

PUBLIC HEARING

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN THAT AT 10:00 AM ON THURSDAY, DECEMBER 5th, 2024, IN THE COMMISSIONER'S HEARING ROOM, 2051 KAEN ROAD, OREGON CITY, OREGON THERE SHALL BE A PUBLIC HEARING BY AND BEFORE THE CLACKAMAS COUNTY BOARD OF COMMISSIONERS ON THE BOUNDARY CHANGE PROPOSAL LISTED BELOW. INTERESTED PERSONS MAY APPEAR AND WILL BE GIVEN A REASONABLE OPPORTUNITY TO BE HEARD.

PROPOSAL NO. 2024-003 - ANNEXATION TO Clackamas County Service District No. 1 ("District") of territory located at 16400 SE Hagen Road, Happy Valley, OR 97086; the territory being 2.5 acres on tax lot 13E31B-00800, in Clackamas County, OR.

The property owners desire sewer service and surface water management from the District to serve one tax lot that is improved with an existing single-family home.

The decision on annexation to the District does not authorize or prevent any specific use of land. Current City zoning and planning designations will not be affected by this proposed change.

Applicable criteria may be found in the Metro Code 3.09.050 and ORS 198.850 (2).

The hearing materials and participation virtually using the Zoom platform are available at: www.clackamas.us/meetings/bcc/business. Email comments (including your name and street address) can be sent for inclusion in the hearing to: BCC@clackamas.us.

Failure to raise an issue in the hearing, orally or in writing, with specificity and clarity sufficient to allow the Commission or any participant to address and respond to such issue may preclude appeal to the Oregon Land Use Board of Appeals of the Board's resolution of that issue.

A copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.

A copy of the staff report will be available for inspection at no cost 15 days before the hearing and will be provided at reasonable cost.

To review the information in the application or staff report, acquire copies of these items or for other general information contact Hong N Huynh at hhuynh@clackamas.us or at (503) 742-5398.

November 12, 2024

TOOTIE SMITH, CHAIR



Jane E. Vetto
County Counsel

December 5, 2024

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Scott C. Ciecko
Amanda Keller
Shawn Lillegren
Jeffrey D. Munns
Andrew R. Naylor
Sarah Foreman
Hong Huynh
Caleb Huegel
Angela Hajihashemi
Assistants

**Approval of a Boundary Change Proposal No. 2024-003 (CCSD1)
No County General Funds are involved.**

Previous Board Action/Review	None		
Performance Clackamas	1. Build public trust through good government 2. Build a strong infrastructure		
Counsel Review	Yes; hh	Procurement Review	N/A
Contact Person	Hong Huynh	Contact Phone	(503)742-5398

EXECUTIVE SUMMARY:

The owner of a parcel of land, tax lot no. 13E31B 00800 ("SUBJECT PROPERTY"), petitioned this Board to annex into Clackamas County Service District No. 1 (the "DISTRICT") in order to receive public sewer services. The Board's approval of this proposed annexation will result in a boundary change of the District's service area.

Currently, the SUBJECT PROPERTY, as territory to be annexed, is one tax lot in the City of Happy Valley (CITY) with a current tax assessed value of \$ 421,225.00. It is at 16400 SE Hagen Rd. It currently has a single family home in an area zoned residential; there will be no change to the land use as a result of this annexation.

The CITY and the DISTRICT have a long-term agreement for the DISTRICT to serve such territory within the CITY's limits. THE DISTRICT is already providing services in the areas surrounding. There is a sewer line on Hagen Rd for the SUBJECT PROPERTY to connect. Upon connection, the use of the onsite septic must be discontinued. Therefore, there is efficiency in the DISTRICT providing services to the SUBJECT PROPERTY.

If the Board approves this proposed annexation, the District will provide only sewer services to the SUBJECT PROPERTY.

The District has endorsed the proposed annexation.

For Filing Use Only

Under Oregon law, as the county's governing body, this Board is charged in deciding this proposed boundary change pursuant to ORS Chapters 198 and Metro Code 3.09. In determining whether to approve the annexation petition, the Board must consider the local comprehensive plan for the area and any service agreements with local governments as required by ORS 198.857, and also consider whether the annexation petition meets the criteria laid out in Metro Code 3.09.

