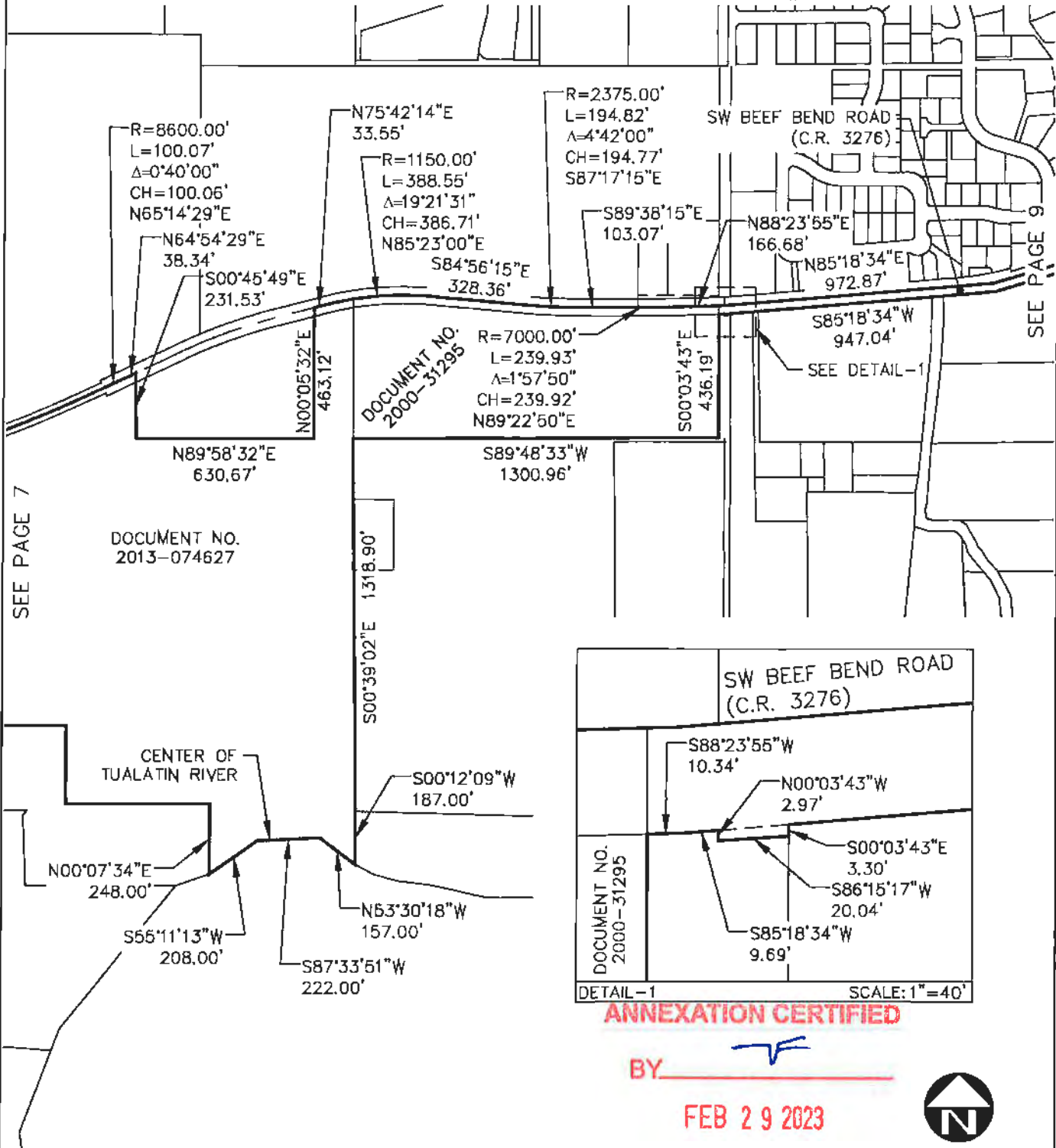
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 REVIEWED BY: TRK DATE: 2/27/24
 PROJECT NO.: 148-001
 SCALE: 1"=500'
 PAGE 7 OF 9

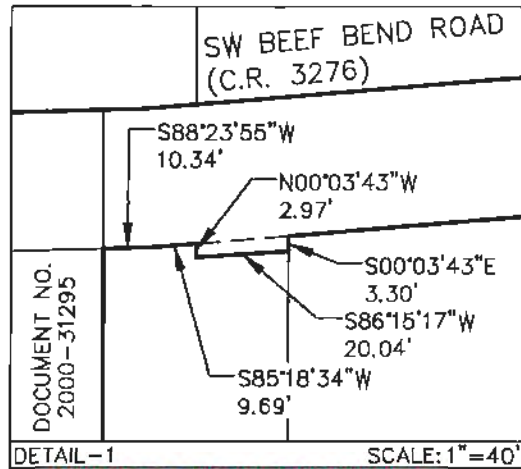


12564 SW Main St
 Tigard, OR 97223
 [T] 503-941-9484
 [F] 503-941-9485

SECTIONS 16, 17, AND 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON



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ANNEXATION CERTIFIED


BY 
FEB 29 2023



EXHIBIT A
ANNEXATION

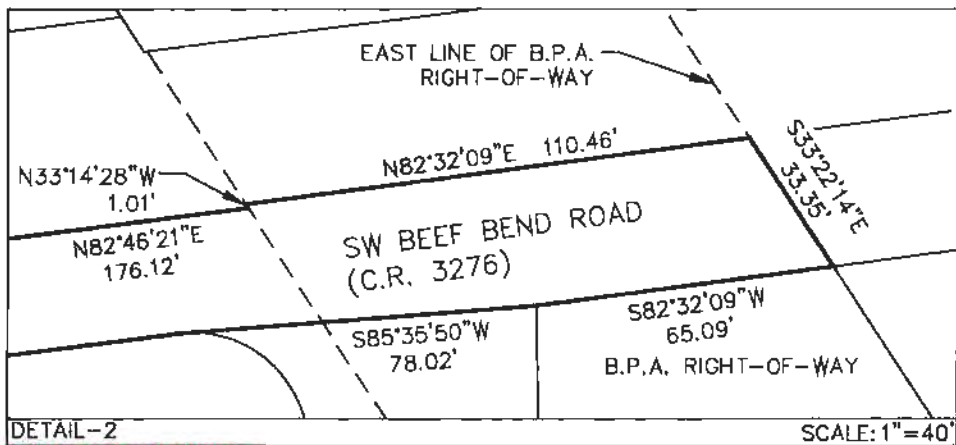
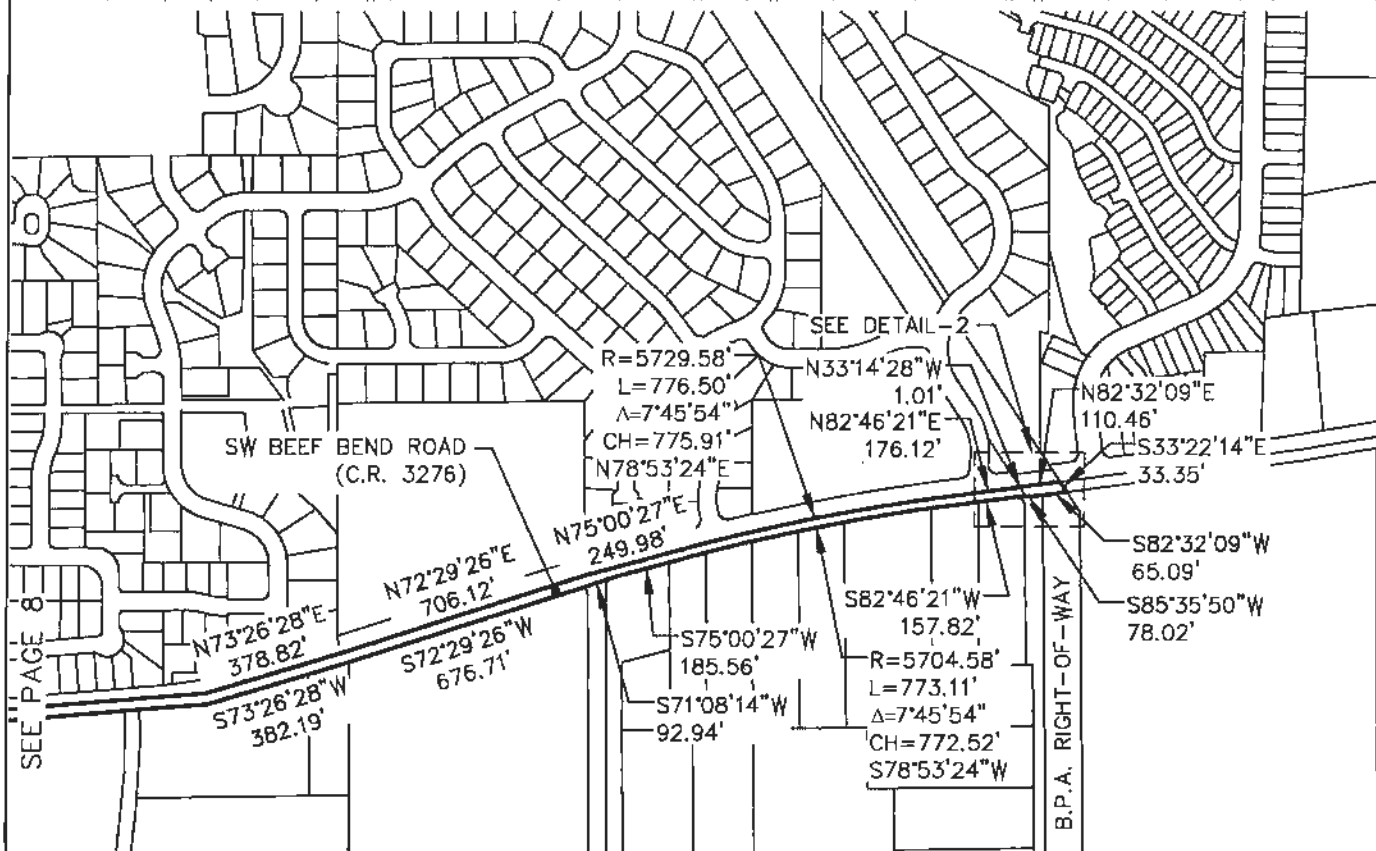
**WASHINGTON COUNTY A & T
CARTOGRAPHY**

DRAWN BY: FAM DATE: 2/27/24
 REVIEWED BY: TRK DATE: 2/27/24
 PROJECT NO.: 148-001
 SCALE: 1"=500'
 PAGE 8 OF 9



12564 SW Main St
 Tigard, OR 97223
 [T] 503-941-9484
 [F] 503-941-9485

SECTIONS 16, 17, AND 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON



ANNEXATION CERTIFIED

BY 

FEB 29 2023

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

**EXHIBIT A
ANNEXATION**



DRAWN BY: FAM DATE: 2/27/24
 REVIEWED BY: TRK DATE: 2/27/24
 PROJECT NO.: 148-001
 SCALE: 1"=500'
 PAGE 9 OF 9



12564 SW Main St
 Tigard, OR 97223
 [T] 503-941-9484
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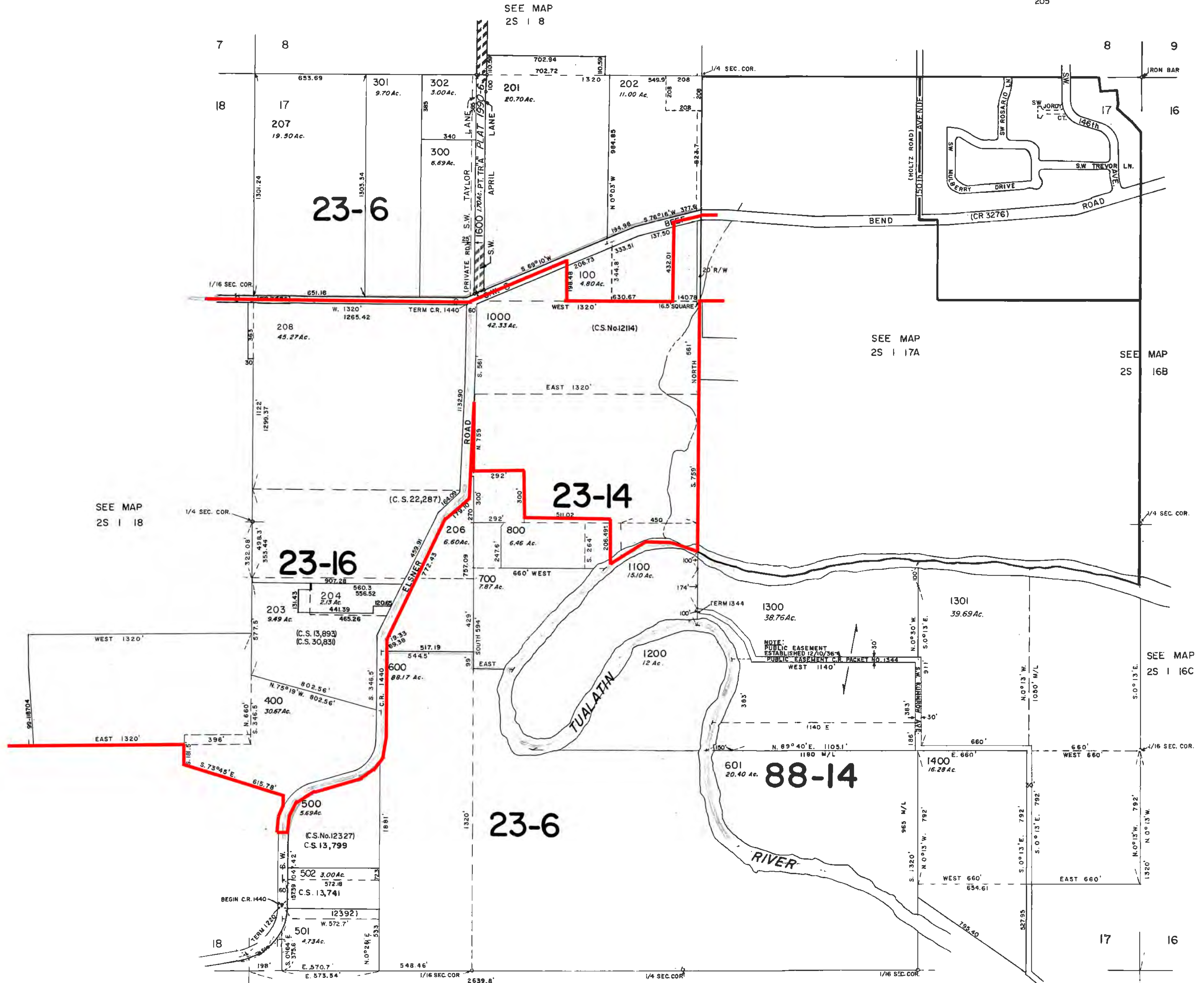
SECTION 17 T2S RIW W.M.

WASHINGTON COUNTY OREGON

SCALE 1" = 400'

2S 1 17
& INDEX

Tax Lot 1500 Cancelled
900
200
205



SEE MAP
2S 1 18

SEE MAP
2S 1 8

SEE MAP
2S 1 17A

SEE MAP
2S 1 16B

SEE MAP
2S 1 16C

SEE MAP
2S 1 20

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

20 21
& INDEX
2S 1 17

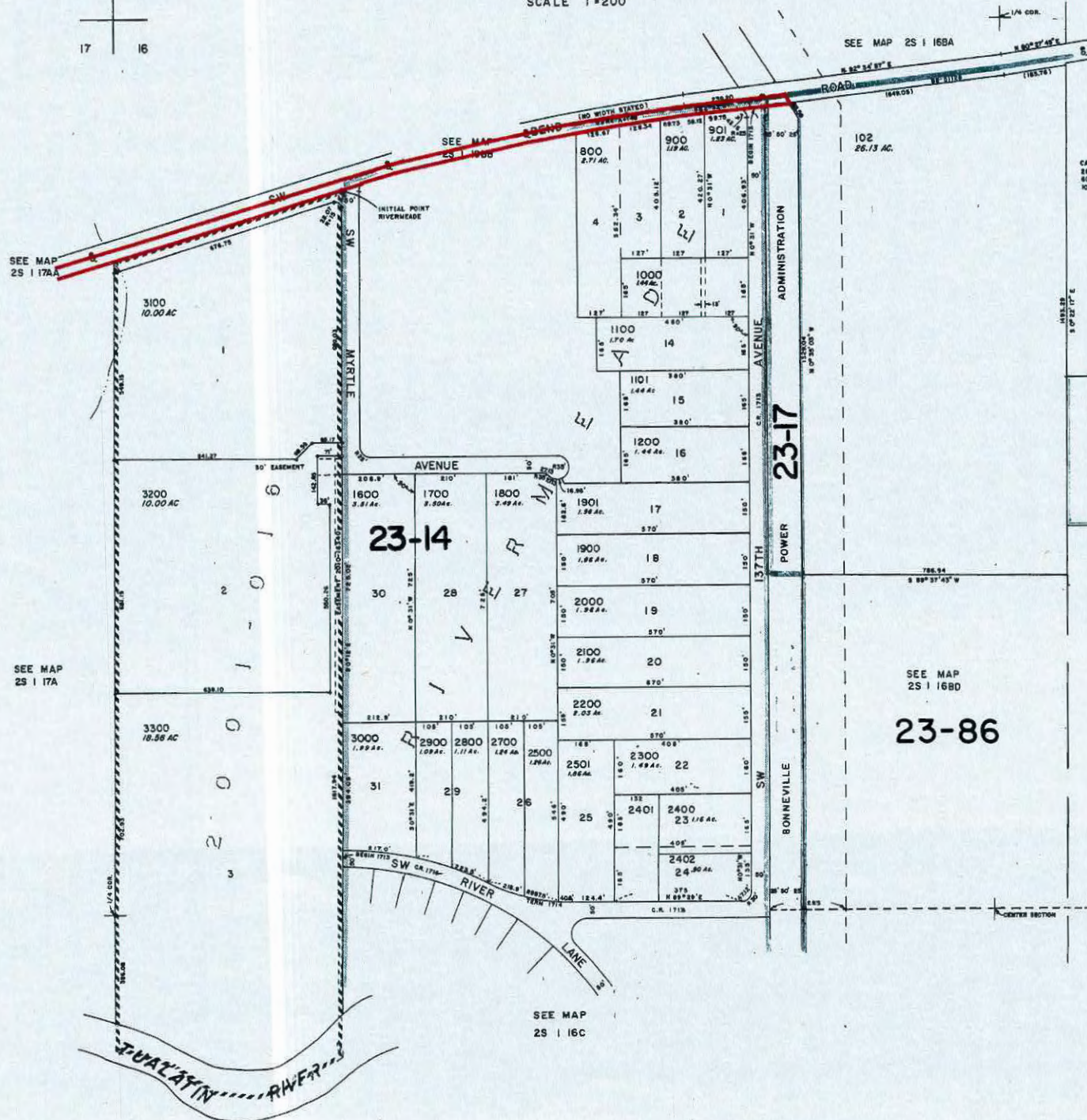
7/20/20 2:15
MAY

NW1/4 SECTION 16 T2S RIW WM.

2S | 16B

WASHINGTON COUNTY OREGON

SCALE 1"=200'



CANCELLED TAX LOT NUMBERS
8800, 8900, 9000, 9100, 9200, 9300, 9400, 9500, 9600, 9700, 9800, 9900, 10000, 10100, 10200, 10300, 10400, 10500.

SEE MAP 2S | 16AB

SEE MAP 2S | 16BD

SEE MAP 2S | 16AC

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

SEE MAP 2S | 16C

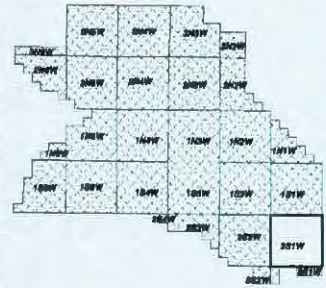
KING CITY
2S | 16B

JAN. 3/8/59



2S 1 16BA

2S 1 16BA



WASHINGTON COUNTY OREGON
NE1/4 NW1/4 SECTION 16 T2S R1W W.M.
SCALE 1" = 100'

30	31	32	33	34	35	36	37
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us

BB	BA	AB	AA
B			A
BC	BD	AC	AD
SECTION 16			
CB	CA	DB	DA
C			D
CC	CD	DC	DD

Cancelled Taxlots For: 2S116BA
300,400.



**Assessment
CARTOGRAPHY
Taxation**

PLOT DATE: January 03, 2000
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

2S 1 16BA

2S 1 16BA

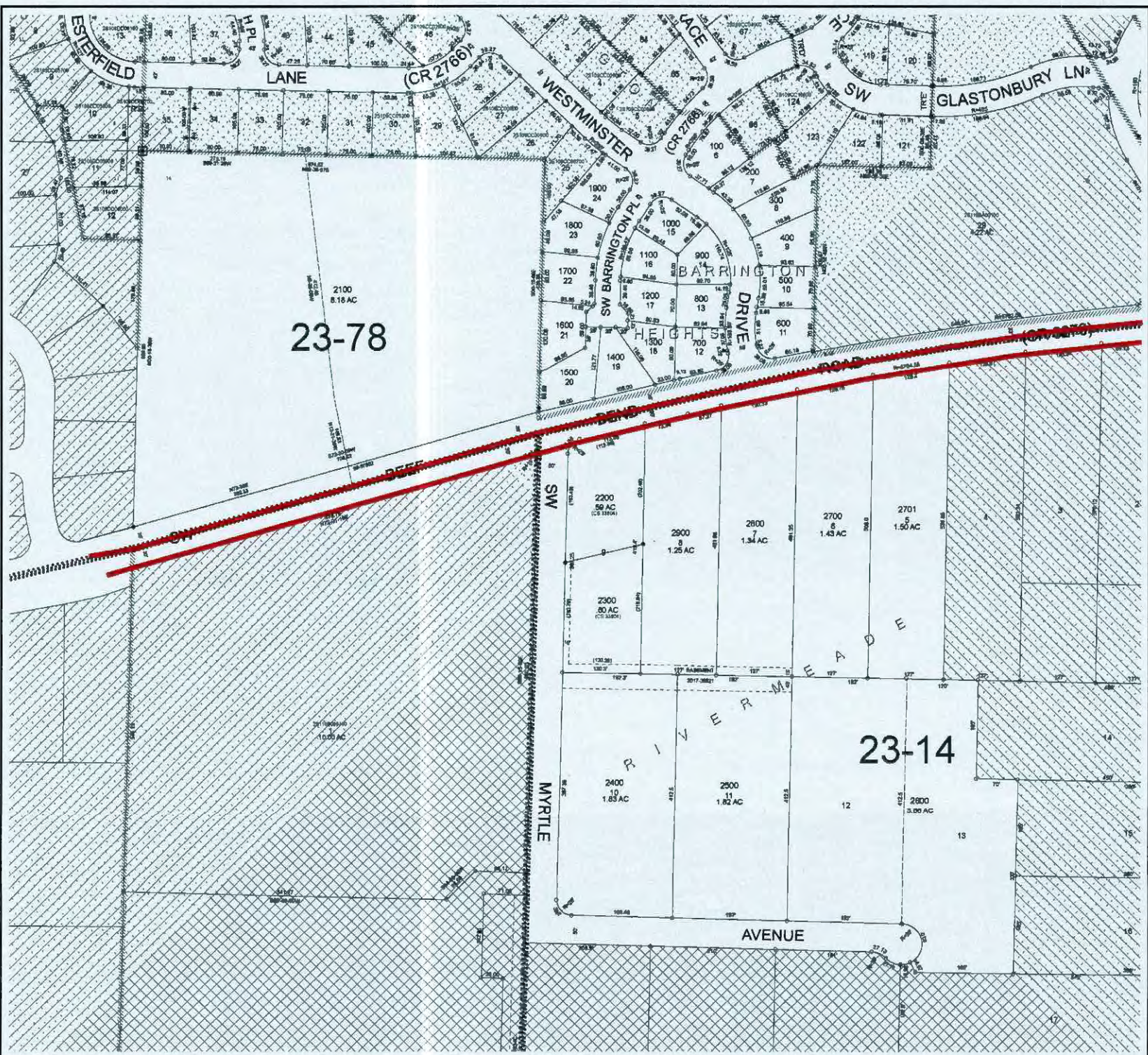
WASHINGTON COUNTY OREGON
NW 1/4 NW 1/4 SECTION 16 T2S R1W
SCALE 1"= 100'



36	37	38	39	40	41
1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36
37	38	39	40	41	42

BB	BA	AB	AA
BC	BD	AC	AD
CB	CA	DB	DA
CC	CD	DC	DD

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us



Cancelled Taxlots For: 2S116BB
2000

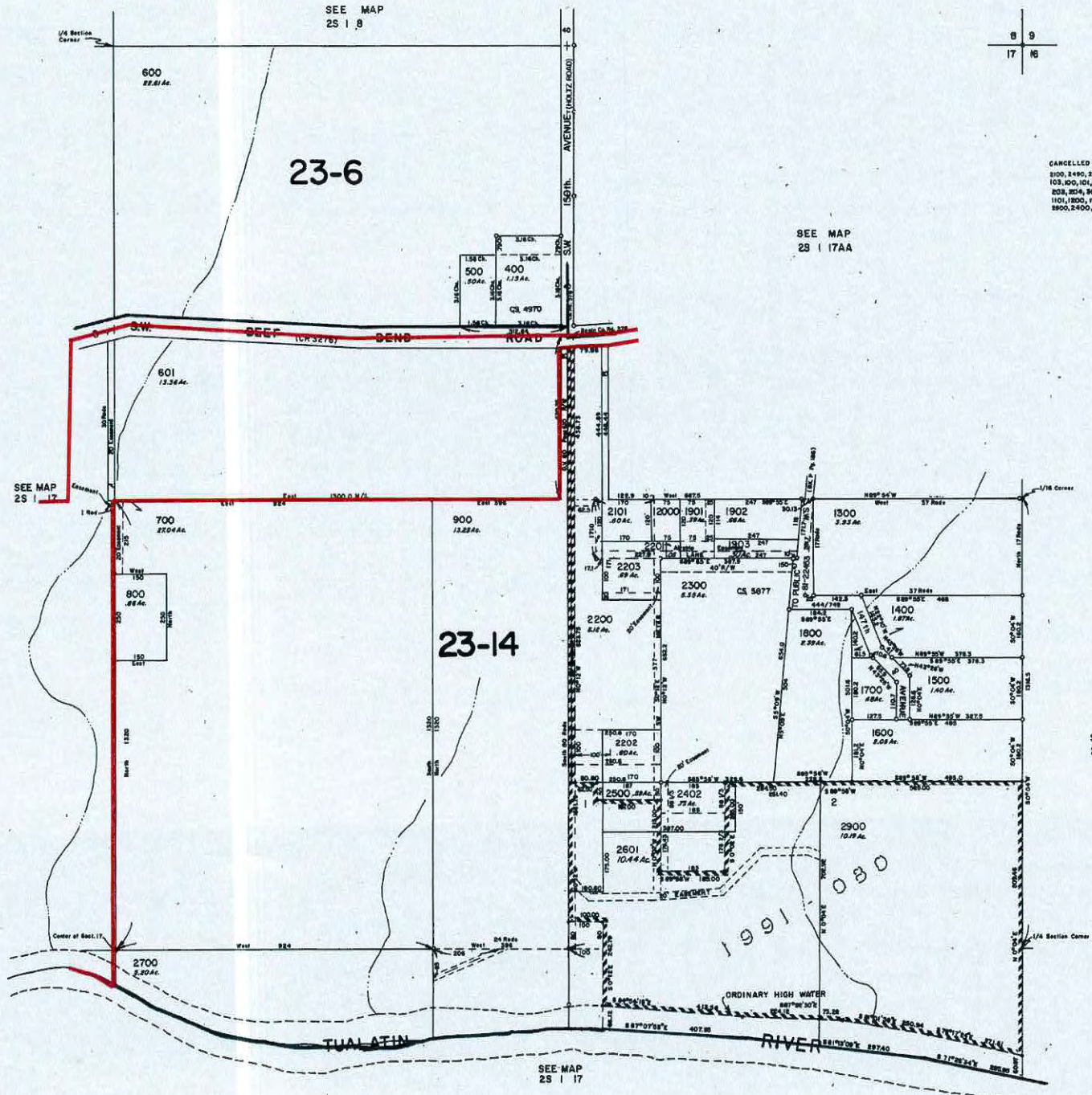


PLAT DATE: 8/30/2022
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

Map areas delineated by either grey shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

N.E. 1/4 SECTION 17 T2S RIW W.M.
 WASHINGTON COUNTY OREGON
 SCALE 1" = 200'

2S | 17A



SEE MAP
2S | 8

8 9
17 18

CANCELLED TAX LOTS
 2100, 2490, 2400, 1790, 108
 103, 120, 101, 200, 201, 202,
 203, 204, 900, 1000, 1100,
 1101, 1200, 900, 1403, 2900,
 2900, 2400,

SEE MAP
2S | 17AA

SEE MAP
2S | 17

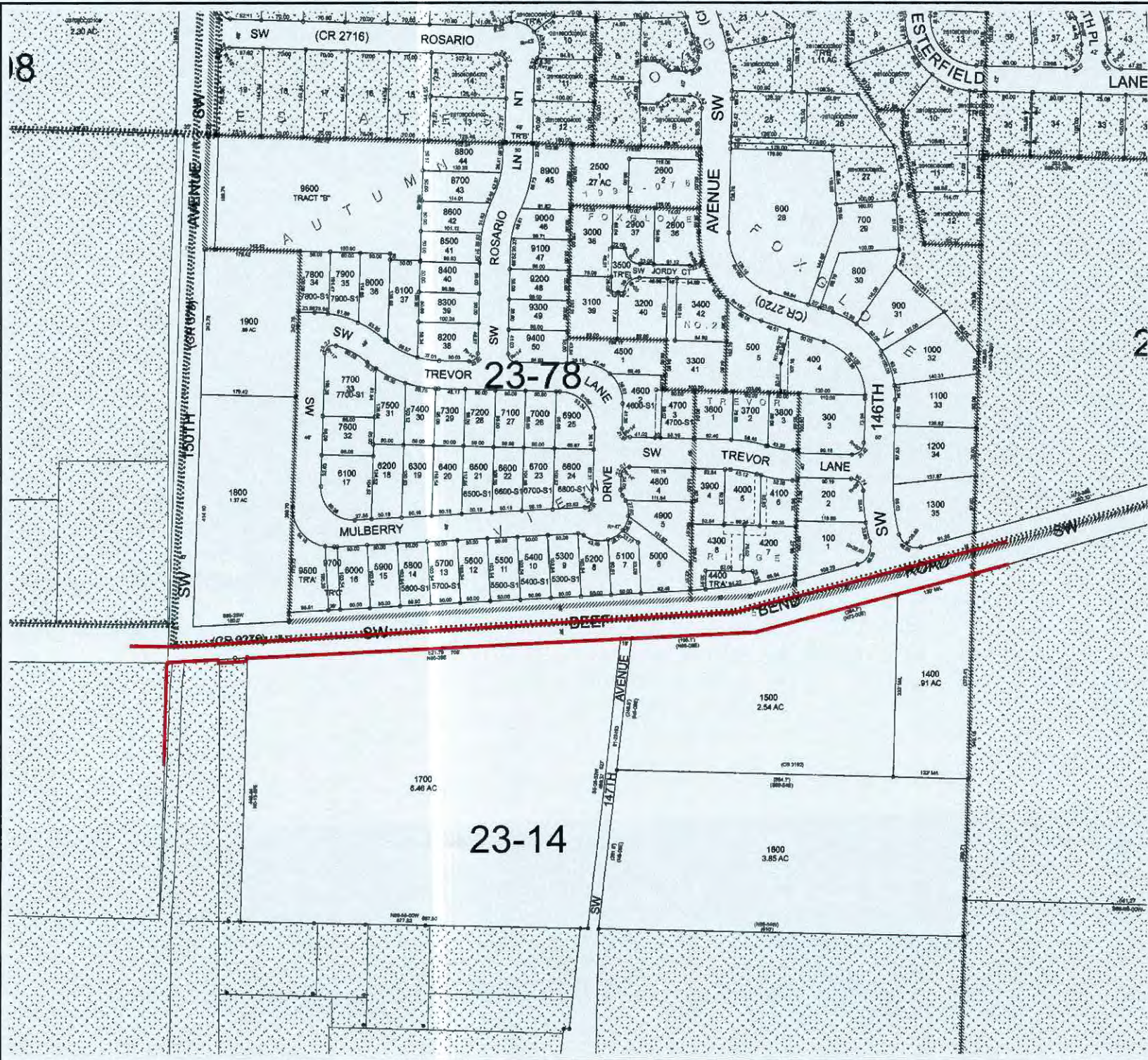
SEE MAP
2S | 16B

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

SEE MAP
2S | 17

2S | 17A

18



2S117AA

WASHINGTON COUNTY OREGON
NE 1/4 NE 1/4 SECTION 17 T2S R1W
SCALE 1"= 100'



34	37	38	39	40	41	42	43	44	45
16	17	18	19	20	21	22	23	24	25
46	47	48	49	50	51	52	53	54	55
26	27	28	29	30	31	32	33	34	35
14	15	16	17	18	19	20	21	22	23
36	37	38	39	40	41	42	43	44	45
12	13	14	15	16	17	18	19	20	21
34	35	36	37	38	39	40	41	42	43
16	17	18	19	20	21	22	23	24	25
46	47	48	49	50	51	52	53	54	55
26	27	28	29	30	31	32	33	34	35
14	15	16	17	18	19	20	21	22	23

BB	BA	AB	AA
BC	BD	AC	AD
CB	CA	DB	DA
CC	CD	DC	DD

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.washingtoncountyor.gov/gis

Cancelled Taxlots For: 2S117AA
2301, 2100, 2201, 2300, 2700, 2000, 2200, 2400

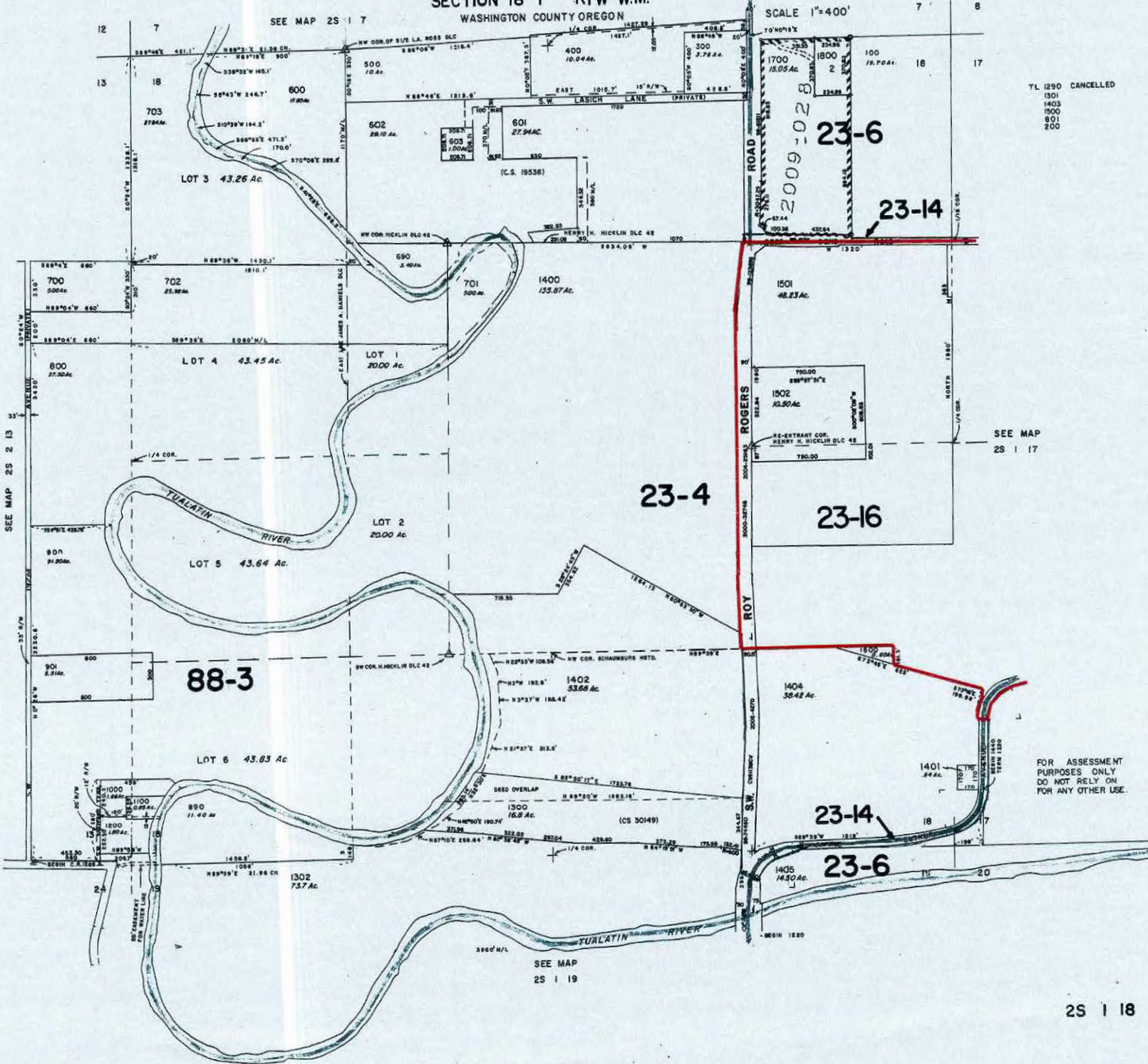


PLOT DATE: 8/25/2023
Revision: 0
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

Map areas delineated by either grey shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

2S117AA

SECTION 18 T RIW W.M.
WASHINGTON COUNTY OREGON



SCALE 1"=400'

SEE MAP 25 2 13

SEE MAP 25 1 7

7

8

TL 1290 CANCELLED
1301
1403
1500
801
200

2009-028
23-6

23-14

23-4

23-16

88-3

23-14

23-6

SEE MAP
25 | 19

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

JLB MK 9/13/13

APPLICANT EXHIBIT I

Certification of Registered Ownership



**CERTIFICATION OF REGISTERED VOTERS
FOR ANNEXATION PURPOSES***

I hereby certify that the attached petition for the annexation of the territory listed herein to the CITY OF KING CITY contains, as of the date listed, the following information:

- 6 Number of signatures of individuals on petition.
- 1 Number of active **registered voters** within the territory to be annexed.
- 1 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S117A000601 15260 SW Beef Bend Rd

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: October 24, 2023
 NAME: Angie Muller
 TITLE: Senior Administrative Specialist



Angie Muller
 (Signature of Election Official)

*This 'Certification of Registered Voters for Annexation Purposes' DOES NOT, in any way, make the determination if this petition meets the annexation requirements of the city/district listed.

