

# CLACKAMAS INDUSTRIAL AREA DEVELOPMENT PLAN

AS AMENDED: SEPTEMBER 27, 2007

PART ONE - TEXT

PART TWO - EXHIBITS

**PREPARED BY:**

**CLACKAMAS COUNTY**

**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

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July 26, 1984

Amendments

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## **SECTION 100 - INTRODUCTION**

This Urban Renewal Plan, called the Clackamas Industrial Area Development Plan, was prepared pursuant to Chapter 457 of the Oregon Revised Statutes (ORS 457), and other applicable local, state and federal laws and ordinances. It consists of Part One - Text, and Part Two - Exhibits, and is accompanied by a Report on the Plan as per ORS 457.085. This Plan has been prepared by the Clackamas County Development Agency, the urban renewal agency for the County, made up of the elected Commissioners of Clackamas County, Oregon.

The Development Plan is based upon recommendations contained in the "Clackamas Area Improvement and Design Plan", and extensive review and consideration by the County Economic Development Commission, and is consistent with the County's Comprehensive Plan. The project proposals were developed through the joint efforts of the Economic Development Commission, property owners, transportation planning agencies, other public service providers, and County officials, and are in accord with sound planning principles and objectives.

ORS 457.085 requires that an urban renewal plan shall:

- Describe each urban renewal project to be undertaken;
- Provide an outline for the development, redevelopment, improvements, land acquisition, demolition and removal of structures, clearance, rehabilitation or conservation of urban renewal areas in the plan;
- Contain a map and legal description of the urban renewal areas of the plan;
- Explain its relationship to definite local objectives regarding appropriate land uses and improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements;
- Indicate proposed land uses, maximum densities and building requirements for each urban renewal area.

## **SECTION 200 - DEFINITIONS**

The following definitions will govern this plan and the report accompanying the plan unless the context requires otherwise:

"Agency" means the Clackamas County Development Agency which, in accordance with ORS 457, is the Urban Renewal Agency of the County of Clackamas, Oregon. The three elected County Commissioners constitute the governing board of the agency.

"Agency Administrator" means the staff person appointed by the Clackamas County Development Agency to administer the Agency.

"Blighted Areas" means areas which, by reason of deterioration, faulty planning, inadequate or improper facilities, deleterious land use or the existence of unsafe structures, or any combination of these factors, are detrimental to the safety, health or welfare of the community. A blighted area is characterized by the existence of one or more of the following conditions:

1. The existence of buildings and structures, used or intended to be used for living, commercial, industrial or other purposes, or any combination of those uses, which are unfit or unsafe to occupy for those purposes because of any one or a combination of the following conditions:
  - a. Defective design and quality of physical construction;
  - b. Faulty interior arrangement and exterior spacing;
  - c. Overcrowding and high density of population;
  - d. Inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities; or
  - e. Obsolescence, deterioration, dilapidation, mixed character or shifting of uses.
2. An economic dislocation, deterioration or disuse of property resulting from faulty planning;
3. The division or subdivision and sale of property or lots of irregular form and shape and inadequate size or dimensions for proper usefulness and development;
4. The layout of property or lots in disregard of contours, drainage and other physical characteristics of the terrain and surrounding conditions;
5. The existence of inadequate streets and other rights-of-way, open spaces and utilities;
6. The existence of property or lots or other areas which are subject to inundation by water;
7. A prevalence of depreciated values, impaired investments and social and economic maladjustments to such an extent that the capacity to pay taxes is reduced and tax receipts are inadequate for the cost of public services rendered;
8. A growing or total lack of proper utilization of areas, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to the public health, safety and welfare; or
9. A loss of population and reduction of proper utilization of the area, resulting in its further deterioration and added costs to the taxpayer for the creation of new public facilities and services elsewhere.

"Board of County Commissioners" means the 3 member elected governing board of the County of Clackamas, Oregon.

"County" means the County of Clackamas, State of Oregon.

"Development Agency" means the Clackamas County Development Agency.

"Development District" or "District" means the Clackamas Industrial Area Development District, as described in Part Two, Exhibit 1.

"Exhibit" means an attachment, either narrative or graphic, to this Urban Renewal Plan for the Clackamas Industrial Area Development District, Part II - Exhibits.

"ORS" means Oregon Revised Statutes (State law).

"Park District" means the North Clackamas Regional Parks and Recreation District authorized in the November 6, 1990 general election.

"Plan, Renewal Plan, Urban Renewal Plan" means the Development Plan, parts one and two for the Clackamas Industrial Area Development District, Clackamas County.

"Project" means any undertaking or activity within the Clackamas Industrial Area Development District, such as a road improvement, storm drainage plan or other improvement which is authorized and for which implementing provisions are set forth in the Development Plan.

"Report on the Plan" means the report which explains existing conditions and project proposals, and accompanies this plan.

"State" means the State of Oregon and its various agencies, including the Oregon Department of Transportation (ODOT).

"Tax Increment Financing" means a method of financing urban renewal projects as authorized by ORS Chapter 457, which uses the tax revenues generated by the increased taxable values in a defined area to pay for improvements within that area.

"Text" means Part One of this Development Plan for the Clackamas Industrial Area Development District.

"Urban Renewal Law" means Oregon Revised Statutes, Chapter 457 (ORS 457), the State Urban Renewal Law. This Development Plan was prepared to meet all the requirements of the State Urban Renewal Law.

### **SECTION 300 - BOUNDARY OF THE DEVELOPMENT DISTRICT**

The Clackamas Industrial Area Development District's boundary includes approximately 1,227 acres of primarily industrial land in unincorporated Clackamas County. The District extends from the intersection of SE Harmony and SE Linwood Roads north of the Milwaukie Expressway to SE 172<sup>nd</sup> Avenue along Highway 212/224. SE 172<sup>nd</sup> Avenue forms the eastern

boundary of the District. It is bounded on the north by the Clackamas Town Center Development District in the vicinity of SE 82nd Avenue and I-205. The bluff north of Highway 212/224 also forms much of the northern boundary except on SE 172<sup>nd</sup> Avenue, where the northern boundary is the Multnomah County/Clackamas County line. The southern boundary is generally Highway 212/224, but a portion of the District extends south along SE 135<sup>th</sup> Avenue, and includes the former Clackamas Sand and Gravel property and adjacent sites bordering the Clackamas River.

The boundary of the Development District is shown on Exhibit 1 of this Plan. The narrative of the legal boundary description is included as Exhibit 2.

## **SECTION 400 - NECESSITY, PURPOSE, GOALS & OBJECTIVES**

### **405 Necessity**

The Clackamas Industrial Area Development District is a blighted area. It is experiencing economic dislocation and disuse of property due to inadequate public facilities, streets and roads, and flooding due to inadequate storm drainage. This affects the area's ability to provide the employment opportunities needed by the community and to carry a fair, self-supporting share of the tax burden.

The "Report on the Plan" identifies and describes deficiencies and conditions in the district and the adverse effect this has on its developability. Because of the costliness of the problems, and the fact that the causes of the problems stem from a broader area than the CIA District itself, there is no indication that these blighting conditions will be solved without a major public intervention.

### **410 Purpose**

The overall purpose of the Clackamas Industrial Area Development Plan is to eliminate blight in the area and thereby increase the desirability of the area for further industrial development. The development plan meets the objectives expressed in the *County's Comprehensive Plan* adopted in 1980, and the *Clackamas Area Improvement & Design Plan*, adopted subsequently as an amendment to the Comprehensive Plan.

The traffic congestion and storm drainage problems of the area have long been recognized, and several attempts have been made to resolve them. In 1981 after a serious spring flood of Mt. Scott Creek, several affected property owners funded a study in cooperation with the County to determine the feasibility of controlling flooding. It was found that such measures would be extremely costly. The additional roads needed to resolve congested access problems would also be costly.

Funding for the area's needed improvements is not available through traditional sources. Federal and State funding have been acquired to partially fund the most significant circulation problems, but additional local funding is needed to provide a minimal

system. Several alternative ways to provide local funding for these projects have been explored and rejected. Improvements are too extensive to be economically paid for by assessments against property in a local improvement district (LID). Many of the problems (traffic, storm drainage) also originate from outside the area, and their resolution would provide benefits to the broader community rather than specific properties. The County Road Fund, another logical source of revenue, is dedicated primarily to maintenance and cannot fund new improvements. There is no traditional local source, other than LIDs, to fund storm drainage facilities. A County service district was proposed to provide and maintain road and drainage facilities in the area, but failed when residents voted against it. It appears that an urban renewal program is the only local funding source available for these projects.

