

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENTERING AN ORDER ) Resolution No. 07-3775  
RELATING TO THE NANCY J. ROUNSEFELL, )  
TRUSTEE OF JAMES L. ROUNSEFELL AND ) Introduced by Chief Operating Officer  
NANCY J. ROUNSEFELL CLAIM FOR ) Michael Jordan with the concurrence of  
COMPENSATION UNDER ORS 197.352 ) Council President David Bragdon  
(MEASURE 37) )

WHEREAS, Nancy J. Rounsefell, Trustee for the James L. Rounsefell and Nancy J. Rounsefell Trust, filed a claim for compensation under ORS 197.352 (Measure 37) contending that Metro regulations had reduced the fair market value of property they own in the city of Damascus; and

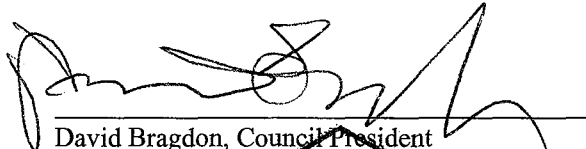
WHEREAS, the Chief Operating Officer ("COO") reviewed the claim and submitted reports to the Metro Council, pursuant to section 2.21.040 of the Metro Code, recommending denial of the claim for the reason that the Metro regulation that is the basis for the claim did not reduce the fair market value of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

WHEREAS, the Metro Council held a public hearing on the claim on February 15, 2007, and considered information presented at the hearing; now, therefore

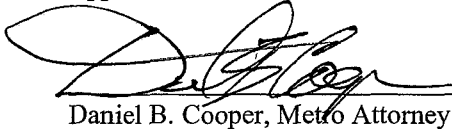
BE IT RESOLVED that the Metro Council

1. Enters Order 07-019, attached to this resolution as Exhibit A, which denies the claim for compensation.
2. Directs the COO to send a copy of Order No. 07-019, with Exhibit A attached, to the claimant, 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 15<sup>th</sup> day of February, 2007

  
David Bragdon, Council President

Approved as to form:

  
Daniel B. Cooper, Metro Attorney

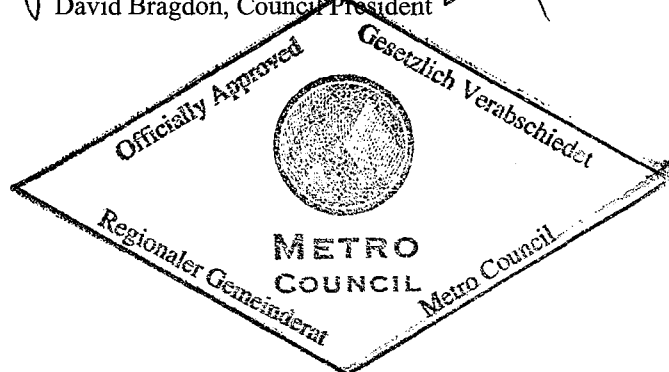


Exhibit A to Resolution No. 07-3775

**Order No. 07-019**

RELATING TO THE NANCY J. ROUNSEFELL, TRUSTEE FOR THE JAMES L. ROUNSEFELL  
AND NANCY J. ROUNSEFELL CLAIM  
FOR COMPENSATION UNDER ORS 197.352 (MEASURE 37)

Claimant: Nancy J. Rounsefell, Trustee for the James L. Rounsefell and Nancy J. Rounsefell Trust

Property: 22515 SE Hoffmeister Road, Damascus, Oregon;  
Township 2S, Range 3E, Section 3BC, Tax Lot 0100 (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.

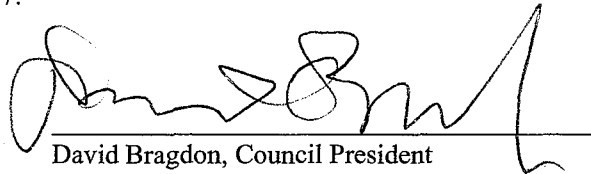
Claimant submitted the claim to Metro pursuant to ORS 197.352 (Measure 37). This order is based upon materials submitted by the claimant and the reports prepared by the Chief Operating Officer ("COO") prepared pursuant to section 2.21.040.

The Metro Council considered the claim at a public hearing on February 15, 2007.

IT IS ORDERED THAT:

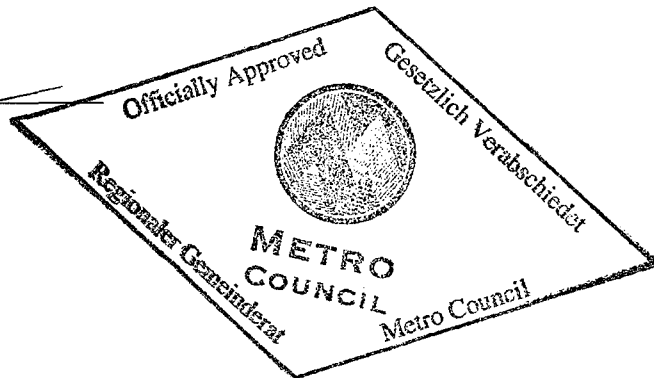
The claim of Nancy J. Rounsefell, Trustee for the James L. Rounsefell and Nancy J. Rounsefell Trust for compensation be denied because it does not qualify for compensation for reasons set forth in the reports of the COO.

ENTERED this 15<sup>th</sup> day of February, 2007.

  
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**

**In Consideration of Council Order No. 07-019  
For the Purpose of Entering an Order  
Relating to the Measure 37 Claim of Nancy J. Rounsefell, Trustee of the James L. Rounsefell Trust  
and the Nancy J. Rounsefell Trust**

January 23, 2007

**METRO CLAIM NUMBER:** Claim No. 07-019

**NAME OF CLAIMANT:** Nancy J. Rounsefell

**MAILING ADDRESS:** c/o Wendy Burns  
Burns and Olson Realtors, Inc.  
20500 SE Highway 212  
Damascus, OR 97089

**PROPERTY LOCATION:** 22515 SE Hoffmeister Rd.  
Damascus, OR 97089

**LEGAL DESCRIPTION:** Township 2 South, Range 3 East  
Section 3BC, Tax lot 0100<sup>1</sup>

**DATE OF CLAIM:** December 1, 2006

**I. CLAIM**

Claimant Nancy J. Rounsefell seeks compensation in the amount of \$2,219,250 for a claimed reduction in fair market value (FMV) of property owned by the claimant as a result of enforcement of Metro Code Section 3.07.1110 C of Title 11 (Interim Protection of Areas Brought into the Urban Growth Boundary) and Metro Ordinance 02-969B (For the Purpose of Amending the Metro Urban Growth Boundary, the Regional Framework Plan and the Metro Code in Order to Increase the Capacity of the Boundary to Accommodate Population Growth to the Year 2022). In lieu of compensation, claimant seeks a waiver of those regulations so claimant can apply to the City of Damascus to divide the 18.41-acre subject property into residential lots of unspecified lot size.

The Chief Operating Officer (COO) sent notice of date, time and location of the public hearing on this claim before the Metro Council on January 25, 2007. 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](http://www.metro-region.org).

**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 claimant's land into the Urban

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<sup>1</sup> The Rounsefell Claim also includes a separate .9-acre tax lot with an existing structure. Since both Claimant and Metro agree that this tax lot has not been adversely affected by Metro's action, we are not including it in this report.

Growth Boundary (UGB), designate it Inner Neighborhood (allowing high-density residential development), and applying a temporary 20-acre minimum lot size while planning is completed did not reduce the fair market value of claimant's 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 December 1, 2006. The claim identifies Metro's Urban Growth Management Functional Plan's temporary 20-acre minimum lot size requirement as the basis of the claim. It is assumed herein that claimant is referring to Metro Code section 3.07.1110 C, and Metro Ordinance 02-969B as the basis of the claim.

Metro Council applied the regulation to the claimant's 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). This ordinance added 18,638 acres to the Urban Growth Boundary, primarily in the Damascus urban expansion area, that includes the claimant's property. This ordinance also designated the claimant's property as Inner Neighborhood.

#### Conclusions of Law

Metro adopted the regulation that gives rise to this claim prior to the effective date of Measure 37, and claimant 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 2.22.020(c) defines "owner" to mean the owner of the property or any interest therein. "Owner" includes all persons or entities that share ownership of a property.

#### Findings of Fact

The claimant has provided a preliminary title report from Pacific Northwest Title, dated November 28, 2006, which names Nancy J. Rounsefell as Trustee of the trust that owns the subject property. Attachment 1 is a site map of the subject property (ATTACHMENT 1). The subject property has no improvements.

#### Conclusions of Law

The claimant, Nancy J. Rounsefell, is owner of the subject property as defined in the Metro Code.

#### 2. Zoning History

According to claimant, the subject property was zoned R30 in 1973 and was subsequently zoned RRFF-5 in 1975/76. The subject property carried this same RRFF-5 zoning at the time of its annexation into the

UGB. The RRF-5 zoning designation allowed minimum lot sizes of five acres with one residence per lot.

### 3. Applicability of a Metro Functional Plan Requirement

#### Findings of Fact

In 2002, Metro Council expanded the UGB by adopting Ordinance No. 02-969B, including the claimants' property in the UGB expansion area.

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.

#### Conclusions of Law

Section 3.07.1110 C of the Metro Code applies to the subject property and became applicable after the claimant acquired the property. Thus, the section did not apply to the subject property at the time claimant acquired it. The section does not allow the claimants to partition or subdivide their 18.41-acre property until the City of Damascus adopts its comprehensive plan.

### 4. Effect of Functional Plan Requirements on Fair Market Value

#### Findings of Fact

Section 2.21.040(d)(5) of the Metro Code requires the Chief Operating Officer (COO) to determine whether the 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 claimant's land. The COO's conclusion is based upon the analysis of the effect of Metro's action contained in ATTACHMENT 2 (Metro Memorandum to Ray Valone and Richard Benner from Sonny Conder and Karen Hohndel dated January 25, 2007 (Conder Memo)).

Claimant has submitted a market analysis with the assertion that the temporary 20-acre minimum size has reduced the value of their property by \$2,219,250. The market analysis states that only one of the two tax lots that comprise the subject property suffers a loss in value (lot 100, 18.41 acres). The analysis states that tax lot 800 (.9-acres) suffers no loss since it is already a legal lot of record with an existing house.

Claimant's market analysis assumes that, given the lack of sewer service, tax lot 100 has the potential for 18 buildable lots of one acre each. The analysis states that one-acre lots would be of sufficient size to support a septic system.

Claimants assert the following diminution in value attributable to Metro regulations:

Current FMV subject to regulation (tax lot 100 only):

Land:	\$1,380,750	
Improvements:	\$ -	
<b>Current FMV:</b>		<b>\$1,380,750</b>

Assertion of potential FMV assuming 18 buildable lots:

18 new lots FMV:	\$4,500,000	
Less development costs:	\$( 900,000)	
<b>Potential net FMV:</b>		<b>\$3,600,000</b>
<b>Claimed reduction in FMV:</b>		<b>\$2,219,250</b>

The Conder Memo analyzes the subject property FMV, using 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 "before" and "after" scenarios. Under the "before" scenario, the property would be outside the UGB with the zoning that applied at the time of the application of Metro's regulation: 18.41-acres (tax lot 100 only) zoned RRFF-5 (Rural Residential-Farm/Forest, five acre minimum lot size). Given these zoning requirements, claimant, in the absence of Metro's regulation, could have obtained approval to divide their 18.41-acre property into a maximum of three lots. Each of the three lots would be eligible for one single-family dwelling.

Under the "after" scenario (current regulatory setting), the land lies within the UGB. The property is designated Inner Neighborhood. The property 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. The comparable sales method assumes claimant will eventually be able to use the property for high-density residential development (ranging from 74 to 110 residential lots on the buildable portions of the subject property).

Table 4 of the Condor Memo compares today's value of the property before and after 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 greatly 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 property. In fact, the analysis indicates that Metro's actions have increased the property's FMV.

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

The Condor Memo uses time-series data to determine whether the application of Metro regulations to the property reduced its value. The data show values before and after Metro's inclusion of the property in the UGB and application of Metro's 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 in value after March 5, 2003, the date the regulations became applicable to the property. Figure A of the memo depicts the data graphically.

Conclusions of Law

The comparable sales method compares the value of similarly situated properties before and after the application of Metro's regulations. The Plantinga-Jaeger method, as applied in this case, measures the assessor's real market value of the property before and after Metro's March 5, 2003 action. The Plantinga-Jaeger method provides a clearer and more accurate answer to the question posed by Measure 37: did Metro's action reduce the FMV of the subject property? Application of the method shows that the FMV of the subject property continued to rise after Metro included it in the UGB with the Inner Neighborhood and Corridor designations and the temporary 20-acre minimum lot size.

Property value data indicate that Metro's action to bring claimants' land into the UGB, designate it Inner Neighborhood (allowing high-density residential development), and apply a temporary 20-acre minimum lot size while planning is completed did not reduce the FMV of their property.

5. Exemptions under ORS 197.352(3)

Findings of Fact

Section 3.07.1110 C 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 3.07.1110 C 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 of Metro Code Section 3.07.1110 C to the subject property would allow the claimant to apply to the City of Damascus to divide the subject property into lots of unspecified size and to develop a single family dwelling on each lot. The effect of development as proposed by the claimant will be to reduce the residential capacity of the City of Damascus and of the UGB. It would also make 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 3.07.1110 C.

Recommendation of the Chief Operating Officer

The Metro Council should deny the Rounsefell claim for the reason that the Metro Code Section 3.07.1110 C and Metro Council's Ordinance No. 02-969B did not reduce the value of the subject property.

**ATTACHMENTS TO THE REPORT OF THE CHIEF OPERATING OFFICER**

Attachment 1: Site Map of Subject Property

Attachment 2: Metro Memorandum to Ray Valone and Richard Benner from Sonny Conder and Karen Hohndel, "Valuation Report on the Rounsefell Measure 37 Claim," dated January 25, 2007

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

Attachment 4: Nancy J. Rounsefell Measure 37 Claim Submittal to Metro






R L I S  
REGIONAL LAND INFORMATION SYSTEM

**Resolution No. 07-3775**  
**Attachment 1 COO Report**

# Site Map

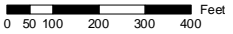
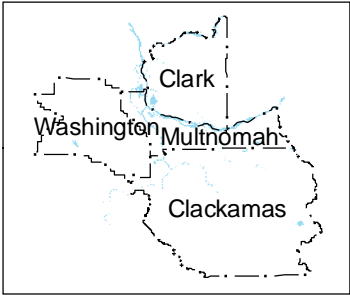
## Rounsefell

### 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 0.08 miles

Location Map



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



January 24, 2007

To: Ray Valone  
Richard Benner

From: Sonny Conder  
Karen Hohndel

Subject: Valuation Report on the Rounsefell Measure 37 Claim

**Conclusion:**

Per your request we have conducted a valuation analysis of the Rounsefell Measure 37 Claim. The Metro designation of ‘Inner Neighborhood’ applies to the Rounsefell Claim. We conclude, using the comparable sales method of determining possible reduction in value that the Metro action of including the 18.41-acre<sup>1</sup> property inside the urban growth boundary (UGB), designating it ‘Inner Neighborhood’ and imposing a temporary 20-acre minimum lot size for development did not produce a material loss of value for the subject property<sup>2</sup>. In all likelihood, the action produced an increase in value for the claimant’s property.

Using a time series variation of the Plantinga-Jaeger method of determining property value loss due to regulation also indicates no loss of value for the 18.41-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 comparably sized RRFF-5 acre lot size designated parcels within the expansion area has continued to increase since the Metro 2003 regulation.

The Plantinga-Jaeger method as applied in this case measures the value of the property before and after Metro's action of March 5, 2003. The comparable sales method compares today's value of similarly situated properties under current regulations with today's value under the regulations in place before Metro's action. The Plantinga-Jaeger method provides a more clear and accurate answer to the question posed by Measure 37: Did Metro's action reduce the fair market value (FMV) of the Rounsefell property? Application of the method shows that the FMV of the Rounsefell property continued to rise after Metro included it in the UGB with the ‘Inner

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<sup>1</sup> The Rounsefell Claim also includes a .9-acre separate tax lot with an existing structure. Since both Claimant and Metro agree that this tax lot has not been adversely affected by Metro’s action, we are not including it in the valuation report.

<sup>2</sup> 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.

Neighborhood' designation and the temporary 20-acre minimum lot size. Thus, the Metro Council should deny the Rounsefell claim for compensation or waiver.

We consider the time trend and Plantinga – Jaeger methods to be consistent approaches in determining whether a claimant has experienced a property value loss due to a particular government regulation. As we have noted elsewhere, the comparative sales method yields an estimate of what a particular property owner may gain, not an estimate of what they have lost.

### **Conceptual Understanding for Basis of Property Value Analysis:**

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

1. Estimate the fair market value of the property subject to the regulation that the claimant contends has reduced the value of his property.
2. Estimate the fair market value of the property today as though it were subject to the regulations in place prior to the date Metro first applied the regulation to the claimant's property.

Metro Ordinance No. 02-969B applied a set of new regulations to the claimant's property. First, the ordinance brought the claimant's property into the region's UGB, making the property eligible for urban residential densities on the parcel rather than rural low-density development. The entire 18.41 acre parcel was designated 'Inner Neighborhood', allowing residential use on the property. Second, the ordinance applied a temporary 20-acre minimum lot size to protect the status quo while local governments complete amendments to comprehensive plans, scheduled for completion in 2008, to allow urban development. Within the overall framework of this land use designation, any particular property may have a substantial range of development types and lot sizes. Implicit in this design type 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 on the 18.41-acre parcel. This land use designation is a rural designation allowing one dwelling unit per 5 acres. 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 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 Jaeger<sup>3</sup>, 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 taxicabs 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 1980’s. In the 1950’s through roughly the 1970’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 taxicab 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 whether 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 a property lost value as a result of Metro’s regulation is to measure whether the property value decreased following Metro’s action.

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<sup>3</sup> 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](mailto: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](mailto: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 should be compensated for what they lost due to the application of Metro's regulations. They are not awarded an extra benefit owing to unanticipated growth, infrastructure investment or regulatory changes irrespective of any Metro 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 'Inner Neighborhood', and RRFF-5, assuming health and safety regulations are enforced.
- Estimate value of property based on recent sales (2004,2005,2006) of lots and existing properties inside the Damascus expansion area of 'Inner Neighborhood' 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 10 to 25 acres in size. This procedure establishes a reasonable range of values for residential properties of a RRFF-5 configuration in a rural setting.
- Provide an alternative determination of loss of value of the Rounsefell property based on time series before and after Metro's regulatory action.
- Provide and compare estimates of the value of the subject property as of 2006 with Metro's 'Inner Neighborhood' designation versus Clackamas County's RRFF-5.

### **Rounsefell Property Description**

The subject property consists of 18.41 acres along the north side of SE Hoffmeister Road, east of SE 222<sup>nd</sup> Drive in the city of Damascus. Clackamas County Assessor data show it as an 18.41-acre parcel in forestry/agriculture use with no improvements. Assessor market value as of 2006 is \$220,756. Visual inspection indicates the parcel is sloping gently to the northwest with a gain of 40 feet from south to north. Until recently the parcel was used as a tree farm and numerous small trees remain unharvested. The land in general commands an excellent view toward Mt. Hood and may be regarded a view property for residential purposes. No visible impediments to development are apparent.

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 'Inner Neighborhood' and the default use of RRFF-5.

### **Land Use Capacity Estimates – 18.41 Parcel as 'Inner Neighborhood' and as RRFF-5**

As noted above the Rounsefell property is in Metro's 'Inner Neighborhood' designation. This designation allows a wide range of residential densities more limited by market and site

conditions than regulation. The market rather than site impose limitations on the Rounsefell property. We estimate that the property will be developed within 10 years as middle to upper income value single family residential, similar to present Happy Valley development with a density of 4 – 6 units per acre.

Using the RRFF-5 Clackamas County land use designation in effect at the time of Metro’s UGB action, we assume that the property can be further subdivided into 3 additional 5 acre plus lots. The 18.41-acre size leaves the property about 1.5 acre short of qualifying for 4 lots.

### **Current Value Estimate of ‘Inner Neighborhood’ Land in Damascus Expansion Area**

In order to establish a reasonable range of lot values for developing urban areas with infrastructure and nearby urban services, we evaluated all recent sales (year 2005) of land and lots within the Damascus UGB expansion area. As detailed in relevant data file and confirmed by the Clackamas County Assessor’s office, currently one area is under development. It consists of 38 acres that was included in the expansion area and annexed to Happy Valley. Data indicate that 152 lots of 7,000 – 10,000 square feet have been sold for \$22.6 million for an average of \$149,000 per lot. The lot price range was from \$127,000 to \$175,000. The lots in question are ready to build lots with complete urban services inside the city of Happy Valley. They were also designated ‘Inner Neighborhood’ when included within the UGB and subsequently zoned to R10 by Happy Valley.

Since these lots were located in the urbanized, extreme western portion of the expansion area, we also examined nearby recent developments closer to the Rounsefell property. To establish the range of relevant property values we selected the 27 developed tax lots immediately south of the Rounsefell property. Relevant summary results are in Table 1 below.

**Table 1: Summary Property Value Data – Damascus Area ‘Inner Neighborhood’ Designation, SE Donna Circle and 222<sup>nd</sup> / Hoffmeister Road Intersection**

Average Lot Size:	.89 acre
Average Lot Value:	\$138,923
Average Total Property Value:	\$375,235
Number of Sales:	27

When we adjust for lot size, view amenities and the availability of full urban services, the data support a lot value range of \$125,000 – \$175,000 per buildable lot in 2006 dollars for ‘Inner Neighborhood’ type development on the subject property.

### **Current Value Estimate of “5 Acre Minimum Buildable Lots” in the 1 Mile Buffer Area Outside the UGB**

To establish the value range for “20 Acre Minimum” size lots with RRFF-5 zoning within the Clackamas County rural area, we selected all residential properties zoned RRFF-5 with known sale dates within the 1 mile zone subject to the Land Conservation and Development



Commission’s 20-acre minimum lot size with a lot size of 10 to 25 acres. These comprised 36 properties. Their summary statistics are included below in Table 2.

**Table 2: Summary Property Value Data – Clackamas County 1 Mile Buffer RRFF-5 Zoning 10 – 25 Acre Lots with Recent Sales**

Average Lot Size:	13.8 acres
Median Lot Size:	12.7 acres
Average Acre Value:	\$22,139
Median Acre Value:	\$20,212
Number of Sales:	36

The data suggest that the Rounsefell 2006 raw land value with a 5-acre minimum lot size restriction that limits the property to 3 residential units would be worth \$386,000 to \$423,000.

**Alternative Valuation of Rounsefell 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 Rounsefell 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 Rounsefell 18.41-acre property specifically and for all RRFF-5 designated properties within the expansion area between 10 and 25 acres in size. Table 3 below depicts the results by year.

**Table 3: Rounsefell Land Value and Expansion Area Land Values 2000 – 2006**

Year	Rounsefell Value per Acre	Average All 10 – 25 Acre RRFF-5
2000	367	7,446
2001	9,110	12,588
2002	9,557	13,599
2003	9,652	13,682
2004	10,130	14,502
2005	10,703	15,563
2006	11,563	16,407

Both the Rounsefell property assessor’s market value and the average value of all RRFF-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.