Annexation certification sht rev4-043009



**CERTIFICATION OF REGISTERED VOTERS
FOR ANNEXATION PURPOSES***

I hereby certify that the attached petition for the annexation of the territory listed herein to the CITY OF KING CITY contains, as of the date listed, the following information:

- 2 Number of signatures of individuals on petition.
- 2 Number of active **registered voters** within the territory to be annexed.
- 1 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S1170000203 N/A
2S1170000204 17147 SW Elsner Rd

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: October 24, 2023
 NAME: Angie Muller
 TITLE: Senior Administrative Specialist



Angie Muller
 (Signature of Election Official)

*This 'Certification of Registered Voters for Annexation Purposes' DOES NOT, in any way, make the determination if this petition meets the annexation requirements of the city/district listed.

Annexation certification sht rev4-043009



**CERTIFICATION OF REGISTERED VOTERS
FOR ANNEXATION PURPOSES***

I hereby certify that the attached petition for the annexation of the territory listed herein to the CITY OF KING CITY contains, as of the date listed, the following information:

- 6 Number of signatures of individuals on petition.
- 2 Number of active **registered voters** within the territory to be annexed.
- 2 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S1170000208 16170 SW Beef Bend Rd
 (no voters) _____
2S1170000208 16180 SW Beef Bend Rd

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: October 24, 2023
 NAME: Angie Muller
 TITLE: Senior Administrative Specialist



Angie Muller
 (Signature of Election Official)

*This 'Certification of Registered Voters for Annexation Purposes' DOES NOT, in any way, make the determination if this petition meets the annexation requirements of the city/district listed.

Annexation certification sht rev4-043009

Department of Assessment & Taxation, Elections Division

3700 SW Murray Blvd. Suite 101 Beaverton OR 97005 Phone: 503/846-5800 Fax: 503/846-5810

Email: election@co.washington.or.us Website: www.co.washington.or.us/elections



**CERTIFICATION OF REGISTERED VOTERS
FOR ANNEXATION PURPOSES***

I hereby certify that the attached petition for the annexation of the territory listed herein to the CITY OF KING CITY contains, as of the date listed, the following information:

- 4 Number of signatures of individuals on petition.
- 0 Number of active **registered voters** within the territory to be annexed.
- 0 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S1170000400 N/A

DIVISION: ELECTIONS

COUNTY: WASHINGTON

DATE: October 6, 2023

NAME: Angie Muller

TITLE: Senior Administrative Specialist



Angie Muller

(Signature of Election Official)

*This 'Certification of Registered Voters for Annexation Purposes' DOES NOT, in any way, make the determination if this petition meets the annexation requirements of the city/district listed.

Annexation certification sht rev4-043009



**CERTIFICATION OF REGISTERED VOTERS
FOR ANNEXATION PURPOSES***

I hereby certify that the attached petition for the annexation of the territory listed herein to the CITY OF KING CITY contains, as of the date listed, the following information:

- 0 Number of signatures of individuals on petition.
- 0 Number of active **registered voters** within the territory to be annexed.
- 0 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S1170001000 15822 SW Beef Bend Rd

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: October 6, 2023
 NAME: Angie Muller
 TITLE: Senior Administrative Specialist



Angie Muller
 (Signature of Election Official)

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Annexation certification sht rev4-043009



**CERTIFICATION OF REGISTERED VOTERS
FOR ANNEXATION PURPOSES***

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- 0 Number of signatures of individuals on petition.
- 0 Number of active **registered voters** within the territory to be annexed.
- 0 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S1180001501 17158 SW Roy Rogers Rd
2S1180001501 16282/16300 SW Beef Bend Rd

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: October 6, 2023
 NAME: Angie Muller
 TITLE: Senior Administrative Specialist



Angie Muller
 (Signature of Election Official)

*This 'Certification of Registered Voters for Annexation Purposes' DOES NOT, in any way, make the determination if this petition meets the annexation requirements of the city/district listed.

Annexation certification sht rev4-043009

Department of Assessment & Taxation, Elections Division

3700 SW Murray Blvd. Suite 101 Beaverton OR 97005 Phone: 503/846-5800 Fax: 503/846-5810

Email: election@co.washington.or.us Website: www.co.washington.or.us/elections



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FOR ANNEXATION PURPOSES***

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- 0 Number of signatures of individuals on petition.
- 0 Number of active **registered voters** within the territory to be annexed.
- 0 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2S11801502 16920 SW Roy Rogers Rd

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: October 6, 2023
 NAME: Angie Muller
 TITLE: Senior Administrative Specialist

Angie Muller
 (Signature of Election Official)



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Annexation certification sht rev4-043009

APPLICANT EXHIBIT J

Double Majority Worksheet

DOUBLE MAJORITY WORK SHEET

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

PROPERTY OWNERS

Property Designation (Tax Lot #s)	Name of Owner	Acres	Assessed Value	Signed Petition (Y/N)
2S117A0601	Arthur A. Hasuike	13.36	276,870	Y
	Suzanne S. Hasuike			Y
	Daniel T. Hasuike			Y
	Betty H. Hasuike			Y
	Steve Yukio Hasuike Living Trust			Y
2S11700203	Mark L. Crandall, Agent for CTH Investments, LLC	9.49	696,670	Y
2S11700204	Mark L. Crandall, Agent for CTH Investments, LLC	2.13	765,930	Y
2S11700208	Steve Hasuike	45.27	426,830	Y
	Betty Young (aka. Betty H. Young and Betty L. Young)			Y
	Arthur A. Hasuike			Y
	Daniel T. Hasuike			Y
	Steve Yukio Hasuike Living Trust			Y
TOTALS			(see page 2)	

DOUBLE MAJORITY WORK SHEET

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

PROPERTY OWNERS

Property Designation (Tax Lot #s)	Name of Owner	Acres	Assessed Value	Signed Petition (Y/N)
2S11700400	Arthur A. Hasuike	30.67	121,780	Y
	Daniel T. Hasuike			Y
	Steve Y. Hasuike			Y
	Betty H. Young (aka Betty L. Young)			Y
2S11701000	Michael O'Halloran, Manager for Sharlin Farms, LLC	42.33	186,860	Y
2S11801501	Kean Keys, Manager for MF Beef Bend, LLC	48.23	579,740	Y
2S11801502	Kean Keys, Manager for MF Beef Bend, LLC	10.50	5,500,320	Y
TOTALS		201.98	8,555,000	100%

Worksheet (continued)

REGISTERED VOTERS

Name of Registered Voter	Address of Registered Voter	Signed Petition (Y/N)
Alexander Blodox	17147 SW Elsner Road	N
Susanne Bladey	17147 SW Elsner Road	Y
Kenneth Drysdale	15260 SW Beef Bend Road	Y
Nicholas Schleaker	16180 SW Beef Bend Road	Y
Melissa Kaneaster	16180 SW Beef Bend Road	Y

SUMMARY

TOTAL NUMBER REGISTERED VOTERS IN THE PROPOSAL 5

NUMBER OF REGISTERED VOTERS WHO SIGNED 4

PERCENTAGE OF REGISTERED VOTERS WHO SIGNED 80%

TOTAL ACREAGE IN PROPOSAL 201.98 ac (excluding public rights-of-way)

ACREAGE SIGNED FOR 201.98 ac (excluding public rights-of-way)

PERCENTAGE OF ACREAGE SIGNED FOR 100%

APPLICANT EXHIBIT K

Washington County Letter of Concurrence



WASHINGTON COUNTY OREGON

August 1, 2023

Mike Weston, City Manager
City of King City
15300 SW 116th Ave.
King City, OR 97224

RE: Proposed City annexations in the Kingston Terrace Community Plan area

Dear Mr. Weston,

Washington County staff have reviewed the materials you provided for King City's proposed annexation of properties within the Kingston Terrace Community Plan area located south of Beef Bend Road and east of Roy Rogers Road, and as shown in the attached graphic. The proposed annexation also includes portions of the rights-of-way of Beef Bend Road, Roy Rogers Road and Elsner Road, all of which are currently county-managed roadways.

Washington County and King City most recently updated their Urban Planning Area Agreement (UPAA) in 2018. The annexation area in question is identified as part of the city's 'Urban Reserve Planning Area' in the agreement and therefore the County expects the area to annex to the city in an orderly fashion as development occurs.

The County consents to the City's proposed annexation including the right-of-way (ROW) of the three county roads as shown in the attached graphic, with the following expectations:

- King City will annex the ROW from the centerline south along Beef Bend Road from the existing city limit to Roy Rogers Road, consistent with the future shared King City and Tigard boundary per the UPAA. Washington County will maintain long-term road jurisdiction and maintenance authority for Beef Bend Road.
- King City will annex the ROW on both sides of centerline along Roy Rogers Road adjacent to the parcels identified in the attached graphic as being annexed into King City. Since the area west of Roy Rogers Road is rural, it is not expected to be annexed by any other city in the future. Washington County will maintain long-term road jurisdiction and maintenance authority for Roy Rogers Road.
- King City will annex the ROW on both sides of the centerline of Elsner Road abutting parcels being annexed. Washington County does not intend to maintain long-term jurisdiction and maintenance authority for Elsner Road. Washington County anticipates transferring roadway jurisdiction and maintenance authority for Elsner Road to King City incrementally as the City annexes the ROW over time.

Page 2

Aug. 1, 2023

Proposed City annexations in the Kingston Terrace Community Plan area

County staff look forward to further coordination with King City on the continued development of the Kingston Terrace community. Please do not hesitate to contact me with any questions or concerns.

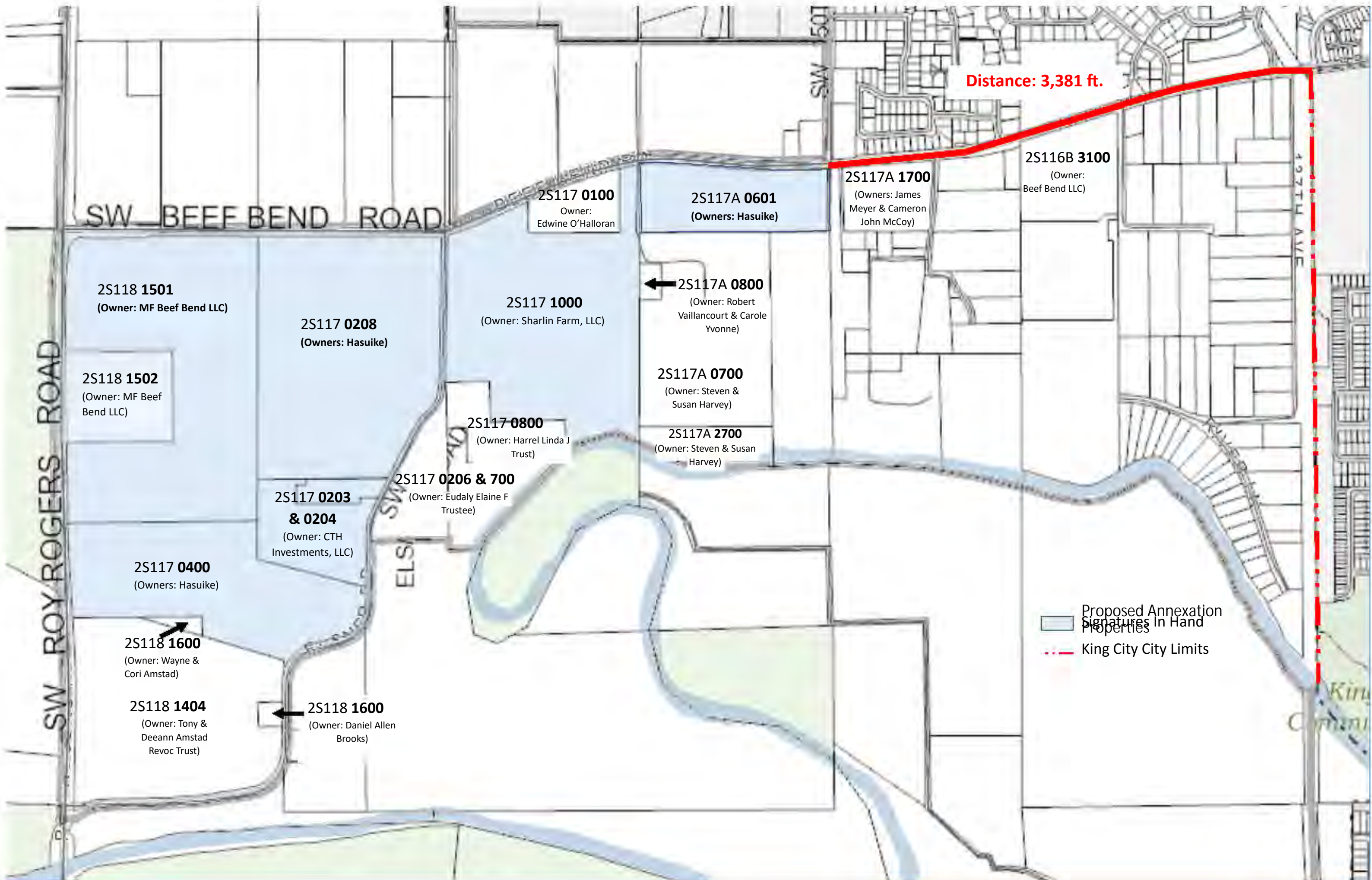
Sincerely,



Stephen Roberts, AICP
Director of Land Use & Transportation

Enclosure: Proposed Annexation Map

cc: Tanya Ange, County Administrator
Rachael Fuller, Assistant County Administrator
Erin Wardell, Planning and Development Services Manager
Theresa Cherniak, Principal Community Planner
Todd Watkins, Operations and Maintenance Division Manager
Stacy Shetler, County Engineer
Naomi Vogel, Associate Planner



APPLICANT EXHIBIT O

Public Notice Mailing List

* CUSTOM MAILING LIST

100' BUFFER AROUND 2S117A000601
2S1170000203, 204, 208, 400, 1000
2S1180001501, 1502
CREATED 10/25/23 BY TERI HEINO WASHCO LUT

14822 SW MULBERRY DR
TIGARD OR 97224

2S116BA00200
ADAMS SQUARE BEEF BEND LLC
HZF BEEF BEND LLC
BY GOTSHALL-MAXIN, LEE F ESQ
THREE EMBARCADERO CENTER 12TH FL
SAN FRANCISCO CA 94111

2S109CD03100
ADAMS SQUARE BEEF BEND LLC
HZF BEEF BEND LLC
BY GOTSHALL-MAXIN, LEE F ESQ
THREE EMBARCADERO CENTER 12TH FL
SAN FRANCISCO CA 94111

2S1180001402
AMSTAD, TONY & DEEANN REVOC TRUST
PO BOX 890
HERMISTON OR 97838

2S1180001404
AMSTAD, TONY & DEEANN REVOCABLE TRUST
PO BOX 890
HERMISTON OR 97838

2S1180001600
AMSTAD, WAYNE A & CORI A
15990 SW ROY ROGERS RD
SHERWOOD OR 97140

2S117AA04300

ANDREWS, RACHEL M
14626 SW TREVOR LN
TIGARD OR 97224

2S117AA05600
ARIBISALA, HENRY
14808 SW MULBERRY DR
TIGARD OR 97224

2S109CD10100
AUTUMN HILL HOMEOWNERS ASSOCIATION
BY NW COMMUNITY MANAGEMENT CO., LLC
PO BOX 23099
TIGARD OR 97281

2S116BB01500
BABAEI, MOHAMMADREZA
AKBARIMALKESHI, SOHEILA
16145 SW BARRINGTON PL
PORTLAND OR 97224

2S116B003100
BEEF BEND LLC
PO BOX 2559
OREGON CITY OR 97045

2S116BB00600
BEHRENS, GROVER S & ROSA A
15010 SW DAPHNE CT
BEAVERTON OR 97007

2S116BB02800
BERG, TYLER I & AIMEE K
16352 SW MYRTLE AVE
TIGARD OR 97224

2S1170000500
CASH JOINT TRUST
BY CASH, DWIGHT C & PAULA L TRS
17720 SW ELSNER RD
SHERWOOD OR 97140

2S117AA05200
CHOW, WING CHUEN
LEE, TUNG YAO
14734 SW MULBERRY DR
TIGARD OR 97224

2S117AA01400
CHRISTIANSSEN, SUSAN G
10008 DOLERITE DR
FORT WORTH TX 76131

2S117AA01500
CHRISTIANSSEN, SUSAN G
10008 DOLERITE DR
FORT WORTH TX 76131

2S117AA00100
COY, PATRICK & TARA
16247 SW 146TH AVE
TIGARD OR 97224

2S1170000204
CTH INVESTMENTS LLC
14787 SW MILLIKAN WAY
BEAVERTON OR 97003

2S1170000203
CTH INVESTMENTS LLC
14787 SW MILLIKAN WAY
BEAVERTON OR 97003

2S116B000102
DLJ PROPERTIES, LLC
13620 SW BEEF BEND RD #78
TIGARD OR 97224

2S117AA05700
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S117AA05300
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S117AA05400
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S117AA05500
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S117AA05800
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S117AA05900
DUONG, JEREMY H & NGA T
14846 SW MULBERRY DR
TIGARD OR 97224

2S117A000900
EITING, KATHERINE A REV LIVING TRUST
PO BOX 230939
PORTLAND OR 97281

2S1170000301
EPENETER PROPERTIES LLC
BY EPENETER, FREDERICK J & BEVERLY J
10860 SW PARK ST
TIGARD OR 97223

2S116B000800
ETLING, PHYLLIS C LIVING TRUST
BY ETLING, PHYLLIS C &
STONE, JOANNE E TRS
13970 SW BEEF BEND RD
TIGARD OR 97223

2S1170000206
EUDALY, ELAINE F LIVING TRUST
16900 SW ELSNER RD
SHERWOOD OR 97140

2S1170000700
EUDALY, ELAINE F LIVING TRUST
16900 SW ELSNER RD
SHERWOOD OR 97140

2S116BB01200
FUITEN, JESSICA J
DAVOODI, DANIEL
16098 SW BARRINGTON PL
PORTLAND OR 97224

2S117AA05000
GONZALEZ, JOEL & ALEJANDRA
14690 SW MULBERRY DR
TIGARD OR 97224

2S116BB02700
GRIFFITH, RONNDA L ZEZULA
GRIFFITH, JAMES L
14060 BEEF BEND RD
TIGARD OR 97224

2S116BB01400
HAKE, KRYSTIN
16148 SW BARRINGTON PL
TIGARD OR 97224

2S117AA05100
HANEY, CHAD
14712 SW MULBERRY DR
TIGARD OR 97224

2S1170000800
HARREL FAMILY TRUST
BY HARREL, CLIFFORD J & LINDA J TRS
PO BOX 760
SHERWOOD OR 97140

2S117AA00200
HARVEY, SHANNON M & SEAN
16223 SW 146TH AVE
PORTLAND OR 97224

2S117A000700
HARVEY, STEVEN P & SUSAN R
15540 SW BEEF BEND RD
TIGARD OR 97224

2S117A002700
HARVEY, STEVEN P & SUSAN R
15540 SW BEEF BEND RD
TIGARD OR 97224

2S1170000400
HASUIKE, ARTHUR A
HASUIKE, DANIEL T
HASUIKE, STEVE Y ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S117A000500
HASUIKE, ARTHUR A
HASUIKE, DANIEL T
HASUIKE, STEVE Y ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S117A000600
HASUIKE, ARTHUR A & SUZANNE S
HASUIKE, DANIEL T
YOUNG, BETTY H ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S1170000208
HASUIKE, STEVE YUKIO LIVING TRUST
HASUIKE, DANIEL T
YOUNG, BETTY H ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S117A000601
HASUIKE, STEVE YUKIO LIVING TRUST
HASUIKE, DANIEL T
HASUIKE, BETTY H ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S117AA05300
HENDRICK, AARON B & LESLIE A
14756 SW MULBERRY DR
TIGARD OR 97224

2S117AA01800
HENRY, LARRY J & DEANNE L
16200 SW 150TH AVE
TIGARD OR 97224

2S116B000900
HERBERHOLZ, LARRY
ISON, KIMBERLY A
13850 SW BEEF BEND RD
TIGARD OR 97224

2S116BB02200
JASSO, MATTHEW T
14200 SW BEEF BEND RD
TIGARD OR 97224

2S117AA06000
KEIM, ERIC & KATIE
14858 SW MULBERRY DR
TIGARD OR 97224

2S117AA04000
KHALILI, ARDLAN
KHALILI, KHOSROW
14632 SW TREVOR LN
TIGARD OR 97224

2S1170001300
KUMMROW, WILLARD STEPHEN
18580 SW KUMMROW AVE
SHERWOOD OR 97140

2S116B000901
LIEBERTZ, JOHN P & CANDACE R
13750 SW BEEF BEND RD
TIGARD OR 97224

2S117AA04100
MANN, SVETLANA
MCDONALD, GORDON J
14614 SW TREVOR LN
TIGARD OR 97224

2S116BA00100
MAYBECK ASSOCIATES LLC
BY FRESHWATER INVESTMENTS LLC
ATTN ROZENFELD, ALEX
303 TWIN DOLPHIN DR STE #600
REDWOOD CITY CA 94065

2S1170000600
METRO
PARKS & NATURE DEPARTMENT
600 NE GRAND AVE
PORTLAND OR 97232

2S117AA01700
MEYER, JAMES R
MCCOY, CAMERON JOHN
14730 SW BEEF BEND RD
TIGARD OR 97224

2S117A002101
MEYER, MARY J TRUST
MEYER, RAYMOND V FAMILY TRUST
14730 SW BEEF BEND RD
PORTLAND OR 97224

2S117A002200
MEYER, MARY J TRUSTEE
14730 SW BEEF BEND RD
PORTLAND OR 97224

2S1170000202
MF BB2
15525 SW BEEF BEND RD
TIGARD OR 97224

2S1180001502
MF BEEF BEND LLC
17933 NW EVERGREEN PKWY STE 300
BEAVERTON OR 97006

2S1180001501
MF BEEF BEND LLC
17933 NW EVERGREEN PKWY STE 300
BEAVERTON OR 97006

2S1170000300
MINER, DONALD WM TRUST
PO BOX 129
SHERWOOD OR 97140

2S117A000800
MURREY, THEODORE W
15500 SW BEEF BEND RD
TIGARD OR 97224

2S116BB01600
NILES, TYLER B & ALYSSA M
16123 SW BARRINGTON PL
TIGARD OR 97224

2S116BB02100
OAKMONT APARTMENT INVESTORS LLC
710 NW 14TH AVE, 2ND FLOOR
PORTLAND OR 97209

2S1170000100
O'HALLORAN, EDWINE E
15800 SW BEEF BEND RD
TIGARD OR 97224

2S116BB00500
PADRON, MICHAEL L & REBECCA
16096 SW WESTMINSTER DR
TIGARD OR 97224

2S116BB02900
PETERSON, IAN M & SARA N
16336 SW MYRTLE AVE
TIGARD OR 97224

2S117AA01300
PIRZADEH, MIRPARHAM
ARDEKANI, AZIN
16230 SW 146TH AVE
PORTLAND OR 97223

2S1170001600
PISCITELLI FAMILY TRUST
BY VINCENZO/ROSALBA PISCITELLI TRS
15540 SW APRIL LN
TIGARD OR 97224

2S117AA05500
QUTUB, SANA K
14796 SW MULBERRY DR
PORTLAND OR 97224

2S1170000201
ROSE, JARRETT P & MARIA A
15755 SW BEEF BEND RD
TIGARD OR 97224

2S116BB00700
SAYERS, WILLIAM L
LINGENFELTER, TINA M
16115 SW WESTMINSTER DR
TIGARD OR 97224

2S117A000400
SCOTT, GREGORY & CHELSEA
16255 SW 150TH AVE
TIGARD OR 97224

2S1170001000
SHARLIN FARM LLC
BY O'HALLORAN, MICHAEL
12130 NW OLD GERMANTOWN RD
PORTLAND OR 97231

2S1180001700
SHUTTS, ROSS D & AUDREY Y SHUTTS
REVOCABLE LIVING TRUST
16295 SW BEEF BEND RD
SHERWOOD OR 97140

2S117AA04200
SMITH, JEREMY R & RAMONITA M
14620 SW TREVOR LN
TIGARD OR 97224

2S1170000207
SUCTAWEE TRUST
BY SUCTAWEE, SALAWOOT J TR
16195 SW BEEF BEND RD
SHERWOOD OR 97140

2S117AA04900
SULLIVAN, ADAM M & LINDSEY M
14674 SW MULBERRY DR
PORTLAND OR 97224

2S117AA05400
SULLIVAN, JON W & NICOLE R
14778 SW MULBERRY DR
TIGARD OR 97224

2S117AA01200
THANGVIJIT, NATTAWAN AND
GULMAHONG, SUNUN
16190 SW 146TH AVE
TIGARD OR 97224

2S1180000601
TIGARD, CITY OF
13125 SW HALL BLVD
TIGARD OR 97223

2S11700001100
UNITED STATE OF AMERICA
US FISH & WILDLIFE SERVICE
ATTN: GEORGIA SHIRILLA
911 NE 11TH AVE
PORTLAND OR 97232

2S1180001400
UNITED STATES OF AMERICA
U S FISH & WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND OR 97232

2S109BC07000
USA DEPT OF ENERGY
BONNEVILLE POWER ADMINISTRATION
PO BOX 3621
PORTLAND OR 97208

2S117AA05800
VARGAS, GABRIELA
14832 SW MULBERRY DR
TIGARD OR 97224

2S116BB00800
WADDELL, TRENT WAYNE
PENA, RHINA MICHELLE HERNANDEZ
16097 SW WESTMINSTER DR
TIGARD OR 97224

2S1180000100
WIESE, RUTH TRUST
16245 SW BEEF BEND RD
SHERWOOD OR 97140

2S116BB01300
YOUNG, MARK W & JAMIE M
16126 SW BARRINGTON PL
TIGARD OR 97224

2S116BB02701
ZAVALA, JORGE & IMELDA
14010 SW BEEF BEND RD
TIGARD OR 97224

EXHIBIT E

Mailing Affidavits

Affidavits for Mailings, Publishing, and Posting

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Oregonian Media Group
1500 SW 1st Ave Suite 500
Portland, OR 97201



Oregonian

AD#: 0010806766

CITY OF KING CITY
15300 SW 116TH AVE
KING CITY, OR 97224

Email affidavit
rsmith@ci.king-city.or.us
and mail original

Sales Rep: Kimberlee O'Neill
Account Number:1000816725
AD#: 0010806766

Remit Payment to:
Oregonian Media Group
Dept 77571
P.O. Box 77000
Detroit, MI 48277-0571

Page 1 of 3

Date	Position	Description	P.O. Number	Ad Size	Costs
12/30/2023	PublicNotices OR	City Council 2024-01-17 Mtg	City Council 2024-01-17 Mtg	3 x 170 L	
				Basic Ad Charge - 12/23/2023	\$2,335.80
				Basic Ad Charge - 12/30/2023	\$2,335.80
				Total	\$4,671.60

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL 877-229-2380

AD#: 0010806766

State of Oregon,) ss
County of Multnomah)

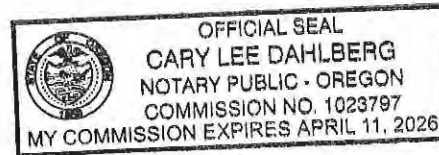
Kimberly Langdon being duly sworn, deposes that he/she is principal clerk of Oregonian Media Group; that Oregonian is a public newspaper published in the city of Portland, with general circulation in Oregon, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

Oregonian 12/23, 12/30/2023



Principal Clerk of the Publisher

Sworn to and subscribed before me this 3rd day of January 2024




Notary Public

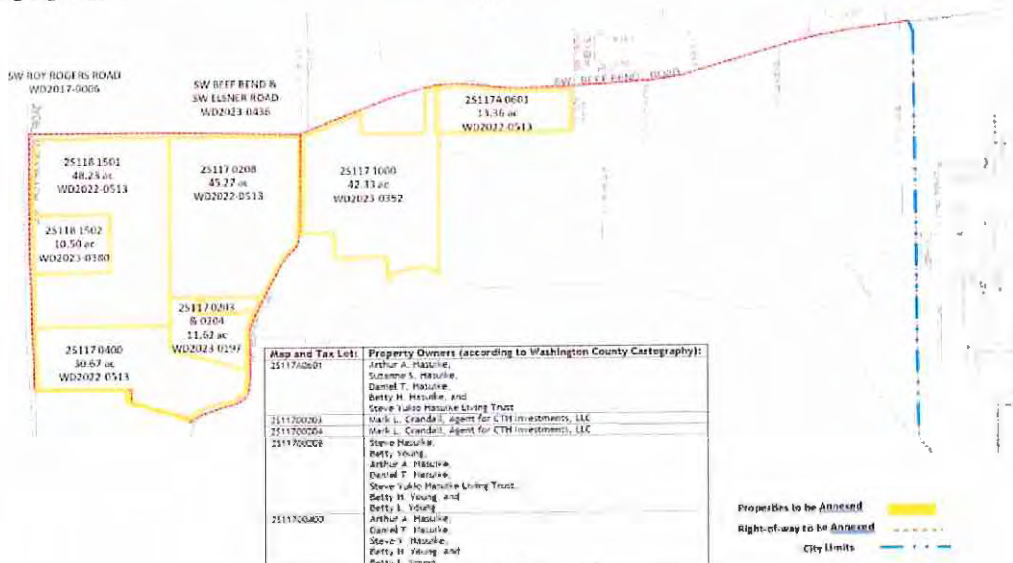
CITY OF KING CITY PUBLIC NOTICE

NOTICE OF PUBLIC HEARING BEFORE THE KING CITY – CITY COUNCIL

The King City - City Council, will hold a public hearing on **Wednesday, January 17th, 2024, at 6:00 p.m.** in the King City - City Hall Council Chambers, 15300 S.W. 116th Avenue, King City, OR 97224 and Online via Zoom platform, to consider approval for two land use hearings regarding the following:

LU # 23-09; Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI) for the properties proposed for annexation. The Oregon Department of State Lands has approved of the proposed LWI and a letter of approval has been obtained by the City. This adoption will include a new Figure 16.114-10 Kingston Terrace District Locally Significant Wetland Resource Map in Community Development Code Section 16.114.080 along with a minor text amendment regarding wetland buffer areas in Section 16.114.080 R 1. f.

LU # 23-08; Ordinance 2023-06, Annexation Application on behalf of New Homes Inc. Submitted by Pacific Community Design. An application seeking annexation approval of approximately 210 acres of land. This also includes the portion of SW Beef Bend Rd between 137th Ave. and SW Roy Rogers Rd right-of-way south of midline, and the right-of-way for SW Roy Rogers Rd. and SW Elsner Rd. adjacent to the properties proposed for annexation. This annexation is contingent upon LU # 23-09 being adopted first. The area proposed for annexation is illustrated in the map below.



2511701000	Michael O. Hatcher, Manager for Sharon Farms, LLC
2511801501	Seena Keys, Manager for KF Beef Bend, LLC
2511801502	Seena Keys, Manager for KF Beef Bend, LLC
Washington County: SW Beef Bend Road Right-of-Way - From center line to southern right-of-way boundary, starting at western boundary of King City to SW Bay Rogers Road intersection.	
Washington County: SW Bay Rogers Road Right-of-Way - Right of way in its entirety from southern portion of intersection of SW Beef Bend Road along western boundary of tax lots 2511801501, 2511801502, and 2511700400.	
Washington County: SW Elmer Road Right-of-Way - Right of way in its entirety, from SW Beef Bend Road to the southern boundary of tax lot 2511700400.	

As required by Community Development Code Section 16.192.050 C., the properties shall be rezoned upon annexation in accordance with the Kingston Terrace Master Plan from Washington County FD-20 to Town Center Neighborhood (area between Roy Rogers Rd. and Elsner Rd.), Beef Bend Neighborhood (Tax Lot 2S117A 0601), and Beef Bend Neighborhood and Central Neighborhood (Tax Lot 2S117 1000).

The purpose of the City Council hearing is to review the proposals, consider public testimony, and consider the recommendation from the Planning Commission to come to an actionable resolution.

