

A tract of land in a portion of Lot 102, CANBY GARDENS, in the Southwest one quarter and in a part of the Walter Fish Donation Land Claim Number 45 in the Southeast one quarter, all in Section 27, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Northwest corner of said Lot 102; thence South $0^{\circ}01'32''$ West, along the West line of said Lot 102, 180.00 feet to a point; thence East, 184.72 feet to the true point of beginning of the tract to be described; thence continuing East, 471.05 feet a point of the East line of said Lot 102, being on the West line of said Fish Donation Land Claim; thence North $0^{\circ}44'34''$ West, along said East line of Lot 102, 95.85 feet to the Southwest corner of that tract of land conveyed to William and Marilyn Wells, husband and wife, by Deed recorded as Fee Number 70-5860, Clackamas County Deed Records; thence South $57^{\circ}19'38''$ East, along the Southerly line of said Wells Tract, 252.17 feet to the Northwest corner of that tract of land conveyed to Rudolph and Dorna Stewart, husband and wife, by Deed recorded as Fee Number 75-37808, Clackamas County Deed Records, said Northwest corner being 20 feet distant at right angles from the Southern Pacific Company right of way; thence South $32^{\circ}40'22''$ West, along the Northwesterly line of said Stewart Tract, 351.90 feet to an angle corner in said Stewart Tract; thence North $57^{\circ}19'38''$ West, along a line of said Stewart Tract, 20.00 feet to a point on the West line of said Fish Donation Land Claim; thence North $0^{\circ}44'34''$ West, along the said Fish Donation Land Claim line, 175.72 feet to the Southeast corner of said Lot 102; thence West, along the South line of said Lot 102, 473.02 feet to a point; thence North $0^{\circ}00'48''$ East 150.00 feet returning to the true point of beginning.

TOGETHER WITH that roadway easement as described in Declaration recorded July 24, 1990, Fee No. 90-35648.

(443222.PFD/443222/64)

3

752019-Woodburn
FATCO. NO.



After recording return to:
Ethan Manuel and Stephanie Manuel
1612 N Redwood Street
Canby, OR 97013

Until a change is requested all tax statements
shall be sent to the following address:
Ethan Manuel and Stephanie Manuel
1612 N Redwood Street
Canby, OR 97013

File No.: 7084-752019 (mh)
Date: February 16, 2006

THIS SPACE RESERVED FOR RECORDER'S USE

Clackamas County Official Records
Sherry Hall, County Clerk

2006-015720



\$36.00

00943786200600157200030035

02/21/2006 03:43:01 PM

D-D Cnt=1 Stn=13 BARBARA
\$15.00 \$11.00 \$10.00

STATUTORY WARRANTY DEED

A. Allen Manuel, Grantor, conveys and warrants to Ethan Manuel and Stephanie Manuel, as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

This property is free from liens and encumbrances, EXCEPT:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$405,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

APN: 00774077

Statutory Warranty Deed
- continued

File No.: 7084-752019 (mh)
Date: 02/16/2006

Dated this 17th day of February, 20 06.

A. Allen Manuel
A. Allen Manuel

STATE OF Oregon)
)ss.
County of Marion)

This instrument was acknowledged before me on this 17th day of February, 20 06
by **A. Allen Manuel**.

Marta Hanson



Notary Public for Oregon
My commission expires: 1-7-07

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APN: 00774077

Statutory Warranty Deed
- continued

File No.: 7084-752019 (mh)
Date: 02/16/2006

EXHIBIT A

LEGAL DESCRIPTION:

A tract of land in a portion of Lot 102, CANBY GARDENS located in the Southwest one-quarter of Section 27, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of said Lot 102; thence East along the North line of said lot, 653.35 feet to the Northeast corner thereof; thence South 0°44'34" East along the East line of said Lot 102, 180.00 feet to a point; thence West, parallel to the North line of said Lot 102, 655.77 feet to a point on the West line of said Lot 102; thence North 0°01'32" East 180.00 feet returning to the point of beginning.

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FORM No. 33 - WARRANT DEED

KNOW ALL MEN BY THESE PRESENTS, That I, FRED C. WARD and GRACE WARD, husband and wife,

do hereby grant, but pass, all and convey unto the said grantees their heirs and assigns, all the following real property, with the covenants, conditions and appurtenances, situated in the County of Clackamas and State of Oregon, bounded and described as follows, to wit:

All of tracts or subdivisions numbered Twenty-eight (28) and One Hundred One (101) Lenby Gardens, as shown and designated on the duly recorded map or plat hereof, by the Records of Clackamas County, State of Oregon; reserving and excepting, however, to T. P. Moore and M. J. Lee, from the operation of this deed, a strip of land not exceeding three feet in width to sustain and maintain a water ditch or flume for irrigation purposes following the lines directly between said premises so as not to injure in any manner the grantees herein their heirs and assigns.



To Have and to hold the above described and bounded premises unto the said grantees their heirs and assigns forever, and the grantees do hereby warrant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances.

and that they will pay their legal expenses and acknowledge, shall execute and deliver and defend the above granted premises, and every part and part thereof against the exact claims and demands of all persons whatsoever.

Witness our hand and seal this 22nd day of August 1951

STATE OF OREGON, County of Wapinitia, on the 22nd day of August 1951 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named FRED C. WARD and GRACE WARD, husband and wife,

who are known to me to be the identical individuals identified in the within instrument, and acknowledging to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 22nd day of August 1951.

T. C. Thompson, Notary Public for Oregon, Commission expires 5-13-1952

WARRANTY DEED

STATE OF OREGON, County of Wapinitia, on the 22nd day of August 1951 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named FRED C. WARD and GRACE WARD, husband and wife, who are known to me to be the identical individuals identified in the within instrument, and acknowledging to me that they executed the same freely and voluntarily. IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 22nd day of August 1951. T. C. Thompson, Notary Public for Oregon, Commission expires 5-13-1952

22

AFTER FILING SEND TO:

Roll, Roll & Thibault
Assessors at Law
P.O. Box 729
Canby, OR 97013

SEND TAX STATEMENTS TO:

No Change

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that HUGH W. BOYLE and ROBERTA B. BOYLE, husband and wife, hereinafter called GRANTORS, for the consideration hereinafter stated, do hereby grant, bargain sell and convey unto HUGH W. BOYLE and ROBERTA B. BOYLE, as tenants in common, each as to an undivided one half interest, hereinafter called GRANTEEES, and unto GRANTEEES' heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, situated in the County of Clatsop, State of Oregon, described as follows, to wit:

All of tracts or subdivisions numbered 98 and 101, Canby Gardens, as shown and designated on the duly recorded map or plat thereof, by the Records of Clatsop County, State of Oregon, reserving and excepting, however, to W.B. Moore and M.J. Lee from the operation of this deed, a strip of land not exceeding three feet in width to construct and maintain a water ditch or flume for irrigation purposes following the lines directly between said premises so as not to injure in any manner the grantees herein, their heirs and assigns.
(Assessor's Acd. 974166; T3S-R1E-27C, Tax 1.04 @1200)

TO HAVE AND TO HOLD the same unto the said GRANTEEES and GRANTEEES' heirs, successors and assigns forever.

And GRANTORS hereby covenant to and with GRANTEEES and GRANTEEES' heirs, successors and assigns, that GRANTORS are lawfully seised in fee simple of the above granted premises, free from all encumbrances except for those set forth herein and any other of record, and that GRANTORS will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$N/L. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEES 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 BY ORS 30.026.

IN WITNESS WHEREOF, the GRANTORS have executed this instrument this 26 day of March, 1997.

Hugh W. Boyle
HUGH W. BOYLE, GRANTOR

Roberta B. Boyle
ROBERTA B. BOYLE, GRANTOR

STATE OF OREGON)
County of Clatsop) ss

Before me personally appeared the above named HUGH W. BOYLE and ROBERTA B. BOYLE and acknowledged the foregoing instrument to be their voluntary act and deed.

March 26, 1997

Mora K. Clark
Notary Public for Oregon
My Commission Expires 8-22-97



97-022364

171

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STATE OF OREGON 97-022364
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 81780 \$26.00
DATE AND TIME: 03/27/97 04:34 PM
JOHN KAUFFMAN, COUNTY CLERK

20
2/5

AFTER RECORDING SEND TO: Ref. Ref. 6. Tialho
Attorney at Law
P.O. Box 729
Cathy, OR 97013

SEND TAX STATEMENTS TO: No Change

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that HUGH W. BOYLE, hereinafter called GRANTOR, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto HUGH W. BOYLE, Trustee of the HUGH W. BOYLE TRUST, U/T/A dated March 26, 1997, hereinafter called GRANTEE, and unto GRANTEE'S heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to wit:

An undivided one-half interest in and to the following described real property:

All of tracts or subdivisions numbered 98 and 101, Canby Gardens, as shown and designated on the duly recorded map or plat thereof, by the Records of Clackamas County, State of Oregon; reserving and excepting, however, to W.B. Moore and M.J. Leo from the operation of this deed, a strip of land not exceeding three feet in width to construct and maintain a water ditch or flume for irrigation purposes following the lines directly between said premises, so as to conform to any manner the grantor herein, his heirs and assigns.
(Assessor's Acct. #774166; T3S-R1E-27C, Tax Lot 01200)

TO HAVE AND TO HOLD the same unto the said GRANTEE and GRANTEE'S heirs, successors and assigns forever.

And GRANTOR hereby covenants to and with GRANTEE and GRANTEE'S heirs, successors and assigns, that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances except for those set forth herein and any other of record. This is a transfer to a revocable living trust created by and for the benefit of GRANTOR thereof, and that GRANTOR will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The liability and obligations of the GRANTOR to GRANTEE and GRANTEE'S heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to GRANTOR under a standard and/or extended policy of life insurance. The limitations contained herein expressly do not relieve GRANTOR of any liability or obligations under this instrument, but merely define the scope, nature and amount of such liability or obligations.

The true and exact consideration paid for this transfer, stated in terms of dollars, is \$NIL. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 10.93.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 26 day of March, 1997.

Hugh W. Boyle
HUGH W. BOYLE, GRANTOR

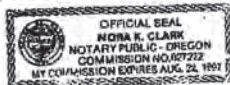
STATE OF OREGON)
County of Clackamas) ss

Before me personally appeared the above named HUGH W. BOYLE and acknowledged the foregoing instrument to be his voluntary act and deed.

