

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENTERING AN ORDER RELATING TO THE HAROLD S. AND REBECA MACLAUGHLAN CLAIM FOR COMPENSATION UNDER ORS 197.352 (MEASURE 37)) Resolution No. 06-3714A
)
) Introduced by Chief Operating Officer Michael Jordan with the concurrence of Council President David Bragdon

WHEREAS, Harold S. and Rebeca MacLaughlan filed a claim for compensation under ORS 197.352 (Measure 37) and Chapter 2.21 of the Metro Code contending that Metro regulations had reduced the fair market value of property they own in the Clackamas, Oregon, area; and

WHEREAS, the Chief Operating Officer ("COO") reviewed the claim and submitted a report to the Metro Council, pursuant to section 2.21.040 of the Metro Code, recommending denial of the code for the reason that the Metro regulation that is the basis for the claim has not reduced the fair market value of the claimant's property; and

WHEREAS, the Metro Council held a public hearing on the claim on July 13, 2006, and considered information presented at the hearing; now, therefore

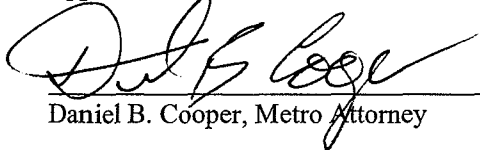
BE IT RESOLVED that the Metro Council

1. Enters Order 06-007A, attached to this resolution as Exhibit A, which denies the claim for compensation.
2. Directs the COO to send a copy of Order No. 06-007A, with Exhibit A attached, to the claimants, persons who participated in the public hearing on the claim, Clackamas County and the Oregon Department of Administrative Services. The COO shall also post the order and Exhibit A at the Metro website.

ADOPTED by the Metro Council this 20th day of July, 2006


David Bragdon, Council President

Approved as to form:


Daniel B. Cooper, Metro Attorney

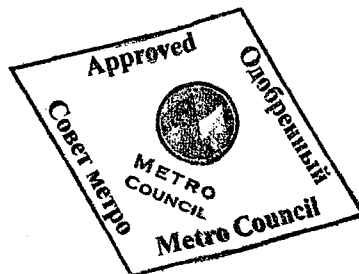


Exhibit A to Resolution No. 06-3714A

Order No. 06-007A

RELATING TO THE HAROLD S. AND REBECA MacLAUGHLAN CLAIM
FOR COMPENSATION UNDER ORS 197.352 (MEASURE 37)

Claimant: Harold S. and Rebeca MacLaughlan
Property: 14674 SE Sunnyside Road, Clackamas, Oregon;
Township 2s, Range 3E, Section 7A, Tax Lot 602 (map attached)
Claim: Temporary 20-acre minimum size for creation of new lots and parcels in Title 11 of the Urban Growth Management Functional Plan has reduced the value of the claimant's land.

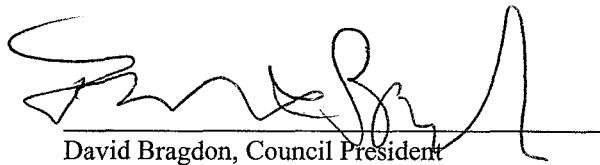
Claimants submitted the claim to Metro pursuant to Metro Code Chapter 2.21. This order is based upon materials submitted by the claimant, and the reports prepared by the Chief Operating Officer ("COO") prepared pursuant to section 2.21.040, and testimony at the public hearing.

The Metro Council considered the claim at a public hearing on July 13, 2006.

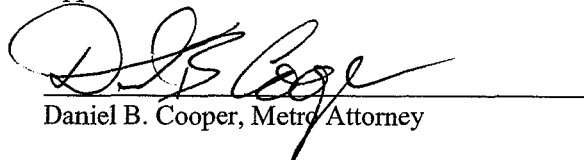
IT IS ORDERED THAT:

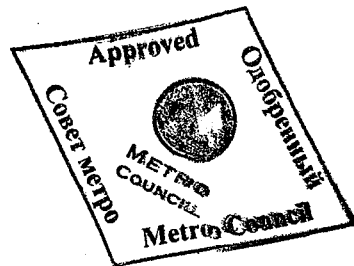
The claim of Harold S. and Rebeca MacLaughlan for compensation be denied because it does not qualify for compensation for reasons set forth in the report of the COO, as revised following the public hearing.

ENTERED this 20th day of July, 2006.


David Bragdon, Council President

Approved as to form:


Daniel B. Cooper, Metro Attorney



**CLAIM FOR COMPENSATION
UNDER BALLOT MEASURE 37
AND METRO CODE CHAPTER 2.21**

**REVISED REPORT OF THE METRO CHIEF OPERATING OFFICER
July 14, 2006**

METRO CLAIM NUMBER: Claim No. 06-007

NAME OF CLAIMANT: HAROLD AND REBECA MACLAUGHLAN

MAILING ADDRESS: Harold S. and Rebeca MacLaughlan
14674 SE Sunnyside Road, PMB #115
Clackamas, OR 97015

PROPERTY LOCATION: 14820 SE 172nd Avenue, Clackamas,
Oregon 97015

LEGAL DESCRIPTION: T2S R3E Section 7A, Tax Lot 602

DATE OF CLAIM: July 19, 2005

180-DAY PROCESSING DEADLINE: January 17, 2006

I. CLAIM

Claimants Harold and Rebeca MacLaughlan seek compensation in the amount of 700,000 to \$800,000 for a claimed reduction in fair market value of property owned by the claimant as a result of enforcement of Metro Code Section 3.07.1110 C of Title 11. In lieu of compensation, claimant seeks a waiver of that regulation so claimant can apply to the City of Damascus and Clackamas County to divide the 5.85-acre subject property into lots of at least one acre and to allow a single family dwelling to be developed on each lot that does not already contain a dwelling. There is one existing single-family dwelling on subject property that was constructed in 1985.

The Chief Operating Officer (COO) sent notice of date, time and location of the public hearing on this claim before the Metro Council on June 23, 2006. The notice indicated that a copy of this report is available upon request and that the report is posted on Metro's website at www.metro-region.org/measure37.

II. SUMMARY OF COO RECOMMENDATION

The COO recommends that the Metro Council deny the claim for the reasons explained in Section IV of this report. The facts and analysis indicate that Metro's action to bring claimants' land into the Urban Growth Boundary (UGB), designate it Regionally Significant Industrial Area (RSIA) (allowing urban scale industrial and limited commercial uses), and applying a 20-acre minimum lot size temporarily while planning is completed did not reduce the fair market value of claimants' property.

III TIMELINESS OF CLAIM

ORS 197.352(5) requires that a written demand for compensation be made:

1. For claims arising from a land use regulation enacted *prior* to the effective date of Measure 37 (December 2, 2004), within two years of that date, or of the date a public entity applies the regulation to the property as an approval criterion in response to an application submitted by the owner, whichever is later; or
2. For claims arising from a land use regulation enacted *after* the effective date of Measure 37 (December 2, 2004), within two years of the enactment of the regulation, or of the date the owner of the property submits a land use application for the property in which the regulation is an approval criterion, whichever is later.

Findings of Fact

The claimant submitted this claim on July 19, 2005. The claim identifies Metro Code section 3.07.1110 C as the basis of the claim. The Metro Council adopted the regulation that gives rise to this claim on September 10th, 1998, by Ordinance 98-772B. Metro Council applied the regulation to the claimants' property on December 5, 2002 (effective March 5, 2003), by Ordinance No. 02-969B, prior to the effective date of Measure 37 (December 2, 2004).

Conclusions of Law

Metro adopted the regulation that gives rise to this claim prior to the effective date of Measure 37, and claimants filed the claim within two years of the effective date of Measure 37. The claim, therefore, is timely.

IV. ANALYSIS OF CLAIM

1. Ownership

Metro Code section 2.21.020(c) defines "owner" to mean the owner of the property or any interest therein. "Owner" includes all persons or entities who share ownership of a property.

Findings of Fact

The claimants acquired the 5.85-acre subject property on June 26, 1974 and the claimants have had a continuous ownership interest since that time. Attachment 1 is a site map of the subject property (ATTACHMENT 1). There is one existing single-family dwelling on the subject property constructed in 1985.

Conclusions of Law

The claimants, Harold and Rebeca MacLaughlan, are owners of the subject property as defined in the Metro Code.

2. Zoning History

The first zoning of the property was Rural (Agricultural) Single Family Residential District (RA-1), applied in 1964. The property was rezoned Rural Residential Farm Forest 5-Acre (RRFF-5) on December 17, 1979.

3. Applicability of a Metro Functional Plan Requirement

Findings of Fact

On December 5, 2002, Metro Council expanded the UGB by adopting Ordinance No. 02-969B, including the subject property in the UGB expansion area. The claimants' property was designated Regionally Significant Industrial Area (RSIA) under Ordinance No. 02-969B. The effective date of Ordinance No. 02-969B was March 5, 2003.

Section 3.07.1110 C of Metro's Code prohibits any division of land into lots or parcels smaller than 20 acres, except for public schools or other urban services, pending adoption of urban comprehensive plan designations and zoning. Ordinance No. 02-969B requires local governments such as the City of Damascus and Clackamas County to apply the interim protection measures to the subject property as set forth in Metro Code Title 11, Urban Growth Management Functional Plan, Section 3.07.1110. Ordinance No. 02-969B requires the local government with land use responsibility for the area of claimants' property (City of Damascus in this case) to complete urban planning by March 5, 2007.

Clackamas County adopted Order No. 2005-150 on July 6, 2005, waiving certain land use regulations including Zoning and Development Ordinance Subsections 309.07A, 309.08B and 309.08D which regulate lot divisions in the RRFF-5 District, including a prohibition of partitions for subdivisions less than 20 acres inside the Metro UGB. Order No. 2005-150 allows the claimants to apply to the county to divide their property into lots of at least one acre in size and to allow a single-family dwelling to be constructed on each lot not already containing a dwelling, consistent with RA-1 zoning in effect when the claimants acquired the property in 1974. The Order recognizes that Metro Code Section 3.07.1110 applies and that the claimants also may need approval by Metro of a Measure 37 claim.

Prior to its inclusion within the UGB in 2002, the property was subject to the state-imposed 20-acre minimum lot size. This requirement was adopted by the Land Conservation and Development Commission on April 29, 1992 and applies to lands located within one-mile of the urban growth boundary.

Conclusions of Law

Section 3.07.1110 C of the Metro Code applies to the subject property and became applicable after the claimants acquired the property. Thus, the section did not apply to the subject property at the time claimants acquired it.

4. Effect of Functional Plan Requirements on Fair Market Value

Findings of Fact

Section 2.21.040(d)(5) requires the Chief Operating Officer (COO) to determine whether Metro's temporary 20-acre minimum size for the creation of new lots or parcels applicable to territory newly added to the UGB has reduced the value of claimants' land. The COO's conclusion is based upon the analysis of the effect of Metro's action contained in this report and in the attached memorandum to Paul Ketcham and Richard Benner from Sonny Conder and Karen Hohndel dated June 23, 2006 (Conder Memo).

Claimants have submitted comparable sales data to support their assertion that the temporary 20-acre minimum size has reduced the value of their property by \$700,000 to \$800,000. Based on the comparable sales data, claimants assert that a one-acre parcel for a homesite has a current FMV of \$175,000. County zoning at the time of purchase (1974) allowed creation of one-acre homesites. Claimants believe they could have received approval of four homesites. Hence, they multiply \$175,000 times the four homesites they could have created, yielding a value of \$700,000. The claimants make adjustments for the remainder lots with an existing dwelling and the costs of infrastructure. This calculation yields the range of claimed reduction in FMV of \$700,000 to \$800,000.

The Conder Memo analyzes the claimant's information and applies two different methods for determining the effect of Metro's action on the value of claimant's property.

A. "Comparable Sales" Method

This method compares the value of the property in its current regulatory setting with its value today as though Metro's action had not happened, using transactions involving comparable properties in both "with" and "without" scenarios. Under the "without" scenario, the property would be outside the UGB under RRFF-5 (Rural Residential-Farm/Forest, five-acre minimum lot size) zoning that applied at the time of the application of Metro's regulation.¹ Given the five-acre minimum lot size, claimants would not have been able to obtain approval for a land division.

Under the "with" scenario (current regulatory setting), the land lies within the UGB; it is designated Regionally Significant Industrial Area; and it is subject to a temporary 20-acre minimum lot size to preserve the status quo while the city of Damascus completes the comprehensive planning necessary to allow urbanization of the previously rural (outside the UGB) land. This method, therefore, assumes claimants will be able to use the property for industrial and other uses consistent with Title 4 of Metro's Urban Growth Management Functional Plan.

¹ The property was also subject to a state-imposed 20-acre minimum lot size prior to and at the time of application of Metro's regulations to the property. However, because this 5.85-acre property could not be divided under the RRFF-5 zoning that applied at that time, the applicability of the state lot size does not affect this analysis.

Table 4 of the Conder Memo compares today's values of the property with and without Metro's action, adjusting in both cases for costs of development and limitations on development of the site that a prudent investor would take into account. The table shows that the FMV of the property under existing regulations exceeds the value of the property under RRFF-5 zoning outside the UGB. The analysis using this methodology indicates that the current regulatory setting has not reduced the FMV of the MacLaughlan property.

B. Alternative Method Using Time Trend Data Suggested by Plantinga/Jaeger

The Conder Memo uses times-series data to determine whether the application of Metro regulations to the property reduced its value. The data show values before and after application of the regulations. The data are displayed in Table 3 of the memo. There is no indication from the data that Metro's regulations reduced the value of the property. The data show that the property continued to increase after March 5, 2003, the date the regulations became applicable to the property.

Conclusion

Metro's action to bring claimants' land into the UGB, designate it Regionally Significant Industrial Area and apply a temporary 20-acre minimum lot size did not reduce the value of the MacLaughlan property.

5. Exemptions under ORS 197.352(3)

Findings of Fact

Section 3.07.1110C of the Metro Code does not restrict or prohibit a public nuisance, the selling of pornography or nude dancing, is not intended to protect public health or safety, and is not required to comply with federal law.

Conclusions of Law

Section 3.07.1110C of the Metro Code is not exempt from Measure 37 under ORS 197.352(3).

6. Relief for Claimant

Findings of Fact

The Metro Council has appropriated no funds for compensation of claims under Measure 37. Waiver by Metro would allow the claimants, due to the waiver granted by Clackamas County in Order No. 2005-150, to proceed with land use applications to the City of Damascus and to Clackamas County to divide the subject property into one-acre lots and to develop a single family dwelling on each lot that does not already contain a dwelling. The effect of development as proposed by the claimant would be to allow land uses incompatible with industrial uses and reduce employment capacity within the UGB. It would also make the provision of urban services less efficient and more complicated. Finally, it would undermine the planning now underway by the City of Damascus to create a complete and livable community.

Conclusions of Law

Based on the record, the claimants have not established that they are entitled to relief in the form of compensation or waiver of the interim 20-acre minimum lot size requirement under Metro Code Section 3.07.1110C.

Recommendation of the Chief Operating Officer:

The Metro Council should deny the MacLaughlins' claim for the reasons that the Council's Ordinance No. 02-969B did not reduce the value of the MacLaughlan's property.

ATTACHMENTS TO THE REPORT OF THE CHIEF OPERATING OFFICER

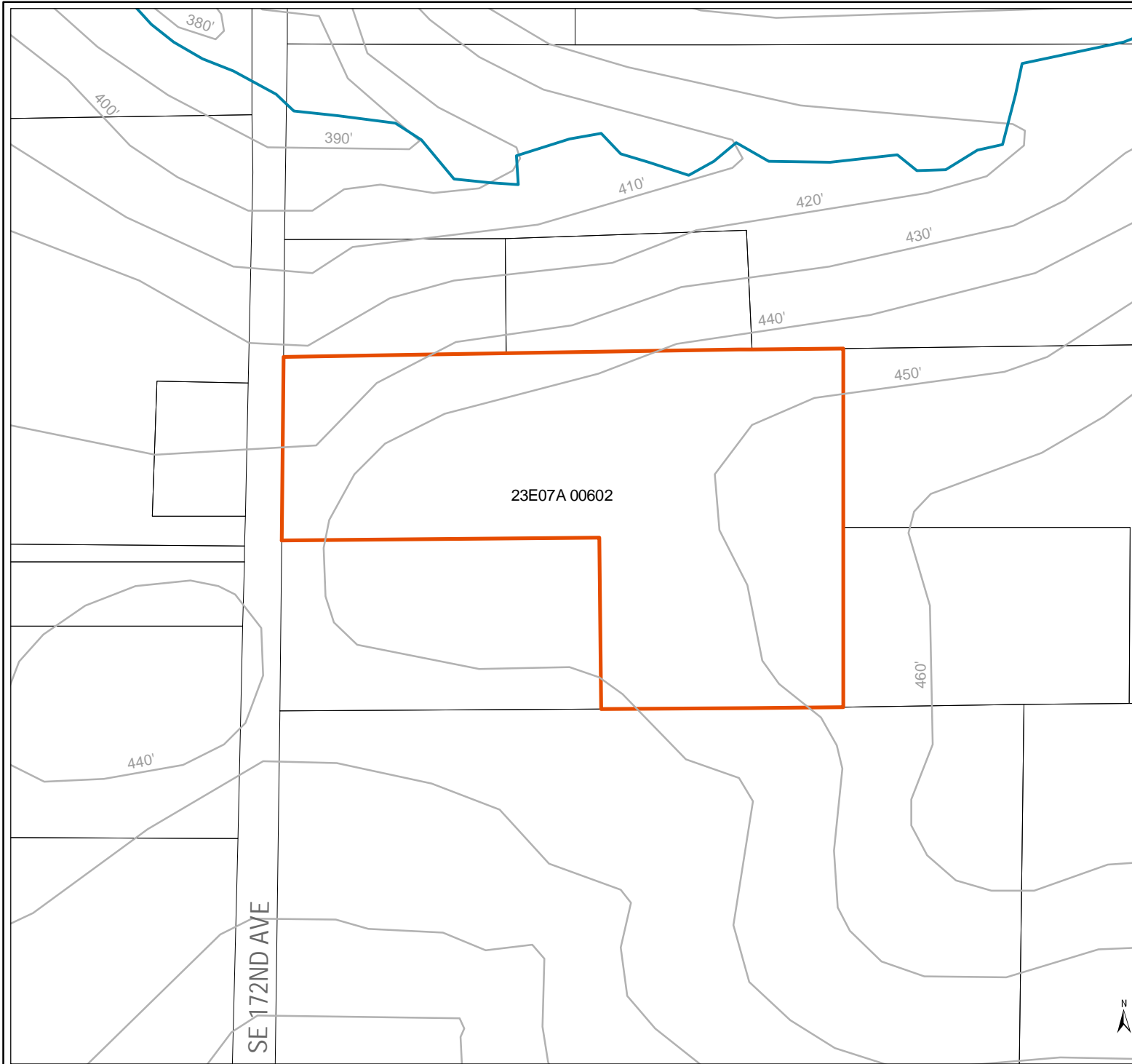
Attachment 1: Site Map of Harold and Rebeca MacLaughlan Property

Attachment 2: Metro Memorandum to Paul Ketcham and Richard Benner from Sonny Conder and Karen Hohndel, "Revised Valuation Report on the MacLaughlan Measure 37 Claim," dated July 14, 2006

Attachment 3: Sample Area of 2004-2005 Sales Data for Damascus UGB Expansion Area and One Mile Buffer, Clackamas County, OR

Attachment 4: Harold and Rebeca MacLaughlan Measure 37 Claim Submittal to Metro

M:\plan\lrpp\projects\Measure 37\M 37 report.MacLaughlan.doc



R L I S
REGIONAL LAND INFORMATION SYSTEM

Resolution No. 06-3714
Attachment 1 COO Report

Site Map MacLaughlan Measure 37 Claim

Subject Property

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

1 inch equals 0.03 miles

 0 50 100 Feet

Location Map

METRO

METRO DATA RESOURCE CENTER
 600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232-2736
 TEL (503) 797-1742 | FAX (503) 797-1909
 drc@metro.dst.or.us | www.metro-region.org

Resolution No. 06-3714A
Attachment 2: Revised Report of the Chief Operating Officer

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1794



July 14, 2006

To: Paul Ketcham, Principal Regional Planner
Richard Benner, Senior Staff Attorney

From: Sonny Conder, Principal Regional Planner
Karen Hohndel, Associate GIS Specialist

Subject: Revised Valuation Report on the MacLaughlan Measure 37 Claim

Conclusion:

Per your request we have conducted a valuation analysis of the MacLaughlan Measure 37 Claim. The Metro designation of "Regionally Significant Industrial Area" (RSIA) applies to the MacLaughlan claim. We conclude that the Metro action of including the 5.85 acre property inside the UGB, designating it RSIA and imposing a temporary 20 acre minimum lot size for development did not produce a material loss of value for the subject property¹.

Using the time-series variation of the Plantinga-Jaeger method of determining property value loss due to regulation indicates no loss of value for the 5.85-acre parcel. This conclusion rests on the observation that the assessor's market value for that particular property has continued to increase since the Metro 2003 regulation. Moreover, the entire class of RRF-5-acre lot size designated parcels within the expansion area have continued to increase since the Metro 2003 regulation.

Conceptual Understanding for Basis of Property Value Analysis:

We understand the present Measure 37 valuation problem to consist of making two property value estimates. These are:

¹ We use the term "material" in the accounting/auditing sense that given the statistical variability inherent in the data there is no difference between two measurements of land value.

1. Estimate the current market value of the property subject to the regulation that the claimant contends has reduced the value of his property.
2. Estimate the current market value of the property in the absence of that regulation, and with the zoning that applied prior to the Metro regulatory action.

Metro Ordinance No. 02-969B applied a set of new regulations to the claimant's property. First the ordinance brought claimant's property into the region's urban growth boundary, making the property eligible for industrial densities rather than rural low-density development. The parcel was designated RSIA, allowing industrial use and associated non-industrial uses on the property. Third, the ordinance applied a temporary 20-acre minimum lot size to protect the status quo while local governments complete amendments to comprehensive plans to allow urban development. Within this overall framework any particular property may have a substantial range of development types and lot sizes. Implicit in this design designation is the availability of urban level capital facilities including sanitary sewers, storm water retention and management, water distribution, streets, roads, parks and other infrastructure and services associated with urban living. All development is assumed to occur in compliance with all health and safety regulations.

The default land use at the time of Metro regulatory action was the Clackamas County designation of RRFF-5. This land use designation is a rural designation allowing one dwelling unit per five acres. All development under RRFF-5 must conform to applicable health and safety regulations. Most significant is that the reference default land use must be outside the present UGB in a rural setting. While seeming to be a subtle distinction, the requirement of a rural setting outside the UGB is conceptually pivotal to the valuation. To use RRFF-5 or equivalent land inside the UGB as a basis for valuation includes the property-value-increasing amenity effects of urban services and infrastructure. It is logically contradictory to argue that inclusion inside the UGB and designation of the land for urban purposes has reduced a property's value but to include those very effects in the estimate of the property value without the subject action.

Alternative Method of Computing Property Value Loss Resulting From Regulation

Estimating loss of property value using the usual appraisal method of "comparative sales" has been the subject of substantial criticism. Andrew Plantinga and William Jaeger², economists at OSU, have written papers pointing out that using the method of

² Andrew Plantinga, *Measuring Compensation Under Measure 37: An Economist's Perspective*, Dec. 2004, 15 pages. (Available at OSU Department of Agricultural and Resource Economics, URL: plantinga@oregonstate.edu).

comparative sales does not compute the loss due to regulation. Rather the estimated “value loss” is actually the gain resulting from obtaining an exemption to the general rule. To better understand their arguments, we may think of the comparative sales method of determining an economic loss as equivalent to determining the value of issuing someone a special license or franchise to carry out an economically valuable function that others may not do. For instance, licenses to operate taxi cabs in New York are seldom issued and in great demand. As a result the license itself has acquired substantial economic value. An example closer to home is the value of an Oregon Liquor License prior to more liberal issuing standards in the 80’s. In the 1950’s through roughly the 70s, an Oregon liquor license for a restaurant or bar vastly increased the property value of the establishment that had one. Plantinga and Jaeger argue that the value of the property hinges on scarcity resulting from regulation. If everyone had a taxi cab or liquor license, they would have no value. From an economic perspective, using a method that really measures value gained from regulation is not the same as determining economic loss resulting from regulation.

Plantinga and Jaeger go on to suggest an economically appropriate measure of loss resulting from subsequent land use regulation. Their method is grounded in the well established and tested Theory of Land Rent. Simplified a bit the Theory of Land Rent holds that the value of land at any particular time is the future net profit from the land used in its most efficient allowable use. The market also adjusts (discount factor) this value to account for time and uncertainty as to future uses. What this means is that the original sales price incorporates future expectations about how the land might be used. If we take the original sales price and bring it up to the current date by using an appropriate price index, we are able to measure in today’s prices what the land was worth when it was purchased under the original regulatory requirements.

As Metro’s regulatory action was taken in 2003, we have actual time-series data to determine if the subject property experienced a loss of value after Metro’s action. Consequently, we need not index the original sales price as we can observe whether the value actually decreased. We are able to make these observations for the particular property and for the entire class of subject properties within the Damascus expansion area. In essence, the simplest approach to answering the question of whether a property lost value as a result of Metro’s regulation is to measure whether the property value decreased following Metro’s action.

William K. Jaeger, *The Effects of Land Use Regulations on Land Prices*, Oct. 2005, 38 pages. (Available at OSU Department of Agricultural and Resource Economics, URL: wjaeger@oregonstate.edu).
Also: William K Jaeger, *The Effects of Land-Use Regulations on Property Values*, **Environmental Law**, Vol. 36:105, pp. 105 - 127, Andrew J. Plantinga, et. al., *The effects of potential land development on agricultural land prices*, **Journal of Urban Economics**, 52, (2002), pp. 561 - 581. and Sonny Conder and Karen Hohndel, *Measure 37: Compensating wipeouts or insuring windfalls?*, **Oregon Planners’ Journal**, Vol. 23, No 1. Dec. - Jan 2005. pp. 6 - 9.

This method allows a consistent computation of property loss due to subsequent regulatory changes. At the same time it avoids awarding particular property owners a bonus that was not anticipated in the original purchase price. Owners are compensated for what they lost; but they are not awarded an extra benefit owing to unanticipated growth, infrastructure investment or regulatory changes.

Property Valuation Analysis Procedure:

Our property valuation analysis procedure consists of the following steps:

- Briefly describe the property and make a prudent assessment of development limitations to establish a likely range of development capacity under both “RSIA” and RRF-5 designations assuming health and safety regulations are enforced.
- Based on recent sales (2004,2005,2006) of lots and existing properties inside the Damascus expansion area and the eastern portion of the Clackamas industrial district determine the current (2006) value of the property with a reasonable range of “ Industrial” or “RSIA” development configurations .
- Based on recent sales (2005) of property in a buffer zone extending one mile outside the present UGB within Clackamas County determine the value of residential property on lots of 2.5 to 7.5 acres in size. This procedure establishes a reasonable range of values for residential properties of RRF-5 configuration in a rural setting.
- Provide an alternative determination of loss of value of the MacLaughlan property based on time-series before and after Metro’s regulatory action.
- Evaluate the lot value and home value comparables submitted as evidence with the MacLaughlan Measure – 37 claim. Comment on whether those estimates are logically relevant to establish a Measure –37 property value loss assertion.
- Provide and compare estimates of the value of the subject property as of 2006 with Metro’s RSIA designation versus Clackamas County’s RRF-5 designation.

MacLaughlan Property Description:

The subject property consists of one parcel of 5.85 acres located on 172nd about ¼ mile north of Highway 212, about two miles west of the Damascus town center and 1.7 miles east of the eastern edge of the Clackamas industrial district. The parcel has access to 172nd. Assessor appraised value as of 2005 for the 5.85-acre parcel is \$413,071 with \$212,400 improvement value and \$200,400 in land value. Data submitted with the claim indicate the property was purchased in 1974, and the present structure was built in 1985. Though not explicit in the record we assume the purchase price of \$19,800 included land only at that time.

Visual inspection from 172nd and air photo inspection as well as relevant GIS data indicate that the property per se poses no substantial limitations to development for industrial purposes. It is generally flat on the crest of a hill. Surrounding properties do however, have slope limitations in regard to industrial development. Consequently, the scale of industrial development in this general area may be limited. In the case of industrial use on the 5.85-acre parcel, the residential structure would need to be demolished or moved when the land is converted to a more intense use.

Again, it is not in our professional capacity to assert with authority any definitive estimate of what the site limitations are; but rather to reflect what any prudent property investor must consider when pricing raw land. This holds true for both Metro's RSIA, and the default use of RRFF-5.

Land Use Capacity Estimates – 5.85 Acre Parcel:

For purposes of determining RSIA capacity, we note that the site is roughly 1.6 miles east of the eastern edge of the existing Clackamas industrial district. In designating these lands for industrial use there was an implicit presumption that a major transportation corridor – the “Sunrise Corridor” would be constructed through the area with available access. Our understanding at present is that no identified funding for the project exists and that a number of other regional transportation projects have higher priority. Consequently, we cannot prudently consider such an improvement to be in place over a 20 year planning horizon. Slope on surrounding parcels, poor access and general lack of demand portend an industrial market for the property of very low density and low value structures.

Current Value Estimate of “RSIA” in Damascus Expansion Area:

RSIA:

Comparables for the RSIA designation are far more problematic. To establish a starting point for valuation, we examined recent (since 2004) sales of industrially designated property in the eastern section of the Clackamas Industrial District and two sales of Industrial and RSIA property along Highway 212 in the Damascus expansion area. Table 1A below summarizes the information on the sales.

See next page for Table 1A

Table 1A: Summary Property Value Data - Clackamas Industrial District and Damascus Area Industrial/RSIA Highway 212 Development Recent Sales

Property Description	Sale Date	Size Acres	Per Acre Sale \$
3 land assembly sales, ready to build, hwy 212 Clackamas Ind. Dist.	2004	29.8	\$102,300
2 land assembly sales, ready to build, hwy 212 Clackamas Ind. Dist	2004	4.8	\$130,200
2 land assembly sales, Damascus expansion area, Hwy 212, Ind.- RSIA	2005 - 06	69.3	\$131,600
1 land sale, Damascus expansion area, Hwy 212, Ind.- RSIA	2005	34	\$45,700
2 land assembly sales, Damascus expansion area, Highway 212, RSIA	2005	20.8	\$75,300
1 land sale, Damascus expansion area, Hwy 212, RSIA	2003	17.9	\$83,600

In the context of the MacLaughlan property industrial valuation, the above sales merit some discussion. The Clackamas Industrial District sales represent transactions for ready to build industrial land at the east end of the industrial district. As such they are legitimate comparators for flat land, with services in an existing, developed industrial area.

The remaining four sales are located adjacent to or close to Hwy 212 in the Damascus expansion area on a combination of industrial and RSIA designated land with slope characteristics similar to or more extreme than the MacLaughlan property. The 69-acre property was purchased by Providence Health System for \$131,600 per acre. The 34-acre property, north and adjacent to the Providence property was purchased by a developer for \$45,700 per acre and consists of sloping Industrial and RSIA designated land.

The final two sales are particularly close to the MacLaughlan property on land designated RSIA. The 17.9-acre sale was to Sunrise Water Authority and may reflect a future public facility use. The 20.8-acre sale was to a developer for undetermined purposes.

Given the above information, we take the \$75,000 per acre value as the base for comparison purposes for valuing industrial on the MacLaughlan property. For purposes of our valuation we assume a raw land sales price of \$75,000 per acre. We note, however, that having only two closely comparable sales as the basis for comparison makes our second method of analysis – the time series analysis – a more reliable indicator of values.

Current Value Estimate of RRF-5 Buildable Lots in the 1 Mile Buffer Area Outside the UGB:

To establish the value range for RRF-5 properties within the Clackamas County rural area we selected all residential properties that sold in 2004 and 2005 within one-mile from the UGB with a lot size of 2.5 to 7.5 acres. These comprised 177 properties and their summary statistics are included below in Table 2.

Table 2: Summary Property Value Data – Clackamas Rural Residential (“RRFF-5”)

Average Lot Size:	4.45 acres
Median Lot Size:	4.56 acres
Average Lot Value:	\$233,200
Median Lot Value:	\$204,000
Average Total Prop.	\$510,200
Median Total Prop.	\$421,800
Average House Size:	3,500 Sq. Ft.
Median House Size:	3,350 Sq. Ft.

For purposes of valuation we observe that our sample properties closely correspond to the 2005 assessor’s market value for the MacLaughlan property. Accordingly, we accept the 2005 assessor’s value as the market value with the present improvements and RRF-5 zoning.

Alternative Valuation of MacLaughlan Property Using the Time Trend Method Suggested by Plantinga and Jaeger:

OSU economists Andrew Plantinga and William Jaeger have challenged the “comparable sales” approach of traditional appraisal methods. They have pointed out that it really measures the value obtained by an exception to the current rule, rather than a measure of economic loss suffered as a result of government land use regulation.

Since the subject Metro regulatory change was recent (2003), we have before and after time-series data to determine whether the MacLaughlan property actually experienced a loss of value after the Metro regulation.

Accordingly, we have tabulated property value data for the entire expansion area from assessor's records for the years 2000 through 2006. We present the data for the MacLaughlan property specifically and for all RRF-5-designated properties within the expansion area. Table 3 below depicts the results by year.

**Table 3: MacLaughlan Property Value and Expansion Area Property Values
2000 - 2006**

Year	MacLaughlan Value	Average All RRFU-5
2000	310,430	309,353
2001	292,770	331,342
2002	300,332	346,958
2003	299,475	351,695
2004	326,279	369,960
2005	359,105	392,706
2006	413,071	416,137

Both the MacLaughlan property assessor's market value and the average value of all RRF-5 tax lots within the study area increase steadily from 2003 through 2006. There is no evidence that Metro's action of including the property within the Urban Growth Boundary and imposing a temporary minimum lot size of 20 acres has reduced property values. Figure A attached depicts the time trends graphically.

Evaluation of MacLaughlan Claim of Comparable Properties:

The basis for the MacLaughlan property value loss estimate of \$700,000 - \$800,000 rests on a market value estimate of \$175,000 per developed, ready-to-build lot assuming four or more buildable lots are available on the property, plus the value of the existing structure on a one-acre lot. To arrive at the loss estimate the value of the existing structure on the existing 5.85 acre lot is subtracted. Though we are unable to replicate the exact amounts, the range stated is roughly consistent with the claimant's property value assumptions.

We take issue with some of the claimant's list of comparable properties as it uses properties from areas inside the Urban Growth Boundary in some prestige neighborhood of developed cities with full urban services. However, a number of properties in rural locations outside the UGB are also included. Examining comparables for rural locations that have actually sold we find the highest to be a 4.2-acre lot that

Resolution No. 06-3714A
Attachment 2: Revised Report of the Chief Operating Officer

sold for \$159,000. The average sales price of the sold comparables in rural locations is \$135,800 with a lot size range of 1.14 to 4.22 acres.

MacLaughlan Claim Property Values Compared:

Given the data developed in the previous tables we may now summarize our estimates of the total value in 2006 for the MacLaughlan property in its present location. To do so we have followed the procedure below:

1. Assume the 5.85 acre parcel is developed as RSIA.
2. For the default RRFF-5 use we assume the assessor's market value of \$413,000 plus 15% is the appropriate property value since the property cannot be further subdivided under RRFF5 designation.
3. For the 5.85 acre parcel we assume a \$75,000 per acre raw land price based on comparables adjusted for access. To account for the value of the existing improvements on the property, we value them on an annual net rental proceeds basis discounted 6.5% per year until time of land conversion (10 years) at which time the improvements are demolished. The summed and discounted residential rents we add to the land value.
4. We compare the resultant values for the property with RRFF-5 usage to the value of the property with RSIA usage.

Table 4 below depicts the results for both RSIA and RRFF-5.

Table 4: Comparison of Estimated Market Value of Raw Land for RSIA and RRFF-5

RSIA 5.85 Acre Parcel Used as Industrial

Parcel Size:	5.85 acres
Estimate of raw land value at Time of conversion (per acre):	\$75,000
Total value (5.85 x 75,000):	\$438,750
Plus present value of 10 years net Rents from SFD improvement:	\$69,013
Total Value:	\$507,763
Value per acre (5.85 acres):	\$86,800

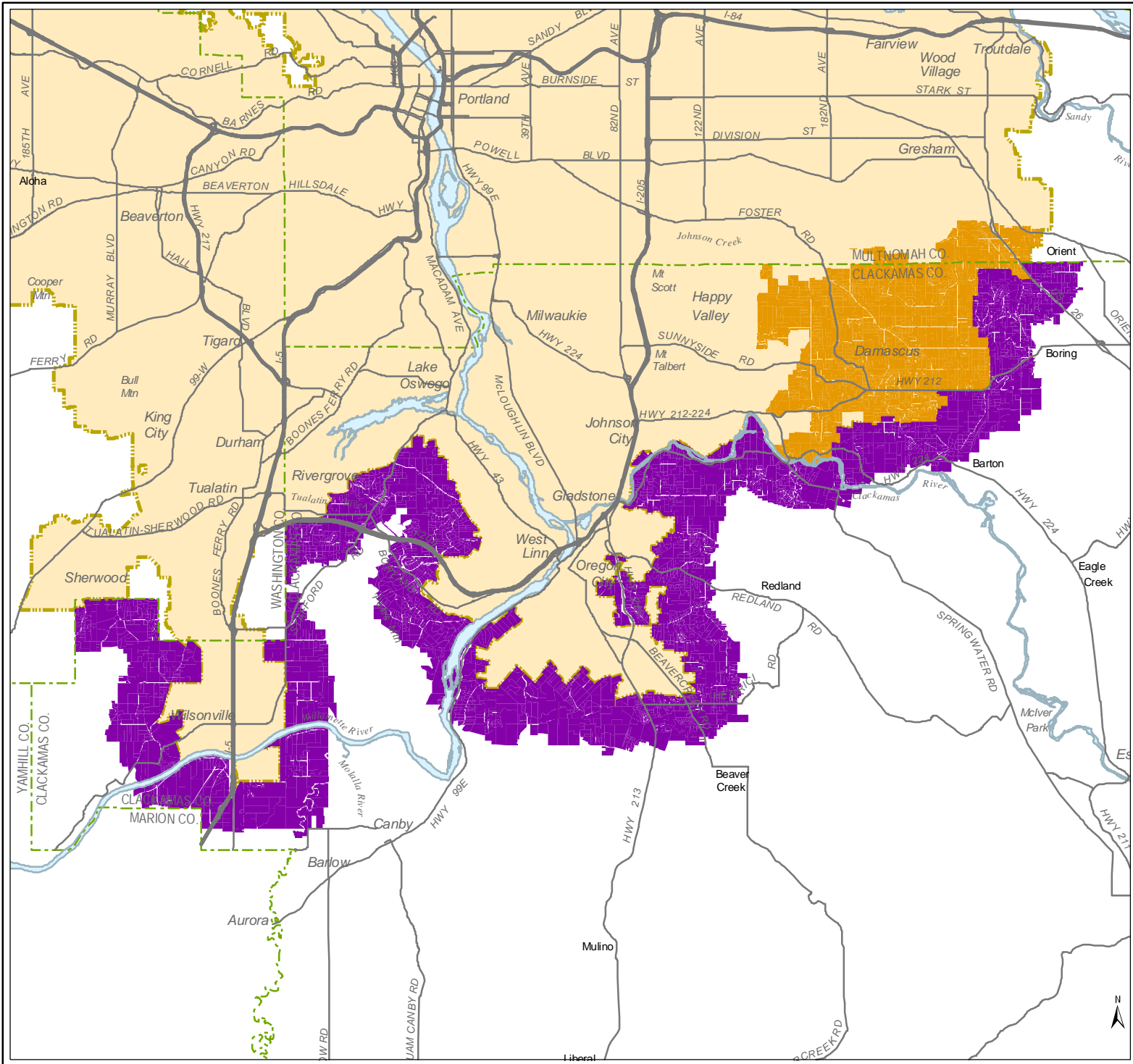
RRFF-5 5.85 Acre Parcel

Assessor's value of Property;	\$413,071
Plus 15%	\$61,961
Total Value of property:	\$475,032
Value per acre total (5.85 acres):	\$81,201

Resolution No. 06-3714A
Attachment 2: Revised Report of the Chief Operating Officer

Using comparable sales, we estimate the current value of the MacLaughlan property subject to Metro regulations to be \$508,000. The same property used as RRFF-5 is worth \$475,000. Using the time-series method - a more reliable indicator in this case - there is also no indication that Metro's actions reduced the value of the MacLaughlan property. Instead, the comparisons indicate that the value increased, as did the values of all other properties in the expansion area.

