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DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE

Defendant City of Lake Oswego ("City") moves the court to reopen the consideration of whether Chapter X, Sections 41 and 43 constitute a land use regulation under ORS 197.015(11) on the grounds of an additional fact relevant to the statutory classification of "land use regulation" that was not previously personally known by the Defendant's counsel and thus not presented to the parties and the court for argument: Two of the 15 listed nature preserves are not within the city boundaries. See Declaration of Paul Espe, Associate Planner, dated May 20, 2024 (Attachment 1).

Defendant's counsel acknowledges that this fact existed at the time of the initial argument and thus could have been presented if it had been personally known. Nevertheless, this Motion is brought forward so that the Court may exercise its discretion in reopening argument in order to fully consider this relevant fact on the threshold issue of applicability of

Page 1 – DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER

Chapter X to New Look's land use application.

#### A City's Land Use Regulation Applies Only Within the City's Boundaries (Except When Otherwise Authorized by Statute)

The threshold question regarding Chapter X in this case is whether it is a "land use regulation" as defined by ORS 197.015(11):

(11) "Land use regulation" means any local government zoning ordinance, land division ordinance adopted under ORS 92.044 or 92.046 or similar general ordinance establishing standards for implementing a comprehensive plan. (Emphasis added in bold.)

A fundamental principle of a "general ordinance ..." of a city is that it applies to lands only within its city boundaries. A city ordinance does not have any extraterritorial effect, save and except for those limited instances in which state law has expanded the City's jurisdiction, e.g., land divisions within six miles of a city (ORS 92.042¹; similar ORS 227.110).

In Hoffman v. City of Seaside, 24 OR LUBA 183 (1992), the City and County UGB Agreement stated that the county retained jurisdiction over lands in the UGB and outside the City jurisdiction, but that the City could review and comment to the County on land use actions affecting the UGB area. A City ordinance purported to rezone land outside the City, rather than merely giving comment. The question was whether the City ordinance was a final land use decision. LUBA held that it was, but that the City was without jurisdiction to enact the rezone ordinance:

To the contrary, the challenged ordinance rezones the property [located

<sup>&</sup>lt;sup>1</sup> **ORS 92.042 Governing body having jurisdiction to approve plans, maps or plats.** (1) Land within six miles outside of the corporate limits of a city is under the jurisdiction of the city for the purpose of giving approval of plans, maps and plats of subdivisions and partitions under ORS 92.040 and 227.110. However, unless otherwise provided in an urban growth area management agreement jointly adopted by a city and county to establish procedures for regulating land use outside the city limits and within an urban growth boundary acknowledged under ORS 197.251, when the governing body of a county has adopted ordinances or regulations for subdivision and partition control as required by ORS 92.044, land in the county within the six-mile limit shall be under the jurisdiction of the county for those purposes.

Page 2 – DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER

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outside the city] from R-2 to R-3. There is not a word in the challenged ordinance suggesting that it is contingent on county action to rezone the property, or that it is contingent on any other action for that matter. We therefore reject petitioner's argument that the challenged decision is not final. However, in reaching this conclusion, a question concerning the city's jurisdiction to render the challenged decision is clearly raised. We turn to that question. In certain circumstances, cities may exercise subdivision and partition approval authority up to six miles outside their city limits. See ORS 92.042. However, we are not aware of any such authority for the city to adopt ordinances amending the zoning for property outside the city's corporate limits. As explained above, the UGB Agreement clearly does not provide such authority. Ordinance 92-08 purports to be an exercise land use planning authority over property that is outside the city's jurisdiction. See Standard Insurance Co. v. City of Hillsboro, 97 Or App 627, 776 P2d 1313 (1989). Ordinance 92-08 therefore exceeds the city's jurisdiction, and the decision must be reversed. (Emphasis added in bold.)

There is no City/County agreement or Lake Oswego/Portland agreement that provides for the extraterritorial effect of Chapter X as an ordinance having effect beyond the City's boundaries.

## 2. A City's Comprehensive Plan Only Applies to Areas Outside City Boundaries and Within Its Urban Service Boundary When Coordinated with Other Jurisdictions.

The City's Comprehensive Plan policies are limited to areas within the City's boundaries unless they are coordinated outside of its boundaries and within its urban services boundary with other jurisdictions:

Oregon Statewide Planning Goals & Guidelines, Goal 2, requires that comprehensive plans of cities and counties be "consistent" when the comprehensive plans of two or more cities and counties exercise jurisdiction over the same territory. Goal 2, Part I. Thus, for example, in Department of Land Conservation and Development v. Clatsop County, LUBA No. 85-094, 14 Or LUBA 358, 361 (1986), the Land Use Board of Appeals (LUBA) reversed a county ordinance that changed the county plan and zone designations for property that was also covered by the city plan and zone designations.

Land Use, §9.17, Oregon State Bar (2010 Edition)

See also *City of Portland v. City of Beaverton*, 131 Or App 630, 886 P2d 1084 (1994) (Beaverton and Portland each asserted in their comprehensive plans that they would be the ultimate urban service provider and annex the same territory; coordination was required). Metro has the responsibility to coordinate the planning activities of land uses within Multnomah, Clackamas, Page 3 – DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER

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and Washington counties. ORS 195.025(1).

## 3. The City's Comprehensive Plan Policies for Parks Is Applied Only Within the Urban Services Boundary.

The urban services boundary is the area described in the Comprehensive Plan that the City intends to be the ultimate urban service provider. [Comprehensive Plan, Definitions, "urban services boundary," pg. 272]. The type of urban services to be provided within the City's urban services boundary include parks:

<u>Urban Services</u>: Water, sanitary sewer, storm water management, police and fire protection, **parks**, and transportation including streets, transit, pedestrian and bicycle facilities, as defined by Metro Code 3.09.050.

<u>Urban Services Boundary</u>: Lake Oswego's ultimate growth area, within which the City will be the eventual provider of urban services.

Comprehensive Plan, Definitions, pg. 272 (emphasis added in bold).

This is consistent with other policies throughout the Comprehensive Plan that extend only to the City's urban services boundary. For example: in the Comprehensive Plan's Urbanization chapter:

### A. Urban Service Boundary and Urban Growth Boundary Policies Policies

A-1. The City will not expand the existing Urban Service Boundary\* (USB) [\* indicates defined term; see above] and will resist efforts to require expansion, except in those areas designated Tier 1 Urban Reserves as of February 1998, or where properties are needed for the development of public parks

and recreation facilities.

A-2. In any areas where the Urban Service Boundary has been expanded, new development will be required to pay for the full cost of extending urban services.\* [\* indicates defined term; see above].

A-3. The Urban Services Boundary (as depicted on the Comprehensive Plan Map) is the area within which the City shall be the eventual provider of the full range of urban services.

A-4. Unless created in partnership with the City, oppose the formation of

Page 4 – DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER

any new service district within the Urban Services Boundary.

Lake Oswego Comprehensive Plan, pg. 167.

\* \* \*

#### **D. Planning and Coordination Policies**

D-1. Enter into and maintain intergovernmental agreements with any sanitary sewer or water service provider within the Urban Services Boundary, and include a requirement for annexation agreements for unincorporated lands to receive either service.

D-2. The City may enter into intergovernmental agreements to extend sanitary sewer, water, storm water management and other services to other cities outside the USB, and continue or enter into new agreements with existing service districts to provide public safety services and domestic water provided: \*\*\*\*

D-3. Enter into and maintain an Urban Growth Management Agreement with Clackamas County for lands within the Urban Services Boundary to: \*\*\*\*

Lake Oswego Comprehensive Plan, pg. 169.

#### 4. Chapter X Declares Nature Preserves Outside City Boundaries Are Subject to Its Effect

The 2021 measure that amended Chapter X stated that the nature preserves that were subject to its effect were "owned by the City" and "initially include" Kerr Open Space and Stevens Meadows.

Nature Preserve means natural area parks or open spaces owned by the City of Lake Oswego that are managed or maintained to retain their natural condition and prevent habitat deterioration. Nature Preserves that are subject to the limitations of this Chapter, which upon ratification will initially include, Bryant Woods Park, Canal Acres, Cornell Natural Area, Cooks Butte Park, Glenmorrie Greenway, Hallinan Woods, Iron Mountain Park, Kerr Open Space, Lamont Springs Natural Area, River Run, Southshore Natural Area, Springbrook Park, Stevens Meadows, Waluga Park – West, and Woodmont Natural Park.

<u>Kerr Open Space</u> means the park land owned by the City of Lake Oswego which is commonly referred to as "Kerr Open Space" (10 acres, more or less, to the South of SW Stevenson Street, to the East of Grouse Terrace, to the North of Walking Woods Drive, to the West of Icarus Loop).

Page 5 – DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER

<u>Stevens Meadows</u> means the two park lands owned by the City of Lake Oswego, which is commonly referred to as "Stevens Meadows" and the "Stevens Homestead" (27.8 acres, more or less, located at 18600 Shipley Drive and 1551 Childs Road, respectively).

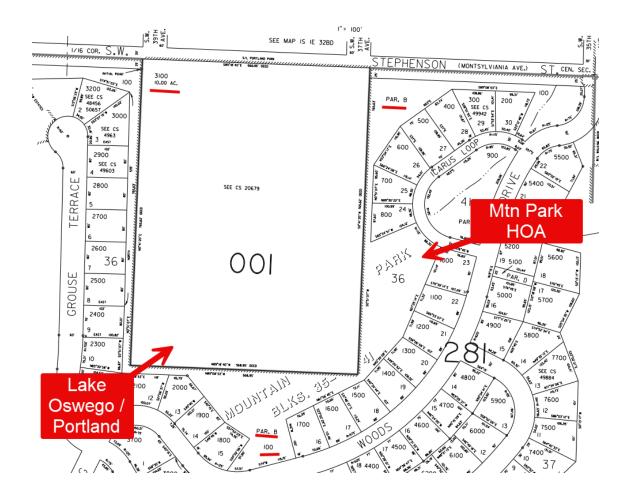
Section 42, Chapter X, Lake Oswego City Charter (emphasis in bold and underline)

Neither the text nor the measure's history (see Voter's Pamphlet, Defendant's Answer, Attachment 1, pgs. 107 - 113) state that Chapter X will later become applicable to Kerr Open Space and Stevens Meadow when annexed to the City. Rather the text and measure's history envision that Chapter X shall be applicable to all of the listed nature preserves, including those outside of the City's boundaries, upon adoption.

- 5. Kerr Open Space and Stevens Meadows Are Outside the City's Boundaries (and the City's USB).
- **A. Kerr Open Space.** The area defined as Kerr Open Space (mapped by the City GIS maps as Kerr Natural Area) actually consists of two lots, with separate ownership, as shown on Tax Assessor Map 1S1E32CA:
  - Tax Lot 3100, a 10 acre "main portion" (Assessor Map 1S1E32CA, Tax Lot 3100) is owned jointly by the City of Lake Oswego and the City of Portland. (See Attachments 2A (Portland Maps, 5-17-24) and 2B (Deed)<sup>2</sup>
  - Tax Lot 100, Parcel B of the Mountain Park Blocks 35-41 platted subdivision, is owned by the MOUNTAIN PARK HOMEOWNERS ASSN (See Attachments 3A, Portland Maps, 5-17-24) and 3B (Plat).<sup>3</sup>

<sup>&</sup>lt;sup>2</sup> How Section 42 would apply to property commonly owned by the City and other entity need not be resolved in this proceeding.

<sup>&</sup>lt;sup>3</sup> The limitations on development would not apply to the Tax Lot 100 portion of what the public may perceive as the Kerr Nature Area because it only applies to "natural area parks or open spaces owned by the City of Lake Oswego" (Section 42, Definitions) and that portion is owned by the Mountain Parks Homeowners Association. Page 6 – DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER



To the issue at hand, the main part of the Kerr Open Space, owned in part by the City, is NOT within the City boundaries; it is co-owned by the City of Portland and the City of Lake Oswego. (Accordingly, there is no reason for it to be de-annexed from the City of Portland and annexed into the City of Lake Oswego.)

