



WASHINGTON SQUARE DEVELOPMENT PARCELS

9200 & 9800 SW Washington Square Rd, Tigard, OR 97223
& 9185 SW Hall Blvd, Tigard, OR 97223

Development Pad Opportunities



PRESENTED BY CAPACITY COMMERCIAL GROUP



NICHOLAS G. DIAMOND
Principal Broker | Licensed in OR & WA
503-222-2655
ndiamond@capacitycommercial.com

RILEY M. HENDERSON
Sr. Associate Broker | Licensed in OR & WA
503-975-9301
riley@capacitycommercial.com

GEORGE N. DIAMOND
Principal Broker | Licensed in OR & WA
503-222-2178
gdiamond@capacitycommercial.com



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9200 & 9800 SW WASHINGTON SQUARE RD, TIGARD, OR 97223
& 9185 SW HALL BLVD, TIGARD, OR 97223



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DISCLAIMER

Capacity Commercial Group, LLC ("Agent") have been engaged as the exclusive agent for the sale of 9200 & 9800 SW Washington Square Rd, Tigard, OR 97223 and 9185 SW Hall Blvd, Tigard, OR 97223 (the "Property"). The Property is being offered for sale in its "as-is, where-is" condition, and Seller and Agent make no representations or warranties as to the accuracy of the information contained in this Offering Memorandum. The enclosed materials include highly confidential information and are being furnished solely for the purpose of review by prospective purchasers of the interest described herein. Neither the enclosed materials nor any information contained herein is to be used for any other purpose or made available to any other person without the express written consent of Seller.

The enclosed materials are being provided solely to facilitate the Prospective Purchaser's own due diligence for which it shall be fully and solely responsible. The material contained herein is based on information and sources deemed to be reliable, but no representation or warranty, express or implied, is being made by Agent or Seller or any of their respective representatives, affiliates, officers, employees, shareholders, partners, and directors, as to the accuracy or completeness of the information contained herein. Summaries contained herein of any legal or other documents are not intended to be comprehensive statements of the terms of such documents, but rather only outlines of some of the principal provisions contained therein. Neither Agent nor Seller shall have any liability whatsoever for the accuracy or completeness of the information contained herein or any other written or oral communication or information transmitted or made available, or any action taken, or decision made by the recipient with respect to the Property. Interested parties are to make their own investigations, projections, and conclusions without reliance upon the material contained herein.

Seller reserves the right, at its sole and absolute discretion, to withdraw the Property from being marketed for sale at any time and for any reason. Seller and Agent each expressly reserves the right, at its sole and absolute discretion, to reject any and all expressions of interest or offers regarding the Property and/or to terminate discussions with any entity at any time, with or without notice. This Offering Memorandum is made subject to omissions, correction of errors, change of price or other terms, prior sale or withdrawal from the market without notice. Agent is not authorized to make any representations or agreements on behalf of Seller.

Seller shall have no legal commitment or obligation to any interested party reviewing the enclosed materials, performing additional investigation and/or making an offer to purchase the Property unless and until a binding written agreement for the purchase of the Property has been fully executed, delivered and approved by Seller, and any conditions to Seller's obligations thereunder have been satisfied or waived.

By taking possession of and reviewing the information contained herein, the recipient agrees that (a) the enclosed materials and their contents are of a highly confidential nature and will be held and treated in the strictest confidence and shall be returned to Agent or Seller promptly upon request; (b) the recipient shall not contact employees or tenants of the Property directly or indirectly regarding any aspect of the enclosed materials or the Property without the prior written approval of Seller or Agent and (c) no portion of the enclosed materials may be copied or otherwise reproduced without the prior written authorization of Seller or Agent.

If you have no interest in the Property at this time, please destroy or return this Offering Memorandum immediately the exclusive listing brokers.

SECTION

1

Executive Summary



PADS AT WASHINGTON SQUARE

Capacity Commercial Group is pleased to exclusively bring to market the opportunity to purchase four development pads at Washington Square shopping center in Tigard, Oregon. The high profile development / investment opportunities range from 1 to 5 acres and can be bought together or separately. All the parcels sit in the Opportunity Zone.

The pads at Washington Square is a unique development opportunity to own and build adjacent to a the top regional shopping center in the Portland Metro area. The property is ideally located in Washington county with close proximity to Hwy 217, I-5 as well as major employers Nike, Columbia Sportswear, Intel and major office hubs at Lincoln Center, Kruse Way, and the Sunset Corridor.

In addition to a strong retail presence the properties benefit from a flexible zoning that allows multifamily, hospitality, office and retail. The property is in an designated Opportunity Zone that may provide additional tax benefit through development.



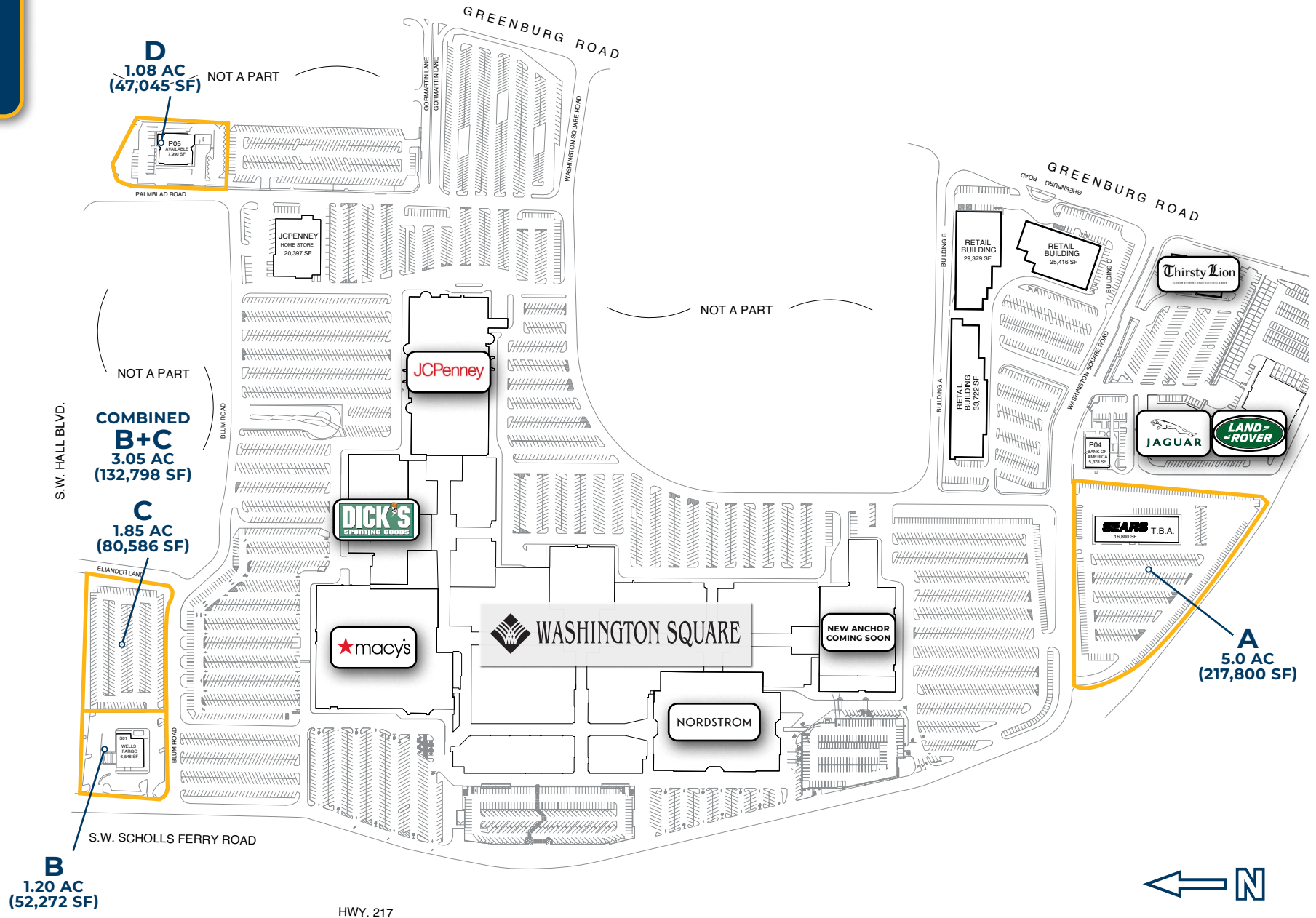
*Average Daily Traffic Volume | Traffic Counts and *Average Monthly Visits are Provided by REGIS Online at SitesUSA.com ©2025
Map data ©2025 Google Imagery ©2025, Airbus, CNES / Airbus, Maxar Technologies, Metro, Portland Oregon, Public Laboratory, State of Oregon, U.S. Geological Survey, USDA/FPAC/GEO