A Staff Report, dated November 18, 2024, addresses factors and criteria mandated in ORS 198 and Metro Code 3.09. The report makes the required analysis and findings, and concludes that the proposed boundary change of the District complies with applicable statutory and Metro Code requirements. There is no cost to the County in the Board's approval of this proposed annexation.

RECOMMENDATION: Staff recommend approval of Boundary Change Proposal No. 2024-003 (CCSD1).

Respectfully submitted,

/s/ Hong Huynh
Assistant County Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Approving a Boundary
Change Proposal No. 2024-003 (CCSD1)



Board Order No. _____

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Whereas, the Clackamas County Service District No. 1 (“DISTRICT”) is a county service district organized under ORS 451 that provides sewer and stormwater services to certain cities and unincorporated urban areas of Clackamas County, and through a 2016 intergovernmental agreement, is administered by Water Environment Services; and

Whereas, Petitioner filed an annexation petition with the Board to request annexation of a parcel of land, described and mapped in Exhibit A, to the DISTRICT pursuant to procedures set forth in ORS 198.857 and Metro Code 3.09; and

Whereas, on June 26, 2024, the annexation petition was approved and endorsed by the DISTRICT, as required by ORS 198.857; and

Whereas, this Board is charged in deciding this boundary change of the DISTRICT, through the proposed annexation of the SUBJECT PROPERTY, pursuant to ORS Chapters 198 and Metro Code 3.09; and

Whereas, a staff report that addresses factors and criteria mandated in ORS 198.857 and Metro Code 3.09 was made public at least 15 days prior to the Board hearing on the boundary change petition. The staff report is attached hereto as Exhibit B.

Whereas, a public hearing is held before the Board on December 5, 2024, and that a decision of approval was made on December 5, 2024. In determining whether to approve the boundary change petition, the Board considered the local comprehensive plan for the area and any service agreements with local governments as required by ORS 198.857, and also considered whether the boundary change met the criteria laid out in Metro Code 3.09.

NOW THEREFORE, the Clackamas County Board of Commissioners do hereby order:

1. The Analysis, Findings, and Conclusions in the Staff Report attached as Exhibit B are adopted by the Board of County Commissioners and demonstrate that the criteria for annexation have been met.
2. The annexation petition is approved, and the property described and shown on the map in Exhibit A is annexed to Clackamas County Service District No. 1 for sanitary sewer services.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Approving a Boundary
Change Proposal No. 2024-003 (CCSD1)



Board Order No. _____

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3. County staff is directed to file this document with the required parties and take all necessary steps to finalize the annexation.

DATED this _____ day of _____, 202__

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

Exhibit A

**In the Matter of Approving a Boundary Change Proposal No. 2024-003 (CCSD1)
(Legal Description and Map)**

EXHIBIT 'B' – LEGAL DESCRIPTION

A tract of land situated in the West one-half of the West one-half of the Southwest one-quarter of the Northwest one-quarter of Section 31, Township 1 South, Range 3 East of the Willamette Meridian in the City of Happy Valley, County of Clackamas and the State of Oregon, more particularly described as follows:

Commencing at the West one-quarter corner of said Section 31; thence North 0°41'00" East along the West line of said legal subdivision, a distance of 664.25 feet to a point; thence East, parallel with the South line of said legal subdivision a distance of 171.74 feet to a point; thence South 0°41'20" West, a distance of 634.25 feet to a point in the North right-of-way line of John Hagen Road; thence East, along said North right-of-way line, a distance of 25.00 feet to the point of beginning of the tract of land herein to be described; thence North 0°41'20" East a distance of 634.25 feet to a point; thence East, parallel with the South line of said legal subdivision, a distance of 172 feet, more or less, to a point in the East line of said legal subdivision; thence Southerly, along said East line, a distance of 634.25 feet to a point in the North right-of-way line of said John Hagen Road; thence West, along said North right-of-way line, a distance of 171.67 feet to the point of beginning.