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Page 7 – DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER



The City's Urban Service Boundary is co-terminus with the City's boundaries in this location.



B. Stevens Meadows. The area that may be perceived as Stevens Meadows (City

GIS map, below), consists of three lots:

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Page 8 – DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER

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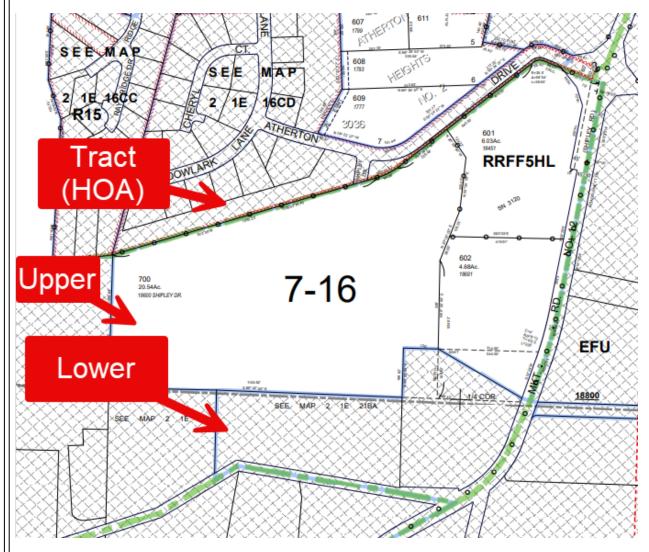
- Tract A (Tax Assessor Map 21E16CD02400) of the Atherton Heights No. 3 subdivision is owned by the Atherton Heights Homeowners Association. See Attachment 4A (plat)<sup>4</sup>.
- Upper Portion (Tax Assessor Map 21E16C00700) is owned by the City of Lake Oswego. See Attachment 4B (Clackamas County Assessor Report)
- Lower Portion (Tax Assessor Map 21E21BA00400) is owned by the City of Lake Oswego. See Attachment 4C (Clackamas County Assessor Report)

To the issue at hand, the Upper and Lower portions of Stevens Meadow, owned by the City, are NOT within the City's boundaries, the Lake Oswego Urban Services Boundary, or the Metro Urban Growth Boundary.



<sup>&</sup>lt;sup>4</sup> The limitations on development would not apply to the Tax Lot 2400 portion of what the public may perceive as Stevens Meadow because it only applies to "natural area parks or open spaces owned by the City of Lake Oswego" (Section 42, Definitions), and that portion is not owed by the City of Lake Oswego.

Page 9 – DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER



#### 6. Consideration Upon Interpretation of Text, Context and Measure's History

Chapter X by its text states that the limitations on development shall apply upon adoption of the measure.

Nature Preserve means natural area parks or open spaces owned by the City of Lake Oswego that are managed or maintained to retain their natural condition and prevent habitat deterioration. Nature Preserves that are subject to the limitations of this Chapter, which upon ratification will initially include, Bryant Woods Park, Canal Acres, Cornell Natural Area, Cooks Butte Park, Glenmorrie Greenway, Hallinan Woods, Iron Mountain Park, Kerr Open Space, Lamont Springs Natural Area, River Run, Southshore Natural Area, Springbrook Park, Stevens Meadows, Waluga Park – West, and Woodmont Natural Park. (Emphasis added in

Page 10 – DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER

bold and underline.)

Chapter X, Section 42, Definitions (emphasis in bold and underline)

By its express terms, there is no waiting for annexation of Kerr Open Space and Stevens Meadows in order for Chapter X to apply to these nature preserves.

To give effect to the entirety of the voters' intention, the City submits that Chapter X is to be construed not as a land use regulation (even though it may have the effect of furthering some, but not all<sup>5</sup>, comprehensive plan policies), but that it is a limitation akin to a covenant:

Chapter X imposes a limitation upon one specific landowner within the City, e.g., the City of Lake Oswego. Limitations imposed by virtue of ownership are akin to covenants, conditions, and restrictions (CCRs); CCRs are not land use regulations and are not reviewed as applicable criteria or enforced by this Commission.

DRC Findings, Conclusion and Order, pg. 3 (Exhibit 1-A to Defendant's Answer, pg. 55).

There is nothing in the text, context or the measure's history (see explanatory statement and voter pamphlet, Attachment 1 to Defendant's Answer, pgs. 4-7 internally; pgs. 110-113 of Defendant's Answer), that demonstrates that the voters intended to *state* a limitation on development on <u>some</u> nature preserves *that would not actually be in effect* until annexation of those nature preserves that were outside of the City's boundaries. Rather, the text and measure history indicate that the voters would have thought that post-enactment the measure would limit development on all of the listed nature preserves. That will not be the case if

<sup>5</sup> "These two commenters may have carefully considered whether Chapter X was consistent with the Comprehensive Plan policies that address Goal 5 – but also the Goal 10 Housing, Goal 11 Public Facilities and

Page 11 – DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER

10, 11 and 14." DRC Findings, Conclusion and Order, pg. 6 (Exhibit 1-A to Defendant's Answer, pg. 83).

Services, and Goal 14 Urbanization policies – but no evidence is presented how other voters would have

considered such policies (see Attachment 1 and appendices to Exhibit G-572; they lack any reference to, let alone analysis of Chapter X to the Comprehensive Plan policies). The commenters do not point to how the voters would

have intended Chapter X to be an implementation of the Comprehensive Plan policies that address LCDC Goals 5,

Chapter X is a land use regulation for those listed nature preserves that are not within the City's boundaries.<sup>6</sup> The interpretation that gives effect to all parts and provisions of the measure should be the interpretation given (ORS 174.010; *Daly v. Horsefly Irr. Dist.*, 143 Or 441, 445, 21 P2d 787 (1933); see also *State v. Buck*, 200 Or 87, 262 P2d 495 (1953), overruled in part, 299 Or 12 (1985) (concluding legislature intended later-enacted statute to essentially graft an exception into previously enacted statute)).

#### 7. Conclusion

Although the Court may find that Chapter X has the effect of furthering some of the City's Comprehensive Plan policies, that does not mean that it is "similar general ordinance establishing standards for implementing a comprehensive plan." ORS 197.015(11) (Emphasis added in italics). To so hold in this instance would not give effect to the express text, context and measure's history. As stated in the text, "upon ratification" it was to be effective upon all of the fifteen listed nature preserves: there are two that are not within the city boundaries and, if Chapter X is a land use regulation, Chapter X as to those two nature preserves would not be within the jurisdictional authority of the voters to enact. The interpretation that gives effect to the entirety of the measure is that it was enacted as a limitation in the manner of a covenant as to the City, not as a land use regulation. The court should reopen and reconsider its March 6, ////

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Page 12 – DEFENDANT CITY OF LAKE OSWEGO'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER

<sup>&</sup>lt;sup>6</sup> There is currently pending a request (or threat of condemnation) by Clackamas County for a portion of Stevens Meadow for a road roundabout purpose. Opponents to the request argue that Chapter X prohibits the City from conveying the land to the County for road purposes. But if Chapter X is only a land use regulation, without effect to lands outside of the City's boundaries, then Chapter X would not limit the County's ability to develop the land for road purposes, seemingly contrary to the express terms of Section 42.

1	2024 ruling in light of this additional factual evidence that bears upon the text, context and
2	measure history for the court's interpretation of whether Chapter X is a "land use regulation
3	under ORS 197.015(11).
4	Dated this 21 <sup>st</sup> day of May, 2024.
5	LAKE OSWEGO CITY ATTORNEY'S OFFICE
6	
7	Em 8. Bone
8	Evan P. Boone, OSB 781518
9	Deputy City Attorney Lake Oswego City Attorney's Office PO Box 369
10	Lake Oswego, Oregon 97034 Phone: (503) 635-0225   Fax: (503) 699-7453
11	eboone@lakeoswego.city  Attorney for Defendant City of Lake Oswego
12	Theomey for Defendant city of Lake Oswego
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1 2 3 IN THE CIRCUIT COURT OF THE STATE OF OREGON 4 FOR THE COUNTY OF CLACKAMAS 5 STATE ex rel. NEW LOOK DEVELOPMENT 6 LLC, an Oregon limited liability company, Case No. 24CV03746 7 Plaintiff-Relator. DECLARATION OF PAUL ESPE IN SUPPORT OF DEFENDANT'S MOTION TO REOPEN 8 ٧. CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER 9 CITY OF LAKE OSWEGO, a municipal corporation. 10 Defendant, 11 and 12 MICHAEL E. KOHLHOFF. 13 Intervenor. 14 15 I, Paul Espe, declare as follows: 16 I am an Associate Planner of the City of Lake Oswego ("City"). 17 1. 2. Part of my job includes processing petitions for annexations (whether initiated 18 by the property owner or by City itself), and any resulting modifications of the City's Urban 19 20 Service Boundary and Metro Urban Growth Boundary. Additionally, I am familiar with Urban Service Agreements that have been entered into by the City and neighboring jurisdictions, e.g., 21 Clackamas County, fire districts, water districts, etc. 22 3. The scope of my job includes knowledge of the location of the enacted City 23 boundaries, Lake Oswego Urban Service Boundary (LO USB), and the Metro Urban Growth 24 Boundary (Metro UGB). 25 26

> Ellen Osoinach, City Attorney Lake Oswego City Attorney's Office PO Box 369 Lake Oswego, OR 97034 Tel: 503-635-0225 | Fax: 503-699-7453

Page 1 – DECLARATION OF PAUL ESPE IN SUPPORT OF DEFENDANT'S MOTION TO REOPEN

CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER

//

4. I have reviewed the maps of the City boundary, LO USB, Metro UGB and Clackamas County Tax Assessor Maps. From that review and based on my knowledge:

a. The area defined as Kerr Open Space (mapped by the City GIS maps as Kerr Natural Area) actually consists of two lots, with separate ownership, as shown on Tax Assessor Map 1S1E32CA. Tax Lot 3100, the 10 acre "main portion" of the Kerr Open Space (Assessor Map 1S1E32CA, Tax Lot 3100) is not within the City boundary or the LO USB. The City boundary and the LO USB are co-terminus in that location.



Page 2 – DECLARATION OF PAUL ESPE IN SUPPORT OF DEFENDANT'S MOTION TO REOPEN CONSIDERATION WHETHER CHAPTER X IS A "LAND USE REGULATION" ORDER

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b. The Upper (Tax Assessor Map 21E16C00700) and Lower (Tax Assessor Map 21E21BA00400) parts of Stevens Meadow are not within the City boundary, the LO USB, or the Metro UGB.



The City boundary, LO USB and Metro UGB are all co-terminus in that location. I HEREBY DECLARE THAT THE ABOVE STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

Dated this of May, 2024.

PAUL ESPE, Associate Planner



#### **LEVY CODE 001**

#### **PORTLAND, OR 97219**

#### **ASSESSOR**

Address	LEVY CODE 001		
Address2	PORTLAND, OR 97219		
City	PORTLAND		
Property ID	R331446		
Tax Roll	SECTION 32 1S 1E, TL 3100 10.00 ACRES		
Use	VACANT LAND		
Lot	TL 3100		
County	Multnomah		
State ID	1S1E32CA 3100		
New State ID	1S1E32CA -03100		
Alt Account Number	R991321960		
Map Number	4225		
Total Land Area	10.00 acres		
<b>Building Area</b>	0 sq ft		
Assessor Update Date 05/13/2024 4:32AM			
For more information about data updates or			
discrepancies, please contact Multnomah County			
Assessment, Recording & Taxation at (503) 988-			

#### Owner

Name	PORTLAND CITY OF &
	LAKE OSWEGO CITY OF
Address	1221 SW 4TH AVE #140
	PORTLAND OR 97204

#### Sales History & Deed

2225 or propertytax@multco.us.