M:\plan\lrpp\projects\Measure 37\MacLaughlan M37 claimRevValuationMemo7.14.06.doc



R L I S

REGIONAL LAND INFORMATION SYSTEM

Resolution No. 06-3714
Attachment 3 COO Report

Sample Area of 2004-2005 Sales Data for Damascus UGB Expansion Area and One Mile Buffer, Clackamas County, OR

- Damascus UGB Expansion Area
- One Mile Buffer
- County Line
- Inside Metro UGB

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

1 inch equals 3.31 miles

Location Map

Clark Co.
Washington Co. Multnomah Co.
Clackamas Co.

METRO

METRO DATA RESOURCE CENTER
600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232-2736
TEL (503) 797-1742 | FAX (503) 797-1909
drc@metro.dst.or.us | www.metro-region.org



METRO

Daniel B. Cooper
Tele: (503) 797-1528
FAX: (503) 797-1792

January 4, 2006

Harold S. and Rebeca MacLaughlan
14674 SE Sunnyside Road, PMB #115
Clackamas, Oregon 97015

Re: Your Measure 37 Compensation Claim with Metro
Property Address: 14820 SE 172nd Avenue, Clackamas, Oregon 97015
Legal Description: T2SR3E, Section 7A, Tax Lot 602

Dear Mr. and Mrs. MacLaughlan:

In light of the recent judicial actions regarding Measure 37 and *MacPherson, et al. v. Department of Administrative Services, et al.*, I want to give you a response as to a current status of your claim pending at Metro.

Your property is located inside the Metro jurisdictional boundary, inside the Metro urban growth boundary and inside of Clackamas County. Any grant of a waiver by Metro for your property is subject to the validity of the waiver that you have previously obtained from Clackamas County. Therefore, Metro believes that your claim must now wait a decision by the Oregon Supreme Court since the waiver granted to you by Clackamas County is at least temporarily on hold. If and when the Oregon Supreme Court upholds the validity of the Measure 37 claim, Metro will be prepared to respond to your claim within 60 days of the date of the Court's decision.

In order to assist Metro in processing your claim in the event the Court does reinstate Measure 37, I believe the Metro Council would be seeking additional information regarding the effect on your property's value of the action taken by Metro to bring the property inside the Metro urban growth boundary at the same time it impose the temporary 20-acre minimum lot size pending actual adoption of comprehensive plan designations for the property. As you maybe aware, property in this category similarly situated to yours is being sold for substantial value to persons who are willing to wait until after the 20-acre minimum lot size no longer applies upon the adoption of urban comprehensive plan designations and zoning.

Very truly yours,

Daniel B. Cooper
Metro Attorney

DBC/sm

cc: David Bragdon, Metro Council President
Michael J. Jordan, Chief Operating Officer
Andy Cotugno, Metro Planning Director

Harold S. and Rebeca MacLaughlan
January 4, 2006
Page 2

RESOLUTION NO. 06-3714
Attachment 4: COO Report

bcc: Dick Benner
Lydia Neill, Metro's Measure 37 Task Force

Dan Cooper
 ~~ESCO~~ BENNER NO. 06-3714
N/A ~~Dick Bolen~~ Attachment 4: COO Report
 Lydia Neill

July 19, 2005

Dan Cooper
Metro Attorney
600 Grand Ave
Portland Oregon 97232

Dear Mr. Cooper,

This letter is in regards to a current ballot measure 37 claim for Mac Laughlan that has been approved by Clackamas County and the state of Oregon. I was informed by Clackamas County that my next step was to notify Metro of the approval. When I spoke with your office they advised me that there are no actual applications of forms available to submit this clam to Metro. Therefore, this letter shall serve as notice and please notify me of the next step involved with Metro.

I am enclosing a copy of approval from the Board of County Commissioners. There is also a copy of the original application and supporting documentation on file at your office that was mailed in Mid March.

If you need any further documentation please call me at 503-329-8442. Thank you for your time and I look forward to hearing from you.

Sincerely,


Harold S. Mac Laughlan

RECEIVED

JUL 20 2005

OFFICE OF METRO ATTORNEY

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

RESOLUTION NO. 06-3714
Attachment 4: COO Report

**In the Matter of a Ballot Measure
37 Claim for MacLaughlan**

**Order No. 2005-150
Page 1 of 2**

File No. ZC035-05

Claimants/ Property Owners: Harold and Rebeca MacLaughlin

Date Filed: February 17, 2005

Legal Description: T2S-R3E-SECTION 07A-TAX LOT 602

Location: 14820 SE 172nd Avenue; east side of SE 172nd Avenue, approximately .2 mile north of SE Armstrong Circle; Damascus area.

Proposal/ Relief Requested: The claimants are asking that the existing RRFF-5 zoning not be applied, allowing creation of additional home sites consistent with the previous RA-1 zoning district that was in place when the applicants acquired the property.

Ownership History/Date Acquired by Current Owner: The claimants acquired the property on June 26, 1974. Deed records demonstrate that the claimant has held a continuous property interest since acquisition in 1974.

Zoning History: The first zoning of the property in 1964 was RA-1, Rural (Agricultural) Single Family Residential District, 1-acre minimum lot size. The property was zoned RRFF-5, Rural Residential Farm Forest 5 Acre on December 17, 1979.

Reduction in Land Value: The claimant contends that the application of the RRFF-5 zoning district reduces the value of the property by \$700,000-\$800,000. The applicant has provided evidence in the form of comparable sales of one acre residential lots in the area. This information is sufficient to substantiate a reduction in land value resulting from the application of the RRFF-5 zone to the property.

DECISION

- (1) The claimants have a valid claim.
- (2) Monetary compensation for any reduction in value is not available.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

RESOLUTION NO. 06-3714
Attachment 4: COO Report

**In the Matter of a Ballot Measure
37 Claim for MacLaughlan**

**Order No. 2005-150
Page 2 of 2**

File No. ZC035-05

(3) Remove from the subject property ZDO 309.07A and subsections 309.08.B and 309.08.D, which regulate lot divisions in the RRFF-5 District. Development of the property will be subject to the lot size standards of the RA-1 zoning district that were in effect when the current owner acquired the property, June 26, 1974, and to all other current ZDO provisions.

Conditions/Comments

- (1) The claimant will need to receive approval of a subdivision or partition to allow creation of new lots.
- (2) Approval of building and septic permits for new residences also will be required.
- (3) The claimant also may need approval by Metro of a Measure 37 claim. Metro Code Section 3.07.1110 may apply.
- (4) This action does not resolve several questions about the application of Measure 37, including the question of whether the rights granted to the claimant by this decision can be transferred to an owner who subsequently acquires the property.

DATED this 10th day of July, 2005.

BOARD OF COUNTY COMMISSIONERS

Bill [Signature]
Chair

Mary [Signature]
Recording Secretary

MEASURE 37 CLAIM

CLACKAMAS COUNTY PLANNING DIVISION
9101 SE SUNNYBROOK BLVD., CLACKAMAS, OREGON 97015
PHONE (503) 353-4500 FAX (503) 353-4550 www.co.clackamas.or.us

FOR STAFF USE ONLY

FILE NUMBER: 2C035-05 DATE RECEIVED: 2-17-05
STAFF MEMBER: _____ CPO: Rock Creek

APPLICANT INFORMATION (PLEASE TYPE OR PRINT IN BLACK INK ONLY)

WHAT IS PROPOSED RETURN TO ZONING THAT IT WAS IN PLACE WHEN PURCHASED IN 1974

LEGAL DESCRIPTION: T2SR3E SECTION 7A TAX LOT(S) 602
T R SECTION _____ TAX LOT(S) _____

(ADDITIONAL) Demacus ore

NAME OF CONTACT PERSON HAROLD MacLaughlan
MAILING ADDRESS 14674 SE Sunnyside Rd
CITY Clackamas STATE OR ZIP 97015
PHONE _____ ; CELL PHONE 503-329-8442

PROPERTY OWNER(S) (The name, address and telephone number of all owners, including their signatures, must be provided. In the event there are more than 3 property owners, please attach additional sheets. Please print clearly)

OWNER 1 HAROLD MacLaughlan
SIGNATURE Harold MacLaughlan
Mailing ADDRESS 14674 SE Sunnyside Rd PMB #115
CITY Clackamas STATE OR ZIP 97015
PHONE 329-8442 CELL PHONE _____

OWNER 2 REBECCA MacLaughlan
SIGNATURE Rebecca MacLaughlan
Mailing ADDRESS 14674 SE Sunnyside Rd PMB #115
CITY Clackamas STATE OR ZIP 97015
PHONE 329-8442 CELL PHONE _____

OWNER 3 _____
SIGNATURE _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
PHONE _____ CELL PHONE _____

MEASURE 37 CLAIM SUPPLEMENTAL INFORMATION

(Attach additional sheets as necessary to complete this supplemental portion of the claim)

1. **Other persons with an interest in the property (such as lien holders):** Please provide a list of the name, address and phone number of anyone with an interest in the property, and identify their interest.

Countrywide Home Loans -
PO Box 5170 Simi Valley, CA 93062

2. **Exact date the current owner acquired the property?** June 26, 1974

3. **If the current owner acquired the property from a family member, what is the exact date the family member acquired the property?**

N/A

If there is more than one event where the property was acquired from a family member, such as a series of inheritances, please provide a list of all such events and their dates.

N/A

4. **What regulation (if more than one, please describe) do you believe lowered the value of your property? When did the regulation take effect?**

Toning change to RRFF 5-
Date of Regulation Unknown

5. **Please describe how this regulation(s) restricts the use of the property and reduces the property's fair market value.**

Reduction of
building sites from six to One

12/6/2004

6. How much has the fair market value of your property been reduced by enactment or enforcement of the regulation(s)? Approx \$700,000 - \$800,000

7. Are you requesting compensation, or removal of the regulation(s), modification of the regulation(s), or a decision not to apply the regulation(s)? If you are requesting monetary compensation, please indicate how much and how you calculated this sum. [Please note that the County has exclusive authority to choose whether to pay monetary compensation, or remove, modify or not apply the regulation(s) causing a valid claim.]

Modify Regulations to previously "approved" building sites & perk tests on 30,000 & 40,000 sq ft lots - per County approval dated 4-21-75

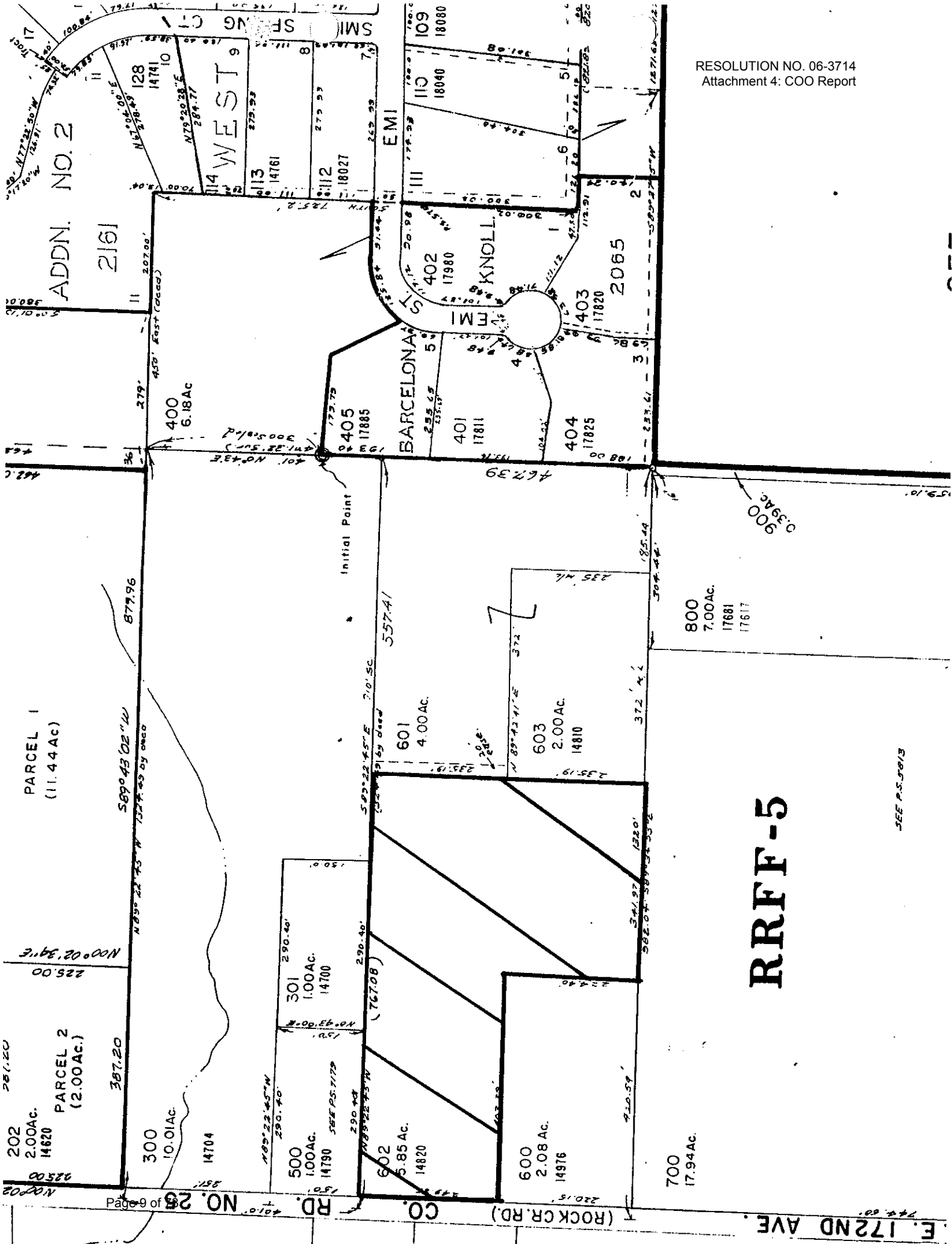
8. Are you requesting that a specific use be allowed? Please describe the use.

Yes - Single Family Residence

9. The following additional material must be submitted with the application:

- a. A real property appraisal performed by a licensed or certified appraiser licensed in Oregon; the appraisal must meet the Uniform Standards of Professional Appraisal Practice and the requirements of County's Measure 37 Claims Process Ordinance;
- b. A title report issued no more than 30 days prior to the submission of the claim that reflects the ownership interest in the property, or other documentation proving ownership of the property;
- c. Copies of any leases or covenants, conditions and restrictions applicable to the property and any other documents that impose restrictions on the use of the property;
- d. Claims processing fee - \$750.00

12/6/2004



SEE P.S. 3813

RRRF-5

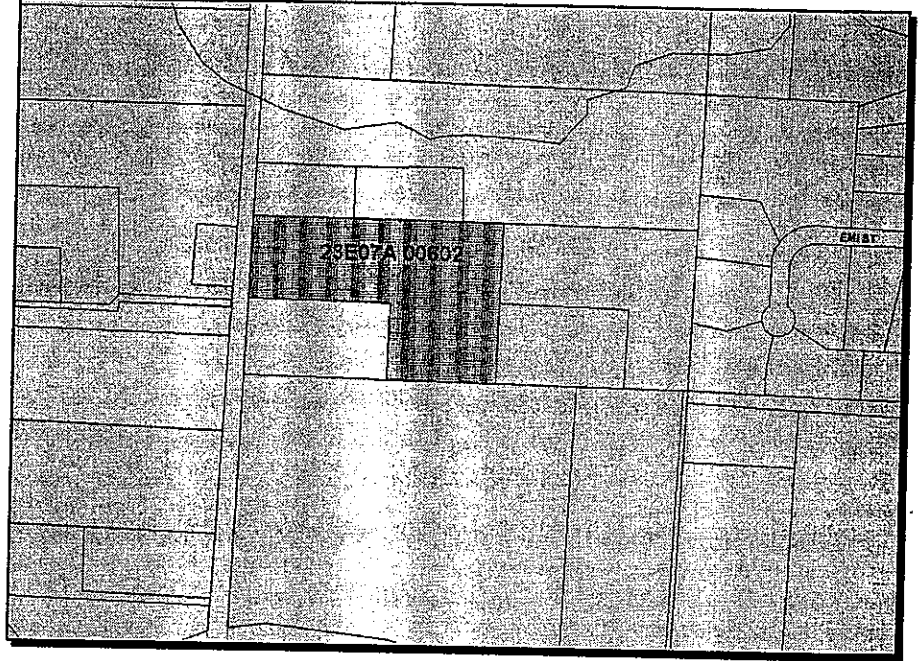


Geographic Information Systems
121 Library Court
Oregon City, OR 97045

Property Report

MACLAUGHLAN HAROLD S & REBECA
14674 SE SUNNYSIDE RD #115
CLACKAMAS, OR 97015

Location Map:



Site Address: **14820 SE 172ND AVE**
Taxlot Number: **23E07A 00602**

Land Value: **183265**
Building Value: **175840**
Total Value: **359105**

Acreage: **5.85**
Year Built: **1985**
Sale Date: **3/1/1995 0:00:00**
Sale Amount: **6600**
Sale Type:

Land Class:
Tract land improved

Building Class:
Data unavailable - contact Assessors office

Neighborhood:
Pleasant Valley all other

Taxcode Districts: **12115**

Fire **Clackamas RFPD #1**
Park **Unknown**
School **North Clackamas**
Sewer **Unknown**
Water **SUNRISE WATER AUTHORITY**
Cable **COMCAST (AT&T of Ohio);Clear Creek;**
CPO **Rock Creek**
Garb/Recyc **B & J Garbage Co**
Jurisdiction **Clackamas**

Site Characteristics:

UGB: **In**
Flood Zone: **No**

Zoning Designation(s):

Zone	Overlay:	Acreage:
RRFF5		5.76

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

NA

QUITCLAIM DEED

RESOLUTION NO. 06-3714

Attachment 4: COO Report

KNOW ALL MEN BY THESE PRESENTS, That MARIAN BRIDGES *

hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto HAROLD S. MACLAUGHLAN and REBECA MACLAUGHLAN, husband and wife hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of CLACKAMAS, State of Oregon, described as follows, to-wit:

A tract of land in the Northwest one-quarter of the Northeast one-quarter of Section 7, T. 28., R. 3E., of the W.M., in the County of Clackamas and State of Oregon, described as follows: Beginning at the Southwest corner of that tract sold by Contract to Daniel G. Schweitzer, et ux, recorded July 18, 1973, as Recorder's Fee No. 73-22700, Film Records, which is 557.44 feet West along the South line of said division from the Southeast corner thereof; thence West along the South line of said division 341.97 feet; thence North parallel with the East line of 172nd Avenue, 224.40 feet; thence West parallel with the South line of said division 403.39 feet to the East line of said road; thence North along the said road line 249.85 feet to the South line of that tract conveyed to Henry W. Coe, recorded March 30, 1970 as Recorder's Fee No. 70-5832, Film Records; thence East along the South line of said Coe tract 745.69 feet to the Northwest corner of said Schweitzer tract; thence South along the West line of said Schweitzer tract 470.38 feet to the point of beginning. SUBJECT TO 20.00 foot easement along the North line of said tract as disclosed by said document recorded as Recorder's Fee No. 73-22700, Film Records.

* SUCCESSOR IN ONE-THIRD INTEREST TO REAL ESTATE CONTRACT BETWEEN JOHN H. REHBERG, DECEASED, AND HAROLD S. MACLAUGHLAN AND REBECCA MACLAUGHLAN, DATED JUNE 17, 1974.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$113,800.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

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

In Witness Whereof, the grantor has executed this instrument this 16th day of March, 1995; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized thereto by order of its board of directors.

Marian Bridges
MARIAN BRIDGES

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.

STATE OF OREGON, County of Washington ss. This instrument was acknowledged before me on 3-10-95, by Marian Bridges

This instrument was acknowledged before me on 19__ by



Rita Girard
Notary Public for Oregon
My commission expires 9-7-96

Marian Bridges
5275 SW 150th Ct.
Beaverton, OR 97007-2709
Grantor's Name and Address
Harold & Rebecca MacLaughlan
14820 SE 172nd St.
Clackamas, OR 97215
Grantee's Name and Address
After recording return to (Name, Address, Zip)
Harold & Rebecca MacLaughlan
14820 SE 172nd St.
Clackamas, OR 97215
Until requested otherwise send all tax statements to (Name, Address, Zip)
Harold & Rebecca MacLaughlan
14820 SE 172nd St.
Clackamas, OR 97215

STATE OF OREGON,
County of... ss.
I certify that the within instrument
was received for record on the... day

STATE OF OREGON 95-015062
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 18787 \$26.00
DATE AND TIME: 03/16/95 01:04 PM
JOHN KAUFFMAN, COUNTY CLERK

By _____ TITLE _____

95-015062



Benj Franklin

FEDERAL SAVINGS AND LOAN ASSOCIATION
PORTLAND, OREGON

FRANKLIN BLDG.
S. W. 5TH AT STARK
PORTLAND, OREGON 97204

June 26, 1974

Harold S. and Rebeca McLaughlan
17716 S. E. Alder Street
Portland, Oregon 97233

Re: Collection Account #802125-1 McLaughlan/Rehberg
Property: 14976 S. E. 172nd. Avenue, Clackamas, Oregon

Dear Mr. and Mrs. MacLaughlan:

The Benj. Franklin has been asked to act as collection agent on your account as listed above.

We are enclosing two copies of the collection agreement:

The green copy is for your records; and
The white copy is to be signed, where indicated with a red mark and returned to us in the stamped envelope provided.

The only charge applicable to you as buyers or leasees is the assignment fee of \$7.50 in the event you sell or assign your interest in this account.

The monthly payment of \$ 132.16 will be due the Benj. Franklin on July 20, 1974.

In the near future you will receive a packet of "Payment Identification Cards" to be used in making your payments. Please read the instructions accompanying the cards so that you will receive the best possible service on your account. Included in this packet will be sufficient envelopes for the remainder of the year.

In December each year you will receive a new supply of "Payment Identification Cards" for the coming year.

In January each year you will receive an annual statement showing a recap of the previous years transactions.

Please refer to your account number when contacting us.

Cordially yours,

[Signature]
(Mrs.) R. Mohr
Contract Collections
Customer Service Department
248-1239

P. S. To Buyers: Enclosed herewith is a monthly payment card for your use in making your July payment, in the event you do not receive your payment cards by the due date.

P. S. To Seller: Enclosed herewith is the pink copy of the collection agreement for your records.

MONTHLY HOME LOAN STATEMENT

0064127 01 AT 0.292 **AJTD T4 0 2467 97015-6400
 028942867 AA AY 1000321-0---N- M 14402 IN 4
 HAROLD S & REBECA MACLAUGHLAN
 14674 SE SUNNYSIDE RD PMB 115
 CLACKAMAS OR 97015-6400

**To CONTACT Us**

Online payments
 & account details: customers.countrywide.com
 Customer Service: (800) 669-6607
 General information: www.countrywide.com
 New home loan,
 refinance or
 home equity loans: (800) 686-0145

CUSTOMER BULLETIN**File Your Taxes Quicker—Countrywide Can Help**

Because you are a valued customer, Countrywide wants to make our relationship with you as rewarding—and as easy—as possible. That's why we are offering the benefit of being able to access year-end tax statements online. You'll be able to review the details of your Countrywide 1098 and 1099 forms easily and at your convenience.

You can enjoy the:

- ✓ **Ease of tax preparation**—make your tax season less stressful by accessing your year-end statements online, at your convenience
- ✓ **Ability to receive your Countrywide 1098/1099 forms quicker**—file your taxes quicker (extra good news if you're expecting a refund!)

Setting up your account is **EASY!**

- ✓ Go to customers.countrywide.com and create a user name and password
- ✓ Click **Account Information**
- ✓ Click **Year End Statement**
- ✓ Click **Electronic Year End Statement** and complete the consent form

HOME LOAN SUMMARY	Home loan overview as of 12/10/2004		Amount due on 01/01/2005 as of 12/10/2004	
		Principal balance	\$141,049.57	Next Payment Posting 01/10/2005
	Late Charge if payment received after 01/18/2005	\$40.88	After 01/18/2005 late payment	\$858.50
	<i>Date</i>	<i>Payments received</i>		
	12/10/2004	\$817.62		

NOTICES**IMPORTANT TAX RETURN DOCUMENT ENCLOSED**

Your IRS Form 1098 is enclosed with your monthly statement. Explanations to commonly asked questions can be found on our website at customers.countrywide.com.

IMPORTANT NEWS

Sign up for e-mail notification and know when your payment has been applied to your Countrywide Home Loan.

Countrywide's e-mail notification service is a no-cost, online benefit that notifies you of recent activity on your Countrywide Home Loan account. We provide you with an e-mail message confirming the receipt and posting of your monthly payments. If you have an escrow account, we also notify you when Countrywide makes tax or insurance payments on your behalf. This service is our way of providing you with automatic, convenient and informative updates regarding your Countrywide Home Loan account or other products and services available from the Countrywide family of companies.

You are automatically enrolled in our e-mail notification service when you visit our customer service Website at customers.countrywide.com and create your User Name and Password. To update or change your e-mail address, simply log-in, select "My Profile" and update your record. We will automatically send you an e-mail notification whenever there is activity on your account. For those of you that have already provided your e-mail address, we hope you're enjoying this service. And once again, thank you for your loyalty to Countrywide Home Loans.

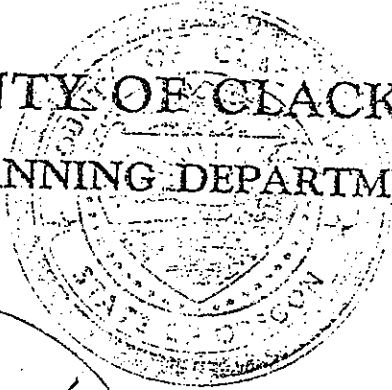
file 12
12-45-72

COUNTY OF CLACKAMAS

PLANNING DEPARTMENT

Fred Stefani, Commissioner
Thomas D. Telford, Commissioner
Robert Schumacher, Commissioner

James E. Hall, Planning Director
940 Warner-Milne Road
Oregon City, Oregon 97045
Phone 655-3311
Ext. 205



Revised
unit B
for water
tubing

September 7, 1972

Subsurface & Soils

Approved Denied

By J. C. Marshall

Date 4-21-75

Mr. John H. Rehberg
14976 S. E. 172nd
Clackamas, Oregon 97015

Dear Mr. Rehberg:

I have completed the soil investigation of a portion of Tax Lot 600, Section 7A, T2S, R3E as you requested.

Map unit B is a deep, well drained soil of moderate permeability (1-2 inches/hour). The apparent engineer class of unit A is silt loam ML, A4 over silty clay loam ML-CL, A6 that occurs at depths of forty-eight (48) to fifty (50) inches. The winter water table in unit B is generally deeper than forty-eight (48) inches. This soil does not have a strongly developed brittle pan. The minimum lot size for houses requiring subsurface disposal of sewage is 30,000 square feet in unit B. There is sufficient area in unit B for three (3) 30,000 square foot house locations.

1 ACRZ

Map unit A is a somewhat poorly drained brittle pan soil of slow permeability below thirty (30) to thirty-seven (37) inches (less than 0.6 inches/hour). The minimum lot size in unit A is 40,000 square feet. The apparent engineer class is silt loam ML, A4 over silty clay loam ML-CL, A6 over a silty clay loam to silty clay brittle pan ML-CL, A6. The winter water table in unit A ranges between thirty-one (31) and thirty-seven (37) inches. All subsurface walls deeper than twenty-four (24) inches will require extensive drainage protection on the upslope side as ground water will move into deeper excavation on the brittle pan surface.

1 ACR

24" max trench depth w/ protection for GWT

1140

The subsurface sewage disposal leach field in units A and B will require a minimum of 100 feet of line per bedroom. In unit B the maximum depth of the trenches will be thirty-six (36) inches. The fall of the lines will not exceed four (4) inches per 100 feet. In map unit A the depth of the trenches will not exceed twenty-four (24)

12-45-72

Mr. John H. Rehberg
September 7, 1972
Page -2-

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Soil Investigation Request

inches. All houses should be located on the lots so that a gravity flow system can be established between the septic tank and leach field without exceeding the prescribed trench depth.

If you have any questions concerning this matter, please contact me at this office.

Application No. _____

Date: _____

Sincerely, _____

JAMES E. HALL
Planning Director

Name: _____

Address: _____

Legal Description: _____

WILLIAM H. DOAK
Soil Scientist

WHD:1s

- cc: Subdivision Department
- Health Department
- Tax Assessor
- Building Department

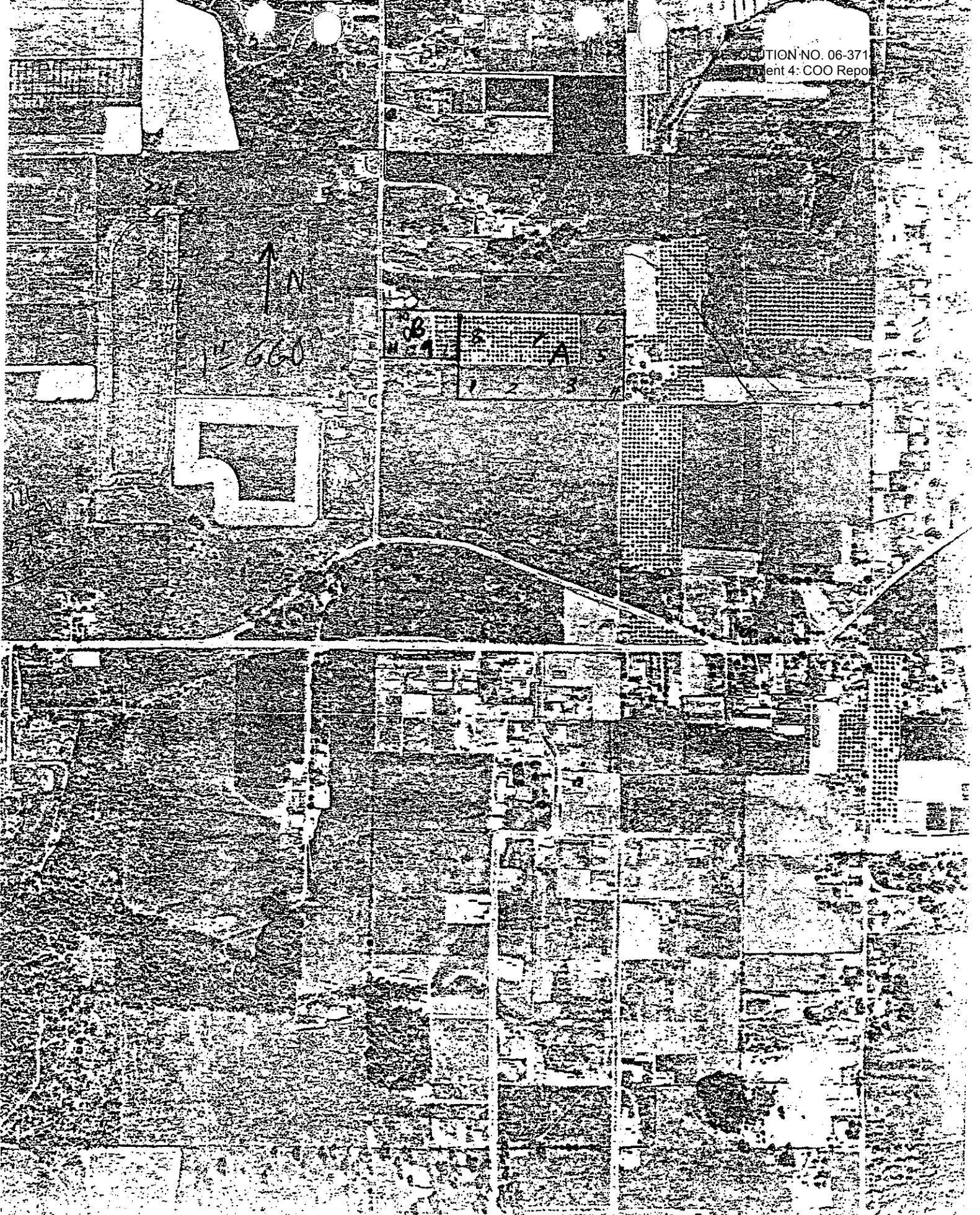
Submit to: _____

(Acres)

Zoning: _____
(Name - File No.)

Building Permit: _____

Fee: _____





**PACIFIC NORTHWEST TITLE
TRI-COUNTY**

9020 SW Washington Sq. Rd. Suite 220
Tigard, OR 97223
Title: 503-671-0505 Fax: 503-643-3746
Escrow: (503) 350-5080 Fax: (503) 659-7160
Visit us at: www.pnwtor.com

**PRELIMINARY COMMITMENT
FOR TITLE INSURANCE**

February 9, 2005

Order Number: 05263179-C
Property Address: 14820 SE 172nd Ave.
Clackamas, OR 97015

Pacific Northwest Title of Oregon, Inc.
12050 SE Stevens Rd., #100
Portland, OR 97266

Attention: Christine D. Crenshaw-Boring
Telephone: (503) 350-5080

Reference: MacLaughlan/Burns

	<u>Amount</u>	<u>Premium</u>	
ALTA Owner's Policy (1992)	\$ 400,000.00	\$ 1,036.00	STR
ALTA Loan Policy (1992)	\$ TO COME	\$ TO COME	
Government Service Charge		\$ 50.00	
City Lien Search – Sunrise Water Authority		\$ 10.00	
Endorsements 7.4, 7.11 & 7.31		\$ 50.00	

This is a preliminary billing only; a consolidated statement of all charges, credits, and advances, if any in connection with this order will be provided at closing.

Pacific Northwest Title is prepared to issue on request and on recording of the appropriate documents, a policy or policies as applied for, with coverages as indicated, based on this preliminary commitment that as of January 26, 2005 at 5:00 p.m. title of the property described herein is vested in:

HAROLD S. MACLAUGHLAN and REBECA MACLAUGHLAN,
as tenants by the entirety

Subject only to the exceptions shown herein and to the terms, conditions and exceptions contained in the policy form. This commitment is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued, and the full premium paid.

Description:

See Exhibit A Attached hereto and made a part hereof

SCHEDULE B

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interest, easements or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Statutory liens or other liens or encumbrances, or claims thereof, which are not shown by the public records.

SPECIAL EXCEPTIONS:

6. The herein described premises are within the boundaries of and subject to the statutory powers, including the power of assessment, of the Sunrise Water Authority.

NOTE: We have requested a search and will advise when we have received a response

7. Easement, including the terms and provisions thereof:
 - For : Utility lines
 - Granted to : Portland General Electric Company
 - Recorded : June 26, 1951
 - Book : 445
 - Page : 705
 - Affects : 10 feet in width, exact route not disclosed
8. Easement, including the terms and provisions thereof:
 - For : Driveway and utilities
 - Granted to : Adjacent property owners
 - Recorded : July 18, 1973
 - Fee No. : 73 22700
 - Affects : the North 20 feet
9. Easement, including the terms and provisions thereof:
 - For : Waterline
 - Granted to : Damascus Water District, a municipal corporation
 - Recorded : March 29, 1999
 - Fee No. : 99-031091
 - Affects : the West 10 feet

SCHEDULE B – CONTINUED

10. Trust Deed, including the terms and provisions thereof to secure the amount noted below and other amounts secured thereunder, if any:

Grantor : Harold S. MacLaughlan and Rebeca MacLaughlan
Trustee : Transnation Title Insurance Company
Beneficiary : Mortgage Electronic Registration Systems, Inc. as nominee for Capitol
Commerce Mortgage Co., a California corporation
Dated : May 15, 2003
Recorded : May 23, 2003
Fee No. : 2003-065853
Amount : \$144,000.00
Loan No. : 419532

11. Parties in possession, or claiming to be in possession, other than the vestees shown herein. For the purpose of ALTA Extended coverage, we will require an Affidavit of Possession be completed and returned to us. Exception may be taken to such matters as may be shown thereby

12. Statutory liens for labor or materials, including liens for contributions due to the State of Oregon for unemployment compensation and for workmen's compensation, which have now gained or hereafter may gain priority over the lien of the insured mortgage where no notice of such liens appear of record.

NOTE: We find no judgments or Federal Tax Liens against WENDY BURNS.

NOTE: Taxes paid in full for 2004-2005:

Levied Amount : \$3,085.61
Account No. : 23E07A 00602
Levy Code : 012-115
Key No. : 00614295

NOTE: The following is provided for informational purposes only and will not be shown in the policy to be issued:

We find no recorded Deeds or Conveyances of said property in the past 24 months.

**If you have any questions regarding this report or your escrow closing please contact Christine D. Crenshaw-Boring at (503) 350-5080, located at 12050 SE Stevens Rd., #100, Portland, OR 97266 .
Email address: christinec@pnwtor.com**

PACIFIC NORTHWEST TITLE OF OREGON, INC.