The annexation proposal (LU # 23-08) shall be evaluated based upon the relevant portions of the following:

- Metro Code 3.09;
- The Oregon Revised Statutes;
- The King City Comprehensive Plan;
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code (CDC);
- Applicable intergovernmental agencies
- Section 16.192.050 of the CDC

The LWI adoption (LU # 23-09) shall be evaluated based upon relevant portions of the following:

- King City Comprehensive Plan; and associated requirements
- The Kingston Terrace Master Plan;
- Department of State Lands land use decision
- The requirements of Title 16 Community Development Code Section 16.192.060; and Oregon Administrative Rules (OAR) 141-086-0228(5) and OAR 141-180 through 0350.

All interested parties are invited to attend the hearing and express their views. Statements will be accepted in writing or orally at the hearing. Failure to raise an issue at the public hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

The public may attend the hearing by coming to City Hall at the above address or by attending the Zoom webinar. In accordance with [House Bill 2560](#), this hybrid meeting enables people to join remotely or in-person to participate in the Planning Commission hearing and submit oral and/or written testimony in person or remotely. Zoom Links are on the reverse side of this Notice.

Correspondence should be mailed to the King City Planning Commission, Attn. Community Development, 15300 S.W. 116th Avenue, King City, OR 97224 or via email at mweston@ci.king-city.or.us. Written testimony received one week (7 days) prior to the hearing will be included in the Planning Commissioner's meeting materials and allow adequate time for review. Materials and relevant criteria are available for review at:

- On the project website <https://www.ci.king-city.or.us/annexations/index.php>
- King City – City Hall, 15300 S.W. 116th Avenue, King City, OR
- Paper Copies may be obtained at a reasonable cost.
- Staff reports are available for inspection at no cost or may be obtained at a reasonable cost seven days prior to the hearing.

Questions regarding the application or the public hearing process may be directed to Maxwell Carter, 503-639-4082, or at mcarter@ci.king-city.or.us.

The City Council reserves the right to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided. The hearings are accessible to the disabled. Contact City Manager, at 503-639-4082 (voice and TTY), if you need any special accommodation to attend or to participate in the meeting. Publications may be available in alternate formats and the meeting is accessible to the disabled.

Published: December 21st, 2023

INFORMATION AND ONLINE ZOOM LINK

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89753210459?pwd=NFM4YVNEbnU1OWZ2S2lsVmN-pNDY1Zz09>

Webinar ID: 897 5321 0459

Passcode: 076178

Or Telephone: US: 1 (253) 215-8782

Members of the public can watch the meeting live On TVCTV cable channel 23 or 30; and King City YouTube live streaming

Affidavit of Publishing and Posting



I, **Ronnie Smith**, say that I am an employee for the **City of King City, Washington County, Oregon** and that I served the following:

(Check Appropriate Box(es) Below)

<input checked="" type="checkbox"/>	NOTICE OF PUBLIC HEARING: LU # 23-09 – Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI.) LU # 23-08 – Ordinance 2023-06, Annexation Application on behalf of NEW Homes Inc. Submitted by Pacific Community Design
-------------------------------------	--

HEARING BODY:

HEARING DATE:

City of King City, City Council

January 17, 2024, at 6:00 p.m.

A copy of the said notice being hereto attached, marked **Exhibit "A,"** and by reference made a part hereof, was mailed and published by the following:

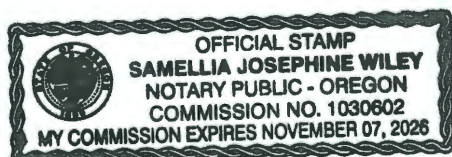
- **The Oregonian:**
 - Run Dates: December 23, 2023, and December 30, 2023.
- **Business Tribune:**
 - Run Dates: December 26, 2023, and January 2, 2024.
- **City Staff posted at the following locations:**
 - The King City Highlands clubhouse (12930 SW Peachvale Street) on December 29, 2023.
- A copy of the said notice being hereto attached, marked **Exhibit "B,"** and by reference made a part hereof, was sent via email to interested parties on December 21, 2023, and December 29, 2023.
- A copy of the said notice being hereto attached, marked **Exhibit "C,"** and by reference made a part hereof, was posted on Social Media on December 29, 2023.



Ronnie Smith, City Recorder

STATE OF OREGON)
 County of Washington)
 City of King City) ss.

Subscribed and affirmed before me on December 29, 2023



Samellia Wiley

 NOTARY PUBLIC OF OREGON
 My Commission Expires: 11-07-2026



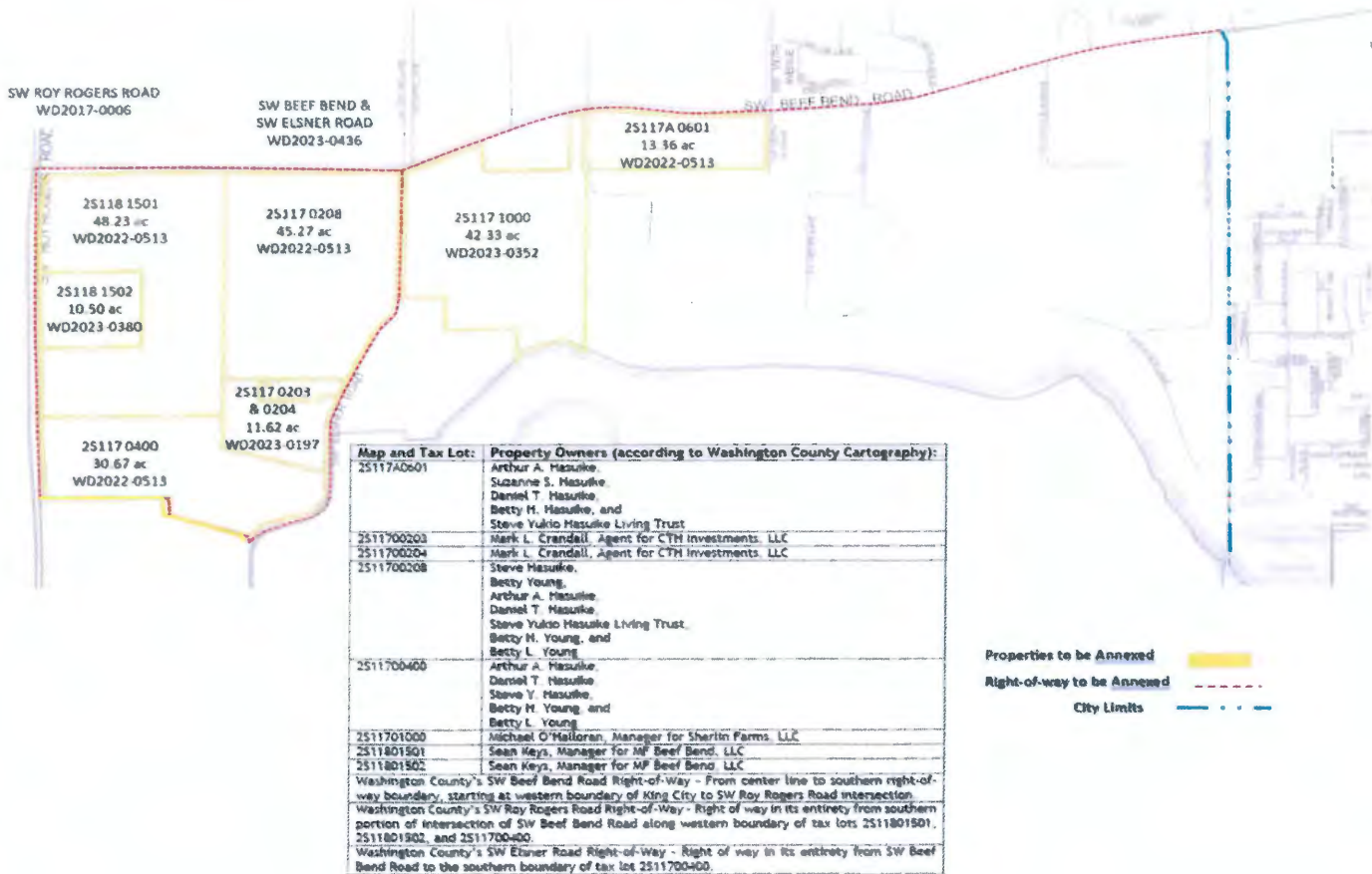
PUBLIC NOTICE

NOTICE OF PUBLIC HEARING BEFORE THE KING CITY – CITY COUNCIL

The King City - City Council, will hold a public hearing on **Wednesday, January 17th, 2024, at 6:00 p.m.** in the King City - City Hall Council Chambers, 15300 S.W. 116th Avenue, King City, OR 97224 and Online via Zoom platform, to consider approval for two land use hearings regarding the following:

LU # 23-09; Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI) for the properties proposed for annexation. The Oregon Department of State Lands has approved of the proposed LWI and a letter of approval has been obtained by the City. This adoption will include a new Figure 16.114-10 Kingston Terrace District Locally Significant Wetland Resource Map in Community Development Code Section 16.114.080 along with a minor text amendment regarding wetland buffer areas in Section 16.114.080 F. 1. f.

LU # 23-08; Ordinance 2023-06, Annexation Application on behalf of New Homes Inc. Submitted by Pacific Community Design. An application seeking annexation approval of approximately 210 acres of land. This also includes the portion of SW Beef Bend Rd between 137th Ave. and SW Roy Rogers Rd right-of-way south of midline, and the right-of-way for SW Roy Rogers Rd. and SW Elsner Rd. adjacent to the properties proposed for annexation. This annexation is contingent upon LU # 23-09 being adopted first. The area proposed for annexation is illustrated in the map below.



As required by Community Development Code Section 16.192.050 C., the properties shall be rezoned upon annexation in accordance with the Kingston Terrace Master Plan from Washington County FD-20 to Town Center Neighborhood (area between Roy Rogers Rd. and Elsner Rd.), Beef Bend Neighborhood (Tax Lot 2S117A 0601), and Beef Bend Neighborhood and Central Neighborhood (Tax Lot 2S117 1000).

The purpose of the City Council hearing is to review the proposals, consider public testimony, and consider the recommendation from the Planning Commission to come to an actionable resolution.

The annexation proposal (LU # 23-08) shall be evaluated based upon relevant portions of the following:

- Metro Code 3.09;
- The Oregon Revised Statutes;
- The King City Comprehensive Plan;
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code (CDC);
- Applicable intergovernmental agencies
- Section 16.192.050 of the CDC

The LWI adoption (LU # 23-09) shall be evaluated based upon the relevant portions of the following:

- King City Comprehensive Plan; and associated requirements
- The Kingston Terrace Master Plan;
- Department of State Lands land use decision
- The requirements of Title 16 Community Development Code Section 16.192.060; and Oregon Administrative Rules (OAR) 141-086-0228(5) and OAR 141-180 through 0350.

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Published: December 21st, 2023

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<https://us02web.zoom.us/j/89753210459?pwd=NFM4YVNEbnU1OWZ2SzlsVmNpNDY1Zz09>

Webinar ID: 897 5321 0459

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On TVCTV cable channel 23 or 30; and King City YouTube live streaming



Order Confirmation

Ad Order Number 0010806766

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 (503)639-4082

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msanjuan@ci.king-city.or.us

Payor Customer

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 CITY OF KING CITY
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 (503)639-4082

PO Number City Council 2024-01-1

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<i>Affidavits</i> 1	<i>AffidavitsCost</i>	\$0.00	<i>Total Amount</i>	\$4,671.60
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<i>Product</i> Oregonian::Full Run OR	<i>Placement/Class</i> Announcements
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<i>Ad Type</i> OR CLS Display	<i>Ad Size</i> 3 X 170 li
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<i>Run Dates</i> 12/23/2023, 12/30/2023	<i>Sort Text</i>



NOTICE OF PUBLIC HEARING BEFORE THE KING CITY – CITY COUNCIL

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**CITY OF KING CITY
PUBLIC NOTICE**

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Passcode: 076178

Or Telephone: US: 1 (253) 215-8782

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Published Dec. 26, 2023 & Jan. 2, 2024.

BT311632



Exhibit B



NOTICE OF PUBLIC HEARING BEFORE THE KING CITY - CITY COUNCIL

[Campaign Preview](#) [HTML Source](#) [Plain-Text Email](#) [Details](#)

[View this email in your browser](#)



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Feedback



NOTICE OF PUBLIC HEARING BEFORE THE KING CITY – CITY COUNCIL

ient
hu, Dec 21, 2023 1:29 pm

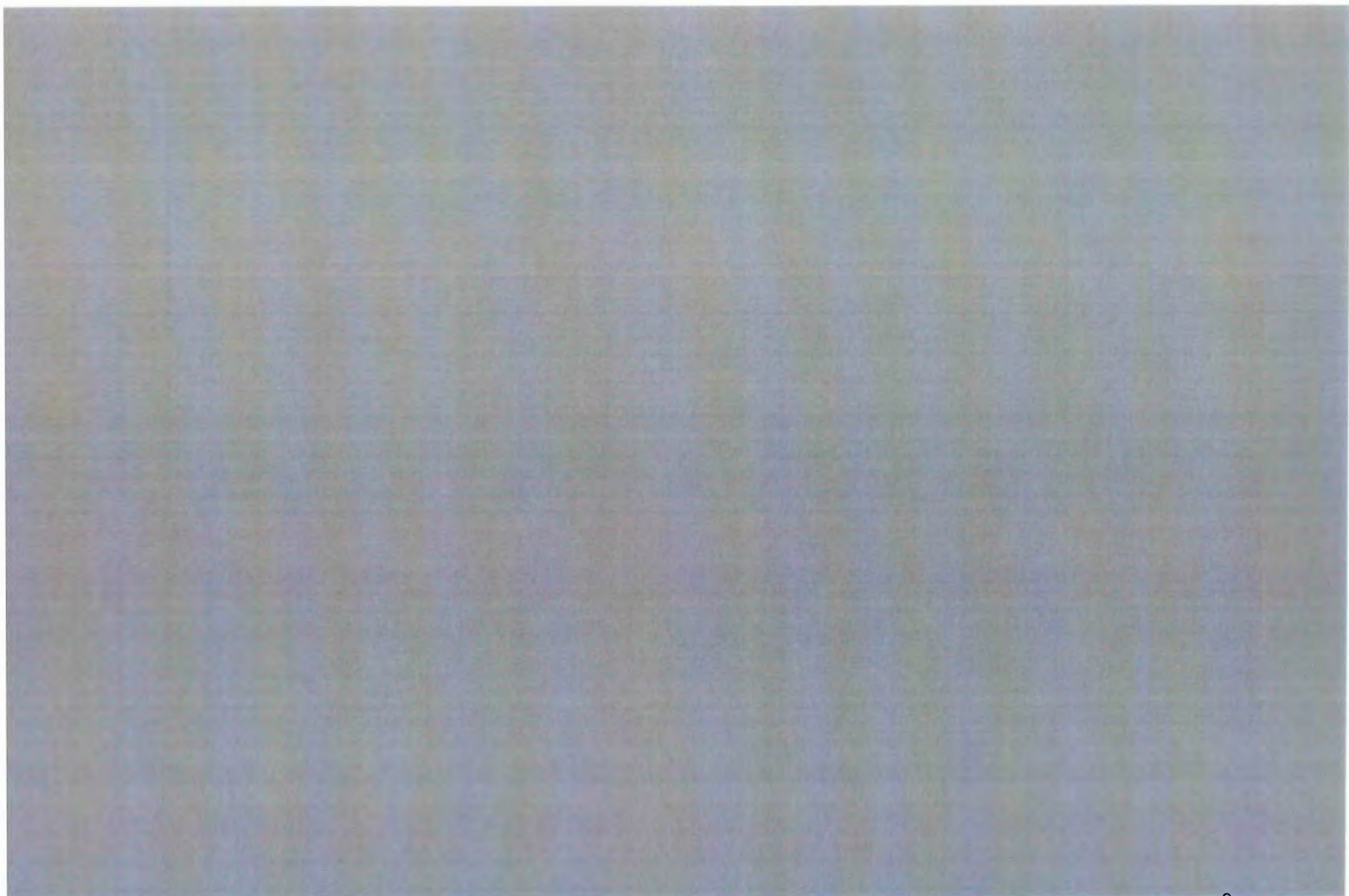
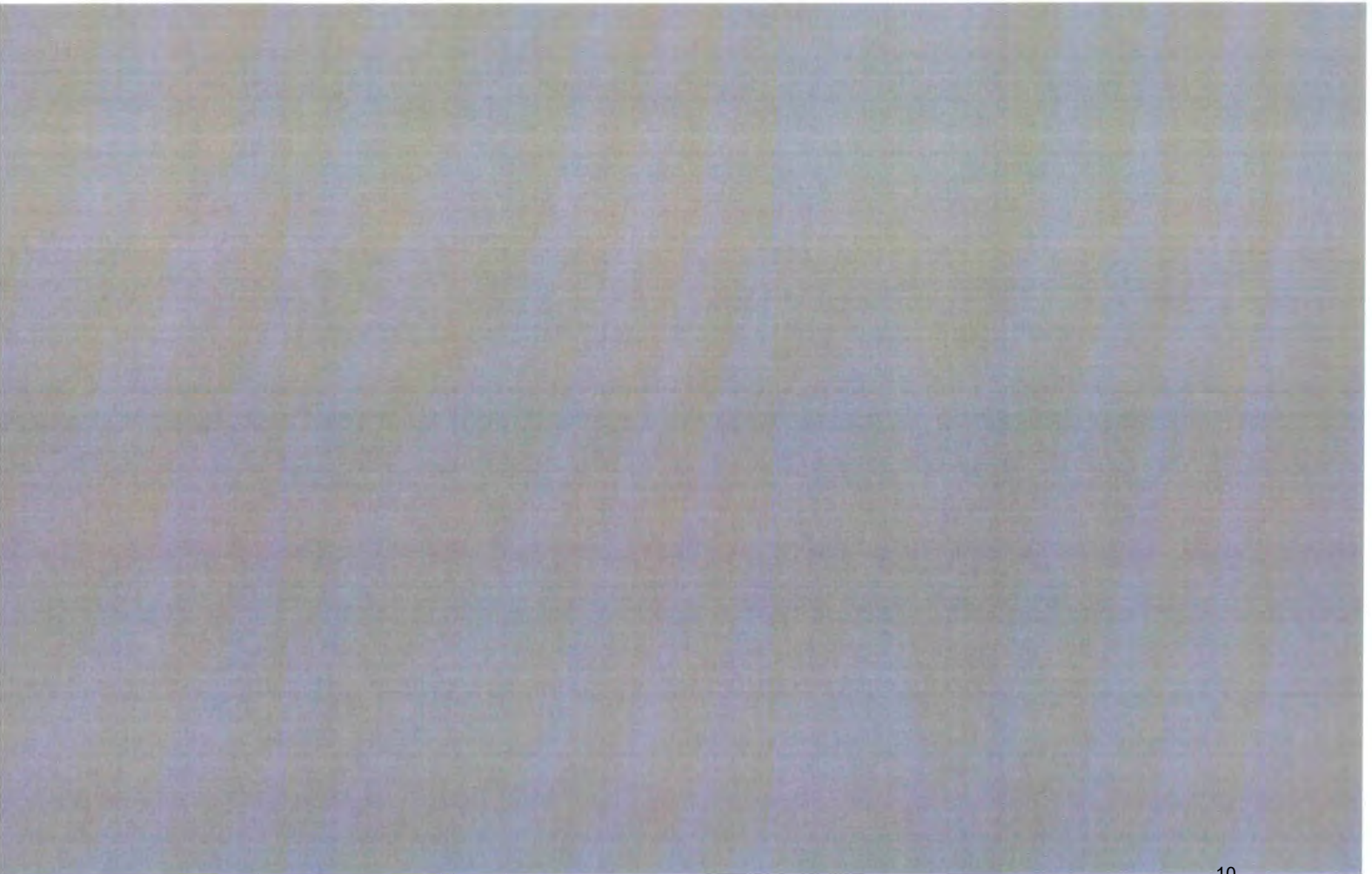




Table of contents

Overview

1



NOTICE OF PUBLIC HEARING BEFORE THE KING CITY – CITY COUNCIL

Sent 12/21/23 1:29PM

Overview

153 Recipients

Audience: City of King City (Unsaved segment)

Delivered: Thu, Dec 21, 2023 1:29 PM

Subject: NOTICE OF PUBLIC HEARING BEFORE THE KING CITY – CITY COUNCIL

155 Opened	0 Clicked	2 Bounced	0 Unsubscribed
----------------------	---------------------	---------------------	--------------------------

Successful deliveries	251 99.2%	Clicks per unique opens	0%
Total opens	323	Total clicks	0
First opened	12/29/23 7:33AM	Last clicked	N/A
Forwarded	0	Abuse reports	0

0 Orders	\$0.00 <u>Average order revenue</u>	\$0.00 <u>Total revenue</u>
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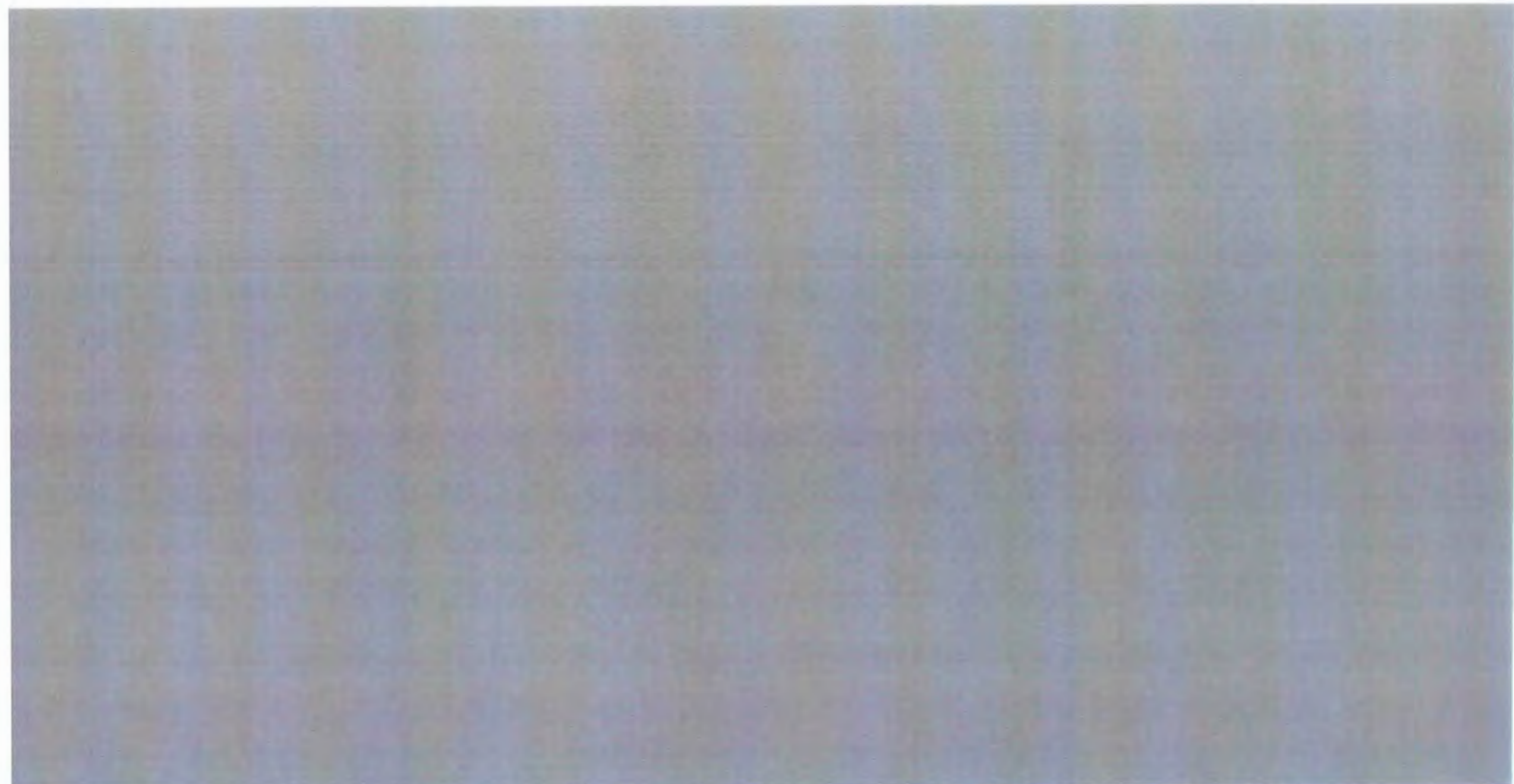


Exhibit C



City of King City, Oregon

25m · 🌐

Notice of Public Hearing Before the King City - City Council

The King City - City Council, will hold a public hearing on Wednesday, January 17th, 2024, at 6:00 p.m. - <https://mailchi.mp/.../notice-of-public-hearing-before...>



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cityofkingcityoregon



Notice of Public Hearing Before the King City - City Council

Wednesday, January 17th, 2024, at 6:00 p.m.



cityofkingcityoregon Notice of Public Hearing Before the King City - City Council... more

4 minutes ago



cityofkingcityoregon



Affidavit of Mailing, and Posting



I, **Maxwell Carter**, say that I am an employee for the **City of King City, Washington County, Oregon**, and that I served the following:

(Check Appropriate Box(es) Below)


<input checked="" type="checkbox"/>	NOTICE OF PUBLIC HEARING: LU # 23-09 – Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI.) LU # 23-08 – Ordinance 2023-06, Annexation Application on behalf of NEW Homes Inc. Submitted by Pacific Community Design
-------------------------------------	--

HEARING BODY:	HEARING DATE:
City of King City, City Council	January 17, 202 4 ⁴ , at 6:00 p.m.

A copy of the said notice being hereto attached, marked **Exhibit "A,"** and by reference made a part hereof, was mailed and published by the following:

- City Staff printed and mailed using first class mail service form the U.S.P.S on 12/21/2023
- City Staff posted at the following locations:
 - City Hall
 - King City Civic Center
 - King City Community Park

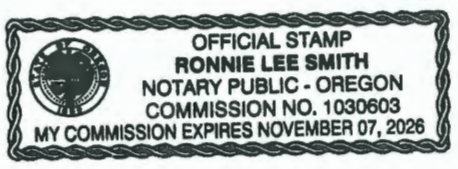
A copy of the said notice being hereto attached, marked **Exhibit "B,"** and by reference made a part hereof, was published on the City website and DLCD PAP portal.



 Maxwell Carter, City Planner

STATE OF OREGON)
 County of Washington)
 City of King City) ss.

Subscribed and affirmed before me on December 21, 2023





 NOTARY PUBLIC OF OREGON
 My Commission Expires: 11/07/2026

Exhibit A

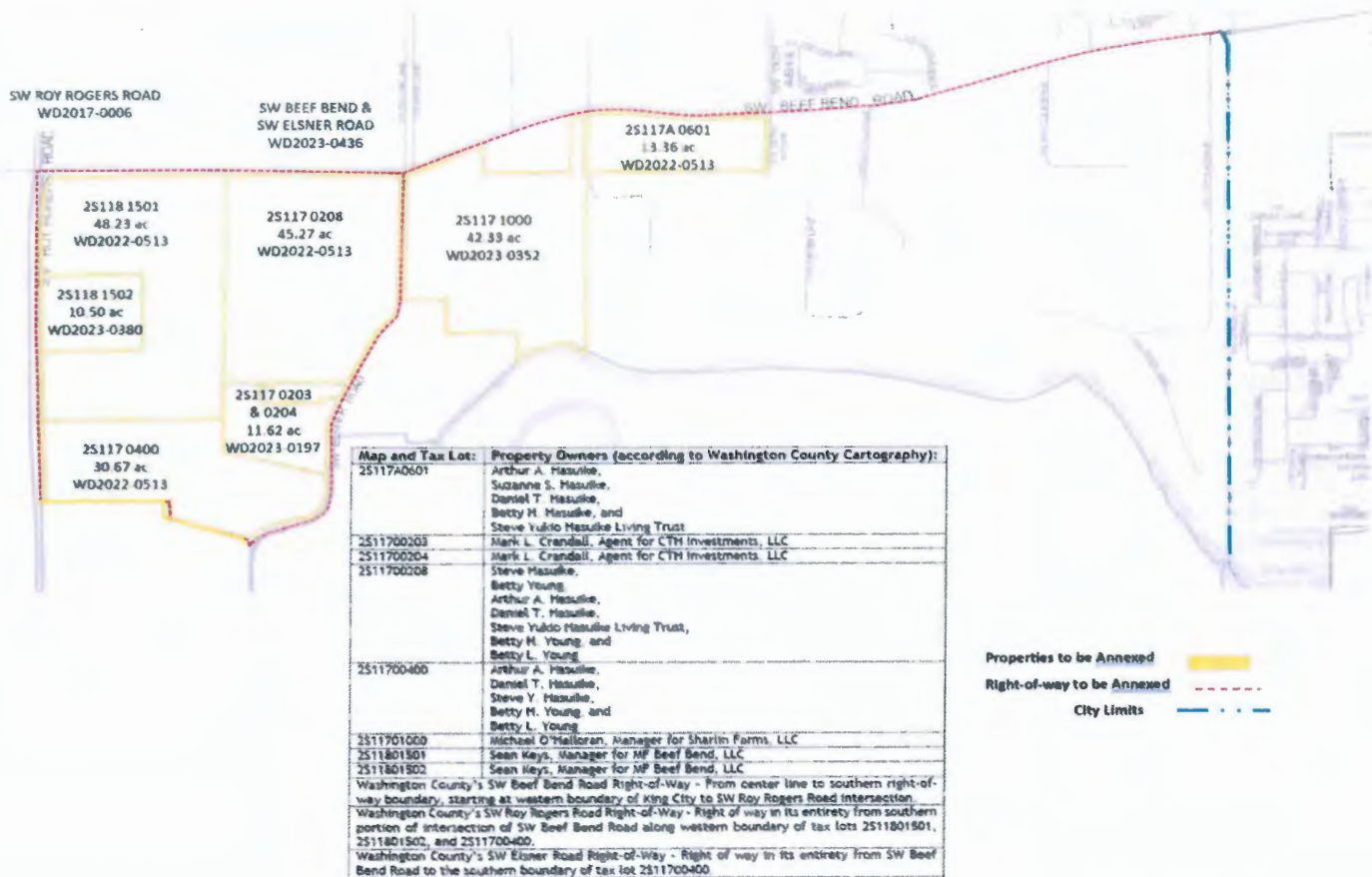


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HZF BEEF BEND LLC
BY GOTSHALL-MAXIN, LEE F ESQ
THREE EMBARCADERO CENTER 12TH FL
SAN FRANCISCO CA 94111

2S1180001600
AMSTAD, WAYNE A & CORI A
15990 SW ROY ROGERS RD
SHERWOOD OR 97140

2S109CD10100
AUTUMN HILL HOMEOWNERS ASSOCIATION BY
NW COMMUNITY MANAGEMENT CO., LLC PO
BOX 23099
TIGARD OR 97281

2S116BB01500
BABAEI, MOHAMMADREZA
AKBARIMALKESHI, SOHEILA
16145 SW BARRINGTON PL
PORTLAND OR 97224

2S116BB02800
BERG, TYLER I & AIMEE K
16352 SW MYRTLE AVE
TIGARD OR 97224

2S117AA01400
CHRISTIANSEN, SUSAN G
10008 DOLERITE DR
FORT WORTH TX 76131

CTH INVESTMENTS LLC
14787 SW MILLIKAN WAY
BEAVERTON OR 97003

2S117AA05700
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S117AA05500
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S117AA05700
ABDELMOATY, WALAA
EISSA, RASHA
14822 SW MULBERRY DR
TIGARD OR 97224

2S1180001402
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PO BOX 890
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14626 SW TREVOR LN
TIGARD OR 97224

2S116B003100
BEEF BEND LLC
PO BOX 2559
OREGON CITY OR 97045

2S1170000500
CASH JOINT TRUST
BY CASH, DWIGHT C & PAULA L TRS
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SHERWOOD OR 97140

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FORT WORTH TX 76131

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BEAVERTON OR 97003

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DRH ENERGY INC
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FORTH WORTH TX 76102

2S117AA05800
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
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HZF BEEF BEND LLC
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THREE EMBARCADERO CENTER 12TH FL
SAN FRANCISCO CA 94111

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TIGARD OR 97224

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COY, PATRICK & TARA
16247 SW 146TH AVE
TIGARD OR 97224

2S116B000102
DLJ PROPERTIES, LLC
13620 SW BEEF BEND RD #78
TIGARD OR 97224

2S117AA05400
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S117AA05900
DUONG, JEREMY H & NGAT
14846 SW MULBERRY DR
TIGARD OR 97224

2S117A000900
EITING, KATHERINE A REV LIVING TRUST
PO BOX 230939
PORTLAND OR 97281

2S1170000301
EPENETER PROPERTIES LLC
BY EPENETER, FREDERICK J & BEVERLY J
10860 SW PARK ST
TIGARD OR 97223

2S116B000800
ETLING, PHYLLIS C LIVING TRUST
BY ETLING, PHYLLIS C &
STONE, JOANNE E TRS
13970 SW BEEF BEND RD
TIGARD OR 97223

2S1170000206
EUDALY, ELAINE F LIVING TRUST
16900 SW ELSNER RD
SHERWOOD OR 97140

2S1170000700
EUDALY, ELAINE F LIVING TRUST
16900 SW ELSNER RD
SHERWOOD OR 97140

2S116BB01200
FUJITEN, JESSICA J
DAVOODI, DANIEL
16098 SW BARRINGTON PL
PORTLAND OR 97224

2S117AA05000
GONZALEZ, JOEL & ALEJANDRA
14690 SW MULBERRY DR
TIGARD OR 97224

2S116BB02700
GRIFFITH, RONNDA L ZEZULA
GRIFFITH, JAMES L
14060 BEEF BEND RD
TIGARD OR 97224

2S116BB01400
HAKE, KRISTIN
16148 SW BARRINGTON PL
TIGARD OR 97224

2S117AA05100
HANEY, CHAD
14712 SW MULBERRY DR
TIGARD OR 97224

2S1170000800
HARREL FAMILY TRUST
BY HARREL, CLIFFORD J & LINDA J TRS
PO BOX 760
SHERWOOD OR 97140

2S117AA00200
HARVEY, SHANNON M & SEAN
16223 SW 146TH AVE
PORTLAND OR 97224

2S117A000700
HARVEY, STEVEN P & SUSAN R
15540 SW BEEF BEND RD
TIGARD OR 97224

2S117A002700
HARVEY, STEVEN P & SUSAN R
15540 SW BEEF BEND RD
TIGARD OR 97224

2S1170000400
HASUIKE, ARTHUR A
HASUIKE, DANIEL T
HASUIKE, STEVE Y ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S117A000500
HASUIKE, ARTHUR A
HASUIKE, DANIEL T
HASUIKE, STEVE Y ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S117A000600
HASUIKE, ARTHUR A & SUZANNE S
HASUIKE, DANIEL T
YOUNG, BETTY H ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S1170000208
HASUIKE, STEVE YUKIO LIVING TRUST
HASUIKE, DANIEL T
YOUNG, BETTY H ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S117A000601
HASUIKE, STEVE YUKIO LIVING TRUST
HASUIKE, DANIEL T
HASUIKE, BETTY H ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S117AA05300
HENDRICK, AARON B & LESLIE A
14756 SW MULBERRY DR
TIGARD OR 97224