Sale Date	Sale Price	Туре	Instrument
1999-08-24	550000	WD WARRANTY DEED	99160977

ATTACHMENT 2A 5/17/24, 10:19 AM PortlandMaps: LEVY CODE 001

Sale Date	Sale Price	Туре	Instrument
1999-07-12	1100000	WD WARRANTY DEED	99136405

#### Improvements

#### **Assessment History**

Year	Improvements	Land	Special Use	Real Market	Exemptions	Assessed
2023	\$0.00	\$300,000.00	\$0.00	\$0.00	\$300,000.00	\$0.00
2022	\$0.00	\$300,000.00	\$0.00	\$0.00	\$300,000.00	\$0.00
2021	\$0.00	\$300,000.00	\$0.00	\$0.00	\$300,000.00	\$0.00
2020	\$0.00	\$300,000.00	\$0.00	\$0.00	\$300,000.00	\$0.00
2019	\$0.00	\$300,000.00	\$0.00	\$0.00	\$300,000.00	\$0.00
2018	\$0.00	\$300,000.00	\$0.00	\$0.00	\$300,000.00	\$0.00
2017	\$0.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00
2016	\$0.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00
2015	\$0.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00
2014	\$0.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00
2013	\$0.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00
2012	\$0.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00
2011	\$0.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00
2010	\$0.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00
2009	\$0.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00
2008	\$0.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00
2007	\$0.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00
2006	\$0.00	\$596,020.00	\$0.00	\$596,020.00	\$0.00	\$0.00
2005	\$0.00	\$536,960.00	\$0.00	\$536,960.00	\$0.00	\$0.00
2004	\$0.00	\$475,180.00	\$0.00	\$475,180.00	\$0.00	\$0.00
2003	\$0.00	\$452,560.00	\$0.00	\$452,560.00	\$0.00	\$0.00
2002	\$0.00	\$431,000.00	\$0.00	\$431,000.00	\$0.00	\$0.00
2001	\$0.00	\$426,740.00	\$0.00	\$426,740.00	\$0.00	\$0.00
2000	\$0.00	\$398,820.00	\$0.00	\$398,820.00	\$0.00	\$0.00
1999	\$0.00	\$391,000.00	\$0.00	\$391,000.00	\$0.00	\$0.00
1998	\$0.00	\$376,000.00	\$0.00	\$376,000.00	\$0.00	\$0.00

Year	Improvements	Land	Special Use	Real Market	Exemptions	Assessed
1997	\$0.00	\$368,600.00	\$0.00	\$368,600.00	\$0.00	\$0.00

#### **Tax Districts**

Code	Description
101	PORT OF PORTLAND
130	CITY OF PORTLAND
143	METRO
166	WEST MULT SOIL/WATER
170	MULTNOMAH COUNTY
171	URBAN RENEWAL PORTLAND
173	URB REN SPECIAL LEVY - PORTLAND
176	MULTNOMAH COUNTY LIBRARY
198	TRI-MET TRANSPORTATION
304	MULTNOMAH ESD
309	PORTLAND COMM COLLEGE
311	PORTLAND SCHOOL DIST #1
130L	CITY OF PORTLAND - LOC OPT
130N	CITY OF PORTLAND - NEW BONDS
143L	METRO - LOC OPT
143N	METRO - NEW BONDS
170H	MULT CO HIST SOCIETY LOC OPT
309N	PORTLAND COMM COLLEGE BONDS-NEW
311L	PORTLAND SCHOOL DIST LOC OPT
311N	PORTLAND SCHOOL DIST NEW BONDS

#### **Tax History**

Year	Property Tax	Total Tax
2023	\$0.00	\$0.00
2022	\$0.00	\$0.00
2021	\$0.00	\$0.00
2020	\$0.00	\$0.00
2019	\$0.00	\$0.00

PortlandMaps: LEVY CODE 001

Year	Property Tax	Total Tax
2018	\$0.00	\$0.00
2017	\$0.00	\$0.00
2016	\$0.00	\$0.00
2015	\$0.00	\$0.00
2014	\$0.00	\$0.00
2013	\$0.00	\$0.00
2012	\$0.00	\$0.00
2011	\$0.00	\$0.00
2010	\$0.00	\$0.00
2009	\$0.00	\$0.00
2008	\$0.00	\$0.00
2007	\$0.00	\$0.00
2006	\$0.00	\$0.00
2005	\$0.00	\$0.00
2004	\$0.00	\$0.00
2003	\$0.00	\$0.00
2002	\$0.00	\$0.00
2001	\$0.00	\$0.00
2000	\$0.00	\$0.00
1999	\$0.00	\$0.00
1998	\$0.00	\$0.00
1997	\$0.00	\$0.00

#### Tax Maps

Quarter Section	Size
1s1e32ca (Current Property)	160.5 KB
1s1e32aa	251.2 KB
1s1e32ab	548.6 KB
1s1e32ac	3,519.0 KB
1s1e32ad	3,510.3 KB
1s1e32ba	540.5 KB
1s1e32bb	3,460.1 KB

Quarter Section	Size
1s1e32bc	461.5 KB
1s1e32bd	181.7 KB
1s1e32c	241.9 KB
1s1e32cb	217.3 KB
1s1e32cc	221.2 KB
1s1e32cd	168.7 KB
1s1e32d	80.6 KB
1s1e32da	4,050.1 KB
1s1e32db	233.8 KB
1s1e32dc	5,177.2 KB
1s1e32dcd1	33.5 KB
1s1e32dcd2	27.6 KB
1s1e32dd	197.4 KB
1s1e32ddd	32.0 KB
1S1E32DDET	51.8 KB

AFTER RECORDING, RETURN TO: City of Lake Oswego P.O. Box 369

Lake Oswego, OR 97034 Attn: City Attorney's Office

Account No. R99132-1960

in the County of Multnessh, Gragon C. Swick, Deputy Clerk 09:25am 08/24/99

#### STATUTORY WARRANTY DEED Kerr Site

CITY OF PORTLAND, a municipal corporation of the State of Oregon, ("Grantor"), conveys and warrants to the CITY OF PORTLAND, a municipal corporation of the State of Oregon, and the CITY OF LAKE OSWEGO, a municipal corporation of the State of Oregon, ("Grantees"), each an undivided 50% interest in the following real property in Multnomah County, Oregon, free of encumbrances except as specifically set forth herein, it being the Grantor's Intention to create a tenancy in common between the Grantees. The real property is described in Exhibit "A" attached hereto and made a part hereof.

The use of the above described real property by Grantees, their successors and assigns, shall be restricted to open space use, with the real property to be maintained in its natural state in perpetuity. This restriction shall run with the land and be enforceable by either Grantee, its successors and assigns, against the other. This restriction shall not create a defeasible estate with the possibility of reverter.

This property is free of liens and encumbrances, EXCEPT a permanent easement to the City of Portland, a municipal corporation, to construct roadway slopes and install signs, as necessitated by the construction of SW Stephenson Street improvements.

The true and actual consideration paid for this transfer is \$550,000 (FIVE HUNDRED FIFTY THOUSAND Dollars).

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

Dated this day of August, 1999.

GRANTOR:

Jim Francesconi, Commissioner of Public Utilities

City of Portland

State of Oregon

County of Multnomah

SS.

On this 20 th day of August, 1999, before me <u>Pamela Chapel</u>, the undersigned Notary Public, personally appeared Jim Francesconi, Commissioner of Public Utilities for the City of Portland, Multnomah County, Oregon personally known to me (or proved to be on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument, put acknowledged that they executed it.

smelelle

Av commission expires:

APPROVED AS TO FORM

**CITY ATTORNEY** 



#### Exhibit A

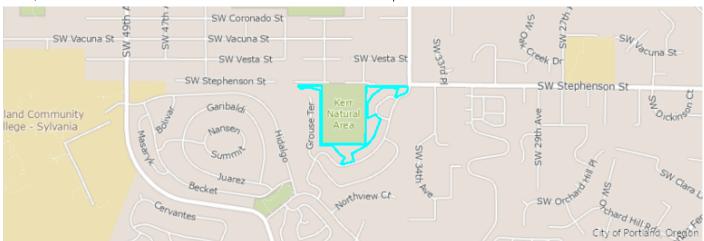
#### PROPERTY DESCRIPTION Kerr Sile

A tract of land in the Southwest one-quarter of Section 32, Township 1 South, Range 1 East, Williametta Meridian in the County of Multinomah and State of Oregon, being more particularly described as follows:

Beginning at a point on the East-West center line of said Section 32 that bears South 89°18'40" East, 1506.84 feet from the west one-quarter corner of said Section 32; thence along said center of section line South 89°18'40" East, 568.95 feet; thence South 0°41'20" West, 765.62 feet; thence North 89°18'40" West, 568.95 feet; thence North 0°41'20" East, 765.62 feet to the point of beginning.

0

25×10



#### **LEVY CODE 281**

#### **LAKE OSWEGO, OR 97035**

#### **ASSESSOR**

Address	LEVY CODE 281
Address2	LAKE OSWEGO, OR 97035
Block	36
City	LAKE OSWEGO
Property ID	R222707
Tax Roll	MOUNTAIN PARK, BLOCK 36, LOT B
Use	VACANT LAND
Lot	В
County	Multnomah
State ID	1S1E32CA 100
New State ID	1S1E32CA -00100
Alt Account Number	R590008000
Map Number	4225
Total Land Area	3.92 acres
<b>Building Area</b>	0 sq ft
Assessor Update Date For more information abo discrepancies, please cor	out data updates or

#### Owner

Name	MOUNTAIN PARK		
	HOMEOWNERS ASSN		
Address	2 MOUNT JEFFERSON		
	TER LAKE OSWEGO OR		
	97035-1499		

#### Improvements

Assessment, Recording & Taxation at (503) 988-

2225 or propertytax@multco.us.

ATTACHMENT 3A 5/17/24, 10:19 AM PortlandMaps: LEVY CODE 281

#### **Assessment History**

Year	Improvements	Land	Special Use	Real Market	Exemptions	Assessed
2023	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2022	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2021	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2020	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2019	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2018	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2017	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2016	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2015	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2014	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2013	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2012	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2011	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2010	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2009	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2008	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2007	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2006	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2005	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2004	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2003	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2002	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2001	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1999	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

#### **Tax Districts**

Code	Description
101	PORT OF PORTLAND
124	CITY OF LAKE OSWEGO BONDS

Code	Description
127	CITY OF LAKE OSWEGO OUT OF L.O. SD
143	METRO
166	WEST MULT SOIL/WATER
170	MULTNOMAH COUNTY
176	MULTNOMAH COUNTY LIBRARY
191	CITY OF LAKE OSWEGO (UR AUTH UNIT)
193	URB REN SPECIAL LEVY-LAKE OSWEGO
198	TRI-MET TRANSPORTATION
291	URBAN RENEWAL LAKE OSWEGO
304	MULTNOMAH ESD
309	PORTLAND COMM COLLEGE
311	PORTLAND SCHOOL DIST #1
124N	CITY OF LAKE OSWEGO NEW BONDS
143L	METRO - LOC OPT
143N	METRO - NEW BONDS
170H	MULT CO HIST SOCIETY LOC OPT
309N	PORTLAND COMM COLLEGE BONDS-NEW
311L	PORTLAND SCHOOL DIST LOC OPT
311N	PORTLAND SCHOOL DIST NEW BONDS

