

Land Use Application

Project Information				
Project Title: Herman Road Industrial				
Brief Description: New construction of two industrial use buildings with associated parking, loading, utilities and landscape.				
Property Information		Western Transport		
Address: north side of Herman Road. East	of SW Teton Ave	2. 2.		
Assessor's Map Number and Tax Lots: 2S123B/	A; TL#2900 and 3	3100. 2S123B; TL#900		
Applicant/Primary Contact	# Ta'			
Name: Beth Zauner	and Automatica	Company Name: AAI Engineering		
Address: 4975 SW Griffith Dr. #300	· · · · · · · · · · · · · · · · · · ·			
City: Beaverton		State: OR	ZIP: 97005	
Phone: 503-620-3030		Email: bethz@aaleng.com		
Property Owner		\$1.		
Name: Lu Pacific Properties LLC				
Address: PO Box 483				
City: Tualatin		State: OR	ZIP: 97052	
Phone: 503-691-1068		Email: angela.qi@lupacific.com		
Property Owner's Signature:		3 1	Date: 5/20/20	
(Note: Letter of authorization is required if not sign	ASSESSMENT TO THE COLUMN TO TH			
AS THE PERSON RESPONSIBLE FOR THIS APPLIC INFORMATION IN AND INCLUDED WITH THIS AI COUNTY ORDINANCES AND STATE LAWS REGAI	PPLICATION IN ITS E	NTIRETY IS CORRECT. I AGREE TO	THIS APPLICATION AND STATE THAT THE COMPLY WITH ALL APPLICABLE CITY AND	
Applicant's Signature:			Date: 6/19/2020	
and Use Application Type:			5	
☐ Annexation (ANN)	☐ Historic Landmark (HIST)		☐ Minor Architectural Review (MAR)	
Architectural Review (AR)	☐ Industrial Master Plan (IMP)		☐ Minor Variance (MVAR)	
☐ Architectural Review—Single Family (ARSF)	☐ Plan Map Amendment (PMA)		☐ Sign Variance (SVAR)	
3 Architectural Review—ADU (ARADU)	☐ Plan Text Amendment (PTA)		☐ Variance (VAR)	
☐ Conditional Use (CUP) ☐ Tree Removal/Review (TCP)				
Office Use				
Case No:	Date Received:		Received by:	
Fee:		Receipt No:		



File No.: 321900248

Preliminary Report

Lawyers Title - Oregon 1455 SW Broadway, Ste 1400, Portland, OR 97201

Property Address: APN/Parcel ID(s) R531035 as well as Tax/Map ID(s) 2S123B000900

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PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Lawyers Title of Oregon, LLC hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Insurance Company, a/an Florida corporation.

Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

Countersigned

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1455 SW Broadway, Ste 1400, Portland, OR 97201 (503)220-0015 FAX (503)222-3019

PRELIMINARY REPORT

TITLE OFFICER: Bob Brandon

bob.brandon@ltic.com

(503)553-5690

TO: Lawyers Title of Oregon, LLC 1455 SW Broadway, Ste 1400

Portland, OR 97201

ESCROW LICENSE NO.: 201011107 OWNER/SELLER: Lu QBF, LLC

BUYER/BORROWER: Powin QBF, and Oregon Limited Liability Company

PROPERTY ADDRESS: APN/Parcel ID(s) R531035 as well as Tax/Map ID(s) 2S123B000900

APN/Parcel ID(s) and R2042036 as well as Tax/Map ID(s) 2S123B000901 APN/Parcel ID(s), R531525 as well as Tax/Map ID(s) 2S123BA02900 APN/Parcel ID(s), R531534 as well as Tax/Map ID(s) 2S123BA03100

EFFECTIVE DATE: May 31, 2019, 08:00 AM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	AMOUNT	<u> </u>	PREMIUM
ALTA Loan Policy 2006	\$ TBD	\$	TBD
OTIRO 208.2-06 - Commercial Environmental Protection Lien (ALTA 8.2-06)		\$	0.00
OTIRO 209.10-06 - Restrictions, Encroachments, Minerals - Current Violations (ALTA 9.10-06)		\$	100.00
OTIRO 222-06 - Location (ALTA 22-06)		\$	0.00
Government Service Fee		\$	100.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Lu QBF, LLC, an Oregon limited liability company, which acquired title as Powin QBF LLC, an Oregon limited liability company

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF TUALATIN, COUNTY OF WASHINGTON, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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OR----SPS-1-19-321900248

ORDER NO.: 321900248

EXHIBIT "A"

Legal Description

PARCEL I:

A parcel of land in the Northwest one-quarter of Section 23, Township 2 South, Range 1 West, of the Willamette Meridian, in the County of Washington and State of Oregon, being a portion of those certain tracts of land conveyed to John Hiller as described in Book 216, Page 69 and in Book 319, Page 304 and a portion of that certain tract of land conveyed to David W. and Gail M. Shepherd in Book 1039, Page 632, Washington County Deed Records, Washington County, Oregon, being more particularly described as follows:

Beginning at a 5/8 inch iron rod with yellow plastic cap inscribed "OTAK, Inc.", which is on the North line of said Hiller tract as described in said Book 319, Page 304 which bears South 89° 54' 47" West, 348.81 feet along the North line of said Hiller tracts from a 5/8 inch iron rod marking the Northeast corner of said Book 216, Page 69; thence South 00° 15' 00" West, 397.08 feet to a 5/8 inch iron rod with vellow plastic cap inscribed "OTAK, Inc.": thence South 23° 36' 48" East, 296.52 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "OTAK, Inc." on the North right-of-way line of Herman Road (County Road No. 469), a 40.00 foot wide road; thence South 67° 34' 00" West, 50.00 feet along said North right-of-way line to a 5/8 inch iron rod with yellow plastic cap inscribed "OTAK, Inc."; thence leaving said North right-of-way line North 23° 36' 48" West, 278.80 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "OTAK, Inc."; thence South 89° 54' 47" West, 309.83 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "OTAK, Inc." in the West line of said Hiller tract as described in said Book 319, Page 304; thence along said West line North 00° 15' 00" West, 432.34 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "LS 510 JW CHASE" marking the Northwest corner of said Book 319, Page 304; thence along the North line of said Book 319, Page 304, North 89° 54' 47" East, 348.81 feet to the point of beginning.