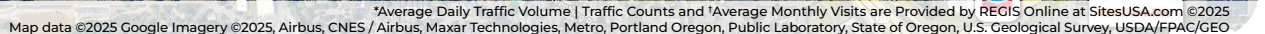
Parcel	Former Use	Address	Building Size	Land Area	Land Area	Max Height	Zoning
Parcel A (R236621)	Sears Auto Center	9800 SW Washington Square Rd.	±28,249 SF	±5.0 AC	±217,800 SF	185 Feet	<u>Tigard MUC – Mixed Use Commercial</u>
Parcel B (R236658/R2188905)	Wells Fargo Bank <i>Leased through 01/31/28 (Inquire with Broker)</i>	9210 SW Washington Square Rd.	±6,548 SF	±1.20 AC	±52,272 SF	185 Feet	<u>Tigard MUC – Mixed Use Commercial</u>
Parcel C (R236667)	Vacant Lot	9200 SW Washington Square Rd.	NA	±1.85 AC	±80,586 SF	185 Feet	<u>Tigard MUC – Mixed Use Commercial</u>
Parcel D (R1233891)	Former US Bank with Drive Thru	9185 SW Hall Blvd	±7,990 SF	±1.08 AC	±47,045 SF	185 Feet	<u>Tigard MUC – Mixed Use Commercial</u>



SITE PLAN

SITE PLAN





SECTION

2

Property Overview



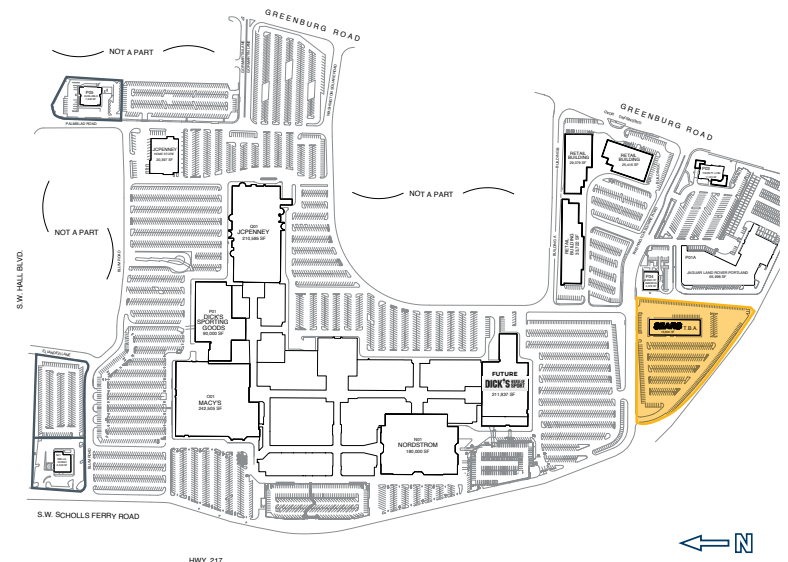
PARCEL A: OVERVIEW



Parcel A: Property Overview

Address	9800 SW Washington Square Rd, Portland, OR 97223
Parcel ID #	R236621
Former Use	Sears Auto Center
Building Size	±18,077 SF - Ground Floor ±9,598 SF - Basement ±574 SF - Subbasement
Gross Land Area	±5.0 Acres ±217,800 SF
Max Height	185 Feet
Property Zoning	Tigard MUC – Mixed Use Commercial