By 
Diane M. Broome
Title Officer

DMB:ibv

cc: Harold & Rebeca MacLaughlan
cc: Burns & Olson Realtors, Inc.
Attn: Wendy Burns (Enclosure)

Exhibit A

A tract of land in the Northwest one-quarter of the Northeast one-quarter of Section 7, Township 2 South, Range 3 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Southwest corner of that tract sold by Contract to Daniel G. Schweitzer, et ux, recorded July 18, 1973 ad Recorder's Fee No. 73 22700, Film Records, which is 557.44 feet West along the South line of said division from the Southeast corner thereof; thence West along the South line of said division 341.97 feet; thence North parallel with the East line of 172nd Avenue, 224.40 feet; thence West parallel with the South line of said division 403.39 feet to the East line of said road; thence North along the said road line 249.85 feet to the South line of that tract conveyed to Henry W Coe, recorded March 30, 1970 as Recorder's Fee No. 70 5832, Film Records; thence East along the South line of said Coe Tract 745.69 feet to the Northwest corner of said Schweitzer Tract; thence South along the West line of said Schweitzer Tract 470.38 feet to the point of beginning.

Comparative Market Analysis

RESOLUTION NO. 06-3714
Attachment 4: COO Report

for

MacLaughlan

SUBJECT PROPERTY

1 acre lots on 172nd Ave
Clackamas Or

◆ Level one acre lots

Suggested Price: \$175,000

Prepared By:

Wendy Burns
Burns & Olson Realtors Inc.

2/3/2005

This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained.

*Sales price for Vacant 1 acre
lot - Septic approved - City 17.*

Comparables to Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Vacant Land Lot 1100	LND	ACT	\$150,000
-----------------------------	------------	------------	------------------

No Photo Available

ML#:	4064607	Bedrooms:	
MLS Area:	144	Bathrooms:	
County:	Multnomah	Sub-Type:	RESID
Neighborhood:		Style:	
Zip Code:	97080	Year Built:	
T/Guide:	629B5	Total SF:	
Tax Id #:	R340339	Tax per Year:	298.99

Directions:S. ON WALTERS RD. FROM POWELL. FOLLOW TO SW BLAINE. PARK & WALK.
Remarks: BEAUTIFUL PRIVATE SETTING ATOP GRESHAM BUTTE. WILL REQUIRE SEPTIC. ELECTRICITY AVAILABLE AND WATER, BUT LINES WILL HAVE TO BE BROUGHT TO PROPERTY. CHECK WITH CITY OF GRESHAM FOR SPECIFICS.

16th CT	LND	ACT	\$249,900
----------------	------------	------------	------------------



ML#:	4075268	Bedrooms:	
MLS Area:	144	Bathrooms:	
County:	Multnomah	Sub-Type:	RESID
Neighborhood:		Style:	
Zip Code:	97080	Year Built:	
T/Guide:	629C4	Total SF:	
Tax Id #:	Not Found	Tax per Year:	0

Directions:REGNER TO ELLIOT, LEFT ON 15TH. RIGHT ON 16TH CT. TO END OF CUL-DE-SAC
Remarks: ONCE IN A LIFE TIME MT. HOOD & CITY LIGHTS VIEW LOT. PRESTIGIOUS "DAWN CREST ESTATES" NEIGHBORHOOD. 4 BLOCKS FORM THE SPRING WATER TRAIL, NEW SPORTS PARK UNDER CONST. & PERSIMMONS GOLF NEAR-BY. NO HOME OWNERS FEES. READY TO BUILD YOUR DREAMS ON. 1031 EXCHANGE

W. K. Anderson RD	LND	PEN	\$169,950
--------------------------	------------	------------	------------------



ML#:	4068812	Bedrooms:	
MLS Area:	144	Bathrooms:	
County:	Multnomah	Sub-Type:	RESID
Neighborhood:		Style:	
Zip Code:	97030	Year Built:	
T/Guide:	629H3	Total SF:	
Tax Id #:	R341566	Tax per Year:	131.82

Directions:TROUTDALE RD (282ND), EAST ON WK ANDERSON RD, 2ND PROP ON RIGHT.
Remarks: 1.98 ACRES. BEAVER CREEK FLOWS THROUGH. NO CC&R'S. OK FOR ANIMALS. OK FOR MANU. HOME. CLOSE IN GRESHAM, POWELL VALLEY GRADE, SAND FILTER (BECAUSE OF CREEK) APPROVED. TALL CEDARS, LOTS OF ALDER TREES 200' ROAD FRONTAGE & NEAR UG BOUNDARY. BROKER OWNED.

Regner RD	LND	PEN	\$200,000
------------------	------------	------------	------------------

No Photo Available

ML#:	4066615	Bedrooms:	
MLS Area:	144	Bathrooms:	
County:	Multnomah	Sub-Type:	RESID
Neighborhood:		Style:	
Zip Code:	97080	Year Built:	
T/Guide:	629B6	Total SF:	
Tax Id #:	R340924	Tax per Year:	5700

Directions:REGNER/GABBERT RD., GRESHAM
Remarks: DEVELOPMENT PROPERTY. POSSIBLE 8-9 LOTS WITH CITY CONSTRAINTS.

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

**No Photo
Available**

ML#: 4052846
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97080
T/Guide: 629J6
Tax Id #: R240399

Bedrooms:
Bathrooms: RESOLUTION NO. 06-3714
Sub-Type: Attachment 4: COO Report
Style: RESID
Year Built:
Total SF:
Tax per Year: 1533

Directions: ORIENT DR TO DODGE PARK TO SHORT-LEFT ON SHORT-LEFT ON POWELL VALLEY
Remarks: 1 ACRE LOT NEXT TO 29138 SE POWELL VALLEY RD (NOTE: THE PROSPECTIVE PURCHASER OF 29138 SE POWELL VALLEY RD HAS FIRST OPTION TO PURCHASE THIS 1 ACRE LOT). FLAT LOT, EXCELLENT AREA. LOT TO CLOSE WITH 29138 SE POWELL VALLEY RD

9670 SE 257th DR

LND

PEN

\$179,000



ML#: 4059915
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97080
T/Guide: 659E3
Tax Id #: 01381267

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 602

Directions: 242ND TO SUNSHINE VALLEY RD, N ON 257TH FOLLOW SIGNS
Remarks: PRICE REDUCED! BEAUTIFUL VIEW PROPERTY OVERLOOKING SUNSHINE VALLEY. SECLUDED AREA OF UPSCALE HOMES ON PRIVATE ROAD. MANY LARGE TREES!

Hwy 212 1000ft Off HWY

LND

PEN

\$189,500



ML#: 4059864
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659A7
Tax Id #: Not Found

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 480

Directions: DAMASCUS, EAST 1/4 MILE ON 212, SIGNS ON RIGHT, FOLLOW ARROWS
Remarks: PRIVATE APPROVED BLDG SITE WITH PASTORIAL VALLEY VIEW. CURRENTLY THE ONLY SMALL ACREAGE APPROVED BLDG SITE IN THE AREA. SELLER TO INSTALL LINES FOR UTILITIES. UTILITY HOOKUPS AND SEPTIC INSTALL RESPONSIBILITY OF PURCHASER. BROKER OWNED. DRIVE ALL THE WAY TO THE BUILDING SITE AT THE TOP.

Barlow CT

LND

PEN

\$297,500



ML#: 4013071
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97015
T/Guide: 659A7
Tax Id #: Not Found

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 950

Directions: ROYER ROAD TO BARLOW CT
Remarks: 4.73 ACRES IN UGB...BUILDABLE.. NOT DIVIDABLE...BEAUTIFUL AREA...

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

**No Photo
Available**

ML#: 3078313
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97080
T/Guide: 659D2
Tax Id #: 01587287

Bedrooms:
Bathrooms: RESOLUTION NO. 06-3714
Sub-Type: Attachment 4: COO Report
Style: RESID
Year Built:
Total SF:
Tax per Year: 2.26

Directions: 242 TO BORGES RD. WEST TO KINGSWOOD WAY 2ND DRIVE ON RIGHT

Remarks: GOLFERS DREAM, BUILDING SITE WITH GREAT VIEWS AND SOUTHERN EXPOSURE LOCATED FIVE MIN. TO PERSIMMON GOLF COURSE.

crescent	LND	SLD	\$145,000
----------	-----	-----	-----------

**No Photo
Available**

ML#: 3043466
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 690F1
Tax Id #: 00652877

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 587.41

Directions: ORIENT TO CRESCENT

Remarks: WONDERFUL PROPERTY, STANDARD SEPTIC APPROVAL, RECENTLY SURVEYED, GREAT LOCATION TO BUILD A DREAM HOME OR PLACE A MANUFACTURED HOME.

34935 SE CRESCENT RD	LND	SLD	\$150,000
----------------------	-----	-----	-----------



ML#: 4033782
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 690F1
Tax Id #: 00652706

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 1146.35

Directions: HWY 26, ORIENT DRIVE

Remarks: 3 ACRE PARCEL OFF HWY 26. WELL, SEPTIC, AND ELECTRICITY AVAILABLE. LARGE HOME HAS NO VALUE (TEAR DOWN). RUNNING CREEL BORDERS PROPERTY.

ARROW CREEK LN	LND	SLD	\$220,000
----------------	-----	-----	-----------



ML#: 3041647
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97080
T/Guide: 629G4
Tax Id #: R109109

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 1941

Directions: POWELL VALLEY RD, N ON ARROW CREEK LANE...A STUNNING NEIGHBORHOOD!

Remarks: GORGEOUS NEIGHBORHOOD OF HIGH END CUSTOM HOMES ON LONG CULDESAC! BACKS TO APPROX 50 ACRES OF PROTECTED GREENWAY W/TRAILS & GREAT VIEWS! GATED ENTRY, TENNIS COURT & ADDITIONAL GREENWAY ACROSS THE STREET.

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

No Photo Available

ML#: 308415
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659F4
Tax Id #: R13E31C00100

Bedrooms:
Bathrooms: RESOLUTION NO. 06-3714
Attachment 4: COO Report
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 1256

Directions: FOSTER TO SE 172 SOUTH OR SUUNYSIDE TO 172 NORTH, AT CO
Remarks: LEVEL LOT ON GOLF COURSE. LOTS OF TREES AND YEAR AROUND CREEK AT PROP ERTY LINE. BUILD YOUR DREAM HOME HERE. CLOSE TO EVERYTHING AND YET STILL IN THE COUNTRY.

24040 SE Eagle Creek RD	LND	SLD	\$115,000
--------------------------------	------------	------------	------------------



ML#: 4036782
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97022
T/Guide: 720A3
Tax Id #: 00683816

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 1334.13

Directions: HWY 224 TO HWY 211/EAGLE CREEK/SANDY EXIT, R ON EAGLE CREEK
Remarks: NICE PEICE OF LEVEL LAND W/ 2 RANCH STYLE HOUSES CONNECTED BY ENCLOSED WALK WAY(OCCUPIED). HOUSES ARE MAJOR FIXERS OF LITTLE VALUE. 2ND HOUSE CAN'T BE USED AS A RENTAL, CURRENTLY USED AS A CARETAKERS QUARTERS ON A HARDSHIP BASIS.

27120 SE Hwy212 east of	LND	SLD	\$159,000
--------------------------------	------------	------------	------------------



ML#: 4044484
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659G5
Tax Id #: 00599668

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 319.01

Directions: JUST WEST AND DUE EAST OF BORING, TO 27120 SE HWY 212
Remarks: WONDERFUL 4.22 ACRE PARCEL WITH UNOBSTRUCTED VIEW OF MT. HOOD. MOSTLY LEVEL AND SLOPED. HAS AN OLD ORCHARD. WATER, GAS, AND ELECTRIC TO SITE. DO NOT CALL LISTING AGENT DIRECT IF YOU ARE WORKING WITH ANOTHER AGENT, PLEASE.

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED. SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO. SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Summary of Comparables

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Active

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	1 ACRE LOTS ON 172ND AVE		145	1.0	\$175,000
4064607	0	RESID	Vacant Land Lot 1100	Gresham	144	3.35	\$150,000
4075268	8	RESID	16th CT	Gresham	144	1.1	\$249,900

Pending

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	1 ACRE LOTS ON 172ND AVE		145	1.0	\$175,000
4068812	6	RESID	W. K. Anderson RD	Gresham	144	1.98	\$169,950
4066615	0	RESID	Regner RD	Gresham	144	2.93	\$200,000
4052846	0	RESID	Powell Valley Rd	Gresham	144	1	\$200,000
4059915	4	RESID	9670 SE 257th DR	Gresham	145	4.54	\$179,000
4059864	1	RESID	Hwy 212 1000Ft Off HWY	Damascus	145	1.8	\$189,500
4013071	2	RESID	Barlow CT	Damascus	145	4.73	\$297,500

Sold

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	1 ACRE LOTS ON 172ND AVE		145	1.0	\$175,000
3078313	0	RESID	9388 SE kingswood WAY	Gresham	144	2.01	\$125,000
3043466		RESID	crescent	Boring	144	2.84	\$145,000
4033782	6	RESID	34935 SE CRESCENT RD	Boring	144	3	\$150,000
3041647	8	RESID	ARROW CREEK LN	Gresham	144	1.24	\$220,000
308415	0	RESID	172nd	Happy Valley	145	1.14	\$110,000
4036782	3	RESID	24040 SE Eagle Creek RD	Eagle Creek	145	1.25	\$115,000
4044484	1	RESID	27120 SE Hwy212 east of	Boring	145	4.22	\$159,000

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

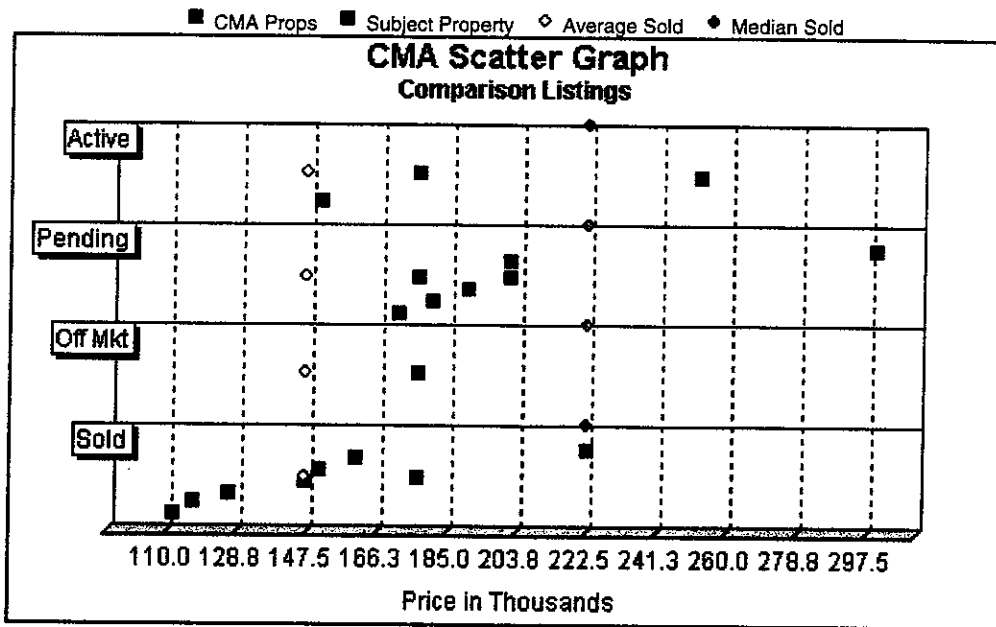
Pricing Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Status	#	Average	Minimum	Maximum	Avg Sqft	Avg \$Sqft
Active	2	\$199,950	\$150,000	\$249,900	0	\$0
Pending	6	\$205,992	\$169,950	\$297,500	0	\$0
Sold	7	\$146,286	\$110,000	\$220,000	0	\$0
Total Listings	15	Sold Properties closed averaging 94.44% of their Final List Price. This reflects a 5.56% difference between Sale Price and List Price.				

	Amount	\$/Sqft
Average Sales Price	\$146,286	\$0
Min. List Price	\$125,000	\$0
Max. List Price	\$239,900	\$0
Suggested List Price	\$175,000	\$

How the Suggested Price Looks in the Market



© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Comparative Market Analysis

RESOLUTION NO. 06-3714
Attachment 4: COO Report

for

Harold MacLauglan

SUBJECT PROPERTY

14820 Se 172nd ave
Clackamas, Or 97015

3 Bedrooms ♦ 2 Bathrooms

Almost 6 level acres

Suggested Price: \$345,000

Prepared By:

Wendy Burns
Burns & Olson Realtors Inc.

2/3/2005

This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained.

*Suggested Sales Price for home &
acreage of almost 6 acres.*

Comparables to Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

8707 SE 347th	RES	SLD	\$302,000
----------------------	------------	------------	------------------



ML#: 4034545
MLS Area: 144
County: Clackamas
Neighborhood: Boring, Damacus, to San
Zip Code: 97009
T/Guide: 660E1
Tax Id #: 00150749,00150767,01597

Bedrooms: 4
Bathrooms: 2
Sub-Type: RESID
Style: DAYRNCH
Year Built: 1971
Total SF: 2960
Tax per Year: 2784

Directions: E. HWY. 26 - N. ON BLUFF RD. TO S.E 347TH (8 MI). HOUSE ON LEFT SIDE.
Remarks: GREAT HORSE PROPERTY, W/ BARN & LG. SHOP, EXCELLENT LOCATION. WINTER CREEK, MT HOOD VIEW. HOUSE HAS 2 SEPARATE LIVING QTRS.. LOTS OF SPACE. FABULOUS POTENTIAL.

36078 SE LUSTED RD	RES	SLD	\$315,000
---------------------------	------------	------------	------------------



ML#: 4015818
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97009
T/Guide: 630G7
Tax Id #: R240226

Bedrooms: 3
Bathrooms: 2.1
Sub-Type: RESID
Style: 2STORY
Year Built: 2000
Total SF: 1935
Tax per Year: 2077

Directions: LUSTED RD EAST OF BARLOW HIGH
Remarks: INCREDIBLE 2 STORY ON 5 AC. OPEN FLOOR PLAN, SPACIOUS LR W/FRPL, KITCHEN HAS EATBAR, CHERRYWOOD CABINETS, PANTRY & HARDWOODS. WOODWRAPPED WINDOWS, BULLNOSE CORNERS, DET. SHOP W/CONCRETE FLOOR & ELEC. PATIO, BBQ PIT, GARDEN SHED & PLENTY OF PARKING. GREAT AREA & EXCELL SCHOOLS!

18823 SE Tickle Creek CT	RES	SLD	\$335,000
---------------------------------	------------	------------	------------------



ML#: 3066938
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 690B4
Tax Id #: 00673872,00673836

Bedrooms: 3
Bathrooms: 1
Sub-Type: RESID
Style: RANCH
Year Built: 1971
Total SF: 1346
Tax per Year: 2280.44

Directions: EAST ON HWY 26; RT ON KELSO; LT ON TICKLE CREEK; RT ON TICKLE CREEK CT;
Remarks: QUIET COUNTRY LIVING W/PEACEFUL VIEW! 3 BEDROOM RANCH HOME ON 7.44 ACRES! EVERYTHING READY FOR YOU TO SET UP YOUR OWN NURSERY: 30X48' SHOP, 2-STORY POTTING BARN, 2 GREEN HOUSES, 1 DOUBLE HOOP GREEN HOUSE 96X84'. POWER/WATER/PHONE TO MOST OUTBUILDINGS. NOT A DRIVE-BY! MUST SEE!

12072 SE Revenue RD	RES	SLD	\$367,000
----------------------------	------------	------------	------------------



ML#: 4041826
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 660C4
Tax Id #: 00158171

Bedrooms: 3
Bathrooms: 3
Sub-Type: RESID
Style: FARMHSE
Year Built: 1981
Total SF: 2816
Tax per Year: 1735

Directions: HWY 26 BORING EXIT E ON COMPTON N ON ORIENT E ON REVENUE - 10 MIN TO GR
Remarks: YOU WON'T WANT TO LEAVE WHEN YOU REACH THIS DESTINATION. PEACEFUL SETTING WITH CREEK, 2 PONDS (KOI) AND A MULTITUDE OF WILDLIFE. PASTURE AND WETLANDS, 4 CAR SHOP WITH 2 BONUS ROOMS FOR STORAGE AND ANIMALS. WELL MAINTAINED AND UPDATED HOME WITH "BRUCE" HARDWOODS & 10 MINS TO SANDY RIVER



ML#: 4006238
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97015
T/Guide: 658J7
Tax Id #: 00616676

Bedrooms: 5
Bathrooms: 2
Sub-Type: RESID
Style: DAYRNCH
Year Built: 1966
Total SF: 2532
Tax per Year: 3005.38

RESOLUTION NO. 06-3714
 Attachment 4: COO Report

Directions: HWY 212, SOUTH ON ANDERSON TO PROPERTY.

Remarks: GREAT PROPERTY IN THE COUNTRY, YET ONLY BLOCKS FROM DOWNTOWN DAMASCUS. HOME IS ON A 1 ACRE LEVEL PARCEL WITH A REAR 4 ACRE WOODED PARCEL INCLUDED IN THE SALE. COULD MAKE A GREAT HORSE PROPERTY! THIS HOME WAS BUILT TO LAST WITH VERY HIGH-QUALITY CONSTRUCTION. WIRED FOR GENERATOR.

27110 SE HOLST RD

RES

SLD

\$395,000

**No Photo
Available**

ML#: 5000011
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 689G3
Tax Id #: 00625229

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: RANCH
Year Built: 1978
Total SF: 1889
Tax per Year: 2958.18

Directions: 224 TO AMISIGGER TO JUDD TO HOLST

Remarks: 2 TAX LOTS W/APPROX.40X60SPRING-FED POND, VIEWABLE FROM EXTENSIVE OUTDOOR DECKING, W/ HOT-TUB. ONE-LEVEL, WELL-MAINTAINED HOME ON OVER 5 ACRES. FENCED AND CROSS-FENCED FOR HORSES W/NEWER 30X35 BARN W/POWER & WATER FOR \$435,000. PRICED TO SALE. A/C & SPRINKLER SYSTEM

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Summary of Comparables

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Sold

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	RESID	14820 SE 172ND AVE		145	3	2	1370	\$345,000
4034545	5 RESID	8707 SE 347th	Boring	144	4	2	2960	\$302,000
4015818	6 RESID	36078 SE LUSTED RD	Boring	144	3	2.1	1935	\$315,000
3066938	8 RESID	18823 SE Tickle Creek CT	Boring	144	3	1	1346	\$335,000
4041826	8 RESID	12072 SE Revenue RD	Boring	144	3	3	2816	\$367,000
4006238	8 RESID	15199 SE ANDERSON RD	Clackamas	145	5	2	2532	\$349,000
5000011	0 RESID	27110 SE HOLST RD	Boring	145	3	2	1889	\$395,000

*© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.*

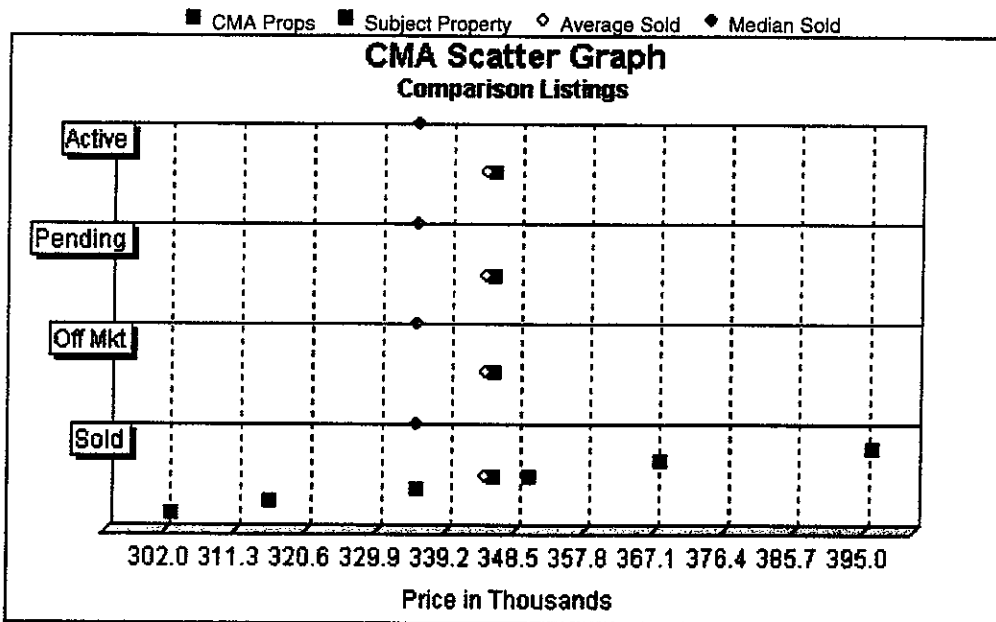
Pricing Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Status	#	Average	Minimum	Maximum	Avg Sqft	Avg \$/Sqft
Sold	6	\$343,833	\$302,000	\$395,000	2246	\$153
Total Listings	6	Sold Properties closed averaging 96.96% of their Final List Price. This reflects a 3.04% difference between Sale Price and List Price.				

	Amount	\$/Sqft
Average Sales Price	\$343,833	\$153
Min. List Price	\$300,000	\$101
Max. List Price	\$435,000	\$230
Suggested List Price	\$345,000	\$252

How the Suggested Price Looks in the Market



© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Comparative Market Analysis

RESOLUTION NO. 06-3714
Attachment 4: COO Report

for

Harold MacLauglan

SUBJECT PROPERTY

14820 Se 172nd ave
Clackamas, Or 97015

3 Bedrooms ♦ 2 Bathrooms

♦ One Acre lot

Suggested Price: \$250,000

Prepared By:

Wendy Burns
Burns & Olson Realtors Inc.

2/3/2005

This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained.

*Suggested Sales price for house
and one acre lot package.*

Comparables to Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

28810 SE Church RD	RES	PEN	\$214,900
---------------------------	------------	------------	------------------



ML#: 4069040
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659H6
Tax Id #: 00649864

Bedrooms: 3
Bathrooms: 1
Sub-Type: RESID
Style: RANCH
Year Built: 1959
Total SF: 1510
Tax per Year: 1603.22

Directions:BORING, SOUTH ON RICHIE (RIGHT GOING EASTBOUND) LEFT TURN ON CHURCH RD
Remarks: OPPORTUNITY TO OWN A BEAUTIFUL ACREAGE IN UPSCALE AREA OF BORING. ALMOST 50,000 SQ FT LOT SURROUNDED BY TALL SHADY TREES AND PASTURES. NICELY LANDSCAPED ONE LEVEL RANCH WITH FIREPLACE AND HUGE FAMILY ROOM. BIG RED BARN, COULD BE A GREAT SHOP WITH ARTIST LOFT ABOVE.

15160 SE ORIENT DR	RES	PEN	\$289,000
---------------------------	------------	------------	------------------



ML#: 4078723
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 660F7
Tax Id #: 00653670

Bedrooms: 2
Bathrooms: 2
Sub-Type: RESID
Style: COTTAGE
Year Built: 1966
Total SF: 1201
Tax per Year: 1758.35

Directions:ORIENT DRIVE, EAST OF KELSO ROAD
Remarks: HORSE HEAVEN! 2.4 FENCED ACRES W/3 STALL BARN AND BIG STORAGE ROOM + 30X48X14 WEB STEEL SHOP W/LOFT. HOME FEATURES NEW CARPET, KITCHEN & BATH FLOORING, HUGE VAULTED MASTER, W/BATH, HRDWOODS IN DINING + WOODSTOVE IN LIVING. HOT TUB & APPLIANCES INCLUDED.

14820 SE NORTH CT	RES	PEN	\$264,900
--------------------------	------------	------------	------------------



ML#: 5002808
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97015
T/Guide: 658H7
Tax Id #: 00616881

Bedrooms: 4
Bathrooms: 3
Sub-Type: RESID
Style: RANCH
Year Built: 1942
Total SF: 2200
Tax per Year: 1759.24

Directions:WEST OF DAMASCUS ON 212, N ON NORTH CT.
Remarks: MOTIVATED SELLER. LIGHT FIXER W/TONS OF POSSIBILITES. THIS 2200SF, 4BR/3BA RANCH HAS BIG WINDOWS THROUGHOUT FOR ENJOYING THE FRUIT ORCHARDS, GARDENS AND MORE ON THE 1AC LOT. TAKE IN THE VIEW OF MT. HOOD IN THIS PRIVATE, WOODED, PARK-LIKE SETTING. THIS ONE WON'T LAST.

28775 SE Andy ST	RES	SLD	\$215,000
-------------------------	------------	------------	------------------



ML#: 4027632
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659H4
Tax Id #: 00155744

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: 2STORY
Year Built: 1978
Total SF: 1700
Tax per Year: 1794.83

Directions:HWY 212 TO 282ND; N TO ANDY; EAST TO PROPERTY
Remarks: NICELY, LANDSCAPED SETTING ON AN ACRE. SPACE, BUT CLOSE TO TOWN. QUIET ROAD ABLE TO LISTEN TO THE BIRDS. NICE NEIGHBORHOOD. FENCED AREA FOR A DOG, WITH AN ENTRANCE TO THE GARAGE. DOG WILL BE IN GARAGE.



ML#: 3026134
MLS Area: 144
County: Multnomah
Neighborhood: Orient
Zip Code: 97009
T/Guide: 629G7
Tax Id #: R342212

Bedrooms: 3
Bathrooms: RESOLUTION NO. 06-3714
 Attachment 4: COO Report
Sub-Type: RESID
Style: RANCH
Year Built: 1964
Total SF: 1375
Tax per Year: 2041

Directions: HWY 26 TO ORIENT DR. SO ON 282ND, L. ON STONE RD.
Remarks: LOVELY COUNTRY SETTING W/ CREEK MINUTES FROM PORTLAND. 1 LEVEL, 2 ACRES, CUSTOM KITCHEN, 32'X14' LR. CHARMING VERMONT CAST. W/STOVE IN BRICK ALCOVE. KOHLER JACUZZI. 55'PATIO. LARGE GARAGE. GREAT SCHOOLS. MUST SEE!

19531 SE Tickle Creek RD RES SLD **\$228,000**



ML#: 3072602
MLS Area: 144
County: Clackamas
Neighborhood: WILLIAMS
Zip Code: 97009
T/Guide: 690B3
Tax Id #: 00674764

Bedrooms: 4
Bathrooms: 2.1
Sub-Type: RESID
Style: RANCH
Year Built: 1974
Total SF: 1696
Tax per Year: 1548.1

Directions: S. SANDY ON HWY 211 - WEST ON TICKLE CREEK FOR .7 MILE.
Remarks: FLAT USABLE ACRE-FENCED + CROSS FENCED-CLOSE TO SANDY & GRESHAM. MASTER OPENS TO BACKYARD. ADDITIONAL BEDROOMS PLUS OFFICE OFFER A LOT OF SPACE AND POSSIBILITIES. SEVERAL LARGE TREES. PRIVATE. GOOD FOR ANIMALS AND GARDENS.

34144 SE Jarl RD RES SLD **\$243,000**

No Photo Available

ML#: 4006842
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 690E1
Tax Id #: 01599782

Bedrooms: 1
Bathrooms: 2
Sub-Type: RESID
Style: OTHER
Year Built: 1995
Total SF: 1456
Tax per Year: 1939.35

Directions: HWY 26 / JARL
Remarks: ONE OF A KIND! CLOSE IN 1.46 AC 1,456 SQ FT OF CHARM. MUST SEE! VAULTED ROOMS AND MANY WINDOWS FOR VIEWING COUNTRYSIDE. GARDEN AREA AND ROOM FOR RV, BOAT ETC. ENJOY 24X36 FT SHOP WITH CEMENT FLOOR. WOOD SHED AND GARDEN SHED INCLUDED.

13425 SE 222nd RES SLD **\$255,900**

No Photo Available

ML#: 4049204
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659B5
Tax Id #: 00605955

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: SPLIT
Year Built: 1979
Total SF: 1912
Tax per Year: 2430.36

Directions: HOFFMESTER & 222ND
Remarks:

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED. SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO. SCHOOL AVAILABILITY SUBJECT TO CHANGE.



ML#: 4065908
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 660B3
Tax Id #: 00156431

Bedrooms: 3
Bathrooms: RESOLUTION NO. 06-3714
 Attachment 4: COO Report
Sub-Type: RESID
Style: RANCH
Year Built: 1954
Total SF: 1550
Tax per Year: 1523

Directions: HWY 26 TO HALEY RD GO EAST TO ORIENT DR THEN SOUTH TO PROPERTY
Remarks: FRESH PAINT INSIDE & OUT. NEW CARPET & VINYL & PERGO FLOORING & CABINETS. 48X50 STEEL SHOP W/26X13 PAINT BOOTH, CONCRETE FLOOR, 220V & WATER. DENCOULD BE 4TH BED. GREAT LOCATION & YARD 100% USEABLE. SEVERAL FRUIT TREES.

14303 SE 312 AVE

RES

SLD

\$295,000



ML#: 4050714
MLS Area: 144
County: Clackamas
Neighborhood: Barbara Ann
Zip Code: 97009
T/Guide: 660B7
Tax Id #: 00647900

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: RANCH
Year Built: 1969
Total SF: 1660
Tax per Year: 2099

Directions: 26 TO KELSO RD R L R ONTO 312 APPROXIMATELY 1 MILE
Remarks: STRESS FREE ZONE! BEAUTIFUL 1.64 ACRE PARCEL, FLAT, WITH LOTS OF GARDEN SPACE, FRUIT TREES, FENCED, 43 X 25 SHOP/BARN, 3 BR 2 BA, 1660 SFT, 25 YEAR ROOF, NEWER SEPTIC, ELECTRONIC AIR CLEANER, HIGH EFFICIENCY HYDROHEAT SYSTEM, 50 GAL WH, QUIET COUNTRY ROAD, MANY UPDATES!

21122 SE Hwy 212 1000 ft off HWY

RES

SLD

\$217,500



ML#: 4014350
MLS Area: 145
County: Clackamas
Neighborhood: Damascus
Zip Code: 97009
T/Guide: 659A7
Tax Id #: Not Found

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: SPLIT
Year Built: 1976
Total SF: 1920
Tax per Year: 1950

Directions: 1/4 MILE EAST OF DAMASCUS CENTER, SOUTH DOWN LANE, TURN WEST TO HOME.
Remarks: LIKE WALKING INTO A NEW HOME. COMPLETELY REDONE. SITS ON OVER AN ACRE WITH TREES. GREAT VIEW OF THE VALLEY THROUGH LARGE NEW PICTURE WINDOWS. NEW APPLIANCES, JACUZZIE AND SEP SHOWER IN MASTER, LOTS OF TILE WORK. BROKER OWNED.

18545 SE Sunnyside RD

RES

SLD

\$227,000



ML#: 4019976
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 658G6
Tax Id #: 00609372

Bedrooms: 3
Bathrooms: 1
Sub-Type: RESID
Style: RANCH
Year Built: 1945
Total SF: 1147
Tax per Year: 1554.46

Directions: HWY 212 TO SUNNYSIDE RD WEST
Remarks: CLOSE IN 1.76 ACRES, FULLY-FENCED PASTURE WITH BARN AND CARPORT WITH ELECTRICITY. FULLY LANDSCAPED WITH FRUIT TREES, YEAR ROUND SPRING THAT FLOWS INTO THREE TERRACED PONDS WITH BRIDGE OVER TROUT POND. THE 3 BEDROOM, 1 BATH HOME FEATURES A NEW GAS FURNACE, HARDWOOD FLOORS, AND DOG RUN.

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.



ML#: 4004594
MLS Area: 145
County: Clackamas
Neighborhood: Damascus
Zip Code: 97015
T/Guide: 659D7
Tax Id #: 00620607

Bedrooms: 4
Bathrooms: 2.1
Sub-Type: RESID
Style: TRI
Year Built: 1972
Total SF: 1800
Tax per Year: 2266

RESOLUTION NO. 06-3714
 Attachment 4: COO Report

Directions: E-HWY 212, R-ROYER RD, L-EDWARD DR **1 YR HM WARRANTY**

Remarks: DESIRABLE DAMASCUS TRI-LEVEL. GREAT STREET & DEMANDED SCHOOLS! 4 BD, 2.5 BA LOWER LEVEL REMODEL JUST COMPLETED. NEWER ROOF, HEAT PUMP, WTR HTR. ROOM FOR ANIMALS & SHOP! LOTS BERRIES, GRAPES, FRUIT TREE'S ON OVER 1 ACRE!

21160 SE Foster Rd

RES

SLD

\$246,000



ML#: 4046653
MLS Area: 145
County: Clackamas
Neighborhood: Damascus
Zip Code: 97009
T/Guide: 658H5
Tax Id #: 00609979

Bedrooms: 4
Bathrooms: 2.1
Sub-Type: RESID
Style: SPLIT
Year Built: 1968
Total SF: 1850
Tax per Year: 2116.07

Directions: FOSTER RD JUST ABOVE HWY 212

Remarks: NICELY SET BACK FROM ROAD, SOLID HOME ON 1 ACRE IN DESIRABLE DAMASCUS AREA. FINISHED LOWER LEVEL W/FAMILY RM, UTILITY/BATH, & 4TH BDRM. BRICK FIREPLACES UP & DOWN. NEW HI-EFFICIENCY FURNACE PLUS GENERATOR TO RUN ELECT & HEAT IF POWER GOES OUT! SMALL BARN IN PRIVATE BACK YARD. RV SPACE!

16269 SE Royer RD

RES

SLD

\$285,000



ML#: 4062532
MLS Area: 145
County: Clackamas
Neighborhood: Damascus
Zip Code: 97015
T/Guide: 689A2
Tax Id #: 00620402

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: RANCH
Year Built: 1987
Total SF: 1813
Tax per Year: 2723.62

Directions: HWY 212, SOU ON ROYER RD IN COMMUNITY OF DAMASCUS

Remarks: DOG FANCIERS TAKE NOTICE. THIS IMMAC.HM WITH NEW CPT & FLOOR COVERINGS, PERGO, PAINT, ETC. KENNEL IS ATTACHED TO HOUSE FOR CONVENIENCE OR SELLER WILL REMOVE. 12 DOG CAPACITY. RARE OPPORTUNITY FOR DOG ENTHUSIAST. NOTE OVERSIZED GAR, 753 SF. INCLUDE WASHER & DRYER.

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Summary of Comparables

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Pending

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	RESID	14820 SE 172ND AVE		145	3	2	1370	\$250,000
4069040	4 RESID	28810 SE Church RD	Boring	144	3	1	1510	\$214,900
4078723	8 RESID	15160 SE ORIENT DR	Boring	144	2	2	1201	\$289,000
5002808	7 RESID	14820 SE NORTH CT	Clackamas	145	4	3	2200	\$264,900

Sold

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	RESID	14820 SE 172ND AVE		145	3	2	1370	\$250,000
4027632	4 RESID	28775 SE Andy ST	Boring	144	3	2	1700	\$215,000
3026134	5 RESID	28373 SE Stone RD	Boring	144	3	1	1375	\$225,000
3072602	1 RESID	19531 SE Tickle Creek RD	Boring	144	4	2.1	1696	\$228,000
4006842	0 RESID	34144 SE Jarl RD	Boring	144	1	2	1456	\$243,000
4049204	0 RESID	13425 SE 222nd	Boring	144	3	2	1912	\$255,900
4065908	8 RESID	10882 SE Orient DR	Boring	144	3	1	1550	\$260,567
4050714	8 RESID	14303 SE 312 AVE	Boring	144	3	2	1660	\$295,000
4014350	4 RESID	21122 SE Hwy 212 1000 ft off HWY	Damascus	145	3	2	1920	\$217,500
4019976	6 RESID	18545 SE Sunnyside RD	Boring	145	3	1	1147	\$227,000
4004594	6 RESID	21900 SE Edward DR	Clackamas	145	4	2.1	1800	\$235,500
4046653	3 RESID	21160 SE Foster Rd	Boring	145	4	2.1	1850	\$246,000
4062532	1 RESID	16269 SE Royer RD	Boring	145	3	2	1813	\$285,000

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Measure 37 Claims Distro List:

MacLaughlan
14674 SE Sunnyside Rd. #111
Clackamas OR 97015

Dan Cooper
 Dick Benner
 Dick Bolen
 Lydia Neill

To whom it may concern

We bought this property because
it had been platted with soil test
approved. Before we could finish the
project the laws were changed
from 6 building lots to 1 house
per five acres.