#### Tax History

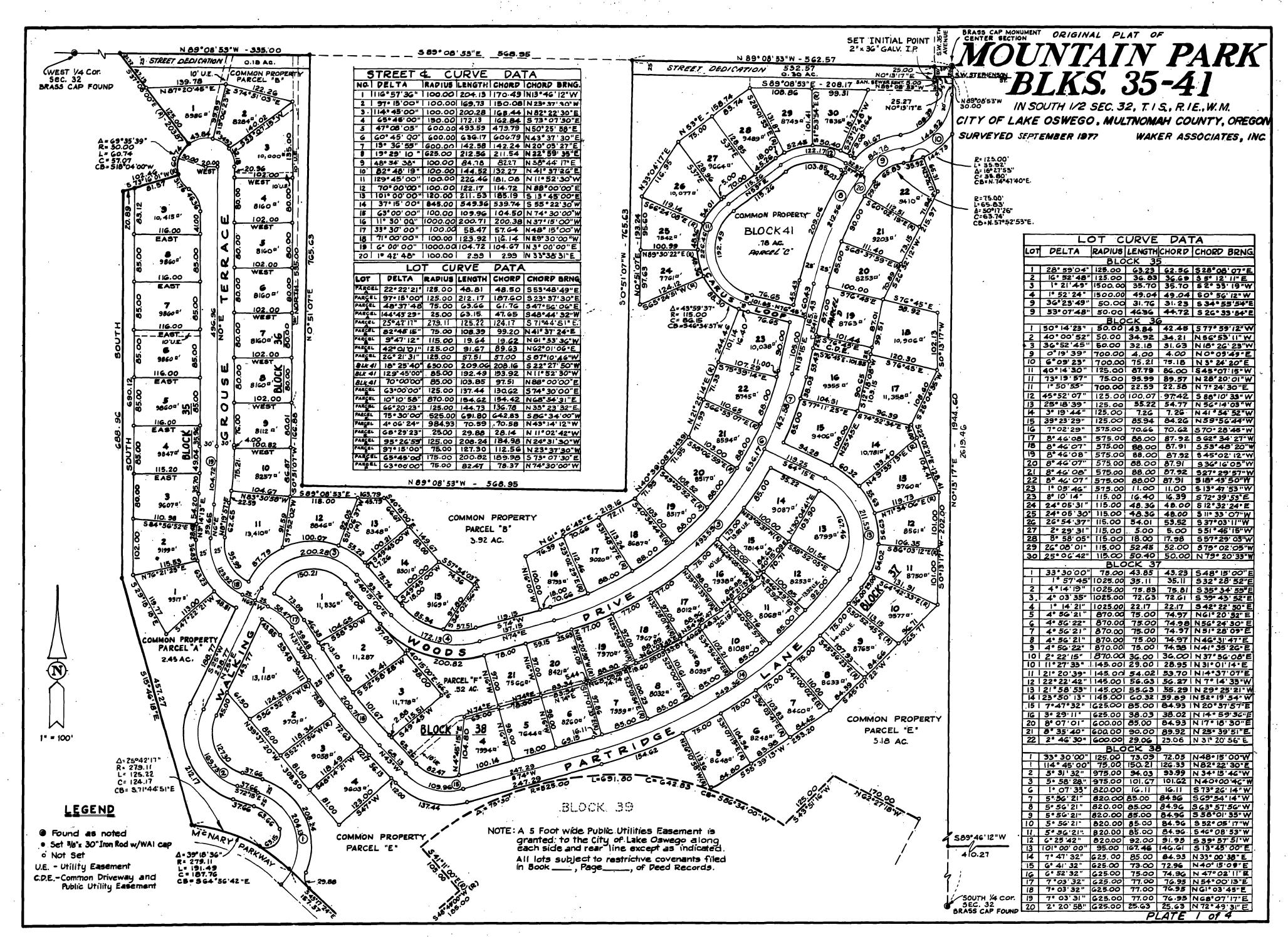
Year	Property Tax	Total Tax
2023	\$0.00	\$0.00
2022	\$0.00	\$0.00
2021	\$0.00	\$0.00
2020	\$0.00	\$0.00
2019	\$0.00	\$0.00
2018	\$0.00	\$0.00
2017	\$0.00	\$0.00
2016	\$0.00	\$0.00
2015	\$0.00	\$0.00
2014	\$0.00	\$0.00

Year	Property Tax	Total Tax
2013	\$0.00	\$0.00
2012	\$0.00	\$0.00
2011	\$0.00	\$0.00
2010	\$0.00	\$0.00
2009	\$0.00	\$0.00
2008	\$0.00	\$0.00
2007	\$0.00	\$0.00
2006	\$0.00	\$0.00
2005	\$0.00	\$0.00
2004	\$0.00	\$0.00
2003	\$0.00	\$0.00
2002	\$0.00	\$0.00
2001	\$0.00	\$0.00
2000	\$0.00	\$0.00
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1s1e32cc	221.2 KB
1s1e32cd	168.7 KB
1s1e32d	80.6 KB

Quarter Section	Size
1s1e32da	4,050.1 KB
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1s1e32dc	5,177.2 KB
1s1e32dcd1	33.5 KB
1s1e32dcd2	27.6 KB
1s1e32dd	197.4 KB
1s1e32ddd	32.0 KB
1S1E32DDET	51.8 KB



BST NOL

## MOUNTAIN PARK BLKS. 35-41

CITY OF LAKE OSWEGO, MULTNOMAH COUNTY, OREGON SURVEYED SEPTEMBER 1977 WAKER ASSOCIATES, INC.

REGISTERED PROFESSIONAL LAND SURVEYOR

#### SURVEYOR'S AFFIDAVIT

I, L.BRIAN WEIGART, being first duly sworn say that I have correctly surveyed and marked with proper monuments the lands represented on the map of MOUNTAIN PARK BLOCKS 35 through 41 , that I caused to be set a galvanized iron pipe 2 inches in diameter and 36 inches long, driven 6 inches below the surface of the ground, said initial point being located N 0° 13' 17" E, 2594.46 feet and N.89°08' 53"W., 30.00 feet from the South 1/4 Corner of said Section 32 and running thence N 0° 13' 17" E 25.00 feet to the east-west center of Section line, thence N.89°08'53"W. on said line 532.57 feet to the northeast corner of that tract described in Deed Book 100 , Page 64 ; thence 50°51'07"W on the east line of said tract 765.63 feet; thence N 69°08'53"W on the south line of said tract 568.95 feet; thence NO°51'07"E on the west line of said tract 765.63 feet to a point on the east-west center of section line; thence N89°08'53'W on said section line 335.00 feet; thence leaving said section line and running 537°08'00"E a distance of 203.87 feet to a point on a non-tangent 50.00 foot radius curve left; thence on said curve through a central angle of 69°35'39" (chord bears 518°04'00" W, 57.07 feet) a distance of 60.74 feet; thence 573°16'01"W a distance of 102.46 feet; thence South a distance of 688.96 feet; thence 515°46'18"E a distance of 457.27 feet to the beginning of a nontangent 279.11 foot radius curve right; thence on said curve through a central angle of 39°18'36" (chord bears 564°56'42"E, 187.76 feet) a distance of 191.49 feet; thence 545°17'24"E a distance of 157.57 feet to the beginning of a tangent 984.93 foot radius curve right; thence on said curve through a central angle of 7º12'15" (chord bears 541°41'16"E, 123.76 feet) a distance of 123.84 feet to the end thereof; thence 538°05'09"E a distance of 86.49 feet to the beginning of a tangent 851.47 foot radius curve left; thence on said curve through a central angle of 12°52'01" (chord bears 544°31'10"E, 190.81 feet) a distance of 191.22 feet to the end thereof; thence \$50°57'10"E a distance of 36.38 feet to the beginning of a tangent 731.58 foot radius curve right; thence on said curve through a central angle of 9°41'30" (chord bears 546°06'25"E, 123.60 feet) a distance of 123.75 feet to the end thereof; thence 541°15'40"E a distance of 1.13 feet; thence 548°44'20"W a distance of 5.00 feet to a point on the north right of way line of S.W. Mc Nary, said point also being on the north line of the recorded plat of Mountain Park No. 4; thence on said north line and on a non-tangent 439.15 foot radius curve left through a central angle of 22°41'20" (chord bears \$52°36'20"E, 172.77 feet) a distance of 173.90 feet to the end thereof; thence \$63°57'00"E a distance of 105.77 feet to the beginning of a tangent GGI. 98 foot radius curve right; thence on said curve through a central angle of 22°23'50" (chord bears \$52°45'05"E, 257.13 feet) a distance of 258.77 feet to the end thereof; thence \$41°33'10"E a distance of 4.96 feet to the beginning of a tangent 363.95 foot radius curve left; thence on said curve through a central angle of 71°02'50" (chord bears 577°04'35"E, 422.94 feet) a distance of 451.30 feet to the end thereof; thence leaving the north line of said Mountain Park No. 4 and running on the westerly line of Mountain Park Blocks 10 through 31 the following courses: NG2°42'31"E a distance of 61.04 feet to a point on a non-tangent 794.61 foot radius curve right; thence on said curve through a central angle of 7°11'04" (chord bears NG8°06'38"E, 99.57 feet) a distance of 99.64 feet to the beginning of a tangent 20.00 fool radius curve left; thence on said curve through a central angle of 81.45'53" (chord bears N30.49'13"E, 26.18 feet) a distance of 28.54 feet to the beginning of a tangent 188.70 foot radius curve right; thence on said curve through a central angle of 5741'52" chord bears NI8°47'13"E, 182.10 feet ) a distance of 190.02 feet to a point; thence NO 12'44"E a distance of 133.96 feet; thence 589°59'32"W a distance of 410.27 feet to a point on the north-south center of section line of said Section 32; thence Noº13'17"E on said north-south line a distance of 1944.60 feet to a point on the south right -of-way line of S.W. Stephenson; thence N 89°08' 53"W on said right-of-way line a distance of 30.00 feet to the west right-of-way line of S.W. 35 th Avenue; thence 500° 13'17"W. a distance of 5.00 ft. to the point Beginning containing 64.57 acres more or less.

Subscribed and sworn to before me this 3137 day of Decamber, 1976

NOTARY PUBLIC FOR THE STATE OF OREGON
My commission expires 10-21-77

I, L. Brian Weigart, also certify that the post-monumentation of interior monuments of this plat will be accomplished on or before Sept. 21, 1978 in accordance with ORS 92.060

#### DEDICATION

KNOW ALL MEN BY THESE PRESENTS that PFEDCO, an Oregon Corporation, KERRY S. Ch. And PAUL E. CHRISTENSEN establish and declare that the annexed map of MOUNTAIN PARK BLOCKS 35 through 41, as described in the accompanying "SURVEYOR'S AFFIDAVIT" a true and correct map and plat thereof, all blocks and lots being of the dimensions shown and all streets of the widths therein set forth and being in the location shown do hereby dedicate to the use of the public forever all streets as shown. Tracts of property designated as "Common Property" are not hereby dedicated for use by the general public but are reserved by "Mountain Park Home Owner's Association" for the common use and enjoyment of those persons designated in the Peclaration of Mountain Development Corporation dated such persons to have such rights in such property and obligations in respect to such property as set forth in said Declaration of Restrictions, recorded in Deed Book \_\_\_\_\_\_, Page \_\_\_\_\_\_, Multnomah County, Oregon.

Lobert G. F. Fournews

Keny Wills Hintensen

#### <u>ACKNOWLEDGEMENTS</u>

STATE OF OREGON
COUNTY OF MULTNOMAH } S.S.

THIS CERTIFIES that on this 27 day of DECEMBER 1976 before me personally appeared LEM V. NELSON and ROBERT G. LETOURNEUX to me personally known, who being duly sworn did say that he, Lem V. Nelson is President, and that he, Robert G. LeTourneux is Vice-President of PFEDCO and that the seal affixed to the within instrument is the Corporate Seal of said Corporation and said instrument was signed and sealed in behalf of said Corporation by Authority of its Board of Directors and Lem V. Nelson and Robert G. Le Tourneux acknowledge said instrument to be a free act and deed.