**Table 4: Comparison of Estimated Market Value of Raw Land for Inner Neighborhood, and RRFF5 Land Uses**

<b>Inner Neighborhood (18.41 acres)</b>	
Low Yield (18.41 x 4):	74 DU (dwelling units)
Low Range Lot Value:	\$125,000
Development Cost per Lot: <sup>4</sup>	\$50,000
Net Raw Land per Lot:	\$75,000
Total Raw Land Value (74x75,000):	\$5,550,000
Current Market Value for 18.41 acres	
Discounted 10 years:	\$2,957,000
High Yield (18.41 x 6):	110 DU
High Range Lot Value:	\$175,000
Development Cost per Lot:	\$50,000
Net Raw Land per Lot:	\$125,000
Total Raw Land Value (110x125,000):	\$13,750,000
Current Market Value for 18.41 acres	
Discounted 10 years:	\$7,325,000
<b>Rural Residential (RRFF-5) Acre Minimum</b>	
Low Range:	
Land Value (3 DU):	\$386,000
High Range:	
Land Value (3 DU):	\$423,000

We estimate the current raw land value plus residence of the Rounsefell property with ‘Inner Neighborhood’ designation to range from \$2,957,000 to \$7,325,000. The same property used as Rural Residential in a rural setting with a 5-acre minimum would yield \$386,000 to \$423,000. In other words, the most optimistic rural valuation falls well below the most pessimistic ‘Inner Neighborhood’ valuation. Given these results, we would conclude that the ‘Inner Neighborhood’ designation has not reduced the value of the property. Quite the contrary, it has most likely increased the value.

Moreover, in terms of establishing economic loss, the land values per acre established using the time trend Plantinga-Jaeger method shows land values increasing steadily since 2003. Clearly, under no circumstances has any regulatory change to the Rounsefell property reduced its value. Again, the contrary is the case. Growth, infrastructure investment and regulation necessary for orderly growth have produced increases in property values well in excess of any alternative investment for the Rounsefell property.

---

<sup>4</sup> We are assuming the cost of converting raw land to buildable lots will be \$50,000 per lot. This figure includes on site streets, curbs, sidewalks, streetlights, water, sewer, and drainage as well as SDC’s for sewer, water, drainage, parks and transportation.

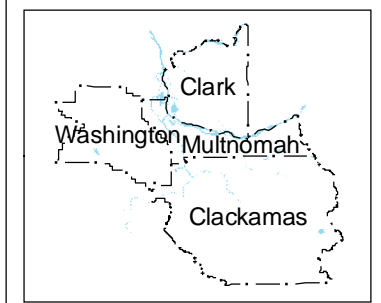
Resolution No. 07-3775  
Attachment 3 COO Report

# 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.

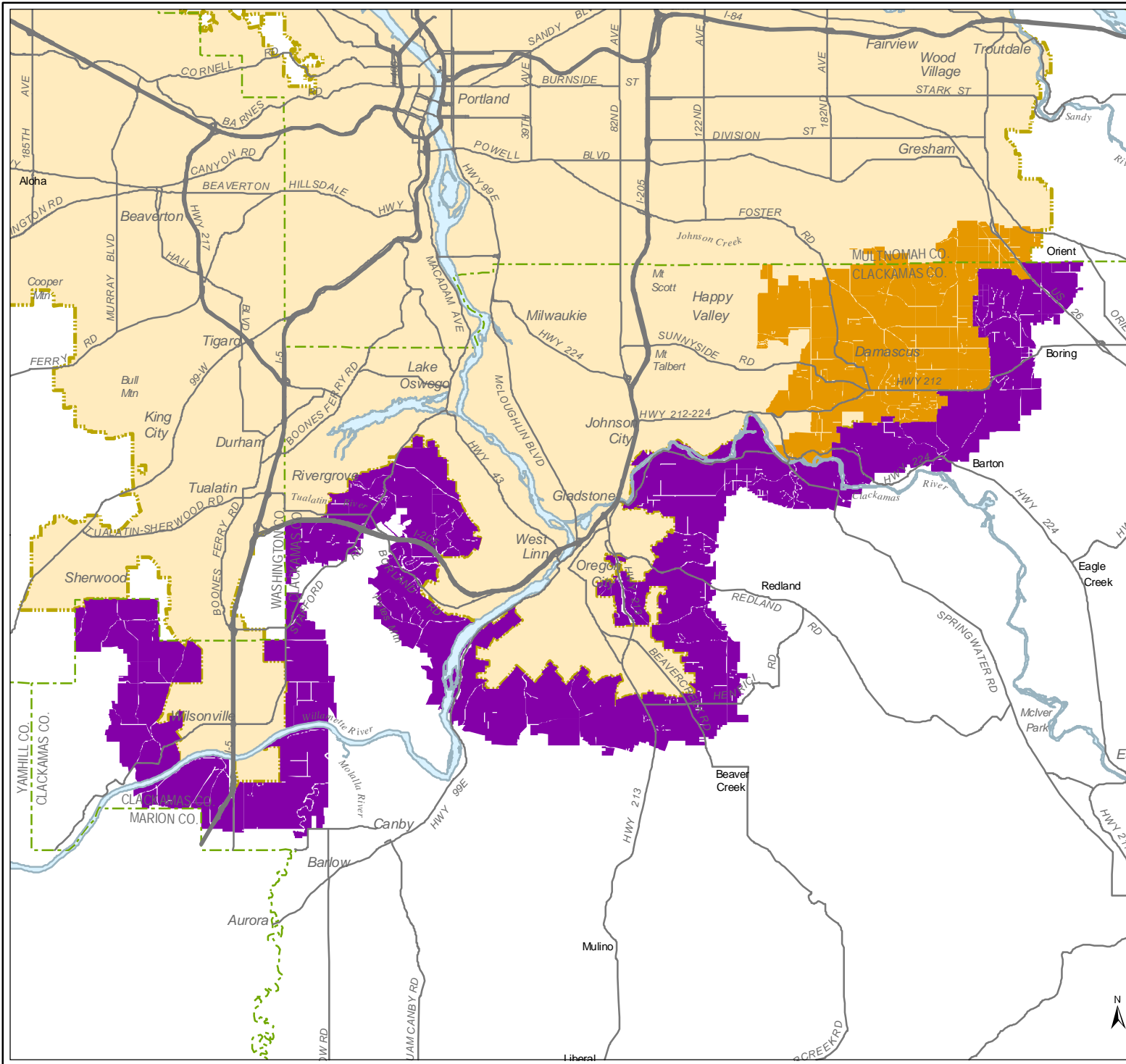
1 inch equals 3.31 miles  
0 1 2 Miles



Location Map



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





METRO

Richard P. Benner  
Tele: (503) 797-1532  
FAX: (503) 797-1792

January 5, 2007

Chris Olson  
20500 SE Hwy 212  
Boring, Oregon 97009

Re: *Nancy Rounsefell Measure 37 Claim with Metro*

Dear Mr. or Ms. Olson:

Metro has received Nancy Rounsefell's Measure 37 claim and has begun to review it under our claims process. In the course of our initial review, we find an "gap" in the chain of title of Tax Lot 100: it is not evident from the title report that ownership of Tax Lot 100 passed from her deceased husband to Ms. Rounsefell. Please submit additional information to show that ownership has passed to her, and when it passed to her.

Thank you.

Very truly yours,



Richard P. Benner  
Senior Attorney  
Office of the Metro Attorney

cc: Karen Hohndel, Metro

RPB:kvw  
m:\attorney\confidential\7.2.2.16.51\010507co.001

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That JAMES L. ROUNSEFELL and NANCY ROUNSEFELL, Husband and Wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by The James L. Rounsefell Trust and The Nancy J. Rounsefell Trust See Attached, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereto belonging or pertaining, situated in the County of Clackamas and State of Oregon, described as follows, to-wit:

A tract of land situated in the southwest one-quarter of the northwest one-quarter of Section 8, T. 2 S. R. 3 E. of the W.M. more particularly described as follows:

Beginning at a point in the south line of said legal subdivision which bears East 871.27 feet from the southwest corner of the northwest one-quarter of said Section 8; thence continuing East along the south line of said legal subdivision 208.71 feet; thence North at right angles to said south line 208.71 feet; thence West parallel with the south line of said legal subdivision 208.71 feet; thence South 208.71 feet to the point of beginning, EXCEPTING therefrom that portion lying within roads.-

TL 800 only

TRANSAMERICA TITLE INSURANCE Co. 12/14/00 02-41-01

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances This Warranty deed is being re-recorded to show the correct name of the grantee. Originally recorded May 28, 1992 under #92 32218.

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0. However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, shall be deleted. See ORS 91.030.)

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

In Witness Whereof, the grantor has executed this instrument this 22 day of May, 19 92; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto, by order of its board of directors.

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.

James L. Rounsefell JAMES L. ROUNSEFELL

Nancy J. Rounsefell NANCY J. ROUNSEFELL

STATE OF OREGON, County of Clackamas, May 22, 1992.

STATE OF OREGON, County of Clackamas, May 22, 1992.

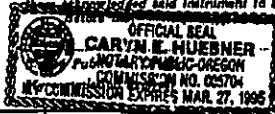
Personally appeared the above named James L. and Nancy J. Rounsefell

Personally appeared and each for himself and not one for the other, did say that the former is the resident and that the latter is the secretary of

and acknowledged the foregoing instrument to be their voluntary act and deed.

and that she read affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon My commission expires: 3-27-95



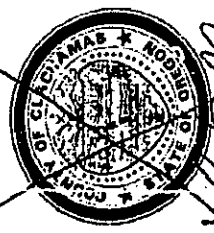
Mr. & Mrs. James L. Rounsefell 22515 S.E. Hoffmeister Rd. Boring, OR 97009

The James L. Rounsefell Trust, The Nancy J. Rounsefell Trust 22515 S.E. Hoffmeister Rd. Boring OR 97009

After recording return to: Michael J. Buroker, Esq. 21902 S.E. Foster Rd. Boring, OR 97009

Mr. & Mrs. James L. Rounsefell 22515 S.E. Hoffmeister Rd. Boring, OR 97009

92 MAY 28 AM 11:39



JOHN KAUFFMAN County Clerk

92-32218



JAMES L ROUNSEFELL TRUSTEE OF THE JAMES L ROUNSEFELL TRUST AND  
NANCY J ROUNSEFELL TRUSTEE OF THE NANCY J ROUNSEFELL TRUST GRANTEE'S

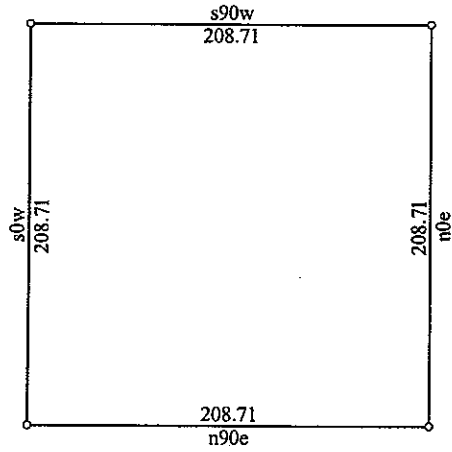
*James L. Rounsefell* 7-27-95  
*Nancy J. Rounsefell* 1-21-95



*Jennifer J. Marks* 7-27-95  
*State of Oregon*  
*County of Multnomah*

STATE OF OREGON 95-044817  
CLACKAMAS COUNTY  
Received and placed in the public  
records of Clackamas County  
RECEIPT# AND FEE: 23060 \$30.00  
DATE AND TIME: 08/01/95 10:08 AM  
JOHN KAUFFMAN, COUNTY CLERK

2



Title: Rounsefell (M37) 95-044817 deed (tl 800)		Date: 01-03-2007
Scale: 1 inch = 100 feet	File: rouns1.des	
Tract 1: 1.000 Acres: 43560 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 835 Feet		
001=n90e 208.71	003=s90w 208.71	
002=n0e 208.71	004=s0w 208.71	



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That JAMES L. ROUNSEFELL and NANCY J. ROUNSEFELL, Husband and Wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by The James L. Rounsefell Trust and The Nancy J. Rounsefell Trust, hereinafter called

the grantor, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Clackamas and State of Oregon, described as follows, to-wit:

See attached Exhibit "A"

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 91.040) In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 22 day of May, 1992; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

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

James L. Rounsefell
JAMES L. ROUNSEFELL
NANCY J. ROUNSEFELL

STATE OF OREGON,
County of Clackamas
May 22, 1992

STATE OF OREGON, County of
Personally appeared

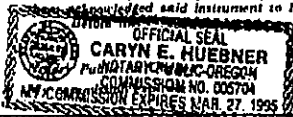
Personally appeared the above named James L. & Nancy J. Rounsefell

and each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

ment to be their voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of us acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon
My commission expires: 3-27-95



Mr. & Mrs. James L. Rounsefell
22515 S.E. Hoffmeister Rd.
Boring, OR 97009
The James L. Rounsefell Trust and
The Nancy J. Rounsefell Trust
22515 S.E. Hoffmeister Rd., Boring
OR 97009

STATE OF OREGON,
County of
I certify that the within instrument was received for record on the day of 19 at o'clock A.M. and recorded in book/roll/volume No. on page of as fee/title/instrument/aerialfilm/exception No. Record of Deeds of said county. Witness my hand and seal of County affixed.

After recording return to:
Michael J. Buroker, Esq.
21902 S.E. Foster Rd.
Boring, OR 97009

NAME ADDRESS ZIP
Mr. & Mrs. James L. Rounsefell
22515 S.E. Hoffmeister Rd.
Boring, OR 97009

By Deputy

92 32217

EXHIBIT "A"

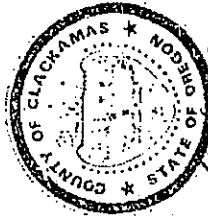
A tract of land situated in the Southwest one-quarter of the Northwest one-quarter of Section 3, Township 2 South, Range 3 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at the West one-quarter corner of said Section 3; thence North 89° 22' 46" East along the one-half section line a distance of 671.27 feet; thence North 0° 37' 14" West a distance of 20.00 feet to a point in the North line of Hoffmeister Road, and the point of beginning of the tract herein to be described; thence continuing North 0° 37' 14" West 188.71 feet to an iron rod; thence North 89° 22' 46" East 7.48 feet to an iron rod; thence North 0° 24' 57" West, parallel with the East line of the aforementioned Southwest one-quarter of the Northwest one-quarter, a distance of 1129.70 feet to an iron rod in the North line of said legal subdivision; thence North 89° 05' 25" East along said North line a distance of 644.29 feet to the Northeast corner thereof; thence South 0° 24' 57" East along the East line of said legal subdivision 1321.79 feet to a point in the North line of Hoffmeister Road; thence south 89° 22' 46" West along said North line a distance of 651.08 feet to the point of beginning. Containing an area of 19.55 acres, more or less. -

TL 100  
x  
800

STATE OF OREGON }  
County of Clackamas } ss  
I, John Kaufman, County Clerk, for the County of Clackamas, do hereby certify that the instrument of which a true and correct copy is hereunto attached is duly recorded in the records of said County at

92 JUL 28 4:11:38

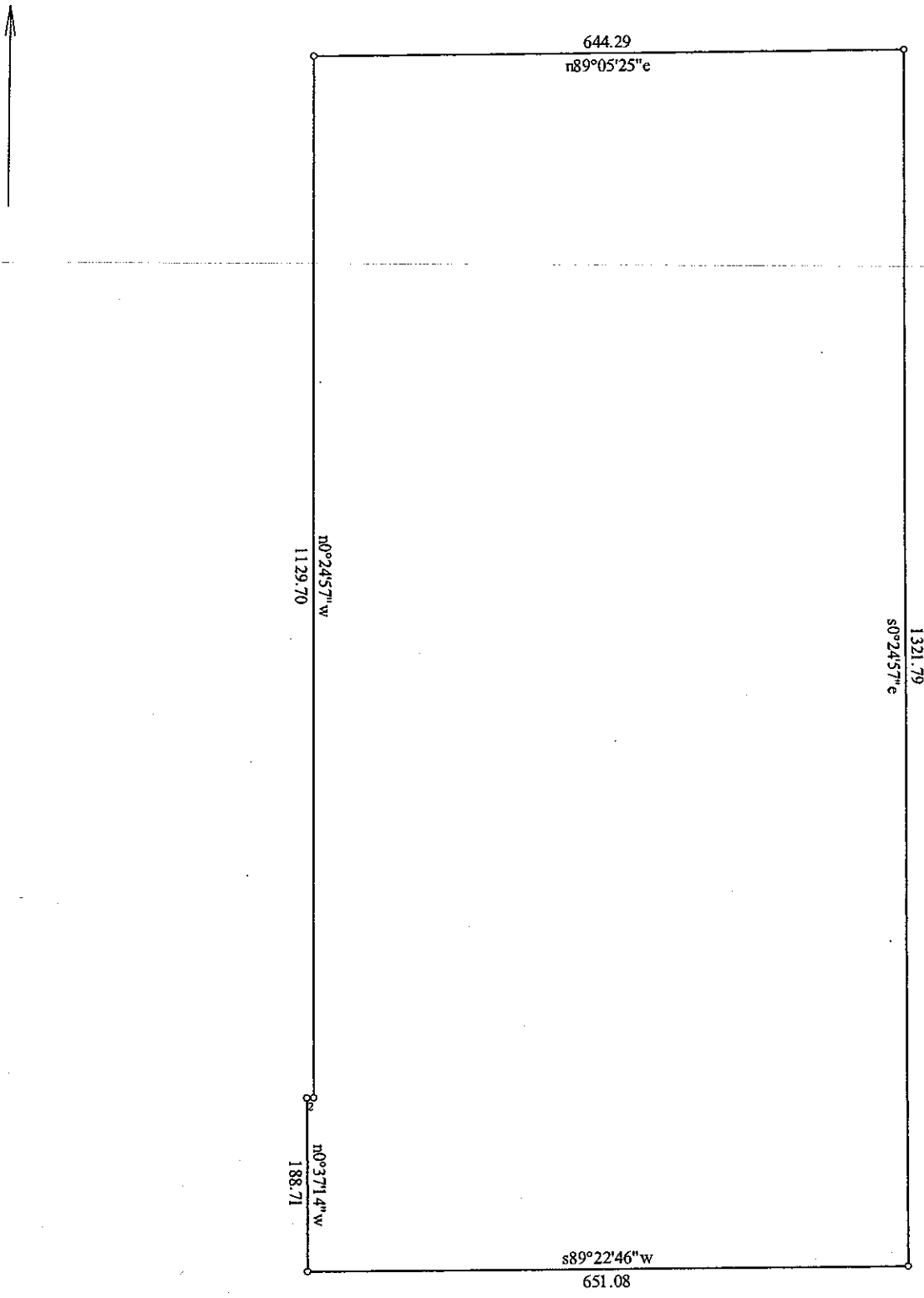


Witness my hand and seal of office  
*John Kaufman*  
JOHN KAUFMAN  
County Clerk

Recording Certificate  
CHRISTINE BAY  
92 32317

2





Title: Rounsefell (M37) 92-32217 deed descr. (tl 100 & 800)		Date: 01-03-2007
Scale: 1 inch = 175 feet	File: rouns2.des	
Tract 1: 19.556 Acres: 851847 Sq Feet: Closure = n01.2556e 0.13 Feet: Precision = 1/31000: Perimeter = 3943 Feet		
001=n89.2246e 7.48 Attachment 4.27	004=n89.2246e 7.48	007=s0.2457e 1321.79
002=n0.3714w 20	005=n0.2457w 1129.70	008=s89.2246w 651.08
003=n0.3714w 188.71	006=n89.0525e 644.29	



SW 1/4 NW 1/4 SEC. 3 T.2S. R.3E. W.M.  
CLACKAMAS COUNTY  
SCALE 1" = 100'

This map was prepared for  
assessment purposes only.

SEE MAP 2 3E 03B8

C.R. 233

INITIAL POINT

500  
0.99Ac.  
1.88

LOT 1  
(4.50 AC.)

26-28

LOT 2  
(4.40 AC.)

LOT 3  
(5.41 AC.)

LOT 4  
(4.40 AC.)

LOT 5  
(5.08 AC.)

700  
3.08Ac.  
1.88

W. N. ENBAUM  
ESTATES

222ND DRIVE (WEATHERBYS RD.)

HOFMEISTER

ROAD (HENRY RD.)

3048

22700

13000

SEE MAP 2 3E 03B0

SEE MAP  
2 3E 04

MAP 2-3E-04

1/4 COR

13500



**From:** Carol Hall  
**To:** Richard Benner  
**Date:** 12/19/2006 9:57:02 AM  
**Subject:** Re: Info

Here you are....

>>> Richard Benner 12/19/06 9:15 AM >>>  
12/19

Carol, here are a couple with missing design type info (I'm pretty sure they're inside the UGB):

1. Rounsefell, N: 19.31 acres at 22515 SE Hoffmeister Road, Damascus  
Legal: T2S, R3E, Section 3BC, Tax Lots 0100/0800 In the UGB, Inner Neighborhood
  
2. Schoppert: 7.05 acres at 15252 SE Hwy 224 in Damascus  
Legal: T2S, R2E, Section 12, Tax Lots 0900/0980/0990; Section 12D, Tax Lot 00900 All in the UGB,  
Inner Neighborhood



Nancy Rounsefell  
22515 SE Hoffmeister Rd  
Damascus, OR 97089  
503-658-2766

DEC - 1 2006

Metro's Chief Operating Officer  
Metro  
Metro Regional Center  
600 NE Grand Ave  
Portland, OR 97232

Dear Sir or Madam,

This letter is to inform you that I wish to file a Measure 37 Claim against Metro for the removal or compensation of restrictive zoning enacted upon my property after the date my family or I first became in title.

I am the only claimant. The property is currently held in the "Nancy J. Rounsefell, or James Rounsefell Trust", I am the trustee for both. Regarding the claims information you request to file a claim please find the following:

1. The name, street address and telephone number of the claimant is Nancy J. Rounsefell and noted at the top of this letter.
2. A preliminary title report, a copy of all deeds back to the original donation land claim in the 1860's, and a chain of title letter showing the transfer of ownership throughout the years in the family. The location, street address, and legal description of the property are:

22515 SE Hoffmeister Rd  
Damascus, Oregon 97089  
2S3E 03bc tax lots 100 & 800 in Clackamas County, Oregon

The original family interest dates back to at least 1918, with my deeded interest first noted in April of 1967.

3. This letter shall constitute my written statement consenting to the filing of this measure 37 claim.

4. The specific land use regulation from Metro that negatively impacts my property is the "Urban Growth Management Functional Plan, and ordinance", and metro's mandate to Clackamas County for implementation of this which is enacted in the County Zoning Ordinance 309.07 **which prohibits** " A subdivision or partition within the Portland Metropolitan Urban Growth Boundary resulting in the creation of one or more lots or parcels of less than 20 acres in size". This ordinance restricts me from dividing my property and selling the newly created lots.

5. At the time my family and I acquired the property there was no zoning in place.

6. Please find a Comparative Market Analysis for my property from the local realtor Burns & Olson Realtors Inc. This states the value with and without the new zoning in place, and my loss of value from the enacted zoning, as determined from comparable sales data.

