

ORDINANCE NO. 402

AN ORDINANCE DECLARING AND AUTHORIZING THE VACATION OF A STREET RIGHT-OF-WAY ON PROPERTY OWNED BY THE TANDY CORPORATION ADJACENT TO TOWN CENTER LOOP WEST

WHEREAS, The Tandy Corporation has filed a petition with the City of Wilsonville requesting the vacation proceedings be initiated as authorized by ORS 271.080, The Tandy Corporation being the owners of the immediately bordering adjacent property to the north and south of the street right-of-way petitioned for vacation; and

WHEREAS, the right-of-way proposed to be vacated is not needed for public access as shown on the Master Plan for "Project Thunder" which has received final approval from the Planning Commission and vacation thereof does not prejudice the public interest; and

WHEREAS, the Planning Commission required, as a condition of approval, that the location of the proposed access to "Project Thunder" and any modification to Town Center Loop West receive final approval from the Wilsonville City Council; and

WHEREAS, the City Recorder has published the public notice and the Planning Director has posted the property as required by ORS 271.110 (Notice of Public Hearing); and

WHEREAS, the City Council adopted Resolution No. 917 which set a public hearing on this matter for July 20, 1992.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

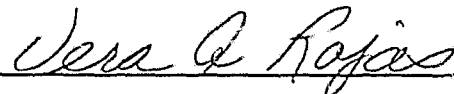
1) That the portion of the public right-of-way described in Road Dedications recorded in Recorders Fee 86-44957 and 86-44959 of the Clackamas County Deed Records and situated in the southeast quarter of Section 14 in Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon shall be vacated and title shall attach to the land bordering on such area in equal proportion by

operation of law pursuant to ORS 271.140. The parcel contains 5,129 square feet (.12 acres) and is described as follows:

COMMENCING at the East one-quarter corner of Section 14, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon and running thence South 00°03'01" West along the section line common to Sections 13 and 14 a distance of 327.26 feet to a point on the Southerly right-of-way line of Town Center Loop Road West; thence South 89°49'25" West 218.18 feet along said southerly right-of-way line to the centerline of the vacated road right-of-way called Market Road No. 27 per City of Wilsonville Ordinance #303 thence leaving said southerly right-of-way line and tracing said Market Road centerline South 38°37'19" West 991.85 feet to the northerly line of that certain tract described in deed to the City of Wilsonville in Recorder's Fee 86-44957 and the TRUE POINT OF BEGINNING; thence tracing the southeasterly line of said tract per Fee 86-44957 and continuing along the southeasterly line of that certain tract described in Deed to the City of Wilsonville recorded November 12, 1986 in Recorder's Fee 86-44959 of the Clackamas County Deed Records South 38°37'19" West 51.22 feet to the southerly line of said tract per Fee 86-44959; thence tracing said southerly line South 89°58'19" West 72.56 feet to a point of curvature; thence tracing the arc of a 30.00 foot radius curve to the left through a central angle of 90°00'41" an arch distance of 47.13 feet (the long chord bears South 44°57'58" West 42.43 feet) to a point of cusp on the easterly right-of-way line of Town Center Loop Road West (a 72.00 foot wide road right-of-way) as described in dedication to the City of Wilsonville in Deed recorded May 31, 1984 in Recorder's Fee 84-18317; thence tracing said easterly right-of-way line North 00°02'22" West 100.00 feet to a point of cusp; thence leaving said easterly right-of-way line and tracing a curve return described in Deed per Fee 86-44957 along the arc of a 30.00 foot radius curve to the left (the radial center bears North 89°57'38" East) through a central angle of 89°59'19" an arc distance of 47.12 feet (the long chord bears South 45°02'02" East 42.42 feet) to the point of tangency; thence tracing the northerly line of said tract per Fee 86-44957 North 89°58'19" East 104.56 feet to the TRUE POINT OF BEGINNING.

Containing 5,129 square feet or 0.12 acres.

SUBMITTED to the Wilsonville City Council for first reading at a regular meeting thereof on the 20th day of July, 1992, and schedule for a second reading at a regular Council meeting on the 3rd day of August, 1992, commencing at the hour of 7:00 o'clock p.m. at the Community Development Hearings Room.



VERA A. ROJAS, CMC/AE, City Recorder

ENACTED by the City Council on the 3rd day of August, 1992 by the following votes: YEAS: 5 NAYS: 0



VERA A. ROJAS, CMC/AE, City Recorder

DATED and signed by the Mayor this 5th day of August, 1992.