NOTARY PUBLIC FOR THE STATE OF GREGON
My commission expires 8-18-80

STATE OF OREGON

COUNTY OF MULTNOMAH

THIS CERTIFIES that on this 27 day of DECEUBER, 1976 before me appeared KERRY 5. GILBERT to me personally known, who being duly sworn did say that he is the identical person named in the foregoing instrument, he acknowledged to me that he executed the same freely and voluntarily.

NOTARY PUBLIC FOR THE STATE OF OREGON
My commission expires 8-18-80

STATE OF OREGON S.S.

this Certifies that on this 28 day of DECEMBER, 1976 before me appeared PAUL E. CHRISTENSEN to me personally known, who being duly sworn did say that he is the identical person named in the foregoing instrument, he acknowledged to me that he executed the same freely and voluntarily.

Brian Weigart NOTARY PUBLIC FOR THE STATE OF OREGON.

My commission expires 8-18-80

<u>APPROVALS</u>

APPROVED SEPTEMBER 12 ,1977
CITY OF LAKE OSWEGO PLANNING COMMISSION

BY Joseph W. Mag

APPROVED <u>SEPTEMBER 12</u> 1977 CITY OF LAKE OSWEGO ENGINEER

BY Margad Olinsen

APROVED Sept

Dan Messes

BOARD OF COUNTY COMMISSIONERS MULTHOMAH COUNTY, OREGON

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES
AS PROVIDED BY O.R.S. 92-095 HAVE BEEN PAID
AS OF October 4, 1927

BRUCE G. LAWSON
DIRECTOR, DIV. OF ASSESSMENT & TAXATION
MULTNOMAH COUNTY, OREGON
BY

COUNTY RECORDING OFFICE

STATE OF OREGON Multnomah County

i, Director, Department of Administration Services and Recorder of Conveyances, in and for said County, do hereby certify that the within instrument of writing was received for record and recorded in the record of said County at

OCT 4 2 34 PH '77

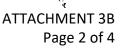
OCT 4 2 34 PH '77

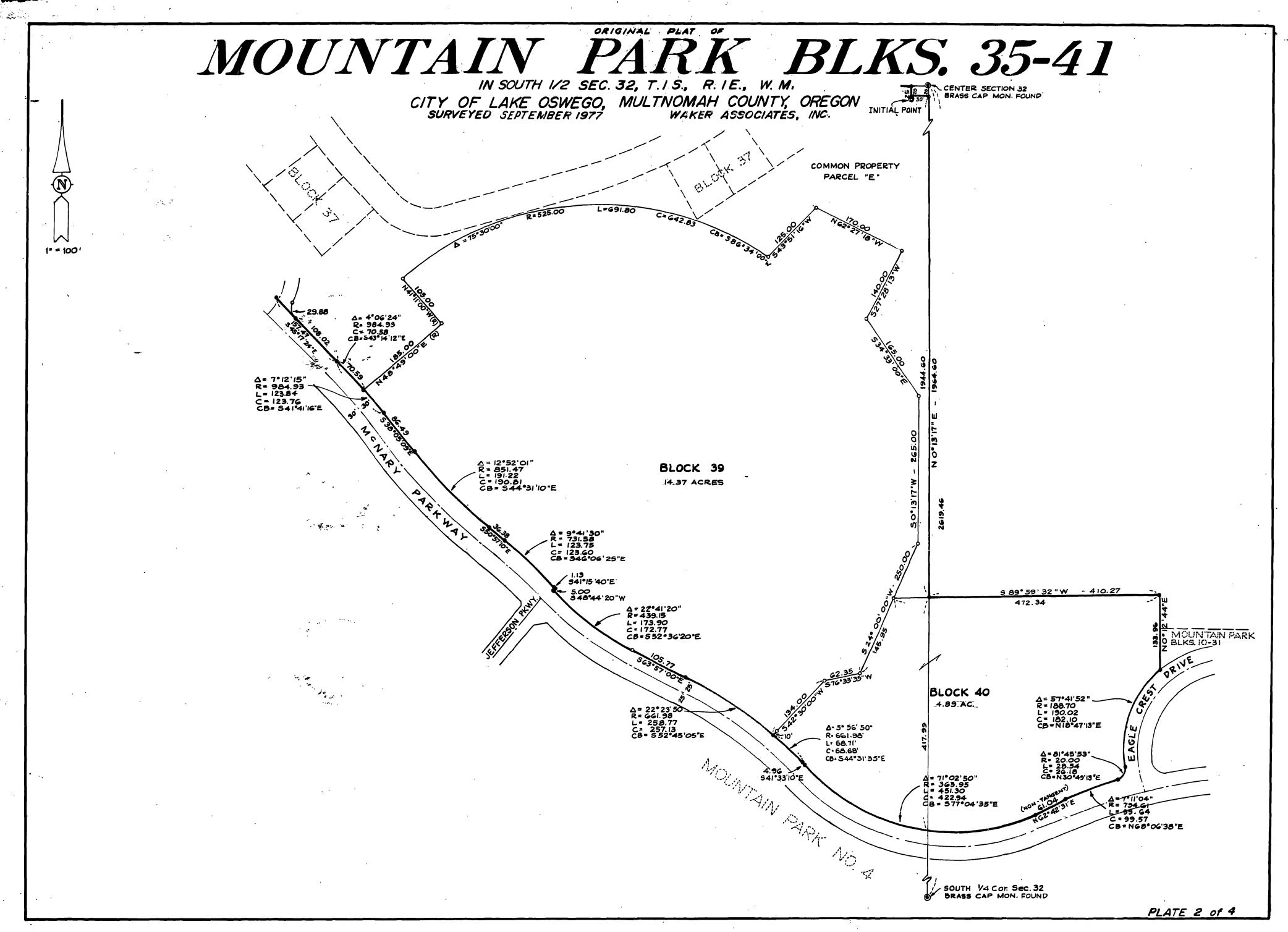
RECURLING SECTION

RECURLING SERVICES
ADMIN. SERVICES
AD

Director
Department of Administration
Services
Rec-12
Deputy.

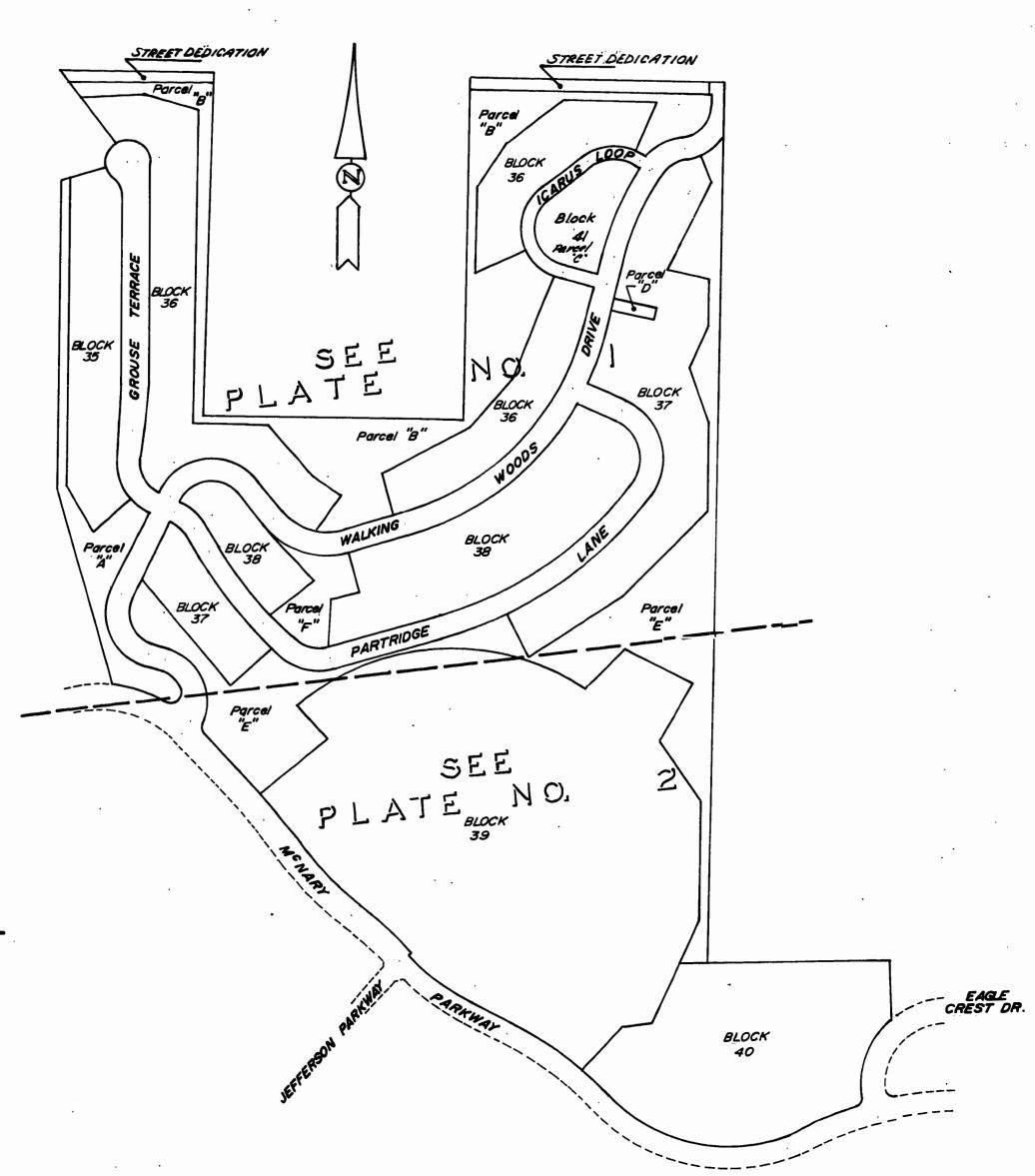
PLATE 3 of 4





# MOUNTAIN PLAT OF BLKS. 35-41

IN SOUTH 1/2 SEC. 32, T.I S., R.I E., W.M.
CITY OF LAKE OSWEGO, MULTNOMAH COUNTY, OREGON
SURVEYED SEPTEMBER 1977 WAKER ASSOCIATES INC.



VICINITY MAP

SCALE: | "= 200'

REGISTERED PROFESSIONAL LAND SURVEYOR

S. Brian Weigart

OREGON
L BRIAN WEIGART

LEGEND

- DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "OTAK, INC." POUND UNLESS OTHERWISE NOTED
- DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "KAMPE ASSOCIATES" POUND
- DENOTES  $5/8" \times 30"$  inon rod with yellow, plastic cap inscribed "otak inc" set
- DENOTES 5/8" x 30" IRON ROD WITH YELLOW, PLASTIC CAP INSCRIBED "OTAK INC" TO BE SET WITHIN THE PERIOD SPECIFIED IN THE SURVEYOR'S CERTIFICATE.

