

Meeker Property Line Adjustment

Planning Narrative

Client

Dan Copher
37950 Meeker St
Sandy, OR 97055

Consultant Team

Dave Reichert, LSIT
Dale L. Hult, PLS
All County Surveyors & Planners, Inc.
PO Box 955
Sandy, OR 97055
(503) 668-3151
dave@allcountysurveyors.com



Project Insight

The Les Schwab property at Tax Lot 1600, Map 24E14AD is willing to sell portions of land to their northerly neighbors at Tax Lot 1800, Map 24E14AD (Boyes property) and Tax Lot 1500, Map 24E14AD (Copher property). This Application is for the Copher property only, but is submitted to the City concurrently with the Application for the Boyes property, as we are proposing two property line adjustments, that will essentially record simultaneously. Also, Tax Lot 1100, Map 24E14AD (also owned by Copher) will be consolidated as part of this process.

Below are responses to applicable sections of the Sandy Development Code.

Attached are the signed Planning Application, the Pre-Application Conference Notes, existing deeds, and preliminary property line adjustment maps.

Sandy Development Code Responses

CHAPTER 17.12 - PROCEDURES FOR DECISION MAKING

17.12.10 TYPE I – Administrative Review

Type I decisions are made by the Planning Director or someone he or she designates without public notice or a public hearing. The Type I procedure is used when applying standards and criteria to an application requires no use of discretion. A decision of the Director under the Type I procedure may be appealed by an affected party or referred by the Director in accordance with Chapter 17.28.

Type of Applications:

F. Property Line Adjustments

Response: The proposed property line adjustment is a Type I Planning Director review.

17.18.00 PROCEDURES FOR PROCESSING LAND USE APPLICATIONS

Response: The proposed property line adjustment is a Type I Planning Director review.

CHAPTER 17.22 – NOTICES

Response: The proposed property line adjustment is a Type I Planning Director review. No public notice is required.

CHAPTER 17.30 - ZONING DISTRICTS

Response: The subject properties are zoned C-2, General Commercial

CHAPTER 17.44 - GENERAL COMMERCIAL (C-2)

17.44.00 INTENT

This district is intended to provide for a wide range of commercial activities in a community scale shopping center and for commercial uses and related services and businesses, which require large land areas for structures and parking facilities and direct automobile access. This district is not intended for exclusively residential uses, although mixed-use developments are encouraged.

Response: The proposed property line adjustment does not change the use of the existing homes.

17.44.30 DEVELOPMENT REQUIREMENTS

Lot Area	No minimum
Lot Dimension	No minimum
Setbacks ⁵	
Front	10 ft. minimum; 50 ft. maximum
Side	None
Rear	None
Corner	15 ft.
Outside Display/Sales Lot Area	80% maximum
Lot Coverage - Impervious Area	No maximum
Landscaping	20% (includes required civic space in Section 17.90.120)
Structure Height	55 ft.
Off-Street Parking	See Chapter 17.98
Design Review Standards	See Section 17.90.120

Response: The proposed property line adjustment does not cause any lot to become non-compliant with any of the dimensional standards of the underlying C-2 zone.

CHAPTER 17.100 LAND DIVISION

17.100.00 INTENT

The intent of this chapter is to implement the Comprehensive Plan, to provide procedures, regulations, and design standards for land divisions and associated improvements and to provide for orderly and efficient land division patterns supported by a connected system of streets, fiber (broadband), water supply, sanitary sewer and stormwater drainage facilities.

Response: The proposed property line adjustment does not cause the subject properties to be subdivided, but, rather, Tax Lot 1100 will be consolidated as part of this process.

17.100.10 GENERAL PROVISIONS

B. No sale or conveyance of any portion of a lot, other than for a public purpose, shall leave a structure on the remainder of a lot with less than the minimum lot, yard or setback requirements of the zoning district.

Response: The proposed property line adjustment does not cause any lot to fall under the minimum dimensional standards of the underlying C-2 zone.

17.100.20 LAND DIVISION CLASSIFICATION - TYPE I, II OR III PROCEDURES

A. Type I Land Division (Property Line Adjustment). Property line adjustments shall be a Type I procedure if the resulting parcels comply with standards of the Development Code and this chapter.

Response: The proposed property line adjustment is a Type I Planning Director review and complies with the Development Code.

17.100.30 PROPERTY LINE ADJUSTMENT

C. Approval Criteria. The Director shall approve a request for a property line adjustment if the following criteria are satisfied:

1. No additional parcels are created.

Response: The proposed property line adjustment does not create additional parcels.

2. All parcels meet the density requirements and dimensional standards of the base zoning district.

Response: The proposed property line adjustment meets the density requirements and dimensional standards of the base zoning district.

3. Access, utilities, easements, and proposed future streets will not be adversely affected by the property line adjustment.

Response: The proposed property line adjustment does not adversely affect access, utilities, or easements. Existing vehicle and utilities access is provided from the north of Tax Lot 1500, and the proposed property line adjustment is at the south end of the property.

CHAPTER 17.102 - URBAN FORESTRY

17.102.00 INTENT

A. This chapter is intended to conserve and replenish the ecological, aesthetic and economic benefits of urban forests, by regulating tree removal on properties greater than one acre within the Sandy Urban Growth Boundary.

