



Emailed: October 9, 2023

Jennifer Kimura
VLMK Engineering + Design
3933 S Kelly Ave
Portland, OR 97239
jenniferk@vlmk.com

RE: Property Line Adjustment (PLA23-0003) for adjustment of property lines at 19000 SW 124th Ave (Tax Lot: 2S127BB00100) and 12075 SW Tualatin Sherwood Rd (Tax Lot: 2S127BB00200)

Jennifer,

Thank you for submitting a Property Line Adjustment (PLA) application to the City of Tualatin Planning Division to relocate a property line between Tax Lots: 2S127BB00100 and 2S127BB00200 at 19000 SW 124th Avenue and 12075 SW Tualatin Sherwood Road. The following criteria from Tualatin Development Code 36.100(4) are applicable to the proposed Property Line Adjustment to adjust the aforementioned lots.

Findings

TDC 36.100. - Property Line Adjustments.

(4) Approval Criteria. A property line adjustment must be approved if all of the following criteria are met:

(a) The property line adjustment will not create an additional unit of land;

Finding:

The property line adjustment is between two existing lots and proposes to move the property line to the south remaining as two lots. The property line adjustment will not create an additional unit of land. This standard is met.

(b) The property line adjustment will not create nonconforming units of land or nonconforming development, or increase the degree of nonconformity in existing units of land or existing development;

Finding:

The property line adjustment will not create nonconforming units of land. The General Manufacturing (MG) Planning District requires the minimum lot size to be 20,000 square feet and a minimum lot width of 100 feet. The proposed lots will exceed the minimum requirements. There are no existing developments on either site at this time. The proposed development at 19000 SW 124th Avenue will be reviewed for compliance with all applicable development standards of the General Manufacturing (MG) Zone under a separate Architectural Review. This standard is met.

(c) The property line adjustment involves only units of land that were lawfully established, where the instruments creating the units of land have been properly recorded;

Finding:

The applicant has provided statutory warrant deeds (Exhibit B) which describe and illustrate the current property lines and easements for the subject properties. Both documents are signed and recorded by the Washington County Clerk's Office and illustrate lawfully established units of land based on the material submitted by the applicant. This standard is met.

(d) The property line adjustment is not prohibited by any existing City land use approval, or previous condition of approval, affecting one or both of the units of land;

Finding:

There are no previous land use approvals or conditions of approval affecting either lot. This standard is met.

(e) The property line adjustment does not involve the relocation or elimination of any public easement or right-of-way; and

Finding:

No relocation or elimination of any public easement or right-of-way is proposed. The applicant will be required to record all public easements or rights-of-way. With Condition of Approval A1, this standard is met.

(f) The property line adjustment does not adversely impact the availability or access to public and private utilities or streets.

Finding:

The property line adjustment will not adversely impact the availability or access to public and private utilities or streets. This standard is met.

Decision

Pursuant to Tualatin Development Code (TDC), the City of Tualatin Planning Division approves the proposal as described, illustrated, and sited by the application materials with the following conditions:

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY AND/OR CERTIFICATE OF COMPLETION:

- A1. Finalization of the property line adjustment approval including evidence demonstrating that the property line adjustment deed and all public easements described has been recorded the appropriate county must be provided to the City Manager after recording.

EXPIRATION OF APPROVAL:

- A2. This approval expires two years from the effective date of October 9, 2023, unless the property line adjustment has been finalized as described in Condition A1.

Attachments:

Exhibit A: Site Plan

Exhibit B: Statutory Warranty Deeds

Please contact me with any questions at 503.691.3027 or mnelson@tualatin.gov.

Thank you,

A handwritten signature in blue ink that reads "Madeleine Nelson".