7. The proposed use of the property is for Residential Development with yet to be determined lot sizes.

8. I, Nancy J. Rounsefell have also filed a similar claim with The City of Damascus, via Clackamas County.

*Nancy J. Rounsefell*

11/30/06

Nancy J. Rounsefell

date

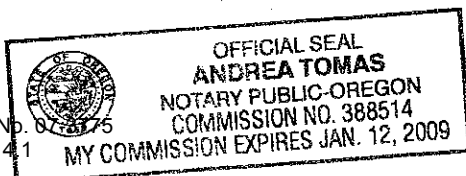
State of Oregon County of Clackamas

Signed or attested before me on November 30<sup>th</sup> 2006 by \_\_\_\_\_

*Andrea Tomas*

Notary Public – State of Oregon

My commission expires: Jan 12, 2009





Nancy Rounsefell  
22515 SE Hoffmeister Rd  
Damascus, OR 97089  
503-658-2766

Metro's Chief Operating Officer  
Metro  
Metro Regional Center  
600 NE Grand Ave  
Portland, OR 97232

Dear Sir or Madam,

This letter is to inform you that I wish to appoint Wendy Burns of Burns & Olson Realtors as my principal contact regarding communications of my Measure 37 claim. Please forward all correspondence to:

Wendy Burns  
Burns & Olson Realtors Inc.  
20500 SE Highway 212  
Damascus, OR 97089



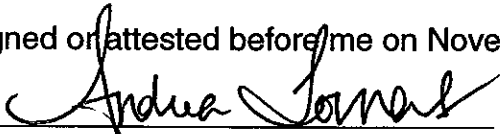
11/30/06

Nancy J. Rounsefell

date

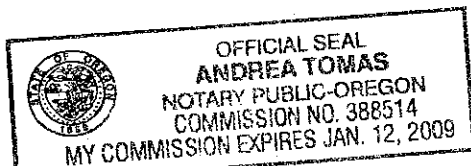
State of Oregon      County of Clackamas

Signed or attested before me on November 30<sup>th</sup> 2006 by \_\_\_\_\_



Notary Public – State of Oregon

My commission expires: Jan 12, 2009



# 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 START USE ONLY

FILE NUMBER: \_\_\_\_\_ DATE RECEIVED: \_\_\_\_\_

## APPLICANT INFORMATION

(PLEASE TYPE OR PRINT IN BLACK INK ONLY)

WHAT IS PROPOSED REMOVAL OF ZONING ORDINANCES RESTRICTING  
USES OF THIS PROPERTY AFTER DATE OF OWNERSHIP

LEGAL DESCRIPTION: T2S R3E SECTION 03BC TAX LOT(S) 100

LEGAL DESCRIPTION: R2S R3E SECTION 03BE TAX LOT(S) 800

CONTACT WENDY BURNS

MAILING ADDRESS 20500 SE HIGHWAY 212

CITY DAMASCUS STATE OR ZIP 97089

PHONE 503-658-2602 CELL PHONE \_\_\_\_\_

**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 NANCY J. ROBINSON CLAIMANT

SIGNATURE Nancy Robinson

MAILING ADDRESS 22515 SE HOFFMEISTER RD

CITY DAMASCUS STATE OR ZIP 97089

PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_

NAME \_\_\_\_\_ CLAIMANT

SIGNATURE \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_

NAME \_\_\_\_\_ CLAIMANT

SIGNATURE \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_

**MEASURE 37 CLAIM**  
**SUPPLEMENTAL INFORMATION**

(Attach additional sheets as needed.)

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

Name: WASHINGTON MUTUAL Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Interest: MORTGAGE LIEN ON TAX LOT 800 ONLY

Name: OREGON DEPT OF REVENUE Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Interest: SENIOR CITIZEN'S DEFERRAL

2. Exact date the claimant acquired an ownership interest in the property? (Please include a copy of the deed or the contract to purchase.) APRIL 18th 1967

3. If the claimant acquired the property from a family member, what is the exact date the family member acquired the property? JULY 1st 1918

What is the relationship of the family member to the claimant (e.g. father, uncle, brother, etc.)? MOTHER IN LAW

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.

SEE CHAIN OF TITLE

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. \_\_\_\_\_

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

R30 INITIAL ZONING IN 1973

RRFF-5 ZONING IN 1975/76

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

CURRENT RRPF & ZONING LIMITS NEW LOTS TO A MINIMUM OF 20 ACRE SIZE PROHIBITING THE SALE OR DIVISION OF THE PROPERTY IN SMALLER LOT SIZES

7. How much has the fair market value of your property been reduced by enactment or enforcement of the regulation(s)? \$ 2,219,250.00

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 REMOVAL OF ALL ZONING REGULATIONS BACK TO UNZONED STATUS

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

RESIDENTIAL DWELLING UNITS, UNSPECIFIED LOT SIZE

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.
- 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);
- 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;
- 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;
- 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.
- f. Claims processing fee - \$750.00



11-29-06

Mrs. Nancy Rounsefell  
22515 SE Hoffmeister Rd  
Damascus, OR 97089

Dear Mrs. Rounsefell,

I have completed the market analysis for your property in Damascus, Clackamas County, known by the legal description of 2S-3E-03BC tax lots 100 & 800, totaling 19.31 acres. Tax lot 800 has a residence, and tax lot 100 is vacant ground. The property is zoned RRFF-5 which is normally a five acre minimum lot size, but since the property is in the City of Damascus, and the Urban Growth Boundary, newly created lots are limited in size to a minimum of twenty acres. For purposes of sale or market analysis you have two salable lots, tax lot 800 which is .90 acre, and tax lot 100 which is 18.41 acres.

2S3E03BC Tax lot 800, zoned RRFF-5, Damascus, Oregon  
.90 acre, single family home valued at \$75,000, one building site  
Market value of the lot is \$250,000, Total Value tax lot 800 is \$325,000

2S3E03BC Tax lot 100, zoned RRFF-5, Damascus, Oregon  
18.41 acres, vacant land, valued at \$75,000 per acre, total value of \$1,380,750

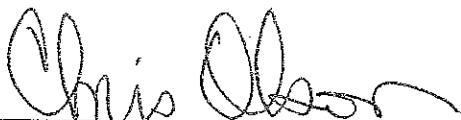
This slightly sloped property affords an exception view of Mt Hood and the valley looking East. Information provided from Metro's web site designates this property as "not affected or allow development" with no exceptions for habitat values, wetlands, flood areas, or steep slopes. Access to the parcels is from Hoffmeister Rd. Domestic water service is provided by Sunrise Water District.

**Burns & Olson Realtors Inc.**  
20500 SE Hwy 212  
Boring, Oregon 97009  
Office: 503-658-2600

Page 2 of Rounsefell Market Analysis

With the great views and level ground of tax lot 100 the highest and best use is for residential development. Approved Measure 37 waivers would return the zoning to the time of deed transfer for the current deed holders which was before initial zoning. This would allow one or multiple dwelling units per acre of land. Since sewer service is not yet available, homes would have to be built on lots large enough to support a septic system which is usually one acre. Valuation with zoning waivers on tax lot 100 will be as eighteen buildable lots of one acre in size. These building lots would have a highly desirable rural flavor with close proximity to services available in Gresham and Damascus. The Current market value of buildable one acre lots in this area is \$250,000. Infrastructure for these lots is available except for sewer. Area soils support septic system use with standard systems.

Using the valuation of a one acre building lot after development of \$250,000 results in \$4,500,000 for the eighteen lots. Costs associated with development of the subdivision for engineering, utilities, permits, roads, water, etc., should be no more than 20% of the sales price for each lot, a total of \$900,000. This results in a net value of \$3,600,000 for the eighteen finished lots. Subtracting the \$1,380,750 valuation of the property without the M-37 waivers, the net loss in value to tax lot 100 due to zoning restrictions is \$2,219,250. Tax lot 800 suffers no loss of value since it's already a legal lot of record, almost an acre in size, so the total loss is the \$2,219,250 due to zoning restrictions.



Chris Olson, Burns & Olson Realtors Inc

**Burns & Olson Realtors Inc.**  
20500 SE Hwy 212  
Boring, Oregon 97009  
Office: 503-658-2600



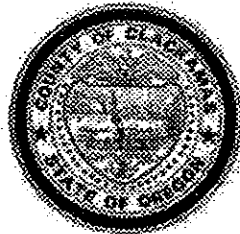
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Clackamas County  
 Department of Assessment and Taxation  
 168 Warner Milne Rd  
 Oregon City, Oregon 97045  
 503-655-8671

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## Property Account Summary

Parcel Number	01567548	Situs Address	22515 SE HOFFMEISTER RD , BORING, OR 97009
---------------	----------	---------------	--

<b>General Information</b>	
Alternate Property #	23E03BC00100
Property Description	3048 TANNENBAUM EST LT 5
Property Category	Land &/or Buildings
Status	Active, Locally Assessed, Use Assessed
Tax Code Area	026-009
Remarks	

<b>Tax Rate</b>	
Description	Rate
Taxable Fire District Value	2.3771
Taxable Value	10.8751

<b>Property Characteristics</b>	
Use Assessed	Potential Additional Tax Liability
Neighborhood	16064: Gresham School Dist 26 all other
Land Class Category	540: Non EFU farmland vacant
Change property ratio	5XX: 77.70%

<b>Related Properties</b>	
No Values Found	

<b>Parties</b>			
Role	Percent	Name	Address
Taxpayer	100.00	ROUNSEFELL NANCY J TRUSTEE	22515 SE HOFFMEISTER RD, BORING, OR 97009 USA
Owner	100.00	ROUNSEFELL NANCY J TRUSTEE	22515 SE HOFFMEISTER RD, BORING, OR 97009 USA

<b>Property Values</b>					
Description	2004	2003	2002	2001	2000
AVR Total	14,433	14,028	6,866	7,014	7,110
Exempt					
TVR Total	14,433	14,028	6,866	7,014	7,110
Real Mkt Land	204,336	193,389	184,267	182,448	173,920
Real Mkt Bldg	0	0	0	0	0
Real Mkt Total	204,336	193,389	184,267	182,448	173,920
M5 Mkt Land	0	0	0	0	0
M5 SAV	30,523	29,364	6,866	7,014	7,110
M5 Mkt Bldg	0	0	0	0	0

Resolution No. 07-3775  
 Attachment 4.1

SAVL (MAV Use Portion)	14,433	14,028	6,866	7,014	7,110
MAV (Market Portion)	0	0	0	0	0
Mkt Exception	0	0	0	0	0
AV Exception	0	0	0	0	0

**Active Exemptions**

No Exemptions Found

**Events**

Effective Date	Entry Date-Time	Type	Remarks
2005/03/10	2005/03/10 09:21	Annexation Completed For Property	Form City of Damascus, Ord 2004-162 PT21-added to annexation by batch process 8,150. by JENMAYO
1999/07/01	1999/07/01 12:00	Ownership at Conversion	Warranty Deed: 92-32217, 5/1/92, \$ 0

As Of Date: 9/9/2005

Recalculate

**Taxes**

Tax Year	Category	TCA/District	Charged	Minimum	Balance Due	Due Date
1993	Property Tax Principal	026-009	81.69	0.00	0.00	1993/11/15
1994	Property Tax Principal	026-009	93.64	0.00	0.00	1994/11/15
1995	Property Tax Principal	026-009	101.85	0.00	0.00	1995/11/15
1996	Property Tax Principal	026-009	115.77	0.00	0.00	1996/11/15
1997	Property Tax Principal	026-009	84.72	0.00	0.00	1997/11/15
1998	Property Tax Principal	026-009	89.02	0.00	0.00	1998/11/15
1998	Property Tax Interest	026-009	1.19	0.00	0.00	1998/11/15
1999	Property Tax Principal	026-009	90.46	0.00	0.00	1999/11/15
1999	Property Tax Interest	026-009	3.62	0.00	0.00	2000/05/15
2000	Property Tax Principal	026-009	91.39	0.00	0.00	2000/11/15
2001	Property Tax Principal	026-009	92.40	0.00	0.00	2001/11/15
2001	Property Tax Interest	026-009	35.73	0.00	0.00	2004/07/15
2002	Property Tax Principal	026-009	90.62	0.00	0.00	2002/11/15
2002	Property Tax Interest	026-009	35.04	0.00	0.00	2005/07/15
2003	Property Tax Principal	026-009	190.89	190.89	190.89	2003/11/15
2003	Property Tax Interest	026-009	48.35	48.35	48.35	2005/09/09
2004	Property Tax Principal	026-009	191.27	191.27	191.27	2004/11/15
2004	Property Tax Interest	026-009	17.85	17.85	17.85	2005/09/09
TOTAL Due as of 2005/09/09			1,455.50	448.36	448.36	

**Receipts**

Date	Receipt	Amount Applied	Amount Due	Tendered	Change
2005/07/18 10:21	1905716	\$125.66	\$563.84	\$125.66	\$0.00
2004/07/19 11:00	1721687	\$128.13	\$442.91	\$128.13	\$0.00
2000/11/16 12:00	1081556	\$91.39	\$91.39	\$88.65	\$0.00
2000/05/19 12:00	984521	\$94.08	\$94.08	\$94.08	\$0.00
1998/11/15 12:00	395025	\$90.21	\$90.21	\$90.21	\$0.00
1997/11/15 12:00	395024	\$84.72	\$84.72	\$82.18	\$0.00
1996/11/15 12:00	395023	\$115.77	\$115.77	\$112.30	\$0.00
1995/11/15 12:00	395022	\$101.85	\$101.85	\$98.79	\$0.00
1994/11/15 12:00	395021	\$93.64	\$93.64	\$90.83	\$0.00
1993/11/15 12:00	395020	\$81.69	\$81.69	\$79.23	\$0.00

**Sales History**

Transfer Date	Recording Number	Sale Amount	Deed Type	Grantee	Grantor
05/01/1992	1992-032217		0		

**Property Details**

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
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Resolution No. 07-3775  
Attachment 4.1



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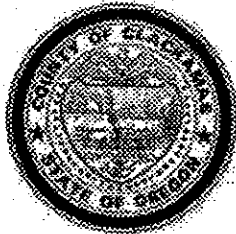


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Clackamas County  
 Department of Assessment and Taxation  
 168 Warner Milne Rd  
 Oregon City, Oregon 97045  
 503-655-8671

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### Property Account Summary

Parcel Number	00603467	Situs Address	22515 SE HOFFMEISTER RD , BORING, OR 97009
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**General Information**

Alternate Property #	23E03BC00800
Property Description	Section 03 Township 2S Range 3E Quarter BC TAX LOT 00800
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	026-009
Remarks	

**Tax Rate**

Description	Rate
Taxable Fire District Value	2.3771
Taxable Value	10.8751

**Property Characteristics**

Disabled or Senior Deferral	DOR # 8493039949 490 04 6 1
Neighborhood	16061: Gresham School Dist 26 100, 101
Land Class Category	101: Residential land improved
Building Class Category	14 : Single family res, class 4
Year Built	1966
Acreage	0.9
Change property ratio	1XX: 73.80%

**Related Properties**

No Values Found

**Parties**

Role	Percent	Name	Address
Veteran	100.00	ROUNSEFELL NANCY J TRUSTEE	22515 SE HOFFMEISTER RD, BORING, OR 97009 USA
Taxpayer	100.00	ROUNSEFELL NANCY J TRUSTEE	22515 SE HOFFMEISTER RD, BORING, OR 97009 USA
Owner	100.00	ROUNSEFELL NANCY J TRUSTEE	22515 SE HOFFMEISTER RD, BORING, OR 97009 USA
Lienholder	0.00	FARMERS HOME ADMIN USA	RURAL DEVELOPMENT 3867 WOLVERINE ST NE BLDG F #19, SALEM, OR 97305

**Property Values**

Description	2004	2003	2002	2001	2000
AVR Total	130,662	126,856	123,161	119,574	116,091

Resolution No. 07-3775  
 Attachment 4.1

Exempt	10,160	9,860	9,570	9,290	9,013
TVR Total	120,502	116,996	113,591	110,284	107,078
Real Mkt Land	104,287	98,700	94,044	93,116	88,730
Real Mkt Bldg	82,730	79,440	77,270	67,630	73,060
Real Mkt Total	187,017	178,140	171,314	160,746	161,790
M5 Mkt Land	104,287	98,700	94,044	93,116	88,730
M5 SAV	0	0	0	0	0
M5 Mkt Bldg	82,730	79,440	77,270	67,630	73,060
SAVL (MAV Use Portion)					
MAV (Market Portion)	130,662	126,856	123,161	119,574	116,091
Mkt Exception	0	0	0	0	0
AV Exception	0	0	0	0	0

**Active Exemptions**

Veteran

**Events**

Effective Date	Entry Date-Time	Type	Remarks
2005/03/10	2005/03/10 09:21	Annexation Completed For Property	Form City of Damascus, Ord 2004-162 PT21-added to annexation by batch process 8,150. by JENMAYO
1999/07/01	1999/07/01 12:00	Ownership at Conversion	Warranty Deed: 95-44817, 7/1/95, \$ 0

As Of Date: 9/9/2005

Recalculate

**Taxes**

Tax Year	Category	TCA/District	Charged	Minimum	Balance Due	Due Date
1993	Property Tax Principal	026-009	1,546.32	0.00	0.00	1993/11/15
1994	Property Tax Principal	026-009	1,437.47	0.00	0.00	1994/11/15
1995	Property Tax Principal	026-009	1,239.55	0.00	0.00	1995/11/15
1996	Property Tax Principal	026-009	1,691.77	0.00	0.00	1996/11/15
1997	Property Tax Principal	026-009	1,418.17	0.00	0.00	1997/11/15
1998	Property Tax Principal	026-009	1,479.08	0.00	0.00	1998/11/15
1998	Property Tax Interest	026-009	98.57	0.00	0.00	1998/11/15
1999	Property Tax Principal	026-009	1,390.08	0.00	0.00	1999/11/15
1999	Property Tax Interest	026-009	55.60	0.00	0.00	2000/05/15
2000	Property Tax Principal	026-009	1,426.70	0.00	0.00	2000/11/15
2001	Property Tax Principal	026-009	1,504.44	1,504.44	1,504.44	2001/11/15
2001	Property Tax Interest	026-009	862.55	862.55	862.55	2005/09/09
2002	Property Tax Principal	026-009	1,552.14	1,552.14	1,552.14	2002/11/15
2002	Property Tax Interest	026-009	641.56	641.56	641.56	2005/09/09
2003	Property Tax Principal	026-009	1,591.99	1,591.99	1,591.99	2003/11/15
2003	Property Tax Interest	026-009	403.30	403.30	403.30	2005/09/09
2004	Property Tax Principal	026-009	1,596.92	0.00	0.00	2004/11/15
TOTAL Due as of 2005/09/09			19,936.21	6,555.98	6,555.98	

**Receipts**

Date	Receipt	Amount Applied	Amount Due	Tendered	Change
2004/11/17 00:00	1838307	\$1,596.92	\$7,533.08	\$1,549.01	\$0.00
2000/11/16 12:00	1081555	\$1,426.70	\$1,426.70	\$1,383.90	\$0.00
2000/05/19 12:00	984520	\$1,445.68	\$1,445.68	\$1,445.68	\$0.00
1998/11/15 12:00	395067	\$1,577.65	\$1,577.65	\$1,577.65	\$0.00
1997/11/15 12:00	395066	\$1,418.17	\$1,418.17	\$1,375.62	\$0.00
1996/11/15 12:00	395065	\$1,691.77	\$1,691.77	\$1,641.02	\$0.00
1995/11/15 12:00	395064	\$1,239.55	\$1,239.55	\$1,202.36	\$0.00
1994/11/15 12:00	395063	\$1,437.47	\$1,437.47	\$1,394.35	\$0.00
1993/11/15 12:00	395062	\$1,546.32	\$1,546.32	\$1,499.93	\$0.00

**Sales History**

Transfer Date	Recording Number	Sale Amount	Deed Type	Grantee	Grantor
07/01/1995	1995-044817	0			
05/01/1992	1992-032217	0			

**Property Details**

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
1968	0 X 0	1966	45	1.0	4	1	1

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# Rounsefell Property Chain of Title

## 2S3E 03BC Tax lots 100 & 800

An original donation land claim in the 1860s from President Andrew Johnson the family ownership may well extend back to that date. The last few generations of the family date the ownership of the property back to 1918. This information is presented with the preliminary title report and attached deeds.

October 10<sup>th</sup>, 1918

James & Ruth Wilson as owners. James passes shortly thereafter leaving Ruth the sole owner.

In the year 1928

Ruth Wilson marries Harry Rounsefell, they have sons Robert & James. James is born in 1928.

March 17<sup>th</sup> 1961

Ruth Deeds an undivided ½ interest in the property to her husband Harry Rounsefell. Tax lots 100 & 800 are part of a larger parcel owned by Ruth (Wilson) Rounsefell.

May 16<sup>th</sup> 1966

Harry & Ruth Rounsefell deed to their son James Rounsefell a one acre parcel, tax lot 800, from their property.

December 24<sup>th</sup> 1966

James Rounsefell marries Nancy.

April 18<sup>th</sup> 1967

James Rounsefell deeds to Nancy Rounsefell one half interest in tax lot 800 to create an estate in entirety.

December 25<sup>th</sup> 1974

Harry and Ruth Rounsefell deed to James Rounsefell tax lot 100.

May 22<sup>nd</sup> 1992

James Rounsefell and Nancy Rounsefell, husband and wife deed their property to a Revocable Trust in their names.

July 17<sup>th</sup> 1996

James & Nancy Rounsefell trusts are amended.

January 25<sup>th</sup> 1999

Jim Rounsefell pass, the assets of his trust become part of the Nancy Rounsefell revocable living trust.