This development plan authorizes the County to fund needed improvements through tax increment financing, allowing taxes from new growth to be allocated to pay for them.

#### **415 Goals & Objectives**

The Clackamas County Comprehensive Plan identifies important elements, goals and policies with regard to the Clackamas Industrial Area and its special problems. *The Clackamas Area Improvement and Design Plan* reiterated these concerns in its stated objectives:

- Ensure that the Clackamas Industrial Area becomes a vital, intensive employment center for the County's workers.
- Ensure that the Clackamas Activity Center becomes an attractive commercial and residential service center for the surrounding area.
- Plan and provide basic public facilities needed to accommodate planned development.

The Clackamas Industrial Area Development Plan is not intended to fully implement all the projects outlined in the Improvement and Design Plan, but rather, to provide a minimum level of improvements:

- Road linkages to improve internal circulation, reduce the burden on already congested major arterials, and improve access to the freeway.
- Storm drainage facilities to reduce flooding and make more land area developable.
- Centralization of fire fighting facilities.
- Other improvements to alleviate the image of blight.

## **SECTION 500 - LAND USE PLAN AND ZONING**

The use and development of all land in the Development District shall be in accord with the regulations prescribed in the County's Comprehensive Plan, Zoning and Development Ordinance, and any other applicable local, state, or federal laws regulating the use of property in the Development District as they presently exist or as they may be changed from time to time.

That portion of the Clackamas County Comprehensive Plan Land Use Map within the boundaries of the Development District, Exhibit 3, shows the type and location of principal land uses included in the District.

## **SECTION 600 - PROJECT ACTIVITIES**

All projects called for in the Clackamas Area Improvement and Design Plan, County Comprehensive Plan, and County Economic Development Plan, have been reexamined and the most critical have been included in the Clackamas Industrial Area Development Plan for implementation by the Development Agency.

The following is a narrative description of projects to be fully or partially funded, acquired, designed and/or constructed using tax increment revenue from the Clackamas Industrial Area Development District. Final design, engineering, scheduling, budgeting, relocation plans if needed, and implementation shall be the responsibility of the Clackamas County Development Agency, subject to the limitations of Section 800 of this Plan. The Report on the Plan discusses the expected schedule and budget for projects.

### **605 Transportation Projects**

The following transportation projects needed to alleviate blighting congestion in the Clackamas Industrial Area may be undertaken under this plan:

1. Evelyn Street Railroad Crossing

Evelyn Street, designated an industrial collector, must be extended over the Southern Pacific railroad tracks to connect with 82nd Drive. This will open up direct access to the Gladstone interchange on I-205, thus significantly reducing congestion on Highway 212. (This project was completed in 1995).

2. 82nd Drive Improvement

82nd Drive must be improved from Highway 212 south to the Gladstone interchange in order to accommodate the expected travel load. Portions of the project have been completed in the development process; the remaining portion will be completed as a project under this Plan. (This project was completed in 1995).



3. Jennifer Extension and 135th

Extension of Jennifer Street to 135th and improvement of 135th to industrial collector standards will complete the industrial collector system south of Highway 212.

4. Mather to Lawnfield Connection

Development of an industrial collector route north of Highway 212, connecting the 82nd Avenue interchange to I-205 will also substantially reduce congestion on Highway 212 and improve traffic flow and accessibility for area businesses. The Mather to Lawnfield connection is a missing link in the existing system.

5. Road Improvements, 122nd and 130th

Improve 122nd and 130th to County industrial standards in order to accommodate circulation patterns necessary for the Sunrise Corridor. Improvements to 122<sup>nd</sup> are planned to include a signalized intersection at Highway 212 and northward extension of the road to allow access to industrial property.

6. 102nd Avenue Access Improvements

Improve 102nd to handle a greater volume of traffic resulting from Sunrise Corridor construction. Improvements to industrial standards may include roadbed reconstruction, widening, curbs and gutters, ensuring the roads' turning radii are sufficient to accommodate trucks, and planting street trees. Right-of-way acquisition may be necessary.

7. Lawnfield Road and Railroad Improvements

Widen and realign Lawnfield Road to accommodate future traffic volumes. Special concerns include the railroad crossing and the vertical curve adjacent to the railroad crossing. This will provide for more efficient access to the northern Industrial Area. Design must be consistent with Sunrise Corridor improvements and can be determined after corridor design has been established. Right-of-way acquisition may be necessary.

8. Sunrise Corridor Improvements

Participate in the design, environmental analysis, construction of, and acquire right of way for, the Sunrise Corridor Improvements Project consisting of the portion of the Sunrise Corridor within the Clackamas Industrial Area urban renewal boundary. As it currently exists the Sunrise Corridor consists of Highway 212/224 between I-205 and US 26. This corridor is a major travel

route throughout southeast Portland and the rural area east of Portland. It is used for access to industrial lands within the Area, local commuting, local commerce, and inter-regional travel. In addition, the Sunrise Corridor is one of the two primary links to US 26, connecting the Portland metropolitan area to Mt. Hood and central Oregon.

The Corridor is approaching, and in some areas exceeding, the capacity for which it was designed. The Oregon Department of Transportation (ODOT) needs to improve capacity, operation and safety of the highway, and has proposed improvements that will have the capacity to accommodate traffic volumes projected for the Year 2015.

Construction of the Sunrise Corridor Improvement Project will provide the portion of the Sunrise Corridor from Johnson Road to the OR 212/224 intersection. The proposed project includes the construction of a new interchange to link the Milwaukie Expressway, I-205, and a new alignment for the Sunrise Corridor east of I-205. The new alignment extends southeast from the I-205 interchange to the "Rock Creek Junction" of OR 212/224.

9. SE 172<sup>nd</sup> Avenue Improvements

Participate in the SE 172<sup>nd</sup> Avenue Improvement Project, consisting of SE 172<sup>nd</sup> Avenue between Highway 212 and the Clackamas County/Multnomah County line, and the western segment of Armstrong Circle.

SE 172<sup>nd</sup> Avenue is part of the Sunrise Corridor system, providing a link between Sunnyside Road and Highway 212. The SE 172<sup>nd</sup> Avenue project will provide improved access to industrial lands within the Area for local commuters, local commerce, and inter-regional travel. The project will add transportation capacity for the developing cities of Happy Valley and Damascus and also provide improved links to US 26 and the east Portland metropolitan area.

## **610 Storm Drainage**

Flooding and a high water table create major restrictions on the developability of large acreages in the Clackamas Industrial Area Development District.

1. **Mt. Scott Creek Drainage Plan**

The northwestern portion of the Development District is heavily impacted by flooding of Mt. Scott Creek. A drainage plan will be developed which provides for all area concerns.

2. **Mt. Scott Creek Drainage Plan Implementation**

Drainage improvements in the portion of Mt. Scott Creek Drainage Basin in the Clackamas Industrial Area Development District will be provided.

Acquire and make drainage improvements on a parcel (approximately 85 acres) west of 82nd Avenue and south of Harmony Road for flood detention facilities and multiple uses (including parks and recreation) as shown on Exhibit 5. Estimated acquisition date is 1991. Disposition is public use, estimated to be 1993, to the County, Parks District or other appropriate public agency.

3. Clackamas Drainage Plan and Improvements

The portion of the Development District outside the Mt. Scott Creek Drainage Basin has less severe and less complex, but still detrimental, drainage problems. These will be resolved in a Drainage Plan and Improvements funded for this area.

Property acquisition may be necessary to implement the Plan. As specific parcels are identified, they will be added to the Plan by minor amendment.

4. Compliance with Federal Standards

The Federal Clean Water Act will require treatment of storm water runoff originating from industrial uses/areas. The Development District may provide facilities or areas to assist in meeting this requirement.

**615 Community Services**

1. Improved Fire Protection

The Fire Board of Clackamas Fire District #71 has identified the need for improved fire fighting capability in the Clackamas Industrial Area. They have completed the third of four phases of construction on a new site centrally located in the Industrial Area on 130th Avenue, south of Highway 212. With the financial assistance of the Development Agency the final phase of construction can be completed more rapidly making the area more attractive to prospective new industries.

The Development Agency's role will be limited to providing a \$300,000 contribution of funds. Design of the facilities, supervision of construction, maintenance and operation will be managed by the Fire District.

**620 Redevelopment**

1. Camp Withycombe/Sunrise Corridor Relocations and Redevelopment

Relocate some or all of National Guard facilities from their present 250-acre site not displaced by the Sunrise Corridor. This will free up prime land for redevelopment and ensure more compatible land uses in the industrial area. If

the Agency acquires property for development or redevelopment purposes, property to be acquired will be identified by minor amendment to this Plan.