March 26, 1997

Nora K. Clark

Notary Public for Oregon
My Commission Expires: 8-22-97



97-022365

STATE OF OREGON 37-022365
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County \$26.00
RECEIPT# AND FEE: 61790
DATE AND TIME: 03/27/97 04:34 PM
JOHN KAUFFMAN, COUNTY CLERK

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APR 26 1997

APR 26 1997

Neil & Thibault
Attorneys at Law
P.O. Box 729
Canby, OR 97003

SEND TAX STATEMENTS TO

No Charge

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that ROBERTA B. BOYLE, hereinafter called GRANTOR, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto HUGH V. BOYLE, Trustee of the ROBERTA B. BOYLE TRUST, U/T/A dated March 24th, 1997, hereinafter called GRANTEE, and unto GRANTEE'S heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to wit:

An undivided one-half interest in and to the following described real property:

All of tracts or subdivisions numbered 98 and 101, Canby Gardens, as shown and designated on the duly recorded map or plat thereof, by the Records of Clackamas County, State of Oregon; reserving and excepting, however, to W.D. Moore and M.J. Lee from the operation of this deed, a strip of land not exceeding three feet in width to construct and maintain a water ditch or flume for irrigation purposes following the lines directly between said premises so as not to injure in any manner the grantee herein, her heirs and assigns.
(Assessor's Act. #774146; T35-R1E-27C, Tax Lot 91200)

TO HAVE AND TO HOLD the same unto the said GRANTEE and GRANTEE'S heirs, successors and assigns forever.

And GRANTOR hereby covenants to and with GRANTEE and GRANTEE'S heirs, successors and assigns, that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances except for those set forth herein and any other of record. This is a transfer in a revocable living trust created by and for the benefit of GRANTOR himself, and that GRANTOR will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The liability and obligations of the GRANTOR to GRANTEE and GRANTEE'S heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to GRANTOR under a standard and/or extended policy of title insurance. The limitations contained herein expressly do not relieve GRANTOR of any liability or obligations under this instrument, but merely define the scope, nature and amount of such liability or obligations.

The true and actual consideration paid for this transfer, stated in terms of dollars, is ENIL. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.910.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 26th day of March, 1997.

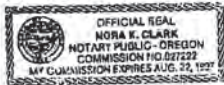
Roberta B. Boyle
ROBERTA B. BOYLE, GRANTOR

STATE OF OREGON,)
County of Clackamas) ss

March 26, 1997

Before me personally appeared the above named ROBERTA B. BOYLE and acknowledged the foregoing instrument to be her voluntary act and deed.

Nora K. Clark
Notary Public for Oregon
My Commission Expires: 8-22-97



97-022366

STATE OF OREGON 97-022366
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: B1780 \$26.00
DATE AND TIME: 03/27/97 04:34 PM
JOHN KAUFFMAN, COUNTY CLERK

2

OFFICE RECORDING NUMBER

Ref. No. A. 4448-41
Millsy 21 130
P.O. Box 724
Canby, OR 97013

INSTRUMENT NUMBER

Hugh R. Boyle et al
1758 N. Redwood
Canby, OR 97013

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that JAMES W. BOYLE, Successor Trustee of the Hugh W. Boyle Trust dated March 26, 1997, hereinafter called GRANTOR, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto HUGH R. BOYLE, JOHN D. BOYLE, KATHLEEN M. BOYLE, KRISTEEN A. BOYLE, JAMES W. BOYLE and KAREN D. BOYLE, as tenants in common, each as to an undivided one-sixth interest, hereinafter called GRANTEEES, and unto GRANTEEES' heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to wit:

An undivided one-half interest in and to the following described real property:

All of tracts of subdivisions numbered 98 and 101, Canby Gardens, as shown and designated on the duly recorded map or plat thereof, by the Records of Clackamas County, State of Oregon; reserving and excepting, however, to W.H. Moore and ATT-1111 from the operation of this deed, a strip of land not exceeding three feet in width to construct and maintain a water ditch or flume for irrigation purposes following the lines directly between said premises so as not to injure, in any manner the grantee herein, her heirs and assigns.
(Assessor's Acct. #774166; T3S-R1E-27C; Tax Lot 01200)

TO HAVE AND TO HOLD the same unto the said GRANTEEES and GRANTEEES' heirs, successors and assigns forever.

And GRANTOR hereby covenants to and with GRANTEEES and GRANTEEES' heirs, successors and assigns, that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances except for those set forth herein and any other of record.

The liability and obligations of the GRANTOR to GRANTEEES and GRANTEEES' heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to GRANTOR under a standard and/or extended policy of title insurance. The limitations contained herein expressly do not relieve GRANTOR of any liability or obligations under this instrument, but merely define the scope, nature and amount of such liability or obligations.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$NIL. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration. DISTRIBUTION OF TRUST ASSETS

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.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 18th day of September 1997

[Signature]
JAMES W. BOYLE, TRUSTEE - GRANTOR

STATE OF OREGON)
County of Clackamas) ss

September 18, 1997

Before me personally appeared the above named JAMES W. BOYLE, and acknowledged the foregoing instrument to be his voluntary act and deed.

[Signature]
Notary Public for Oregon
My Commission Expires 8/22/01



97-073785

STATE OF OREGON 87-073785
CLACKAMAS COUNTY
Received and placed in the public
Records of Clackamas County 0305 83
RECEIPT AND FEE: 69889
DATE AND TIME: 09/23/97 11:27 AM
JOHN KAUFFMAN, COUNTY CLERK

2

OFFER RECORDING SINCE 10

Ref. Ref. A (Public)
300-000-0011
P.O. Box 729
Canby, OR 97013

AND ASSAULTS BY (1) Hugh F. Boyle et al
1758 N. Redwood
Canby, OR 97013

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that JAMES W. BOYLE, Successor Trustee of the Roberta B. Boyle Trust dated March 26, 1997, hereinafter called GRANTOR, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto HUGLI R. BOYLE, JOHN D. BOYLE, KATHLEEN M. BOYLE, KRISTEK M. BOYLE, JAMES W. BOYLE and KAREN O. BOYLE, as tenants in common, each as to an undivided one-sixth interest, hereinafter called GRANTEE'S, and unto GRANTEE'S heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to wit:

An undivided one-half interest in and to the following described real property:

All of tracts of subdivisions numbered 98 and 101, Canby Gardens, as shown and designated on the duly recorded map or plat thereof, by the Records of Clackamas County, State of Oregon; reserving and excepting, however, to W.B. Moore and M.J. Lee from the operation of this deed, a strip of land not exceeding three feet in width to construct and maintain a water ditch or flume for irrigation purposes following the lines directly between said premises so as not to injury in any manner the grantee herein, her heirs and assigns.
(Assessor's Acct. #774166: T3S-R1E-27C, Tax Lot 01200)

TO HAVE AND TO HOLD the same unto the said GRANTEE'S and GRANTEE'S heirs, successors and assigns forever.

And GRANTOR hereby covenants to and with GRANTEE'S and GRANTEE'S heirs, successors and assigns, that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances except for those set forth herein and any other of record.

The liability and obligations of the GRANTOR to GRANTEE'S and GRANTEE'S heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to GRANTOR under a standard and/or extended policy of title insurance. The limitations contained herein expressly do not relieve GRANTOR of any liability or obligations under this instrument, but merely define the scope, nature and amount of such liability or obligations.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$NIL. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration: DISTRIBUTION OF TRUST ASSETS.

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 FEETITLE 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 30.030.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 18th day of September, 1997

[Signature]
JAMES W. BOYLE, TRUSTEE: GRANTOR

STATE OF OREGON)
County of Clackamas) ss

Before me personally appeared the above named JAMES W. BOYLE and acknowledged the foregoing instrument to be his voluntary act and deed.

September 18, 1997

BOYLE and acknowledged the foregoing instrument to be

[Signature]
Notary Public for Oregon

My Commission Expires: 8/22/01



97-073786

STATE OF OREGON 97-073786
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 62229 \$36.00
DATE AND TIME: 09/23/97 11:27 AM
JOHN KAUFFMAN, COUNTY CLERK

2

28

AFTER RECORDING RETURN TO:
Reif, Reif & Thalhofer, Attorneys
P. O. Box 730
Canby, Or 97013
UNTIL OTHERWISE REQUESTED,
SEND TAX STATEMENTS TO:
No change.

RECORDED IN CLACKAMAS COUNTY
JOHN KRUFFMAN, COUNTY CLERK
2000-063263
\$31.00
09/27/2000 02:10:24 PM
D D - 1 - 2 TRISH
\$10.00 \$11.00 \$10.00



SCANNED

DEED CREATING ESTATE BY THE ENTIRETY

RECITALS:

- A. Hugh R. Boyle owns a one-sixth (1/6) interest in the real property described in the Warranty Deeds dated September 18, 1997, recorded as Clackamas County Fee Numbers 97-073785 and 97-073786.
- B. The intent of this deed is to create an estate by the entirety in Hugh R. Boyle's one-sixth (1/6) interest.

KNOW ALL MEN BY THESE PRESENTS, that HUGH R. BOYLE (hereinafter called GRANTOR), does hereby grant, bargain, sell and convey unto ROBERTA M. BOYLE (hereinafter called GRANTEE), an undivided one-half of GRANTOR'S one-sixth interest in the following described real property situated in Clackamas County, Oregon, to-wit:

All of tracts of subdivisions numbered 98 and 101, CANBY GARDENS, as shown and designated in the duly recorded map or plat thereof, by the Records of Clackamas County, State of Oregon; reserving and excepting, however, to W. B. Moore and M. J. Lee from the operation of this deed, as trip of land not exceeding three feet in width to construct and maintain a water ditch or flume for irrigation purposes following the lines directly between said premises so as not to injure in any manner the grantee herein, their heirs and assigns.
(Assessor's Acct. #774166; T3S-R1E-27C, Tax Lot 01200)

TO HAVE AND TO HOLD said undivided one-half of GRANTOR'S one-sixth of said real property unto the said GRANTEE forever.

The above named GRANTOR retains a like undivided one-half of said real property and it is the intent and purpose of this instrument to create and there hereby is created an estate by the entirety between husband and wife as to said real property.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$NIL. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

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

WITNESS GRANTOR'S hand this 26 day of Sept, 2000.

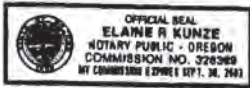
Hugh R. Boyle
Hugh R. Boyle - Grantor

STATE OF OREGON)
) ss.
County of Clackamas)

September 26, 2000

Before me personally appeared the above named Hugh R. Boyle, who is known to me to be the spouse of the GRANTEE in the above deed and acknowledged the foregoing instrument to be his voluntary act and deed.

