

Leveton Tax

Increment District Plan

2021

LEVETON PLAN

A. INTRODUCTION

1. DEFINITIONS

The following definitions will govern this Plan unless the context otherwise requires:

Blight or Blighted Areas means conditions or areas as defined in ORS 457.010.

Commission or Tualatin Development Commission means the City of Tualatin Development Commission, the Urban Renewal Agency of the City.

Development Code means the City of Tualatin Development Code, containing the Tualatin Community Plan and Planning District Standards.

District means the Leveton Tax Increment District.

"Industrial Master Plan" - A plan, approved by the Tualatin City Council, that guides development within the boundaries of an Industrial Master Plan Area defined by that plan and located within the Manufacturing Park Planning District.

"Industrial Master Plan Area" - The area within the boundaries of an Industrial Master Plan.

Leveton Parcel means Tax Lot 100, Map 2S1-22, Washington County.

Leveton Sector means Tax Lot 100, Map 2S1-22, Tax Lots 1200, 1300, 1301, 1400, 1600, 1700, 1800, 1900, Map 2S1-22A, Tax Lots 300, 400, 401, 402, 500, 602, 800, Map 2S1-22C, Washington County; SW 124th Avenue right-of-way from southern border of quarry sector to southern city limits; SW Herman Road right-of-way within the district; SW 108th Avenue right-of-way within district; SW Tualatin Road right-of-way within the district; and SW 108th Avenue right-of-way within the district.

Leveton Tax Increment District means the Urban Renewal Area, which is a blighted area, established by this Plan, as shown in Map 3, "Leveton Tax Increment District Boundary" and as described in Section J, "Map and Legal Description."

ORS means Oregon Revised Statutes.

Plan or Leveton Tax Increment Plan means the Urban Renewal Plan for the

Leveton Tax Increment District and subsequent amendments to the plan as approved by the Tualatin Development Commission and adopted by the Tualatin City Council pursuant to ORS 457.085 and 457.095.

Project or Project Activity means any work or undertaking carried out under ORS 457.170 in an Urban Renewal Area.

Quarry Sector means Tax Lots 2100, 2200, 2201, 2202, 2203, 2300, 2400, 2500, 2501, 2600, Map 2S1-21A, Washington County.

Report or Tax Increment Report means the Urban Renewal Report accompanying the Plan pursuant to ORS 457.085.

Tualatin Central Urban Renewal Area means the area established in accordance with ORS 457 by the Tualatin Urban Renewal Plan, 1984, as amended.

[Section A-1 amended by Ordinance No. 777-89, passed June 26, 1989; by Ordinance No. 935-94, passed December 12, 1994; and Ordinance No. 1036-99, passed November 22, 1999.]

2. HISTORY OF ADOPTION AND AMENDMENT

In 1982, the City of Tualatin annexed a large area of previously unincorporated land to the west of the existing City limits. The purpose of the annexation was to better provide the level of infrastructure and services necessary to support appropriate industrial development.

The area annexed was characterized by underdevelopment and faced a variety of physical and economic obstacles to its future use. Sanitary sewer and water services were generally unavailable, the arterial roads serving the area were below standard, internal access roads were nonexistent, and several types of non-conforming and substandard land uses (notably, abandoned sand quarries) inhibited further development.

The area's assets, however, made further action desirable. On a regional scale, the location of the area is convenient to the Sunset and I-5 Corridors, and the nearby connection to I-205 provides access to Portland International Airport, and Clackamas and East Multnomah Counties. Within the area, the presence of a large (217 acre), relatively level site under single ownership presented a significant opportunity for the planned, campus-like industrial development which has been proven to be increasingly in demand. Finally, the area fronting upon Pacific Highway presented an opportunity to provide additional land for the general and light industrial development occurring in that corridor.

In view of these potentials, the City has taken several actions to transform

the area into a productive industrial district. In 1983, the City established the Manufacturing Park (MP) Planning District for the 217-acre tract (the "Leveton Property"). This planning district was designed to promote and support modern, large-scale manufacturing, related uses, and research facilities, by providing for an aesthetically attractive, campus-like working environment.

In 1984, the City initiated and approved two Local Improvement Districts (LIDs) to provide major sewer and water trunk lines to serve the general area.

The City has also pursued transportation improvements, including implementation of a truck route system to divert commercial and industrial truck traffic from residential areas. Additionally, many years of effort to pursue the planning of a major connecting route between I-5 and the Sunset Corridor were rewarded when Washington County listed the "Western Bypass" as a proposed regional transportation project.

Nonetheless, in comparison to other sites and areas attracting the level of development for which this area has been planned, many obstacles remain. Arterial roads remain below City standards, and connections to SW Tualatin-Sherwood Road and to I-5 are still severely inadequate. While major sewer and water trunk lines have been brought to the general area, the lines do not serve the interior of the Leveton parcel or the adjacent parcels fronting on Highway 99W. The costs of extending these services are prohibitive to any one private developer or user. Additionally, the existing storm drainage system is inadequate for any significant industrial development. Finally, the presence of the abandoned sand quarries, and the possibility of further mining thereof are a source of significant concern to potential users of the Leveton parcel.

In view of these remaining blighting influences on the area, the Tualatin City Council on April 8, 1985, approved a study of the feasibility of establishing a tax increment district encompassing the Leveton parcel and the adjacent quarry properties. This Tax Increment Plan and its accompanying Report are the result of that study, and contain the City's policies and proposed activities within the Leveton Tax Increment District.

The Plan and Report have been developed in conformance with the requirements of Oregon Revised Statutes, Chapter 457. The District will be administered by the Tualatin Development Commission, the Urban Renewal Agency of the City, which was established in 1974 to administer the City's Central Urban Renewal Area. Funds for the Leveton Tax Increment District and for the Central Urban Renewal Area will be segregated as is required by state law.

The Plan and Report were adopted by Tualatin Development Commission Resolution Number 96-85 on August 12, 1985, and incorporated into the Tualatin Development Code by reference by City Ordinance Number 674-85, passed August 12, 1985.

In January 1988 the plan was amended to show a new alignment for a collector street and related utilities in the quarry area of the Leveton Tax Increment District. The amendment was not substantial in nature.

In November 1988 the plan was amended to allow limited acquisition and disposition of real property by means of purchase options. The amendment was not substantial in nature.

In June 1989 the plan was amended to add in 33.5 acres of land between the eastern boundary of the Leveton parcel and SW 108th Avenue, and to specify additional improvement projects. This action was found to be a substantial amendment.

On November 28, 1994, the Plan was amended by the addition of approval guidelines for Industrial Master Plans in the MP District, and the addition of language recommending a change in the planning district designation of a 7.20-acre parcel adjacent to Pacific Highway, SW 124th Avenue and SW Tualatin Road, from MP/MG to CG. This action was found to be a substantial amendment. The same action also resolved a minor conflict between the Plan and TDC concerning bicycle paths within the District, by deleting Leveton Plan language that was inconsistent with the City's Bikeway Plan (adopted in 1993).

On March 23, 1998, the Plan was amended in conjunction with Measure 50's requirement to implement legislation that requires that in order to be considered an existing plan, a maximum level of indebtedness must be included by substantial plan amendment. The good faith estimate of projects remaining to be completed in the district is \$36,424,338.

On November 8, 1999, the Plan was amended by the addition of approval criteria for Industrial Master Plans in the MP Planning District and the addition of language recommending a change in the planning district designation of an approximately 20-acre parcel bounded by SW Tualatin Road, SW 108th Avenue, and SW Leveton Drive from ML to MP. This action was found to be a substantial amendment to comply with the Tualatin Development Code Standards.