Madeleine Nelson

Assistant Planner

cc: Steve Koper, AICP, Assistant Community Development Director
Mike McCarthy, City Engineer
Tony Doran, Engineering Associate
Lindsey Hagerman, Office Coordinator

File: PLA23-0003

SCALE: 1" = 200'
SEPT 28, 2023



Exhibit "C"

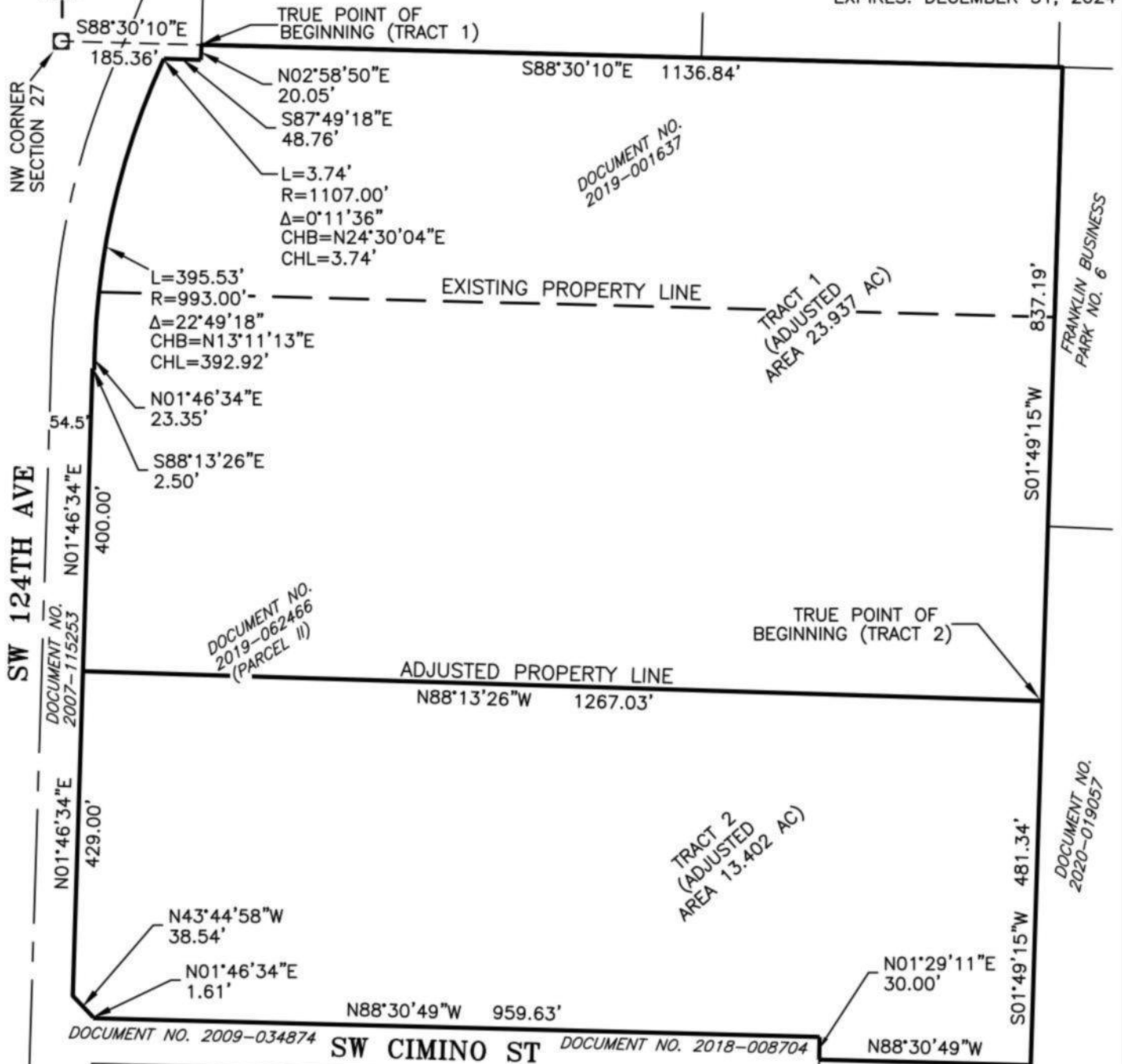
SW 124 AVE

IN THE NW 1/4 OF SECTION 27
T.2S., R.1W., WILLAMETTE MERIDIAN
CITY OF TUALATIN
WASHINGTON COUNTY, OREGON

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ANTHONY B. RYAN
58833

EXPIRES: DECEMBER 31, 2024



6950 SW HAMPTON ST., STE. 170, TIGARD, OR 97223
PH: (503) 941-9585 FAX: (503) 941-9640
www.weddlesurveying.com

JOB NO. 6161

WFG Title 18-230918 COMM

File No.: 18-230918

Grantor
Franklin Business Park LLC
Grantee
Tualatin 124, LLC
After recording return to
Tualatin 124, LLC, an Oregon limited liability company 9760 SW Freeman Drive Wilsonville, OR 97070
Until requested, all tax statements shall be sent to
Tualatin 124, LLC, an Oregon limited liability company 9760 SW Freeman Drive Wilsonville, OR 97070
Tax Acct No(s): 2S127BB-00100, R546653