2. Acquisition of Blighted Property

Acquire a number of properties in the Clackamas Industrial Area which are blighted or have uses that are incompatible with the surrounding industrial area. These include fragmented areas of multiple ownership suffering from deferred maintenance, and poorly maintained sites.

When blighted and deteriorated building conditions are identified and documented on specific properties, the Clackamas County Development Agency may acquire these sites. This will eliminate their deteriorated and dilapidated condition, blighting influence on adjacent property, and negative effect on new investment and expansion in the area. To ensure redevelopment, site and infrastructure improvements may be made.

When blighted properties are to be acquired, they will be identified by minor amendments to the Plan.

Sofich Parcel: Acquisition is anticipated in 1997. The property is expected to be retained in public ownership; lease or sale to public service providers may occur.

Nordstrom Parcel: Acquisition is anticipated in 1998. The property is expected to be retained in public ownership; lease or sale to public service providers may occur.

Tax Lots 2 2E 14C 1500, 1590 and 1100 and Tax Lots 2 2 15A2300 and 2600: Acquisition is expected in FY 2000/2001. The property is expected to be retained in public ownership; lease or sale to public service providers may occur.

Tax Lot 22E15A 2690: Acquisition is expected when the property becomes available. The property is expected to be retained in public ownership; lease or sale to public service providers may occur.

3. Properties to be Acquired for Redevelopment

The portions of the following lots that are zoned I-2: Tax Lots 22E 10 900, 22E 10 1500, 22E10D 1702 and the following lots in their entirety 22E 10 990, 22E10D 1590, 22E10D 1501, 22E10D 1600 and 22E10D 1792. Portions of these lots will be dedicated as public right of way and portions will be leased or sold for redevelopment. Acquisition is anticipated in 2002 and disposition by 2005.

Clackamas Sand and Gravel Site. The following lots were originally acquired for a shared community service facility but are now anticipated to be leased or

sold for private redevelopment in 2002: Map 22E 15A, Lots: 1800, 1890, 1900, 2100, 2101, 2200, 2202, 2301, 2500 a portion of which will be retained to implement the Clackamas River Northbank Plan.

## **625 Image Improvements**

### **1. CIA Image Improvement Project**

Improve the physical image in the highly visible parts of the CIA with techniques such as landscaping, street treatments, and other efforts. On Highway 212, treatments may include construction of curbs, gutters, catch basins, storm sewers, curb cuts and driveway entrances, a street tree planting program and a street lighting system. On the Sunrise Corridor, screening or other treatments may be necessary for areas that are currently the back and/or storage areas of businesses.

The Clackamas Industrial Area suffers from a blighted image due to lack of amenities on its main thoroughfares. Areas visible from the new Sunrise Corridor and Highway 212 in particular will be treated to screen unsightly uses and achieve a more consistent character. This project will have a major impact on the overall appearance of the industrial area, creating a modern industrial park image.

### **2. CIA Entryway monuments**

Two significant entryway monuments will be constructed at the eastern and western entrances to the Clackamas Industrial Area on the Sunrise Corridor and Highway 212. These monuments will be concrete slabs or other appropriate materials, attractive in design, identifying the area. Monument sites will be lighted, well landscaped and in prominent view of passing traffic.

## **SECTION 700 - ACTIONS TO IMPLEMENT THE PLAN**

### **705 Methods of Financing Projects**

1. **Financing Methods.** The Development Agency may borrow money and accept advances, loans, grants and any other legal 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 Development Plan, or may otherwise obtain financing as authorized by ORS Chapter 457.

The funds obtained by the Development Agency shall be used to pay or repay any costs, expenses, advancements and indebtedness incurred by the County or Agency in planning or undertaking the Plan or in otherwise exercising any of the powers granted by ORS Chapter 457.

The maximum amount of indebtedness to be issued or incurred under this plan beyond December 6, 1996 shall not exceed \$44,819,300.00.

2. Self Liquidation of Costs of Projects. The projects may be financed, in whole or in part, by self-liquidation of the costs of the projects as provided in ORS 457.420 through 457.450. The ad valorem taxes, if any levied by a taxing body upon the taxable real and personal property situated in the Development District shall be divided as provided in ORS 457.440. That portion of the taxes representing the levy against the increase, if any, in the assessed value of property located in the Development District, or part thereof, over the assessed value specified in the certificate or amendment to the certificate filed under ORS 457.450, shall, after collection by the tax collector, be paid into a special fund of the Clackamas County Development Agency and shall be used to pay the principal and interest on any indebtedness incurred by the Development Agency Board to finance or refinance this Development Plan.
3. Prior Indebtedness. Any indebtedness permitted by law and incurred by the Development Agency or the County in connection with preplanning for this Development Plan shall be repaid from agency proceeds from the Development District when and if such funds are available.

## **710 Property Acquisition**

1. Intent. It is the intent of this Plan to authorize the Clackamas County Development Agency to acquire property by gift, device, purchase, lease, eminent domain, or any other legal means to carry out the project activities identified in Section 600, and specifically for any of the purposes listed in Subsection 710(2) below.
2. Real Property to be Acquired. Real property may be acquired where it is determined that the property is needed to provide public improvements and facilities as follows:
  - a. Such properties as may be needed for right-of-way for road or pathway improvements described in Section 600 of the Plan.
  - b. Such properties and easements as may be needed to provide storm drainage, detention ponds, creek realignments, culverts, sewers and other facilities.
  - c. Such properties as may be needed to complete any contingency projects described in Section 620 of the Plan.
3. Automatic Inclusion of Site Maps in Plan. When final site selection, engineering and design is incomplete for each project, and approved by formal resolution of the Development Agency, a map showing such project location(s) shall be automatically included in this Plan.

4. Land Acquisition Requiring Urban Renewal Plan Amendments. Land acquisition for any purpose other than those specifically listed in 710(2) above shall be accomplished only by following procedures for amending this plan as set forth in Section 900 of this Plan.

## **715 Property Disposition and Redevelopment**

1. Real Property Disposition. The Clackamas County Development Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property which has been acquired by them in accordance with the provisions of this Development Plan.

All real property acquired by the Development Agency in the District, if any, shall be disposed of for development for the uses permitted in the Plan at its fair reuse value for the specific uses identified in this plan or permitted by County regulations. Real property acquired by the Development Agency may be disposed of to any other public entity by the Development Agency Board in accordance with this Plan. All persons and entities obtaining property from the Agency shall use the property for the purposes designated in this Plan, and shall commence and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out to prevent recurrence of blight, all real property owned or leased by participants shall be made subject to this Plan. Leases, deeds, contracts, agreements, and declarations of restrictions by the Development Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan.

2. Redeveloper's Obligations. Any redeveloper within the Development District receiving property or financial assistance from the Clackamas County Development Agency, in addition to the other controls and obligations stipulated and required of him by the provisions of this Development Plan, shall also be obligated by the following requirements:
  - a. The redeveloper shall obtain necessary approvals of proposed developments from all federal, state and/or local agencies that may have jurisdiction on properties and facilities to be developed or redeveloped within the Development District.
  - b. The redevelopers and their successors or assigns shall develop or redevelop such property in accordance with the land use provisions and building requirements specified in this Plan.

- c. The redeveloper shall submit all plans and specifications for construction of improvements on the land to the Development Agency for review and comply with requirements set forth by the Development Agency, as well as comply with all County codes and ordinances.
- d. The redeveloper shall commence and complete the development of such property for the uses provided in this Plan within a reasonable period of time as determined by the Development Agency.
- e. The redeveloper shall not effect or execute any agreement, lease, conveyance, or other instrument whereby the real property or part thereof is restricted upon the basis of age, race, color, religion, sex, marital status, or national origin in the sale, lease or occupancy thereof.
- f. The redeveloper shall accept all conditions and agreements as may be required by the Development Agency in return for receiving financial assistance from the Board.
- g. The redeveloper shall maintain developed and/or undeveloped property under their ownership within the area in a clean, neat, and safe condition.

**720 Demolition and Site Clearance**

When a property has been acquired by the Development Agency for a specific purpose as stated in Section 710, if that purpose is not consistent with the rehabilitation and conservation of existing structures on the site, such structures may be demolished and cleared as necessary to carry out this Plan.