2S117AA01800
HENRY, LARRY J & DEANNE L
16200 SW 150TH AVE
TIGARD OR 97224

2S116B000900
HERBERHOLZ, LARRY
ISON, KIMBERLY A
13850 SW BEEF BEND RD
TIGARD OR 97224

2S116BB02200
JASSO, MATTHEW T
14200 SW BEEF BEND RD
TIGARD OR 97224

2S117AA06000
KEIM, ERIC & KATIE
14858 SW MULBERRY DR
TIGARD OR 97224

2S117AA04000
KHALILI, ARDLAN
KHALILI, KHOSROW
14632 SW TREVOR LN
TIGARD OR 97224

2S1170001300
KUMMROW, WILLARD STEPHEN
18580 SW KUMMROW AVE
SHERWOOD OR 97140

2S116B000901
LIEBERTZ, JOHN P & CANDACE R
13750 SW BEEF BEND RD
TIGARD OR 97224

2S117AA04100
MANN, SVETLANA
MCDONALD, GORDON J
14614 SW TREVOR LN
TIGARD OR 97224

2S116BA00100
MAYBECK ASSOCIATES LLC
BY FRESHWATER INVESTMENTS LLC
ATTN ROZENFELD, ALEX
303 TWIN DOLPHIN DR STE #600
REDWOOD CITY CA 94065

2S1170000600
METRO
PARKS & NATURE DEPARTMENT
600 NE GRAND AVE
PORTLAND OR 97232

2S117AA01700
MEYER, JAMES R
MCCOY, CAMERON JOHN
14730 SW BEEF BEND RD
TIGARD OR 97224

2S117A002101
MEYER, MARY J TRUST
MEYER, RAYMOND V FAMILY TRUST
14730 SW BEEF BEND RD
PORTLAND OR 97224

2S117A002200
MEYER, MARY J TRUSTEE
14730 SW BEEF BEND RD
PORTLAND OR 97224

2S1170000202
MF BB2
15525 SW BEEF BEND RD
TIGARD OR 97224

2S1180001502
MF BEEF BEND LLC
17933 NW EVERGREEN PKWY STE 300
BEAVERTON OR 97006

2S1180001501
MF BEEF BEND LLC
17933 NW EVERGREEN PKWY STE 300
BEAVERTON OR 97006

2S1170000300
MINER, DONALD WM TRUST
PO BOX 129
SHERWOOD OR 97140

2S117A000800
MURREY, THEODORE W
15500 SW BEEF BEND RD
TIGARD OR 97224

2S116BB01600
NILES, TYLER B & ALYSSA M
16123 SW BARRINGTON PL
TIGARD OR 97224

2S116BB02100
OAKMONT APARTMENT INVESTORS LLC
710 NW 14TH AVE, 2ND FLOOR
PORTLAND OR 97209

2S1170000100
O'HALLORAN, EDWINE E
15800 SW BEEF BEND RD
TIGARD OR 97224

2S116BB00500
PADRON, MICHAEL L & REBECCA
16096 SW WESTMINSTER DR
TIGARD OR 97224

2S116BB02900
PETERSON, IAN M & SARA N
16336 SW MYRTLE AVE
TIGARD OR 97224

2S117AA01300
PIRZADEH, MIRPARHAM
ARDEKANI, AZIN
16230 SW 146TH AVE
PORTLAND OR 97223

2S1170001600
PISCITELLI FAMILY TRUST
BY VINCENZO/ROSALBA PISCITELLI TRS
15540 SW APRIL LN
TIGARD OR 97224

2S117AA05500
QUTUB, SANA K
14796 SW MULBERRY DR
PORTLAND OR 97224

2S1170000201
ROSE, JARRETT P & MARIA A
15755 SW BEEF BEND RD
TIGARD OR 97224

2S116BB00700
SAYERS, WILLIAM L
LINGENFELTER, TINA M
16115 SW WESTMINSTER DR
TIGARD OR 97224

2S117A000400
SCOTT, GREGORY & CHELSEA
16255 SW 150TH AVE
TIGARD OR 97224

2S1170001000
SHARLIN FARM LLC
BY O'HALLORAN, MICHAEL
12130 NW OLD GERMANTOWN RD
PORTLAND OR 97231

2S1180001700
SHUTTS, ROSS D & AUDREY Y SHUTTS
REVOCABLE LIVING TRUST
16295 SW BEEF BEND RD
SHERWOOD OR 97140

2S117AA04200
SMITH, JEREMY R & RAMONITA M
14620 SW TREVOR LN
TIGARD OR 97224

2S1170000207
SUCTAWEE TRUST
BY SUCTAWEE, SALAWOOT J TR
16195 SW BEEF BEND RD
SHERWOOD OR 97140

2S117AA04900
SULLIVAN, ADAM M & LINDSEY M
14674 SW MULBERRY DR
PORTLAND OR 97224

2S117AA05400
SULLIVAN, JON W & NICOLE R
14778 SW MULBERRY DR
TIGARD OR 97224

2S117AA01200
THANGVIJIT, NATTAWAN AND
GULMAHONG, SUNUN
16190 SW 146TH AVE
TIGARD OR 97224

2S1180000601
TIGARD, CITY OF
13125 SW HALL BLVD
TIGARD OR 97223

2S117AA04400
TREVOR RIDGE, OWNERS OF LOTS 1 THRU 8
00000

2S1170001100
UNITED STATE OF AMERICA
US FISH & WILDLIFE SERVICE
ATTN: GEORGIA SHIRILLA
911 NE 11TH AVE
PORTLAND OR 97232

2S1180001400
UNITED STATES OF AMERICA
U S FISH & WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND OR 97232

2S109BC07000
USA DEPT OF ENERGY
BONNEVILLE POWER ADMINISTRATION
PO BOX 3621
PORTLAND OR 97208

2S117AA05800
VARGAS, GABRIELA
14832 SW MULBERRY DR
TIGARD OR 97224

2S116BB00800
WADDELL, TRENT WAYNE
PENA, RHINA MICHELLE HERNANDEZ
16097 SW WESTMINSTER DR
TIGARD OR 97224

2S1180000100
WIESE, RUTH TRUST
16245 SW BEEF BEND RD
SHERWOOD OR 97140

2S116BB01300
YOUNG, MARK W & JAMIE M
16126 SW BARRINGTON PL
TIGARD OR 97224

2S116BB02701
ZAVALA, JORGE & IMELDA
14010 SW BEEF BEND RD
TIGARD OR 97224

2S116BB01100 DULA, GEME MIDASO SR 16066 SW BARRINGTON PL PORTLAND OR 97224	2S109CD04600 FAYLOR, MAX A & AMBER 13693 SW BLUE SPRUCE CT TIGARD OR 97224	2S117AA07000 FENTON, JAMES M & JANÉ L 14772 SW TREVOR LN TIGARD OR 97224
2S117AA00300 FRENS, ANTHONY & TAWNI 14595 SW TREVOR LN TIGARD OR 97224	2S109CD03600 GARCIA, ARNULFO MARTINEZ MARTINEZ, LORENA 13680 SW BLUE SPRUCE CT PORTLAND OR 97224	2S116BB01800 GORDON, WENDY 16065 SW BARRINGTON PL TIGARD OR 97224
2S117AA01100 HICKS, JEFFREY J & REBECCA A 16160 SW 146TH AVE TIGARD OR 97224	2S109CD03500 ILISCUPIDEZ, ELISE M & JONEL MATTHIEU 13690 SW BLUE SPRUCE CT TIGARD OR 97224	2S116BB01700 KENNEDY, ROBERT P & ELLEN W TRUST 16097 SW BARRINGTON PL TIGARD OR 97224
2S116BB00900 KERN, VINETTE R & DENNIS G KERN SR REVOCABLE TRUST 16063 SW WESTMINSTER DR TIGARD OR 97224	2S117AA06300 KINGERY FAMILY REVOCABLE TRUST BY KINGERY, JAMIE L & ANGELA M TRS 14829 SW MULBERRY DR TIGARD OR 97224	2S117AA03700 KRAJCE, JOEL MARVIN & SUZANNE L 14627 SW TREVOR LN TIGARD OR 97224
2S117AA03900 LANZ, SEAN D POTTER, TARA R 14650 SW TREVOR LN TIGARD OR 97224	2S117AA03600 LOFTON, DAVID J & EMILY A 14643 SW TREVOR LN TIGARD OR 97224	2S116BB01000 MAURER, DANIEL N & CHRISTIN L 16027 SW WESTMINSTER DR PORTLAND OR 97224
2S117AA06600 MEISCH, AMY LEE 14793 SW MULBERRY DR TIGARD OR 97224	2S117AA03800 MESSINEO, CORY & HILARY 14611 SW TREVOR LN TIGARD OR 97224	2S116BB02300 MICAH DAY CONSTRUCTION INC PO BOX 113 SHERWOOD OR 97140
2S109CD03700 MINAHAN, MATTHEW 333 S STATE ST STE V #435 LAKE OSWEGO OR 97034	2S117AA06800 SHOJI, JEFF ANDREW & ANGELA 14749 SW MULBERRY DR TIGARD OR 97224	2S117AA06100 SORG, KURT OTTO & EILEEN MARIE 14855 SW MULBERRY DR TIGARD OR 97224
2S116BB00300 STEIDLER, MATTHEW B & CHIN K 16052 SW WESTMINSTER DR TIGARD OR 97224		

Exhibit B

Notice of Public Hearing Before the King City - City Council January 17, 2024

[The following text is extremely faint and illegible due to low contrast and blurring. It appears to be the main body of the notice, likely containing details about the public hearing, including the date, time, location, and the subject matter of the hearing.]



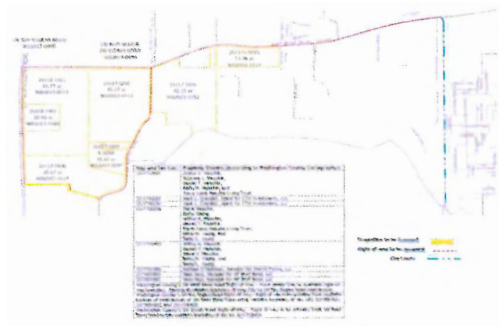


Notice of Public Hearing Before the King City - City Council

The King City - City Council, will hold a public hearing on Wednesday, January 17th, 2024, at 6:00 p.m. in the King City - City Hall Council Chambers, 15300 S.W. 116th Avenue, King City, OR 97224 and Online via Zoom platform, to consider approval for two land use hearings regarding the following:

LU # 23-09; Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI) for the properties proposed for annexation. The Oregon Department of State Lands has approved of the proposed LWI and a letter of approval has been obtained by the City. This adoption will include a new Figure 16.114-10 Kingston Terrace District Locally Significant Wetland Resource Map in Community Development Code Section 16.114.080 along with a minor text amendment regarding wetland buffer areas in Section 16.114.080 F. 1. f.

LU # 23-08; Ordinance 2023-06, Annexation Application on behalf of New Homes Inc. Submitted by Pacific Community Design. An application seeking annexation approval of approximately 210 acres of land. This also includes the portion of SW Beef Bend Rd between 137th Ave. and SW Roy Rogers Rd right-of-way south of midline, and the right-of-way for SW Roy Rogers Rd. and SW Elsnor Rd. adjacent to the properties proposed for annexation. This annexation is contingent upon LU # 23-09 being adopted first. The area proposed for annexation is illustrated in the map below.



As required by Community Development Code Section 16.192.050 C., the properties shall be rezoned upon annexation in accordance with the Kingston Terrace Master Plan from Washington County FD-20 to Town Center Neighborhood (area between Roy Rogers Rd. and Elsner Rd.), Beef Bend Neighborhood (Tax Lot 2S117A 0601), and Beef Bend Neighborhood and Central Neighborhood (Tax Lot 2S117 1000).

The purpose of the City Council hearing is to review the proposals, consider public testimony, and consider the recommendation from the Planning Commission to come to an actionable resolution.

The annexation proposal (LU # 23-08) shall be evaluated based upon relevant portions of the following:

- Metro Code 3.09;
- The Oregon Revised Statutes;
- The King City Comprehensive Plan;
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code (CDC);
- Applicable inter governmental agencies
- Section 16.192.050 of the CDC

The LWI adoption (LU # 23-09) shall be evaluated based upon the relevant portions of the following:

- King City Comprehensive Plan; and associated requirements
- The Kingston Terrace Master Plan;
- Department of State Lands land use decision
- The requirements of Title 16 Community Development Code Section 16.192.060; and Oregon Administrative Rules (OAR) 141-086-0228(5) and OAR 141-180 through 0350.

All interested parties are invited to attend the hearing and express their views. Statements will be accepted in writing or orally at the hearing. Failure to raise an issue at the public hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

The public may attend the hearing by coming to City Hall at the above address or by attending the Zoom webinar. In accordance with [House Bill 2560](#), this hybrid meeting enables people to join remotely or in-person to participate in the Planning Commission hearing and submit oral and/or written testimony in person or remotely. Zoom Links are on the reverse side of this Notice.

Correspondence should be mailed to the King City Planning Commission, Attn. Community Development, 15300 S.W. 116th Avenue, King City, OR 97224 or via email at mweston@ci.king-city.or.us. Written testimony received one week (7 days) prior to the hearing will be included in the Planning Commissioner's meeting materials and allow adequate time for review. Materials and relevant criteria are available for review at:

- On the project website <https://www.ci.king-city.or.us/annexations/index.php>
- King City – City Hall, 15300 S.W. 116th Avenue, King City, OR
- Paper Copies may be obtained at a reasonable cost.
- Staff reports are available for inspection at no cost or may be obtained at a reasonable cost seven days prior to the hearing.

Questions regarding the application or the public hearing process may be directed to Maxwell Carter, 503-639-4082, or at mcarter@ci.king-city.or.us.



The City Council reserves the right to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided. The hearings are accessible to the disabled. Contact City Manager, at 503-639-4082 (voice and TTY), if you need any special accommodation to attend or to participate in the meeting.

Publications may be available in alternate formats and the meeting is accessible to the disabled.

Published: December 21st, 2023

INFORMATION AND ONLINE ZOOM LINK

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89753210459?pwd=NFM4YVNEbnUjQWZ2S2lsVmNpNDY1Zz09>


Webinar ID: 897 5321 0459

Passcode: 076178

Or Telephone: US: 1 (253) 215-8782

Members of the public can watch the meeting live.

On TVCTV cable channel 23 or 30; and King City YouTube live streaming



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IFNOT:ARCHIVE_PAGE {LIST.DESRIPTION}* *END:IF*

Our mailing address is:
IFNOT:ARCHIVE_PAGE {HTML:LIST_ADDRESS}* *END:IF*

Want to change how you receive these emails?
You can [update your preferences](#) or [unsubscribe](#).

IF:REWARDS {HTML:REWARDS}* *END:IF*



Affidavit of Mailing, Publication and Posting



I, **Diana Velázquez Mayor**, say that I am an employee for the **City of King City, Washington County, Oregon**, and that I served the following:

(Check Appropriate Box(es) Below)

NOTICE OF PUBLIC HEARING:

LU # 23-09 – Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI.)

LU # 23-08 – Ordinance 2023-06, Annexation Application on behalf of NEW Homes Inc. Submitted by Pacific Community Design

HEARING BODY:

City of King City, City Council

HEARING DATE:

December 20, 2023, at ~~9:30 a.m.~~ ^{6:00 PM} *RR*

A copy of the said notice being hereto attached, marked **Exhibit "A,"** and by reference made a part hereof, was mailed and published by the following:

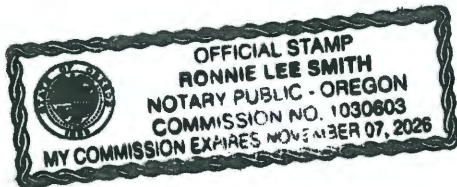
- City Staff printed and mailed using first class mail service form the U.S.P.S on 11/30/2023

A copy of the said notice being hereto attached, marked **Exhibit "B,"** and by reference made a part hereof, was published on the City website and posted at 15300 SW 116th Ave, King City Oregon 97224 on December 7, 2023.

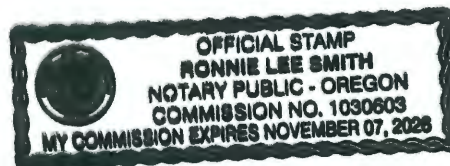
Diana Velázquez Mayor, Admin. Office Specialist

STATE OF OREGON)
County of Washington) ss.
City of King City)

Subscribed and affirmed before me on December 22, 2023.



NOTARY PUBLIC OF OREGON
My Commission Expires: 11/7/2026



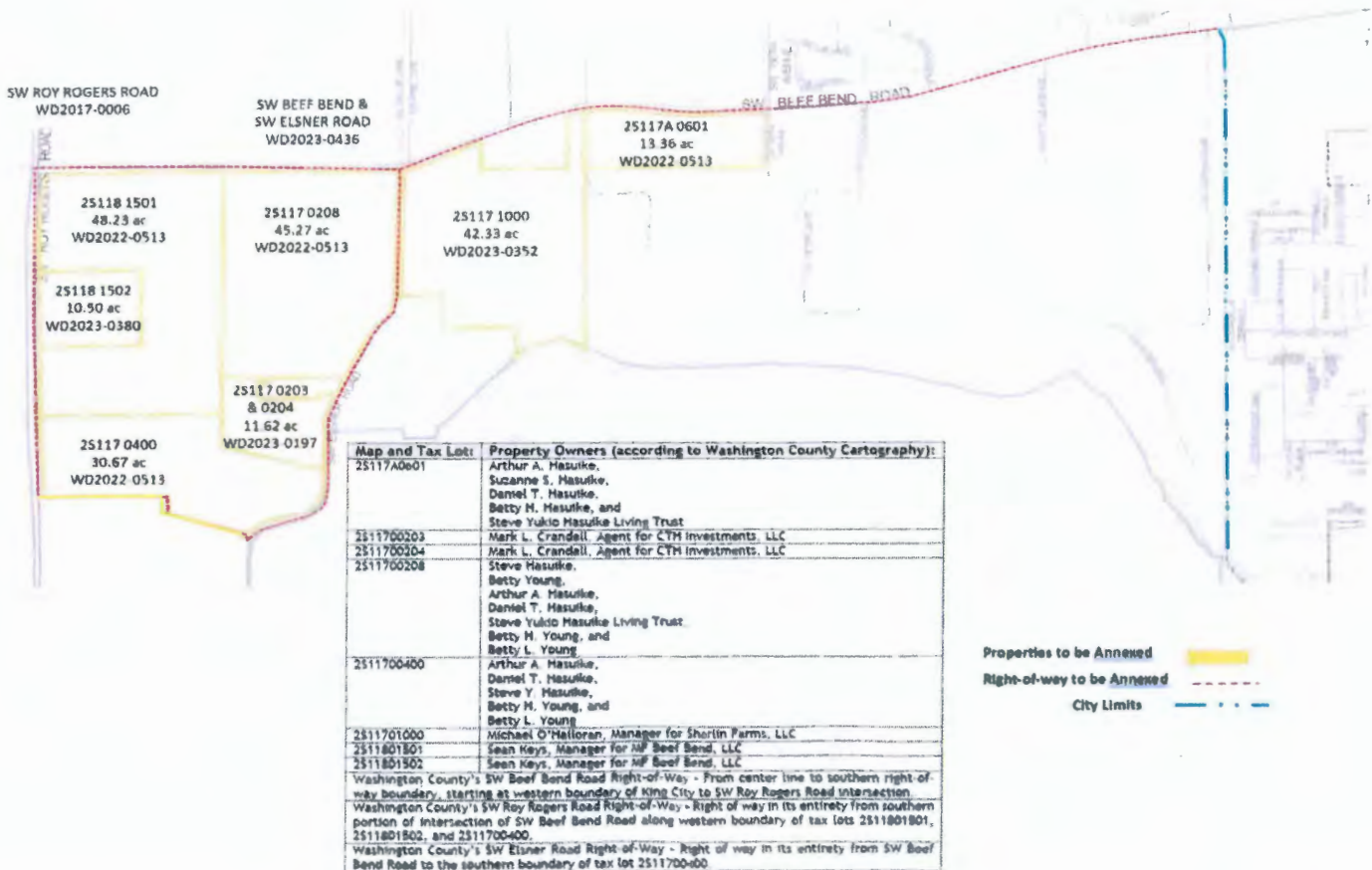


NOTICE OF PUBLIC HEARING BEFORE THE KING CITY – CITY COUNCIL

The King City - City Council, will hold a public hearing on **Wednesday, December 20th, 2023, at 6:00 p.m.** in the King City - City Hall Council Chambers, 15300 S.W. 116th Avenue, King City, OR 97224 and Online via Zoom platform, to consider the Planning Commission’s recommendation regarding the following:

LU # 23-09; Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI) for the properties proposed for annexation. The Department of State Lands is currently reviewing a proposed LWI, and state approval is anticipated. This adoption will include a new Figure 16.114-10 Kingston Terrace District Locally Significant Wetland Resource Map in Community Development Code Section 16.114.080 along with a minor text amendment regarding wetland buffer areas in Section 16.114.080 F. 1. f.

LU # 23-08; Ordinance 2023-06, Annexation Application on behalf of New Homes Inc. Submitted by Pacific Community Design. An application seeking annexation approval of approximately 210 acres of land. This also includes the portion of SW Beef Bend Rd between 137th Ave. and SW Roy Rogers Rd right-of-way south of centerline, and the right-of-way for SW Roy Rogers Rd. and SW Elsner Rd. adjacent to the properties proposed for annexation. This annexation is contingent upon LU # 23-09 being adopted first. The area proposed for annexation is illustrated in the map below.



As required by Community Development Code Section 16.192.050 C., the properties shall be rezoned upon annexation in accordance with the Kingston Terrace Master Plan from Washington County FD-20 to Town Center Neighborhood (area between Roy Rogers Rd. and Elsner Rd.), Beef Bend Neighborhood (Tax Lot 2S117A 0601), and Beef Bend Neighborhood and Central Neighborhood (Tax Lot 2S117 1000).

The purpose of the City Council hearing is to review the proposals, consider public testimony, consider the recommendation from the Planning Commission to decide to approve, approve with conditions, or deny the applications.

The annexation proposal (LU # 23-08) shall be evaluated based upon relevant portions of the following:

- Metro Code 3.09;
- The Oregon Revised Statutes;
- The King City Comprehensive Plan;
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code (CDC);
- Applicable intergovernmental agencies
- Section 16.192.050 of the CDC

The LWI adoption (LU # 23-09) shall be evaluated based upon the relevant portions of the following:

- King City Comprehensive Plan; and associated requirements
- The Kingston Terrace Master Plan;
- Department of State Lands land use decision
- The requirements of Title 16 Community Development Code Section 16.192.060; and Oregon Administrative Rules (OAR) 141-086-0228(5) and OAR 141-180 through 0350.

All interested parties are invited to attend the hearing and express their views. Statements will be accepted in writing or orally at the hearing. Failure to raise an issue at the public hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

The public may attend the hearing by coming to City Hall at the above address or by attending the Zoom webinar. In accordance with [House Bill 2560](#), this hybrid meeting enables people to join remotely or in-person to participate in the Planning Commission hearing and submit oral and/or written testimony in person or remotely. Zoom Links are on the reverse side of this Notice.

Correspondence should be mailed to the King City Planning Commission, Attn. Community Development, 15300 S.W. 116th Avenue, King City, OR 97224 or via email at mweston@ci.king-city.or.us. Written testimony received one week (7 days) prior to the hearing will be included in the Planning Commissioner's meeting materials and allow adequate time for review. Materials and relevant criteria are available for review at:

- On the project website <https://www.ci.king-city.or.us/annexations/index.php>
- King City – City Hall, 15300 S.W. 116th Avenue, King City, OR
- Paper Copies may be obtained at a reasonable cost.
- Staff reports are available for inspection at no cost or may be obtained at a reasonable cost seven days prior to the hearing.

Questions regarding the application or the public hearing process may be directed to Maxwell Carter, 503-639-4082, or at mcarter@ci.king-city.or.us.

The City Council reserves the right to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided. The hearings are accessible to the disabled. Contact City Manager, at 503-639-4082 (voice and TTY), if you need any special accommodation to attend or to participate in the meeting. Publications may be available in alternate formats and the meeting is accessible to the disabled.

Published: November 29, 2023

INFORMATION AND ONLINE ZOOM LINK

Webinar ID: 889 6425 7725

<https://us02web.zoom.us/join/88964257725>
https://us02web.zoom.us/join/88964257725?pwd=H93LqYh1LwT9thcRIT0B6eXD/ics?icsToken=98tyKuGhqT4pGNWVtByORpx5B4_4b-rzmGJbgvoOsA7cC3F_dTevIupBAIZLQPqG

Or Telephone: US: 1 (253) 215-8782

Passcode: 825646

Members of the public can watch the meeting live

On TVCTV cable channel 23 or 30; and King City YouTube live streaming

2S109CD03100
ADAMS SQUARE BEEF BEND LLC
HZF BEEF BEND LLC
BY GOTSHALL-MAXIN, LEE F ESQ
THREE EMBARCADERO CENTER 12TH FL
SAN FRANCISCO CA 94111

2S1180001600
AMSTAD, WAYNE A & CORI A
15990 SW ROY ROGERS RD
SHERWOOD OR 97140

2S109CD10100
AUTUMN HILL HOMEOWNERS ASSOCIATION BY
NW COMMUNITY MANAGEMENT CO., LLC PO
BOX 23099
TIGARD OR 97281

2S116BB01500
ABAEI, MOHAMMADREZA
AKBARIMALKESHI, SOHEILA
16145 SW BARRINGTON PL
PORTLAND OR 97224

2S116BB02800
BERG, TYLER I & AIMEE K
6352 SW MYRTLE AVE
TIGARD OR 97224

2S117AA01400
CHRISTIANSEN, SUSAN G
1008 DOLERITE DR
FORT WORTH TX 76131

2S117AA01500
CTH INVESTMENTS LLC
787 SW MILLIKAN WAY
BEAVERTON OR 97003

2S117AA05700
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S117AA05500
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S117AA05700
ABDELMOATY, WALAA
EISSA, RASHA
14822 SW MULBERRY DR
TIGARD OR 97224

2S1180001402
AMSTAD, TONY & DEEANN REVOC TRUST
PO BOX 890
HERMISTON OR 97838

2S117AA04300
ANDREWS, RACHEL M
14626 SW TREVOR LN
TIGARD OR 97224

2S116B003100
BEEF BEND LLC
PO BOX 2559
OREGON CITY OR 97045

2S1170000500
CASH JOINT TRUST
BY CASH, DWIGHT C & PAULA L TRS
17720 SW ELSNER RD
SHERWOOD OR 97140

2S117AA01500
CHRISTIANSEN, SUSAN G
10008 DOLERITE DR
FORT WORTH TX 76131

2S1170000203
CTH INVESTMENTS LLC
14787 SW MILLIKAN WAY
BEAVERTON OR 97003

2S117AA05300
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S117AA05800
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S116BA00200
ADAMS SQUARE BEEF BEND LLC
HZF BEEF BEND LLC
BY GOTSHALL-MAXIN, LEE F ESQ
THREE EMBARCADERO CENTER 12TH FL
SAN FRANCISCO CA 94111

2S1180001404
AMSTAD, TONY & DEEANN REVOCABLE TRUST
PO BOX 890
HERMISTON OR 97838

2S117AA05600
ARIBISALA, HENRY
14808 SW MULBERRY DR
TIGARD OR 97224

2S116BB00600
BEHRENS, GROVER S & ROSA A
15010 SW DAPHNE CT
BEAVERTON OR 97007

2S117AA05200
CHOW, WING CHUEN
LEE, TUNG YAO
14734 SW MULBERRY DR
TIGARD OR 97224

2S117AA00100
COY, PATRICK & TARA
16247 SW 146TH AVE
TIGARD OR 97224

2S116B000102
DLJ PROPERTIES, LLC
13620 SW BEEF BEND RD #78
TIGARD OR 97224

2S117AA05400
DRH ENERGY INC
ATTN: TED HARBOUR ESQ
301 COMMERCE ST, STE 500
FORTH WORTH TX 76102

2S117AA05900
DUONG, JEREMY H & NGAT
14846 SW MULBERRY DR
TIGARD OR 97224

<p>2S117A000900 EITING, KATHERINE A REV LIVING TRUST PO BOX 230939 PORTLAND OR 97281</p>	<p>2S1170000301 EPENETER PROPERTIES LLC BY EPENETER, FREDERICK J & BEVERLY J 10860 SW PARK ST TIGARD OR 97223</p>	<p>2S116B000800 ETLING, PHYLLIS C LIVING TRUST BY ETLING, PHYLLIS C & STONE, JOANNE E TRS 13970 SW BEEF BEND RD TIGARD OR 97223</p>
<p>2S1170000206 EUDALY, ELAINE F LIVING TRUST 16900 SW ELSNER RD SHERWOOD OR 97140</p>	<p>2S1170000700 EUDALY, ELAINE F LIVING TRUST 16900 SW ELSNER RD SHERWOOD OR 97140</p>	<p>2S116BB01200 FUITEN, JESSICA J DAVOODI, DANIEL 16098 SW BARRINGTON PL PORTLAND OR 97224</p>
<p>2S117AA05000 GONZALEZ, JOEL & ALEJANDRA 14690 SW MULBERRY DR TIGARD OR 97224</p>	<p>2S116BB02700 GRIFFITH, RONNDA L ZEZULA GRIFFITH, JAMES L 14060 BEEF BEND RD TIGARD OR 97224</p>	<p>2S116BB01400 HAKE, KRISTIN 16148 SW BARRINGTON PL TIGARD OR 97224</p>
<p>2S117AA05100 HANEY, CHAD 14712 SW MULBERRY DR TIGARD OR 97224</p>	<p>2S1170000800 HARREL FAMILY TRUST BY HARREL, CLIFFORD J & LINDA J TRS PO BOX 760 SHERWOOD OR 97140</p>	<p>2S117AA00200 HARVEY, SHANNON M & SEAN 16223 SW 146TH AVE PORTLAND OR 97224</p>
<p>2S117A000700 HARVEY, STEVEN P & SUSAN R 15540 SW BEEF BEND RD TIGARD OR 97224</p>	<p>2S117A002700 HARVEY, STEVEN P & SUSAN R 15540 SW BEEF BEND RD TIGARD OR 97224</p>	<p>2S1170000400 HASUIKE, ARTHUR A HASUIKE, DANIEL T HASUIKE, STEVE Y ET AL 15265 SW BEEF BEND RD TIGARD OR 97224</p>
<p>2S117A000500 HASUIKE, ARTHUR A HASUIKE, DANIEL T HASUIKE, STEVE Y ET AL 15265 SW BEEF BEND RD TIGARD OR 97224</p>	<p>2S117A000600 HASUIKE, ARTHUR A & SUZANNE S HASUIKE, DANIEL T YOUNG, BETTY H ET AL 15265 SW BEEF BEND RD TIGARD OR 97224</p>	<p>2S1170000208 HASUIKE, STEVE YUKIO LIVING TRUST HASUIKE, DANIEL T YOUNG, BETTY H ET AL 15265 SW BEEF BEND RD TIGARD OR 97224</p>
<p>2S117A000601 HASUIKE, STEVE YUKIO LIVING TRUST HASUIKE, DANIEL T HASUIKE, BETTY H ET AL 15265 SW BEEF BEND RD TIGARD OR 97224</p>	<p>2S117AA05300 HENDRICK, AARON B & LESLIE A 14756 SW MULBERRY DR TIGARD OR 97224</p>	<p>2S117AA01800 HENRY, LARRY J & DEANNE L 16200 SW 150TH AVE TIGARD OR 97224</p>
<p>2S116B000900 HERBERHOLZ, LARRY ISON, KIMBERLY A 13850 SW BEEF BEND RD TIGARD OR 97224</p>	<p>2S116BB02200 JASSO, MATTHEW T 14200 SW BEEF BEND RD TIGARD OR 97224</p>	<p>2S117AA06000 KEIM, ERIC & KATIE 14858 SW MULBERRY DR TIGARD OR 97224</p>
<p>2S117AA04000 KHALILI, ARDLAN KHALILI, KHOSROW 14632 SW TREVOR LN TIGARD OR 97224</p>	<p>2S1170001300 KUMMROW, WILLARD STEPHEN 18580 SW KUMMROW AVE SHERWOOD OR 97140</p>	<p>2S116B000901 LIEBERTZ, JOHN P & CANDACE R 13750 SW BEEF BEND RD TIGARD OR 97224</p>
<p>2S117AA04100 KANN, SVETLANA KCDONALD, GORDON J 4614 SW TREVOR LN TIGARD OR 97224</p>	<p>2S116BA00100 MAYBECK ASSOCIATES LLC BY FRESHWATER INVESTMENTS LLC ATTN ROZENFELD, ALEX 303 TWIN DOLPHIN DR STE #600 REDWOOD CITY CA 94065</p>	<p>2S1170000600 METRO PARKS & NATURE DEPARTMENT 600 NE GRAND AVE PORTLAND OR 97232</p>

2S117AA01700
MEYER, JAMES R
MCCOY, CAMERON JOHN
14730 SW BEEF BEND RD
TIGARD OR 97224

2S117A002101
MEYER, MARY J TRUST
MEYER, RAYMOND V FAMILY TRUST
14730 SW BEEF BEND RD
PORTLAND OR 97224

2S117A002200
MEYER, MARY J TRUSTEE
14730 SW BEEF BEND RD
PORTLAND OR 97224

2S1170000202
MF BB2
15525 SW BEEF BEND RD
TIGARD OR 97224

2S1180001502
MF BEEF BEND LLC
17933 NW EVERGREEN PKWY STE 300
BEAVERTON OR 97006

2S1180001501
MF BEEF BEND LLC
17933 NW EVERGREEN PKWY STE 300
BEAVERTON OR 97006

2S1170000300
MINER, DONALD WM TRUST
PO BOX 129
SHERWOOD OR 97140

2S117A000800
MURREY, THEODORE W
15500 SW BEEF BEND RD
TIGARD OR 97224

2S116BB01600
NILES, TYLER B & ALYSSA M
16123 SW BARRINGTON PL
TIGARD OR 97224

2S116BB02100
JAKMONT APARTMENT INVESTORS LLC
10 NW 14TH AVE, 2ND FLOOR
PORTLAND OR 97209

2S1170000100
O'HALLORAN, EDWINE E
15800 SW BEEF BEND RD
TIGARD OR 97224

2S116BB00500
PADRON, MICHAEL L & REBECCA
16096 SW WESTMINSTER DR
TIGARD OR 97224

2S116BB02900
ETERSON, IAN M & SARA N
6336 SW MYRTLE AVE
TIGARD OR 97224

2S117AA01300
PIRZADEH, MIRPARHAM
ARDEKANI, AZIN
16230 SW 146TH AVE
PORTLAND OR 97223

2S1170001600
PISCITELLI FAMILY TRUST
BY VINCENZO/ROSALBA PISCITELLI TRS
15540 SW APRIL LN
TIGARD OR 97224

2S117AA05500
UTUB, SANA K
1796 SW MULBERRY DR
PORTLAND OR 97224

2S1170000201
ROSE, JARRETT P & MARIA A
15755 SW BEEF BEND RD
TIGARD OR 97224

2S116BB00700
SAYERS, WILLIAM L
LINGENFELTER, TINA M
16115 SW WESTMINSTER DR
TIGARD OR 97224

2S117A000400
COTT, GREGORY & CHELSEA
255 SW 150TH AVE
TIGARD OR 97224

2S1170001000
SHARLIN FARM LLC
BY O'HALLORAN, MICHAEL
12130 NW OLD GERMANTOWN RD
PORTLAND OR 97231

2S1180001700
SHUTTS, ROSS D & AUDREY Y SHUTTS
REVOCABLE LIVING TRUST
16295 SW BEEF BEND RD
SHERWOOD OR 97140

2S117AA04200
SMITH, JEREMY R & RAMONITA M
320 SW TREVOR LN
TIGARD OR 97224

2S1170000207
SUCTAWEE TRUST
BY SUCTAWEE, SALAWOOT J TR
16195 SW BEEF BEND RD
SHERWOOD OR 97140

2S117AA04900
SULLIVAN, ADAM M & LINDSEY M
14674 SW MULBERRY DR
PORTLAND OR 97224

2S117AA05400
SULLIVAN, JON W & NICOLE R
178 SW MULBERRY DR
TIGARD OR 97224

2S117AA01200
THANGVIJIT, NATTAWAN AND
GULMAHONG, SUNUN
16190 SW 146TH AVE
TIGARD OR 97224

2S1180000601
TIGARD, CITY OF
13125 SW HALL BLVD
TIGARD OR 97223

2S117AA04400
TREVOR RIDGE, OWNERS OF LOTS 1 THRU 8
000

2S1170001100
UNITED STATE OF AMERICA
US FISH & WILDLIFE SERVICE
ATTN: GEORGIA SHIRILLA
911 NE 11TH AVE
PORTLAND OR 97232

2S1180001400
UNITED STATES OF AMERICA
U S FISH & WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND OR 97232

