



29799 SW Town Center Loop E, Wilsonville, OR 97070  
 Phone: 503.682.4960 Fax: 503.682.7025  
 Web: [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us)

## Planning Division Development Permit Application

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements

July 8, 2021

Pre-Application Meeting Date: \_\_\_\_\_

**Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.**

### Applicant:

Name: William G. Davidson (Gregg Davidson)

Company: \_\_\_\_\_

Mailing Address: 10152 SW Murdock Street

City, State, Zip: Tigard, OR 97224

Phone: 503-349-4886 Fax: \_\_\_\_\_

E-mail: williamgddavidson@icloud.com

### Property Owner:

Name: Davenport

Company: \_\_\_\_\_

Mailing Address: 8450 NE Parrett Mountain Rd

City, State, Zip: Newberg, OR 97132

Phone: 503-708-2575 Fax: \_\_\_\_\_

E-mail: oilman2575@aol.com

### Authorized Representative:

Name: Beth Zauner

Company: AAI Engineering

Mailing Address: 4875 SW Griffith Dr. #100

City, State, Zip: Beaverton, OR 97005

Phone: 503-620-3030 Fax: \_\_\_\_\_

E-mail: bethz@aaieng.com

### Property Owner's Signature:

DocuSigned by:  
  
 F0CAED0620E946B...

Printed Name: Jeff Davenport Date: 8/17/2021

### Applicant's Signature: (if different from Property Owner)

DocuSigned by:  
  
 558CCD5699084A5...

Printed Name: William G. Davidson Date: 8/16/2021

### Site Location and Description:

Project Address if Available: 28505 and 28635 SW Boones Ferry Road. Suite/Unit \_\_\_\_\_

Project Location: \_\_\_\_\_

Tax Map #(s): 31W14A Tax Lot #(s): 00800, 00900 County: ☐ Washington ☒ Clackamas

### Request:

The person buying the properties intent is to find a tenant to lease the existing fenced and graveled yard area to help him carry the site until a true "industrial building" development is feasible. Approval for the 4 Land Use applications is requested.

### Project Type: Class I ☐ Class II ☐ Class III ☒

☐ Residential ☐ Commercial ☒ Industrial ☐ Other: \_\_\_\_\_

### Application Type(s):

- |  |   |   |   |
|--|---|---|---|
| <input type="checkbox"/> Annexation                    | <input type="checkbox"/> Appeal                     | <input type="checkbox"/> Comp Plan Map Amend            | <input type="checkbox"/> Parks Plan Review              |
| <input type="checkbox"/> Final Plat                    | <input type="checkbox"/> Major Partition            | <input type="checkbox"/> Minor Partition                | <input type="checkbox"/> Request to Modify Conditions   |
| <input type="checkbox"/> Plan Amendment                | <input type="checkbox"/> Planned Development        | <input type="checkbox"/> Preliminary Plat               | <input checked="" type="checkbox"/> Site Design Review  |
| <input type="checkbox"/> Request for Special Meeting   | <input type="checkbox"/> Request for Time Extension | <input type="checkbox"/> Signs                          | <input checked="" type="checkbox"/> Stage II Final Plan |
| <input type="checkbox"/> SROZ/SRIR Review              | <input type="checkbox"/> Staff Interpretation       | <input checked="" type="checkbox"/> Stage I Master Plan | <input type="checkbox"/> Variance                       |
| <input type="checkbox"/> Type C Tree Removal Plan      | <input type="checkbox"/> Tree Permit (B or C)       | <input type="checkbox"/> Temporary Use                  | <input type="checkbox"/> Other (describe)               |
| <input type="checkbox"/> Villebois SAP                 | <input type="checkbox"/> Villebois PDP              | <input type="checkbox"/> Villebois FDP                  |   |
| <input checked="" type="checkbox"/> Zone Map Amendment | <input type="checkbox"/> Waiver(s)                  | <input type="checkbox"/> Conditional Use                |   |



# **Wilsonville Gravel Lot**

Site Design Review  
Zone Map Amendment  
Stage I Master Plan  
Stage II Final Master Plan applications

Prepared for:  
City of Wilsonville, Planning Department  
29799 SW Town Center Loop E  
Wilsonville, OR 97070

**Prepared by:**  
AAI Engineering  
4875 SW Griffith Drive Suite 300  
Beaverton, OR 97005  
(503) 352-7678  
(503) 620-5539, fax  
Email: craigh@aaieng.com

**June 2022**  
A21126.30

# **Wilsonville Gravel Lot**

Site Design Review  
Zone Map Amendment  
Stage I Master Plan  
Stage II Final Plan

## **NARRATIVE and ATTACHMENTS Summary**

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### **Project Location and Identification**

The property is fronts on the westside of SW Boones Ferry Rd. in the City of Wilsonville. More specifically, the property is located on Tax Map 31W14A, Tax Lots 00800 and 00900. The property is currently zoned Residential; however, this application seeks a zone change to the PDI zone. The project site is 1.28 acres in size (total both lots),

### **Statement of Intent**

This project proposes code required improvements to an existing (not permitted) gravel parking lot. No other improvements are proposed beyond those required by code. No improvements are proposed to the existing house on site. The house will not be used in any way as part of this application.

This project includes four Land Use applications:

Stage I Master Plan  
Stage II Final Master Plan  
Site Design Review  
Zone Map Amendment

### **Applicable Standards**

The following Standards and Regulations have been addressed within this Narrative.  
Wilsonville Development Code

### **CHAPTER 4**

#### **ADMINISTRATION**

Section 4.035 (.04) Site Development Permits

#### **STAGE I PRELIMINARY PLAN:**

Section 4.140 (.07) Planned Development Regulations

#### **STAGE II FINAL PLAN**

Section 4.140 (.09) Planned Development Regulations

#### **SITE DESIGN REVIEW**

Section 4.421 Criteria and Application of Design Standards

Section 4.117 Standards Applying to Industrial Developments in any Zone

Section 4.118 Standards Applying to all Planned Development Zones

Section 4.135 PDI- Planned Development Industrial Zone

Section 4.154 On-Site Pedestrian Access and Circulation  
Section 4.155 Parking, Loading and Bicycle Parking  
Section 4.171 Protection of Natural and Other Features  
Section 4.175 Public Safety and Crime Prevention  
Section 4.176 Landscaping Screening and Buffering  
Section 4.177 (0.8) Street Improvement Standards  
Section 4.179 (0.7) Mixed Solid Waste and Recycling  
Section 4.199. (.00 - .06) Outdoor Lighting  
Section 4.300 4.320 Underground Utilities  
Section 4.400  
Section 4.620 Tree Protection During Construction

#### ZONE MAP AMENDMENT

Section 4.197 Zone Change



## WILSONVILLE DEVELOPMENT CODE: CHAPTER 4

### ADMINISTRATION

#### Section 4.035. Site Development Permits.

##### (.04) Site Development Permit Application.

A. An application for a Site Development Permit shall consist of the materials specified as follows, plus any other materials required by this Code.

1. A completed Permit application form, including identification of the project coordinator, or professional design team.

**Response: This application includes an Application form. The project Applicant, Property Owner and Authorized Representative are all identified on the Application form. The Civil Engineering and Landscape Architecture portions of the project will be completed by AAI Engineering. No Architectural services are proposed.**

2. An explanation of intent, stating the nature of the proposed development, reasons for the Permit request, pertinent background information, information required by the development standards and other information specified by the Director as required by other sections of this Code because of the type of development proposal or the area involved or that may have a bearing in determining the action to be taken. As noted in Section 4.014, the applicant bears the burden of proving that the application meets all requirements of this Code.

**Response: The statement of intent is included in this Narrative document. (page 2 above).**

3. Proof that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has the consent of all individuals or partners in ownership of the affected property.

**Response: The project site is under contract to the Applicant as listed on the Application form. Please refer to the Vesting Deed included in this application package.**

4. Legal description of the property affected by the application.

**Response: A Title Report with a legal description of both lots is included in this application package.**

5. The application shall include conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size and impact of the development on the community, public facilities and adjacent properties; and except as otherwise specified in this Code, shall be accompanied by the following information

**Response: This information is provided on the plans and within the Narrative document.**

6. Unless specifically waived by the Director, the submittal shall include: ten (10) copies folded to 9" x 12" or (one (1) set of full-sized scaled drawings and nine (9) 8 1/2" x 11" reductions of larger drawings) of the proposed Site Development Plan, including a small scale vicinity map and showing:

**Response: This application will be submitted, as required via the City of Wilsonville, via email.**

## **STAGE I PRELIMINARY PLAN**

### **Section 4.140. Planned Development Regulations**

(.07) Preliminary Approval (Stage One):

A. Applications for preliminary approval for planned developments shall:

1. Be made by the owner of all affected property or the owner's authorized agent; and

**Response: These applications are being made by the buyer of the property with authorization from the seller/current owner.**

2. Be filed on a form prescribed by the City Planning Department and filed with said Department.

**Response: An application form is included in this multi-land-use package.**

3. Set forth the professional coordinator and professional design team as provided in subsection (.04), above.

**Response: The project team includes a Civil Engineer and Landscape Architect, both registered in the state of Oregon.**

4. State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.

**Response: The project proposes a single use; Storage Yard.**

B. The application shall include conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size, and impact of the development on the community; and, in addition to the requirements set forth in Section 4.035, shall be accompanied by the following information:

1. A boundary survey or a certified boundary description by a registered engineer or licensed surveyor.

**Response: Please refer to the Existing Conditions Plan on Sheet C0.2.**

2. Topographic information as set forth in Section 4.035

**Response: Please refer to the Grading Plan on Sheet C2.0.**

3. A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.

**Response: As proposed, the entire lot (except the existing building) will be devoted to the Storage Yard use.**

4. A stage development schedule demonstrating that the developer intends receive Stage II approval within two (2) years of receiving Stage I approval, and to commence construction within two (2) years after the approval of the final development plan, and will proceed diligently to completion; unless a phased development schedule has been approved; in which case adherence to that schedule shall be considered to constitute diligent pursuit of project completion.

**Response: The Stage I and Stage II applications are being processed together.**

5. A commitment by the applicant to provide in the Final Approval (Stage II) a performance bond or other acceptable security for the capital improvements required by the project.

**Response: See above.**

6. If it is proposed that the final development plan will be executed in stages, a schedule thereof shall be provided.

**Response: The final development will not be executed in phases.**

7. Statement of anticipated waivers from any of the applicable site development standards.

**Response: No waivers are anticipated at this time.**

C. An application for a Stage I approval shall be considered by the Development Review Board as follows:

**Response: This project is a combination of 4 different Land Use applications. (Site Design Review, Zone Map Amendment, Stage I Master Plan and Stage II Final Plan). All four of these applications will be processed concurrently.**

## **STAGE II FINAL PLAN**

### **Section 4.140 Planned Development Regulations**

(.09) Final Approval (Stage Two):

B. The Development Review Board or Planning Director, as applicable, shall determine whether the proposal conforms to the permit criteria set forth in this Code, and shall approve, conditionally approve, or disapprove the application. [Section 4.140 Section (.09)B amended per Ordinance No. 812, 02/22/18]

**Response: Both the Stage I and Stage II applications will be processed at the same time, as discussed above.**

C. The final plan shall conform in all major respects with the approved preliminary development plan, and shall include all information included in the preliminary plan plus the following:

1. The location of water, sewerage and drainage facilities,

**Response: Please refer to the Utilities plan on Sheet C3.0**

2. Preliminary building and landscaping plans and elevations, sufficient to indicate the general character of the development;

**Please refer to the Landscape Plan on Sheets L1.0 and L2.0.**

3. The general type and location of signs;

**Response: No signs are proposed at this time.**

4. Topographic information as set forth in Section 4.035;

**Response: Please refer to the Existing Conditions plan and the Grading plans, Sheets C0.2 and C2.0.**

5. A map indicating the types and locations of all proposed uses; and

**Response: Please refer to the Site Plan, Sheet C1.0.**

6. A grading plan.

**Response: Please refer to the Grading Plan, Sheet C2.0.**

D. The final plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development or phase of development. However, Site Design Review is a separate and more detailed review of proposed design features, subject to the standards of Section 4.400.

**Response: This project is a combination of 4 different Land Use applications. (Site Design Review, Zone Map Amendment, Stage I Master Plan and Stage II Final Plan)**

**These applications are being packaged together and reviewed concurrently.**

E. Copies of legal documents required by the Development Review Board or Planning Director, as applicable, for dedication or reservation of public facilities, or for the creation of a non-profit homeowner's association, shall also be submitted.

**Response: All required legal documents are included in this application package, including but not limited to; Title Report, Legal descriptions of the right-of-way dedication and easements.**

## **SITE DESIGN REVIEW**

### **Section 4.421 Criteria and Application of Design Standards**

(.01) The following standards shall be utilized by the Board in reviewing the plans, drawings, sketches and other documents required for Site Design Review. These standards are intended to provide a frame of reference for the applicant in the development of site and building plans as well as a method of review for the Board.

These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention and innovation. The specifications of one or more particular architectural styles is not included in these standards. (Even in the Boones Ferry Overlay Zone, a range of architectural styles will be encouraged.)

A. Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soils removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

**Response: (3) Existing mature trees along with 130 arborvitae, and 7 red maple trees will be preserved.**

B. Relation of Proposed Buildings to Environment.

**Response: No new buildings are proposed at this time.**

C. Drives, Parking and Circulation. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties.

**Response: The project will use the single, existing access driveway into the site. The proposed use (gravel storage yard) does not require parking or vehicular/pedestrian circulation.**

D. Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties of the public storm drainage system.

**Response: Proposed stormwater management for this site will be completed through the installation of a filtration rain garden along the western property boundary to ensure that the facility captures all stormwater runoff and does not direct stormwater offsite to adjacent properties.**

E. Utility Service. Any utility installations above ground shall be located so as to have a harmonious relation to neighboring properties and site. The proposed method of sanitary and storm sewage disposal from all buildings shall be indicated.

**Response: The sanitary sewer for the site is existing and shown on the submitted plans. The proposed stormwater design and layout is included on the submitted plans and is in accordance with the City requirements and will meet this code.**

F. Advertising Features.

**Response: No signs or advertising features are proposed.**

G. Special Features. Exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall be required to prevent their being incongruous with the existing or contemplated environment and its surrounding properties. Standards for screening and buffering are contained in Section 4.176.

**Response: The exposed outdoor storage yard has been screened as required with an existing site obscuring fence and existing landscape Arborvitae hedge. Please refer to the Landscape Plan on Sheet L1.0**

(.02) The standards of review outlined in Sections (a) through (g) above shall also apply to all accessory buildings, structures, exterior signs and other site features, however related to the major buildings or structures.

**Response: No such features are proposed.**

#### Section 4.117 Standards Applying to Industrial Developments in any Zone

(.01) All industrial developments, uses, or activities are subject to performance standards. If not otherwise specified in the Planning and Development Code, industrial developments, uses, and activities shall be subject to the performance standards specified in Section 4.135 (.05) (PDI Zone).

**Response: Please refer to Section 4.135, below.**

#### Section 4.118 Standards Applying to all Planned Development Zones

(.06) Nothing in this Code shall prevent the owner of a site that is less than two (2) acres in size from filing an application to rezone and develop the site as a Planned Development. Smaller properties may or may not be suitable for such development, depending upon their particular sizes, shapes, locations, and the nature of the proposed development, but Planned Developments shall be encouraged at any appropriate location.

**Response: The project site is less than 2 ac. A Zone Map Amendment application to change the zoning to from residential to PDI, is included in this package.**

#### Section 4.135 PDI- Planned Development Industrial Zone

(.03) Uses that are typically permitted:

B. Storage and wholesale distribution of agricultural and other bulk products, provided that dust and odors are effectively contained within the site.

**Response: The proposed use (storage yard) is allowed in the PDI zone.**

(.05) Performance Standards. The following performance standards apply to all industrial properties and sites within the PDI Zone, and are intended to minimize the potential adverse impacts of industrial activities on the general public and on other land uses or activities. They are not intended to prevent conflicts between different uses or activities that may occur on the same property.

A. All uses and operations except storage, off-street parking, loading and unloading shall be confined, contained, and conducted wholly within completely enclosed buildings, unless outdoor activities have been approved as part of Stage II, Site Design or Administrative Review.

**Response: This project proposes a gravel storage yard use.**

B. Vibration: Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any boundary line of the property on which the use is located.

**Response: No equipment will be used on this site which will create vibrations perceptible at the property lines.**

C. Emission of odorous gases or other odorous matter in quantities as detectable at any point on any boundary line of the property on which the use is located shall be prohibited.

**Response: No emissions or odorous gas will be produced by the Storage yard.**

D. Any open storage shall comply with the provisions of Section 4.176, and this Section.

**Response: The proposed storage yard will be screen as required.**

E. No building customarily used for night operation, such as a baker or bottling and distribution station, shall have any opening, other than stationary windows or required fire exits, within one hundred (100) feet of any residential district and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within one hundred (100) feet of any residential district.

**Response: No new building is proposed at this time. Use of the existing building is not included in this application.**

F. Heat and Glare:

1. Operations producing heat or glare shall be conducted entirely within an enclosed building.

2. Exterior lighting on private property shall be screened, baffled, or directed away from adjacent residential properties. This is not intended to apply to street lighting.

**Response: No operations producing heat or glare will be conducted at the storage yard. No outdoor lighting is proposed at this time.**

G. Dangerous Substances: Any use which involves the presence, storage or handling of any explosive, nuclear waste product, or any other substance in a manner which would cause a health or safety hazard for any adjacent land use or site shall be prohibited.

**Response: Storage of dangerous or hazardous materials will not be stored at the storage yard.**

H. Liquid and Solid Wastes:

1. Any storage of wastes which would attract insects or rodents or otherwise create a health hazard shall be prohibited.

2. Waste products which are stored outside shall be concealed from view from any property line by a sight-obscuring fence or planting as required in Section 4.176.

3. No connection with any public sewer shall be made or maintained in violation of applicable City or State standards.

4. No wastes conveyed shall be allowed to or permitted, caused to enter, or allowed to flow into any public sewer in violation of applicable City or State standards.

5. All drainage permitted to discharge into a street gutter, caused to enter or allowed to flow into any pond, lake, stream, or other natural water course shall be limited

to surface waters or waters having similar characteristics as determined by the City, County, and State Department of Environmental Quality.

6. All operations shall be conducted in conformance with the City's standards and ordinances applying to sanitary and storm sewer discharges.

**Response: No liquid or solid wastes will be stored at the site.**

I. Noise: Noise generated by the use, with the exception of traffic noises from automobiles, trucks, and trains, shall not violate any applicable standards adopted by the Oregon Department of Environmental Quality and W.C. 6.204 governing noise control in the same or similar locations. [Amended by Ord. 631, 7/16/07]

**Response: The proposed storage yard will produce minimal noise.**

J. Electrical Disturbances. Except for electrical facilities wherein the City is preempted by other governmental entities, electrical disturbances generated by uses within the PDI zone which interfere with the normal operation of equipment or instruments within the PDI Zone are prohibited. Electrical disturbances which routinely cause interference with normal activity in abutting residential use areas are also prohibited.

**Response: This use will not cause electrical disturbances.**

K. Discharge Standards: There shall be no emission of smoke, fallout, fly ash, dust, vapor, gases, or other forms of air pollution that may cause a nuisance or injury to human, plant, or animal life, or to property. Plans of construction and operation shall be subject to the recommendations and regulations of the State Department of Environmental Quality. All measurements of air pollution shall be by the procedures and with equipment approved by the State Department of Environmental Quality or equivalent and acceptable methods of measurement approved by the City. Persons responsible for a suspected source of air pollution upon the request of the City shall provide quantitative and qualitative information regarding the discharge that will adequately and accurately describe operation conditions.

**Response: No air pollution will be created by the proposed use.**

L. Open burning is prohibited.

**Response: Noted.**

M. Storage:

1. Outdoor storage must be maintained in an orderly manner at all times.

**Response: Noted.**

2. Outdoor storage area shall be gravel surface or better and shall be suitable for the materials being handled and stored. If a gravel surface is not sufficient to meet the performance standards for the use, the area shall be suitably paved.

**Response: The proposed storage yard will have a gravel surface.**

3. Any open storage that would otherwise be visible at the property line shall be concealed from view at the abutting property line by a sight obscuring fence or planting not less than six (6) feet in height.

**Response: The exposed outdoor storage yard is screened as required with an existing site obscuring fence and existing landscape Arborvitae hedge. Please refer to the Landscape Plan on Sheet L1.0**

N. Landscaping:

1. Unused property, or property designated for expansion or other future use, shall be landscaped and maintained as approved by the Development Review Board.

Landscaping for unused property disturbed during construction shall include such things as plantings of ornamental shrubs, lawns, native plants, and mowed, seeded fieldgrass

**Response: All areas not utilized are proposed to be planted with trees, shrubs, and groundcovers. Please see sheet L1.0.**

2. Contiguous unused areas of undisturbed fieldgrass may be maintained in their existing state. Large stands of invasive weeds such as Himalayan blackberries, English ivy, cherry Laurel, reed canary grass or other identified invasive plants shall be removed and/or mowed at least annually to reduce fire hazard. These unused areas, located within a phased development project or a future expansion cannot be included in the area calculated to meet the landscape requirements for the initial phase(s) of the development.

**Response: All areas of the project site are proposed to be utilized or planted.**

3. Unused property shall not be left with disturbed soils that are subject to siltation and erosion. Any disturbed soil shall be seeded for complete erosion cover germination and shall be subject to applicable erosion control standards.

**Response: Noted.**

(.06) Other Standards:

A. Minimum Individual Lot Size: No limit save and except as shall be consistent with the other provisions of this Code (e.g., landscaping, parking, etc.).

B. Maximum Lot Coverage: No limit save and except as shall be consistent with the other provisions of this Code (e.g., landscaping, parking, etc.).

C. Front Yard Setback: Thirty (30) feet. Structures on corner or through lots shall observe the minimum front yard setback on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.

D. Rear and Side Yard Setback: Thirty (30) feet. Structures on corner or through lots shall observe the minimum rear and side yard setbacks on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.

E. No setback is required when side or rear yards abut on a railroad siding.

F. Corner Vision: Corner lots shall have no sight obstruction to exceed the vision clearance standards of Section 4.177.

**Response: The project does not propose the use of an existing structure or any building additions, therefore, this criterion does not apply.**

G. Off-Street Parking and Loading: As provided in Section 4.155.

**Response: No off-street parking and loading is proposed or required.**

H. Signs: As provided in Sections 4.156.01 through 4.156.11

**Response: No signage is proposed at this time.**

#### Section 4.137.5:

(.02) Where the "SB" Overlay Zone is to be Applied. The Screening and Buffering Overlay Zone is to be applied primarily along the edge of nonresidential zones abutting, or located directly across the street from, residential zones. As with any zoning, the "SB" Overlay Zone is only applied where established by action of the City Council.

**Response: The North property line is buffered with 20 feet of landscaping which includes an evergreen hedge of Arborvitae that will reach 6 feet tall, slatted chain**



link fence, deciduous shade trees at 30 feet on center, min. Ground cover will be planted in the remaining buffer area.

The West property line is buffered with 20 feet of landscaping which includes an evergreen hedge of Arborvitae that will reach 6 feet tall, slatted chain link fence, deciduous shade trees at 30 feet on center, min. The remaining buffer area is part of the proposed storm water facility and planted as required by the storm water facility type.

Section 4.154 On-Site Pedestrian Access and Circulation

(.01) On-site Pedestrian Access and Circulation

**Response: The proposed use (gravel storage yard) does not require parking or vehicular/pedestrian circulation.**

Section 4.155 Parking, Loading and Bicycle Parking

**Response: No parking, bicycle parking or loading is proposed or required for the outdoor storage yard use.**

**Please refer to the truck turning diagrams included in this application.**

Section 4.171 Protection of Natural and Other Features

**Response: There are no natural or other features on the site that need to be protected.**

Section 4.175 Public Safety and Crime Prevention

(.01) All developments shall be designed to deter crime and ensure public safety.

**Response: The project proposes a lockable gate across the vehicular access point, to provide security. There is no exterior lighting required or proposed at this time.**

Section 4.176 Landscaping Screening and Buffering

(.02) Landscaping and Screening Standards.

Subsections “C” through “I,” below, state the different landscaping and screening standards to be applied throughout the City. The locations where the landscaping and screening are required and the depth of the landscaping and screening is stated in various places in the Code.

(.03) Landscape Area. Not less than fifteen percent (15%) of the total lot area, shall be landscaped with vegetative plant materials.

**Response: 16.9% of the site is proposed to be landscaped. Please see sheet L1.0.**

(.04) Buffering and Screening. Additional to the standards of this subsection, the requirements of the Section 4.137.5 (Screening and Buffering Overlay Zone) shall also be applied, where applicable.

A. All intensive or higher density developments shall be screened and buffered from less intense or lower density developments.

B. Activity areas on commercial and industrial sites shall be buffered and screened from adjacent residential areas. Multi-family developments shall be screened and buffered from single-family areas.

**Response: The activity on the site is screened from the adjacent residential use by a site obscuring fence and arborvitae hedge.**

C. All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties.

**Response: No such equipment is proposed.**

D. All outdoor storage areas shall be screened from public view, unless visible storage has been approved for the site by the Development Review Board or Planning Director acting on a development permit.

**Response: A 6-foot evergreen hedge, deciduous trees, and eco lawn are proposed as required by the high screen standard. Deciduous trees have been added between the two existing street trees to remain.**

E. In all cases other than for industrial uses in industrial zones, landscaping shall be designed to screen loading areas and docks, and truck parking.