**725 Relocation of Residents and Business**

Prior to the acquisition of any property a relocation plan shall be prepared. After approval by formal resolution of the Development Agency and County Commission, such relocation plan shall automatically become part of this Development Plan. The Agency shall assist all businesses and residents to be displaced in finding other suitable dwelling and locations. These accommodations shall be decent, safe and sanitary, and located in an area suitable to the displacee.

All relocation activities and procedures by the Agency shall be in accord with Oregon Revised Statutes, Sections 281.045 and 281.105 and applicable local laws and regulations. Copies of the Relocation Plan(s) shall be kept on file at the offices of the Agency. The Agency may amend or modify the Relocation Plan(s) from time to time consistent with State laws.

**730 Cooperation with Public Bodies**

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of projects in the Development District. The Agency may seek the aid and cooperation of such public



bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of this Plan.

**735 Actions by the County**

The County shall aid and cooperate with the Agency in carrying out this Development Plan and shall take all actions necessary to ensure the continued fulfillment of the intent and purpose of this plan and to prevent the recurrence or spread in the area of conditions causing blight.

**740 Citizen Participation**

The activities and projects identified in this Plan, the development of subsequent plans and regulations, and the adoption of amendments to this Plan should be undertaken with the participation of citizens, owners, and tenants as individuals and organizations who reside within or who have financial interest within the District.

An Advisory Committee to the Development Agency will be formed of area property owners and businesses to advise on the final design and implementation of projects.

**745 Non-Discrimination**

All deeds, leases or contracts for the sale, lease or sublease or other transfer of land in any undertaking of the Agency under this Plan shall contain the restriction that there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the property.

**750 Severability**

If any provision of this Plan shall contravene or be invalid under either state or federal law, such contravention or invalidity shall not invalidate all of the provisions of this Plan, but the remaining provisions shall be construed as if not containing the invalid portion.

**755 Financial Report**

Pursuant to the provisions of 457.460 the Agency shall by August 1 of each year, prepare a statement containing:

1. The amount of money actually received during the preceding fiscal year under subsection (4) of ORS 457.440 and from indebtedness incurred under subsection (6) of ORS 457.440;
2. The purposes and amounts for which any money received under subsection (4) of ORS 457.440 were expended during the preceding fiscal year;

3. An estimate of moneys to be received during the current fiscal year under subsection (4) of ORS 457.440 and from indebtedness incurred under subsection (6) of ORS 457.440;
4. A budget setting forth the purposes and estimated amounts for which the moneys which have been or will be received under subsection (4) of ORS 457.440 and from indebtedness incurred under subsection (6) of ORS 457.440 are to be expended during the current fiscal year; and
5. An analysis of the impact, if any, of carrying out the Development Plan on the tax rate for the preceding year for all taxing bodies included under ORS 457.430.

The financial report shall be filed with the governing body of the County and notice shall be published that the statement has been prepared and is on file with the County and the Agency and the information contained in the statement is available to all interested persons. The notice shall be published once a week for not less than two successive weeks before September 1 of the year for which the statement is required in accordance with ORS 457.115. The notice shall summarize the information required under paragraphs (1) and (4) above and shall set forth in full the information required under paragraph (5) above.

## **SECTION 800 – RESERVED**

## **SECTION 900 - AMENDMENTS TO THIS PLAN**

This Plan may be reviewed and analyzed periodically and will continue to evolve during the course of 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 Agency, the Board of Commissioners or both. The amendments or changes may be substantial amendments or minor amendments as hereinafter defined. Substantial amendments to the Plan shall be approved by the Board by non-emergency ordinance pursuant to ORS 457.095 and 457.220 after public notice and hearing. Minor amendments to the Plan shall be approved by the Agency by resolution.

The following amendments or changes to the Plan shall be considered substantial amendments:

1. Adding land to the District (urban renewal area) except for an addition of land that totals not more than one percent of the existing area of the District.
2. Increasing the maximum amount of indebtedness (excluding indebtedness issued to refinance or refund existing indebtedness) issued or incurred under 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 (right-of-way, construction) in excess of \$500,000 adjusted annually from 1991 at a rate equaling the construction cost index.
4. Making other changes in the Plan which alter the major assumptions, purposes and objectives underlying this Plan.

All amendments or changes in this Plan, which are not substantial amendments as specified above, 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.

From time to time during the implementation of this Plan, the Planning Commission and the Board of Clackamas County may officially approve amendments or modifications to the County's Comprehensive Plan and implementing ordinances. Furthermore, the Board may from time to time amend or approve new codes, regulations or ordinances that affect the implementation of this Plan. When such amendments, modifications, or approvals have been officially enacted by the Board, such amendments, modifications or approvals which affect the provisions of this Plan shall, by reference, become a part of this Plan.

PART TWO – EXHIBITS

- |               |   |
|---------------|---|
| EXHIBIT ONE   | CLACKAMAS INDUSTRIAL AREA DEVELOPMENT PLAN<br>BOUNDARY                |
| EXHIBIT TWO   | LEGAL BOUNDARY DESCRIPTION - NARRATIVE                                |
| EXHIBIT THREE | CLACKAMAS INDUSTRIAL AREA DEVELOPMENT PLAN<br>LAND USE PLAN MAP       |
| EXHIBIT FOUR  | CLACKAMAS INDUSTRIAL AREA DEVELOPMENT PLAN<br>TRANSPORTATION PROJECTS |
| EXHIBIT FIVE  | CLACKAMAS INDUSTRIAL AREA DEVELOPMENT PLAN<br>COMMUNITY USE PROJECTS  |



EXHIBIT 2  
METES AND BOUNDS DESCRIPTION  
CLACKAMAS INDUSTRIAL AREA DEVELOPMENT DISTRICT

A tract of land located in Sections 3, 4, 5, 9, 10, 11, 12, 14, and 15, Township 2 South, Range 2 East of the Willamette Meridian, Clackamas County, Oregon, Sections 30 and 31, Township 1 South, Range 3 East of the Willamette Meridian, Clackamas County, Oregon, and Sections 6 and 7, Township 2 South, Range 3 East of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

Beginning at a point at the intersection of the northerly right-of-way line of the Southern Pacific Railroad and the southerly right-of-way line of Harmony Road, (County Road No. 115);

- (1) thence north  $83^{\circ} 48' 30''$  east along the south right-of-way line of said Harmony Road, a distance of 1658.06 feet to an angle point in the south line of said road;
- (2) thence south  $88^{\circ} 48'$  east along the south right-of-way line of said Harmony Road, a distance of 365 feet to an angle point in the south line of said Harmony Road;
- (3) thence northeasterly to the intersection of the south right-of-way line of said Harmony Road with the east boundary of Strawberry Lane (SE Pheasant Court);
- (4) thence southeasterly 122 feet more or less along the east boundary of Strawberry Lane (SE Pheasant Court) to its intersection with a line which begins east 86.43 feet and north  $00^{\circ} 13'$  west 155 feet from the initial point of the plat of Morningside and runs south  $71^{\circ} 46' 15''$  east 731.96 feet;
- (5) thence south  $71^{\circ} 46' 15''$  east 635 feet to a point;
- (6) thence south  $77^{\circ} 56' 15''$  east 294.48 feet;
- (7) thence south  $70^{\circ} 09'$  east 500 feet;
- (8) thence south  $72^{\circ} 48' 12''$  east 486.49 feet;
- (9) thence south  $86^{\circ}$  east 178.78 feet;
- (10) thence south parallel to the east line of Lot 12 of the Plat of Morningside 375 feet more or less, to a point on the south line of Lot 11 of said Plat;
- (11) thence easterly along the south line of Lots 11 and 12 of said plat 560 feet, more or less, to its intersection with the west line of S.E. 82<sup>nd</sup> Avenue;
- (12) thence southeasterly along said west right-of-way line 1065 feet, more or less, to the south line of the Southern Pacific Railroad right-of-way;
- (13) thence southeasterly, along the southwesterly line of said Southern Pacific Railroad right-of-way, a distance of 2820 feet, more or less, to the southwesterly extension of the east line of Interstate Highway 205;
- (14) thence northeasterly along said extension and along the east line of said highway 2370 feet, more or less, to a 5/8 inch iron rod;
- (15) thence south  $20^{\circ} 44' 15''$  east 991.06 feet to a 5/8 inch iron rod that is also south  $21^{\circ} 59' 38''$  east 1668.81 feet and south  $67^{\circ} 15' 45''$  west 730 feet from the N.E. corner of the William T. Matlock DLC No. 37 in Section 4 of T2S, R2E, W.M;
- (16) thence south  $68^{\circ}$  west 6.59 feet;
- (17) thence south  $31^{\circ} 20'$  east 922.91 feet to a 5/8 inch x 30 inch iron rod;