2S109BC07000
USA DEPT OF ENERGY
BONNEVILLE POWER ADMINISTRATION
PO BOX 3621
PORTLAND OR 97208

2S117AA05800
VARGAS, GABRIELA
14832 SW MULBERRY DR
TIGARD OR 97224

2S116BB00800
WADDELL, TRENT WAYNE
PENA, RHINA MICHELLE HERNANDEZ
16097 SW WESTMINSTER DR
TIGARD OR 97224

2S1180000100
WIESE, RUTH TRUST
16245 SW BEEF BEND RD
SHERWOOD OR 97140

2S116BB01300
YOUNG, MARK W & JAMIE M
16126 SW BARRINGTON PL
TIGARD OR 97224

2S116BB02701
ZAVALA, JORGE & IMELDA
14010 SW BEEF BEND RD
TIGARD OR 97224

2S116BB01100 DULA, GEME MIDASO SR 16066 SW BARRINGTON PL PORTLAND OR 97224	2S109CD04600 FAYLOR, MAX A & AMBER 13693 SW BLUE SPRUCE CT TIGARD OR 97224	2S117AA07000 FENTON, JAMES M & JANE L 14772 SW TREVOR LN TIGARD OR 97224
2S117AA00300 FRENS, ANTHONY & TAWNI 14595 SW TREVOR LN TIGARD OR 97224	2S109CD03600 GARCIA, ARNULFO MARTINEZ MARTINEZ, LORENA 13680 SW BLUE SPRUCE CT PORTLAND OR 97224	2S116BB01800 GORDON, WENDY 16065 SW BARRINGTON PL TIGARD OR 97224
2S117AA01100 HICKS, JEFFREY J & REBECCA A 16160 SW 146TH AVE TIGARD OR 97224	2S109CD03500 ILISCUPIDEZ, ELISE M & JONEL MATTHIEU 13690 SW BLUE SPRUCE CT TIGARD OR 97224	2S116BB01700 KENNEDY, ROBERT P & ELLEN W TRUST 16097 SW BARRINGTON PL TIGARD OR 97224
2S116BB00900 KERN, VINETTE R & DENNIS G KERN SR REVOCABLE TRUST 6063 SW WESTMINSTER DR TIGARD OR 97224	2S117AA06300 KINGERY FAMILY REVOCABLE TRUST BY KINGERY, JAMIE L & ANGELA M TRS 14829 SW MULBERRY DR TIGARD OR 97224	2S117AA03700 KRANE, JOEL MARVIN & SUZANNE L 14627 SW TREVOR LN TIGARD OR 97224
2S117AA03900 KONZ, SEAN D KOTTER, TARA R 4650 SW TREVOR LN TIGARD OR 97224	2S117AA03600 LOFTON, DAVID J & EMILY A 14643 SW TREVOR LN TIGARD OR 97224	2S116BB01000 MAURER, DANIEL N & CHRISTIN L 16027 SW WESTMINSTER DR PORTLAND OR 97224
2S117AA06600 KREISCH, AMY LEE 1793 SW MULBERRY DR TIGARD OR 97224	2S117AA03800 MESSINEO, CORY & HILARY 14611 SW TREVOR LN TIGARD OR 97224	2S116BB02300 MICAH DAY CONSTRUCTION INC PO BOX 113 SHERWOOD OR 97140
2S109CD03700 KONAHAN, MATTHEW 13 S STATE ST STE V #435 KE OSWEGO OR 97034	2S117AA06800 SHOJI, JEFF ANDREW & ANGELA 14749 SW MULBERRY DR TIGARD OR 97224	2S117AA06100 SORG, KURT OTTO & EILEEN MARIE 14855 SW MULBERRY DR TIGARD OR 97224
2S116BB00300 KIDLER, MATTHEW B & CHIN K 1052 SW WESTMINSTER DR TIGARD OR 97224		

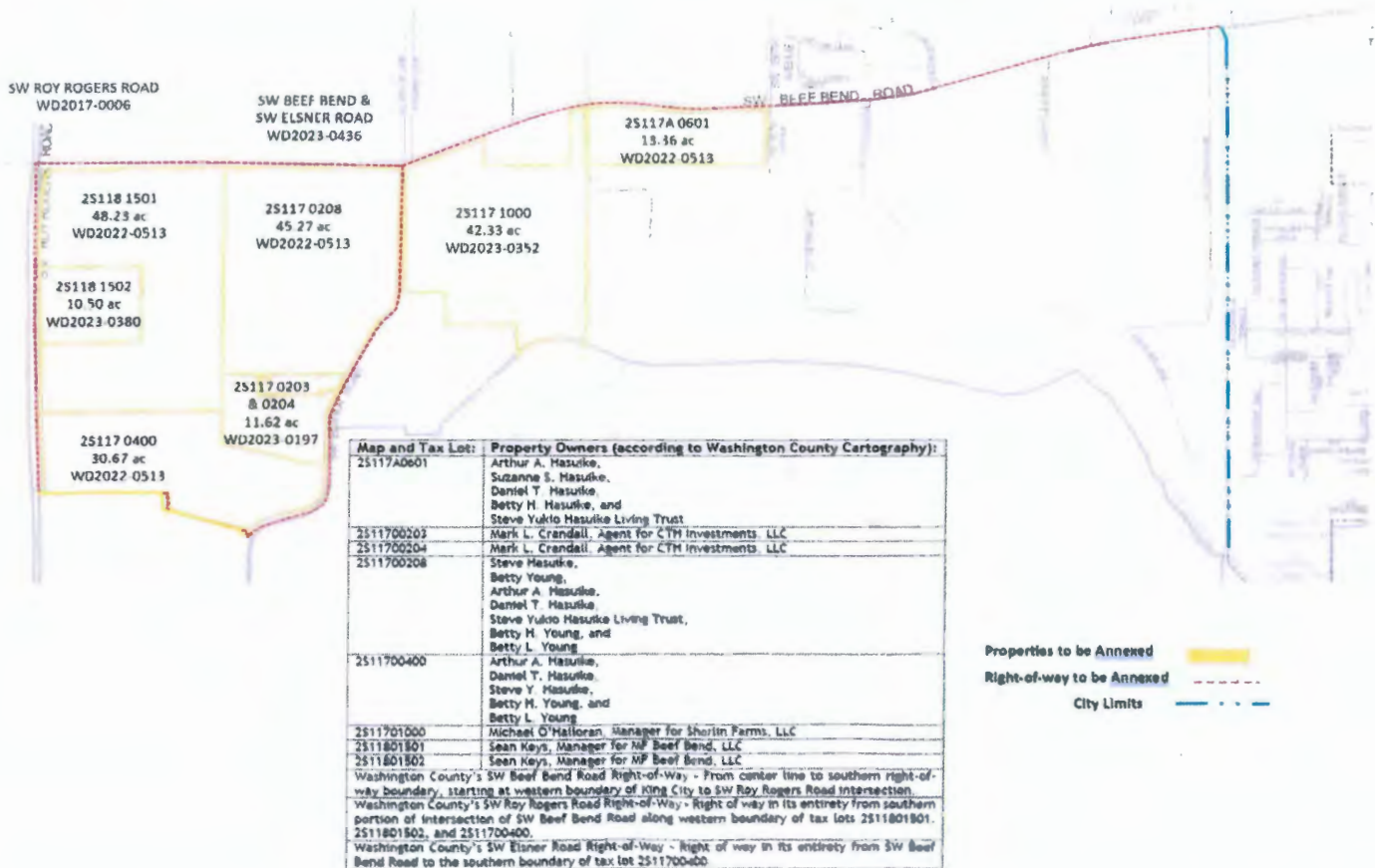


NOTICE OF PUBLIC HEARING BEFORE THE KING CITY – CITY COUNCIL

The King City - City Council, will hold a public hearing on **Wednesday, December 20th, 2023, at 6:00 p.m.** in the King City - City Hall Council Chambers, 15300 S.W. 116th Avenue, King City, OR 97224 and Online via Zoom platform, to consider the Planning Commission’s recommendation regarding the following:

LU # 23-09; Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI) for the properties proposed for annexation. The Department of State Lands is currently reviewing a proposed LWI, and state approval is anticipated. This adoption will include a new Figure 16.114-10 Kingston Terrace District Locally Significant Wetland Resource Map in Community Development Code Section 16.114.080 along with a minor text amendment regarding wetland buffer areas in Section 16.114.080 F. 1. f.

LU # 23-08; Ordinance 2023-06, Annexation Application on behalf of New Homes Inc. Submitted by Pacific Community Design. An application seeking annexation approval of approximately 210 acres of land. This also includes the portion of SW Beef Bend Rd between 137th Ave. and SW Roy Rogers Rd right-of-way south of centerline, and the right-of-way for SW Roy Rogers Rd. and SW Elsner Rd. adjacent to the properties proposed for annexation. This annexation is contingent upon LU # 23-09 being adopted first. The area proposed for annexation is illustrated in the map below.



As required by Community Development Code Section 16.192.050 C., the properties shall be rezoned upon annexation in accordance with the Kingston Terrace Master Plan from Washington County FD-20 to Town Center Neighborhood (area between Roy Rogers Rd. and Elsner Rd.), Beef Bend Neighborhood (Tax Lot 2S117A 0601), and Beef Bend Neighborhood and Central Neighborhood (Tax Lot 2S117 1000).

The purpose of the City Council hearing is to review the proposals, consider public testimony, consider the recommendation from the Planning Commission to decide to approve, approve with conditions, or deny the applications.

The annexation proposal (LU # 23-08) shall be evaluated based upon relevant portions of the following:

- Metro Code 3.09;
- The Oregon Revised Statutes;
- The King City Comprehensive Plan;
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code (CDC);
- Applicable intergovernmental agencies
- Section 16.192.050 of the CDC

The LWI adoption (LU # 23-09) shall be evaluated based upon the relevant portions of the following:

- King City Comprehensive Plan; and associated requirements
- The Kingston Terrace Master Plan;
- Department of State Lands land use decision
- The requirements of Title 16 Community Development Code Section 16.192.060; and Oregon Administrative Rules (OAR) 141-086-0228(5) and OAR 141-180 through 0350.

All interested parties are invited to attend the hearing and express their views. Statements will be accepted in writing or orally at the hearing. Failure to raise an issue at the public hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

The public may attend the hearing by coming to City Hall at the above address or by attending the Zoom webinar. In accordance with [House Bill 2560](#), this hybrid meeting enables people to join remotely or in-person to participate in the Planning Commission hearing and submit oral and/or written testimony in person or remotely. Zoom Links are on the reverse side of this Notice.

Correspondence should be mailed to the King City Planning Commission, Attn. Community Development, 15300 S.W. 116th Avenue, King City, OR 97224 or via email at mweston@ci.king-city.or.us. Written testimony received one week (7 days) prior to the hearing will be included in the Planning Commissioner's meeting materials and allow adequate time for review. Materials and relevant criteria are available for review at:

- On the project website <https://www.ci.king-city.or.us/annexations/index.php>
- King City – City Hall, 15300 S.W. 116th Avenue, King City, OR
- Paper Copies may be obtained at a reasonable cost.
- Staff reports are available for inspection at no cost or may be obtained at a reasonable cost seven days prior to the hearing.

Questions regarding the application or the public hearing process may be directed to Maxwell Carter, 503-639-4082, or at mcarter@ci.king-city.or.us.

The City Council reserves the right to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided. The hearings are accessible to the disabled. Contact City Manager, at 503-639-4082 (voice and TTY), if you need any special accommodation to attend or to participate in the meeting. Publications may be available in alternate formats and the meeting is accessible to the disabled.

Published: November 29, 2023

INFORMATION AND ONLINE ZOOM LINK

Webinar ID: 889 6425 7725

<https://us02web.zoom.us/join/88964257725>
https://us02web.zoom.us/join/88964257725?pwd=H93LqYh1LwT9thcRTT0B6eXD/ics?icsToken=98tyKuGhqT4pGNWVtByORpx5B4_4b-rzmGJbgvoOsA7cC3F_dTevIupBAIZLQPqG

Or Telephone: US: 1 (253) 215-8782

Passcode: 825646

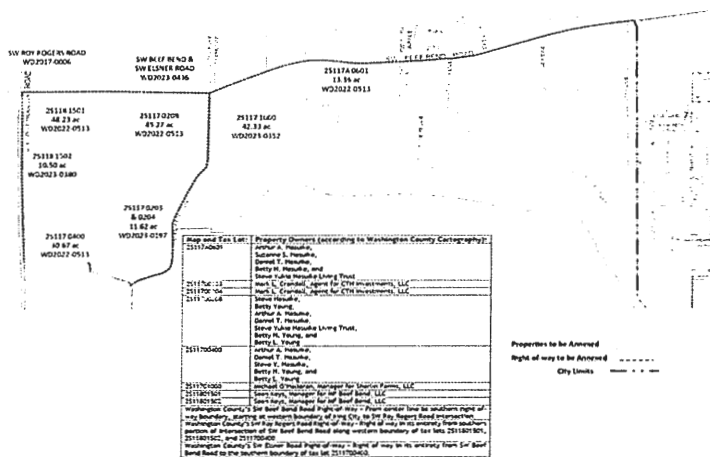
Members of the public can watch the meeting live
On TVCTV cable channel 23 or 30; and King City
YouTube live streaming

Notice of Public Hearing Before the King City – City Council

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LU # 23-08; Ordinance 2023-06, Annexation Application on behalf of New Homes Inc. Submitted by Pacific Community Design. An application seeking annexation approval of approximately 210 acres of land. This also includes the portion of SW Beef Bend Rd between 137th Ave. and SW Roy Rogers Rd right-of-way south of centerline, and the right-of-way for SW Roy Rogers Rd. and SW Elsner Rd. adjacent to the properties proposed for annexation. This annexation is contingent upon LU # 23-09 being adopted first. The area proposed for annexation is illustrated in the map below.



As required by Community Development Code Section 16.192.050 C, the properties shall be rezoned upon annexation in accordance with the Kingston Terrace Master Plan from Washington County FD-20 to Town Center Neighborhood (area between Roy Rogers Rd. and Elsner Rd.), Beef Bend Neighborhood (Tax Lot 25117A 0601), and Beef Bend Neighborhood and Central Neighborhood (Tax Lot 25117 1000).

The purpose of the City Council hearing is to review the proposals, consider public testimony, consider the recommendation from the Planning Commission to decide to approve, approve with conditions, or deny the applications.

<p>The annexation proposal (LU # 23-08) shall be evaluated base upon relevant portions of the following:</p> <ul style="list-style-type: none"> Metro Code 3.09; The Oregon Revised Statutes; The King City Comprehensive Plan; The Kingston Terrace Master Plan; The requirements of Title 16 Community Development Code (CDC); Applicable htergovernmental agencies Section 16.192.050 of the CDC 	<p>The LWI adoption (LU # 23-09) shall be evaluated based upon the relevant portions of the following:</p> <ul style="list-style-type: none"> King City Comprehensive Plan; and associated requirements The Kingston Terrace Master Plan; The requirements of Title 16 Community Development Code Section 16.192.060; and <p>Oregon Administrative Rules (OAR) 141-086-0228(5) and OAR 141-180 through 0350.</p>
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Webinar ID: 889 6425 7725

https://us02web.zoom.us/j/70qcuqqrzsvH93lqYhllwT9thcRTT086eXD/ics?icsToken=98tyKuGhqT4pGNWV18yQRpx5B4_4b-rzmGJbgvoO9A7cC3F_dTevlup8AIZLQEpqG

Or Telephone: US: 1 (253) 215-8782

Passcode: 825646

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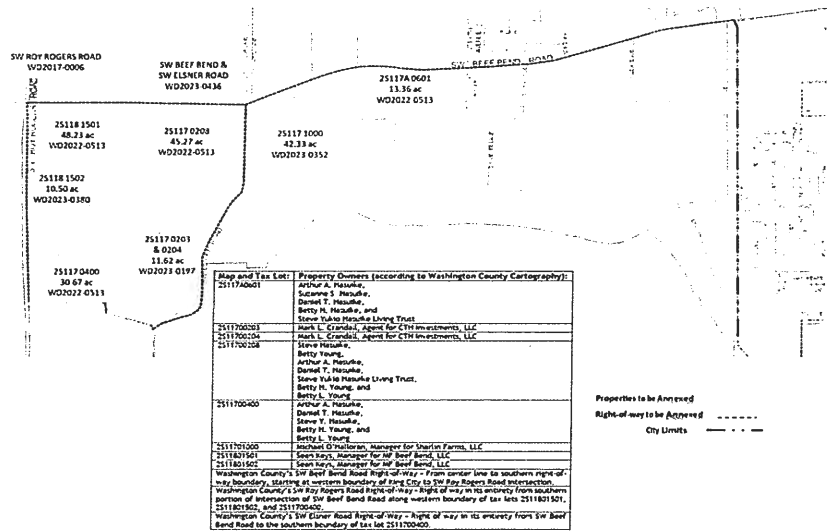
VERSION	ACTIVATION / EXPIRATION	USER ID MODIFIED	CONTENT
Version #3		RonnieSmith 12-07-2023 12:08 PM	Sequence: 0.00 Date: Dec 7, 2023 News Header: Notice of Public Hearing Before the King City - City Council News Brief:
Copy This Version			

News Detail:

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- The King City Comprehensive Plan;
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code (CDC);
- Applicable intergovernmental agencies
- Section 16.192.050 of the CDC

The LWI adoption (LU # 23-09) shall be evaluated based upon the relevant portions of the following:

- King City Comprehensive Plan; and associated requirements
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code Section 16.192.060; and

Oregon Administrative Rules (OAR) 141-086-0228(5) and OAR 141-180 through 0350.

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VERSION	ACTIVATION / EXPIRATION	USER ID / MODIFIED	CONTENT
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The public may attend the hearing by coming to City Hall at the above address or by attending the Zoom webinar. In accordance with House Bill 2560, (<https://king-city.us20.list-manage.com/track/click?u=9ec9f0e64d096984beb2b4bf5&id=0b6117c4e5&e=eea3f6bae6>) this hybrid meeting enables people to join remotely or in-person to participate in the Planning Commission hearing and submit oral and/or written testimony in person or remotely. Zoom Links are on the reverse side of this Notice.

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- King City – City Hall, 15300 S.W. 116th Avenue, King City, OR
- Paper Copies may be obtained at a reasonable cost.
- Staff reports are available for inspection at no cost or may be obtained at a reasonable cost seven days prior to the hearing.

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INFORMATION AND ONLINE ZOOM LINK

Webinar ID: 889 6425 7725

[https://us02web.zoom.us/webinar/tZ0qcuqqrzsuH93LqYh1LwT9thcRTT0B6eXD/ics?icsToken=98tyKuGhqT4pGNWVtByORpx5B4_4b-rzmGJbgvoOsA7cC3F_dTevlupBAIZLQPqG](https://us02web.zoom.us/join/https://us02web.zoom.us/webinar/tZ0qcuqqrzsuH93LqYh1LwT9thcRTT0B6eXD/ics?icsToken=98tyKuGhqT4pGNWVtByORpx5B4_4b-rzmGJbgvoOsA7cC3F_dTevlupBAIZLQPqG)
[https://us02web.zoom.us/webinar/tZ0qcuqqrzsuH93LqYh1LwT9thcRTT0B6eXD/ics?icsToken=98tyKuGhqT4pGNWVtByORpx5B4_4b-rzmGJbgvoOsA7cC3F_dTevlupBAIZLQPqG](https://us02web.zoom.us/join/https://us02web.zoom.us/webinar/tZ0qcuqqrzsuH93LqYh1LwT9thcRTT0B6eXD/ics?icsToken=98tyKuGhqT4pGNWVtByORpx5B4_4b-rzmGJbgvoOsA7cC3F_dTevlupBAIZLQPqG)

Or Telephone: US: 1 (253) 215-8782

Passcode: 825646

Members of the public can watch the meeting live on TVCTV cable channel 23 or 30; and King City YouTube live streaming.

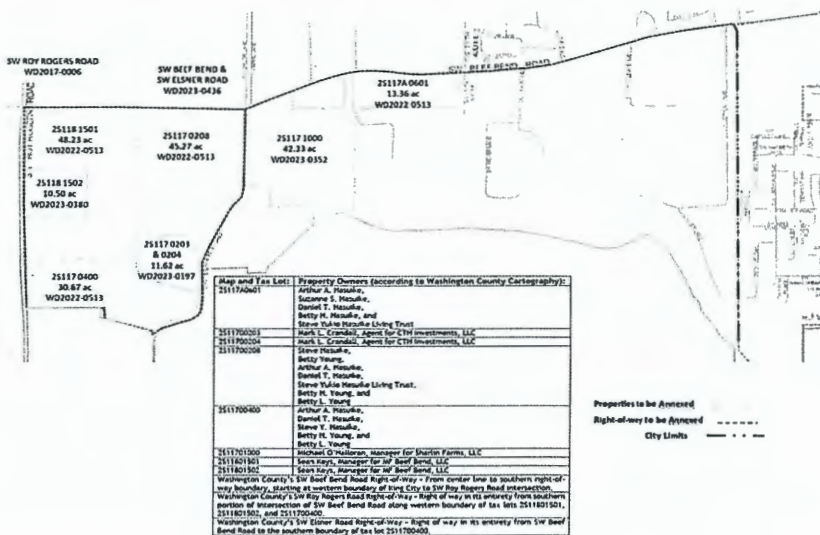
VERSION	ACTIVATION / EXPIRATION	USER ID MODIFIED	CONTENT
Version #2		RonnieSmith	Sequence: 0.00
Copy This Version		12-07-2023 12:07 PM	Date: Dec 7, 2023
			News Header: Notice of Public Hearing Before the King City - City Council
			News Brief:

News Detail:

The King City - City Council, will hold a public hearing on **Wednesday, December 20th, 2023, at 6:00 p.m.** in the King City - City Hall Council Chambers, 15300 S.W. 116th Avenue, King City, OR 97224 and Online via Zoom platform, to consider the Planning Commission's recommendation regarding the following:

LU # 23-09; Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI) for the properties proposed for annexation. The Department of State Lands is currently reviewing a proposed LWI, and state approval is anticipated. This adoption will include a new Figure 16.114-10 Kingston Terrace District Locally Significant Wetland Resource Map in Community Development Code Section 16.114.080 along with a minor text amendment regarding wetland buffer areas in Section 16.114.080 F. 1. f.

LU # 23-08; Ordinance 2023-06, Annexation Application on behalf of New Homes Inc. Submitted by Pacific Community Design. An application seeking annexation approval of approximately 210 acres of land. This also includes the portion of SW Beef Bend Rd between 137th Ave. and SW Roy Rogers Rd right-of-way south of centerline, and the right-of-way for SW Roy Rogers Rd. and SW Elsner Rd. adjacent to the properties proposed for annexation. This annexation is contingent upon LU # 23-09 being adopted first. The area proposed for annexation is illustrated in the map below.



As required by Community Development Code Section 16.192.050 C., the properties shall be rezoned upon annexation in accordance with the Kingston Terrace Master Plan from Washington County FD-20 to Town Center Neighborhood (area between Roy Rogers Rd. and Elsner Rd.), Beef Bend Neighborhood (Tax Lot 25117A 0601), and Beef Bend Neighborhood and Central Neighborhood (Tax Lot 25117 1000).

The purpose of the City Council hearing is to review the proposals, consider public testimony, consider the recommendation from the Planning Commission to decide to approve, approve with conditions, or deny the applications.

The annexation proposal (LU # 23-08) shall be evaluated base upon relevant portions of the following:

- Metro Code 3.09;
- The Oregon Revised Statutes;
- The King City Comprehensive Plan;
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code (CDC);
- Applicable intergovernmental agencies
- Section 16.192.050 of the CDC

The LWI adoption (LU # 23-09) shall be evaluated based upon the relevant portions of the following:

- King City Comprehensive Plan; and associated requirements
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code Section 16.192.060; and

Oregon Administrative Rules (OAR) 141-086-0228(5) and OAR 141-180 through 0350.

All interested parties are invited to attend the hearing and express their views. Statements will be accepted in writing or orally at the hearing. Failure to raise an issue at the public hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

VERSION	ACTIVATION / EXPIRATION	USER ID / MODIFIED	CONTENT
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The public may attend the hearing by coming to City Hall at the above address or by attending the Zoom webinar. In accordance with House Bill 2560, (<https://king-city.us20.list-manage.com/track/click?u=9ec9f0e64d096984beb2b4bf5&id=0b6117c4e5&e=eea3f6bae6>) this hybrid meeting enables people to join remotely or in-person to participate in the Planning Commission hearing and submit oral and/or written testimony in person or remotely. Zoom Links are on the reverse side of this Notice.

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INFORMATION AND ONLINE ZOOM LINK

Webinar ID: 889 6425 7725

https://us02web.zoom.us/join/https://us02web.zoom.us/webinar/tZ0qcuqqrzsuH93LqYh1LwT9thcRT0B6eXD/ics?icsToken=98tyKuGhqT4pGNWVtByORpx5B4_4b-rzmGJbgvoOsA7cC3F_dTevlupBAIZLQPqG

Or Telephone: US: 1 (253) 215-8782

Passcode: 825646

Members of the public can watch the meeting live on TVCTV cable channel 23 or 30; and King City YouTube live streaming.

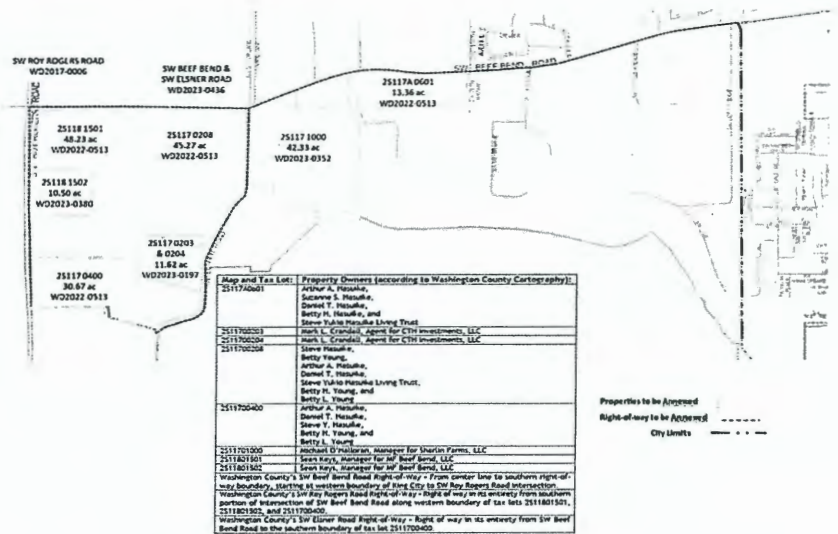
VERSION	ACTIVATION / EXPIRATION	USER ID MODIFIED	CONTENT
Version #1		RonnieSmith 12-07-2023 12:04 PM	Sequence: 0.00 Date: Dec 7, 2023 News Header: Notice of Public Hearing Before the King City - City Council News Brief:
Copy This Version			

News Detail:

The King City - City Council, will hold a public hearing on **Wednesday, December 20th, 2023, at 6:00 p.m.** in the King City - City Hall Council Chambers, 15300 S.W. 116th Avenue, King City, OR 97224 and Online via Zoom platform, to consider the Planning Commission's recommendation regarding the following:

LU # 23-09; Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI) for the properties proposed for annexation. The Department of State Lands is currently reviewing a proposed LWI, and state approval is anticipated. This adoption will include a new Figure 16.114-10 Kingston Terrace District Locally Significant Wetland Resource Map in Community Development Code Section 16.114.080 along with a minor text amendment regarding wetland buffer areas in Section 16.114.080 F. 1. f.

LU # 23-08; Ordinance 2023-06, Annexation Application on behalf of New Homes Inc. Submitted by Pacific Community Design. An application seeking annexation approval of approximately 210 acres of land. This also includes the portion of SW Beef Bend Rd between 137th Ave. and SW Roy Rogers Rd right-of-way south of centerline, and the right-of-way for SW Roy Rogers Rd. and SW Elsner Rd. adjacent to the properties proposed for annexation. This annexation is contingent upon LU # 23-09 being adopted first. The area proposed for annexation is illustrated in the map below.



As required by Community Development Code Section 16.192.050 C., the properties shall be rezoned upon annexation in accordance with the Kingston Terrace Master Plan from Washington County FD-20 to Town Center Neighborhood (area between Roy Rogers Rd. and Elsner Rd.), Beef Bend Neighborhood (Tax Lot 25117A 0601), and Beef Bend Neighborhood and Central Neighborhood (Tax Lot 25117 1000).

The purpose of the City Council hearing is to review the proposals, consider public testimony, consider the recommendation from the Planning Commission to decide to approve, approve with conditions, or deny the applications.

The annexation proposal (LU # 23-08) shall be evaluated based upon relevant portions of the following: The LWI adoption (LU # 23-09) shall be evaluated based upon relevant portions of the following:

- Metro Code 3.09;
- The Oregon Revised Statutes;
- The King City Comprehensive Plan;
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code (CDC);
- Applicable intergovernmental agencies
- Section 16.192.050 of the CDC
- King City Comprehensive Plan; and associated requirements
- The Kingston Terrace Master Plan;
- Department of State Lands land use decision
- The requirements of Title 16 Community Development Code Section 16.192.060; and Oregon Administrative Rules (OAR) 141-086-0228(5) and OAR 141-180 through 0350.

All interested parties are invited to attend the hearing and express their views. Statements will be accepted in writing or orally at the hearing. Failure to raise an issue at the public hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the

VERSION	ACTIVATION / EXPIRATION	USER ID / MODIFIED	CONTENT
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Webinar ID: 889 6425 7725

<https://us02web.zoom.us/join/88964257725>
https://us02web.zoom.us/webinar/tZ0qcuqqrzsuH93LqYh1LwT9thcRTT0B6eXD/ics?icsToken=98tyKuGhqT4pGNWVtByORpx5B4_4b-rzmGJbgvoOsA7cC3F_4TevlupBAIZLQPqG
https://us02web.zoom.us/webinar/tZ0qcuqqrzsuH93LqYh1LwT9thcRTT0B6eXD/ics?icsToken=98tyKuGhqT4pGNWVtByORpx5B4_4b-rzmGJbgvoOsA7cC3F_4TevlupBAIZLQPqG

Or Telephone: US: 1 (253) 215-8782

Passcode: 825646

Members of the public can watch the meeting live on TVCTV cable channel 23 or 30; and King City YouTube live streaming.

Affidavit of Mailing, Publication and Posting



I, **Diana Gonzalez Mayor**, say that I am an employee for the **City of King City, Washington County, Oregon**, and that I served the following:

(Check Appropriate Box(es) Below)

<input checked="" type="checkbox"/>	NOTICE OF PUBLIC HEARING: LU # 23-09 – Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI.) LU # 23-08 – Ordinance 2023-06, Annexation Application on behalf of NEW Homes Inc. Submitted by Pacific Community Design
-------------------------------------	--

HEARING BODY:

HEARING DATE:

City of King City, Planning Commission

December 6, 2023, at 9:30 a.m.

A copy of the said notice being hereto attached, marked **Exhibit "A,"** and by reference made a part hereof, was mailed and published by the following:

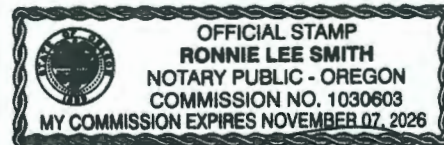
- City Staff printed and mailed using first class mail service form the U.S.P.S on 11/15/2023
- The Oregonian paper ran the notice in the paper on 11/15/2023

A copy of the said notice being hereto attached, marked **Exhibit "B,"** and by reference made a part hereof, was published on the City website and posted at 15300 SW 116th Ave, King City Oregon 97224 on November 13, 2023.

Diana Gonzalez Mayor, Admin. Office Specialist

STATE OF OREGON }
County of Washington } ss.
City of King City }

Subscribed and affirmed before me on November 30, 2023.



NOTARY PUBLIC OF OREGON

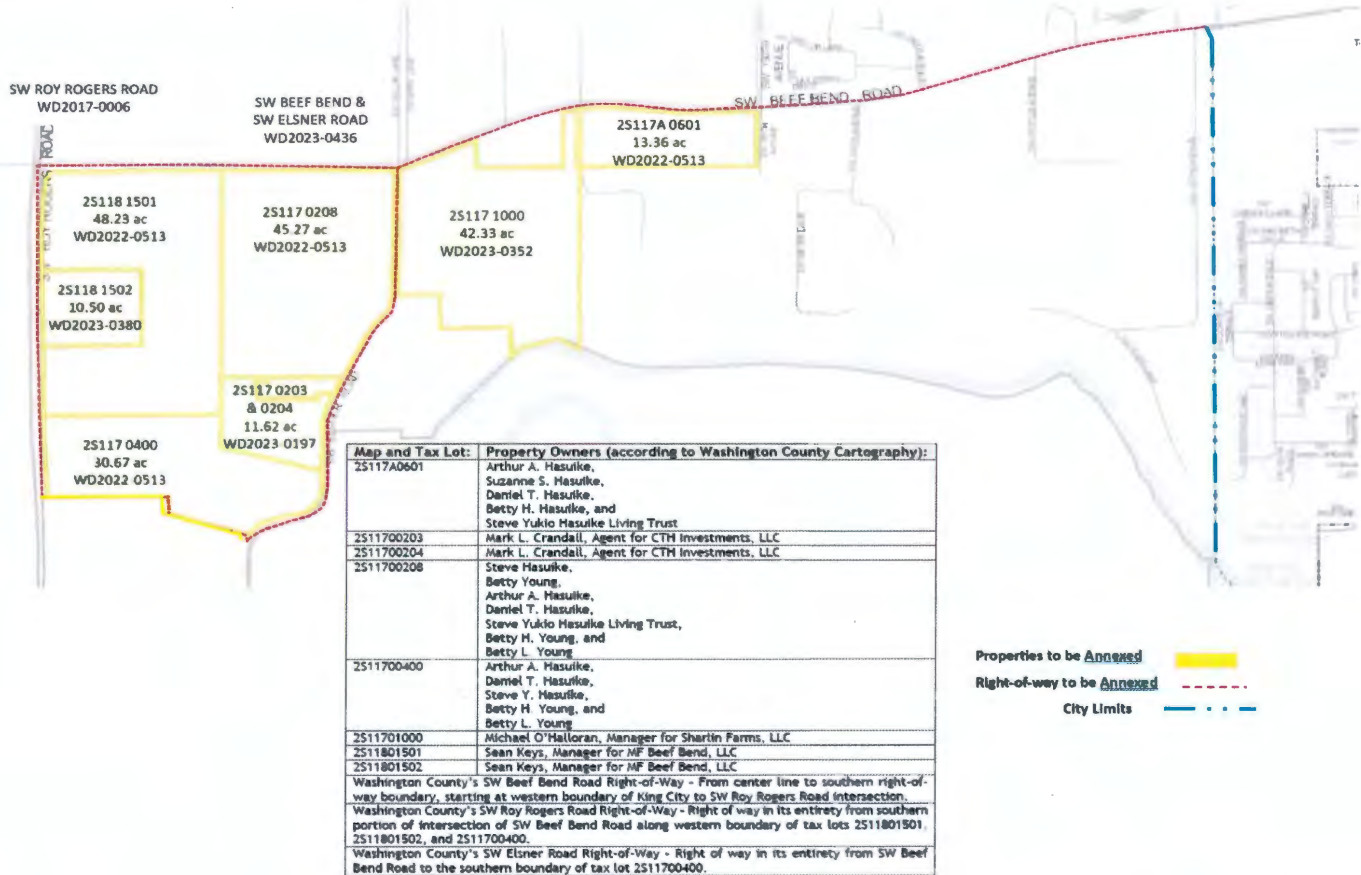
My Commission Expires: 11/7/2026


CITY OF KING CITY PUBLIC NOTICE

NOTICE OF PUBLIC HEARING BEFORE THE KING CITY PLANNING COMMISSION

The King City Planning Commission will hold a public hearing on **Wednesday, December 6th, 2023, at 9:30 a.m.** in the King City - City Hall Council Chambers, 15300 S.W. 116th Avenue, King City, OR 97224 and Online via Zoom platform, regarding the following:

LU # 23-08; Ordinance 2023-06, Annexation Application on behalf of New Homes Inc. Submitted by Pacific Community Design. An application seeking annexation approval of approximately 210 acres of land. This also includes the portion of SW Beef Bend Rd between 137th Ave. and SW Roy Rogers Rd right-of-way south of midline, and the right-of-way for SW Roy Rogers Rd. and SW Elsner Rd. adjacent to the properties proposed for annexation. The area proposed for annexation is illustrated in the map below.