PARCEL II:

A parcel of land in the Northwest one-quarter of Section 23, Township 2 South, Range 1 West, of the Willamette Meridian, in the County of Washington and State of Oregon, being a portion of those certain tracts of land conveyed to John Hiller as described in Book 216, Page 69 and in Book 319, Page 304 and a portion of that certain tract of land conveyed to David W. and Gail M. Shepherd in Book 1039, Page 632, Washington County Deed Records, Washington County, Oregon, being more particularly described as follows:

Beginning at a 5/8 inch iron rod with yellow plastic cap inscribed "OTAK, Inc." on the West line of said Hiller tract as described in said Book 319, Page 304 which bears South 00° 15' 00" West along the West line of said Hiller tract 432.34 feet from the Northwest corner of said tract; thence leaving said West line North 89° 54' 47" East, 309.83 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "OTAK, Inc."; thence South 23° 36' 48" East, 278.80 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "OTAK, Inc." in the North right-of-way line of Herman Road (County Road No. 419), a 40.00 foot wide road; thence along said North right-of-way line South 67° 34' 00" West, 458.06 feet to the Southwest corner of said Hiller tract; thence along the West line of said Hiller tract North 00° 15' 00" East, 429.79 feet to the point of beginning.

PARCEL III:

A parcel of land in the Northwest one-quarter of Section 23, Township 2 South, Range 1 West, of the Willamette Meridian, in the County of Washington and State of Oregon, being a portion of those certain tracts of land conveyed to John Hiller as described in Book 216, Page 69 and in Book 319, Page 304 and a portion of that certain tract of land conveyed to David W. and Gail M. Shepherd in Book 1039, Page 632, Washington County Deed Records, Washington County, Oregon, being more particularly described as follows:

Beginning at a 5/8 inch iron rod marking the Northeast corner of said Hiller tract as described in said Book 216, Page 69; thence along the East line of said Hiller tract South 00° 15' 00" West, 425.00 feet to a 5/8 inch iron rod

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EXHIBIT "A"

Legal Description

with yellow plastic cap inscribed "OTAK, Inc."; thence South 89° 54' 47" West, 165.00 feet; thence South 00° 15' 00" West, 217.65 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "OTAK, Inc." on the Northerly right-of-way line of Herman Road (County Road No. 489), a 40.00 foot wide road; thence along said Northerly right-of-way line South 67° 34' 00" West, 69.20 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "OTAK, Inc."; thence leaving said Northerly right-of-way line North 23° 36' 48" West, 296.52 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "OTAK, Inc."; thence North 00° 15' 00" East, 397.08 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "OTAK, Inc." on the North line of said Book 319, Page 304; thence along said North line and along the North line of Book 216, Page 69, North 89° 54' 47" East, 348.81 feet to the point of beginning.

PARCEL IV:

Beginning 40 rods South and 60 rods West of the Northeast corner of the Northwest one-quarter of Section 23, Township 2 South, Range 1 West, of the Willamette Meridian, in the City of Tualatin, County of Washington and State of Oregon; thence 425 feet South to the true place of beginning; thence South 235 feet; thence West 165 feet; thence North 235 feet; thence East 165 feet to the place of beginning.

AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:

GENERAL EXCEPTIONS:

- 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, interests or claims, which are not shown by the Public Records but which could be ascertained by an inspection of the Land or which may be asserted by persons in possession thereof.
- 3. Easements, or claims thereof, which are not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
- 4. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- 5. Any lien, or right to a lien, for services, labor, material or equipment rental, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

SPECIFIC ITEMS AND EXCEPTIONS:

- 6. Municipal liens, if any, imposed by the City of Tualatin.
- 7. Rights of the public to any portion of the Land lying within the area commonly known as

S.W. Herman Road.

8. An easement disclosed by instrument, Recorded : February 16, 1982

As : 82-003780

In favor of : The City of Tualatin

For : Drainage

9. An easement disclosed by instrument.

Recorded : March 21, 2005 As : 2005-029725 In favor of : The City of Tualatin

For : Right-of-way and storm water facility

10. An easement disclosed by instrument,

Recorded : March 21, 2005
As : 2005-029726
In favor of : The City of Tualatin
For : Storm water facility

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11. An easement disclosed by instrument,

> Recorded : August 26, 2005 2005-104329 As In favor of : The City of Tualatin

: Storm water facility For

12. Trust Deed, to secure an indebtedness in the amount shown below, and any other obligations secured

thereby,

Dated : June 3, 2011 Recorded : June 7, 2011 : 2011-040774 As

Grantor: Joseph Lu and Mei Yi Lu, as tenants by the entirety Trustee: Brad Williams c/o UPF Washington Incorporated Beneficiary : Sterling Savings Bank

