d's

### CITY OF SHERWOOD, OREGON

ordinance no. 749

81040214

AN ORDINANCE MAKING FINDINGS AND VACATING A PORTION OF PARK ROW STREET IN THE CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON.

WHEREAS, the city council did, by resolution passed August 26, 1981, initiate proceedings to vacate a portion of Park Row Street pursuant to ORS 271.130, a copy of said resolution, marked Exhibit A, being hereto attached and by reference incorporated herein; and

WHEREAS, pursuant to due and legal notice given to interested persons and affected owners, a hearing was held by the city council on October 14, 1981, whereat the council considered any and all written remonstrances and any and all other objections to the proposed vacation;

NOW, THEREFORE, THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOW:

### Section 1. The city council finds as follows:

- (a) That the notice of hearing given regarding the proposed vacating of a portion of Park Row Street, hereinafter more particularly described was legal and proper;
- (b) That the owners of a majority of the area affected computed on the basis provided in Oregon Revised Statutes 271.080 (the land lying on either side of the portion of the street to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part to be vacated) have not objected thereto in writing;
- (c) That all owners abutting the portion of Park Row Street proposed to be vacated have executed a consent to vacate, no abutting property owner objects to said vacation, and the vacation will not substantially affect the market value of the abutting properties.
- (d) That there will be no prejudice to the public good, health, or safety by reason of the proposed vacation.

# Section 2.

The following described unopened, unused, and undeveloped Portion of Park Row Street be and the same is hereby vacated, reserving, however, unto the City of Sherwood and the public a perpetual easement on over, across, under and through said following described portion of Park Row Street for utility purposes, including but not limited to water line, storm sewer, and sanitary sewer purposes:

That portion of Park Row Street bounded by a line commencing at the northeasterly corner of Lot 10, City View Addition, Sherwood, Oregon, at the intersection of Park Row Street and Washington Street, thence westerly along the northwesterly boundary line of Lots 10 and 11, City View Addition, 116.2 feet more or less to the northwesterly corner of said Lot 11, City View Addition; thence northwesterly

across Park Row Street to the northeast corner of Lot 8, City View Addition; thence northeasterly along the southeasterly boundary line of Lot 9, City View Addition, and the northwesterly line of Park Row Street 154,6 feet more or less to the intersection of said line with Washington Street, thence southeasterly across Washington Street to the point of beginning, in the City of Sherwood, Washington County, Oregon.

Section 3. This ordinance shall be effective on and after the 31st day after its passage by the city council and approval by the mayor, the city recorder shall, upon its approval by the mayor, cause certified copies of same to be sent to the County Recorder of Washington County, the Washington County Assessor, and the Washington County Surveyor, as required by ORS 271.150.

PASSED: By council by unanimous vote of all council members, after being read by caption three time. this /// day of // day of // 1981

CITY RECORDER

APPROVED:

MAYOR

STATE OF OREGON )

Washington County)

I, Polly Blankenbaker , Recorder of the City of Sherwood,
State of Oregon, in Washington County, the duly constituted and appointed custodian of the records of said City, do hereby certify that the foregoing copy of

Ordinance 749 Vacating a Portion of Park Row Street

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

In testimony whereof I have hereunto set my hand and official seal of the City of Sherwood this 15 day, of October, 1981

Polly Blankenbaker

Recorder of City of Sherwood

STATE OF OREGON

deeds

County of Washington

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I, Roger Thomssen, Director of Records and Elections and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

nge

ROGER THOMSSEN, Director of Records & Elections

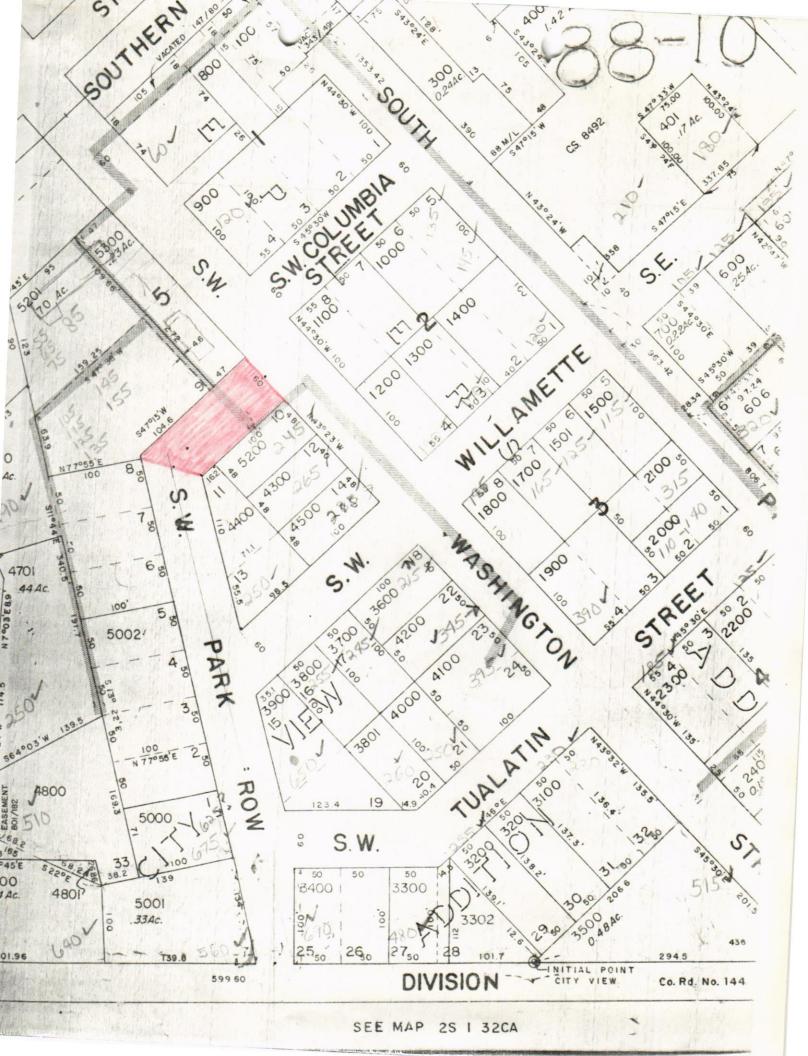
MDEXED

1981 DEC -2 AMI1: 42

Ret. Billimond 16797140

# Recorded Document 1981-040214 Ordinance 749 - Vacation - Park Row Street Reference pages

Not a part of record. For reference use only.