On December 10, 2001, the Plan was amended for the future amendment process and amending the boundary of the district in the vicinity of 124th Ave. The future amendment process was amended to include a three tiered amendment process, which now includes a Council approved process. The

boundary of the district in the vicinity of 124th Ave. was amended to include 3.3 acres to the district. The original boundary did not include the full right-of-way width for 124th Ave.

On March 25, 2002 the Plan was amended to reflect conditions as they existed at the time. Additionally, the amendments included adding updated maps, updated infrastructure information, updated project activities, land use changes that occurred and changes to the future amendment process.

On August 23, 2021, the Plan was substantially amended to include the Herman Road Extension Project and amending the boundary of the district.

[Section A-2 amended by Ordinance No. 777-89, passed June 26, 1989; by Ordinance No. 935-94, passed December 12, 1994; Ordinance 998-98, passed March 23, 1998; Ordinance No. 1036-99, passed November 22, 1999; Resolution No. 397-02 adopted March 11, 2002; and Ordinance 1459-21 adopted August 23, 2021.]

3. CITIZEN INVOLVEMENT PROCESS

The goals, policies and projects in this Plan have been developed under the advisement of the Urban Renewal Advisory Committee (URAC). This citizens committee meets on a monthly basis to discuss and make recommendations to the Development Commission regarding urban renewal and tax increment issues. These meetings are open to the public and are advertised in the local media. The URAC meetings are intended to provide a public forum for discussion of issues related to the Central Tualatin Urban Renewal Area and the Leveton Tax Increment District.

Public input is solicited for all significant issues facing the Commission. In addition, plan amendments are approved by the Commission and adopted by the City Council at public meetings for which public notice is provided in conformance with state law.

[Section A amended by Ordinance No. 777-89, passed June 26, 1989 and by Ordinance No. 1036-99 passed November 22, 1999.]

B. GOALS AND OBJECTIVES

1. GOALS AND OBJECTIVES OF THE LEVETON TAX INCREMENT PLAN

The purpose of the Leveton Tax Increment Plan is to implement goals and objectives of the Tualatin Community Plan which relate to development of this portion of the Western Industrial District. Specific goals and objectives for the Leveton District are listed below. They are divided into three areas: Land Use, Traffic and Transportation, and Public Utilities.

The overall goal of the Leveton Tax Increment Plan is to facilitate the full

industrial development of the District by removing blighting influences and by providing public improvements.

LAND USE

GOAL 1: INDUSTRIAL DEVELOPMENT

To stimulate industrial development in the District.

Objectives:

- a. Assist in the financing and provision of public transportation and utility improvements identified in this Plan.
- b. Cooperate with industrial brokers, local and regional development agencies, and the State Department of Economic Development in marketing properties within the District.
- c. Acquire properties as necessary for reassembly and resale. Create new parcels which conform to the physical characteristics of the terrain and to the proposed public improvements.
- d. Facilitate additional development opportunities within the MP Planning Districts through changes in Planning District designations and the utilization of Industrial Master Plans in the MP Planning District as provided in the TDC.

GOAL 2: ENVIRONMENT

To achieve industrial growth within the framework of high environmental standards.

Objectives:

- a. Implement a land reclamation program in the quarry area.
- b. Preserve the stand of mature trees along SW Tualatin Road by designing appropriate street improvements. Protect other stands of trees identified on Report Map 2, "Natural Features," where feasible.
- c. Protect the Hedges Creek Wetlands from the adverse impacts of storm water runoff from development within the District, by constructing alternative drainage routes.
- d. Protect the groundwater in the quarry area from pollutants and nitrate infiltration by using clean fill when the site is regraded.

TRAFFIC AND TRANSPORTATION

GOAL 3: IMPROVED TRAFFIC AND TRANSPORTATION

To improve traffic access to Interstate 5 and Pacific Highway 99W and within the project area.

Objectives:

- a. Construct road and intersection improvements as necessary to provide adequate access to and within the District, including SW 124th Avenue from SW Tualatin-Sherwood Road to SW Tualatin Road.
- b. Provide bike paths as appropriate within the District.
- c. Provide shared driveways and limited access to arterial streets, as called for in the Tualatin Access Management Plan.
- e. Extend Herman Road within District

PUBLIC UTILITIES

GOAL 4: PROVIDE PUBLIC UTILITIES

To provide sewer, water, and storm drainage utility lines adjacent to and within the District which will enable the area to be developed fully and rapidly.

Objectives:

- a. Design and construct water, sanitary sewer, storm drain and other drainage improvements as necessary to serve anticipated development within the District.
- b. Participate in the cost of off-site improvements necessary to serve anticipated development within the District. Where appropriate, costs expended for work outside the District are to be recovered from benefited property owners outside the district.
- c. Construct storm drainage lines in all roads and to serve parking lots. Construct a north-south drainage line from the Leveton parcel to Hedges Creek, and participate in improvements to the Hedges Creek drainage channel.

[Section B-1 amended by Ordinance No. 777-89, passed June 26, 1989; Ordinance 1036-99 passed November 22, 1999, Resolution No. 397-02 adopted March 11, 2002; Ordinance 1459-21 adopted August 23, 2021.]

2. RELATIONSHIP TO LOCAL OBJECTIVES

The Leveton Tax Increment District exists to implement local objectives as they are expressed in the Tualatin Community Plan. (The Community Plan and Planning District Standards together comprise the Tualatin Development Code.) The Plan also responds to many of the objectives of the City's Economic Development Action Plan. The Plan serves to further local objectives as follows:

a. Land Use

Goal 1 of the Plan is the stimulation of industrial development through public improvements. This furthers industrial Planning District objectives in the Community Plan (Chapter 7.030) which call for the following:

- 7.030 (1) Encouraging new industrial development.
- 7.030 (2) Making the Western Industrial District a major regional employment center.
- 7.030 (6) Fully developing the Western Industrial District, providing full transportation, water, and sewer services prior to, or as development occurs.

Goal 2 of the Plan is to achieve industrial growth within the framework of high environmental standards. This furthers industrial objectives as follows:

- 7.030 (12) Protection of residential, commercial and sensitive industrial uses from adverse environmental impacts of industrial uses.
- 7.030 (14) Protection of the Hedges Creek Wetlands from adverse impacts of adjacent development.
- 7.030 (17) Protection of wooded areas.

[Section B.2.a. amended by Resolution No. 397-02 adopted March 11, 2002.]

b. Traffic and Transportation

Goal 3 of the Plan is to improve traffic access to Interstate 5 and Pacific Highway 99W and within the District. Industrial Planning District objectives which relate to this goal are:

- 7.030 (6) Fully developing the Western Industrial District, providing full transportation, water, and sewer services prior to or as development occurs.
- 7.030 (9) Construction of a north-south major arterial street between SW Tualatin Road and SW Tualatin-Sherwood Road in the SW 124th Avenue alignment.
- 7.030 (10) Rebuilding the SW Tualatin Road/Pacific Highway intersection to allow for substantially greater traffic flows.

Transportation improvements proposed in the Plan have been developed in accordance with objectives of the Transportation Plan and Access Management Plan, which comprise Chapters 11 and 75 of the Tualatin Development Code.

c. Public Utilities

Goal 4 of the Plan is to provide sewer, water and storm drainage adjacent to and within the project area to enable the area to be developed fully and rapidly. Industrial objectives furthered by this goal are as follows:

- 7.030 (6) Fully developing the Western Industrial District, providing full transportation, water, and sewer services prior to, or as development occurs.

Utility objectives and proposed improvements have been developed in accordance with the Water Service and Sewer Service Plans which comprise Chapters 12 and 13 of the Community Plan. They are also in accordance with the Tualatin Storm Drainage Master Plan and the Wetlands Protection District Drainage Plan.