Washington County, Oregon **2018-084483**
D-DW
 Stn=7 C LOUCKS **12/18/2018 08:43:16 AM**
 \$20.00 \$11.00 \$5.00 \$60.00 \$1,450.00 **\$1,546.00**

I, Richard Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Richard Hobernicht, Director of
Assessment and Taxation, Ex-Officio

Reserved for Recorder's Use

STATUTORY WARRANTY DEED

Franklin Business Park LLC, an Oregon limited liability company, Grantor(s) convey and warrant to Tualatin 124, LLC, an Oregon limited liability company, Grantee(s), the real property described in the attached Exhibit A, subject only to those liens and encumbrances set forth on the attached Exhibit B.

The true consideration for this conveyance is **\$1,450,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

WFG Title 18-230918 COMM

File No.: 18-230918

Grantor
Franklin Business Park LLC
Grantee
Tualatin 124, LLC
After recording return to
Tualatin 124, LLC, an Oregon limited liability company 9760 SW Freeman Drive Wilsonville, OR 97070
Until requested, all tax statements shall be sent to
Tualatin 124, LLC, an Oregon limited liability company 9760 SW Freeman Drive Wilsonville, OR 97070
Tax Acct No(s): 2S127BB-00100, R546653

Reserved for Recorder's Use

STATUTORY WARRANTY DEED

Franklin Business Park LLC, an Oregon limited liability company, Grantor(s) convey and warrant to Tualatin 124, LLC, an Oregon limited liability company, Grantee(s), the real property described in the attached Exhibit A, subject only to those liens and encumbrances set forth on the attached Exhibit B.

The true consideration for this conveyance is **\$1,450,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Executed this 14 day of December, 2018

Franklin Business Park LLC, an Oregon limited liability company

By: Marlborough Enterprises, Inc., an Oregon Corporation
Its: Manager

By Amy Drake Reeves
Name: Amy Drake Reeves
Its: President

By Matthew B. Drake
Name: Matthew B. Drake
Its: Vice President and Secretary

STATE OF OREGON
COUNTY OF MULTNOMAH

This instrument was acknowledged before me this 14 day of December, 2018 by Amy Drake Reeves as President and Matthew B. Drake as Vice President and Secretary, of Marlborough Enterprises, Inc., an Oregon Corporation, Manager of Franklin Business Park LLC, an Oregon limited liability company, on behalf of the limited liability company .

Trevor Garrett Cheyne
Print Name Trevor Garrett Cheyne
Notary Public for Oregon
My Commission Expires: 10/15/21

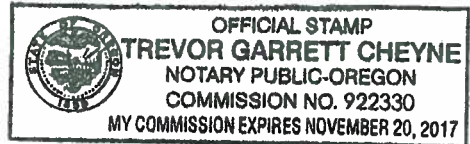


EXHIBIT "A"
LEGAL DESCRIPTION

A portion of Section 27, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Tualatin, County of Washington and State of Oregon, described as follows:

Beginning at the Northwest corner of Section 27, Township 2 South, Range 1 West of the Willamette Meridian, and running thence East along the North line of said section 80.0 rods; thence South, parallel with the West line of said section, 20.0 rods; thence West 80.0 rods to said West line; thence North 20.0 rods to the place of beginning.

EXCEPTING THEREFROM the West 20.00 feet and the West 185.0 feet of the North 20.0 feet thereof.

FURTHER EXCEPTING THEREFROM that portion described in Deed of Dedication granted to the City of Tualatin for use of public as public way for street, road, right-of-way and public utility purposes by Deed recorded April 10, 2008, Recording No. 2018-032336.