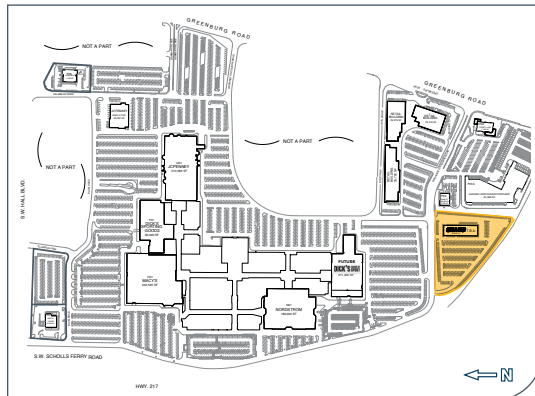
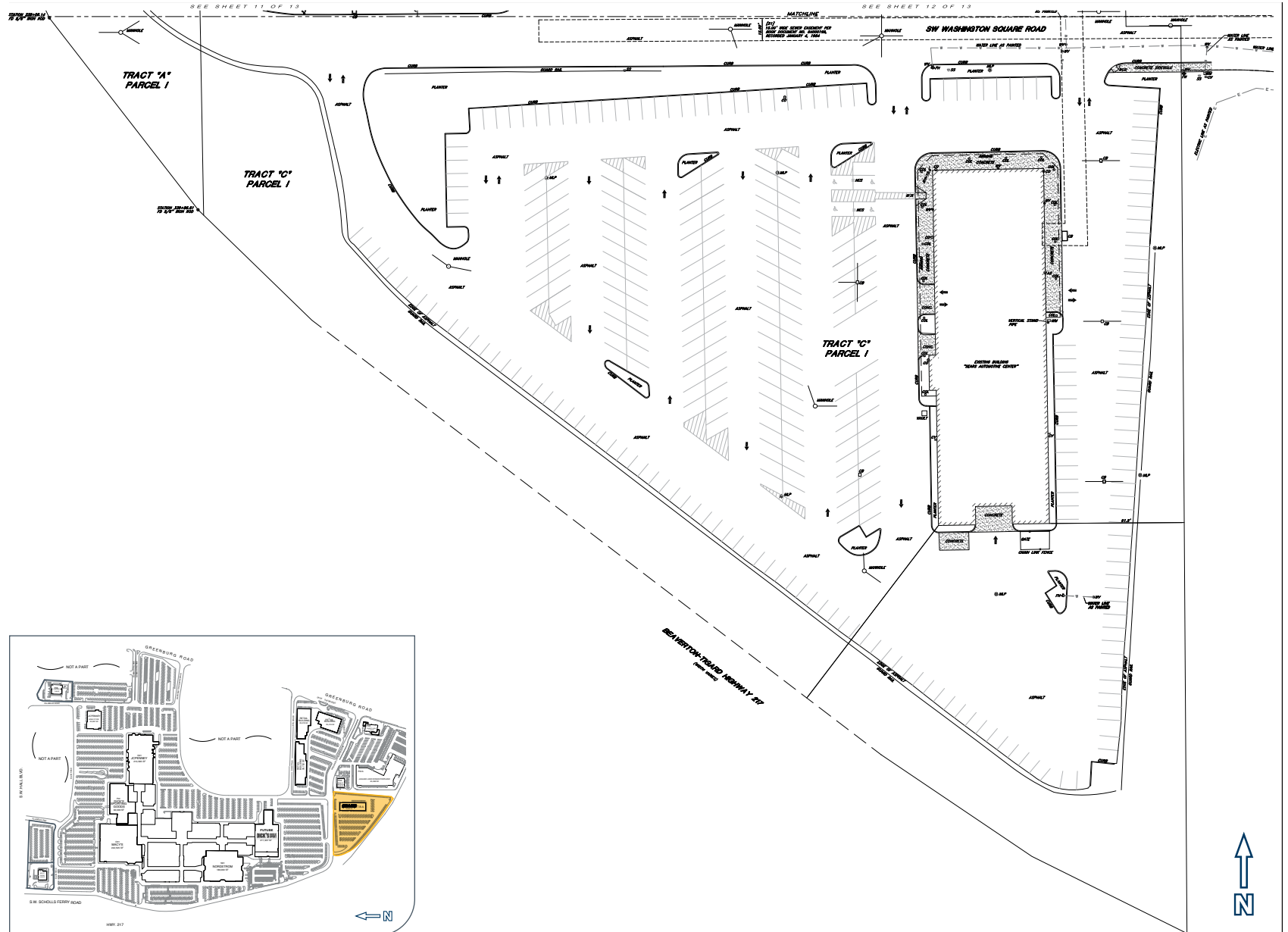
Capacity Commercial Group is pleased to exclusively present for sale this prime 5 acre development pad. The property is in the opportunity zone and is ideally situated for multifamily development.





SITE PLAN

SITE PLAN: PARCEL A

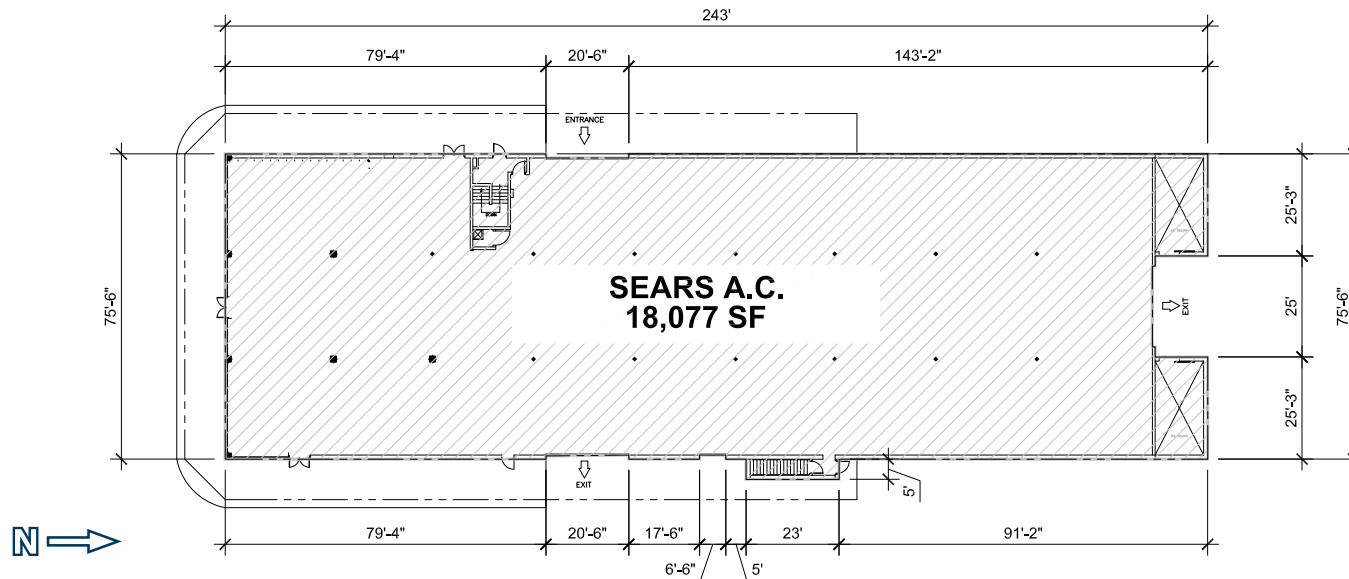
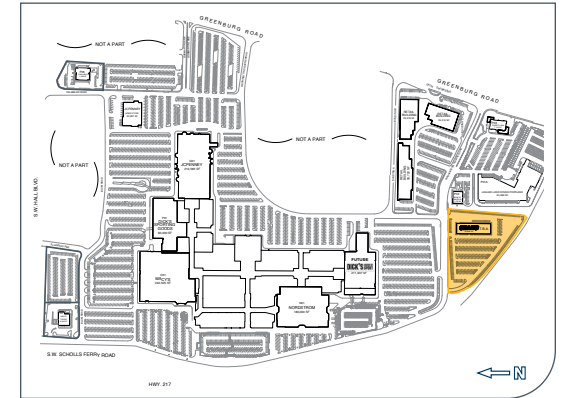
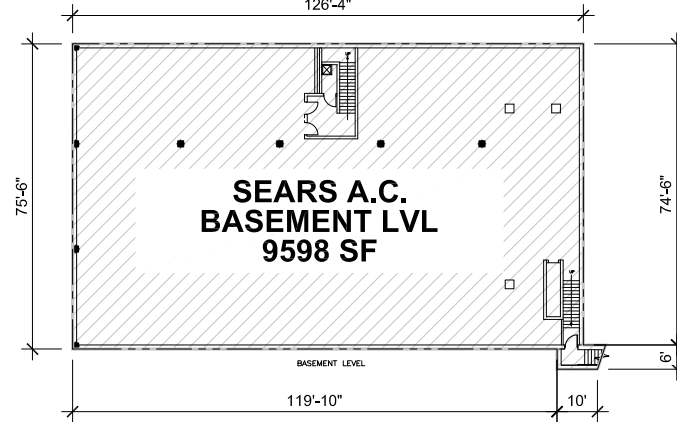
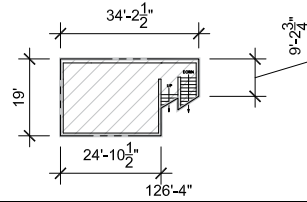