CERTIFICATION OF VITAL RECORD

OREGON DEPARTMENT OF HUMAN RESOURCES  
HEALTH DIVISION  
CENTER FOR HEALTH STATISTICS  
CERTIFICATE OF DEATH

263661  
FD-203 NO  
00197  
Local File Number

State File Number

1 DECEASED'S NAME: **Jetties Laurence ROUNSEFELL** 2 SEX: **M** 3 DATE OF DEATH: **January 23, 1999**

4 SOCIAL SECURITY NUMBER: **544-28-3436** 5a AGE Last Birthday (Year): **70** 5b Under 1 Year: **0** 5c Under 1 Day: **0** 6 BIRTH PLACE (City and State or Foreign Country): **Corvallis, OR** 7 DATE OF BIRTH (Month, Day, Year): **August 9, 1928**

8 WAS DECEASED EVER IN U.S. ARMED FORCES? **No** 9a PLACE OF DEATH (Check only one):  Hospital  Independent  E.R./Outpatient  D.O.A.  Other  Nursing Home  Decedent's Home  Other (Specify)

9b FACILITY NAME (If not mentioned give street and number): **22515 SE Hoffmeister Rd** 9c CITY, TOWN, OR LOCATION OF DEATH: **Boring** 9d COUNTY OF DEATH: **Clackamas**

10a DECEASED'S USUAL OCCUPATION: **Owner/Operator** 10b KIND OF BUSINESS INDUSTRY: **Christmas Tree Farm** 11 MARITAL STATUS: **Married** 12 SPOUSE (Name, Maiden Name, Divorced/Specify): **Nancy**

13a RESIDENCE - STREET: **22515 SE Hoffmeister Rd** 13b COUNTY: **Clackamas** 13c CITY, TOWN OR LOCATION: **Boring** 13d STREET AND NUMBER: **22515 SE Hoffmeister Rd**

14a INSIDE CITY LIMITS? **No** 14b ZIP CODE: **97009** 14c WAS DECEASED IN US BIRTH ORIGIN? (Specify No or Yes - If yes, specify Country, Mexican, Puerto Rican, etc.): **Yes** 14d RACE (American Indian, Black, White, etc. Specify): **White** 15 DECEASED'S EDUCATION (Specify only highest grade completed): **1**

17 FATHER - NAME: **Harry Nugent Rounsefell** 18 BROTHER - NAME: **Ruth M. Ingle** 19 INFORMANT - NAME and relationship to decedent: **Nancy Rounsefell - Wife**

20a METHOD OF DISPOSITION:  Burial  Cremation  Removal from state  Donation  Other (Specify) **Willamette National Cemetery** 20b PLACE OF DISPOSITION (Name of cemetery, crematory or other place): **Portland, Oregon**

21a SIGNATURE OF OREGON FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH: **John White** 21b OREGON LICENSE NO. (If Licensee): **AF31644** 22 NAME, ADDRESS AND ZIP OF FACILITY: **Bateman Carroll Funeral Chapel, 320 W Powell Blvd, Gresham, OR 97030**

23 DATE FILED (Month, Day, Year): **FEB 9 1999** 24 REGISTRAR'S SIGNATURE: **Myrtle A. Thompson**

10 TO BE COMPLETED BY CERTIFYING PHYSICIAN

27 TIME OF DEATH: **1230** 28 WAS MEDICAL EXAMINER NOTIFIED? **No**

29 To the best of my knowledge, death occurred at the time, date, place and due to the cause(s) and manner stated (Signature): **[Signature]**

30 DATE SIGNED (Month, Day, Year): **1/29/99**

31 TIME OF DEATH: **1230** 32 DATE PRONOUNCED DEAD (Month, Day, Year): **1/29/99**

33 On the basis of examination and investigation at the time, date, place and due to the cause(s) and manner stated (Signature): **[Signature]**

33 DATE SIGNED (Month, Day, Year): **1/29/99** COUNTY: **Clackamas**

34 NAME, TITLE, ADDRESS AND ZIP OF CERTIFYING PHYSICIAN (Type or Print): **Randall Smith M.D. 2020 SE 182nd Portland OR 97233**

35 NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print):

36 CAUSE OF DEATH

(a) **Alzheimer dementia** Interval between onset and death: **3 years**

(b) **hip fracture** Interval between onset and death: **Interval between onset and death**

(c) **chronic malnutrition** Interval between onset and death: **Interval between onset and death**

37 Do factors one through six result in the death? **No**

38 Are factors one through six contributory to the death? **No**

39 DATE OF BIRTH: **1/29/28** 40 SEX: **M** 41 RACE: **White**

40a MANNER OF DEATH:  Natural  Accident  Suicide  Homicide  Other

40b CAUSE OF DEATH:  Poisoning  Intoxication  Sudden  Unknown  Other

41a DATE OF INJURY (Month, Day, Year): **1/29/99** 41b TIME OF INJURY: **1230** 41c INJURY AT WORK? **No**

41d DESCRIBE HOW INJURY OCCURRED: **hip fracture**

41e PLACE OF INJURY - (Home, farm, street, factory, office, building, etc. (Specify))

41f LOCATION (Street and number or Rural Route Number, City or town, State)

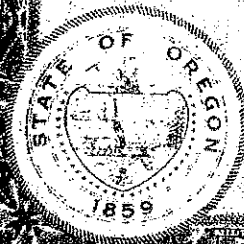
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FOR VETERANS  
ADMINISTRATION  
USE ONLY

THIS IS A TRUE AND EXACT REPRODUCTION OF THE DOCUMENT OFFICIALLY REGISTERED AT THE OFFICE OF THE CLACKAMAS COUNTY REGISTRAR.

DATE ISSUED: **FEB 9 1999**

**Thomas M. Roach**  
THOMAS M. ROACH  
COUNTY REGISTRAR  
CLACKAMAS COUNTY, OREGON



**COMPLETE RESTATEMENT OF LIVING TRUST  
BY AMENDMENT**

**AMENDMENT NO. 2 AND RESTATEMENT OF  
TRUST DATED May 22, 1992**

I, **JAMES L. ROUNSEFELL**, am the Trustor under a Trust Agreement dated May 22, 1992, wherein I am designated as Trustee. I hereby amend the Trust Agreement by substituting therefor the following:

**REVOCABLE LIVING TRUST AGREEMENT**

**DATED: May 22, 1992**

**BETWEEN: JAMES L. ROUNSEFELL, as Trustor,**

**AND: JAMES L. ROUNSEFELL, as Trustee, and NANCY J. ROUNSEFELL, as Successor Trustee, and EUGENE C. ZINTER, as Alternate Successor Trustee and CATHRYN A. GEREAX as Second Alternate Successor Trustee.**

**ARTICLE VIII**

**SPECIFIC DISTRIBUTIONS FROM TRUST**

After my death:

A. To Spouse, if Surviving. Should my spouse survive me, and if included as property of this Trust, my Successor Trustee shall distribute to my spouse, all of my interest in all household furniture and furnishings, books, apparel, art objects, collections, jewelry and similar personal effects, sporting and recreational equipment; all other tangible property for personal use; all other like contents of my home and any vacation properties that I may own or reside in on the date of my death; animals; any motor vehicles that I may own on the date of my death; and any unexpired insurance on all such property, as a separate trust, referred to as the Marital Trust.

B. Otherwise, to Children. If my spouse does not survive me as Successor Trustee, than my Alternate Successor Trustee, who shall be Eugene C. Zinter, shall distribute the property described above, as follows: 50% to EUGENE C. ZINTER and 50% to JEFF and ARLENE ROUNSEFELL. Should EUGENE C. ZINTER predecease me, then my Alternate Successor Trustee shall distribute his share to CATHRYN A. GEREAX. Should CATHRYN A. GEREAX predecease me, then my Alternate Successor Trustee shall distribute her share to DAVID N. ZINTER.

**SCHEDULE "A"**  
**TO**  
**TRUST AGREEMENT**

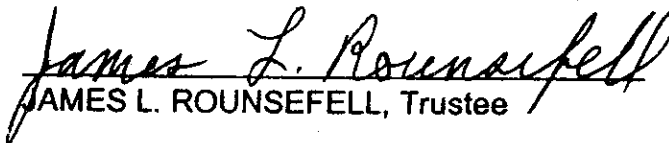
There exists a Trust Agreement dated this 22 day of May, 1992, by and between JAMES L. ROUNSEFELL as Grantor and JAMES L. ROUNSEFELL as Trustee, and NANCY J. ROUNSEFELL as Successor Trustee. Said Trust Agreement will be referred to in this Schedule as the "Trust" and the Trustee and any successor appointed in accordance with the applicable provisions of the Trust being referred to in this Schedule as the "Trustee".

The undersigned hereby transfers, sets over, conveys and assigns to the Trustee all right, title and interest of the undersigned in and to all assets owned by the undersigned, whether or not identified on any Exhibit attached hereto.

The undersigned retains registered ownership in the name of the undersigned as nominee for the Trustee, whether or not the undersigned has delivered possession of the assets or the certificate or other documents evidencing ownership thereof.

In the event of the death of the undersigned, and in the event of the incapacity of the undersigned, the Trustee is authorized to take possession of the assets, including certificates or other documents representing same (where possession has not previously been delivered) and the Trustee is authorized to attach any stock powers executed in blank by the undersigned, record any deeds, deliver or otherwise effectuate any assignments, for the purpose of perfecting record title in the Trustee and terminating the undersigned as nominee. In the event the undersigned does not execute sufficient stock powers in blank or does not execute deeds, assignments, or other instruments of transfer, the undersigned confirms the appointment of the Trustee as attorney-in-fact of the undersigned to execute appropriate powers and any other instruments of transfer or assignment to accomplish perfection of record title in the Trustee.

**IN WITNESS WHEREOF**, the undersigned has executed this instrument immediately following execution of the Trust Agreement, for the purpose of identifying the initial property transferred to the Trustee and for the purpose of accomplishing and consummating the transfer of such property to the extent that such transfer is not accomplished by other instruments executed by the undersigned simultaneously herewith or subsequent hereto.

  
JAMES L. ROUNSEFELL, Trustee



PERSONALLY BEFORE ME appeared JAMES L. ROUNSEFELL, and  
acknowledged the foregoing to be his voluntary act and deed.

*Caryn E. Huebner*

NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-27-95

C:\FILES\ROUNSEFE.LL\JAMESTRS



C. Lapse. Notwithstanding anything to the contrary herein, if any gift made hereunder would have the effect of rendering a beneficiary ineligible or disqualified from public support benefits, such as by way of example and not limitation, Medicaid and Supplemental Security Income (SSI) benefits, then such gift shall lapse and shall pass instead as if such beneficiary had predeceased me. Such determination shall be made by my Trustee in the sole discretion of my Trustee and, if made in good faith, shall incur no liability therefor.

## ARTICLE IX

### DISTRIBUTION OF RESIDUE OF TRUST ESTATE

The residue of the trust estate shall be distributed and allocated as follows:

A. To Spouse, if Surviving. Should my spouse survive me, and, if included as property of this Trust, my Successor Trustee shall distribute to my spouse, all of the rest, residue and remainder of my Trust Estate, as a separate trust, and shall be included in the Marital Trust, as established in Articles VIII A. and X.

B. Otherwise, to Children. If my spouse does not survive me, my Alternate Successor Trustee shall distribute the property described above, as follows: 50% to EUGENE C. ZINTER and 50% to JEFF and ARLENE ROUNSEFELL. Should EUGENE C. ZINTER predecease me, then my Alternate Successor Trustee shall distribute his share to CATHRYN A. GERAUX. Should CATHRYN A. GERAUX predecease me, then my Alternate Successor Trustee shall distribute her share to DAVID N. ZINTER.

## ARTICLE X

### MARITAL TRUST

The Marital Trust, as established above, shall be administered and distributed as follows:

A. Income for Spouse. The net income of the Marital Trust shall be paid in quarterly or more frequent installments to or for the benefit of my spouse for my spouse's lifetime.

B. Principal for Spouse. My Trustee also shall pay to or for the benefit of my spouse such portions of the principal of the Marital Trust as my Successor Trustee may determine to be necessary for my spouse's health, maintenance, support and education to enable my spouse to maintain the standard of living that my spouse maintained in my lifetime.

C. Distribution of Income and Principal upon Death of Spouse. Upon the death of my spouse, the remaining property of the Marital Trust, including principal and income shall be distributed as provided for in Articles VIII(B) and IX(B), above.

Executed this 17 day of July, 1996.

James L. Rounsefell  
JAMES L. ROUNSEFELL, Trustor  
Social Security No. 544-32-3456

James L. Rounsefell  
JAMES L. ROUNSEFELL, Trustee

Nancy Rounsefell  
NANCY J. ROUNSEFELL, Successor  
Trustee

Eugene C. Zinter  
EUGENE C. ZINTER, Alternate Successor  
Trustee

Cathryn A. Gereaux  
CATHRYN A. GEREUX, Second Alternate  
Successor Trustee

COPY

# Last Will and Testament OF

**JAMES L. ROUNSEFELL**

I, JAMES L. ROUNSEFELL, of Boring, Oregon, do make, publish and declare this my last will, hereby revoking all former wills and codicils.

## ARTICLE I

### FAMILY

I am the husband of NANCY J. ROUNSEFELL, and the father of JEFFREY L. ROUNSEFELL, born April 6, 1956. I am the step-father of EUGENE C. ZINTER, born October 2, 1952; CATHRYN A. GERAUX, born January 1, 1957; DAVID N. ZINTER, born July 9, 1958; CAROLYN HART, born November 19, 1948; and JACK V. ROUNSEFELL, born November 4, 1949. I am the step-grandfather of COQUILLE MARIE BLANCHARD, born February 22, 1986.

As used in this will, "children" shall mean my children named above and any other children born to or adopted by me hereafter either before or after my death.

## ARTICLE II

### APPOINTMENT OF FIDUCIARIES

A. Personal Representative. I nominate my spouse, NANCY J. ROUNSEFELL, to serve as Personal Representative of my estate and of this my last will. If she cannot serve or continue to serve, I nominate EUGENE C. ZINTER as Personal Representative of my estate.

B. Waiver of Bond. To the extent allowed by law, I direct that any of the fiduciaries named above, or their alternates or successors, shall be entitled to serve without bond or other undertaking and without reporting or accounting to any court.

**MICHAEL J. BURROKER**  
ATTORNEY AT LAW  
21902 SE TIER ROAD  
BORING, OREGON 97009

### ARTICLE III

#### PAYMENT OF DEBTS AND EXPENSES

I direct the payment out of my estate of all my just debts allowed in the course of administration, the expenses of my last illness and funeral and the expenses of the administration of my estate.

### ARTICLE IV

#### HOUSEHOLD FURNISHINGS AND OTHER PERSONAL PROPERTY

A. If my spouse survives me, I give to my spouse all my interest in household furniture and furnishings, books, apparel, art objects, collections, jewelry and similar personal effects; sporting and recreational equipment; all other tangible property for personal use; all other like contents of my home and any vacation property that I may own or reside in on the date of my death; all animals; any motor vehicles that I may own on the date of my death; and any unexpired insurance on all such property, to my successor Trustee, NANCY J. ROUNSEFELL, to be added to and become a part of that certain Trust dated May 22, 1992, between me as Trustor and NANCY J. ROUNSEFELL as successor Trustee.

B. If my spouse does not survive me, I give the property described in this Article to my children who survive me, to be divided among them as they shall agree, or in the absence of such agreement, as my Personal Representative shall determine, which determination shall be conclusive, to my successor Trustee, NANCY J. ROUNSEFELL, to be added to and become a part of that certain Trust dated May 22, 1992, between me as Trustor and NANCY J. ROUNSEFELL as successor Trustee.

### ARTICLE V

#### RESIDUE OF ESTATE

I give the residue of my estate to my successor Trustee, NANCY J. ROUNSEFELL, to be added to and become a part of that certain trust dated May 22, 1992, between me as Trustor and NANCY J. ROUNSEFELL as successor Trustee, to be administered and disposed of in accordance with the terms, conditions

and fiduciary powers of said trust, including any amendments made thereto before my death (whether made before or after the execution of this Will). If for any reason such distribution of residue of my estate is ineffective, then I give the residue to my successor Trustee, to be held in a testamentary trust in accordance with the terms, conditions and fiduciary powers of the trust described above, including any amendments made thereto before my death (whether made before or after the execution of this Will), which provisions are hereby incorporated by reference. If in accordance with the provisions of the trust any portion thereof is distributable free of the trust, then such portion shall be paid to the recipient entitled thereto directly by my Personal Representative.

## ARTICLE VI

### SURVIVORSHIP

If any beneficiary named or described in this will dies within four (4) months after my death, all the provisions in this will for the benefit of such deceased beneficiary shall lapse, and this will shall be construed as though the fact were that he or she predeceased me.

## ARTICLE VII

### TAXES

All estate, inheritance, succession or other transfer taxes, including any interest and penalties thereon, that become payable by reason of my death with respect to property passing under this will shall be paid out of the residue of my estate, without reimbursement from the recipients of such property and without apportionment. All taxes attributable to property not passing under this will shall be apportioned in the manner provided by law.

If there is in existence at my death any trust created by me during my lifetime and if my successor Trustee is authorized or directed to distribute from the trust amounts necessary to make payment of such taxes, my Personal Representative may collect such amounts from my successor Trustee.

## ARTICLE VIII

### FIDUCIARY POWERS

A. I give to my Personal Representative named or described above all the powers conferred upon a personal representative by the laws of the State of Oregon, including, but not limited to, those set forth in ORS 114.305, whether or not such powers are exercised in the State of Oregon.

B. In addition to such powers, but without limitation thereof, I give to my Personal Representative full power and authority:

1. Division of Estate. To make any distribution in cash or in specific property and to cause any share to be composed of property different in kind from any other share and to make pro rata or non pro rata distributions, without regard to any difference in the tax basis of the property and without the requirement of making any adjustment among the beneficiaries. Any such distributions, allocations or valuations shall be binding and conclusive on all parties.

2. Tax Elections/Discretions. My Personal Representative shall have sole discretion to: (1) claim deductions available to me or to my estate on estate tax returns or on state or federal income tax returns; (2) use date-of-death values or alternate valuation date values for estate tax purposes; and (3) make any other election or decision available under any federal or state tax laws. Any such election or decision may be made regardless of the effect thereof on any beneficiary or on any interest passing under this Will or otherwise, and without adjustment between income and principal or among beneficiaries.

3. Distributions to Minors. To distribute any interest in the estate to which a minor beneficiary is entitled to the individual selected by my Personal Representative as Custodian under the Oregon Uniform Transfers to Minors Act or under any other comparable state law.

ARTICLE IX

MISCELLANEOUS

A. Table of Contents, Titles, Captions. The table of contents, titles and captions used in this instrument are for convenience of reference only and shall not be construed to have any legal effect.

B. Statutory References. Unless the context clearly requires another construction, each statutory reference in this instrument shall be construed to refer to that statutory section mentioned, related successor sections and corresponding provisions of any subsequent law, including all amendments.

IN WITNESS WHEREOF, I execute this my last will on May 22, 1992.

James L. Rounsefell  
JAMES L. ROUNSEFELL  
Social Security No.: 544-32-3456

Candace M. Lee Residing at Boring, Ore.  
Michael J. Buob Residing at Boring, OR



**AFFIDAVIT OF ATTESTING WITNESSES TO WILL**

STATE OF OREGON )

) ss.  
County of Clatsop )

We, the undersigned, being sworn, each say:

We are the attesting witnesses to the Will executed by JAMES L. ROUNSEFELL, dated May 22, 1992, consisting of five (5) typewritten pages, not including this page. The Will was executed in our presence and in the presence of the testator who declared the instrument to be his Will and requested us to sign our names as witnesses, which we did. To the best of our knowledge and belief, at the time of executing the Will the testator was of legal age, of sound mind, and not acting under any restraint, undue influence, duress or fraudulent misrepresentation.

Candace M. Lee

Michael J. Crocker

SUBSCRIBED AND SWORN to by each of the affiants above named  
this 22 day of May, 1992.



Caryn E. Huebner  
Notary Public for Oregon  
My commission expires: 3-27-95

CLACKAMAS COUNTY  
FILED: 99 JUL -9 PM 1:11  
CLACKAMAS COUNTY  
FILED: 99 JUL 13 PM 3:05

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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CLACKAMAS

In the Matter of the Estate of: ) Case No.: P99-4-40  
James L. Rounsefell, )  
Deceased. ) Petition to Close Estate and Discharge  
\_\_\_\_\_ ) Personal Representative; and Order

Petitioner, John K. Larson, of attorneys for Nancy J. Rounsefell, the duly  
appointed and acting personal representative herein, alleges:

1.

Nancy J. Rounsefell was appointed personal representative of the estate of the  
decedent by order of this court dated May 3, 1999.

1 - Petition to Close Estate and Discharge Personal Representative; and Order

The Rencher Law Firm, LLP  
5100 SW Macadam Ave., Suite 400  
Portland, Oregon 97201  
(503) 295-2412

2.

At the time of the filing of the petition for probate of the will and estate, the nature, extent and value of decedent's assets were unknown to petitioner.

3.

It now appears that there are no estate assets to probate.

WHEREFORE, petitioner prays for an order closing the estate of James L. Rounsefell, deceased, and discharging Nancy J. Rounsefell as personal representative of the estate.

DATED this 8<sup>th</sup> day of July, 1999.

THE RENCHER LAW FIRM, LLP

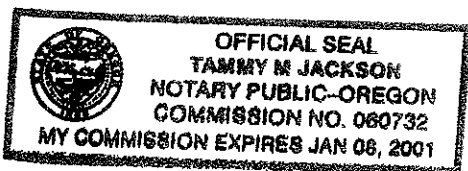
John K. Larson, OSB #91068  
Of Attorneys for Personal Representative

VERIFICATION

STATE OF OREGON            )  
  )        ss.  
County of Multnomah        )

I, John K. Larson, being first duly sworn, say that I am one of the attorneys for the personal representative in the within entitled cause and that the foregoing Petition to Close Estate and Discharge Personal Representative; and Order is true as I verily believe.

Subscribed and sworn to before me July 8<sup>th</sup>, 1999.



Tammy M. Jackson  
NOTARY PUBLIC FOR OREGON  
My commission expires: 01/06/01

2 - Petition to Close Estate and Discharge Personal Representative; and Order

The Rencher Law Firm, LLP  
5100 SW Macadam Ave., Suite 400  
Portland, Oregon 97201  
(503) 295-2412

**ORDER**

IT IS SO ORDERED this 13 day of July, 1999, that the Estate of James L. Rounsefell is closed and the Personal Representative is discharged.