Dick Benner

RECEIVED

MAR 24 2005

OFFICE OF METRO ATTORNEY

MEASURE 37 CLAIM

CLACKAMAS COUNTY PLANNING DIVISION
9101 SE SUNNYBROOK BLVD., CLACKAMAS, OREGON 97015
PHONE (503) 353-4500 FAX (503) 353-4550 www.co.clackamas.or.us

FOR STAFF USE ONLY

FILE NUMBER: _____ DATE RECEIVED: _____
STAFF MEMBER: _____ CPO: _____

APPLICANT INFORMATION (PLEASE TYPE OR PRINT IN BLACK INK ONLY)

WHAT IS PROPOSED RETURN TO ZONING THAT IT
WAS IN PLACE WHEN PURCHASED IN 1974
LEGAL DESCRIPTION: T2SR3E SECTION 7A TAX LOT(S) 602
T R SECTION _____ TAX LOT(S) _____

(ADDITIONAL) _____

NAME OF CONTACT PERSON HAROLD MacLaughlan
MAILING ADDRESS 14674 SE Sunnyside Rd
CITY Clackamas STATE OR ZIP 97015
PHONE _____; CELL PHONE 503-329-8442

PROPERTY OWNER(S) (The name, address and telephone number of all owners, including their signatures, must be provided. In the event there are more than 3 property owners, please attach additional sheets. Please print clearly)

OWNER 1 HAROLD MacLaughlan
SIGNATURE _____
ADDRESS 14674 SE Sunnyside Rd PMB #115
CITY Clackamas STATE OR ZIP 97015
PHONE 329-8442 CELL PHONE _____

OWNER 2 REBECA MacLaughlan
SIGNATURE _____
ADDRESS 14674 SE Sunnyside Rd PMB #115
CITY Clackamas STATE OR ZIP 97015
PHONE 329-8442 CELL PHONE _____

OWNER 3 _____
SIGNATURE _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
PHONE _____ CELL PHONE _____

SIGN
HERE



SIGN
HERE



MEASURE 37 CLAIM
SUPPLEMENTAL INFORMATION

(Attach additional sheets as necessary to complete this supplemental portion of the claim)

1. **Other persons with an interest in the property (such as lien holders):** Please provide a list of the name, address and phone number of anyone with an interest in the property, and identify their interest.

Countryside Home Loans -
PO Box 5170 Simi Valley, CA 93062

2. **Exact date the current owner acquired the property?** June 26, 1974

3. **If the current owner acquired the property from a family member, what is the exact date the family member acquired the property?**

N/A

If there is more than one event where the property was acquired from a family member, such as a series of inheritances, please provide a list of all such events and their dates.

4. **What regulation (if more than one, please describe) do you believe lowered the value of your property? When did the regulation take effect?**

Zoning change to RRF 5 -
Date of Regulation Unknown

5. **Please describe how this regulation(s) restricts the use of the property and reduces the property's fair market value.**

Reduction of
building sites from six to One

12/6/2004

6. How much has the fair market value of your property been reduced by enactment or enforcement of the regulation(s)? Approx \$700,000 - \$800,000

7. Are you requesting compensation, or removal of the regulation(s), modification of the regulation(s), or a decision not to apply the regulation(s)? If you are requesting monetary compensation, please indicate how much and how you calculated this sum. [Please note that the County has exclusive authority to choose whether to pay monetary compensation, or remove, modify or not apply the regulation(s) causing a valid claim.]

Modify Regulations to previously "approved" building sites & perk tests on 30,000 & 40,000 sq ft lots - per County approval dated 4-21-75

8. Are you requesting that a specific use be allowed? Please describe the use.

Yes - Single Family Residence

9. The following additional material must be submitted with the application:
- A real property appraisal performed by a licensed or certified appraiser licensed in Oregon; the appraisal must meet the Uniform Standards of Professional Appraisal Practice and the requirements of County's Measure 37 Claims Process Ordinance;
 - A title report issued no more than 30 days prior to the submission of the claim that reflects the ownership interest in the property, or other documentation proving ownership of the property;
 - Copies of any leases or covenants, conditions and restrictions applicable to the property and any other documents that impose restrictions on the use of the property;
 - Claims processing fee - \$750.00

12/6/2004

NA

QUITCLAIM DEED

RESOLUTION NO. 06-3714

Attachment 4. COO Report

KNOW ALL MEN BY THESE PRESENTS, That MARIAN BRIDGES *

hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto HAROLD S. MACLAUGHLAN and REBECA MACLAUGHLAN, husband and wife hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of CLACKAMAS, State of Oregon, described as follows, to-wit:

A tract of land in the Northwest one-quarter of the Northeast one-quarter of Section 7, T.2S., R.3E., of the W.M., in the County of Clackamas and State of Oregon, described as follows: Beginning at the Southwest corner of that tract sold by Contract to Daniel G. Schweitzer, et ux, recorded July 18, 1973, as Recorder's Fee No. 73-22700, Film Records, which is 557.44 feet West along the South line of said division from the Southeast corner thereof; thence West along the South line of said division 341.97 feet; thence North parallel with the East line of 172nd Avenue, 224.40 feet; thence West parallel with the South line of said division 403.39 feet to the East line of said road; thence North along the said road line 249.85 feet to the South line of that tract conveyed to Henry W. Coe, recorded March 30, 1970 as Recorder's Fee No. 70-5832, Film Records; thence East along the South line of said Coe tract 745.69 feet to the Northwest corner of said Schweitzer tract; thence South along the West line of said Schweitzer tract 470.38 feet to the point of beginning. SUBJECT TO 20.00 foot easement along the North line of said tract as disclosed by said document recorded as Recorder's Fee No. 73-22700, Film Records.

* SUCCESSOR IN ONE-THIRD INTEREST TO REAL ESTATE CONTRACT BETWEEN JOHN H. REHBERG, DECEASED, AND HAROLD S. MACLAUGHLAN AND REBECCA MACLAUGHLAN, DATED JUNE 17, 1974.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$1/3 of \$19,800.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals. In Witness Whereof, the grantor has executed this instrument this 10th day of March, 1995, if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized thereto by order of its board of directors.

Marian Bridges
MARIAN BRIDGES

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.

STATE OF OREGON, County of Washington ss. This instrument was acknowledged before me on 3-10-1995, by Marian Bridges. This instrument was acknowledged before me on 19... by as



Rita Girard
Notary Public for Oregon
My commission expires 9-7-96

Form with fields for Grantor's Name and Address (Marian Bridges, 5275 SW 150th Ct, Beaverton, OR 97007-2709) and Grantee's Name and Address (Harold & Rebecca MacLaughlan, 14820 SE 172nd St, Clackamas, OR 97215).

Form with fields for Notary Public (Rita Girard), State of Oregon, and recording information (STATE OF OREGON, CLACKAMAS COUNTY, RECEIVED AND PLACED IN THE PUBLIC RECORDS OF CLACKAMAS COUNTY, DATE AND TIME: 03/16/95 01:04 PM, JOHN KAUFFMAN, COUNTY CLERK).

95-015062

RESOLUTION NO. 06-3714
 Attachment 4 - COO Report
 OFFICIAL RECORD OF DESCRIPTIONS
 OF REAL PROPERTY
 CLACKAMAS COUNTY ASSESSOR

TWP. S.	RGE.	SEC.	1/4	1/16	TAX LOT NUMBER	TYPE	SPEC. INT. IN REAL PROP.	CODE AREA NUMBER	FORMERLY PART OF T.L. NO.	DATE OF ENTRY ON THIS CARD	DEED RECORDED VOL.	PG.	ACRES REMAINING	
2	3E	7	A		602				600					
ACCOUNT NUMBER										DEED RECORDED		ACRES REMAINING		
REHBERG, JOHN H.														
c/o MAC LAUGHLAN, HAROLD S. & REBECCA										6-27-74	74	16683	5.85	
Added to MSID - MAR 06 1-1-79										2-14-79				
										3-20-89	89	05949	POSTED	
MERGER CLACKAMAS CO. FIRE 54 & HAPPY VALLEY 65 INTO CLACKAMAS RFPD #71 ORD 2575 1989-90 ROLL														
MAC LAUGHLAN HAROLD S. & REBECCA										3-22-95	95	15062		
												95	15063	POSTED
												95	15064	POSTED
MERGER FIRE 54 TO FIRE 1														
AND FIRE 65 TO ROLL														

-115
12-67

RES
WIN



Benj Franklin

FEDERAL SAVINGS AND LOAN ASSOCIATION
PORTLAND, OREGON

FRANKLIN BLDG.
S. W. 5TH AT STARK
PORTLAND, OREGON 97204

June 26, 1974

Harold S. and Rebeca McLaughlan
17716 S. E. Alder Street
Portland, Oregon 97233

Re: Collection Account #802125-1 McLaughlan/Rehberg
Property: 14976 S. E. 172nd. Avenue, Clackamas, Oregon

Dear Mr. and Mrs. MacLaughlan:

The Benj. Franklin has been asked to act as collection agent on your account as listed above.

We are enclosing two copies of the collection agreement:

The green copy is for your records; and
The white copy is to be signed, where indicated with a red mark and returned to us in the stamped envelope provided.

The only charge applicable to you as buyers or leasees is the assignment fee of \$7.50 in the event you sell or assign your interest in this account.

The monthly payment of \$ 132.16 will be due the Benj. Franklin on July 20, 1974.

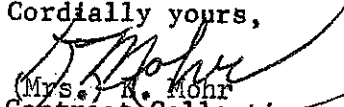
In the near future you will receive a packet of "Payment Identification Cards" to be used in making your payments. Please read the instructions accompanying the cards so that you will receive the best possible service on your account. Included in this packet will be sufficient envelopes for the remainder of the year.

In December each year you will receive a new supply of "Payment Identification Cards" for the coming year.

In January each year you will receive an annual statement showing a recap of the previous years transactions.

Please refer to your account number when contacting us.

Cordially yours,


(Mrs.) M. Mohr
Contract Collections
Customer Service Department
248-1239

P. S. To Buyers: Enclosed herewith is a monthly payment card for your use in making your July payment, in the event you do not receive your payment cards by the due date.

P. S. To Seller: Enclosed herewith is the pink copy of the collection agreement for your records.

MONTHLY HOME LOAN STATEMENT

0064127 01 AT 0.292 **AUTO T4 0 2467 97015-6400
 028942867 AA AY 1000321-0---N- M14402 IN 4
 HAROLD S & REBECA MACLAUGHLAN
 14674 SE SUNNYSIDE RD PMB 115
 CLACKAMAS OR 97015-6400



RESOLUTION NO. 06-3714

Attachment 4: COO Report

To CONTACT US

Online payments
 & account details: customers.countrywide.com
 Customer Service: (800) 669-6607
 General information: www.countrywide.com
 New home loan,
 refinance or
 home equity loans: (800) 686-0145

CUSTOMER BULLETIN

File Your Taxes Quicker—Countrywide Can Help

Because you are a valued customer, Countrywide wants to make our relationship with you as rewarding—and as easy—as possible. That's why we are offering the benefit of being able to access year-end tax statements online. You'll be able to review the details of your Countrywide 1098 and 1099 forms easily and at your convenience.

You can enjoy the:

- ✓ **Ease of tax preparation**—make your tax season less stressful by accessing your year-end statements online, at your convenience
- ✓ **Ability to receive your Countrywide 1098/1099 forms quicker**—file your taxes quicker (extra good news if you're expecting a refund!)

Setting up your account is **EASY!**

- ✓ Go to customers.countrywide.com and create a user name and password
- ✓ Click **Account Information**
- ✓ Click **Year End Statement**
- ✓ Click **Electronic Year End Statement** and complete the consent form

HOME LOAN
SUMMARY

Home loan overview as of 12/10/2004

Principal balance	\$141,049.57
Late Charge if payment received after 01/18/2005	\$40.88
Date	12/10/2004
Payments received	\$817.62

Amount due on 01/01/2005 as of 12/10/2004

Next Payment Posting 01/10/2005	\$817.62
After 01/18/2005 late payment	\$858.50

NOTICES

IMPORTANT TAX RETURN DOCUMENT ENCLOSED

Your IRS Form 1098 is enclosed with your monthly statement. Explanations to commonly asked questions can be found on our website at customers.countrywide.com.

IMPORTANT
NEWSSign up for e-mail notification and know when your
payment has been applied to your Countrywide Home Loan.

Countrywide's e-mail notification service is a no-cost, online benefit that notifies you of recent activity on your Countrywide Home Loan account. We provide you with an e-mail message confirming the receipt and posting of your monthly payments. If you have an escrow account, we also notify you when Countrywide makes tax or insurance payments on your behalf. This service is our way of providing you with automatic, convenient and informative updates regarding your Countrywide Home Loan account or other products and services available from the Countrywide family of companies.

You are automatically enrolled in our e-mail notification service when you visit our customer service Website at customers.countrywide.com and create your User Name and Password. To update or change your e-mail address, simply log-in, select "My Profile" and update your record. We will automatically send you an e-mail notification whenever there is activity on your account. For those of you that have already provided your e-mail address, we hope you're enjoying this service. And once again, thank you for your loyalty to Countrywide Home Loans.

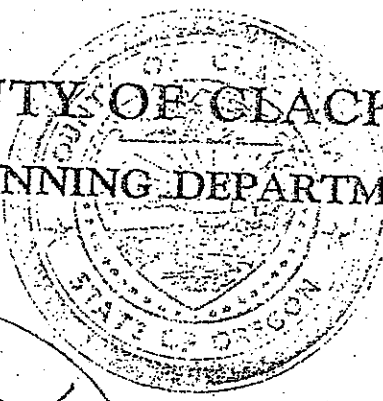
file 12
45-3

COUNTY OF CLACKAMAS

PLANNING DEPARTMENT

Fred Stefani, Commissioner
Thomas D. Telford, Commissioner
Robert Schumacher, Commissioner

James E. Hall, Planning Director
940 Warner-Milne Road
Oregon City, Oregon 97045
Phone 655-3311
Ext. 205



Revised
unit B
for water
tables

September 7, 1972

Subsurface & Soils

Approved Denied

By J. A. Marshall
Date 4-21-75

Mr. John H. Rehberg
14976 S. E. 172nd
Clackamas, Oregon 97015

Dear Mr. Rehberg:

I have completed the soil investigation of a portion of Tax Lot 600, Section 7A, T2S, R3E as you requested.

Map unit B is a deep, well drained soil of moderate permeability (1-2 inches/hour). The apparent engineer class of unit A is silt loam ML, A4 over silty clay loam ML-CL, A6 that occurs at depths of forty-eight (48) to fifty (50) inches. The winter water table in unit B is generally deeper than forty-eight (48) inches. This soil does not have a strongly developed brittle pan. The minimum lot size for houses requiring subsurface disposal of sewage is 30,000 square feet in unit B. There is sufficient area in unit B for three (3) 30,000 square foot house locations.

Map unit A is a somewhat poorly drained brittle pan soil of slow permeability below thirty (30) to thirty-seven (37) inches (less than 0.6 inches/hour). The minimum lot size in unit A is 40,000 square feet. The apparent engineer class is silt loam ML, A4 over silty clay loam ML-CL, A6 over a silty clay loam to silty clay brittle pan ML-CL, A6. The winter water table in unit A ranges between thirty-one (31) and thirty-seven (37) inches. All subsurface walls deeper than twenty-four (24) inches will require extensive drainage protection on the upslope side as ground water will move into deeper excavation on the brittle pan surface.

The subsurface sewage disposal leach field in units A and B will require a minimum of 1140 feet of line per bedroom. In unit B the maximum depth of the trenches will be thirty-six (36) inches. The fall of the lines will not exceed four (4) inches per 100 feet. In map unit A the depth of the trenches will not exceed twenty-four (24)

24"
max
depth
w/ potential
for GWT

12-115-72

Mr. John H. Rehberg
September 7, 1972
Page -2-

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Soil Investigation Request

inches. All houses should be located on the lots so that a gravity flow system can be established between the septic tank and leach field without exceeding the prescribed trench depth.

If you have any questions concerning this matter, please contact me at this office.

Application No. _____

Date: _____

Sincerely, _____

JAMES E. HALL
Planning Director

WILLIAM H. DOAK
Soil Scientist

Name: _____

Address: _____

Legal Desc: _____

WHD: 1S

- cc: Subdivision Department
- Health Department
- Tax Assessor
- Building Department

Subdivision: _____ (File No.)

(Acres)

Zoning: _____ (Name - File No.)

Building Permit: _____ (Type - File No.)

Fee: _____

11A
12000

11B
12000



**PACIFIC NORTHWEST TITLE
TRI-COUNTY**
9020 SW Washington Sq. Rd., Suite 220
Tigard, OR 97223
Title: 503-671-0505 Fax: 503-643-3746
Escrow: (503) 350-5080 Fax: (503) 659-7160
Visit us at: www.pnwtr.com

**PRELIMINARY COMMITMENT
FOR TITLE INSURANCE**

February 9, 2005

Order Number: 05263179-C
Property Address: 14820 SE 172nd Ave.
Clackamas, OR 97015

Pacific Northwest Title of Oregon, Inc.
12050 SE Stevens Rd., #100
Portland, OR 97266

Attention: Christine D. Crenshaw-Boring
Telephone: (503) 350-5080

Reference: MacLaughlan/Burns

	<u>Amount</u>	<u>Premium</u>	
ALTA Owner's Policy (1992)	\$ 400,000.00	\$ 1,036.00	STR
ALTA Loan Policy (1992)	\$ TO COME	\$ TO COME	
Government Service Charge		\$ 50.00	
City Lien Search – Sunrise Water Authority		\$ 10.00	
Endorsements 7.4, 7.11 & 7.31		\$ 50.00	

This is a preliminary billing only; a consolidated statement of all charges, credits, and advances, if any in connection with this order will be provided at closing.

Pacific Northwest Title is prepared to issue on request and on recording of the appropriate documents, a policy or policies as applied for, with coverages as indicated, based on this preliminary commitment that as of January 26, 2005 at 5:00 p.m. title of the property described herein is vested in:

HAROLD S. MACLAUGHLAN and REBECA MACLAUGHLAN,
as tenants by the entirety

Subject only to the exceptions shown herein and to the terms, conditions and exceptions contained in the policy form. This commitment is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued, and the full premium paid.

Description:

See Exhibit A Attached hereto and made a part hereof

SCHEDULE B

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interest, easements or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Statutory liens or other liens or encumbrances, or claims thereof, which are not shown by the public records.

SPECIAL EXCEPTIONS:

6. The herein described premises are within the boundaries of and subject to the statutory powers, including the power of assessment, of the Sunrise Water Authority.

NOTE: We have requested a search and will advise when we have received a response.

7. Easement, including the terms and provisions thereof:
For : Utility lines
Granted to : Portland General Electric Company
Recorded : June 26, 1951
Book : 445
Page : 705
Affects : 10 feet in width, exact route not disclosed
8. Easement, including the terms and provisions thereof:
For : Driveway and utilities
Granted to : Adjacent property owners
Recorded : July 18, 1973
Fee No. : 73 22700
Affects : the North 20 feet
9. Easement, including the terms and provisions thereof:
For : Waterline
Granted to : Damascus Water District, a municipal corporation
Recorded : March 29, 1999
Fee No. : 99-031091
Affects : the West 10 feet

Exhibit A

A tract of land in the Northwest one-quarter of the Northeast one-quarter of Section 7, Township 2 South, Range 3 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Southwest corner of that tract sold by Contract to Daniel G. Schweitzer, et ux, recorded July 18, 1973 ad Recorder's Fee No. 73 22700, Film Records, which is 557.44 feet West along the South line of said division from the Southeast corner thereof; thence West along the South line of said division 341.97 feet; thence North parallel with the East line of 172nd Avenue, 224.40 feet; thence West parallel with the South line of said division 403.39 feet to the East line of said road; thence North along the said road line 249.85 feet to the South line of that tract conveyed to Henry W Coe, recorded March 30, 1970 as Recorder's Fee No. 70 5832, Film Records; thence East along the South line of said Coe Tract 745.69 feet to the Northwest corner of said Schweitzer Tract; thence South along the West line of said Schweitzer Tract 470.38 feet to the point of beginning.

SCHEDULE B - CONTINUED

10. Trust Deed, including the terms and provisions thereof to secure the amount noted below and other amounts secured thereunder, if any:

Grantor : Harold S. MacLaughlan and Rebeca MacLaughlan
Trustee : Transnation Title Insurance Company
Beneficiary : Mortgage Electronic Registration Systems, Inc. as nominee for Capitol
Commerce Mortgage Co., a California corporation
Dated : May 15, 2003
Recorded : May 23, 2003
Fee No. : 2003-065853
Amount : \$144,000.00
Loan No. : 418532

11. Parties in possession, or claiming to be in possession, other than the vestees shown herein. For the purpose of ALTA Extended coverage, we will require an Affidavit of Possession be completed and returned to us. Exception may be taken to such matters as may be shown thereby.

12. Statutory liens for labor or materials, including liens for contributions due to the State of Oregon for unemployment compensation and for workmen's compensation, which have now gained or hereafter may gain priority over the lien of the insured mortgage where no notice of such liens appear of record.

NOTE: We find no judgments or Federal Tax Liens against WENDY BURNS.

NOTE: Taxes paid in full for 2004-2005:


Levied Amount : \$3,085.61
Account No. : 23E07A 00602
Levy Code : 012-115
Key No. : 00614295

NOTE: The following is provided for informational purposes only and will not be shown in the policy to be issued:

We find no recorded Deeds or Conveyances of said property in the past 24 months.

If you have any questions regarding this report or your escrow closing please contact Christine D. Crenshaw-Boring at (503) 350-5080, located at 12050 SE Stevens Rd., #100, Portland, OR 97266 .
Email address: christinec@pnwtr.com

PACIFIC NORTHWEST TITLE OF OREGON, INC.

By 
Diane M. Broome
Title Officer

DMB:ibv

cc: Harold & Rebeca MacLaughlan
cc: Burns & Olson Realtors, Inc.
Attn: Wendy Burns (Enclosure)

for

Harold MacLauglan

**SUBJECT
PROPERTY**

14820 Se 172nd ave
Clackamas, Or 97015

3 Bedrooms ♦ 2 Bathrooms

Suggested Price: \$345,000

Prepared By:

**Wendy Burns
Burns & Olson Realtors Inc.**

2/3/2005

This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained.

*Suggested sales price for home
& acreage of almost 6 acres.*

Comparables to Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

8707 SE 347th	RES	SLD	\$302,000
----------------------	------------	------------	------------------



ML#: 4034545
MLS Area: 144
County: Clackamas
Neighborhood: Boring,Damacus,toSan
Zip Code: 97009
T/Guide: 660E1
Tax Id #: 00150749,00150767,01597
Bedrooms: 4
Bathrooms: 2
Sub-Type: RESID
Style: DAYRNCH
Year Built: 1971
Total SF: 2960
Tax per Year: 2784

Directions:E.HWY.26-N.ON BLUFFRD.TO S.E 347TH (8 MI). HOUSE ON LEFT SIDE.

Remarks: GREAT HORSE PROPERTY,W/ BARN & LG. SHOP,EXCELLENT LOCATION. WINTER CREEK, MT HOOD VIEW. HOUSE HAS 2 SEPARATE LIVING QTRS.. LOTS OF SPACE. FABULOUS POTENTIAL.

36078 SE LUSTED RD	RES	SLD	\$315,000
---------------------------	------------	------------	------------------



ML#: 4015818
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97009
T/Guide: 630G7
Tax Id #: R240226
Bedrooms: 3
Bathrooms: 2.1
Sub-Type: RESID
Style: 2STORY
Year Built: 2000
Total SF: 1935
Tax per Year: 2077

Directions:LUSTED RD EAST OF BARLOW HIGH

Remarks: INCREDIBLE 2 STORY ON 5AC.OPEN FLOOR PLAN,SPACIOUS LR W/FRPL,KITCHEN HAS EATBAR,CHERRYWOOD CABINETS,PANTRY & HARDWOODS.WOODWRAPPED WINDOWS,BULLNOSE CORNERS,DET.SHOP W/CONCRETE FLOOR & ELEC.PATIO,BBQ PIT,GARDEN SHED & PLENTY OF PARKING.GREAT AREA & EXCELL SCHOOLS!

18823 SE Tickle Creek CT	RES	SLD	\$335,000
---------------------------------	------------	------------	------------------

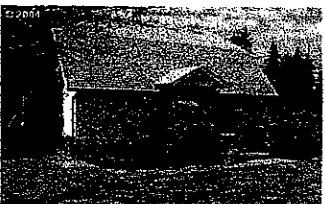


ML#: 3066938
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 690B4
Tax Id #: 00673872,00673836
Bedrooms: 3
Bathrooms: 1
Sub-Type: RESID
Style: RANCH
Year Built: 1971
Total SF: 1346
Tax per Year: 2280.44

Directions:EAST ON HWY 26; RT ON KELSO; LT ON TICKLE CREEK; RT ON TICKLE CREEK CT;

Remarks: QUIET COUNTRY LIVING W/PEACEFUL VIEW! 3 BEDROOM RANCH HOME ON 7.44 ACRES! EVERYTHING READY FOR YOU TO SET UP YOUR OWN NURSERY: 30X48' SHOP, 2-STORY POTTING BARN, 2 GREEN HOUSES, 1 DOUBLE HOOP GREEN HOUSE 96X84'. POWER/WATER/PHONE TO MOST OUTBUILDINGS. NOT A DRIVE-BY! MUST SEE!

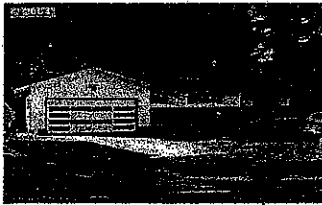
12072 SE Revenue RD	RES	SLD	\$367,000
----------------------------	------------	------------	------------------



ML#: 4041826
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 660C4
Tax Id #: 00158171
Bedrooms: 3
Bathrooms: 3
Sub-Type: RESID
Style: FARMHSE
Year Built: 1981
Total SF: 2816
Tax per Year: 1735

Directions:HWY 26 BORING.EXIT E ON COMPTON N ON ORIENT E ON REVENUE - 10 MIN TO GR

Remarks: YOU WON'T WANT TO LEAVE WHEN YOU REACH THIS DESTINATION. PEACEFUL SETTING WITH CREEK, 2 PONDS(KOI) AND A MULTITUDE OF WILDLIFE. PASTURE AND WETLANDS, 4 CAR SHOP WITH 2 BONUS ROOMS FOR STORAGE AND ANIMALS. WELL MAINTAINED AND UPDATED HOME WITH "BRUCE" HARDWOODS & 10 MINS TO SANDY RIVER



ML#: 4006238
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97015
T/Guide: 658J7
Tax Id #: 00616676

Bed Rooms: 5
Bathrooms: 2
Sub-Type: RESID
Style: DAYRNCH
Year Built: 1966
Total SF: 2532
Tax per Year: 3005.38

RESOLUTION NO. 06-3714
 Attachment 4: COO Report

Directions: HWY 212, SOUTH ON ANDERSON TO PROPERTY.

Remarks: GREAT PROPERTY IN THE COUNTRY, YET ONLY BLOCKS FROM DOWNTOWN DAMASCUS. HOME IS ON A 1 ACRE LEVEL PARCEL WITH A REAR 4 ACRE WOODED PARCEL INCLUDED IN THE SALE. COULD MAKE A GREAT HORSE PROPERTY! THIS HOME WAS BUILT TO LAST WITH VERY HIGH-QUALITY CONSTRUCTION. WIRED FOR GENERATOR.

27110 SE HOLST RD

RES

SLD

\$395,000

**No Photo
Available**

ML#: 5000011
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 689G3
Tax Id #: 00625229

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: RANCH
Year Built: 1978
Total SF: 1889
Tax per Year: 2958.18

Directions: 224 TO AMISIGGER TO JUDD TO HOLST

Remarks: 2 TAX LOTS W/APPROX.40X60SPRING-FED POND, VIEWABLE FROM EXTENSIVE OUTDOOR DECKING, W/ HOT-TUB. ONE-LEVEL, WELL-MAINTAINED HOME ON OVER 5 ACRES. FENCED AND CROSS-FENCED FOR HORSES W/NEWER 30X35 BARN W/POWER & WATER FOR \$435,000. PRICED TO SALE. A/C & SPRINKLER SYSTEM

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Summary of Comparables

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Sold

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	RESID	14820 SE 172ND AVE		145	3	2	1370	\$345,000
4034545	5 RESID	8707 SE 347th	Boring	144	4	2	2960	\$302,000
4015818	6 RESID	36078 SE LUSTED RD	Boring	144	3	2.1	1935	\$315,000
3066938	8 RESID	18823 SE Tickle Creek CT	Boring	144	3	1	1346	\$335,000
4041826	8 RESID	12072 SE Revenue RD	Boring	144	3	3	2816	\$367,000
4006238	8 RESID	15199 SE ANDERSON RD	Clackamas	145	5	2	2532	\$349,000
5000011	0 RESID	27110 SE HOLST RD	Boring	145	3	2	1889	\$395,000

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

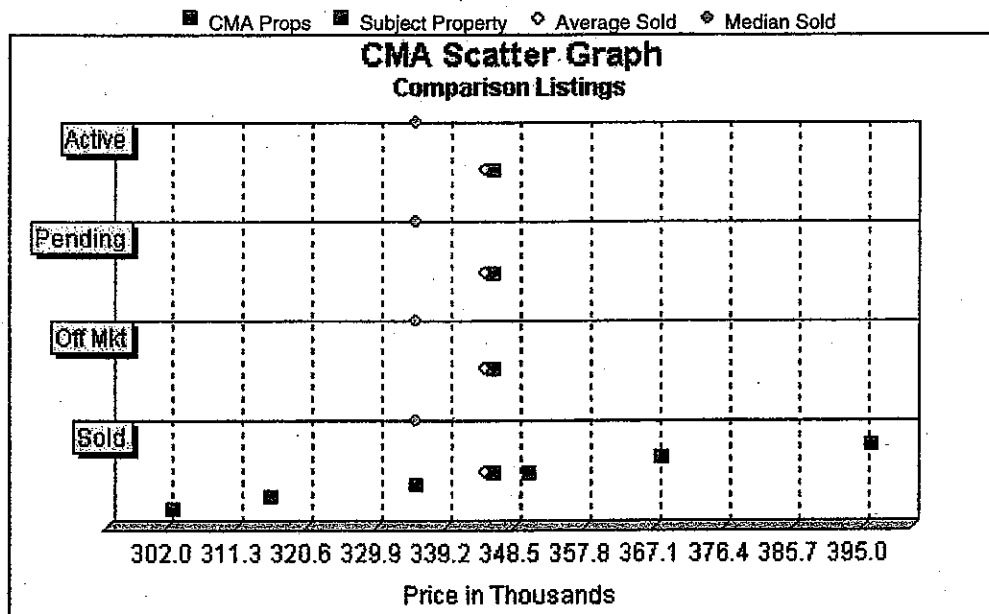
Pricing Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Status	#	Average	Minimum	Maximum	Avg Sqft	Avg \$/Sqft
Sold	6	\$343,833	\$302,000	\$395,000	2246	\$153
Total Listings	6	Sold Properties closed averaging 96.96% of their Final List Price. This reflects a 3.04% difference between Sale Price and List Price.				

	Amount	\$/Sqft
Average Sales Price	\$343,833	\$153
Min. List Price	\$300,000	\$101
Max. List Price	\$435,000	\$230
Suggested List Price	\$345,000	\$252

How the Suggested Price Looks in the Market



© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

for

MacLaughlan

SUBJECT PROPERTY

**1 acre lots on 172nd Ave
Clackamas Or**

◆ Level one acre lots

Suggested Price: \$175,000

Prepared By:

**Wendy Burns
Burns & Olson Realtors Inc.**

2/3/2005

This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained.

*Sales price for Vacant 1 acre
lot - Septic approved - City Water*

Comparables to Your Home

RESOLUTION NO. 06-3714

Attachment 4- COO Report

Vacant Land Lot 1100

LND

ACT

\$150,000

No Photo Available

ML#: 4064607
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97080
T/Guide: 629B5
Tax Id #: R340339

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 298.99

Directions: S. ON WALTERS RD. FROM POWELL. FOLLOW TO SW BLAINE. PARK & WALK.
Remarks: BEAUTIFUL PRIVATE SETTING ATOP GRESHAM BUTTE. WILL REQUIRE SEPTIC. ELECTRICITY AVAILABLE AND WATER, BUT LINES WILL HAVE TO BE BROUGHT TO PROPERTY. CHECK WITH CITY OF GRESHAM FOR SPECIFICS.

16th CT

LND

ACT

\$249,900



ML#: 4075268
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97080
T/Guide: 629C4
Tax Id #: Not Found

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 0

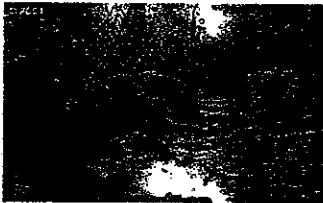
Directions: REGNER TO ELLIOT, LEFT ON 15TH. RIGHT ON 16TH CT. TO END OF CUL-DE-SAC
Remarks: ONCE IN A LIFE TIME MT. HOOD & CITY LIGHTS VIEW LOT. PRESTIGIOUS "DAWN CREST ESTATES" NEIGHBORHOOD. 4 BLOCKS FORM THE SPRING WATER TRAIL, NEW SPORTS PARK UNDER CONST. & PERSIMMONS GOLF NEAR-BY. NO HOME OWNERS FEES. READY TO BUILD YOUR DREAMS ON. 1031 EXCHANGE

W. K. Anderson RD

LND

PEN

\$169,950



ML#: 4068812
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97030
T/Guide: 629H3
Tax Id #: R341566

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 131.82

Directions: TROUTDALE RD (282ND), EAST ON WK ANDERSON RD, 2ND PROP ON RIGHT.
Remarks: 1.98 ACRES. BEAVER CREEK FLOWS THROUGH. NO CC&R'S. OK FOR ANIMALS. OK FOR MANU. HOME. CLOSE IN GRESHAM, POWELL VALLEY GRADE, SAND FILTER (BECAUSE OF CREEK) APPROVED. TALL CEDARS, LOTS OF ALDER TREES 200' ROAD FRONTAGE & NEAR UG BOUNDARY. BROKER OWNED.

Regner RD

LND

PEN

\$200,000

No Photo Available

ML#: 4066615
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97080
T/Guide: 629B6
Tax Id #: R340924

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 5700

Directions: REGNER/GABBERT RD., GRESHAM
Remarks: DEVELOPMENT PROPERTY. POSSIBLE 8-9 LOTS WITH CITY CONSTRAINTS.

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

**No Photo
Available**

ML#: 4052846
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97080
T/Guide: 629J6
Tax Id #: R240399

Bedrooms:
Bathrooms: RESOLUTION NO. 06-3714
Sub-Type: Attachment, COO Report
Style: RESID
Year Built:
Total SF:
Tax per Year: 1533

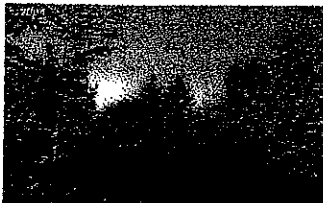
Directions: ORIENT DR TO DODGE PARK TO SHORT-LEFT ON SHORT-LEFT ON POWELL VALLEY
Remarks: 1 ACRE LOT NEXT TO 29138 SE POWELL VALLEY RD (NOTE: THE PROSPECTIVE PURCHASER OF 29138 SE POWELL VALLEY RD HAS FIRST OPTION TO PURCHASE THIS 1 ACRE LOT). FLAT LOT, EXCELLENT AREA. LOT TO CLOSE WITH 29138 SE POWELL VALLEY RD

9670 SE 257th DR

LND

PEN

\$179,000



ML#: 4059915
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97080
T/Guide: 659E3
Tax Id #: 01381267

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 602

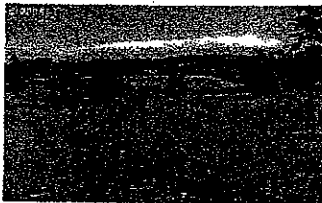
Directions: 242ND TO SUNSHINE VALLEY RD, N ON 257TH FOLLOW SIGNS
Remarks: PRICE REDUCED! BEAUTIFUL VIEW PROPERTY OVERLOOKING SUNSHINE VALLEY. SECLUDED AREA OF UPSCALE HOMES ON PRIVATE ROAD. MANY LARGE TREES!

Hwy 212 1000Ft Off HWY

LND

PEN

\$189,500



ML#: 4059864
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659A7
Tax Id #: Not Found

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 480

Directions: DAMASCUS, EAST 1/4 MILE ON 212, SIGNS ON RIGHT, FOLLOW ARROWS
Remarks: PRIVATE APPROVED BLDG SITE WITH PASTORIAL VALLEY VIEW. CURRENTLY THE ONLY SMALL ACREAGE APPROVED BLDG SITE IN THE AREA. SELLER TO INSTALL LINES FOR UTILITIES. UTILITY HOOKUPS AND SEPTIC INSTALL RESPONSIBILITY OF PURCHASER. BROKER OWNED. DRIVE ALL THE WAY TO THE BUILDING SITE AT THE TOP.

Barlow CT

LND

PEN

\$297,500



ML#: 4013071
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97015
T/Guide: 659A7
Tax Id #: Not Found

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 950

Directions: ROYER ROAD TO BARLOW CT
Remarks: 4.73 ACRES IN UGB...BUILDABLE.. NOT DIVIDABLE...BEAUTIFUL AREA...