Elaine R. Kunze
Notary Public for Oregon
My Commission Expires: 9-30-03



PAGE 2. -- DEED CREATING ESTATE BY THE ENTIRETY

②



After recording return to:
Ethan A. Manuel and Stephanie L. Manuel
1612 N. Redwood
Canby, OR 97013

Until a change is requested all tax statements shall be sent to the following address:
Proudest Monkey Development, LLC
1612 N. Redwood
Canby, OR 97013

File No.: 7084-2228732 (mh)
Date: April 03, 2014

FIRST AMERICAN 2228732-70

First American Title Accommodation
Recording Assumes No Liability

THIS SPACE RESERVED FOR RECORDER'S USE	
Clackamas County Official Records Sherry Hall, County Clerk	2014-018866
04/24/2014 11:00:36 AM	
D-D Cnt=1 Stn=6 KARLYN	\$58.00
\$10.00 \$16.00 \$10.00 \$22.00	
First American Title Accommodation Recording Assumes No Liability	

STATUTORY BARGAIN AND SALE DEED

Ethan A. Manuel and Stephanie L. Manuel, as tenants by the entirety, Grantor, conveys to **Proudest Monkey Development, LLC**, Grantee, the following described real property:

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

PARCEL 1, PARTITION PLAT NO. 2013-009, in the County of Clackamas and State of Oregon.

The true consideration for this conveyance is **\$NONE**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

APN: 00798550

Bargain and Sale Deed
- continued

File No.: 7084-2228732 (mh)

Date: 04/03/2014

Dated this 18th day of April, 2014.

Ethan A. Manuel

Ethan A. Manuel

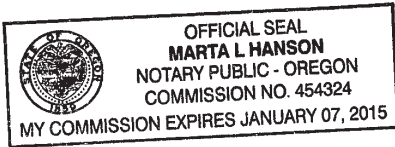
Stephanie L. Manuel

Stephanie L. Manuel

STATE OF Oregon)
)ss.
County of Marion)

This instrument was acknowledged before me on this 18th day of April, 2014
by Ethan A. Manuel and Stephanie L. Manuel

Marta Hanson



Notary Public for Oregon

My commission expires: 1-7-15

**Until a change is requested
send tax statements to:**

Rebecca S. Kinch
3849 South Drive
Fort Worth, Texas 76109

After recording return to:

Kelly S. Bidema
William J. Stalnaker
Hibbard Caldwell Schultz & Stalnaker, P.C.
1001 Molalla Avenue, Suite 200
Oregon City, OR 97045



Clackamas County Official Records
Sherry Hall, County Clerk

2009-015726



\$46.00

01288120200900157260040040

03/11/2009 04:16:17 PM

D-D Cnt=1 Stn=8 DIANNAW
\$20.00 \$10.00 \$16.00

The true consideration for this conveyance is \$ Zero.

RE-RECORDING CERTIFICATE

PERSONAL REPRESENTATIVE'S DEED

This document is being RERECORDED TO CORRECT AND CLARIFY THE DISTRIBUTION OF THE ESTATE OF ALTHA M. STEWART, DECEASED, TO HIS CHILDREN, PREVIOUSLY RECORDED AS DOCUMENT NUMBER 2008-078247.

Rebecca S. Kinch, the duly appointed, qualified, and acting personal representative of the Estate of Altha M. Stewart, deceased, conveys the Estate's one-half (1/2) undivided interest in real property described below to Rebecca S. Kinch an undivided one-eighth (1/8) interest, to Pamela Anne King an undivided one-eighth (1/8) interest, to Susan Lee Fallon an undivided one-eighth (1/8) interest and to Steven Kendal Stewart an undivided one-eighth (1/8) interest in the real property situated in Clackamas County, Oregon.


MAIL TAX STATEMENTS TO:

3P

Rebecca S. Kinch
3849 South Drive
Fort Worth, Texas 76109

AFTER RECORDING RETURN TO:

Hibbard Caldwell Schultz & Stalnaker, P.C.
Attn: Tracy H.
1001 Molalla Avenue, Suite 200
Oregon City, OR 97045

Clackamas County Official Records		2008-078247
Sherry Hall, County Clerk		
		\$41.00
01263539200800782470030033		
		11/20/2008 03:35:31 PM
D-D	Cnt=1 Stn=1 BARBARA	
\$15.00	\$10.00	\$16.00
This area reserved for County Recorder.		

The true consideration for this conveyance is \$ Zero.

PERSONAL REPRESENTATIVE'S DEED

Rebecca S. Kinch, the duly appointed, qualified, and acting personal representative of the estate of Altha M. Stewart, deceased, conveys to Rebecca S. Kinch, Pamela Anne King, Susan Lee Fallon and Steven Kendal Stewart, each an equal one-eighth (1/8) interest of all of decedent's one-half (1/2) undivided interest in that real property situated in Clackamas County, Oregon, described as follows:

Attached as Exhibit "A" and incorporated herein by reference.

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 OF 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.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY

THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF ANY NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

DATED: Nov 11, 2008.

Rebecca S. Kinch

Rebecca S. Kinch, Personal Representative of the Estate of Altha M. Stewart, Deceased

STATE OF TEXAS)

County of TARRANT) ss:

On the 11 day of Nov, 2008, personally appeared the above-named Rebecca S. Kinch and acknowledged the above instrument to be her voluntary act and deed as personal representative of the Altha M. Stewart Estate.



Marian Lewis

Notary Public for Texas

My commission expires: 5-11-2011

EXHIBIT A

PARCEL 1:

Subdivision Number Ninety-Six (96) and One Hundred Three (103) of CANBY GARDENS as shown and designated on the duly recorded map and plat thereof, on the County Records of Clackamas County, State of Oregon, commonly known as 1548 N. Redwood Street, Canby, OR 97013.

PARCEL 2:

Part of the Walter Fish D.L.C., No. 45, in Township 3 South, Range 1 East, of the Willamette Meridian, Clackamas County, Oregon described as follows:

Beginning at a point in the North-South one quarter section line of Section 27, that is North $0^{\circ}39'30''$ West, 112.35 feet distant from the South one-quarter section corner of said Section 27, which point is also located in the West boundary of the said Walter Fish D.L.C., at the intersection of the Northwest boundary of the Southern Pacific Company right of way with the D.L.C. boundary; from said beginning point, thence North $32^{\circ}45'30''$ East a distance of 413 feet along the boundary of said railroad right of way to the Southwest corner of the property of Alfred Holsten and Ruth Holsten, in the boundary of said railroad right of way; thence in a Northwesterly direction along the Southwesterly boundary of the Alfred and Ruth Holsten to a point, said point is 20 feet distant at right angle from Southern Pacific Company right of way; thence South $32^{\circ}45'30''$ West a distance of 351 feet to a point that is 20 feet distant at right angle to railroad right of way boundary; thence North $57^{\circ}14'30''$ West a distance of 20 feet to a point in the Walter Fish D.L.C. West boundary; thence South $0^{\circ}39'30''$ East a distance of 73.5 feet to the place of beginning.

RECORDING COVER SHEET

(Per ORS 205.234 or ORS 205.244)

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any errors in this cover sheet do not effect the Transaction(s) contained in the instrument itself

This space reserved for use by the County Recording Office

**After recording return to:
First American Title
681 Glatt Circle
Woodburn, OR 97071**

Clackamas County Official Records Sherry Hall, County Clerk	2013-039502
	06/10/2013 09:45:59 AM
D-D Cnt=1 Str=6 KARLYNWUN	\$73.00
\$30.00 \$16.00 \$10.00 \$17.00	

FIRST AMERICAN 2060011-7D

- 1) **Title(s) of Transaction(s)** ORS 205.234(a)
Statutory Bargain and Sale Deed
- 2) **Direct Party/Grantor(s)** ORS 205.125(1)(b) and ORS 205.160
Janet A. Potter, Sole Trustee of the Janet A. Potter Living Trust under agreement dated August 26, 2008 and amended under agreement dated April 11, 2013, as to an undivided one-half (1/2) interest
- 3) **Indirect Party/Grantee(s)** ORS 205.125(1)(a) and ORS 205.160
Rebecca S. Gray, Pamela Anne King, Susan Lee Fallon and Steven Kendal Stewart
- 4) **True and Actual Consideration** ORS 93.030
\$Transferring ownership interest in Partition Plat
- 5) **Send Tax Statements to:**
No Change

: If this box is checked, the below applies:

If this instrument is being Re-Recorded, complete the following statement, in accordance with ORS 205.244: "Rerecorded at the request of First American Title to correct To clarify the correction of the Grantee instead of Grantor as noted on the re-recorded document #2013-034974 Grantee to read: Rebecca S. Gray, previously known as Rebecca S. Kinch, Pamela Anne King, Susan Lee Fallon and Steven Kendal Stewart previously recorded in Book and Page , or as Fee Number 2013-029700 and 2013-034974."

(Legal description if corrected is attached to included certified document of the original.)

RECORDING COVER SHEET

(Per ORS 205.234 or ORS 205.244)

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any errors in this cover sheet do not effect the Transaction(s) contained in the instrument itself

This space reserved for use by the County Recording Office

After recording return to:
First American Title
681 Glatt Circle
Woodburn, OR 97071

Clackamas County Official Records Sherry Hall, County Clerk	2013-034974
	05/21/2013 02:10:34 PM
D-D Cnt=1 Stn=1 LESLIE	\$63.00
\$20.00 \$16.00 \$10.00 \$17.00	

- 1) Title(s) of Transaction(s) ORS 205.234(a)
Statutory Bargain and Sale Deed
- 2) Direct Party/Grantor(s) ORS 205.125(1)(b) and ORS 205.160
Janet A. Potter, Sole Trustee of the Janet A. Potter Living Trust under agreement dated August 26, 2008 and amended under agreement dated April 11, 2013, as to an undivided one-half (1/2) interest
- 3) Indirect Party/Grantee(s) ORS 205.125(1)(a) and ORS 205.160
Rebecca S. Gray, Pamela Anne King, Susan Lee Fallon and Steven Kendal Stewart
- 4) True and Actual Consideration ORS 93.030
\$Transferring ownership interest in Partition Plat
- 5) Send Tax Statements to:
same

FIRST AMERICAN 2060011-70

: If this box is checked, the below applies:

If this instrument is being Re-Recorded, complete the following statement, in accordance with ORS 205.244: "Rerecorded at the request of First American Title to correct Grantor to read: Rebecca S. Gray, previously known as Rebecca S. Kinch, Pamela Anne King, Susan Lee Fallon and Steven Kendal Stewart previously recorded in Book and Page , or as Fee Number 2013-029700."

(Legal description if corrected is attached to included certified document of the original.)