Amount : \$3,000,000.00

An agreement to modify the terms and provisions of said deed of trust as therein provided

Lu QBF, LLC and Umpqua Bank Executed by:

Recording Date: May 25, 2017 Recording No: 2017-041778

13. An assignment of all moneys due, or to become due as rental or otherwise from said Land, to secure payment of an indebtedness, shown below and upon the terms and conditions therein

Amount: \$3,000,000.00 Umpqua Bank Assigned to: Assigned By: Lu QBF, LLC Recording Date: May 25, 2017 Recording No: 2017-041779

- 14. Right, title and interest of Q Pacific Manufacturing Corp., as disclosed by Washington County personal property tax account no. P904463 and real property tax account no. R2197272 and R2167670.
- 15. Rights of tenants, as tenants only, in unrecorded leaseholds.
- 16. Personal property taxes, if any.

17. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: Lu QBF, LLC, an Oregon limited liability company

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

18. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

19. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

Any encroachment (of existing improvements located on the subject Land onto adjoining land or of 20. existing improvements located on adjoining land onto the subject Land), encumbrance, violation, variation or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject Land.

The Company will require a survey of the Land by a professional surveyor, and this exception may be eliminated or limited as a result thereof.

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ADDITIONAL REQUIREMENTS/NOTES:

A. Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2018-2019
Amount: \$10,525.71
Levy Code: 023.76
Account No.: R531035
Map No.: 2S123B-00900

Affcts Parcel I

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

B. Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2018-2019
Amount: \$32,052.39
Levy Code: 023.76
Account No.: R2042036
Map No.: 2S123B-00901

Affcts Parcel II

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2018-2019
Amount: \$12,605.07
Levy Code: 023.76
Account No.: R2167670
Map No.: 2S123B-00901

Affcts Parcel II - associated machinery/equipment

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2018-2019
Amount: \$1,386.62
Levy Code: 023.76
Account No.: R2197272
Map No.: 2S123B-00901

Affcts Parcel II - associated leasehold improvement

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

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C. Note: Property taxes for the fiscal year shown below are paid in full.

> Fiscal Year: 2018-2019 Amount: \$11,873.24 Levy Code: 023.76 Account No.: R531525

Map No.: 2S123BA-02900

Affets Parcel III

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

D. Note: Property taxes for the fiscal year shown below are paid in full.

> 2018-2019 Fiscal Year: Amount: \$2,031.49 Levy Code: 023.76 Account No.: R531035

Map No.: 2S123BA-03100

Affcts Parcel IV

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

- E. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final 2006 ALTA Policy unless removed prior to issuance.
- F. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
- G. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.
- H. Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.
- I. Recording Charge (Per Document) is the following:

County	First Page	Each Additional Page
Multnomah	\$82.00	\$5.00
Washington	\$81.00	\$5.00
Clackamas	\$93.00	\$5.00
Yamhill	\$81.00	\$5.00

Note: When possible the company will record electronically. An additional charge of \$5.00 applies to each document that is recorded electronically.

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EXHIBIT ONE

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06) **EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the land;
 - (iii) the subdivision of land: or
 - (iv) environmental protection;
 - or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the
- coverage provided under Covered Risk 6.

 2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy:

- (c) resulting in no loss or damage to the Insured Claimant;
- (d) attaching or created subsequent to Date of Policy (however, this does not modify
 or limit the coverage provided under Covered Risk 11, 13, or 14); or
 (e) resulting in loss or damage that would not have been sustained if the Insured
- Claimant had paid value for the Insured Mortgage.
- Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with the applicable doing-business laws of the state where the Land is situated.
- Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
- Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
- 7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- 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.
- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- 4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06) **EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

- 1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
 - the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the land;
 - (iii) the subdivision of land; or (iv) environmental protection;
 - or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the
- coverage provided under Covered Risk 6.
 Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters
- (a) created, suffered, assumed or agreed to by the Insured Claimant;

- (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy:
- (c) resulting in no loss or damage to the Insured Claimant;
- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
- 4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
- Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- 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. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

Printed: 06.19.19 @ 08:19 AM Preliminary Report (Exhibit One)

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice. If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- NEVER RELY on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- ALWAYS VERIFY wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. Obtain the number of relevant parties to the transaction as soon as an escrow account is opened. DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- USE COMPLEX EMAIL PASSWORDS that employ a combination of mixed case, numbers, and symbols. Make your
 passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same
 password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation: http://www.fbi.gov

Internet Crime Complaint Center: http://www.ic3.gov

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE Revised May 1, 2018

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF", "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

Types of Information Collected

We may collect two types of information from you: Personal Information and Browsing Information.

Personal Information. FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

Browsing Information. FNF may automatically collect the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or mobile device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

How Personal Information is Collected

We may collect Personal Information about you from:

- information we receive from you on applications or other forms;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

How Browsing Information is Collected

If you visit or use an FNF Website, Browsing Information may be collected during your visit. Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to other websites. FNF is not responsible for the privacy practices or the content of any of those other websites. We advise you to read the privacy policy of every website you visit.

Preliminary Report Printed: 06.19.19 @ 08:19 AM

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and third parties' products and services, jointly or independently.

When Information Is Disclosed

We may make disclosures of your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order: or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Please see "Choices With Your Information" to learn the disclosures you can restrict.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to guard your Personal Information. We limit access to nonpublic personal information about you to employees who need to know that information to do their job. When we provide Personal Information to others as discussed in this Privacy Notice, we expect that they process such information in compliance with our Privacy Notice and in compliance with applicable privacy laws.