**Response: After the zone change is complete, this will be an industrial use in an industrial zone, therefore, this does not apply, and screening has been provided.**

F. In any zone any fence over six (6) feet high measured from soil surface at the outside of fenceline shall require Development Review Board approval.

**Response: No fencing over 6-foot in height is proposed.**

(.07) Installation and Maintenance.

Approved irrigation system plans shall specify one of the following:

**Response: An above ground drip irrigation system to be installed by the owner is proposed.**

#### Section 4.177. Street Improvement Standards

(.08). Access Drive and Driveway Approach Development Standards.

**Response: The existing driveway in the NE corner of the site will be used.**

**Additionally, a 20-foot dedication will be provided on SW Boones Ferry Rd.**

#### Section 4.179. Mixed Solid Waste and Recyclables Storage in New Multi-Unit Residential and Non-Residential Buildings.

(.07) The applicant shall work with the City's franchised garbage hauler to ensure that site plans provide adequate access for the hauler's equipment and that storage area is adequate for the anticipated volumes, level of service and any other special circumstances which may result in the storage area exceeding its capacity. The hauler shall notify the City by letter of their review of site plans and make recommendations for changes in those plans pursuant to the other provisions of this section.

**Response: This project does not propose a new building or use of the existing structure on site. Therefore, this criterion does not apply.**

#### Section 4.199. (.00 - .06) Outdoor Lighting

**Response: No outdoor Lighting is proposed at this time.**

#### Section 4.300-4.320 Underground Utilities

##### Section 4.300. General.

(.01) The City Council deems it reasonable and necessary in order to accomplish the orderly and desirable development of land within the corporate limits of the City, to require the underground installation of utilities in all new developments.

**Response: All proposed utility connections will be completed underground with no aerial utilities or connections proposed.**

(.02) After the effective date of this Code, the approval of any development of land within the City will be upon the express condition that all new utility lines, including but not limited to those required for power, communication, street lighting, gas, cable television services and related facilities, shall be placed underground.

**Response: All proposed utility connections will be completed underground with no aerial utilities or connections proposed.**

(.03) The construction of underground utilities shall be subject to the City's Public Works Standards and shall meet applicable requirements for erosion control and other environmental protection.

**Response: All proposed utilities are designed to meet the City's public works standards.**

#### Section 4.320. Requirements.

(.01) The developer or subdivider shall be responsible for and make all necessary arrangements with the serving utility to provide the underground services (including cost of rearranging any existing overhead facilities). All such underground facilities as described shall be constructed in compliance with the rules and regulations of the Public Utility Commission of the State of Oregon relating to the installation and safety of underground lines, plant, system, equipment and apparatus.

**Response: All proposed utility connections will be completed underground with no aerial utilities or connections proposed. All proposed utilities are designed to meet the Public Utility Standards.**

(.02) The location of the buried facilities shall conform to standards supplied to the subdivider by the City. The City also reserves the right to approve location of all surface-mounted transformers.

**Response: Coordination will be completed with the City to verify the layout and locations of all proposed utilities. Existing overhead electrical lines to be removed and existing poles to be removed or abandoned in place.**

(.03) Interior easements (back lot lines) will only be used for storm or sanitary sewers, and front easements will be used for other utilities unless different locations are approved by the City Engineer. Easements satisfactory to the serving utilities shall be provided by the developer and shall be set forth on the plat.

**Response: Outside of any possible Public Utility Easement requested by the City, no other public utility easements are anticipated for this project.**

#### Section 4.400; Purpose.

(.01) Excessive uniformity, inappropriateness or poor design of the exterior appearance of structures and signs and the lack of proper attention to site development and landscaping in the business, commercial, industrial and certain residential areas of the City hinders the harmonious development of the City, impairs the desirability of residence, investment or occupation in the City, limits the opportunity to attain the

optimum use in value and improvements, adversely affects the stability and value of property, produces degeneration of property in such areas and with attendant deterioration of conditions affecting the peace, health and welfare, and destroys a proper relationship between the taxable value of property and the cost of municipal services therefor.

**Response: This project seeks to improve the appearance and provide screening and buffering for a gravel storage lot. The project does not include any structures at this time.**

#### Section 4.450: Installation of Landscape

(.01) All landscaping required by this section and approved by the Board shall be installed prior to issuance of occupancy permits, unless security equal to 110 percent of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant.

(.02) Action by the City approving a proposed landscape plan shall be binding upon the applicant. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, as specified in this Code.

(.03) All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered with Board approval.

(.04) If a property owner wishes to add landscaping for an existing development, in an effort to beautify the property, the Landscape Standards set forth in Section 4.176 shall not apply and no Plan approval or permit shall be required. If the owner wishes to modify or remove landscaping that has been accepted or approved through the City's development review process, that removal or modification must first be approved through the procedures of Section 4.010.

**Response: Landscaping will be installed prior to Occupancy or in this case project close out.**

#### Section 4.620.10 – Tree Protection During Construction.

(.01) Where tree protection is required by a condition of development under Chapter 4 or by a Tree Maintenance and Protection Plan approved under this subchapter, the following standards apply:

A. All trees required to be protected must be clearly labeled as such.

B. Placing Construction Materials Near Tree. No person may conduct any construction activity likely to be injurious to a tree designated to remain, including, but not limited to, placing solvents, building material, construction equipment, or depositing soil, or placing

irrigated landscaping, within the drip line, unless a plan for such construction activity has been approved by the Planning Director or Development Review Board based upon the recommendations of an arborist.

C. Attachments to Trees During Construction. Notwithstanding the requirement of WC 4.620.10(1)(A), no person shall attach any device or wire to any protected tree unless needed for tree protection.

D. Protective Barrier. Before development, land clearing, filling or any land alteration for which a Tree Removal Permit is required, the developer shall erect and maintain suitable barriers as identified by an arborist to protect remaining trees. Protective barriers shall remain in place until the City authorizes their removal or issues a final certificate of occupancy, whichever occurs first. Barriers shall be sufficiently substantial to withstand nearby construction activities. Plastic tape or similar forms of markers do not constitute "barriers." The most appropriate and protective barrier shall be utilized. Barriers are required for all trees designated to remain, except in the following cases:

1. Rights-of-Way and Easements. Street right-of-way and utility easements may be cordoned by placing stakes a minimum of 50 feet apart and tying ribbon, plastic tape, rope, etc., from stake to stake along the outside perimeters of areas to be cleared.

2. Any property area separate from the construction or land clearing area onto which no equipment will venture may also be cordoned off as described in paragraph (D) of this subsection, or by other reasonable means as approved by the reviewing authority.

**Response: Tree protection fencing has been added to the plans for the three large trees to remain and the landscape plants that were installed per requirements of TR21-0002 Decision.**

## **ZONE MAP AMENDMENT**

### Section 4.197 Zone Change

(.02) The following procedures shall be followed for zone map amendments. All other quasi-judicial zone map amendments shall be reviewed by the Development Review Board to make a recommendation to City Council and all legislative zone map amendments shall be reviewed by the Planning Commission to make a recommendation to City Council.

**Response: Noted. This project is a combination of 4 different Land Use applications. (Site Design Review, Zone Map Amendment, Stage I Master Plan and Stage II Final Plan). All four of these applications will be processed concurrently.**

C. In recommending approval or denial of a proposed zone map amendment, the Planning Commission or Development Review Board shall at a minimum, adopt findings addressing the following criteria:

1. That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125 (.18)(B)(2) or, in the case of a Planned Development, Section 4.140; and [Amended by Ord 557, adopted 9/5/03]

**Response: This Narrative document addresses Section 4.140 for a Planned Development.**

2. That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text; and

**Response: The Comprehensive Plan map indicates that the project site is designated Industrial. The proposed change to PDI complies with the intent of the Comprehensive Plan.**

3. In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measures 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text; and [Amended by Ordinance No. 538, 2/21/02.]

**Response: The Comprehensive Plan map indicates that the project site is designated Industrial. Therefore, this criterion does not apply.**

4. That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to ensure that all primary facilities are available and are adequately sized; and

**Response: The proposed storage yard will have minimal impact on the primary public facilities. Please refer to the Final DKS Memo included in this application.**

5. That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard.

**Response: The project site is not located within a Significant Resource Overlay Zone.**

6. That the applicant is committed to a development schedule demonstrating that development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change; and

**Response: The applicant will commit to begin construction of the storage yard facility within 2 years of the approval of the zone change.**

7. That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached that ensure that the project development substantially conforms to the applicable development standards.

**Response: As proposed, the storage yard meets all applicable code requirements and standards.**

8. Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property. The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment has a significant effect on the transportation system pursuant to OAR 660-012-0060. A Traffic Impact Analysis (TIA) shall be prepared pursuant to the requirements in Section 4.133.05.(01).

**Response: This project will be dedicating 20-feet to the SW Boones Ferry right-of-way. Please refer to the Final DKS Memo included in this application for additional findings and recommendations regarding compliance with this code section.**

Comprehensive Plan: Area of Special Concern E;  
AREA E

The Walnut Park mobile home park is also located in this area. While economics may ultimately force redevelopment of the park to industrial use, the life of the park can be prolonged through careful design considerations of surrounding development. Doing so will help to retain one of the City's affordable housing opportunities.

Design Objectives

1. Encourage consolidation of smaller lots to allow for master planning of large areas.
2. Provide buffers adjacent to the mobile home park, e.g., increased landscaped setbacks, or complementary uses.
3. Minimize traffic (truck) conflicts with residential activities, including pedestrians.
4. Provide an attractive and easily accessible park and ride facility in conjunction with a commuter rail station. If necessary to meet these objectives, prepare a master plan for the area around the selected rail station site.
5. Determine the appropriate alignment for a road connecting 95th Ave. and Kinsman Rd. through this area.

**Response: Future development of this property will result in property consolidation and redevelopment of an Industrial use facility. Until then, the Walnut Park mobile home park is screened as required along the northern edge of the property. The proposed use is a storage yard. As such, it will not incur frequent/daily truck trips to the property.**

**The property does not abut a commuter rail station. A park and ride facility is not a realistic use at this time. The property does not front on either 95<sup>th</sup> Ave. or Kinsman and does not propose a new road.**

## MEMORANDUM

DATE: October 18, 2021

TO: Matt Palmer | City of Wilsonville

FROM: Scott Mansur, P.E., PTOE | DKS Associates  
Jenna Bogert, P.E. | DKS Associates



SUBJECT: Wilsonville Construction Storage Yard Trip Generation

P19006-020

This memorandum documents the trip generation estimates for the proposed construction storage yard located at 28505/28635 Boones Ferry Road in Wilsonville, Oregon. The applicant proposes to use the site as rental storage space for heavy equipment and/or construction materials or contractor fleet vehicle storage at the existing gravel lot. The property is approximately 1.25 acres in total and currently contains a single-story building on-site.

The purpose of this memorandum is to determine how much additional traffic the proposed land use would generate through the City's transportation system. This memorandum will also include an evaluation of the site accesses and on-site circulation.

### PROJECT TRIP GENERATION

Trip generation is the method used to estimate the number of vehicles that are added to the roadway network by the proposed project during a specified period (e.g., p.m. peak hour).

Typically, trip generation for sites are estimated using the trip rates provided by the Institute of Transportation Engineers (ITE) *Trip Generation Manual*.<sup>1</sup> However, this particular land use is not provided in the ITE *Trip Generation Manual* nor is there an existing site with a similar land use that is known where vehicle data could be collected. However, the applicant has provided the following estimated number of employees and vehicle trips per day based on the proposed land use.<sup>2</sup>

- Employees On-Site: 0 to 4 employees
- Daily Vehicle Trips: 10- 20 trips, with most trips leaving the site prior to the AM peak hour and returning to the site during the AM peak hour. Few trips occur during the PM peak hour.

<sup>1</sup> Trip Generation Manual, 11th Edition, Institute of Transportation Engineers, 2021.

<sup>2</sup> Email from Matt Palmer on September 21, 2021.



Table 1 shows the estimated number of daily trips and p.m. peak hour trips based on the information provided by the applicant for the proposed site. As shown, a total of 5 trips (4 in, 1 out) are expected to be generated during the p.m. peak hour and a total of 20 daily trips.

**TABLE 1: VEHICLE TRIP GENERATION**

| LAND USE   | SIZE       | DAILY TRIPS | P.M. PEAK HOUR TRIPS |     |       |
|--|------------|-------------|----------------------|-----|-------|
|  |            |             | IN                   | OUT | TOTAL |
| RENTAL STORAGE SPACE FOR HEAVY EQUIPMENT, CONSTRUCTION MATERIALS, OR CONTRACTOR FLEET VEHICLES | 1.25 acres | 20          | 1                    | 4   | 5     |

## PROJECT TRIPS THROUGH I-5 INTERCHANGE AREAS

Using the City of Wilsonville Travel Demand Model, the number of project trips through the interchange were estimated. The model showed that 5% of the trips generated by the site are expected to travel through the I-5/Elligsen Road interchange and 50% are expected to travel through the I-5/Wilsonville Road interchange. Therefore, the proposed land use is expected to generate 0 p.m. peak hour trip (5% of estimated trips) through the I-5/Elligsen Road interchange area and 3 p.m. peak hour trips (50% of estimated trips) through I-5/Wilsonville Road interchange area.

## SITE ACCESS

There are two existing curb cuts on Boones Ferry Road that provide access to the project site. Currently, site access at the south curb cut is blocked by large rock boulders. The site's access points are spaced approximately 115 feet apart (centerline to centerline), with the nearest other driveways to the north and south being located approximately 120 feet and 70 feet away, respectively. Based on the City's design standards,<sup>3</sup> the minimum access spacing on a Boones Ferry Road (Collector) is 100 feet and the desired spacing is 300 feet. The southern site access to project site is located less than 100 feet from the site access to the car repair shop on the adjacent property to the south. Therefore, it is recommended that the southern project site access point continue to be closed (i.e., do not remove existing rock boulders) and only the northern project access point provide access to the site.

Based on a preliminary evaluation, the northern project access point appears to have sufficient sight distance. However, prior to occupancy, sight distance at any existing or proposed access points will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon.

<sup>3</sup> Table 2.12 Access Spacing Standards, Public Works Standards, City of Wilsonville, 2017.

## SUMMARY

---

Key findings for the proposed rental storage space for heavy equipment and/or construction materials or contractor fleet vehicle storage at the existing gravel lot land use in Wilsonville, Oregon are as follows:

- The estimated number of p.m. peak hour trips from proposed additional services is 5 trips (1 in, 4 out).
- It is expected that 3 p.m. peak hour trips will travel through I-5/Wilsonville Road interchange area and 0 p.m. peak hour trips will travel through the I-5/Elligsen Road interchange area.
- It is recommended that the existing southern project site access point continue to be closed (i.e., do not remove existing rock boulders) in order to meet the City's minimum access spacing standard for Boones Ferry Road.
- Prior to occupancy, sight distance at any existing or proposed access points will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon.

Please let us know if you have any questions.

## Preliminary Report

Fidelity National Title - Oregon  
900 SW 5th Avenue, Portland, OR 97204

Escrow Officer: Paula Kingsley  
Email: Paula.Kingsley@fnf.com Supplement 2: Date,  
Updated  
Phone: 503-222-2424  
File No.: 45142118621

Property Address: 28505 SW Boones Ferry Road, Wilsonville, OR 97070

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**Fidelity National Title**

This Office: Title Office 02 Title # LIVELOOKREPORT 1248 Main Street, Wilsonville, Oregon 97070

APR 11, 2019 AT 1:00 AM

**SUMMARY**

**VESTING:** Sure Seller and Sure Seller, Inc. and all its joint tenants

**ADDRESS:** 1248 Main Street, Wilsonville, Oregon

**FORM OF POLICY:** A CLERK/IN 2013 Homeowner's Policy of Title Insurance ALTA Loan 2005

**EXCEPTIONS**

- A. Property taxes, which are a lien for all due and payable
- B. Supplemental or assigned assessments of any
- C. Payment of Contract Assessment Required - NOD/FACZ
- D. Water rights
- E. Provisions in a deed prohibiting the purchase, setting or holding of a floating lien on said land
- F. Covenants, conditions, and restrictions
- G. Easement
- H. Deed of Trust
- I. Abstract of Judgment
- J. Notice of Independent Solar Energy System Producer Contract
- K. Financing Statement
- L. If the land is within the area affected by a Geographic Targeting Order issued by FICBN

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

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

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

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

Kalechmussky



# Fidelity National Title

Company of Oregon

900 SW 5th Avenue, Portland, OR 97204  
(503)222-2424 FAX (503)227-2274

## PRELIMINARY REPORT

**ESCROW OFFICER:** Paula Kingsley  
Paula.Kingsley@fnf.com  
503-222-2424

**TITLE OFFICER:** Meg Clark Kilcoyne  
meg.clarkkilcoyne@fnf.com  
(503)796-6661

**TO:** Fidelity National Title Company of Oregon  
900 SW 5th Avenue  
Portland, OR 97204

**ESCROW LICENSE NO.:** 901000243

**OWNER/SELLER:** Jeffrey Davenport and Lynn Fowler Davenport

**BUYER/BORROWER:** Davidsons Boones Ferry Industrial, LLC

**PROPERTY ADDRESS:** 28505 SW Boones Ferry Road, Wilsonville, OR 97070

**ORDER NO.:** 45142118621  
**Supplement 2:** Date, Updated  
Property Address, Vesting, Legal  
Description, Liability Amount, and  
Exceptions

**EFFECTIVE DATE:** September 9, 2021, 08:00 AM

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

|                          | <u>AMOUNT</u> | <u>PREMIUM</u> |
|--------------------------|---------------|----------------|
| ALTA Owner's Policy 2006 | \$ 475,000.00 | \$ 1,300.00    |
| Owner's Standard         |               |                |

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

A Fee

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

Jeff Davenport and Lyn Davenport, as tenants by the entirety

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

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

**EXHIBIT "A"**  
Legal Description

A part of Lot 9, BOBERG, in the City of Wilsonville, County of Clackamas and State of Oregon, described as follows:

Beginning at an iron pipe at the Northwest corner of said Lot 9, BOBERG; from said place of beginning; thence North 89°42' East along the North line of said Lot 9, 539.96 feet to an iron pipe in the Westerly right of way line of the Baldock Freeway access road; thence South 0°06' West along said Westerly right of way line, 185.00 feet to an iron pipe; thence leaving said Westerly right of way line, South 89°42' feet West, 540.12 feet to an iron pipe in the Easterly line of a 40.00 foot county road being also the Westerly line of said Lot 9; thence North 0°09' East along said Easterly right of way line, 185 feet to the place of beginning.

EXCEPTING THEREFROM the South 110.0 feet of the East 315.12 feet of the West 540.12 feet as sold to Bernard N. Kuensting, et ux, on Contract by instrument recorded in Book 35, Page 236, Clackamas County Miscellaneous Records.

ALSO EXCEPTING THEREFROM the West 225 feet as conveyed to Nicholas Woliczynski, et ux, by Deed recorded under Recorder's Fee No. 69-011674, Clackamas County Records.

ALSO EXCEPTING THEREFROM all that portion conveyed to the State of Oregon, in Book 449, Page 452, Clackamas County Records.

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

**GENERAL EXCEPTIONS:**

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

**SPECIFIC ITEMS AND EXCEPTIONS:**

6. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2021-2022.
7. City Liens, if any, in favor of the City of Wilsonville. None found as of June 30, 2021.
8. Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantee: State of Oregon, by and through its Department of Transportation, Highway Division  
 Recording Date: October 10, 1951  
 Recording No.: [Book 449, Page 452](#)

Amended by Grant of Access, by the State of Oregon, regarding the frontage road, including the terms and provisions thereof,

Recording Date: June 30, 1961  
 Recording No.: [Book 588, Page 746](#)

9. [Intentionally Deleted]

10. Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Utility Easement

Recording Date: October 26, 2010

[Recording No.: 2010-067718](#)

11. Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Utility Easement

Recording Date: October 26, 2010

[Recording No.: 2010-067719](#)

12. [Intentionally Deleted]

13. [Intentionally Deleted]

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

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

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

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

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

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

#### **ADDITIONAL REQUIREMENTS/NOTES:**

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

Fiscal Year: 2020-2021

Amount: \$2,475.28

Levy Code: 003-023

[Account No.: 00809986](#)

Map No.: 31W14A-00800

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



B. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

C. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties: Davidsons Boones Ferry Industrial, LLC, an Oregon limited liability company

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

Limited Liability Company: Davidsons Boones Ferry Industrial, LLC, an Oregon limited liability company

a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.

b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.

c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.

d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created

e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

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

E. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final 2006 ALTA Policy unless removed prior to issuance.

F. Note: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.

G. Note: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.

H. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.

- I. Note: The only conveyance(s) affecting said Land, which recorded within 24 months of the date of this report, are as follows:

Grantor: Roderick Olsen and Fabienne C. Olsen, Trustees of the Roderick and Fabienne C. Olsen Family Trust, signed the 5th day of November, 1991  
 Grantee: Jeff Davenport and Lyn Davenport, as tenants by the entirety  
 Recording Date: September 30, 2020  
Recording No: [2020-081257](#)

- J. Note: This [map/plat](#) is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

- K. NOTE: IMPORTANT INFORMATION REGARDING PROPERTY TAX PAYMENTS

|  |  |
|--|--|
| Fiscal Year:   | July 1 <sup>st</sup> through June 30 <sup>th</sup> |
| Taxes become a lien on real property, but are not yet payable:   | July 1 <sup>st</sup>                               |
| Taxes become certified and payable (approximately on this date): | October 15 <sup>th</sup>                           |
| First one third payment of taxes is due:                         | November 15 <sup>th</sup>                          |
| Second one third payment of taxes is due:                        | February 15 <sup>th</sup>                          |
| Final payment of taxes is due:                                   | May 15 <sup>th</sup>                               |

Discounts: If two thirds are paid by November 15<sup>th</sup>, a 2% discount will apply.  
 If the full amount of the taxes are paid by November 15<sup>th</sup>, a 3% discount will apply.

Interest: Interest accrues as of the 15<sup>th</sup> of each month based on any amount that is unpaid by the due date. No interest is charged if the minimum amount is paid according to the above mentioned payment schedule.

- L. Recording Charge (Per Document) is the following:

| County     | First Page | Each Additional Page |
|------------|------------|----------------------|
| Multnomah  | \$86.00    | \$5.00               |
| Washington | \$81.00    | \$5.00               |
| Clackamas  | \$93.00    | \$5.00               |

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

Note: Please send any documents for recording to the following address:

Portland Title Group  
 Attn: Recorder  
 1433 SW 6th Ave.  
 Portland, OR. 97201

## EXHIBIT ONE

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

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

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

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

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

#### SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

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

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

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

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

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

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

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

#### SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

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

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



Inquire before you wire!

## WIRE FRAUD ALERT

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

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

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

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

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

**Federal Bureau of Investigation:**

<http://www.fbi.gov>

**Internet Crime Complaint Center:**

<http://www.ic3.gov>

## **FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE**

Effective January 1, 2021

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

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

### **Collection of Personal Information**

FNF may collect the following categories of Personal Information:

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

We may collect Personal Information about you from:

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

### **Collection of Browsing Information**

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

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

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

### **Other Online Specifics**

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

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

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

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

### **Use of Personal Information**

FNF uses Personal Information for three main purposes:

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

### **When Information Is Disclosed**

We may disclose your Personal Information and Browsing Information in the following circumstances:

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

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

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

### **Security of Your Information**

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

### **Choices With Your Information**

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

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

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

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

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

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

### **Information From Children**

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

### **International Users**

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

### **FNF Website Services for Mortgage Loans**

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

### **Your Consent To This Privacy Notice; Notice Changes; Use of Comments or Feedback**

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

### **Accessing and Correcting Information; Contact Us**

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, visit FNF's [Opt Out Page](#) or contact us by phone at (888) 934-3354 or by mail to:

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

## Preliminary Report

Fidelity National Title - Oregon  
900 SW 5th Avenue, Portland, OR 97204

Escrow Officer: Paula Kingsley  
Email: Paula.Kingsley@fnf.com  
Phone: 503-222-2424  
File No.: 45142125338

Property Address: 28635 SW Boones Ferry Road, Wilsonville, OR 97070

## Introducing LiveLOOK

LiveLOOK title document delivery system is designed to provide 24/7 real-time access to all information related to a title insurance transaction.

Access title reports, exception documents, an easy-to-use summary page, and more, at your fingertips and your convenience.