FLOOR PLANS

SEARS FLOOR PLANS: PARCEL A

**SEARS A.C.
BASEMENT LVL
574 SF**





PARCELS B: OVERVIEW

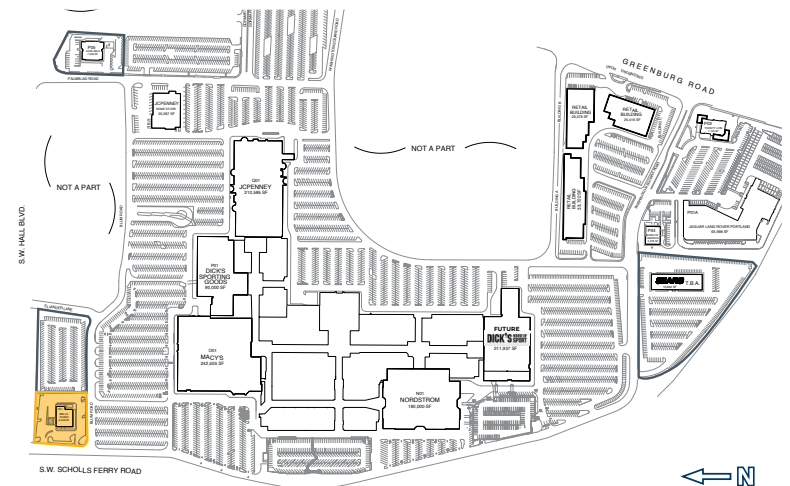


Parcel B: Property Overview

Address	9210 SW Washington Square Rd, Tigard, OR 97223
Parcel ID #	R236658/R2188905
Former Use	Wells Fargo Bank <i>Leased through 01/31/28 (Inquire with Broker)</i>
Building Size	±6,548 SF
Gross Land Area	±1.20 Acres ±52,272 SF
Max Height	185 Feet
Property Zoning	Tigard MUC – Mixed Use Commercial

Capacity Commercial Group is pleased to exclusively present for sale this prime 1.2 acre development pad.

The property offers a great opportunity to purchase a leased investment with opportunity to continue it as an investment property, future owner-user property or incorporate into a larger redevelopment opportunity with the 1.85 acre adjacent parking lot for a combined 3.05 acres.





PARCELS C: OVERVIEW

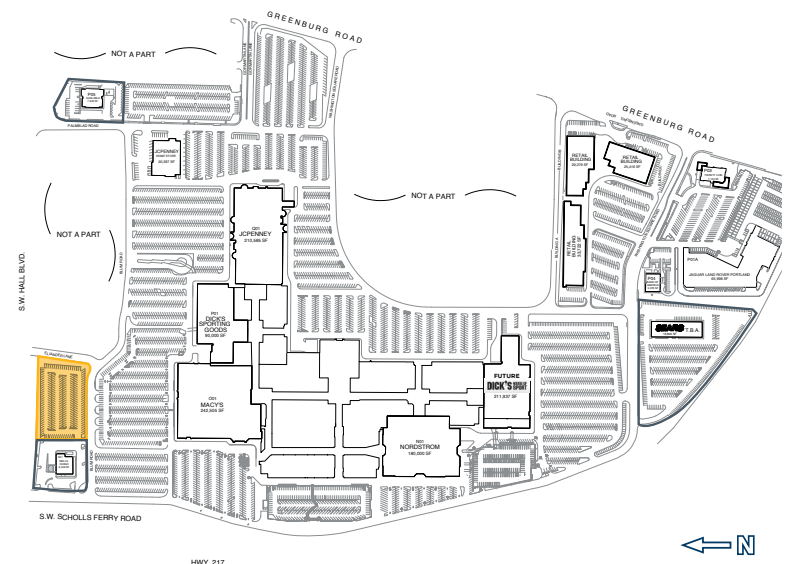


Parcel C: Property Overview

Address	9200 SW Washington Square Rd, Tigard, OR 97223
Parcel ID #	R236667
Former Use	Vacant Lot
Gross Land Area	±1.85 Acres ±80,586 SF
Max Height	185 Feet
Property Zoning	Tigard MUC – Mixed Use Commercial

Capacity Commercial Group is pleased to exclusively present for sale this prime 1.85 acre development pad.

The property offers a great opportunity to purchase a leased investment with opportunity to continue it as an investment property, future owner-user property or incorporate into a larger redevelopment opportunity with the 1.20 acre adjacent parking lot for a combined 3.05 acres.