B. This chapter is intended to facilitate planned urban development as prescribed by the Sandy Comprehensive Plan, through the appropriate location of harvest areas, landing and yarding areas, roads and drainage facilities.

Response: The proposed property line adjustment does not propose any change to urban forestry, neither adding nor removing trees.

17.102.20 APPLICABILITY

This chapter applies only to properties within the Sandy Urban Growth Boundary that are greater than one acre including contiguous parcels under the same ownership.

Response: The proposed property line adjustment does not change the applicability of the Urban Forestry Code to the subject properties. Tax 1800 is less than one acre prior to adjustment and after adjustment. Tax Lot 1600 is currently greater than one acre and will be less than one acre after adjustment. However, the vegetated area of Tax Lot 1600 will transfer to Tax Lot 1500, which is greater than one acre prior to adjustment and after adjustment. Tax Lot 1500 will be subject to the standards in the Urban Forestry Code at any potential future time when tree removal is proposed.

General Questions from the City from the Pre-Application Conference

Do any existing or proposed property lines bisect buildings? This is not allowed per the State Building Codes.

Response: The proposed property line adjustment does not bisect any buildings.

Do any utilities exist that need easements?

Response: There are no existing utilities that need easements. The proposed property line adjustment will not create any new easements.

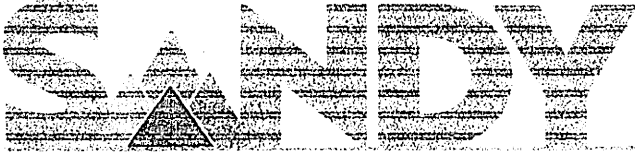
Why is Les Schwab not interested in combining their lots through a partition process? Combining the lots into one legal lot of record would resolve potential future land use issues with setbacks, building locations across lot lines (if building additions occur), and utility/access crossover.

Response: The proposed property line adjustment process was determined by the clients and Les Schwab to be the most efficient route.

There is an existing right-of-way that dead ends at the east property line of TL 1500? Survey PS 7188 calls is a "public roadway." There is no requirements associated with this right-of-way at this time.

Response: The proposed property line adjustment does not propose any changes to access to public streets.

Signed Planning Application



General Land Use Application

1 page

Name of Project:	Meeker Property Line Adjustment, Copher
Location or Address:	37920 Meeker St, 37895 Hwy 26

Map & Tax Lot #	T: 2S	R: 4E	Section: 14AD	Tax Lot (s): 1500, 1600
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Request: The Les Schwab property at Tax Lot 1600, Map 24E14AD is willing to sell portions of land to their northerly neighbors at Tax Lot 1800, Map 24E14AD (Boyes property) and Tax Lot 1500 (Copher property). Therefore, we propose two property line adjustments, which would essentially record simultaneously.

I am the (check one) owner lessee of the property listed above, and the statements and information contained herein are in all respects true, complete and correct to the best of my knowledge and belief.

Applicant (if different than owner) Dan Copher	Owner LS PropDrop, LLC
Address 37950 Meeker St	Address PO Box 5350
City/State/Zip Sandy, OR 97055	City/State/Zip Bend, OR 97708
Email dancopher@msn.com	Email david.r.gibson@lesschwab.com
Phone	Phone 541.633.0690
Signature 	Signature DocuSigned by: E6A28B08AD5D4C7...

Staff Use Only

File #:	Date:	Fee\$:	Planner:
Type of review: Type I <input type="checkbox"/> Type II <input type="checkbox"/> Type III <input type="checkbox"/> Type IV <input type="checkbox"/>			
Has applicant attended a pre-app? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, date of pre-app meeting:			

Pre-Application Conference Notes

PRE-APPLICATION CONFERENCE NOTES

Project Name: 37920 Meeker and 37895 HWY 26 Property Line Adjustments

Pre-Application Conference Date: February 16, 2021

Applicant: All County Surveyors & Planners

Owners: Megan and Braden Boyes (TL 1800), LS Propdrop LLC (TL 1600), Daniel Copher (TL 1100 and 1500)

Staff: Kelly O'Neill Jr.

PLANNING DEPARTMENT REVIEW

Sandy Development Code (SDC): 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.30 Zoning Districts; 17.44 General Commercial (C-2); 17.100 Land Division; 17.102 Urban Forestry.

***Caveat:** This analysis includes a review of those code sections that may conflict with the proposed design as submitted. This review is not intended to be a comprehensive analysis of all applicable code sections nor shall this review nullify code requirements that are determined necessary during land use review.*

Land Division (17.100):

- Staff did not find any evidence that the subject lots were created through a partition or subdivision process. If the lots were created through a partition or subdivision process, then a replat application would be required instead of a property line adjustment application as that is the only way to modify an existing plat.
- Approval of a property line adjustment is required to move a common boundary between two parcels or lots. A Type I property line adjustment is not considered a development action for purposes of determining whether floodplain, greenway, or right-of-way dedication or improvements are required. [Section 17.100.30]
- Section 17.100.30(C) contains the approval criteria for a property line adjustment:
 - No additional parcels are created.
 - All parcels meet the density requirements and dimensional standards of the base zoning district.
 - Access, utilities, easements, and proposed future streets will not be adversely affected by the property line adjustment.
- Final Approval. Three paper copies of the final map shall be submitted within one year of approval of the property line adjustment. The final map shall include a boundary survey, which complies with ORS Chapters 92 and 209. The approved final map, along with required deeds, must be recorded with Clackamas County. [Section 17.100.30(D)]

Urban Forestry (17.102):

- How do you plan to address tree retention in the future? The southern portion of proposed Lot 1800 is currently part of Lot 1600, which is greater than 1 acre and subject to Chapter

17.102. If the PLA is approved, tax lot 1800 would be less than an acre so would not be subject to Chapter 17.102. This will need to be addressed at the time of the PLA. Similarly, with the second proposed PLA, tax lot 1600 will be reduced below an acre; however, it is currently under contiguous ownership with the property to the west (TL 1700). This will also need to be addressed at the time of the PLA.