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**Effortless, Efficient, Compliant, and Accessible**





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

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

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

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

Kalenithussry



# Fidelity National Title

Company of Oregon

900 SW 5th Avenue, Portland, OR 97204  
(503)222-2424 FAX (503)227-2274

## PRELIMINARY REPORT

**ESCROW OFFICER:** Paula Kingsley  
Paula.Kingsley@fnf.com  
503-222-2424

**ORDER NO.:** 45142125338

**TITLE OFFICER:** Meg Clark Kilcoyne

**TO:** Fidelity National Title Company of Oregon  
900 SW 5th Avenue  
Portland, OR 97204

**ESCROW LICENSE NO.:** 901000243

**OWNER/SELLER:** Jeffrey Davenport and Lyn Fowler Davenport

**BUYER/BORROWER:** Davidsons Boones Ferry Industrial, LLC

**PROPERTY ADDRESS:** 28635 SW Boones Ferry Road, Wilsonville, OR 97070

**EFFECTIVE DATE:** September 9, 2021, 08:00 AM

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

|                          | <u>AMOUNT</u> | <u>PREMIUM</u> |
|--------------------------|---------------|----------------|
| ALTA Owner's Policy 2006 | \$ 944,000.00 | \$ 2,016.00    |

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

A Fee

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

Jeffrey Davenport and Lyn Fowler-Davenport, as tenants by the entirety

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

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

**EXHIBIT "A"**  
Legal Description

A tract of land situated in Section 14, Township 3 South, Range 1 West of the Willamette Meridian, and being a part of Lot 9, BOBERG, in the City of Wilsonville, County of Clackamas and State of Oregon, being more particularly described as follows, to-wit:

Beginning at an iron pipe on the Westerly right of way line of the Baldock Freeway access road which is South 0°06' West 185 feet from the North line of said Lot 9; thence South 89°42' West 315.12 feet to the Southeast corner of a tract described in contract of sale to Nicholas Woliczynski, et ux, as recorded in Book 649, page 4, Deed Records; thence North 0°06' East tracing the Easterly line of said Woliczynski Tract 110 feet; thence North 89°42' East 315.12 feet to the Westerly right of way line of the Baldock Freeway access road; thence South 0°06' West tracing the Westerly right of way line of the Baldock Freeway access road 110 feet to the point of beginning.

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

**GENERAL EXCEPTIONS:**

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

**SPECIFIC ITEMS AND EXCEPTIONS:**

6. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2021-2022.
7. City Liens, if any, in favor of the City of Wilsonville. None found as of June 30, 2021.
8. Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantee: State of Oregon, by and through its Department of Transportation, Highway Division  
Recording Date: October 10, 1951  
Recording No.: [Book 449, Page 452](#)

Amended by Grant of Access, by the State of Oregon, regarding the frontage road, including the terms and provisions thereof,

Recording Date: June 30, 1961  
Recording No.: [Book 588, Page 746](#)

9. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Portland General Electric Company  
Purpose: Underground distribution line  
Recording Date: August 23, 2010  
[Recording No: 2010-050915](#)

10. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Neighboring property owners  
Purpose: Utilities  
Recording Date: October 26, 2010  
Recording No: 2010-067719

11. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$475,000.00  
Dated: December 28, 2020  
Trustor/Grantor: Jeffrey L. Davenport who took title as Jeffrey Davenport and Lyn K Fowler-Davenport, who took title as Lyn Fowler-Davenport, as tenants by the entirety  
Trustee: Lawyers Title of Oregon, LLC, an Oregon Limited Liability Corporation  
Beneficiary: Clackamas County Bank  
Loan No.: 459434001  
Recording Date: December 29, 2020  
Recording No: 2020-111040

12. An assignment of all the moneys due, or to become due as rental, as additional security for the obligations secured by deed of trust shown as item no. schedule A4

Assigned to: Clackamas County Bank  
Recording Date: December 29, 2020  
[Recording No: 2020-111041](#)

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

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

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

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

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

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

**ADDITIONAL REQUIREMENTS/NOTES:**

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

Fiscal Year: 2020-2021  
Amount: \$3,581.74  
Levy Code: 003-023  
Account No.: 00809995  
Map No.: 31W14A-00900

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

- B. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

- C. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties: Davidsons Boones Ferry Industrial, LLC, an Oregon limited liability company

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

Limited Liability Company: Davidsons Boones Ferry Industrial, LLC, an Oregon limited liability company

a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.

b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.

c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.

d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created

e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

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

- E. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final 2006 ALTA Policy unless removed prior to issuance.

- F. Note: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.

G. Note: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.

H. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.

I. Note: The only conveyance(s) affecting said Land, which recorded within 24 months of the date of this report, are as follows:

Grantor: Mickey Henson and Melinda K. Henson and Mel-Mic Enterprises, Inc., an Oregon corporation dba M & M Towing & Auto Sales  
 Grantee: Jeffrey Davenport and Lyn Fowler-Davenport, as tenants by the entirety  
 Recording Date: May 22, 2020  
[Recording No: 2020-037594](#)

J. Note: This [map/plat](#) is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

K. NOTE: IMPORTANT INFORMATION REGARDING PROPERTY TAX PAYMENTS

|  |  |
|--|--|
| Fiscal Year:   | July 1 <sup>st</sup> through June 30 <sup>th</sup> |
| Taxes become a lien on real property, but are not yet payable:   | July 1 <sup>st</sup>                               |
| Taxes become certified and payable (approximately on this date): | October 15 <sup>th</sup>                           |
| First one third payment of taxes is due:                         | November 15 <sup>th</sup>                          |
| Second one third payment of taxes is due:                        | February 15 <sup>th</sup>                          |
| Final payment of taxes is due:                                   | May 15 <sup>th</sup>                               |

Discounts: If two thirds are paid by November 15<sup>th</sup>, a 2% discount will apply.  
 If the full amount of the taxes are paid by November 15<sup>th</sup>, a 3% discount will apply.

Interest: Interest accrues as of the 15<sup>th</sup> of each month based on any amount that is unpaid by the due date. No interest is charged if the minimum amount is paid according to the above mentioned payment schedule.

L. Recording Charge (Per Document) is the following:

| County     | First Page | Each Additional Page |
|------------|------------|----------------------|
| Multnomah  | \$86.00    | \$5.00               |
| Washington | \$81.00    | \$5.00               |
| Clackamas  | \$93.00    | \$5.00               |

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

Note: Please send any documents for recording to the following address:

Portland Title Group  
Attn: Recorder  
1433 SW 6th Ave.  
Portland, OR. 97201



## EXHIBIT ONE

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

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

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

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

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

#### SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

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

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

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

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

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

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

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

#### SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

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

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



Inquire before you wire!

## WIRE FRAUD ALERT

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

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

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

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

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

**Federal Bureau of Investigation:**

<http://www.fbi.gov>

**Internet Crime Complaint Center:**

<http://www.ic3.gov>

## **FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE**

Effective January 1, 2021

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

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

### **Collection of Personal Information**

FNF may collect the following categories of Personal Information:

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

We may collect Personal Information about you from:

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

### **Collection of Browsing Information**

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

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

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

### **Other Online Specifics**

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

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

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

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

### **Use of Personal Information**

FNF uses Personal Information for three main purposes:

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

### **When Information Is Disclosed**

We may disclose your Personal Information and Browsing Information in the following circumstances:

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

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

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

### **Security of Your Information**

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

### **Choices With Your Information**

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

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

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

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

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

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

### **Information From Children**

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

### **International Users**

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

### **FNF Website Services for Mortgage Loans**

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

### **Your Consent To This Privacy Notice; Notice Changes; Use of Comments or Feedback**

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

### **Accessing and Correcting Information; Contact Us**

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, visit FNF's [Opt Out Page](#) or contact us by phone at (888) 934-3354 or by mail to:

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



After recording return to:  
Jeffrey Davenport and Lyn Fowler-  
Davenport  
8450 NE Parret Mountain Road  
Newberg, OR 97132

Until a change is requested all tax  
statements shall be sent to the  
following address:  
Jeffrey Davenport and Lyn Fowler-  
Davenport  
8450 NE Parret Mountain Road  
Newberg, OR 97132

File No.: 7000-3414058 (DA)  
Date: March 04, 2020

THIS SPACE RESERVED FOR RECORDER'S USE

### STATUTORY WARRANTY DEED

**Mickey Henson and Melinda K. Henson and Mel-Mic Enterprises, Inc., an Oregon corporation dba M & M Towing & Auto Sales, Grantor, conveys and warrants to Jeffrey Davenport and Lyn Fowler-Davenport, as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**Subject to:**

1. 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.

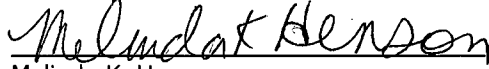
The true consideration for this conveyance is **\$750,000.00**. (Here comply with requirements of ORS 93.030)

FIRST AMERICAN 3414058-20

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 19 day of May, 2020.

  
Mickey Henson

  
Melinda K. Henson

  
Mickey Henson, President  
Mel-Mic Enterprises, Inc.

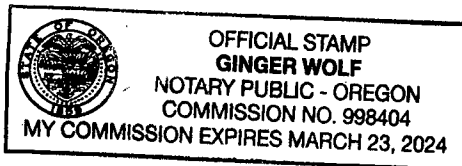
APN: 00809995

Statutory Warranty Deed  
- continued

File No.: 7000-3414058 (DA)

STATE OF Oregon )  
County of Clackamas )ss.  
)

This instrument was acknowledged before me on this 21 day of May, 2020  
by **Mickey Henson as an individual and as President** of **Mel-Mic Enterprises, Inc.**

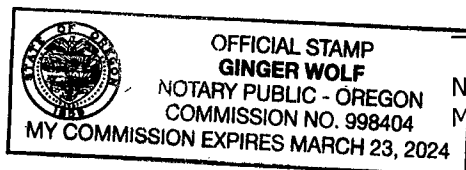


Notary Public for Oregon  
My commission expires:

*[Signature]* March 23 - 2024

STATE OF Oregon )  
County of Clackamas )ss.  
)

This instrument was acknowledged before me on this 19 day of May, 2020  
by **Melinda K. Henson.**



Notary Public for Oregon  
My commission expires:

*[Signature]* March 23 - 2024



**EXHIBIT A**

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

**A tract of land situated in Section 14, Township 3 South, Range 1 West of the Willamette Meridian, and being a part of Lot 9, BOBERG, in the City of Wilsonville, County of Clackamas and State of Oregon, being more particularly described as follows, to-wit:**

**Beginning at an iron pipe on the Westerly right of way line of the Baldock Freeway access road which is South 0°06' West 185 feet from the North line of said Lot 9; thence South 89°42' West 315.12 feet to the Southeast corner of a tract described in contract of sale to Nicholas Woliczynski, et ux, as recorded in Book 649, page 4, Deed Records; thence North 0°06' East tracing the Easterly line of said Woliczynski Tract 110 feet; thence North 89°42' East 315.12 feet to the Westerly right of way line of the Baldock Freeway access road; thence South 0°06' West tracing the Westerly right of way line of the Baldock Freeway access road 110 feet to the point of beginning.**

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



## Explanation of Notice of Pending Administrative Action and Opportunity to Comment

Retroactive Tree Removal and Replacement at 28505 and 28635  
SW Boones Ferry Rd

***This notice provides you an opportunity to comment on the retroactive removal of approximately eleven (11) trees removed in order to gravel the lots located at 28505 and 28635 SW Boones Ferry Rd without a permit and a mitigation plan to replace the trees and screen the property with eleven (11) deciduous trees, one hundred and thirty (130) arborvitae, and twenty-five (25) ground cover plants along the west and north borders of the properties.***

Comments are encouraged to address specific criteria established in City Code. A list of criteria applicable to review can be found in the attached Notice of Pending Administrative Action.

Comments should be submitted in writing and must be submitted within 10 Days of This Notice.

### **Frequently Asked Question about Providing Written Comments:**

#### **To whom should I address my written comments?**

Please address comments to Planning Division staff member reviewing the application, Georgia McAlister.

#### **How do I submit written comments?**

Email is best. Comments can be emailed to the Planning Division staff member reviewing the application, Georgia McAlister, at [gmcaster@ci.wilsonville.or.us](mailto:gmcaster@ci.wilsonville.or.us). They can also be mailed to: Planning Division, Attn: Georgia McAlister, 29799 SW Town Center Loop East, Wilsonville, OR 97070 or delivered in person 8:00 to 5:00 on days City Hall is opened (typically Mon-Fri) at the address above.



## Notice of Pending Administrative Action

NOTICE IS HEREBY GIVEN that the City of Wilsonville Planning Director, pursuant to Sections 4.030 and 4.035 of the Wilsonville Code, is considering approval of the proposed revisions to a previously approved site development plan.

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|                             |   |
|-----------------------------|---|
| <b>Case File Number:</b>    | TR21-0002 Retroactive Removal of Trees and Mitigation at 28505 and 28635 SW Boones Ferry Rd.  |
| <b>Owners/Applicant:</b>    | Jeffery Davenport   |
| <b>Location:</b>            | 28505 and 28635 SW Boones Ferry Rd. The properties are specifically known as Tax Lots 0800 & 0900, Section 14A, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. |
| <b>Applicable Criteria:</b> | Section 4.008, Section 4.009, Section 4.035, Sections 4.600-4.600.30, Sections 4.600.50-4.610.30, and 4.620.00  |

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The Planning Director shall approve, approve with conditions, deny or refer the application to the Development Review Board for a hearing. You are invited to submit information within ten (10) days of the date of this notice relevant to the standards pertinent to the proposal and giving reasons why the application should or should not be approved or proposing conditions you believe are necessary for approval according to City standards. **If you would like further information regarding this request, please call Georgia McAlister, Assistant Planner, with the Planning Division at 503-682-4960.**

*Note: A decision of the Planning Director may be appealed by an affected party or by three (3) Board members in accordance to Section 4.022, except that the review shall be of the record supplemented by oral commentary relevant to the record presented on behalf of the applicant and Planning Director. Any appeal must be filed with the City Recorder within fourteen (14) calendar days of notice of the decision. The notice of appeal shall be in writing and indicate the specific issues(s) being appealed and the reason(s) thereof.*

NOTICE TO MORTGAGEE, LIEN HOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

## PRE-APPLICATION NOTES

---

Site Addresses: 26835 and 28505 SW Boones Ferry Rd – Wilsonville, OR 97070

Tax Lots: 31W14A 00800 and 00900

Site Description: Existing Building

Proposed Development: Leasable Gravel Storage Yard/Small Office

Zoning: Residential Agriculture Holding Industrial and Planned Development Industrial



## TRANSPORTATION

### **BOONES FERRY ROAD**

Classification: Major Collector

Jurisdiction: City of Wilsonville

### **EXISTING CONDITIONS**

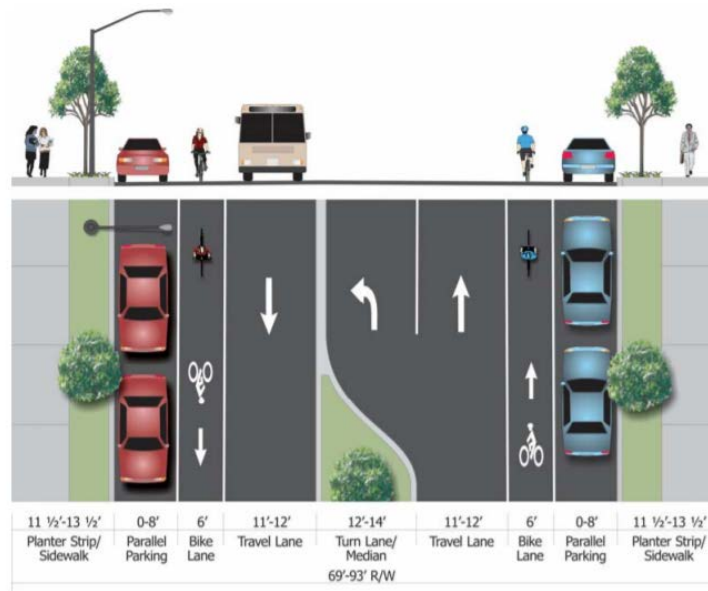
Boones Ferry Road is a two-way road with a small shoulder without curb or sidewalk. Current right-of-way width is assumed to be 50-feet (although difficult to be absolutely sure without professional survey due to blending with ODOT right-of-way to the east).



### **REQUIRED IMPROVEMENTS**

Dedicate sufficient right-of-way to accommodate Boones Ferry Road as a seventy (70) foot Collector. An assumed 20-foot right-of-way dedication will be required. Of the 20-foot dedication, applicant shall provide 10.0 feet at no cost to the City (Applicant's obligation). Since Boones Ferry Road abuts the I-5 right-of-way, the City of Wilsonville will be responsible for purchasing the additional 10.0 feet of right-of-way dedication required. Payment will be made in the form of Transportation SDC Credit.

**FIGURE 3-8. COLLECTOR CROSS-SECTION**



### ACCESS DRIVEWAY SPACING

Driveway access spacing must follow the requirements City's Public Works Standards (page 89):

**Table 2.12. ACCESS SPACING STANDARDS**

| Roadway Functional Classification | Access Spacing Desired | Access Spacing Minimum |
|-----------------------------------|------------------------|------------------------|
| Major Arterial                    | 1320 feet              | 1000 feet              |
| Minor Arterial                    | 1000 feet              | 600 feet               |
| Collector                         | 300 feet               | 100 feet               |
| Local Street                      | Access to Each Lot     |                        |

When access spacing standards cannot be met, driveway consolidation and shared driveways shall be considered. Turning restriction may also be required pending recommendations from traffic impact study.

### TRAFFIC IMPACT STUDY

A traffic impact study is required when three (3) new vehicular trips are generated. Provide the use and square footage information of the previous and proposed uses for the determination of new trips. If in fact there are three (3) new vehicular trips created, the City will contact DKS, Traffic Consultants, for scope of work of the traffic impact study. For new trip between 3 and 25, a full-scale traffic impact

study may not be necessary; a trip generation memo will be sufficient. The traffic analysis performed may identify improvements or mitigations required to address impacts from the newly generated trips.

The applicant will be responsible to pay for the consultant's fee plus 15% overhead to the City.

**STREET LIGHTS**

Street lights will not be required.

**OVERHEAD UTILITIES.**

There are no existing overhead utilities. New services must be underground.



## SANITARY SEWER

### EXISTING CONDITIONS



According to City Utility Billing, both tax lots are currently being billed for sanitary sewer service. GIS records are not clear where service laterals are located.

There is an existing public sanitary sewer manhole located within Boones Ferry Road approximately 145 feet to the south. There is also an existing public sanitary sewer main located within an easement south of the subject site which runs east-west.

### REQUIRED IMPROVEMENTS

Sanitary sewer improvements are not anticipated.

Provide all locations of sanitary sewer service laterals serving the taxlots.



## DOMESTIC WATER

### EXISTING CONDITIONS



There is an existing public water main and fire hydrant located on Boones Ferry Road approximately 150 feet to the south of the subject sites. The subject sites currently show water meter connections but GIS records are not clear where these service connections are made to City water system – this needs to be verified.

### REQUIRED IMPROVEMENTS

2012 Water System Master Plan calls for the installation of an 8-inch water main on Boones Ferry Road along the frontage of the subject sites. Due to the size of the proposed development, construction of the 8-inch water main within Boones Ferry Road will not be required at this time.

Provide all locations of water service laterals serving the taxlots.

## STORMWATER

### EXISTING CONDITIONS:



There is no existing stormwater main located on Boones Ferry Road in front of the subject sites except for one culvert approximately 215 feet to the south (as measured along the right-of-way line).

### IMPROVEMENTS:

If the proposed development will create more than 5,000 square feet of new impervious area, it must address the City's Standards Requirements for stormwater treatment, retention, and flow control. Stormwater facilities: rain gardens and/or infiltration basins are subject to engineering review and approval. A PW Permit will be required prior to the construction of the stormwater facilities. A stormwater maintenance and easement agreement between the City and the Developer shall be recorded prior to Certificate of Occupancy.

Stormwater main extension is required per the City Code and PW Standards. The area must be looked at holistically to determine whether variations from the Code and Standards may be allowed.

## **EASEMENTS**

There may be private easements on the sites and adjacent properties for the benefits of the subject sites. All easements information will need to be provided by a surveyor on site plans submitted for land use permit and approval.

Pre-app Email Addendum w/Submittal Checklist.  
via Kim Rybold; Senior Planner. City of Wilsonville.  
7/16/2021

Thank you for taking the time to discuss your project with us last week. I am writing to follow up with additional information as we discussed during the pre-application meeting. Please forward this information to other members of your project team as appropriate.

An audio recording of the meeting can be found here:  
<https://app.box.com/s/yzc7dz8r7lw6fao25yoivo7h4gunog3v>

The Engineering Division's Pre-application Notes are available here:  
<https://app.box.com/s/9t05w8yfaab51eecum4oxe2z5imgytuk>

As you look at what you need to submit for land use review the following list will aid you in what to submit and what code criteria to respond to in your project narrative. If you have further questions of what a project narrative should look like or what to submit please don't hesitate to contact a planner and ask. You can access the City's Development Code in pdf and Microsoft Word document formats at <https://www.ci.wilsonville.or.us/planning/page/development-code>. Please keep in mind the burden to show compliance with applicable City standards falls on the applicant (see Wilsonville Code 4.014). For planned development proposals Wilsonville Code requires a professional design team including, but not limited to, a registered architect, a registered landscape architect, a certified planner or planner with extensive experience taking projects through public review processes, and a professional engineer. We have found it typically difficult for applicants to prepare a complete and satisfactory application without this full team of professionals.

As a reminder the land use review process is separate from and occurs prior to building and other construction permitting. We do allow for some concurrent review of building permits, but do not submit building permits prior to your land use application being complete and a public hearing being scheduled. Building permits cannot be issued until the land use decision is final after the conclusion of the local appeal period. For more information on other steps in the development process subsequent to the land use review visit our [Development Process Guidelines page](#).

This email includes 5 sections:

1. [Land Use Review Steps](#)
2. [Anticipated/Potential Land Use Applications for Project](#)
3. [Submittal Requirements](#)
4. [Applicable Development Code Sections](#)
5. [Other Specific Concerns/Discussion Items for Project](#)

## 1. Land Use Review Steps

Land use review has a number of steps as follows:

Step 1. Submittal (see Section 3 and attached checklist for more details on submittal requirements): Applicant submits application including:

- Signed application form
- All land use application fees
- 3 paper copies, and 1 electronic copy in flattened pdf format on CD, DVD, flash drive, or via file storage site or email of the following:
  - o Project narrative (please include in MS Word document format in addition to pdf)
  - o Full size, and reduced (11X17 or smaller) set of plans related to land use review
  - o Reports such as arborist report, stormwater drainage report, traffic report

Step 2. Initial City Review “Completeness Review”: The assigned Wilsonville planner reviews the application to determine if all materials required to review the application are submitted. We call this step “completeness review.” It concludes with a determination of whether the submitted application package is “complete” or “incomplete.” The applicant will be notified by letter about the determination. If the determination is “incomplete” the letter includes the specific items needed to make the application “complete.” If the application is “complete” the next step is Step 6.

Step 3. Indication of Intention for Incomplete Applications: If the application is “incomplete” the applicant either indicates whether they intend to submit the items identified in the “incompleteness letter.” This is done by signing and returning a page enclosed with the “incompleteness letter.” If the applicant refuses to submit additional materials the application will proceed to Step 6, noting that failure to provide sufficient information can be grounds for denying an application.

Step 4. Applicant Prepares Additional Requested Materials and Resubmits Application: If the application is “incomplete” and the applicant intends to address the items identified in the “incompleteness letter” the applicant prepares the identified items. Once the applicant prepares all the items they resubmit the application as identified in Step 1. Occasionally if the additional materials are minor the previous submittal package can be supplemented or pages switched out. In most cases complete new copies of the entire submittal package will be submitted.

Step 5. City Reviews Resubmitted Package “2nd Completeness Review.” The assigned Wilsonville planner reviews the revised application to determine if all materials required to review the application are submitted. A determination of “complete” or “incomplete” will again occur with the corresponding letter being sent to the applicant.

Step 6. Hearings Scheduled, City Staff Prepares Report, Public Notice and Comment Period. Once the application is “complete” the project is scheduled for a hearing before one of two Development Review Board panels. The hearings are typically scheduled 30-45 days from when the application is deemed “complete.” Twenty days prior to the hearing the assigned planner sends out a Public Hearing Notice soliciting comments from the public. The assigned planner also solicits comments and conditions of approval from various City Departments and Divisions as well as partner agencies and service providers

such as TVF&R, NW Natural, and Republic Services (franchise waste collector). One week prior to each of the hearings a Staff Report is published for public review.

Step 7. DRB Public Hearing. Development Review Board (DRB) public hearings are typically 6:30 p.m. on the 2nd and 4th Monday of the month at Wilsonville City Hall. The public hearing typically follows the following format:

- The assigned planner presents their report to the DRB often with support from Engineering and Natural Resource staff and answers the Board's questions. The staff presentation typically thoroughly describes the project including layout, design, and impacts.
- The applicant is given the opportunity to present. The applicant can say as little as they want, but the DRB typically prefers some description and explanation of the motivation behind and goals of the project adding color to staff's description of the project. The DRB can ask questions of the applicant.
- Others in attendance can testify, the DRB can ask questions of them.
- The applicant gets an opportunity to rebut any testimony
- After all testimony and questioning the DRB chair closes the Public Hearing.
- A DRB member makes a motion
- DRB discussion and deliberation
- DRB decision

Step 8. Notice of Decision and Appeal Period. Typically the next day a Notice of Decision is sent by the City. In most cases this includes a form accepting the conditions of approval the applicant must sign and return. The Notice of Decision includes notification of the 14-day appeal period from the date the decision is mailed.

Step 9. City Council Adoption of Zone Map Amendment. Once the DRB issues a decision, the Zone Map Amendment is scheduled for public hearing before the City Council. City Council public hearings are typically held at 7:00 p.m. on the 1st and 3rd Monday of the month at Wilsonville City Hall. The format of this meeting is the same as the DRB meeting, although presentations to the City Council are generally shorter in length. To adopt ordinances related to this application type, two readings of the ordinance are required. The first reading occurs on the night of the public hearing, and the second reading takes place at the next City Council meeting after the public hearing. The Zone Map Amendment will be in effect 30 days after the ordinance is adopted.

Step 10. After the ordinance is in effect, if the appeal period lapses with no appeal and the form accepting conditions of approval is signed and returned, construction permits consistent the DRB approval can then be processed and issued.