C. DESCRIPTION OF PROJECT

The Leveton Tax Increment District (LTID) is characterized by conditions of blight, notably the inadequacy of access and public utilities and the presence of deleterious land uses such as abandoned or marginally-used sand quarries. The LTID plan calls for project activities aimed at alleviating these causes of blight, and preventing future blighting influences.

The Plan thus consists of a program of providing necessary transportation and infrastructure improvements, and for removing the inhibiting influence of the quarries. (Proposed project activities are described in more detail in Section D below.)

Specifically, the Plan addresses the following factors which result in blight and underdevelopment of the two sectors comprising the District:

LEVETON SECTOR

1. Transportation Access

Although the Leveton sector is located only two miles from Interstate 5 and interchanges with Interstate 205 and State Highway 217 are nearby, access to the freeways is underdeveloped. There is no major thoroughfare, which can quickly disperse traffic in all directions. All of the surrounding roads, which connect to SW Tualatin-Sherwood Road (the major arterial connections to I-5) are still developed to rural standards. (These include SW Tualatin Road, SW Herman Road and SW 108th Avenue.)

Access to Highway 217 by way of Pacific Highway is possible but impractical for large trucks. The intersection at SW Tualatin Road is narrow and unsignalized, and trucks must pass through a highly congested commercial strip to access Highway 217 through Tigard.

The most desirable freeway connection is to Interstate 5 by way of SW Tualatin-Sherwood Road, a major east-west arterial in Tualatin. Currently, the route to SW Tualatin-Sherwood Road from the Leveton sector is circuitous and cumbersome, along several roads which do not meet industrial width standards. Trucks leaving the Leveton sector would currently take SW Tualatin Road to SW Teton Avenue to reach SW Tualatin-Sherwood Road. Of these, only SW Teton is improved to industrial arterial standards. (See Map 4, "Proposed Road and Storm Drainage Improvements.")

The extension of Herman Road will improve the bike lanes, sidewalks, and transit stops along Herman Road between the employment district, neighborhoods, and downtown. It will also improve safety and mobility for all roadway users along Herman Road.

2. Exposure

Visual exposure to a major thoroughfare is considered to be highly desirable for industrial parks. The exposure of the Leveton sector is far from ideal because it has minimal frontage along Pacific Highway, and because it is not surrounded by homogeneous uses as typified by industrial sites in the Sunset Corridor or other desirable industrial park locations. The presence of the sand quarry adjacent to the western property line is detrimental to exposure of the site along Pacific Highway.

3. Incompatible Uses

The presence of a periodically mined quarry adjacent to the Leveton parcel poses a hazard to "high-tech" development. Dust and vibration from potential future mining are incompatible with high tech manufacturing, which utilizes sensitive, sophisticated equipment.

4. Lack of On-Site Utilities and Roads

Although water and sewer lines have recently been constructed adjacent to the Leveton sector, there are no on-site utilities; SW 108th Avenue, SW Tualatin Road, and SW Herman Road are unimproved; and there is only a rudimentary dirt road serving the residence. A fully developable industrial site requires on-site utilities and roads in place prior to development.

5. Cost of Improvements

Because of the low level of existing roads and services, the initial development of the Leveton parcel would bear an inordinately high burden of on-site and off-site improvement costs. With a large industrial site, off-site road improvements would be necessary, and on-site roads would have to be constructed such that they will serve the entire interior. Fully-looped water and extensive sewer lines would have to be provided. In addition, storm drainage facilities will be needed both on-site, and off-site in the Hedges Creek drainage basin. This need for substantial up-front improvements adds considerably to the cost of the land, and inhibits its development.

QUARRY SECTOR

1. Topography

The quarry sector has severe topographical constraints. Due to past mining activities, many parcels now have a "split-level" configuration with an average drop of about 50 feet between the upper ledge and the lower bowl. For these parcels, only the upper or lower ground level may be usable for an individual development.

2. Parcel Configuration

The present configuration of most of the quarry sector parcels hinders both the current use and redevelopment of the land. As described above, lot lines do not correspond to physical characteristics of the terrain. (See Report Map 2, "Natural Features.")

In addition, interior parcels have been laid out without the provision of public

roads. This currently poses development problems for individual property owners who must provide access to their land on public rights-of-way.

Recent redevelopment plans for the quarry sector have not been successful. In one case, a metal manufacturing plant planned to locate in the quarry but backed away because of the cost of installing roads, water, and sewer.

A major hindrance to quarry sector development has been infrastructure costs that are too high for an individual user to bear. Redevelopment on a large scale would require reparcelization, which would be difficult since the area is under multiple ownership.

3. Lack of On-Site Utilities and Roads

Streets and utilities are grossly inadequate within the quarry sector. Several parcels are effectively "land-locked" because their only access to Pacific Highway is through a privately owned dirt road. The absence of internal streets is a serious situation for these parcels because this limits their development to lower value industrial uses, which do not require improved roads. Water and sewer lines are located adjacent to Pacific Highway and SW 124th Ave., but these have not been adequately extended to serve the interior of the quarry sector.

As a whole, the quarry sector is underutilized and minimally valuable for high level industrial manufacturing uses. The existing topography, parcel configuration, and lack of infrastructure will continue to hinder this area from reaching its maximum industrial development potential.

[Section C.3 amended by Resolution No. 397-02 adopted March 11, 2002.]

SUMMARY

While the nature of limiting factors differs for the two sectors of the District, lack of adequate transportation facilities seriously impairs development of the entire District. The entire area would benefit substantially by the construction of SW 124th Avenue, a major north-south industrial collector which would provide direct access to Pacific Highway and SW Tualatin-Sherwood Road. The widening of existing roads and the provision of on-site roads and utilities would also make the area more competitive with other industrial sites in the region.

It is crucial that quarrying operations be discontinued and that reclamation of the mined land takes place. For the quarry itself, this would bring the site up to standard for more intensive, better income-producing industrial uses. For the Leveton parcel, an improvement in appearance and the placement of compatible industrial uses along Pacific Highway would greatly improve its exposure and would eliminate undesirable vibrations, dust and noise.

In order to accomplish the rehabilitation of the quarry sector, to construct a major industrial arterial, and install sewers and roads, there is a need for public assistance in the District. Through a joint public-private redevelopment effort, the Leveton parcel can be brought into its highest and best use as a premier industrial park as envisioned in the Tualatin Community Plan, and the quarry can be restored to appropriate industrial use. The Plan thus calls for project activities within the following categories:

1. Transportation and Infrastructure

Transportation projects will include improvements to the arterial system serving the District (such as widening, construction of turn lanes, intersection improvements, signalization and signage) and construction of access roads to and within the Leveton parcel and the quarry area. Where appropriate, facilities in support of transit and alternative forms of transportation may be pursued.

Infrastructure projects will include extension of water and sanitary sewer lines from existing trunk lines to within the District, and in particular, within the Leveton sector. In addition, drainage facilities for both storm water and for industrial water dischargeable to storm drain systems will be developed.

2. Acquisition and Reclamation of Quarry Sector

Though current regulations of the Oregon Department of Geology and Mineral Industries require reclamation of land from which material has been mined, much of the quarrying of sand which occurred within the quarry area preceded such regulation or has otherwise been exempted. As a result, the area is characterized by abandoned quarry pits, unvegetated and unstable slopes, and undevelopable topography.

In addition, although the Tualatin Development Code does not consider quarrying to be a permitted use in any Planning District, the possibility exists that some quarrying activity might conceivably be allowed to continue or begin. The vibration and noise from such activities would present a severe problem for many of the manufacturing uses anticipated for the Leveton parcel.