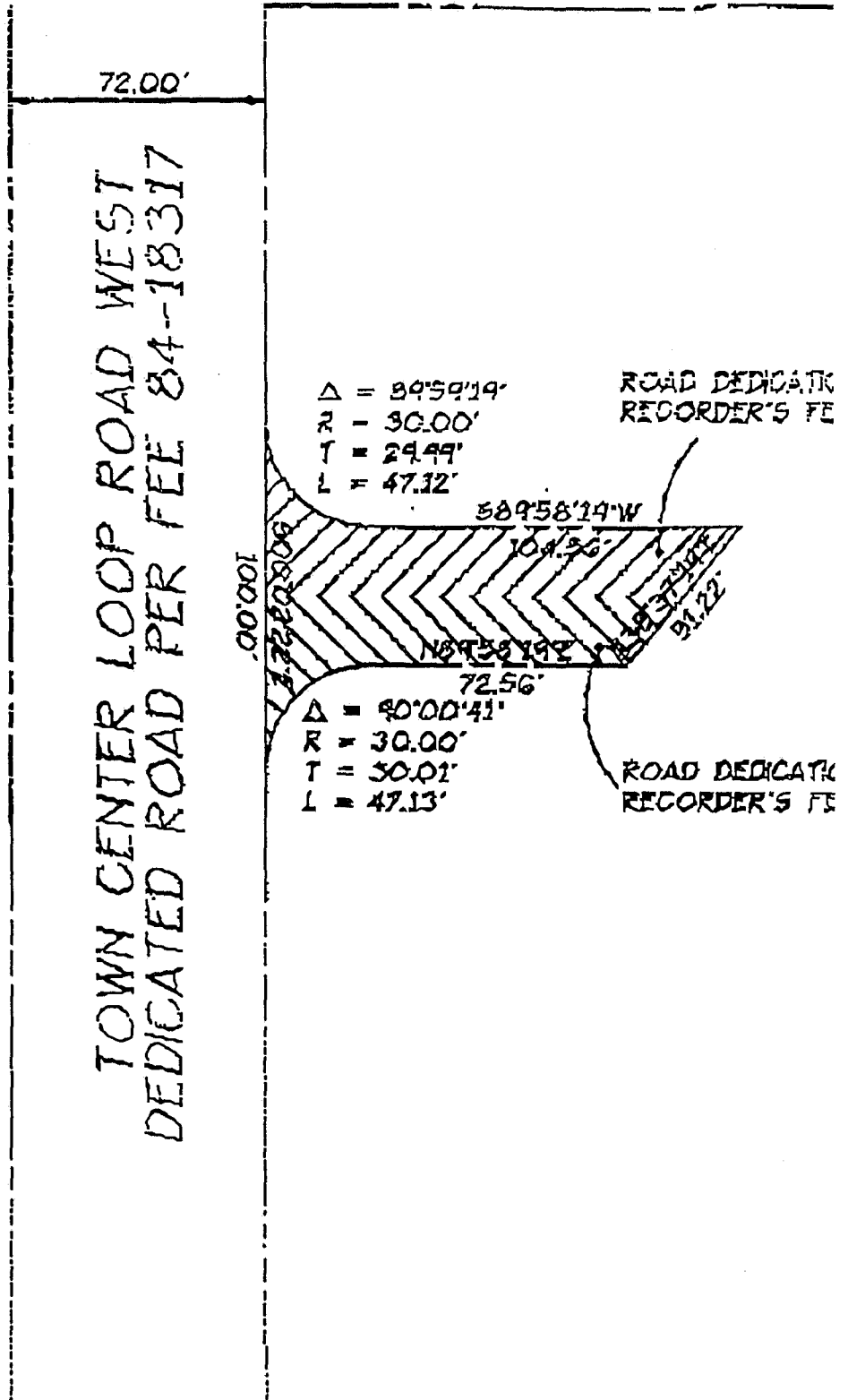
GERALD A. KRUMMEL, Mayor

SUMMARY of Votes:

Mayor Krummel	<u>AYE</u>
Councilor Chandler	<u>AYE</u>
Councilor Carter	<u>AYE</u>
Councilor Lehan	<u>AYE</u>
Councilor Van Eck	<u>AYE</u>



1"=50
July 1992



June 30, 1992

LEGAL NOTICE
For Immediate Release

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Wilsonville City Council will hold a public hearing on Monday, July 20, 1992 at 7:00 pm at the Community Development Hearings Room, 8445 SW Elligsen Road, Wilsonville, Oregon, or to such other place to which the Council may adjourn.

The purpose of the hearing is to take action on vacation proceedings authorized by ORS 271.080. Should the Council approve the vacation, a portion of a street right-of-way will be vacated. The right-of-way to be vacated is described as follows:

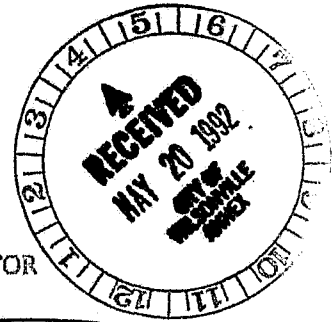
A parcel of land being the combined total of two tracts described in Road Dedications recorded in Recorders Fee 86-44957 and 86-44959 of the Clackamas County Deed Records and situated in the southeast quarter of Section 14 in Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Said parcel of land being more particularly described as follows:

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Containing 5,129 square feet or 0.12 acres.

Inquiries pertaining to the proposed vacation may be made by contacting Wayne C. Sorensen, Planning Director, at 682-4960. Written statements are encouraged and may be submitted to Vera Rojas, City Recorder, prior to the hearing date and these will be entered into the public record. Public testimony, oral and written, will be accepted at the public hearing.