## 2. Anticipated/Potential Land Use Applications for Project

- Zone Map Amendment (28505 SW Boones Ferry Rd)
- Stage I Master Plan
- Stage II Final Plan
- Site Design Review
- Class III Sign Plan (if signage is proposed)

## 3. Submittal Requirements (can use as a checklist)



We have tried to make this as complete as possible, and may not include everything required.

The submittal package needs to include:

1. An application form signed by the property owner
2. All applicable planning application fees
3. A project narrative including the following sections (paper copy, pdf, and ms word):
  - a. Summary of Proposal (1-2 pages typically) including key numbers (i.e. acreage, square feet of buildings, number of units, etc.)
  - b. Background Information (1-2 pages typically)
  - c. Discussion of key issues or discussion items (1-2 pages), include discussion of any neighborhood outreach
  - d. Response Findings to Code Criteria (numerous pages), in the following basic format:
    - Code Criteria Reference and Language
    - Response (from applicant): The written response needs to be specific and clear. It needs to go beyond saying a criteria is met to clearly and specifically explaining how it is met. As an example, if the criteria is “Parking standards shown in Table A shall be met,” the response should state, “the proposal provides 52 parking spaces, 2 more than the 50 parking spaces required. See parking layout on the site plan, Exhibit B2” not something unspecific like “the proposal provides sufficient parking”.
4. Plan set including the information in the attached “Plan Set Submittal Checklist”: (you can use the sheet reference field to write in a reference to where the information is).
5. Other reports and documents (traffic report, arborist report, etc.). Include in notebook or packet with narrative. A checklist of requirement documents is attached as “Reports and Other Documents Checklist”.
4. Applicable Development Code Sections

These are the applicable code sections to consider in preparing your narrative and designing your site. For the most part it does not include code sections related to procedures. The code can be accessed online by following [this link](#).

### **Industrial Development Standards and Industrial Zoning**

- Planned Development Industrial (PDI) Zones and Industrial Standards: Sections 4.117 and 4.135

## **Planned Development Standards and Regulations for all Planned Development (PD) Zones**

- Standards applying to all Planned Development (PD) Zones: Section 4.118
- Planned Development Regulations: Section 4.140

## **General Development Regulations and Standards**

- On-Site Pedestrian Access and Circulation: Section 4.154
- Parking, Loading, and Bicycle Parking: Section 4.155
- Protection of Natural and Other Features: Section 4.171
- Public Safety and Crime Prevention: 4.175
- Landscaping, Screening, and Buffering: Section 4.176
- Street Improvement Standards: Section 4.177
- Mixed Solid Waste and Recycling: Section 4.179
- Outdoor Lighting: Sections 4.199 through 4.199.60
- Underground Utilities: Sections 4.300 through 4.320

## **Site Design Review (Detailed Review of Architecture, Landscaping, Signs and other Design Elements)**

- Site Design Review: Sections 4.400 through 4.450

## **Signs**

- Signs: Sections 4.156.01 through 4.156.11

## **Zone Changes**

- Zone Changes: Section 4.197

## **Definitions of Terms**

- Definitions of Terms: Section 4.001

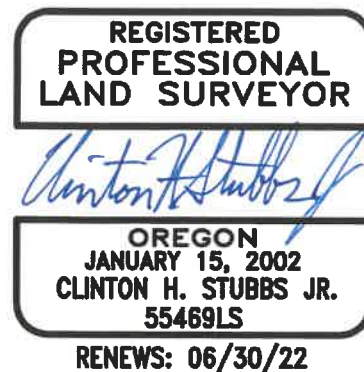
## **5. Contact Information/Discussion Items for Project**

We encourage you to reach out with any questions you may have as you continue to develop the plans for your project.





1815 NW 169<sup>th</sup> Place, Suite 2090  
Beaverton, OR 97006  
Telephone: 503-848-2127



## Exhibit A

### SW Boones Ferry Road

(Zone Boundary Change)

May 6, 2022

NWS Project Number 2354

A tract of land being that property conveyed to Davidsons Boones Ferry Industrial, LLC by a deed recorded on September 17, 2021, as Documents Number 2021-085059, Clackamas County Deed Records (Tax Lot 800 Map 3-1W-14A), also being a portion of Lot 9 of "Boberg", located in the northeast one-quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the southeast corner of Parcel 2 of Partition Plat No. 2020-034, said point being marked by a 5/8 inch iron rod with a yellow plastic cap stamped "Foster LS 1934", and being on the westerly right-of-way line of SW Boones Ferry Road (25.00 feet westerly from the centerline thereof, when measured at right angles); Thence along the westerly right-of-way line of said SW Boones Ferry Road, South 00°00'40" East 329.74 feet to the northeast corner of that property described in said Document Number 2021-085059, and the Point of Beginning;

Thence continuing along said westerly right-of-way line of SW Boones Ferry Road, South 00°00'40" East 75.34 feet to the northeast corner of that property conveyed to Davidsons Boones Ferry Industrial, LLC by a deed recorded on September 17, 2021, as Documents Number 2021-085079, Clackamas County Deed Records (Tax Lot 900 Map 3-1W-14A); Thence along the north line of said Tax Lot 900, South 89°30'45" West 314.93 feet to the northwest corner thereof, said point also being located on the easterly line of Parcel II of that property conveyed to Walnut Mobile Home Park, LLC by a deed recorded on May 2, 2013, as Document Number 2013-030203; Thence along the easterly line of said Parcel II, North 00°00'15" West 75.34 feet to a point located on the southerly line of Parcel I of said Document Number 2013-030203; Thence along the southerly line of said Parcel I, North 89°30'45" East 314.92 feet to the Point of Beginning.

The above described tract contains 0.545 acres, more or less.

The basis of bearings for this description is Survey Number 24055, Clackamas County Survey Records.



SCALE 1" = 60 FEET



## EXHIBIT B

LOCATED IN THE NE 1/4 OF SECTION 14,  
TOWNSHIP 3 SOUTH, RANGE 1 WEST, W.M.,  
CITY OF WILSONVILLE,  
CLACKAMAS COUNTY, OREGON  
DATE: MAY 6, 2022

PARCEL 2  
PARTITION PLAT NO. 2020-034

TAX LOT 600  
MAP 3-1W-14A

POINT OF COMMENCEMENT

PARCEL 1  
DOC NO. 2013-030203

POINT OF BEGINNING

DOC NO.  
2021-085059

N89°30'45"E 314.92'

TAX LOT 800  
MAP 3-1W-14A

ZONE CHANGE  
BOUNDARY

ZONE CHANGE AREA  
23,725 SQUARE FEET

S89°30'45"W 314.93'

TAX LOT 900  
MAP 3-1W-14A

DOC NO. 2021-085079

RIGHT-OF-WAY CENTERLINE

RIGHT-OF-WAY LINE

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 15, 2002  
CLINTON H. STUBBS JR.  
55469LS

RENEWS: 06/30/22

S00°00'40"E  
329.74'

25'

SW BOONES FERRY ROAD  
(FRONTAGE ROAD)

25'

INTERSTATE HIGHWAY 5

PREPARED FOR:

DAVIDSONS CONSOLIDATED  
8915 SW COMMERCIAL #38  
TIGARD, OR 97223

JOB NAME: DAVIDSONS

JOB NUMBER: 2354

DRAWING NUMBER: 2354 ZONING

DRAWN BY: BJA

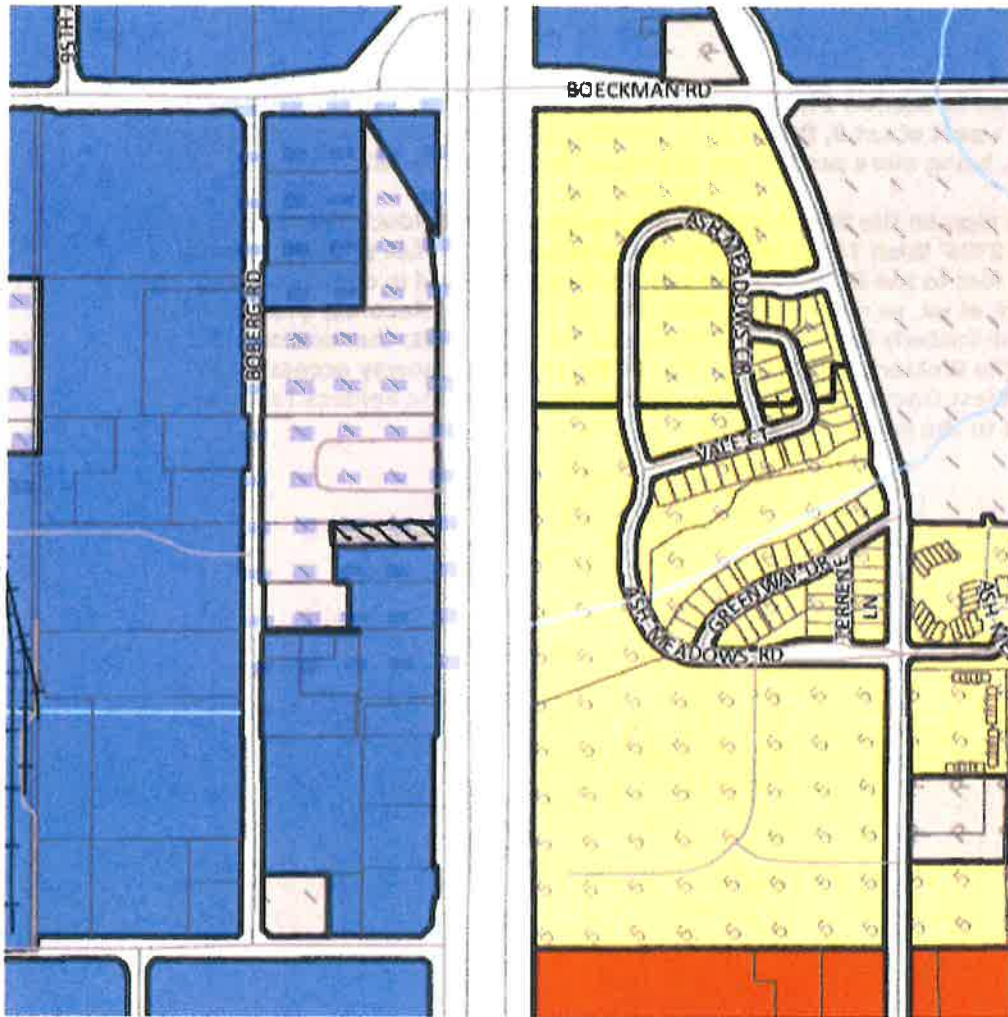
CHECKED BY: CHS

# NORTHWEST

# SURVEYING, Inc.

1815 NW 169th PLACE,  
SUITE 2090  
BEAVERTON, OR 97006  
PHONE: 503-848-2127  
FAX: 503-848-2179  
nwsurveying@nwsrvy.com

## ZONING MAP EXHIBIT



### Zoning Designations

- Residential Agricultural Holding (RA-H)
- Residential (R)
- Planned Development Residential (PDR)
- Village (V)
- Planned Development Commercial (PDC)
- Planned Development Commercial Town Center (PDC-TC)
- Planned Development Industrial (PDI)
- PDI - Regionally Significant Industrial Area (PDI-RSIA)
- Public Facility (PF)
- Public Facility - Corrections (PF-C)
- Exclusive Farm Use (EFU)

CHANGE FROM RA-H TO PDI.

## LEGAL DESCRIPTION

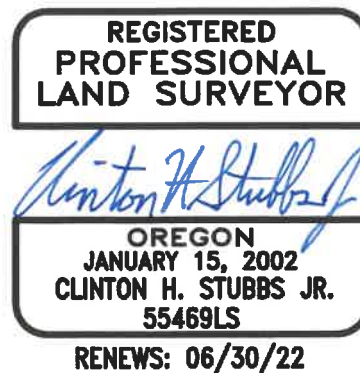
**LEGAL DESCRIPTION:** Real property in the County of Clackamas, State of Oregon, described as follows:

**A tract of land situated in Section 14, Township 3 South, Range 1 West of the Willamette Meridian, and being a part of Lot 9, BOBERG, in the City of Wilsonville, County of Clackamas and State of Oregon, being more particularly described as follows, to-wit:**

**Beginning at an Iron pipe on the Westerly right of way line of the Baldock Freeway access road which is South 0°06' West 185 feet from the North line of said Lot 9; thence South 89°42' West 315.12 feet to the Southeast corner of a tract described in contract of sale to Nicholas Woliczynski, et ux, as recorded in Book 649, page 4, Deed Records; thence North 0°06' East tracing the Easterly line of said Woliczynski Tract 110 feet; thence North 89°42' East 315.12 feet to the Westerly right of way line of the Baldock Freeway access road; thence South 0°06' West tracing the Westerly right of way line of the Baldock Freeway access road 110 feet to the point of beginning.**



1815 NW 169<sup>th</sup> Place, Suite 2090  
Beaverton, OR 97006  
Telephone: 503-848-2127



## Exhibit A

### SW Boones Ferry Road

(Right-of-way Dedication)

December 16, 2021

NWS Project Number 2354

A tract of land being located in the properties conveyed to Davidsons Boones Ferry Industrial, LLC by two deeds recorded on September 17, 2021, as Documents Number 2021-085059 and 2021-085079, Clackamas County Deed Records, also being a portion of Lot 9 of "Boberg", located in the northeast one-quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the southeast corner of Parcel 2 of Partition Plat No. 2020-034, said point being marked by a 5/8 inch iron rod with a yellow plastic cap stamped "Foster LS 1934", and being on the westerly right-of-way line of SW Boones Ferry Road (25.00 feet westerly from the centerline thereof, when measured at right angles); Thence along the westerly right-of-way line of said SW Boones Ferry Road, South 00°00'40" East 329.74 feet to the northeast corner of that property described in said Document Number 2021-085059, and the Point of Beginning;

Thence continuing along said westerly right-of-way line of SW Boones Ferry Road, South 00°00'40" East 185.35 feet to the southeast corner of that property described in said Document Number 2021-085079; Thence along the south line of that property described in said Document Number 2021-085079, South 89°30'45" West 20.00 feet to a point located 45.00 feet westerly from the centerline of SW Boones Ferry Road, when measured at right angles; Thence parallel with and 45.00 feet westerly from the centerline of said SW Boones Ferry Road, when measured at right angles, North 00°00'40" West 185.35 feet to the north line of that property described in said Document Number 2021-085059; Thence along the north line of that property described in said Document Number 2021-085059, North 89°30'34" East 20.00 feet to the Point of Beginning.

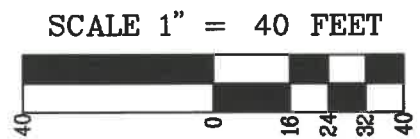
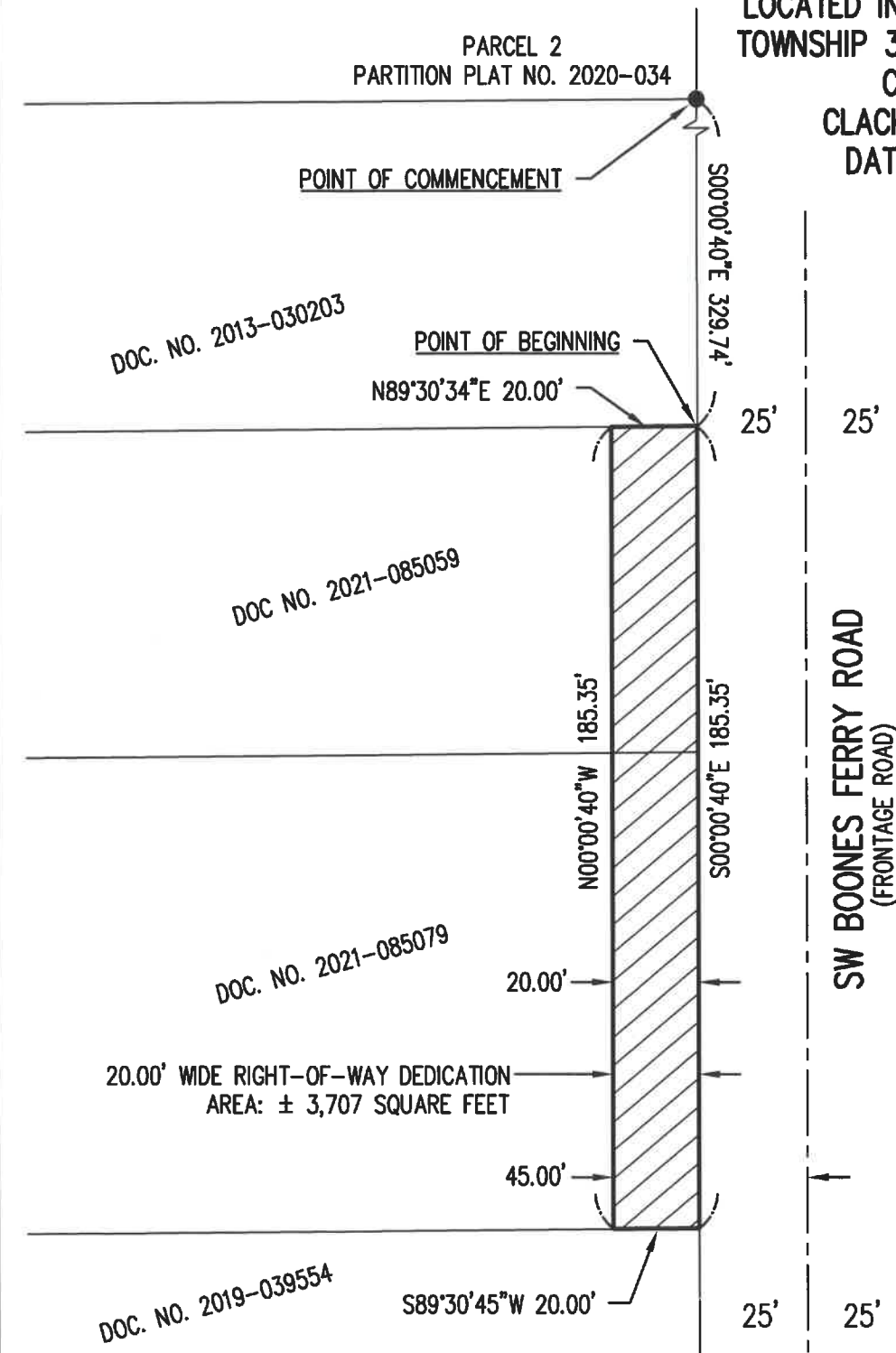
The above described tract contains 3,707 square feet, more or less.

The basis of bearings for this description is said Survey Number 24055, Clackamas County Survey Records.



# EXHIBIT B

LOCATED IN THE NE 1/4 OF SECTION 14,  
TOWNSHIP 3 SOUTH, RANGE 1 WEST, W.M.,  
CITY OF WILSONVILLE,  
CLACKAMAS COUNTY, OREGON  
DATE: DECEMBER 16, 2021



INTERSTATE HIGHWAY 5



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Clinton H. Stubbs Jr.*

OREGON  
JANUARY 15, 2002  
CLINTON H. STUBBS JR.  
55469LS

RENEW: 06/30/22

PREPARED FOR:

DAVIDSONS CONSOLIDATED  
8915 SW COMMERCIAL #38  
TIGARD, OR 97223

JOB NAME: DAVIDSONS

JOB NUMBER: 2354

DRAWING NUMBER: 2354 DEDI

DRAWN BY: BJA

CHECKED BY: CHS

**NORTHWEST**  
**SURVEYING, Inc.**

1815 NW 169th PLACE,  
SUITE 2090  
BEAVERTON, OR 97006  
PHONE: 503-848-2127  
FAX: 503-848-2179  
nwsurveying@nwsrvy.com

68  
after recording,  
please mail to:

Rod Olsen  
12375 SW Toozee Rd  
Sherwood OR 97140

Clackamas County Official Records  
Sherry Hall, County Clerk

2010-067718



\$72.00

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D-E Cnt=1 Str=1 JANISKE  
\$30.00 \$18.00 \$16.00 \$10.00

## UTILITY EASEMENT

DATED

October 25, 2010

PARTIES:

GENESIS ASSETS, Wayne Bixel,  
AS TRUSTEE holding title in TRUST  
for the benefit of the BENEFICIARIES  
OF Genesis Assets "A TRUST"  
18450 SW Corral Creek Rd  
Newberg, Or 97132

GRANTOR

and

RODERICK OLSEN and FABIENNE  
C. OLSEN, Trustees, of the RODERICK  
and FABIENNE C. OLSEN FAMILY  
TRUST  
26063 NE Butteville Rd  
Aurora, Or 97002

GRANTEE

### RECITALS:

- (A) Grantor is the owner of certain real property situate in Clackamas County, Oregon, hereinafter referred to as Parcel 1, a legal description of which is as follows:

#### PARCEL 1: (Tax Lot 1000)

Part of Lot 9, according to the duly filed plat of BOBERG, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Southeasterly corner of the tract conveyed to Clifford A. Alford et ux, by deed recorded August 19, 1964 in Deed Book 654, Page 31, being a point on the South line of said Lot 9, 270.0 feet East along said line from the Southwest corner of said Lot; thence North 145.0 feet along the East line of said

Alford tract to the South line of the tract conveyed to Guy Shough et ux, by deed recorded April 15, 1960 in Deed Book 569, Page 846; thence East along said last mentioned line 270.0 feet, more or less, to the Westerly line of the tract conveyed to the State of Oregon by deed recorded October 10, 1951 in Deed Book 449, Page 452; thence South along said West line 145.0 feet, more or less, to the South line of said Lot 9; thence West 270.0 feet, more or less, along said South line of said Lot 9 to the point of beginning.

- (B) Grantee is the owner of certain real property situate in Clackamas County, Oregon, hereinafter referred to as Parcel 2, a legal description of which is as follows:

**PARCEL 2: (Tax Lot 800)**

A part of Lot 9, BOBERG, in Clackamas County, Oregon, described as follows: BEGINNING at an iron pipe at the Northwest corner of said lot 9, BOBERG. From said place of beginning, thence North 89°42' East along the North line of said Lot 9, 539.96 feet to an iron pipe in the Westerly right of way line of the Baldock Freeway access road; thence South 0°06' West along said Westerly right of way line, 185.00 feet to an iron pipe; thence leaving said Westerly right of way line, South 89°42' feet West, 540.12 feet to an iron pipe in the Easterly line of a 40.00 foot county road being also the Westerly line of said Lot 9; thence North 0°09' East along said Easterly right of way line, 185 feet to the place of beginning.

EXCEPTING THEREFROM the South 110.0 feet of the East 315.12 feet of the West 540.12 feet as sold to Bernard N. Kuensting, et ux, on Contract by instrument Recorded in Book 35, Page 236, Clackamas County Miscellaneous Records.

ALSO EXCEPTING therefrom the West 225 feet as conveyed to Nicholas Wolicynski, et ux, by Deed Recorded under Recorder's Fee No. 69-11674, Clackamas County Records.

ALSO EXCEPTING all that portion conveyed to the State of Oregon, in Book 449, Page 452, Clackamas County Records.

- (C) Grantee, the owner of Parcel 2, has requested a utility easement from Grantor for the use and benefit of Parcel 2. Grantor, the owner of Parcel 1, is willing to grant said easement to Grantee for the use and benefit of Parcel 2.

**NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

**SECTION 1. GRANT OF EASEMENT**

1.1 Grantor does hereby grant and convey to Grantee, a permanent, nonexclusive easement on, over and across that certain portion of Parcel 1 described as follows:



A portion of that property granted to "Genesis Assets" in fee number 2009-076450, County of Clackamas, State of Oregon, also being a portion of Lot 9 of the "Plat of Boberg," in the Northeast Quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian, being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 14; thence North 89°32'37" East along the North line of said Section 14, a distance of 679.81 feet; thence South 00°02'45" East a distance of 1505.65 feet to the Westerly extension of the North line of said Genesis Assets deed; thence North 89°30'26" East along said Westerly extension, a distance of 270.10 feet to the Northwest corner of said Genesis Assets deed; thence continuing North 89°30'26" East along the North line of said Genesis Assets deed, a distance of 110.39 feet to the POINT OF BEGINNING; thence South 00°02'45" East a distance of 145.00 feet to the South line of said Genesis Assets deed, also being the North line of the 12 foot sewer easement to the City of Wilsonville recorded as fee number 72-31034; thence North 89°30'26" East along said North line, a distance of 10.00 feet; thence North 00°02'45" West a distance of 145.00 feet to the North line of said Genesis Assets deed; thence South 89°30'26" West along said North line of Genesis Assets deed, a distance of 10.00 feet to the POINT OF BEGINNING.

A survey diagram of the location of said Utility Easement is attached hereto marked Exhibit A and by this reference incorporated herein.

1.2 The aforesaid easement is granted over and along the full width and length of the real property described in Section 1.1 herein, with the right, privilege and authority to the Grantee to construct, maintain, replace, reconstruct, remove, and add to, a utility pipeline or pipelines, with all appurtenances incident thereto or necessary therewith in, under and across the said premises, and to cut and remove from said right of way any trees and other obstructions which may endanger the safety or interfere with the use of said pipelines, or appurtenances attached or connected therewith; and the right of ingress and egress to and over the above described premises at any time and all times for the purpose of doing anything necessary or useful or convenient for the enjoyment of the easement hereby granted.

1.3 Grantee shall, upon each and every occasion that such utility facility is constructed, maintained, replaced, reconstructed or removed, or added to, restore the premises of the Grantor and any improvement disturbed by Grantee to as good a condition as they were prior to any such installation or work.