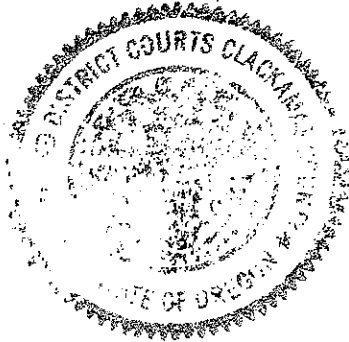
Sharon L. Persim  
Circuit Court Judge  
PROBATE COORDINATOR

**ATTORNEYS FOR PERSONAL REPRESENTATIVE**

John K. Larson, OSB #91068  
The Rencher Law Firm, LLP  
5100 SW Macadam Ave., Suite 400  
Portland, OR 97201  
(503) 295-2412

**PERSONAL REPRESENTATIVE:**

Nancy J. Rounsefell  
22515 SE Hoffmeister  
Boring, OR 97009  
(503) 658-2966



Certified True Copy Of The Original  
Dated This 14 Day of June, 1999  
Trial Court Administrator  
By: [Signature]

3 - Petition to Close Estate and Discharge Personal Representative; and Order

The Rencher Law Firm, LLP  
5100 SW Macadam Ave., Suite 400  
Portland, Oregon 97201  
(503) 295-2412



**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](http://www.pnwtr.com)

**PRELIMINARY COMMITMENT  
FOR TITLE INSURANCE**

November 28, 2006

Order Number: 05272880-C

Property Address: 22515 SE Hoffmeister Road  
Damascus, OR 97009

**SUPPLEMENTAL REPORT**

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

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

Reference: Rounsefell/To Come

	<u>Amount</u>	<u>Premium</u>
ALTA Owner's Policy (1992)	\$ TO COME	\$ TO COME
ALTA Loan Policy (1992)	\$ TO COME	\$ TO COME
Government Service Charge		\$ 50 00
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 November 17, 2006 at 5:00 p.m. title of the property described herein is vested in:

Unknown Successor Trustee of THE JAMES L ROUNSEFELL TRUST and  
NANCY J ROUNSEFELL, Trustee of THE NANCY J ROUNSEFELL TRUST

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 Unpaid taxes for 2001-2002:  
Levied Amount : \$1,504 44, plus interest and fees, if any

Unpaid taxes for 2002-2003:  
Levied Amount : \$1,552 14, plus interest and fees, if any

Unpaid taxes for 2003-2004:  
Levied Amount : \$1,591 99, plus interest and fees, if any  
Account No : 23E03BC00800  
Levy Code : 026-009  
Key No : 00603467  
**(Affects Parcel I)**

NOTE: Taxes set forth above have been reduced by reason of a Veteran's Exemption. If property is conveyed to person or persons not eligible for such exemption, re-assessments will be made

7 Unpaid taxes for 2003-2004:  
Levied Amount : \$190 89, plus interest and fees, if any

Unpaid taxes for 2004-2005:  
Levied Amount : \$191 27, plus interest and fees, if any

Unpaid taxes for 2005-2006:  
Levied Amount : \$237 27

Unpaid taxes for 2006-2007:  
Levied Amount : \$247 16  
Account No : 23E03BC00100  
Levy Code : 026-009  
Key No : 01567548  
**(Affects Parcel II)**

**SCHEDULE B - CONTINUED**

8 Lien, under the provisions of Senior Citizen's Deferral pursuant to ORS 311 666 to 311 701, for repayment of real property taxes for the years 2004-2005 through 2006-2007, which are subject to future collection as provided therein  
In favor of : Oregon Department of Revenue  
Deferral Account No : 84930-39949 490 04 6 1  
Notice thereof recorded: July 2, 2004  
Fee No : 2004-061203

9. As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property may be subject to additional taxes or penalties and interest **(Affects Parcel II)**

NOTE: Due to a farm or forest land deferral indicated on the subject property, we will require an Affidavit for Residential Use to be completed and returned to us indicating the primary purpose and use of the property is for a personal residence, in order for Pacific Northwest Title to issue its 8 1 (7 31) Environmental Endorsement to the proposed loan policy

10 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 **(Affects Parcels I and II)**  
NOTE: A search will be requested upon the sale of the herein described property

11 Rights of the public in and to any portion of the herein described premises lying within the boundaries of Hoffmeister Road **(Affects Parcel I)**

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

Grantor : James L. Rounsefell Trust and Nancy J. Rounsefell Trust, James L. and Nancy J. Rounsefell, Trustees  
Trustee : Transamerica Title Ins. Co.  
Beneficiary : Washington Mutual, a Federal Savings Bank  
Dated : July 25, 1995  
Recorded : August 1, 1995  
Fee No : 95-044818  
Amount : \$81,000.00  
Loan No : 002-04-255-0242098-2

**(Affects Parcel I)**

13 Effects, if any, of Deed, including the terms and provisions thereof:

Grantor : James L. Rounsefell and Nancy J. Rounsefell, husband and wife  
Grantee : The James L. Rounsefell Trust and the Nancy J. Rounsefell Trust  
Recorded : May 28, 1992  
Fee No : 92 32217

**(Affects Parcel II)**

NOTE: Said deed does not convey correctly into the Trust. A correction deed recorded August 1, 1995 in Fee No 95-044817 which corrected Parcel I only. Review of certification of Trust required and correctly deeding out on Parcel II

14 Prior to the issuance of insurance on any encumbrance or conveyance executed by the Trustee of the Trust referred to herein, a Certification of Trust must be completed and executed by the Trustees. For title insurance purposes, we will require a Certification of Trust to be completed at the time of closing for any documents which require the Trustee(s)' signature(s)

15 Any conveyance of the subject property must be executed by Unknown Successor Trustee and Nancy J. Rounsefell individually and as Trustee

**SCHEDULE B – CONTINUED**

- 16 No search has been made for Financing Statements filed in the office of the Secretary of State. Exception may be taken to such matters as may be shown thereby. No liability is assumed if a Financing Statement is filed in the office of the County Recorder covering timber, crops, fixtures or contracts on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block **(Affects Parcel I)**
- 17 Unrecorded leaseholds, rights of parties in possession, and security interests in trade fixtures, personal property or unattached improvements, if any **(Affects Parcel I)**
- 18 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
- 19 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: Taxes paid in full for 2006-2007:

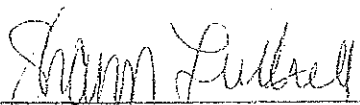
Levied Amount : \$1,997.30  
Account No : 23E03BC00800  
Levy Code : 026-009  
Key No : 00603467

**(Affects Parcel I)**

NOTE: We find no judgments or Federal Tax Liens against NANCY J. ROUNSEFELL

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   
Sharon Luttrell  
Title Officer  
sharonl@pnwtor.com

SRL:mj

cc: Burns & Olson Realtors, Inc  
Attn: Chris Olson (E-mailed)



Exhibit A

**PARCEL I:**

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

BEGINNING at a point in the South line of said legal subdivision which bears East 671.27 feet from the Southwest corner of the Northwest one-quarter of said Section 3; thence continuing East along the South line of said legal subdivision 208 71 feet; thence North at right angles to said South line 208 71 feet; thence West parallel with the South line of said legal subdivision 208 71 feet; thence South 208 71 feet to the point of beginning

**PARCEL II:**

Lot 5, TANNENBAUM ESTATES, in the County of Clackamas and State of Oregon

SW 1/4 NW 1/4 SEC 3 T 2 S R 3 E W M  
CLACKAMAS COUNTY

2 3E 3BC

This map was prepared for  
assessment purposes only.

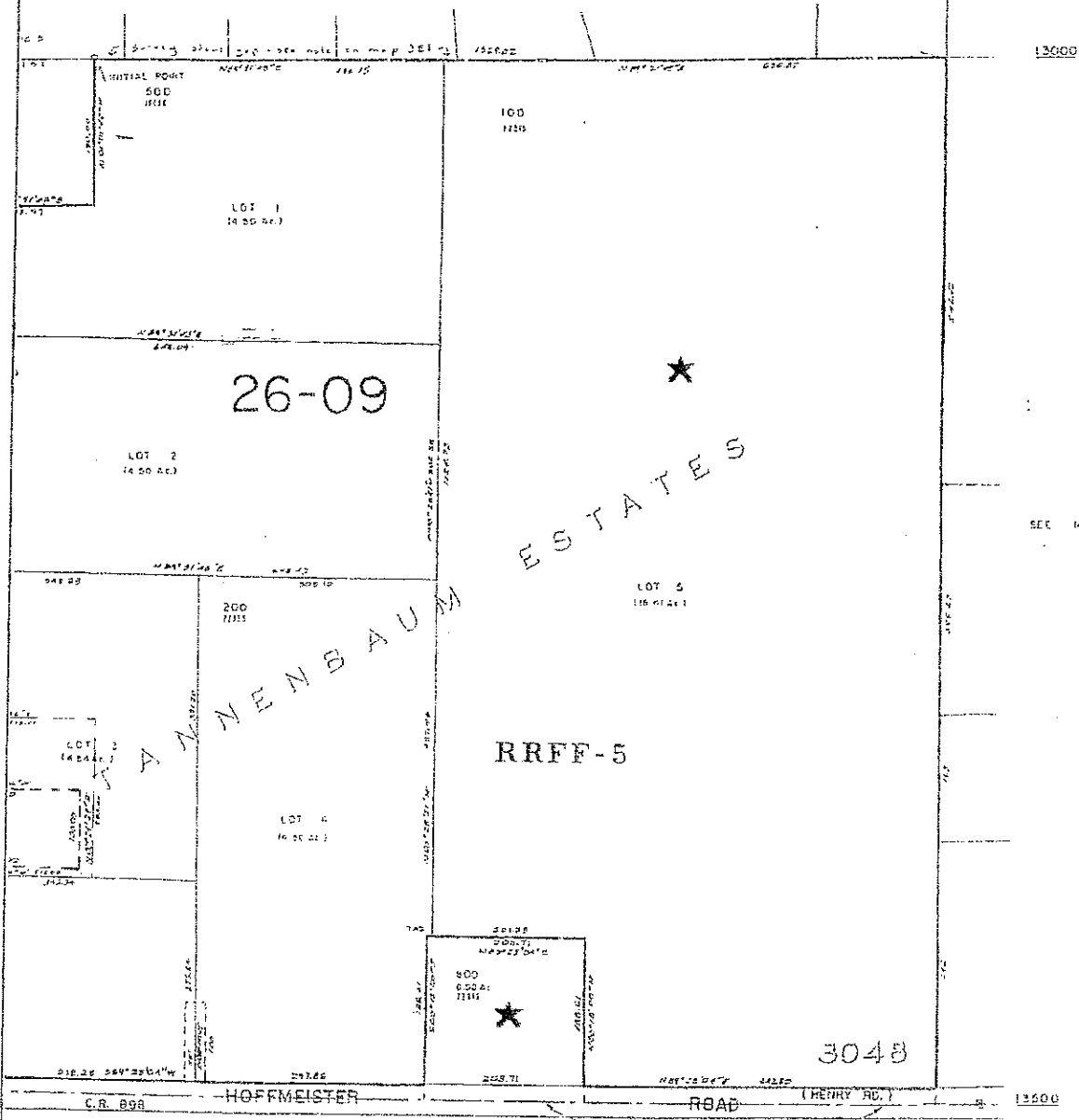
SCALE 1" = 100'

SEE MAP 2 3E 0388

22700

13000

SEE MAP 2 3E 0380



26-09

AMENBAUM  
ESTATES

RRFF-5

3048

HOFFMEISTER

ROAD

(HENRY RD.)

APPROX 1/2 OF NW PIPELINE EASEMENT

SEE MAP 2 3E 0380

2 3E 3BC

JAN 18 2000

BOOK 22

THIS MAP IS FURNISHED AS A CONVENIENCE BY PACIFIC NORTHWEST TITLE

This map is not a survey and does not show the location of any improvements  
The company assumes no liability for errors therein



44 20

# "TANNENBAUM ESTATES"

LOCATED IN THE S.W. 1/4 OF THE N.W. 1/4 OF SEC. 3, T2S, R3E, W.M. CLACKAMAS COUNTY, OREGON

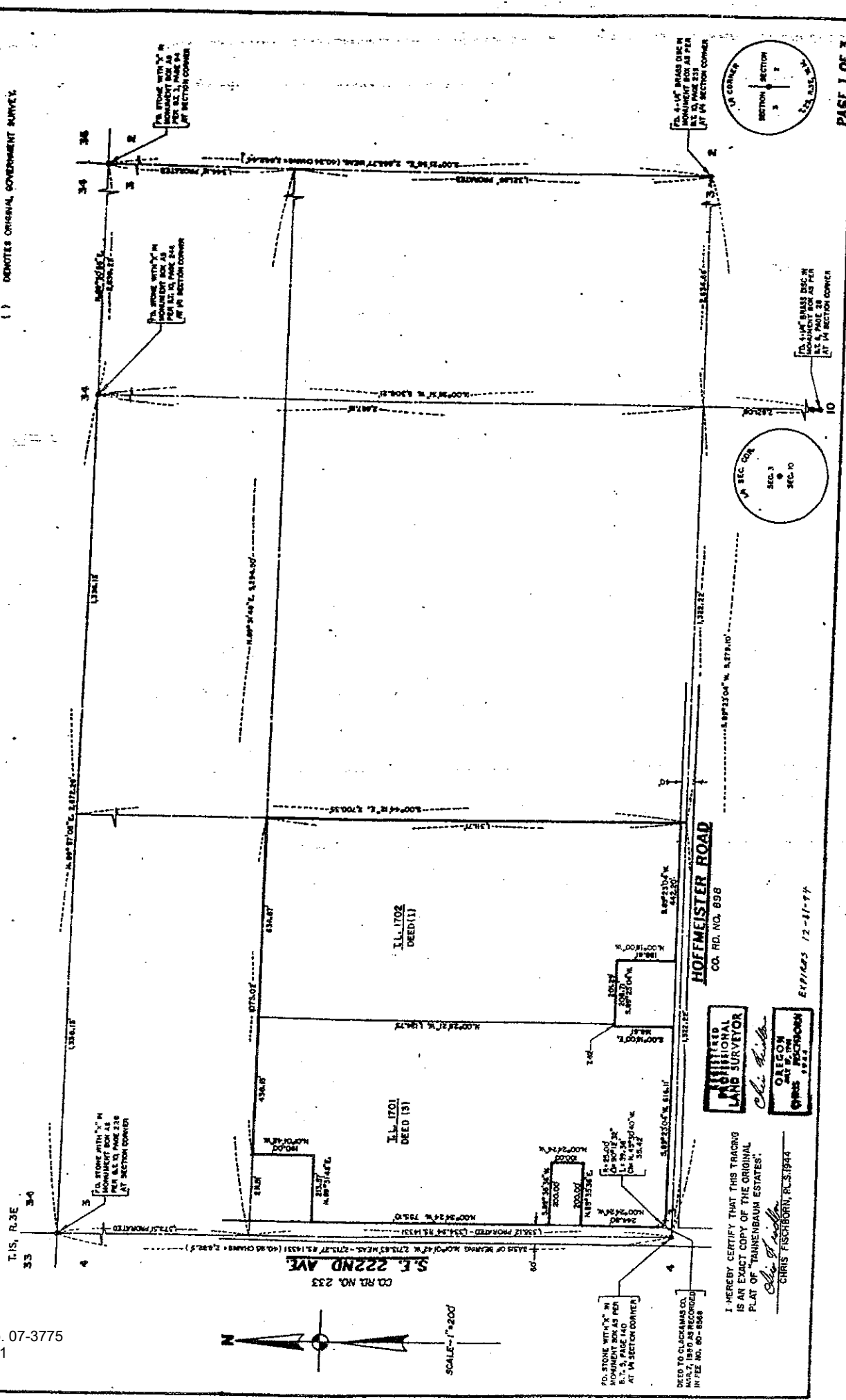
**ZAROSINSKI-TATONE ENGINEERS, INC.**  
 3737 S. E. 6TH AVE. PORTLAND, OREGON 97202  
 PH: 235-8795

**DEED REFERENCE**

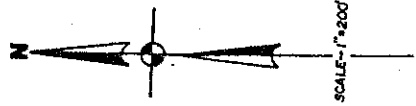
- DEED (1) FEE NO. 92-32217
- DEED (2) FEE NO. 90-14445
- DEED (3) FEE NO. 78-21780
- DEED (4) BK. 585, PG. 245, 4-8-61
- DEED (5) BK. 673, PG. 959, 5-16-66
- DEED (6) FEE NO. 75-8959

**LEGEND**

- DENOTES MONUMENTS FOUND AS NOTED.
- DENOTES 5/8" x 30" LOWE IRON ROD SET WITH A YELLOW PLASTIC CAP STAMPED "ZAROSINSKI-TATONE, INC. DRIVEN TO GROUND SURFACE, AND SET ON APRIL 1, 1953.
- ⊙ DENOTES IRON ROD.
- ⊙ DENOTES IRON PIPE.
- ⊙ DENOTES FOUND.
- ( ) DENOTES ORIGINAL GOVERNMENT SURVEY.



Resolution No. 07-3775  
 Attachment 4.1

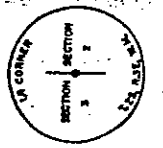


I HEREBY CERTIFY THAT THIS TRACING IS AN EXACT COPY OF THE ORIGINAL PLAT OF "TANNENBAUM ESTATES".  
*Chris Fishborn*  
 CHRIS FISHBORN, RLS 1943

**PROFESSIONAL LAND SURVEYOR**  
*Chris Fishborn*  
**OREGON**  
 JULY 9, 1943  
 CHRIS FISHBORN  
 1922

**HOFFMEISTER ROAD**  
 CO. RD. NO. 898

EXP/625 12-31-77



99 20

# TANNENBAUM ESTATES

LOCATED IN THE S.W. 1/4 OF SEC. 3, T2S, R3E, W.M. CLACKAMAS COUNTY, OREGON

**ZAROSINSKI-TATONE ENGINEERS, INC.**  
3757 S.E. 8TH AVE. PORTLAND, OREGON 97202  
PH: 235-8795

## MARRIAGE

BASES OF BEARINGS NORTH 07°14' WEST ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 3 AS PER R.S. 14331.  
PURPOSE OF SURVEY TO SUBDIVIDE TAX LOTS 1701 & 1702 ON CLACKAMAS COUNTY TAX MAP 25 SE SEC INTO 5 LOTS AS SHOWN.  
HOFFMEISTER ROAD: HELD THE CENTER OF SECTION LINE AS THE CENTER LINE OF THE ROAD.

S.E. 222ND AVE.: THE COUNTY ROAD DOES NOT FOLLOW THE SECTION LINE AS IT DOES NORTH FROM THE WEST 1/4 CORNER OF SECTION 3. R.S. 3631 SHOWS TYING A 1-1/2" IRON PIPE, N42°04'E, 43.84' (SHOULD BE 3.48'-04" E) FROM THE NORTHWEST CORNER OF SECTION 3. BE. 3 PAGE 141 HAS THIS SAME TIE FROM SAID SECTION CORNER. THEREFORE A POINT WAS ESTABLISHED 8.42' 225°42' FROM R.S. 3631, 43.94' FROM SAID SECTION CORNER AND THIS PRODUCES A ROAD BEARING OF N00°24'24" W. ALONG THE CENTER LINE FROM THE WEST 1/4 COR. OF SEC. 3, PER R.S. 14331 NORTH BOUNDARY DEEDS) CALLS TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3. THIS REQUIRES PROMPTLY THE MEASURED DISTANCES ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SECTION 3 AND THE EAST BOUNDARY OF NORTHWEST 1/4 OF SECTION 3 AS SHOWN. R.S. 14331 DO THIS PROMPTING ALONG THE WEST LINE OF THE NORTHWEST 1/4 BUT DO NOT DO SO ON THE EAST BOUNDARY OF SAID NORTHWEST 1/4. THEREFORE THE WEST END OF SAID NORTH BOUNDARY AGREES WITH R.S. 14331 BUT THE EAST END OF SAID NORTH BOUNDARY IS 10.30' SOUTH OF THE 5/8" IRON ROD FOUND AT THIS LOCATION. PLATS TO THE SOUTH OF THIS LINE, RIDGEVIEW, & RIDGEWAY NO. 2 HAVE ESTABLISHED THEIR NORTH BOUNDARY AS AN EQUAL DIVISION OF THE NORTHWEST 1/4 OF SECTION 3, LEAVING A 4.2' 10' TO 20' GAP BETWEEN PROPERTIES.

EAST BOUNDARY THIS LINE IS SUBDIVISIONAL (THE EAST LINE OF THE N.W. 1/4 OF SEC. 3) R.S. 3374 SET THE 5/8" I.P. AT BOTH ENDS OF THIS LINE BUT DOES NOT SHOW SUBDIVIDING SAID SECTION. R.S. 3374 SHOWS A FENCE 10' WEST OF THE IRON ROD THAT WAS SET, WHICH WOULD BE CLOSE TO THE ACTUAL SUBDIVISIONAL LINE ESTABLISHED ON THIS SURVEY.

TAX LOT 1900: HELD THE DEED DISTANCE OF 671.27' FROM THE WEST 1/4 CORNER OF SECTION 3. THEN NORTHERLY AT RIGHT ANGLES TO THE FRONT-OF-WAY WHICH FITS CLOSELY WITH THE IRON ROD FOUND. THEN HELD THE 5/8" IRON ROD FOUND AT THE N.W. CORNER OF T.L. 1900 AS CALLED FOR IN DEED (1). THEN HELD THE DEED (1) BEARINGS AND DISTANCES FROM SAID N.W. CORNER TO ESTABLISH THE N.E. AND S.E. CORNERS OF SAID TAX LOT AS SHOWN.

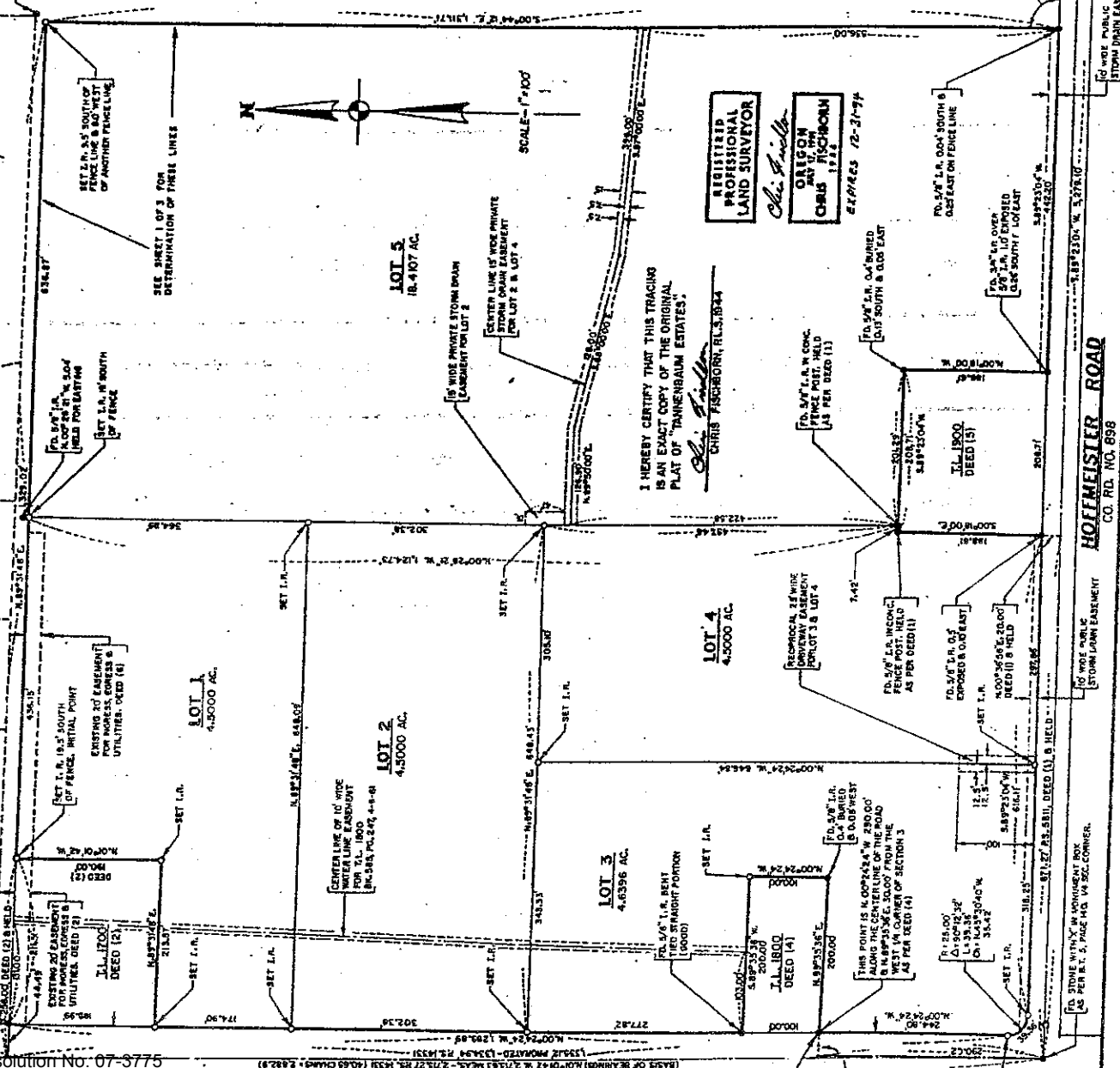
TAX LOT 1800: HELD THE DEED DISTANCE OF 290.00' NORTH FROM THE WEST 1/4 CORNER OF SECTION 3 ALONG THE CENTER LINE OF THE ROAD AS CALLED FOR IN DEED (14). THEN HELD DEED (14) BEARINGS AND DISTANCES TO ESTABLISH THE CORNERS AS SHOWN.

TAX LOT 1700: DEED (2) BEGINS AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 3. THEN EAST 286.00', THEN SOUTH PARALLEL TO THE SECTION LINE, 190.00'. THE SOUTH LINE IS CALLED AS PARALLEL TO THE NORTH BOUNDARY. THESE CONDITIONS HAVE ALL BEEN HELD ON THIS SURVEY. BOUNDARY LINE BETWEEN TAX LOTS 1701 AND 1702: DEED (1) CALLS THIS LINE AS PARALLEL TO THE EAST LINE OF THE S.W. 1/4 OF THE N.W. 1/4 OF SEC. 3, R.S. 14331 ESTABLISHED SAID LINE BY HOLDING THE IRON ROD AT THE NORTH END OF SAID LINE. THEREFORE IT WAS DECIDED TO HOLD THE 5/8" IRON ROD SET BY R.S. 14331 AT THE NORTH END OF THE LINE BETWEEN TAX LOTS 1701 AND 1702.