  SET ON \_\_\_\_\_\_
- DENOTES 5/8" x 30" IRON ROD WITH 2" ALLIMINUM CAP INSCRIBED "OTAK INC" TO BE SET WITHIN THE PERIOD SPECIFIED IN THE SUPPLEYOR'S CERTIFICATE
- DENOTES AND LENGTH
- DENOTES DEED NUMBER, CLACKAMAS COUNTY DEED RECORDS
- DENOTES PUBLIC UTILITY EASEMENT

ATHERTON HEIGHTS NO. 3

BEING A REPLAT OF LOT 8, "ATHERTON HEIGHTS NO. 2" SW1/4 AND SE1/4 SEC. 16, T.2S., R.1E., W.M. CITY OF LAKE OSWEGO

CLACKAMAS COUNTY, OREGON

SURVEYED JANUARY 22, 2002 SHEET 1 OF 4

> incorporated 17355 S.W BOONES FERRY ROAD

LAKE OSWEGO OREGON 97035 (503)635-3618 FAX (503)635-5395

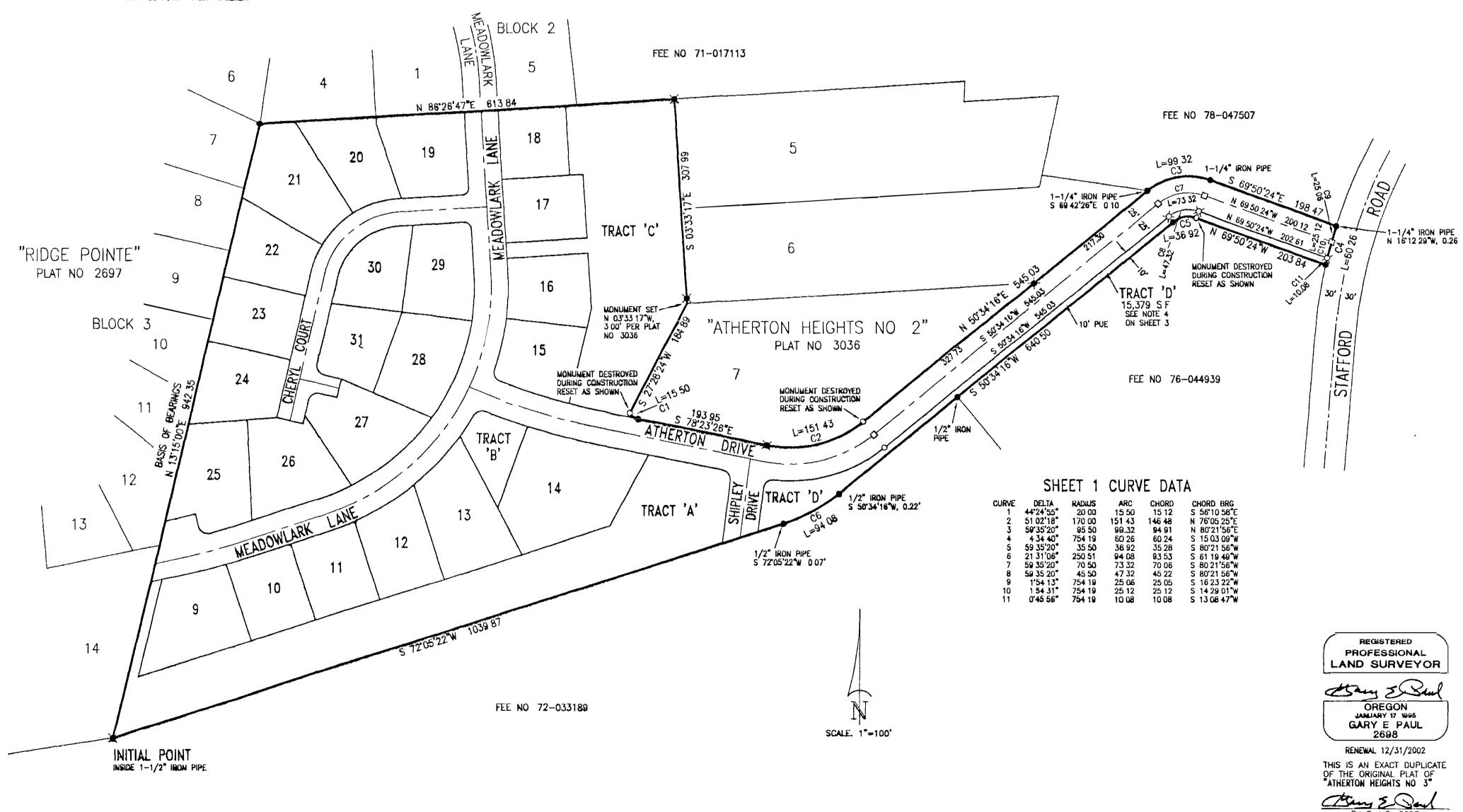
TABLE OF CONTENTS

SHEET 1 PLAT BOUNDARY PARTIAL ATHERTON DRIVE PARTIAL TRACT D' SHEET 1 CURVE DATA

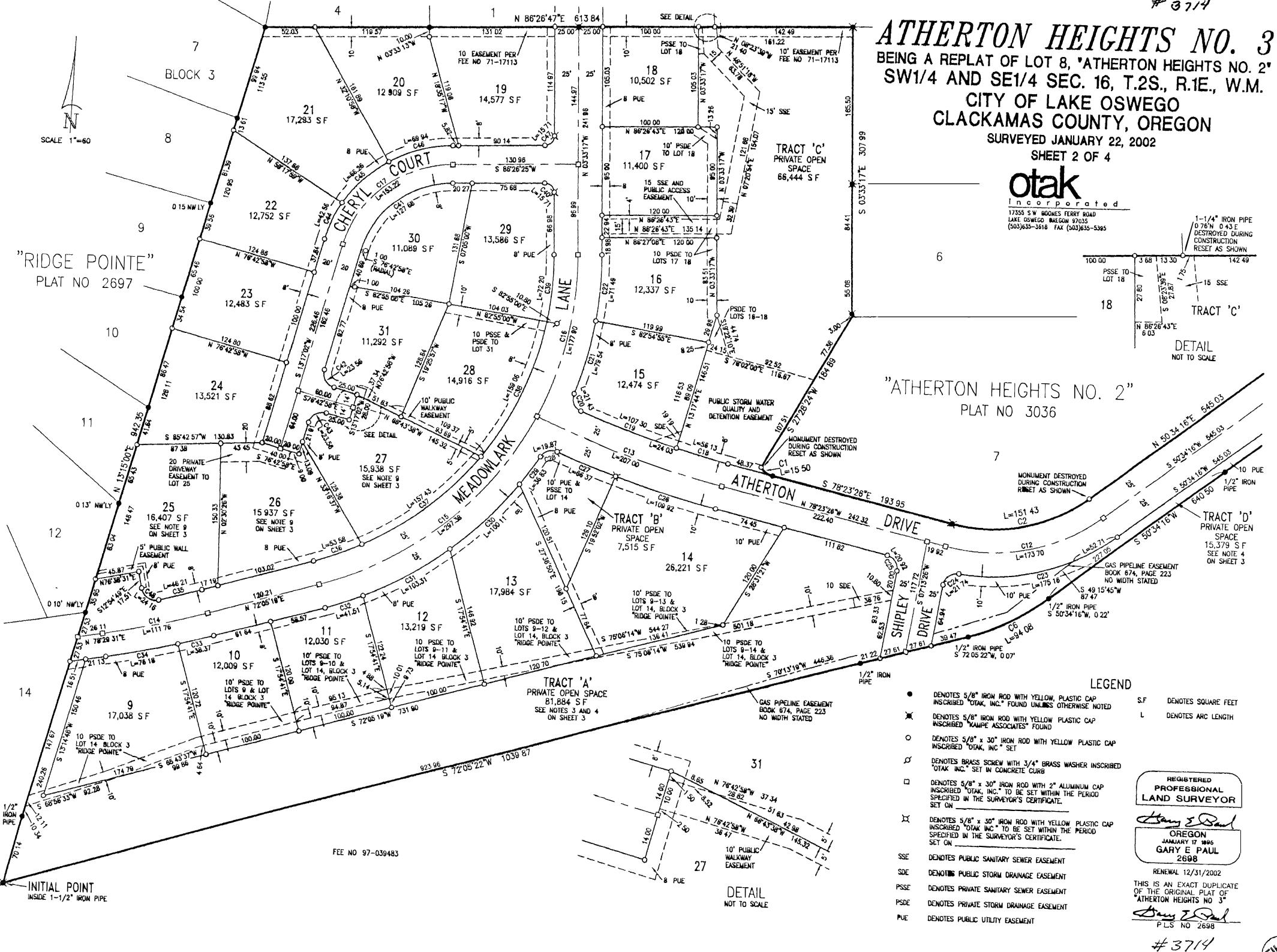
SHEET 2 LOTS 9 - 31 TRACTS 'A - C PARTIAL TRACT 'D'

SHEET 3 NARRATIVE NOTES AND RESTRICTIONS DECLARATION ACKNOWLEDGEMENT SURVEYOR'S CERTIFICATE CONSENT AFFIDAVITS SHEET 2 CURVE DATA

SHEET 4 APPROVALS



# 3714



#### DECLARATION

KNOWN ALL PERSONS BY THESE PRESENTS: THAT DOUBLE D DEVELOPMENT INC. AN OREGON CORPORATION DOES HEREBY MAKE ESTABLISH AND DECLARE THE ANNEXED MAP OF "ATHERTON HEIGHTS NO 3" AS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE TO BE A TRUE AND CORRECT MAP AND PLAT THEREOF ALL LOTS AND TRACTS BEING OF THE DIMENSIONS SHOWN AND ALL STREETS AND EASEMENTS OF THE WIDTHS THEREON SET FORTH AND WE DO HEREBY DEDICATE TO THE PUBLIC AS PUBLIC Ways, all streets as shown on said Map, and we do hereby grant all easements NOT PREVIOUSLY GRANTED OR CONVEYED AS SHOWN OR NOTED ON SAID MAP, AND WE DO HEREBY CONVEY TO THE ATHERTON HEIGHTS HOMEOWNERS' ASSOCIATION TRACTS 'A' B C AND D AS SHOWN ON SAID MAP THIS PLAT CONFORMS TO THE PROVISIONS OF CHAPTER 92, ORECON REVISED STATUTES, AND IS SUBJECT TO ALL RESTRICTIONS NOTED ELSEWHERE ON THIS PLAT



#### **ACKNOWLEDGEMENT**

STATE OF OREGON

COUNTY OF CLACKAMAS

THIS IS TO CERTIFY THAT ON THIS 3157 DAY OF JANUARY 2002, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DENNIS L DERBY, WHO BEING FIRST DULY SWORN DID SAY THAT HE IS THE PRESIDENT OF SAID DOUBLE D DEVELOPMENT, INC., AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID CORPORATION BY THE AUTHORITY AND APPROVAL OF ITS BOARD OF DIRECTORS, AND HE DOES HEREBY ACKNOWLEDGE HIS SIGNATURE TO SAID INSTRUMENT TO BE BY HIS OWN FREE ACT AND DEED

COMMISSION NUMBER \_\_\_31025

MY COMMISSION EXPIRES 5-23-02

#### CONSENT AFFIDAVITS

A SUBDIVISION PLAT CONSENT AFFIDAVIT BY COMMUNITY FINANCIAL CORPORATION, BENEFICIARY UNDER DEED OF TRUST RECORDED IN FEE NO 2001-055173, HAS BEEN EXECUTED AND RECORDED IN FEE NO 2002-018141. CLACKAMAS COUNTY DEED RECORDS

A SUBDIVISION PLAT CONSENT AFFIDAVIT BY DENNIS L DERBY AND CHERYL A DERBY, BENEFICIARTY UNDER DEED OF TRUST RECORDED IN FEE NO 2001-055174, HAS BEEN EXECUTED AND RECORDED IN FEE NO 2002-018 COUNTY DEED RECORDS

#### REMAINING CORNER MONUMENTATION

IN ACCORDANCE WITH ORS 92 070, THE REMAINING CORNERS OF THIS SUBDIMISION HAVE BEEN CORRECTLY SET WITH PROPER MONUMENT'S AS APPROVED BY THE CITY of lake oswego an affidavit has been prepared regarding the setting of SAID MONUMENTS AND IS RECORDED IN FEE NO. COUNTY DEED RECORDS

			24
THIS	DAY	OF	 2Q_

CLACKAMAS COUNTY SURVEYOR

## ATHERTON HEIGHTS NO. 3

BEING A REPLAT OF LOT 8, "ATHERTON HEIGHTS NO. 2" SW1/4 AND SE1/4 SEC. 16, T.2S., R.1E., W.M. CITY OF LAKE OSWEGO CLACKAMAS COUNTY, OREGON