After recording return to:
Rebecca S. Gray
c/o 681 Glatt Circle
Woodburn, OR 97071

Until a change is requested all tax
statements shall be sent to the
following address:
Rebecca S. Gray
c/o 681 Glatt Circle
Woodburn, OR 97071

File No.: 7084-2060011 (mh)
Date: April 10, 2013

Clackamas County Official Records **2013-029700**
Sherry Hall, County Clerk
04/30/2013 02:57:35 PM
D-D Cnt=1 Str=6 KARLYNWUN
\$10.00 \$16.00 \$10.00 \$17.00 **\$53.00**

2060011 - TD

FIRST AMERICAN

STATUTORY BARGAIN AND SALE DEED

Janet A. Potter, Sole Trustee of the Janet A. Potter Living Trust under agreement dated August 26, 2008, and amended under agreement dated April 11, 2013, as to an undivided one-half (1/2) interest, Grantor, conveys to **Rebecca S. Gray, Pamela Anne King, Susan Lee Fallon and Steven Kendal Stewart**, Grantee, the following described real property:

An undivided one-half (1/2) interest in Parcel 2, Partition Plat No. 2013-009, in the County of Clackamas and State of Oregon

The true consideration for this conveyance is **\$Transferring ownership interest in Partition Plat.**
(Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

First American Title Accommodation
Recording Assumes No Liability

APN: 00798550

Bargain and Sale Deed
- continued

File No.: 7084-2060011 (mh)
Date: 04/10/2013

Dated this 12th day of April, 2013.

Janet A. Potter Living Trust

Janet A. Potter, Trustee
Janet A. Potter, Sole Trustee

STATE OF Oregon)
)ss.
County of Marion)

This instrument was acknowledged before me on this 12th day of April, 2013
by Janet A. Potter as Sole Trustee of Janet A. Potter Living Trust, on behalf of the trust.



Marta Hanson

Notary Public for Oregon
My commission expires: 1-7-15

STATE OF OREGON }
COUNTY OF CLACKAMAS } ss.

I, SHERRY HALL, County Clerk of the State of Oregon for the County of Clackamas, do hereby certify that the foregoing copy of

Deed Record
2013-29700 2pgs

has been by me compared with the original, and that it is a correct transcript therefrom, and the whole of such original, as the name appears on file and of record in my office and in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal

this 9th day of May, 2013.

SHERRY HALL, Clerk

By: [Signature]

Deputy



STATE OF OREGON }
COUNTY OF CLACKAMAS } ss.

I, SHERRY HALL, County Clerk of the State of Oregon for the County of Clackamas, do hereby certify that the foregoing copy of

Deed Record
2013-34974 4pgs

has been by me compared with the original, and that it is a correct transcript therefrom, and the whole of such original, as the name appears on file and of record in my office and in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this 4th day of June, 2013.

SHERRY HALL, Clerk
By: [Signature]
Deputy



2P

Until a change is requested
send tax statements to:

Rebecca S. Gray
3005 Tanglewood Park West
Fort Worth, TX 76109

After recording return to:

Jona S.
William J. Stalnaker
Hibbard Caldwell Schultz & Stalnaker PC
1001 Molalla Ave. Ste 200
Oregon City, OR 97045

Clackamas County Official Records
Sherry Hall, County Clerk

2013-054633



\$53.00

08/01/2013 01:19:14 PM

D-D Cnt=1 Stn=9 KARLYNWUN
\$10.00 \$10.00 \$16.00 \$17.00

This area reserved for County Recorder.

The true consideration other than cash: Other property or value was either part or the whole consideration.

BARGAIN AND SALE DEED

SUSAN LEE FALLON, "Grantor", hereby conveys to PAMELA ANNE KING, "Grantee", an undivided one-quarter (1/4) interest in the following described real property located in the County of Clackamas, State of Oregon, free of encumbrances except for matters of public record in the following described real property:

An undivided one-quarter (1/4) interest in Parcel 2, Partition Plat No. 2013-009, in the County of Clackamas and State of Oregon

More commonly know as: Map No. 31E34B 00701 Parcel No. 05024787

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF

NOTICE OF NEIGHBORHOOD MEETING

For a Proposed Subdivision on N. Redwood St. in Canby, OR

You are invited to attend a neighborhood meeting regarding a proposed 88 lot subdivision that is planned for properties located at 1440, 1548, 1612, 1650, and 1758 N. Redwood Street. The purpose of the meeting is to present the proposed plan and to receive neighborhood comments and suggestions prior to the submittal of the application to the City of Canby for processing.

The meeting is scheduled for:

Date: Thursday, August 31, 2017

Time: 6:30 to 7:30 PM

Location: Canby United Methodist Church

1520 N. Holly Street,
Canby, OR

If you cannot attend and have questions or comments, please contact the project planner, Rick Givens, via email at rickgivens@gmail.com.

Redwood Landing

Neighborhood Meeting Minutes

August 31, 2017

A neighborhood meeting on the proposed Redwood Landing subdivision was held on Thursday, August 31, 2017. The meeting was held at 7:00 pm at Canby United Methodist Church, 1520 N. Holly Street, Canby, OR. Rick Givens, planning consultant for the applicant, Icon Construction and Development, LLC, opened the meeting with a presentation of the proposed development. He used a colored site plan to explain that the proposal was for an 89 lot subdivision and that more than 6 acres of the site would be dedicated to the City of Canby for park purposes. He stated that the lots would be used for construction of single-family detached homes. He explained that the area was a part of the City's North Redwood Development Concept Plan and that the layout was generally consistent with the design parameters of that plan. He discussed the process whereby the City would review the application and noted that the neighborhood meeting was for the purpose of the applicant explaining the project and for people to get their questions answered and to make comments on the proposal. There will be an opportunity for public comment on the proposal on the subdivision application during the City's review of this project and that everyone within 500 feet of the property would receive notice from the City about the public hearing.

By far, the biggest area of concern expressed was regarding the neighborhood perception that N. Redwood Street needed to be upgraded to full City standards before any further development occurs in this area. Mr. Givens explained that the City requires a traffic study and that one was under way by the City's traffic consultants, DKS Associates. He explained that the traffic study would be available to be reviewed by the public prior to the hearing. He noted that N. Redwood Street is a County road and that Clackamas County has current jurisdiction over the road. He stated that typical practice is for developers to dedicate any needed right-of-way and construct improvements along the project frontage and that is what is proposed in this application. Mr. Givens noted that other properties along N. Redwood would do the same when they develop in the future and that ultimately, this would result in the road being brought up to standards. Mr. Givens also noted that the City collects System Development Charges for transportation with each building permit and that these funds could potentially be applied to street improvements in this area.

A question was asked as to what the process would be to get N. Redwood St. to be a City street. The feeling was that the County would not do anything to upgrade the road. Mr. Givens agreed that the County has much higher priorities for limited funding for road improvements. He said that he would check into what the process is for conversion of a County road to a City street. [Note: Subsequent to the meeting, Mr. Givens called Richard Nyes of Clackamas County's Transportation Engineering department. Mr. Nyes said that under the Urban Growth Management Agreement between the County and the City of Canby, a request for transfer of ownership of the road would need to come from the City. There would be a discussion about what improvements the County would make as a part of the agreement for the City to accept responsibility for future maintenance of the road. He said that the improvements

typically consist of repairs to the existing surface rather than making a full improvement to City standards.]

A question was asked about storm drainage. Mr. Givens explained that a storm sewer system would be provided with the subdivision and that the outfall would be to Willow Creek. He noted that the City would require treatment and detention of the water before release to the drainageway.

The owner of property to the north was concerned about the alignment of the street stub of the proposed N. Sycamore Street as it comes into his property. Mr. Givens noted that the proposed location was consistent with the NRDCP, but the owner felt that it should be moved considerably to the west. He also felt that the entire north boundary of the proposed park should be fenced to prevent people from entering his property.

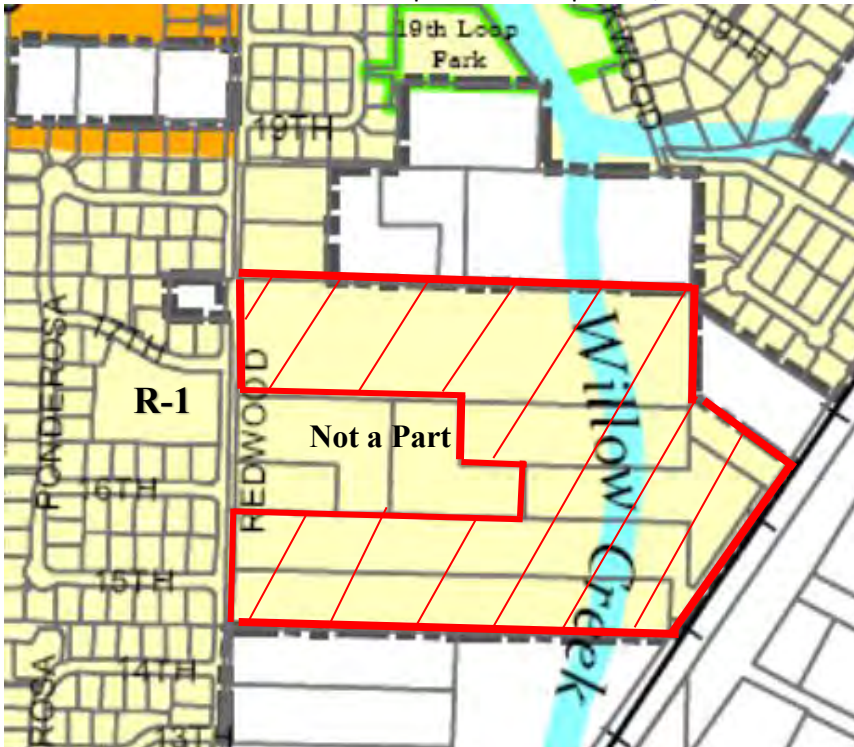
After the meeting ended, the owners of two of the properties that are surrounded by the proposed subdivision expressed concern about the location of roads shown on the shadow plan for their properties. They requested that the design be revised to reduce the amount of road on their properties. Mr. Givens explained that the design was conceptual only, but that he felt the design shown in the NRDCP did not provide enough street frontage to allow for full development of their properties. Subsequent to the meeting, Mr. Givens revised the design of the shadow plat to reduce the amount of road shown on the shadow plat.