The Plan thus calls for considering the acquisition and reclamation of properties most severely impacted by previous quarrying activity. Such properties would be reparcelized and sold for redevelopment into more appropriate industrial uses. Reclamation will take place with the guidance of the Oregon Department of Geology and Mineral Industries.

The Plan also calls for initiating revisions to the Planning District Objectives and Standards regarding the quarry sector. These are discussed in Section F, "Land Use."

[Section C amended by Ordinance No. 777-89, passed June 26, 1989.]

D. OUTLINE OF PROJECT ACTIVITIES

The project activities anticipated under this Plan include public improvements, planning for land acquisition and land reclamation, and land disposition. Specific projects are outlined below as they are anticipated at the time of plan adoption, but are subject to change. Revisions in project specifications, such as alignments, right-of-way widths, capacities and locations shall be considered as being in conformance with the Plan, provided they conform to the goals and objectives of the Plan and do not constitute a change to its basic planning principles.

1. PUBLIC IMPROVEMENTS

a. Road Improvements

As noted in Section C, "Description of Project," (and as described in detail in Section B.1(c) of the Report), roads and streets within the District are inadequate. The Plan calls for the acquisition of right-of-way for, and the design and construction of, the following road improvements, as shown on Map 4A "Proposed Road System Improvements 2002". (In some cases, the road improvements extend beyond the boundaries of the District. In these cases, the Commission shall initiate Agreements by which adjacent properties benefited by the road improvements will pay the district for any funds expended):

- SW Tualatin Road and SW Herman Road

Widen to 74 - 78 foot right-of-way, 50 foot paved width, which includes two travel lanes, continuous left turn lane, and bike lanes. Planter strips and sidewalks are also included within the right-of-way.

- Herman Road

The Herman Road project is to widen from Tualatin Road to Teton Road. Improve bike lanes, sidewalks, and transit stops along Herman Road between the employment district, neighborhoods,

and downtown. The project will improve safety and mobility for all roadway users along Herman Road where currently, bicycles, pedestrians, automobiles, transit, and trucks share two 12-foot vehicle travel lanes because there are no bike lanes or sidewalks. The project will add buffered bike lanes and other Active Transportation components where there are existing sidewalks and bike lanes.

- SW 124th Avenue

Design and construct, to connect SW Tualatin-Sherwood Road to Pacific Highway 99W. Reconstruct the intersection of SW 124th Avenue/Pacific Highway/SW Tualatin Road. The roadway should include a right-of-way width of 98-102 feet, a paved width of 74 feet, which includes four travel lanes, a continuous center turn lane or landscaped median and bike lanes. Planter strips and sidewalks are also included within the right-of-way.

- SW 108th Avenue

Widen to 64-foot right-of-way, with two lanes and continuous left turn lane.

- Local Access Roads

SW Leveton Drive will be constructed as an east/west local access road which connects SW 124th Avenue and SW 108th Avenue. Right-of-way width will be 60 feet.

SW 118th Avenue will be designed and constructed as a north-south connector joining SW Leveton Drive to SW Herman Road. Right-of-way width will be 60 feet.

Leveton Drive will be extended to the west to a point where 130th Ave. turns north. 130th Avenue connects to the Leveton Drive extension and extends to the north to intersect with Pacific Highway 99W at a proposed signal. 125th Avenue will travel north from its connection with the Leveton Drive extension. 128th Avenue will travel south to the proposed Cummins Street. Cummins Street will extend from its connection with 128th Avenue to the west to its intersection with Cipole Road and future signal. All of these proposed roadways are classified as a Local Commercial/Industrial and include a right-of-way width of 60 feet, a paved width of 40 feet, which includes two travel lanes and a center turn lane. Additionally, planter strips and sidewalks are included within the right-of-way. (See Map 4A, "Proposed Road System Improvements 2002")

- **Traffic Signals**

Design and construct traffic signals at the following locations: 108th Avenue/Herman Road, 118th Avenue/Herman Road, 124th Avenue/Herman Road, 124th Avenue/Leveton Drive, 124th Avenue/Tualatin Road, 124th Avenue /Highway 99W, 124th Avenue/Tualatin Sherwood Road, 108th Avenue /Leveton Drive, 108th Avenue/Tualatin Road, and 130th/ Highway 99W.

b. Water Lines

The Plan calls for the acquisition of easements, if necessary, and the design and construction of the following improvements to the domestic water supply system, as shown on Map 5A “Proposed Water Improvements 2002”:

- Installation of lines within the rights-of-way of SW Leveton Drive and SW 118th Avenue.
- Installation of a line within the SW 108th Avenue right-of-way.
- Installation of a High Capacity line extending from Herman Rd. in the 108th Ave right-of-way to Leveton Drive where it turn west and terminates approximately mid-way between 124th Ave. and 108th Ave.

c. Sanitary Sewer Lines

The Plan calls for the acquisition of easements, if necessary, and the design and construction of the following improvements to the sanitary sewer system, as shown on Map 6A “Proposed Sewer Improvements”.

- There are two options for new sewer capacity in the area as follows: (1) Installation of a sewer line extending from 130th Ave. east along the southern boundary to Hedges Creek then along Hedges Creek (See Map 6A). (2) Extend a sewer line north in 118th Ave and then west in Leveton Drive and then north along the west side of the Novellus property and connect to the main Clean Water Services trunk line (See Map 6A).

d. Storm Drainage Facilities

The Plan calls for the acquisition of easements, if necessary, and the

design and construction of the following storm drainage facilities. (See Map 4B, "Proposed Storm Improvements 2002.") In the case of improvements, which extend beyond the boundaries of the District, the Commission shall initiate agreements by which adjacent benefited property owners will pay the District for any funds expended.

- Construction of a storm drain line along the east boundary of the Leveton parcel to SW Herman Road.
- Construction of improvements to Hedges Creek, in accordance with the City of Tualatin's Drainage Master Plan, and the Wetlands Protection District Drainage Plan.
- Construction of storm drainage improvements to serve the quarry sector.
- Construction of storm drains within road rights-of-way.
- Construction of storm water detention and treatment facilities, including a detention area at the southeast corner of the Leveton parcel.

[Section D.1.amended by Resolution No. 397-02 adopted March 11, 2002; Ordinance 1105-02 passed April 8, 2002; Ordinance 1459-21 passed August 23, 2021.]

2. LAND ACQUISITION, RECLAMATION AND REDEVELOPMENT

The Plan calls for the consideration of the acquisition of the properties in the quarry sector, and for their reclamation and disposition for redevelopment in conformance with the objectives of the Plan. The Plan also calls for acquisition of rights-of-way including easements, for the road and utility projects described in the Plan. These project activities are described more fully in Section E, "Real Property Acquisition and Disposition."

[Section D amended by Ordinance No. 777-89, passed June 26, 1989.]

E. COMPLETED PROJECT ACTIVITIES

1. PUBLIC IMPROVEMENTS

a. Road Improvements

The following improvements to the transportation system were made as shown on Map 4A:

- SW Leveton Drive – 108th Ave. to 124th Ave.