Choices With Your Information

If you do not want FNF to share your information with our affiliates to directly market to you, you may send an "opt out" request by email, phone, or physical mail as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

<u>For California Residents</u>: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law.

<u>For Nevada Residents</u>: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

<u>For Oregon Residents</u>: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

Preliminary Report Printed: 06.19.19 @ 08:19 AM

For Vermont Residents: We will not disclose information about you creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children

The FNF Websites are meant for adults and are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except (1) as required or authorized by contract with the mortgage loan servicer or lender, or (2) as required by law or in the good-faith belief that such disclosure is necessary to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes

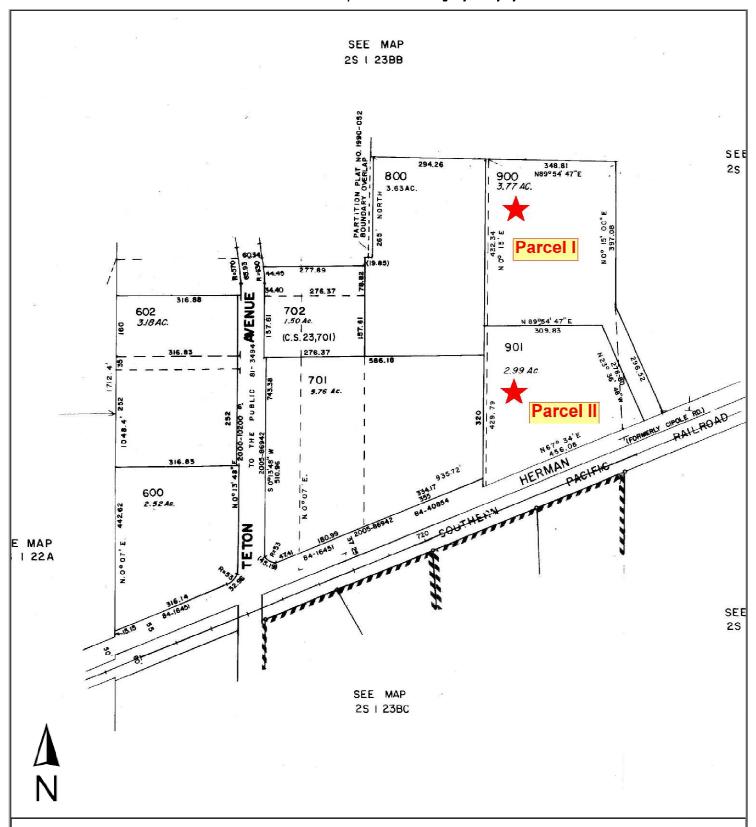
By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The revised Privacy Notice, showing the new revision date, will be posted on the FNF Website. Each time you provide information to us following any amendment of this Privacy Notice, your provision of information to us will signify your assent to and acceptance of the terms of the revised Privacy Notice for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you submit to us in any manner that we may choose without notice or compensation to you.

Accessing and Correcting Information; Contact Us

If you have questions, would like to access or correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, send your requests via email to privacy@fnf.com, by phone to (888) 934-3354, or by mail to:

> Fidelity National Financial. Inc. 601 Riverside Avenue. Jacksonville, Florida 32204 Attn: Chief Privacy Officer

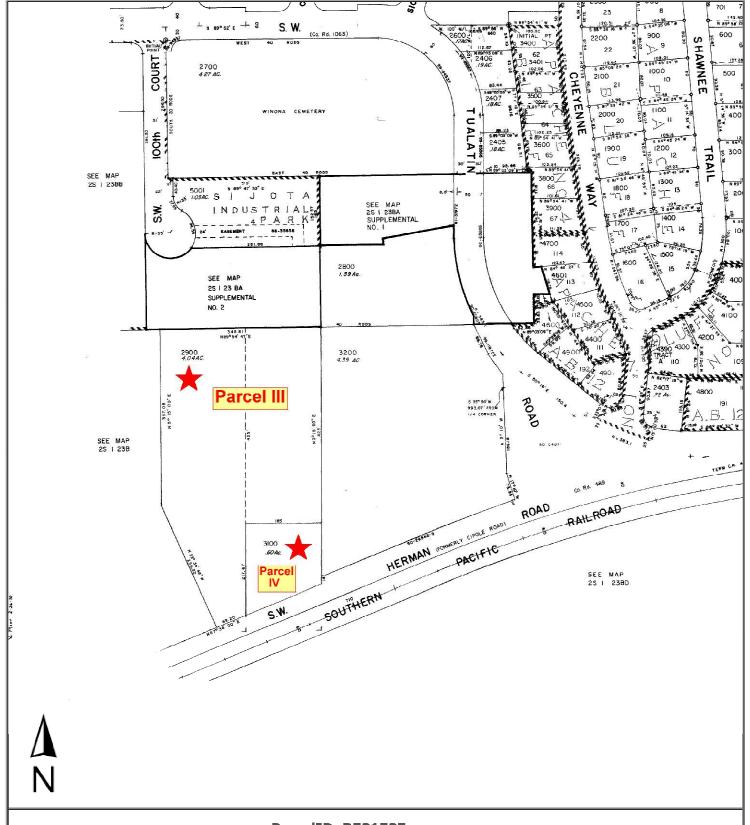
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ParcelID: R531035