General Questions:

- Do any existing or proposed property lines bisect buildings? This is not allowed per the State Building Codes.
- Do any utilities exist that need easements?
- Why is Les Schwab not interested in combining their lots through a partition process? Combining the lots into one legal lot of record would resolve potential future land use issues with setbacks, building locations across lot lines (if building additions occur), and utility/access crossover.
- There is an existing right-of-way that dead ends at the east property line of TL 1500? Survey PS 7188 calls is a “public roadway.” There is no requirements associated with this right-of-way at this time.

Application Process: Type I Property Line Adjustments

Next Steps:

- Submittal. Submit the following for land use review.
 - Land use application signed by all property owners and applicable fees (\$398 per PLA; *fees are subject to change*);
 - Narrative explaining the request and addressing applicable code sections including the approval criteria in Section 17.100.30(C);
 - Surveyed property line adjustment map including the items in Section 17.100.30(B) and any existing or planned easements.
- Completeness. Staff reviews application for completeness (30 days max. per state law), if determined incomplete then the applicant submits additional information as required within 180 days. Staff then reviews for completeness again. If the application is deemed complete then the application is processed within 120 days per state law.
- Approval. The Development Services Director or their designee will approve or deny the application and provide a final order. The final order is the land use decision. If the application is denied, then you can file an appeal to Planning Commission within 12 days of when the final order is issued. An appeal cannot be filed until the final order is issued.
- There is an additional fee (currently \$314; *fees are subject to change*) for final review of each PLA prior to recording.

Existing Deed

Tax Lot 1100

20150112866-02

Fidelity National Title of Oregon

RECORDING REQUESTED BY:
Fidelity National Title Company of Oregon

GRANTOR:
Terry E Smoke Successor trustee of The Sally G
Smoke Trust
289 E Historic Columbia River Hwy
Troutdale, Or 97060

GRANTEE:
Daniel Copher
38020 Meekers St
Sandy, Or 97055

SEND TAX STATEMENTS TO:
Daniel Copher
38020 Meeker Street
Sandy, OR 97055

AFTER RECORDING RETURN TO:
Daniel Copher
38020 Meeker Street
Sandy, OR 97055

Escrow No: 20150112866-FTPOR02

00667200/ 237/228/184
38020 Meeker Street
Sandy, OR 97055

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Terry E Smoke Successor trustee of The Sally G Smoke Trust, Grantor, conveys and warrants to Daniel Copher, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

PARCEL 1:

Part of the Southeast one-quarter of the Northeast one-quarter of Section 14, Township 2 South, Range 4 East of the Willamette Meridian in the City of Sandy, County of Clackamas and State of Oregon, described as:

Beginning on the South line of the County Road at the Northeast corner of the Daniel Copher and wife tract described in Deed recorded October 25, 1976, Fee No. 76-37870, being North 88°59' East 809.13 feet and South 1°01' East 20.00 feet from the Northwest corner of the Southeast one-quarter of the Northeast one-quarter of said Section 14, which point is also North 88°59' West 508.74 feet and North 1312.35 feet from the East one-quarter corner of said Section 14; thence South 1°01' East along the East line of said Copher tract 115.0 feet to the Northwest corner of the tract described in Deed to Parham N. Smoke and wife, recorded September 7, 1961, in Book 591, Page 757, Deed Records; thence North 88°59' East along the North line of said Smoke tract 150.0 feet to a point which is South 10°55' East from the Southwest corner of a tract described in Deed to R.S. Smith and wife in Book 447, Page 104, Deed Records; thence North 10°55' West 116.73 feet to the South line of the County Road; thence South 88°59' West 130.0 feet to the place of Beginning

PARCEL 2:

Part of the Southeast one-quarter of the Northeast one-quarter of Section 14, Township 2 South, Range 4 East of the Willamette Meridian in the City of Sandy, County of Clackamas and State of Oregon, described as:

Beginning North 88°59' East 809.13 feet and South 1°01' East 135.0 feet from the Northwest corner of the Southeast quarter of the Northeast quarter of Section 14, in Township 2 South, Range 4 East of the Willamette Meridian in the City of Sandy, County of Clackamas and State of Oregon; thence South 1°01' East 116.67 feet; thence North 88°59' East 210.0 feet; thence North 28°06'30" West 86.0 feet; thence North 28°28' West 45.20 feet; thence South 88°59' West 150.0 feet to the place of beginning, EXCEPT the South 10 feet thereof

PARCEL 3:

Part of the Southeast one-quarter of the Northeast one-quarter of Section 14, Township 2 South, Range 4 East of the Willamette Meridian in the City of Sandy, County of Clackamas and State of Oregon, described as:

Beginning at the Northeast corner of said Southeast one-quarter of the Northeast one-quarter; thence South 88°59' West 508.74 feet; thence South 1°01' East 251.67 feet; thence South 150.0 feet; thence East 475.0 feet, more or less, to the West line of Bluff Road, as it existed on October 6, 1945, being the Southeast corner of the tract conveyed to Carl W. Stucki, et ux, by deed recorded October 6, 1945, in Deed Book 352, Page 729; thence West 200.0 feet to the true point of beginning; thence North 140.0 feet, more or less, to the South line of the tract described in deed to the public recorded September 19, 1951 in Deed Book 448, Page 652; thence West along the South line of said tract 275.0 feet, more or less, to the West line of said Stucki tract; thence South 140.0 feet more or less, along said West line to the Southwest corner of said Stucki tract; thence East 275.0 feet, more or less, along the South line of said Stucki tract to the true point of beginning

TOGETHER WITH an easement for ingress and egress and for utility purposes as established by instrument recorded March 21, 1968 as Recorder's Fee No. 68-5160, in the City of Sandy, County of Clackamas and State of Oregon, described as follows:

Beginning at the Northeast corner of the above described tract; thence South 0°13'45" East along said East line a distance of 30.00 feet; thence North 89°46'15" East a distance of 195.00 feet, more or less, to a point in the West line of Bluff Road; thence Northwesterly along said West line a distance of 48.00 feet, more or less, to the South line of the aforementioned public road, as described in Book 448, Page 652, Deed Records; thence South 89°46'15" West along said South line a distance of 160.00 feet, more or less, to the point of beginning

PARCEL 4:

Part of the Southeast one-quarter of the Northeast one-quarter of Section 14, Township 2 South, Range 4 East of the Willamette Meridian in the City of Sandy, County of Clackamas and State of Oregon, described as:

Beginning at the Southwest corner of a tract of land conveyed to Carl W. Stucki and Manerva M. Stucki, his wife, by deed recorded October 6, 1945, in Book 352, Page 729, Records of Clackamas County, Oregon; thence West 30.00 feet; thence North 67.40 feet; thence East 30.00 feet; thence South 67.40 feet to the place of beginning

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$225,000.00. (See ORS 93.030)

Subject to and excepting:

Easements/

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

20150112866-FTPOR02
Deed (Warranty-Statutory)

ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: April 3, 2015

Sally G Smoke Trust
BY: Terry E Smoke Successor Trustee
Terry E Smoke Successor Trustee

State of OREGON
County of Multnomah
This instrument was acknowledged before me on April 3, 2015 by
TERRY E SMOKE
as SUCCESSOR TRUSTEE of THE SALLY G. SMOKE TRUST

Notary Public - State of Oregon
My commission expires: July 22, 2017



Existing Deed

Tax Lot 1500

KNOW ALL MEN BY THESE PRESENTS, That THOMAS S. DAY and HARRIET J. DAY, Husband and Wife hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by DANIEL L. COPHER and SHARI L. COPHER, Husband and Wife hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Clackamas and State of Oregon, described as follows, to-wit:

Part of the Southeast quarter of the Northeast quarter of Section 14, T2S, R4E, of the W.M., in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Northeast corner of a tract of land conveyed to Frank W. Bittner and Henrietta K. Bittner, by Deed recorded April 1, 1943 in Book 305, page 73, Deed Records which is 636.00 feet East and 20.00 feet South of the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 14, T.2S., R.4E., of the W.M., and which point is 20.00 feet South of the 1/16th Section line; thence South along the East line of said Bittner tract 274.5 feet; thence East 180.00 feet, more or less, to the West line of that property described in Deed recorded in Book 303, page 472, Deed Records; thence North and following the West line of the property described in both Deeds in Books 303, page 472 and Book 303, page 102, Deed Records, 274.5 feet, more or less, to a point 20.00 feet South of the 1/16th Section line; thence West 180.00 feet, more or less, to the place of beginning.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 37,000.00

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 18th day of October, 1976; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

Thomas S. Day
Harriet J. Day

STATE OF OREGON,
County of Clackamas
October 18th, 1976

STATE OF OREGON, County of _____ ss.
Personally appeared _____, 19____, and _____ who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter the secretary of _____, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Personally appeared the above named Thomas S. Day and Harriet J. Day and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon
My commission expires: 11-11-79

Notary Public for Oregon
My commission expires: 11-11-79

Notary Public for Oregon
My commission expires:



(OFFICIAL SEAL)

Thomas S. and Harriet J. Day
39750 Hecker St.
Sandy, Oregon 97055

Daniel L. Copher
P.O. Box 554
Sandy, Oregon 97055

Title Insurance Company of Oregon
Foothills Office - P.O. Box 444
Sandy, Oregon 97055

State of Oregon, D.V.A.
1225 Ferry Street S.E.
Salem, Oregon 97310

STATE OF OREGON

George D. Poppen, County Clerk, Ex-Officio
Recorder of Conveyances and Ex-Officio
of the Circuit Court of the State of Oregon, for
the County of Clackamas, do hereby certify that
the within instrument of writing was recorded for
and recorded in the records of said county at

76 OCT 25 A 8:27



Recording Certificate
76 37870

76 37870

Title Insurance Company
No. 1189344

Existing Deed

Tax Lot 1600

20

OR 88

TRUSTEE'S DEED

THIS INDENTURE, Made this 24th day of November, 1987, between James C. Waggoner, called trustee, and Les Schwab Tire Centers of Oregon, Inc. hereinafter called the second party;