- SW Tualatin Road
- SW 108th Avenue
- SW 118th Avenue
- SW 124th Avenue – Hwy. 99W to Leveton Drive
- Reconstruction of intersection of SW 124th Avenue/Pacific Highway /SW Tualatin Road.

b. Water Improvements

The following improvements to the water system were made as shown on Map 5A:

- Installation of lines within the rights-of-way of SW Leveton Drive, SW Tualatin Road, 108th Avenue, 118th Avenue, 124th Avenue.
- Installation of a High Capacity line extending from Herman Rd. in the 108th Avenue right-of-way to Leveton Drive where it turns west and terminates approximately mid-way between 118th and 108th Avenue.

c. Sanitary Sewer Improvements

The following improvements to the sanitary sewer system were made as shown on Map 6A:

- Installation of lines within the rights-of-way of SW Leveton Drive, 108th Avenue, 118th Avenue, 124th Avenue.

d. Storm Drainage Improvements

The following improvements to the storm drainage system were made as shown on Map 4B:

- Construction of a storm drain line along the east boundary of the Leveton parcel to SW Herman Road.
- Construction of storm drains within road rights-of-way for Leveton Drive, Tualatin Road, 108th Avenue, 118th Avenue, 124th Avenue.
- Construction of storm water detention and treatment facilities, including a detention area at the southeast corner of the Leveton parcel, and the Leveton Wetland Mitigation Project.

[Section E amended by Resolution No. 397-02 adopted March 11, 2002.]

F. REAL PROPERTY ACQUISITION AND DISPOSITION

1. OPTIONS

The Commission may obtain options on property in the District and transfer

such property to developers for development in accordance with this Plan at a purchase price substantially equal to the purchase price provided in the option. Such action may be taken by the Commission without further amendment to this Plan. In connection with any such transaction, the Commission may temporarily take title to the property for purposes of requiring the developer to purchase, develop and use the property in accordance with the Plan pursuant to a Disposition and Development Agreement.

2. QUARRY SECTOR

As is described in Section C of the Plan, Project Description, and Section B of the Report, the quarry sector is blighted by its severe topography, fragmented ownership patterns, platting, and lack of services and access. In response to these factors, the renewal of the area requires that the Commission consider the acquisition of the impacted properties and plan for their reclamation and redevelopment. When the Commission has approved an acquisition plan and schedule, such plan and schedule will be added to the Plan as a substantial amendment.

The Commission will further plan for the specific provision of access and services to the quarry area, and carry out the necessary improvements as required to support the redevelopment of the area. Disposition of the property will occur as is feasible, for the public improvements described in the Plan, and for appropriate industrial uses which are in conformance with the Tualatin Development Code, and this Plan. As is discussed in Section F, "Land Use," the Plan calls for a combination of map and text amendments to the Development Code to encourage a range of industrial uses more compatible with the adjacent MP, Manufacturing Park Planning District. These uses will be facilitated by improvement of the area, and the terms of disposition will further encourage such development.

3. ACQUISITION PROCEDURES

Real property shall be acquired in accordance with all applicable State statutes, and specific declarations of necessity for the property shall be adopted by resolution by the Commission, prior to actual acquisition. The Commission shall offer fair market value for the property, as determined by an independent appraisal process. Occupants of the properties will be entitled to relocation assistance, as discussed in Section G, "Relocation Assistance." Property acquired for development shall, except as permitted by Subsection E.1 hereof, be identified by an amendment to the Plan.

4. DISPOSITION

Property disposition for redevelopment shall be governed by Disposition

and Development Agreements, and would be at a value determined by the Commission to be its fair reuse value, which represents the value, whether expressed in terms of rental or capital price, at which the Commission in its discretion determined such land should be made available in order that it may be developed, redeveloped or otherwise used for the purposes specified in this Plan. Conveyance shall be subject to an agreement by the purchaser or lessee to use the land for purposes designated in the Plan and to begin the development or redevelopment within a reasonable period of time, as determined by the Commission.

5. LESS THAN FEE SIMPLE TITLE

The Plan also calls for the acquisition of rights-of-way, including easements or other acquisition of less than fee simple title, for the public improvement projects described in Section D.1. Such rights-of-way and partial interests shall be conveyed to the City of Tualatin upon property completion. The City shall accept these improvements and the maintenance thereof.

[Section F amended by Resolution No. 156-88, S1, adopted November 1, 1988 and Resolution No. 397-02 adopted March 11, 2002.]

G. LAND USE

Land use within the Leveton Tax Increment District is governed by the Planning District Standards contained in the Development code. Within the District, land is currently designated as MP, Manufacturing Park, ML, Light Manufacturing, and MG, General Manufacturing. A change to CG, General Commercial, is recommended for a 7.20-acre parcel bounded by SW Pacific Highway 99W, SW 124th Avenue, and SW Tualatin Road (straight and realigned sections). A further change to MP, Manufacturing Park, is recommended for approximately 20 acres of a larger 58-acre parcel bounded by SW Tualatin Road, SW 108th Avenue, and SW Leveton Drive.

Manufacturing Park Planning District (MP)

The Development Code describes the objectives of the MP Planning District as follows:

- (a) The purpose of this district is to provide an environment exclusively for and conducive to the development and protection of modern, large-scale specialized manufacturing and related uses and research facilities. Such permitted uses shall not cause objectionable noise, smoke, odor, dust, noxious gases, vibration, glare, heat, fire hazard or other wastes emanating from the property. The district is to provide for an aesthetically attractive working environment with

park or campus-like grounds, attractive buildings, ample employee parking and other amenities appropriate to an employee oriented activity.

(b) It also is to protect existing and future sites for such uses by maintaining large lot configurations including lots not less than 15 acres pursuant to an approved Industrial Master Plan and limiting uses to those that are of a nature so as to not conflict with other industrial uses or surrounding residential areas.

(c) It also is intended to provide for a limited amount of commercial uses designed for the employees of the primary uses. The MP Planning District standards describe permitted uses, minimum lots sizes and other requirements. These are contained in Chapter 62 of the Tualatin Development Code.

Industrial Master Plan

Chapter 37 of the Tualatin Development Code provides for certain aspects of site design to be determined by an Industrial Master Plan reviewed and approved by the Tualatin City Council. In order to create an integrated, campus-like setting rather than the impression of isolated, discrete industrial lots, an Industrial Master Plan allows the attachment of special requirements to individual developments within an Industrial Master Plan Area defined by that plan.

In general, an Industrial Master Plan should seek to achieve the following objectives:

- (a) Preserve a spacious, open park-like character along public street frontages, emphasizing views of front offices, main entry doors, and special landscape features.
- (b) Minimize views of automobile and truck circulation, parking and loading, and outdoor storage areas, from the public right-of-way.
- (c) Encourage the siting of buildings so as to create the impression of large-scale developments and to avoid unusable empty spaces between buildings (e.g. narrow side yards, etc.). Where practicable, smaller buildings should be located very close together in order to create the impression of a single large facility surrounded by open space.
- (d) Encourage the sharing of access to internal and public roadways, utilities through easements and parking and circulation areas, especially in locations screened from view from the public right-of-way by buildings, landscaping and topography.

- (e) Emphasize and preserve a high-quality environment by requiring the use of quality materials and building techniques.

The following means shall be used in furtherance of the above objectives:

- (a) Setbacks for buildings and for parking and circulation areas may be determined for the Industrial Master Plan Area as a whole, or specified for each lot within it. Setbacks can be used to define the placement and massing of buildings, as well as the location of parking and circulation areas.
- (b) A limited set of building materials, colors, and landscape materials may be specified.
- (c) The location of building elements, such as front offices, main entry doors, and truck loading facilities, may be specified in order to determine the general orientations of buildings throughout the Industrial Master Plan Area.
- (d) Individual lot sizes shall be not less than 15 acres on the north side of SW Leveton Drive pursuant to an approved IMP.