# COLUMBIA ST/PARK ROW

		VACATION
51	32BD	
	100 (P)	Beatrice Reinhardt P.O. Box 606 Marguam Die 97362
	200(P)	h 10
	300	1
	400(P)	Michael and Kay Elton 1801 SW Cloverleaf Rd L.O. 97034
	800	City of Sherwood 97140
	900	
	1000	Beatrice Reinhardt P.O.Box 606 Marguam Die. 97362 Utley and Lona Jones C/o Duranie and Sharon Remmen Rt 3 Box 408 Newberg 97137
	1100	Gilbert Anderson 220 SW Washington & Sherwood 97140
	1200	
7	1300	Howard And Myra Western P.O. Box 377 Sherwood 9740 Nellie Thompson et al By George Barnum P.O Box 473 Sherwood 97140
	1400	Marie Roos Box 132 Sherwood 97140
	3600	Howard and Cather Wood 215 Williamette St Sherwood 97140
	3200	Charles and Vivian Head Charles and Vivian Head Clo Charles and Vivian Head Clo Charles and Vivian Head Clo Charles and Carol Fuller Box 628 Sherwood 97140
	3800	Charles and Vivian Head Clor Clinton and Earl Fuller Box 628 Sherwood 97140
	3801	Al and Virginia Degrad Pt 3 Box 214-B Sherwood 97140
	3900	Robert meyers P.O Box 364 Sherwood 97140
	4000	Al and Virginia Degrood 250 SW. THALATIN ST Sherwood 971
	4100	Peter and Elma Podbielan 395 SW Wishington St Sherwood
	4200	Gerald Fitch 250 S Shewood Blod Sherwood Ore.
	4300	Gerald Fitch 250 S Shewood DIVO Sherwood One 9270
	4400	Jorald and Ruth Smith 250 SW Willawette Sherwood One
	4500	Lowis Lundy 4800 SW 182 Nd alpha DR 97005
	4600	Hazel Fitch P.O. Box 182 Sternwood
	4700	Dona Denley Box 182 Sherwood
	4701	Cerald Fitch 250 S Sherwood Blod Sherwood One
	4800	
	5000	Clara Hanna Box 374 Sherwood Ore Georgia march and Olive gribble Trustees

5002 By Wayne Price 312 SW Durham Lake Orwego 97034 5200 Arthur and Ruth Fichen Po. Box 194 Sherwood One 5300

5201 Commet Inc 2306 NE Glesan # 6 Portland 97632 City Council Dec. 10, 1980 Page 2.

# V. AGENDA ITEMS

- A. OPENDING OF BIDS FOR SALE OF THE DUMP TRUCK

  Mr. Milburn announced no bids had been received. Mr.

  Milburn will actively seek a purchaser for the dump truck.
- PARK ROW/COLUMBIA ST. VACATION OPTION Mr. Dugdale explained the Council may initiate the vacation on their own motion or wait until the matter is initiated by a property owner. Mr. Dugdale explained the vacation options. Mrs. Denley, a major abutting property owner was noncommittal about the vacation. Mayor Stewart said she would like to see all the 60' right of ways in this area vacated to 50'. Mr. Dugdale explained under the Comp. Plan ordinance, owners of tax lot 5201 would have to develop a half street on Columbia in order to build. Mr. Milburn pointed out that if the vacation is initiated by the City, the City will bear all the costs. Mr. McFall felt the owner of TL 5201 would receive the greatest advantage and should initiate the petition to vacate. Council agreed. Mr. Dugdale will so inform the property owner.
- C. PRESENTATION OF WATER STUDY BY ENGINEER

  Mr. Buford presented final copies of the water source
  study. Preliminary presentation was made previously.

  Mr. Milburn stated that the City had filed for water
  rights on the park site. That site is now rated third.

  The number one site is near the tannery. Mr. McFall
  asked if property owners in that area had been contacted
  about selling a site for a well. Mr. Milburn felt the
  Council should adopt the water study first. Mayor Stewart
  moved the Water Rights Dept. be requested to notify the
  City of any filings for water within the UGB. Mr.
  McFall seconded. The motion carried. Council will study
  the Water Source report and consider adoption at the
  next meeting. The Storm Drainage study will be presented
  at the January meeting.
- D. RESOLUTION CANVASSING VOTES
  Mr. Ferry moved Resolution 206, a Resolution Canvassing
  Returns of Regular Municipal Election held Nov. 4, 1980
  be adopted. Mr. McFall seconded the motion. The motion
  carried.

# CITY OF SHERWOOD, OREGON

# RESOLUTION NO. 220

WHEREAS, there have been received from abutting property owners, including Cosmet, Inc., consents to the vacation of a portion of Park Row Street, more particularly described in the notice hereafter prescribed; and

WHEREAS, the consenting abutting property owners have deposited the sum of \$250.00 to defray the costs of publication, posting, and other anticipated expenses of vacation proceedings; and

WHEREAS, the council deems it appropriate to initiate these vacation proceedings pursuant to ORS 271.130;

NOW, THEREFORE IT IS RESOLVED:

That a public hearing be held on the proposed vacation on the 14 day of October, 1981 at 7:30 p.m. in the City Hall and that the Recorder be and is hereby directed to do all things required to proceed with a hearing on the matter and to give notice thereof, substantially in the following form, by publication once each week for four succesive weeks prior to the hearing date, and by posting within five days after the day of first publication, at or near each end of the proposed vacation, a copy of the following notice in at least two conspicuous places in the vacation area:

# NOTICE OF STREET VACATION

The City Council of the City of Sherwood will hear and consider objections at 7:30 p.m. on October 14 , 1981 in the council chambers of the City Hall in Sherwood, Oregon to the matter of the proposed vacation of the following described portion of Park Row Street:

That portion of Park Row Street bounded by a line commencing at the northeasterly corner of Lot 10, City View Addition, Sherwood, Oregon, at the intersection of Park Row Street and Washington Street, thence westerly along the northwesterly boundary line of Lots 10 and 11, City View Addition, 116.2 feet more or less to the northwesterly corner of said Lot 11, City View Addition; thence northwesterly across Park Row Street to the northeast corner of Lot 8, City View Addition; thence northeasterly along the southeasterly boundary line of Lot 9, City View Addition, and the northwesterly line of Park Row Street 154.6 feet more or less to the intersection of said line with Washington Street, thence southeasterly across Park Row Street to the point of beginning, in the City of Sherwood, Washington County, Oregon

The posting and date of first publication shall be not less than 28 days before the date of hearing.

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INTRODUCED AND ADOPTED BY THE CITY COUNCIL

THIS 26. DAY OF ACCOUNT. 1981

CITY OF SHERWOOD, OREGON

By:
Clyde List, Mayor

By:
Polly Blankenbaker, City Recorder

# NOTICE OF STREET VACATION

The City Council of the City of Sherwood will hear and consider objections at 7:30p.m. on August 12, 1981, in the council chambers of the City Hall in Sherwood Oregon to the matter of the proposed vacation of the following described portion of Park Row Street:

That portion of Park Row Street bounded by a line commencing at the northeasterly corner of Lot 10, City View Addition, Sherwood, Oregon, at the intersection of Park Row Street and Washington Street, thence westerly along the northwesterly boundary line of Lots 10 and 11, City View Addition, 116.2 feet more or less to the northwesterly corner of said Lot 11, City View Addition; thence northwesterly across Park Row Street to the northeast corner of Lot 8, City View Addition; thence northeasterly along the southeasterly boundary line of Lot 9, City View Addition, and the northwesterly line of Park Row Street 154.6 feet more or less to the intersection of said line with Washington Street, thence southeasterly across Park Row Street to the point of beginning, in the City of Sherwood, Washington County, Oregon

adjacent to the lands of Cosmet Inc. and others.

Said vacation is being proposed by the City Council. Persons affected thereby who object to the proposed vacation should file their objections in writing with the City Recorder at City Hall, 90 N.W. Park Avenue, Sherwood, Oregon, prior to the time set for the hearing.

POLLY PLANKENBAKER, CITY RECORDER CITY OF SHERWOOD, OREGON

(Publish once each week for four successive weeks. The first day of publication shall not be less than 28 days before the date of hearing.)