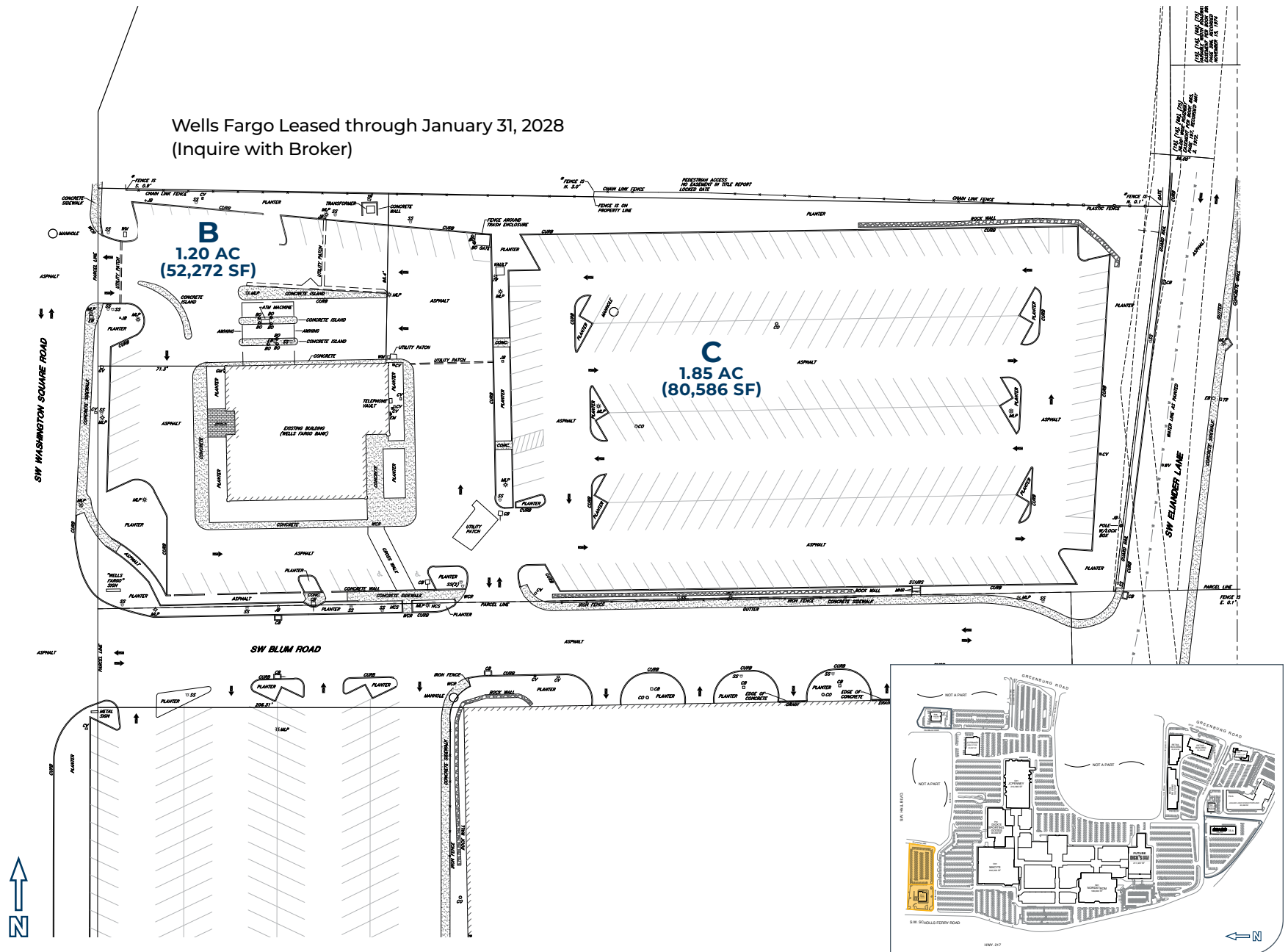




SITE PLAN

SITE PLAN: PARCELS B & C

Wells Fargo Leased through January 31, 2028
(Inquire with Broker)





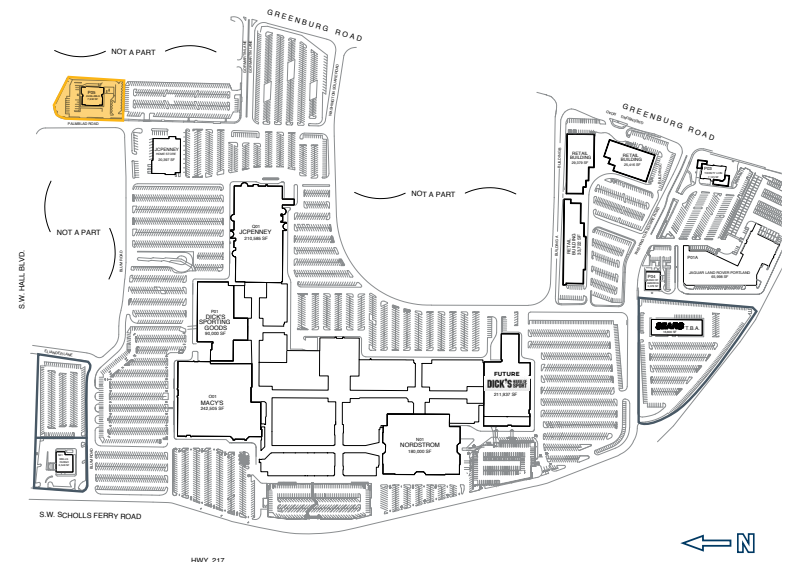
PARCEL D: OVERVIEW



Parcel D: Property Overview

Address	9185 SW Hall Blvd, Tigard, OR 97223
Parcel ID #	R1233891
Former Use	Former US Bank with Drive Thru
Building Size	±7,990 SF
Gross Land Area	±1.08 Acres ±247,045 SF
Max Height	185 Feet
Property Zoning	<u>Tigard MUC – Mixed Use Commercial</u>