General Manufacturing Planning District (MG)

The Development Code describes the objectives of the MG Planning District as follows:

- (a) Suitable for light industrial uses and also for a wide range of heavier manufacturing and processing activities. These uses are expected to be more unsightly and to have more adverse environmental effects than the uses allowed in the Light Manufacturing Planning District.
- (b) Railroad access and open storage will be allowed in this district, conforming to defined architectural, landscape and environmental design standards.
- (c) The heaviest industrial uses that are environmentally adverse or pose a hazard to life and safety shall be prohibited. The MG Planning District standards describe permitted uses, minimum lot sizes and other requirements. These are contained in Chapter 61 of the Tualatin Development Code.
- (d) The purpose is also to allow the retail sale of products manufactured, assembled, packaged or wholesaled on the site provided the retail

sale area, including the showroom area, is no more than 5% of the gross floor area of the building not to exceed 1,500 square feet.

Light Manufacturing Planning District (ML)

The Development Code describes the objectives of the ML Planning District as follows:

- (a) The purpose of this district is to provide areas of the City that are suitable for industrial uses that are compatible with adjacent commercial and residential uses. The district serves to buffer heavy industrial uses from commercial and residential areas. The district is suitable for warehousing, wholesaling, and light manufacturing processes that are not hazardous and that do not create undue amounts of noise, dust, odor, vibration or smoke.
- (b) The district is also suitable for retail sale of products manufactured, assembled, packaged or wholesaled on the site provided the retail sale area, including the showroom area, is no more than 5% of the gross floor area of the building not to exceed 1,500 square feet and, with appropriate restrictions, for retail sale of products not allowed for sale in General Commercial Planning Districts, and office commercial uses where any portion of a legally created lot is within 60 feet of a CO Planning District boundary.
- (c) ***Certain heavier manufacturing uses may be allowed as conditional uses.***
- (d) Land extensive commercial uses such as automobile, truck and equipment sales and rentals are appropriate uses in this district, subject to approval of a conditional use permit.
- (e) Railroad access and open storage will be allowed in this district, conforming to defined architectural, landscape and environmental design standards.

General Commercial Planning District (CG)

The Development Code described the purpose of the CG Planning District as follows:

- (a) The purpose of this district is to provide areas of the city that are suitable for a full range of commercial uses, including those uses that are inappropriate for the neighborhood, office, or central commercial

areas.

- (b) This district is particularly suitable for businesses needing direct automobile access to the freeway and the arterial streets leading to the freeway. Such uses are motels, drive-in restaurants, automobile service stations, and car washes. Other suitable automobile-related businesses are automobile upholstery shop or automobile tire shop. Automotive uses that use large amounts of land, such as automotive truck and machinery sales and rental, are not appropriate uses in this district.

High Density Residential

The Development Code describes the purpose of the RH Planning District as follows:

- (a) To provide areas of the City suitable for townhouses, high density garden apartment and condominium developments.

Proposed Plan Map and Text Amendments 1985

It is the intent of this Plan to initiate applications for Plan Map and Text Amendments to accomplish the following:

- Redesignate land within the quarry sector from MG, General Manufacturing to ML, Light Manufacturing. (See Map 7, "Land Use Plan.")
- Redesignate a 7.20-acre parcel of land bounded by SW Pacific Highway 99W, SW 124th Avenue and SW Tualatin Road from MP/MG to CG (General Commercial). (See Map 7, "Land Use Plan.")

The amendments proposed by the Plan will be initiated utilizing the application process called for in the Development Code, and will be the subject of duly noticed public hearings.

[Section G amended by Ordinance No. 777-89, passed June 26, 1989; Ordinance No. 935-94, passed December 12, 1994; Ordinance No. 1036-99, passed November 22, 1999, and Resolution No. 397-02 adopted March 11, 2002.]

H. RELOCATION

The acquisition and redevelopment of real property within the Quarry Sector may

result in the displacement of residents and businesses. The Commission, in April 1985, adopted Relocation Regulations which govern the eligibility requirements and benefits which would be available to displaced persons or businesses. These regulations conform to the requirements of ORS 281.045 - 281.105 and to applicable sections of the Federal Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970.

[Section H amended by Ordinance No. 777-89, passed June 26, 1989, and by Resolution No. 397-02 adopted March 11, 2002.]

I. METHODS OF FINANCING THE PLAN

1. GENERAL DESCRIPTION OF THE PROPOSED FINANCING METHODS

The Commission may borrow money and accept advances, loans, grants and any other form of financial assistance from the Federal Government, the State, City, County, or other public body, or from any sources, public or private, for the purposes of undertaking and carrying out this Plan, or may otherwise obtain financing as authorized by ORS Chapter 457.

The funds obtained by the Commission shall be used to pay or repay any costs, expenses, advancements and indebtedness incurred in planning or undertaking project activities or in otherwise exercising any of the powers granted by ORS Chapter 457 in connection with the implementation of this Plan.

2. SELF-LIQUIDATION OF COSTS OF PROJECT

The Commission proposes to finance the Plan, and the projects undertaken with respect to the Plan, through tax increment financing as authorized by Article IX, Section 1c of the Oregon Constitution and ORS 457.420 through 457.460. This Plan authorizes the division of ad valorem taxes pursuant to ORS 457.420 through 457.460. Such financing is authorized by the statute when the plan contains the following provisions: the ad valorem taxes, if any, levied by a taxing district in which all or a portion of an urban renewal area is located, shall be divided by rates as provided in Section 1c, Article IX of the Oregon Constitution and ORS 457.440.

The maximum indebtedness pursuant to ORS 457.190 which may be incurred under this Plan is \$36,424,338. Nothing in this section is intended to inhibit the ability of the Commission to refinance or refund existing bonded indebtedness that may be issued under the Plan.

[Section I-2 amended by Ordinance No. 777-89, passed June 26, 1989.]

3. PRIOR INDEBTEDNESS

Any indebtedness permitted by law and incurred by the Commission or the City in connection with preplanning for this Urban Renewal Plan shall be repaid from tax increments from the District when and if such funds are available.

[Section I amended by Resolution No. 397-02 adopted March 11, 2002.]

J. FUTURE AMENDMENT PROCESS

This plan may be reviewed and analyzed periodically and will continue to evolve during the course of the project implementation and ongoing planning. The Plan may be amended or changed as needed. All amendments or changes to the Plan will be made in writing and will be approved by the Commission, the Tualatin City Council, or both. The amendments or changes may be substantial amendments, Council approved amendments or minor amendments. Minor amendment to the Plan shall be approved by the Commission by resolution. Council approved amendments to the Plan shall be approved by the Tualatin City Council through a hearing process and adopted by ordinance. Substantial amendments to the Plan shall be approved by the Tualatin City Council by non-emergency ordinance pursuant to ORS 457.095 and 457.220 after public notice and hearing. Presentation of any amendment to the Commission or Council shall be accompanied by the recommendation of the Urban Renewal Advisory Committee

Minor Amendments

1. Amending the plan for consistency with the Tualatin Community Plan and Development Code.
2. All amendments or changes in this Plan, which are not substantial or Council approved amendments as specified below, shall be considered minor amendments. Minor amendments shall include identification of property for acquisition pursuant to projects, activities or programs specified in this Plan for public use or for private redevelopment.

Council Approved Amendments

1. Addition of less than 1% land area to the urban renewal area as authorized by statute.
2. Extending the date after which no bonded indebtedness shall be issued with respect to the Plan or any project undertaken or to be undertaken by the Plan.
3. Adding a new project, activity, or program which:

- (a) Serves or performs a substantially different function from any project, activity, or program specified in this Plan; and
 - (b) Is estimated to cost (excluding administrative costs) in excess of \$500,000 adjusted annually from 1991 at a rate equal to inflation.
4. Making other changes in the Plan, which alter the major assumptions, purposes, and objectives underlying this Plan.

Substantial Amendment

- 1. Adding land to the urban renewal area (except such minor additions of land as may be authorized by statute as not constituting a substantial amendment).
- 2. Increasing the maximum amount of bonded indebtedness excluding bonded indebtedness issued to refinance or refund existing bonded indebtedness issued or to be issued under the Plan.