WITNESSETH:

RECITALS: Bradford G. Picking and Vicki L. Picking, as grantor, executed and delivered to Safeco Title Insurance Company, as trustee, for the benefit of Clackamas County Bank, as beneficiary, a certain trust deed dated July 5, 1983, duly recorded on July 16, 1983, in the mortgage records of Clackamas County, Oregon, in book/reel/volume No. ... at page ... or as fee/title/instrument/microfilm/reception No. 83-22279 (indicate which). In said trust deed the real property therein and hereinafter described was conveyed by said grantor to said trustee to secure, among other things, the performance of certain obligations of the grantor to the said beneficiary. The said grantor thereafter defaulted in his performance of the obligations secured by said trust deed as stated in the notice of default hereinafter mentioned and such default still existed at the time of the sale hereinafter described.

By reason of said default, the owner and holder of the obligations secured by said trust deed, being the beneficiary therein named, or his successor in interest, declared all sums so secured immediately due and owing; a notice of default, containing an election to sell the said real property and to foreclose said trust deed by advertisement and sale to satisfy grantor's said obligations was recorded in the mortgage records of said county on July 8, 1987, in book/reel/volume No. ... at page ... thereof or as fee/title/instrument/microfilm/reception No. 87-31128 (indicate which), to which reference now is made.

After the recording of said notice of default, as aforesaid, the undersigned trustee gave notice of the time for and place of sale of said real property as fixed by him and as required by law; copies of the Trustee's Notice of Sale were served pursuant to ORCP 7D.(2) and 7D.(3) or: mailed by both first class and certified mail with return receipt requested, to the last-known address of the persons or their legal representatives, if any, named in ORS 86.740(1) and (2)(a), at least 120 days before the date the property was sold, and the Trustee's Notice of Sale was mailed by first class and certified mail with return receipt requested, to the last-known address of the guardian, conservator or administrator or executor of any person named in ORS 86.740(1), promptly after the trustee received knowledge of the disability, insanity or death of any such person; the Notice of Sale was served upon occupants of the property described in the trust deed in the manner in which a summons is served pursuant to ORCP 7D.(2) and 7D.(3) at least 120 days before the date the property was sold, pursuant to ORS 86.750(1). If the foreclosure proceedings were stayed and released from the stay, copies of an Amended Notice of Sale in the form required by ORS 86.755(6) were mailed by registered or certified mail to the last-known address of those persons listed in ORS 86.740 and 86.750(1) and to the address provided by each person who was present at the time and place set for the sale which was stayed within 30 days after the release from the stay. Further, the trustee published a copy of said notice of sale in a newspaper of general circulation in each county in which the said real property is situated, once a week for four successive weeks; the last publication of said notice occurred more than twenty days prior to the date of such sale. The mailing, service and publication of said notice of sale are shown by one or more affidavits or proofs of service duly recorded prior to the date of sale in the official records of said county, said affidavits and proofs, together with the said notice of default and election to sell and the trustee's notice of sale, being now referred to and incorporated in and made a part of this trustee's deed as fully as if set out herein verbatim. The undersigned trustee has no actual notice of any person, other than the persons named in said affidavits and proofs as having or claiming a lien on or interest in said described real property, entitled to notice pursuant to ORS 86.740(1)(b) or (1)(c).

Pursuant to said notice of sale, the undersigned trustee on November 24, 1987, at the hour of 1:30 o'clock, P.M., of said day, in accord with the standard of time established by ORS 187.110, ~~at the hour of 1:30 o'clock, P.M., of said day, in accord with the standard of time established by ORS 187.110, at the place so fixed for sale, as aforesaid, in full accordance with the laws of the state of Oregon and pursuant to the powers conferred upon him by said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$88,252.99, he being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property. The true and actual consideration paid for this transfer is the sum of \$88,252.99~~ and at the place so fixed for sale, as aforesaid, in full accordance with the laws of the state of Oregon and pursuant to the powers conferred upon him by said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$88,252.99, he being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property. The true and actual consideration paid for this transfer is the sum of \$88,252.99

(CONTINUED ON REVERSE SIDE)

* Delete words in parentheses if inapplicable.

James C. Waggoner, 121 SW Morrison, Suite 1000, Portland, OR 97204

Les Schwab Tire Centers of Oregon, Inc., P. O. Box 667, Prineville, OR 97754

After recording return to: Sara Dix, Real Estate Dept., Les Schwab Tire Centers, P. O. Box 667, Prineville, OR 97754

Prineville, OR 97754

STATE OF OREGON, County of ... ss.

I certify that the within instrument was received for record on the ... day of ... 19... at ... o'clock ... M., and recorded in book/reel/volume No. ... on page ... or as fee/title/instrument/microfilm/reception No. ... Record of Deeds of said county.

Witness my hand and seal of County affixed.

By ... Deputy

NOW THEREFORE, in consideration of the said sum so paid by the second party in cash, the receipt whereof is acknowledged, and by the authority vested in said trustee by the laws of the State of Oregon and by said trust deed, the trustee does hereby convey unto the second party all interest which the grantor had or had the power to convey at the time of grantor's execution of said trust deed, together with any interest the said grantor or his successors in interest acquired after the execution of said trust deed in and to the following described real property, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

TO HAVE AND TO HOLD the same unto the second party, his heirs, successors-in-interest and assigns forever.