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Exhibit A

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The annexation proposal (LU # 23-08) shall be evaluated base upon relevant portions of the following:

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- The Oregon Revised Statutes;
- The King City Comprehensive Plan;
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code (CDC);
- Applicable intergovernmental agencies
- Section 16.192.050 of the CDC

The LWI adoption (LU # 23-09) shall be evaluated based upon the relevant portions of the following:

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- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code Section 16.192.060; and
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Published: November 13, 2023

INFORMATION AND ONLINE ZOOM LINK

Please follow the link below to join the webinar:

Or Telephone: US: 1 (253) 215-8782

<https://us02web.zoom.us/j/88964257725?pwd=RHRjaEJyazJ5eVZISkhHTHdaZ1NQOT09>

Webinar ID: 889 6425 7725

Passcode: 825646

Members of the public can watch the meeting live on TVCTV cable channel 23 or 30, and King City YouTube live streaming.

Exhibit A

* CUSTOM MAILING LIST
 100' BUFFER AROUND 2S117A000601
 2S1170000203, 204, 208, 400, 1000
 2S1180001501, 1502
 CREATED 10/25/23 BY TERI HEINO WASHCO LUT

2S117AA05700
 ABDELMOATY, WALAA
 EISSA, RASHA
 14822 SW MULBERRY DR
 TIGARD OR 97224

2S116BA00200
 ADAMS SQUARE BEEF BEND LLC
 HZF BEEF BEND LLC
 BY GOTSHALL-MAXIN, LEE F ESQ
 THREE EMBARCADERO CENTER 12TH FL
 SAN FRANCISCO CA 94111

2S109CD03100
 ADAMS SQUARE BEEF BEND LLC
 HZF BEEF BEND LLC
 BY GOTSHALL-MAXIN, LEE F ESQ
 THREE EMBARCADERO CENTER 12TH FL
 SAN FRANCISCO CA 94111

2S1180001402
 AMSTAD, TONY & DEEANN REVOC TRUST
 PO BOX 890
 HERMISTON OR 97838

2S1180001404
 AMSTAD, TONY & DEEANN REVOCABLE TRUST
 PO BOX 890
 HERMISTON OR 97838

2S1180001600
 AMSTAD, WAYNE A & CORI A
 15990 SW ROY ROGERS RD
 SHERWOOD OR 97140

2S117AA04300
 ANDREWS, RACHEL M
 14626 SW TREVOR LN
 TIGARD OR 97224

2S117AA05600
 ARIBISALA, HENRY
 14808 SW MULBERRY DR
 TIGARD OR 97224

2S109CD10100
 AUTUMN HILL HOMEOWNERS ASSOCIATION
 BY NW COMMUNITY MANAGEMENT CO., LLC
 PO BOX 23099
 TIGARD OR 97281

2S117AA09500
 AUTUMN VIEW HOMEOWNERS ASSOCIATION
 00000

2S117AA09700
 AUTUMN VIEW HOMEOWNERS ASSOCIATION
 00000

2S116BB01500
 BABAEI, MOHAMMADREZA
 AKBARIMALKESHI, SOHEILA
 16145 SW BARRINGTON PL
 PORTLAND OR 97224

2S116B003100
 BEEF BEND LLC
 PO BOX 2559
 OREGON CITY OR 97045

2S116BB00600
 BEHRENS, GROVER S & ROSA A
 15010 SW DAPHNE CT
 BEAVERTON OR 97007

2S116BB02800
 BERG, TYLER I & AIMEE K
 16352 SW MYRTLE AVE
 TIGARD OR 97224

2S1170000500
 CASH JOINT TRUST
 BY CASH, DWIGHT C & PAULA L TRS
 17720 SW ELSNER RD
 SHERWOOD OR 97140

2S117AA05200
 CHOW, WING CHUEN
 LEE, TUNG YAO
 14734 SW MULBERRY DR
 TIGARD OR 97224

2S117AA01400
 CHRISTIANSEN, SUSAN G
 10008 DOLERITE DR
 FORT WORTH TX 76131

2S117AA01500
 CHRISTIANSEN, SUSAN G
 10008 DOLERITE DR
 FORT WORTH TX 76131

2S117AA00100
 COY, PATRICK & TARA
 16247 SW 146TH AVE
 TIGARD OR 97224

2S1170000204
 CTH INVESTMENTS LLC
 14787 SW MILLIKAN WAY
 BEAVERTON OR 97003

2S1170000203
 CTH INVESTMENTS LLC
 14787 SW MILLIKAN WAY
 BEAVERTON OR 97003

2S116B000102
 DLJ PROPERTIES, LLC
 13620 SW BEEF BEND RD #78
 TIGARD OR 97224

2S117AA05700
 DRH ENERGY INC
 ATTN: TED HARBOUR ESQ
 301 COMMERCE ST, STE 500
 FORTH WORTH TX 76102

2S117AA05300
 DRH ENERGY INC
 ATTN: TED HARBOUR ESQ
 301 COMMERCE ST, STE 500
 FORTH WORTH TX 76102

2S117AA05400
 DRH ENERGY INC
 ATTN: TED HARBOUR ESQ
 301 COMMERCE ST, STE 500
 FORTH WORTH TX 76102

2S117AA05500
 DRH ENERGY INC
 ATTN: TED HARBOUR ESQ
 301 COMMERCE ST, STE 500
 FORTH WORTH TX 76102

2S117AA05800
 DRH ENERGY INC
 ATTN: TED HARBOUR ESQ
 301 COMMERCE ST, STE 500
 FORTH WORTH TX 76102

2S117AA05900
 DUONG, JEREMY H & NGA T
 14846 SW MULBERRY DR
 TIGARD OR 97224

Exhibit A

2S117A000900
EITING, KATHERINE A REV LIVING TRUST
PO BOX 230939
PORTLAND OR 97281

2S1170000301
EPENETER PROPERTIES LLC
BY EPENETER, FREDERICK J & BEVERLY J
10860 SW PARK ST
TIGARD OR 97223

2S116B000800
ETLING, PHYLLIS C LIVING TRUST
BY ETLING, PHYLLIS C &
STONE, JOANNE E TRS
13970 SW BEEF BEND RD
TIGARD OR 97223

2S1170000206
EUDALY, ELAINE F LIVING TRUST
16900 SW ELSNER RD
SHERWOOD OR 97140

2S1170000700
EUDALY, ELAINE F LIVING TRUST
16900 SW ELSNER RD
SHERWOOD OR 97140

2S116BB01200
FUITEN, JESSICA J
DAVOODI, DANIEL
16098 SW BARRINGTON PL
PORTLAND OR 97224

2S117AA05000
GONZALEZ, JOEL & ALEJANDRA
14690 SW MULBERRY DR
TIGARD OR 97224

2S116BB02700
GRIFFITH, RONNDA L ZEZULA
GRIFFITH, JAMES L
14060 BEEF BEND RD
TIGARD OR 97224

2S116BB01400
HAKE, KRISTIN
16148 SW BARRINGTON PL
TIGARD OR 97224

2S117AA05100
HANEY, CHAD
14712 SW MULBERRY DR
TIGARD OR 97224

2S1170000800
HARREL FAMILY TRUST
BY HARREL, CLIFFORD J & LINDA J TRS
PO BOX 760
SHERWOOD OR 97140

2S117AA00200
HARVEY, SHANNON M & SEAN
16223 SW 146TH AVE
PORTLAND OR 97224

2S117A000700
HARVEY, STEVEN P & SUSAN R
15540 SW BEEF BEND RD
TIGARD OR 97224

2S117A002700
HARVEY, STEVEN P & SUSAN R
15540 SW BEEF BEND RD
TIGARD OR 97224

2S1170000400
HASUIKE, ARTHUR A
HASUIKE, DANIEL T
HASUIKE, STEVE Y ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S117A000500
HASUIKE, ARTHUR A
HASUIKE, DANIEL T
HASUIKE, STEVE Y ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S117A000600
HASUIKE, ARTHUR A & SUZANNE S
HASUIKE, DANIEL T
YOUNG, BETTY H ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S1170000208
HASUIKE, STEVE YUKIO LIVING TRUST
HASUIKE, DANIEL T
YOUNG, BETTY H ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S117A000601
HASUIKE, STEVE YUKIO LIVING TRUST
HASUIKE, DANIEL T
HASUIKE, BETTY H ET AL
15265 SW BEEF BEND RD
TIGARD OR 97224

2S117AA05300
HENDRICK, AARON B & LESLIE A
14756 SW MULBERRY DR
TIGARD OR 97224

2S117AA01800
HENRY, LARRY J & DEANNE L
16200 SW 150TH AVE
TIGARD OR 97224

2S116B000900
HERBERHOLZ, LARRY
ISON, KIMBERLY A
13850 SW BEEF BEND RD
TIGARD OR 97224

2S116BB02200
JASSO, MATTHEW T
14200 SW BEEF BEND RD
TIGARD OR 97224

2S117AA06000
KEIM, ERIC & KATIE
14858 SW MULBERRY DR
TIGARD OR 97224

2S117AA04000
KHALILI, ARDLAN
KHALILI, KHOSROW
14632 SW TREVOR LN
TIGARD OR 97224

2S1170001300
KUMMROW, WILLARD STEPHEN
18580 SW KUMMROW AVE
SHERWOOD OR 97140

2S116B000901
LIEBERTZ, JOHN P & CANDACE R
13750 SW BEEF BEND RD
TIGARD OR 97224

2S117AA04100
MANN, SVETLANA
MCDONALD, GORDON J
14614 SW TREVOR LN
TIGARD OR 97224

2S116BA00100
MAYBECK ASSOCIATES LLC
BY FRESHWATER INVESTMENTS LLC
ATTN ROZENFELD, ALEX
303 TWIN DOLPHIN DR STE #600
REDWOOD CITY CA 94065

2S1170000600
METRO
PARKS & NATURE DEPARTMENT
600 NE GRAND AVE
PORTLAND OR 97232

Exhibit A

2S117AA01700
MEYER, JAMES R
MCCOY, CAMERON JOHN
14730 SW BEEF BEND RD
TIGARD OR 97224

2S117A002101
MEYER, MARY J TRUST
MEYER, RAYMOND V FAMILY TRUST
14730 SW BEEF BEND RD
PORTLAND OR 97224

2S117A002200
MEYER, MARY J TRUSTEE
14730 SW BEEF BEND RD
PORTLAND OR 97224

2S1170000202
MF BB2
15525 SW BEEF BEND RD
TIGARD OR 97224

2S1180001502
MF BEEF BEND LLC
17933 NW EVERGREEN PKWY STE 300
BEAVERTON OR 97006

2S1180001501
MF BEEF BEND LLC
17933 NW EVERGREEN PKWY STE 300
BEAVERTON OR 97006

2S1170000300
MINER, DONALD WM TRUST
PO BOX 129
SHERWOOD OR 97140

2S117A000800
MURREY, THEODORE W
15500 SW BEEF BEND RD
TIGARD OR 97224

2S116BB01600
NILES, TYLER B & ALYSSA M
16123 SW BARRINGTON PL
TIGARD OR 97224

2S116BB02100
OAKMONT APARTMENT INVESTORS LLC
710 NW 14TH AVE, 2ND FLOOR
PORTLAND OR 97209

2S1170000100
O'HALLORAN, EDWINE E
15800 SW BEEF BEND RD
TIGARD OR 97224

2S116BB00500
PADRON, MICHAEL L & REBECCA
16096 SW WESTMINSTER DR
TIGARD OR 97224

2S116BB02900
PETERSON, IAN M & SARA N
16336 SW MYRTLE AVE
TIGARD OR 97224

2S117AA01300
PIRZADEH, MIRPARHAM
ARDEKANI, AZIN
16230 SW 146TH AVE
PORTLAND OR 97223

2S1170001600
PISCITELLI FAMILY TRUST
BY VINCENZO/ROSALBA PISCITELLI TRS
15540 SW APRIL LN
TIGARD OR 97224

2S117AA05500
QUTUB, SANA K
14796 SW MULBERRY DR
PORTLAND OR 97224

2S1170000201
ROSE, JARRETT P & MARIA A
15755 SW BEEF BEND RD
TIGARD OR 97224

2S116BB00700
SAYERS, WILLIAM L
LINGENFELTER, TINA M
16115 SW WESTMINSTER DR
TIGARD OR 97224

2S117A000400
SCOTT, GREGORY & CHELSEA
16255 SW 150TH AVE
TIGARD OR 97224

2S1170001000
SHARLIN FARM LLC
BY O'HALLORAN, MICHAEL
12130 NW OLD GERMANTOWN RD
PORTLAND OR 97231

2S1180001700
SHUTTS, ROSS D & AUDREY Y SHUTTS
REVOCABLE LIVING TRUST
16295 SW BEEF BEND RD
SHERWOOD OR 97140

2S117AA04200
SMITH, JEREMY R & RAMONITA M
14620 SW TREVOR LN
TIGARD OR 97224

2S1170000207
SUCTAWEE TRUST
BY SUCTAWEE, SALAWOOT J TR
16195 SW BEEF BEND RD
SHERWOOD OR 97140

2S117AA04900
SULLIVAN, ADAM M & LINDSEY M
14674 SW MULBERRY DR
PORTLAND OR 97224

2S117AA05400
SULLIVAN, JON W & NICOLE R
14778 SW MULBERRY DR
TIGARD OR 97224

2S117AA01200
THANGVIJIT, NATTAWAN AND
GULMAHONG, SUNUN
16190 SW 146TH AVE
TIGARD OR 97224

2S1180000601
TIGARD, CITY OF
13125 SW HALL BLVD
TIGARD OR 97223

2S117AA04400
TREVOR RIDGE, OWNERS OF LOTS 1 THRU 8
00000

2S1170001100
UNITED STATE OF AMERICA
US FISH & WILDLIFE SERVICE
ATTN: GEORGIA SHIRILLA
911 NE 11TH AVE
PORTLAND OR 97232

2S1180001400
UNITED STATES OF AMERICA
U S FISH & WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND OR 97232

Exhibit A

2S109BC07000
USA DEPT OF ENERGY
BONNEVILLE POWER ADMINISTRATION
PO BOX 3621
PORTLAND OR 97208

2S117AA05800
VARGAS, GABRIELA
14832 SW MULBERRY DR
TIGARD OR 97224

2S116BB00800
WADDELL, TRENT WAYNE
PENA, RHINA MICHELLE HERNANDEZ
16097 SW WESTMINSTER DR
TIGARD OR 97224

2S1180000100
WIESE, RUTH TRUST
16245 SW BEEF BEND RD
SHERWOOD OR 97140

2S116BB01300
YOUNG, MARK W & JAMIE M
16126 SW BARRINGTON PL
TIGARD OR 97224

2S116BB02701
ZAVALA, JORGE & IMELDA
14010 SW BEEF BEND RD
TIGARD OR 97224

Oregonian Media Group
1500 SW 1st Ave Suite 500
Portland, OR 97201



Oregonian

AD#: 0010791085

CITY OF KING CITY
15300 SW 116TH AVE
KING CITY, OR 97224

Sales Rep: Kimberlee O'Neill
Account Number:1000816725
AD#: 0010791085

Remit Payment to:
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P.O. Box 77000
Detroit, MI 48277-0571

Date	Position	Description	P.O. Number	Ad Size	Costs
11/15/2023	PublicNotices OR	Kingston Terrace TC	Kingston Terrace TC	3 x 126 L	
				Basic Ad Charge - 11/15/2023	\$2,320.92
				Total	\$2,320.92

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL 877-229-2380



AD#: 0010791085

State of Oregon,) ss
County of Multnomah)

Bradley Dion being duly sworn, deposes that he/she is principal clerk of Oregonian Media Group; that Oregonian is a public newspaper published in the city of Portland, with general circulation in Oregon, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

Oregonian 11/15/2023

Bradley Dion
Principal Clerk of the Publisher

Sworn to and subscribed before me this 15th day of November 2023



Cary Lee Dahlberg
Notary Public

NOTICE OF PUBLIC HEARING BEFORE THE KING CITY PLANNING COMMISSION

The King City Planning Commission will hold a public hearing on **Wednesday, December 6th, 2023, at 9:30 a.m.** in the King City - City Hall Council Chambers, 15300 S.W. 116th Avenue, King City, OR 97224 and Online via Zoom platform, regarding the following:

LU # 23-08; Ordinance 2023-06, Annexation Application on behalf of New Homes Inc. Submitted by Pacific Community Design. An application seeking annexation approval of approximately 210 acres of land. This also includes the portion of SW Beef Bend Rd between 137th Ave. and SW Roy Rogers Rd right-of-way south of midline, and the right-of-way for SW Roy Rogers Rd. and SW Eisner Rd. adjacent to the properties proposed for annexation. The area proposed for annexation is illustrated in the map below.

Map and Tax Lot	Property Owners (according to Washington County Cartography)
251170001	Suzanne S. Haselke, Daniel T. Haselke, Betty H. Haselke, and Steve Vukic Haselke Living Trust
251170010	Mark L. Crandall - Agent for CTR Investments, LLC
251170010A	Mark L. Crandall - Agent for CTR Investments, LLC
251170010B	Steve Haselke, Betty Young, Arthur A. Haselke, Daniel T. Haselke, Steve Vukic Haselke Living Trust, Betty H. Young, and Betty L. Young
251170040	Arthur A. Haselke, Daniel T. Haselke, Steve V. Haselke, Betty H. Young and Betty L. Young
251170100	Michael O'Halloran, Manager for Stratum Farms, LLC
251180101	Sean Roy, Manager for SW Beef Bend, LLC
251180102	Sean Roy, Manager for SW Beef Bend, LLC

Washington County's SW Beef Bend Road Right-of-Way - From center line to southern right-of-way boundary, starting at western boundary of King City to SW Roy Rogers Road intersection - Washington County's SW Roy Rogers Road Right-of-Way - Right of way in its entirety from southern portion of intersection of SW Beef Bend Road along western boundary of tax-lots 251180101, 251180102, and 251170040. Washington County's SW Eisner Road Right-of-Way - Right of way in its entirety from SW Beef Bend Road to the southern boundary of tax-lot 251170040.

Properties to be annexed
Right-of-way to be annexed
City Limits

As required by Community Development Code Section 16.192.050 C., the properties shall be rezoned upon annexation in accordance with the Kingston Terrace Master Plan from Washington County FD-20 to Town Center Neighborhood (area between Roy Rogers Rd. and Eisner Rd.), Beef Bend Neighborhood (Tax Lot 2S117A 0601), and Beef Bend Neighborhood and Central Neighborhood (Tax Lot 2S117 1000).

LU # 23-09; Ordinance 2023-07, to adopt a Local Wetlands Inventory (LWI) for the properties proposed for annexation. The Department of State Lands is currently reviewing a proposed LWI, and state approval is anticipated. This adoption will include a new Figure 16.114-10 Kingston Terrace District Locally Significant Wetland Resource Map in Community Development Code Section 16.114.080 along with a minor text amendment regarding wetland buffer areas in Section 16.114.080 F. 1. f. The purpose of the Planning Commission hearing is to receive proposals, consider public testimony, and make a recommendation.

The purpose of the Planning Commission hearing is to review the proposals, consider public testimony, and make a recommendation to the King City Council

The annexation proposal (LU # 23-08) shall be evaluated based upon relevant portions of the following:

- Metro Code 3.09;
- The Oregon Revised Statutes;
- The King City Comprehensive Plan;
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code (CDC);
- Applicable intergovernmental agencies
- Section 16.192.050 of the CDC

The LMI adoption (LU # 23-09) shall be evaluated based upon the relevant portions of the following:

- King City Comprehensive Plan; and associated requirements
- The Kingston Terrace Master Plan;
- The requirements of Title 16 Community Development Code Section 16.192.060; and
- Oregon Administrative Rules (OAR) 141-086-0228(5) and OAR 141-180 through 0350.

All interested parties are invited to attend the hearing and express their views. Statements will be accepted in writing or orally at the hearing. Failure to raise an issue at the public hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

The public may attend the hearing by coming to City Hall at the above address or by attending the Zoom webinar. In accordance with House Bill 2560, this hybrid meeting enables people to join remotely or in-person to participate in the Planning Commission hearing and submit oral and/or written testimony in person or remotely. Zoom Links are on the reverse side of this Notice.

Correspondence should be mailed to the King City Planning Commission, Attn. Community Development, 15300 S.W. 116th Avenue, King City, OR 97224 or via email at mweston@ci.king-city.or.us. Written testimony received one week (7 days) prior to the hearing will be included in the Planning Commissioner's meeting materials and allow adequate time for review. Materials and relevant criteria are available for review at:

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 - Paper Copies may be obtained at a reasonable cost.
 - Staff reports are available for inspection at no cost or may be obtained at a reasonable cost seven days prior to the hearing.
- Questions regarding the application or the public hearing process may be directed to Maxwell Carter, 503-639-4082, or at mcarter@ci.king-city.or.us.

The Planning Commission reserves the right to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided. The hearings are accessible to the disabled. Contact City Manager, at 503-639-4082 (voice and TTY), if you need any special accommodation to attend or to participate in the meeting. Publications may be available in alternate formats and the meeting is accessible to the disabled.

Published: November 13, 2023

INFORMATION AND ONLINE ZOOM LINK

Please follow the link below to join the webinar:
Or Telephone: US: 1 (253) 215-8782

<https://us02web.zoom.us/j/88964257725?pwd=RHRjaEJvazJ5eVZlSkhHTHdaZ1NQQT09>

Webinar ID: 889 6425 7725
Passcode: 825646

Members of the public can watch the meeting live on TVCTV cable channel 23 or 30, and King City YouTube live streaming.

Nov. 15, 2023

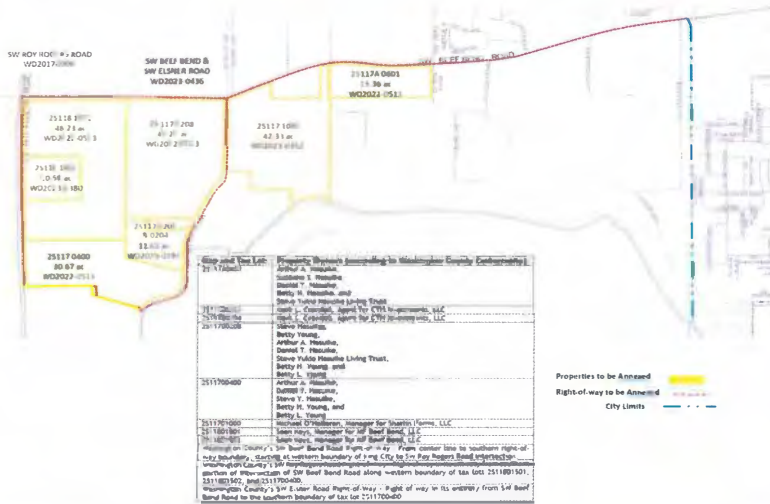
City of King City Planning Commission Meeting Public Notice

City of King City Public Notice

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As required by Community Development Code Section 16.192.050 C, the properties shall be rezoned upon annexation in accordance with the Kingston Terrace Master Plan from Washington County FD-20 to Town Center Neighborhood (area between Roy Rogers Rd and Elsner Rd.), Beef Bend Neighborhood (Tax Lot 25117A 060), and Beef Bend Neighborhood and Central Neighborhood (Tax Lot 25117 1000).

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<p>The annexation proposal (LU # 23-08) shall be evaluated based upon relevant portions of the following:</p> <ul style="list-style-type: none"> Metro Code 3.09; The Oregon Revised Statutes, The King City Comprehensive Plan, The Kingston Terrace Master Plan, The requirements of Title 16 Community Development Code (CDC); Applicable intergovernmental agencies Section 16.192.050 of the CDC 	<p>The LWI adoption (LU # 23-09) shall be evaluated based upon the relevant portions of the following:</p> <ul style="list-style-type: none"> King City Comprehensive Plan, and associated requirements The Kingston Terrace Master Plan; The requirements of Title 16 Community Development Code Section 16.192.060, and Oregon Administrative Rules (OAR) 141-086-0228(5) and OAR 141-180 through 0350.
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Exhibit B

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Webinar ID: 889 6425 7725

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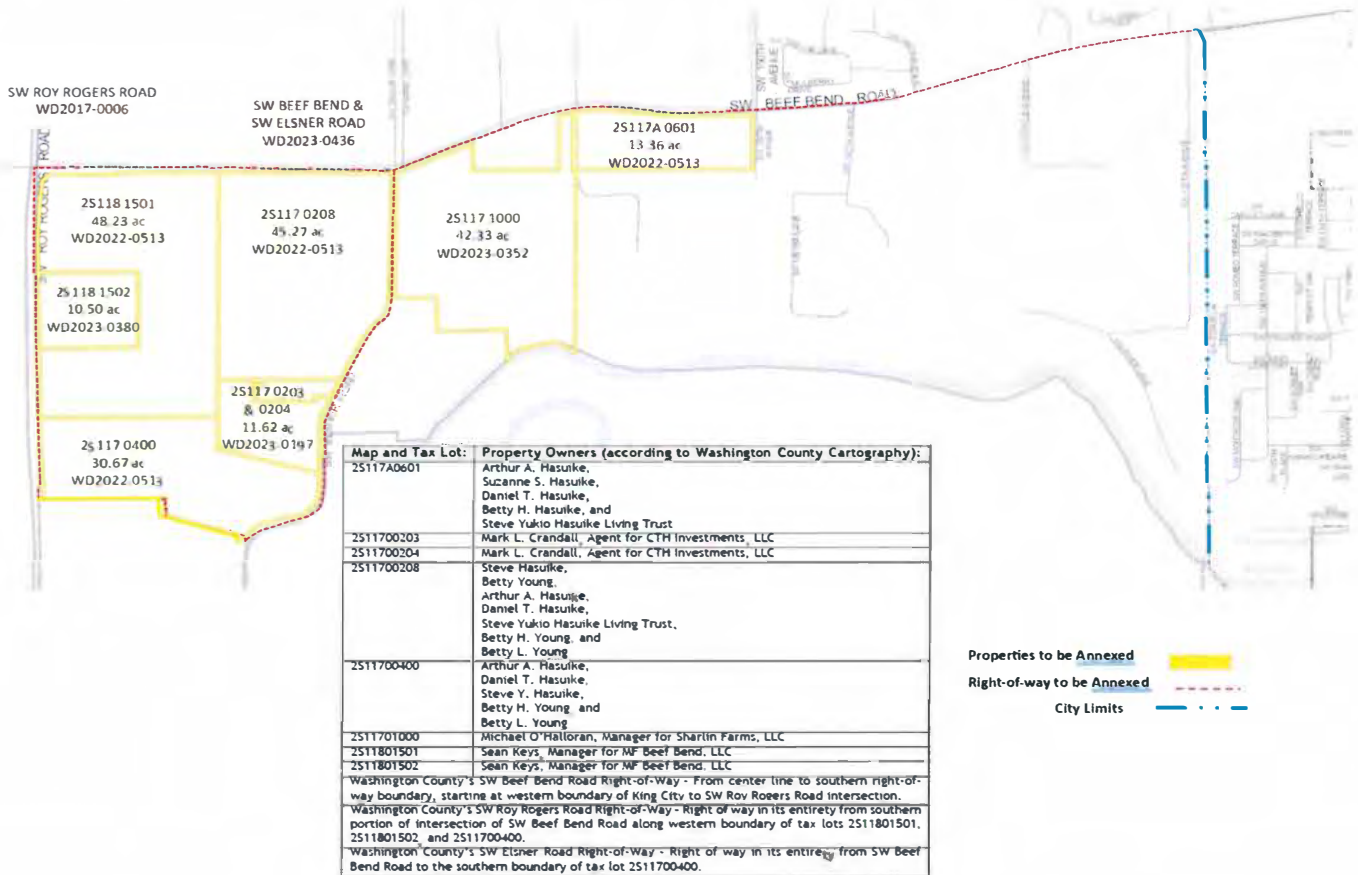


CITY OF KING CITY  PUBLIC NOTICE

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EXHIBIT F

Public Comment

EXHIBIT F – PUBLIC COMMENTS

LU# 23-08 Ordinance 2023-06, Annexation Application on behalf of New Homes Inc. Submitted by Pacific Community Design

City Council Public Testimony: Public Hearing Date December 20, 2023

<i>Exhibit Number</i>	<i>Source</i>	<i>Date</i>	<i>Pages</i>
<i>P-CC-5</i>	Kenneth Dobson (Mike Meyer)	1/9/2024	34
<i>P-CC-4</i>	Nicole Meyer	1/8/2024	1
<i>P-CC-3</i>	Mike Meyer	1/8/2024	2
<i>P-CC-2</i>	Gretchen Buehner	12/20/2023	1
<i>P-CC-1</i>	Michael Meyer	12/20/2023	In-person

PLANNING COMMISSION EXHIBIT P – COMMENTS

Planning Commission Public Testimony: Public Hearing Date December 6, 2023

<i>Exhibit Number</i>	<i>Source</i>	<i>Date</i>	<i>Pages</i>
<i>P-PC-1</i>	Michael Meyer	12/6/2023	In-person

Updated on January 11, 2024, at 12:02 PM

KENNETH P. DOBSON
ATTORNEY AT LAW

telephone: (971) 717-6582
email: kdobson@pdxlandlaw.com
www.pdxlandlaw.com

324 S. Abernethy Street
Portland, Oregon 97239

January 9, 2024

VIA ELECTRONIC MAIL

Ronnie Smith
City Recorder
City of King City
15300 SW 116th Ave.
King City, Oregon 97224
rsmith@ci.king-city.or.us

Re: Ordinance 2023-06, King City Land Use File LU #23-08

Greetings:

I represent Michael Meyer. Please accept this letter as Mr. Meyer's supplemental testimony on the proposed ordinance annexing certain portions of the Kingston Terrace planning area into the City of King City.¹

1. THE USE OF EXCESSIVE "CHERRY STEMMING" IS UNREASONABLE.

"ORS 222.111(1) states in relevant part: "the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way. . ." In this case, the annexation area is not contiguous to any portion of the existing boundaries of King City. To get around this problem, the City proposes annexing an approximately 3,275 foot long stretch of Beef Bend Road and argues that by doing so, the connectivity requirement is met because the annexation area and the existing city would then only be separated by a public right of way.

The practice of using of public right of ways to connect an annexation area to the existing city limits is known as "cherry stemming." As the courts have explained, the use of cherry stemming can be appropriate in certain circumstances, but must comply with the implied "reasonableness" standard applicable to all annexation decisions. *Morsman v. City of Madras*, 191 Or App 149 (2003), citing *Portland General Electric Co. v. City of Estacada*, 194 Or 145, 165 (1952). (remanding annexation decision back to city to determine whether use of 150 feet of right of way to meet connectivity requirement was reasonable).

The Court of Appeals has explained the language "only by a public right of way," "in its context, compels the conclusion that separation by a minimal amount of intervening land of the described kind is the only acceptable alternative or exception to the contiguosness

¹ Mr. Meyer is personally submitting separate testimony.

requirement.” *Department of Land Conservation and Development v. City of St. Helens*, 138 Or App 222, 229 (1995) (emphasis added). *City of St. Helens* involved a 1,500 foot stretch of road used to annex the location of Walmart to the existing city, which LUBA held was unreasonable and “would frustrate the contiguity requirement of ORS 222.111(1).” *DLCD v. City of St. Helens*, 29 Or LUBA 485 (1995).

3,275 feet is not a “minimal amount of intervening land.” Although the fact that the City is annexing the road used to create the alleged connectivity might make this case distinguishable from *St. Helens*, the length of the separation – 3,275 feet – is over twice that as the stretch of road at issue in that case. It is also over ten-times the length of road at issue in *Morsman*. As the Supreme Court has explained in discussing the problems with cherry stemming:

“[i]t would be absurd to think that the legislature intended that a city would have carte blanche authority to reach out its tentacles like an octopus and envelop property which in no wise could be considered as beneficial to the city or to the property annexed. If this were not so, there would be nothing to prevent the cities from attaching to themselves territory far removed from the city environs by a narrow ribbon strip, so long as the property attached was contiguous.” *PGE*, 194 Or at 159-60.

While cherry stemming is not unreasonable per se, the sheer length of roadway used to meet the connectivity requirements of ORS 222.111(1) greatly exceeds anything at issue in the case law and pushes the reasonableness requirement beyond its breaking point.

2. THE CITY FAILED TO OBTAIN CONSENT FROM ALL AFFECTED PROPERTY OWNERS.

The use of cherry stemming also raises the issue of whether the City has obtained the consent of all affected property owners for the annexation. Table 1 of the annexation ordinance lists property owners affected by the annexation and includes Washington County as “owner” of Beef Bend Road. What it does not include, however, are the owners of the various properties along the 3,275 foot cherry stem stretch of Beef Bend Road which is included in the annexation.

It is well established that owners of property abutting a public right of way own title to the land underneath the road up to the centerline, subject to easement for the public to use the road. In fact, there is a statutory presumption that a conveyance of real property includes the land underneath a public right of way to the centerline of the road. ORS 93.310(4). “The presumption in ORS 93.310(4) is a strong one that is rebutted only by an express provision in the conveyance excluding the abutting road, or by the grantor's clear intention to exclude the abutting road from the conveyance as discerned from the circumstances of the transaction.” *Howe v. Greenleaf*, 260 Or App 692, 320 P3d 641, 647 (2014). This rule that an abutting property owner holds title to the land below the roadway is not limited to road vacations, and instead also applies when the road is in existence. *Id.*, citing *Fossi v. Myers*, 271 Or 611, 269-70 (1975).

A review of the documents establishing Beef Bend Road did not reveal any language to contradict this statutory presumption or otherwise suggest the land underneath the roadway was

donated outright in fee to Washington County.² In the absence of such language, title to the land underneath the roadway remains with the abutting property owners. Because the City did not obtain consent from these owners to annex Beef Bend Road, the annexation is improper.