Publish July 14, 21, 28, and August 4

# CITY OF SHERWOOD, OREGON RESOLUTION NO. 21-

WHEREAS, there have been received from abutting property owners, including Cosmet, Inc., consents to the vacation of a portion of Park Row Street, more particularly described in the notice hereafter prescribed; and

WHEREAS, the consenting abutting property owners have deposited the sum of \$ 250.00 to defray the costs of publication, posting, and other anticipated expenses of vacation proceedings; and

WHEREAS, the council deems it appropriate to initiate these vacation proceedings pursuant to ORS 271.130;

NOW, THEREFORE IT IS RESOLVED:

That a public hearing be held on the proposed vacation on the 12 day of August, 1981 at 7:30 p.m. in the City Hall and that the Recorder be and is hereby directed to do all things required to proceed with a hearing on the matter and to give notice thereof, substantially in the following form, by publication once each week for four succesive weeks prior to the hearing date, and by posting within five days after the day of first publication, at or near each end of the proposed vacation, a copy of the following notice in at least two conspicuous places in the vacation area:

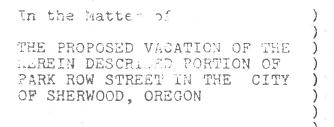
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The posting and date of first publication shall be not less than 28 days before the date of hearing.

INTRODUCED AND ADOPTED BY THE CITY COUNCIL
THIS 24 DAY OF June, 1981.
CITY OF SHERWOOD, OREGON
By: Clyde List Mayor
By: Polly Blankenbaker, City Recorder



CONSENT TO VACATE
BY BUTTING PROPERTY
OWNERS

WHEREAS, it is proposed that a portion of PARK ROW STREET in the City of Sherwood, Oregon be vacated, said portion of said street to be vacated being more particularly described as:

A tract of land in Section 32, Township 2 South, Range 1 West of the Willamette Meridian, Washington county, Oregon. Beginning at the southeasterly corner of Block 5, Epplers Addition, thence 151.60 feet along the south line of lot 9 to the northeasterly corner of lot 8, City View Addition, thence to the northwesterly corner of lot 11, City View Addition, thence to the northeasterly corner of lot 10, City View Addition, thence borthwesterly 60 feet to the southeasterly corner of Lot 9, Block 5, Epplers Addition.

Each of the undersigned, being owners of lands abutting on or fronting on the north side of said portion of said street, do depose and say that we are the owners of the lands described to the right of our names below and we do hereby petition for consent to the vacation of said described road right of way, reserving, however, unto the City of Sherwood and the public a perpetual easement on, over, across, under and through said portion of Park Row Street to be vacated for utility purposes, including but not limited to water line, storm sewer, and sanitary sewer purposes.

1. CONSENT TO VACATE

Names: Jerold L. Smith	Property: 250 5.W.W.LLAmett
A TAY LOT 25/32 BD: 44	600 Cuty VIRW Add thin LOT #11
Signature: Acknowledging Consent: STATE OF OREGON )	obld I Smach 6-18-81 with I. Smith 6-18-81
County of Washington ) SS.	June 22, 1981
Personally appeared and acknowledged the foregoing	o be a voluntary act and deed.
Before me:  Notar  My con	Public for Oregon mmission expires: 3.6.84
Names: Arthur Ficker	Property: 245 S.W. Washington
TAX LOT 25/32BD: 5200	City View Addition Cot # 5200
Signature $\chi$ $M$ Acknowledging Consent: $\chi$ $\gamma$	uther Ficher
STATE OF OREGON ) County of Washington )ss.	June 22, 1981
Personally appeared and acknowledged the foregoing to	be Q voluntary act and deed.
Before me:  Notar  My con	thy Christiansen y Fublic for Oregon mmission expires: 3.6.84
Names:	Property:
Signature Acknowledging Consent:	
STATE OF OREGON ) County of Washington )ss.	, 1981
Personally appeared and acknowledged the foregoing to	o bevoluntary act and deed.
Before me:	
	y Public for Oregon mmission expires:

Name: COSMET INC.	Property: 95 S.W. WASHINGTON
	Property: 95 S.W. WASHING 7 ON SHEMWOOD On 97140 TAY LOT 25132BD:5300 and 5201
By: Sar Title: Ha	y L. Bruns, Pres.
	<u>e 22</u> , 1981
Personally appeared GARY who being duly sworn did say that he of Losmet LNC. and that said instrument was signed authority of its board of directors, to be the free act and deed of said  Before me:  Nota My c	_, the within named corporation, in behalf of said corporation by and acknowledged said instrument
Name:	Property:
By:	
STATE OF OREGON ) County of Washington ) ss.	
Personally appeared who being duly sworn did say that he of and that said instrument was signed by authority of its board of directo to be the free act and deed of said	, the within named corporation in behalf of said corporation rs, and acknowledged said instrument
	blic for Oregon sion expires:

Legal Description for Parkrow Street Vacating

A tract of land in Section 32, Township 2 South, Range
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Beginning at the Southeasterly corner of Block 5 Epplers
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thence to the Northeasterly corner of lot 10 City View
Addition, thence Northwesterly 60 feet to the Southeasterly
corner of lot 9 Block 5 Epplers Addition.

### CITY COUNCIL

# December 10, 1980

Mayor Marjorie Stewart called the meeting to order at 7:30 p.m. Councilmen Lloyd McFall, Noel Ferry, and Earl Parrott were present. Mr. Jack Harper was absent.

# I. MINUTES APPROVAL

Mr. McFall moved the minutes of November 12 be approved. Mr. Ferry seconded. The motion carried.

## II. BILLS AND ACCOUNTS

Mr. McFall moved the bills be approved. Mr. Ferry seconded; the motion carried.

### III. REPORTS

- A. Police Dept. Council reviewed written Police Dept. activities for the month.
- B. Legal Counsel Mr. Dittman explained the U.S. National had agreed to issue warrants as needed to finance the Rock Creek LID projects. He explained the necessity for amending Ordinance No. 731.
- C. Public Works Mr. Milburn explained the backhoe is operational.
- D. Planning Dept. Mr. Dugdale reviewed his written report. LCDC has not scheduled review of our Comprehensive Plan.
- E. Park The picnic shelter has been ordered and is scheduled for delivery in February. The Park has been locked up for the winter.
- F. Library Council agreed to delay consideration of the WCCLS suggested resolution.
- G. Mr. Milburn said he had nothing to report.

# IV. ANNOUNCEMENTS & CORRESPONDENCE

- A. Council agreed to cancel the December 24 Council meeting.
- B. HUD Projects to be funded FY 81-82 will be selected December 11.
- C. Mayor Stewart announced the Senior/Community Center Committee met in November. They will meet Wednesday, December 17 with the architect. She invited any Councilmen to attend. Mr. Milburn said the survey has been completed and the soils engineer has been selected.

City Council Dec. 10, 1980 Page 2.

# V. AGENDA ITEMS

- A. OPENDING OF BIDS FOR SALE OF THE DUMP TRUCK

  Mr. Milburn announced no bids had been received. Mr.

  Milburn will actively seek a purchaser for the dump truck.
- PARK ROW/COLUMBIA ST. VACATION OPTION Mr. Dugdale explained the Council may initiate the vacation on their own motion or wait until the matter is initiated by a property owner. Mr. Dugdale explained the vacation options. Mrs. Denley, a major abutting property owner was noncommittal about the vacation. Mayor Stewart said she would like to see all the 60' right of ways in this area vacated to 50'. Mr. Dugdale explained under the Comp. Plan ordinance, owners of tax lot 5201 would have to develop a half street on Columbia in order to build. Mr. Milburn pointed out that if the vacation is initiated by the City, the City will bear all the costs. Mr. McFall felt the owner of TL 5201 would receive the greatest advantage and should initiate the petition to vacate. Council agreed. Mr. Dugdale will so inform the property owner.
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  Mr. Buford presented final copies of the water source
  study. Preliminary presentation was made previously.

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  rights on the park site. That site is now rated third.