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

**No Photo
Available**

ML#: 3078313
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97080
T/Guide: 659D2
Tax Id #: 01587287

Bedrooms:
Bathrooms: RESOLUTION NO. 06-3714
Sub-Type: Attached RESID COO Report
Style:
Year Built:
Total SF:
Tax per Year: 2.26

Directions: 242 TO BORGES RD. WEST TO KINGSWOOD WAY 2ND DRIVE ON RIGHT

Remarks: GOLFERS DREAM, BUILDING SITE WITH GREAT VIEWS AND SOUTHERN EXPOSURE LOCATED FIVE MIN. TO PERSIMMON GOLF COURSE.

crecident	LND	SLD	\$145,000
-----------	-----	-----	-----------

**No Photo
Available**

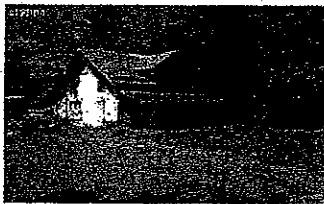
ML#: 3043466
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 690F1
Tax Id #: 00652877

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 587.41

Directions: ORIENT TO CRESCENT

Remarks: WONDERFUL PROPERTY, STANDARD SEPTIC APPROVAL, RECENTLY SURVEYED, GREAT LOCATION TO BUILD A DREAM HOME OR PLACE A MANUFACTURED HOME.

34935 SE CRESCENT RD	LND	SLD	\$150,000
----------------------	-----	-----	-----------



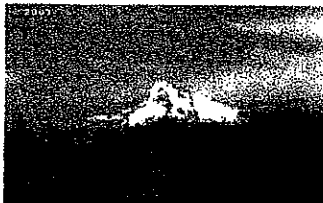
ML#: 4033782
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 690F1
Tax Id #: 00652706

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 1146.35

Directions: HWY 26, ORIENT DRIVE

Remarks: 3 ACRE PARCEL OFF HWY 26. WELL, SEPTIC, AND ELECTRICITY AVAILABLE. LARGE HOME HAS NO VALUE (TEAR DOWN). RUNNING CREEL BORDERS PROPERTY.

ARROW CREEK LN	LND	SLD	\$220,000
----------------	-----	-----	-----------



ML#: 3041647
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97080
T/Guide: 629G4
Tax Id #: R109109

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 1941

Directions: POWELL VALLEY RD, N ON ARROW CREEK LANE...A STUNNING NEIGHBORHOOD!

Remarks: GORGEOUS NEIGHBORHOOD OF HIGH END CUSTOM HOMES ON LONG CULDESAC! BACKS TO APPROX 50 ACRES OF PROTECTED GREENWAY W/TRAILS & GREAT VIEWS! GATED ENTRY, TENNIS COURT & ADDITIONAL GREENWAY ACROSS THE STREET.

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

**No Photo
Available**

ML#: 308415
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659F4
Tax Id #: R13E31C00100

Bedrooms:
Bathrooms: RESOLUTION NO. 06-3714
Sub-Type: Attachment, COO Report
Style: RESID
Year Built:
Total SF:
Tax per Year: 1256

Directions: FOSTER TO SE 172 SOUTH OR SUUNYSIDE TO 172 NORTH, AT CO
Remarks: LEVEL LOT ON GOLF COURSE. LOTS OF TREES AND YEAR AROUND CREEK AT PROPERTY LINE.
 BUILD YOUR DREAM HOME HERE. CLOSE TO EVERYTHING AND YET STILL IN THE COUNTRY.

24040 SE Eagle Creek RD	LND	SLD	\$115,000
--------------------------------	------------	------------	------------------



ML#: 4036782
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97022
T/Guide: 720A3
Tax Id #: 00683816

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 1334.13

Directions: HWY 224 TO HWY 211/EAGLE CREEK/SANDY EXIT, R ON EAGLE CREEK
Remarks: NICE PEICE OF LEVEL LAND W/ 2 RANCH STYLE HOUSES CONNECTED BY ENCLOSED WALK
 WAY(OCCUPIED). HOUSES ARE MAJOR FIXERS OF LITTLE VALUE. 2ND HOUSE CAN'T BE USED
 AS A RENTAL, CURRENTLY USED AS A CARETAKERS QUARTERS ON A HARDSHIP BASIS.

27120 SE Hwy212 east of	LND	SLD	\$159,000
--------------------------------	------------	------------	------------------



ML#: 4044484
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659G5
Tax Id #: 00599668

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 319.01

Directions: JUST WEST AND DUE EAST OF BORING, TO 27120 SE HWY 212
Remarks: WONDERFUL 4.22 ACRE PARCEL WITH UNOBSTRUCTED VIEW OF MT. HOOD. MOSTLY LEVEL
 AND SLOPED. HAS AN OLD ORCHARD. WATER, GAS, AND ELECTRIC TO SITE. DO NOT CALL
 LISTING AGENT DIRECT IF YOU ARE WORKING WITH ANOTHER AGENT, PLEASE.

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Summary of Comparables

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Active

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	1 ACRE LOTS ON 172ND AVE		145	1.0	\$175,000
4064607	0	RESID	Vacant Land Lot 1100	Gresham	144	3.35	\$150,000
4075268	8	RESID	16th CT	Gresham	144	1.1	\$249,900

Pending

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	1 ACRE LOTS ON 172ND AVE		145	1.0	\$175,000
4068812	6	RESID	W. K. Anderson RD	Gresham	144	1.98	\$169,950
4066615	0	RESID	Regner RD	Gresham	144	2.93	\$200,000
4052846	0	RESID	Powell Valley Rd	Gresham	144	1	\$200,000
4059915	4	RESID	9670 SE 257th DR	Gresham	145	4.54	\$179,000
4059864	1	RESID	Hwy 212 1000Ft Off HWY	Damascus	145	1.8	\$189,500
4013071	2	RESID	Barlow CT	Damascus	145	4.73	\$297,500

Sold

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	1 ACRE LOTS ON 172ND AVE		145	1.0	\$175,000
3078313	0	RESID	9388 SE kingswood WAY	Gresham	144	2.01	\$125,000
3043466		RESID	crescent	Boring	144	2.84	\$145,000
4033782	6	RESID	34935 SE CRESCENT RD	Boring	144	3	\$150,000
3041647	8	RESID	ARROW CREEK LN	Gresham	144	1.24	\$220,000
308415	0	RESID	172nd	Happy Valley	145	1.14	\$110,000
4036782	3	RESID	24040 SE Eagle Creek RD	Eagle Creek	145	1.25	\$115,000
4044484	1	RESID	27120 SE Hwy212 east of	Boring	145	4.22	\$159,000

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

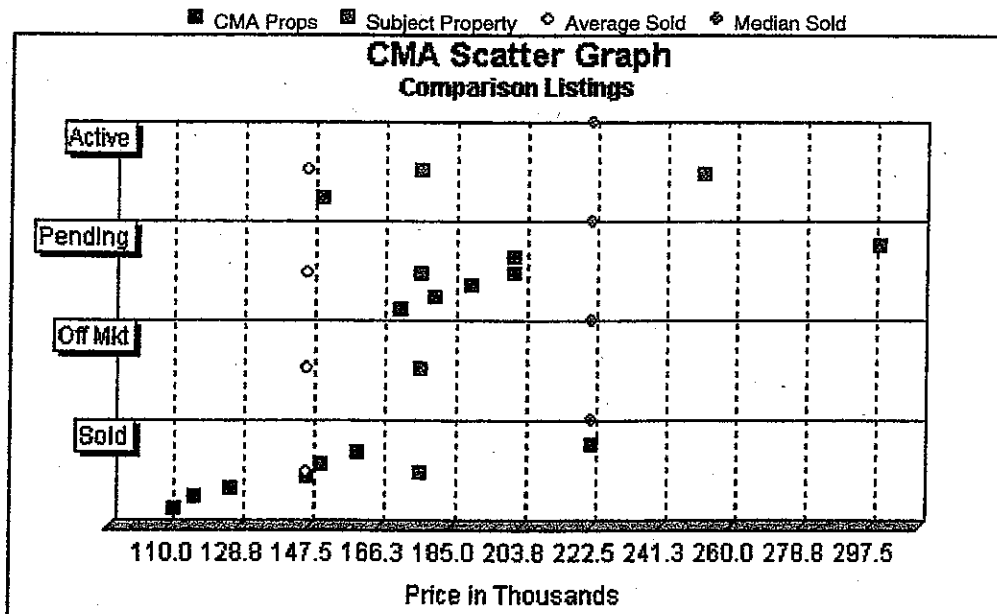
Pricing Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Status	#	Average	Minimum	Maximum	Avg Sqft	Avg \$/Sqft
Active	2	\$199,950	\$150,000	\$249,900	0	\$0
Pending	6	\$205,992	\$169,950	\$297,500	0	\$0
Sold	7	\$146,286	\$110,000	\$220,000	0	\$0
Total Listings	15	Sold Properties closed averaging 94.44% of their Final List Price. This reflects a 5.56% difference between Sale Price and List Price.				

	Amount	\$/Sqft
Average Sales Price	\$146,286	\$0
Min. List Price	\$125,000	\$0
Max. List Price	\$239,900	\$0
Suggested List Price	\$175,000	\$

How the Suggested Price Looks in the Market



© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

for

Harold MacLauglan

SUBJECT PROPERTY

14820 Se 172nd ave
Clackamas, Or 97015

3 Bedrooms ♦ 2 Bathrooms

♦ One Acre lot

Suggested Price: \$250,000

Prepared By:

Wendy Burns
Burns & Olson Realtors Inc.

2/3/2005

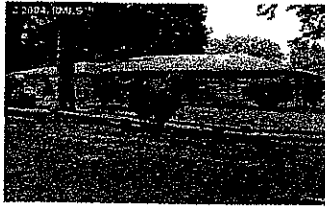
This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained.

*Sales price for house and
one acre lot*

Comparables to Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

28810 SE Church RD	RES	PEN	\$214,900
---------------------------	------------	------------	------------------



ML#:	4069040	Bedrooms:	3
MLS Area:	144	Bathrooms:	1
County:	Clackamas	Sub-Type:	RESID
Neighborhood:		Style:	RANCH
Zip Code:	97009	Year Built:	1959
T/Guide:	659H6	Total SF:	1510
Tax Id #:	00649864	Tax per Year:	1603.22

Directions:BORING, SOUTH ON RICHIE (RIGHT GOING EASTBOUND) LEFT TURN ON CHURCH RD
Remarks: OPPORTUNITY TO OWN A BEAUTIFUL ACREAGE IN UPSCALE AREA OF BORING. ALMOST 50,000 SQ FT LOT SURROUNDED BY TALL SHADY TREES AND PASTURES. NICELY LANDSCAPED ONE LEVEL RANCH WITH FIREPLACE AND HUGE FAMILY ROOM. BIG RED BARN, COULD BE A GREAT SHOP WITH ARTIST LOFT ABOVE.

15160 SE ORIENT DR	RES	PEN	\$289,000
---------------------------	------------	------------	------------------



ML#:	4078723	Bedrooms:	2
MLS Area:	144	Bathrooms:	2
County:	Clackamas	Sub-Type:	RESID
Neighborhood:		Style:	COTTAGE
Zip Code:	97009	Year Built:	1966
T/Guide:	660F7	Total SF:	1201
Tax Id #:	00653670	Tax per Year:	1758.35

Directions:ORIENT DRIVE, EAST OF KELSO ROAD
Remarks: HORSE HEAVEN! 2.4 FENCED ACRES W/3 STALL BARN AND BIG STORAGE ROOM + 30X48X14 WEB STEEL SHOP W/LOFT. HOME FEATURES NEW CARPET, KITCHEN & BATH FLOORING, HUGE VAULTED MASTER, W/BATH, HRDWOODS IN DINING + WOODSTOVE IN LIVING. HOT TUB & APPLIANCES INCLUDED.

14820 SE NORTH CT	RES	PEN	\$264,900
--------------------------	------------	------------	------------------



ML#:	5002808	Bedrooms:	4
MLS Area:	145	Bathrooms:	3
County:	Clackamas	Sub-Type:	RESID
Neighborhood:		Style:	RANCH
Zip Code:	97015	Year Built:	1942
T/Guide:	658H7	Total SF:	2200
Tax Id #:	00616881	Tax per Year:	1759.24

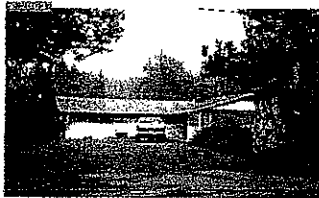
Directions:WEST OF DAMASCUS ON 212, N ON NORTH CT.
Remarks: MOTIVATED SELLER. LIGHT FIXER W/TONS OF POSSIBILITES. THIS 2200SF, 4BR/3BA RANCH HAS BIG WINDOWS THROUGHOUT FOR ENJOYING THE FRUIT ORCHARDS, GARDENS AND MORE ON THE 1AC LOT. TAKE IN THE VIEW OF MT. HOOD IN THIS PRIVATE, WOODED, PARK-LIKE SETTING. THIS ONE WON'T LAST.

28775 SE Andy ST	RES	SLD	\$215,000
-------------------------	------------	------------	------------------



ML#:	4027632	Bedrooms:	3
MLS Area:	144	Bathrooms:	2
County:	Clackamas	Sub-Type:	RESID
Neighborhood:		Style:	2STORY
Zip Code:	97009	Year Built:	1978
T/Guide:	659H4	Total SF:	1700
Tax Id #:	00155744	Tax per Year:	1794.83

Directions:HWY 212 TO 282ND; N TO ANDY; EAST TO PROPERTY
Remarks: NICELY, LANDSCAPED SETTING ON AN ACRE. SPACE, BUT CLOSE TO TOWN. QUIET ROAD ABLE TO LISTEN TO THE BIRDS. NICE NEIGHBORHOOD. FENCED AREA FOR A DOG, WITH AN ENTRANCE TO THE GARAGE. DOG WILL BE IN GARAGE.



ML#: 3026134
MLS Area: 144
County: Multnomah
Neighborhood: OriENT
Zip Code: 97009
T/Guide: 629G7
Tax Id #: R342212

Bedrooms: 3
Bathrooms: RESOLUTION NO. 06-3714
Sub-Type: Attached COO Report
Style: RANCH
Year Built: 1964
Total SF: 1375
Tax per Year: 2041

Directions: HWY 26 TO ORIENT DR. SO ON 282ND, L. ON STONE RD.

Remarks: LOVELY COUNTRY SETTING W/ CREEK MINUTES FROM PORTLAND. 1 LEVEL, 2 ACRES, CUSTOM KITCHEN, 32'X14' LR. CHARMING VERMONT CAST. W/STOVE IN BRICK ALCOVE. KOHLER JACUZZI. 55'PATIO. LARGE GARAGE. GREAT SCHOOLS. MUST SEE!

19531 SE Tickle Creek RD	RES	SLD	\$228,000
---------------------------------	------------	------------	------------------



ML#: 3072602
MLS Area: 144
County: Clackamas
Neighborhood: WILLIAMS
Zip Code: 97009
T/Guide: 690B3
Tax Id #: 00674764

Bedrooms: 4
Bathrooms: 2.1
Sub-Type: RESID
Style: RANCH
Year Built: 1974
Total SF: 1696
Tax per Year: 1548.1

Directions: S. SANDY ON HWY 211 - WEST ON TICKLE CREEK FOR .7 MILE.

Remarks: FLAT USABLE ACRE-FENCED + CROSS FENCED-CLOSE TO SANDY & GRESHAM. MASTER OPENS TO BACKYARD. ADDITIONAL BEDROOMS PLUS OFFICE OFFER A LOT OF SPACE AND POSSIBILITIES. SEVERAL LARGE TREES. PRIVATE. GOOD FOR ANIMALS AND GARDENS.

34144 SE Jarl RD	RES	SLD	\$243,000
-------------------------	------------	------------	------------------

No Photo Available

ML#: 4006842
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 690E1
Tax Id #: 01599782

Bedrooms: 1
Bathrooms: 2
Sub-Type: RESID
Style: OTHER
Year Built: 1995
Total SF: 1456
Tax per Year: 1939.35

Directions: HWY 26 / JARL

Remarks: ONE OF A KIND! CLOSE IN 1.46 AC 1,456 SQ FT OF CHARM. MUST SEE! VAULTED ROOMS AND MANY WINDOWS FOR VIEWING COUNTRYSIDE. GARDEN AREA AND ROOM FOR RV, BOAT ETC. ENJOY 24X36 FT SHOP WITH CEMENT FLOOR. WOOD SHED AND GARDEN SHED INCLUDED.

13425 SE 222nd	RES	SLD	\$255,900
-----------------------	------------	------------	------------------

No Photo Available

ML#: 4049204
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659B5
Tax Id #: 00605955

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: SPLIT
Year Built: 1979
Total SF: 1912
Tax per Year: 2430.36

Directions: HOFFMESTER & 222ND

Remarks:

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED. SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO. SCHOOL AVAILABILITY SUBJECT TO CHANGE.



ML#: 4065908
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 660B3
Tax Id #: 00156431

Bedrooms: 3
Bathrooms: RESOLUTION NO. 06-3714
Sub-Type: Attach RESID COO Report
Style: RANCH
Year Built: 1954
Total SF: 1550
Tax per Year: 1523

Directions: HWY 26 TO HALEY RD GO EAST TO ORIENT DR THEN SOUTH TO PROPERTY
Remarks: FRESH PAINT INSIDE & OUT. NEW CARPET & VINYL & PERGO FLOORING & CABINETS. 48X50 STEEL SHOP W/26X13 PAINT BOOTH, CONCRETE FLOOR, 220V & WATER. DENCOULD BE 4TH BED. GREAT LOCATION & YARD 100% USEABLE. SEVERAL FRUIT TREES.

14303 SE 312 AVE	RES	SLD	\$295,000
-------------------------	------------	------------	------------------



ML#: 4050714
MLS Area: 144
County: Clackamas
Neighborhood: Barbara Ann
Zip Code: 97009
T/Guide: 660B7
Tax Id #: 00647900

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: RANCH
Year Built: 1969
Total SF: 1660
Tax per Year: 2099

Directions: 26 TO KELSO RD R L R ONTO 312 APPROXIMATELY 1 MILE
Remarks: STRESS FREE ZONE! BEAUTIFUL 1.64 ACRE PARCEL, FLAT, WITH LOTS OF GARDEN SPACE, FRUIT TREES, FENCED, 43 X 25 SHOP/BARN, 3 BR 2 BA, 1660 SFT, 25 YEAR ROOF, NEWER SEPTIC, ELECTRONIC AIR CLEANER, HIGH EFFICIENCY HYDROHEAT SYSTEM, 50 GAL WH, QUIET COUNTRY ROAD, MANY UPDATES!

21122 SE Hwy 212 1000 f t off HWY	RES	SLD	\$217,500
--	------------	------------	------------------



ML#: 4014350
MLS Area: 145
County: Clackamas
Neighborhood: Damascus
Zip Code: 97009
T/Guide: 659A7
Tax Id #: Not Found

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: SPLIT
Year Built: 1976
Total SF: 1920
Tax per Year: 1950

Directions: 1/4 MILE EAST OF DAMASCUS CENTER, SOUTH DOWN LANE, TURN WEST TO HOME.
Remarks: LIKE WALKING INTO A NEW HOME. COMPLETELY REDONE. SITS ON OVER AN ACRE WITH TREES. GREAT VIEW OF THE VALLEY THROUGH LARGE NEW PICTURE WINDOWS. NEW APPLIANCES, JACUZZIE AND SEP SHOWER IN MASTER, LOTS OF TILE WORK. BROKER OWNED.

18545 SE Sunnyside RD	RES	SLD	\$227,000
------------------------------	------------	------------	------------------

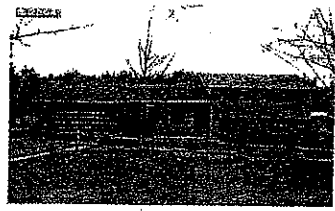


ML#: 4019976
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 658G6
Tax Id #: 00609372

Bedrooms: 3
Bathrooms: 1
Sub-Type: RESID
Style: RANCH
Year Built: 1945
Total SF: 1147
Tax per Year: 1554.46

Directions: HWY 212 TO SUNNYSIDE RD WEST
Remarks: CLOSE IN 1.76 ACRES, FULLY-FENCED PASTURE WITH BARN AND CARPORT WITH ELECTRICITY. FULLY LANDSCAPED WITH FRUIT TREES, YEAR ROUND SPRING THAT FLOWS INTO THREE TERRACED PONDS WITH BRIDGE OVER TROUT POND. THE 3 BEDROOM, 1 BATH HOME FEATURES A NEW GAS FURNACE, HARDWOOD FLOORS, AND DOG RUN.

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED. SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO. SCHOOL AVAILABILITY SUBJECT TO CHANGE.



ML#: 4004594
MLS Area: 145
County: Clackamas
Neighborhood: Damascus
Zip Code: 97015
T/Guide: 659D7
Tax Id #: 00620607

Bedrooms: 4
Bathrooms: 2
Sub-Type: RESID
Style: TRI
Year Built: 1972
Total SF: 1800
Tax per Year: 2266

Directions: E-HWY 212, R-ROYER RD, L-EDWARD DR **1 YR HM WARRANTY**
Remarks: DESIRABLE DAMASCUS TRI-LEVEL.GREAT STREET & DEMANDED SCHOOLS! 4 BD, 2.5 BA LOWER LEVEL REMODEL JUST COMPLETED.NEWER ROOF, HEAT PUMP, WTR HTR. ROOM FOR ANIMALS & SHOP! LOTS BERRIES,GRAPES,FRUIT TREE'S ON OVER 1 ACRE!

21160 SE Foster Rd	RES	SLD	\$246,000
--------------------	-----	-----	-----------

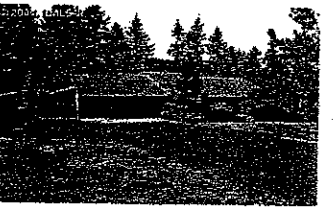


ML#: 4046653
MLS Area: 145
County: Clackamas
Neighborhood: Damascus
Zip Code: 97009
T/Guide: 658H5
Tax Id #: 00609979

Bedrooms: 4
Bathrooms: 2.1
Sub-Type: RESID
Style: SPLIT
Year Built: 1968
Total SF: 1850
Tax per Year: 2116.07

Directions: FOSTER RD JUST ABOVE HWY 212
Remarks: NICELY SET BACK FROM ROAD, SOLID HOME ON 1 ACRE IN DESIRABLE DAMASCUS AREA.FINISHED LOWER LEVEL W/FAMILY RM, UTILITY/BATH, & 4TH BDRM. BRICK FIREPLACES UP & DOWN. NEW HI-EFFICIENCY FURNACE PLUS GENERATOR TO RUN ELECT & HEAT IF POWER GOES OUT! SMALL BARN IN PRIVATE BACK YARD. RV SPACE!

16269 SE Royer RD	RES	SLD	\$285,000
-------------------	-----	-----	-----------



ML#: 4062532
MLS Area: 145
County: Clackamas
Neighborhood: Damascus
Zip Code: 97015
T/Guide: 689A2
Tax Id #: 00620402

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: RANCH
Year Built: 1987
Total SF: 1813
Tax per Year: 2723.62

Directions: HWY 212, SOU ON ROYER RD IN COMMUNITY OF DAMASCUS
Remarks: DOG FANCIERS TAKE NOTICE. THIS IMMAC.HM WITH NEW CPT & FLOOR COVERINGS, PERGO, PAINT, ETC. KENNEL IS ATTACHED TO HOUSE FOR CONVENIENCE OR SELLER WILL REMOVE. 12 DOG CAPACITY. RARE OPPORTUNITY FOR DOG ENTHUSIAST. NOTE OVERSIZED GAR, 753 SF. INCLUDE WASHER & DRYER.

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Summary of Comparables

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Pending

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	RESID	14820 SE 172ND AVE		145	3	2	1370	\$250,000
4069040	4 RESID	28810 SE Church RD	Boring	144	3	1	1510	\$214,900
4078723	8 RESID	15160 SE ORIENT DR	Boring	144	2	2	1201	\$289,000
5002808	7 RESID	14820 SE NORTH CT	Clackamas	145	4	3	2200	\$264,900

Sold

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	RESID	14820 SE 172ND AVE		145	3	2	1370	\$250,000
4027632	4 RESID	28775 SE Andy ST	Boring	144	3	2	1700	\$215,000
3026134	5 RESID	28373 SE Stone RD	Boring	144	3	1	1375	\$225,000
3072602	1 RESID	19531 SE Tickle Creek RD	Boring	144	4	2.1	1696	\$228,000
4006842	0 RESID	34144 SE Jarl RD	Boring	144	1	2	1456	\$243,000
4049204	0 RESID	13425 SE 222nd	Boring	144	3	2	1912	\$255,900
4065908	8 RESID	10882 SE Orient DR	Boring	144	3	1	1550	\$260,567
4050714	8 RESID	14303 SE 312 AVE	Boring	144	3	2	1660	\$295,000
4014350	4 RESID	21122 SE Hwy 212 1000 ft off HWY	Damascus	145	3	2	1920	\$217,500
4019976	6 RESID	18545 SE Sunnyside RD	Boring	145	3	1	1147	\$227,000
4004594	6 RESID	21900 SE Edward DR	Clackamas	145	4	2.1	1800	\$235,500
4046653	3 RESID	21160 SE Foster Rd	Boring	145	4	2.1	1850	\$246,000
4062532	1 RESID	16269 SE Royer RD	Boring	145	3	2	1813	\$285,000

© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

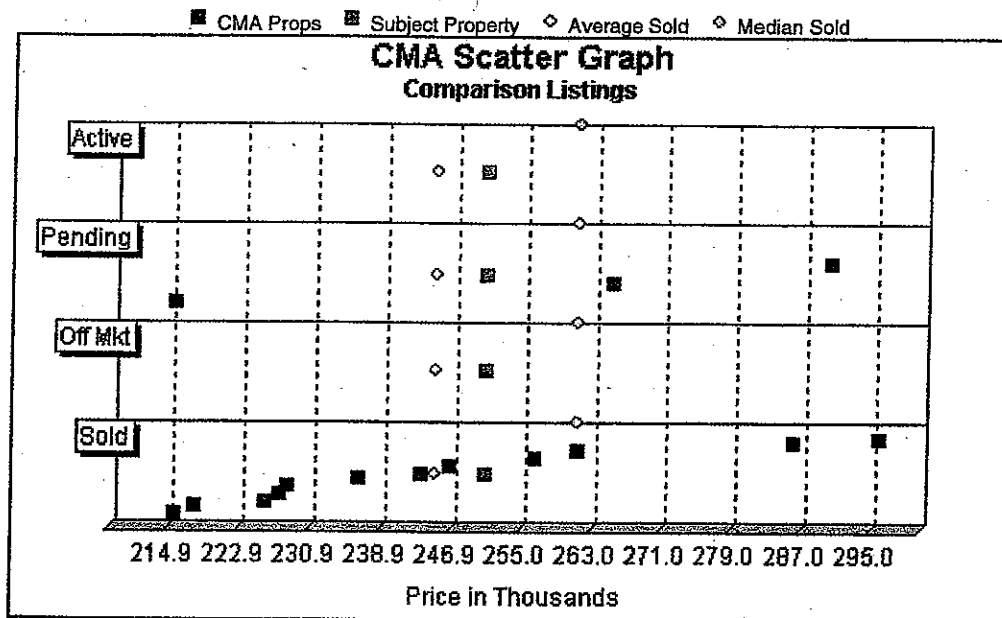
Pricing Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Status	#	Average	Minimum	Maximum	Avg Sqft	Avg \$\$sqft
Pending	3	\$256,267	\$214,900	\$289,000	1637	\$157
Sold	12	\$244,456	\$215,000	\$295,000	1657	\$148
Total Listings	15	Sold Properties closed averaging 97.02% of their Final List Price. This reflects a 2.98% difference between Sale Price and List Price.				

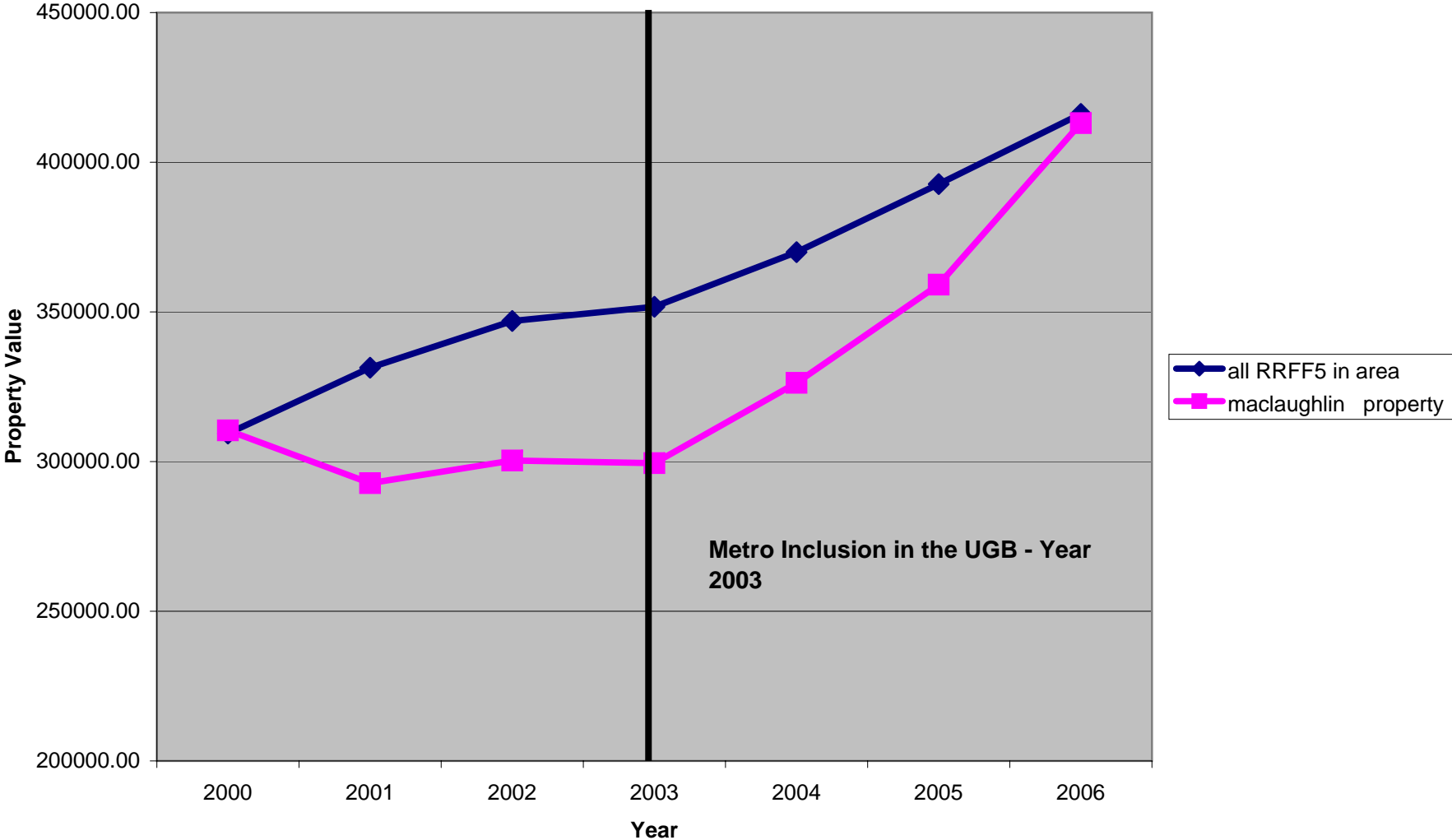
	Amount	\$/Sqft
Average Sales Price	\$244,456	\$148
Min. List Price	\$225,000	\$164
Max. List Price	\$289,950	\$160
Suggested List Price	\$250,000	\$182

How the Suggested Price Looks in the Market



© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Figure A: Time Trend of RRFF5 Property in Damascus Expansion Area Compared to MacLaughlin Property



June 23, 2006

Harold S. and Rebeca MacLaughlan
14674 SE Sunnyside Road, PMP #115
Clackamas, OR 97015

**RE: *Harold and Rebeca MacLaughlan Measure 37 Compensation Claim with Metro
Property Address: 14820 SE 172nd Avenue, Clackamas, Oregon 97015***

Legal Description: T2S R3E Section 7A, Tax Lot 602

Dear Mr. and Mrs. MacLaughlan:

A public hearing has been scheduled before the Metro Council for the Measure 37 Claim of Harold and Rebeca MacLaughlan. The hearing date is Thursday, July 13, 2006 at 2:00 p.m. at the Metro Council Chamber, 600 NE Grand Avenue, Portland, Oregon. Enclosed is a copy of the Notice of Public Hearing and the Report of the Metro Chief Operating Officer. Both the notice and the COO Report are posted on Metro's website at: www.metro-region.org/measure37. Please note that a copy of the notice and the COO Report were mailed to you and posted on Metro's website on June 23, 2006.

If you have any questions about the upcoming hearing, please do not hesitate to contact me.

Thank you.

Sincerely,

Paul Ketcham
Principal Regional Planner
503-797-1726
Ketcham@metro.dst.or.us

Enclosures

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

**In the Matter of a Ballot Measure
37 Claim for MacLaughlin**

**Order No. 2005-150
Page 1 of 2**

File No. ZC035-05

Claimants/ Property Owners: Harold and Rebeca MacLaughlin

Date Filed: February 17, 2005

Legal Description: T2S-R3E-SECTION 07A-TAX LOT 602

Location: 14820 SE 172nd Avenue; east side of SE 172nd Avenue, approximately .2 mile north of SE Armstrong Circle; Damascus area.

Proposal/ Relief Requested: The claimants are asking that the existing RRFF-5 zoning not be applied, allowing creation of additional home sites consistent with the previous RA-1 zoning district that was in place when the applicants acquired the property.

Ownership History/Date Acquired by Current Owner: The claimants acquired the property on June 26, 1974. Deed records demonstrate that the claimant has held a continuous property interest since acquisition in 1974.

Zoning History: The first zoning of the property in 1964 was RA-1, Rural (Agricultural) Single Family Residential District, 1-acre minimum lot size. The property was zoned RRFF-5, Rural Residential Farm Forest 5 Acre on December 17, 1979.

Reduction in Land Value: The claimant contends that the application of the RRFF-5 zoning district reduces the value of the property by \$700,000-\$800,000. The applicant has provided evidence in the form of comparable sales of one acre residential lots in the area. This information is sufficient to substantiate a reduction in land value resulting from the application of the RRFF-5 zone to the property.

DECISION

- (1) The claimants have a valid claim.
- (2) Monetary compensation for any reduction in value is not available.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

**In the Matter of a Ballot Measure
37 Claim for MacLaughlan**

**Order No. 2005-150
Page 2 of 2**

File No. ZC035-05

(3) Remove from the subject property ZDO 309.07A and subsections 309.08.B and 309.08.D, which regulate lot divisions in the RRF-5 District. Development of the property will be subject to the lot size standards of the RA-1 zoning district that were in effect when the current owner acquired the property, June 26, 1974, and to all other current ZDO provisions.

Conditions/Comments

- (1) The claimant will need to receive approval of a subdivision or partition to allow creation of new lots.
- (2) Approval of building and septic permits for new residences also will be required.
- (3) The claimant also may need approval by Metro of a Measure 37 claim. Metro Code Section 3.07.1110 may apply.
- (4) This action does not resolve several questions about the application of Measure 37, including the question of whether the rights granted to the claimant by this decision can be transferred to an owner who subsequently acquires the property.

DATED this 10th day of July, 2005.

BOARD OF COUNTY COMMISSIONERS

Bill Coenen
Chair

Mary Rastke
Recording Secretary



**PLANNING STAFF REPORT
TO THE BOARD OF COUNTY COMMISSIONERS
MEASURE 37 CLAIM**

File Number: ZC035-05
Report Author: Greg Fritts, Senior Planner
Hearing Date: June 8, 2005
Report Date: May 31, 2005

Claimants/ Property Owners: Harold and Rebeca MacLaughlin

Date Filed: February 17, 2005

Legal Description: T2S-R3E-SECTION 07A-TAX LOT 602

Location: 14820 SE 172nd Avenue; east side of SE 172nd Avenue, approximately .2 mile north of SE Armstrong Circle; Damascus area.

Proposal/ Relief Requested: The claimants are asking that the existing RRFF-5 zoning not be applied, allowing creation of additional home sites consistent with the previous RA-1 zoning district that was in place when the applicants acquired the property.

Ownership History/Date Acquired by Current Owner: The claimants acquired the property on June 26, 1974. Deed records demonstrate that the claimant has held a continuous property interest since acquisition in 1974.

Zoning History: The first zoning of the property in 1964 was RA-1, Rural (Agricultural) Single Family Residential District, 1-acre minimum lot size. The property was zoned RRFF-5, Rural Residential Farm Forest 5 Acre on December 17, 1979.

Reduction in Land Value: The claimant contends that the application of the RRFF-5 zoning district reduces the value of the property by \$700,000-\$800,000. The applicant has provided evidence in the form of comparable sales of one acre residential lots in the area. This information is sufficient to substantiate a reduction in land value resulting from the application of the RRFF-5 zone to the property.

Discussion: The claimant's property is a 5.7acre parcel. There is an existing residence on the parcel. The property was zoned RA-1 when the claimants

EXHIBIT 1
Page 1 of 3

acquired it in 1977. The claimants propose to divide the lot into additional building sites pursuant to the RA-1 zone, which has a one-acre minimum lot size. Under the current RRF-5 zoning district, the minimum lot size for new parcels is 5 acres, and therefore the property cannot be divided (see ZDO 309.08.B). The current RRF-5 zone also prohibits a subdivision or partition within the Metro UGB creating a lot of less than 20 acres (ZDO 309.07.D). Under the RA-1 zoning, up to 4 new lots could be created. The suitability of the property for on-site sewage disposal will determine the actual number of lots that can be created. This determination will be made when a subdivision application is reviewed.

The facts discussed above demonstrate a valid Measure 37 claim. The minimum lot size standard of the current RRF-5 zoning district reduces the value of the property, compared to the development opportunity if the property was zoned RA-1, as it was when acquired by the current owner.

The claimant also may need to have a claim reviewed by Metro. Metro Code Section 3.107.1110 sets forth standards regulating land within an urban growth boundary, when that land has not yet been planned and zoned for urban development. Among other things, a twenty acre minimum lot size is established by these standards.

Remedy: The Board of County Commissioners must decide whether to compensate for the reduction in value, or modify, remove or not apply the land use regulations that have caused the reduction in value. The County has received 162 Measure 37 claims, with a total claimed reduction in value exceeding \$275 million. There has been no money allocated to compensate for the reduction in value. The claimant would prefer to have the regulations modified, removed or not applied, so that additional lots could be created.

Recommendation: Based on the facts discussed above, staff recommends the Board of County Commissioners remove from the subject property subsections 309.08.B and 309.08.D, which regulate lot divisions in the RRF-5 District. Development of the property will be subject to the lot size standards of the RA-1 zoning district that were in effect when the current owner acquired the property June 26, 1974, and to all other current ZDO provisions.

Additional Comments:

- (1) The claimant will need to receive approval of a subdivision or partition to allow creation of new lots.
- (2) Approval of building and septic permits for new residences also will be required.
- (3) The claimant also may need approval by Metro of a Measure 37 claim. Metro Code Section 3.07.1110 may apply.