## NOTES:

1. THERE ARE NO GEODETIC MONUMENTS WITHIN 1/2 MILE OF THE BOUNDARY OF THIS PLAT.
2. SEE PAGE 1 FOR LEGEND.

PLAT NO. 17581  
PAGE 2 OF 3  
7048



Resolution No. 07-3775  
Attachment 4.1

S.E. 222ND AVE.  
CO. RD. NO. 233

HOFFMEISTER ROAD  
CO. RD. NO. 898

99 20

# "TANNENBAUM ESTATES"

LOCATED IN THE S.W. 1/4 OF THE N.W. 1/4 OF SEC. 3, T2S, R3E, W.1M.  
CLACKAMAS COUNTY, OREGON

**ZAROSINSKI-TATONE ENGINEERS, INC.**  
3737 S.E. 8TH AVE. PORTLAND, OREGON 97202  
PH: 236-8795

Resolution Attachment

## SURVEYOR'S CERTIFICATE:

I, CHRIS FISCHBORN, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS & THE LANDS REPRESENTED ON THE ATTACHED MAP TO BE KNOWN HENCEFORTH AS "TANNENBAUM ESTATES". SAID PARCEL OF LAND BEING PART OF THOSE PARCELS OF LAND CONVEYED TO ROBERT L. ROUSEFELL & ILENE R. ROUSEFELL & RECORDED JUNE 29, 1978 BY FEE NO. 78-2780 AND THAT PARCEL OF LAND CONVEYED TO JAMES L. ROUSEFELL TRUST & THE NANCY J. ROUSEFELL TRUST AND RECORDED MAY 22, 1992, BY FEE NO. 92-3221, CLACKAMAS COUNTY DEED RECORDS, LOCATED IN THE SOUTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. THAT AT THE INITIAL POINT OF SAID SURVEY I SET A 3/8 INCH IRON ROD, 30 INCHES LONG AT THE NORTHEAST CORNER OF THAT PARCEL OF LAND CONVEYED TO ROBERT L. ROUSEFELL & ILENE R. ROUSEFELL AND RECORDED APRIL 2, 1990, BY FEE NO. 90-14463, CLACKAMAS COUNTY DEED RECORDS. SAID POINT BEING SOUTH 01°01'42" EAST ALONG THE WESTERLY LINE OF SAID SECTION 3, A DISTANCE OF 1,374.81 FEET TO THE NORTHWEST CORNER OF SAID ROBERT AND ILENE ROUSEFELL PROPERTY, AND NORTH 89°31'48" EAST ALONG THE NORTHERLY LINE OF SAID ROBERT AND ILENE ROUSEFELL PROPERTY, A DISTANCE OF 234.00 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 3.

THESE LANDS CONTAINING NORTH 89°31'48" EAST ALONG THE NORTHERLY LINE OF THE FIRST MENTIONED ROUSEFELL PROPERTY AND ALONG THE NORTHERLY LINE OF THE JAMES AND NANCY ROUSEFELL TRUST PROPERTY, A DISTANCE OF 1073.02 FEET TO THE NORTHEAST CORNER OF SAID ROUSEFELL TRUST PROPERTY; THENCE SOUTH 00°16'12" EAST, ALONG THE EASTERLY LINE OF SAID ROUSEFELL TRUST PROPERTY, A DISTANCE OF 1312.1 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF HOPKINSTER ROAD, THENCE SOUTH 89°23'04" WEST ALONG SAID HOPKINSTER ROAD, A DISTANCE OF 442.20 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL OF LAND CONVEYED TO JAMES L. ROUSEFELL AND RECORDED MAY 16, 1966 IN BOOK 873, PAGE 356, CLACKAMAS COUNTY DEED RECORDS; THENCE NORTH 00°16'00" WEST ALONG THE EASTERLY LINE OF SAID ROUSEFELL PROPERTY, A DISTANCE OF 184.61 FEET TO THE NORTHEAST CORNER OF SAID ROUSEFELL PROPERTY; THENCE SOUTH 89°23'04" WEST ALONG THE NORTHERLY LINE OF SAID ROUSEFELL PROPERTY, A DISTANCE OF 208.71 FEET TO THE NORTHWEST CORNER OF SAID ROUSEFELL PROPERTY; THENCE SOUTH 00°16'00" EAST ALONG THE WESTERLY LINE OF SAID ROUSEFELL PROPERTY, A DISTANCE OF 188.61 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HOPKINSTER ROAD; THENCE SOUTH 89°23'04" WEST ALONG SAID HOPKINSTER ROAD, A DISTANCE OF 614.11 FEET TO A POINT OF CURVE; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ALONG A 25.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°12'32" AN ARC DISTANCE OF 33.54 FEET (THE LOW CHORD OF SAID CURVE BEARS NORTH 49°30'47" WEST A DISTANCE OF 33.42 FEET) TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID CURVE BEARS NORTH 00°24'24" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 244.80 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND CONVEYED TO ROBERT L. ROUSEFELL AND ILENE R. ROUSEFELL AND RECORDED APRIL 6, 1961, IN BOOK 285, PAGE 245, CLACKAMAS COUNTY DEED RECORDS; THENCE NORTH 89°30'30" EAST ALONG THE SOUTHERLY LINE OF SAID ROUSEFELL PROPERTY, A DISTANCE OF 200.00 FEET TO THE SOUTHWEST CORNER OF SAID ROUSEFELL PROPERTY; THENCE NORTH 00°24'24" WEST ALONG THE EASTERLY LINE OF SAID ROUSEFELL PROPERTY, A DISTANCE OF 100.00 FEET TO THE NORTHEAST CORNER OF SAID ROUSEFELL PROPERTY; THENCE SOUTH 89°35'34" WEST ALONG THE NORTHERLY LINE OF SAID ROUSEFELL PROPERTY, A DISTANCE OF 200.00 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE OF SAID SOUTHEAST 222ND AVENUE; THENCE NORTH 00°24'24" WEST ALONG CLACKAMAS COUNTY DEED RECORDS; THENCE NORTH 89°31'48" EAST ALONG THE SOUTHERLY LINE OF THAT PARCEL OF LAND CONVEYED TO ROBERT L. ROUSEFELL AND ILENE R. ROUSEFELL AND RECORDED APRIL 2, 1990 BY FEE NO. 90-14465, CLACKAMAS COUNTY DEED RECORDS; THENCE NORTH 89°31'48" EAST ALONG THE SOUTHERLY LINE OF THE LAST MENTIONED ROUSEFELL PROPERTY, A DISTANCE OF 218.57 FEET TO THE SOUTHWEST CORNER OF SAID ROUSEFELL PROPERTY; THENCE NORTH 01°01'42" WEST ALONG THE EASTERLY LINE OF SAID ROUSEFELL PROPERTY, A DISTANCE OF 190.00 FEET TO THE INITIAL POINT OF THE HEREIN DESCRIBED "TANNENBAUM ESTATES".

SAID PARCEL OF LAND CONTAINS AN AREA OF 36.2503 ACRES MORE OR LESS.

I HEREBY CERTIFY THAT THIS TRACING IS AN EXACT COPY OF THE ORIGINAL PLAT OF "TANNENBAUM ESTATES".

*Chris Fischer*  
CHRIS FISCHBORN, P.L.S. 1844  
4-12-93  
DATE

REGISTERED PROFESSIONAL LAND SURVEYOR  
*Chris Fischer*  
OREGON  
MAY 14, 1988  
CHRIS FISCHBORN  
P.L.S. 1844  
EXPIRES 12-31-94

## DECLARATION:

KNOW ALL PEOPLE BY THESE PRESENTS THAT ROBERT L. ROUSEFELL, ILENE R. ROUSEFELL, JAMES L. ROUSEFELL & NANCY J. ROUSEFELL, DO HEREBY MAKE, ESTABLISH AND DECLARE THE ANNEXED MAP OF "TANNENBAUM ESTATES" AS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE TO BE A TRUE AND CORRECT MAP AND PLAT THEREOF. ALL LOTS BEING OF THE DIMENSIONS SHOWN AND THEY DO HEREBY DEDICATE TO CLACKAMAS COUNTY PUBLIC STORM DRAINAGE EASEMENTS AS SHOWN ON SAID PLAT. THE PUBLIC IS HEREBY GRANTED THE RIGHT TO MAINTAIN, REPLACE OR ENLARGE STORM SEWER FACILITIES ALONG THESE EASEMENTS AND WILL NOT BE IN ANYWAY RESPONSIBLE FOR REPLACING THE LANDSCAPING, FENCING OR OTHER STRUCTURES, SHRUBS OR TREES THAT MAY NOT OR BE PLACED WITHIN THE STORM DRAINAGE EASEMENTS. THE PUBLIC IS REQUESTED TO GIVE ADEQUATE NOTICE BEFORE SUCH ACTIVITIES ARE COMMENCED AND SHALL LIMIT ACTIVITIES TO THAT NECESSARY TO ACHIEVE THE PURPOSE OF MAINTAINING THE STORM DRAINAGE FEATURES AND CONVEY PRIVATE EASEMENTS AS SHOWN. THERE ARE NO WATER RIGHTS APPURTENANT TO THIS PROPERTY.

WITNESS OUR SIGNATURES THIS 14 DAY OF April, 1993.

*Robert L. Rousefell*  
ROBERT L. ROUSEFELL  
Also per consent by *Ilene R. Rousefell*  
ILENE R. ROUSEFELL  
*James L. Rousefell*  
JAMES L. ROUSEFELL TRUSTEE  
*Nancy J. Rousefell*  
NANCY J. ROUSEFELL TRUSTEE

## ACKNOWLEDGEMENT:

STATE OF OREGON  
COUNTY OF CLACKAMAS  
BE IT REMEMBERED THAT ON THIS 14 DAY OF April, 1993, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF OREGON, PERSONALLY APPEARED, ROBERT L. ROUSEFELL, ILENE R. ROUSEFELL, JAMES L. ROUSEFELL & NANCY J. ROUSEFELL, KNOWN TO ME TO BE THE PERSONS NAMED IN THE FOREGOING DOCUMENT, WHO BEING FIRST DULY SWORN, DO ACKNOWLEDGE TO ME THAT THEY EXECUTED THE FOREGOING DOCUMENT FREELY AND VOLUNTARILY, IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL, THE DAY AND YEAR FIRST IN THIS CERTIFICATE WRITTEN.

*Michael J. Buckley*  
MICHAEL J. BUCKLEY  
NOTARY PUBLIC FOR THE STATE OF OREGON  
MY COMMISSION EXPIRES 7/1/95

## APPROVALS:

APPROVED THIS 17th DAY OF May, 1993  
CLACKAMAS COUNTY PLANNING COMMISSION  
BY *Caroline Sparrow*  
DIRECTOR, PLANNING DEPARTMENT

APPROVED THIS 21st DAY OF May, 1993  
CLACKAMAS COUNTY ROAD OFFICIAL  
BY *Michael J. Buckley*  
PL DEPUTY

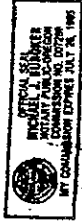
APPROVED THIS 3rd DAY OF June, 1993  
CLACKAMAS COUNTY SURVEYOR  
BY *Chris Fischer*  
PL DEPUTY

APPROVED THIS 7th DAY OF June, 1993  
CLACKAMAS COUNTY COMMISSIONER  
BY *Judge Harmonen*  
CLACKAMAS COUNTY COMMISSIONER

ATTEST THIS 9th DAY OF JULY, 1993  
CLACKAMAS COUNTY CLERK  
BY *Jana K. O'Connell*  
DEPUTY

PURSUANT TO O.R.S. 92.095 I HEREBY CERTIFY THAT ALL TAXES HAVE BEEN PAID THRU June 30, 1993  
APPROVED THIS 12th DAY OF June, 1993  
ASSESSOR & TAX COLLECTOR  
BY *Carolyn Quinn*  
DEPUTY

BY *John J. Tschorn*  
DEPUTY



... examined separate and apart from her  
said husband, and the contents of said deed being made known  
to her she acknowledged that she executed the same freely and  
voluntarily and without compulsion from any one.

In witness whereof I have hereunto set my hand and  
this 5<sup>th</sup> day of February A.D. 1865

Filed for and April 7<sup>th</sup> 1874 ... Wm. McConnell & P

Recd. April 1<sup>st</sup> 1874 ... Stamp attached and duly

A. W. McConnell Clerk of the Court  
by W. J. McConnell Deputy

K/31

United States

The United States of America

Do all to whom these presents shall come greeting:

Whereas there has been deposited in the General Land Office of the  
United States a certificate numbered twenty two hundred and seventy four  
of the Register and Receiver at Oregon City Oregon, whereby it appears  
that under the provisions of the Act of Congress approved the 27<sup>th</sup> day of  
September, 1860 entitled "An Act to create the Office of Surveyor General  
of the Public Lands in Oregon, and to provide for the survey, and to make  
donations to settle of the said Public Lands" and the legislative  
supplemental thereto, the claim of Martin Deukes and his Wife  
Harriet Deukes of Clark County, Oregon, Notification No 6913,  
has been established, to a donation of one half section, or three hundred  
and twenty acres of land, and that the same has been surveyed and  
designated according to the Official Plat of Survey returned to the  
General Land Office by the Surveyor General as the West half of the north  
West quarter of section three and the North East quarter and the  
East half of the North West quarter of section four, in Township two  
South of Range three East, in the district of lands subject to sale at Oregon  
City, Oregon, containing three hundred and twenty five acres and twenty  
two hundredths of an acre.

Now Know Ye that the United States of America in consideration  
of the premises and in conformity with the provisions of the Act afore  
said, Have given and granted, and by these presents do give and  
grant unto the said Martin Deukes and to his heirs the West half  
and unto his Wife the said Harriet Deukes and to her heirs the East  
half of the tract of land above described. We have and to have  
the said tract with the appurtenances unto the said Martin  
Deukes and his wife Harriet Deukes, and to their heirs and assigns  
forever, their respective portions as aforesaid.

Andrew Johnson President of the United States have caused these Letters to be made Patent and the seal of the General Land Office to be hereunto affixed

Given under my hand at the City of Washington this Eighth day of October in the year of our Lord one thousand Eight hundred and sixty four and of the Independence of the United States the ninety first

By the President Andrew Johnson  
By Peter S. Mills Secretary

Record Vol 3 page 113  
Filed for Record April 7<sup>th</sup> 1874  
Recorded April 4<sup>th</sup> 1874

R. F. Langford Clerk & Recorder

By W. J. McGowan Deputy

Martin Decker Given all men by these presents that we Martin Decker and  
& wife Sarah Decker wife of the said Martin Decker in consideration  
to of one thousand dollars to be paid by Samuel Stink do hereby  
Samuel Stink bargain sell and convey to and assign forever the following described parcel of real Estate  
to wit: A certain tract of land situated in Clackamas County  
Oregon and more particularly described as follows to wit:

The South East quarter of the North West quarter and the  
South West quarter of the North East quarter of section four  
(4) of Town two (2) South of Range Three (3) East of the Willam-  
ette Meridian, and containing Eighty acres together with the  
tenements, hereditaments and appurtenances thereto belonging  
or in anywise appertaining and also all our Estate, right, title  
and interest at law and in equity therein or thereto, including  
dower and claim of dower.

We have and to hold the same to the said Samuel Stink  
and his heirs and assigns forever. And we do covenant with  
the said Samuel Stink and his legal representatives forever  
that the said real estate is free from all incumbrances, and  
that we will and our heirs executors and administrators  
shall warrant and defend the same to the said Samuel  
Stink and his heirs and assigns forever against the  
lawful claims and demands of all persons whatsoever.

In witness whereof we have hereunto set our hands and  
the third day of April 1874

SW Decker  
to  
Sarah Decker  
wif

In Testimony Whereof, I have hereunto set my hand and Notarial Seal the day and year last above written.

(Seal of Notary)

W.A. Dimick

Notary Public for Oregon

My commission expires January 4th, 1920.

Filed and recorded October 9, 1918 at 3:10 P.M.

J.G. Noe, County Recorder.

By L. Cochran, Deputy.

150/202  
1918

This Indenture Witnesseth, That we James Harold Wilson and Ruth M. Wilson, his wife, for and in consideration of One and No/100 Dollars, to us paid, have bargained and sold, and by these presents do bargain, and convey unto Ida V. Wilson the following described real estate, situate in Clackamas County, State of Oregon, to-wit:

The Southwest quarter of the Northwest quarter of Section 3 Township 2 South of Range 3, East of the Willamette Meridian.

This deed is made to confirm title by entirety in the grantors herein.

To have and to hold the said premises with appurtenances, unto the said Ida V. Wilson her heirs and assigns forever; and we the said grantors do hereby covenant to and with the said grantee her heirs and assigns, that we are the owners in fee simple of said premises; that they are free from all incumbrances and that we will warrant and defend the same from all lawful claims whatsoever;

In Witness Whereof, we have hereunto set our hands and seals this 10th day of October A.D. 1918.

Signed, Sealed and Delivered in the Presence of

A.L. Heacock

W.A. Dimick

James Harold Wilson

Ruth M. Wilson

(Seal)  
(Seal)

State of Oregon }  
County of Clackamas } SS

On this 10th day of October A.D. 1918, personally came before me, a Notary Public in and for said County and State, the within named James Harold Wilson and Ruth M. Wilson his wife, to me personally known to be the identical persons described in and who executed the foregoing conveyance and acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein named.

Witness my hand and official seal, this, the day and year in this certificate above written.

(Seal of Notary)

W.A. Dimick

Notary Public for Oregon

My commission expires January 4th, 1920.

Filed and recorded Oct. 10, 1918 at 10:20 A.M.

H. J.G. Noe, County Recorder.

This Indenture Witnesseth, That I, Ida V. Wilson, unmarried for and in consideration of One and No/100 Dollars, to me paid, have bargained and sold, and by these presents do bargain, and convey unto James Harold Wilson and Ruth M. Wilson, his wife, the following described real estate, situate in Clackamas County, State of Oregon, to-wit:

The Southwest quarter of the Northwest quarter of Section 3, Township 2 South of Range 3 East of the Willamette Meridian.



Commencing at the South East corner of Lot Five in Block 159 in Oregon City, Oregon, running thence West on the south line of said lot Fifty-two and one half feet, thence north to a point on the north line of said lot fifty-two and one-half feet west of the north east corner of said lot, thence East to the north east corner of said lot, thence south to the place of beginning.

To have and to hold the above granted premises, with all the rights, easements and appurtenances thereto belonging unto the said Hetta-Bates Theroux and F. V. Theroux, their heirs and assigns forever. And the said grantors do covenant to and with the said grantees, their heirs and assigns that they are lawfully seized in fee of the above granted premises; that the said premises are free from all encumbrances and that they will and their heirs, executors and administrators shall warrant and defend the above-granted premises, to the said-grantee, their heirs and assigns forever against the lawful claims and demands of all persons.

In Witness Whereof, the grantors above named, hereunto set their hands and seals this 13th day of June, 1918.

Witness to the execution hereof:

F. C. Wasserman, IRS \$1.50  
W. H. Chatten, Cancelled.

Frank E. Andrews, Seal.

Bessie E. Andrews, Seal.

State of Oregon, }  
County of Multnomah, } SS

This Certifies, that on this 13th day of June, A. D. 1918, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Frank E. Andrews and Bessie E. Andrews, his wife, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same as their free act and deed, for the uses and purposes therein expressed.

In Testimony Whereof, I have hereunto set my hand and notarial seal the day and year last above written.

(Seal of Notary.)

F. C. Wasserman,

Notary Public in and for Oregon.

My commission expires Dec. 6, 1920.

Filed and recorded July 1, 1918, at 4:45 P. M.

C

D. C. Boyles, County Recorder.

By L. Cochran, Deputy.

This Indenture Witnesseth, That I, E. B. Lowe, (Widower) for and in consideration of Ten & No/100 Dollars, to me paid, have bargained and sold, and by these presents do bargain and convey unto Anthony J. Rockhold and Anna Rockhold, his wife, and to the survivor thereof of the following described real estate, situate in Clackamas County, State of Oregon, to-wit: All of Lot One and Two, Block one hundred forty-six, as per the duly recorded plat thereof on file in the office of the Recorder of said County and State.

To Have and To Hold the said premises with appurtenances unto the said Anthony J. Rockhold and Anna Rockhold, their heirs and assigns forever. And I am the said E. B. Lowe, do hereby covenant to and with the said Anthony J. Rockhold and Anna Rockhold their heirs and assigns, that I am the owner in fee simple of said premises; that they are free from all incumbrances except a certain mortgage of \$1000.00 and sewer assessment of \$118.50 and that the grantors assume and agree to pay and that I will warrant and defend the same

KNOW ALL MEN BY THESE PRESENTS, That I, HARRY M. ROUNSEFELL

of Woring County of Clackamas State of Oregon,

in consideration of one thousand and no/100ths Dollars

to me paid by HARRY M. ROUNSEFELL

of Woring County of Clackamas, State of Oregon,

have bargained and sold, and by these presents do grant, bargain, sell and convey unto said

HARRY M. ROUNSEFELL

an undivided one-half interest in all the following bounded and described real property, retaining to myself a like undivided one-half interest therein, situated in the County of Clackamas and State of Oregon; for the purpose of creating an estate in entirety between myself the grantor herein and my husband the grantees herein:

The Southwest quarter of the Northwest quarter of Section 3, Township 2 South, Range 3 East of the W.M., County of Clackamas, State of Oregon, except that portion lying within County Roads.

Together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, and also my estate, right, title and interest, in and to the same.

To Have and to Hold, the above described and granted premises unto the said HARRY M. ROUNSEFELL forever

IN WITNESS WHEREOF, I the grantor above named hereunto set my hand and seal this 17th day of March, 19 61

Executed in the presence of

Harry M. Rounsefell (SEAL)

BOOK 585 PAGE 339

6410

STATE OF OREGON,

County of Multnomah

BE IT REMEMBERED, That on this 17th day of March, 1961, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named parties, to-wit:

That she to be the identical individual described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public for Oregon.  
My Commission expires 3-22-63

6410

DEED

Creating Estate in Entirety

(FORM No. 100)

RUTH A. KOUNSEFELL

TO

LARRY A. KOUNSEFELL

STATE OF OREGON, } ss.  
County of Clatsop,

I, Robert Schumacher, County Clerk, Ex-Officio Recorder of Conveyances and Ex-Officio Clerk of the Circuit Court of the State of Oregon, for the County of Clatsop, do hereby certify that the within instrument of writing was received for record and recorded in the records of

DEED

of said County at

1961 MAR 17 11 29

BOOK 585 PAGE 340

In Book

On Page

Witness my hand and seal of said Court affixed. ROBERT SCHUMACHER, County Clerk,

Recording Certificate Deputy.

BOOK 585 PAGE 340

**KNOW ALL MEN BY THESE PRESENTS,** That HARRY N. ROUNSEFELL and RUTH M. ROUNSEFELL, husband and wife, tenants by the entirety, hereinafter called the grantor, in consideration of ten and no/100 - - (\$10.00) (Consideration less than \$100.00 dollars, to grantor paid by JANICE E. ROUNSEFELL hereinafter called the grantee,

does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the State of Oregon and the county therein named below, described as follows, to-wit:

A tract of land situated in the Southwest quarter of the Northeast quarter of Section 3, Township 2 South, Range 3 East of the Willamette Meridian, more particularly described as follows:  
 Beginning at a point in the South line of said legal subdivision which bears East 571.27 feet from the southwest corner of the Northwest quarter of said Section 3, thence continuing east along the South line of said legal subdivision 208.71 feet, thence North at right angles to said South line 208.71 feet, thence West parallel with the South line of said legal subdivision 208.71 feet, thence South 208.71 feet to the point of beginning, containing 1.00 acre; EACHT therefrom that portion lying within County Road 7592 (Henry Hoffmeister Road); Clackamas County, State of Oregon.