  The number one site is near the tannery. Mr. McFall
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  about selling a site for a well. Mr. Milburn felt the
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  moved the Water Rights Dept. be requested to notify the
  City of any filings for water within the UGB. Mr.
  McFall seconded. The motion carried. Council will study
  the Water Source report and consider adoption at the
  next meeting. The Storm Drainage study will be presented
  at the January meeting.
- D. RESOLUTION CANVASSING VOTES
  Mr. Ferry moved Resolution 206, a Resolution Canvassing
  Returns of Regular Municipal Election held Nov. 4, 1980
  be adopted. Mr. McFall seconded the motion. The motion
  carried.

# CONSUMER INFORMATION REPORT

PREPARED BY

# SAFECO TITLE INSURANCE COMPANY OF OREGON

Prepared for	
City of Sherwood	w .
P. 0. Box 167	
Sherwood, OR 97104	
ATTEN: Todd Dugdale	11-25-80
	Date Prepared
Property Address	<u> </u>
Enclosed please find the following information per your request:	
Tax Information	
Account Number	<u> </u>
Description	<del></del>
Assessed Value-Land	ř
Assessed Value-Improvements	
19 Tax Amounts	
Assessed Owner	
Мар	
Copy Deed Contract Other Documents (Check one	only)
Consumer information reports available at these	Branch Offices:
WASHINGTON COUNTY           Beaverton	CLACKAMAS COUNTY Milwaukie
MULTNOMAH COUNTY Portland	LANE COUNTY Eugene485-3588

Call 225-1005 for Agents throughout Oregon

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds; indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

KNOW ALL MEN BY THESE PRESENTS that A. E. DENLEY and DORA DENLEY, husband and wife, hereinafter called the grantors for the consideration hereinafter stated, to grantors paid by the CITY OF SHERWOOD, a municipal corporation of the State of Oregon, hereinafter called the grantee and grantee's successors, and assigns that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Washington, State of Oregon, described as follows:

A perpetual right-of-way and easement for public road, street and utility purposes, on, over, across, along, under and within that portion of Owners' premises described in instrument of record in Book 301, page 30, Records of Washington County, Oregon included within a strip of land 50 feet in width, being 25 feet on each side when measured at right angles of the center line of South Sherwood Boulevard said center line being described as follows:

Beginning at the point of intersection of the center line of S.W. Railroad Street with the center line of N.W. Main Street, said beginning point bearing South 87° 33' 20" E. 39.05 feet from the initial point of "Smockville" running thence on a 184.80 foot radius curve to the right 103.91 feet along the arc (central angle = 32° 13' 02" and the long chord bears S 28° 08' 29" E. 102.55 feet); thence S 10° 01' 58" E. 285.51 feet; thence on a 950.00 foot radius curve to the right 200.43 feet along the arc (central angle = 12° 05' 18" and the long chord bears S 03° 59' 19" E 200.06 feet); thence S 02° 03' 20" W 767.30 feet to an angle point; thence S 00° 08' 51" E 729.08 feet to an 5/8 inch iron rod and the terminus of centerline, said terminus point bearing W 44° 46' 29" E 1847.07 feet from the Southwest corner of Section 32.

To Have and To Hold the same unto the said grantee and grantee's successors and assigns forever.

And said grantors hereby covenant to and with the said grantee and grantee's successors and assigns, that grantors will warrant and forever defend the above granted 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 is the sum of \$350.00.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 9 day of July 1974

Q & Denley

Dosa Denley

326473

# 13609

STATE OF ORLION

County of Washington )

Personally appeared the above named A. E. DENLEY and DORA DENLEY, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Netary Public for Oregon My Commission Expires:

Approved by the Planning Commission of the City of Sherwood

Return Deed To:

ANDERSON, DITTMAN & ANDERSON Attorneys At Law 8865 S. W. Center St. - P. O. Box 23006 Tigard, Oregon 97223

STATE OF OREGON INDEXED

500x 983 PAGE 658

# CONSUMER INFORMATION REPORT

PREPARED BY

# SAFECO TITLE INSURANCE COMPANY OF OREGON

Prepared for .	
City of Sherwood	
PO Box 167	
Sherwood, OR 97104	
ATTEN: Todd Dugdale	11-25-80
	Date Prepared
Property Address	
Enclosed please find the following information per your request:	
Tax Information	
Account Number	
Description	
Assessed Value-Land	
Assessed Value-Improvements	
19 Tax Amounts	
Assessed Owner	
Мар	
Copy Deed ☐ Contract ☐ Other Documents ☐ (Check one	only)
Consumer information reports available at these	e Branch Offices:
<b>WASHINGTON COUNTY</b> Beaverton	CLACKAMAS COUNTY Milwaukie
MULTNOMAH COUNTY Portland225-1005	LANE COUNTY Eugene485-3588

Call 225-1005 for Agents throughout Oregon

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds; indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

Early Bird ......243-1100

# TILE MISURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS that GERALD FITCH, hereinafter called the grantor for the consideration hereinafter stated, to grantor paid by the CITY OF SHERWOOD, a municipal corporation of the State of Oregon, hereinafter called the grantee and grantee's successors, and assigns that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or apper-taining, situated in the County of Washington, State of Oregon, described as follows:

> A perpetual right-of-way and easement for public road, street and utility purposes, on, over, across, along, under and within that portion of Owners' premises described in instrument of record in Book 830, page 639, Records of Washington County, Oregon included within a strip of land 50 feet in width, being 25 feet on each side when measured at right angles of the center line of South Sherwood Boulevard said center line being described as follows:

Beginning at the point of intersection of the center line of S.W. Railroad Street with the center line of N.W. Main Street, said beginning point bearing South 87° 33' 20" E. 39.05 feet from the initial point of "Smockville" running thence on a 184.80 foot radius curve to the right 103.91 feet along the arc (central angle = 32° 13' 02" and the long chord bears S 28° 08' 29" E. 102.55 feet); thence S 10° 01' 58" E. 285.51 feet; thence on a 950.00 foot radius curve to the right 200.43 feet along the arc (central angle = 12° 05' 18" and the long chord bears S 03° 59' 19" E 200.06 feet); thence S 02° 03' 20" W 767.30 feet to an angle point; thence S 00° 08' 51" E 729.08 feet to a 5/8 inch iron rod and the terminus of centerline, said terminus point bearing W 44° 46' 29" E 1847.07 feet from the Southwest corner of Section 32.

To Have and To Hold the same unto the said grantee and grantee' successors and assigns forever.

And said grantor hereby covenants to and with the said grantee and grantee's successors and assigns, that grantor will warrant and forever defend the above granted premises, and every part and parcel thereof against the lawful claims and demands of all persons whomsover, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer is the sum of \$350.00.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 2 day of July, 1974.

# 13608

STATE OF OREGON

) s

County of Washington )

isch 9 , 1971

Personally appeared the above named GERALD FITCH and acknow-ledged the foregoing instrument to be his voluntary act and deed.

Before me:

Notary Public for Oregon
My Commission Expires: 9/28/74

Approved by the Planning Commission of the City of Sherwood

Chairman Wal

STATE OF CREGON
County of Washington
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ROCCHE THEMSERS, Covering
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Deed

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Park Row Vacation

# Planning Commission November 18, 1980

Chairman Clyde List called the meeting to order at 7:30 p.m. Commissioners Paul Clayton, Clyde Sanders, Norma Borchers, Joe Galbreath, Rick Demings and Gene Stewart were present.