EXHIBIT "B"
Exceptions

1. Easement, including the terms and provisions thereof:
 - For : Slope and public utility
 - Granted to : the City of Tualatin
 - Recorded : April 1, 2008
 - Recording No(s) : 2008-032337
 - Affects : the Westerly 12 feet abutting SW 124th Avenue

RECORDING REQUESTED BY:



Fidelity National Title
Company of Oregon

900 SW 5th Avenue
Portland, OR 97204

GRANTOR'S NAME:
Edward J. Wager

GRANTEE'S NAME:
Tualatin 124, LLC, an Oregon limited liability company

AFTER RECORDING RETURN TO:
Thomas J. Garnier
Tualatin 124, LLC
9760 SW Freeman Drive
Wilsonville, OR 97070

SEND TAX STATEMENTS TO:
Tualatin 124, LLC
9760 SW Freeman Drive
Wilsonville, OR 97070

APN: R546662
R2184890
12075 SW Tualatin Sherwood Road, Tualatin, OR 97062

Washington County, Oregon	2019-062466
D-DW	09/13/2019 09:45:12 AM
Stn=16 M LOPEZ	
\$20.00 \$11.00 \$5.00 \$60.00 \$1,525.00	\$1,621.00

I, Richard Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Edward J. Wager, Grantor, conveys and warrants to **Tualatin 124, LLC, an Oregon limited liability company**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Washington, State of Oregon:

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

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE MILLION FIVE HUNDRED TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (**\$1,525,000.00**). (See ORS 93.030).

Subject to:

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

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: September 13, 2019

Edward J. Wager
Edward J. Wager

State of Oregon

County of CLACKAMAS

This instrument was acknowledged before me on September 13, 2019 by Edward J. Wager.

[Signature]
Notary Public - State of Oregon

My Commission Expires: 10-27-2019



Fidelity National Title of Oregon

EXHIBIT "A"
Legal Description

PARCEL I:

A parcel of land in the Northwest quarter of Section 27, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Tualatin, Washington County, Oregon, described as follows:

Beginning at a point which is North 537.24 feet and North 82° 04' East 803.1 feet and North 85° 20' East 278.78 feet from the quarter section corner between Sections 27 and 28, Township 2 South, Range 1 West of the Willamette Meridian, from said beginning point; thence running North 0° 17' East 649.44 feet to a point; thence North 89° 52' East 238.2 feet to a point; thence South 0° 03' East 627 feet to a point; thence South 85° 20' West 238.92 feet to the place of beginning.

ALSO: A parcel of land in the Northwest quarter of Section 27, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Tualatin, Washington County, Oregon, described as follows:

Beginning at the Northeast corner of 17.53 acre tract of land belonging to Grace H. Robinson located in the Southwest one-quarter of the Northwest one-quarter of Section 27, Township 2 South, Range 1 West of the Willamette Meridian; thence running West along the North line of said tract 36 feet; thence South parallel with the East line of said tract 600 feet to the County Road; thence East along the County Road 36 feet to the Southeast corner of said tract; thence North along the East line of said tract 600 feet to the point of beginning.

EXCEPTING THEREFROM that portion thereof conveyed to Joseph L. Itel and others by deed recorded October 26, 1973 in Book 950, Page 861, described as follows:

Beginning at the Southeast corner of that certain tract of land recorded in Book 750, Page 279, said Deed Records, conveying one-half interest to Earl J. Itel, which point is in the center of S.W. Tualatin-Sherwood Road (County Road No. 492) and which bears South 2065.56 feet and East 1061.58 feet from the Northwest corner of said Section 27; thence running along the line common to Itel and Wager tracts, North 00° 27' East 301.79 feet to a point; thence South 89° 33' East 20.00 feet to a point; thence parallel with said common line, South 0° 27' West 300.00 feet to a point in the center line of said S.W. Tualatin-Sherwood Road; thence in the center thereof, South 85° 20' West 20.08 feet to the point of beginning.

FURTHER EXCEPTING THEREFROM that portion described as Parcel I (Take - Dedication of right-of-Way) in Dedication Deed to Washington County, for public road purposes, recorded April 4, 1990, Recorder's No. 90-16553.