EXHIBIT 'C' – MAP

Revised 10/08/2024

N.W. 1/4 SEC. 31 T.1S. R.3E. W.M.
CLACKAMAS COUNTY

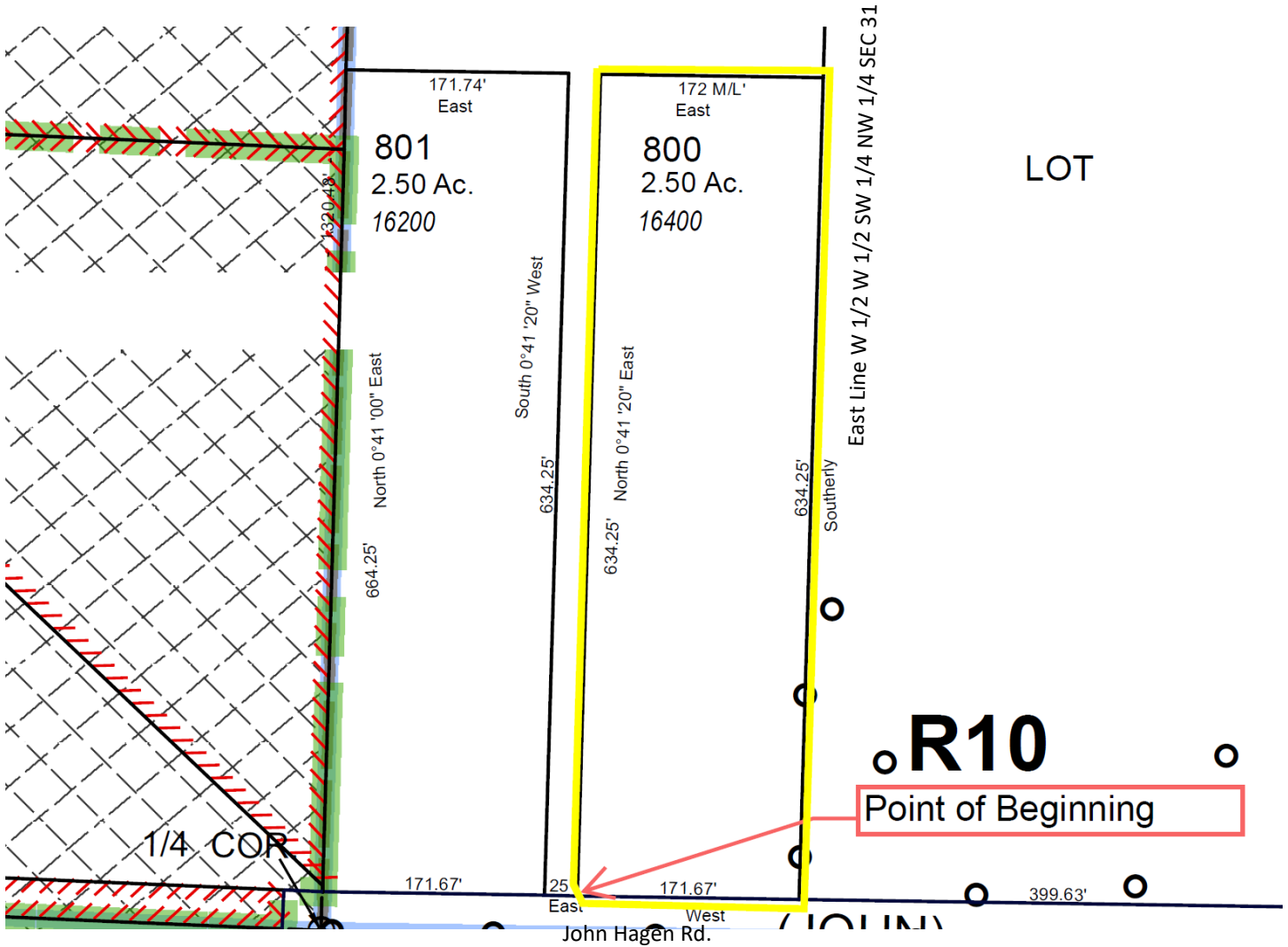


Exhibit B

**In the Matter of Approving a Boundary Change Proposal No. 2024-003 (CCSD1)
(Staff Report)**



Jane E. Vetto
County Counsel

Scott C. Ciecko
Amanda Keller
Shawn Lillegren
Jeffrey D. Munns
Andrew R. Naylor
Sarah Foreman
Hong Huynh
Caleb Huegel
Angela Hajihashemi
Assistants