1.4 The rights and easement conveyed hereby shall be appurtenant to and benefit Parcel 2 and shall run with the land and to all property burdened and benefited by this easement and right of use, including any division or partition of such property. The rights,

covenants and obligations contained in this agreement shall bind, benefit and burden each party's successors, assigns, mortgagees and beneficiaries under a deed of trust for the term of this easement.

## SECTION 2. CONSIDERATION

The consideration for this easement, which shall be paid by Grantee to Grantor, is the sum of ~~two thousand dollars (\$2,000)~~. *Two thousand five hundred dollars*  
*R.O. (2500.00)*

## SECTION 3. MAINTENANCE AND REPAIR OF UTILITIES

The cost of periodic maintenance and necessary repairs of the utilities or utility lines placed within the easement shall be borne exclusively by Grantee and the owner of the property described as Parcel 2, and Grantee, its successors and assigns, shall indemnify and hold Grantor, its successors and assigns, harmless from any and all liability, costs, claims or demand occasioned by repair, maintenance or replacement of the aforesaid utilities.

## SECTION 4. ATTORNEY FEES

In the event of any litigation arising under this agreement, the prevailing party shall be entitled to recover from the losing party the prevailing party's reasonable attorney fees at trial or on appeal as adjudged by the trial or appellate court.

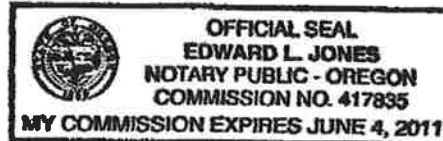
GRANTOR:

Wayne Bixel Trustee  
Wayne Bixel, as Trustee holding title in  
Trust for the benefit of the Beneficiaries  
of GENESIS ASSETS "A TRUST"

GRANTEE:

Roderick Olson  
Roderick Olson and  
Fabienne C. Olsen  
Fabienne C. Olsen, Trustees, of the  
Roderick and Fabienne C. Olsen Family  
Trust

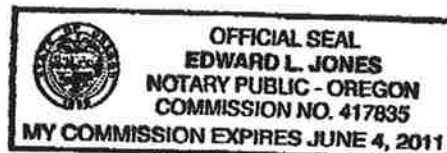
STATE OF OREGON )  
 ) ss.  
County of ~~Marion~~  
 *Washington*



The foregoing instrument was acknowledged before me this 25<sup>TH</sup> day of OCTOBER, 2010, by WAYNE BIXEL, as Trustee holding title in Trust for the benefit of the Beneficiaries of GENESIS ASSETS "A TRUST" GENESIS ASSETS.

\_\_\_\_\_  
Notary Public for Oregon

STATE OF OREGON )  
 ) ss.  
County of ~~Marion~~  
 *WASHINGTON*



The foregoing instrument was acknowledged before me this 25<sup>TH</sup> day of OCTOBER, 2010, by RODERICK OLSEN and FABIENNE C. OLSEN, Trustees, of the RODERICK AND FABIENNE C. OLSEN FAMILY TRUST.

  
\_\_\_\_\_  
Notary Public for Oregon



after recording  
please mail to:

Rod Olsen  
12375 SW Tooe Rd  
Sherwood OR

Clackamas County Official Records  
Sherry Hall, County Clerk

2010-067719



01445344201000677190060068

\$72.00

10/26/2010 02:31:29 PM

D-D Cnt=1 Stn=1 JANISKEL  
\$30.00 \$10.00 \$16.00 \$16.00

## UTILITY EASEMENT

DATED

October 25, 2010

PARTIES:

MICKY HENSON and  
MELINDA K. HENSON  
947 South Pacific Hy  
Woodburn, Or 97071

GRANTOR

and

RODERICK OLSEN and FABIENNE  
C. OLSEN, Trustees, of the RODERICK  
and FABIENNE C. OLSEN FAMILY  
TRUST  
26063 NE Butteville Rd  
Aurora, Or 97002

GRANTEE

RECITALS:

- (A) Grantor is the owner of certain real property situate in Clackamas County, Oregon, hereinafter referred to as Parcel I, a legal description of which is as follows:

PARCEL 1: (Tax Lot 900)

A tract of land situated in Section 14, Township 3 South, Range 1 West of the Willamette Meridian, and being a part of Lot 9, BOBERG, in the City of Wilsonville, County of Clackamas and State of Oregon, being more particularly described as follow, to-wit:

Beginning at an iron pipe on the Westerly right of way line of the Baldock Freeway access road which is South 0°06' West 185 feet from the North line of said Lot 9; thence South 89°42' West 315.12 feet to the Southeast corner of a

tract described in contract of sale to Nicholas Woliczynski, et ux, as recorded in Book 649, page 4, Deed Records; thence North 0°06' East tracing the Easterly line of said Woliczynski Tract 110 feet; thence North 89°42' East 315.12 feet to the Westerly right of way line of the Baldock Freeway access road; thence South 0°06' West tracing the Westerly right of way line of the Baldock Freeway access road 110 feet to the point of beginning.

- (B) Grantee is the owner of certain real property situate in Clackamas County, Oregon, hereinafter referred to as Parcel 2, a legal description of which is as follows:

**PARCEL 2: (Tax Lot 800)**

A part of Lot 9, BOBERG, in Clackamas County, Oregon, described as follows: BEGINNING at an iron pipe at the Northwest corner of said lot 9, BOBERG. From said place of beginning, thence North 89°42' East along the North line of said Lot 9, 539.96 feet to an iron pipe in the Westerly right of way line of the Baldock Freeway access road; thence South 0°06' West along said Westerly right of way line, 185.00 feet to an iron pipe; thence leaving said Westerly right of way line, South 89°42' feet West, 540.12 feet to an iron pipe in the Easterly line of a 40.00 foot county road being also the Westerly line of said Lot 9; thence North 0°09' East along said Easterly right of way line, 185 feet to the place of beginning.

EXCEPTING THEREFROM the South 110.0 feet of the East 315.12 feet of the West 540.12 feet as sold to Bernard N. Kuensting, et ux, on Contract by instrument Recorded in Book 35, Page 236, Clackamas County Miscellaneous Records.

ALSO EXCEPTING therefrom the West 225 feet as conveyed to Nicholas Woliczynski, et ux, by Deed Recorded under Recorder's Fee No. 69-11674, Clackamas County Records.

ALSO EXCEPTING all that portion conveyed to the State of Oregon, in Book 449, Page 452, Clackamas County Records.

- (C) Grantee, the owner of Parcel 2, has requested a utility easement from Grantor for the use and benefit of Parcel 2. Grantor, the owner of Parcel 1, is willing to grant said easement to Grantee for the use and benefit of Parcel 2.

**NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

**SECTION 1. GRANT OF EASEMENT**

1.1 Grantor does hereby grant and convey to Grantee, a permanent, nonexclusive easement on, over and across that certain portion of Parcel 1 described as follows:



A portion of that property described in the Contract Deed to Micky & Melinda Henson recorded as fee number 2002-050212, County of Clackamas, State of Oregon, also being a portion of Lot 9 of the "Plat of Boberg," in the Northeast Quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian, being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 14; thence North 89°32'37" East along the North line of said Section 14, a distance of 679.81 feet; thence South 00°02'45" East a distance of 1505.65 feet to the Westerly extension of the North line of the property granted to "Genesis Assets" in fee number 2009-076450, County of Clackamas, State of Oregon; thence North 89°30'26" East along said Westerly extension, a distance of 270.10 feet to the Northwest corner of said Genesis Assets deed; thence North 89°30'26" East along the North line of said Genesis Assets deed, a distance of 110.39 to the POINT OF BEGINNING; thence North 00°02'45" West a distance of 1.57 feet; thence North 16°55'15" East a distance of 113.64 feet to the North line of said Contract Deed; thence North 89°30'26" East along said North line, a distance of 10.48 feet; thence South 16°55'15" West a distance of 115.28 to the North line of said Genesis Assets deed; thence South 89°30'26" West along said North line of Genesis Assets deed, a distance of 10.00 feet to the POINT OF BEGINNING.

A survey diagram of the location of said Utility Easement is attached hereto marked Exhibit A and by this reference incorporated herein.

1.2 The aforesaid easement is granted over and along the full width and length of the real property described in Section 1.1 herein, with the right, privilege and authority to the Grantee to construct, maintain, replace, reconstruct, remove, and add to, a utility pipeline or pipelines, with all appurtenances incident thereto or necessary therewith in, under and across the said premises, and to cut and remove from said right of way any trees and other obstructions which may endanger the safety or interfere with the use of said pipelines, or appurtenances attached or connected therewith; and the right of ingress and egress to and over the above described premises at any time and all times for the purpose of doing anything necessary or useful or convenient for the enjoyment of the easement hereby granted.

1.3 Grantee shall, upon each and every occasion that such utility facility is constructed, maintained, replaced, reconstructed or removed, or added to, restore the premises of the Grantor and any improvement disturbed by Grantee to as good a condition as they were prior to any such installation or work.

1.4 The rights and easement conveyed hereby shall be appurtenant to and benefit Parcel 2 and shall run with the land and to all property burdened and benefited by this easement and right of use, including any division or partition of such property. The rights, covenants and obligations contained in this agreement shall bind, benefit and burden each party's successors, assigns, mortgagees and beneficiaries under a deed of trust for the term of this easement.

## SECTION 2. CONSIDERATION

The consideration for this easement, which shall be paid by Grantee to Grantor, is the sum of \$ 1.00 (one dollar)

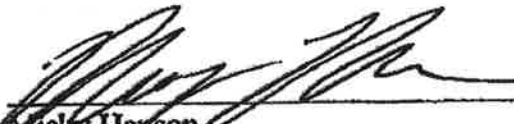
## SECTION 3. MAINTENANCE AND REPAIR OF UTILITIES

The cost of periodic maintenance and necessary repairs of the utilities or utility lines placed within the easement shall be borne exclusively by Grantee and the owner of the property described as Parcel 2, and Grantee, his successors and assigns, shall indemnify and hold Grantor, his successors and assigns, harmless from any and all liability, costs, claims or demand occasioned by repair, maintenance or replacement of the aforesaid utilities.

## SECTION 4. ATTORNEY FEES

In the event of any litigation arising under this agreement, the prevailing party shall be entitled to recover from the losing party the prevailing party's reasonable attorney fees at trial or on appeal as adjudged by the trial or appellate court.


GRANTOR:

  
Micky Henson

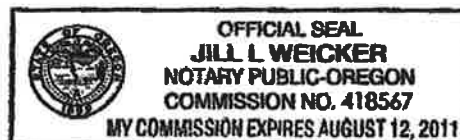
  
Melinda K. Henson

GRANTEE:

  
Roderick Olson and

  
Fabienne C. Olsen, Trustees, of the  
Roderick and Fabienne C. Olsen Family  
Trust

STATE OF OREGON       )  
                                  ) ss.  
County of Marion       )



The foregoing instrument was acknowledged before me this 26 day of October, 2010, by MICKY HENSON and MELINDA K. HENSON.

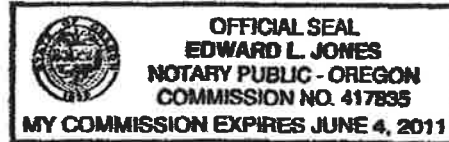
  
Notary Public for Oregon



STATE OF OREGON )

County of ~~Marion~~ )  
WASHINGTON )

) ss.



The foregoing instrument was acknowledged before me this 25<sup>TH</sup> day of OCTOBER, 2010, by **RODERICK OLSEN** and **FABIENNE C. OLSEN**, Trustees, of the **RODERICK AND FABIENNE C. OLSEN FAMILY TRUST**.

  
Notary Public for Oregon

10/12/2010 13:10

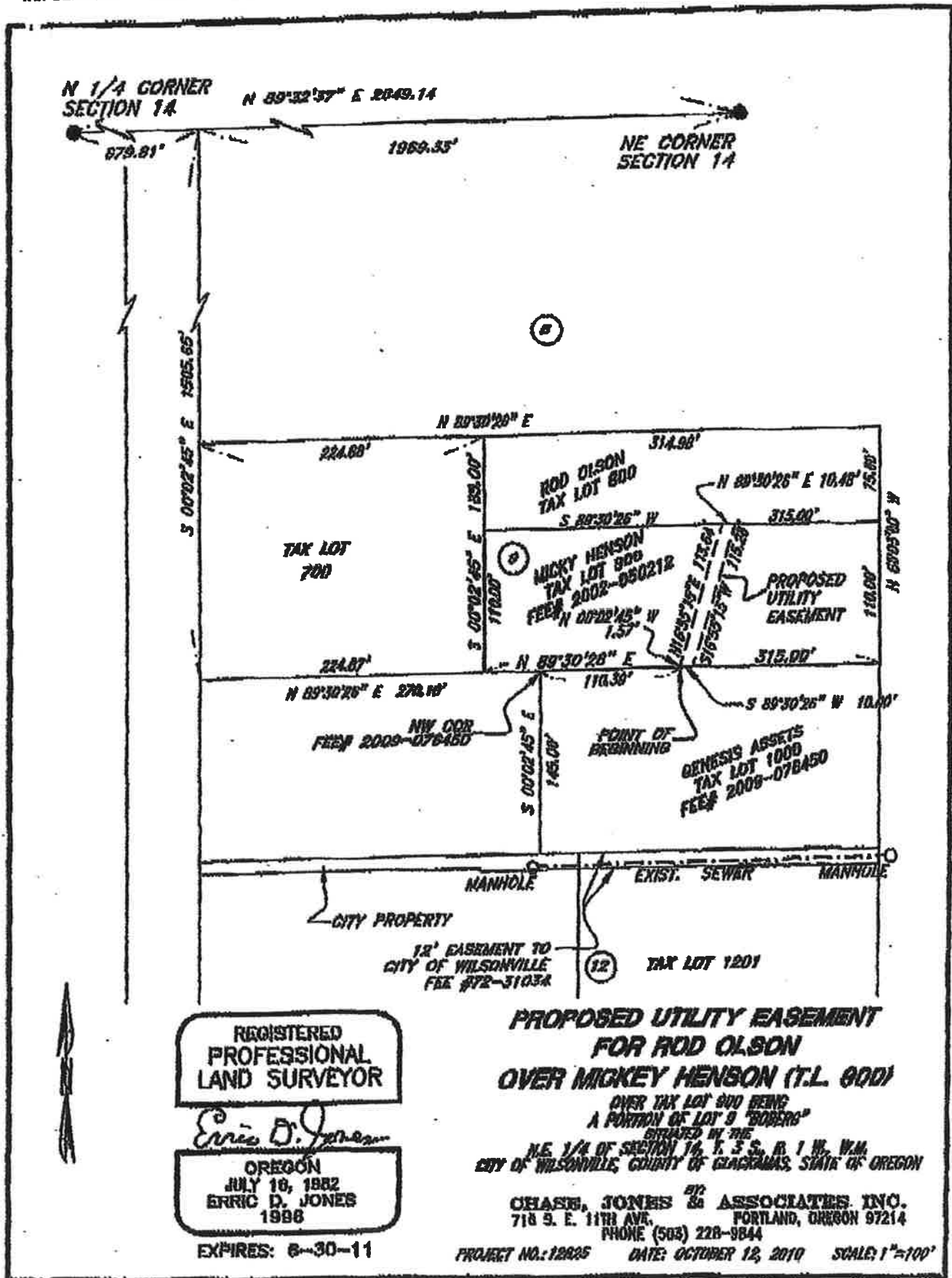
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MAIL SYSTEMS NW  
CHASE JONES

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PAGE 05/06

10/12/2010 11:49

5032395963



# Wilsonville Gravel Yard

## Stormwater Report

SW Boones Ferry Rd  
Wilsonville, OR

May 4, 2022

The information contained in this report was prepared by  
and under direct supervision of the undersigned:



EXPIRES: 6/30/2023

Craig Harris, PE  
**AAI Engineering**  
4875 S.W. Griffith Drive  
Suite 100  
Beaverton, Oregon 97005  
PH 503.620.3030 FX 503.620.5539  
craigh@aaieng.com  
AAI Project Number: A21126.10

# Wilsonville Gravel Yard

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## TABLE OF CONTENTS

- I. Project Overview
- II. Water Quality Design
- III. Water Quantity Design
- IV. Downstream Analysis

## APPENDICES

Appendix A  
Existing Conditions

Appendix B  
Site Plan

Appendix C  
Utility Plan

Appendix D  
BMP Sizing Tool

Appendix E  
Conveyance Calculations

Appendix F  
Web Soil Survey

# Wilsonville Gravel Yard

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## I. Project Overview

The project is located on Tax Lots 800 and 900 on SW Boones Ferry Rd in Wilsonville, Oregon. The site is currently 58,371 SF and after the 20' wide right of way dedication, the site will be 54,66 SF. The existing site contains a single-story building and cover carport with a large gravel pad and slopes from the east to the west. The existing building will remain post-construction, and a small portion of the gravel yard will be removed to install the stormwater facility along the western property line and the driveway access will be replaced.

See Appendix A – Existing Conditions

The existing building and carport accounts for 1,933 SF of impervious roof area and the existing gravel pad accounts for 43,045 SF for a total of 44,978 SF of impervious area. The remaining 9,686 SF is pervious. Post construction, 1,577 SF of existing gravel will be removed to install a filtration rain garden stormwater facility adjacent to the western property line. Post construction, there will be 43,401 SF of impervious area and 11,263 SF of pervious area, including the 2,280 SF stormwater facility.

Conveyance pipe sizing has been designed using the 25-year storm intensity (3.9in/hr).

Conveyance pipe sizing was performed using Manning's Equation ( $Q = \frac{0.463D^{8/3}S^{1/2}}{n}$ ), where

D is pipe diameter in feet, S is pipe slope in feet/feet, and n is the Manning's Coefficient and is based on the pipe material.

See Appendix C Utility Plan

See Appendix D BMP Sizing Tool

See Appendix E Conveyance Calculations

# Wilsonville Gravel Yard

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## II. Stormwater Calculations

The stormwater quality and quantity required for the project are designed according to City of Wilsonville and the BMP sizing tool. Per City of Wilsonville Standards, infiltration testing is not required for projects which create less than 5,000 SF of new or replaced impervious surface. The driveway entrance to SW Boones Ferry Rd is being reconstructed and accounts for 1,370 SF of new or replaced impervious area, therefore infiltration testing for this project is not required. Our company has a previous project three tax lots away (Tax Lots 300 & 500 3S1W14A) to the north of subject site off SW Boberg Rd from 2018. Given the close proximity to this project, the soil characteristics of our previous project were assumed to be very similar to the soils on the subject site and the stormwater model was designed with those assumptions. According to that project and the Web Soil Survey, the infiltration rates were assumed to be very low and therefore an infiltration facility was not utilized in the design.

The onsite stormwater facility has been modeled to meet treatment and flow control requirements. The sizing of the rain garden does not use a 25% reduction factor. Onsite stormwater management will be accomplished by a 2,280 SF filtration rain garden which is greater than the minimum required size of 1,980 SF per the BMP sizing tool.

See Appendix D BMP Sizing Tool

# Wilsonville Gravel Yard

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## III. Stormwater Design

The proposed stormwater facility is designed to capture all runoff currently draining to the western property line. All impervious runoff on the property will be managed on site and will not drain to adjacent properties. Onsite stormwater management will be accomplished by a 2,280 SF filtration rain garden which is greater than the minimum required size of 1,980 SF per the BMP sizing tool.

Per City of Wilsonville Public Works Design Standards dated December 2015, onsite stormwater management facilities were designed using the WES BMP Sizing Tool. The existing site and gravel pad drains to the west toward the western property line at about 2%-3% and therefore will naturally drain to the stormwater facility. Per City of Wilsonville Standards, the top of the rain garden facility is 5' from all property lines. Stormwater will enter the perforated pipe embedded in the 12" drain rock and be treated through the 18" growing medium.

The facility has also been sized to detain the runoff. The overflow inlet is 1' above the bottom of the facility to detain the runoff and allow the runoff to infiltrate through the growing media before directed through a proposed 12" storm main that runs east to west in the private drive before connecting to an existing stormwater stub at the intersection with SW Boberg Rd. There is a ditch inlet at the top of the facility as an emergency overflow. The conveyance calculations of the proposed 12" storm pipe will be designed per City of Wilsonville Design Standards using the 25-year design storm of 3.9 inches.

See Appendix D BMP Sizing Tool

# **Wilsonville Gravel Yard**

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## **VI. Downstream Analysis**

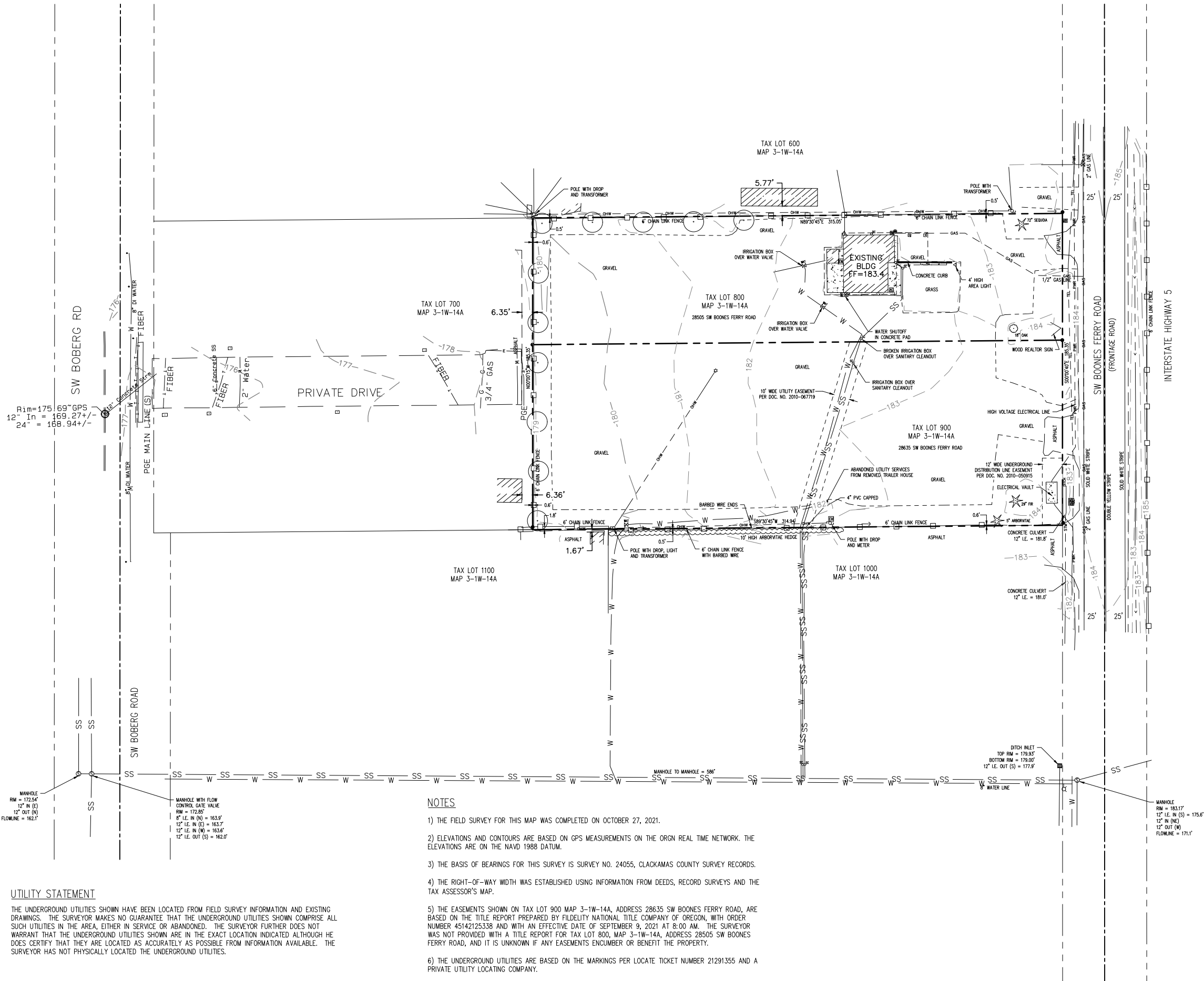
The existing site is draining to the west without detention or treatment and we are removing impervious area from the site. The proposed filtration rain garden will detain the flows leaving the site and discharge the flows into the public system at a slower rate than pre-developed conditions. Therefore, there will be downstream impacts.