In construing this instrument and whenever the context so requires, the masculine gender includes the feminine and the neuter and the singular includes the plural; the word "grantor" includes any successor in interest to the grantor as well as each and all other persons owing an obligation, the performance of which is secured by said trust deed; the word "trustee" includes any successor trustee, the word "beneficiary" includes any successor in interest of the beneficiary first named above, and the word "person" includes corporation and any other legal or commercial entity.

IN WITNESS WHEREOF, the undersigned trustee has hereunto set his hand; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

James C. Waggoner
JAMES C. WAGGONER, Trustee

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

(If executed by a corporation, affix corporate seal)

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

(ORS 194.570)

STATE OF OREGON, County of Wilton } ss.
The foregoing instrument was acknowledged before me this NOV 24 day of NOV, 1987, by James C. Waggoner

STATE OF OREGON, County of _____) ss.
The foregoing instrument was acknowledged before me this _____, 19____, by _____, president, and by _____, secretary of _____ corporation, on behalf of the corporation.

Alp Buchner
Notary Public for Oregon
My commission expires: 3/22/89

2
Notary Public for Oregon
My commission expires: _____ (SEAL)

State of Oregon
Notary Public
County of Multnomah
The Beginning instrument
James C. Naggon
Notary Public
My commission expires: 3/22/1

EXHIBIT "A"

IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON

PARCEL I:

A tract of land in Section 14, Township 2 South, Range 4 East, of the W.M., described as follows:

Beginning at the northwest corner of the southeast one-quarter of the northeast one-quarter of said Section; thence East along the division line 636.00 feet; thence South 294.50 feet to the southwest corner of that tract conveyed to Gordon Arthur Colson, et ux, recorded May 13, 1963, in Book 621, page 603, Deed Records and the true point of beginning of the tract herein to be described; thence South 0° 46' West along the easterly line of that tract conveyed to Frank W. Bittner, et ux, recorded April 1, 1943, in Book 305, page 73, Deed Records, 281.57 feet, more or less, to the most northerly corner of that tract conveyed to Richard Suckow, et ux, recorded June 7, 1948, in Book 407, page 278, Deed Records; thence Southwesterly along the northwesterly line of said Suckow tract 77.00 feet, more or less, to the northeasterly right of way line of the Mt. Hood Highway No. 26; thence South 61° 17' East along the said highway line 208.09 feet, more or less, to a line in common between the westerly line of that tract conveyed to Michael T. Nicholson, et ux, recorded August 30, 1973, as Recorder's Fee No. 73 27734, Film Records and the Easterly line of that tract conveyed to said Suckow, recorded July 20, 1944, in Book 328, page 598, Deed Records; thence Northerly along said common line and the line in common with the westerly line of that tract conveyed to Carl W. Stucki, et ux, recorded June 27, 1946, in Book 370, page 403, Deed Records, 406.01 feet, more or less, to the northwest corner of said Stucki tract; thence East along the north line of said Stucki tract 30.00 feet to the west line of that tract conveyed to said Stucki, recorded October 6, 1945, in Book 352, page 29, Deed Records; thence North along the west line of the last mentioned Stucki tract 41.00 feet, more or less, to the southeast corner of said Colson tract; thence Westerly along the south line of said Colson tract, 180.00 feet, more or less, to the true point of beginning.

PARCEL II:

Part of the southeast one-quarter of the northeast one-quarter of Section 14, Township 2 South, Range 4 East, of the W.M., described as follows:

Beginning at a point which is 336.00 feet east and 229.00 feet south and 167.00 feet east of the northwest one-quarter of the southeast one-quarter of the northeast one-quarter of Section 14, Township 2 South, Range 4 East, of the W.M., which beginning point is also the most easterly corner of that tract conveyed to Western Oregon Conference Association of Seventh Day Adventists by deed

Continued

3

EXHIBIT "A" Continued

recorded in Book 496, page 190, Deed Records; running thence East 42.00 feet to the southeast corner of that tract of land conveyed to Roy Tupper, by deed recorded September 25, 1947, in Book 396, page 722, Deed Records; thence continuing East on same course, a distance of 91.00 feet to a point on the east line of land conveyed to Ada L. Tupper by deed recorded July 6, 1948, in Book 408, page 309, Deed Records; thence South on said Tupper's East line, 431.5 feet, more or less, to the north line of the Mt. Hood Loop Highway; thence North 61° 44' West along the north line of said highway 220.00 feet, more or less, to the most westerly corner of that tract of land conveyed to Arlan J. Berglund and wife, by deed recorded May 31, 1955, in Book 496, page 189, Deed Records; running thence Northeasterly in a straight line to the place of beginning.

EXCEPT a triangular tract in the Southeast corner conveyed to Richard Suckow and Helen Suckow, his wife, by deed recorded June 7, 1948, in Book 407, page 278, Deed Records.