SURVEYED JANUARY 22, 2002

SHEET 3 OF 4



#### SURVEYOR'S CERTIFICATE

I GARY E. PAUL, HEREBY SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED ON THE ANNEXED MAP OF "ATHERTON HEIGHTS NO 3", THAT AT THE INITIAL POINT OF SAID SURVEY I FOUND A 5/8-INCH ROD WITH A YELLOW, PLASTIC CAP INSCRIBED "KAMPE ASSOCIATES, INC " INSIDE OF A 1-1/2" IRON PIPE, SAID POINT BEING THE INITIAL POINT OF "ATHERTON HEIGHTS NO 2" PLAT NO 3036 CLACKAMAS COUNTY PLAT RECORDS. FROM SAID INITIAL POINT I TRACED THE BOUNDARY OF SAID "ATHERTON HEIGHTS NO 2" ALONG THE FOLLOWING COURSES. N 13/15 00"E 942 35 FEET, N 88/26 47"E., 613 84 FEET, \$ 03'33'17"E 307 99 FEET, \$.27"28"24"W 184 89 FEET TO A POINT OF NON-TANGENT CURNATURE SOUTHEASTERLY ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE LEFT (THE RADIUS POINT OF WHICH GEARS N.S.6'01'29"E) THROUGH A CENTRAL ANGLE OF 44 24'55". 15.50 FEET (CHORD BEARS S.56'10'58"E., 15.12 FEET), S.78 23 26"E 183 85 FEET TO THE POINT OF CURVE LEFT OF A 170 00 FOOT RADIUS CURVE, ALONG THE ARC OF SAID CURVE LEFT THROUGH A CENTRAL ANGLE OF 51'02'18", 151 43 FEET (CHORD BEARS N 78'06'25"E., 146 48 FEET), N 50'34'16"E 545 03 FEET TO THE POINT OF CURVE RIGHT OF A 95 50 FOOT RABILS CURVE, ALONG THE ARC OF SAID CURVE RIGHT THROUGH A CENTRAL ANGLE OF 50'35 20" 99 32 FEET (CHORD BEARS N 80'21'55"E, 94 91 FEET) S.69 50 24"E., 198 47 FEET TO A POINT OF NON-TANGENT CURVATURE, SOUTHWESTERLY ALONG THE ARC OF A 754 19 FOOT RADIUS CLIRVE LEFT (THE RADIUS POINT OF WHICH BEARS S 72'39 31"E.) THROUGH A CENTRAL ANGLE 4'34'40" 60 26 FEET (CHORD BEARS S 15'03 09"W 60 24 FEET), N 69'50'24"W 203.84 FEET TO THE POINT OF CLIRVE LEFT OF A 35 50 FOOT RADIUS CURVE, ALONG THE ARC of said curve left through a central angle of 59'38'20" 36 92 feet (chord bears S.80'21 56"W, 35 28 FEET) S 50'34'16"W 640.50 FEET TO THE POINT OF CURVE RIGHT OF A 250 51 FOOT RADIUS CURVE ALONG THE ARC OF SAID CURVE RIGHT THROUGH A CENTRAL ANGLE OF 21 31'06", 94 08 FEET (CHORD BEARS S 61'19 40"W, 93.53 FEET) S 72'05'22"W, 1039.87 FEET TO THE INITIAL POINT CONTAINS 14 831 ACRES, MORE OR LESS

AS PER ORS 92 076(2), I GARY E PAUL, ALSO SAY THAT THE POSTMONLIMENTATION OF THE INTERIOR CORNERS WITHIN THE SUBDIVISION WILL BE ACCOMPLISHED WITHIN 90 CALENDAR DAYS FOLLOWING THE COMPLETION OF PANING OF IMPROVEMENTS. OR WITHIN ONE YEAR FOLLOWING THE ORIGINAL PLAT RECORDATION, WHICHEVER COMES FIRST, IN ACCORDANCE WITH ORS 92 060

registered propessional land surveyor no 2698

#### NARRATIVE, NOTES AND PLAT RESTRICTIONS

- NARRATIVE THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THAT TRACT OF LAND DESCRIBED AS LOT 8 "ATHERTON HEIGHTS NO 2" PLAT NO 3036 CLACKAMAS COUNTY PLAT RECORDS. THE BASIS OF BEARINGS (N 13 15 00"E) IS THE WESTERLY LINE OF SAID LOT 8 ALL LINES ARE PER SURVEY NO 29252, CLACKAMAS COUNTY SURVEY RECORDS AND SAID PLAT NO 3036
- SUBJECT TO THE DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS RECORDED AS FEE NO CLACKAMAS COUNTY DEED RECORDS
- TRACT 'A' SHALL BE SUBJECT TO A PUBLIC WALKWAY EASEMENT AND A PUBLIC UTILITY
- TRACTS 'A' AND 'D' ARE SUBJECT TO A CONSERVATION EASEMENT RECORDED IN FEE NO 2002-0181-45 CLACKAMAS COUNTY DEED RECORDS
- SUBJECT TO CONDITIONS IN THE NOTICE OF FINDINGS CONCLUSIONS & ORDER CITY OF LAKE OSWEGO FILE AP 01-04-1421 AND AP 01-04/LU 00-0028-1413
- THE EXACT LOCATION OF THE UTILITY EASEMENT TO PORTLAND GENERAL ELECTRIC COMPANY RECORDED ON JULY 15 1957 IN BOOK 528 PAGE 68 CLACKAMAS COUNTY DEED RECORDS CANNOT BE LOCATED FROM INFORMATION WITHIN THE DOCUMENT
- THE PRIVATE STORM DRAINAGE EASEMENT WITHIN LOTS 9 THRU 14 AND TRACT 'A' IS SUBJECT TO A PRIVATE MAINTENANCE AGREEMENT RECORDED IN FEE NO 202 01845 CLACKAMAS COUNTY DEED RECORDS
- THE PRIVATE STORM DRAINAGE EASEMENT WITHIN LOTS 16, 17 AND TRACT 'C IS SUBJECT TO A PRIVATE MAINTENANCE AGREEMENT RECORDED IN FEE NO 2002 018 47. CLACKAMAS COUNTY DEED RECORDS
- VEHICULAR ACCESS TO AND FROM LOTS 25, 26 AND 27 SHALL BE RESTRICTED TO CHERYL COURT UNLESS OTHERWISE APPROVED BY THE CITY OF LAKE OSWEGO
- SUBJECT TO THE ROAD MAINTENANCE AGREEMENT RECORDED IN FEE NO 93-045634 CLACKAMAS COUNTY DEED RECORDS
- SUBJECT TO THE EASEMENT MODIFICATION AGREEMENT FOR VEHICULAR ACCESS RECORDED IN FEE NO 2002-01864 CLACKANAS COUNTY DEED RECORDS.
- 12. LOTS 27 28 AND 31 ARE SUBJECT TO A PUBLIC WALKWAY EASEMENT AS SHOWN
- 13. THE LOCATION OF SHIPLEY DRIVE MAY BE ADJUSTED BY AN APPROVED VACATION AND DEDICATION PROCESS IN ACCORDANCE WITH CONDITION 2 (A) (1) OF THE CITY OF LAKE OSWEGO'S CASE FILE LU 00-0028

CURVE	DELTA	RADIUS	ARC	CHORD	CHORD BRG
1	44"24"55"	20 00	15 50	15.12	\$ 56°10 58°E
2	51'02'18"	170 00	151 43	146.48	N 76 05 25°E
6	21 31'06"	<b>250</b> 51	94.08	93.53	S 61 19'49 W
12	51'02'18"	195.00	173 70	168.02	\$ 76 05 25 W
13	11'51'38"	1000 00	207 00	206 63	N 72'27'37'W
14	6'24'12"	1000 00	111 76	11170	N 75 17'25"E
15	47'19'44"	360 00	297.38	288 99	N 48 25 27 E
1 <b>6</b>	28 18'52"	360 00	177.80	176.10	N 103609"E
17	73'09'23"	120 00	153.22	143,02	S 49 51'44"W
18	3 17 55"	975.00	<b>5</b> 6 13	56 12	N 76'44'28"V
19	6'18 <b>'20"</b>	975.00	107 30	107.25	N 71 56 21 W
20	87"42"28"	14.00	21 43	19 40	N 24 55'57"V
21	11 50'12"	385 QO	79.54	79 40	N 13'00 11"E
22	10 38'22"	385 00	71 49	71.39	N 01 45'54"E
23	45'37'02"	220.00	175 16	170.57	S 73'22 47"W
24	88 57'52"	14 00	21 74	19 62	S 51 42 22 W
25	85 36'52"	14.00	20.92	19.03	N 35'35'00"V
26	6'08'40"	1025.00	109 92	109 87	N 75'19'06'W
27	3'42'35"	1025.00	66 37	66.35	N 70°23'28°W
28	81 18 22	14 00	19 87	18.24	\$ 70°48°38°W
29	5'28'53"	385.00	36.83	36.82	\$ 32'53 54°W
30	14'53'52"	385 00	100 11	99.82	S 43 05 16 W
31	15'22'29"	385 00	103 31	103.00	\$ 58'13 26 W
<u> </u>	6'10'38"	385 00	41 51	41 49	S 69 00 00 W
33	2'08 41"	1025 00	38.37	38.37	\$ 73'00 40'W
34	4 15'31"	1025 00	76 18	76.16	\$ 76°21 46°W
35	2'42'56"	975 00	46.21	46 21	N 73"26 47"E
36	9'09'52"	335 00	53.58	53 53	N 67'30'23"E
37	26'55 31"	335.00	157 43	155.98	N 49 27 42 E
38	27 12 18	335 00	159 06	157.57	N 22'23 47"E
39	12'20'55"	335.00	72.20	72.06	N 02'37'10"E
40	90'00'18"	10 00	15 71	14 14	N 48'33 26'V
41	73 09 23	100.00	127 68	119 18	S 49 51 44 W
42	90 00,00	15 00	23 58	21.21	S 31'42'58 E
43	80,00,00	15 00	23 56	21 21	\$ 58'17'02"V
44	17 24 59	140.00	42.56	42 39	N 21'59 32'E
45	27'07'04"	140 00	66.26	65.64	N 44"15"33"E
46	28 37'20"	140.00	69 34	69.21	N 72'07'45"E
47	89'59 42"	10.00	15.71	14 14	N 41 26 34 E
48	921656	15 00	24 16	21 63	<b>S</b> 59'03 17"E

REGISTERED **PROFESSIONAL** LAND SURVEYOR Hay 2 OREGON GARY E PAUL 2698

RENEWAL 12/31/2002 THIS IS AN EXACT DUPLICATE OF THE ORIGINAL PLAT OF TATHERTON NEIGHTS NO 3"

#3714



ATHERTON HEIGHTS NO. 3

BEING A REPLAT OF LOT 8, "ATHERTON HEIGHTS NO. 2"
SW1/4 AND SE1/4 SEC. 16, T.2S., R.1E., W.M.

CITY OF LAKE OSWEGO CLACKAMAS COUNTY, OREGON

SURVEYED JANUARY 22, 2002 SHEET 4 OF 4

Incorporated

17356 SW BOONES FERRY ROAD
LAKE OSWEGO OREGON 97036
(503)635-3618 FAX (503)635-5395

APPROVALS

APPROVED THIS 2 DAY OF 2003
CLACKAMAS COUNTY BOARD OF COMMISSIONERS
BY

ALL TAXES FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY ORS 92 095 HAVE BEEN PAID THROUGH 2002

APPROVED THIS 2/57 DAY OF TENNENT 2002

ASSESSON AND TAX COLVECTOR

APPROVED THIS 22 DAY OF 2000.

CLACKAMAS COUNTY SURVEYOR.