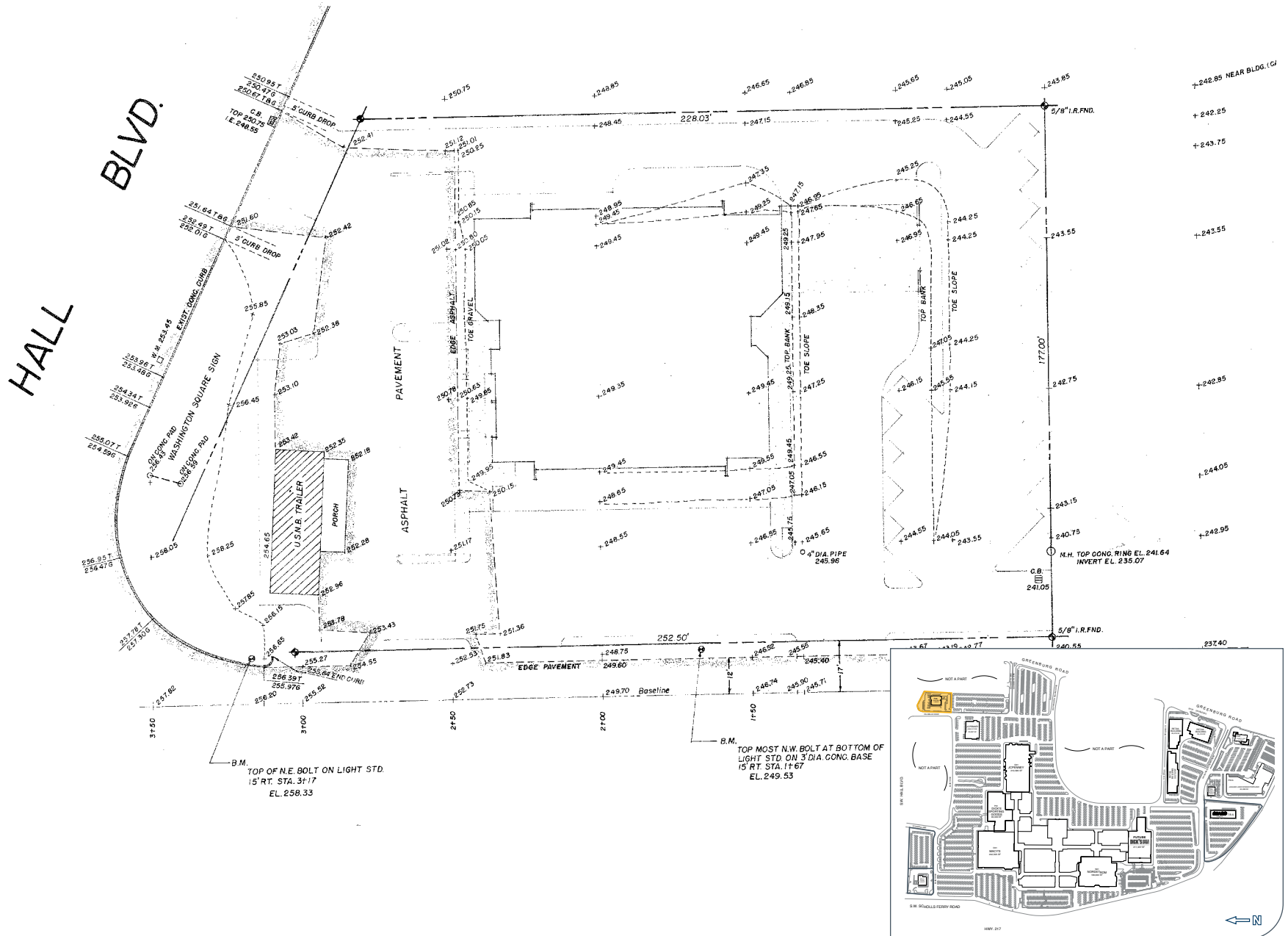
Capacity Commercial Group is pleased to exclusively present for sale this 7,990 square foot building with a drive thru. The property is located in the Opportunity Zone and is a prime pad to Washington Square with frontage on Hall Blvd. This is a great owner/user, investment, or redevelopment opportunity.