EXCEPT from the above Parcels I and II, the following described tract:

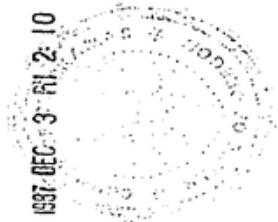
Beginning at a point that is South 89° 31' 58" East, a distance of 336.00 feet and South 02° 17' 47" West, a distance of 229.00 feet and South 89° 31' 58" East, a distance of 167.00 feet from the northwest corner of the southeast one-quarter of the northeast one-quarter of the said Section 14, said point being the northeasterly corner of that tract of land conveyed to the Western Oregon Conference Association of Seventh Day Adventists, by that Warranty Deed recorded in Clackamas County Deed Book 496, page 190; thence South 11° 49' 50" West along the easterly line of the said Western Oregon Conference Association of Seventh Day Adventists tract, a distance of 95.93 feet to a point that is 225.00 feet northeasterly of, when measured at right angles to, the northeasterly right-of-way line of the Mount Hood Highway No. 26, said point being the True Point of Beginning of this Description; thence South 60° 15' 07" East parallel to and 225.00 feet northeasterly of the said right-of-way line, a distance of 200.00 feet; thence South 11° 49' 50" West, a distance of 236.47 feet to a point on the said right-of-way line and to a point hereinafter referred to as Point "A"; thence North 60° 15' 07" West along the said right-of-way line, a distance of 200.00 feet to the southwest corner of that tract of land conveyed by that Special Warranty Deed to Arlan J. Berglund, et ux, as recorded in Clackamas County Deed Book 496, page 189, said corner hereinafter referred to as Point "B"; thence North 11° 49' 50" East along the easterly line of the said Berglund and the said Western Conference Association of Seventh Day Adventists tracts, a distance of 236.47 feet to the true point of beginning of this description. -----

A

STATE OF OREGON)
County of Clackamas) ss

I, John F. Kaufman, County Clerk for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said county at

1957-DEC-3-PM 2:10



Witness my hand and seal this 3rd day of December, 1957.
John F. Kaufman
John F. KAUFMAN
County Clerk

Recording Certificate
COP-44 (Rev. 12-26)

87 54342

Existing Deed

Tax Lot 1800



After recording return to:
Megan N. Boyes and Braden D. Boyes
37920 Meeker Street
Sandy, OR 97055

Until a change is requested all tax
statements shall be sent to the
following address:
Megan N. Boyes and Braden D. Boyes
37920 Meeker Street
Sandy, OR 97055

File No.: 7012-2701011 (PSD)
Date: July 20, 2016

THIS SPACE RESERVED FOR RECORDER'S USE

Clackamas County Official Records **2016-083195**
Sherry Hall, County Clerk
12/02/2016 11:44:06 AM
D-D Cnt=1 Stn=0 CINDY
\$16.00 \$22.00 \$15.00 \$10.00 **\$63.00**

Consideration: **\$203,000.00**
STATUTORY WARRANTY DEED

Jeffrey L. Miller and Nancy A. Miller, as tenants by the entirety, Grantor, conveys and warrants to **Megan N. Boyes and Braden D. Boyes, wife and husband**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

Part of the Southeast one-quarter of the Northeast one-quarter of Section 14, Township 2 South, Range 4 East of the Willamette Meridian, in the City of Sandy, County of Clackamas and State of Oregon, described as follows:

Beginning at a point which is East 336.00 feet, South 229.00 feet and East 300 feet of the Southwest corner of the Northeast one-quarter of the Northeast one-quarter of said Section 14, said point being the Northeast corner of that certain tract conveyed to Arlen J. Berglund, et ux, by deed recorded October 18, 1948, in Deed Book 412, page 523; thence South 88°59' West along the North line of said Berglund tract, 78.5 feet; thence North 0°46' East parallel with the East line of the tract conveyed to Roy Tupper by deed recorded September 25, 1947, in Deed Book 396, page 722, a distance of 209 feet to a point on the South line of a 40 foot roadway; thence North 88°59' East parallel with the one-sixteenth section line 78.5 feet to the Northeast corner of that certain tract of land conveyed to Ada L. Tupper, by deed recorded July 6, 1948 in Deed Book 408, page 309; thence South 0°46' West 209 feet to the point of beginning.

NOTE: This Legal Description was created prior to January 01, 2008.

Subject to:

FIRST AMERICAN - 2701011-GR

APN: 00667273

Statutory Warranty Deed
- continued

File No.: 7012-2701011 (PSD)

1. The Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$203,000.00**. (Here comply with requirements of ORS 93.030)

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

Dated this 2nd day of Dec, 2016.

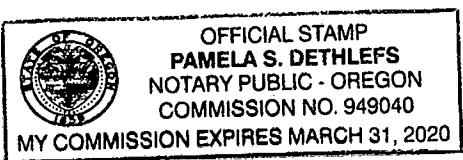
Jeffrey L. Miller
Jeffrey L. Miller

Nancy A. Miller
Nancy A. Miller

STATE OF Oregon)
)ss.
County of Clackamas)

This instrument was acknowledged before me on this 2nd day of Dec, 2016
by **Jeffrey L. Miller and Nancy A. Miller.**