From time to time during the implementation of this Plan, the Tualatin City Council may officially approve amendments or modifications to the City's Comprehensive Plan and implementing ordinances. Furthermore, the Tualatin City Council may from time to time amend or approve new codes, regulations or ordinances, which affect the implementation of this Plan. When such amendments, modifications, or approvals have been officially enacted by the City Council, such amendments, modifications or approvals, which affect the provisions of this Plan shall be deemed minor amendments to the Plan and shall, by reference, become a part of this Plan.

[Section J amended by Ordinance No. 777-89, passed June 26, 1989; and by Resolution 184-91 adopted September 9, 1991. Section I amended by Resolution No. 390-01, adopted December 10, 2001, and Resolution No. 397-02 adopted March 11, 2002.]

K. LEGAL DESCRIPTION FOR THE CITY OF TUALATIN LEVETON TAX INCREMENT DISTRICT

A portion of Section 15, 21, 22, 27, and 28, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, said portion being more particularly described as follows:

Beginning at the intersection of the Easterly right-of-way line of SW Pacific Highway (Oregon State Highway 99W) and the Northerly right-of-way line of SW Tualatin Road (County Road No. 1063) which bears South 89°52' East, 471.9 feet and North 00°08' East, 30.00 feet from the Southwest corner of said Section 15;

Thence South 89°52' East along the Northerly right-of-way line of said SW Tualatin Road, parallel with and 30.00 feet North of the South line of said Section 15, and

along the Southerly lines of those certain tracts of land described in deeds to, and recorded in the Washington County, Oregon deed records as follows:

Leland Ariss and Martha Louis Arris, Book 803, Page 293, Clay Dorsey and Honerhea Dorsey, Book 487, Page 380; Robert F. Livingston and Josephine Livingston, Document No. 82-13813; James Van Sickle and Joan Van Sickle, Book 1181, Pages 441, 440 and 439; Lombard F. Brown and Sherley G. Brown, also known as Shirley G. Brown, Document No. 83-8863; James P. Harmon and Christina M. Harmon, Document No. 80-6349; Douglas Slaughter and Irene Slaughter, Document No.80-46947; Robert E. Livingston and Grace W. Livingston, Document No. 79-50737; Kenneth R. Dickson and Rosa Lee Dickson, Book 487, Page 380; Richard J. Hanegan and Debra Hanegan, Reel 913, Page 525; Victor J. Hanegan and Murnice M. Hanegan, Book 426, Page 500; State of Oregon, Department of Veterans Affairs, Document No. 89-2926; Charles L. Roberts and Florence Roberts, Book 465, Page 213; and Craig E. Fritz, Document No. 83-34389, 4,150.1 feet, more or less, to the Southwest corner of Winchester Estates as recorded in Book 48, Page 23, Records of Town Plats;

Thence North $0^{\circ}08'30''$ West, along the West line of said Winchester Estates, 3.50 feet to the Southwest corner of Lot 19 in said subdivision;

Thence South $89^{\circ}33'44''$ East, along the South line of Lots 19 and 18 in said Winchester Estates, 20.55 feet, more or less, to a point on the Northerly projection of the East right-of-way line of SW 108th Avenue (County Road No. 1278);

Thence South, along said East right-of-way line of SW 108th Avenue (County Road No. 1278), 1,650.50 feet to a point on the Easterly projection of the North line of a tract of land conveyed to James E. Harrison and Jean T. Harrison by deed recorded in Book 251, Page 665, Deed Records;

Thence North $89^{\circ}28'$ West, along said Easterly projection and along the North line of said Harrison tract, 679.38 feet to the Northwest corner thereof;

Thence South, along the West line of said Harrison tract, 297.00 feet to the Southwest corner thereof;

Thence South $89^{\circ}28'$ East, along the South line of said Harrison tract and the Easterly projection thereof, 679.38 feet to the East right-of-way line of SW 108th Avenue (County Road No. 1278);

Thence South, along said East right-of-way line, 327.2 feet, more or less, to the Northerly right-of-way line of the Southern Pacific Railroad, being also the Southerly right-of-way line of SW Herman Road (County Road No. 489);

Thence South $67^{\circ}33'$ West, along said Southerly right-of-way line, 735.05 feet, more or less, to the East line of a tract of land conveyed to William Leveton by

deed recorded in Book 1000, Page 713, Deed Records;

Thence South, along said East line, 123.5 feet, more or less, to the Southeast corner of said Leveton tract;

Thence, along the Southerly line thereof and the East-West centerline of the aforesaid Section 22, South $89^{\circ}48'$ West, 1949.18 feet to the Northwest corner of that certain tract of land described in deed to Delmar A. Walgraeve, recorded as Document No. 82-8873, said deed records, said point also being the Northwest corner of Lot 2, Eddy Acres, a plat of record in Washington County, Oregon;

Thence, along the Westerly line of said Walgraeve tract, South, 690.82 feet to the Northerly right-of-way line of the Southern Pacific Railroad being also the Southerly right-of-way line of SW Herman Road (County Road No. 489);

Thence, along said Southerly right-of-way line, South $67^{\circ}19'$ West, 1057.04 feet to the intersection with the Easterly line of that certain tract of land described in deed to Albina Fuel Company, an Oregon corporation, recorded in Book 1047, Page 65 said deed records;

Thence, along the Easterly line of said Albina Fuel Company tract, North 1095.90 feet to the Northeast corner thereof;

Thence, along the Northerly line thereof and the East-West centerline of said Section 22, South $89^{\circ}48'$ West, 371.34 feet to the Northwest corner thereof;

Thence, along the Westerly line of said Albina Fuel Company tract, South 1049.44 feet to the Northwest corner of that certain tract of land described in deed to Charles P. Breidenbach and Carol A. Breidenbach, recorded in Book 1167, Page 8, said deed records;

Thence, along the Northerly line of said Breidenbach tract, North $89^{\circ}48'$ East, 83.02 feet to the Northeast corner thereof;

Thence, along the Easterly line of said Breidenbach tract, South 165.72 feet to the Southerly right-of-way of the aforesaid SW Herman Road;

Thence, along said Southerly right-of-way, South $67^{\circ}19'$ West, 549.23 feet;

Thence, parallel with and 226.00 feet Easterly of the West line of said Section 22, South $00^{\circ}22'$ West, 91.39 feet;

Thence, perpendicular to said West Section line, North $89^{\circ}38'$ West, 11.00 feet;

Thence, parallel with and 215.00 feet Easterly of the West line of said Section 22, South $00^{\circ}22'$ West, 137.00 feet;

Thence, perpendicular to said West Section line, North 89°38' West, 1.00 feet to the Easterly line of that certain tract of land described in that dedication deed to City of Tualatin, recorded as Document No. 97-102857, said deed records;

Thence, along the Easterly line of said City of Tualatin tract and parallel with and 214.00 feet Easterly of the West line of said Section 22, South 00°22' West, 445.90 feet;

Thence, South 44°51'57" East, 57.70 feet;

Thence, South 00°04'08" West, 7.00 feet to the Northerly line of that certain tract of land described in that dedication deed to City of Tualatin, recorded as Document No. 84-27454, said deed records;

Thence, South 17°55'47" East, 48.89 feet to the South right-of-way line of SW Myslony Street (County Road No. 1137), a 33-foot-wide road;

Thence, South 44°18' 34" West, 79.76 feet;

Thence, North 89°37' 59" West, 30.00 feet to the East right-of-way line of SW 124th Avenue (County Road Number 489), a 40-foot-wide road;