Tualatin, OR 97062

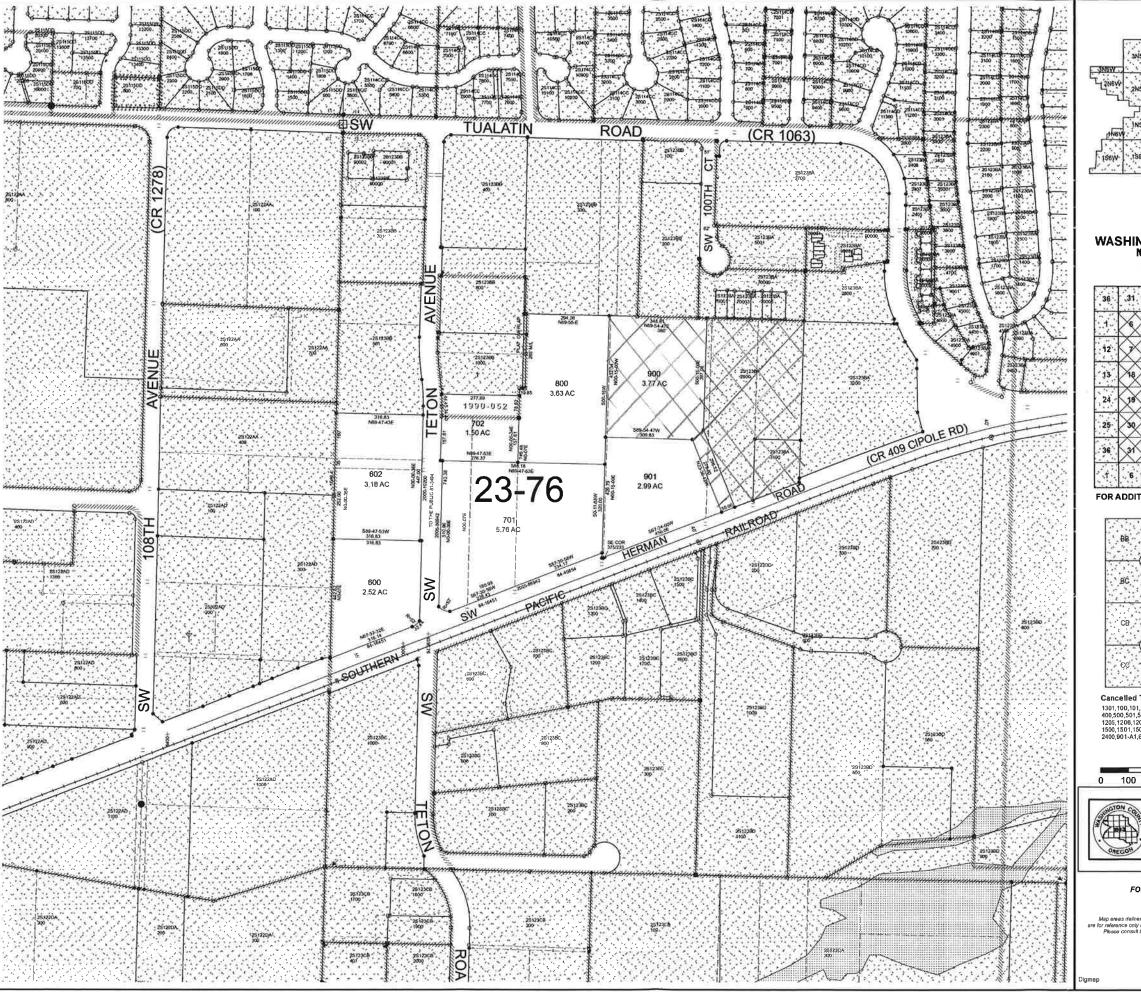
This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

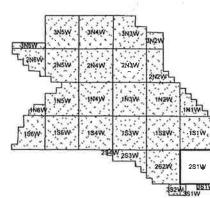


ParcelID: R531525

Tualatin, OR 97062

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

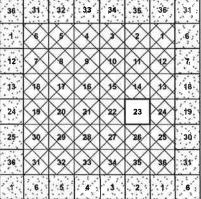




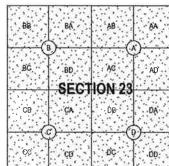
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2S123B

WASHINGTON COUNTY OREGON NOME OT A COUNTY OREGON NOME OF THE PROPERTY OF THE P



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.washington.or.us



Cancelled Taxlots For: 2S123B

Tall, 100, 101, 200, 1000, 1100, 1200, 1202, 1300, 890, 401, 1403, 1404, 300, 400, 500, 501, 502, 603, 601, 700, 1204-A1, 1405, 1400, 1201, 1203, 1204, 1205, 1206, 1207 A-1, 1207, 1208, 1209, 1406, 1401, 1407, 1402, 1900, 604, 1500, 1501, 1501-A-1, 1500, 1700, 1800, 2000, 2000-A1, 2100, 2200, 2300, 2400, 901-A1, 602-A1, 901-A2.