DATE: MAY 13, 1992



TO: ELDON JOHANSEN, P.E. COMMUNITY DEVELOPMENT DIRECTOR

FROM: STEVE STARNER, PUBLIC WORKS DIRECTOR

RE: TANDY PROJECT--STREET RIGHT-OF-WAY AND ACCESS VACATION

ON MAY 1, 1992, THE ATTACHED PACKET OF MATERIALS PERTAINING TO THE ABOVE REFERENCED WERE HAND DELIVERED TO MY OFFICE. THE PACKET CONTAINED A CHECK TOTALING \$300.00 WHICH COVERS THE AMOUNT REQUIRED FOR A VACATION PROCEEDINGS DEPOSIT. RECENT BUDGET PREPARATION DUTIES HAVE PRECLUDED ME FROM PREPARING THE NECESSARY WRITTEN MATERIALS FOR CITY COUNCIL SUBMITTAL AND ACTION. THEREFORE, IN ORDER TO PROCESS THE ATTACHED VACATION PETITION IN A TIMELY MANNER, I SUGGEST WE ADOPT THE FOLLOWING SCHEDULE OF TASKS:

1. MAY 14-MAY 22:

CONFIRM THAT THE LEGAL DESCRIPTIONS AND EXHIBIT MAPS ARE ACCURATE AND CORRECT

HAVE WAYNE S. DRAFT A MEMO CONFIRMING THAT THE VACATION PETITION HAS BEEN SUBMITTED IN ACCORDANCE WITH PLANNING COMMISSION CONDITIONS OF APPROVAL.

DRAFT A RESOLUTION INITIATING THE VACATION PROCESS AND SETTING A DATE FOR A PUBLIC HEARING

SUBMIT ALL DOCUMENTS TO THE CITY RECORDER FOR COUNCIL ACTION ON JUNE 1,

1992

2. JUNE 4, 1992: SEND NOTICE OF PUBLIC HEARING TO THE WILSONVILLE SPOKESMAN FOR PUBLICATION ON JUNE 10 AND JUNE 17.

3. JUNE 15, 1992: POST NOTICE OF PUBLIC HEARING ON THE SUBJECT PROPERTY.

4. JUNE 25, 1992: SUBMIT ORDINANCE DECLARING VACATION COMPLETION FOR COUNCIL ACTION ON FIRST AND SECOND READING.

5. JULY 6, 1992: CONDUCT PUBLIC HEARING AND COMPLETE VACATION. (CITY RECORDER TO TRANSMIT ALL NECESSARY DOCUMENTS TO COUNTY FOR RECORDING.)

OK?....BE SURE AND LET ME KNOW IF I CAN BE OF HELP.

PROPERTY OWNER'S CONSENT TO FILE STREET VACATION PETITION

We, The Tandy Corporation as the undersigned, do hereby consent to a petition for street vacation on real property owned by us, to be filed with the City of Wilsonville.

Signed this 28 day of April 1992.

THE TANDY CORPORATION

by: Rich Hollander
Title: Vice President

AUTHORIZED AGENT CONSENT

We, The Tandy Corporation as the undersigned, do hereby authorize W&H Pacific to act as our agent for the street vacation application and any necessary easements for the PROJECT THUNDER site as required by the City of Wilsonville. This consent is limited to only the above actions as required by the city in city case file 91PC43 for PROJECT THUNDER.

Signed this 28 day of April 1992.

THE TANDY CORPORATION

by: Rich Hollander
Title: Vice President

REC'D
LEGAL

9

WARRANTY DEED

CAPITAL REALTY CORP., an Oregon corporation, Grantor, conveys and warrants to TANDY CORPORATION, a Delaware corporation, Grantee, the real property described in exhibit A hereto, free of encumbrances except as specifically set forth in exhibit B hereto.

The true consideration for this transfer is \$2,919,640.⁵⁰.

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

DATED this 14 day of February, 1992.

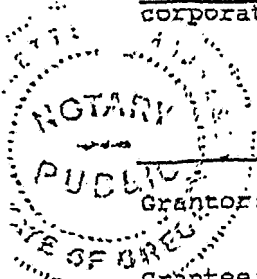
CAPITAL REALTY CORP.,
an Oregon corporation

By Brett Wilcox
Name: Brett Wilcox
Title: President

STATE OF OREGON)
COUNTY OF Multnomah) ss

This instrument was acknowledged before me on February 15, 1992, by Brett Wilcox as President of Capital Realty Corp., an Oregon corporation.

Janamatha E. Andrews
Notary Public for Oregon
My commission expires: 5-21-94



Grantor: CAPITAL REALTY CORP.,
an Oregon corporation
Grantee: TANDY CORPORATION,
a Delaware corporation

Unless a change is requested, all tax statements shall be sent to Grantee at the following address:

Tandy Corporation
c/o Tandy Tax Service
1820 Two Tandy Center
P.O. Box 1643
Ft. Worth, TX 76101

CHICAGO HILL INSURANCE CO. 8412

EXHIBIT A

LEGAL DESCRIPTION

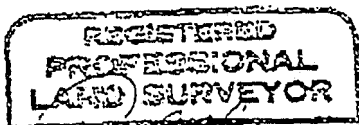
A parcel of land being a portion of Parcel 1 of Partition Plat 1991-202 of the Clackamas County Survey Records and a portion of that certain tract described in deed to Plaza Royal recorded September 5, 1980 in Recorder's Fee 80-33295 of the Clackamas County Deed Records and situated in the southeast quarter of Section 14 in Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Said parcel of land being more particularly described as follows:

COMMENCING at the southeast corner of Section 14, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon: thence North $00^{\circ}03'01''$ East along the section line between Sections 13 and 14 a distance of 1,077.07 feet to the most westerly northwest corner of Parcel 1 of Partition Plat No. 1991-164 recorded in Fee 91-48507 of the Clackamas County Plat Records and the TRUE POINT OF BEGINNING: thence leaving said section line and tracing the southeasterly line of Parcel 1 of Partition Plat 1991-202 South $45^{\circ}03'00''$ West 400.00 feet; thence leaving said southeasterly line North $44^{\circ}57'00''$ West 435.01 feet to a point of non-tangent curvature; thence tracing the arc of a 2,000.00 foot radius curve to the right (the radial center of which bears North $65^{\circ}07'50''$ West) through a central angle of $07^{\circ}23'12''$ an arc distance of 257.84 feet (the long chord bears South $28^{\circ}33'46''$ West 257.66 feet) to the northeasterly right-of-way line of Town Center Loop Road West (a 72.00 foot-wide public road right-of-way); thence tracing said northeasterly road right-of-way line North $57^{\circ}44'38''$ West 72.00 feet to a point of radial intersection with a 1,928.00 foot radius curve; thence leaving said northeasterly right-of-way line and tracing the arc of a 1,928.00 foot radius curve to the left (the radial center bears North $57^{\circ}44'38''$ West) through a central angle of $05^{\circ}32'12''$ an arc distance of 186.31 feet (the long chord bears North $29^{\circ}29'16''$ East 186.23 feet); thence South $89^{\circ}52'55''$ West 304.91 feet to a point of non-tangent curvature on the said northeasterly right-of-way line of Town Center Loop Road West; thence tracing said right-of-way line along a 268.16 foot radius curve to the right (the radial center bears North $56^{\circ}01'43''$ East) through a central angle of $33^{\circ}55'55''$ an arc distance of 158.81 feet (the long chord bears North $17^{\circ}00'19''$ West 156.50 feet) to a point of tangency; thence continuing along said right-of-way line North $00^{\circ}02'22''$ West 151.37 feet to the intersection with the southeasterly line of that certain tract as deeded to the the estate of Harold Laswell, et al, in deed recorded April 9, 1991 in recorder's fee 91-33353 of the Clackamas County Deed Records; thence tracing the westerly line of said Laswell tract, said line being common with the easterly right-of-way line of Town Center Loop Road West North $00^{\circ}02'22''$ West 98.21 feet to a point of curvature; thence leaving said westerly line of Laswell and tracing the northwesterly and northerly lines of said tract the following courses and distances: tracing the arc of a 30.00 foot radius curve to the right through a central angle of $90^{\circ}00'41''$ an arc

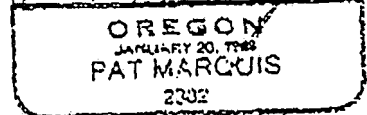
distance of 47.13 feet (the long chord bears North 44°57'58" East 42.43 feet) to a point of tangency; thence North 89°58'19" East 72.56 feet to the centerline of the vacated road known as Market Road No. 27 and the southeasterly line of that certain tract described in deed to the City of Wilsonville recorded November 12, 1986 in recorder's fee 86-44959 of the Clackamas County Deed Records; thence tracing said southeasterly line and continuing along the southeasterly line of that certain tract described in deed to the City of Wilsonville per Recorder's Fee 86-44957 of the Clackamas County Deed Records North 38°37'19" East 51.22 feet to the northerly line of said tract per fee 86-44959; thence tracing said northerly line South 89°58'19" West 104.56 feet to a point of curvature; thence tracing a 30.00 foot radius curve to the right through a central angle of 89°59'19" an arc distance of 47.12 feet (the long chord bears North 45°02'02" West 42.42 feet) to a point of tangency on the easterly right-of-way line of said Town Center Loop Road West as dedicated per document recorded May 31, 1984 in Recorder's fee 84-18317 of the Clackamas County Deed Records; thence leaving said northerly property line and tracing said easterly right-of-way line North 00°02'22" West 121.76 feet; thence leaving said easterly right-of-way line and tracing the following courses and distances: North 89°52'55" East 894.38 feet to a line being parallel with and 140.00 feet westerly of the said section line common to sections 13 and 14; thence tracing said parallel line South 00°03'01" West 528.73 feet; thence South 56°23'33" East 168.00 feet to the TRUE POINT OF BEGINNING.

Containing 648,809 square feet or 14.89 acres more or less.

PARCEL2.LEG
467-0302
12/03/91



Pat Marcuis



1-28-92

A PORTION OF THE WITHIN DESCRIBED PROPERTY LIES WITHIN PARTITION PLAT 1992-24

Exhibit "A" & "A1"

VACATION
LEGAL DESCRIPTION

A parcel of land being the combined total of two tracts described in Road Dedications recorded in Recorders Fee 86-44957 and 86-44959 of the Clackamas County Deed Records and situated in the southeast quarter of Section 14 in Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Said parcel of land being more particularly described as follows:

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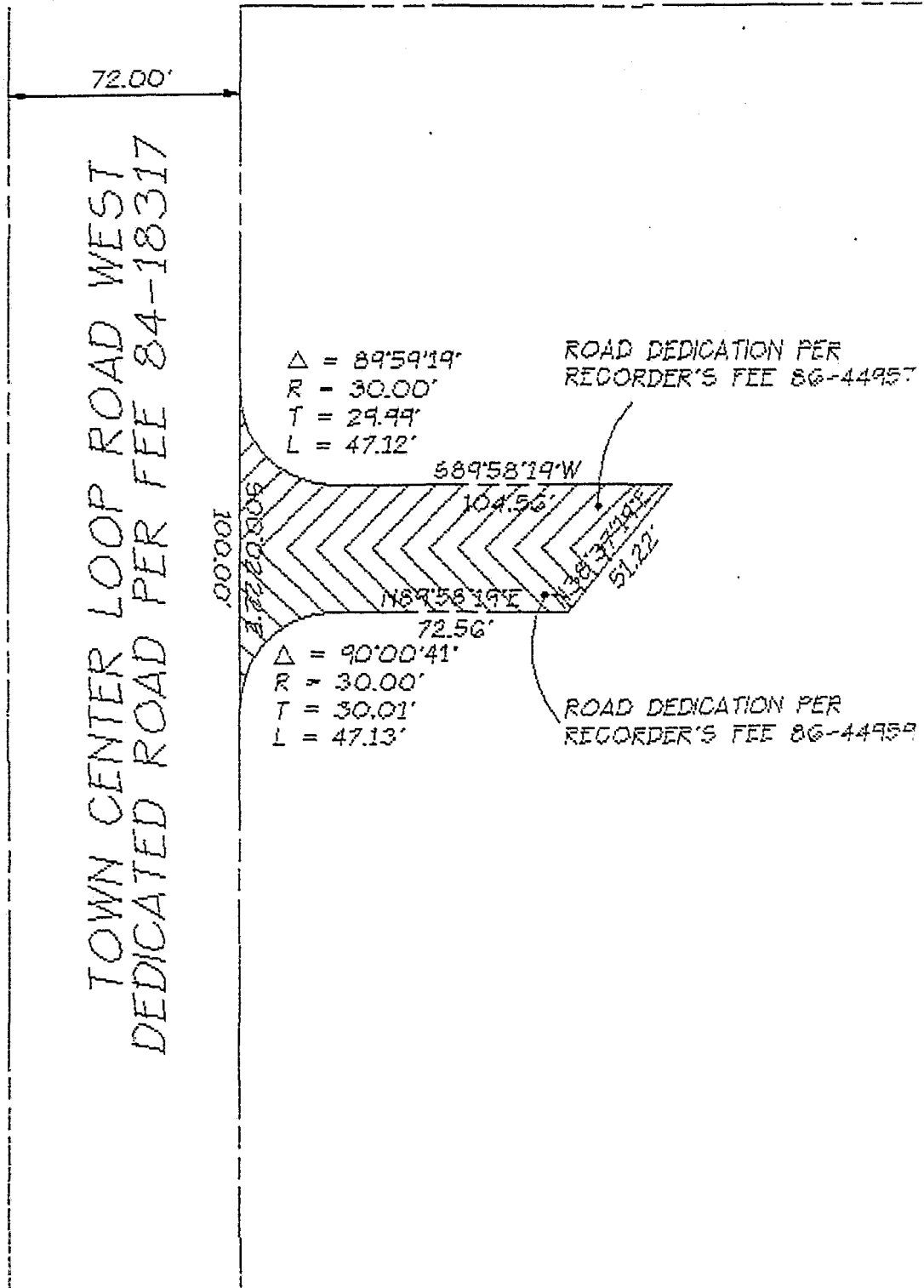
Containing 5,129 square feet or 0.12 acres.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Pat Maguire
OFFICE
FAT MARIJIS
4-72-92

VACA. LEG
755-0203
04/23/92



1"=50'



TOWN CENTER LOOP ROAD WEST
DEDICATED ROAD PER FEE 84-18317

$\Delta = 89^{\circ}59'19''$
 $R = 30.00'$
 $T = 29.99'$
 $L = 47.12'$

ROAD DEDICATION PER
RECORDER'S FEE 86-44957

100.00'

N89°58'19\"/>

$\Delta = 90^{\circ}00'41''$
 $R = 30.00'$
 $T = 30.01'$
 $L = 47.13'$

ROAD DEDICATION PER
RECORDER'S FEE 86-44958

EXHIBIT MAP 'A1'
for
TANDY VACATION

EXHIBIT B
ENCUMBRANCES

1. An easement created by instrument, including the terms and provisions thereof,
Dated: JULY 2, 1971
Recorded: SEPTEMBER 28, 1972
Recorder's Fee No.: 72-29510
In Favor of: City of Wilsonville
For: Sewer lines
Affects: A 20 foot strip

2. An easement created by instrument, including the terms and provisions thereof,
Recorded: NOVEMBER 21, 1985
Recorder's Fee No.: 85-41394
In Favor of: City of Wilsonville, Oregon
For: Public utilities
Affects: 6 feet in width along that portion of Town Center Loop West Road which lies North of Tax Lot 200

3. An easement created by instrument, including the terms and provisions thereof,
Dated: NOVEMBER 5, 1986
Recorded: NOVEMBER 12, 1986
Recorder's Fee No.: 86-44958
In Favor of: City of Wilsonville, Oregon
For: Sidewalk/Public utilities
Affects: The Southerly line of Tax Lot 101

4. An easement created by instrument, including the terms and provisions thereof,
Dated: OCTOBER 31, 1986
Recorded: NOVEMBER 12, 1986
Recorder's Fee No.: 86-44960
In Favor of: City of Wilsonville, Oregon
For: Sidewalk and utilities
Affects: The Westerly portion

Said easement was also set forth in Deed;
Recorded: JULY 9, 1991
Recorder's Fee No.: 91-33353

5. Easements in vacated street area and the conditions imposed thereby,
Ordinance No.: 303
Dated: OCTOBER 6, 1986
Recorded: AUGUST 28, 1987
Recorder's Fee No.: 87-39564
And Amended by,
Ordinance No.: 308
Dated: NOVEMBER 17, 1986
Recorded: NOVEMBER 28, 1987
Recorder's Fee No.: 87-39565

6. Benefits and obligations of the Grantees disclosed in Agreement, including the terms and provisions thereof;

Dated: AUGUST 7, 1990
Recorded: AUGUST 8, 1990
Recorder's Fee No.: 90-38782

7. The premises herein described were included within the boundaries of the City of Wilsonville Urban Renewal Project as revealed by instrument.