I. READING AND APPROVAL OF THE MINUTES OF NOVEMBER 4, 1980

Mr. List clarified a sentence in the minutes to mean local government was affected more by their electorate than by people outside their jurisdiction. Mr. Sanders moved the minutes be accepted with the exception that the last sentence of 2. be stricken. Mr. Demings seconded. The motion carried.

# II. CORRESPONDENCE AND ANNOUNCEMENTS

Mr. Demings apologized to Mr. Dugdale for past statements made in a previous meeting that were of a personal nature and unwarrented.

There was a discussion on the LCDC appeal procedure. Mr. Dugdale commented the court is saying that LCDC is not the final authority in interpreting the goals and guidelines.

Mr. List announced the League of Oregon Cities Convention will be held Nov. 23-25. The schedule was discussed.

# III. S-80-01 - A REQUEST BY MELVIN REEVES FOR PRELIMINARY PLAT APPROVAL OF ROBINWOOD, A MOBILE HOME SUBDIVISION AT OREGON AND HALL STREETS.

Mr. Duane Thompson, developer, explained this was originally set up as a mobile home park. He said they have recently come to the conclusion that a mobile home subdivision would be the best use for the land. The mobile homes will be set on permanent foundations. This type of development offers affordable housing in the \$50,000 price range.

No one spoke against the project.

Sewer service is dependent on the Rock Creek LID. Staff said adjoining properties were not notified of change from park to subdivision.

Mr. Dugdale recited the parcel's history. It was originally rezoned to RT, mobile home park under a conditional use. All the previous approvals have lapsed. A mobile home subdivision is an outright permitted use in a MDH area on 5 acres or more.

Planning Commission November 18, 1980 Page 2

Mr. Demings asked if there are restrictions against rentals. Mr. Dugdale said it would be possible to regulate through restrictive covenents.

Mr. List was concerned about drainage problems. He said the City Administrator had received a letter from the Corp of Engineers stating well number 2 was in danger of contamination. Mr. Dugdale said the Council has passed an ordinance for storm drainage systems development charges. Fees collected will go into either a Cedar Creek or Rock Creek drainage fund for major storm system development. The City Engineer will also certify that the public improvements will meet the plan requirements. Mr. List said if this request is approved, I don't want it to be taken that drainage is addressed or that it is adequate.

Mr. Galbreath commented what are you going to do with the water when you get it in the creek.

Mr. Thompson said all street and curb construction will conform with City standards. Mr. Stewart suggested this might be a good time for a street LID on Hall St.

Mr. List asked Mr. Dugdale to elaborate on the staff report suggestion that there be an amendment to the setback standard. Mr. Dugdale explained that the unique dimensional characteristics of mobile homes were not taken into consideration when the setbacks were established. Meeting setback requirements on this plat could limit the length of the mobile home unless variance was granted.

Mr. Demings moved that because of the setback requirements the proposal be denied. Mr. Demings felt that an adjustment in the number of units would take care of that. He said he didn't want to restrict the size of units that go in. A 60' long mobile home would require variance. He felt setbacks are justifiable and should be upheld. Mr. Sanders seconded. Mr. Demings said this would require a new plat and a different number of units in the plat. Mr. Sanders said that would not be possible nor economically feasible. He didn't feel the problem would arise and if it did it should be decided on a lot by lot basis. The motion failed.

Mr. Demings moved the proposal be approved with staff recommendations and findings. Mr. Sanders seconded. The motion carried with no opposition.

Planning Commission Nov. 18, 1980 Pg. 3

# IV. MP-80-01 - CONTINUATION OF A REQUEST BY WILLIAM MASON FOR A MINOR LAND PARTITION ON LINCOLN ST.

Mr. Mason explained he wished to build a duplex on a lot fronting on Highland St. which is unimproved. He would gain access by a graveled driveway from the end of the improved section of Highland St.

Mr. Dugdale explained this request had been tabled until other property owners on Highland St. could be contacted to get their response to improving Highland St. through an LID. None of the property owners were in favor of the LID.

Mr. Dugdale said it is obvious that our code states that the street must be dedicated and improved to City standards. He felt the City should not frustrate the applicant's efforts to partition and sell the lot.

Mr. Clayton moved the minor land partition be approved with staff recommendations and findings. Mr. Demings seconded. The motion carried. Mr. Dugdale reiterated the code requires that for a building permit to be issued full improvements must be made or a variance granted.

Planning Commission concurred with Mr. Stewart in indicating to applicant that if they wanted to apply for a variance the fee would be waived.

# V. MP-80-04 - A REQUEST BY DAVE WOOLARD FOR A MINOR LAND PARTI-TION ON LINCOLN ST.

Mr. Weimer Mann spoke for the applicant. He explained the lot is located on the corner of Willamette St. and Lincoln St. They wished the partition in order to create a 60' x 100' lot. Commissioners pointed out that additional right of way on Willamette St. may not be possible because of the location of the existing house.

Mr. Sanders moved that the partition be granted with staff findings and recommendations with the exception of the waiver of remonstrance agreement and that that be stricken. Mr. Clayton seconded. The motion carried with one no vote.

# VI. VACATION OF PARK ROW.

Mr. Dugdale explained that the Council is considering the vacation of a portion of Park Row and had requested the Planning Commission comments and recommendations. Mr. Dugdale explained that state law requires that all properties be contacted and this has not yet been done. Commission felt recommendations could not be formed under property owners' feelings were made known.