- (4) The recommended action does not resolve several questions about the application of Measure 37, including the question of whether the rights granted to the claimant by this decision can be transferred to an owner who subsequently acquires the property.

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1794



METRO

July 12, 2006

TO: Christina Billington, Council Operations Manager

FROM: Paul Ketcham, Principal Regional Planner

RE: Amended Measure 37 Claim Materials for Harold and Rebeca MacLaughlan

Attached is a letter of transmittal with enclosures dated July 12, 2006 from Jeanette L. Moore, attorney. These documents comprise their amended Metro M 37 claim.

Please include these documents in the Council file for the Harold and Rebeca MacLaughlan case, Council Order No. 06-007.

Thank you.

Attachments

Law offices of
Ivan M. Karmel

1023 SW Yamhill Street, Portland, Oregon 97205
Telephone: (503) 295-2486 ♦ Facsimile: (503) 295-0126

Ivan M. Karmel

Admitted in Oregon and Washington
ivan@ivankarmel.com

Jeannette L. Moore

Admitted in Oregon
jeannette@ivankarmel.com

July 12, 2006

Attention: Michael Jordan, COO
Metro - Chief Operating Officer
600 NE Grand Avenue
Portland, Oregon 97232-2736

Re: Harold and Rebeca MacLaughlan Amended Metro M37 Claim No. 06-007

Dear Mike:

On behalf of our clients, Harold and Rebeca MacLaughlan, we are submitting the amended Metro M37 claim to comply with the requirements of ORS 197.352 by specifically making a written demand for compensation. If compensation is not an option, than we request removal of regulations.

Additionally, based on the growth of property values over the past year, we modified the approximate loss in value to represent values consistent with the market today. This information was based on the investigation and research of properties in the area by Mr. MacLaughlan. A declaration by Harold MacLaughlan pursuant to ORCP 1E is provided. We recognize that measure 37 does not require that we prove a substantial reduction in fair market value to qualify for a claim. The standard is "a reduction in fair market value of the property, or any interest therein." ORS 197.352(1).


We have submitted copies of county tax statements for the MacLaughlan property and for some adjacent tax lots of one acre dimensions. These statements reflect the real market values for the properties as assessed by the county. The county tax statements also specifically set forth the real market values allotted for the land and the buildings. Please note that the analysis prepared with respect to the property tax statements is based upon the real market values for the land only and excludes the real market value for any buildings upon the property.

By the submission of the claim, we do not waive any objections to the conditions

Michael Jordan
Page 2

imposed by Metro for filing measure 37 claims which are not required by the text of the measure.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeannette L. Moore', written over the word 'Sincerely,'.

Jeannette L. Moore

Enclosures

cc: Harold and Rebeca MacLaughlan
(via US MAIL)

AMENDED MEASURE 37 CLAIM

**METRO - LAND USE PLANNING
OFFICE OF THE CHIEF OPERATING OFFICER
600 NE Grand Avenue, Portland, Oregon 97232-2736
PHONE (503) 797-1839 FAX (503)797-1804**

FOR STAFF USE ONLY

FILE NUMBER: _____ DATE RECEIVED: _____

APPLICANT INFORMATION
(PLEASE TYPE OR PRINT IN BLACK INK ONLY)

WHAT IS PROPOSED Compensation or, if compensation is not an option, than removal of regulations.

LEGAL DESCRIPTION: T 2 R 3E SECTION 07A TAX LOT(S) 0602

CONTACT Jeannette L. Moore
MAILING ADDRESS 1023 SW Yamhill, Suite 200
CITY Portland STATE Oregon ZIP 97205-2536
PHONE (503) 295-2486 FAX (503) 295-0126

PROPERTY OWNER(S) (The name, address and telephone number of all owners, including their signatures, must be provided. In the event there are more than 3 property owners, please attach additional sheets. Please print clearly)

FOR EACH OWNER WHO IS ALSO A CLAIMANT, PLEASE CHECK THE BOX MARKED "CLAIMANT"

NAME Harold MacLaughlan CLAIMANT
SIGNATURE *Harold MacLaughlan*
MAILING ADDRESS 14674 SE Sunnyside Rd, PMB # 115
CITY Clackamas STATE Oregon ZIP 97015
PHONE (503) 329-8442 CELL PHONE --

NAME Rebeca MacLaughlan CLAIMANT
SIGNATURE *Rebeca MacLaughlan*
MAILING ADDRESS 14674 SE Sunnyside Rd, PMB # 115
CITY Clackamas STATE Oregon ZIP 97015
PHONE (503) 329-8442 CELL PHONE --

AMENDED
METRO MEASURE 37 CLAIM
SUPPLEMENTAL INFORMATION

(Attach additional sheets as needed.)

1. Other persons with an interest in the property (such as lien holders):

Name: N/A Phone: _____

Address: _____

Type of Interest: _____

2. Exact date the claimant acquired an ownership interest in the property?

June 26, 1974 (Ex. A - copy of Clackamas County Record of Descriptions of Real Property reflecting the June 27, 74 recording of Purchase Contract, Ex. B - Warranty Deed (reflecting real estate contract dated June 17, 1974), Ex. C - Copy of mortgage information relating to purchase)

3. If the claimant acquired the property from a family member, what is the exact date the family member acquired the property? N/A

What is the relationship of the family member to the claimant (e.g. father, uncle, brother, etc.)? N/A

If there is more than one event where the property was transferred among family members, such as a series of inheritances, please provide a list of all such events, their dates, and the relationship between the parties. If transfer was by inheritance, please provide the date of death. N/A

4. If a husband and wife are both claimants but acquired a documented ownership interest (e.g. deed, contract to purchase) on different dates, please identify the date of the marriage. N/A

5. What regulation (if more than one, please describe) do you believe lowered the value of your property? When did the regulation take effect? Any and all sections of the Metro Code to the extent they are applicable to claimant's property, specifically: Metro Ordinance 98-772B (adopted 9/10/98, applied 12/5/02), Metro Ordinance No. 02-969B (3/5/03), Metro Code Section 3.07.1110C (3/5/03), including any and all sections of Title 11 and section 3, but in no way limited to those sections if other Metro Codes or regulations are deemed to apply. Any continued application or enforcement of Metro Codes based on County zoning of RRFF-5 or State regulations which are no longer in effect.

6. Please describe how the regulation(s) restricts the use of the property and reduces the property's fair market value. Continued application of the regulation prevents the division and development of the property, including but not limited to approximately 5 to 6 one acre residential home sites.

7. How much has the fair market value of your property been reduced by enactment or enforcement of the regulation(s)? Current approximate value of one acre building sites is \$250,000 per lot. $\$250,000 \times 6 = \$1,500,000$. Subtract current RMV land assessment by the county (\$200,671) = loss in value of \$1,299,329. (See Ex. D - county tax statement) (See Ex. E - Declaration of Harold MacLaughlin)

8. Are you requesting compensation, or removal of the regulation(s), modification of the regulation(s), or a decision not to apply the regulation(s)? (Please note that the County has exclusive authority to choose whether to pay monetary compensation, or remove, modify or not apply the regulation(s) causing a valid claim.) Compensation or, if compensation is not an option, than removal of regulations to allow development pursuant to RA-1 zoning.

9. Are you requesting that a specific use be allowed? Please describe the use. Any and all available uses at time of property acquisition (June 26, 1974), including but not limited to development of 5 to 6 one acre residential building sites, approximately 30,000 to 40,000 sq. ft. in size per county approval dated 4/21/75 when zoning of RA-1 was in effect. (See Ex. E - Declaration and County Development approval dated 4/21/75).

10. The following additional material must be submitted with the application:

a. If the property is owned by a trust (or an LLC, corporation, partnership, etc.) but the claimant is an individual rather than the trust, provide documents sufficient to establish the claimant's relationship to the trust (e.g. trustee, beneficiary) and the date that the relationship originated. This information is also required if the claim relies upon an ownership history that includes previous ownership by a trust. **N/A**

b. An appraisal that meets the requirements of the county's Measure 37 Claims Process Ordinance; or other evidence demonstrating that there has been a reduction in the fair market value of the property (e.g. data on sales of comparable properties in the area or fair market values established by the Department of Assessment and Taxation for comparable properties in the area); **An appraisal to be provided upon request if compensation is an option.**

See Ex. F1- Comparative market analysis, dated 2/3/05, reflecting market values of \$175,000 for 1-acre, vacant lots, septic approved.

See Ex. F2- Comparative market analysis, dated 2/3/05, reflecting a suggested sales price of \$345,000 for a home & almost 6 acres.

See Ex. F3 -Comparative market analysis, dated 2/3/05, reflecting suggested sales price of \$250,000 for a house on a one acre lot.

Also Included (see ex. D, G1 - G2, H & Attachment 1), but in no way waiving the claimed loss in value based upon the current market as stated in number 6, are county tax statements of adjacent

1 acre properties, reflecting a RMV land assessed value of \$92,445 per acre compared to claimants per acre value of \$34,303 (62% loss in value).

Exhibits D, G1 - G2 reflect county tax statements for claimant's property and 2 adjacent 1 acre parcels. Statements reflect comparable inflationary increases in county assessed value for all properties from 2005 to 2000 (See Attachment 1). The differences in property values per acre remain constant from 2000 to 2005, which includes time periods prior to application of Metro regulations and inclusion within the UGB.

c. A title report issued no more than 30 days prior to the submission of the claim that reflects the ownership interest in the property, or other documentation proving ownership of the property; **See Ex. I - Preliminary Title report issued 2/9/05.**

d. Copies of any leases or covenants, conditions and restrictions applicable to the property and any other documents that impose restrictions on the use of the property; **See Ex. I - preliminary title report commitment dated 2/9/05.**

e. List of all compensation claims, or development or permit applications previously filed with any regulatory body relating to the property, and any enforcement actions taken by any governmental body, regarding the use restriction identified in Question 5, above. **Clackamas County claim filed 2/17/05, approved 7/6/05 (See ex. J); State of Oregon claim filed March 18, 2005. Claim denied as the state concluded that no state law was found to prevent or restrict the ability of the claimant to divide the property into smaller parcels.**

TABLE OF COMPARISON PROPERTY VALUES
 Utilizing RMV Land values as assessed by the County Assessor's Office
 Tax Year 2005 - 2000

County Tax Year	Claimant Property per acre value of RMV land only RMV land/ per acre value	RMV land value increase and % increase from previous year as assessed by county	2 - 1 acre lots adjacent to claimant (TL 0301 & 0500) per acre RMV value	RMV land value increase and % increase from previous year as assessed by county	RMV land value differences (as assessed per county tax records) per acre between comparable 1 acre lots and claimants property	Claimants property value as a percent of the comparable 1 acre lots adjacent. (Value of diff / 1 acre value) values rounded up from 61.8 or 61.9
2005	200,671 34,303 p/a	2,975 (9.4%)	92,445 p/a	10,955 (13.4)	58,142	63% less p/a
2004	183,265 31,327 p/a	3132 (11.1)	81,490 p/a	7,533 (10.2)	50,163	62% less p/a
2003	164,939 28,195 p/a	1567 (5.88)	73,957 p/a	4,108 (5.88)	45,762	62% less p/a/
2002	155,775 26,628 p/a	522 (1.99)	69,849 p/a	1,369 (1.99)	43,221	62% less p/a
2001	152,722 26,106 p/a	986 (3.9)	68,480 p/a	2,390 (3.6)	42,374	62% less p/a/
2000	146,950 25,120 p/a	---	66,090 p/a	---	40,970	62% less p/a

Comparison Table - MacLaughlin Metro 37 Claim

ATTACHMENT 1

ATTACHMENT 1

MacLaughlan
14674 SE Sunnyside Rd. #111
Clackamas OR 97015

RESOLUTION NO. 06-3714
Attachment 4: COO Report
Measure 37 Claims Distro List:

Dan Cooper
 Dick Benner
 Dick Bolen
 Lydia Neill

To whom it may concern

We bought this property because
it had been platted with soil test
approved. Before we could finish the
project the laws were changed
from 6 building lots to 1 house
per five acres.

Ed MacLaughlan

RECEIVED

MAR 24 2005

OFFICE OF METRO ATTORNEY

RESOLUTION NO. 06-0714
 OFFICIAL RECORD Attachment # 2000 Report
 OF REAL PROPERTY
 CLACKAMAS COUNTY ASSESSOR

2357A 602

-115
12-67

TWP. S.	RGE.	SEC.	1/4	TAX LOT	TYPE	SPEC	CODE	FORMERLY PART OF T.L. NO.
MAP NUMBER				NUMBER	REAL PROP.	AREA	NUMBER	

ACCOUNT NUMBER

Date of Entry	USED FEET	ACRES
IN INCL. CARS	VOL. / PG.	REMAINING

REHBERG, JOHN H.

to MR. LAWRENCE HAROLD S. REBECCA 6-27-74 74 16683 5.85

Added to MS-Map 1-1-79 2-14-79

3-22-87 87 0594 POSTED

MERGER CLACKAMAS CO. FIRE 54 & HAPPY VALLEY 65
 INTO CLACKAMAS RFPD #71 ORD 2375 1989-90 RFPD

MRS LAWRENCE HAROLD S. REBECCA 3-22-87 95 5062

95 5063 POSTED

95 15064

QUITCLAIM DEED

RESOLUTION NO. 06-3714
Attachment 4: COO Report

KNOW ALL MEN BY THESE PRESENTS, That MARIAN BRIDGES *

hereinafter called grantor,
for the consideration hereinafter stated, does hereby remise, release and quitclaim unto
HAROLD S. MACLAUGHLAN and REBECA MACLAUGHLAN, husband and wife
hereinafter called grantees, and unto grantees' heirs, successors and assigns all of the grantor's right, title and interest
in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any
way appertaining, situated in the County of CLACKAMAS, State of Oregon, described as follows, to-wit:

A tract of land in the Northwest one-quarter of the Northeast one-quarter of
Section 7, T.2S., R.3E., of the W.M., in the County of Clackamas and State of
Oregon, described as follows: Beginning at the Southwest corner of that tract
sold by Contract to Daniel G. Schweitzer, et ux, recorded July 18, 1973, as
Recorder's Fee No. 73-22700, Film Records, which is 557.44 feet West along the
South line of said division from the Southeast corner thereof; thence West
along the South line of said division 341.97 feet; thence North parallel with
the East line of 172nd Avenue, 224.40 feet; thence West parallel with the
South line of said division 403.39 feet to the East line of said road; thence
North along the said road line 249.85 feet to the South line of that tract
conveyed to Henry W. Coe, recorded March 30, 1970 as Recorder's Fee No.
70-5832, Film Records; thence East along the South line of said Coe tract
745.69 feet to the Northwest corner of said Schweitzer tract; thence South
along the West line of said Schweitzer tract 470.38 feet to the point of
beginning. SUBJECT TO 20.00 foot easement along the North line of said tract
as disclosed by said document recorded as Recorder's Fee No. 73-22700, Film
Records.

* SUCCESSOR IN ONE-THIRD INTEREST TO REAL ESTATE CONTRACT BETWEEN JOHN R. REIBERG,
DECEASED, AND HAROLD S. MACLAUGHLAN AND REBECCA MACLAUGHLAN, DATED JUNE 17, 1974.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantees and grantees' heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 113,000.00

However, the actual consideration consists of or includes other property or value given or promised which is
part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

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

In Witness Whereof, the grantor has executed this instrument this 10th day of March, 1995;
if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person
duly authorized thereto by order of its board of directors.

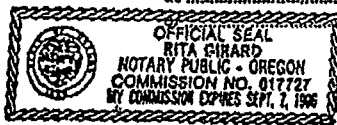
Marian Bridges
MARIAN BRIDGES

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.

STATE OF OREGON, County of Washington, ss.

This instrument was acknowledged before me on 3-10, 1995
by Marian Bridges

This instrument was acknowledged before me on _____, 19____
by _____



Rita Girard
Notary Public for Oregon
My commission expires 9-7-96

Marian Bridges
5275 SW 150th Ct.
Beaverton, OR 97007-2709
Grantor's Name and Address
Harold S. Rebecca MacLaughlan
14820 SE 172nd St.
Clackamas, OR 97215
Grantee's Name and Address
Also receiving given to Harold S. Rebecca MacLaughlan
14820 SE 172nd St.
Clackamas, OR 97215
Date registered 03/16/95 and of jurisdiction in Clackamas County, Oregon
14820 SE 172nd St.
Clackamas, OR 97215

STATE OF OREGON,
County of _____, ss.
I certify that the within instrument
was executed for record on the _____ day

SPACE HERE FOR
RECORDER'S

STATE OF OREGON 95-015062
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 18707 \$25.00
DATE AND TIME: 03/16/95 01:04 PM
JOHN KAUFFMAN, COUNTY CLERK

EXHIBIT B
PAGE 1 OF 1
By _____ TITLE _____
95-015062



RESOLUTION NO. 06-3714
Attachment 4: COO Report

Benj Franklin

FEDERAL SAVINGS AND LOAN ASSOCIATION
PORTLAND, OREGON

FRANKLIN BLDG.
S. W. 5TH AT STARK
PORTLAND, OREGON 97204

June 26, 1974

Harold S. and Rebeca McLaughlan
17716 S. E. Alder Street
Portland, Oregon 97233

Re: Collection Account #802125-1 McLaughlan/Rehberg
Property: 14976 S. E. 172nd. Avenue, Clackamas, Oregon

Dear Mr. and Mrs. MacLaughlan:

The Benj. Franklin has been asked to act as collection agent on your account as listed above.

We are enclosing two copies of the collection agreement:

The green copy is for your records; and
The white copy is to be signed, where indicated with a red mark and returned to us in the stamped envelope provided.

The only charge applicable to you as buyers or leasees is the assignment fee of \$7.50 in the event you sell or assign your interest in this account.

The monthly payment of \$ 132.16 will be due the Benj. Franklin on July 20, 1974.

In the near future you will receive a packet of "Payment Identification Cards" to be used in making your payments. Please read the instructions accompanying the cards so that you will receive the best possible service on your account. Included in this packet will be sufficient envelopes for the remainder of the year.

In December each year you will receive a new supply of "Payment Identification Cards" for the coming year.

In January each year you will receive an annual statement showing a recap of the previous years transactions.

Please refer to your account number when contacting us.

Cordially yours,

[Signature]
(Mrs.) R. Mohr
Contract Collections
Customer Service Department
248-1239

P. S. To Buyers: Enclosed herewith is a monthly payment card for your use in making your July payment, in the event you do not receive your payment cards by the due date.

P. S. To Seller: Enclosed herewith is the pink copy of the collection agreement for your records.



CLACKAMAS COUNTY

Property Account Summary

Account No.: 00614295 Alternate Property Number: 23E07A 00602
 Account Type: Real Property
 TCA: 012-115
 Situs Address: 14820 SE 172ND AVE
 CLACKAMAS OR 97015
 Legal: Section 07 Township 2S Range 3E Quarter A TAX LOT 00602

Parties:

Role	Name & Address
Owner	
Taxpayer	

Property Values:

Value Name	2005	2004	2003
AVR Total	\$239,694	\$232,713	\$225,935
TVR Total	\$239,694	\$232,713	\$225,935
Real Mkt Land	\$200,671	\$183,265	\$164,939
Real Mkt Bldg	\$212,400	\$175,840	\$161,340
Real Mkt Total	\$413,071	\$359,105	\$326,279

Property Characteristics:

Tax Year	Characteristic	Value
2005	Farm or Forest Tax Liability	\$5,018.01
	Neighborhood	11094: Pleasant Valley all other
	Land Class Category	401: Tract land improved
	Building Class Category	14: Single family res, class 4
	Year Built	1985
	Acreage	5.85
	Change property ratio	4XX: 71.60%

Exemptions:

(End of Report)

EXHIBIT D
 PAGE 1 OF 2

Claimant Property



CLACKAMAS COUNTY

Property Account Summary

Account No.: 00614295 Alternate Property Number: 23E07A 00602
Account Type: Real Property
TCA: 012-115
Situs Address: 14820 SE 172ND AVE CLACKAMAS OR 97015
Legal: Section 07 Township 2S Range 3E Quarter A TAX LOT 00602

Parties:

Role Name & Address

Owner

Taxpayer

Property Values:

Table with 4 columns: Value Name, 2002, 2001, 2000. Rows include AVR Total, TVR Total, Real Mkt Land, Real Mkt Bldg, and Real Mkt Total.

Property Characteristics:

Table with 3 columns: Tax Year, Characteristic, Value. Rows list characteristics like Farm or Forest Tax Liability, Neighborhood, Land Class Category, etc.

Exemptions:

(End of Report)

Claimant Property

EXHIBIT D PAGE 2 OF 2

Declaration pursuant to Oregon Civil Rules of Procedure (ORCP) 1E:

DECLARATION

I, HAROLD MACLAUGHLAN, DO HEREBY DECLARE that I own property at 14820 SE 172nd Avenue, Clackamas, Oregon, 97015, identified by Clackamas County Tax Lot # 23E07A 0602. I acquired the property on June 26, 1974 and I have owned it continually since that time. At the time of acquisition, the property was zoned RA-1 by Clackamas County. County zoning changed to RRFF-5, effective December 17, 1979. At the time of acquisition, the property had been approved for the development of building sites approximately 30,000 to 40,000 square feet in size. A copy of the September 7, 1972 letter from Clackamas County with an approval stamp signed and dated April 21, 1975 is attached and incorporated into this declaration by reference.

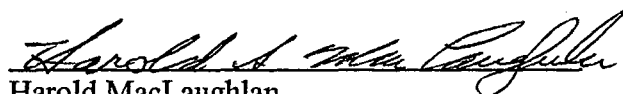
On February 17, 2005, I filed a measure 37 claim with Clackamas County. The County issued a final order approving the claim and removing the property from the zoning ordinances which regulate lots in the RRFF-5 districts July 6, 2005. The property is now subject to the lot size standards of RA-1 zoning districts. On July 19, 2005, I sent Metro a letter, advising of the approval by both the County and the State of Oregon of my measure 37 claim, enclosing a copy of approval from the Clackamas County Board of County Commissioners. The original application and supporting documentation were previously mailed to Metro in Mid March.

Currently, the only regulations in effect which limit my ability to develop my property utilizing the RA-1 regulations are those imposed and enforced by Metro.

I have investigated and I am familiar with the values of comparable properties in this area. Based upon my investigation, research, and familiarity with the values of comparable properties in the area, it is my opinion that one acre building sites have a value of \$250,000 each. For example, I have personal knowledge that two building sites, 10,000 square feet in size on Parkside Drive, Happy Valley area were recently sold for \$193,000 each. Additionally, a ½ acre lot on Sun Shadow in Happy Valley sold for \$235,000. These properties are in the area near my property. It is my opinion that one acre building sites would be sold at a higher value.

Based on values of property within the area and personal knowledge of the prices developers are paying for lots in the area, I believe the fair market value of my property to currently be approximately \$1,250,000 based on 5 lots at \$250,000 each.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.


Harold MacLaughlan

Date 12 of July 2006

MacLaughlan Metro M37 Claim

EXHIBIT

PAGE

E
1 OF 34

file 12
RESOLUTION NO. 06-3714
Attachment 4 COO Report 45-73

COUNTY OF CLACKAMAS

PLANNING DEPARTMENT

Fred Stefani, Commissioner
Thomas D. Telford, Commissioner
Robert Schumacher, Commissioner

James E. Hall, Planning Director
940 Warner-Milae Road
Oregon City, Oregon 97045

Phone 655-3311
Ext. 205



Revised unit B
for water
tubles

September 7, 1972

Subsurface & Soils

Approved Denied

By J.C. Marshall

Date 4-21-75

Mr. John H. Rehberg
14976 S. E. 172nd
Clackamas, Oregon 97015

Dear Mr. Rehberg:

I have completed the soil investigation of a portion of Tax Lot 600, Section 7A, T2S, R3E as you requested.

Map unit B is a deep, well drained soil of moderate permeability (1-2 inches/hour). The apparent engineer class of unit A is silt loam ML, A4 over silty clay loam ML-CL, A6 that occurs at depths of forty-eight (48) to fifty (50) inches. The winter water table in unit B is generally deeper than forty-eight (48) inches. This soil does not have a strongly developed brittle pan. The minimum lot size for houses requiring subsurface disposal of sewage is 30,000 square feet in unit B. There is sufficient area in unit B for three (3) 30,000 square foot house locations.

1 Acre

Map unit A is a somewhat poorly drained brittle pan soil of slow permeability below thirty (30) to thirty-seven (37) inches (less than 0.6 inches/hour). The minimum lot size in unit A is 40,000 square feet. The apparent engineer class is silt loam ML, A4 over silty clay loam ML-CL, A6 over a silty clay loam to silty clay brittle pan ML-CL, A6. The winter water table in unit A ranges between thirty-one (31) and thirty-seven (37) inches. All subsurface walls deeper than twenty-four (24) inches will require extensive drainage protection on the upslope side as ground water will move into deeper excavation on the brittle pan surface.

24" max depth w/ protection for GWT

1140
The subsurface sewage disposal leach field in units A and B will require a minimum of 1140 feet of line per bedroom. In unit B the maximum depth of the trenches will be thirty-six (36) inches. The fall of the lines will not exceed four (4) inches per 100 feet. In map unit A the depth of the trenches will not exceed twenty-four (24)

Mr. John H. Rehberg
September 7, 1972
Page -2-

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Soil Investigation Request

inches. All houses should be located on the lots so that a gravity flow system can be established between the septic tank and leach field without exceeding the prescribed trench depth.

If you have any questions concerning this matter, please contact me at this office.

Application No. _____

Date: _____

Sincerely, _____

JAMES E. HALL
Planning Director

WILLIAM H. DOAK
Soil Scientist

Name: _____

Address: _____

Legal Desc: _____

WHD:1s

cc: Subdivision Department
Health Department
Tax Assessor
Building Department

Loading: _____
(Name - Fee Rec.)

Building Permit: _____

Fees: _____

SECTION NO. 06-371
Exhibit 4: COO Report

Comparative Market Analysis

RESOLUTION NO. 06-3714
Attachment 4: COO Report

for

MacLaughlan

SUBJECT PROPERTY

1 acre lots on 172nd Ave
Clackamas Or

◆ Level one acre lots

Suggested Price: \$175,000

Prepared By:

Wendy Burns
Burns & Olson Realtors Inc.

2/3/2005

This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained.

*Sales price for Vacant 1 acre
lot - Septic approved - City*

Comparables to Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Vacant Land Lot 1100	LND	ACT	\$150,000
----------------------	-----	-----	-----------

No Photo Available

ML#: 4064607
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97080
T/Guide: 629B5
Tax Id #: R340339

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 298.99

Directions: S. ON WALTERS RD. FROM POWELL. FOLLOW TO SW BLAINE. PARK & WALK.
Remarks: BEAUTIFUL PRIVATE SETTING ATOP GRESHAM BUTTE. WILL REQUIRE SEPTIC. ELECTRICITY AVAILABLE AND WATER, BUT LINES WILL HAVE TO BE BROUGHT TO PROPERTY. CHECK WITH CITY OF GRESHAM FOR SPECIFICS.

16th CT	LND	ACT	\$249,900
---------	-----	-----	-----------



ML#: 4075268
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97080
T/Guide: 629C4
Tax Id #: Not Found

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 0

Directions: REGNER TO ELLIOT, LEFT ON 15TH. RIGHT ON 16TH CT. TO END OF CUL-DE-SAC
Remarks: ONCE IN A LIFE TIME MT. HOOD & CITY LIGHTS VIEW LOT. PRESTIGIOUS "DAWN CREST ESTATES" NEIGHBORHOOD. 4 BLOCKS FROM THE SPRING WATER TRAIL, NEW SPORTS PARK UNDER CONST. & PERSIMMONS GOLF NEAR-BY. NO HOME OWNERS FEES. READY TO BUILD YOUR DREAMS ON. 1031 EXCHANGE

W. K. Anderson RD	LND	PEN	\$169,950
-------------------	-----	-----	-----------



ML#: 4068812
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97030
T/Guide: 629H3
Tax Id #: R341566

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 131.82

Directions: TROUTDALE RD (282ND), EAST ON WK ANDERSON RD, 2ND PROP ON RIGHT.
Remarks: 1.98 ACRES. BEAVER CREEK FLOWS THROUGH. NO CC&R'S. OK FOR ANIMALS. OK FOR MANU. HOME. CLOSE IN GRESHAM, POWELL VALLEY GRADE, SAND FILTER (BECAUSE OF CREEK) APPROVED. TALL CEDARS, LOTS OF ALDER TREES 200' ROAD FRONTAGE & NEAR UG BOUNDARY. BROKER OWNED.

Regner RD	LND	PEN	\$200,000
-----------	-----	-----	-----------

No Photo Available

ML#: 4066615
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97080
T/Guide: 629B6
Tax Id #: R340924

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 5700

Directions: REGNER/GABBERT RD., GRESHAM
Remarks: DEVELOPMENT PROPERTY. POSSIBLE 8-9 LOTS WITH CITY CONSTRAINTS.

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Powell valley rd LND PEN \$200,000

No Photo Available

ML#: 4052846
 MLS Area: 144
 County: Multnomah
 Neighborhood:
 Zip Code: 97080
 T/Guide: 629J6
 Tax Id #: R240399

Bedrooms:
 Bathrooms: RESOLUTION NO. 06-3714
 Sub-Type: Attachment 4: COO Report
 Style: RESID
 Year Built:
 Total SF:
 Tax per Year: 1533

Directions: ORIENT DR TO DODGE PARK TO SHORT-LEFT ON SHORT-LEFT ON POWELL VALLEY
 Remarks: 1 ACRE LOT NEXT TO 29138 SE POWELL VALLEY RD (NOTE: THE PROSPECTIVE PURCHASER OF 29138 SE POWELL VALLEY RD HAS FIRST OPTION TO PURCHASE THIS 1 ACRE LOT). FLAT LOT, EXCELLENT AREA. LOT TO CLOSE WITH 29138 SE POWELL VALLEY RD

9670 SE 257th DR LND PEN \$179,000



ML#: 4059915
 MLS Area: 145
 County: Clackamas
 Neighborhood:
 Zip Code: 97080
 T/Guide: 659E3
 Tax Id #: 01381267

Bedrooms:
 Bathrooms:
 Sub-Type: RESID
 Style:
 Year Built:
 Total SF:
 Tax per Year: 602

Directions: 242ND TO SUNSHINE VALLEY RD, N ON 257TH FOLLOW SIGNS
 Remarks: PRICE REDUCED! BEAUTIFUL VIEW PROPERTY OVERLOOKING SUNSHINE VALLEY. SECLUDED AREA OF UPSCALE HOMES ON PRIVATE ROAD. MANY LARGE TREES!

Hwy 212 1000Ft Off HWY LND PEN \$189,500



ML#: 4059864
 MLS Area: 145
 County: Clackamas
 Neighborhood:
 Zip Code: 97009
 T/Guide: 659A7
 Tax Id #: Not Found

Bedrooms:
 Bathrooms:
 Sub-Type: RESID
 Style:
 Year Built:
 Total SF:
 Tax per Year: 480

Directions: DAMASCUS, EAST 1/4 MILE ON 212, SIGNS ON RIGHT, FOLLOW ARROWS
 Remarks: PRIVATE APPROVED BLDG SITE WITH PASTORIAL VALLEY VIEW. CURRENTLY THE ONLY SMALL ACREAGE APPROVED BLDG SITE IN THE AREA. SELLER TO INSTALL LINES FOR UTILITIES. UTILITY HOOKUPS AND SEPTIC INSTALL RESPONSIBILITY OF PURCHASER. BROKER OWNED. DRIVE ALL THE WAY TO THE BUILDING SITE AT THE TOP.

Barlow CT LND PEN \$297,500



ML#: 4013071
 MLS Area: 145
 County: Clackamas
 Neighborhood:
 Zip Code: 97015
 T/Guide: 659A7
 Tax Id #: Not Found

Bedrooms:
 Bathrooms:
 Sub-Type: RESID
 Style:
 Year Built:
 Total SF:
 Tax per Year: 950

Directions: ROYER ROAD TO BARLOW CT
 Remarks: 4.73 ACRES IN UGB...BUILDABLE.. NOT DIVIDABLE...BEAUTIFUL AREA...

© Copyright 2005 FMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED. SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO. SCHOOL AVAILABILITY SUBJECT TO CHANGE.

9388 SE Kingswood Way LND SLD \$125,000

No Photo Available

ML#: 3078313
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97080
T/Guide: 659D2
Tax Id #: 01587287

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 2.26

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Directions: 242 TO BORGES RD. WEST TO KINGSWOOD WAY 2ND DRIVE ON RIGHT
Remarks: GOLFERS DREAM, BUILDING SITE WITH GREAT VIEWS AND SOUTHERN EXPOSURE LOCATED FIVE MIN. TO PERSIMMON GOLF COURSE.

crecent LND SLD \$145,000

No Photo Available

ML#: 3043466
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 690F1
Tax Id #: 00652877

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 587.41

Directions: ORIENT TO CRESCENT
Remarks: WONDERFUL PROPERTY, STANDARD SEPTIC APPROVAL, RECENTLY SURVEYED, GREAT LOCATION TO BUILD A DREAM HOME OR PLACE A MANUFACTURED HOME.

34935 SE CRESCENT RD LND SLD \$150,000



ML#: 4033782
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 690F1
Tax Id #: 00652706

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 1146.35

Directions: HWY 26, ORIENT DRIVE
Remarks: 3 ACRE PARCEL OFF HWY 26. WELL, SEPTIC, AND ELECTRICITY AVAILABLE. LARGE HOME HAS NO VALUE (TEAR DOWN). RUNNING CREEL BORDERS PROPERTY.

ARROW CREEK LN LND SLD \$220,000



ML#: 3041647
MLS Area: 144
County: Multnomah
Neighborhood:
Zip Code: 97080
T/Guide: 629G4
Tax Id #: R109109

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 1941

Directions: POWELL VALLEY RD, N ON ARROW CREEK LANE...A STUNNING NEIGHBORHOOD!
Remarks: GORGEOUS NEIGHBORHOOD OF HIGH END CUSTOM HOMES ON LONG CULDESACI BACKS TO APPROX 50 ACRES OF PROTECTED GREENWAY W/TRAILS & GREAT VIEWS! GATED ENTRY, TENNIS COURT & ADDITIONAL GREENWAY ACROSS THE STREET.

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED. SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO. SCHOOL AVAILABILITY SUBJECT TO CHANGE.

172nd

LND

SLD

\$110,000

No Photo Available

ML#: 308415
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659F4
Tax Id #: R13E31C00100

Bedrooms:
Bathrooms: RESOLUTION NO. 06-3714
Attachment 4: COO Report
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 1256

Directions: FOSTER TO SE 172 SOUTH OR SUUNYSIDE TO 172 NORTH, AT CO
Remarks: LEVEL LOT ON GOLF COURSE. LOTS OF TREES AND YEAR AROUND CREEK AT PROPERTY LINE.
BUILD YOUR DREAM HOME HERE. CLOSE TO EVERYTHING AND YET STILL IN THE COUNTRY.

24040 SE Eagle Creek RD

LND

SLD

\$115,000



ML#: 4036782
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97022
T/Guide: 720A3
Tax Id #: 00683816

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 1334.13

Directions: HWY 224 TO HWY 211/EAGLE CREEK/SANDY EXIT, R ON EAGLE CREEK
Remarks: NICE PEICE OF LEVEL LAND W/ 2 RANCH STYLE HOUSES CONNECTED BY ENCLOSED WALK
WAY(OCCUPIED). HOUSES ARE MAJOR FIXERS OF LITTLE VALUE. 2ND HOUSE CAN'T BE USED
AS A RENTAL, CURRENTLY USED AS A CARETAKERS QUARTERS ON A HARDSHIP BASIS.

27120 SE Hwy212 east of

LND

SLD

\$159,000



ML#: 4044484
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659G5
Tax Id #: 00599668

Bedrooms:
Bathrooms:
Sub-Type: RESID
Style:
Year Built:
Total SF:
Tax per Year: 318.01

Directions: JUST WEST AND DUE EAST OF BORING, TO 27120 SE HWY 212
Remarks: WONDERFUL 4.22 ACRE PARCEL WITH UNOBSTRUCTED VIEW OF MT. HOOD. MOSTLY LEVEL
AND SLOPED. HAS AN OLD ORCHARD. WATER, GAS, AND ELECTRIC TO SITE. DO NOT CALL
LISTING AGENT DIRECT IF YOU ARE WORKING WITH ANOTHER AGENT, PLEASE.

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Summary of Comparables

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Active

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	1 ACRE LOTS ON 172ND AVE		145	1.0	\$175,000
4064607	0	RESID	Vacant Land Lot 1100	Gresham	144	3.35	\$150,000
4075268	8	RESID	16th CT	Gresham	144	1.1	\$249,900

Pending

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	1 ACRE LOTS ON 172ND AVE		145	1.0	\$175,000
4068812	6	RESID	W. K. Anderson RD	Gresham	144	1.98	\$169,950
4066615	0	RESID	Regner RD	Gresham	144	2.93	\$200,000
4052846	0	RESID	Powell Valley Rd	Gresham	144	1	\$200,000
4059915	4	RESID	9670 SE 257th DR	Gresham	145	4.54	\$179,000
4059864	1	RESID	Hwy 212 1000ft Off HWY	Damascus	145	1.8	\$189,500
4013071	2	RESID	Barlow CT	Damascus	145	4.73	\$297,500

Sold

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	1 ACRE LOTS ON 172ND AVE		145	1.0	\$175,000
3078313	0	RESID	9388 SE kingswood WAY	Gresham	144	2.01	\$125,000
3043466		RESID	crescent	Boring	144	2.84	\$145,000
4033782	6	RESID	34935 SE CRESCENT RD	Boring	144	3	\$150,000
3041647	8	RESID	ARROW CREEK LN	Gresham	144	1.24	\$220,000
308415	0	RESID	172nd	Happy Valley	145	1.14	\$110,000
4036782	3	RESID	24040 SE Eagle Creek RD	Eagle Creek	145	1.25	\$115,000
4044484	1	RESID	27120 SE Hwy212 east of	Boring	145	4.22	\$159,000

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

F1
6 OF 7

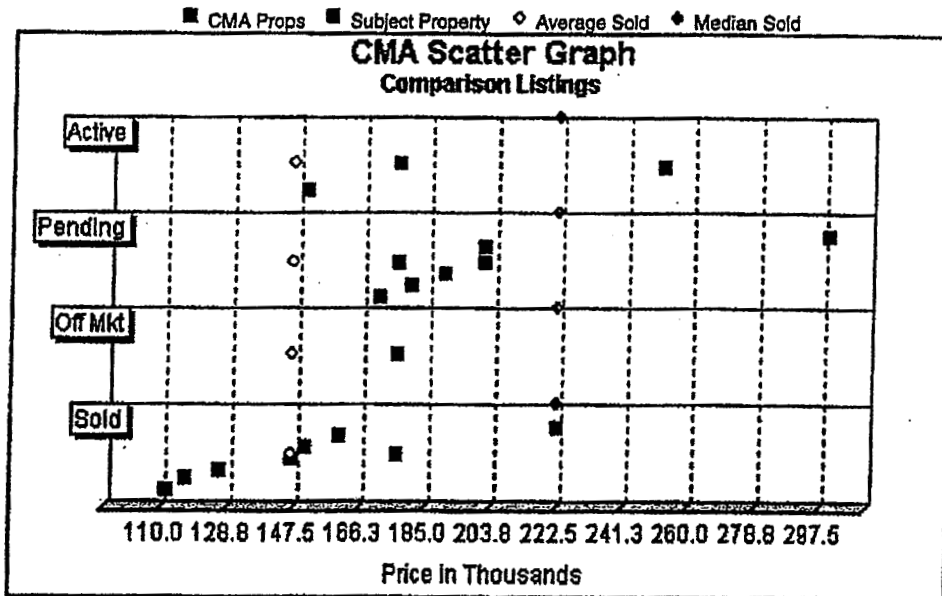
Pricing Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Status	#	Average	Minimum	Maximum	Avg Sqft	Avg \$/Sqft
Active	2	\$199,950	\$150,000	\$249,900	0	\$0
Pending	6	\$205,992	\$169,950	\$297,500	0	\$0
Sold	7	\$146,286	\$110,000	\$220,000	0	\$0
Total Listings	15	Sold Properties closed averaging 94.44% of their Final List Price. This reflects a 5.56% difference between Sale Price and List Price.				