City of Canby

NOTICE OF PUBLIC HEARING & REQUEST FOR COMMENTS

The purpose of this Notice is to Request Your Comments and invite you to a Public Hearing at a Planning Commission meeting on Monday, November 13, 2017 at 7 pm, City Council Chambers, 222 NE 2nd Ave, 1st Floor to review a Subdivision application. The applicants are requesting approval of a 25.21 acre subdivision for 89 single family home lots located within the area of the N Redwood Development Concept Plan, east side of N Redwood St between NE 12th Ave and NE 19th Loop.



Comments due– If you would like your comments to be incorporated into the City’s Staff Report, please return the Comment Form by Wednesday, November 1, 2017
Location: East side of N Redwood St between NE 12th Ave & NE 19th Loop
Tax Lots: 31E27C00301, 00500, & 01200, 31E34B00700 & 00701 (See hatch area at left)
Lot Size and Zoning: 25.21 acres, R-1 Low Density Residential
Owners: John Boyle, Jim Boyle, Hugh Boyle, Kathleen Boyle, Kristeen Boyle, Karen Seratt, Steven Stewart, Pamela King, Rebecca Stewart Gray, Ethan Manuel, and Stephanie Manuel
Applicants: Icon Construction & Development, LLC
Representative: Rick Givens, Planning Consultant
Application Type: Subdivision (Type III)
City File Number: SUB 17-06

Contact: David Epling at 503-266-0686 or email eplingd@canbyoregon.gov

What is the Decision Process? The Planning Commission will make a decision after the Public Hearing. The Planning Commission’s decision may be appealed to the City Council.

Where can I send my comments? Written comments can be submitted up to the time of the Public Hearing and may also be delivered in person to the Planning Commission during the Public Hearing on Monday, November 13, 2017. (Please see *Comment Form*). Comments can be mailed to the Canby Planning Department, PO Box 930, Canby, OR 97013; dropped off at 222 NE 2nd Ave; or emailed to eplingd@canbyoregon.gov

How can I review the documents and staff report? Weekdays from 8 AM to 5 PM at the Canby Planning Department. The staff report to the Planning Commission will be available for inspection starting Friday, November 3, 2017 and can be viewed on the City’s website: <http://www.canbyoregon.gov> Copies are available at \$0.25 per page or can be emailed to you upon request.

Applicable Criteria: Canby Municipal Code Chapters:

- 16.08 General Provisions
- 16.10 Off-Street Parking and Loading
- 16.16 R 1 Low Density Residential Zone
- 16.43 Outdoor Lighting Standards
- 16.46 Access Standards
- 16.62 Subdivisions – Applications
- 16.64 Subdivisions – Design Standards
- 16.86 Street Alignments
- 16.88 General Standards & Procedures
- 16.89 Application & Review Procedures
- 16.120 Parks, Open Space & Recreation Land General Provisions

Note: Failure of an issue to be raised in a 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 board based on that issue.

David Epling

From: Martin/Dawn Engel <dnmengel@canby.com>
Sent: Saturday, October 14, 2017 4:57 PM
To: David Epling
Subject: notice of public hearing and request for comments north Redwood development concept plan

My comment is that this area can not withstand that many houses filled with multiple inhabitants with the current conditions that exist on Redwood. It is already very unsafe to walk, bike and sometimes drive on certain areas of the street. I repeat, it is not safe; and if you add all those other cars and foot traffic etc., it will be a nightmare for everybody concerned. Please reconsider or promise to fix the problems all the way up and down Redwood. This should have done already for the current families living in this neighborhood. Thank you, Dawn Engel

1747 N E. 16th Ave, Canby Oregon
dnmengel@canby.com

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

6655 S.W. HAMPTON STREET, SUITE 210
PORTLAND, OREGON 97223

October 20, 2017

MEMORANDUM

TO: Mr. David Epling
City of Canby

FROM: Hassan Ibrahim, P.E. *HAI*
Curran-McLeod, Inc.

RE: **CITY OF CANBY**
REDWOOD LANDING SUBDIVISION (SUB 17-06)

We have reviewed the submitted preliminary plans on the above mentioned project and have the following comments:

1. N Redwood Street is classified as a collector street as per the City Transportation System Plan (TSP), the existing right-of-way width of 50 feet (30-foot to the west and 20-foot to the east. A 10-foot wide right of way dedication will be required along the entire site frontage with N Redwood Street including half street improvements with curbs, 4.5-foot planter strip, 6-foot wide concrete sidewalks, utilities as required and street lights. The half street improvements shall be built to City Standards with the curb placed at 18-foot from the centerline right-of-way to match the east side of the roadway in conformance with section 2.207 of the City of Canby Public Works Design Standards dated June 2012. An asphalt tapers at the rate of 10:1 shall be constructed to match existing asphalt surface at both ends of the street.
2. Sight distance verification by a registered professional engineer shall be submitted to the City for review and approval. The sight distance each at access point with N Redwood Street shall be a minimum of 240 feet in northbound direction and 280 feet in the southbound direction to ensure the existing vegetation growth doesn't obstruct the vehicular traffic.
3. A crosswalk striping, pedestrian crossing signage and adequate lighting at N Redwood Street and NE 15th Ave intersection shall be constructed to facilitate pedestrian movements to the Logging Road trail.
4. All interior streets within the subdivision shall be designed to City local street standards with 34-foot paved width, curbs, 4.5' planters, 6' sidewalks, street lights and utilities in

Mr. David Epling
October 20, 2017
Page 2

conformance with Chapter 2 of the City of Canby Public Works Design Standards, dated June 2012. Turnarounds may be required at the end of each street as directed by Canby Fire Department.

5. All ADA ramps and sidewalks along tract C and the existing houses frontage shall be constructed as part of this development.
6. The developer's design engineer will be required to submit as part of the construction plans a signing and striping plan. All street names and traffic signs shall be installed by the developer at his expense and as part of this development. The City may supply the required traffic and street name signs based on a mutually agreed cost.
7. As part of the final design, the developer's design engineer shall provide a minimum of 200-foot future centerline street profile design to assure future grades can be met at all the adjoining properties.
8. An erosion control permit will be required from the City of Canby prior to any on-site disturbance.
9. A demolition permit will be required from the City prior to demoing any existing structures.
10. Any existing domestic or irrigation wells shall be abandoned in conformance with OAR 690-220-0030. A copy of WRD abandonment shall be submitted to the City.
11. Any existing on-site sewage disposal system shall be abandoned in conformance with Clackamas County WES regulations. A copy of the septic tank removal certificate shall be submitted to the City.
12. Sanitary sewer exists along N Redwood Street to serve this site. Sanitary sewer lines shall be extended to serve the adjoining properties.
13. The storm drainage runoff can be discharged into Willow Creek, however, a storm drainage report shall be prepared by a registered professional engineer including a downstream analysis to ensure the added flow will not cause any flooding on the downstream properties. The final storm report shall meet Chapter 4 of the City of Canby Public Works Design Standards dated June 2012.

Should you have any questions or need additional information, please let me know.

David Epling

From: Phillip Schilling <pj_schilling@yahoo.com>
Sent: Sunday, October 22, 2017 6:03 PM
To: David Epling
Subject: N Redwood St./ road maintainance and new development

Mr. David Epling,

Thank you for taking my call last week and listening to my concerns regarding N Redwood St. and the new development that is being planned for the area. My concerns regarding N Redwood St are;

Redwood is a very poorly maintained St.,it's very bumpy with many potholes.

When cars are parked on the West side of the street we have to pull over into the oncoming traffic to pass these parked vehicles esp.: SUV's and large Trucks.

Redwood is our only access road. With the new developments being planned for Redwood there will be an increase in traffic. We would like to see Redwood resurfaced and widened.

We hope there will be enough parking in the new developments so that they will not need to be parking on N Redwood St. Thank you for your time and consideration.

Sincerely,
Dr Phillip and Linda Schilling
1376 NE 14th PL
Canby, OR 97013

503-266-6432
pj_schilling@yahoo.com



Virus-free. www.avast.com

CITY OF CANBY –COMMENT FORM

If you are unable to attend the Public Hearing, you may submit written comments on this form or in a letter addressing the Planning Commission. Please send comments to the City of Canby Planning Department:

By mail: Planning Department, PO Box 930, Canby, OR 97013
In person: Planning Department at 222 NE 2nd Ave, Canby, OR 97013
E-mail: eplingd@canbyoregon.gov

Written comments to be included in the Planning Commission's meeting packet are due by Noon on Wednesday, November 1, 2017. Written comments can also be submitted up to the time of the Public Hearing on Monday, November 13, 2017 and may be delivered in person to the Planning Commission during the Public Hearing at 7 pm in the City Council Chambers, 222 NE 2nd Avenue, 1st Floor.

Application: *SUB 17-06 – Redwood Landing Subdivision*

COMMENTS:

We are not opposed to the development of Redwood Landings but we are opposed to the current preliminary site plan proposed by ICON. As owners of property situated in the middle of the proposed plan, we feel there are other viable options for road configuration that would allow all the stakeholders, including ICON, to maximize development of their property. While the proposed plan allows ICON to develop uniform lots, it leaves us with curved roads, oddly configured lots and a flag lot, resulting in the reduction of developable space on our property.

NAME: *Damon & Cynthia Liles*
ADDRESS: *1608 N. Redwood Street, Canby, OR. 97013*
EMAIL: *dcliles@canby.com* DATE: *10.24.2017*

AGENCIES: *Please check one box and fill in your Name/Agency/Date below:*

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available
- No Comments

NAME: _____
AGENCY: _____
DATE: _____

Thank you!

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Application: *SUB 17-06 – Redwood Landing Subdivision*

COMMENTS:

N. Redwood Street does not have adequate design or capacity to accommodate additional traffic at this time. The addition of 89 more residences to this street would provide significant trip generation every day. N. Redwood presently serves over 220 single-family residences, as well as a large number of rental families. Approval of this subdivision would add a 30%+ increase in traffic on an already over-utilized and under-managed corridor. First priority should be on road improvements to bring the road to current and safe standards, before considering additional projects which will only make it more unsafe and disfunctional.

NAME: *Gary & Sue Jenko*
ADDRESS: *1419 NE 16th Ave, Canby, OR 97013*
EMAIL: *gjsj@kctacable.net* **DATE:** *October 26, 2017*

AGENCIES: *Please check one box and fill in your Name/Agency/Date below:*

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available
- No Comments

NAME: _____
AGENCY: _____
DATE: _____

Thank you!