Recorded: OCTOBER 12, 1990
Recorder's Fee No.: 90-51026

The terms and provisions of said instrument were modified by instrument;

Recorded: JULY 16, 1991
Recorder's Fee No.: 91-34796

8. Unrecorded Waterline Easement as disclosed by survey dated December 30, 1991 prepared by W & H Pacific, Job No. 467-0302.
(Affects a 12 inch line in approximate center of property)

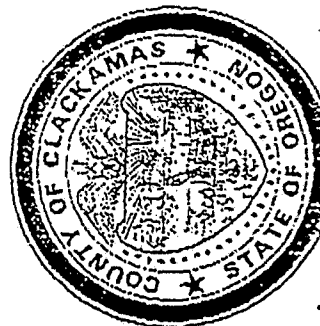
9. Easement Agreement, dated February 1992, recorded February 14, 1992, as Fee No. 92-08573.

10. Easement Agreement, dated February 1992, recorded February 14, 1992, as Fee No. 92-08574.

11. Planned Business Community Declaration for Wilsonville Town Center Property, dated February 14, 1992, recorded February 1992, as Fee No. 92-08575.

STATE OF OREGON }
County of Clackamas } ss.
I, John Kauffman, County Clerk, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said county at

92 FEB 14 PM 4:40



Witness my hand and seal affixed
John Kauffman
JOHN KAUFFMAN
County Clerk

Recording Certificate
OCP-14 (Rev. 091)

92 08576

5



STREET
VACATION
(TANDY)

FAX TRANSMISSION COVER SHEET

DATE:	6/8/92
TO:	Wayne Sorensen
FROM:	Kim Beach
SUBJECT:	Satisfaction of Conditions #16 & 20 of 91 PC 4's
REMARKS:	Attached at your request please find: (1) Feb 11, 1992 letter from Mike Kohlhoff to CRC (2) Feb 6, 1992 letter to Mike Kohlhoff from Legacy & CRC The CC&R's were recorded. The City was provided a final copy let me know if you need another CRC believes that conditions #16 and #20 of Resolution # 91 PC 4's have been fully satisfied. Thanks — KW —
PAGES:	6 (Including Cover Page)
FAX NUMBER:	(503) 223-0200
PHONE NUMBER:	(503) 223-1200
DESTINATION FAX NUMBER:	682-7025

In case of inqulres or problems with transmission, please call (503) 223-1200.

City of
WILSONVILLE
IN OREGON

30000 SW Town Center Loop E • PO Box 230
Wilsonville, OR 97070
(503) 682-1011

February 11, 1992

Kim Beach
Vice President
Capital Realty Corporation
101 SW Main, Suite 1500
Portland, Oregon 97204

Dear Kim:

In review of our meeting of February 10, 1992 and in response to your request, it is my understanding that the following has been accomplished with regards to the 91PC43 Conditions #11, 16 and 20.

Condition 11. Capital Realty has submitted a document entitled "Planned Business Community Declaration for Wilsonville Town Center Property". The form of document with the corrections noted on pages 9 (typographical) and 10 (paragraph 7.1.1 amending time period from 15 years to 20 years) is satisfactory. This condition shall be fully satisfied upon recording of the document. Proof of same shall be submitted to the City.

Condition 16. The aforesaid declaration document provides for the easements required by this condition together with the current temporary easements you provided. Recording of the document shall satisfy this condition. Proof shall be submitted to the City.

Condition 20. I am in receipt of a letter from Legacy Health Systems and Capital Realty, which is in agreement with changing the median strip in Town Center Loop West and providing a full intersection access for Project Thunder. This meets this portion of Condition 20, subject only to my receipt of written confirmation by Chicago Title of Legacy's ownership, which I understand just came about through a closing of January 31, 1992. I have discussed the confirmation with a representative of Chicago Title and have received oral verification. Chicago is to send written confirmation.

The rest of Condition 20 calls for Project Thunder (Phase II, Stage II of Capital's submitted Master Plan) to take access at prescribed access locations approved in Local Improvement District No. 5 along Town Center Loop West. It is my understanding that Project Thunder is desirous of adding an access for service delivery and relocating an existing access to the south. Appropriate application by Tandy should be made to the City to vacate the existing access and street and request approval to relocate the access and for the service access. Tandy should contact the City Planning Department. I am enclosing a copy of the ORS vacation requirements.

Was submitted and accepted
- Was submitted and accepted
- See attached letter dated 2/6/92

JUN- 8-92 MON 14:26
FEB-11-92 TUE 10:01

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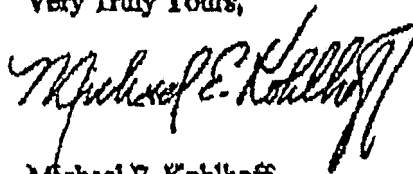
Kim Beach
February 11, 1992
Page 2

It is my further understanding you have, on behalf of Capital Realty, reached an understanding with our Planning staff on a process to address DRB and Park Commission concerns raised over the bike path plan and signage and placement of bicycles racks for usage.