- (18) thence north  $58^{\circ} 40'$  east 70 feet to a  $5/8$  inch x 30 inch iron rod;
- (19) thence south  $31^{\circ} 20'$  east 180 feet to a  $3/8$  inch x 30 inch iron rod;
- (20) thence south  $46^{\circ} 16'$  east 31.05 feet to a  $5/8$  inch x 30 inch iron rod;
- (21) thence north  $58^{\circ} 40'$  east 138 feet to the centerline of County Road No. 1317 (Lawnfield Road);
- (22) thence following said centerline in a southeasterly and southwesterly direction 375 feet to a point, said point being 1320 feet north  $22^{\circ}$  west, 49.5 feet south  $68^{\circ}$  west, 1199.1 feet north  $22^{\circ}$  west and south  $68^{\circ}$  west 400.80 feet from the southeast corner of William T. Matlock DLC No. 37;
- (23) thence north  $68^{\circ} 17'37''$  east 400.80 feet to the east line of the William T. Matlock DLC No. 37;
- (24) thence tracing said DLC line south  $21^{\circ} 08'40''$  east 1165 feet more or less to a point;
- (25) thence north  $68^{\circ}$  east 130.95 feet to a point;
- (26) thence south  $33^{\circ} 19'$  east 475.88 feet, more or less to a point on the north line of Section 10, T2S, R2E, W.M;
- (27) thence easterly along the north line of said Section 10, T2S, R2E, 3490 feet, more or less, to the N.W. corner of the N.E.  $1/4$  of the N.E.  $1/4$  of said Section 10;
- (28) thence south 1325.75 feet;
- (29) thence north  $89^{\circ} 44'30''$  west 120.8 feet, more or less, to an iron pipe;
- (30) thence south 1155.2 feet
- (31) thence east 489.72 feet;
- (32) thence north 220 feet, more or less, to a point that is north 1732.5 feet, south  $89^{\circ} 38'$  west 936.88 feet, more or less, and north 1258.82 feet from the S.E. corner of Section 10, T2S, R2E;
- (33) thence east 489.72 feet;
- (34) thence north 80 feet, more or less, to a point that is south 889.34 feet and west 468.6 feet from the north  $1/16$  corner between Sections 10 and 11;
- (35) thence east 489.72 feet;
- (36) thence south 190 feet, more or less;
- (37) thence east 973.14 feet;
- (38) thence north 200 feet, more or less, to a point that is north 898.92 feet and west 979.44 feet from the center of the Oregon City and Phillip Foster Road (State Highway 212) on the east line of the Presley Welch DLC;
- (39) thence east 979.44 feet;
- (40) thence south 200 feet to a point;
- (41) thence east 420 feet to a point;
- (42) thence north 100 feet to a point;
- (43) thence east 361.64 feet to a point;

- (44) thence south 55 feet, more or less, to a point that is east 773.64 feet and north  $0^{\circ} 42'40''$  east 284 feet from the N.W. corner of the Isaac Capps DLC No. 52;
- (45) thence east, parallel to the north line of said DLC No. 52, 682 feet, more or less;
- (46) thence south 45 feet, more or less;
- (47) thence east 135 feet;
- (48) thence north 650 feet;
- (49) thence east 526.74 feet;
- (50) thence continuing east 541.30 feet to a point;
- (51) thence south  $1^{\circ} 16'30''$  east, a distance of 600 feet to a point;
- (52) thence south  $84^{\circ}$  east 1200 feet to a point,
- (53) thence south  $68^{\circ}$  east 1000 feet to a point;
- (54) thence south  $83^{\circ}$  east 800 feet to a point;
- (55) thence south  $88^{\circ}$  east 800 feet to a point;
- (56) thence south  $63^{\circ}$  east 500 feet to a point;
- (57) thence north  $77^{\circ}$  east 200 feet to a point henceforth to be referred to as "Point A";
- (58) thence south  $52^{\circ}$  west 600 feet to a point;
- (59) thence north  $15^{\circ}$  west 400 feet to a point;
- (60) thence north  $70^{\circ}$  west 250 feet to a point;
- (61) thence north  $88^{\circ}$  west 1200 feet to a point;
- (62) thence north  $75^{\circ}$  west 800 feet to a point;
- (63) thence north  $88^{\circ}$  west 900 feet to a point;
- (64) thence north  $77^{\circ}$  west 680 feet, more or less, to a point on the northerly right-of way of Oregon State Highway No. 212;
- (65) thence westerly along the north right-of-way line of said Oregon State Highway No. 212, a distance of 1050 feet, more or less, to its intersection with the northerly extension of a line that runs parallel to and 465.96 feet west of the east line of the Isaac Capps DLC #52;
- (66) thence south, along said line, a distance of 1230 feet to a point;
- (67) thence west 114.10 feet;
- (68) thence south 615 feet;
- (69) thence east 158 feet;
- (70) thence south 35 feet;



- (71) thence east 242 feet;
- (72) thence south 15° 30' west 305.10 feet, more or less;
- (73) thence west 194.40 feet, more or less;
- (74) thence south 131 feet;
- (75) thence west 194 feet to a point on the east line of S.E. 135<sup>th</sup> Avenue;
- (76) thence south along said right-of-way line 130 feet;
- (77) thence west 50 feet;
- (78) thence south 817.11 feet, more or less;
- (79) thence east 59.9 feet;
- (80) thence southwesterly 650 feet in a straight line to a point which is north 728.2 feet and east 1170 feet from the reentrant corner of Isaac Capps DLC No. 52 in Section 14, T2S, R2E, W.M;
- (81) thence west 205 feet to a point;
- (82) thence south 12° 0' west 250.92 feet;
- (83) thence south 9° 09'30" east 107.27 feet;
- (84) thence south 68° 20' west 268.92 feet;
- (85) thence west 687 feet to a point on the southerly extension of the centerline of County Road No. 310 (S.E. 130<sup>th</sup> Avenue);
- (86) thence south along said centerline extension to the westerly exterior angle corner of the Isaac Capps DLC No. 52, also being 421.70 feet south of the northeast corner of Government Lot No. 10;
- (87) thence south 44° 08' west 410.40 feet to a point;
- (88) thence south 56° 45' west 615 feet;
- (89) thence south 48° 43' west 407.70 feet;
- (90) thence south 65° 50' west 239.20 feet to a point, said point being on the west line of the Isaac Capps DLC No. 52;
- (91) thence north 0° 25' east on said DLC line 340 feet to a point on the northeasterly extension of the south line of Vernon Street, said point also being south 0° 25' west 699.04 feet from the westerly northwest corner of DLC No. 52;
- (92) thence south 65° 25' west 96.85 feet to a point of intersection with the most easterly corner of S.E. Vernon Street;
- (93) thence northerly at right angles to said south line 40 feet to the north line of said S.E. Vernon Street;
- (94) thence south 65° 25' west 441.14 feet to an angle point on the north line of said Vernon Street;
- (95) thence north 89° 36' west 458.69 feet to the centerline of a 40 foot strip of Land;
- (96) thence north 0° 24' east 115 feet to a point;