Pamela Dethlefs



Notary Public for Oregon
My commission expires: 3/31/20

Preliminary Property Line Adjustment Maps

PRELIMINARY PROPERTY LINE ADJUSTMENT SKETCH – PART 2

CITY OF SANDY, CLACKAMAS COUNTY, OREGON

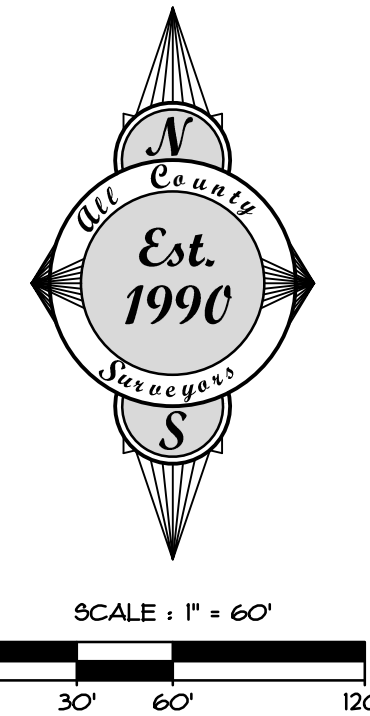
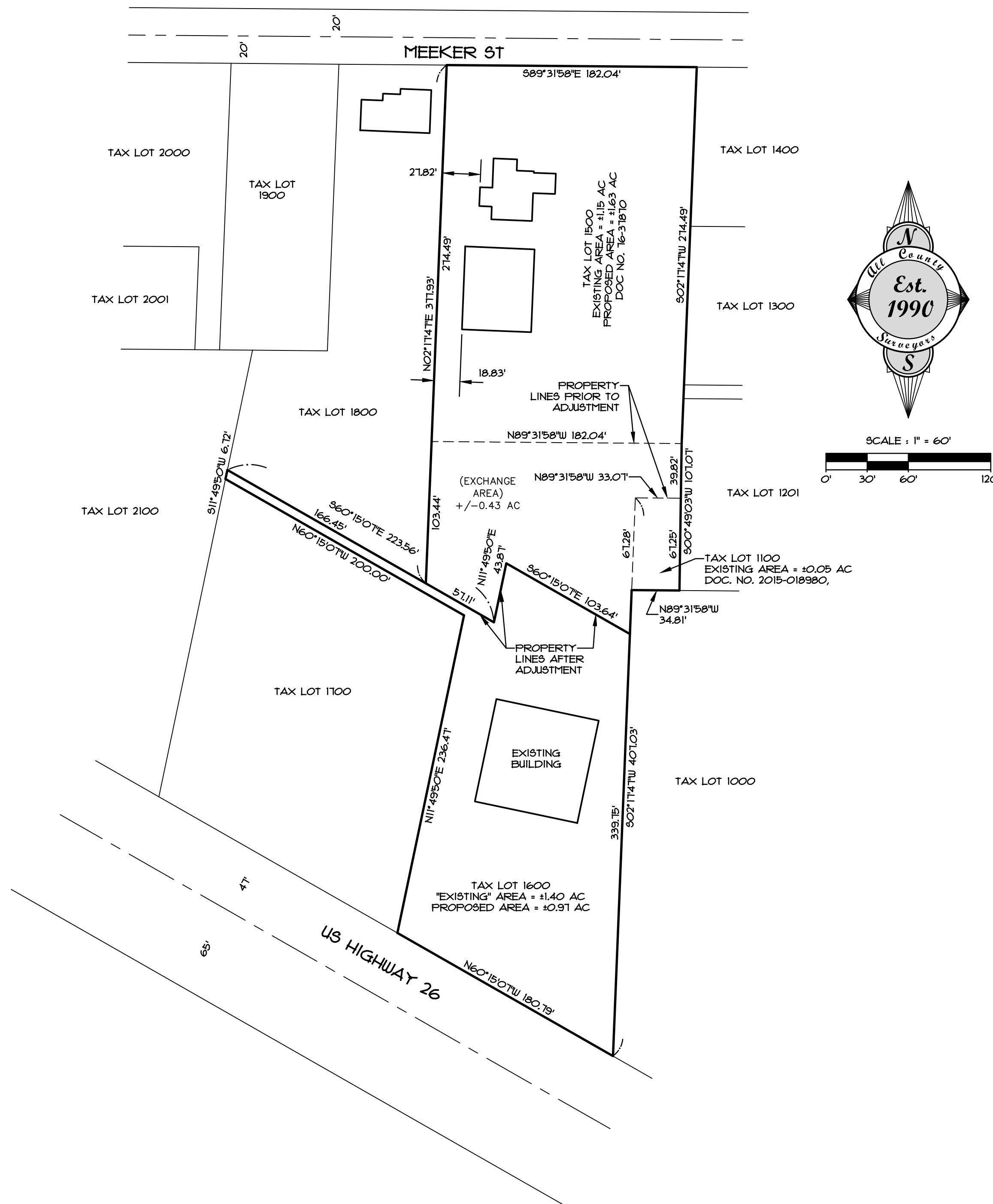
APRIL, 2021

CLACKAMAS COUNTY SURVEYOR

DATE RECEIVED: _____

DATE ACCEPTED/FILED: _____

SURVEY NUMBER: _____



CLIENT: MEGAN BOYES

All County Surveyors & Planners, Inc.
 Surveying, Planning and Civil Engineering
 P.O. Box 955 Sandy, OR 97055
 Phone: (503) 668-3151
 Fax: (503) 668-4730
 Subject to General Conditions 2006 ©

DRAWN: DRR CHECKED: RLM APPROVED: DLH

DWG NUMBER: 20-196 – MEGAN BOYES PLA.dwg
 DATE OF PLOT: 04-07-21