Thence, along the East line of said SW 124th Avenue, South 00°22' West, 409.26 feet to an angle point of said right-of-way line;

Thence, along said right-of-way line, South 89°52' West, 185.00 feet to an angle point on said right-of-way line;

Thence, along said right-of-way line and parallel with and 20.00 feet East of the line common to the aforesaid Section 27 and 28, South 00°27' West, 1300.50 feet to a point on the South line of the Westerly tract of land described as Parcel 2 in that deed to Jessie E. Wager recorded in Book 455, Page 216, said deed records;

Thence, along the Southerly line thereof, South 89°51' West, 20.00 feet to a point on the East line of said Section 27;

Thence, along the South line of that certain tract of land described in that memorandum of agreement between Nettie Cole, Mary Cole, Walter E. Cole, Madge W. Cole, Frank G. Cole, Neva Cole, Clarence T. Cole and Bernie Adams Reid recorded as Document No. 79021082 said deed records, North 89°43' West, 20.00 feet;

Thence, parallel with and 20.00 feet West of the East line of said Section 28, along the West right-of-way line of said County Road No. 489, North 00°27' East 1340.50 feet to an angle point in said right-of-way line;

Thence, along said right-of-way line, North 89°52' East, 185.00 feet to an angle point in said right-of-way line;

Thence, parallel with and 145.00 feet Easterly of the West line of Section 22, along the West right-of-way line of said County Road No. 489, North 00°22' East, 370.00 feet;

Thence, perpendicular to said West Section line, North 89°38' West, 29.15 feet;

Thence, North 00°51'59" East, 17.47 feet to a point that is 116.00 feet Easterly, when measured at a right angle to, the West line of Section 22;

Thence, parallel with and 116.00 feet Easterly of the West line of Section 22, North 00°22' East, 480.54 feet;

Thence, leaving said parallel line, North 00°46'48" West, 154.05 feet;

Thence, North 22°24'12" West, 115.68 feet to the Southerly right-of-way line of the aforesaid SW Herman Road;

Thence, 74.62 feet Southwesterly along said right-of-way line, along a curve taper, the chord of which bears South 66°20'03" West, 74.60 feet, to the West line of Section 22;

Thence, along said West Line, North 00°22' East, 11.00 feet;

Thence, Southwesterly, along said right-of-way line, 219.24 feet, along a 2871.26 foot radius curve to the left, through a central angle of 4°22'30", the long chord of which bears South 63°33'17" West, 219.19 feet;

Thence, North 39°00'51" West, 54.84 feet to the Northerly line of that certain tract of land described in that dedication deed to City of Tualatin, recorded as Document No. 85-26521, said deed records;

Thence, along the Northerly line of said City of Tualatin tract, 43.72 feet, along a 50.00 foot radius curve to the left, through a central angle of 50°06'06", the long chord of which bears North 36°05'05" East, 42.34 feet;

Thence, North 62°51'38" East, 92.18 feet to the Easterly line of that certain tract of land described as the "Portland Chain Building" in deed to Jean Venture, LLC, an Oregon Limited Liability Company, recorded in Document No. 98-20945, said deed records;

Thence, leaving said line, South 89°40'34" East, 23.10 feet';

Thence, parallel with and 8.00 feet Northwesterly of the Southeasterly line of said tract, 105.83 feet, along a 2933.26 foot radius curve to the right, through a central angle of 02°04'02", the long chord of which bears North 65°05'49 East, 105.83 feet;

Thence, continuing parallel, North 67°06'45" East, 93.65 feet;

Thence, leaving said parallel line, North 35°58'22" East, 60.36 feet;

Thence, parallel with and 17.00 feet Westerly of the East line of said tract, North 00°25'41" East, 408.00 feet to the North line of said tract;

Thence, along said North line, North 82°57'08" East, 4.03 feet to the Southwest corner of that certain tract of land described in that dedication deed to City of Tualatin, recorded as Document No. 2000-57179, said deed records;

Thence, along the West line of said City of Tualatin Tract, North 00°25'41" East, 205.06 feet to the Northwest corner of said tract;

Thence, along the North line of that certain tract of land described in that special warranty deed to Northwest Investment recorded as Document No. 90-59543 said deed records, South 83°19'38" West, 4.03 feet to the Southwest corner of that certain tract of land described in that dedication deed to City of Tualatin, recorded as Document No. 94-27889, said deed records;

Thence, along the West line of said City of Tualatin Tract, North 00°25'41" East, 262.02 feet to the Northwest corner of said tract, said point also being the Southwest corner of that certain tract of land described in that dedication deed to City of Tualatin, recorded as Document No. 97-104476, said deed records;

Thence, along the West line of said City of Tualatin Tract and its Northerly prolongation, North 00°25'41" East, 487.82 feet to the East-West centerline of Section 22;

Thence, along the East-West centerline of the aforesaid Section 22, South 89°48' West, 117.44 feet to the West ¼ corner of said Section 22 and the East ¼ of the aforesaid Section 21;

Thence, along the East-West centerline of said Section 21, and along the South line of that certain tract of land described in that assignment of contract to Claude Brinegar and Esthere M. Albertson recorded as Document No. 80-20047 in said deed records, South 89°37' West, 1679.80 feet to the Southeast corner of that certain tract of land described in deed to Vernon E. Anderson and Jacqueline M. Anderson recorded as Document No. 82-17104 said deed records;

Thence, along the Easterly line thereof, North 00°24' West, 512.66 feet;

Thence, continuing along said Easterly line, North 89°36' East, 69.84 feet;

Thence, continuing along said Easterly line, North 00°24' West, 72.70 feet;

Thence, continuing along said Easterly line, South 89°36' West, 69.84 feet;

Thence, continuing along said Easterly line, North 00°24' West, 580.02 feet to a point on the Southeasterly right-of-way line of the aforesaid SW Pacific Highway;

Thence, along said right-of-way line, parallel with and 50.00 feet from a centerline spiral to the left (total spiral length = 400 feet, $S = 4^{\circ}00'$, $a = 0.5$) 273 feet, more or less, to a point of curve to spiral (Engineer's Station 288 + 64.03 P.C.S.);

Thence, along the arc of a 2914.79 foot radius curve to the left, through a central angle of $8^{\circ}18'00''$, 422.24 feet (the long chord of which bears North $59^{\circ}51'$ East, 421.87 feet) to a point of spiral to curve (Engineer's Station 284 + 49.03 P.S.C.);

Thence, parallel with and 50.00 feet from a 400 foot long centerline spiral ($S = 4^{\circ}00'$, $a = 0.5$), 403.49 feet, (the long chord of which bears North $50^{\circ}21'37''$ East, 403.41 feet) to a point of tangency (Engineer's Station 280 + 49.03 P.S.);

Thence, along said right-of-way line, North $51^{\circ}42'$ East, 590 feet, more or less, to a point on the West line of that certain tract of land described in deed to Lawrence J. Blum and Marion S. Blum recorded in Book 509, Page 113, said deed records, and an angle point in the aforesaid right-of-way line;

Thence, along the said West line South 00°24' West, 12.81 feet to an angle point in said right-of-way line;

Thence, continuing along said right-of-way line, North $51^{\circ}42'$ East, 458.6 feet to an angle point in said right-of-way line;

Thence, North 00°24' East, 12.81 feet to an angle point in said right-of-way line;

Thence, continuing along said right-of-way line, North $51^{\circ}42'$ East, 515 feet, more or less, to the point of beginning.

Containing 380.3 acres.

[Section K amended by Ordinance No. 777-89, passed June 26, 1989, Resolution No. 390-01, adopted December 10, 2001, and Resolution No. 397-02 adopted March 11, 2002.]