Finally, as to Condition 10, the City and Capital Realty have reached an agreement as set forth in Resolution No. 892 to satisfy this condition. I will fax you a form of dedication and you will provide the metes and bounds legal for the 5.1 acre open space. You will also provide to the City for the benefit of the public access to this property over your reciprocal private access ways (vehicular, pedestrian and bicycle). These documents will be placed with Chicago Title in escrow in compliance with the agreement with mutually agreeable instructions.

The other process issues discussed at our meeting hopefully were fully answered.

Very Truly Yours,



Michael E. Kohlhoff,
City Attorney

mek:vr



February 6, 1992

Mr. Mike Kohlhoff
City Attorney
City of Wilsonville
30000 S.W. Town Center Loop East
Wilsonville, OR 97070

Dear Mr. Kohlhoff:

This letter is provided to you in response to Condition #20 to the approval of the Modified Stage I Master Plan and Phase II Stage II Site Development Plans for the Wilsonville Town Center, as adopted by the Wilsonville Planning Commission by Resolution Number 91 PC 43.

Capital Realty Corp. ("Capital") and Legacy Health System ("Legacy") agree that their access points onto Town Center Loop West shall be located as set forth on Exhibit A attached hereto. The dimensions of Legacy's access drive will be finalized at a later date but are in any event subject to approval by the City of Wilsonville. Capital and Legacy further agree that there will be no access directly to Town Center Loop West by curb cut from the parcels marked as X and Y on the attached Exhibit B, unless required or mandated by the City of Wilsonville.

Capital further agrees to pay for the cost of any revisions to the median or the curbs required by the location of the access drives described herein.

Very truly yours,

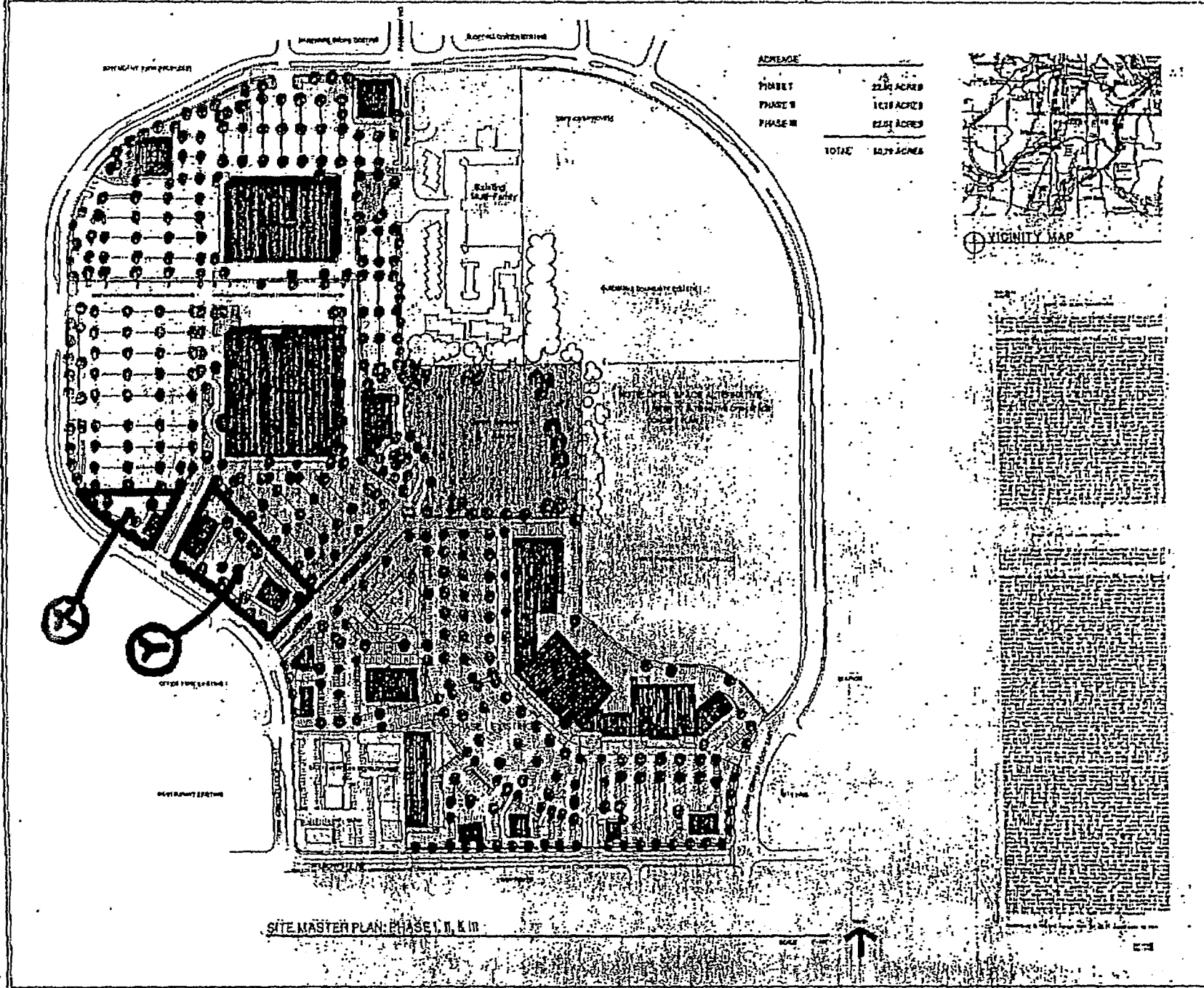
CAPITAL REALTY CORP.