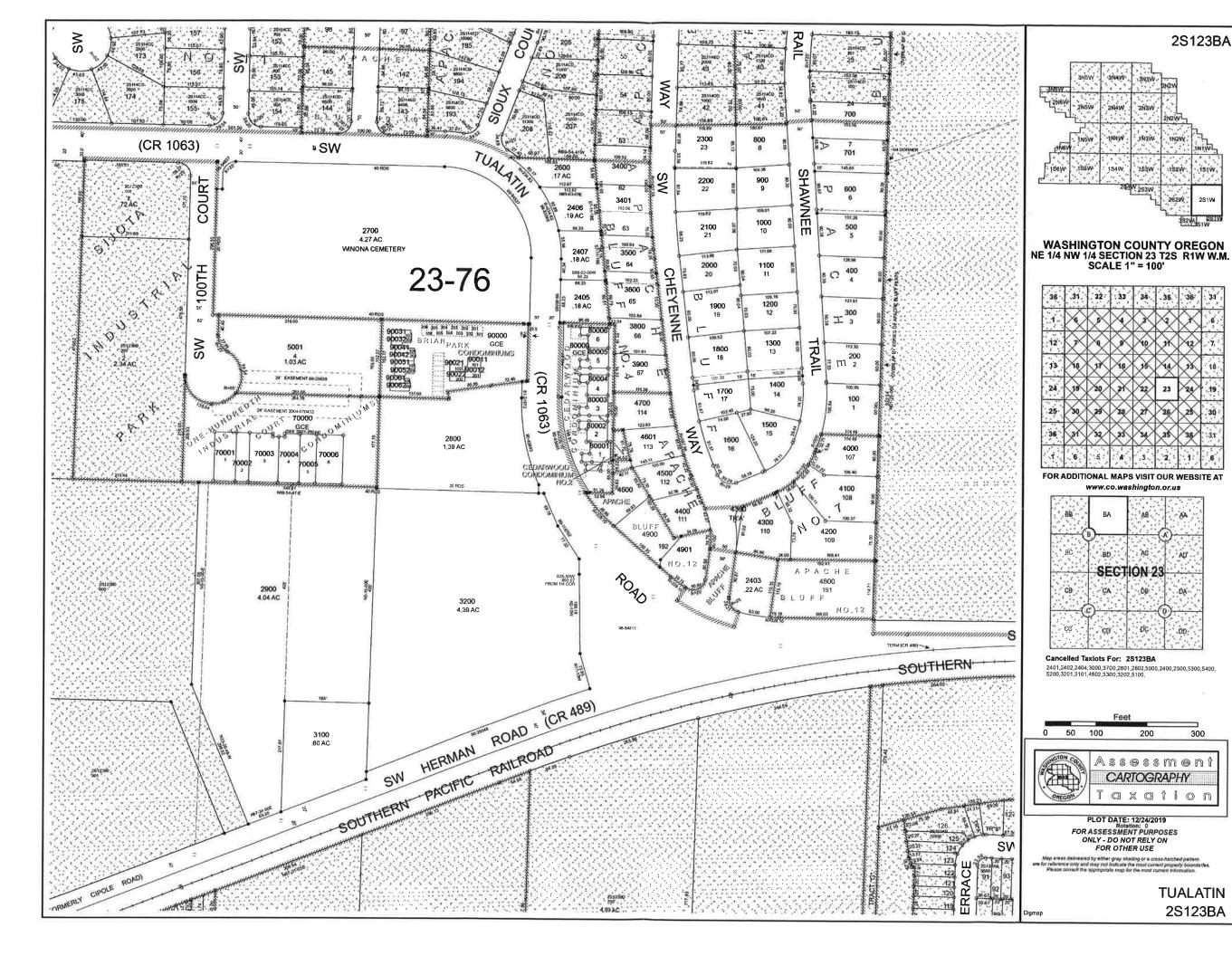
100 200 400 Assessment CARTOGRAPHY Taxation

Feet

PLOT DATE: 12/23/2019
Rotation: 0
FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched patiern for reference only end may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

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Hydraulic Modeling Fee

Water supply modeling is necessary for larger projects to determine the impact of the project's water demand on the water supply system. Water supply modeling will be performed by a consulting engineer based on the most recent version of the Tualatin Water System Master Plan.

Due to possible impacts to the water supply system, the following projects in Tualatin require hydraulic modeling based on the size and type of the project and projected water use for the finished project. The outcome of modeling could require offsite improvements to the water supply system in order to ensure that adequate water supply is available to serve the project and reduce impacts to the overall system.

Hydraulic modeling of the water supply system is required for the following project type/sizes/demand:

Project Type	Criteria	Permit Fee
Commercial or Industrial	Building floor area greater than 48,300 square feet	
Building	<u>or</u>	\$ 300
	Anticipated daily water demand greater than 870 gallons	per building
	per acre per day	
Residential development	More than 49 dwelling units	\$ 1,000
Multi-family development	More than 49 dwelling units	
	<u>or</u>	\$ 300
	a combined building floor area greater than 48,300	per building
	square feet	

Please complete this form and submit the form and required fee (if applicable) with your land-use application (architectural review, subdivision, etc.).

Commercial or Industrial Development	
 Building floor area131,579 square feet Anticipated water demand (if known)unknown gallons per day Described planned building use Speculative light manufacturing 	-
Residential Development	
Number of dwelling units or single family home lots	
Multi-Family Residential Development	
 Number of dwelling units Building floor area (sum of all building) Number of multi-family buildings 	
Permit fee required based on the information provided above \$	

18880 SW Martinazzi Avenue | Tualatin, Oregon 97062-7092 | 503.692.2000

hydrants will still be required to verify adequate fire flow of finished system

NOTE: Water Supply Modeling does not replace the requirement for fire hydrant flow testing. Flow testing of fire

* water flow testing - Terrance Leaky - Water Dividion Manager - 5029-691-3095.