SITE PLAN

PARCEL D: US BANK SITE PLAN



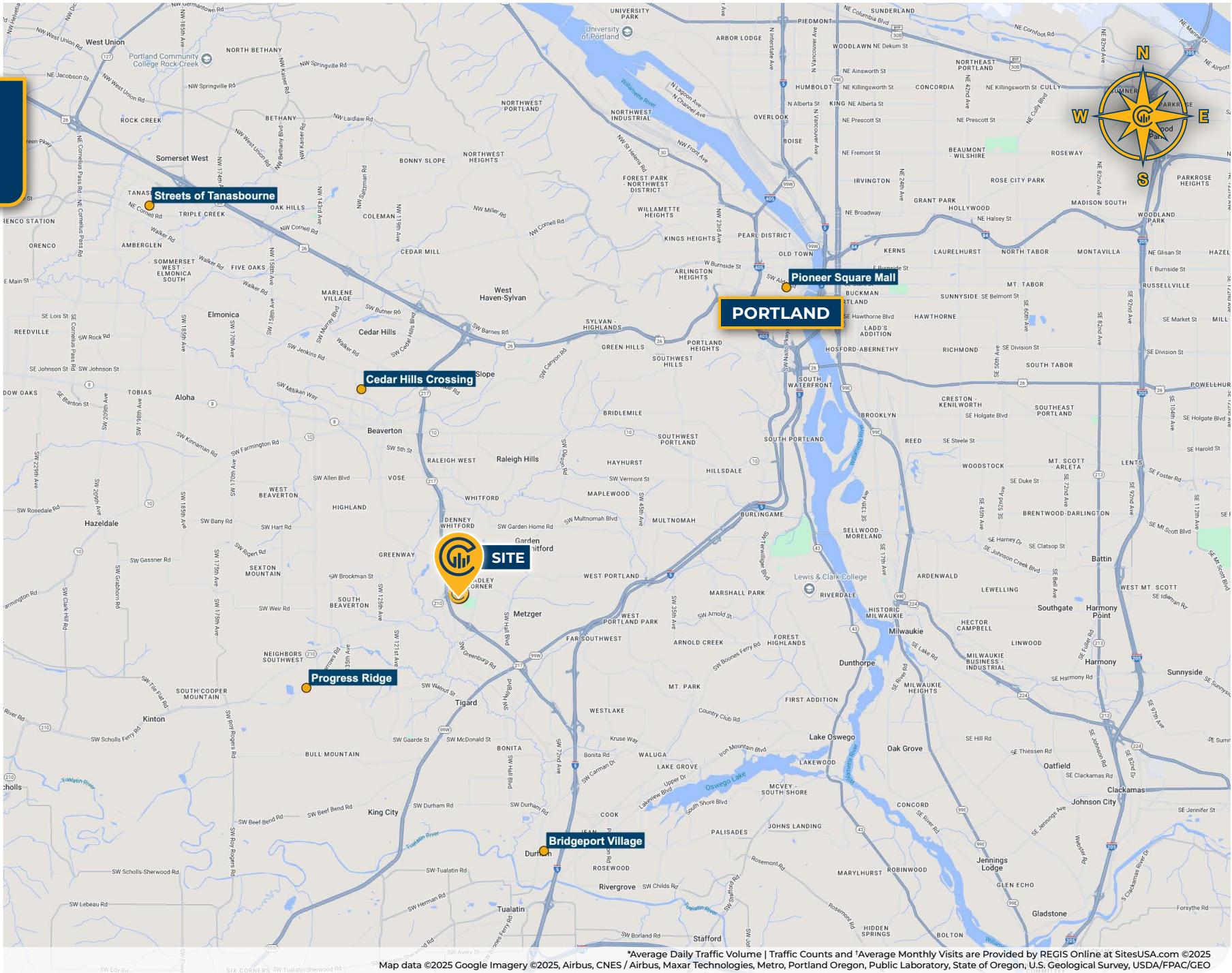
SECTION

3

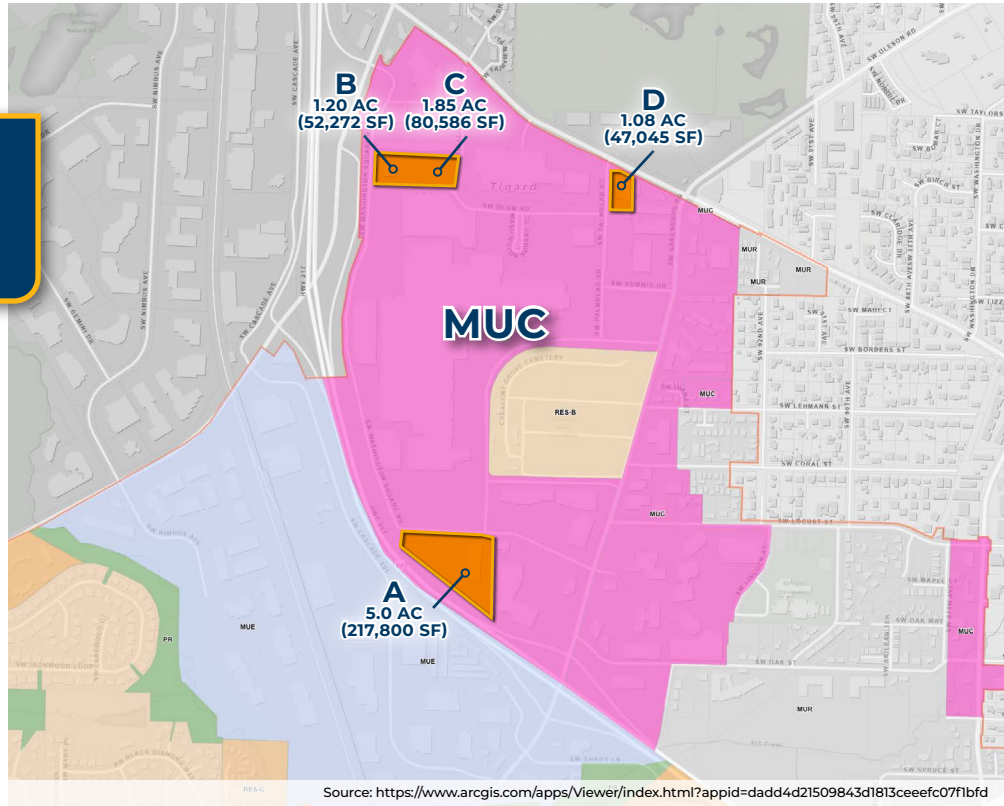
Area Overview



AERIAL MAP



*Average Daily Traffic Volume | Traffic Counts and *Average Monthly Visits are Provided by REGIS Online at SitesUSA.com ©2025
Map data ©2025 Google Imagery ©2025, Airbus, CNES / Airbus, Maxar Technologies, Metro, Portland Oregon, Public Laboratory, State of Oregon, U.S. Geological Survey, USDA/FPAC/GEO



Chapter 18.120 Commercial Zones

§ 18.120.010. Purpose.

The purpose of this chapter is to implement the goals and policies of the comprehensive plan related to land use planning and economic development by:

- A. Ensuring that a full range of goods, services, and employment opportunities are available throughout the city so that residents can fulfill all or most of their needs within walking or biking distance of their homes;
- B. Ensuring that a full range of economic activities and job opportunities are available throughout the city; and
- C. Prioritizing sustainability and resilience by reducing distance between services, employment, and residences and by incentivizing sustainable development.

(Ord. 17-22 §2; Ord. 18-23 §2; Ord. 18-28 §1; Ord. No. 24-05, 4/23/2024)

§ 18.120.020. List of Base Zones.

D. **MUC: Mixed-Use Commercial zone.** The MUC zone is designed to allow a range of commercial activity, mixed-use development, and standalone residential uses. It is intended to encourage pedestrian activity, attractive transit options, and urban gathering spaces.

(Ord. 17-22 §2; Ord. 18-23 §2; Ord. 18-28 §1; Ord. No. 24-05, 4/23/2024)

§ 18.120.030. Land Use Standards.

E. MUC Zone Use restrictions.

1. Basic Utility.
 - a. This use is conditionally allowed.
 - b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.
2. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.
3. Indoor Sales and Services.
 - a. The maximum gross floor area is 30,000 square feet per tenant.
 - b. All inventory and materials, except parking, must be contained completely within a building.
 - c. Outdoor animal kennels are prohibited. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.
 - d. Uses with drive-through services is prohibited.
 - e. Uses in a campus are conditionally allowed.
4. Mobility Hub. A maximum of 10 car charging stations is allowed per hub.
5. Motor Vehicle Sales and Rental.
 - a. The maximum gross floor area is 25,000 square feet per tenant.



[View Full Zoning Code Online](#)

Table 18.120.1 Commercial Zone Use Standards				
Use Categories	COM	MUC	MUE	MUR
Residential Use Category				
Residential Use	R	A	R	A
Civic Use Categories				
Basic Utility	R/C	R/C	R/C	R/C
Cemetery	P	P	P	P
Detention Facility	P	P	P	P
Government Services	A	A	A	A
Railroad Yard	P	P	P	P
School or Religious Facility	C	C	C	C
Temporary Shelter	C	C	C	C
Transportation and Utility Corridor	A	A	A	A
Wireless Communications Facility	R	R	R	R
Commercial Use Categories				
Adult Entertainment	C	P	P	P
Commercial Lodging	A	A	A	A
Indoor Sales and Services	R	R	R	R
Major Event Entertainment	A	C	P	P
Mobility Hub	A	R	R	C
Motor Vehicle Fuel Sales	A	P	P	P
Motor Vehicle Sales and Rental	A	R	R	P
Motor Vehicle Servicing	A	R	R	P
Non-Accessory Parking	R	R	R	P
Office	A	A	A	R
Outdoor Sales and Services	A	P	P	P
Self-Service Storage	R	P	P	P
Industrial Use Categories				
Industrial and Manufacturing	R	R	R	P
Off-Site Services	R	P	R	P
Warehouse and Distribution	P	P	A/R	P
Waste-Related Facility	P	P	P	P
Wholesale and Equipment Rental	R	P	A/R	P

A = Allowed R = Restricted C = Conditional Use P = Prohibited

- b. All activities and storage, including any vehicle inventory, must be contained completely within a building.
6. Motor Vehicle Servicing.
- a. The maximum gross floor area is 25,000 square feet per tenant.
 - b. All inventory and materials, except parking, must be contained completely within a building.
 - c. Drive-through services are prohibited.
7. Non-Accessory Parking. This use is allowed only as structured parking with at least two floors of parking.
8. Industrial and Manufacturing. All inventory and materials, except parking, must be contained completely within a building.