* See typed version of comments on next page

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Application: SUB 17-06 – Redwood Landing Subdivision To the planning commission,

COMMENTS:

We wish to express our support for the N. Redwood Development Concept Plan. The development plan that Iron Construction + Development LLC has submitted seems to deviate from the N. Redwood Development Concept Plan. Our property is bounded on 2 sides by area that Iron is proposing to develop. We find that the plan proposed by Iron significantly devalues our property by putting access points in places that result in numerous "flag" lots and dead-end configurations. We would prefer that the proposed N. River Alder Street run parallel with N. Redwood Street at a distance that would allow single residential lots without any "flag" lots. We would prefer that N. Spruce Street run parallel to N. River Alder both new streets running from 15th Ave straight north to 17th Avenue. This would eliminate the short cross street connecting N. River Alder + N. Spruce Street. We believe designing the area with east/west avenues intersecting with north/south streets provides better connectivity + more closely aligns with the N. Redwood Development Concept plan. The changes we are proposing result in shifting some streets as laid out in the Iron plan, but ultimately would not significantly change the number of developable lots while creating a more productive plan for surrounding properties. We look forward to further discussing our concerns + counter proposal

NAME: Eric + Josephine Reecht
ADDRESS 1594 N. Redwood Canby OR 97013
EMAIL: Josephine.B.Reecht@gmail.com DATE: 10-27-2017

*Josephine Reecht
Eric W Reecht*

AGENCIES: Please check one box and fill in your Name/Agency/Date below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available
- No Comments

NAME: _____
AGENCY: _____
DATE: _____

Thank you!

*Typed comments from Eric & Josephine Recht

To the Planning Commission,

We wish to express our support for the North Redwood Development Concept Plan. The development plan that Icon Construction and Development, LLC has submitted seems to deviate somewhat from the North Redwood Development Concept Plan. Our property is bounded on two sides by the area Icon is proposing to develop. We find that the plan proposed by ICON significantly devalues our property by putting access points in places that result in numerous flag lots and culdesac configurations. We would prefer that the proposed N. River Alder Street run parallel with N. Redwood St. at a distance that would allow single residential lots to be laid out without any "flag" lots. We would also prefer that N. Spruce St. run parallel to N. River Alder St. from NE 15th Ave. straight north to NE 17th Ave. This would eliminate the short cross street connecting N. River Alder St. and N. Spruce St. We believe designing the area with east/west Avenues intersecting with north/south Streets provides better connectivity and more closely aligns with the North Redwood Development Concept Plan. The changes that we are proposing result in shifting some streets as laid out in the ICON plan, but ultimately would not significantly change the number of developable lots while creating a more productive plan for the surrounding properties. We look forward to further discussing our concerns and counter proposal.

CITY OF CANBY –COMMENT FORM

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By mail: Planning Department, PO Box 930, Canby, OR 97013
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Application: SUB 17-06 – Redwood Landing Subdivision

COMMENTS:

NW Natural has a 2-inch yellow poly gas main which runs along the private driveway with natural gas services to houses at 1594 and 1608 N. Redwood Street, 1612 and 1650 N. Redwood Street (proposed lots 69 and 75, respectively). NW Natural must maintain gas service to these existing customers at all times.

The preliminary grading plan shows a 2-foot excavation to new finish grade near the south end of Sweetgum Street, which will likely impact the 2-inch gas main serving 1608, 1612 and 1650 N. Redwood Street. The subdivision construction process will need to be phased to ensure existing gas service is provided at all times until the impacted gas main is relocated and/or the impacted services are reconnected to a new gas main brought thru the subdivision. The existing gas main lives within a 5-foot utility easement, which may need to be quit-claimed by NW Natural if a portion of the easement falls within the new subdivision area to be platted.

If the Developer plans to develop the proposed subdivision with natural gas then the Developer or the Developer's engineer should submit Developer contact information with final construction plans in Adobe .pdf format to NW Natural at www.ncproj.com.

If the Developer wants to relocate the gas main in advance of subdivision construction please contact NW Natural FS3 Darrell Hammond at 541-981-0164 to initiate the main relocation process. NW Natural will need to charge for costs to relocate the gas main, unless the Developer is installing natural gas within the new subdivision.

NAME: Dan Kizer, P.E., Engineering Supervisor Field Services _____

ADDRESS: NW Natural _____

EMAIL: daniel.kizer@nwnatural.com **DATE:** Oct. 27, 2017 _____

AGENCIES: Please check one box and fill in your Name/Agency/Date below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available
- No Comments

NAME: _____

AGENCY: _____

DATE: _____

Thank you!

David Epling

From: Londa Corcoran <londac@proactivesports.com>
Sent: Monday, October 30, 2017 2:33 PM
To: David Epling
Cc: Jerry Corcoran
Subject: Redwood Landing Subdivision - comments

To: David Epling
City of Canby Planning Dept.

From: Jerry and Londa Corcoran
1586 N. Redwood St., Canby

Re: SUB 17-06 – Redwood Landing Subdivision

Comments:

We are not opposed to the development of Redwood Landing, however we are very much opposed to the current plan submitted by Icon Construction and Development. For our acre parcel of land, the proposed lot patterns are not ideal and there is not adequate access to our property upon development. In addition, both of our lots on the Icon plan are under the 7000 sq ft requirement and the only access is from N. Redwood St.

Thank you for considering our concerns and comments.

Respectfully,

Jerry and Londa Corcoran
1586 N. Redwood St.
Canby
503-706-1313



Laney Fouse

From: Liles <dcliles@canby.com>
Sent: Tuesday, October 31, 2017 5:09 PM
To: David Epling
Cc: josephine.b.recht@gmail.com
Subject: Addition to Written Comments to SUB 17-06
Attachments: Recht-Liles Concept Plan C.pdf

Along with our neighbors Eric and Jo Recht, we hired Sisul Engineering to develop a plan that we believe works better for all of the property owners within the area of ICON's proposed Redwood Landing Subdivision. We shared the plan with ICON yesterday.

Attached is a copy of our proposed plan for your review and consideration.

Please let us know if you have any questions or need additional information.

Thanks you,

Damon and Cynthia Liles
Eric and Jo Recht

CITY OF CANBY –COMMENT FORM

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In person: Planning Department at 222 NE 2nd Ave, Canby, OR 97013
E-mail: eplingd@canbyoregon.gov

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Application: SUB 17-06 – Redwood Landing Subdivision

COMMENTS:

A few questions: -From the documents, I gather that N Redwood will eventually have bike lanes on both sides of the Street as the development of N Redwood area continues. This would mean no on-street parking on either side of N Redwood street. Is this correct? If it is, I favor it.

--What are plans for the general upgrade of N Redwood Street? I know that it or part of it is a county road. Street traffic will continue to increase.

A good plan that is implemented soon would seem to offer significant benefits.

--Will the entire section of N Redwood street from the NW corner of the development to the SW corner of the development be upgraded with sidewalks, bike lanes etc? Or will only those portions of the development that touch N Redwood street be upgraded?

--Seems to me N Redwood St will be a hodge-podge of sidewalks and no sidewalks, on the east side, for years to come if the whole thing isn,t done. Yes, I know it costs a lot of money. It offers benefits as well.

NAME: Mike Hemelstrand

ADDRESS 1737 N Ponderosa St

EMAIL: mike.hemelstrand@gmail.com **DATE:** Nov 1, 2017

AGENCIES: Please check one box and fill in your Name/Agency/Date below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available
- No Comments

NAME: _____

AGENCY: _____

DATE: _____

Thank you!

November 1, 2017

TO: CANBY PLANNING COMMISSION.

From: Daniel Webb
Real Estate Consultant
1109 SW 1st. Ave
Ste F # 742
Canby, Or. 97013

Subject: SUB 17-06 REDWOOD LANDING

Dear Mr. Chairman and fellow Commissioner's,

I represent the following property owners

Linda Thomas, 1864 N. Redwood St.
Andrew Jarmer 1860 N. Redwood St.
Carole Berggren 1868 N. Redwood St.

The properties owned by these people are adjacent to and North of the subject subdivision. We respectfully request the Planning Commission to strongly consider and address the following comments during the public hearing scheduled for November 13, 2017. We wish to address four main points relating to the application submitted by ICON Construction and Development.

- 1) Street alignment**
- 2) Storm water management**
- 3) Protection of Willow Creek, a Fish Bearing Stream**
- 4) Fence the boundary of the "Site".**

C. Approval criteria

The following criteria must be satisfied prior to approval of any new subdivision or Planned Unit Development within the North Redwood Plan District as they apply to the area proposed for development.

1. Generally, new road alignments should be consistent with those identified on Figure 9 of the DCP. Changes to the identified road alignments may be approved to allow for topographic or other conditions.

11. Applicants must demonstrate that future adjacent projects will be able to connect to proposed roads and other infrastructure in a way that will be consistent with the North Redwood DCP.

1)STREET ALIGNMENT

1) N. Sycamore Street

The alignment being proposed for the subdivision and its future extension to N. Redwood Street at the intersection of 18th Place will have a serious negative impact on the properties to the North of the project which are owned by several property owners. I will address each one individually. Please refer to the attached aerial map depicting these properties.

Thomas property.

The proposed future extension is positioned to continue North in what is a narrow corridor which is only 120 ft wide between the Westerly property boundary and where a steep slope starts and evolves into wetlands. The edge of the steep slope is depicted on the map by a white dotted line. In addition the

property owners' home and shop are in direct alignment with the location of the extension and curve radius in order to make the eventual turn to the West to accommodate the alignment with 18th Place. Although the Thomas property is 5 acres in size the portion of the property West of Willow Creek which has future development potential consists of approximately 1 acre and a future extension of Sycamore St. in this location would negate any future potential.

Jarmer Property.

The future extension of Sycamore St. as it would continue westerly from the Thomas property and in order to stay in alignment with 18th Place would be extremely close to if not requiring the moving of or destruction of the Jarmer residence so this configuration would not make sense.

N. Sycamore Street Summary

The 17th Street connection to Redwood Street needs to be the most Northerly connection to Redwood Street so that N. Sycamore would terminate at some point South of the North property line of the subdivision as it would serve no purpose as a "stub" for a future extension.

Although the North Redwood Development Concept Plan indicated a connection at this point the NRDCP being a "concept plan" is only a concept and a road map. The applicant has followed the concept plan but the plan was flawed in that it didn't take into consideration the configuration or the improvements on the 4 (four) properties to the North of the applicants subdivision. Any future potential for development will be eliminated with the applicant's configuration as submitted with a future extension of N Sycamore Street to N. Redwood Street at 18th Place

2) N. Spruce Street

Spruce Street follows the NRDCP concept to allow for future development of the 3 properties to the North of the subdivision but just needs to be moved approximately 100 feet to the East of its current location in order to be in alignment with the property line between the Jarmer and Thomas properties.

This realignment would enable a future extension of Spruce Street which would enable the Jarmer and Thomas properties to be feasible for future development and also provide a connection to the North to serve the Berggren property for future development. This future extension of Spruce Street is the only feasible access to serve the Berggren property.