TL 500

To Have and to Hold the above described and granted premises unto the said grantee and grantee's heirs and assigns forever.  
 And said grantor hereby covenants to and with said grantee and grantee's heirs and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will and grantor's heirs, executors and administrators shall warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.  
 In construing this deed and where the context so requires, the singular includes the plural.  
 WITNESS grantor's hand and seal this 16th day of May, 1966.

Harry N. Rounsefell (SEAL)  
 Ruth M. Rounsefell (SEAL)  
 (SEAL)  
 (SEAL)

1085 23 4901  
 STATE OF OREGON, County of Clackamas ) ss. May 16, 1966

Personally appeared the above named Harry N. Rounsefell and Ruth M. Rounsefell, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:  
*Howard H. Smith*  
 Notary Public for Oregon  
 My commission expires Dec. 23, 1969

(SEAL)

No. 8054 AFTER RECORDING RETURN TO <i>James J. Rounsefell</i> <i>241 Ave 387</i> <i>Boring</i>	<b>WARRANTY DEED</b> TO _____ _____ _____	STATE OF OREGON, ) DEED 1966 MAY 16 PM 4:00 800K 673 PAGE 556 In Book On Page Witness my hand and seal of said County affixed: ROBERT SCHUMACHER, County Clerk <i>Robert Schumacher</i> Deputy Recording Certificate
	STATE OF OREGON, County of Clackamas. I, Robert Schumacher, County Clerk, Ex-Officio Recorder of Conveyances and Ex-Officio Clerk of the Circuit Court of the State of Oregon, for the County of Clackamas, do hereby certify that the within instrument of writing was received for record and recorded in the records of	

BOOK 673 PAGE 556

SK

KNOW ALL MEN BY THESE PRESENTS, That James L. Rounsefell, husband of Nancy J. Rounsefell, hereinafter called the grantor, in consideration of Ten and no/00 Dollars, to grantor, paid by Nancy J. Rounsefell, wife of James L. Rounsefell, hereinafter called the grantee,

does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Clackamas and State of Oregon, described as follows, to-wit: An undivided one-half of the following described real property:

A tract of land situated in the southwest one-quarter of the northwest one-quarter of Section 3, T. 2 S., R. 3 E. of the W.M., more particularly described as follows:

Beginning at a point in the south line of said legal subdivision which bears East 671.27 feet from the southwest corner of the northwest one-quarter of said Section 3; thence continuing East along the south line of said legal subdivision 208.71 feet; thence North at right angles to said south line 208.71 feet; thence West parallel with the south line of said legal subdivision 208.71 feet; thence South 208.71 feet to the point of beginning, EXCEPTING therefrom that portion lying within roads.

This deed is given for the express purpose of creating estate by the entirety between the grantor and grantee herein.

To Have and to Hold the above described and granted premises unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

In construing this deed and where the context so requires, the singular includes the plural. WITNESS grantor's hand and seal this April day of 1967.

James L. Rounsefell (SEAL)
Nancy J. Rounsefell (SEAL)
(SEAL)
(SEAL)

STATE OF OREGON, County of Clackamas, ss. April 1967
Personally appeared the above named James L. Rounsefell, husband of Nancy J. Rounsefell and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Notary Public for Oregon
My commission expires

(OFFICIAL SEAL)

Recorded By Pioneer National Title Insurance Company

7800

1967

WARRANTY DEED

James L. Rounsefell

TO

Nancy J. Rounsefell

AFTER RECORDING RETURN TO

STATE OF OREGON,

STATE OF OREGON, County of Clackamas, ss. I, Robert Schumacher, County Clerk, Esq., Clerk of the Circuit Court of the State of Oregon for the County of Clackamas, do hereby certify that the within instrument of writing was received for record and recorded in the records of

DEED

of said County of Clackamas, APR 18 1967 PM 4 26

633 PAGE 694

On Page

In Book

Witness my hand and seal of said County of Clackamas, APR 18 1967. ROBERT SCHUMACHER, County Clerk.

Deputy

Recording Certificate

5768

633

No. 207

BOOK 688 PAGE 694

KNOW ALL MEN BY THESE PRESENTS, That

JAMES L. ROUSEFELL and WYLLI H. ROUSEFELL, husband and wife, of the County of Clatsop, Oregon, do hereby certify that the above described premises are the same as those described in the deed of James L. Rousefell to the State of Oregon, recorded in the County of Clatsop, Oregon, and State of Oregon, on the 15th day of December, 1924.

A certain tract of land situated in the Southwest quarter of the Section 27, Township 36 N., Range 12 E., of the W.M., Clatsop County, Oregon, bounded on the South line of said legal subdivision at a point 271.22 feet from the southwest corner thereof, being the Southeast corner of that tract conveyed to James L. Rousefell by deed recorded in Book 673, Page 255; thence North at right angles to the South line of said legal subdivision 208.71 feet to the Northwest corner of said James L. Rousefell tract, the true point of beginning; thence North along the westerly extension of said extension with the North line of the West quarter of the Northwest quarter; thence East along the North line of the Northeast corner of said legal subdivision; thence East along the East line of the Northwest quarter of the Northwest quarter 132.00 feet to the true point of beginning; thence West along the South line of said legal subdivision to a point that is East 208.71 feet from the true point of beginning, with the Southeast corner of the James L. Rousefell tract.

To Have and to Hold the same unto the said grantee and grantee's heirs, assigns and assigns forever. And said grantor hereby certifies to and with said grantee and grantee's heirs, assigns and assigns that the grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances.

And that grantor, his heirs and assigns defend the said premises and every part and parcel thereof against the incursions and demands of all persons whatsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$100.00. However, the actual consideration consists of or includes other property or value given or promised, which is the whole and true consideration (including the value of the services rendered by the grantor) for the purchase of the premises hereinafter described. The grantor has executed this instrument this 5th day of December, 1924, at the City of Astoria, Oregon, and his name to be signed and seal affixed by his attorney, duly qualified therein by order of the Board of Directors.

James L. Rousefell  
Wylli H. Rousefell

STATE OF OREGON, County of Clatsop.  
I, \_\_\_\_\_, Notary Public for Oregon, do hereby certify that the above named persons are the same as those named in the deed of James L. Rousefell to the State of Oregon, recorded in the County of Clatsop, Oregon, and State of Oregon, on the 15th day of December, 1924. In witness whereof, I have hereunto set my hand and seal of office at the City of Astoria, Oregon, this 5th day of December, 1924.

Notary Public for Oregon  
My commission expires \_\_\_\_\_

James L. Rousefell  
Wylli H. Rousefell

STATE OF OREGON.  
I, \_\_\_\_\_, Notary Public for Oregon, do hereby certify that the above named persons are the same as those named in the deed of James L. Rousefell to the State of Oregon, recorded in the County of Clatsop, Oregon, and State of Oregon, on the 15th day of December, 1924. In witness whereof, I have hereunto set my hand and seal of office at the City of Astoria, Oregon, this 5th day of December, 1924.

70-84541



at right angles to said South line 208.71 feet; thence East 208.71 feet to the point of beginning.

There is also a water easement for drainage across and utility purposes over the following described property:

beginning at the Southwest corner of said legal subdivision; thence East along the North line thereof, 671.77 feet to the Southwest corner of that tract conveyed to James L. Kounsfall by deed recorded in Book 673, Page 528; thence North along the East line of said James L. Kounsfall tract and its northerly extension, 1326 feet to the intersection of said extension with the North line of the Northwest quarter of the Northwest quarter of Section 3, T. 27. N., R. 24. E., in Clackamas County, Oregon, described as follows:

beginning at the Southwest corner of the Northwest quarter of the Northwest quarter of the Northwest quarter of Section 3, T. 27. N., R. 24. E., in Clackamas County, Oregon, 671.4 feet, more or less, thence East, along the West line of said legal subdivision, 190 feet, more or less, to the point of beginning.

The following described property:

beginning at a stone monument, marked with a cross on top set at the one-quarter section corner on the West side of Section 3, T. 27. N., R. 24. E., of the W.M., and running East along the center of the County Road 190.00 feet to a point, said point being the true point of beginning of the tract herein to be described; thence East along the above described true point of beginning continuing North, 190.00 feet, thence East 230.00 feet; thence South 120.00 feet; thence West 230.00 feet to the point of beginning.

The following described property:

beginning at the Northwest corner of the Northwest quarter of the Northwest quarter of Section 3, T. 27. N., R. 24. E., of the W.M., in Clackamas and State of Oregon, and running East, parallel with the West line of said legal subdivision, 230 feet, thence South, parallel with the West line of said legal subdivision, 120 feet, thence West parallel with the North line of said legal subdivision, 230 feet to the West line thereof; thence North along said West line, 190 feet to the point of beginning.

STATE OF OREGON  
County of Clackamas

A. George M. Brown, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original record of the same as the same appears in the County of Clackamas, State of Oregon, and that the same has been duly recorded in the office of the County Clerk of said County, Oregon, and that the same is a true and correct copy of the original record of the same as the same appears in the County of Clackamas, State of Oregon.

1935 APR 14 AM 11 36

DEED

RECORDED

6950

001  
FAPP 5



*Clackamas County*

**DEPARTMENT OF  
TRANSPORTATION AND DEVELOPMENT**

**Sunnybrook Service Center**

Comptroller  
Director

Planning Division  
Basic Zoning Information Request  
Fax to: 503-353-4550

FROM: Andiea Crawford <sup>7160</sup> FAX: 503 659-7160 OH #: 503 481-9484

FOR PROPERTY ADDRESS: 22515 SE Hoffmeister Rd, Boring

MAP REFERENCE: T 2, R 3E, SECTION 03B TAX LOT(S) 00800 <sup>97009</sup>

OTHER BASIC INFORMATION REQUESTED: Would you please  
look up previous zoning for the above  
address and fax to me. Thank you!

**PLANNING RESPONSE**

THE ZONING DESIGNATION ON THIS PROPERTY IS: \_\_\_\_\_

THE TITLE FOR THIS ZONE AND MINIMUM LOT SIZE FOR NEW LOTS IS:

- URBAN LOW DENSITY RESIDENTIAL, \_\_\_\_\_ SQUARE FEET
- RURAL AREA SINGLE FAMILY RESIDENTIAL, \_\_\_\_\_ ACRE MINIMUM
- RURAL RESIDENTIAL FARM FOREST - 5 ACRES
- FARM FOREST - 10 ACRES
- HOODLAND RESIDENTIAL - FOUR (4) UNITS/ACRE OF UNRESTRICTED BUILDABLE LAND
- RECREATIONAL RESIDENTIAL, 2 ACRES
- FUTURE URBANIZABLE, 10 ACRES
- EXCLUSIVE FARM USE, 80 ACRES
- TIMBER DISTRICT, 80 ACRES
- AG/FOREST DISTRICT, 80 ACRES

\_\_\_\_\_ DENSITY RESIDENTIAL, \_\_\_\_\_ UNITS PER ACRE

\*FLOOD FIRM ZONE \_\_\_\_\_, PANEL # \_\_\_\_\_ DATE: \_\_\_\_\_

RESPONSE/COMMENTS ON YOUR REQUEST:  
R30 - 1973 initial zoning

\*This is an estimate with the best information available at the time of the request. This should not be construed as precisely scaled findings by Clackamas County Planning Staff. To acquire such findings, please submit a written request and include a \$28.00 Flood Hazard Fee.

STAFF MEMBER: Tom DATE: 02.10.05

THE COUNTY ZONING ORDINANCE WEB ADDRESS IS: WWW.CO.CLACKAMAS.OR.US/DTD/ZONING

THE COUNTY GENERAL ZONING/PLANNING INFORMATION PHONE NUMBERS ARE:  
(503) 353-4501 AND (503) 353-4550.



## Comparable Sales for Rounsefell Property Valuation

### Larger Acreage Parcels

1798 /  
ML#nonrmls, ~~23765~~ SE Highway 212  
15.94 Acres, Closed 11/28/2005 average price \$87,000 per acre  
Contract sale, development near, water and sewer close by

ML#000000, 23765 SE Highway 212  
18.42 Acres, with small home, Closed 9/2004, \$53,745 per acre  
Future development, possibly new city center area for Damascus

ML#6029462, 0 Zion Hill Drive  
10.82 Acres, Closed 9/1/2006, \$44,824 per acre  
Single building lot, spectacular view

ML#5066593, 16431 SE Royer Rd  
10.01 Acres, Closed 9/7/2005, \$52,547 per acre  
View property, not dividable at this time, home of no value

ML#5043596, 11390 SE 222<sup>nd</sup> Drive  
14.00 Acres, 1 acre with home, shop, garage, valued at \$350,000  
Level nursery land, future development ground, \$35,000 per acre

### Acre Building Lots

ML#6002227, 13003 SE Burt Lane  
1.0 Acre, Closed 4/2006, \$250,000.00 per acre

ML#5031331, 17980 SE Vogel  
1.44 Acre, Closed 8/2005, \$250,000.00 per usable acre

ML#6074598, Parcel 2 tax lot 1700, Damascus  
1.0 Acre, Closed 9/2006, \$240,000 per acre

# No Photo Available

Presented By: Chris Olson  
Burns & Olson Realtors Inc. Agent Full

RESIDENTIAL Status: SLD 11/30/2006 8:31:39 AM  
ML#: 5043596 Area: 145 List Price: \$805,000  
Addr: 11390 SE 222ND DR Unit#:   
City: Gresham Zip: 97080 Condo Loc/Lvl:   
Map Coord: 659/B/3 Zoning: efu List Type: EA LR: N  
County: Clackamas Tax ID: 00143847  
Elem: DEEP CREEK Middle: DAMASCUS  
High: SAM BARLOW PropType: RESID  
Nhood: #Image: 0  
Legal: SECTION 34 TOWNSHIP 1S RANGE 3E QUARTER B TAX LOT 00800  
Public Internet/Address Display: Y/N Offer/Nego:

### GENERAL INFORMATION

Lot Size: 10-19.99AC  
Waterfront:  
River/Lake:

# Acres: 14  
View:  
Seller Disc: DSCLOSUR

Lot Dimensions:  
Lot Desc:  
Other Disc:

### RESIDENCE INFORMATION

Upper SQFT: 0 SFSrc: seller  
Main SQFT: 2500 TotUp/Mn: 2500  
Lower SQFT: 0 Parking:  
Total SQFT: 2500 Roof:

#Bdrms/#Lvl: 4 / 1  
Style: TRI-WDE  
#Garage: 4 /  
Exterior: CEDAR, LAP

Year Built: 1994 / APPROX  
Home Wmty: 55+ w/Affidavit Y/N:  
#Fireplaces: /  
Bsmnt/Fnd: CRAWLSP

### APPROXIMATE ROOM SIZES AND DESCRIPTIONS

Living: / /  
Kitchen: / /  
Dining: / /  
Family: / /

Mstr Bd: M / /  
2nd Bd: / /  
3rd Bd: / /

Baths - Full.Part  
Upper Lvl: 0.0  
Main Lvl: 2.0  
Lower Lvl: 0.0  
Total Bth: 2.0

### REMARKS

XSt/Dir: 222nd north of tilstrom  
Private: in house sale for comp purposes  
Public:

### FEATURES AND UTILITIES

Kitchen:  
Interior:  
Exterior:  
Accessibility:  
Cool:  
Water: WELL

Hot Water:  
Sewer: SEPTIC

Heat: FOR-AIR  
Insul:

Fuel: ELECT

### FINANCIAL

Property Tax/Yr: 2447.14  
Terms: OTHER  
Escrow Pref:  
HOA Dues:  
HOA Incl:

Spcl Asmt Balance:  
HOA Dues-2nd:

Tax Deferral:  
3rd Party: N  
Rent, ff Rented:

BAC: % 2.7  
SAC: % 0

### BROKER / AGENT DATA

BRCD: BUOL01 Office: Burns & Olson Realtors Inc.  
LPID: BURNSWEN Agent: Wendy Burns  
CoLPID: CoBRCD: CoAgent:

Phone: 503-658-2600 Fax: 503-558-1066  
Phone: 503-706-4511 Cell/Pgr:  
CoPh:

Agent E-mail: wendy@burnsandolson.com  
ShowHrs:  
LBHrs/Loc/Cmb: none  
Show: CALL-LA

Tran: 6/21/2005 List: 3/3/2005 Exp: 6/21/2005 Occ: OWNER  
Owner: sharon & arnie  
Tenant:

Poss:  
Phone:  
Phone:

### COMPARABLE INFORMATION

Pend: 3/7/2005 DOM/CDOM: 4/  
Sold: 6/16/2005 Terms: OTHER  
SPID: OLSONCH S/Agnt: Chris Olson

O/Price: \$805,000  
Sold Price: \$805,000  
S/Off: BUOL01 S/Off Phone: 503-658-2600

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SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.  
SCHOOL AVAILABILITY SUBJECT TO CHANGE.



**Presented By:** Chris Olson  
 Burns & Olson Realtors Inc. **Agent Full**

**RESIDENTIAL** **Status:** SLD **11/30/2006** **8:31:39 AM**  
**ML#:** 5066593 **Area:** 145 **List Price:** \$425,000

**Addr:** 16431 SE ROYER RD **Unit#:**  
**City:** Clackamas **Zip:** 97015 **Condo Loc/Lvl:**  
**Map Coord:** 689/A/2 **Zoning:** **List Type:** ER **LR:** N  
**County:** Clackamas **Tax ID:** 00620368

**Elem:** DEEP CREEK **Middle:** DAMASCUS  
**High:** SAM BARLOW **PropType:** RESID  
**Nhood:** Damascus **#Image:** 8  
**Legal:** TO2S R03E S9 QTSE 16SEC LOTS 1190/1100 Parcel 2  
**Public Internet/Address Display:** Y/Y **Offer/Nego:**

**GENERAL INFORMATION**

**Lot Size:** 10-19.99AC **# Acres:** 10.01 **Lot Dimensions:** Irregular  
**Waterfront:** **View:** **Lot Desc:** SECLDED, SLOPED, TREES  
**River/Lake:** **Seller Disc:** EXEMPT **Other Disc:** LPB, Siding

**RESIDENCE INFORMATION**

**Upper SQFT:** 0 **SFSrc:** Metroscan **#Bdrms/#Lvl:** 2 / 2 **Year Built:** 1940 / FIXER  
**Main SQFT:** 1144 **TotUp/Mn:** 1144 **Style:** FARMHSE **Home Wrnty:** N 55+ w/Affidavit Y/N: N  
**Lower SQFT:** 1144 **Parking:** OFF-STR **#Garage:** 1 / DETACHD **#Fireplaces:** 1 / WOOD  
**Total SQFT:** 2288 **Roof:** COMP **Exterior:** ALUM **Bsmt/Fnd:** FULLBAS, UNFIN

**APPROXIMATE ROOM SIZES AND DESCRIPTIONS**

<b>Living:</b> M / 14 X 20 / COVED, FIREPL	<b>Mstr Bd:</b> M / 13 X 14 / HARDWOD	<b>Baths - Full.Part</b>
<b>Kitchen:</b> M / 12 X 17 / EATAREA, LAM-FW	<b>2nd Bd:</b> M / 11 X 12 /	<b>Upper Lvl:</b> 0.0
<b>Dining:</b> / /	<b>3rd Bd:</b> / /	<b>Main Lvl:</b> 1.0
<b>Family:</b> / /	<b>UTILITY</b> L / 12 X 25 / SINK	<b>Lower Lvl:</b> 0.1
<b>BONUS</b> L / 12 X 14 / BLT-INS		<b>Total Bth:</b> 1.1

**REMARKS**

**XSt/Dir:** Hwy 212 to Royer Road, S. to 16431  
**Private:** Gorgeous pastoral acreage with nice farmhouse that needs TLC. Older barn and several outbuildings. Property cannot be split at this time, but may be have good investment potential-check with Clackamas County. Close to Damascus, 20 min. from Clackamas Town Center, I-205. Easy access to Hwy 212, Sunnyside Road, Foster Blvd.  
**Public:** Gorgeous pastoral acreage. Farmhouse has good bones but needs your TLC. Older barn and several outbuildings. Possible investment potential-check with Clackamas County. Close to Damascus, 20 min. from Clackamas Town Center, I-205. Easy access to Hwy 212, Sunnyside Road, Foster Blvd.

**FEATURES AND UTILITIES**

**Kitchen:** DISHWAS, DISPOSL, FS-RANG, FS-REFR  
**Interior:** AIRCLEN, HARDWOD, WW-CARP  
**Exterior:** BARN, FENCED, OUTBULD, SATDISH, TL-SHED, GRAVLRD, PRIVRD  
**Accessibility:**  
**Cool:** NONE **Hot Water:** ELECT **Heat:** FOR-AIR **Fuel:** OIL  
**Water:** WELL **Sewer:** SEPTIC **Insul:**

**FINANCIAL**

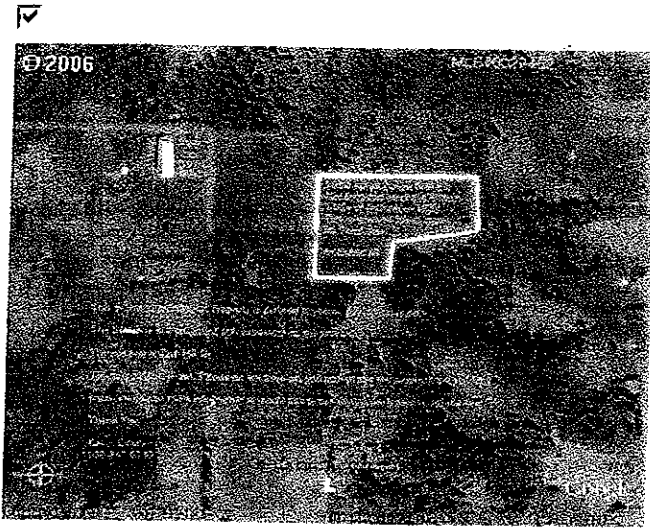
**Property Tax/Yr:** 1252.52 **Spcl Asmt Balance:** **Tax Deferral:** **BAC:** % 2.7V  
**Terms:** CASH, CONV **3rd Party:** N **SAC:**  
**Escrow Pref:** Transnation/Gresham **Rent, If Rented:**  
**HOA Dues:** **HOA Dues-2nd:**

**BROKER / AGENT DATA**

**BRCD:** RGIC32 **Office:** Windermere/C&C Gresham **Phone:** 503-661-5200 **Fax:** 503-665-7007  
**LPID:** SANTRYJO **Agent:** Joe Santry **Phone:** 503-256-4851 **Cell/Pgr:** 503-706-3103  
**CoLPID:** **CoBRCD:** **CoAgent:** **CoPh:**  
**Agent E-mail:** jsantry@windermere.com  
**ShowHrs:** daylight **Tran:** 11/3/2005 **List:** 9/7/2005 **Exp:** **Occ:** VACANT **Poss:** CLOSING  
**LBHrs/Loc/Cmb:** 24hr/back door **Owner:** Kielhorn TR **Phone:**  
**Show:** RMLSLBX, VACANT **Tenant:** **Phone:**

**COMPARABLE INFORMATION**

**Pend:** 9/12/2005 **DOM/CDOM:** 5 / 5 **O/Price:** \$425,000  
**Sold:** 11/2/2005 **Terms:** CONV **Sold Price:** \$526,000  
**SPID:** SANTRYJO **S/Agt:** Joe Santry **S/Off:** RGIC32 **S/Off Phone:** 503-661-5200



**Presented by:** Chris Olson **Agent Full**  
 Burns & Olson Realtors Inc.  
**LOTS AND LAND** **Status:** SLD **11/30/2006** **8:31:38 AM**  
**ML#:** 6029462 **Area:** 144 **List Price:** \$499,950  
**Address:** 0 Zion Hill Dr.  
**City:** Gresham **Zip:** 97080  
**Additional Parcels:** /  
**Map Coord:** 659/F/4 **Zoning:** **List Type:** ER LR: N  
**County:** Clackamas **Tax ID:** 00148263  
**Subdivision:**  
**Manufhs Okay:** **CC&Rs:** **#Image:** 1  
**Elem:** EAST ORIENT **Middle:** WEST ORIENT  
**High:** SAM BARLOW **Prop Type:** FRM/FOR  
**Legal:** 266 FAIRMOUNT ORCHARDS PT LT 17  
**Public Internet/Address Display:** Y/Y **Offer/Nego:** LA-ONLY

**GENERAL INFORMATION**

**Lot Size:** 10-19.99AC **Acres:** 10.82  
**Waterfront:** N / **River/Lake:**  
**Perc Test:** N / **RdFmtg:** N  
**Seller Disc:** EXEMPT **Other Disc:**  
**Lot Desc:** PRIVATE, SECLDED, TREES, WOODED  
**Topography:** LEVEL, SLOPED  
**Soil Cond:** NATIVE

**Lot Dimensions:**  
**Availability:** SALE **#Lots:**  
**Rd Surf:** GRAVLRD  
**View:** MNTAIN, VALLEY  
**Soil Type/Class:**  
**Present Use:** TIMBER

**IMPROVEMENTS**

**Utilities:** NO-SEWR, POW-AVL, WAT-AVL  
**Existing Structure:** N /

**REMARKS**

**XSt/Dir:** Sunshine Valley to Zion Hill Dr access from lot 20  
**Private:** 10.82 acres logged 25 yrs ago and replanted. Zoned RRRFF-5 But within 1 mile Damascus UGB. Cannot be divided at this point..Owner maybe willing to hold Contract 20% down 7%int. with 5 year balloon. One of 4 lots with water rights from tower..Amazing views, with some clearing..Contact ne for more information.  
**Public:** 10.82 acres logged 25 yrs ago and replanted. Zoned RRRFF-5 But within 1 mile Damascus UGB. Cannot be divided at this point..Owner maybe willing to hold Contract 20% down 7% int.with 5 year balloon. One of 4 lots with water rights from tower..Amazing views, with some clearing..