PARCEL II:

A parcel of land in Section 27, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Tualatin, Washington County, Oregon, described as follows:

Commencing at an iron bar at the corner of Sections 21, 22, 27 and 28, Township 2 South, Range 1 West, of the Willamette Meridian; thence South 0° 27' West along the West line of said Section 27, 231.14 feet to the point of beginning of the tract of land to be described, and from said beginning point; thence running South 89° 58-1/2' East 1344.18 feet to a point; thence South 1° 35-1/2' West 595.87 feet to a point; thence North 89° 55' West 1328.63 feet to a point; thence North 0° 27' East 594.36 feet to the place of beginning.

ALSO the South 15 acres of the Northwest quarter of the Northwest quarter of Section 27 in Township 2 South, Range 1 West of the Willamette Meridian, more particularly described as:

Beginning at the Southwest corner of said Northwest quarter of the Northwest quarter of Section 27; thence North along the West line of said Section 27 a distance of 30 rods to a point; thence East on a line parallel with the South line of said Northwest quarter of the Northwest quarter of said Section 27 a distance of 80 rods to the East line of said Northwest quarter of the Northwest quarter of Section 27; thence South along the East line of said subdivision 30 rods to the Southeast corner thereof; thence West along the South line of said subdivision 80 rods to the place of beginning.

EXCEPTING THEREFROM a certain tract of land conveyed by D.V. Jennings and Margaret Jennings, his wife, to Grace H. Robinson by deed recorded March 28, 1918 in Book 109 on Page 556, records of deed of Washington County, Oregon.

FURTHER EXCEPTING THEREFROM that portion described in Dedication Deed to the City of Tualatin, for the use of the public as a public way, for street, road, right-of-way and public utility purposes, recorded November 1, 2007, as Document No. 2007-115253, Records of the County of Washington and State of Oregon.

FURTHER EXCEPTING THEREFROM that portion described in Dedication Deed to the City of Tualatin, for the use of the public as a water quality and detention facility, recorded April 23, 2009, as Document No. 2009-034873, Records of the County of Washington and State of Oregon.

FURTHER EXCEPTING THEREFROM that portion described in Dedication Deed to the City of Tualatin, for the use of the public as a public way, for street, road, right-of-way and public utility purposes, recorded April 23, 2009, as Document No. 2009-034874, Records of the County of Washington and State of Oregon.

EXHIBIT "A"
Legal Description

FURTHER EXCEPTING THEREFROM that portion described in Dedication Deed to the City of Tualatin, a perpetual right-of-way for street, road, public utility, and pedestrian purposes, recorded February 5, 2018, as Document No. 2018-008704, Records of the County of Washington and State of Oregon.

EXHIBIT "B"
Exceptions

Subject to:

1. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2019-2020.
2. Omitted taxes, if any, as no improvements are assessed. No liability is assumed for later additions to the tax roll.

Account No.: M931576 / Manufactured Structure
Affectst: Parcel I
3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Washington County
Purpose: Drainage and slopes
Recording Date: April 4, 1990
Recording No: 90-16553
Affects: Parcel I, reference is hereby made to said document for full particulars
4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Tualatin
Purpose: Sanitary sewer
Recording Date: November 22, 1991
Recording No: 91-065142
Affects: Parcel II, reference is hereby made to said document for full particulars
5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Tualatin
Purpose: Storm drainage
Recording Date: November 22, 1991
Recording No: 91-065143
Affects: Parcel II, reference is hereby made to said document for full particulars
6. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Tualatin
Purpose: Slopes
Recording Date: November 22, 1991
Recording No: 91-065144
Affects: Parcel II, reference is hereby made to said document for full particulars
7. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Tualatin
Purpose: Slopes and utilities
Recording Date: November 1, 2007
Recording No: 2007-115254
Affects: Parcel II, reference is hereby made to said document for full particulars
8. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Tualatin
Purpose: Water quality and mitigation
Recording Date: November 1, 2007
Recording No: 2007-115255
Affects: Parcel II, reference is hereby made to said document for full particulars
9. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Tualatin
Purpose: Access
Recording Date: April 23, 2009
Recording No: 2009-034875
Affects: Parcel II, reference is hereby made to said document for full particulars
10. Fence encroachment agreement, including the terms and provisions thereof

Recording Date: June 30, 2009
Recording No.: 2009-059448
11. Rights of tenants, as tenants only, in unrecorded leaseholds.