3. **KTMP DOES NOT COMPLY WITH STATEWIDE LAND USE PLANNING GOAL 5:**

ORS 197.175 requires cities to exercise their planning responsibilities, including annexation decisions, in compliance with statewide planning goals. *Cape v. City of Beaverton*, 187 Or App 463, 469 (2003). This would necessarily include Goal 5 and its implementing regulations that require local governments to identify, inventory, and develop programs to protect certain types of natural resources, including riparian corridors and wildlife habitat. E.g., OAR 660-023-0180 (mineral and aggregate resources; OAR 660-023-0110 (wildlife habitat); see generally OAR 660-023-0050 (programs to achieve compliance with Goal 5). The need to comply with Goal 5 and its implementing regulations is especially important here, as the annexation would redesignate the affected land from agricultural zoning into commercial and residential zoning, thereby opening the area to new conflicting uses.

The proposed findings discuss compliance with Goal 5. However, the findings are deficient in that, aside from the recent local wetlands inventory, it focuses almost exclusively on “regional resources” identified by Metro as part of its Title 13 program. Goal 5’s implementing regulations set forth at OAR 660-023-0080(b) define “Regional resource”:

“Regional resource” is a site containing a significant Goal 5 resource, including but limited to a riparian corridor, wetland, or open space, which is identified as a regional resource on a map adopted by Metro ordinance.”

A “Regional resource” does not include locally significant resources, such as areas designated as Significant Natural Resources (“SNRs”) on Washington County’s Goal 5 maps. In this case, Washington County Comprehensive Plan Map 2.14 identifies additional Goal 5 resources in the immediate vicinity of the annexation area that were not discussed in the City’s findings, specifically Wildlife Habitat and Mineral and Aggregate resources.³ Washington County Goal 5 policies recognize that the actual boundaries of the SNRs might differ from the boundaries shown on the maps. Accordingly, the policies require that any development within 250 feet of the mapped resources requires evidence that the resource does not extend into the development area.⁴

Some of the existing Goal 5 resources, such as the Wildlife Habitat, are clearly within 250 feet of the annexation area. At a minimum, therefore, the presence of these previously identified resources should have triggered additional Goal 5 analysis.

² Copies of the documents creating Beef Bend Road are attached hereto as Exhibit 1.

³ A copy of Washington County’s SNR map for the area is submitted herewith as Exhibit 2.

⁴ A copy of Washington County’s policy regarding the need to confirm the actual boundaries of the Goal 5 resources is submitted herewith as Exhibit 3.

4. THE ANNEXATION DOES NOT COMPLY WITH KCDC 16.192.040(2)(A).

The failure of the City to examine these additional locally significant resources also violated KCDC 16.192.040(2)(a), which requires the submittal of a narrative description of site conditions.

5. THE PROPOSED ANNEXATION PROCESS HAS BEEN MARRED BY SYSTEMIC AND PERSISTENT PROCEDURAL ERRORS.

In addition to these substantive issues discussed above, the entire annexation process has been marred by systemic procedural errors and flagrant disregard for the City's own rules and regulations. These problems include:

Lack of Planning Commissioners: Throughout much of the annexation process and related enactments, the Planning Commission has been operating with less members as required by the section 2.16.010A(1) of the King City Municipal Code, which states in relevant part: "The commission **shall** consist of seven voting members to be appointed by the mayor with the consent and approval of the city council." (emphasis added). Section 2.16.010B states in relevant part: "Vacancies on the commission **shall** be filled by appointment by the mayor with the consent and approval of the council." The word "shall" is mandatory. Despite this, the Planning Commission has been operating with only five members and the mayor has not filled the empty positions.

Lack of Required Notice: ORS 222.120, governing annexation proceedings, states in relevant part: "The legislative body shall cause notice of the hearing be published once each week for two successive weeks prior to the day of the hearing, in a newspaper of general circulation, and shall cause notice of the hearing to be posted in four public places in the city for a like period." Despite the mandatory nature of this statewide requirement, the City has failed to give the required notices.

Lack of Proper Meeting Minutes: Oregon's public meetings law requires that local governments keep meeting minutes which, among other things, "give a true reflection of the matters discussed at the meeting and the views of the participants" and accurately reflect the "substance of any discussions on any matter." ORS 192.650. In practice, King City relies heavily on recordings of the public meetings in lieu of detailed written minutes. While this practice is allowed in general, the quality of the recordings from many of the meetings discussing the annexation are so poor, they are inaudible in many places and therefore do not accurately reflect the matters discussed, the views of the participants, and the substance of the discussions.

Combined, these errors have prejudiced the integrity of the annexation proceeding and frustrated the public's right to meaningfully participate in the land use process.

Sincerely,



Kenneth P. Dobson

C.R. A-148

S.W. BEND ROAD & PLEASANT VALLEY ROAD

Ex 1 Page 1 of 28
NO WIDTH STATED - See CE PACKET C.R. A-148 NOTICE 50'

C.R. NO. A-148

IN THE

**BOARD OF COUNTY
COMMISSIONERS**

WASHINGTON COUNTY, OREGON

A-148

Petition W. 1 Page 4 of 28
C. 10 11 in

1873

Viewer-E. Savage- Crocker-R. Carpenter

T2S-R~~X~~-~~2-5-3-9-10-16-17~~

Est. 3-253

Notice

Notice is hereby given that a petition will be presented to the Honorable County Court of Washington County at the February Term for the location of a County road commencing where the north line of Zephaniah Bryan's donation claim crosses the Taylor ferry road, section ten, Town 2 South, Range 1 West, and crossing the Miller ferry road one hundred ~~yards~~ south of Angle Seven, section 17 Town 2 S. R. 1 W. Thence to the southwest corner of P. Kindt's donation claim and intersecting the ~~Scholl~~ Scholl ferry road at or near the residence of John Hingston Town 2 South, Range 2 West.

Notice

Filed Feb 5 1873
W.D. Pittenger
County Clerk

State of Oregon,
Washington County }
To the New Survey Court of said County the undersigned having

been appointed at the Sep. Term 1873 of said Court to survey a new
for a proposed County Road. Commencey. at a point in the Taylor
Ridge Road in Section 10 T. 2 S. R. 24 W. Thence westward to the
N. Corner of the T. 2 S. R. 24 W. Thence as mentioned
The Lincoln Bridge Road along here to make the following report
to wit: On the 12th day of Feb. 1873 and after being duly qualified as the
said court, Messrs. T. C. Stecker and Joseph L. Williams were called
and duly sworn, and acted as Chairman, and J. L. Stecker was duly
sworn and acted as assessor in the survey of said proposed road.
The following is a part of the survey of said proposed road.



The following are the notes of the survey of the
above described road for convenience at a point at the above described point
from which a S. 1/4 Sec. 10 T. 2 S. R. 24 W. Thence westward to the
N. Corner of the T. 2 S. R. 24 W. Thence as mentioned

- Thence West 9.15 chs to a post
- S. 61.5 N. 20.50 chs
- S. 59.22 N. 20.50 chs
- S. 65.15 N. 20.50 chs
- S. 64.02 N. 20.50 chs to a post
- S. 58.22 N. 20.50 chs
- S. 58.22 N. 20.50 chs to a post
- Thence West 9.15 chs to a post
- S. 61.5 N. 20.50 chs
- S. 59.22 N. 20.50 chs
- S. 65.15 N. 20.50 chs
- S. 64.02 N. 20.50 chs to a post
- S. 58.22 N. 20.50 chs
- S. 58.22 N. 20.50 chs to a post

- Notes of the 5th Subd.
- Thence S. 77° N. 5.00 chs to a post
- S. 78.20 N. 8.50 chs
- S. 74.20 N. 22.50 chs
- S. 71° N. 15.00 chs
- S. 69° 00' N. 29.00 chs to S. 1/2 m. post
- Thence westward
- S. 15.00 chs to a post S. 80° 25' N. 15.00 chs to a post
- Do 22.00 chs to a post S. 80° 25' N. 15.00 chs to a post
- Notes of the 6th Subd.
- Thence S. 55° 15' N. 3.91 chs to a post
- S. 55° N. 20.50 chs
- S. 62° N. 3.65 chs to a post S. 1/2 m. post
- Thence westward 22.00 chs to a post S. 1/2 m. post
- Thence West 9.15 chs to a post
- S. 61.5 N. 20.50 chs
- S. 59.22 N. 20.50 chs
- S. 65.15 N. 20.50 chs
- S. 64.02 N. 20.50 chs to a post
- S. 58.22 N. 20.50 chs
- S. 58.22 N. 20.50 chs to a post

Notes of the 6th Subd.
Thence West 9.15 chs to the 1st Subd. Bridge Road from a post
S. 61.5 N. 20.50 chs to a post S. 1/2 m. post
S. 59.22 N. 20.50 chs to a post S. 1/2 m. post
S. 65.15 N. 20.50 chs to a post S. 1/2 m. post
S. 64.02 N. 20.50 chs to a post S. 1/2 m. post
S. 58.22 N. 20.50 chs to a post S. 1/2 m. post
S. 58.22 N. 20.50 chs to a post S. 1/2 m. post

I hereby certify that I was personally employed
in surveying & plotting the above described land
for days & that the work was done in conformity to
the law made & provided in and under
the act of Feb. 12, 1872.

Read on petition

of
H. C. Hicklin

1873
50'

A-148

E-3-253

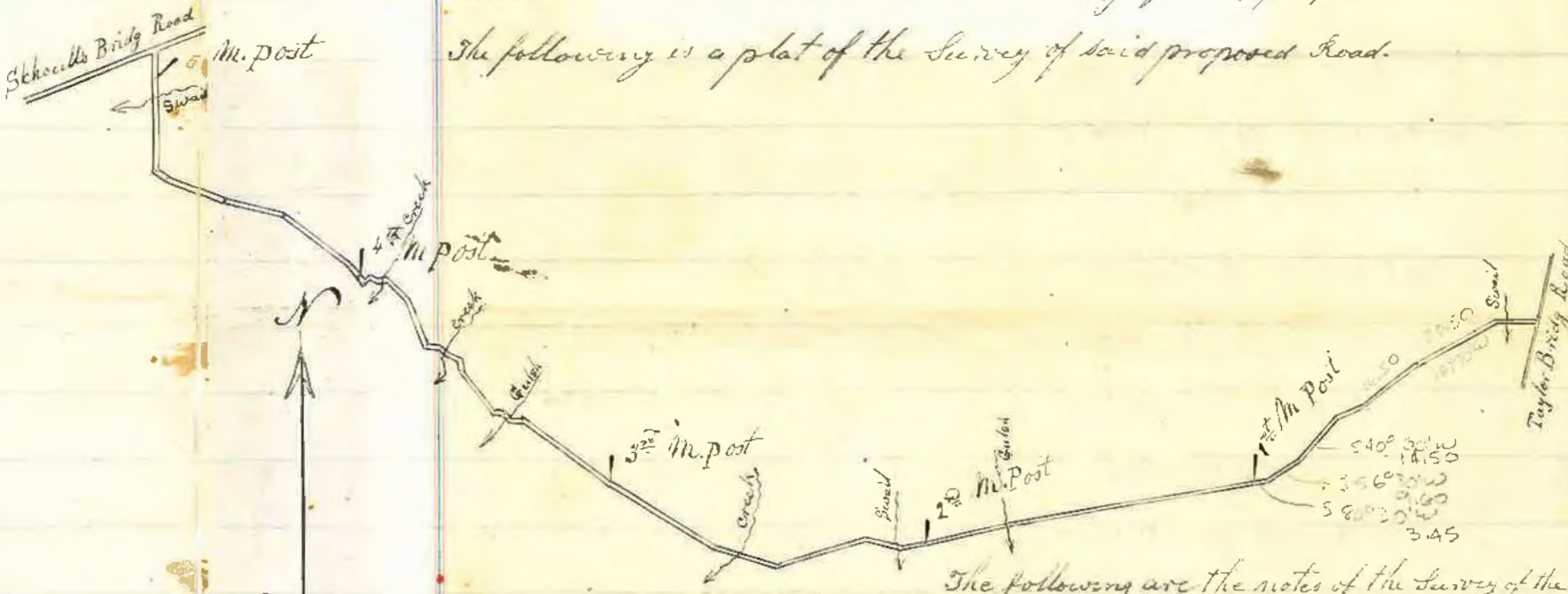
T-25-2W-1

E Savage
Creeker

R. Carpenter

State of Oregon
 Washington County } Is.

To the Hon County Court of said County, the undersigned having been appointed at the Feb Term 1873 of said Court to survey a road for a proposed County Road Commencing at a point in the Taylor Bridge Road in Section 10. T. 2. S. R. 1. W. thence westward to the S. W. Corner of the S. E. 1/4 of Sec 9 in T. 2. S. R. 2. W. thence N. and entered the Schoells Bridge Road. Beg leave to make the following report. We met on the 17th day of Feb 1873. and after being duly qualified as the Law directs, Messrs. W. C. Hucklein and Joseph S. Edwards was called and duly sworn and acted as Chanceman, and J. S. Fleck was duly sworn and acted as assessor in the survey of said proposed Road. The following is a plat of the Survey of said proposed Road.



The following are the notes of the Survey of the

above described Road. Commencing at a post at the above described point from which a Fir 30 inches in diameter bears S 78° W 114 links, S. or. N. 4 1/2° W 96 links. Thence West 9.15 Chs to a post.
 " S 61° 30' W 20.50 Chs " " "
 " S 50° 30' W 16.50 Chs " " "
 " S 66° 15' W 6.30 Chs " " "
 " S 40° 00' W 14.50 Chs to a Fir tree.
 " S 56° 30' W 9.60 Chs " " "
 " S 8° 30' W 3.45 Chs to 1. M. post from which a Fir 60 in, dia, bears S 68° E 35 links no other tree near.

Notes of the second mile
 Thence S 80° 36' W 57.30 Chs to a Fir tree
 " S 77° W 22.70 Chs to 2nd M. post.
 from which
 a Fir 18 in, dia, bears N 27° 30' E 58 links
 no other tree near.

Magnetic Variation 20° E

Notes of the 3rd Mile

Thence S 77° W 5.00 chs to a post
 " N 78° 30' W 8.50 chs "
 " S 74° 30' W 22.50 chs "
 " N 77° 30' W 15.00 chs "
 " N 59° 00' W 29.00 chs to 3rd M. post

From which

A Fir 15 in, dia, bears S 85° W 64 links dist

Do. 20 in, dia, bears N 2° 30' E 8 links

Notes of the 5th Mile.

Thence N 35° 15' W 3.91 chs to a post
 " N 54° W 20.09 chs -- "
 " N 76° W 14.79 chs -- "
 " N 69° 30' W 15.50 chs -- "
 " N 62° W 3.65 chs to 1/4 Sec. post between

Secs 1 and 12 in T. 2. S. R. 2. W.

Thence North 22.06 chs to the 5th M. post.

From which

A Fir 12 in, dia, bears S 40° E 54 chs dist

Do. 8 in, dia, bears N 14° W 156 links dist.

Notes of the 4th Mile

Thence N 54° W 24.30 chs to a post.
 " N 80° W 2.42 chs -- "
 " N 41° 30' W 1.12 chs -- "
 " N 76° W 2.00 chs -- "
 " N 41° 30' W 12.50 chs -- "
 " N 21° 30' W 2.75 chs to a tree 60 in, dia
 " N 69° W 3.87 chs to a post
 " N 47° 30' W 00.95 links -- "
 " N 80° W 3.78 chs -- "
 " N 20° 30' W 12.00 chs to Cedar tree 30 in, dia
 " N 46° W 9.00 chs to a post,
 " S 80° W 1.69 chs -- "
 " N 56° W 00.96 links -- "
 " S 50° W 1.63 chs -- "
 " N 35° 15' W 1.05 chs to 4th Mile post.

From which

A Fir 15 in, dia, bears S 75° 30' W 29 chs dist.

Do 12 in, dia, bears N 16° E 73 chs dist.

Notes of the 6th Mile

Thence North 5.15 chs to the Schoell's Bridge Road from which

A Fir 12 in, dia, bears N 69° E 27 chs dist. Do. 12 in, dia, bears S 41° W 18 chs distant.

In making the above described Survey care was taken to set the post and mark them, and take bearings, and locate the trees on the line of said road according to Law, the post, and the marked trees on the line are in the middle of said road. The foregoing Plat is made on a scale of 20 chs to the inch. Said Survey was made with a Magnetic Variation of 20° E.

All of which is most respectfully Submitted this 22nd day of Feb. 1873.

I hereby certify that I was necessarily employed in surveying & plotting the above described road 4 days & that the work was done according to the laws made & provided in such cases.

Wm. C. Smith
 Surveyor.

State of Oregon
Washington County } Es.
To the Hon. County Court of said County }

EX 1 Page 10 of 28

We the undersigned hereby Certify that we was necessarily employed as Chairman and one man each three days in the Survey of a proposed County Road Commencing in the Taylor ferry road in Sec 10 T. 2. S. R. 1. W. Thence westward & intersect the Scholl ferry road, and that the work was done according to the Law made and provided in such cases as far as we know, Feb^y 19 1873

F. S. Edwards

Wm. C. Flickler } Chairman

J. D. Willock } Absecon

State of Oregon }
Washington County } Ex 1 Page 11 of 28
}

To the hon^{ble} County Court of Said County, We the undersigned Road Viewers appointed at the Feb^y Term 1873 of Said Court to view out a rout for a proposed County Road Commencing at a point in the Taylor Bridge Road in Section 10. in T. No. 2. S. R. No. 4 W. Thence westward to the S. W. Corner of the S. E. $\frac{1}{4}$ of Sec. One in T. 2. S. R. 2. W. thence North and intersect the Schoull Bridge Road. Beg leave to make the following report; we met on the 17th day of Feb^y according to Order, and after being duly Sworn as the Law directs we proceeded to examin^e said rout, causing a correct Survey of the same to be made, and find said rout to be susceptible of making a good road, the ground is very good for a road being quite level, and but a very small amount of bridging required to be done in proportion to its length, there is no damages claimed on said rout as we know of and in our judgment said road will damage no individual through whose land the same may run, but rather be a benefit, as there is no roads ⁱⁿ this neighbourhood leading E & W and we think this Road is very much needed by said neighbourhood and also by the traveling Public in going to the County Seat to transact their business. We therefore recommend that your hon^{ble} body grant the Prayers of the Petitioners, and establish the same a County Road, and for further particulars of our doings in the premises we respectfully refer your hon^{ble} body to the Surveyors report and plat of the Survey of said Road herewith attached all of which is most Respectfully Submitted this Feb. 19 day 1873.

Erastus Savage

et J. Cnecken

R. Carpenter

State of Oregon
Washington County ss

We the undersigned hereby
certify that we were necessarily employed as
Viewers on the above described road three days
each and that the work was done according
to law as we verily believe

Erastus Savage

Ed. J. Crocker

R. F. Carpenter

Washington County } Is.

We R. A. Carpenter, Erastus Savage,
and A. J. Crocker each speaking for himself, do solemnly swear
that I will faithfully, Impartially and to the best of my ability
discharge the duty of Road Viewer so help me God.

R. A. Carpenter
Erastus Savage
A. J. Crocker

Subscribed and Sworn to before me this 17th day of Feb. 1873.

Wm. E. Smith

Notary Public

State of Oregon
Washington County } Is.

J. Wm. E. Smith. do solemnly swear that I will
faithfully and honestly discharge the duty of Surveyor of Road to the best
of my ability so help me God.

Wm. E. Smith

Subscribed and Sworn to before me this 17th day of Feb. 1873.

Erastus Savage
Justice of the Peace

Report

Board of Justices
of
W. L. McAllen

Filed Oct 28, 1873

W. D. Pittenger

D. 131

County Clerk

By J. M. [unclear]
Deputy

Vertical text on the right side of the page, possibly a date or reference number, including "712 D A 244".

Know all men by these presents that I
 W. C. Hicklin am held and firmly bound
 unto the County of Washington Cyn in the
 penal sum of One hundred dollars for the
 payment of which well and truly to be made
 I bind myself my heirs executors and administrators
 firmly by these presents

The condition of the above obligation
 is such that whereas the said W. C. Hicklin
 has this day filed a petition in the County
 Court of said County praying for the appoint-
 ment of viewers and surveyors to view and
 survey a proposed road as follows. to wit
 Commencing where the North line of J. Bryants
 donation claim crosses the Taylor ferry road
 Sect 10. T. 2. S. R. 1. W. thence as prayed for
 in petition this day filed.

Now if said road shall be established
 as a public highway then this bond to be void
 W. C. Hicklin *(initials)*

Bond

Ex 1 Page 16 of 28

Filed Feb 5 1873
W. Pittenger
County Clerk

To the Honorable County Court of Washington County, State of Oregon. We the undersigned petitioners request the appointment of viewers to locate a County road commencing where the north line of Zephaniah Bryant's donation claim crosses the Taylor ferry road section ten Town 2 S. Range 1 West. And crossing the Miller ferry road one hundred yards south of Angle seven section 17 Town 2 S. R. 1 W. Thence to the Southwest corner of Peter Kindt's donation claim, and intersecting the Scholl ferry road at or near the residence of John. Wigginton, Town 2 S. R. 2 West

Names

Names

- John H. Hilgare 1
- J. S. Edwards 2
- John C. Smith 3
- Wm. S. Smith 4
- Auguste. S. Gross. 5
- J. A. Van Linn 6
- P. S. Howell 7
- J. W. Shaver 8
- W. W. Graham 9
- W. S. Samuel 10
- J. L. Hicklin 11
- Thomas. J. Scott 12
- L. M. Jordan 13
- Edward West

- A. B. Phelps
- J. Bates -
- Daniel McInroe
- J. E. Jacob
- Charles. G. Jordan
- W. Schaefer
- James W. Nelson
- Wilson Sigard
- John. Shaver
- J. D. Hock
- J. J. Gray

R. A. Carpenter }
 Ernest Savage }
 A. J. Crocker } left
 W. E. Smith }
 Surveyors

Petition

57-148

Filed Feb 5th 1873

Wm. Pittenger
Clerk

Notice is here by given to the Honorable
County Court and Comissioners of Washington
County State of Oregon that we the undersigned
house holders understand that there will
a Petition presented at your next setting pray-
ing the Court to establish a road leading
from Z. Bryants Donation claim by the
way of P. Kents Donation claim and thence
intersecting the Skull ferry road at or near
John Wiggingtons residence now we the
undersigned pray your honorable bodys want
grant said petition, the road and the reasons
Why we the league house holders remonstrate
said road is we consider it impractible
and a road of no utility

- S. P. Taylor
- M. G. Walls
- James Wiles -
- Wm Landess
- Wm Landess
- S. B. Bennett
- John S Gray
- R. K. Emms
- John Gomer.
- B. J. Flint
- John C. Herman
- Julius Wedeking.

- John C. Wigginton
- Charles Wills
- Alfred Davis
- Lyman Bents -
- Wiles Davies
- Harace G. Davis -
- David Wigginton
- Peter Lindt
- C. S. Hummel.

Remonstrance

Ex 1 Page 20 of 28

A-148

Filed Feb 5 1873
W. D. Pittenger
County Clerk

State of Oregon }
 Washington County }
 }
 }
 }
 }

To The Hon. County Court of said County

We the undersigned road viewers appointed at the Feb. term, 1873 of said Court to view out a route for a proposed County Road commencing at a point in the Taylor Bridge Road in section 20. in T. N. 2. S. R. No. 1. W. Thence westward to the S.W. corner of the S.E. 1/4 of Sec. one in T. 2. S. R. 2. W. thence North and intersect the Scholla Bridge Road

By leave to make the following report, we met on the 17th day of Feb., according to order and after being duly sworn as the law directs, we proceeded to examine said route causing a correct survey of the same to be made and find said route to be susceptible of making a good road, the ground is very good for a road being quite level and but a very small amount of bridging required to be done in proportion to its length. There is no damages claimed on said route as we know of and in our judgement said road will damage no one through whose land the same may run, but rather a benefit, as there is no roads in their neighborhood leading E & W. and we think this Road is very much needed by said neighborhood and also by the traveling Public in going to the County Seat to transact their business. We therefore recommend that your hon. body grant the prayer of the petitioners and establish the same a County Road and for further particulars of our doings in the premises we respectfully refer your hon. body to the Surveyor's report and plat of the survey of said road herewith attached All of which is most respectfully submitted
 This Feb. 19 day 1873

Erastus Savage

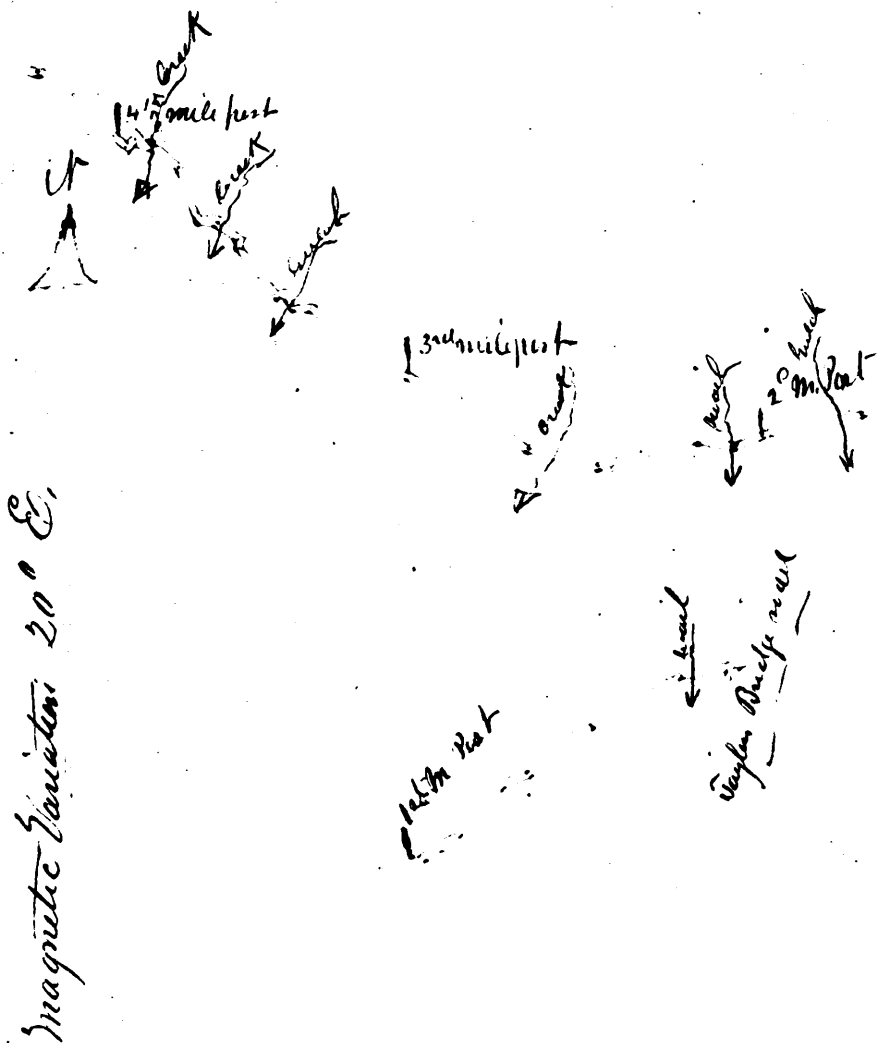
A. Crocker

R. Carpenter

To The Hon. County Court of said County

The undersigned having been appointed at the Feb. term 1873 of said court to survey a route for a proposed County Road in Section 10 T. 2. S. 1. W. thence westward to the S. W. corner of S. E. 1/4 of sec one in T. 2. S. 2. W. thence N. and intersect the Scholl's Bridge Road. Beg leave to make the following report. We met on the 17th day of Feb. 1873 and after being duly qualified as the law directs. Messrs W. C. Hicklin and Joseph L. Edwards was called and duly sworn and acted as chanceman and J. D. Black was duly sworn and acted as urman in the survey of said proposed road. The following is a plat of the survey of said Proposed Road.

Scholl's Bridge Road
 5 1/2 mile post
 ← road



The following are the notes of the survey of the above described Road, commencing at a post at the above described point from which a Fir 30 inches in diameter bears S 78° W 114 links Do. 12. N 64 1/2 W 96 chs. Thence

- Thence west 9.15 chs to a post
- .. S 61° 30' W 20.50 chs. ..
- .. S 50° 30' W. 16.50 chs. ..
- .. S 66° 15' W. 6.30 chs. ..
- .. S 40° 00' W. 14.50 chs to a fir tree
- .. S 8° 30' W 3.47 chs to 1. m. post

From which a fir 60 in. dia. bears S 68° E. 35 no other tree near

Notes of the 2nd mile

- Thence S 80° 30' W. 57.30 chs to a fir tree
- .. S 77° W. 22.50 chs to 2nd mile post
- From which a Fir tree 18 in. dia. bears N 27° 30' E 3-8 links no other trees near

Notes of the 3rd mile

- Thence S 77° W 5.00 chs. to a post
- .. N. 78° 30' W 8.50 chs. . . .
- .. S. 74° 34' W 22.50 chs. ..
- .. N. 77° 30' W. 15.00 chs. ..
- .. N 59° 00' W 29.00 chs. to 3rd mile post From which
- A fir 15 in. dia. bears ~~S 85° W 64 links dist.~~ S 85° W 64 links dist.
- Do. 20 in. dia. bears N. 2° 30' E 8 links

Notes of the 4th mile

- Thence N 54° W 24.30 chs. to a post
- .. N 80° W 24.2 chs. " ..
- .. N 41° 30' W 1.12 chs - "
- .. N 76° W 2.00 chs - - "
- .. N 41° 30' W 12.50 chs. - "
- .. N 21° 30' W 22.5 chs. to a fir tree 60 in. dia.
- .. N 69° W 3.87 chs. to a post

N 56° W 0.96 links

S 50° W 1.63 chs

N 35° 15' W 1.05 chs to 4 mile post from which a
fir 15 in dia, bears S 76° 29' W 2.9 lks dist

Do. 12 in dia, bears N 16° E 2.3 lks dist

Notes of the 5th mile

Thence N 35° 15' W 3.91 chs to a post

.. N 54° W 2.07 chs

.. N 76° W 14.29 chs

.. N 69° 30' W 15.50 chs

* .. N 62° W 3.65 to 1/4 sec. post between sec. 1 and 2
in T. 2. S R. 2 W Thence north 2.206 chs. to the 5th m. post
From which a fir 12 in dia bears S 40° E 5.4 lks dist

Do. 8 in dia bears N 74° W 13 1/3 links dist

Notes of the 6th mile

Thence north 5.15 chs to the Scholl's Bridge Road from which
a fir 12 in dia bears N 69° E 2.7 lks dist. Do. 12 in dia dist bears
S 41° W 18 lks distant

In making the above described survey care was taken to
set the post and mark them and take bearings and
mark the trees on the line of said Road according to Law
the post, and the marked trees on the line are in the middle
of said Road The foregoing plat is made on a scale of 200
to the inch. Said Survey was made with a
of 20° E. All of which is most respectfully submitted
this 22nd day of Feb. 1873

Wm. E. Smith

Surveyor

Filed February 28th 1873 and Recorded March 26th
A.D. 1873.

W. D. Pittenger County Clerk
By J. D. Merryman
Deputy

240

COMMISSIONERS

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- No 418
- " 419
- " 420
- " 421
- " 422
- " 423
- " 424

No. 21 for past year	\$30.00
" 19 " " "	16.00
" 18 " " "	66.00
" 17 " " "	28.00
" 16 " " "	34.00
" 14 " " "	34.00
for bridges	19.12

A-14612

In the matter of the report of the viewers of the proposed County road commencing at Cemetery near Jolly's thence to Jolly's Mill, thence in a southerly direction till it intersects the County road leading from Keelstone to Worley bridge, at Johnsons burnt premises

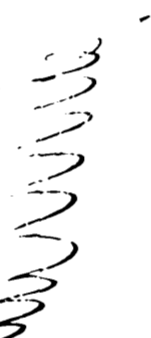


Report of viewers read first

time and laid over till tomorrow.

A-146

In the matter of the report of the viewers of the proposed County road passing the Baker house running West till it intersects the proposed road from Jolly's Mill to Johnsons burnt premises



Report of viewers read first

time and laid over till tomorrow.

It is ordered that Court adjourn until tomorrow morning at 9 o'clock A. M.

Thos Humphreys
County Judge

CR A-148

In the matter of the application of W. C. Wickler and others for the appointment of viewers and surveyor to view and survey a proposed County Road as follows commencing where the north line of J. Bryants domestic claim crosses the Taylor ferry road thence as prayed for the petition now on file



W. C. Wickler having

Thursday Morning Feb 6th 1873
Court met pursuant to adjournment some officers present as on yesterday when the following was laid to rest:

The Reports of the Supervisors of Road Dist. Nos. 6, 10, 2, 1, 2, 3, 27, examined and approved.

No 425

It appearing to the Court from satisfactory evidence that W. C. Mc Fee has furnished on the order of the Supervisor of Road Dist. No. 5. that W. C. Mc Fee has furnished for the County bridge across the Tuckatin River near the house of W. Jackson 7144 feet of lumber of the required length, width and thickness, and that said lumber is properly fastened on said bridge it is therefore ordered by the Court that an order be drawn on the Treasurer in favor of W. C. Mc Fee for 7144 feet of bridge lumber @ \$8. per M. \$57.15

It is ordered by the Court that orders be drawn on the County Treasurer as follows to wit:

No. 426	C. Savage	for 33 lbs spikes for bridge	\$3.25
" 427	G. S. Campbell	Supervisor of road Dist. No. 27, for past year	15.00
" 428	S. J. Stott	" " " " " 6 " " "	2.00
" 429	Thos Tucker	" " " " " 10 " " "	14.00
" 430	D. G. Olds	" " " " " 21 " " "	36.00
" 431	G. C. Day	" " " " " 1 " " "	10.00
" 432	F. W. White	" " " " " 22 " " "	10.00
" 433	Washington Kellow	" " " " " 3 " " "	24.00

The Reports of Supervisors of Road Dist. Nos 21, 5, 25, 10 examined and approved.

It is ordered by the Court that orders be drawn on the Treasurer of said County as follows to wit:

No 434	W. C. Richardson	Supervisor of Road Dist No. 5 for last year	\$22.00
" 435	W. C. Hoyle	" " " " " 20 " " "	66.00

filed a petition in this Court signed by 21 householders, and a remonstrance also having been filed in this matter, and there being a greater number of persons having signed the Petition than the remonstrance, and said petition praying for the appointment of Viewers and Surveyor to view and survey a proposed County Road as follows to wit: Commencing where the north line of R. B. Byrns donation crossed the Taylor ferry road Sect 10 T. 2. S. R. 1. W. and crossing the Miller ferry road one hundred yards South of angle seven Section 17 T. 2. S. R. 1. W. thence to the Southwest corner of Peter Kinndt's donation claim and intersecting the Scholl ferry road at or near the residence of John Higginson T. 2. S. R. 2. W. and it appearing to the Court that the requisite Notices of this proceeding had been given more than 30 days before the filing of said petition. It is therefore ordered by the Court that R. A. Carpenter, Ernest Savage and W. J. Crocker be appointed viewers and William C. Smith Surveyor of said proposed road, and that they meet for that purpose on Monday Feb 17. A.D. 1873 or within 5 days thereafter and of their doing make due return to this Court as by law required.

In the matter of the application of W. M. Sigard for the appointment of viewers and Surveyor to view and survey a proposed County road commencing in Scholl bridge road on the claim line between Milton Smith and Frank and William Davis thence as prayed for in said Petition.