# Wilsonville Gravel Yard

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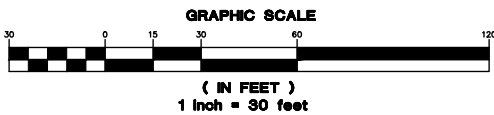
## Appendix A – Existing Conditions



LEGEND

|                            |  |                                   |
|----------------------------|--|-----------------------------------|
| DECIDUOUS TREE             |  | GAS METER                         |
| CONIFEROUS TREE            |  | GAS VALVE                         |
| FIRE HYDRANT               |  | GUY WIRE ANCHOR                   |
| FIRE DEPARTMENT CONNECTION |  | UTILITY POLE                      |
| WATER BLOWOFF              |  | POWER VAULT                       |
| WATER METER                |  | ELECTRICAL METER                  |
| WATER VALVE                |  | POWER JUNCTION BOX                |
| IRRIGATION VALVE           |  | HVAC UNIT                         |
| WATER VAULT                |  | AREA LIGHT                        |
| AIR RELEASE VALVE          |  | LIGHT POLE                        |
| SANITARY SEWER CLEAN OUT   |  | TELEPHONE/TELEVISION VAULT        |
| SANITARY SEWER MANHOLE     |  | TELEPHONE/TELEVISION JUNCTION BOX |
| STORM SEWER CLEAN OUT      |  | TELEPHONE/TELEVISION RISER        |
| STORM SEWER CATCH BASIN    |  | SIGNAL JUNCTION BOX               |
| STORM SEWER MANHOLE        |  | SIGN                              |
| MAILBOX                    |  | BOLLARD                           |
|                            |  | FOUND SURVEY MONUMENT             |

|                     |     |
|---------------------|-----|
| RIGHT-OF-WAY LINE   | --- |
| BOUNDARY LINE       | --- |
| PROPERTY LINE       | --- |
| CENTERLINE          | --- |
| DITCH               | --- |
| CURB                | --- |
| EDGE OF PAVEMENT    | --- |
| EASEMENT            | --- |
| FENCE LINE          | --- |
| GRAVEL EDGE         | --- |
| POWER LINE          | --- |
| OVERHEAD WIRE       | --- |
| TELEPHONE LINE      | --- |
| TELEVISION LINE     | --- |
| GAS LINE            | --- |
| STORM SEWER LINE    | --- |
| SANITARY SEWER LINE | --- |
| WATER LINE          | --- |
| WETLAND BOUNDARY    | --- |
| TRAFFIC SIGNAL WIRE | --- |



UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

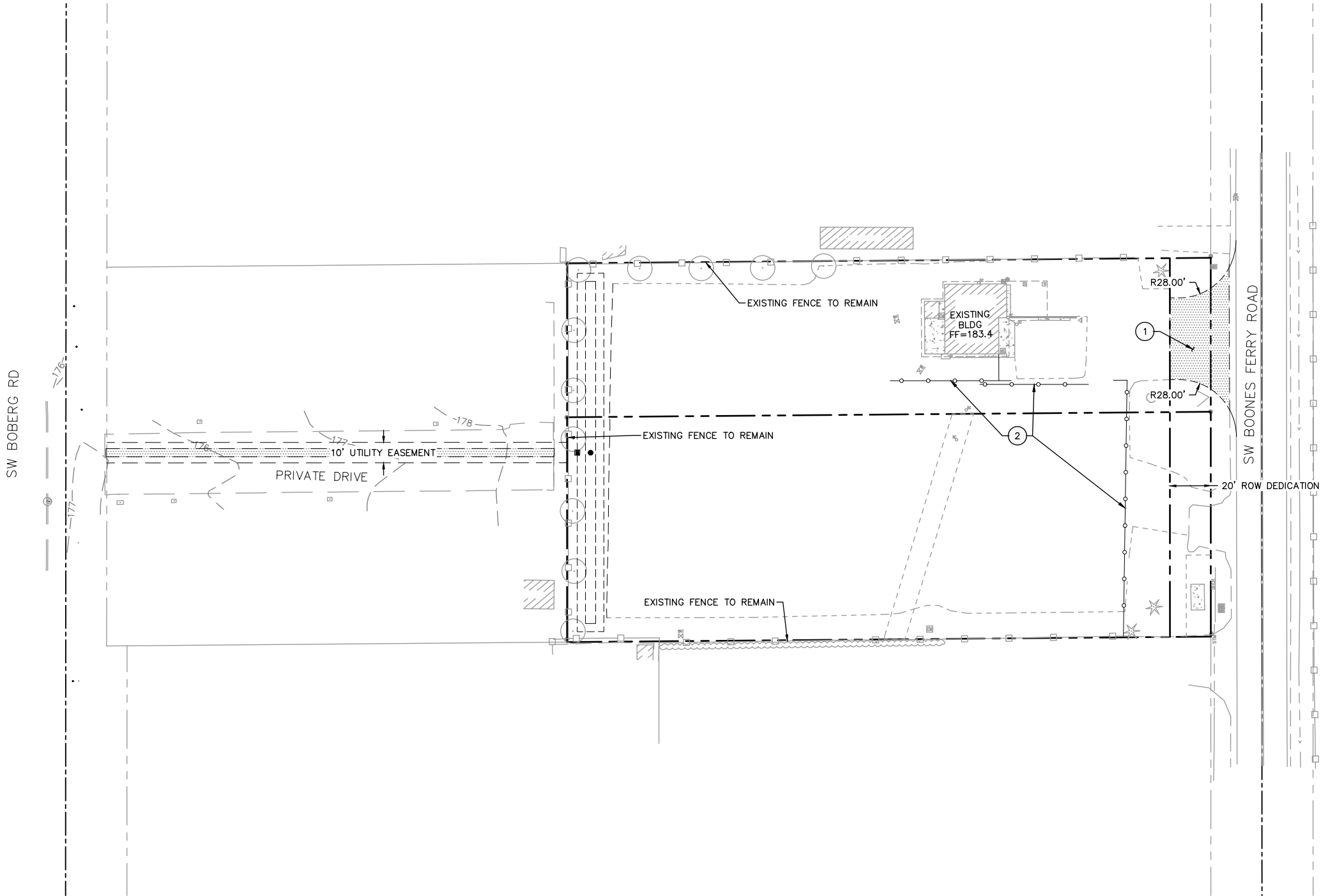
NOTES

- THE FIELD SURVEY FOR THIS MAP WAS COMPLETED ON OCTOBER 27, 2021.
- ELEVATIONS AND CONTOURS ARE BASED ON GPS MEASUREMENTS ON THE ORGN REAL TIME NETWORK. THE ELEVATIONS ARE ON THE NAVD 1988 DATUM.
- THE BASIS OF BEARINGS FOR THIS SURVEY IS SURVEY NO. 24055, CLACKAMAS COUNTY SURVEY RECORDS.
- THE RIGHT-OF-WAY WIDTH WAS ESTABLISHED USING INFORMATION FROM DEEDS, RECORD SURVEYS AND THE TAX ASSESSOR'S MAP.
- THE EASEMENTS SHOWN ON TAX LOT 900 MAP 3-1W-14A, ADDRESS 28635 SW BOONES FERRY ROAD, ARE BASED ON THE TITLE REPORT PREPARED BY FIDELITY NATIONAL TITLE COMPANY OF OREGON, WITH ORDER NUMBER 45142125338 AND WITH AN EFFECTIVE DATE OF SEPTEMBER 9, 2021 AT 8:00 AM. THE SURVEYOR WAS NOT PROVIDED WITH A TITLE REPORT FOR TAX LOT 800, MAP 3-1W-14A, ADDRESS 28505 SW BOONES FERRY ROAD, AND IT IS UNKNOWN IF ANY EASEMENTS ENCUMBER OR BENEFIT THE PROPERTY.
- THE UNDERGROUND UTILITIES ARE BASED ON THE MARKINGS PER LOCATE TICKET NUMBER 21291355 AND A PRIVATE UTILITY LOCATING COMPANY.

# Wilsonville Gravel Yard

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Appendix B – Site Plan



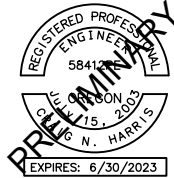
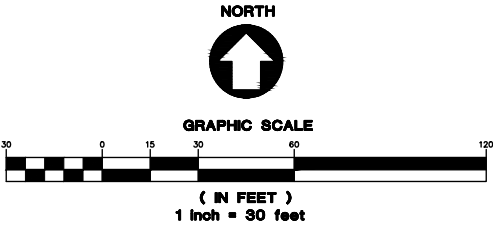
LEGEND

|                   |  |
|-------------------|--|
| PROPERTY LINE     |  |
| ASPHALT SURFACING |  |

CONSTRUCTION NOTES

1. INSTALL 40' WIDE COMMERCIAL DRIVEWAY PER CITY OF WILSONVILLE DETAIL RD-1085/C4.1
2. INSTALL NEW FENCE AND GATE. SEE LANDSCAPE PLANS FOR DETAILS

| AREA CALCULATIONS            |                    |                    |
|------------------------------|--------------------|--------------------|
|                              | EXISTING AREA (SF) | PROPOSED AREA (SF) |
| IMPERVIOUS ROOF              | 1,933              | 1,933              |
| IMPERVIOUS GRAVEL            | 43,045             | 41,468             |
| PERVIOUS LANDSCAPE           | 9,686              | 8,983              |
| PERVIOUS STORMWATER FACILITY | 0                  | 2,280              |
| TOTAL SITE AREA              | 54,664             | 54,664             |



WILSONVILLE GRAVEL LOT

28635 & 28505 SW BOONES FERRY RD  
WILSONVILLE, OR

SHEET TITLE

SITE PLAN

DATE: 08/26/2021

DRAWN: JMS

CHECKED: NWS

REVISIONS:

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2021, ALL RIGHTS RESERVED

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AND ARE NOT TO BE USED OR  
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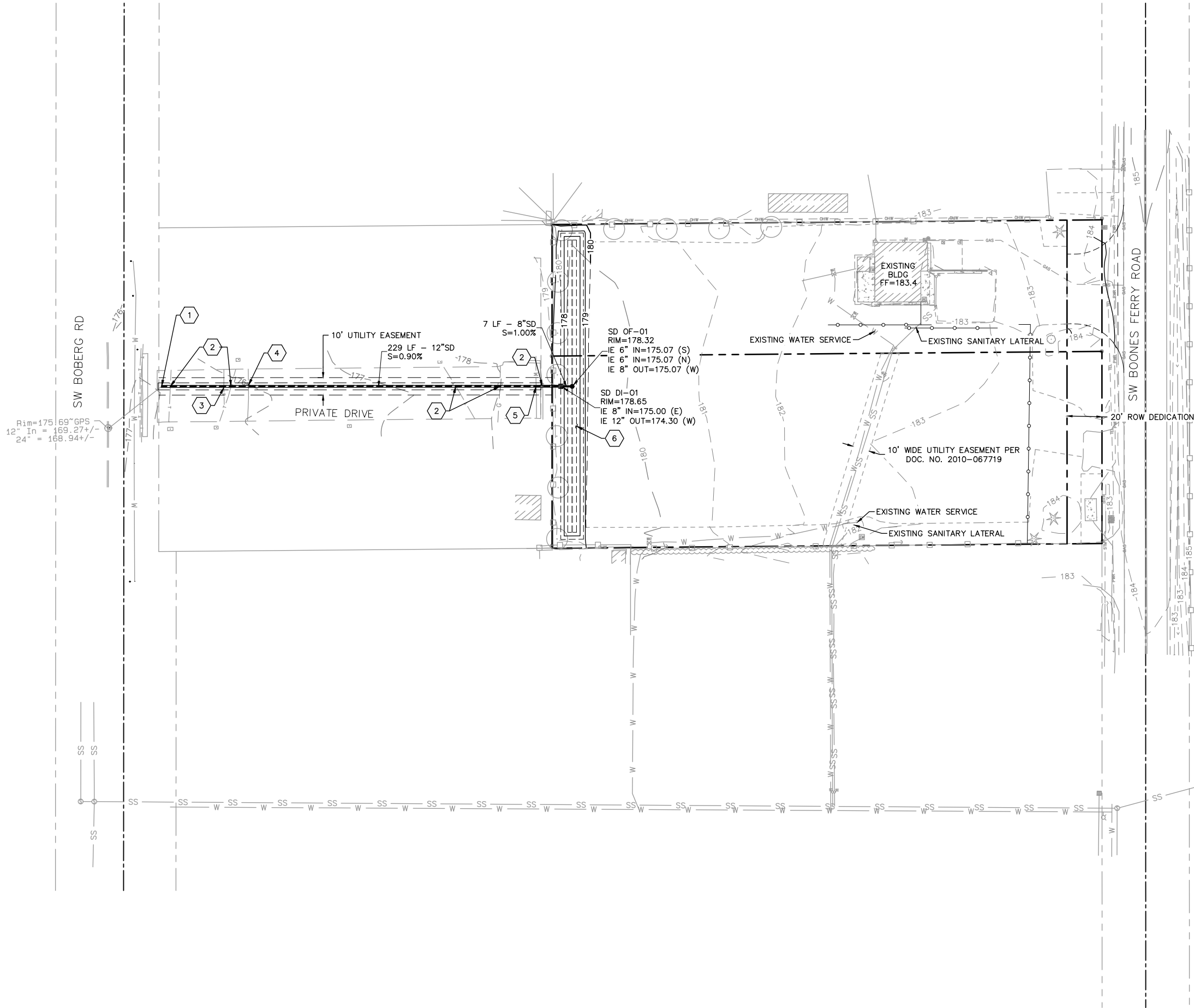
C1.0

JOB NUMBER: A21126.10

# Wilsonville Gravel Yard

---

Appendix C – Utility Plan



## SHEET NOTES

1. SEE SHEET C0.1 FOR GENERAL SHEET NOTES.
2. STRUCTURES HORIZONTAL LOCATIONS AND PIPE INVERTS ARE BASED ON THE CENTER OF THE STRUCTURE.
3. PIPE BEDDING AND BACKFILL UTILITIES SHALL BE DONE PER DETAIL 1/C4.0.
4. THIS PLAN IS GENERALLY DIAGRAMMATIC. IT DOES NOT SHOW EVERY JOINT, BEND, FITTING, OR ACCESSORY REQUIRED FOR CONSTRUCTION.
5. CLEAN OUTS SHALL BE INSTALLED IN CONFORMANCE WITH UPC CHAPTER SEVEN, SECTION 707 AND SECTION 719. THIS PLAN MAY NOT SHOW ALL REQUIRED CLEAN OUTS.
6. UTILITIES WITHIN FIVE FEET OF A BUILDING SHALL BE CONSTRUCTED OF MATERIALS APPROVED FOR INTERIOR USE AS DESCRIBED IN THE CURRENT EDITION OF THE UPC.
7. INLETS AND OUTLETS TO ON-SITE MANHOLES SHALL HAVE FLEXIBLE CONNECTION NO CLOSER THAN 12" AND NO FARTHER THAN 36" FROM THE MANHOLE.
8. ALL STORM AND SANITARY FITTINGS TO BE ECCENTRIC FITTINGS UNLESS OTHERWISE NOTED.

## LABEL LEGEND

### PIPE LABELS

UTILITY LENGTH  
UTILITY SIZE

XXLF - XX" XX ← UTILITY TYPE

S=X.XX% ← SLOPE (WHERE APPLICABLE)

### STRUCTURE LABELS

UTILITY TYPE (FP=FIRE PROTECTION, S=SANITARY, SD=STORM DRAINAGE, W=WATER)  
STRUCTURE TYPE (SEE BELOW)

XX XX-XX ← ID NUMBER (WHERE APPLICABLE)  
RIM=XX.XX  
IE IN=XX.X  
IE OUT=XX.X

### STRUCTURE TYPES

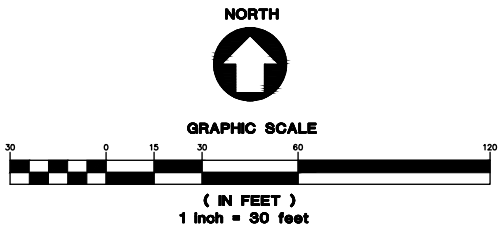
DI DITCH INLET WITH FLOW CONTROL PER DETAIL 6/C4.0  
OF OVERFLOW INLET PER DETAIL 7/C4.0

## LEGEND

STORM LINE  
PERFORATED STORM PIPE

### STORM NOTES

1. CONNECT TO EXISTING STORMWATER STUB IE=172.2' (CONTRACTOR TO VERIFY)
2. CONTRACTOR TO POTHOLE AND VERIFY EXISTING TELEPHONE AND GAS UTILITY CROSSINGS PRIOR TO CONSTRUCTION
3. INSTALL STORMWATER MAIN UNDER EXISTING 6" SANITARY MAIN
4. ADJUST EXISTING 2" WATER LINE TO CROSS UNDERNEATH PROPOSED STORM MAIN
5. INSTALL STORMWATER MAIN UNDER EXISTING WATER LINE
6. INSTALL FILTRATION RAIN GARDEN PER DETAIL ST-6020/C4.1



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**WILSONVILLE GRAVEL LOT**  
28635 & 28505 SW BOONES FERRY RD  
WILSONVILLE, OR

SHEET TITLE

UTILITY PLAN

DATE: 08/26/2021

DRAWN: JMS

CHECKED: NWS

REVISIONS:

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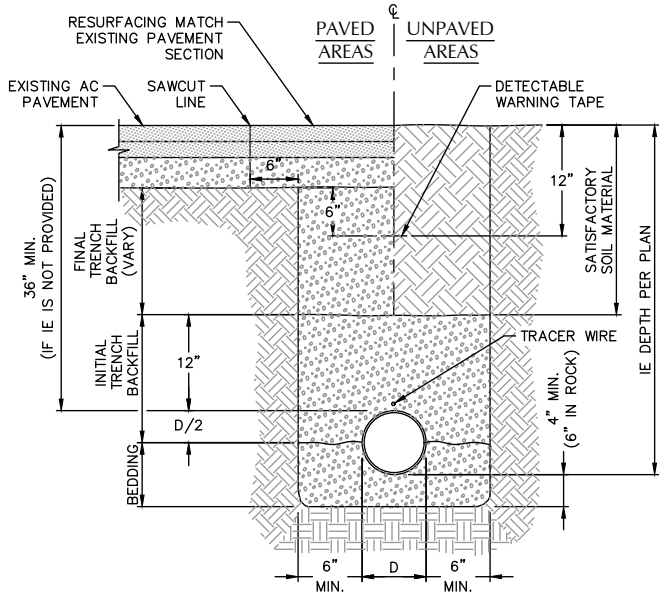
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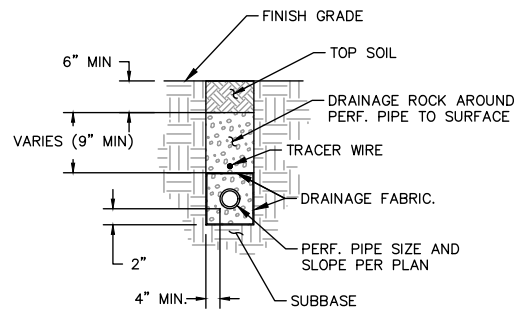
**C3.0**

JOB NUMBER: A21126.10

03/21/22 - DESIGN REVIEW

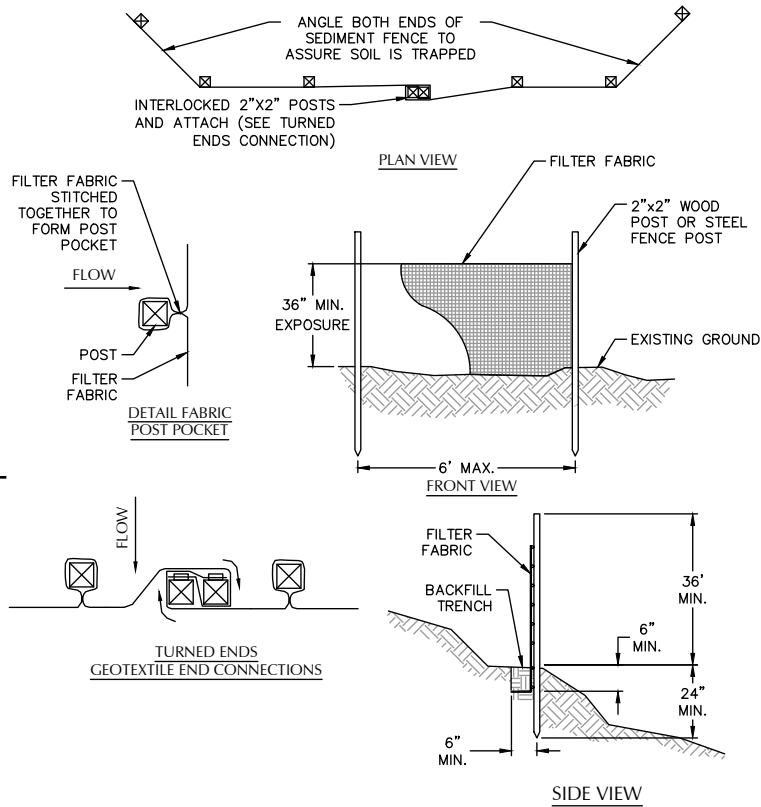


**1 TYPICAL PIPE BEDDING AND BACKFILL**  
SCALE: NTS



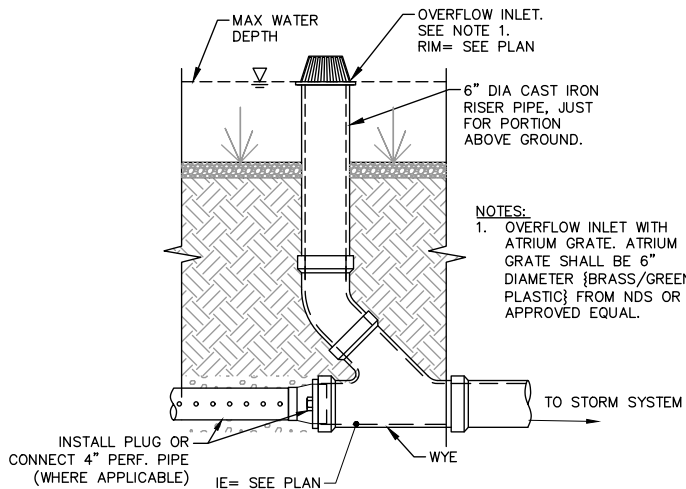
- NOTE:
- CROSS CONNECT DRAIN PIPE TRACER WIRE TO FORM SINGLE CIRCUIT.
  - DRAINAGE FABRIC SHALL BE INSTALLED TO WRAP BACKFILL AREA INDICATED WITH 6" OF OVERLAP AT SEAMS.

**2 PERFORATED DRAIN PIPE**  
SCALE: NTS

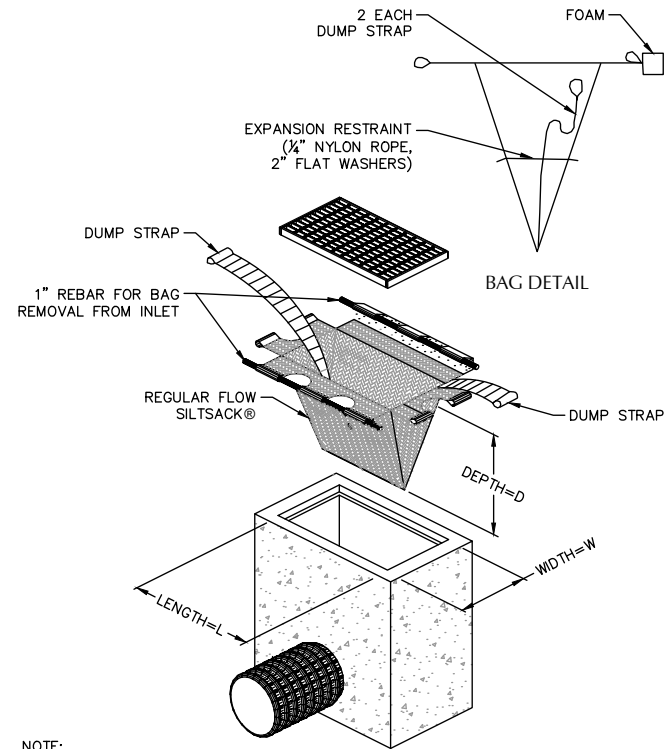


- NOTES:
- THE FILTER FABRIC SHALL BE (36" MIN. WIDTH) PURCHASED IN A CONTINUOUS ROLL CUT TO THE LENGTH OF THE BARRIER TO AVOID USE OF JOINTS. WHEN JOINTS ARE NECESSARY, FILTER CLOTH SHALL BE SPLICED TOGETHER ONLY AT A SUPPORT POST, WITH A MINIMUM 6-INCH OVERLAP, AND BOTH ENDS SECURELY FASTENED TO THE POST, OR OVERLAP 2"x2" POSTS AND ATTACH AS SHOWN ON DETAIL SHEET.
  - THE FILTER FABRIC FENCE SHALL BE INSTALLED TO FOLLOW THE CONTOURS WHERE FEASIBLE. THE FENCE POSTS SHALL BE SPACED A MAXIMUM OF 6- FEET APART AND DRIVEN SECURELY INTO THE GROUND A MINIMUM OF 24-INCHES.
  - THE FILTER FABRIC SHALL HAVE A MINIMUM VERTICAL BURIAL OF 6-INCHES. ALL EXCAVATED MATERIAL FROM FILTER FABRIC FENCE INSTALLATION, SHALL BE BACKFILLED AND COMPACTED, ALONG THE ENTIRE DISTURBED AREA.
  - STANDARD OR HEAVY DUTY FILTER FABRIC SHALL HAVE MANUFACTURED STITCHED LOOPS FOR 2"x2" POST INSTALLATION. STITCHED LOOPS WITH STAKES SHALL BE INSTALLED ON THE DOWN-SLOPE SIDE OF THE SLOPED AREA.
  - FILTER FABRIC FENCES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFUL PURPOSE, BUT NOT BEFORE THE UP-SLOPE AREA HAS BEEN PERMANENTLY PROTECTED AND STABILIZED.
  - FILTER FABRIC FENCES SHALL BE INSPECTED BY CONTRACTOR IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.