- (97) thence south  $89^{\circ} 09'$  west 299 feet to a point;
- (98) thence south  $0^{\circ} 24'$  west 296.50 feet, more or less, to a point on the right bank of the Clackamas River as it existed on May 14, 1979,
- (99) thence downstream, along said right bank of the Clackamas River, 1050 feet, more or less, to the most southerly southeast corner of that certain tract of real property (Assessor's Map 2 2E 15A, TL 1800) conveyed to Terry W. Emmert, by the deed recorded under Fee #96-52847, Deed records of Clackamas County;
- (100) thence north  $50^{\circ} 26'$  east, along the east line of said Emmert Property, 23.22 feet to a point;
- (101) thence continuing along the east line of said Emmert Property, north  $00^{\circ} 26'$  east, 863.69 feet, more or less, to a point in the south line of Capps Road;
- (102) thence west, along the south line of said Capps Road, 25 feet, more or less, to a point at the southerly extension of the west line of Parcel 1, Partition Plat No. 1995-164, Clackamas County Survey Records;
- (103) thence north 60 feet, more or less, to the southwest corner of said Parcel 1, Partition Plat No. 1995-164, Clackamas County Survey Records;
- (104) thence easterly, along the north right-of-way of said S.E. Capps Road, 3400 feet, more or less, to the west right-of-way line of S.E. 130th Ave.;
- (105) thence north, along the west right-of-way line of S.E. 130th Avenue, 850 feet, more or less, to a point at the westerly extension of the north line of Partition Plat No. 1990-56, Clackamas County Survey Records and also the north line of that certain tract of real property (Assessor's Map 2 2E 14A, TL1080) conveyed to Mutual Materials Co. by the deed recorded under Fee #82-22065, Deed Records of Clackamas County;
- (106) thence east, along the north line of said Partition Plat No. 1990-56, and the north line of said Mutual Materials Co. tract, 1425 feet, more or less, to the southeast corner of that certain tract of real property (Assessor's Map 2 2E 11D, TL1304) conveyed to Portland General Electric Company, as Parcel IV in the deed recorded under Fee #77-22190, Deed Records of Clackamas County;
- (107) thence north, 1052 feet, more or less, to the southeast corner of that certain tract of real property (Assessor's Map 2 2E 11D, TL 1400) conveyed to Ralph Mooers and Hazel Mooers, husband and wife, by the deed recorded in Deed Book 685, Page 325, Deed Records of Clackamas County;
- (108) thence west, along the south line of said Mooers tract, 335.28 feet, more or less, to the southwest corner thereof;
- (109) thence north 1668 feet, more or less, to the southwest corner of Parcel 1, Partition Plat No. 1995-160, Clackamas County Survey Records;
- (110) thence north  $89^{\circ} 57' 02''$  east, along the south line of said Parcel 1, 160.00 feet to the southeast corner thereof;
- (111) thence along the easterly line of said Parcel 1, north  $00^{\circ} 06' 03''$  west, 153.68 feet to an angle point in said east line;
- (112) thence continuing along the easterly line of said Parcel 1, south  $89^{\circ} 56' 17''$  west, 15.00 feet to an angle point in said east line;
- (113) thence continuing along the easterly line of said Parcel 1, north  $00^{\circ} 06' 03''$  west, 102.14 feet to a point of curvature;
- (114) thence northerly and northwesterly, along the easterly line of said Parcel 1, along the arc of a 33.00 foot radius curve to the left, through a central angle of  $87^{\circ} 03' 58''$ , for an arc distance of 50.15 feet (the long chord of which bears North  $43^{\circ} 38' 02''$  west, 45.46 feet) to a point at the most northerly northeast corner of Parcel 1, Partition Plat No. 1995-160, Clackamas County Survey Records, said point also being on the southerly right-of-way line of Oregon State Highway No. 212;
- (115) thence westerly, along the southerly right-of-way line of said Oregon State Highway No. 212, 10,500 feet,

more or less, to intersection of said southerly right-of-way line of Oregon State Highway No. 212 and a line that is parallel to and 30 feet east of, being measured at right angles to, the centerline of the Southern Pacific Railroad;

- (116) thence northerly, parallel to and 30 feet east of, being measured at right angles to, the centerline of the said Southern Pacific Railroad, a distance of 2247 feet, more or less, to the south line of Mather Road;
- (117) thence south 68° 39' west 60 feet to the intersection of the westerly boundary of said railroad right-of-way with the southerly boundary of Mather Road;
- (118) thence northerly along the railroad right-of-way 25 feet, more or less, to the most northerly corner of the Plat of Marshfield in Section 9, T2S, R2E, W. M;
- (119) thence south 68°11' west along the northwesterly line of said plat 495 feet to the westerly line of S.E. 82<sup>nd</sup> Drive;
- (120) thence northwesterly along said west line of 82<sup>nd</sup> Drive 650 feet to the southeasterly line of Jannsen Road;
- (121) thence south 68°56' west 1180 feet, more or less, along the southerly line of said Jannsen Road and its southwesterly extension to the centerline of Cascade Highway North as shown on State Highway Drawing 8B-715 at centerline Station 508 + 45;
- (122) thence north 13°57'30" west along said centerline 3145 feet, more or less, to Engineer Station 477 + 00; said point also being Engineer Station 20 + 00 on the centerline of Oregon State Highway No. 224 (relocated Lake Road, Pacific Highway east Cascade Highway section of the Clackamas Highway as shown on drawing 8B-3310);
- (123) thence northwesterly along the centerline of said Oregon State Highway No. 224 (relocated Lake Road, Pacific Highway east Cascade Highway section of the Clackamas Highway as shown on drawing 8B-3310), 1800 feet more or less to a point at the intersection of said centerline of Oregon State Highway 224 and the southerly projection of the westerly right-of-way line of Johnson road;
- (124) thence northerly, along the westerly right-of-way line of said Johnson, 1600 feet, more or less, to a point on the south line of the Southern Pacific Railroad right-of-way;
- (125) thence northwesterly, along said south line of the Southern Pacific Railroad right-of-way, 4400 feet, more or less, to a point that is 74 feet southwesterly from the Point of Beginning;
- (126) thence northeasterly 74 feet to the Point of Beginning;
- (127) Also including the following described tract of land;

Beginning at a point on the northerly right-of-way line of Oregon State Hwy. No. 212, said point of beginning being South 52° West, 250 feet, more or less, from the aforementioned Point "A" (Line No. 57 of the above description);

Thence Easterly, following said northerly right-of-way line of Oregon State Hwy No. 212, a distance of 4,000 feet, more or less, to the northwesterly right-of-way line of Armstrong circle;

Thence Northeasterly, following said northwesterly right-of-way line of Armstrong circle (County Road No. 1189 / Market Road No.16), a distance of 1,000 feet, more or less, to the westerly right-of-way line of S.E. 172<sup>nd</sup> Avenue;

Thence Northerly, following said westerly right-of-way line of S.E. 172<sup>nd</sup> Avenue, a distance of 3 1/2 miles, more or less, to the county boundary line between Clackamas County and Multnomah County;

Thence East, following said county boundary line, a distance of 60.00 feet, more or less, to the easterly right-of-way line of said S.E. 172<sup>nd</sup> Avenue;

Thence Southerly, along said easterly right-of-way line of said S.E. 172<sup>nd</sup> Avenue and the southerly extension thereof, a distance of 3 1/2 miles, more or less, to a point on the southerly right-of-way line of said Armstrong Circle;

Thence Southwesterly, following said southerly right-of-way line of Armstrong Circle, a distance of 800 feet, more or less, to a point on the northerly right-of-way line of said Oregon State Hwy No. 212;

Thence Easterly, following said northerly right-of-way line of Oregon State Hwy No. 212, a distance of 680 feet, more or less, to the east line of the west 1/2 of Section 7, Township 2 South, Range 3 East, W.M.;

Thence Southerly, following the east line of the west 1/2 of said Section 7, a distance of 100 feet, more or less, to the southerly right-of-way line of said Oregon State Hwy No. 212;

Thence Westerly, following said southerly right-of-way line of Oregon State Hwy No. 212, a distance of 5,000 feet, more or less, to a point that is South 52° West from the aforementioned Point "A";

Thence North 52° East, a distance of 130 feet, more or less, to the point of beginning.

#### EXCEPTIONS

Excepting the following described parcel located in Section 9, T2S, R2E, W.M., located in Clackamas County in the State of Oregon:

Beginning at a point that is north 89° west 178 feet from the ¼ corner between Sections 9 and 10, T2S, R2E, W.M.;

- (1) thence north 89° west 786 feet along the south line of S.E. Clackamas Road to the intersection of said south line with the east line of 98<sup>th</sup> Avenue;
- (2) thence south 0° 02' west 879.60 feet along the east line of said 98<sup>th</sup> Street to the S.W. corner of Lot 1, Block 8 of the Plat of Hollywood Gardens;
- (3) thence south 89° east 905 feet to the S.E. corner of Lot 15, Block 7 of said plat, said point also being on the west line of S.E. 102<sup>nd</sup> Avenue;
- (4) thence north 00° 08' west 770 feet more or less to an iron pipe at a point of curve in the west line of 102<sup>nd</sup> Avenue, such point of curve also being in the east line of Lot 16, Block 2 of Hollywood Gardens, such point also being opposite Engineers Station "C" 282 + 97.11 P.T. shown on State Highway Map of Clackamas Overcrossing Section of Clackamas Highway, Drawing No. 1A421;
- (5) thence from said point of curve to the left northwesterly 186.46 feet to an iron bolt at a point of tangent on the north line of Lot 11, Block 2, of said Hollywood Gardens, such point also being opposite Engineers Station "C" 280 + 64.02 P.C. shown on aforesaid State Highway Map back to the point of beginning of the herein described parcel.