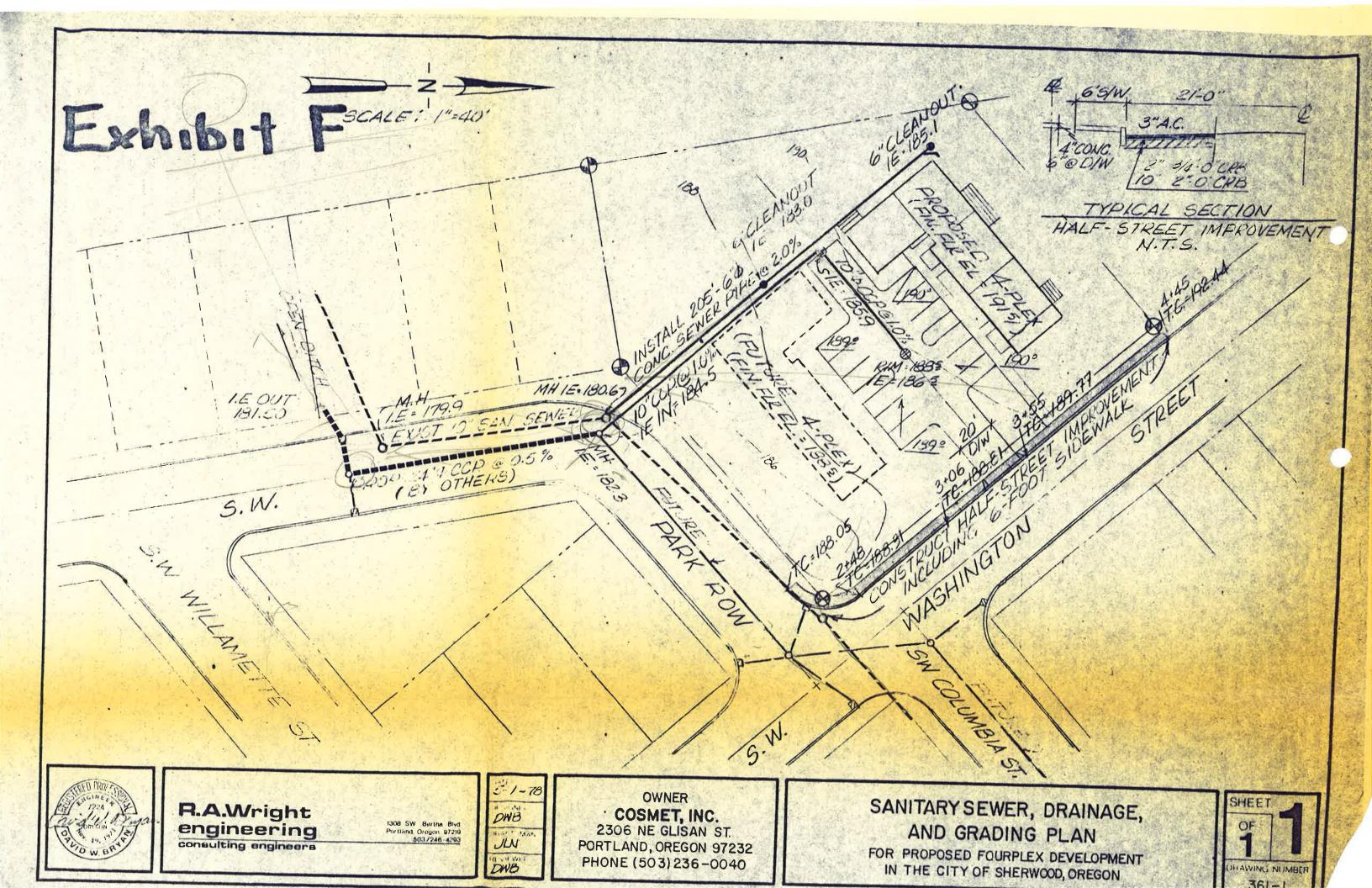
Planning Commission Nov. 18, 1980 Pg. 4

Mr. Sanders moved the Council be informed the vacation was considered and no recommendation was made. Mr. Clayton seconded. Motion carried with one opposition.

# VII. Next Agenda

There are no pending applications. Mr. List requested a workshop meeting on administrative procedures for plan implementation.

Polly Blankenbaker, Recorder





P.O. Box 167 Sherwood, Oregon 97140 625-5522 625-5523

Nov. 14, 1980

# **MEMORANDÚM**

TO: Planning Commission

FROM: Todd Dugdale, Planning Director

RE: Vacation Options on the Unimproved Portion of Park Row.

The City Council has asked the staff to prepare options for the possible vacation of the currently unimproved Park Row right-of-way between Washington Street and Willamette Street. The issue of possible 'vacation of this portion of right-of-way was raised in the staff review of SR-79-07, a site plan for a proposed 6 plex at Washington Street and Park Row.

Two poptions are offered for consideration.

# OPTION 1 (See Figure 1)

Vacate all of the Park Row right-of-way except that portion necessary to accommodate a cul-de-sac consistent with City street standards to serve single family lots along the west side of the unimproved right-of-way. The vacation would include a complete right-of-way section from Park Row and Washington Street to a proposed 200 foot cul-de-sac and 6 feet of excess right-of-way on either side of the cul-de-sac to Willamette Street. The option would retain a utility easement for existing drainage and sewer facilities in the Park Row right-of-way.

# OPTION 2 (see figure 2)

Vacate the entire unimproved right-of-way from Washington Street to a proposed 50 foot cul-de-sac and retain a utility easement for existing sewer and drainage facilities in Park Row. The cul-de-sac would be the minimum facility to provide access to multifamily development of the vacant portion of tax lot 4700.

# RECOMMENDATION

The staff recommends Option 2 for the following reasons.

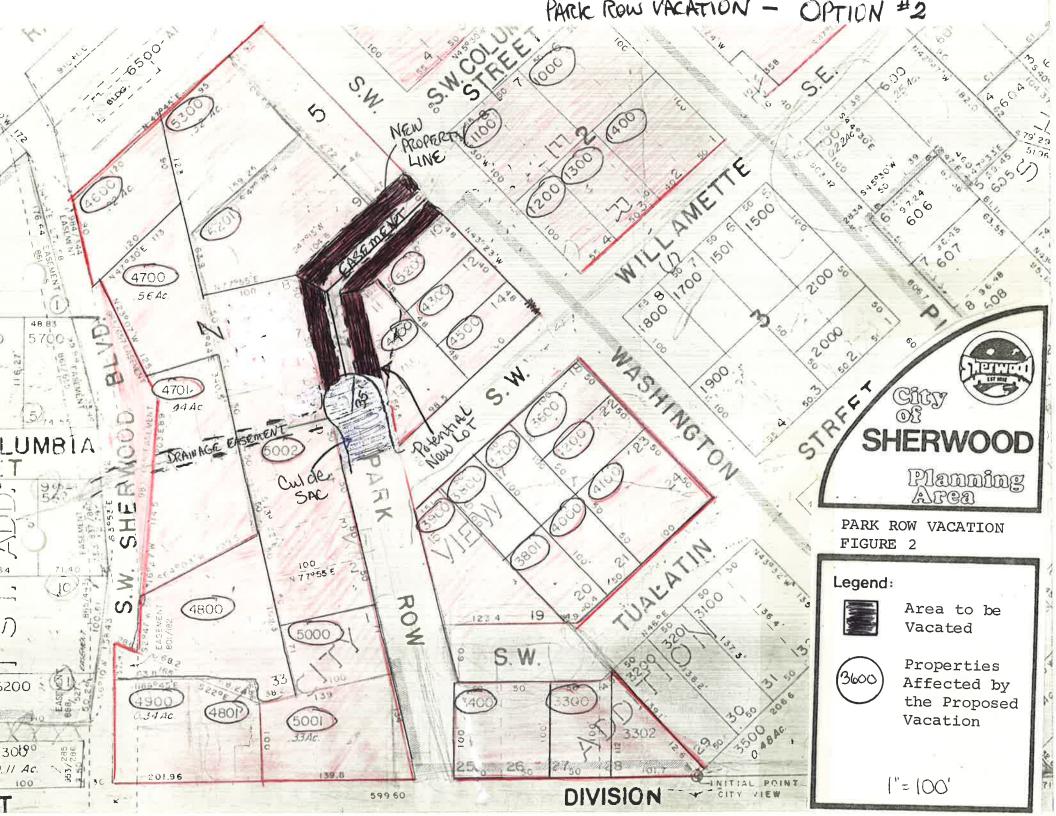
1. The smaller cul-de-sac section is the minimum necessary to provide for standard access to the existing tax lots along the right-of-way. Improvement of a longer street section would be necessary only if tax lot 4700 were developed for single family uses. The plan designates vacant land abutting Park Row MDRH (Medium Density Residential High) a multifamily district.