TO: Clackamas County Board of County Commissioners (the “Board”)
FROM: Hong Huynh, Assistant County Counsel
RE: Boundary Change Proposal No. 2024-003 (CCSD1)
DATE of REPORT: November 18, 2024
DATE of HEARING: December 5, 2024

STAFF REPORT

REQUEST: Approval of Boundary Change Proposal No. 2024-003 (CCSD1), authorizing property of Maxim Dorofiyenko and Sierra Dorofiyenko (the “PETITIONER”), known as tax lot number 13E31B 00800, and located at 16400 SE Hagen Rd. (the “SUBJECT PROPERTY”) in the City of Happy Valley (the “CITY”), into Clackamas County Service District No. 1 (the “DISTRICT”).

REASON FOR ANNEXATION:

The PETITIONER is requesting annexation so that their SUBJECT PROPERTY can connect to and receive public sewer services from the DISTRICT.

RECOMMENDATION: Based on the analysis and findings of this report, staff respectfully recommends that the Board APPROVES the Boundary Change Proposal No. 2024-003(CCSD1).

EFFECTIVE DATE: The boundary change becomes effective upon the date of approval by the Board.

I. BACKGROUND

A. SUBJECT PROPERTY INFORMATION

PETITIONER:	Maxim Dorofiyenko and Sierra Dorofiyenko
PETITIONER Representative, if any:	none
Tax Lot Nos.	13E31B-00800
Address, if any:	16400 SE Hagen Rd, Happy Valley, OR 97086
Legal Description and Map	Exhibit B and Exhibit C of Attachment 1

B. PETITION UNDER ORS 198.857

By application submitted to the DISTRICT, dated June 2024, PETITIONER initiated a consent annexation petition under ORS 198.857.

The petition meets the requirement for initiation of annexation proceedings set forth in ORS 198.857(2) and Metro Code 3.09.040(A) (lists Metro’s minimum requirements for petition). The petition was deemed complete on October 15, 2024.

The SUBJECT PROPERTY currently has a single-family home. The public sewer services to be provided by the DISTRICT replaces the onsite septic system on the SUBJECT PROPERTY.

C. ENDORSEMENTS BY INTERESTED PARTIES

As further discussed below in this report, the SUBJECT PROPERTY is located in the CITY and is surrounded by areas that are currently being served by the DISTRICT.

By Resolution No. 00-28, dated December 5, 2000, the CITY has authorized the proposed annexation. By a letter dated June 26, 2024, the DISTRICT supports and endorses the proposed annexation. See, Attachment 1.

D. CITIZEN PARTICIPATION

Notice of this hearing inviting testimony from interested parties was provided as required by statute and Metro Code.

Notice consisted of:

1. Posting notices near the SUBJECT PROPERTY, at the Clackamas County Courthouse, and outside the Commissioner’s Hearing room at least 20 days prior to the hearing;
2. Publishing notice three times in the Lake Oswego Review; and
3. Mailing notices to all affected local governments and adjacent property owners.

At the time this report was written, no comments were received.

II. APPLICABLE CRITERIA

For a proposed boundary change of a special district through annexation, as the county’s governing body, the Board must review and approve the proposed annexation based on several factors and criteria established by state and local law.

A. STATE STATUTE

Oregon Revised Statute Chapter 198 provides that, when determining whether to approve an annexation petition, the county board shall *“consider the local comprehensive plan for the area*

and any service agreement executed between a local government and the affected district.” ORS 198.857(4).

B. METRO CODE

For a proposed boundary change within the boundaries of Metro or within urban reserves designated by Metro, Metro code also specifies criteria that a reviewing entity must apply in reviewing and approving a boundary change.