October 27, 2020

AAI ENGINEERING 4875 SW GRIFFITH DR #300 BEAVERTON OR 97005

Re: CWS file 20-002355; 9905 & 10005 SW Herman Road (Tax map 2S123BA Tax lot 02900, 03100, Tax map 2S123B0 Tax lot 00901, 00900)

Clean Water Services has reviewed your proposal for the above referenced activity on your site. Staff has conducted a pre-screen review and requested completion of a Sensitive Areas Certification Form. Following review of submitted materials it appears that Sensitive Areas do not exist on-site or within 200' from your project. In light of this result, this document will serve as your Service Provider letter as required by Resolution and Order 19-5, Section 3.02.1, as amended by Resolution and Order 19-22. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

This concurrence letter does NOT eliminate the need to protect Sensitive Areas if they are subsequently identified on your site.

If you have any questions, please feel free to call me at (503) 681-3667.

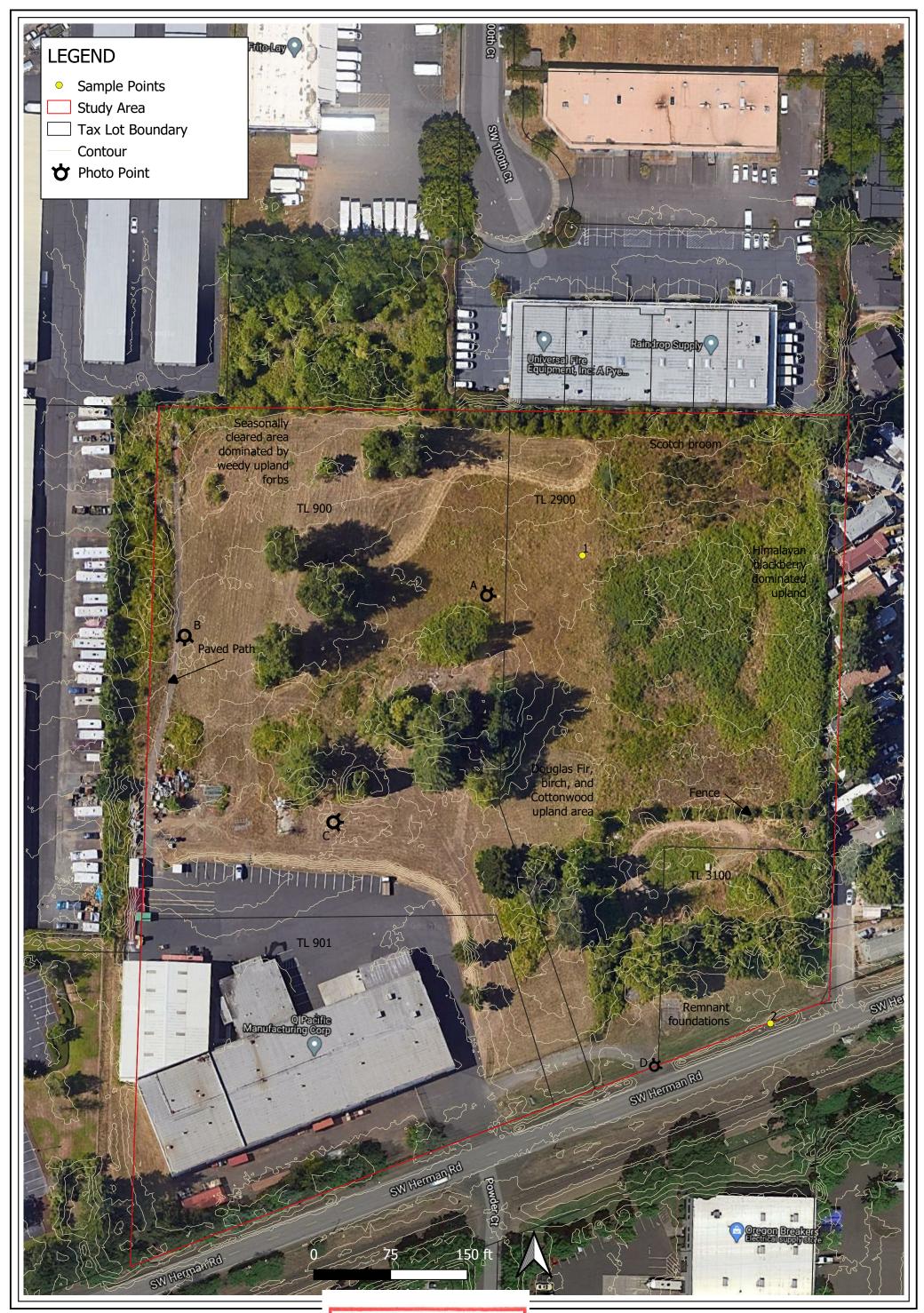
Sincerely,

Stacy Benjamin

Environmental Plan Review

Stacy Benjamin

Attachments (1)





CWS FILE NO. 20-002355

Approved
Clean Water Services
FOR ENVIRONMENTAL REVIEW
By SME Date 10/27/2020
SPL ATTACHMENT 1 OF 1

Existing Conditions

10005 SW Herman Road, Tualatin, Oregon



April 21, 2020

Curt Trolan MDG Architecture

Re: Lu Pacific Development 11325 SW Tualatin-Sherwood Rd. Tualatin, OR 97062

Dear Curt,

Thank you, for sending us the final site plans for this proposed development in Tualatin OR.

My Company: Republic Services of Clackamas and Washington Counties has the franchise agreement to service this area with the City of Tualatin. We will provide complete commercial waste removal and recycling services as needed on a weekly basis for this location

The design plans and locations of the enclosures will allow for our trucks to service the trash and recycle at this location.

Thanks Curt, for your help and concerns for our services prior to this project being developed.