Excepting the following described parcel, part of the Samuel L. Campbell DLC No. 64 in Section 10, T2S, R2E, W.M., County of Clackamas and State of Oregon, described as:

Beginning at a point on the east line of said DLC, which point is 3016.86 feet north of the southeast corner of said claim;

- (1) thence west 1141.09 feet, more or less, to a point;
- (2) thence south 00° 31' 10" east 1274 feet more or less to a point on the relocated north line of State Highway 212;
- (3) thence south 89° 24' 50" east along the relocated north boundary of said highway 1126.23 feet to a point, said point being 20 feet west of the east line of Samuel L. Campbell DLC No. 64;

- (4) thence north  $00^{\circ} 43' 40''$  west 547 feet more or less to a point;
- (5) thence north  $89^{\circ} 24' 50''$  east 20 feet to a point on the east line of said DLC;
- (6) thence north  $00^{\circ} 43' 40''$  west along the east line of said DLC 716.31 feet to the point of beginning.

## **ADDITION TO CLACKAMAS INDUSTRIAL AREA DEVELOPMENT DISTRICT**

A tract of land located in Sections 14 and 15, Township 2 South, Range 2 East, W.M., Clackamas County, Oregon, being more particularly described as follows:

Beginning at an iron pipe in the west line of the Issac Capps Donation Land Claim No. 52 in said Section 14, that bears South 00°25' West, a distance of 699.04 feet from a stone at the most westerly northwest corner of said Capps D.L.C. No. 52;

Thence continuing along the west line of said Capps D.L.C. No. 52, South 00°25' West, a distance of 262.92 feet to an iron pipe;

Thence continuing along the west line of said Capps D.L.C. No. 52, South 00°25' West, a distance of 10 feet, more or less, to the most northerly corner of that certain tract conveyed to Mary Mundhenke by the deed recorded in Book 186, Page 482, Deed Records of Clackamas County;

Thence South 65°28' West, along the north line of said Mundhenke tract, a distance of 531.30 feet, more or less, to a stone at an angle point in said Mundhenke tract;

Thence South 39°32' East, along the southwesterly line of said Mundhenke tract, a distance of 429 feet, more or less, to the most southerly corner of that certain tract conveyed to C.B. Wilde, et ux, by the deed recorded in Book 307, Page 718, Deed records of Clackamas County;

Thence Westerly, downstream along the Clackamas River a distance of 594.15 feet, more or less, to the southeast corner of Parcel A conveyed to Wayne D. Garrison, et ux, by the deed recorded in Book 538, Page 84, Deed Records of Clackamas County (now also known as Tax Lot 22E15A 02600);

Thence Westerly, downstream along the Clackamas River, a distance of 170 feet, more or less, to the southwest corner of said Parcel A of the Wayne D. Garrison, et ux, tract;

Thence downstream, along the southerly line of that certain tract conveyed to John R. Coles by the deed recorded under document No. 2005-06951, Deed Records of Clackamas County (now also known as Tax Lot 22E15A 02300), North 70° West, a distance of 190.40 feet to a point;

Thence downstream, along the southerly line of said tract conveyed to John R. Coles, North 44° West, a distance of 151.10 feet to a point;

Thence downstream, along the southerly line of said tract conveyed to John R. Coles, North 57°33' West, a distance of 18.20 feet to the southwest corner thereof;

Thence, leaving said Clackamas River, North 00°24' East, along the west line of said tract conveyed to John R. Coles, a distance of 267.92 feet, more or less, to the northwest corner thereof;

Thence Easterly, along the north line of said tract conveyed to John R. Coles, a distance of 299.71 feet, more or less, to the northeast corner thereof;

Thence South 00°24' West, along the east line of said tract conveyed to John R. Coles, a distance of 118 feet, more or less, to the northerly right-of-way line of a 40.00 foot strip of land conveyed to the public now commonly known as Vernon St.;

Thence Easterly, along said northerly right-of-way line of Vernon St., a distance of 421.14 feet, more or less, to an angle point in said northerly right-of-way line of Vernon St.;

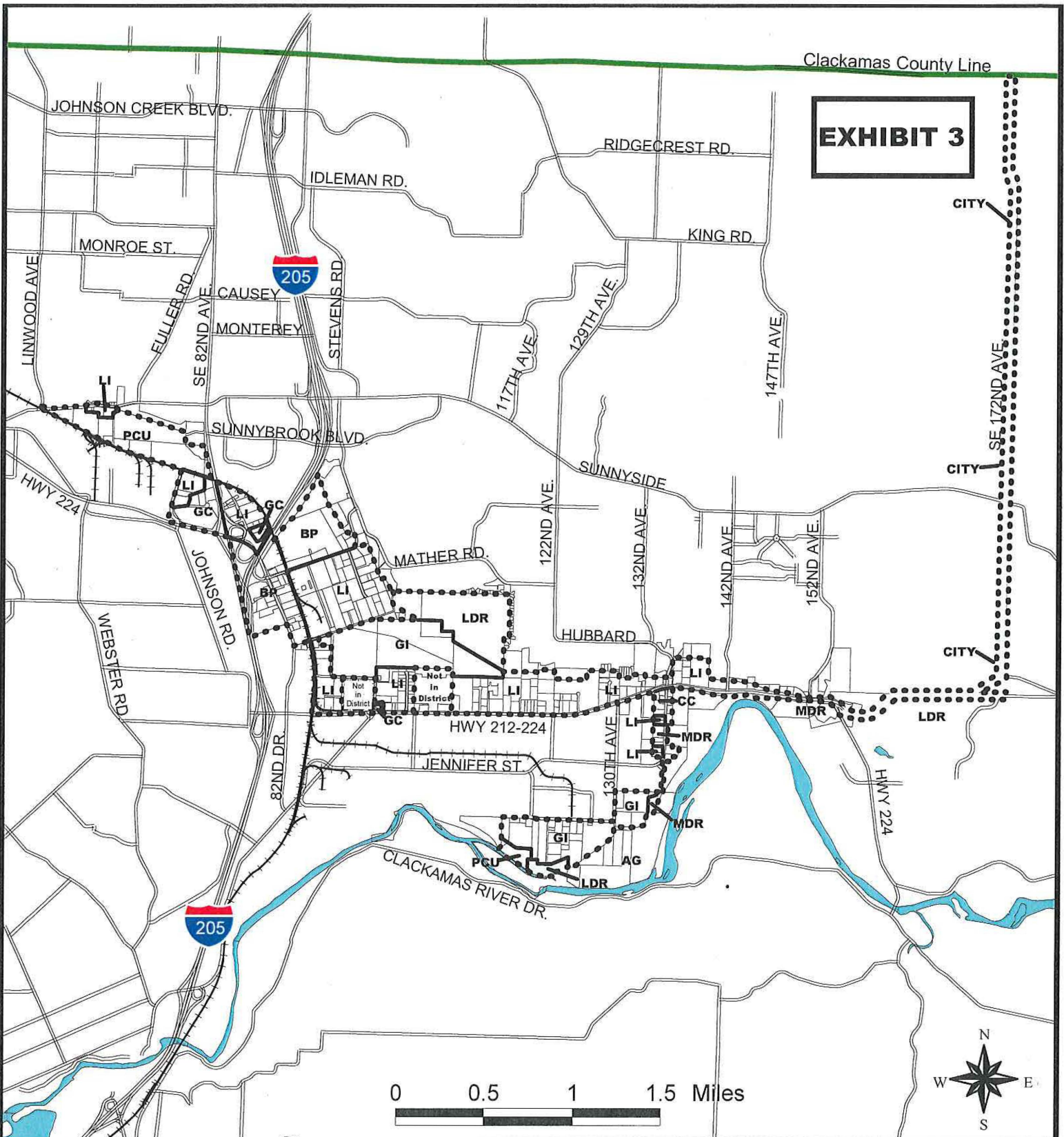
Thence continuing along said northerly right-of-way line of Vernon St., North 65°25' East, a distance of 441.14 feet, more or less, to the most northerly northeast corner of said Vernon St.;

Thence Southeasterly, along the easterly line of said Vernon St., a distance of 40.00 feet to the most easterly southeast corner of said Vernon St.;

Thence North  $65^{\circ}25'$  East, along the northeasterly projection of the southerly right-of-way line of said Vernon St., a distance of 96.85 feet, more or less, to the point of beginning.