First, Metro Code 3.09.050(B) requires a report, to be made available to the public, that addresses the following:

- “1. The extent to which urban services are available to serve the affected territory, including any extraterritorial extensions of service;*
- 2. Whether the proposed boundary change will result in the withdrawal of territory from the legal boundary of any necessary party¹; and*
- 3. The proposed effective date of the boundary change.”*

Second, Metro code requires the review and approval of a proposed boundary change to be consistent with certain service agreements, land use plans, and service quality standards. To approve a boundary change, the reviewing entity (e.g., the Board in this case) must:

- “(1) Find that the change is consistent with expressly applicable provisions in:*
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;*
 - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;*
 - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;*
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;*
 - (E) Any applicable comprehensive plan; and*
 - (F) Any applicable concept plan.*
- (2) Consider whether the boundary change would:*
 - (A) Promote the timely, orderly and economic provision of public facilities and services;*
 - (B) Affect the quality and quantity of urban services; and*
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.”*

See, Metro Code 3.09.045(D) and 3.09.050(D).

Finally, Metro Code Section 3.09.090 prohibits the extension of any district “water or sewer service from inside a UGB to territory that lies outside the UGB.”

C. COMPREHENSIVE PLANING

1. Regional Planning

¹ A “necessary party” is another governmental entity which includes the same area or provides an urban service to the area.

The law that requires Metro to adopt criteria for boundary changes specifically states that Metro shall “*** ensure that a boundary change is in compliance with the Metro regional framework plan as defined in ORS 197.015 and cooperative agreements and urban service agreements adopted pursuant to ORS 195.” ORS 268.354(2)(d). Metro regional framework plan is “the regional framework plan required by the 1992 Metro Charter or its separate components.” ORS 197.015.

2. County Planning

The Clackamas County Comprehensive Plan (the “Comp Plan”) applies to areas in unincorporated Clackamas County, and therefore does not apply to this proposed annexation.

3. City Planning

The SUBJECT PROPERTY is within the CITY, whose Comprehensive Plan (adopted in 2017) apply.² Chapter 7 of the CITY’s plan discusses the sewage disposal goals and policies that include the following:

“PF-1.5: To provide public water and sewer to all areas within the City limits in accord with the appropriate facilities plans adopted by [Sunrise Water Authority] and CCSD#1.

PF-1.6: New individual onsite subsurface sewage disposal systems may be installed at any time to replace an existing but failing system within an existing lot of record, but may not be utilized to serve parcels or lots created by any land division, or to serve any new non-residential development. However, if public sanitary sewer service is available within 300 feet of any property line of an existing lot of record containing an existing failing system, and if the public sanitary sewer service is capable of serving the site of the failing system with a regular or gravity hookup, sanitary sewer service shall be extended to the subject site in lieu of utilization of a new replacement individual onsite subsurface sewage disposal system.”

III. ANALYSIS AND FINDINGS

Collectively, review and approval criteria for a boundary change under state law and Metro Code generally fall into three categories: urban service and other facility service agreements, land use planning, and the quality and timing of the service provisioning resulted from the boundary change. Based on the application submitted by PETITIONER, and staff’s research, staff reaches the following analysis and findings.

A. TERRITORY TO BE ANNEXED

Staff reaches the following findings with respect to the territory to be annexed:

1. The SUBJECT PROPERTY, as territory to be annexed, is one tax lot, no. 13E31B 00800, on 2.5 acres with a current tax assessed value of \$421,225.00.

² See, <https://www.happyvalleyor.gov/wp-content/uploads/2023/04/Comprehensive-Plan.pdf> (viewed Nov. 13, 2024).

2. The SUBJECT PROPERTY is located on Hagen Road within the CITY.
3. The SUBJECT PROPERTY is within Metro's jurisdictional boundary and the regional UGB.
4. The SUBJECT PROPERTY currently has a single-family home in an area zoned for residential use, and there are no plans for any land use changes.
5. The DISTRICT currently serves the areas surrounding the SUBJECT PROPERTY. The SUBJECT PROPERTY has direct access to the DISTRICT's 8" sewer line on Hagen Road. With the connection to the DISTRICT sewer system, PETITIONER must discontinue the use of its onsite septic system.
6. Accordingly, the PETITIONER is seeking public sewer services from the DISTRICT.

B. URBAN AND OTHER FACILITY SERVICES

As referenced in Section II of this report, state law and the Metro Code require a review for consistency with urban and other service agreements. (See, ORS 198.857(4) and 268.354(2)(d); Metro 3.09.050(B)(1), and 3.09.050(D)(1)(A)). ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. ORS 195.065(2)(b). These agreements specify which governmental entity will provide which service to an area in the long term. The counties are responsible for facilitating the creation of these agreements.