Sincerely,

Kelly Herrod

Operations Supervisor

Republic Services Inc.

CERTIFICATION OF SIGN POSTING



ARCHITECTURAL REVIEW AR-[YY]-_

For more information call 503-691-3026 or visit www.tualatinoregon.gov

The applicant must provide and post a sign pursuant to Tualatin Development Code (TDC 32.150). The block around the word "NOTICE" must remain yellow composed of the RGB color values Red 255, Green 255, and Blue 0. A template is available at:

For larger projects, the Community Development Department may require the posting of

https://www.tualatinoregon.gov/planning/land-use-application-sign-templates

As the applicant for the Herman Pd. Industrial I hereby certify that on this day, 6/1/2020 sign(s) was/were posted on the subjection accordance with the requirements of the Tualatin Development Code and the Community Development	
Applicant's Name: Beth Zauner (Please Print)	nent bivision

NOTE:

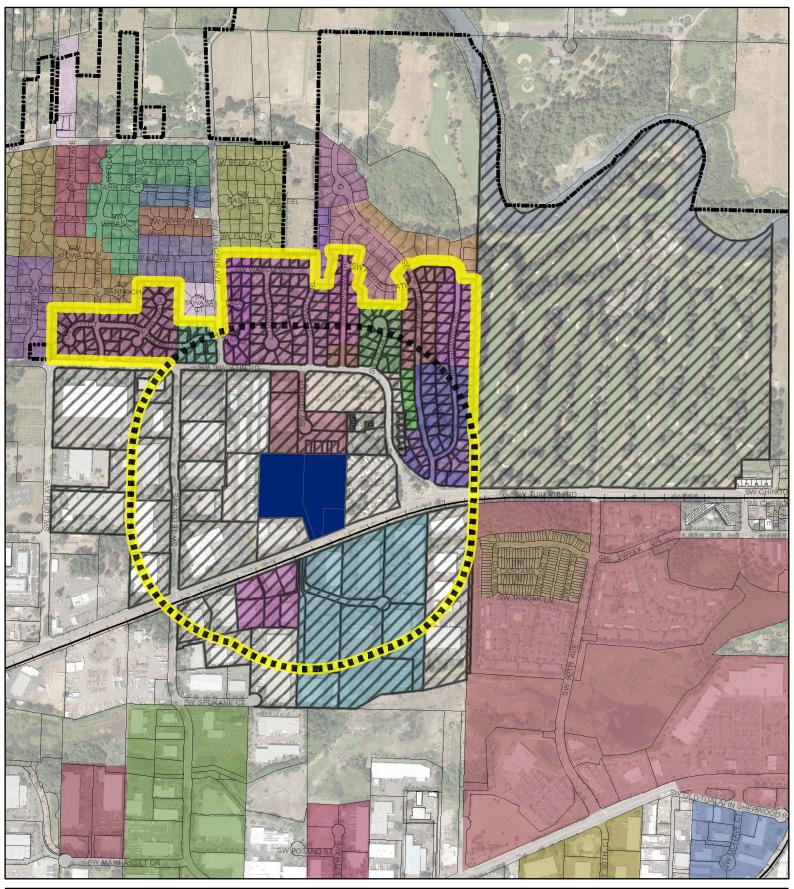
Applicant's Signature: __

additional signs in conspicuous locations.

AFFIDAVIT OF MAILING NOTICE















NOTICE OF NEIGHBOR/DEVELOPER MEETING

5/30/2020

AAI Engineering 4875 SW Griffith Drive #300 Beaverton, OR 97005

RE: Lu Pacific Development Neighborhood/Developer Meeting

Dear Property Owner:

You are cordially invited to attend an online meeting on Monday, June 15th, 2020 at 6:00 PM. This meeting shall be held to discuss a proposed project located on the north side of SW Herman Road, east of SW Teton Ave. The proposal is to construct two new buildings for commercial industrial use, along with associated landscape and hardscape.

Due to Covid-19, this will be a free, online meeting.

Please join the meeting from a computer, tablet or smartphone. https://global.gotomeeting.com/join/351276765

You can also dial in using your phone. United States: +1 (408) 650-3123

Access Code: 351-276-765

This is an informational meeting to share the development proposal with interested neighbors. You will have the opportunity to review preliminary plans and identify topics of interest or consideration. Feel free to contact me with any questions or commentary.

Regards,

Beth Zauner AAI Engineering, Inc. (503)-620-3030; Bethz@AAIeng.com

CC: LSanford@tualatin.gov; Tualatin Community Development Department

Herman Road Industrial Neighborhood - Go To Meeting Meeting Minutes and Sign in sheet. 6/15/2020 - 6:00pm

Attendees:

Curt Trolan - MDG
Beth Zauner - AAI
Peter Lu - Lu PAcific
Angela Qi - Lu Pacific
Rhys Conrad - Realtor
Thomas In - neighbor
Debbie Shaw - neighbor
Erin Engman - City of Tualatin

- Curt presented site plan and building elevations.
- Beth clarified uses allowed by code/zone.
- Rhys further clarified uses proposed. Noted primary use anticipated uses of Industrial business warehouse and distribution.
- Debbie Shaw concerned about noise. Curt explained doors not facing residential uses. She also inquired about potential tenants, which are yet to be determined.
- Thomas In asked about potential users. Rhys further clarified tenant would be reflective of surrounding users, but that no tenants lined up at this point Also asked about the construction schedule. Curt and Rhys indicated that a summer construction start and an 8 month construction period is anticipated. Occupancy anticipated Spring of next year.