Clackamas County Line

# EXHIBIT 3



## CLACKAMAS INDUSTRIAL AREA DEVELOPMENT PLAN LAND USE PLAN MAP

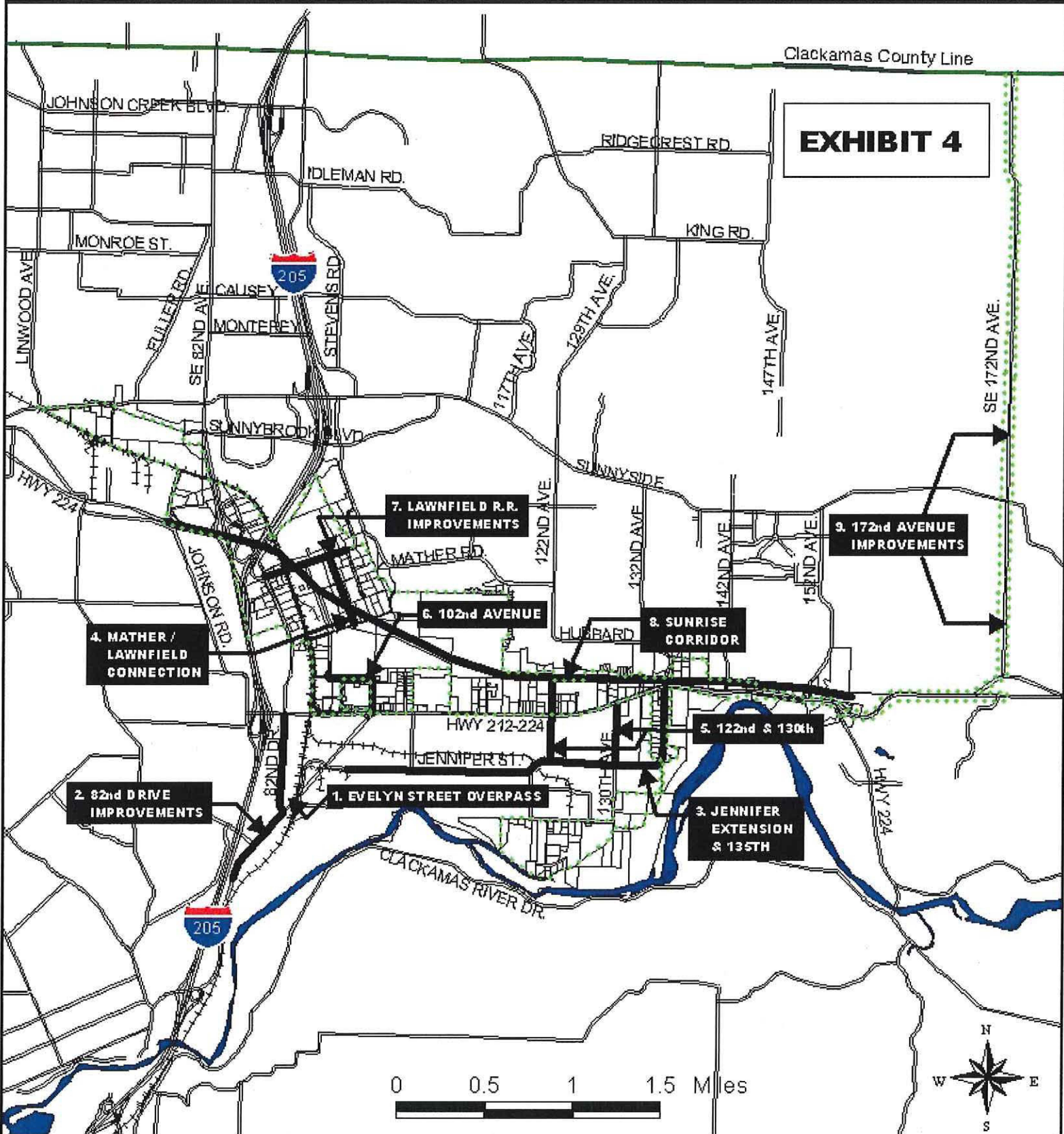
..... Urban Renewal Area Boundary			
<b>GI</b>	General Industrial	<b>CC</b>	Community Commercial
<b>LI</b>	Light Industrial	<b>MDR</b>	Medium Density Residential
<b>BP</b>	Business Park	<b>LDR</b>	Low Density Residential
<b>GC</b>	General Commercial	<b>PCU</b>	Public and Community Use
<b>CITY:</b> SE 172nd is in the City of Happy Valley			

Sept. 2007



Clackamas County Line

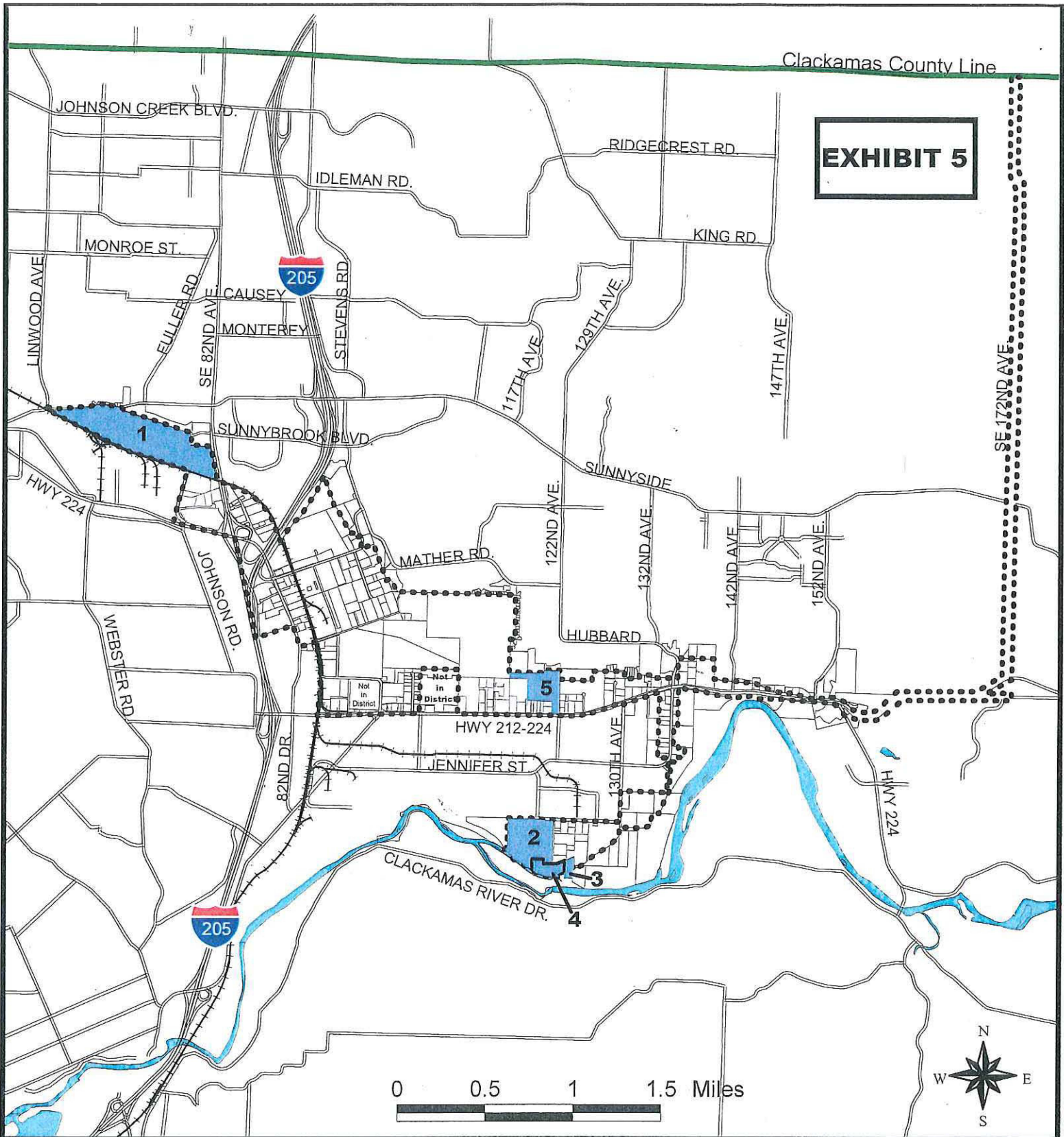
# EXHIBIT 4



## CLACKAMAS INDUSTRIAL AREA DEVELOPMENT PLAN TRANSPORTATION PROJECTS

Tentative Alignments Subject to Final Design Engineering





# CLACKAMAS INDUSTRIAL AREA DEVELOPMENT PLAN COMMUNITY USE PROJECTS

1. Flood Control - Section 610
2. Development - Section 620
3. Development - Section 620
4. Development - Section 620
5. Development - Section 620