

Appendix K

Rock Creek Boulevard Access to Future Regional Medical Center Complex

Providence Health & Services – Oregon (Providence), ODOT and the City of Happy Valley (City) will enter into a Memorandum of Agreement (MOA) that specifies that Providence (or the owner of the property at the time the Rock Creek Extension is built) shall transfer to the City the access rights on both sides of Rock Creek Boulevard extension for a distance of 1320 feet measured from the north end of the ramp terminals as shown in **Attachment A**, attached hereto and incorporated herein by reference. The transfer of access rights will be subject to 1 (one) reservation of access on the east side of the roadway in favor of Providence (or the property owner at the time) for a right-in/right-out approach located between 750 feet and 1320 feet from the north end of the ramp terminals for the purpose of providing primarily, but not exclusively, emergency vehicle access.

The City will issue the approach road permit for the right-in/right-out approach within the reservation of access prior to the transfer of access rights. The City-issued permit will provide that the purpose of the driveway is to provide for primarily, but not exclusively, emergency vehicle access on the west side of the future medical campus property so that emergency vehicles can reach emergency facilities sooner and not have to travel to SE 162nd Avenue. The permit will require that left turns to and from this approach be prohibited by a raised median barrier. The City will provide an opportunity for ODOT to review and comment on the approach road, but shall not be bound by ODOT's comments. The City agrees that it will not issue any other permits for approaches to the future Rock Creek Boulevard extension within 1320 feet of the interchange ramps. ODOT will review and comment on proper signage for the approach and the City will take into consideration ODOT's comments.

Following the issuance of the approach road permit to Providence, the City will transfer the access rights along the frontage of the Rock Creek Boulevard extension to ODOT for the distance specified above prior to issuance of a permit to occupancy. The transfer of access rights shall be subject to the reservation of access in favor of Providence and the approved approach shall continue in Providence's favor. Should Providence sell the property to another party (other than a Providence-affiliated party) or should the property no longer provide or is no longer planned to provide emergency services, all access rights between the north ramp terminals and 1320 feet will be transferred to ODOT and the City will not permit any driveways along the future Rock Creek Boulevard extension within 1320 feet of the north ramp terminal.