**3 SEDIMENT FENCE**  
SCALE: NTS

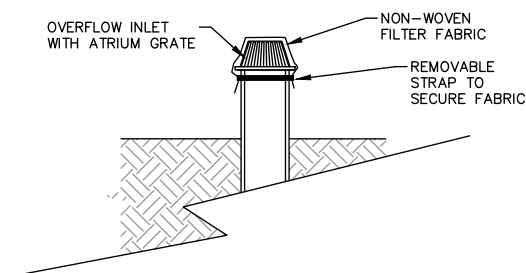


**7 OVERFLOW INLET**  
SCALE: NTS

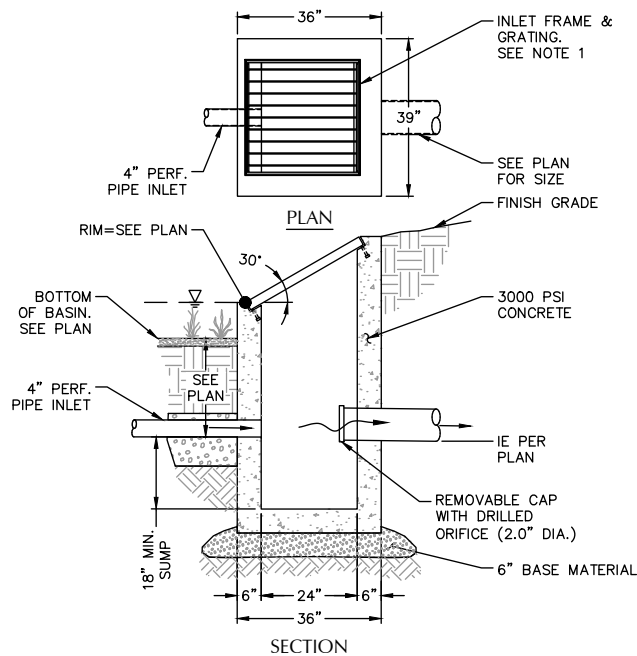


- NOTE:
- DO NOT USE HIGH FLOW INSERT BAGS.

**4 INLET SEDIMENT PROTECTION**  
SCALE: NTS



**5 OVERFLOW INLET PROTECTION**  
SCALE: NTS



- NOTE:
- GRATING AND FRAME SHALL BE GALVANIZED STEEL MEDIUM DUTY.

**6 DITCH INLET W/ FLOW CONTROL**  
SCALE: NTS



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**WILSONVILLE GRAVEL LOT**  
28635 & 28505 SW BOONES FERRY RD  
WILSONVILLE, OR

SHEET TITLE

DETAILS

DATE: 08/26/2021

DRAWN: JMS

CHECKED: NWS

REVISIONS:

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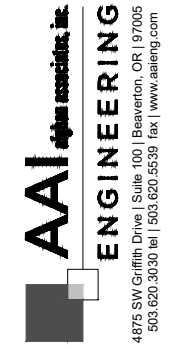
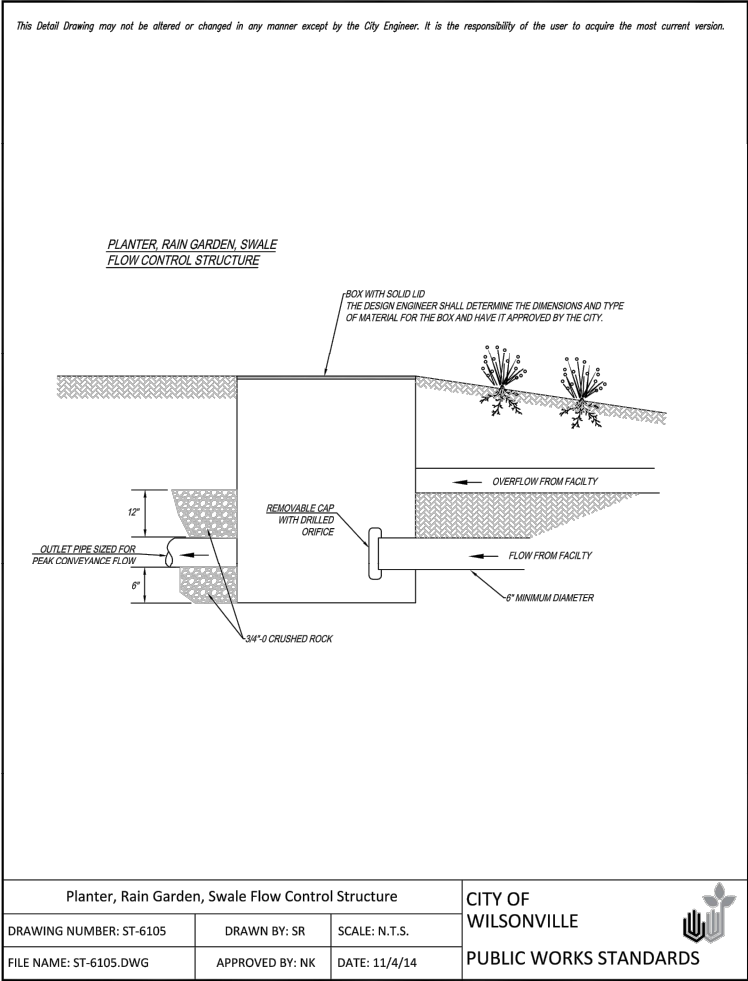
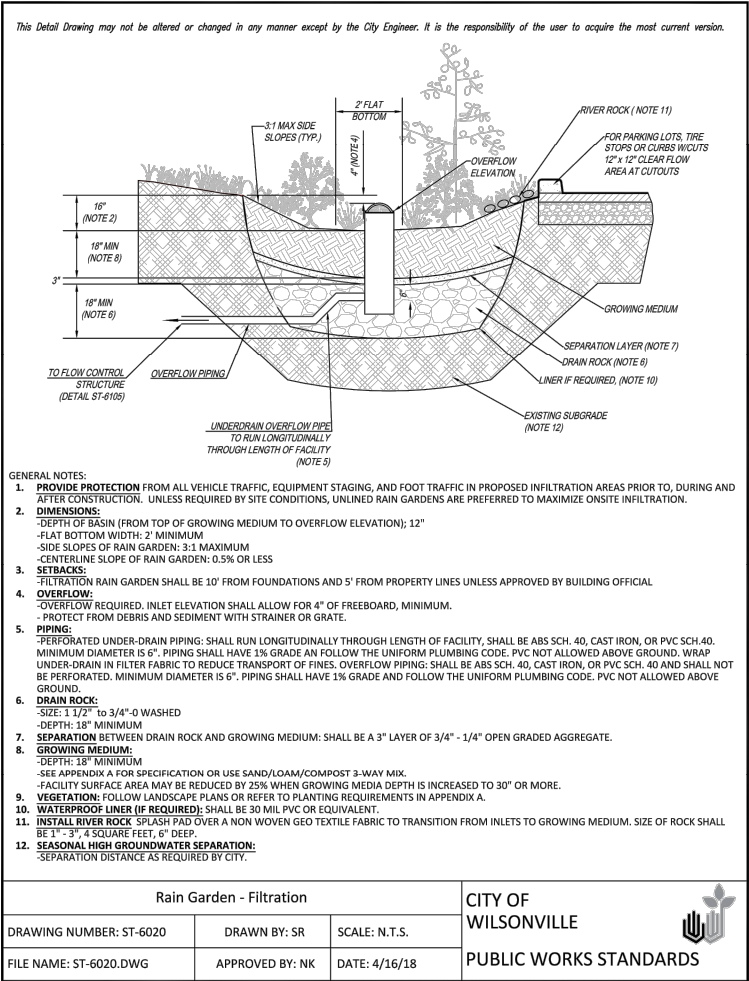
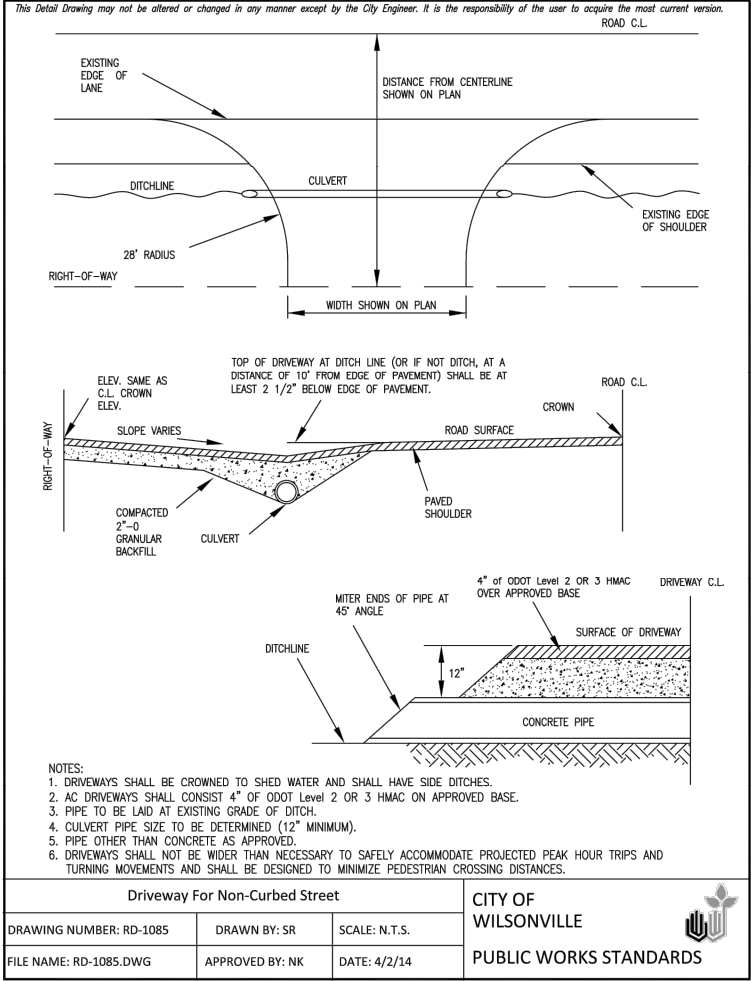
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SHEET NUMBER

**C4.0**

JOB NUMBER: A21126.10

03/21/22 – DESIGN REVIEW



WILSONVILLE GRAVEL LOT

28635 & 28505 SW BOONES FERRY RD  
WILSONVILLE, OR

|             |            |
|-------------|------------|
| SHEET TITLE |            |
| DETAILS     |            |
| DATE:       | 08/26/2021 |
| DRAWN:      | JMS        |
| CHECKED:    | NWS        |
| REVISIONS:  |            |

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SHEET NUMBER

C4.1



# Wilsonville Gravel Yard

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Appendix D – BMP Sizing Tool

## WES BMP Sizing Report

## Project Information

|                               |                                |
|-------------------------------|--------------------------------|
| Project Name                  | 21126 Wilsonville Gravel       |
| Project Type                  | Commercial                     |
| Location                      | 28505/28635 SW<br>Boones Ferry |
| Stormwater<br>Management Area | 54664                          |
| Project Applicant             |                                |
| Jurisdiction                  | OutofDistrict                  |

## Drainage Management Area

| Name                 | Area (sq-ft) | Pre-Project<br>Cover | Post-Project<br>Cover | DMA Soil Type | BMP         |
|----------------------|--------------|----------------------|-----------------------|---------------|-------------|
| Impervious<br>Gravel | 41,468       | Grass                | CrushedAggregate      | C             | Rain Garden |
| Impervious           | 1,933        | Grass                | Roofs                 | C             | Rain Garden |
| Pervious             | 8,983        | Grass                | LandscapeCsoil        | C             | Rain Garden |

## LID Facility Sizing Details

| LID ID      | Design<br>Criteria      | BMP Type                    | Facility Soil<br>Type | Minimum<br>Area (sq-ft) | Planned<br>Areas (sq-ft) | Orifice<br>Diameter (in) |
|-------------|-------------------------|-----------------------------|-----------------------|-------------------------|--------------------------|--------------------------|
| Rain Garden | FlowControlAndTreatment | Rain Garden<br>- Filtration | D1                    | 1,979.9                 | 2,280.0                  | 2.0                      |

## Pond Sizing Details

1. FCWQT = Flow control and water quality treatment, WQT = Water quality treatment only
2. Depth is measured from the bottom of the facility and includes the three feet of media (drain rock, separation layer and growing media).
3. Maximum volume of the facility. Includes the volume occupied by the media at the bottom of the facility.
4. Maximum water storage volume of the facility. Includes water storage in the three feet of soil media assuming a 40 percent porosity.

# Wilsonville Gravel Yard

---

## Appendix E – Conveyance Calculations

Project Name: Wilsonville Gravel Lot  
 Project #: A21126.10

Design Frequency: 25yr

Designed By: JMS  
 Checked By: NWS

Date: 3/7/2021

| Upstream<br>Structure | downstream<br>Structure | Area<br><br>(A)<br>sqft | Area<br><br>(A)<br>acres | Runoff<br>Coeff.<br><br>(c) | Equiv.<br>Area<br><br>(cA)<br>acres | Total<br>Drainage<br>Area<br><br>(cA)<br>acres | Time of<br>Concent.<br>Or Flow<br>Time<br><br>(t)<br>min | Total Time<br>of<br>Concent.<br><br>(T)<br>min | Average<br>Rainfall<br>Intensity<br><br>(I)<br>in/hr | Design<br>Discharge<br><br>(Q)<br>cfs | IE (in)<br><br>ft | IE (out)<br><br>ft | Pipe<br>Length<br><br>(L)<br>ft | Min.<br>Invert<br>Slope<br><br>(s)<br>% | Pipe Size<br><br>(D)<br>in | Capacity<br>Flowing<br>Full<br><br>(Q)<br>cfs | Velocity<br>Flowing<br>Full<br><br>(V)<br>fps | Flow<br>Time<br><br>(t)<br>min |
|-----------------------|-------------------------|-------------------------|--------------------------|-----------------------------|-------------------------------------|--|--|--|--|---------------------------------------|-------------------|--------------------|---------------------------------|---|----------------------------|---|---|--------------------------------|
| FC/DI                 | STUB                    | 43401                   | 0.996                    | 0.90                        | 0.897                               | 0.897  | 5.0  | 5.0  | 3.90   | 3.497                                 | 174.27            | 172.24             | 225.22                          | 0.9%                                    | 12                         | 3.67  | 4.68  | 0.8                            |
|                       |                         |                         | 0.000                    | 0.90                        | 0.000                               | 0.000  | 5.0  | 5.0  | 3.90   | 0.000                                 |                   |                    |                                 |   |                            |   |   |                                |
|                       |                         |                         | 0.000                    | 0.90                        | 0.000                               | 0.000  | 5.0  | 5.0  | 3.90   | 0.000                                 |                   |                    |                                 |   |                            |   |   |                                |
|                       |                         |                         | 0.000                    | 0.90                        | 0.000                               | 0.000  | 5.0  | 5.0  | 3.90   | 0.000                                 |                   |                    |                                 |   |                            |   |   |                                |

# **Wilsonville Gravel Yard**

---

Appendix F – Web Soil Survey



United States  
Department of  
Agriculture

**NRCS**

Natural  
Resources  
Conservation  
Service

A product of the National  
Cooperative Soil Survey,  
a joint effort of the United  
States Department of  
Agriculture and other  
Federal agencies, State  
agencies including the  
Agricultural Experiment  
Stations, and local  
participants

# Custom Soil Resource Report for **Clackamas County Area, Oregon**



August 27, 2021

# Preface

---

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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# Contents

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|   |    |
|---|----|
| <b>Preface</b> .....                                      | 2  |
| <b>How Soil Surveys Are Made</b> .....                    | 5  |
| <b>Soil Map</b> .....                                     | 8  |
| Soil Map.....   | 9  |
| Legend.....   | 10 |
| Map Unit Legend.....                                      | 11 |
| Map Unit Descriptions.....                                | 11 |
| Clackamas County Area, Oregon.....                        | 13 |
| 88A—Willamette silt loam, wet, 0 to 3 percent slopes..... | 13 |
| 91A—Woodburn silt loam, 0 to 3 percent slopes.....        | 14 |
| 91B—Woodburn silt loam, 3 to 8 percent slopes.....        | 15 |
| <b>References</b> .....                                   | 17 |

# How Soil Surveys Are Made

---

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

## Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

# Soil Map

---


The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

# Custom Soil Resource Report Soil Map



## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

### Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot


 Sinkhole


 Slide or Slip


 Sodic Spot


 Spoil Area

 Stony Spot


 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

### Water Features

 Streams and Canals


### Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

### Background

 Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Clackamas County Area, Oregon  
Survey Area Data: Version 16, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 1, 2019—Sep 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

| Map Unit Symbol                    | Map Unit Name                                    | Acres in AOI | Percent of AOI |
|------------------------------------|--|--------------|----------------|
| 88A                                | Willamette silt loam, wet, 0 to 3 percent slopes | 0.3          | 11.8%          |
| 91A                                | Woodburn silt loam, 0 to 3 percent slopes        | 2.1          | 87.9%          |
| 91B                                | Woodburn silt loam, 3 to 8 percent slopes        | 0.0          | 0.2%           |
| <b>Totals for Area of Interest</b> |  | <b>2.4</b>   | <b>100.0%</b>  |

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or



landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

## Clackamas County Area, Oregon

### 88A—Willamette silt loam, wet, 0 to 3 percent slopes

#### Map Unit Setting

*National map unit symbol:* 227q  
*Elevation:* 150 to 350 feet  
*Mean annual precipitation:* 40 to 50 inches  
*Mean annual air temperature:* 52 to 54 degrees F  
*Frost-free period:* 165 to 210 days  
*Farmland classification:* All areas are prime farmland

#### Map Unit Composition

*Willamette, wet, and similar soils:* 85 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Willamette, Wet

##### Setting

*Landform:* Terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Stratified glaciolacustrine deposits

##### Typical profile

*H1 - 0 to 14 inches:* silt loam  
*H2 - 14 to 60 inches:* silty clay loam

##### Properties and qualities

*Slope:* 0 to 3 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high  
(0.57 to 1.98 in/hr)  
*Depth to water table:* About 30 to 42 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water supply, 0 to 60 inches:* High (about 12.0 inches)

##### Interpretive groups

*Land capability classification (irrigated):* 2w  
*Land capability classification (nonirrigated):* 2w  
*Hydrologic Soil Group:* C  
*Forage suitability group:* Moderately Well Drained < 15% Slopes (G002XY004OR)  
*Other vegetative classification:* Moderately Well Drained < 15% Slopes  
(G002XY004OR)  
*Hydric soil rating:* No

## **91A—Woodburn silt loam, 0 to 3 percent slopes**

### **Map Unit Setting**

*National map unit symbol:* 227y  
*Elevation:* 150 to 400 feet  
*Mean annual precipitation:* 40 to 50 inches  
*Mean annual air temperature:* 52 to 54 degrees F  
*Frost-free period:* 165 to 210 days  
*Farmland classification:* All areas are prime farmland

### **Map Unit Composition**

*Woodburn and similar soils:* 85 percent  
*Minor components:* 6 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Woodburn**

#### **Setting**

*Landform:* Terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Stratified glaciolacustrine deposits

#### **Typical profile**

*H1 - 0 to 16 inches:* silt loam  
*H2 - 16 to 38 inches:* silty clay loam  
*H3 - 38 to 60 inches:* silt loam

#### **Properties and qualities**

*Slope:* 0 to 3 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)  
*Depth to water table:* About 25 to 32 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water supply, 0 to 60 inches:* High (about 12.0 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* 2w  
*Land capability classification (nonirrigated):* 2w  
*Hydrologic Soil Group:* C  
*Forage suitability group:* Moderately Well Drained < 15% Slopes (G002XY004OR)  
*Other vegetative classification:* Moderately Well Drained < 15% Slopes (G002XY004OR)  
*Hydric soil rating:* No

**Minor Components**

**Huberly**

*Percent of map unit:* 3 percent  
*Landform:* Swales on terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Other vegetative classification:* Poorly Drained (G002XY006OR)  
*Hydric soil rating:* Yes

**Dayton**

*Percent of map unit:* 2 percent  
*Landform:* Terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Other vegetative classification:* Poorly Drained (G002XY006OR)  
*Hydric soil rating:* Yes

**Aquolls**

*Percent of map unit:* 1 percent  
*Landform:* Flood plains  
*Hydric soil rating:* Yes

**91B—Woodburn silt loam, 3 to 8 percent slopes**

**Map Unit Setting**

*National map unit symbol:* 227z  
*Elevation:* 150 to 400 feet  
*Mean annual precipitation:* 40 to 50 inches  
*Mean annual air temperature:* 52 to 54 degrees F  
*Frost-free period:* 165 to 210 days  
*Farmland classification:* All areas are prime farmland

**Map Unit Composition**

*Woodburn and similar soils:* 90 percent  
*Minor components:* 4 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Woodburn**

**Setting**

*Landform:* Terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Stratified glaciolacustrine deposits

**Typical profile**

*H1 - 0 to 16 inches:* silt loam  
*H2 - 16 to 38 inches:* silty clay loam  
*H3 - 38 to 60 inches:* silt loam

**Properties and qualities**

*Slope:* 3 to 8 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)  
*Depth to water table:* About 25 to 32 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water supply, 0 to 60 inches:* High (about 12.0 inches)

**Interpretive groups**

*Land capability classification (irrigated):* 2e  
*Land capability classification (nonirrigated):* 2e  
*Hydrologic Soil Group:* C  
*Forage suitability group:* Moderately Well Drained < 15% Slopes (G002XY004OR)  
*Other vegetative classification:* Moderately Well Drained < 15% Slopes (G002XY004OR)  
*Hydric soil rating:* No

**Minor Components**

**Huberly**

*Percent of map unit:* 2 percent  
*Landform:* Swales on terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Other vegetative classification:* Poorly Drained (G002XY006OR)  
*Hydric soil rating:* Yes

**Dayton**

*Percent of map unit:* 1 percent  
*Landform:* Terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Other vegetative classification:* Poorly Drained (G002XY006OR)  
*Hydric soil rating:* Yes

**Aquolls**

*Percent of map unit:* 1 percent  
*Landform:* Flood plains  
*Hydric soil rating:* Yes

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- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>

## Custom Soil Resource Report

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Greg Davidson  
503-349-4886  
Davidson Consolidation  
8915 SW Commedical Street # 38  
Tigard, OR 97223

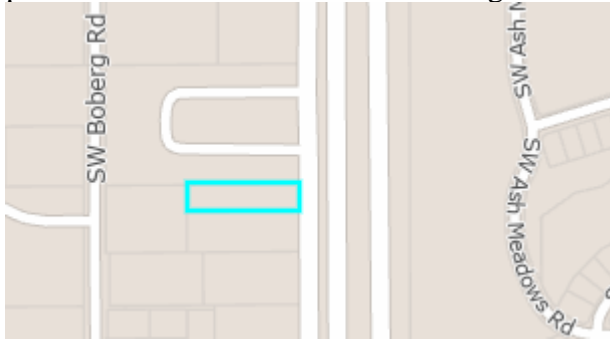
18 May 2022

Re: Infiltration testing for 28505 SW Boones Ferry Road, Wilsonville, OR

Dear Mr. Davidson,

**Field Investigation:**

Rapid Soil Solutions (RSS) has performed a total of one (1) infiltration test. The figure below shows the site RSS found a mixture of fine-grained Missoula Flood Deposits, Qff. Testing was performed for future storm water design. Location shown of the site below.



**Infiltration Testing and ground water**

Infiltration testing was performed as per the Wilsonville Storm Water Manual. RSS excavated two (2) test holes at a depth of 4ft. HA#1 rate was 4in/hr. and HA#2 was rate was 2in/hr. after a 4hour constant pre-soak and three (3) hours of testing. See the attached infiltration sheet and locations of the tests.

**Groundwater**

The nearest well log less than 0.5miles away and at the same elevation has ground water at a depth of 12.5ft. See the attached log.

**Conclusion**

The proposed shallow infiltration facility is ideal for this site.



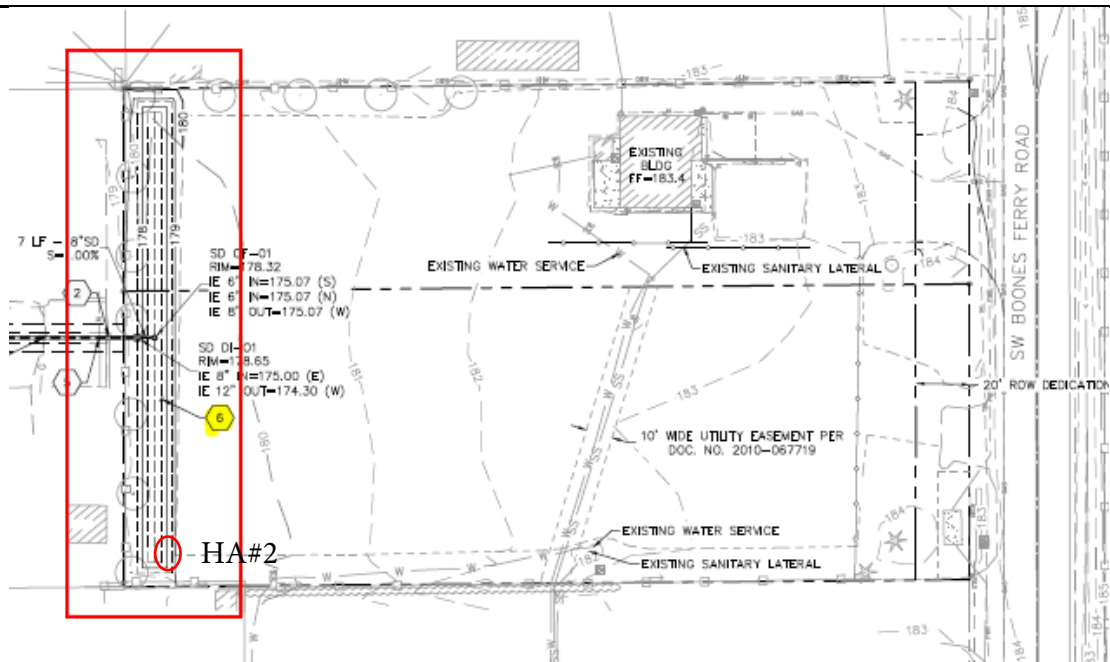
The analysis, conclusions and recommendations contained in this report are based on site conditions as they existed at the time of explorations. Any questions regarding this report please contact me at the below number or email.