	Amount	\$/Sqft
Average Sales Price	\$146,286	\$0
Min. List Price	\$125,000	\$0
Max. List Price	\$239,900	\$0
Suggested List Price	\$175,000	\$

How the Suggested Price Looks In the Market



© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Comparative Market Analysis

RESOLUTION NO. 06-3714
Attachment 4: COO Report

for

Harold MacLaughlan

SUBJECT PROPERTY

14820 Se 172nd ave
Clackamas, Or 97015

3 Bedrooms ♦ 2 Bathrooms

Almost 6 level acres

Suggested Price: \$345,000

Prepared By:

Wendy Burns
Burns & Olson Realtors Inc.

2/3/2005

This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained.

*Suggested Sales Price for home &
acreage of almost 6 acres.*

Comparables to Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

8707 SE 347th **RES** **SLD** **\$302,000**



ML#: 4034545 Bedrooms: 4
MLS Area: 144 Bathrooms: 2
County: Clackamas Sub-Type: RESID
Neighborhood: Boring, Damacus, to San Style: DAYRNCH
Zip Code: 97009 Year Built: 1971
T/Guide: 660E1 Total SF: 2960
Tax Id #: 00150749,00150767,01597 Tax per Year: 2784

Directions: E. HWY. 26 - N. ON BLUFF RD. TO S.E 347TH (8 MI). HOUSE ON LEFT SIDE.
Remarks: GREAT HORSE PROPERTY, W/ BARN & LG. SHOP, EXCELLENT LOCATION. WINTER CREEK, MT HOOD VIEW. HOUSE HAS 2 SEPARATE LIVING QTRS.. LOTS OF SPACE. FABULOUS POTENTIAL.

36078 SE LUSTED RD **RES** **SLD** **\$315,000**



ML#: 4015818 Bedrooms: 3
MLS Area: 144 Bathrooms: 2.1
County: Multnomah Sub-Type: RESID
Neighborhood: Style: 2STORY
Zip Code: 97009 Year Built: 2000
T/Guide: 630G7 Total SF: 1935
Tax Id #: R240226 Tax per Year: 2077

Directions: LUSTED RD EAST OF BARLOW HIGH
Remarks: INCREDIBLE 2 STORY ON 5AC. OPEN FLOOR PLAN, SPACIOUS LR W/FRPL, KITCHEN HAS EATBAR, CHERRYWOOD CABINETS, PANTRY & HARDWOODS. WOODWRAPPED WINDOWS, BULLNOSE CORNERS, DET. SHOP W/CONCRETE FLOOR & ELEC. PATIO, BBQ PIT, GARDEN SHED & PLENTY OF PARKING. GREAT AREA & EXCELL SCHOOLS!

18823 SE Tickle Creek CT **RES** **SLD** **\$335,000**



ML#: 3066938 Bedrooms: 3
MLS Area: 144 Bathrooms: 1
County: Clackamas Sub-Type: RESID
Neighborhood: Style: RANCH
Zip Code: 97009 Year Built: 1971
T/Guide: 690B4 Total SF: 1346
Tax Id #: 00673872,00673836 Tax per Year: 2280.44

Directions: EAST ON HWY 26; RT ON KELSO; LT ON TICKLE CREEK; RT ON TICKLE CREEK CT;
Remarks: QUIET COUNTRY LIVING W/PEACEFUL VIEW! 3 BEDROOM RANCH HOME ON 7.44 ACRES! EVERYTHING READY FOR YOU TO SET UP YOUR OWN NURSERY: 30X48' SHOP, 2-STORY POTTING BARN, 2 GREEN HOUSES, 1 DOUBLE HOOP GREEN HOUSE 96X84'. POWER/WATER/PHONE TO MOST OUTBUILDINGS. NOT A DRIVE-BY! MUST SEE!

12072 SE Revenue RD **RES** **SLD** **\$367,000**



ML#: 4041826 Bedrooms: 3
MLS Area: 144 Bathrooms: 3
County: Clackamas Sub-Type: RESID
Neighborhood: Style: FARMHSE
Zip Code: 97009 Year Built: 1981
T/Guide: 660C4 Total SF: 2816
Tax Id #: 00158171 Tax per Year: 1735

Directions: HWY 26 BORING EXIT E ON COMPTON N ON ORIENT E ON REVENUE - 10 MIN TO GR
Remarks: YOU WON'T WANT TO LEAVE WHEN YOU REACH THIS DESTINATION. PEACEFUL SETTING WITH CREEK, 2 PONDS(KOI) AND A MULTITUDE OF WILDLIFE. PASTURE AND WETLANDS, 4 CAR SHOP WITH 2 BONUS ROOMS FOR STORAGE AND ANIMALS. WELL MAINTAINED AND UPDATED HOME WITH "BRUCE" HARDWOODS & 10 MINS TO SANDY RIVER

15199 SE ANDERSON RD

RES

SLD

\$349,000



ML#: 4006238
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97015
T/Guide: 658J7
Tax Id #: 00616676

Bedrooms: 5
Bathrooms: 2
Sub-Type: RESID
Style: DAYRNCH
Year Built: 1966
Total SF: 2532
Tax per Year: 3005.38

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Directions: HWY 212, SOUTH ON ANDERSON TO PROPERTY.

Remarks: GREAT PROPERTY IN THE COUNTRY, YET ONLY BLOCKS FROM DOWNTOWN DAMASCUS. HOME IS ON A 1 ACRE LEVEL PARCEL WITH A REAR 4 ACRE WOODED PARCEL INCLUDED IN THE SALE. COULD MAKE A GREAT HORSE PROPERTY! THIS HOME WAS BUILT TO LAST WITH VERY HIGH-QUALITY CONSTRUCTION. WIRED FOR GENERATOR.

27110 SE HOLST RD

RES

SLD

\$395,000

No Photo
Available

ML#: 5000011
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 689G3
Tax Id #: 00625229

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: RANCH
Year Built: 1978
Total SF: 1889
Tax per Year: 2958.18

Directions: 224 TO AMISIGGER TO JUDD TO HOLST

Remarks: 2 TAX LOTS W/APPROX. 40X60 SPRING-FED POND, VIEWABLE FROM EXTENSIVE OUTDOOR DECKING, W/ HOT-TUB. ONE-LEVEL, WELL-MAINTAINED HOME ON OVER 5 ACRES. FENCED AND CROSS-FENCED FOR HORSES W/NEWER 30X35 BARN W/POWER & WATER FOR \$435,000. PRICED TO SALE. A/C & SPRINKLER SYSTEM

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Summary of Comparables

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Sold

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	RESID	14820 SE 172ND AVE		145	3	2	1370	\$345,000
4034545	5 RESID	8707 SE 347th	Boring	144	4	2	2960	\$302,000
4015818	6 RESID	36078 SE LUSTED RD	Boring	144	3	2.1	1935	\$315,000
3066938	8 RESID	18823 SE Tickle Creek CT	Boring	144	3	1	1346	\$335,000
4041826	8 RESID	12072 SE Revenue RD	Boring	144	3	3	2816	\$367,000
4006238	8 RESID	15199 SE ANDERSON RD	Clackamas	145	5	2	2532	\$349,000
5000011	0 RESID	27110 SE HOLST RD	Boring	145	3	2	1889	\$395,000

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

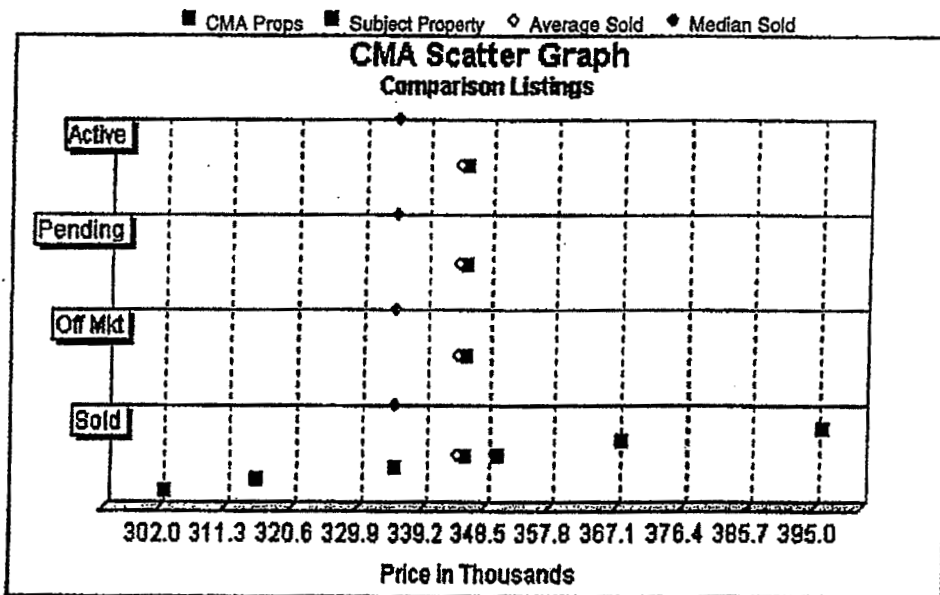
Pricing Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Status	#	Average	Minimum	Maximum	Avg Sqft	Avg \$/Sqft
Sold	6	\$343,833	\$302,000	\$395,000	2246	\$153
Total Listings	6	Sold Properties closed averaging 96.96% of their Final List Price. This reflects a 3.04% difference between Sale Price and List Price.				

	Amount	\$/Sqft
Average Sales Price	\$343,833	\$153
Min. List Price	\$300,000	\$101
Max. List Price	\$435,000	\$230
Suggested List Price	\$345,000	\$252

How the Suggested Price Looks in the Market



© Copyright 2005 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

F3
5 OF 5

Comparative Market Analysis

RESOLUTION NO. 06-3714
Attachment 4: COO Report

for

Harold MacLauglan

SUBJECT PROPERTY

14820 Se 172nd ave
Clackamas, Or 97015

3 Bedrooms ♦ 2 Bathrooms

♦ One Acre lot

Suggested Price: \$250,000

Prepared By:

Wendy Burns
Burns & Olson Realtors Inc.

2/3/2005

This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained.

Suggested sales price for house
and one acre lot package.

Comparables to Your Home

RESOLUTION NO. 06-3714
Attachment 4: COO Report

28810 SE Church RD	RES	PEN	\$214,900
---------------------------	------------	------------	------------------



ML#: 4069040
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659H6
Tax Id #: 00649864
Bedrooms: 3
Bathrooms: 1
Sub-Type: RESID
Style: RANCH
Year Built: 1959
Total SF: 1510
Tax per Year: 1603.22

Directions: BORING, SOUTH ON RICHIE (RIGHT GOING EASTBOUND) LEFT TURN ON CHURCH RD
Remarks: OPPORTUNITY TO OWN A BEAUTIFUL ACREAGE IN UPSCALE AREA OF BORING. ALMOST 60,000 SQ FT LOT SURROUNDED BY TALL SHADY TREES AND PASTURES. NICELY LANDSCAPED ONE LEVEL RANCH WITH FIREPLACE AND HUGE FAMILY ROOM. BIG RED BARN, COULD BE A GREAT SHOP WITH ARTIST LOFT ABOVE.

15160 SE ORIENT DR	RES	PEN	\$289,000
---------------------------	------------	------------	------------------



ML#: 4078723
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 660F7
Tax Id #: 00653670
Bedrooms: 2
Bathrooms: 2
Sub-Type: RESID
Style: COTTAGE
Year Built: 1966
Total SF: 1201
Tax per Year: 1758.35

Directions: ORIENT DRIVE, EAST OF KELSO ROAD
Remarks: HORSE HEAVEN! 2.4 FENCED ACRES W/3 STALL BARN AND BIG STORAGE ROOM + 30X48X14 WEB STEEL SHOP W/LOFT. HOME FEATURES NEW CARPET, KITCHEN & BATH FLOORING, HUGE VAULTED MASTER, W/BATH, HRDWOODS IN DINING + WOODSTOVE IN LIVING. HOT TUB & APPLIANCES INCLUDED.

14820 SE NORTH CT	RES	PEN	\$264,900
--------------------------	------------	------------	------------------



ML#: 5002808
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97015
T/Guide: 658H7
Tax Id #: 00616881
Bedrooms: 4
Bathrooms: 3
Sub-Type: RESID
Style: RANCH
Year Built: 1942
Total SF: 2200
Tax per Year: 1759.24

Directions: WEST OF DAMASCUS ON 212, N ON NORTH CT.
Remarks: MOTIVATED SELLER. LIGHT FIXER W/TONS OF POSSIBILITIES. THIS 2200SF, 4BR/3BA RANCH HAS BIG WINDOWS THROUGHOUT FOR ENJOYING THE FRUIT ORCHARDS, GARDENS AND MORE ON THE 1AC LOT. TAKE IN THE VIEW OF MT. HOOD IN THIS PRIVATE, WOODED, PARK-LIKE SETTING. THIS ONE WON'T LAST.

28775 SE Andy ST	RES	SLD	\$215,000
-------------------------	------------	------------	------------------



ML#: 4027632
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659H4
Tax Id #: 00155744
Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: 2STORY
Year Built: 1978
Total SF: 1700
Tax per Year: 1794.83

Directions: HWY 212 TO 282ND; N TO ANDY; EAST TO PROPERTY
Remarks: NICELY, LANDSCAPED SETTING ON AN ACRE. SPACE, BUT CLOSE TO TOWN, QUIET ROAD ABLE TO LISTEN TO THE BIRDS. NICE NEIGHBORHOOD. FENCED AREA FOR A DOG, WITH AN ENTRANCE TO THE GARAGE. DOG WILL BE IN GARAGE.



ML#: 3026134
MLS Area: 144
County: Multnomah
Neighborhood: ORIENT
Zip Code: 97009
T/Guide: 629G7
Tax Id #: R342212

Bedrooms: 3
Bathrooms: RESOLUTION NO. 06-3714
Sub-Type: Attachment 4: COO Report
Style: RESID RANCH
Year Built: 1964
Total SF: 1375
Tax per Year: 2041

Directions:HWY 26 TO ORIENT DR. SO ON 282ND, L. ON STONE RD.

Remarks: LOVELY COUNTRY SETTING W/ CREEK MINUTES FROM PORTLAND. 1 LEVEL, 2 ACRES, CUSTOM KITCHEN, 32'X14' LR. CHARMING VERMONT CAST. W/STOVE IN BRICK ALCOVE. KOHLER JACUZZI. 55'PATIO. LARGE GARAGE. GREAT SCHOOLS. MUST SEE!

19531 SE Tickle Creek RD

RES

SLD

\$228,000



ML#: 3072602
MLS Area: 144
County: Clackamas
Neighborhood: WILLIAMS
Zip Code: 97009
T/Guide: 690B3
Tax Id #: 00674764

Bedrooms: 4
Bathrooms: 2.1
Sub-Type: RESID
Style: RANCH
Year Built: 1974
Total SF: 1696
Tax per Year: 1548.1

Directions:S. SANDY ON HWY 211 - WEST ON TICKLE CREEK FOR .7 MILE.

Remarks: FLAT USABLE ACRE-FENCED + CROSS FENCED-CLOSE TO SANDY & GRESHAM. MASTER OPENS TO BACKYARD. ADDITIONAL BEDROOMS PLUS OFFICE OFFER A LOT OF SPACE AND POSSIBILITITES. SEVERAL LARGE TREES. PRIVATE. GOOD FOR ANIMALS AND GARDENS.

34144 SE Jarl RD

RES

SLD

\$243,000

No Photo Available

ML#: 4006842
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 690E1
Tax Id #: 01599782

Bedrooms: 1
Bathrooms: 2
Sub-Type: RESID
Style: OTHER
Year Built: 1995
Total SF: 1456
Tax per Year: 1939.35

Directions:HWY 26 / JARL

Remarks: ONE OF A KIND! CLOSE IN 1.46 AC 1,456 SQ FT OF CHARM. MUST SEE! VAULTED ROOMS AND MANY WINDOWS FOR VIEWING COUNTRYSIDE. GARDEN AREA AND ROOM FOR RV, BOAT ETC. ENJOY 24X36 FT SHOP WITH CEMENT FLOOR. WOOD SHED AND GARDEN SHED INCLUDED.

13425 SE 222nd

RES

SLD

\$255,900

No Photo Available

ML#: 4049204
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 659B5
Tax Id #: 00605955

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: SPLIT
Year Built: 1979
Total SF: 1912
Tax per Year: 2430.36

Directions:HOFFMESTER & 222ND

Remarks:

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

F3

10002 SE ORIENT DR

RES

SLD

\$260,567



ML#: 4065908
MLS Area: 144
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 660B3
Tax Id #: 00156431

Bedrooms: 3
Bathrooms: RESOLUTION NO. 06-3714
 Attachment 4: COO Report
Sub-Type: RESID
Style: RANCH
Year Built: 1954
Total SF: 1550
Tax per Year: 1523

Directions: HWY 26 TO HALEY RD GO EAST TO ORIENT DR THEN SOUTH TO PROPERTY
Remarks: FRESH PAINT INSIDE & OUT. NEW CARPET & VINYL & PERGO FLOORING & CABINETS. 48X50 STEEL SHOP W/26X13 PAINT BOOTH, CONCRETE FLOOR, 220V & WATER. DENCOULD BE 4TH BED. GREAT LOCATION & YARD 100% USEABLE. SEVERAL FRUIT TREES.

14303 SE 312 AVE

RES

SLD

\$295,000



ML#: 4050714
MLS Area: 144
County: Clackamas
Neighborhood: Barbara Ann
Zip Code: 97009
T/Guide: 660B7
Tax Id #: 00647900

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: RANCH
Year Built: 1969
Total SF: 1660
Tax per Year: 2099

Directions: 26 TO KELSO RD R L R ONTO 312 APPROXIMATELY 1 MILE
Remarks: STRESS FREE ZONE! BEAUTIFUL 1.64 ACRE PARCEL, FLAT, WITH LOTS OF GARDEN SPACE, FRUIT TREES, FENCED, 43 X 25 SHOP/BARN, 3 BR 2 BA, 1660 SFT, 25 YEAR ROOF, NEWER SEPTIC, ELECTRONIC AIR CLEANER, HIGH EFFICIENCY HYDROHEAT SYSTEM, 50 GAL WH, QUIET COUNTRY ROAD, MANY UPDATES!

21122 SE Hwy 212 1000 ft off HWY

RES

SLD

\$217,500



ML#: 4014350
MLS Area: 145
County: Clackamas
Neighborhood: Damascus
Zip Code: 97009
T/Guide: 659A7
Tax Id #: Not Found

Bedrooms: 3
Bathrooms: 2
Sub-Type: RESID
Style: SPLIT
Year Built: 1976
Total SF: 1920
Tax per Year: 1950

Directions: 1/4 MILE EAST OF DAMASCUS CENTER, SOUTH DOWN LANE, TURN WEST TO HOME.
Remarks: LIKE WALKING INTO A NEW HOME. COMPLETELY REDONE. SITS ON OVER AN ACRE WITH TREES. GREAT VIEW OF THE VALLEY THROUGH LARGE NEW PICTURE WINDOWS. NEW APPLIANCES, JACUZZIE AND SEP SHOWER IN MASTER, LOTS OF TILE WORK. BROKER OWNED.

18545 SE Sunnyside RD

RES

SLD

\$227,000



ML#: 4019976
MLS Area: 145
County: Clackamas
Neighborhood:
Zip Code: 97009
T/Guide: 658G6
Tax Id #: 00609372

Bedrooms: 3
Bathrooms: 1
Sub-Type: RESID
Style: RANCH
Year Built: 1945
Total SF: 1147
Tax per Year: 1554.46

Directions: HWY 212 TO SUNNYSIDE RD WEST
Remarks: CLOSE IN 1.76 ACRES, FULLY-FENCED PASTURE WITH BARN AND CARPORT WITH ELECTRICITY. FULLY LANDSCAPED WITH FRUIT TREES, YEAR ROUND SPRING THAT FLOWS INTO THREE TERRACED PONDS WITH BRIDGE OVER TROUT POND. THE 3 BEDROOM, 1 BATH HOME FEATURES A NEW GAS FURNACE, HARDWOOD FLOORS, AND DOG RUN.

© Copyright 2005 RMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

F3

21600 SE Edward Dr RES SLD \$235,500



ML#: 4004594
 MLS Area: 145
 County: Clackamas
 Neighborhood: Damascus
 Zip Code: 97015
 T/Guide: 659D7
 Tax Id #: 00620607

Bedrooms: 4
 Bathrooms: 2
 Sub-Type: RESID
 Style: TRI
 Year Built: 1972
 Total SF: 1800
 Tax per Year: 2266

RESOLUTION NO. 06-3714
 Attachment 4: COO Report

Directions: E-HWY 212, R-ROYER RD, L-EDWARD DR **1 YR HM WARRANTY**
 Remarks: DESIRABLE DAMASCUS TRI-LEVEL GREAT STREET & DEMANDED SCHOOLS! 4 BD, 2.5 BA LOWER LEVEL REMODEL JUST COMPLETED. NEWER ROOF, HEAT PUMP, WTR HTR. ROOM FOR ANIMALS & SHOP! LOTS BERRIES, GRAPES, FRUIT TREE'S ON OVER 1 ACRE!

21160 SE Foster Rd RES SLD \$246,000



ML#: 4046653
 MLS Area: 145
 County: Clackamas
 Neighborhood: Damascus
 Zip Code: 97009
 T/Guide: 658H5
 Tax Id #: 00609979

Bedrooms: 4
 Bathrooms: 2.1
 Sub-Type: RESID
 Style: SPLIT
 Year Built: 1968
 Total SF: 1850
 Tax per Year: 2116.07

Directions: FOSTER RD JUST ABOVE HWY 212
 Remarks: NICELY SET BACK FROM ROAD, SOLID HOME ON 1 ACRE IN DESIRABLE DAMASCUS AREA. FINISHED LOWER LEVEL W/FAMILY RM, UTILITY/BATH, & 4TH BDRM. BRICK FIREPLACES UP & DOWN. NEW HI-EFFICIENCY FURNACE PLUS GENERATOR TO RUN ELECT & HEAT IF POWER GOES OUT! SMALL BARN IN PRIVATE BACK YARD. RV SPACE!

16269 SE Royer RD RES SLD \$285,000



ML#: 4062532
 MLS Area: 145
 County: Clackamas
 Neighborhood: Damascus
 Zip Code: 97015
 T/Guide: 689A2
 Tax Id #: 00620402

Bedrooms: 3
 Bathrooms: 2
 Sub-Type: RESID
 Style: RANCH
 Year Built: 1987
 Total SF: 1813
 Tax per Year: 2723.62

Directions: HWY 212, SOU ON ROYER RD IN COMMUNITY OF DAMASCUS
 Remarks: DOG FANCIERS TAKE NOTICE. THIS IMMAC.HM WITH NEW CPT & FLOOR COVERINGS, PERGO, PAINT, ETC. KENNEL IS ATTACHED TO HOUSE FOR CONVENIENCE OR SELLER WILL REMOVE. 12 DOG CAPACITY. RARE OPPORTUNITY FOR DOG ENTHUSIAST. NOTE OVERSIZED GAR, 753 SF. INCLUDE WASHER & DRYER.

© Copyright 2005 FMLS™ Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Summary of Comparables

RESOLUTION NO. 06-3714
Attachment 4: COO Report

Pending

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	RESID	14820 SE 172ND AVE		145	3	2	1370	\$250,000
4069040	4 RESID	28810 SE Church RD	Boring	144	3	1	1510	\$214,900
4078723	8 RESID	15160 SE ORIENT DR	Boring	144	2	2	1201	\$289,000
5002808	7 RESID	14820 SE NORTH CT	Clackamas	145	4	3	2200	\$264,900

Sold

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	RESID	14820 SE 172ND AVE		145	3	2	1370	\$250,000
4027632	4 RESID	28775 SE Andy ST	Boring	144	3	2	1700	\$215,000
3026134	5 RESID	28373 SE Stone RD	Boring	144	3	1	1375	\$225,000
3072602	1 RESID	19531 SE Tickle Creek RD	Boring	144	4	2.1	1696	\$228,000
4006842	0 RESID	34144 SE Jarl RD	Boring	144	1	2	1456	\$243,000
4049204	0 RESID	13425 SE 222nd	Boring	144	3	2	1912	\$255,900
4065908	8 RESID	10882 SE Orient DR	Boring	144	3	1	1550	\$260,567
4050714	8 RESID	14303 SE 312 AVE	Boring	144	3	2	1660	\$295,000
4014350	4 RESID	21122 SE Hwy 212 1000 ft off HWY	Damascus	145	3	2	1920	\$217,500
4019976	6 RESID	18545 SE Sunnyside RD	Boring	145	3	1	1147	\$227,000
4004594	6 RESID	21900 SE Edward DR	Clackamas	145	4	2.1	1800	\$235,500
4046653	3 RESID	21160 SE Foster Rd	Boring	145	4	2.1	1850	\$246,000
4062532	1 RESID	16269 SE Royer RD	Boring	145	3	2	1813	\$285,000

© Copyright 2006 RMLS™Portland - MLS INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.



CLACKAMAS COUNTY

Property Account Summary

Account No.: 01401557 Alternate Property Number: 23E07A 00301
 Account Type: Real Property
 TCA: 012-115
 Situs Address: 14700 SE 172ND AVE
 CLACKAMAS OR 97015
 Legal: Section 07 Township 2S Range 3E Quarter A TAX LOT 00301

Parties:

Role	Name & Address
Owner	
Taxpayer	

Property Values:

Value Name	2005	2004	2003
AVR Total	\$302,365	\$293,558	\$285,008
TVR Total	\$302,365	\$293,558	\$285,008
Real Mkt Land	\$92,445	\$81,490	\$73,957
Real Mkt Bldg	\$366,240	\$304,050	\$279,410
Real Mkt Total	\$458,685	\$385,540	\$353,367

Property Characteristics:

Tax Year	Characteristic	Value
2005	Neighborhood	11091: Pleasant Valley 100, 101
	Land Class Category	101: Residential land improved
	Building Class Category	14 : Single family res, class 4
	Year Built	1975
	Acreage	1.0
	Change property ratio	1XX: 68.40%

Exemptions:

(End of Report)

EXHIBIT G1
 PAGE 1 OF 2



CLACKAMAS COUNTY

Property Account Summary

Account No.: 01401557 Alternate Property Number: 23E07A 00301
 Account Type: Real Property
 TCA: 012-115
 Situs Address: 14700 SE 172ND AVE
 CLACKAMAS OR 97015
 Legal: Section 07 Township 2S Range 3E Quarter A TAX LOT 00301

Parties:

Role	Name & Address
Owner	

Taxpaye

Property Values:

Value Name	2002	2001	2000
AVR Total	\$276,707	\$268,648	\$222,995
TVR Total	\$276,707	\$268,648	\$222,995
Real Mkt Land	\$69,849	\$68,480	\$66,090
Real Mkt Bldg	\$247,510	\$258,850	\$207,000
Real Mkt Total	\$317,359	\$327,330	\$273,090

Property Characteristics:

Tax Year	Characteristic	Value
2002	Neighborhood	11091: Pleasant Valley 100, 101
	Land Class Category	101: Residential land improved
	Building Class Category	14 : Single family res, class 4
	Year Built	1975
	Acreage	1.0
	Change property ratio	1XX: 68.40%

Exemptions:

(End of Report)

EXHIBIT 67
PAGE 2 OF 2



CLACKAMAS COUNTY

Property Account Summary

Account No.: 00614268 Alternate Property Number: 23E07A 00500
 Account Type: Real Property
 TCA: 012-115
 Situs Address: 14790 SE 172ND AVE
 CLACKAMAS OR 97015
 Legal: Section 07 Township 2S Range 3E Quarter A TAX LOT 00500

Parties:

Role	Name & Address
------	----------------

Owner

Taxpayer

Property Values:

Value Name	2005	2004	2003
AVR Total	\$286,452	\$278,109	\$270,009
TVR Total	\$286,452	\$278,109	\$270,009
Real Mkt Land	\$92,445	\$81,490	\$73,957
Real Mkt Bldg	\$306,990	\$278,010	\$255,810
Real Mkt Total	\$399,435	\$359,500	\$329,767

Property Characteristics:

Tax Year	Characteristic	Value
2005	Neighborhood	11091: Pleasant Valley 100, 101
	Land Class Category	101: Residential land improved
	Building Class Category	14 : Single family res, class 4
	Year Built	1970
	Acreage	1.0
	Change property ratio	1XX: 68.40%

Exemptions:

(End of Report)

EXHIBIT **G2**
 PAGE **1** OF **3**



CLACKAMAS COUNTY

Property Account Summary

Account No.: 00614268 Alternate Property Number: 23E07A 00500
 Account Type: Real Property
 TCA: 012-115
 Situs Address: 14790 SE 172ND AVE
 CLACKAMAS OR 97015
 Legal: Section 07 Township 2S Range 3E Quarter A TAX LOT 00500

Parties:

Role	Name & Address
Owner	

Taxpayer

Property Values:

Value Name	2000	1999	1998
AVR Total	\$247,097	\$239,900	\$232,920
TVR Total	\$247,097	\$239,900	\$232,920
Real Mkt Land	\$66,090	\$64,730	\$58,850
Real Mkt Bldg	\$227,090	\$242,330	\$233,010
Real Mkt Total	\$293,180	\$307,060	\$291,860

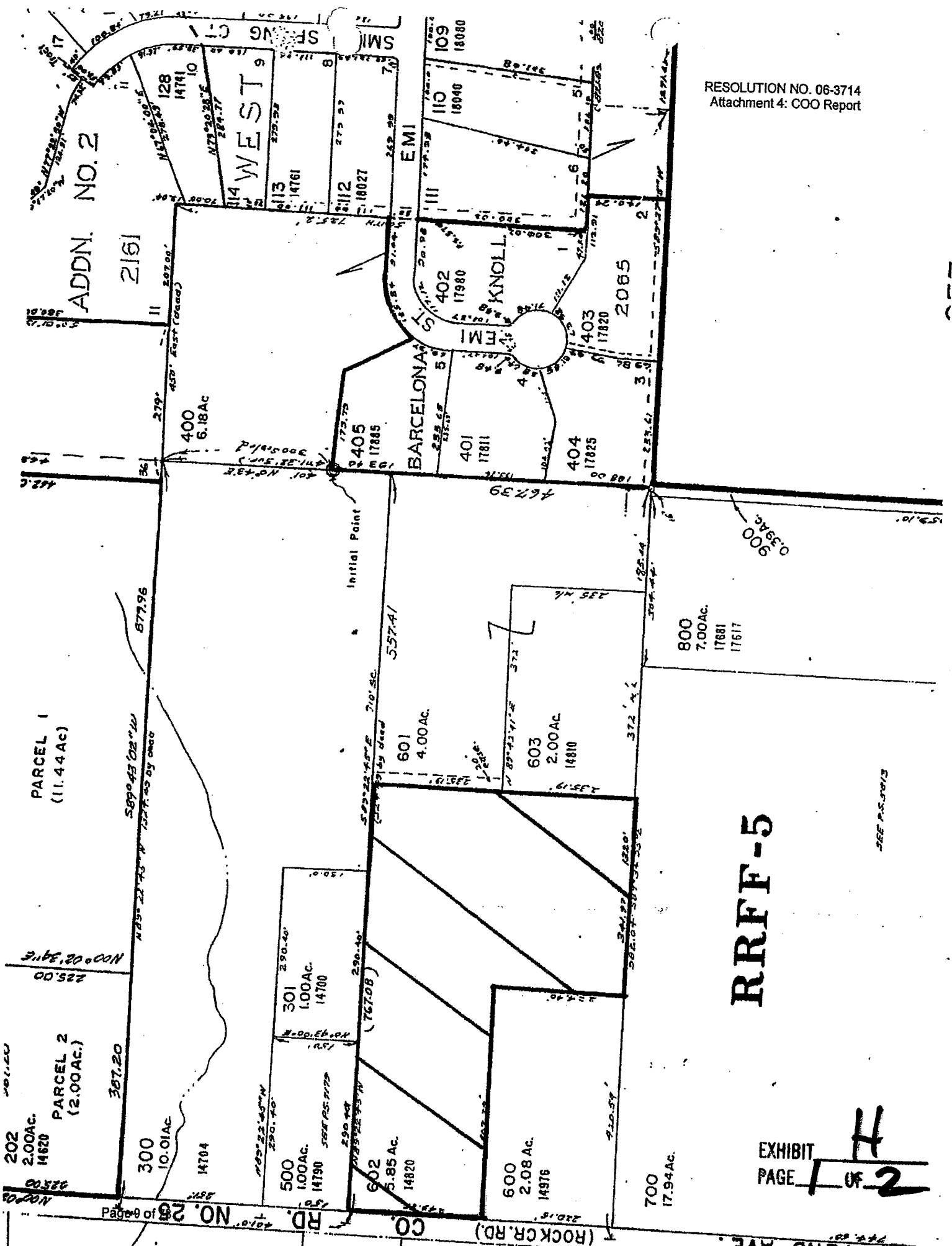
Property Characteristics:

Tax Year	Characteristic	Value
2000	Neighborhood	11091: Pleasant Valley 100, 101
	Land Class Category	101: Residential land improved
	Building Class Category	14 : Single family res, class 4
	Year Built	1970
	Acreage	1.0
	Change property ratio	1XX: 68.40%

Exemptions:

(End of Report)

EXHIBIT 6-2
 PAGE 3 OF 3



RRRF-5

EXHIBIT H
PAGE 1 OF 2

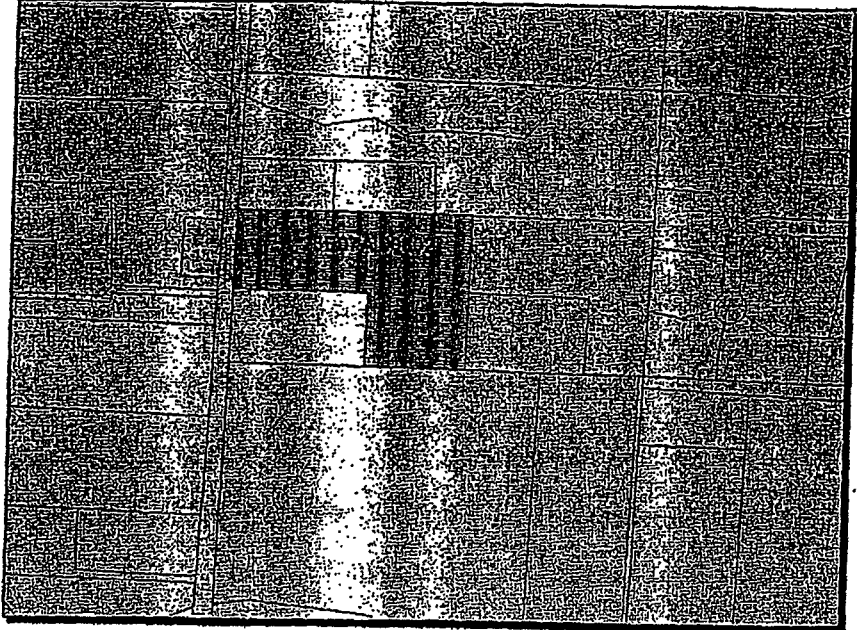


Geographic Information Systems
121 Library Court
Oregon City, OR 97045

Property Report

Location Map:

MACLAUGHLAN HAROLD S & REBECA
14674 SE SUNNYSIDE RD #115
CLACKAMAS, OR 97015



Site Address: 14820 SE 172ND AVE
Taxlot Number: 23E07A 00602

Land Value: 183265
Building Value: 175840
Total Value: 359105

Acreage: 5.85
Year Built: 1985
Sale Date: 3/1/1995 0:00:00
Sale Amount: 6600
Sale Type:

Land Class:
Tract land improved
Building Class:
Data unavailable - contact Assessors office
Neighborhood:
Pleasant Valley all other
Taxcode Districts: 12115

Site Characteristics:

UGB: In
Flood Zone: No

Zoning Designation(s):

Zone	Overlay:	Acreage:
RRFF5		5.76

Fire: Clackamas RFPD #1
Park: Unknown
School: North Clackamas
Sewer: Unknown
Water: SUNRISE WATER AUTHORITY
Cable: COMCAST (AT&T of Ohio);Clear Creek;
CPO: Rock Creek
Garb/Recyc: B & J Garbage Co
Jurisdiction: Clackamas

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.



**PACIFIC NORTHWEST TITLE
TRI-COUNTY**

8020 SW Washington Sq. Rd. Suite 220
Tigard, OR 97223
Title: 503-871-0505 Fax: 503-643-3748
Escrow: (503) 350-5080 Fax: (503) 659-7160
Visit us at: www.pnwtor.com

**PRELIMINARY COMMITMENT
FOR TITLE INSURANCE**

February 9, 2005

Order Number: 05263179-C
Property Address: 14820 SE 172nd Ave.
Clackamas, OR 97015

Pacific Northwest Title of Oregon, Inc.
12050 SE Stevens Rd., #100
Portland, OR 97266

Attention: Christine D. Crenshaw-Boring
Telephone: (503) 350-5080

Reference: MacLaughlan/Burns

	<u>Amount</u>	<u>Premium</u>	
ALTA Owner's Policy (1992)	\$ 400,000.00	\$ 1,036.00	STR
ALTA Loan Policy (1992)	\$ TO COME	\$ TO COME	
Government Service Charge		\$ 50.00	
City Lien Search – Sunrise Water Authority		\$ 10.00	
Endorsements 7.4, 7.11 & 7.31		\$ 50.00	

This is a preliminary billing only; a consolidated statement of all charges, credits, and advances, if any in connection with this order will be provided at closing.