By: Kimberly J. Beach
Kimberly J. Beach
Vice President

LEGACY HEALTH SYSTEM

By: Larry Hill
Larry Hill
Director of Corporate Real Estate

Attachments



SITE MASTER PLAN: PHASE I, II, & III

JKS
JKS Architects, P.C.
 1000 SW 2nd Street, Suite 200, Wilsonville, Oregon 97150
 Phone: 503-865-1234

WILSONVILLE TOWN CENTER
 WILSONVILLE, OREGON

387. An Ordinance Relating to the Adoption of the Capital Improvement Section (Phase II) of the Transportation Master Plan; Adopting the Findings and Conclusions Contained Therein. (06/27/91)
388. An Ordinance Declaring the City's Election to Receive State Revenues. (07/01/91)]
389. An Ordinance Amending Section 11.020 to 11.040 of Chapter 11 of the Wilsonville Code. (8/5/91)
390. An Ordinance Amending Chapter 2, Section 2.003 of the Wilsonville Code. (8/5/91)
391. An Ordinance Establishing Parking Regulations on the Right-of-Way of Boones Ferry Road on the West Side Portions of the Right-of-Way of Boones Ferry Road From the Start of the Bike Path in Front of Wilsonville Grade School South to the Intersection of Boones Ferry Road and 5th Street; and Declaring an Emergency. (8/19/91)
392. An Ordinance Repealing Ordinances No's. 222, 223, 224, 233, 250, 251, 255, 261, 275, 291, and 358; Declaring No Parking Within Various Public Rights-Of-Way Throughout the City and Approving City-Wide Parking Regulations On All Public Rights-Of-Way Under the Conditions Outlined Herein and Identified By the City Engineer. (10/21/91)
393. An Ordinance Amending Section 2.320(3) Et. Seq. of the Wilsonville Code Staggering the Terms and Allowing Members to Serve Until an Appointment Has Been Made. (1st Reading 2/3/92 - Continued to 3/2/92)
393. An Ordinance Amending Section 2.320(3) Et. Seq. of The Wilsonville Code to Allow up to Two (2) Planning Commission Members to Live Outside the City Limits, Staggering the Terms and Allowing Members to Serve Until an Appointment Has Been Made. (Sections 1 & 2 Enacted 2/18/92; Section 3 Defeated 3/2/92) (3/6/92)
394. An Ordinance Adopting Findings and Amending the Comprehensive Plan Map to Apply Primary Open Space and Urban Medium Residential (5-7 DU/AC) to 23.95 Acres and to Amend the Official Zoning Map to Apply Residential Agricultural One Acre Minimum (RA-1) Zoning on 6.35 Acres of Recently Annexed Property For Marvin and Bonnie Wagner - Tax Lots 100 and 200, Section 13A, T3S-R1W and Tax Lot 2200, Section 18, T3S-R1E, Clackamas County, Oregon. (3/6/92)
395. An Ordinance Adopting Findings and Amending the Comprehensive Plan Map to Change Forty-Four (44) Acres of Property From Residential to Industrial; Designating the 44 acres as an Area of Special Concern; Amending the Official Zone Map to Show the 44 Acres as RA-1; and Retaining the Designation of an Additional 20 Acres Located to the South as Residential (7-12 DU/AC) and (5-7 DU/AC) on the City's Comprehensive Plan Map; Tax Lot 2601, T3S-R1W, Section 13B, Clackamas County, Oregon; Applicant - Mentor Graphics Corporation. (4/20/92)

396. An Ordinance Establishing Section 4.018 of the Wilsonville Code to Provide a City Council Call-Up Procedure of City Planning Commission or Design Review Board Approvals, and Setting a Public Hearing For May 4, 1992. (5/4/92)
397. An Ordinance Providing For Term Limits For Boards and Commissions and Amending Wilsonville Code 2.320(1), 2.330(2)(c), 2.340(1), and 2.360(2), and Setting a Public Hearing for May 4, 1992. (5/4/92)
398. An Ordinance Declaring and Authorizing the Vacation of a Storm Sewer Treatment Easement on Lot No. 77, Within the Park at Merryfield Subdivision. (6/1/92)
399. An Ordinance of the City of Wilsonville Authorizing a Loan From the Special Public Works Fund by Entering Into a Loan Contract With the Oregon Economic Development Department. (6/1/92)
400. An Ordinance Granting a Non-Exclusive Gas Utility Franchise to Northwest Natural Gas Company; Fixing Terms, Conditions and Compensation of Such Franchise, Repealing Ordinance No. 2 and Ordinance No. 348. (7/20/92)
401. An Ordinance Amending Ordinance No. 352, Which is Titled "An Ordinance Granting to GTE-Northwest, Incorporated, a Washington Corporation, Its Successors and Assigns, the Right to Maintain Poles, Wire, and Other Appliances and Conductors and to Lay Underground Wires for the Transmission of Electricity For Communication Purposes in Certain Streets, Alleys, Avenues, Thoroughfares, and Public Highways of the City of Wilsonville, Oregon, and to Conduct a General Communications Business Within the Said City of Wilsonville, Oregon." (7/20/92)