N. Spruce Street Summary

With the relocation of Spruce approximately 100 feet to the East a future extension will follow the NRDCP and provide for future development of the properties to the North of the subdivision.

2) STORM WATER MANAGEMENT

ENVIRONMENTAL CONCERNS ELEMENT

POLICY NO. 9-R: CANBY SHALL ATTEMPT TO MINIMIZE THE ADVERSE IMPACTS OF NEW DEVELOPMENTS ON FISH AND WILDLIFE HABITATS.

PUBLIC FACILITIES AND SERVICES ELEMENT GOAL 3: TO ASSURE THE ADEQUATE PROVISION OF STORM DRAINAGE SERVICES TO MEET THE NEEDS OF THE RESIDENTS AND PROPERTY OWNERS OF CANBY.

STORM WATER MANAGEMENT

The applicant is proposing to discharge all of the storm water from the subdivision into Willow Creek. Willow Creek is a fish bearing stream which flows directly into the Willamette River. The creek and related wetlands is home to a number of animal species including but not limited to Beaver, Fox, Weasel, and Deer. In recent years the creek has become much shallower from the influx of sandy silt, which we

believe the source is the Garden Crossing development at the South end of Redwood Street, so the stream flow volume has decrease dramatically. As a result of the slowed water movement, the invasive plant species are taking over the stream. We are concerned that the stream will not be able to disperse the contaminated water from the subdivision fast enough to prevent the stream and adjacent wetlands from becoming a wasteland. The applicant has indicated they will utilize the existing wetlands to “filter and protect” the creek and also “pre-treat” the water to reduce sediment and pollution loads before it enters the creek. We don’t believe the pollution from petrochemicals, from a couple of miles of streets, 89 driveways, antifreeze, fertilizer, weed sprays, etc can be treated effectively to prevent contamination of the stream and wetlands.

We feel this plan does not serve or protect the public or the streams involved. This is 2017, not 1970. We feel the City and the public would be better served by the applicant utilizing modern techniques such as bio-swales in the streetscape, rain gardens, on individual lots via drywell’s,etc. The remaining storm water can be piped North on Redwood Street to the Storm water basin/Fish Eddy site owned by the City, which is what it’s there for. There is currently an existing storm water line in Redwood Street which follows this route and there needs to be storm water facilities in place to serve the additional developments to the South within the NRDCP



3) Protection of Willow Creek, a Fish Bearing Stream.

The City Planning department has on numerous occasions during the formulation of the NRDCP been asked to consult with Oregon Department of Fish and Wildlife and the Department of State lands for their comments on the future development of lands around Willow Creek and the related Wetlands and their inclusion into a City park with the public being allowed access to these sensitive areas. To date we have not seen any comments nor has this been addressed in the application. We will look forward to this being addressed by the Planning Commission during the public hearing.

4) FENCE THE BOUNDARY

POLICY NO. 4: CANBY SHALL LIMIT DEVELOPMENT IN AREAS IDENTIFIED AS HAVING AN UNACCEPTABLE LEVEL OF RISK BECAUSE OF NATURAL HAZARDS.

The entire boundary as identified on page 2 (Figure 2) Aerial Photograph of the applicants Narrative needs to be fenced. That portion of the area included in the park dedication should be fenced with a six foot high, "no climb" type fence. Once this area is dedicated to the City for Park land it will be accessible to the entire population of the City. The fence is needed for 2 reasons, 1) To insure the public does not trespass onto private properties and 2) To protect the public from accessing hazardous (steep slopes, sink holes in wetlands and open water, i.e potential for drowning) areas outside the Park land on private property.

Respectfully,

Daniel Webb
503-510-9998
1109 SW 1st. Ave
Ste F # 742
Canby, Or. 97013

10/2017
1994 2017

NE-19th-Loop

BERGGREN

OLIVER

18TH

Future 18th extension

JARMER

THOMAS

N-Redwood-St

NE-17th-Ave

308 ft

Google Earth



N. Redwood Street
Concept Plan

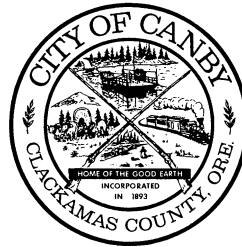
Plan C: Recht & Liles Preferred Plan



N. Redwood Street
Concept Plan

Plan C: Recht & Liles Preferred Plan

**BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY**



**A REQUEST FOR A MINOR LAND)
PARTITION)
159 NE 10th Avenue)**

**FINDINGS, CONCLUSION & FINAL ORDER
MLP 17-07
WILL SNYDER**

NATURE OF THE APPLICATION

The Applicant has sought approval for Minor Land Partition Application #MLP 17-07 to partition an existing lot containing 15,597 square foot into two parcels of approximately 8,263 square feet and 7,334 square feet each. Parcel 1 will contain an existing dwelling. The properties are described as Tax Map/Lot 31E33BD02301 Clackamas County, Oregon. The property is zoned Low Density Residential (“R-1”) under the Canby Municipal Code (“CMC”) and correspondingly designated Low Density Residential in the Canby Comprehensive Plan. All utilities to serve the new lot will be accessed via NE 10th Avenue.

HEARINGS

The Planning Commission considered application MLP 17-07 after the duly noticed hearing on November 13, 2017 during which the Planning Commission approved MLP 17-07. These Findings are entered to document the approval.

CRITERIA AND STANDARDS

In judging whether or not a Minor Land Partition application shall be approved, the Planning Commission determines whether criteria from the *City of Canby Land Development and Planning Ordinance* are met, or can be met by observance of conditions. Applicable code criteria and standards were reviewed in the Staff Report dated November 3, 2017 and presented at the November 13, 2017 meeting of the Canby Planning Commission.

FINDINGS AND REASONS

The Staff Report was presented, and written and oral testimony was received at the public hearing. Staff recommended approval of the Minor Partition application and applied Conditions of Approval in order to ensure that the proposed development will meet all required *City of Canby Land Development and Planning Ordinance* approval criteria.

CONCLUSION

In summary, the Planning Commission adopted the findings contained in the Staff Report along with the additional findings concluded at the public hearing and noted herein, concluding that the Minor Land Partition application meets all applicable approval criteria, and recommending that File #MLP 17-07 be approved with the Conditions of Approval reflected in the written Order below.

ORDER

The Planning Commission concludes that, with the following conditions, the application meets the requirements for Minor Land Partition approval. Therefore, **IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **MLP 17-07** is approved, subject to the following conditions:

CONDITIONS OF APPROVAL

Minor Partition Conditions Unique to This Request:

1. The new home on Parcel 2 may be subject to the residential infill standards. The home builder must meet applicable infill home evaluation criteria listed in Section 16.21.050 that shall be addressed to assure code compliance at the time of submittal of a building permit and site plan review.
2. Any possible utility easement needed across the frontage on NE 10th Avenue by utility service providers shall be made a part of the recorded partition plat.
3. The driveway easement shall meet the 12 foot paved width standard stated in Section 16.64.040(l)(2) unless otherwise specified by the Planning Commission.
4. At the required pre-construction meeting for developing the parcels, the applicant must provide approved improvement plans that show any public water and sewer main extensions and a 5 foot separation between driveways.
5. The applicant shall meet the provisions stated by the City Engineer in comments dated October 18, 2017.

Final Partition Plat Conditions:

6. A surveyed partition plat prepared by a licensed surveyor shall be recorded with Clackamas County after application and review of a Final Partition Plat by the City. The partition plat must be submitted to the city within one year of Planning Commission approval of the partition or the applicant must request, in writing, a one year extension from the Planning Commission. The applicant or county shall provide the city with a recorded copy of the plat in a timely manner.
7. The applicant shall bear full responsibility for compliance with applicable State or county regulations regarding the recordation of deed documents and subsequent transfer of ownership related to the newly established lot(s).
8. All provisions of applicable utility agencies shall be met prior to the recordation of the partition plat.
9. The applicant shall be responsible for the completion of all required improvements, or the posting of adequate assurances in lieu thereof, to the satisfaction of the city engineer prior to the transfer of title of any of the parcels involved.

Monumentation/Survey Accuracy Conditions

10. The county surveyor shall verify that the survey accuracy and monumentation requirements set forth in Oregon Revised Statutes and CMC 16.64.070(M) are met prior to the recordation of the partition plat. Installation of the front lot monumentation (along and within street rights-of-way) and the replacement of any existing monuments destroyed during improvement installation shall be confirmed by the city engineer or county surveyor prior to the recordation of the partition plat.

11. Monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street centerlines as required by Oregon Revised Statutes Chapter 92. The county surveyor shall verify compliance with this condition prior to the recordation of the final plat.

Residential Building Permits Conditions:

12. All work associated with the required paved driveway or utility installations associated with the new vacant Parcel 2 shall secure a street opening and/or driveway construction permit and comply with the City's current Public Works Design Standards.
13. Construction of all required public improvements and the recordation of the partition plat must be completed prior to the issuance of building permits and comply with all applicable City of Canby Public Works Design Standards.
14. The homebuilder shall apply for a City of Canby Site Plan Permit and County Building Permit for any proposed home.
15. Per the Canby Public Works Design Standards, minimum residential driveway widths at the inside edge of the sidewalk shall be 12 feet and the maximum residential driveway widths shall be 24 feet with an allowed exception for 28 feet for a home with 3 or more garages doors that face the street in a row.
16. The homebuilder for Parcel 2 shall apply for a City of Canby Erosion Control Permit.
17. On-site storm water management shall be designed in compliance with the Canby Public Works Design Standards when development is proposed for Parcel 2.
18. Clackamas County Building Codes Division will provide structural, electrical, plumbing, and mechanical plan review and inspection services for home construction. The applicable county building permits are required prior to construction of each home.

I CERTIFY THAT THIS ORDER approving MLP 17-07 159 NE 10TH AVE, WILL SNYDER was presented to and APPROVED by the Planning Commission of the City of Canby.