Staff find that there is no ORS 195.065 urban service agreement between the City and the DISTRICT.

Through a cooperative relationship, CITY contracts with the DISTRICT for the DISTRICT to provide sewer services to unincorporated areas of the County which surround the CITY, as well as in incorporated areas of the CITY. See, Cooperative Agreement between the CITY and the DISTRICT, dated December 13, 1979; Intergovernmental Agreement for Sewer and Surface Water Management, dated April 4, 2000; and CITY Resolution No. 00-28, dated December 5, 2000.

CITY Resolution No. 00-28 authorizes the DISTRICT to annex into the DISTRICT "all territory currently within the incorporated CITY limits and all territory subsequently annexed into the CITY limits..."

Furthermore, the SUBJECT PROPERTY receives, or will be receiving, various services in the following manner:

1. Water. The SUBJECT PROPERTY will be served by Sunrise Water Authority for water services.
2. Sewer. If the Board approves this annexation, the SUBJECT PROPERTY will be receiving this service from the DISTRICT.
3. Storm Drainage. If the Board approves this annexation, the SUBJECT PROPERTY will be receiving this service from the DISTRICT and will discontinue its onsite septic system.

4. Parks and Recreation. The SUBJECT PROPERTY is served by the City of Happy Valley for park and recreational services.
5. Fire. The SUBJECT PROPERTY is served by Clackamas County Fire District No. 1 for fire services.
6. Police. The SUBJECT PROPERTY is served by Clackamas County Sheriff for police services.

C. LAND USE PLANNING

As referenced in Section II of this report, state law and the Metro Code require a review for consistency with various regional and local land use plans. The following analyzes and reaches findings related to regional and local plans that may be applicable to the proposed annexation of the SUBJECT PROPERTY into the DISTRICT.

1. Regional Plans

The SUBJECT PROPERTY is inside the CITY, and inside Metro's jurisdictional boundary and the regional UGB. As such, a boundary change approval must be consistent with the applicable Metro regional framework plan. (See, ORS 268.354(2)(d)). Metro has adopted a Regional Framework Plan, and two regional functional plans--the Urban Growth Management Functional Plan (2023) and the Regional Transportation Plan (2012).

Staff has reviewed these plans and finds that these plans have no applicable standards and criteria for boundary changes. Therefore, the proposed boundary change of the DISTRICT, through annexation of the SUBJECT PROPERTY, is consistent, or not in conflict, with any Metro regional plans.

2. Clackamas County Comp Plan

The SUBJECT PROPERTY is inside the CITY, and therefore, the County Comp Plan does not apply to this proposed annexation.

3. City Comprehensive Land Use Plan

Based on the information provided by the DISTRICT and PETITIONER, the proposed annexation is consistent with goals PF-1.5 and PF-1.6 in Chapter 7 of the City of Happy Valley Comprehensive Plan.

The DISTRICT currently serves the area surrounding the SUBJECT PROPERTY, which has direct access to the DISTRICT's line on the street. The DISTRICT public sewer service replaces the SUBJECT PROPERTY's onsite septic system.

4. Public Facility, Concept, and Annexation Plans and Cooperative Planning Agreements

Staff finds no facility, concept, or annexation plans applicable to the area, or any plan to which this annexation presents a conflict.

D. QUALITY, QUANTITY, AND TIMING OF SERVICE

Metro Code requires the Board to consider various factors that address the quality, quantity, and timing of the services being sought by the proposed annexation.

Staff find that the proposed annexation of the SUBJECT PROPERTY into the DISTRICT is consistent with the Metro's service quality standard under Section 3.09.045(D)(2), 3.09.050(B), and 3.09.090:

- Promote of the timely, orderly and economic provision of public facilities and services;
- Improve of the quality and quantity of urban services; and
- Eliminate or avoid unnecessary duplication of facilities and services.
- The extent to which urban services are available to serve the affected territory, including any extra territorial extensions of service;
- Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party;
- The proposed effective date of the boundary change; and
- No extension of service from inside a UGB to territory that lies outside the UGB.