Sincerely,



Mia Mahedy, PE GE

## Rapid Soil Solutions Infiltration Test Results



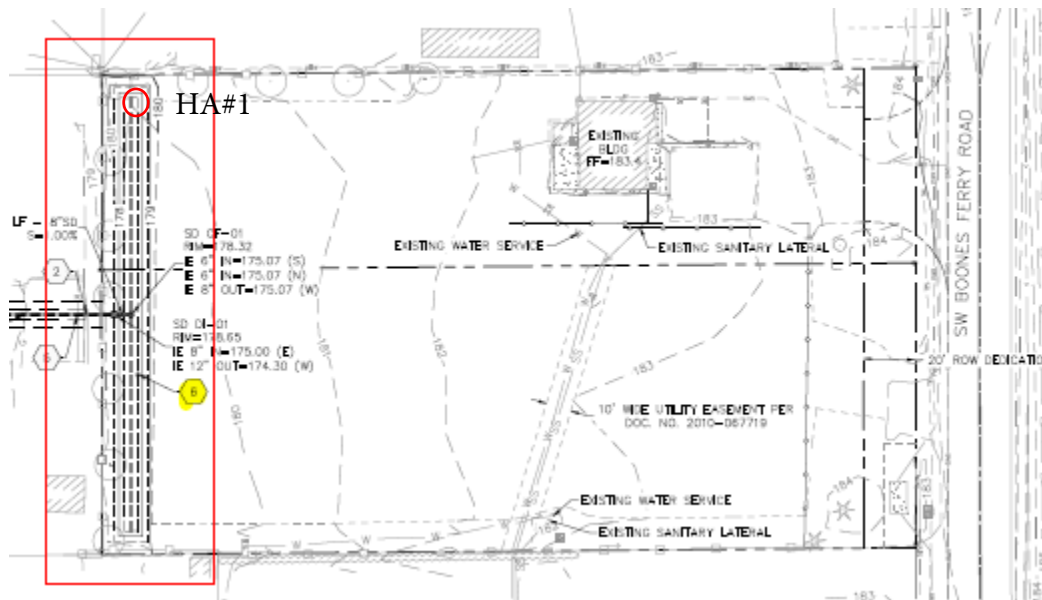
### Preliminary Information

|                         |                                      |  |                   |
|-------------------------|--------------------------------------|--|-------------------|
| <b>Location:</b>        | 28505 SW Boonesferry Rd, Wilsonville | <b>Performed By:</b><br>(Supervised by Mia Mahedy, PE, GE) | Rick Sands        |
| <b>Date &amp; Time:</b> | 5-17-22, 8:15am                      | <b>Instrument Used:</b>                                    | 4 inch hand auger |
| <b>Weather:</b>         | Sunny                                | <b>Depth:</b>  | 4 FT              |

### HA #2 south

| Soil  | 2ft light brown,damp, medium stiffness ,silty clay ,3-4ft light brown ,damp ,stiff silty clay |                            |                    |
|---|---|----------------------------|--------------------|
| Presoak                                     | 8:50 15 ¼, 9:50 12, fill 15, 10:50 12, fill 17 ½, 11:50 12 ½, fill 15, 12:50 13 1/2           |                            |                    |
| Time  | Measurement (inches)  | Level Refilled To (inches) | Rate (inches/hour) |
| 1:10  | 15  |                            |                    |
| 1:30  | 14 1/4  |                            |                    |
| 1:50  | 13 1/2  |                            |                    |
| 2:10  | 13 1/4  | 17 1/4                     |                    |
| 2:30  | 16  |                            |                    |
| 2:50  | 15 1/4  |                            |                    |
| 3:10  | 14 1/4  | 16 1/4                     |                    |
| 3:30  | 15 1/4  |                            |                    |
| 3:50  | 15  |                            |                    |
| 4:10  | 14 1/4  |                            |                    |
| <b>Site Infiltration Rate (inches/hour)</b> |   |                            | <b>2in/hr</b>      |

## Rapid Soil Solutions Infiltration Test Results



### Preliminary Information

|                         |   |  |                   |
|-------------------------|---|--|-------------------|
| <b>Location:</b>        | 28505 SW Boonesferry Rd, Wilsonville OR | <b>Performed By:</b><br>(Supervised by Mia Mahedy, PE, GE) | Rick Sands        |
| <b>Date &amp; Time:</b> | 5-17-22, 8:15 am                        | <b>Instrument Used:</b>                                    | 4 inch hand auger |
| <b>Weather:</b>         | Sunny                                   | <b>Depth:</b>  | 4 FT              |

### HA #1 north

|   |   |                                   |                           |
|---|---|-----------------------------------|---------------------------|
| Soil  | 2ft light brown , damp, silty clay , medium stiffness , 3-4 ft light brown damp, stiff silty clay |                                   |                           |
| Presoak                                     | 8:45 16 1/2, 9:45 12 1/2, fill 15 1/4, 10:45 12, fill 15 1/2, 11:45 12 1/2, fill 15, 12:45 13 1/4 |                                   |                           |
|   |   |                                   |                           |
| <b>Time</b>                                 | <b>Measurement (inches)</b>   | <b>Level Refilled To (inches)</b> | <b>Rate (inches/hour)</b> |
| 1:05  | 15  | 15                                |                           |
| 1:25  | 14 3/4  |                                   |                           |
| 1:45  | 14  |                                   |                           |
| 2:05  | 13 1/4  | 17 1/4                            |                           |
| 2:25  | 15 3/4  |                                   |                           |
| 2:45  | 15  |                                   |                           |
| 3:05  | 13 1/4  | 15 1/4                            |                           |
| 3:25  | 14  |                                   |                           |
| 3:45  | 12 1/2  |                                   |                           |
| 4:05  | 11 1/4  |                                   |                           |
| <b>Site Infiltration Rate (inches/hour)</b> |   |                                   | <b>4in/hr</b>             |

# STATE OF OREGON MONITORING WELL REPORT

(as required by ORS 537.765 & OAR 690-240-095)

WATER RESOURCES DEPT  
SALEM, OREGON

## (1) OWNER/PROJECT:

WELL NO. M.W.#3

Name Paulsen Drug Stores  
Address 9275 SW Peyton Lane  
City Wilsonville State OR Zip 97070

## (2) TYPE OF WORK:

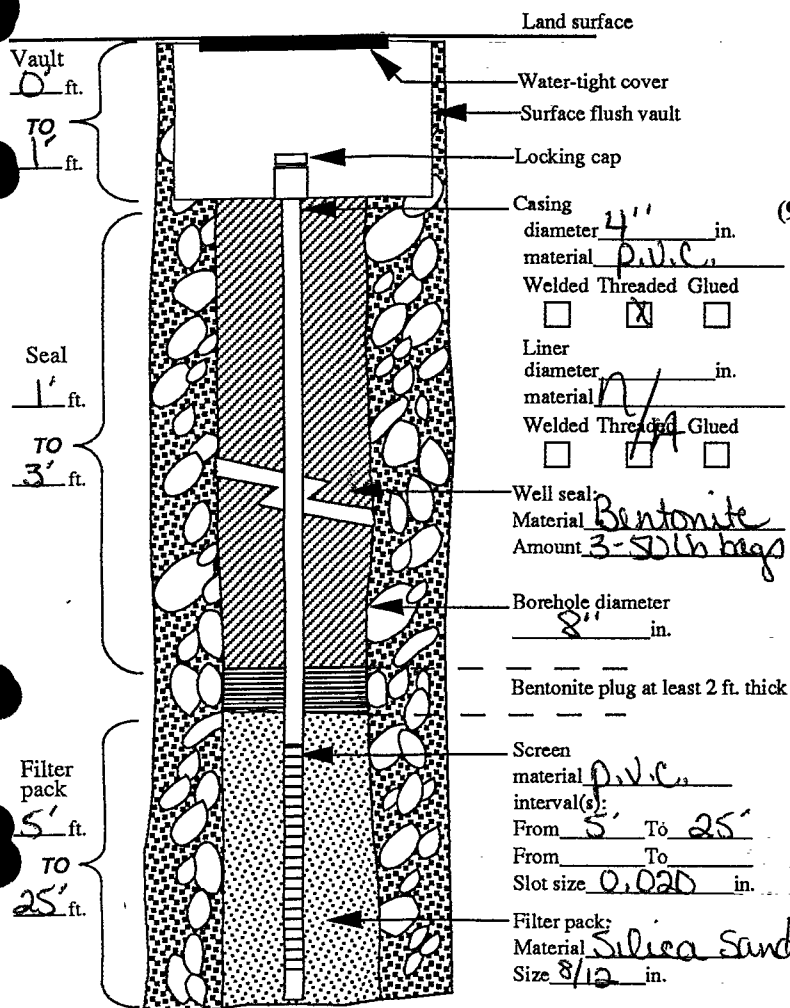
- ☒ New construction ☐ Repair ☐ Recondition  
☐ Conversion ☐ Deepening ☐ Abandonment

## (3) DRILLING METHOD

- ☐ Rotary Air ☐ Rotary Mud ☐ Cable  
☒ Hollow Stem Auger ☐ Other

## (4) BORE HOLE CONSTRUCTION

Special Standards Yes No ☐ ☒ Depth of completed well 25' ft.



## (6) LOCATION OF WELL By legal description

Well Location: County Clackamas  
Township 3 (N or S) Range 1 (E or W) Section 14  
1. SE 1/4 of SE 1/4 of above section.  
2. Street address of well location 9275 SW Peyton Lane  
Wilsonville, OR  
3. Tax lot number of well location 191

## (7) STATIC WATER LEVEL:

12.5' Ft. below land surface. Date 1-5-94  
Artesian Pressure        lb/sq. in. Date       

## (8) WATER BEARING ZONES:

Depth at which water was first found 12.5'

| From         | To         | Est. Flow Rate | SWL          |
|--------------|------------|----------------|--------------|
| <u>12.5'</u> | <u>25'</u> | <u>7</u>       | <u>12.5'</u> |
|              |            |                |              |
|              |            |                |              |
|              |            |                |              |

## (9) WELL LOG:

Ground elevation       

| Material   | From       | To         | SWL        |
|--|------------|------------|------------|
| <u>Sandy silt, clay</u>  | <u>0'</u>  | <u>6'</u>  |            |
| <u>Fine sand, light yellowish-brown, moist, trace of clay, no odor.</u>                    |            |            |            |
| <u>Clayey sand: Fine to coarse, brown, common rounded gravel up to 2", moist, no odor.</u> | <u>6'</u>  | <u>12'</u> | <u>12'</u> |
| <u>Clayey/sandy gravel</u>   | <u>12'</u> | <u>25'</u> |            |
| <u>Fine to 3" sandy wet, no odor</u>   |            |            |            |
|  |            |            |            |
|  |            |            |            |
|  |            |            |            |
|  |            |            |            |

Date started 1-14-94 Completed 1-14-94

## (5) WELL TEST:

- ☐ Pump ☒ Bailer ☐ Air ☐ Flowing Artesian

Permeability        Yield        GPM

Conductivity        PH       

Temperature of water 14°C °F/C Depth artesian flow found        ft.

Was water analysis done? ☒ Yes ☐ No

By whom? E.S.E.

Depth of strata to be analyzed. From 12' ft. to 25' ft.

Remarks:       

Name of supervising Geologist/Engineer John Day

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT

## (unbonded) Monitor Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to the best knowledge and belief.

Signed        MWC Number        Date       

## (bonded) Monitor Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed Randy L. Crisman MWC Number 10013 Date 1-14-94

SECOND COPY-CONSTRUCTOR THIRD COPY-CUSTOMER

m.w. #1 62738

m.w. #2 62739

m.w. #3 62740

PEYTON LANE

PLANTER

PLANTER

CASTING STREET

⊗ mw-2

⊗ mw-3

UST Basing  
Fuel Dispenser  
Canopy

PARKING LOT

⊗ mw-1

ASPHALT



RECEIVED

JAN 18 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

LEGEND:

⊗ Monitoring WELL LOCATION



PAYLESS DRUG STORES  
9275 S.W. PEYTON LANE  
WILSONVILLE, OR

SITE MAP

|                     |              |                  |
|---------------------|--------------|------------------|
| DATE                | PROJECT No.  | FIG #            |
| SHEET No.<br>1 of 1 | DWG No.      | SIZE<br>8.5 X 11 |
| DRAWN BY:           | APPROVED BY: | REV              |

March 13, 2022

City of Wilsonville Planning Department

Application Numbers: DB22-00001 through DR22-0004 SW Boones Ferry Rd. Gravel Yard

Proposal: Zone Map Amendment, Stage I Master Plan, Stage II Final Plan, Site Design Review

RE: Narrative Response to the incomplete items identified in the 2/23/2022 Letter of Incompleteness.

As submitted, the application has been deemed incomplete, based on the applicable provisions of ORS 227.178(2) and the Wilsonville Comprehensive Plan and Development Code (WC), due to the following missing items 1-5:

1. Three (3) printed copies of all revised application materials, including but not limited to project narrative, findings, and reduced 11" by 17" plans, and full sheet plans drawn to scale and folded, plus an electronic copy of all application materials, including the project narrative and findings in both PDF and Word format.

**Response:** This Incomplete response package includes: three full-size, folded plan sets, three 11"x17" plan sets, three copies of the Narrative Response to the incomplete items, and a thumb drive containing all these items.

2. Legal description and zoning map exhibit of zone map amendment area.

**Response:** A Zone Map Exhibit and Legal description is included in this submittal.

3. Incomplete or insufficient written responses to applicable review criteria explaining how each standard is met as follows:
  - Comprehensive Plan: Area of Special Concern E – Buffering to adjacent Walnut Mobile Home Park; minimizing traffic (truck) conflicts with residential activities, including pedestrians

Per the Comprehensive Plan: Area of Special Concern E;

#### AREA E

*The Walnut Park mobile home park is also located in this area. While economics may ultimately force redevelopment of the park to industrial use, the life of the park can be prolonged through careful design considerations of surrounding development. Doing so will help to retain one of the City's affordable housing opportunities.*

### *Design Objectives*

1. *Encourage consolidation of smaller lots to allow for master planning of large areas.*
2. *Provide buffers adjacent to the mobile home park, e.g., increased landscaped setbacks, or complementary uses.*
3. *Minimize traffic (truck) conflicts with residential activities, including pedestrians.*
4. *Provide an attractive and easily accessible park and ride facility in conjunction with a commuter rail station. If necessary to meet these objectives, prepare a master plan for the area around the selected rail station site.*
5. *Determine the appropriate alignment for a road connecting 95th Ave. and Kinsman Rd. through this area.*

**Response:** Future development of this property will result in property consolidation and redevelopment of an Industrial use facility. Until then, the Walnut Park mobile home park is screened as required along the northern edge of the property. The proposed use is a storage yard. As such, it will not incur frequent/daily truck trips to the property.

The property does not abut a commuter rail station. A park and ride facility is not a realistic use at this time. The property does not front on either 95<sup>th</sup> Ave. or Kinsman and does not propose a new road.

- **Screening and Buffering Overlay Zone: Section 4.137.5 – Screening and buffering from Walnut Mobile Home Park on west and north sides of site**

Per code section 4.137.5:

*(.02) Where the "SB" Overlay Zone is to be Applied. The Screening and Buffering Overlay Zone is to be applied primarily along the edge of nonresidential zones abutting, or located directly across the street from, residential zones. As with any zoning, the "SB" Overlay Zone is only applied where established by action of the City Council.*

**Response:** The North property line is buffered with 20 feet of landscaping which includes an evergreen hedge of Arborvitae that will reach 6 feet tall, slatted chain link fence, deciduous shade trees at 30 feet on center, min. Ground cover will be planted in the remaining buffer area.

The West property line is buffered with 20 feet of landscaping which includes an evergreen hedge of Arborvitae that will reach 6 feet tall, slatted chain link fence, deciduous shade trees at 30 feet on center, min. The remaining buffer area is part of the proposed storm water facility and planted as required by the storm water facility type.

- **Parking, Loading and Bicycle Parking:** Section 4.155 – On-site truck circulation; loading/unloading

**Response:** Please see the truck circulation diagrams, included in this submittal. (EX1.0)

- **Public Safety and Crime Prevention:** Section 4.175 – Addressing; design to allow surveillance; exterior lighting to discourage crime

**Response:** As proposed, there is no exterior lighting required or proposed at this time.

- **Landscaping, Screening, and Buffering:** Section 4.176 – Screening of outdoor storage areas from public view (Staff notes no fencing or landscaping is shown on plans along the SW Boones Ferry Road frontage; and inconsistencies between planted condition/location of “existing” plants and landscaping approved in TR21-0002)

**Response:** A 6-foot evergreen hedge, deciduous trees, and eco lawn are proposed as required by the high screen standard. Deciduous trees have been added between the two existing trees to remain.

- **Outdoor Lighting:** Section 4.199 – Compliance with outdoor lighting standards; existing outdoor lighting/overhead electrical lines; lighting for safety and crime prevention; minimizing light trespass/spillover to other properties

**Response:** Outdoor lighting is not proposed or required at this time.

- **Underground Utilities:** Section 4.320 – Undergrounding of existing overhead electrical lines

**Response:** Existing overhead electrical lines to be removed and existing poles to be removed or abandoned in place.

- **Site Design Review:** Sections 4.400 and 4.450 – Purpose and objectives of Site Design Review; installation of landscaping

Per the Wilsonville development code, Section 4.400; Purpose.

*(.01) Excessive uniformity, inappropriateness or poor design of the exterior appearance of structures and signs and the lack of proper attention to site development and landscaping in the business, commercial, industrial and certain residential areas of the City hinders the harmonious development of the City, impairs the desirability of residence, investment or occupation in the City, limits the opportunity to attain the optimum use in value and improvements, adversely affects the stability and value of property, produces degeneration of property in such areas and with attendant deterioration of conditions affecting the peace,*



*health and welfare, and destroys a proper relationship between the taxable value of property and the cost of municipal services therefor.*

This project seeks to improve the appearance and provide screening and buffering for a gravel storage lot. The project does not include any structures at this time.

**Response:** This project seeks to improve the appearance and provide screening and buffering for a gravel storage lot. The project does not include any structures at this time.

Per the Wilsonville development code, Section 4.450; Installation of Landscape

*(.01) All landscaping required by this section and approved by the Board shall be installed prior to issuance of occupancy permits, unless security equal to 110 percent of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant.*

*(.02) Action by the City approving a proposed landscape plan shall be binding upon the applicant. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, as specified in this Code.*

*(.03) All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered with Board approval.*

*(.04) If a property owner wishes to add landscaping for an existing development, in an effort to beautify the property, the Landscape Standards set forth in Section 4.176 shall not apply and no Plan approval or permit shall be required. If the owner wishes to modify or remove landscaping that has been accepted or approved through the City's development review process, that removal or modification must first be approved through the procedures of Section 4.010.*

**Response:** Landscaping will be installed prior to Occupancy or in this case project close out.

- **Tree Preservation and Protection: Section 4.620.10 – Preservation of existing trees to remain; compliance with conditions of approval of TR21-0002**

Per the Wilsonville development code, Section 4.620.10 – Tree Protection During Construction.

*(.01) Where tree protection is required by a condition of development under Chapter 4 or by a Tree Maintenance and Protection Plan approved under this subchapter, the following standards apply:*

*A. All trees required to be protected must be clearly labeled as such.*

*B. Placing Construction Materials Near Tree. No person may conduct any construction activity likely to be injurious to a tree designated to remain, including, but not limited to, placing solvents, building material, construction equipment, or depositing soil, or placing irrigated landscaping, within the drip line, unless a plan for such construction activity has been approved by the Planning Director or Development Review Board based upon the recommendations of an arborist.*

*C. Attachments to Trees During Construction. Notwithstanding the requirement of WC 4.620.10(1)(A), no person shall attach any device or wire to any protected tree unless needed for tree protection.*

*D. Protective Barrier. Before development, land clearing, filling or any land alteration for which a Tree Removal Permit is required, the developer shall erect and maintain suitable barriers as identified by an arborist to protect remaining trees. Protective barriers shall remain in place until the City authorizes their removal or issues a final certificate of occupancy, whichever occurs first. Barriers shall be sufficiently substantial to withstand nearby construction activities. Plastic tape or similar forms of markers do not constitute "barriers." The most appropriate and protective barrier shall be utilized. Barriers are required for all trees designated to remain, except in the following cases:*

*1. Rights-of-Way and Easements. Street right-of-way and utility easements may be cordoned by placing stakes a minimum of 50 feet apart and tying ribbon, plastic tape, rope, etc., from stake to stake along the outside perimeters of areas to be cleared.*

*2. Any property area separate from the construction or land clearing area onto which no equipment will venture may also be cordoned off as described in paragraph (D) of this subsection, or by other reasonable means as approved by the reviewing authority.*

**Response:** Tree protection fencing has been added to the plans for the three large trees to remain and the landscape plants that were installed per requirements of TR21-0002 Decision.

4. Insufficient detail in submitted plans and drawings. While some information is provided, the following specific information is missing or internally inconsistent:

- C0.2, Existing Conditions
  - Indicate distance to structures on adjacent properties

**Response:** This information has been added to the Existing Conditions Sheet. See Sheet CO.2

- C0.3, Demolition Plan
  - Indicate location of newly planted trees and landscaping (per Conditions of Approval of TR21-0002) considered “existing” and how plantings will be protected

**Response:** Plantings required by TR21-0002 Decision are shown as existing to remain and be protected during construction of the storm water facility.

- C1.0, Site Plan
  - Indicate location of proposed fencing and screening on all sides of site, and lockable gate across driveway (discussed on page 12 of narrative)
  - Provide cut sheet of fencing and locking gate
  - Provide a tabulation of land area, in square feet, to be devoted to various uses on the site (i.e., landscaping, stormwater, paving/gravel, etc.)
  - Indicate on-site truck circulation, entrance and egress

**Response:** Location of proposed fencing and gate shown on sheet C1.0. Cut sheet for fence and gate found on landscape sheets. Tabulation of existing and proposed areas added to sheet C1.0. Site circulation exhibit included.

- C2.0, Grading Plan
  - Show tree protection fencing around existing trees to remain

**Response:** This information has been added to the Grading and Landscape Plans. Please refer to Sheets C2.0 and L1.0.

- L1.0, Landscape Plan
  - Show accurate location of “existing” plant materials on the site; correct inconsistencies between planted condition/location of “existing” plants and landscaping approved in TR21-0002
  - Include inventory of all trees of 4” caliper or more on the site including common and botanical name, condition, size, spread and canopy
  - Provide screening/landscaping meeting the requirements of the Screening and Buffering Overlay Zone along the west and north sides of the site adjacent to the Walnut Mobile Home Park
  - Provide landscaping/screening along the SW Boones Ferry Road frontage that does not conflict with ROW dedication/future frontage improvements
  - Indicate water consumption categories (high, moderate, low, and interim or unique) for proposed landscaping

**Response:** Existing plant material as required by TR21-0002 Decision have been shown on the landscape plans. Existing trees greater than 4” have been identified on the landscape plan.

Landscape material satisfying the screening and buffering requirements along the North and West side have been added to the landscape plan.

Landscape material satisfying the screening and buffering requirements along SW Boones Ferry Road frontage have been added to the landscape plan.

Water consumption categories have been added to the planting legend.

## 5. Stormwater Drainage Report to determine adequacy of proposed stormwater facility.

**Response:** Please refer to the Stormwater Memorandum included in this submittal package.

Additionally, there are 2 comments from Planning and from Engineering, addressed below.

- A. Include a discussion in the narrative of any modifications made to the approved landscaping for TR21-0002, and accurately depict actual plantings on the Landscape Plan for the current application.

**Response:** No modifications of the approved landscape requirements from TR21-0002 are proposed. Tree protection fencing is proposed along the west property line for protection during construction of the storm water facility. Actual plantings are depicted on the plans.

- B. Provide copies of easements and dedications, including, as applicable, for existing water service, existing sewer lateral, and new storm sewer lateral.

**Response:** Existing easements shown on C0.2 for the water and sanitary services. Proposed utility easement for the storm line is shown on C3.0. Right of Way Dedication is shown on C1.0.

May 6, 2022

City of Wilsonville Planning Department

Application Numbers: DB22-00001 through DR22-0004 SW Boones Ferry Rd. Gravel Yard

Proposal: Zone Map Amendment, Stage I Master Plan, Stage II Final Plan, Site Design Review

RE: Narrative Response to the incomplete items identified in the 4/19/2022 Letter of Incompleteness.

As submitted, the application has been deemed incomplete, based on the applicable provisions of ORS 227.178(2) and the Wilsonville Comprehensive Plan and Development Code (WC), due to the following missing items 1-2:

1. Legal description and zoning map exhibit of Zone Map amendment area. The legal description and zoning map exhibit, which must be a metes and bounds survey, must be prepared by a registered professional land surveyor, indicate total acreage of the tax lot to be rezoned, and be internally consistent with one another.

**Response:** Please see the attached Legal Description and zoning map exhibit.

2. Stormwater Drainage Report to determine adequacy of proposed stormwater facility. The memo provided in the resubmittal materials is not adequate, as the project includes greater than 5,000 square feet of impervious area and requires a full draft drainage report.

**Response:** Please see the attached Stormwater Drainage Report.