Wilson M. Sigard having filed a petition in this Court praying for the appointment of viewers and Surveyor to view and survey a proposed County road as follows to wit Commencing in the Scholl bridge road on the claim line between the claims of Milton Smith and Frank and William Davis to the most practicable point on the East side of the said, from thence to James Nelson, from thence to Taylor bridge road in Poll patch gap, from thence along said road to the Section line between Sections 10 and 8 in T. 2. S. R. 1. W. from thence along said line as near as practicable until connected with the Hillsboro and Oregon City road South of Kerns Mill, and the said petition having been signed by at least 12 householders living in the vicinity of the road and it appearing to the Court from satisfactory evidence that the requisite notices of this proceeding had been given more than 30 days before the first day of this term of this Court. It is therefore ordered that Peter Kinndt, Miles Davis and Sol Richardson be and they are hereby appointed

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copy of said proposed road of viewing and surveying 19th A.D. 1873 or within 5 days thereafter make due return to

of road shall be 15.16 & 13" be. as follows to wit: Court that the boundaries

No 15

Commencing where the West line of Sect 3. Town 1. South Range 2. West crosses Rock Creek thence down said Rock Creek to Tualatin River, thence up Tualatin River to the Mouth of Dairy Creek, thence up Dairy Creek to McKay Creek, thence up McKay Creek to a point due West of North line of the donation claim of C. D. Wilcox, thence East to and along the said North line of the claim of C. D. Wilcox and North line of the claim of Mrs Barbara to the N. E. corner of said claim thence S. to Sect line, thence E. to W. line of C. Constable's donation claim, thence South to on said West line to the N. W. corner of the Original Donation claim of Walter Pomeroy, thence S. to S. E. corner of the donation claim of Henry Sewell, thence West on the N. line of said Sewell's claim to the E. line of the donation claim of J. S. Griffin, thence S. to the N. line of the donation claim of Richard Williams thence East on the S. line of the donation claim of Walter Pomeroy to the W. line of the claim Young claim, thence S. on said W. line to the S. W. corner of said claim, thence E. to place of beginning.

Correct

No 16

Commencing at a point on McKay Creek due west of the North line of the donation claim of C. D. Wilcox, thence East to N. E. corner of donation claim of Mrs Barbara, thence North to S. W. corner of the donation claim of Tho Archer, thence N. on the W. line of said claim to the N. W. corner thereof thence East to Section line, thence North to County line, thence West along the County line to the Township line between Towns 3 N. 2 and 3 West thence South on said line to McKay Creek thence down said creek to the place of beginning.

No 13

Commences at S. W. corner Sect 2, T. 4. S. R. 1. W. thence South to William Lockerman's North line, thence West to the East line of the W. P. Water claim, thence North and Westly with said Water's line to Lawrence Hall's line, thence to S. E.

he and he is hereby allowed the sum of \$30 per month from 1st day of February 1873, for the care and maintenance of Leo H. Baker and that he be allowed that sum per month until further order of this Court, and it is further ordered by the Court that F. A. Bailey M. D. be allowed the sum of thirty dollars for his services to this date.

It is ordered by the Court that orders be drawn on the County Treasurer as follows to-wit:

No 463	F. A. Bailey maintenance of Leo H. Baker a pauper for Feb.	\$30.00
" 464	F. A. Bailey medicine and attendance " " " to date	30.00

Road Dist No 30 It is ordered by the Court that Henry Leonard be and he hereby is appointed Supervisor of Road Dist No. 30, for the ensuing year.

Dist No 11 It is ordered by the Court that Thomas Stewart be and he hereby is appointed Supervisor of Road Dist No. 11, for the ensuing year.

It is ordered by the Court that orders be drawn on the Treasurer as follows to-wit:

A-146 No 465	S. H. Elliott	viewer 2 days on roads	\$4.00
A-146 1/2 " 466	P. Mc. Jackson	" " " " "	4.00
" 467	W. C. Smith	" " " " "	4.00
" 468	W. C. Smith	Surveyor 3 " " "	9.00
" 469	S. J. Bryson	Chamman 2 " " "	4.00
" 470	A. Lehigh	" " " " "	4.00
" 471	J. S. Griffin	Assessors " " " "	4.00

In the matter of seating the Court Room in New Court House

It is ordered by the Court that sealed proposals be received by the County Clerk until 11 o'clock A.M. of Wednesday March 5th A.D. 1873, for seating and making judges stand in New Court House, and it is further ordered that notice of this matter be published in the Weekly Oregon and Weekly Herald papers published in the City of Portland Oregon.

It is ordered that Court adjourn until the next regular term in course

The Humphreys
County Judge

County Court of the State of Oregon, for Washington County, March term A.D. 1873

At a regular term of the County Court of the State of Oregon, for Washington County begun and held at Hillsboro on Wednesday March 5th A.D. 1873. Present Hon Thomas D. Humphreys County Judge, Samuel J. Stott County Commissioner, W. D. Pittenger County Clerk by J. D. Moryman Deputy and Chas. F. Frazier Sheriff, when the following proceedings were had to-wit:

And now at this day comes Curtis Dooley who was heretofore appointed Supervisor of Road District No 18 and asks to be relieved from serving as said Supervisor, and it appearing to the Court that it will be great injury to the business of said Dooley - It is therefore ordered by the Court that said Dooley and he hereby is excused from serving as said Supervisor.

Road Dist No 18 It is ordered by the Court, that Albert Stewart be and he hereby is appointed Supervisor of road District No 18 for the ensuing year.

And now at this day comes Henry Black who was heretofore appointed Supervisor of Road District No 19 and asks to be relieved from serving as said Supervisor, and it appearing to the Court by satisfactory evidence that said Henry Black is making arrangements to leave this County for his health, It is therefore ordered by the Court that said Henry Black be and he hereby is excused from serving as said Supervisor.

Road Dist No 19 It is ordered by the Court, that John R. Porter be and he hereby is appointed Supervisor of Road District No 19, for the ensuing year.

A-147 In the matter of the proposed County road on petition of W. M. Sigard commencing in Schall's bridge road on the claim line between Miller Smith and Frank and William Davis, thence as prayed for in petition -

Report of the viewers in this matter read first-time and laid over until tomorrow.

CR A-148 In the matter of the application of W. L. Hicklin and others for a proposed County road commencing where the North line of J. Bryant's donation claim crosses the Taylor Lane road, thence as prayed for in petition.

Report of the viewers

CR A-146

in this matter, was read first time and laid over until tomorrow.

It is ordered that Court adjourn until tomorrow morning at 9 o'clock.

The Honorable
County Judge

COMMISSIONERS

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1873
same officers present
meetings were had, to wit:
Districts Nos 11 and

It is ordered that orders be drawn on the County Treasury in favor of the following named persons to wit:

No 472	J W Maeder for extra work as Supervisor of Road Dist No 11	\$ 4 00
" 473	W. Shearer	No 23 \$ 30.00
" 474	Oregonian Publishing Co for advertising notice to seat Court House	\$ 2.50
" 475	Leury & Probutt for 672 ft bridge Lumber on application D Baker Sup ^r	\$ 5.37
" 476	W B Kelly for Bridge Lumber for Dist No 15	\$ 44.85
" 477	D Hermon	\$ 40.65
" 478	Riley loan Justice fees State vs J Ocorret	\$ 1.85
" 479	L. S. Tizer Sheriff	25
" 480	J. Boyce & Son for medicine furnished Isaac Shuck a pauper	\$ 3.75
" 481	J. A. Bailey for medical attendance on Geo R Baker a pauper	\$ 34.00
" 482	A. T. Barnett for maintaining Geo R Baker a pauper, March	\$ 30.00
" 483	Christopher Schuck for maintaining Isaac Shuck a pauper	\$ 20.00

A 147

In the matter of the proposed County road, on petition of W. M. No. Tizard and others commencing on Scholls bridge road on the claim line between William Smith and Frank and William Sans land thence as prayed for in the petition to the terminus.

This matter comes on to be heard on the second reading of the report of the viewers, whereupon the Court proceeded to consider said report and find that the viewers met and were qualified as by the order of this Court and that said road has been properly viewed, surveyed and Plat returned as by law required. It is therefore ordered by the Court that the Clerk cause the report of the viewers, plat and field notes to be recorded, and that he issue notice to the proper Supervisor or Supervisors requiring the opening of the same.

CR A-148

In the matter of the petition of W. M. No. Tizard and others for a proposed County road commencing where the North line of G. Bryant's donation claim crosses the Taylor Ferry road, thence as prayed for in petition to terminus -

This matter comes on to be heard upon the second reading of the report of the viewers whereupon the Court proceeded to consider the same, and find that the viewers met and were qualified as by the order of this Court, and that said road has been properly viewed, surveyed and Plat returned as by law required. It is therefore ordered by the Court that the Clerk of this Court cause the report of the viewers, Plat and field notes to be recorded and that he issue notice to the proper Supervisor or Supervisors requiring the opening of the same.

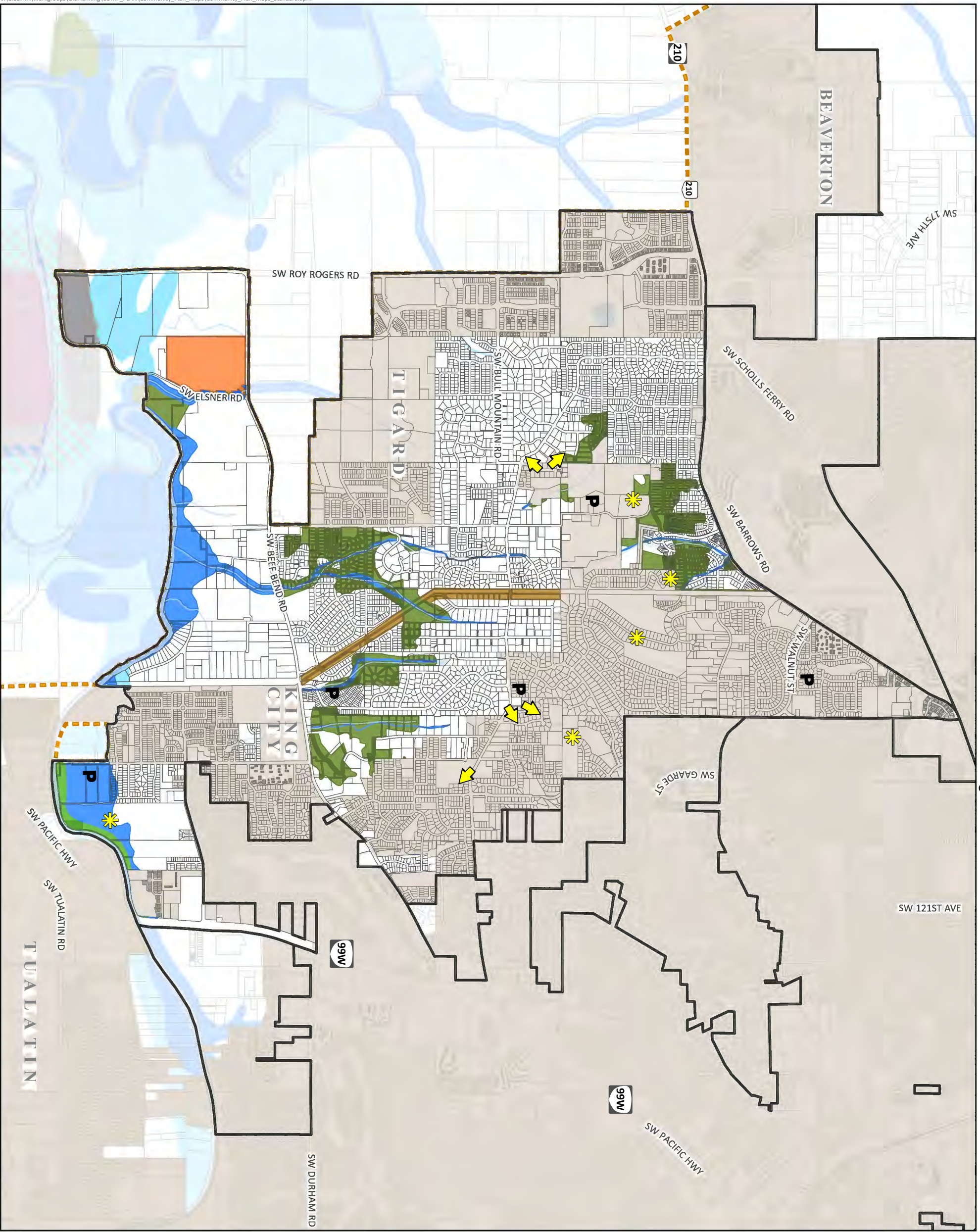
It is ordered by the Court that County orders be drawn on the Treasury in favor of the following named persons to wit:

No 484	W D Pittenger County Clerk as per bill filed	\$ 180.00
" 485	W D Pittenger	\$ 16.90
" 486	Chas T Tizer Sheriff	\$ 54.60
" 487	Wyer Jackson as per bill filed	\$ 37.00
" 488	J H Tongue Atty's fees on case of new Court House	\$ 15.00
" 489	M S Dally for 480 feet of lumber for Tualatin Bridge	\$ 4.80
" 490	Donald Printing Co for advertising notice to seat Court House	\$ 3.00
" 491	June C Moore ex Sheriff for notice of reward on full of the same	\$ 10.00
" 492	Peter Kinell for viewing road on petition of W. M. Tizard 3 cop	\$ 6.00
" 493	Solomon Richardson	\$ 6.00
" 494	Miles Davis	\$ 6.00
" 495	James M Nelson as chairman	\$ 6.00
" 496	W. H. Tizard	\$ 6.00
"	William P Smith " arman	\$ 6.00
"	Erastus Savage for viewing	\$ 6.00
"	A T Crocker	\$ 6.00
" 500	R A Carpenter	\$ 6.00
" 501	J S Edwards as chairman	\$ 6.00
" 502	W M No. Tizard	\$ 6.00
" 503	J S. Fleck " arman	\$ 12.00
" 504	W M E Smith for surveying	\$ 9.00
" 505	W M E. Smith	\$ 9.00

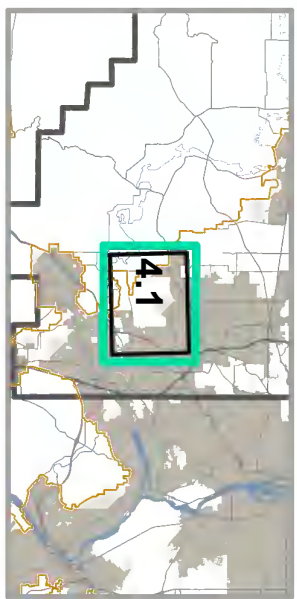
CR A-148

A 147

Whereas it appearing to the Court that W B Morgan heretofore appointed Supervisor of Road Dist No 15 is unable to accept the same on account of great pecuniary loss of he shall



Bull Mountain
Community Plan



Significant Natural and
Cultural Resources

- Historic and Cultural Resource Overlay District - Resources described in the Washington County Cultural Resources Inventory, including sites, structures, objects and buildings. Historic buildings and structures are protected by regulations in the County's Historic and Cultural Resource Overlay District.
- Scenic Feature - Land forms, vegetation or water courses with aesthetic value to the surrounding area.
- Scenic View - Viewpoints providing a vista of the Tualatin Valley, the Cascade Mountains, or other scenic feature.
- Potential Park/Open Space/Recreation Area (A-G) Valley, the Cascade Mountains, or other scenic feature.
- Park Deficient - Area more than 1/2 mile from a park site or a public school playground
- Water Area and Wetlands - 100-year flood plain, drainage hazard areas and ponds, except those already developed.
- Water Area/Wetland and Fish/Wildlife Habitat - Water areas and wetlands that are also fish and wildlife habitat.
- Open Space - Existing parks, recreation sites, golf courses, bicycle pathways, cemeteries, school playgrounds, powerline rights-of-ways, and future park sites owned by the Tualatin Hills Park and Recreation District.
- Wildlife Habitat - Sensitive habitats identified by the Oregon Department of Fish and Wildlife, the Audubon Society Urban Wildlife Habitat map, and forested areas coincidental with water areas and wetlands.
- Significant Natural Area - Sites of special importance, in their natural condition, for their ecologic, scientific, and educational value.
- Resource Overlap
- Mineral and Aggregate Areas
- District A
- District B
- Community Plan Boundary
- Urban Growth Boundary
- County Boundary
- Incorporated Area
- Taxlots

1 inch equals 2,000 feet*
0 1000 2000 Feet



* Printing map at a size other than 11 x 17 will affect stated scale.

SUBMITTAL REQUIREMENTS FOR SECTION: 422 SIGNIFICANT
NATURAL RESOURCES

At a minimum the following information is required to address Section 422:

- Prior to submitting a development application check with Land Development Services staff in order to determine the applicability of Section 422.
- When development is proposed within 250 feet of the location of areas identified on the Community Plan or Rural/Natural Resources Plan as Significant Natural Resources, the applicant shall:

Provide evidence that the resource is not on the subject property. Evidence may constitute photos showing the natural resource is not on the subject site or other material determined by the Director to be adequate.

OR

Address Section 422 as outlined below.

- Delineation of the boundary of the resource must be established by a professional or team of professionals qualified to address different characteristics of the natural resource.
- A wetland/wildlife habitat report shall be prepared which includes:
 1. A site plan of the subject parcel. The site plan shall include the actual boundary of the significant natural resource boundary as shown on the applicable community plan or the Rural/Natural Resource Plan and the actual boundary of the resource based on a field investigation.
 2. A general topographic map of the site.
 3. A soil map.
 4. When there is resource overlap, a separate wetland delineation shall be required for wetlands.
 5. When there is a Water Areas and Wetlands designation, the riparian area, if any, shall be delineated pursuant to Code Section 106-185 in addition to a wetland delineation. Note that the Riparian Zone, as defined by the Code, is adjacent to a channel. Wetlands that are not contiguous to channels designated as a resource are generally not subject to Section 422.
 6. Determine the extent and type of plant and wildlife species located in the natural resource area.
 7. Wildlife habitat shall be assessed using professionally recognized methodology which numerically rates different habitat values, such as that developed for the City of Portland's Goal 5 inventory or the Wildlife Habitat Assessment originally developed for the City of Beaverton.
 8. An assessment of the proposed development's impact to the identified habitats in the natural resource area, if any.
 9. Recommended measures to mitigate the proposed development's impact, if any, to the natural resource area. Mitigation measures are defined in Code Section 106-129.
 10. Findings and conclusions in the wetland/wildlife habitat report which address Code Section 422-3.1 and any other applicable requirement of Section 422.

Ronnie Smith

From: Nicole <nicole.meyer.7@gmail.com>
Sent: Monday, January 08, 2024 6:52 PM
To: Ronnie Smith
Subject: Annexation Hearing Public Testimony

I'm submitting comments for the record regarding **Public Hearing for LU # 23-08; Ordinance 2023-06**. There was a continuation of the public comment period from the 12/20/23 hearing. There is some conflicting information as to whether the deadline for the continuation is 1/9/24 at 5 PM or continued to include the hearing on 1/17/24.

My objections continue to be based on the lack of a full slate of planning commissioners as mandated by King City Municipal Code and other procedural problems that have tainted the entire land use planning process.

I'm also objecting to the concept of using ROW for the cherry stemming proposed in this annexation ordinance. The concept of using air or an intangible such as an agreement to connect a city seems like a trick someone made up and got away with once and now everyone points to it as a standard, so I object.

The following question was asked regarding surveys of roads. How do counties generally view the underlying land of a County Road? I'm curious about Beef Bend in Washington County. 1873 road packet of Market Road A-148 called for the petition to create a proposed County Road. Do counties view the Road as more of a fee simple or as public easement over the right-of-way, or as something else? Most current deeds go to centerline of the road. Is there somewhere I should be looking this up.

Both Clackamas County and Washington County acquire an easement for public use and typically the ownership is to the center of the road. The tax assessor does not charge taxes for the portion where the road is. Also even if the deed only calls to the right-of-way line the ownership is still to the centerline. Many case law on that subject in Oregon. It's rare the counties buy by fee title, only ODOT does that and they call it a donation rather than a dedicated which indicates an easement. Hope that helps.

I also raise the issue of annexation for properties immediately adjacent to or potentially impacted by Meyer's Riverside Airpark. An airport overlay has not been created and informed will not be created until the airpark is annexed. With this in mind, any development of adjacent annexed properties should take this into consideration.

Nicole Meyer
16950 SW Meyer Lane
Tigard, OR 97224

Ronnie Smith

From: Ronnie Smith
Sent: Monday, January 08, 2024 12:52 PM
To: Peter Watts; Michael Weston; Maxwell Carter; Keith Liden
Subject: Fwd: Annexation Hearing Public Testimony

Sent from my iPhone

Begin forwarded message:

From: Mike Meyer <mjmyaire@aol.com>
Date: January 5, 2024 at 4:58:53 PM PST
To: Ronnie Smith <rsmith@ci.king-city.or.us>
Cc: Meyer <mjmyaire@aol.com>
Subject: Annexation Hearing Public Testimony

I'm submitting comments for the record regarding **Public Hearing for LU # 23-08; Ordinance 2023-06**. There was a continuation of the public comment period from the 12/20/23 hearing. There is some conflicting information as to whether the deadline for the continuation is 1/9/24 at 5 PM or continued to include the hearing on 1/17/24.

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The following question was asked regarding surveys of roads. How do counties generally view the underlying land of a County Road? I'm curious about Beef Bend in Washington County. 1873 road packet of Market Road A-148 called for the petition to create a proposed County Road. Do counties view the Road as more of a fee simple or as public easement over the right-of-way, or as something else? Most current deeds go to centerline of the road. Is there somewhere I should be looking this up.

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will not be created until the airpark is annexed. With this in mind, any development of adjacent annexed properties should take this into consideration.

Mike Meyer
16950 SW Meyer Lane
Tigard, OR 97224
503-330-3182

12/20/2023

TO King City Council
FROM: GRETCHEN BUEHNER
RE: ANNEXATION

City Councilors:

I am not testifying in my capacity as a Planning Commissioner, but in my individual capacity and as a former city councilor.

I am testifying in favor of the proposed annexation of approximately 216 acres in the Kingston area into the City. It is critical to annex the relevant areas to begin the development process visualized in the Master Plan.

King City started this process more than 7 years ago with the development of the Concept Plan METRO required a concept plan to support the application to expand King City's urban growth boundary (UGB). King City was completely built out and needed the expansion to meet long term housing goals for the metropolitan region. Based upon the Concept Plan, METRO approved the UGB expansion.

Then the City began the Master Plan process. It took longer than anticipated because of COVID and the City's decision to revisit the Transportation Plan related to Fisher Road. The Master Plan was approved earlier in 2023..

This annexation is the first of many in the future needed for the implementation of the Master Plan.

To Ronnie

I COULDN'T STAY LATE ENOUGH
LAST NIGHT



City of King City

15300 S.W. 116th Avenue, King City, Oregon 97224-2693
Phone: (503) 639-4082 • FAX: (503) 639-3771
www.ci.king-city.or.us

CC
PLANNING COMMISSION HEARING/COMMENT REGISTRATION FORM

The City of King City encourages all citizens to express their views to their city leaders respectfully and appropriately. If you wish to speak before the City Planning Commission, fill out this, and once your number is called, hand this form and any documents to the City Clerk. Note that this Registration card becomes part of the public record once submitted to the City Clerk.

Case Number: LU # 23-09, Ordinance 2023-07 and LU # 23-08; Ordinance 2023-06 - Date of Public Hearing December 8, 2023

*Name (Last and First): <i>Meyer Michael</i>	Organization (if any):
*Email Address <i>mjmeyer@ac.com</i>	*Home Address <i>16950 SW Meyer Lane</i>

You are Speaking...

- in Support
- in Opposition
- From a Neutral Position
- To ask a Question

COMMENTS:

Would you like to receive City Council Notice and Agenda? Circle one Yes No

*required fields

EXHIBIT G

Public Agency Notice



City of King City

15300 S.W. 116th Avenue, King City, Oregon 97224-2693
Phone: (503) 639-4082 • FAX: (503) 639-3771
www.ci.king-city.or.us

NOTICE OF DECISION

January 24, 2024

To Whom It May Concern:

The King City - CITY COUNCIL has APPROVED ORDINANCE 2023-06, An Ordinance annexing a certain tract of land into the City limits of King City and Clean Water Services and withdrawing the tract from the territory of Washington County Urban Roads Maintenance District, Washington County Enhanced Sheriff's Patrol District, and to Change the Zoning Designations from Washington County Future Development, 20 acres to King City Zone(s), Main Street/Town Center, Beef Bend Neighborhood, and Central Neighborhood. The Council held a public hearing on December 20, 2023, and approved an Ordinance that constitutes the City's final decision on January 17, 2024.

The annexation map is attached.

The King City - CITY COUNCIL has APPROVED ORDINANCE 2023-07, An Ordinance adopting the Local Wetlands Inventory and Wetland Assessment for Kingston Terrace Town Center and Incorporating them into the Comprehensive Plan for the City of King City, Oregon. The Council held a public hearing on December 20, 2023, and approved an Ordinance that constitutes the City's final decision on January 17, 2024

The Local Wetlands Inventory map is attached.

The City Council's decision may be appealed up to 21 calendar days after the date of this notice to the State of Oregon Land Use Board of Appeals pursuant to ORS 197.805 through ORS 197.860.

DLCD File #: 002-23

The complete case file is available for review through the City Recorder (King City City Hall – 15300 SW 116th Avenue – King City, OR 97224). Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday, except for holidays. For more information about the project, please contact Ronnie Smith at 503-639-4082 or rsmith@ci.king-city.or.us.

Sincerely,

Ronnie Smith, City Recorder
cc: Project File

Agency Notice



TO: Appropriate Public Agency
FROM: Max Carter, City Planner
CCL Michael Weston, City Manager – Ronnie Smith City Recorder
SUBJECT: Annexation of King City Town Center Area and Adoption of LWI
DATE: January 24th, 2024

GENERAL INFORMATION:

ON JANUARY 17TH, 2024, THE CITY COUNCIL OF THE CITY OF KING CITY VOTED UNANIMOUSLY TO APPROVE TWO ORDINANCES THAT PERTAIN TO SIGNIFICANT MODIFICATIONS TO SERVICE BOUNDARIES, GOVERNMENTAL, AND NON-GOVERNMENTAL AGENCIES ASSOCIATED WITH KING CITY. AN ANNEXATION TO THE CITY OF KING CITY AS WELL AS THE ADOPTION OF THE LOCAL WETLAND INVENTORY FOR KINGSTON TERRACE WEST ENCOMPASSING THE LAND TO BE ANNEXED.

THIS LETTER SERVES AS OFFICIAL NOTICE TO ASSOCIATED AGENCIES. THE DETAILS PERTAINING TO THE TWO ORDINANCES OF SUBJECT ARE AS FOLLOWS:

LWI ADOPTION

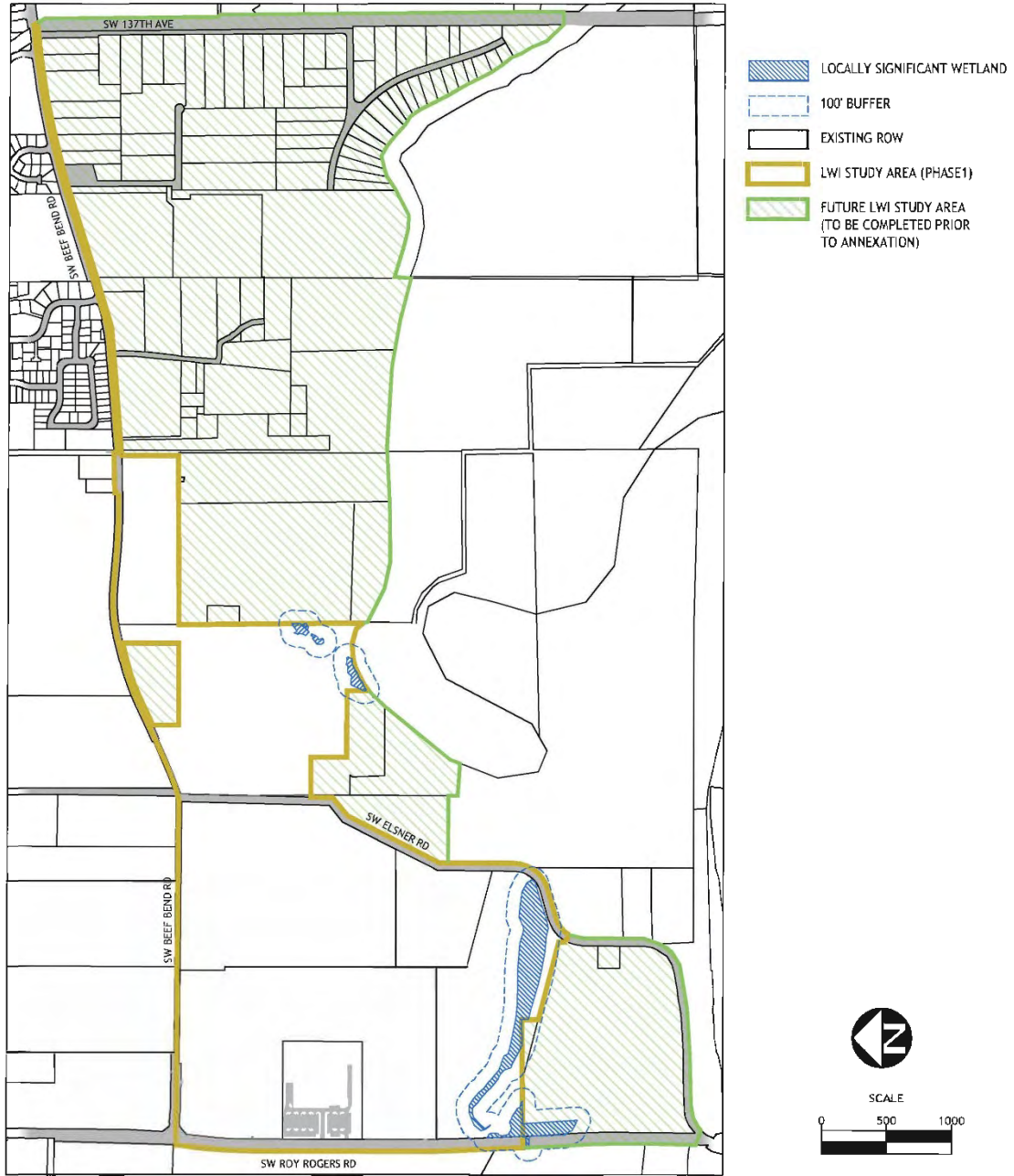
ORDINANCE # 0-2023-07

LU# 23-09

THIS LOCAL WETLAND INVENTORY SERVES KINGSTON TERRACE WEST, IDENTIFYING LOCALLY SIGNIFICANT WETLANDS IN AREAS TO BE ANNEXED TO SERVE THE REGULATORY AND PROTECTIVE PURPOSES. THIS LWI ADOPTION ENCOMPASSES THE LAND TO BE ANNEXED AND CONSISTS OF AN OFWAM REPORT AND WETLAND DELINEATION PERFORMED BY SWCA ENVIRONMENTAL CONSULTANTS. THE LWI HAS BEEN APPROVED BY THE OREGON DEPARTMENT OF STATE LANDS, AND HAS ALSO BEEN SUBMITTED AND REVIEWED BY THE DEPARTMENT OF LANDS AND CONSERVATION AND DEVELOPMENT. A MAP INDICATING THE LOCALLY SIGNIFICANT WETLANDS IS ILLUSTRATED IN THE FOLLOWING PAGE.

EXHIBIT A - DRAFT TITLE 16 COMMUNITY CODE AMENDMENTS
October 27, 2023

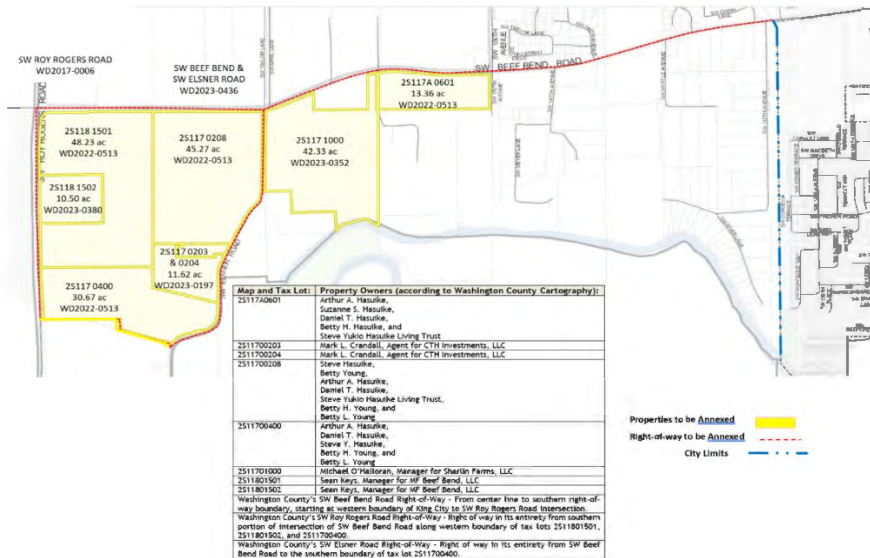
Figure 16.114-10 Kingston Terrace District Locally Significant Wetland Resource Map



**ANNEXATION APPROVAL
ORDINANCE # 0-2023-06
LU# 23-08**

THIS ANNEXATION ENCOMPASSES 215.9 ACRES OF LAND THAT IS CURRENTLY UNDER THE JURISDICTION OF WASHINGTON COUNTY. THIS ALSO INCLUDES THE PORTION OF SW BEEF BEND RD BETWEEN 137TH AVE. AND SW ROY ROGERS RD RIGHT-OF-WAY SOUTH OF CENTERLINE, AND THE RIGHT-OF-WAY FOR SW ROY ROGERS RD. AND SW ELSNER RD. ADJACENT TO THE PROPERTIES TO BE ANNEXED.

AS REQUIRED BY COMMUNITY DEVELOPMENT CODE SECTION 16.192.050 C, THE PROPERTIES SHALL BE REZONED IN ACCORDANCE WITH THE KINGSTON TERRACE MASTER PLAN FROM WASHINGTON COUNTY FD-20 TO TOWN CENTER NEIGHBORHOOD (AREA BETWEEN ROY ROGERS RD. AND ELSNER RD.), BEEF BEND NEIGHBORHOOD (TAX LOT 2S117A 0601), AND BEEF BEND NEIGHBORHOOD AND CENTRAL NEIGHBORHOOD (TAX LOT 2S117 1000). THE AREA APPROVED FOR ANNEXATION IS ILLUSTRATED BELOW.



**PLEASE REACH OUT IF THERE ARE ANY QUESTIONS REGARDING MOVING FORWARD.
THE CITY STAFF LOOKS FORWARD TO WORKING WITH YOU IN THE FUTURE AS WE
BEGIN OUR DEVELOPMENT PHASE FOR THESE MAJOR ANNEXATIONS.**

**THANK YOU,
MAX CARTER – CITY PLANNER
MCARTER@CL.KING-CITY.OR.US**

**CC:
MICHAEL WESTON – CITY MANAGER
MWESTON@CLKING-CITY.OR.US**

**RONNIE SMITH – CITY RECORDER
RSMITH@CLKING-CITY.OR.US**



City of King City

15300 S.W. 116th Avenue, King City, Oregon 97224-2693

Phone: (503) 639-4082 • FAX: (503) 639-3771

www.ci.king-city.or.us

March 25, 2024

Samantha Wright
Metro
Data Resources Department
600 N.E Grand Avenue
Portland, Oregon 97232

Dear Samantha,

Attached is the final packet for the boundary change annexation to the City of King City. Also included is the mapping fee of \$400.00. If you have any questions, don't hesitate to contact me or Max Carter.

Ronnie Smith
City Recorder