The SUBJECT PROPERTY currently has a single-family home in an area zoned for residential use. THE CITY and the DISTRICT have a long-term agreement in which the DISTRICT is authorized to annex territory, and to serve such territory, within the CITY's limits. THE DISTRICT is already providing services in the areas surrounding the SUBJECT PROPERTY. There is a sewer line on the street to which the SUBJECT PROPERTY can directly connect. Therefore, there is no duplication in the provisioning of the requested services, nor would there be a withdrawal of the SUBJECT PROPERTY from any jurisdiction.

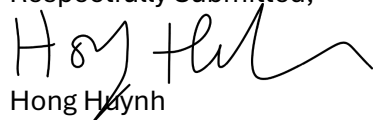
Finally, because the SUBJECT PROPERTY is inside the UGB, the proposed annexation of the SUBJECT PROPERTY into the DISTRICT does not result in an extension of the DISTRICT's sewer service from an area inside the UGB to territory that lies outside the UGB.

The boundary change will become effective on the date of Board's approval.

IV. CONCLUSIONS

Staff conclude that the proposed annexation complies with all applicable state statutes and Metro Code requirements. Staff recommends the approval of Boundary Change No. 2024-003-CCSD1 for the DISTRICT to provide sewer services to the SUBJECT PROPERTY.

Respectfully Submitted,



Hong Huyen
(pronouns: she/her)

Assistant Legal County Counsel

Attachments: Exhibit 1-Legal Description and MAP of SUBJECT PROPERTY

**ATTACHMENT 1
TO STAFF REPORT 2024-003 (CCSD1)

(DISTRICT ENDORSEMENT WITH
LEGAL DESCRIPTION AND MAP OF SUBJECT PROPERTY)**



DATE 6.28/2024

Board of Commissioners
Clackamas County

Members of the Board:

**ENDORSEMENT OF ANNEXATION OF TERRITORY TO
CLACKAMAS COUNTY SERVICE DISTRICT NO. 1**

ORS 198.850 requires the governing body of CLACKAMAS COUNTY SERVICE DISTRICT NO. 1, (District) to endorse annexation proposals prior to a hearing by the Board of County Commissioners. In the interest of efficiency, the Board has delegated the authority and duties for endorsement of annexations of territory to the District to the Director of Water Environment Services.

I have reviewed the attached petition from property owners requesting the annexation of territory to CLACKAMAS COUNTY SERVICE DISTRICT NO. 1 and find the District has sufficient sanitary sewer collection and treatment system capacity to provide sanitary sewer service to the area proposed to be annexed. Service is subject to the construction of public sewer extensions as required by WES Rules and Regulations.

Therefore, by the authority granted to me by Order No. 99-329, I hereby endorse the annexation of all Tax Lots described on Exhibit "B" and shown as Exhibit "C" (attached) to CLACKAMAS COUNTY SERVICE DISTRICT NO. 1, as set forth on the attached petition.

Digitally signed by Greg Geist
Date: 2024.06.28 11:45:44 -07'00'

Greg Geist, Director
Water Environment Services

EXHIBIT 'B' – LEGAL DESCRIPTION

A tract of land situated in the West one-half of the West one-half of the Southwest one-quarter of the Northwest one-quarter of Section 31, Township 1 South, Range 3 East of the Willamette Meridian in the City of Happy Valley, County of Clackamas and the State of Oregon, more particularly described as follows:

Commencing at the West one-quarter corner of said Section 31; thence North 0°41'00" East along the West line of said legal subdivision, a distance of 664.25 feet to a point; thence East, parallel with the South line of said legal subdivision a distance of 171.74 feet to a point; thence South 0°41'20" West, a distance of 634.25 feet to a point in the North right-of-way line of John Hagen Road; thence East, along said North right-of-way line, a distance of 25.00 feet to the point of beginning of the tract of land herein to be described; thence North 0°41'20" East a distance of 634.25 feet to a point; thence East, parallel with the South line of said legal subdivision, a distance of 172 feet, more or less, to a point in the East line of said legal subdivision; thence Southerly, along said East line, a distance of 634.25 feet to a point in the North right-of-way line of said John Hagen Road; thence West, along said North right-of-way line, a distance of 171.67 feet to the point of beginning.



EXHIBIT 'C' - MAP

N.W.1/4 SEC.31 T.1S. R.3E. W.M.
CLACKAMAS COUNTY