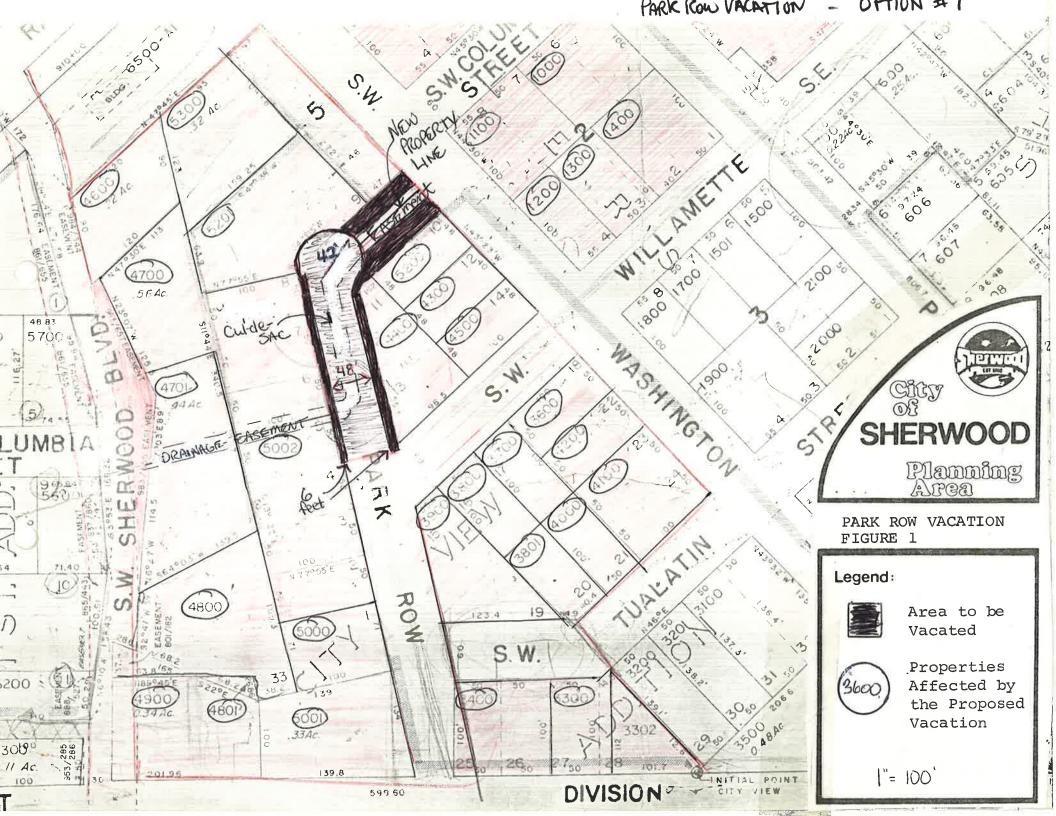
Park Row Vacation Pg. 2 11/14/80

2. The vacated right-of-way would eliminate unnecessary street improvement costs which would be passed on to the buyers of new units in the area and would create the potential for additional units on Tax Lots 5201, 5300, 4700 and 4400.

# ACTION REQUEST

Review options, make recommendations to the City Council on the proposed Park Row vacation.







P.O. Box 167 Sherwood, Oregon 97140 625-5522 625-5523

November 3, 1980

### **MEMORANDUM**

TO: City Council

FROM: Todd Dugdale, Planning Director

RE: Park Row/Columbia Street Vacation Options.

# BACKGROUND

On November 12, 1980, the Council requested the Staff to prepare options for the possible vacation of unimproved portions of Park Row and Columbia Streets between Willamette St. and Washington St.; obtain the Planning Commission's recommendation on the options and submit the options to the Council at a subsequent meeting for consideration of formal action initiating vacation proceedings. The Planning Commission reviewed the staff options on November 18, 1980 and chose not to make any comments or recommendations without the involvement of the affected properties.

# APPLICABLE LEGAL PROVISIONS

Vacation of streets Chapter XIV Sherwood City Charter and as supplemented by ORS 271.080 through 271.230

# BASIC FACTS

- 1. Approximately 150 feet of SW Columbia Street and 200 feet of Park Row are currently unimproved between Washington St. and Willamette St.
- 2. The existing unimproved right of way is 60 feet.
- 3. Washington St., Willamette St. and Park Row adjacent to the unimproved right of way to be considered for vacation have 60 feet of right of way and about 20 feet of pavement.

### FINDINGS

1. The Site plans for a 6 plex on taxLots 5201 and 5300 submitted by Cosmet were denied by the Design Review Board due to unresolved problems with improvements to Columbia St. and Park Row. Questions centered on the need to improve the street section on Columbia St. and the inadequacy of down stream drainage facilities outfalling west of So. Sherwood. The applicant has raised a question as to why Columbia St. and Park Row are needed for access to the abutting properties. The Community Development Code requires full half street improvements and adequate downstream drainage facilities before development is allowed. The attachment of conditions relating to the improvement of drainage facilities in the vacated area is permitted.

Park Row/Columbia ct. Vacation 11/3/80
Pg. 2

- 2. The staff has prepared two options for the vacation of portions of the unimproved rights of way on Columbia and Park Row taking into consideration how access to abutting properties may be preserved. (see attached 11/4/80 memo to the Planning Commission.)
- 3. Pursuant to City Charter and State Law the Council may choose to initiate a vacation upon their own motion or may act on a petition to vacate by an interested party and a consent to vacate by the owners of a majority of affected properties. If the Council initiates, owners of a majority of the area affected by the action may overrule the vacation. Upon a motion by the Council to initiate the vacation process, a consent to vacate signed by owners of abutting properties should be obtained and presented at a hearing on the matter to be held after giving notice to all affected persons.
- 4. The vacation under option two would serve the public interest by furthering the economical and efficient development of the area while maintaining adequate access and circulation.

- O TALK TO Fitch regarding:

  TRADE of easement for vacated land.

  Support for vacation:
  Obtain description of lacement given him before.
- 3 Obtain cost figures from Gang. Setermino Costs attributeable to Comod, Denley, Fitch property. Hetermine required improvements for Cosmet as a fre condition for a building permit. and any rembusable portro. Hough a pay both agreement.

Derry on -	Mtg	9130 Am
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1. Status of warrant form for approval

2. VACATION Procedure

Forms for

S Petition to VACATE Consent to UACATE?

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Bk Pg

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(2) Senley moved gain 900 ly feet lonb'9 god R

(2) Cosmet top bevold gain apport 3000 by ft 5) Kenley sworely would Share Costs weeth, Thited of where properties decelops, for Completion of line to D. Sherwood City needs to map where sever & water lines of also gos (relectric if underground & proposed Storm down & make sure lasements are obtained

Invite to meeting for descussion on way to Jd Cosmet

Tricken

Smith

Denley

Trick

Price Need to know & map where Gresent Storm down is @ where proposed line wooded go. (3) who will gay what proportion (4) What each groperty will gain

City Council
October 14, 1981
Page 2

# F. Building Department Council reviewed the building department's written report.

# G. Planning Department

Council reviewed the written monthly report. Mr. Dugdale discussed the block grant project proposals. Mr. Dugdale requested a special Council meeting be held on Wednesday, October 21, so staff will have time to prepare the application for proposals for the Old Town NIA. The Washington Hill NSA will receive \$113,000 per year. The NSA advisory committee met October 19. Mrs. Stewart moved that a special Council meeting be held October 21 and that the schedule presented for the Community Development Block Grant project proposals be approved. Mrs. Fowler seconded. The motion carried.

Mr. Dugdale reported Southern Pacific water \$300 per year to lease the parking strip. Council questioned how many addition parking spaces would be provided with front-in parking. Mr. McFall suggested a committment should be obtained from the Merchant's Asso.

# H. City Administrator

Mr. Milburn was on vacation. Council reviewed his written report.

# IV. ANNOUNCEMENTS & CORRESPONDENCE

The listed announcements were made.

V. ORAL COMMUNICATIONS - No one spoke

### VI. AGENDA ITEMS

A. PUBLIC HEARING - VACATION OF PARK ROW

Mayor List opened the public hearing. He called for testimony in favor of the vacation.

No one spoke.

Mr. List called for testimony in opposition to the vacation.

Mrs. Dora Denly pointed out one of the property owners abutting the right of way has alot of berries and weeds growing. She felt the condition of the lot was a disgrace and didn't think the City should give them more land if they couldn't take care of what they have.