Pacific Northwest Title is prepared to issue on request and on recording of the appropriate documents, a policy or policies as applied for, with coverages as indicated, based on this preliminary commitment that as of January 26, 2005 at 5:00 p.m. title of the property described herein is vested in:

HAROLD S. MACLAUGHLAN and REBECA MACLAUGHLAN,
as tenants by the entirety

Subject only to the exceptions shown herein and to the terms, conditions and exceptions contained in the policy form This commitment is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued, and the full premium paid.

Description:

See Exhibit A Attached hereto and made a part hereof

SCHEDULE B

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interest, easements or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Statutory liens or other liens or encumbrances, or claims thereof, which are not shown by the public records.

SPECIAL EXCEPTIONS:

6. The herein described premises are within the boundaries of and subject to the statutory powers, including the power of assessment, of the Sunrise Water Authority.

NOTE: We have requested a search and will advise when we have received a response

7. Easement, including the terms and provisions thereof:

For : Utility lines
Granted to : Portland General Electric Company
Recorded : June 26, 1951
Book : 445
Page : 705
Affects : 10 feet in width, exact route not disclosed

8. Easement, including the terms and provisions thereof:

For : Driveway and utilities
Granted to : Adjacent property owners
Recorded : July 18, 1973
Fee No. : 73 22700
Affects : the North 20 feet

9. Easement, including the terms and provisions thereof:

For : Waterline
Granted to : Damascus Water District, a municipal corporation
Recorded : March 29, 1999
Fee No. : 99-031091
Affects : the West 10 feet

SCHEDULE B - CONTINUED

10. Trust Deed, including the terms and provisions thereof to secure the amount noted below and other amounts secured thereunder, if any:

Grantor : Harold S. MacLaughlan and Rebeca MacLaughlan
Trustee : Transnation Title Insurance Company
Beneficiary : Mortgage Electronic Registration Systems, Inc. as nominee for Capitol
Commerce Mortgage Co., a California corporation
Dated : May 15, 2003
Recorded : May 23, 2003
Fee No. : 2003-065853
Amount : \$144,000.00
Loan No. : 419532

11. Parties in possession, or claiming to be in possession, other than the vestees shown herein. For the purpose of ALTA Extended coverage, we will require an Affidavit of Possession be completed and returned to us. Exception may be taken to such matters as may be shown thereby

12. Statutory liens for labor or materials, including liens for contributions due to the State of Oregon for unemployment compensation and for workmen's compensation, which have now gained or hereafter may gain priority over the lien of the Insured mortgage where no notice of such liens appear of record.

NOTE: We find no judgments or Federal Tax Liens against WENDY BURNS.

NOTE: Taxes paid in full for 2004-2005:


Levied Amount : \$3,085.61
Account No. : 23E07A 00602
Levy Code : 012-115
Key No. : 00614295

NOTE: The following is provided for informational purposes only and will not be shown in the policy to be issued:

We find no recorded Deeds or Conveyances of said property in the past 24 months.

If you have any questions regarding this report or your escrow closing please contact Christine D. Crenshaw-Boring at (503) 350-5080, located at 12050 SE Stevens Rd., #100, Portland, OR 97266 .
Email address: christinec@pnwfor.com

PACIFIC NORTHWEST TITLE OF OREGON, INC.

By 
Diane M. Broome
Title Officer

DMB:lbv

cc: Harold & Rebeca MacLaughlan
cc: Burns & Olson Realtors, Inc.
Attn: Wendy Burns (Enclosure)

Exhibit A

A tract of land in the Northwest one-quarter of the Northeast one-quarter of Section 7, Township 2 South, Range 3 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Southwest corner of that tract sold by Contract to Daniel G. Schweitzer, et ux, recorded July 18, 1973 ad Recorder's Fee No. 73 22700, Film Records, which is 557.44 feet West along the South line of said division from the Southeast corner thereof; thence West along the South line of said division 341.97 feet; thence North parallel with the East line of 172nd Avenue, 224.40 feet; thence West parallel with the South line of said division 403.39 feet to the East line of said road; thence North along the said road line 249.85 feet to the South line of that tract conveyed to Henry W Coe, recorded March 30, 1970 as Recorder's Fee No. 70 5832, Film Records; thence East along the South line of said Coe Tract 745.69 feet to the Northwest corner of said Schweitzer Tract; thence South along the West line of said Schweitzer Tract 470.38 feet to the point of beginning.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

RESOLUTION NO. 06-3714
Attachment 4: COO Report

**In the Matter of a Ballot Measure
37 Claim for MacLaughlan**

**Order No. 2005-150
Page 1 of 2**

File No. ZC035-05

Claimants/ Property Owners: Harold and Rebeca MacLaughlin

Date Filed: February 17, 2005

Legal Description: T2S-R3E-SECTION 07A-TAX LOT 602

Location: 14820 SE 172nd Avenue; east side of SE 172nd Avenue, approximately .2 mile north of SE Armstrong Circle; Damascus area.

Proposal/ Relief Requested: The claimants are asking that the existing RRFF-5 zoning not be applied, allowing creation of additional home sites consistent with the previous RA-1 zoning district that was in place when the applicants acquired the property.

Ownership History/Date Acquired by Current Owner: The claimants acquired the property on June 26, 1974. Deed records demonstrate that the claimant has held a continuous property interest since acquisition in 1974.

Zoning History: The first zoning of the property in 1964 was RA-1, Rural (Agricultural) Single Family Residential District, 1-acre minimum lot size. The property was zoned RRFF-5, Rural Residential Farm Forest 5 Acre on December 17, 1979.

Reduction in Land Value: The claimant contends that the application of the RRFF-5 zoning district reduces the value of the property by \$700,000-\$800,000. The applicant has provided evidence in the form of comparable sales of one acre residential lots in the area. This information is sufficient to substantiate a reduction in land value resulting from the application of the RRFF-5 zone to the property.

DECISION

- (1) The claimants have a valid claim.
- (2) Monetary compensation for any reduction in value is not available.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

RESOLUTION NO. 06-3714
Attachment 4: COO Report

In the Matter of a Ballot Measure
37 Claim for MacLaughlan

Order No. 2005-150
Page 2 of 2

File No. ZC035-05

(3) Remove from the subject property ZDO 309.07A and subsections 309.08.B and 309.08.D, which regulate lot divisions in the RRF-5 District. Development of the property will be subject to the lot size standards of the RA-1 zoning district that were in effect when the current owner acquired the property, June 26, 1974, and to all other current ZDO provisions.

Conditions/Comments

- (1) The claimant will need to receive approval of a subdivision or partition to allow creation of new lots.
- (2) Approval of building and septic permits for new residences also will be required.
- (3) The claimant also may need approval by Metro of a Measure 37 claim. Metro Code Section 3.07.1110 may apply.
- (4) This action does not resolve several questions about the application of Measure 37, including the question of whether the rights granted to the claimant by this decision can be transferred to an owner who subsequently acquires the property.

DATED this 10th day of July, 2005.

BOARD OF COUNTY COMMISSIONERS

[Signature]
Chair

[Signature]
Recording Secretary

EXHIBIT

J

PAGE 2 OF 2

CCP-PW25 (3/94)

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENTERING AN ORDER RELATING TO THE HAROLD S. AND REBECA MACLAUGHLAN CLAIM FOR COMPENSATION UNDER ORS 197.352 (MEASURE 37)) Resolution No. 06-3714) Introduced by Chief Operating Officer Michael Jordan with the concurrence of Council President David Bragdon

WHEREAS, Harold S. and Rebeca MacLaughlan filed a claim for compensation under ORS 197.352 (Measure 37) and Chapter 2.21 of the Metro Code contending that Metro regulations had reduced the fair market value of property they own in the Clackamas, Oregon, area; and

WHEREAS, the Chief Operating Officer (“COO”) reviewed the claim and submitted a report to the Metro Council, pursuant to section 2.21.040 of the Metro Code, recommending denial of the code for the reason that the Metro regulation that is the basis for the claim has not reduced the fair market value of the claimant’s property; and

WHEREAS, the Metro Council held a public hearing on the claim on July 13, 2006, and considered information presented at the hearing; now, therefore

BE IT RESOLVED that the Metro Council

- 1. Enters Order 06-007, attached to this resolution as Exhibit A, which denies the claim for compensation.
2. Directs the COO to send a copy of Order No. 06-007, with Exhibit A attached, to the claimants, persons who participated in the public hearing on the claim, Clackamas County and the Oregon Department of Administrative Services. The COO shall also post the order and Exhibit A at the Metro website.

ADOPTED by the Metro Council this 13th day of July, 2006

David Bragdon, Council President

Approved as to form:

Daniel B. Cooper, Metro Attorney

Exhibit A to Resolution No. 06-3714

Order No. 06-007

RELATING TO THE HAROLD S. AND REBECA MacLAUGHLAN CLAIM
FOR COMPENSATION UNDER ORS 197.352 (MEASURE 37)

Claimant: Harold S. and Rebeca MacLaughlan

Property: 14674 SE Sunnyside Road, Clackamas, Oregon;
Township 2s, Range 3E, Section 7A, Tax Lot 602 (map attached)

Claim: Temporary 20-acre minimum size for creation of new lots and parcels in Title 11 of the Urban Growth Management Functional Plan has reduced the value of the claimant's land.

Claimants submitted the claim to Metro pursuant to Metro Code Chapter 2.21. This order is based upon materials submitted by the claimant and the report prepared by the Chief Operating Officer ("COO") prepared pursuant to section 2.21.040.

The Metro Council considered the claim at a public hearing on July 13, 2006.

IT IS ORDERED THAT:

The claim of Harold S. and Rebeca MacLaughlan for compensation be denied because it does not qualify for compensation for reasons set forth in the report of the COO.

ENTERED this 13th day of July, 2006.

David Bragdon, Council President

Approved as to form:

Daniel B. Cooper, Metro Attorney

**CLAIM FOR COMPENSATION
UNDER BALLOT MEASURE 37
AND METRO CODE CHAPTER 2.21**

**REPORT OF THE METRO CHIEF OPERATING OFFICER
June 23, 2006**

METRO CLAIM NUMBER: Claim No. 06-007

NAME OF CLAIMANT: HAROLD AND REBECA MACLAUGHLAN

MAILING ADDRESS: Harold S. and Rebeca MacLaughlan
14674 SE Sunnyside Road, PMB #115
Clackamas, OR 97015

PROPERTY LOCATION: 14820 SE 172nd Avenue, Clackamas,
Oregon 97015

LEGAL DESCRIPTION: T2S R3E Section 7A, Tax Lot 602

DATE OF CLAIM: July 19, 2005

180-DAY PROCESSING DEADLINE: January 17, 2006

I. CLAIM

Claimants Harold and Rebeca MacLaughlan seek compensation in the amount of 700,000 to \$800,000 for a claimed reduction in fair market value of property owned by the claimant as a result of enforcement of Metro Code Section 3.07.1110 C of Title 11. In lieu of compensation, claimant seeks a waiver of that regulation so claimant can apply to the City of Damascus and Clackamas County to divide the 5.85-acre subject property into lots of at least one acre and to allow a single family dwelling to be developed on each lot that does not already contain a dwelling. There is one existing single-family dwelling on subject property that was constructed in 1985.

The Chief Operating Officer (COO) sent notice of date, time and location of the public hearing on this claim before the Metro Council on June 23, 2006. The notice indicated that a copy of this report is available upon request and that the report is posted on Metro's website at www.metro-region.org/measure37.

II. SUMMARY OF COO RECOMMENDATION

The COO recommends that the Metro Council deny the claim for the reasons explained in Section IV of this report. The facts and analysis indicate that Metro's action to bring claimants' land into the Urban Growth Boundary (UGB), designate it Regionally Significant Industrial Area (RSIA) (allowing urban scale industrial and limited commercial uses), and applying a 20-acre minimum lot size temporarily while planning is completed did not reduce the fair market value of claimants' property.

III TIMELINESS OF CLAIM

ORS 197.352(5) requires that a written demand for compensation be made:

1. For claims arising from a land use regulation enacted *prior* to the effective date of Measure 37 (December 2, 2004), within two years of that date, or of the date a public entity applies the regulation to the property as an approval criterion in response to an application submitted by the owner, whichever is later; or
2. For claims arising from a land use regulation enacted *after* the effective date of Measure 37 (December 2, 2004), within two years of the enactment of the regulation, or of the date the owner of the property submits a land use application for the property in which the regulation is an approval criterion, whichever is later.

Findings of Fact

The claimant submitted this claim on July 19, 2005. The claim identifies Metro Code section 3.07.1110 C as the basis of the claim. The Metro Council adopted the regulation that gives rise to this claim on September 10th, 1998, by Ordinance 98-772B. Metro Council applied the regulation to the claimants' property on December 5, 2002, by Ordinance No. 02-969B, prior to the effective date of Measure 37 (December 2, 2004).

Conclusions of Law

Metro adopted the regulation that gives rise to this claim prior to the effective date of Measure 37, and claimants filed the claim within two years of the effective date of Measure 37. The claim, therefore, is timely.

IV. ANALYSIS OF CLAIM

1. Ownership

Metro Code section 2.21.020(c) defines "owner" to mean the owner of the property or any interest therein. "Owner" includes all persons or entities who share ownership of a property.

Findings of Fact

The claimants acquired the 5.85-acre subject property on June 26, 1974 and the claimants have had a continuous ownership interest since that time. Attachment 1 is a site map of the subject property (ATTACHMENT 1). There is one existing single-family dwelling on the subject property constructed in 1985.

Conclusions of Law

The claimants, Harold and Rebeca MacLaughlan, are owners of the subject property as defined in the Metro Code.

2. Zoning History

The first zoning of the property was Rural (Agricultural) Single Family Residential District (RA-1), applied in 1964. The property was rezoned Rural Residential Farm Forest 5-Acre (RRFF-5) on December 17, 1979.

3. Applicability of a Metro Functional Plan Requirement

Findings of Fact

On December 5, 2002, Metro Council expanded the UGB by adopting Ordinance No. 02-969B, including the subject property in the UGB expansion area. The claimants' property was designated Regionally Significant Industrial Area (RSIA) under Ordinance No. 02-969B. The effective date of Ordinance No. 02-969B was March 5, 2003.

Section 3.07.1110 C of Metro's Code prohibits any division of land into lots or parcels smaller than 20 acres, except for public schools or other urban services, pending adoption of urban comprehensive plan designations and zoning. Ordinance No. 02-969B requires local governments such as the City of Damascus and Clackamas County to apply the interim protection measures to the subject property as set forth in Metro Code Title 11, Urban Growth Management Functional Plan, Section 3.07.1110.

Clackamas County adopted Order No. 2005-150 on July 6, 2005, waiving certain land use regulations including Zoning and Development Ordinance Subsections 309.07A, 309.08B and 309.08D which regulate lot divisions in the RRFF-5 District, including a prohibition of partitions for subdivisions less than 20 acres inside the Metro UGB. Order No. 2005-150 allows the claimants to apply to the county to divide their property into lots of at least one acre in size and to allow a single-family dwelling to be constructed on each lot not already containing a dwelling, consistent with RA-1 zoning in effect when the claimants acquired the property in 1974. The Order recognizes that Metro Code Section 3.07.1110 applies and that the claimants also may need approval by Metro of a Measure 37 claim.

Prior to its inclusion within the UGB in 2002, the property was subject to the state-imposed 20-acre minimum lot size. This requirement was adopted by the Land Conservation and Development Commission on April 29, 1992 and applies to lands located within one-mile of the urban growth boundary.

Conclusions of Law

Section 3.07.1110 C of the Metro Code applies to the subject property and became applicable after the claimants acquired the property. Thus, the section did not apply to the subject property at the time claimants acquired it.

4. Effect of Functional Plan Requirements on Fair Market Value

Findings of Fact

Section 2.21.040(d)(5) requires the Chief Operating Officer (COO) to determine whether Metro's temporary 20-acre minimum size for the creation of new lots or parcels applicable to territory newly added to the UGB has reduced the value of claimants' land. The COO's conclusion is based upon the analysis of the effect of Metro's action contained in this report and in the attached memorandum to Paul Ketcham and Richard Benner from Sonny Conder and Karen Hohndel dated June 23, 2006 (Conder Memo).

Claimants have submitted comparable sales data to support their assertion that the temporary 20-acre minimum size has reduced the value of their property by \$700,000 to \$800,000. Based on the comparable sales data, claimants assert that a one-acre parcel for a homesite has a current FMV of \$175,000. County zoning at the time of purchase (1974) allowed creation of one-acre homesites. Claimants believe they could have received approval of four homesites. Hence, they multiply \$175,000 times the four homesites they could have created, yielding a value of \$700,000. The claimants make adjustments for the remainder lots with an existing dwelling and the costs of infrastructure. This calculation yields the range of claimed reduction in FMV of \$700,000 to \$800,000.

The Conder Memo analyzes the claimant's information and applies two different methods for determining the effect of Metro's action on the value of claimant's property.

A. "Comparable Sales" Method

This method compares the value of the property in its current regulatory setting with its value today as though Metro's action had not happened, using transactions involving comparable properties in both "with" and "without" scenarios. Under the "without" scenario, the property would be outside the UGB under RRFF-5 (Rural Residential-Farm/Forest, five-acre minimum lot size) zoning that applied at the time of the application of Metro's regulation.¹ Given the five-acre minimum lot size, claimants would not have been able to obtain approval for a land division.

Under the "with" scenario (current regulatory setting), the land lies within the UGB; it is designated Regionally Significant Industrial Area; and it is subject to a temporary 20-acre minimum lot size to preserve the status quo while the city of Damascus completes the comprehensive planning necessary to allow urbanization of the previously rural (outside the UGB) land. This method, therefore, assumes claimants will be able to use the property for industrial and other uses consistent with Title 4 of Metro's Urban Growth Management Functional Plan.

Table 4 of the Conder Memo compares today's values of the property with and without Metro's action, adjusting in both cases for costs of development and limitations on development of the

¹ The property was also subject to a state-imposed 20-acre minimum lot size prior to and at the time of application of Metro's regulations to the property. However, because this 5.85-acre property could not be divided under the RRFF-5 zoning that applied at that time, the applicability of the state lot size does not affect this analysis.

site that a prudent investor would take into account. The table shows that the FMV of the property under RRFF-5 zoning outside the UGB exceeds the value of the property under existing regulations. The analysis using this methodology indicates that the current regulatory setting has reduced the FMV of the MacLaughlan property.

B. The Plantinga/Jaeger Method

The Conder Memo uses times-series data to determine whether the application of Metro regulations to the property reduced the value. The data show values before and after application of the regulations. The data are displayed in Table 3 of the memo. There is no indication from the data that Metro's regulations reduced the value of the property. The data show that the property continued to increase after March 5, 2003, the date the regulations became applicable to the property.

Conclusion

Metro's action to bring claimants' land into the UGB, designate it Regionally Significant Industrial Area and apply a temporary 20-acre minimum lot size did not reduce the value of the MacLaughlan property.

5. Exemptions under ORS 197.352(3)

Findings of Fact

Section 3.07.1110C of the Metro Code does not restrict or prohibit a public nuisance, the selling of pornography or nude dancing, is not intended to protect public health or safety, and is not required to comply with federal law.

Conclusions of Law

Section 3.07.1110C of the Metro Code is not exempt from Measure 37 under ORS 197.352(3).

6. Relief for Claimant

Findings of Fact

The Metro Council has appropriated no funds for compensation of claims under Measure 37. Waiver by Metro would allow the claimants, due to the waiver granted by Clackamas County in Order No. 2005-150, to proceed with land use applications to the City of Damascus and to Clackamas County to divide the subject property into one-acre lots and to develop a single family dwelling on each lot that does not already contain a dwelling. The effect of development as proposed by the claimant would be to allow land uses incompatible with industrial uses and reduce employment capacity within the UGB. It would also make the provision of urban services less efficient and more complicated. Finally, it would undermine the planning now underway by the City of Damascus to create a complete and livable community.

Conclusions of Law

Based on the record, the claimants have not established that they are entitled to relief in the form of compensation or waiver of the interim 20-acre minimum lot size requirement under Metro Code Section 3.07.1110C.

Recommendation of the Chief Operating Officer:

The Metro Council should deny the MacLaughlins' claim for the reasons that (1) the Council's Ordinances No. 02-969B did not reduce the value of the MacLaughlan's property and (2) development of one-acre lots as allowed by Clackamas County's waiver in Order No. 2005-150 will undermine the vision of the Damascus community and the City of Damascus' planning efforts, particularly when considered in the context of pending and future Measure 37 claims in the area.

ATTACHMENTS TO THE REPORT OF THE CHIEF OPERATING OFFICER

Attachment 1: Site Map of Harold and Rebeca MacLaughlan Property

Attachment 2: Metro Memorandum to Paul Ketcham and Richard Benner from Sonny Conder and Karen Hohndel, "Valuation Report on the MacLaughlan Measure 37 Claim," dated June 23, 2006

Attachment 3: Sample Area of 2004-2005 Sales Data for Damascus UGB Expansion Area and One Mile Buffer, Clackamas County, OR

Attachment 4: Harold and Rebeca MacLaughlan Measure 37 Claim Submittal to Metro

M:\plan\lrpp\projects\Measure 37\M 37 report.MacLaughlan.doc

Resolution No. 06-3714
Attachment 2: Report of the Chief Operating Officer

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1794



June 23, 2006

To: Paul Ketcham, Principal Regional Planner
Richard Benner, Senior Staff Attorney

From: Sonny Conder, Principal Regional Planner
Karen Hohndel, Associate GIS Specialist

Subject: Valuation Report on the MacLaughlan Measure 37 Claim

Conclusion:

Per your request we have conducted a valuation analysis of the MacLaughlan Measure 37 Claim. The Metro designation of Regionally Significant Industrial Area (RSIA) applies to the MacLaughlan Claim. We conclude, using the comparable sales method of determining possible reduction in value, that the Metro action of including the 5.85 acre property inside the UGB, designating it RSIA and imposing a temporary 20 acre minimum lot size for development did produce a material loss of value for the subject property¹. The loss results from the restriction in use to industrial and the cost of converting residential improvements on the property.

Using the a time series variation of the Plantinga-Jaeger method of determining property value loss due to regulation indicates no loss of value for the 5.85 acre parcel. This conclusion rests on the observation that the assessor's market value for that particular property has continued to increase since the Metro 2003 regulation. Moreover, the entire class of RRFF-5 acre lot size designated parcels within the expansion area have continued to increase since the Metro 2003 regulation.

Conceptual Understanding for Basis of Property Value Analysis:

¹ We use the term "material" in the accounting/auditing sense that given the statistical variability inherent in the data there is no difference between two measurements of land value.

We understand the present Measure 37 valuation problem to consist of making two property value estimates. These are:

1. Estimate the current market value of the property subject to the regulation that the claimant contends has reduced the value of his property.
2. Estimate the current market value of the property in the absence of that regulation, and with the zoning that applies prior to the Metro regulatory action.

Metro Ordinance No. 02-969B applied a set of new regulations to the claimant's property. First the ordinance brought claimant's property into the region's urban growth boundary, making the property eligible for industrial densities on the parcel rather than rural low-density development. The parcel was designated "RSIA", allowing industrial use and some associated non-industrial uses on the property. Third the ordinance applied a temporary 20-acre minimum lot size to protect the status quo while local governments complete amendments to comprehensive plans to allow urban development. Within this overall framework any particular property may have a substantial range of development types and lot sizes. Implicit in this design designation is the availability of urban level capital facilities including sanitary sewers, storm water retention and management, water distribution, streets, roads, parks and other infrastructure and services associated with urban living. All development is assumed to occur in compliance with all health and safety regulations.

The default land use at the time of Metro regulatory action was the Clackamas County designation of RRFF5. This land use designation is a rural designation allowing one dwelling unit per 5 acres. All development under RRFF5 must conform to applicable health and safety regulations. Most significant is that the reference default land use must be outside the present UGB in a rural setting. While seeming to be a subtle distinction, the requirement of a rural setting outside the UGB is conceptually pivotal to the valuation. To use RRFF5 or equivalent land inside the UGB as a basis for valuation includes the property value increasing amenity effects of urban services and infrastructure. It is logically contradictory to argue that inclusion inside the UGB and designation of the land for urban purposes has reduced a property's value but to include those very effects in the estimate of the property value without the subject action.

Alternative Method of Computing Property Value Loss Resulting From Regulation

Estimating loss of property value using the usual appraisal method of "comparative sales" has been the subject of substantial criticism. Andrew Plantinga and William

Jaeger², economists at OSU, have written papers pointing out that using the method of comparative sales does not compute the loss due to regulation. Rather the estimated “value loss” is actually the gain resulting from obtaining an exemption to the general rule. To better understand their arguments, we may think of the comparative sales method of determining an economic loss as equivalent to determining the value of issuing someone a special license or franchise to carry out an economically valuable function that others may not do. For instance, licenses to operate taxi cabs in New York are seldom issued and in great demand. As a result the license itself has acquired substantial economic value. An example closer to home is the value of an Oregon Liquor License prior to more liberal issuing standards in the 80’s. In the 1950’s through roughly the 70’s, an Oregon Liquor License for a restaurant or bar vastly increased the property value of the establishment that had one. Plantinga and Jaeger argue that the value of the property hinges on scarcity resulting from regulation. If everyone had a taxi cab or liquor license, they would have no value. From an economic perspective, using a method that really measures value gained from regulation is not the same as determining economic loss resulting from regulation.

Plantinga and Jaeger go on to suggest an economically appropriate measure of loss resulting from subsequent land use regulation. Their method is grounded in the well established and tested Theory of Land Rent. Simplified a bit the Theory of Land Rent holds that the value of land at any particular time is the future net profit from the land used in its most efficient allowable use. The market also adjusts (discount factor) this value to account for time and uncertainty as to future uses. What this means is that the original sales price incorporates future expectations about how the land might be used. If we take the original sales price and bring it up to the current date by using an appropriate price index, we are able to measure in today’s prices what the land was worth when it was purchased under the original regulatory requirements.

As Metro’s regulatory action was taken in 2003, we have actual time series data to determine if the subject property experienced a loss of value after Metro’s action. Consequently, we need not index the original sales price as we can observe whether the value actually decreased or not. We are able to make these observations for the particular property and for the entire class of subject properties within the Damascus expansion area. In essence the simplest approach to answering the question of whether

² Andrew Plantinga, *Measuring Compensation Under Measure 37: An Economist’s Perspective*, Dec. 2004, 15 pages. (Available at OSU Department of Agricultural and Resource Economics, URL: plantinga@oregonstate.edu). William K. Jaeger, *The Effects of Land Use Regulations of Land Prices*, Oct. 2005, 38 pages. (Available at OSU Department of Agricultural and Resource Economics, URL: wjaeger@oregonstate.edu). Also: William K Jaeger, *The Effects of Land-Use Regulations on Property Values*, **Environmental Law**, Vol. 36:105, pp. 105 – 127, Andrew J. Plantinga, et. al., *The effects of potential land development on agricultural land prices*, **Journal of Urban Economics**, 52, (2002), pp. 561 – 581. and Sonny Conder and Karen Hohndel, *Measure 37: Compensating wipeouts or insuring windfalls?*, **Oregon Planners’ Journal**, Vol. 23, No 1. Dec. – Jan 2005. pp. 6 – 9.

a property lost value as a result of Metro's regulation is to measure whether the property value decreased following Metro's action.

This method allows a consistent computation of property loss due to subsequent regulatory changes. At the same time it avoids awarding particular property owners a bonus that was not anticipated in the original purchase price. Owners are compensated for what they lost; but they are not awarded an extra benefit owing to unanticipated growth, infrastructure investment or regulatory changes that happen after the application of Metro's regulations.

Property Valuation Analysis Procedure:

Our property valuation analysis procedure consists of the following steps.

- Briefly describe the property and make a prudent assessment of development limitations to establish a likely range of development capacity under both "RSIA", and RRFF5 designations assuming health and safety regulations are enforced.
- Based on recent sales (2004,2005,2006) of lots and existing properties inside the Damascus expansion area and the eastern portion of the Clackamas industrial district determine the current (2006) value of the property with a reasonable range of "Industrial" or "RSIA" development configurations including a 10 year discount factor for lag time in service provision.
- Based on recent sales (2005) of property in a buffer zone extending 1 mile outside the present UGB within Clackamas County determine the value of residential property on lots of 2.5 to 7.5 acres in size. This procedure establishes a reasonable range of values for residential properties of RRFF5 configuration in a rural setting.
- Provide an alternative determination of loss of value of the MacLaughlan property based on time series before and after Metro's regulatory action.
- Evaluate the lot value and home value comparables submitted as evidence with the MacLaughlan Measure - 37 claim. Comment on whether those estimates are logically relevant to establish a Measure -37 property value loss assertion.
- Provide and compare estimates of the value of the subject property as of 2006 with Metro's "RSIA" designation versus Clackamas County's RRFF5 designation.

MacLaughlan Property Description:

The subject property consists of one parcel of 5.85 acres located on 172nd about ¼ mile north of Highway 212, about 2 miles west of the Damascus town center and 1.7 miles east of the eastern edge of the Clackamas industrial district. The parcel has access to

172nd. Assessor appraised value as of 2005 for the 5.85 acre parcel is \$413,071 with \$212,400 improvement value and \$200,400 in land value. Data submitted with the claim indicate 5.85 acres comprising the property was purchased in 1974 and the present structure was built in 1985. Though not explicit in the record we assume the purchase price of \$19,800 included land only at that time.

Visual inspection from 172nd and air photo inspection as well as relevant GIS data indicate that the property per se poses no substantial limitations to development for industrial purposes. It is generally flat on the crest of a hill. Surrounding properties do however, have slope limitations in regard to industrial development. Consequently, the scale of industrial development in this general area may be limited. The RRFF5 zone does not allow division of the property because the zone has a five-acre minimum lot size.³ In the case of use as "Industrial" on the 5.85 acre parcel the residential structure would be a nonconforming use and would need to be demolished or moved when the land is converted to a more intense use.

Again, it is not in our professional capacity to assert with authority any definitive estimate of what the site limitations are; but rather to reflect what any prudent property investor must consider when pricing raw land. This holds true for both Metro's "RSIA", and the default use of RRFF5.

Land Use Capacity Estimates – 5.85 Acre Parcel:

For purposes of determining "RSIA" capacity we note that the site is roughly 1.6 miles east of the eastern edge of the existing Clackamas industrial district. In designating these lands industrial there was an implicit presumption that a major transportation corridor – "the Sunrise Corridor" would be constructed through the area with available access. Our understanding at present is that no identified funding for the project exists and that a number of other regional transportation projects have higher priority. Consequently, we cannot prudently consider such an improvement to be in place over a 20 year planning horizon. Slope on surrounding parcels, poor access and general lack of demand portend an industrial market for the property of very low density and low value structures.

Current Value Estimate of "RSIA" in Damascus Expansion Area:

RSIA:

³ At the time Metro's regulations became applicable to the property, it was also subject to a state-imposed 20-acre minimum lot size. The applicability of this state regulation, however, does not affect this analysis because no division of the property is allowed by the RRFF5 zone.

Resolution No. 06-3714
Attachment 2: Report of the Chief Operating Officer

Comparables for the RSIA designation are far more problematic. To establish a starting point for valuation, we examined recent (since 2004) sales of industrially designated property in the eastern section of the Clackamas Industrial District and two sales of Industrial and RSIA property along Highway 212 in the Damascus expansion area. Table 1A below summarizes the information on the sales.

Table 1A: Summary Property Value Data - Clackamas Industrial District and Damascus Area Industrial/RSIA Highway 212 Development Recent Sales

Property Description	Sale Date	Size Acres	Per Acre Sale \$
3 land assembly sales, ready to build, hwy 212 Clackamas Ind. Dist.	2004	29.8	\$102,300
2 land assembly sales, ready to build, hwy 212 Clackamas Ind. Dist	2004	4.8	\$130,200
2 land assembly sales, Damascus expansion area, Hwy 212, Ind.- RSIA	2005 - 06	69.3	\$131,600
1 land sale, Damascus expansion area, Hwy 212, Ind.- RSIA	2005	34	\$45,700
2 land assembly sales, Damascus expansion area, Highway 212, RSIA	2005	20.8	\$75,300
1 land sale, Damascus expansion area, Hwy 212, RSIA	2003	17.9	\$83,600

In the context of the MacLaughlan property industrial valuation, the above sales merit some discussion. The Clackamas Industrial District sales represent transactions for ready to build industrial land at the east end of the industrial district. As such they are legitimate comparators for flat land, with services in an existing, developed industrial area. Areas located at a distance from adjoining industrial development, without access or services and not possessing flat land site characteristics must be substantially discounted.

The remaining four sales are located adjacent to or close to Hwy 212 in the Damascus expansion area on a combination of industrial and RSIA designated land with slope characteristics similar to or more extreme than the MacLaughlan property. However, the 69-acre property was purchased by Providence Health System. To our knowledge they have no intention to develop it for industrial purposes.

The 34-acre property, north and adjacent to the Providence property was likewise purchased by a developer for \$45,700 per acre and consists of sloping Industrial and RSIA designated land. At this time we have no information on how the developer intends to use this property given the Providence intended land use. However, we must at this time accept at face value that the developer was willing to pay \$45,700 per acre for industrial and RSIA designated property.

The final two sales are particularly close to the MacLaughlan property on land designated RSIA. The 17.9 acre sale was to Sunrise Water Authority and may reflect a future public facility use. The 20.8 acre sale was to a developer for undetermined purposes but given the RSIA designation we must accept that as the intended use.

Given the above information we take the \$75,000 per acre value as the base for comparison purposes for valuing industrial on the MacLaughlan property. For purposes of our valuation we assume a raw land sales price of \$75,000 per acre and a time to development of 10 years.

Current Value Estimate of “RRFF-5 Buildable Lots” in the 1 Mile Buffer Area Outside the UGB:

To establish the value range for “RRFF-5” size lots within the Clackamas rural area we selected all residential properties that sold in 2004 and 2005 within the 1 mile buffer zone with a lot size of 2.5 to 7.5 acres. These comprised 177 properties and their summary statistics are included below in Table 2.

Table 2: Summary Property Value Data - Clackamas Rural Residential (“RRFF-5”)

Average Lot Size:	4.45 acres
Median Lot Size:	4.56 acres
Average Lot Value:	\$233,200
Median Lot Value:	\$204,000
Average Total Prop.	\$510,200
Median Total Prop.	\$421,800
Average House Size:	3,500 Sq. Ft.
Median House Size:	3,350 Sq. Ft.

For purposes of valuation we observe that our sample properties closely correspond to the 2005 assessor’s market value for the MacLaughlan property. According we except the 2005 assessor’s value as the market value with the present improvements and RRFF-5 zoning.

Alternative Valuation of MacLaughlan Property Using the Time Trend Method Suggested by Plantinga and Jaeger.

OSU economists Andrew Plantinga and William Jaeger have challenged the “comparable sales” approach of traditional appraisal methods. They have pointed out that it really measures the value obtained by an exception to the current rule; rather than a measure of economic loss suffered as a result of government land use regulation. Since the subject Metro regulatory change was recent (2003), we have before and after time series data to determine whether the MacLaughlan property actually experienced a loss of value after the Metro regulation.

Accordingly, we have tabulated property value data for the entire expansion area from assessor’s records for the years 2000 through 2006. We present the data for the MacLaughlan property specifically and for all RRF-5 designated properties within the expansion area. Table 3 below depicts the results by year.

Table 3: MacLaughlan Property Value and Expansion Area Property Values 2000 - 2006

Year	MacLaughlan Value	Average All RRFU-5
2000	310,430	309,353
2001	292,770	331,342
2002	300,332	346,958
2003	299,475	351,695
2004	326,279	369,960
2005	359,105	392,706
2006	413,071	416,137

Both the MacLaughlan property assessor’s market value and the average value of all RRFU5 tax lots within the study area increase steadily from 2003 through 2006. There is no evidence that Metro’s action of including the property within the Urban Growth Boundary and imposing a temporary minimum lot size of 20 acres has reduced property values. Figure A attached depicts the time trends graphically.

Evaluation of MacLaughlan Claim of Comparable Properties

The basis for the MacLaughlan property value loss estimate of \$700,000 - \$800,000 rests on a market value estimate of \$175,000 per developed ready to build lot assuming 4 or more buildable lots are available on the property plus the value of the existing structure on a 1 acre lot. To arrive at the loss estimate the value of the existing structure on the existing 5.85 acre lot is subtracted. Though we are unable to replicate the exact amounts, the range stated is roughly consistent with the claimant’s property value assumptions.

We see two problems with the claimant's list of comparable properties: (1) the list uses one-acre lots as comparators rather than five to six-acre parcels, indivisible under the county zoning that applied at the time Metro's regulations first applied; and (2) it uses properties from areas inside the Urban Growth Boundary in some prestige neighborhood of developed cities with full urban services. However, a number of properties in rural locations outside the UGB are also included. Examining comparables for rural locations that have actually sold we find the highest to be a 4.2 acre lot that sold for \$159,000. The average sales price of the sold comparables in rural locations is \$135,800 with a lot size range of 1.14 to 4.22 acres.

MacLaughlan Claim Property Values Compared

Given the data developed in the previous Tables we may now summarize our estimates of the total value in 2006 for the MacLaughlan property in its present location. To do so we have followed the procedure below.

1. Assume the 5.85 acre parcel is developed as RSIA.
2. For the default RRFF5 use we assume the assessor's market value of \$413,000 plus 15% is the appropriate property value since the property cannot be further subdivided under RRFF5 designation.
3. For the 5.85 acre parcel we assume a \$75,000 per acre raw land price based on comparables adjusted for access. To account for the value of the existing improvements on the property, we value them on an annual net rental proceeds basis discounted 6.5% per year until time of land conversion (10 years) at which time the improvements are demolished. The summed and discounted residential rents we add to the discounted land value.
4. Compare the resultant values for the property with RRFF5 usage to the value of the property with RSIA usage.

Table 4 below depicts the results for low and high range assumptions for both RSIA and RRFF5.

Table 4: Comparison of Estimated Market Value of Raw Land for RSIA and RRFF5

RSIA 5.85 Acre Parcel Used as Industrial

Parcel Size:	5.85 acres
Estimate of raw land value at Time of conversion (per acre):	\$75,000
Total value (5.85 x 40,000):	\$438,750
Discounted to time of conversion In 10 years:	\$233,734
Plus present value of 10 years net Rents from SFD improvement:	\$69,013
Total Value:	\$302,746
Value per acre (5.85 acres):	\$51,752

RRFF5 5.85 Acre Parcel

Assessor's value of Property;	\$413,071
Plus 15%	\$61,961
Total Value of property:	\$475,032
Value per acre total (5.85 acres):	\$81,201

We estimate the current value of the MacLaughlan property with RSIA designation to be \$302,700. The same property used as RRFF5 would yield \$475,000. If developed with Metro's designation in 10 years the property would experience a loss over the default RRFF5 use.

Using the time trend method yields no loss. The MacLaughlan property value did not decrease after Metro's designation but instead increased as did all other properties in the expansion area.