DATED this 13th day of November, 2017

 John Savory
 Planning Commission Chair

 Bryan Brown
 Planning Director

 Laney Fouse, Attest
 Recording Secretary

ORAL DECISION: November 13, 2017

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>John Serlet</i>				
<i>Larry Boatright</i>				
<i>Derrick Mottern</i>				
<i>Tyler Hall</i>				
<i>Shawn Varwig</i>				
<i>Andrey Chernishov</i>				

WRITTEN DECISION: November 13, 2017

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
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<i>Andrey Chernishov</i>				

**BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY**

A REQUEST FOR A SUBDIVISION)	FINDINGS, CONCLUSION & FINAL ORDER
1440, 1548, 1612, 1650, 1758)	SUB 17-06
N. REDWOOD STREET)	ETHAN AND STEPHANIE MANUEL, HUGH, JOHN, JAMES, KATHLEEN, AND KRISTEEN BOYLE, KAREN SERATT, PAMELA KING, REBECCA GRAY, STEVEN STEWARD

NATURE OF THE APPLICATION

The Applicant has sought approval for a Subdivision (SUB 17-06) to divide a 25.21 acre parcel into an 89 lot subdivision on property located at 1440, 1548, 1612, 1650, 1758 N. Redwood Street and described as Tax Map/Lot 31E34B00700, 00701 and 31E27C00301, 00500, 01200, Clackamas County, Oregon. The property is zoned Low Density Residential (R-1) under the Canby Municipal Code (CMC).

HEARINGS

The Planning Commission considered application SUB 17-06 after the duly noticed public hearing held on November 13, 2017 during which the Planning Commission by a vote of ___/___ approved **SUB 17-06 North Redwood Landing Subdivision submitted by Icon Construction and Development**. These findings are entered to document the specifics of approval.

CRITERIA AND STANDARDS

In judging whether or not a Subdivision Application shall be approved, the Planning Commission determines whether criteria from the *City of Canby Land Development and Planning Ordinance* are met, or can be met by observance of conditions. Applicable code criteria and standards were reviewed in the Staff Report dated November 13, 2017 and presented at the November 13, 2017 of the Canby Planning Commission.

FINDINGS AND REASONS

The Staff Report was presented, and written and oral testimony was received at the public hearing. Staff recommended approval of the Subdivision Application and applied Conditions of Approval in order to ensure that the proposed development will meet all required *City of Canby Land Development and Planning Ordinance* approval criteria.

After accepting public testimony, the Planning Commission closed the public hearing and made the following additional findings beyond those contained in the staff report to arrive at their decision and support their recommended Conditions of Approval and the exact wording thereof: **CONCLUSION**

In summary, the Planning Commission adopted the findings contained in the Staff Report along with the additional findings concluded at the public hearing and noted herein, concluding that the residential

Subdivision Application met all applicable approval criteria, and recommending that File SUB 17-06 be approved with the Conditions of Approval reflected in the written Order below.

ORDER

The Planning Commission concludes that, with the following conditions, the application meets the requirements for Subdivision approval. Therefore, **IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **SUB 17-06** is approved, subject to the following conditions:

General Public Improvement Conditions:

1. Prior to the start of any public improvement work, the applicant must schedule a pre-construction conference with the city and obtain construction plan sign-off from applicable agencies.
2. The development shall comply with all applicable City of Canby Public Works Design Standards.
3. **The final construction design plans shall conform to the comments provided by the City Engineer in his memorandum dated October 20, 2017.**
4. **The builder or applicant shall comply with the NW Natural Gas comments dated October 27, 2017.**
5. **The applicant shall comply with the applicable recommendations listed in the DKS Traffic Impact Study dated August 2017 and in this staff report.**
6. **The applicant shall locate the drainage water quality facility to the City Engineer's satisfaction.**
7. On-street parking is restricted to one side of any street that is 28 feet in width.
8. Public improvements such as sidewalk and street improvements on N. Redwood Street are required during development.
9. Turnarounds shall be required at the end of all interior streets if directed by the Canby Fire Department determines that a street exceeds the typical 150 foot distance standard.
10. Lots 24, 25, and 26, located on the east side of N. Sycamore Street, shall be eliminated and the area dedicated as park land to conform with the NRDCP as envisioned and allow a future walkway through the park in this area.

Fees/Assurances:

11. All public improvements are normally installed prior to the recordation of the final plat. If the applicant wishes to forgo construction of any portion of the public improvements until after the recordation of the final plat, then the applicant shall provide the City with appropriate performance security (subdivision performance bond or cash escrow) in the amount of 110% of the cost of the remaining public improvements to be installed.
12. If the applicant chooses to provide a subdivision performance bond for some or all of the required public improvements, the applicant shall obtain a certificate from the city engineer that states:
 - a. The applicant has complied with the requirements for bonding or otherwise assured completion of required public improvements.
 - b. The total cost or estimate of the total cost for the development of the subdivision. This is to be accompanied by a final bid estimate of the subdivider's contractor, if there is a contractor engaged to perform the work, and the certificate of the total cost estimate must be approved by the city engineer.
13. The applicant must guarantee or warranty all public improvement work with a 1 year subdivision maintenance bond in accordance with 16.64.070(P).
14. The applicant must pay the City Master Fee authorized engineering plan review fee equal

to 0.4% of public improvement costs prior to the construction of public improvements (approval of construction plans).

Streets, Signage & Striping:

15. The street improvement plans for N. Redwood Street frontage and the interior streets shall conform to the TSP and Public Works standards as indicated by the city engineer.
16. A roadway striping plan shall be submitted by the applicant and shall be approved by city engineer and by the Public Works street department prior to the construction of public improvements.
17. A roadway signage plan shall be submitted by the applicant and shall be approved by the city engineer and by the Public Works street department prior to the construction of public improvements.
18. The applicant shall be responsible for installing all required street signage and striping at the time of construction of public improvements, unless other arrangements are agreed to by the City.

Sewer:

19. The applicant shall submit documentation of DEQ approval of the sewer plans to the City Engineer prior to the construction of this public improvement with each phase of development.

Stormwater:

20. Stormwater systems shall be designed in compliance with the Canby Public Works Design Standards as determined by the City Engineer.
21. The applicant shall obtain DEQ approved drywells if proposed within the subdivision.

Grading/Erosion Control:

22. The applicant shall submit grading and erosion control plans for approval by Canby Public Works in conjunction with construction plan approval prior to the installation of public improvements and start of grading with each phase of development.
23. The applicant shall grade all areas of the site, including the proposed lots, to minimize the amount of soil to be removed or brought in for home construction.

Final plat conditions:

General Final Plat Conditions:

24. The applicant shall apply for final plat approval at the city and pay any applicable city fees to gain approval of the final subdivision plat. Prior to the recordation of the final plat at Clackamas County, it must be approved by the city and all other applicable agencies. The city will distribute the final plat to applicable agencies for comment prior to signing off on the final plat if deemed necessary.
25. All public improvements or submittal of necessary performance security assurance shall be made prior to the signing and release of the final plat for filing of record.
26. The final plat shall conform to the necessary information requirements of CMC 16.68.030, 16.68.040(B), and 16.68.050. The city engineer or county surveyor shall verify that these standards are met prior to the recordation of the subdivision plat.
27. All "as-built" of City public improvements installed shall be filed with Canby Public Works within sixty days of the completion of improvements.
28. Clackamas County Surveying reviews **pending subdivision plat documents for Oregon Statutes and county requirements. A subdivision final plat prepared in substantial**

conformance with the approved tentative plat must be submitted to the City for approval within one year of approval of the tentative plat or formally request an extension of up to 6-months with a finding of good cause.

29. The applicant shall record the final plat at Clackamas County within 6 months of the date of the signature of the Planning Director.
30. The applicant shall assure that the city is provided with a copy of the final plat in a timely manner after it is recorded at Clackamas County, including any CC&Rs recorded in conjunction with the final plat.
31. The City shall assign addresses for each newly created subdivision lot and distribute that to the developer, and other agencies that have an interest.
32. The applicant must specify at the public hearing which lots are proposed for dwelling setback reduction and identify which lots are proposed for minimum lot frontage of 50 feet in order for the Planning Commission to make a detailed decision.

Dedications

33. As stated by the City Engineer, the applicant shall dedicate by separate instrument 10 feet of R.O.W. width for the full length of the subject property along N. Redwood Street on the Final Plat.
34. The applicant shall dedicate 6.45 acres for a public park.

Easements

35. A dual 12 foot utility, pedestrian, and temporary street tree easement along all of the lot street frontages shall be noted on the final plat. This easement may be combined with other easements and shall be measured from the property boundary.
36. Sidewalk easements are required along the frontage of the newly created private lots for any portion of the 6' public sidewalk that will lie on private property.

Street Trees

37. A Street Tree Plan shall be submitted with the final plat, and street tree fees paid prior to release of the final plat. The plan will allow the city to establish street trees per the Tree Regulation standards in Chapter 12.32 of the Canby Municipal Code. The total per tree fee amount is calculated at one tree per 30 linear feet of total street frontage on both sides of all internal streets and the adjacent side of external streets or as determined by an approved Street Tree Plan on a per tree basis.

Monumentation/Survey Accuracy Conditions

38. The county surveyor and/or city engineer shall verify that the lot, street, and perimeter monumentation shall meet the requirements set forth in Oregon Revised Statutes and conform with the additional survey and monumentation standards of 16.64.070(M)(1-3) prior to recordation of the final plat.

Residential Building Permits Conditions:

39. Construction of all required public improvements and recordation of the final subdivision plat must be completed prior to the construction of any homes.
40. The homebuilder shall apply for a City of Canby Site Plan Permit and County Building Permit for each home and satisfy the residential design standards of CMC 16.21.
41. The homebuilder shall apply for a City of Canby Erosion Control Permit.
42. All residential construction shall be in accordance with applicable Public Works Design Standards.

- 43.** On-site stormwater management shall be designed in compliance with the Canby Public Works Design Standards.
- 44.** Clackamas County Building Codes Division will provide structural, electrical, plumbing, and mechanical plan review and inspection services for home construction per contract with the City. The applicable county building permits are required prior to construction of each home.
- 45.** Per the Canby Public Works Design Standards, minimum residential driveway widths at the inside edge of the sidewalk shall be 12 feet and the maximum residential driveways widths shall be 24 feet with an allowed exception for 28 feet for a home with 3 or more garages.
- 46.** Sidewalks and planter strips shall be constructed by the developer and shown on the approved tentative plat.
- 47.** All usual system development fees shall be collected with each home within this development except as otherwise indicated within the Park Land Dedication and Improvement Agreement associated with this subdivision.

I CERTIFY THAT THIS ORDER denying **SUB 17-06** which was presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this 13th day of November, 2017

John Savory
Planning Commission Chair

Bryan Brown
Planning Director

Laney Fouse, Attest
Recording Secretary

ORAL DECISION: November 13, 2017

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>John Serlet</i>				
<i>Larry Boatright</i>				
<i>Derrick Mottern</i>				
<i>Tyler Hall</i>				
<i>Shawn Varwig</i>				
<i>Andrey Chernishov</i>				

WRITTEN DECISION: November 13, 2017

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
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