**FINANCIAL**

**Prop Tax/Yr:** 7.7 **Spcl Asmt Balance:**  
**Crop/Land Lease:** Y **Tax Deferral:** Y **BAC:** % 2.7  
**HOA Dues:** **3rd Party:** N **SAC:**  
**HOA Incl:**  
**Terms:** CASH, CONV, OWNCONT **Escrow Preference:**

**BROKER / AGENT DATA**

**BRCD:** BUOL01 **Office:** Burns & Olson Realtors Inc. **Phone:** 503-658-2600 **Fax:** 503-558-1066  
**LPID:** KPSMITH **Agent:** Kevin Smith **Phone:** 503-347-6710 **Cell/Pgr:**  
**CoLPID:** **CoBRCD:** **CoAgent:** **CoPh:**  
**Agent E-mail:** hdbugz@yahoo.com  
**List:** 4/20/2006 **Exp:** 10/31/2006 **Show:** CALL-LA **Poss:**  
**Tran:** 9/1/2006 **Owner:** Gillespie **Phone:**  
**Tenant:** **Phone:**

**COMPARABLE INFORMATION**

**Pend:** 5/31/2006 **DOM/CDOM:** 41 / 41 **O/Price:** \$499,950  
**Sold:** 8/31/2006 **Terms:** CASH / **Sold Price:** \$485,000  
**SPID:** KPSMITH **S/Agnt:** Kevin Smith **S/Off:** BUOL01 **S/Off Phone:** 503-658-2600

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 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

Tax Full

Prev Next **Revise Search** Results Tax Full

1 Records

Presented by: **Chris Olson** 11/30/2006 8:49:55 AM  
**Burns & Olson Realtors Inc.**

**CLACKAMAS COUNTY, OR**

Tax ID: 00605090  
 Prop Addr:  
 City/State/Zip: Carrier Rt:

**OWNER INFORMATION**

Owner Name: **SHELDON DEVELOPMENT INC**  
 Owner Addr: 23765 SE HIGHWAY 212  
 City/State/Zip: DAMASCUS OR 97089-7249  
 Phone:  
 Carrier Rt: R026

**LAND INFORMATION**

Lot SF: 802375 Acreage: 18.42

**BUILDING INFORMATION**

Year Built: 0	Bedrooms:	Parking SF:
Stories:	Bathrooms: 0	Heat Method:
# of Bldgs: 0	Living SF:	Roof Cover:
Bldg Code:	Bldg SF: 0	Roof Type:
Fireplace:	Bldg SF Ind:	Floor Cover:
Foundation:	Bsmnt SF:	
Exterior Finish:		

**SALES INFORMATION**

	Deed Type	Sale Date	Sale Price	Document No
Current:	DEED OF TRUST	9/8/2004	\$990,000	000000083794
Prior:				

Title Co: CHICAGO TITLE INSURANCE COMPAN  
 Lender: STERLING SVGS BK  
 Loan Type: CONVENTIONAL  
 Vest Type:  
 Loan Amt: \$500,000

**TAX INFORMATION**

Tax Year: 05-06	Land Val: \$231,595
Tax Amt: \$8,810.67	Impv Val: \$0
Levy Code: 026008	Total Val: \$231,595
Tax Rate: 13.664	

**LEGAL INFORMATION**

Prop Class: AGRICULTURAL	Map Code: 2S-3E-03-SE-SE	Lot: 300
Land Use: FARMS	Township: 02S	Census Block:
Map Page: 0	Section: 03	Census Track: 232012037
Map Column:	Range: 03E	
Map Row: 0	Qtr Section: SE	
School Dist: SCH GRSHM/BRLW	16th Section: SE	
Nbrhd Code: 16064		
Subdiv Name:		

# Tax Full

1 Records

Presented by: **Chris Olson**  
Burns & Olson Realtors Inc.

11/30/2006 8:52:07 AM

## CLACKAMAS COUNTY, OR

**Tax ID:** 00614437  
**Prop Addr:** 17981 SE HIGHWAY 212  
**City/State/Zip:** DAMASCUS OR 97089-8964  
**Carrier Rt:** R036

### OWNER INFORMATION

**Owner Name:** SHELDON DEV INC  
**Owner Addr:** 23765 SE HIGHWAY 212  
**City/State/Zip:** BORING OR 97009-7249  
**Phone:**  
**Carrier Rt:** R006

### LAND INFORMATION

**Lot SF:** 694346  
**Acreage:** 15.94

### BUILDING INFORMATION

<b>Year Built:</b> 1954	<b>Bedrooms:</b> 2	<b>Parking SF:</b> 688
<b>Stories:</b> 1	<b>Bathrooms:</b> 1	<b>Heat Method:</b> WALL
<b># of Bldgs:</b> 1	<b>Living SF:</b> 1342	<b>Roof Cover:</b> COMPOSITION
<b>Bldg Code:</b> SINGLE FAMILY	<b>Bldg SF:</b> 1342	<b>Roof Type:</b> GABLE
<b>Fireplace:</b> 1	<b>Bldg SF Ind:</b> BUILDING	<b>Floor Cover:</b>
<b>Foundation:</b> CONCRETE	<b>Bsmnt SF:</b>	
<b>Exterior Finish:</b> CONCRETE BLOCK		

### SALES INFORMATION

	Deed Type	Sale Date	Sale Price	Document No
<b>Current:</b>	DEED OF TRUST	11/28/2005	\$1,700,000	000000119677
<b>Prior:</b>		6/1/1987	\$0	

**Title Co:** WESTERN TITLE & ESCROW CO  
**Lender:** PRIVATE INDIVIDUAL DAVIS TEMPA R TRUST (TR)  
**Loan Type:** PRIVATE PARTY LENDER  
**Vest Type:**  
**Loan Amt:** \$1,300,000

### TAX INFORMATION

<b>Tax Year:</b> 05-06	<b>Land Val:</b> \$329,069
<b>Tax Amt:</b> \$1,606.21	<b>Impv Val:</b> \$131,480
<b>Levy Code:</b> 012115	<b>Total Val:</b> \$460,549
<b>Tax Rate:</b> 13.351	

### LEGAL INFORMATION

<b>Prop Class:</b> AGRICULTURAL	<b>Map Code:</b> 2S-3E-07-NE-SE	<b>Lot:</b> 600
<b>Land Use:</b> FARMS	<b>Township:</b> 02S	<b>Census Block:</b>
<b>Map Page:</b> 658	<b>Section:</b> 07	<b>Census Track:</b> 232023000
<b>Map Column:</b> G	<b>Range:</b> 03E	
<b>Map Row:</b> 7	<b>Qtr Section:</b> NE	
<b>School Dist:</b> SCH NO CLACK	<b>16th Section:</b> SE	
<b>Nbrhd Code:</b> 11094		
<b>Subdiv Name:</b>		

Tax Full

Prev Next  Revise Search Results Tax Full GO

Check All Uncheck All Checked Show All

1 Records

Presented by: Chris Olson Burns & Olson Realtors Inc. 11/30/2006 8:46:17 AM

CLACKAMAS COUNTY, OR

Tax ID: 00603500  
 Prop Addr: 13932 SE 222ND DR  
 City/State/Zip: DAMASCUS OR 97089-8375  
 Carrier Rt: R025

OWNER INFORMATION

Owner Name: SANDERS EVA M & SANDERS WARREN  
 Owner Addr: 15360 SW 100TH AVE  
 City/State/Zip: TIGARD OR 97224-4681  
 Phone: Carrier Rt: C011

LAND INFORMATION

Lot SF: 553212 Acreage: 12.7

BUILDING INFORMATION

Year Built: 1925	Bedrooms: 4	Parking SF:
Stories: 1	Bathrooms: 1.1	Heat Method: FORCED AIR OIL
# of Bldgs: 1	Living SF: 2812	Roof Cover: COMPOSITION
Bldg Code: SINGLE FAMILY	Bldg SF: 2812	Roof Type: GABLE
Fireplace:	Bldg SF Ind: BUILDING	Floor Cover:
Foundation: CONCRETE	Bsmnt SF: 1076	
Exterior Finish: WOOD		
SHAKE/SHINGLE		

SALES INFORMATION

	Deed Type	Sale Date	Sale Price	Document No
Current:	DEED OF TRUST	11/18/2004	\$620,000	000000111098
Prior:				

Title Co: FIRST AMERICAN TITLE INS CO/OR  
 Lender: UMPQUA BK  
 Loan Type: CONVENTIONAL  
 Vest Type:  
 Loan Amt: \$277,700

TAX INFORMATION

Tax Year: 05-06	Land Val: \$186,147
Tax Amt: \$2,212.22	Impv Val: \$61,740
Levy Code: 026009	Total Val: \$247,887
Tax Rate: 13.664	

LEGAL INFORMATION

Prop Class: AGRICULTURAL	Map Code: 2S-3E-03	Lot: 2500
Land Use: AGRICULTURAL (NEC)	Township: 02S	Census Block:
Map Page: 659	Section: 03	Census Track: 232012037
Map Column: B	Range: 03E	
Map Row: 6	Qtr Section:	
School Dist: SCH GRSHM/BRLW	16th Section:	
Nbrhd Code: 16064		



**RESIDENTIAL**  
 ML#: 6002227  
 Addr: 13003 SE Burt LN  
 City: Boring  
 Map Coord: 659/J/5  
 County: Clackamas  
 Elem: BORING  
 High: SANDY  
 Nhood:  
 Legal: to follow  
 Public Internet/Address Display: Y/N Offer/Nego:

**Status:** SLD  
**Area:** 145  
**Zip:** 97009  
**Zoning:**  
**Tax ID:** 01487689

**11/19/2006**  
**List Price:** \$249,950  
**Unit#:**  
**Condo Loc/Lvl:**  
**List Type:** ER LR: N  
**Middle:** BORING  
**PropType:** RESID  
**#image:** 4

**GENERAL INFORMATION**

**Lot Size:** 1-2.99AC  
**Waterfront:**  
**River/Lake:**

**# Acres:** 1  
**View:**  
**Seller Disc:** DSCLOSUR

**Lot Dimensions:**  
**Lot Desc:** LEVEL  
**Other Disc:**

**RESIDENCE INFORMATION**

**Upper SQFT:** 0  
**Main SQFT:** 1300  
**Lower SQFT:** 0  
**Total SQFT:** 1300

**SFSrc:** Seller  
**TotUp/Min:** 1300  
**Parking:** OFF-STR  
**Roof:** COMP  
**#Bdms/#Lvl:** 3/1  
**Style:** DBL-WDE  
**#Garage:** 0 /  
**Exterior:** OTHER

**Year Built:** 1995 /  
**Home Wmnty:** N 55+ w/Affidavit Y/N:  
**#Fireplaces:** 0/  
**Bsmt/Fnd:** CRAWLSP

**APPROXIMATE ROOM SIZES AND DESCRIPTIONS**

**Living:** M / /  
**Kitchen:** M / /  
**Dining:** M / /  
**Family:** / / /

**Mstr Bd:** M / / BATH  
**2nd Bd:** M / /  
**3rd Bd:** M / /

**Baths - Full.Part**  
**Upper Lvl:** 0.0  
**Main Lvl:** 2.0  
**Lower Lvl:** 0.0  
**Total Bth:** 2.0

**REMARKS**

**(S/Dir:** Hwy 212 to Burt Lane  
**Private:** Updated manufactured home on rare level acre in Boring. New carpet, windows and paint. Would make a great building site too. Agent is owner/seller. Septic leach lines have been uncovered for county to approve a different building site. Septic is in Good working order!  
**Public:** Gorgeous one acre in a neighborhood of \$600K+ homes, Paved road, large trees, with a small creek! Home has an open floor plan w/skylights, vaulted living room, new carpet and paint. Live in mobile while you build or just enjoy the simple life!

**FEATURES AND UTILITIES**

**Kitchen:** DISHWAS, FS-RANG, FS-REFR  
**Interior:** WW-CARP  
**Exterior:** PORCH, RV-PARK  
**Accessibility:** 1LEVEL  
**Pool:** HT-PUMP  
**Water:** PUBLIC

**Hot Water:** ELECT  
**Sewer:** SEPTIC  
**Heat:** FOR-AIR  
**Insul:** CODE  
**Fuel:** ELECT

**FINANCIAL**

**Property Tax/Yr:** 1219  
**Terms:** CASH, CONV  
**Group Pref:** PNWT/Sunny/Crenshaw  
**HOA Dues:**  
**HOA Incl:**

**Spcl Asmt Balance:**  
**Tax Deferral:**  
**3rd Party:** N  
**Rent, If Rented:**

**BAC:** % 2.5  
**SAC:**

**BROKER / AGENT DATA**

**CD:** BUOL01  
**D:** BURNSWEN  
**\_PID:**  
**Int E-mail:** wendy@burnsandolson.com  
**whrs:** cleared  
**irs/Loc/Cmb:** front door  
**w:** RMLSLBX, VACANT

**Office:** Burns & Olson Realtors Inc.  
**Agent:** Wendy Burns  
**CoBRCD:**  
**CoAgent:**

**Phone:** 503-658-2600  
**Phone:** 503-706-4511  
**Fax:** 503-558-1066  
**Cell/Pgr:**  
**CoPh:**

**Tran:** 4/27/2006  
**List:** 7/21/2005  
**Exp:** 12/21/2006  
**Occ:** VACANT  
**Poss:** IMMED  
**Owner:** Burns  
**Tenant:**

**COMPARABLE INFORMATION**

**d:** 3/14/2006  
**i:** 4/25/2006  
**s:** JUNGKELL

**DOM/CDOM:** 236 / 236  
**Terms:** CONV  
**S/Agt:** Kelli Jung

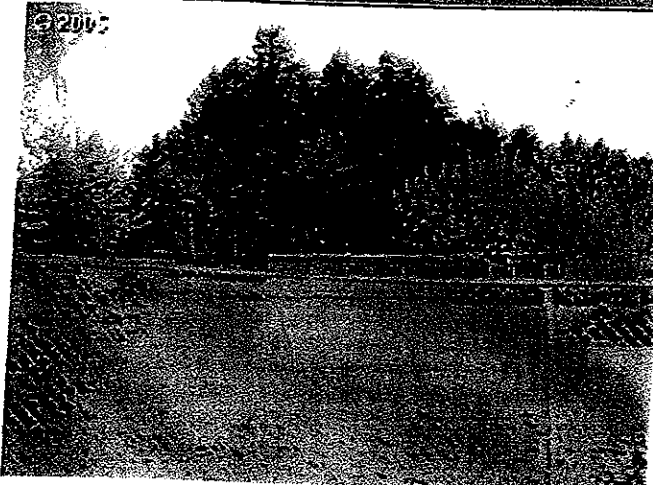
**O/Price:** \$249,950  
**Sold Price:** \$250,000  
**S/Off:** EQTY85

**S/Off Phone:** 503-666-2020

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Resolution No. 07-3775  
 Attachment 42  
 HOME REMOVED, BUILDING LOT ONLY





Presented by: Chris Olson  
 Bums & Olson Realtors Inc. Agent Full  
**LOTS AND LAND** Status: SLD 11/19/2006 6:21:34 PM  
 ML#: 5031331 Area: 145 List Price: \$255,000  
 Address: 17980 SE VOGEL-reduced RD  
 City: Boring Zip: 97009  
 Additional Parcels: /  
 Map Coord: 658/G/5 Zoning: List Type: ER LR: N  
 County: Clackamas Tax ID: 00610878  
 Subdivision:  
 Manufns Okay: CC&Rs: #image: 1  
 Elem: OREGON TRAIL Middle:  
 High: CLACKAMAS Prop Type: RESID  
 Legal: 1990-62 PARTITION PLAT PARCEL 1  
 Public Internet/Address Display: Y/N Offer/Nego:

Lot Size: 1-2.99AC  
 Waterfront: /  
 Perc Test: /  
 Seller Disc:  
 Lot Desc: TREES, WOODED  
 Topography: LEVEL, ROLLING  
 Soil Cond:

**GENERAL INFORMATION**

Acres: 1.44  
 River/Lake:  
 RdFmtg:  
 Other Disc:

Lot Dimensions:  
 Availability: SALE #Lots:  
 Rd Surf:  
 View: VALLEY  
 Soil Type/Class:  
 Present Use: RESIDNC

Utilities: SEPTIC, WAT-AVL, WELL  
 Existing Structure: Y / MOBL-HM, NO-VALU, UTLSHED

**IMPROVEMENTS**

**REMARKS**  
 KS/Dir: 172nd to east on Vogel, or Foster to west on Vogel  
 Private: New Price Again! Motivated Seller!!! 1.44 acres with in the UGB! Beautiful building site in area of large homes. Many possibilities! Buyer to verify. Large trees. Timber value! Mobile home is livable but of no value. Public water + capped well. Call agent to view interior of home.  
 Public: Price Reduced!!! Motivated Seller! 1.44 acres within the New UGB! Beautiful building site! Many possibilities! Buyer to verify. Large trees. Timber value!!! Mobile home is livable but of no value. Public water + capped well.

**FINANCIAL**  
 Prop Tax/Yr: 937.7 Spcl Asmt Balance:  
 Prop/Land Lease: Tax Deferral: BAC: % 2.25  
 DA Dues: HOA Dues-2nd: 3rd Party: N SAC:  
 DA Incl:  
 Terms: CASH, CONV Escrow Preference: Fidelity Or City

**BROKER / AGENT DATA**  
 BCD: BUOL01 Office: Bums & Olson Realtors Inc. Phone: 503-658-2600 Fax: 503-558-1066  
 ID: CANELSON Agent: Buzi Nelson Phone: 503-318-5784 Cell/Pgr: 503-318-5784  
 LPID: WATSONDL CoBRCD: BUOL01 CoAgent: Dan Watson CoPh: 503-539-3363  
 Agent E-mail: buzinelson@bumsandolson.com  
 Exp: 5/9/2005 Exp: 10/12/2005 Show: CALL-LA  
 In: 8/11/2005 Owner: willenberg  
 Tenant: Phone:

**COMPARABLE INFORMATION**  
 Sold: 6/10/2005 DOM/CDOM: 32 / 59 O/Price: \$279,900  
 Sold: 8/9/2005 Terms: CONV / Soid Price: \$250,000  
 Sold: ZAHARCHO S/Ag: Vladimir Zaharchook S/Off: PRNW07 S/Off Phone: 503-292-9393

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 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

HOME REMOVED BUILDING ← LOT ONLY

No Photo Available

Presented by: Chris Olson  
Burns & Olson Realtors Inc. Agent Full  
LOTS AND LAND Status: SLD 11/20/2006 2:27:21 PM  
ML#: 6074598 Area: 145 List Price: \$259,000  
Address: Parcel 2 Tax Lt 1700  
City: Damascus Zip: 97089  
Additional Parcels: /  
Map Coord: 659/B/5 Zoning: List Type: ER LR: N  
County: Clackamas Tax ID: Not Found  
Subdivision:  
Manufhs Okay: CC&Rs: #Image:  
Elem: DEEP CREEK Middle:  
High: SAM BARLOW Prop Type: RESID  
Legal: Parcel 2 Staley add Lt 1700  
Public Internet/Address Display: Y/Y Offer/Nego:

GENERAL INFORMATION

Lot Size: 1-2.99AC Acres: 1  
Waterfront: / River/Lake:  
Perc Test: / Rd Frmtg: N  
Seller Disc: Other Disc:  
Lot Desc: CLEARED, PRIVATE  
Topography: LEVEL  
Soil Cond:

Lot Dimensions: 201 X 174  
Availability: SALE #Lots:  
Rd Surf:  
View: TERRITR  
Soil Type/Class:  
Present Use:

IMPROVEMENTS

Utilities: POWER  
Existing Structure: N /

REMARKS

XSt/Dir: Hwy 212/224 to SE 222 N to Bohna, Right to Staley lot on right.  
Private:  
Public: Seasonal Creek at Rear Corner of Property.

FINANCIAL

Prop Tax/Yr: 383 Spcl Asmt Balance: Tax Deferral: BAC: % 2.25  
Crop/Land Lease: 3rd Party: N SAC:  
HOA Dues: HOA Dues-2nd:  
HOA Incl:  
Terms: CASH, CONV Escrow Preference:

BROKER / AGENT DATA

BRCD: KWEP01 Office: Keller Williams Realty E Port Phone: 503-496-5151 Fax: 503-496-5111  
LPID: ALVESSTE Agent: Steven Alves Phone: 503-680-2392 Cel/Pgr:  
CoLPID: CoBRCD: CoAgent: CoPh:  
Agent E-mail: salves1011@aol.com  
List: 8/23/2006 Exp: Show: VACANT Poss: IMMED  
Tran: 9/30/2006 Owner: Hayden Phone:  
Tenant:

COMPARABLE INFORMATION

Pend: 9/8/2006 DOM/CDOM: 16 / O/Price: \$259,000  
Sold: 9/26/2006 Terms: CONV / Sold Price: \$240,000  
SPID: MITCH S/Ag: Donna Mitchell S/Off: DAMB01 S/Off Phone: 503-698-6600

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SCHOOL AVAILABILITY SUBJECT TO CHANGE.

CLOSED 9/2006 \$240,000 -  
JR ACRE