STATE OF OREGON

COUNTY OF CLACKAMAS

I DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT WAS RECEIVED FOR RECORD ON THE 26 EL DAY OF ELECTIFY, 2002 AT

BY CEPUTY EVERY

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 17 1985
GARY E PAUL
2698

RENEWAL 12/31/2002

THIS IS AN EXACT DUPLICATE
OF THE ORIGINAL PLAT OF
"ATHERTON HEIGHTS NO 3"
PLS NO 2698

#3714





Property Account Summary



General Information	
Alternate Property #	21E16C 00700
Property Description	Section 16 Township 2S Range 1E Quarter C TAX LOT 00700
Last Sale Price	
Last Sale Date	
Last Sale Excise Number	
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	007-016
Remarks	ORS 307.090 PUBLIC BODY

Tax Rate	Tax Rate					
Description	Rate					
Total Rate						

Property Characteristics						
Neighborhood	14294: South Lake Oswego rural all other					
Land Class Category	400: Tract Land, Vacant					
Acreage	20.54					
Change property ratio	4XX					
Not in CPR Calc	Multiple Chg's					

Parties						
Role		Name	Address			
Taxpayer	100	CITY OF LAKE OSWEGO	PO BOX 369, LAKE OSWEGO, OR 97034			
Owner	100	CITY OF LAKE OSWEGO	PO BOX 369, LAKE OSWEGO, OR 97034			

Property Values								
Value Type	Tax Year 2023	Tax Year 2022	Tax Year 2021	Tax Year 2020	Tax Year 2019			
AVR Total	\$818,565	\$768,097	\$755,610	\$775,010	\$744,092			
Exempt	\$818,565	\$768,097	\$755,610	\$775,010	\$744,092			
TVR Total								
Real Mkt Land	\$1,611,348	\$1,494,352	\$1,265,679	\$1,207,181	\$1,169,956			
Real Mkt Bldg								
Real Mkt Total	\$1,611,348	\$1,494,352	\$1,265,679	\$1,207,181	\$1,169,956			
M5 Mkt Land	\$1,611,348	\$1,494,352	\$1,265,679	\$1,207,181	\$1,169,956			
M5 Mkt Bldg								

SAVL (MAV Use Portion)       \$818,565       \$768,097       \$755,61         Mkt Exception       \$818,565       \$768,097       \$755,61	+775 040	¢744.000
	+775 040	¢744 000
Mkt Exception	\$775,010	\$744,092
MRC Exception		
AV Exception		

Parents										
Parcel No.	Seg/Merge No.	Status	From Date	To Date	Continued	<b>Document Number</b>				
No Parents F	No Parents Found									

Children									
Parcel No.	Seg/Merge No.	Status	From Date	To Date	<b>Document Number</b>				
No Children Fou	ınd								

#### **Active Exemptions**

Cities and Towns

Events						
Effective Date	Entry Date- Time	Туре	Remarks			
12/17/2014 12/17/2014 The situs address has changed			by CINDYSIM			
1105/06/2008		The situs address has changed	by LINDAPET			
08/23/2006	8/23/2006 08/23/2006 Current Use Removal- To Year Value Set		Effective to year 2005 Farm Deferral by MAURAJEN			
11/18/2003	11/26/2003 14:16:00	Recording Processed	Property Transfer Filing No.: 87710, Warranty Deed, Recording No.: 2003-152618 11/18/2003 by LINDADUN			
11/18/2003	11/26/2003 14:16:00	Taxpayer Changed	Property Transfer Filing No.: 87710 11/18/2003 by LINDADUN			
07/01/1999	07/01/1999 12:00:00	Ownership at Conversion	Warranty Deed: 97-39483, 3/1/97, \$ 0			

#### **Tax Balance**

Installments Payable									
Tax Year	Category	TCA/District	Charged	Minimum	<b>Balance Due</b>	<b>Due Date</b>			
No Records Found									

Installments Payable/Paid for Tax Year(Enter 4-digit Year, then Click-Here): 2023

Receipts										
Date	Receipt No.	<b>Amount Applied to Parcel</b>	<b>Total Amount Due</b>	Receipt Total	Change					
No Re	No Receipts Found									

Sales	Histo	ry							
	Entry Date	_	Recording Number	Excise Number	Deed Type	Transfer Type	Grantor(Seller)	Grantee(Buyer)	Other Parcel
No Sa	ales His	tory Found							
Prop	erty D	etails							

5/17/24, 10:55 AM

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths



Property Account Summary

Barcode

General Information	
Alternate Property #	21E21BA00400
Property Description	Section 21 Township 2S Range 1E Quarter BA TAX LOT 00400
Last Sale Price	\$700,000.00
Last Sale Date	03/06/2019
Last Sale Excise Number	349358
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	007-016
Remarks	ORS 307.090 PUBLIC BODY

Tax Rate							
Description	Rate						
Total Rate							

Property Characteristics					
Neighborhood	14294: South Lake Oswego rural all other				
Land Class Category	400: Tract Land, Vacant				
Acreage	4.83				
Change property ratio	4XX				
Not in CPR Calc Multiple Chg's					

Parties									
Role	Percent	Name	Address						
Taxpayer	100	CITY OF LAKE OSWEGO	PO BOX 369, LAKE OSWEGO, OR 97034						
Owner	100	CITY OF LAKE OSWEGO	PO BOX 369, LAKE OSWEGO, OR 97034						

Property Values									
Value Type	Tax Year 2023	Tax Year 2022	Tax Year 2021	Tax Year 2020	Tax Year 2019				
AVR Total	\$465,517	\$436,816	\$436,873	\$552,120	\$531,089				
Exempt	\$465,517	\$436,816	\$436,873	\$552,120	\$531,089				
TVR Total									
Real Mkt Land	\$916,372	\$849,837	\$731,781	\$697,960	\$676,436				
Real Mkt Bldg				\$162,040	\$158,610				
Real Mkt Total	\$916,372	\$849,837	\$731,781	\$860,000	\$835,046				
M5 Mkt Land	\$916,372	\$849,837	\$731,781	\$697,960	\$676,436				
M5 Mkt Bldg				\$162,040	\$158,610				
M5 SAV									
SAVL (MAV Use Portion)									
MAV (Market Portion)	\$465,517	\$436,816	\$436,873	\$552,120	\$531,089				
Mkt Exception					\$513,141				
AV Exception					\$326,358				

Parents								
Parcel No.	Seg/Merge No.	Status	From Date	To Date	Continued	<b>Document Number</b>		
No Parents Four	nd							

Children			1									
Parcel No.	Seg/N	lerge No.	Sta	atus Fro	m Date		To Date	Docur	nent N	lumber	•	
No Children	Found											
Active Exer	nptions											
Cities and To	wns											
Events												
Effective Date	Entry Date	Time Type		R	emarks							
01/20/2022	01/20/2022 14:44:00	Seg/N	1erge Comp	leted P	arent in Se	eg/Mer	ge SM220	107, Effectiv	ve: 01/	/02/202	21 by DRC	OME
01/20/2022	01/20/2022 14:43:00	Seg/N	1erge Initiat		EG/MERGI Y 2021-10			220107 PT T	L 0040	00 (.17	AC) INTO	RD
08/26/2021	08/26/2021 13:55:00	. Prope Chan	rty Characte ged		021 Not in alc by MEG			ed from Mul	tiple C	hg's to	MAV Han	d
08/21/2019	08/21/2019 15:11:00	The s	itus address jed	has	y LESLIES	os						
06/18/2019	06/18/2019 15:24:00		nt Use Rem Value Set		XEMPT OV orestland			20 -Effective M	e to ye	ar 2018	3 Small Tr	act
06/18/2019	06/18/2019 15:23:00		nt Use Remo Value Set		XEMPT OV eferral by			20 -Effective	e to ye	ar 2018	3 Farm	
03/01/2019	03/06/2019 10:51:00	Recor	ding Proces					: 349358, W 019 by ACOL			Recordin	g
03/01/2019	03/06/2019 10:51:00	Тахра	yer Change	d P	Property Transfer Filing No.: 349358 03/01/2019 by ACOUGHLIN						IN	
05/28/2008	05/28/2008 15:13:00		nt Use Remo Value Set		1.20 Acres for 2004Effective to year 2004 Designated Forestland by TAMILIT							
05/28/2004	05/28/2004 15:05:00	Prope	rty Use App		1.20 Acres for 2004 -Approved Small Tract Forestland Option by JEANBOR							
05/28/2004	05/28/200 <sup>2</sup> 12:53:00	Prope	rty Use App	roval 1	1.20 Acres for 2004 Approved			red Designated Forestland by JEANBOR				
07/01/1999	07/01/1999 12:00:00	Owne	rship at Cor	version	Warranty Deed: 97-39483, 3/1/97, \$ 0							
Tax Balanc	2											
Installmen	s Payable											
Tax Year	Category	TCA	/District		Charged	ı	Minimum	Bal	ance [	Due Du	ie Date	
No Records I	ound											
<u>Installments P</u>	ayable/Paid for	Tax Year(Ente	<u> 4-digit Year,</u>	then Click-Here	2023							
Receipts												
Date Rec	eipt No.		Amount A	pplied to Par	cel	Tota	al Amount	Due	Recei	pt Tota	l Cha	ange
No Receipts	Found							'				
Sales Histo	ry						1					
Sale Date	Entry Date	Recording Date	Recording Number		ale Excise Deed Trans unt Number Type Type			Grantor(Seller) Grante		e(Buyer)	Otl Pa	
02/27/2019	03/06/2019	03/01/2019	2019- 010695	\$700,000.00	0.00 349358 S STEVENS FAMILY CITY OF LAK OSWEGO					No		
	etails											
Property Do	cuiis											
Property Do		f Struct Size	Year Bu	ilt Improve	ement Gra	de	Stories	Bedrooms	Full I	Baths	Half Bat	hs

#### **CERTIFICATE OF SERVICE**

_									
2 3	accomplished service of a true and correct cop MOTION TO REOPEN CONSIDERATION WHETH	y of I	CHATPER X IS A "LAND USE REGULATION						
	ORDER, on the parties below on the date and i								
4	Ezra L. Hammer, OSB No. 203791 Jordan Ramis PC	<u>×</u>	Electronic Service to Ezra.Hammer@jordanramis.com						
5	1211 SW Fifth Ave., Ste. 2700 Portland, Oregon 97204	□ □ □ Øk □ ⊠	First-Class U.S. Mail, Postage Prepaid Hand-Delivery						
6	Of Attorneys for Plaintiff-Relator New Look		Fax Service to (503) 598-7373 Fed Ex/UPS Overnight Courier						
7	Development LLC		Courtesy Emails to: Julie.Stenberg@jordanramis.com						
8									
9	Christopher K. Dolan, OSB No. 922821 Jordan Ramis PC	$\boxtimes$	Electronic Service to Chris.Dolan@jordanramis.com						
10	1211 SW Fifth Ave., Ste. 2700 Portland, Oregon 97204		First-Class U.S. Mail, Postage Prepaid Hand-Delivery						
11	Of Attorneys for Plaintiff-Relator New Look		Fax Service to (503) 598-7373 Fed Ex/UPS Overnight Courier						
12	Development LLC		Courtesy Emails to: Julie.Stenberg@jordanramis.com						
13			007						
14	Theresa M. Kohlhoff, OSB No. 80398 7512 N. Berkeley	$\boxtimes$	Electronic Service to theresakohlhoff@gmail.com						
15	Portland, Oregon 97203		First-Class U.S. Mail, Postage Prepaid Hand-Delivery						
16	Attorney for Intervenor Michael Kohlhoff								
17			Courtesy Emails to:						
18									
19	DATED: May 21, 2024. LA	KE O	SWEGO CITY ATTORNEY'S OFFICE						
20	, ,								
21		re	u & Bone						
22	Evan P. Boone, OSB 781518 Deputy City Attorney								
23	Lake Oswego City Attorney's Office PO Box 369								
24	La	ke O	swego, Oregon 97034 (503) 635-0225   Fax: (503) 699-7453						
25	eb	oone	e@lakeoswego.city by for Defendant City of Lake Oswego						
26			ty jo. Dejendant city of Lake Obwego						