Mr. List was concerned about future cul-de-sac possibilities. He was assured this vacation would not preclude a cul-de-sac at the end of Park Row.

October 14, 1981
Page 3

### VI. A. Cont.

Mrs. Stewart pointed out this right of way is 60'. New comp. plan proposes 48' right of way for streets. Mrs. Stewart felt the City doesn't need this right of way and if it was on the tax roll the City would be able to collect taxes.

The hearing was closed at 9:05 p.m.

Mr. McFall moved and Mrs. Stewart seconded that Ordinance 749 be read in caption three times. The Recorder read the Ordinance in caption three times. Mr. McFall moved Ordinance 749, An Ordinance Making Findings and Vacating a Portion of Park Row Street in the City of Sherwood be adopted. Mrs. Stewart seconded. The Council was poled. All voted aye.

# B. <u>PUBLIC HEARING - REQUEST FOR CONDITIONAL USE PERMIT,</u> MARWIL HOMES.

Mayor List opened the Public Hearing and called for testimony in favor of the application.

Mr. Larry Summer representing Marwil Homes said they want to move a mobile home into the shopping center parking lot by the Pizza Market to be set up for display and a sales office. Mr. Summer stated mobile homes are an alternative to the high cost of housing.

Mayor List asked for testimony in opposition. No one spoke.

The hearing was closed.

Mrs. Stewart expressed concern that adequate landscaping be provided. Mr. Sumner said the landscaping would be in large containers and would be permanent.

Mrs. Fowler moved Marwil Homes be granted the Conditional Use Permit with the three conditions recommended by the Planning Commission on their notice of decision. Mrs. Stewart seconded. The motion carried.

# C. PUBLIC HEARING - ORLAND VILLA PUD

Mayor List opened the public hearing. Mayor List called for proponent testimony.

Mr. Greg Eades representing Ralph Cardinal explained they are seeking approval of a 60 unit manufactured home subdivision. Phase I will have 30 units, Phase II 15 units, Phase III 15 units and neighborhood commercial area.

# AFFIDAVIT OF PUBLICATION

STATE OF OREGON, COUNTY OF WASHINGTON,

JOHN W. MARLING

19 01

My commission expires ..

being first duly sworn, depose and say that I am the publisher of The Tigard Times, a newspaper of general circulation, as defined by ORS 193.010 and 193.020, published at Tigard, in the aforesaid county and state; that the legal notice, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for ... successive and consecutive weeks in the following lss Aept. 15, 22, 29, Oct. 6, 1981 (Signature) Subscribed and sworn to before me day of

NOTICE OF STREET VACATION The City Council of the City of Sherwood will hear and consider ob-jections at 7:30 p.m. on October 14, 1981, in the council chambers of the City Hall in Sherwood, Oregon to the matter of the proposed vacation of the following described portion of Park Row Street:

That portion of Park Row Street bounded by a line commencing at the northeasterly corner of Lot 10, City View Addition, Sherwood, Oregon, at the intersection of Park Row Street and Washington Street, thence westerand Washington Street, thence wester-ly along the northwesterly boundary line of Lots 10 and 11, City View Addi-tion, 116.2 feet more or less to the northwesterly corner of said Lot 11, City View Addition; thence northwes-terly across Park Row Street to the northwest corner of Lot 8. City View northeast corner of Lot 8, City View Addition; thence northeasterly along the southeasterly boundary line of Lot 9, City View Addition, and the northwesterly line of Park Row Street 154.6 feet more or less to the intersec-tion of said line with Washington Street, thence southeasterly across Park Row Street to the point of beginning, in the City of Sherwood, Washington County, Oregon

adjacent to the lands of Cosmet

Inc. and others.
Said vacation is being proposed by the City Council.

59 <sub>19</sub>85

ublications

P.O. Box 7 Forest Grove, Oregon 97116

(503) 648-7165

City of Sherwood P.O.Box 167 Sherwood , Oregon 97140 Customer Number)

108443

Invoice Number

7-6100

# LEGAL ADVERTISING INVOICE

Description	Amount
Sept.15,22,29,0ctober 6,1981	
NOTICE OF STREET VACATION	
The City Council of the City of Sher wood will hear and consider objection at 7:30 P.M.	ns
Disc <b>ou</b> nts	
5 inches x 10.73	\$64.38
Balance Due Net	\$64.38
DIE LOS DIVIDES DE LA CONTRACTOR DE LA C	

PLEASE PAY FROM THIS INVOICE NO STATEMENT WILL BE ISSUED

A SERVICE CHARGE of  $1\frac{1}{2}$ % per month (which is an ANNUAL RATE OF 18%) Will be charged on Past Due Accounts

**Customer Duplicate** 

# AFFECTED PROPERTIES IN COLUMBIA ST/PARK ROW VACATION

5132BD	VACAMON
100 (4)	Beatrice Reinhardt P.O. Box 606 Marguam Die 97362
200(P)	, , , , , , , , , , , , , , , , , , , ,
300	<b>1</b>
400(P)	Michael and Kay Elton 1801 SW Cloverleaf Rd L.O. 97034
800	Cuty of Sherwood 97140
900	Beatrice Reinhardt P.O. Box 606 Marguam Die. 97362 Utley and Lona Jones Up Dunne and Sharon Remmen Rt 3 Box 408 Newberg 97132
1100	Gilbert Anderson 220 SW WAShington & Sherwood 97140
1300	Howard and Myra Wester P.O. Box 379 Sherwood 9740 Nellie Thompson et al By George Barnum P.O Box 473 Sherwood 97140
1400	Marie Roos Box 132 Sherwood 97140
3600 3700 3900	Howard and Cathy Wood 215 Willamettest Sherwood 97140 Elmer and Valerie Buehme C/O Joyce Lagow P.O. Boy 3 Sherwood 97140 Charles and Vivian Head C/O Clinton and Carol Fuller Box 628 Sherwood 97140
3801	Al and Virginia Degrad Rt 3 Box 214-B Shapaviol 97146
3900	Robert Meyers P.O Box 364 Sherwood 97140
4000	Al and Virginia Degrood 250 SW. TUALARIN ST Sherwood 9714
4100	Peter and Elma Podbielan 395 Sw Washington St Sherwood
4200	Arthur and Donna BALL 2106 N MABURY St SAVAN Anna Cali Gerald Fitch 250 S Cherwood Blvd Sherwood De
4300	
4400	Jorald and Ruth Smith 250 SW Willanette Sherwood One
4500	Lowis Lundy 4800 SW 182 Nd alpha OR 97005
4600	Hazel Fitch P.O. Box 182 Sherwood
4700	Dorn Denley Box 182 Sherwood
4701	Cerald Fitch 250 S Sherwood Blod Sherwood One
4800 5000	Clara Hanna Box 374 Sherword Ore Georgia march and Olive gribble trustees By Harret Price 675 Park Row Sherwood Ore

5002 By Wayne Price 312 SW Durham Lake Orwego 97034 520D Arthur and Ruth Fichen Po. Box 194 Sherwood One 5300 5201 Comet One 2306 NE Glean #6 Portland 97632

Is all of unimproved section minus 150 ft Culdesac (City Stable option #2) is sought add the following to the affected properties.

25132BD

500) Robert and Rith Stole SGO W DIVISION Sherwood
400 400 Hose Branch and Er Schambers Trustees
4801 Noel And Indoth Ferry 640 W DIVISION ST Sherwood
3400 By granta Winters 640 SW Park Row Sherwood
3300 Bill Maplethorpe 400 W DIVISION ST Sherwood
3300 Royald McCoun 255 S Tualatin Sherwood Ore
Donothy