OPPORTUNITY ZONE

Opportunity Zone

Opportunity Zones can deliver significant tax savings on medium- to long-term investments in economically disadvantaged communities. This new tax incentive pertains to both the capital gains invested initially through a qualified opportunity fund (QOF), as well as future capital gains earned on the original investment in zone-based businesses or projects.

Each zone consists of an entire census tract, as established for the decennial U.S. Census. Tracts vary in size but generally align with population density. Oregon has 834 census tracts, more than 300 of which were eligible by meeting the definition of a “low income community” in terms of median family incomes or poverty rates. Oregon could nominate up to 86 zones, as each state was allowed up to 25% of its low income communities for designation.

The designations are in effect until December 31, 2028, and offer a predictable basis for private investment decisions over several years. Current federal law provides no means to change or add zones. As such, Oregon's nomination process entailed thorough analysis of all relevant census tracts for their potential to be used and to address economic needs, as well as extensive outreach to the general public, federally recognized Indian Tribes, local governments, and other parties over a 3-month period. Aside from the opportunity zone nomination process, state government does not have an ongoing, official role under federal law.



SITES B&C



SITE D



SITE A

Opportunity Zone

<https://www.arcgis.com/apps/View/index.html?appid=77f3cad12b6c4bffb816332544f04542>



WASHINGTON SQUARE



About Washington Square

Washington Square is Oregon's premier shopping destination, anchored with the state's largest Nordstrom, Macy's, JCPenney, and Dicks Sporting Goods, with a diverse selection of over 170 premier apparel and popular digitally native brands including Apple, Arc'teryx, Aritzia, Coach, Lego, Blue Nile, Nespresso, Pandora, lululemon, the North Face, Williams Sonoma, YETI and many others. Once you've built up an appetite, the dining options at Washington Square are sure to please any palate, enjoy delicious restaurants like Din Tai Fung, The Cheesecake Factory, 85C Bakery Cafe, Nordstrom Marketplace Cafe, and Thirsty Lion Gastropub & Grill.

Source: <https://www.shopwashingtonsquare.com>

About the Area

Washington Square is ideally located on the Hwy 217 corridor which provides direct access to I-5 and Hwy 26. Hwy 217 is the main west side connector between I-5 and large employers such as Nike, Intel, Columbia Sportswear and others in Tigard, Beaverton and Hillsboro. The shopping center itself draws millions of visitors a year, providing a unique opportunity to showcase a development in a high-visibility location.



JCPenney

NORDSTROM

WILLIAMS SONOMA
CALIFORNIA



PANDORA Apple Store



Thirsty Lion
SCRATCH KITCHEN | CRAFT COCKTAILS & BEER



COACH



WASHINGTON SQUARE

Oregon's largest shopping
collection of elite and
exclusive brands.

1.3M SF
of Retail Space

Over 170
Retailers

*Visits are Provided by PlacerAI ©2025



WHY PORTLAND



Portland's geographic beauty, economic vibrancy, commitment to sustainability, and rich cultural scene, makes it a superb place to work and live.

Its diverse neighborhoods, collaborative spirit, and accessibility makes it a prime destination for both residents and businesses. These factors collectively make Portland a compelling choice for future investment.

Geography

Nestled at the confluence of the Willamette and Columbia Rivers in the Pacific Northwest, Portland, Oregon, is a city of diverse nicknames—*Bridgetown*, *the City of Roses*, *Stumptown*—all indicative of its unique character, rich history, and stunning geographic beauty.

Portland stands out as the largest economic and population center on the West Coast between San Francisco and Seattle. Ranked as the nation's 26th largest Metropolitan Statistical Area (MSA), Portland's vibrant downtown and waterfront serve as the core of a metropolitan region hosting more than 2.5 million people.

Economy

The city has attracted an impressive in-migration of technology-centric firms such as **Microsoft**, **Google**, **Mozilla**, and **Squarespace**, alongside organic growth from local giants like **Nike**, **Adidas**, **Intel**, and **Mentor Graphics**. This influx has fueled economic growth and contributed to record-low unemployment rates.

Known for encouraging entrepreneurship, fostering diversity, and promoting sustainability, Portland's eclectic culture draws in talented people who often become long-term residents.

Esteemed educational institutions, including **Oregon Health & Science University (OSHU)**, **Portland State University** and **Reed College**, contribute to the city's intellectual capital and education hub identity.

Transit

The city's compact footprint and commitment to urban design provide convenient proximity to downtown, easy access to **Portland International Airport (PDX)**, and a plethora of outstanding amenities.

An extensive streetcar network and bike lanes, in addition to TriMet buses and MAX light rail, contribute to the overall accessibility of the city. These alternative commute options, a preference among young professionals, ultimately save time and money for both employers and employees in the region.

Life & Culture

Livability and affordability are hallmarks of the Portland area, making it an ideal destination for those seeking a high quality of life. The region boasts abundant natural beauty, a mild climate, and a wide variety of housing options. The city's commitment to sustainability, seen in its extensive public transportation system and eco-friendly urban planning, further enhances its overall appeal.

Portland shines as a cultural and artistic hub. A thriving artisan culture celebrated through craft breweries, distilleries, and coffee roasters emphasizes local and handmade products. The city hosts numerous theaters, galleries, and music venues, with the **Portland Art Museum** standing as a testament to its commitment to the arts.

Culinary Scene

Culinary excellence and a thriving food scene, aptly earning Portland the nickname "*Beervana*," further contribute to its vibrant cultural identity. And let's not forget the food cart culture—Portland's food carts offer a diverse array of culinary delights, representing flavors from around the world scattered across the city in food cart pods. Strong community engagement is a hallmark, evident in various events, farmers' markets, and festivals that foster a close-knit atmosphere.

MAJOR EMPLOYERS IN THE REGION



PORTLAND REGION

intel®

 **PROVIDENCE**
Health & Services



Fred Meyer



 **Lam**
RESEARCH



usbank



Alaska
AIRLINES

DAIMLER
TRUCK



Jacobs



FISHER INVESTMENTS®



The greater Portland-Vancouver-Hillsboro metro area is a West Coast cultural and economic hub. It occupies center stage in Oregon and southwest Washington's economic performance.

Historically reliant on timber, fishing and agriculture, the area is now known as a hotbed for technology, healthcare, finance, and apparel industries.

Often called the "Silicon Forest", the area enjoys the presence of major information and technology companies such as Intel, Hewlett-Packard, Tektronix, Siemens, Salesforce, and Boeing.

Healthcare is a major employment driver in the region. Numerous hospitals and medical research centers including OHSU, Kaiser Permanente, Providence, Legacy Health and PeaceHealth are integral to the physical and economic health of the region.

Globally-recognized sports and outdoor performance apparel companies such as Nike and Columbia Sportswear are headquartered in the area.

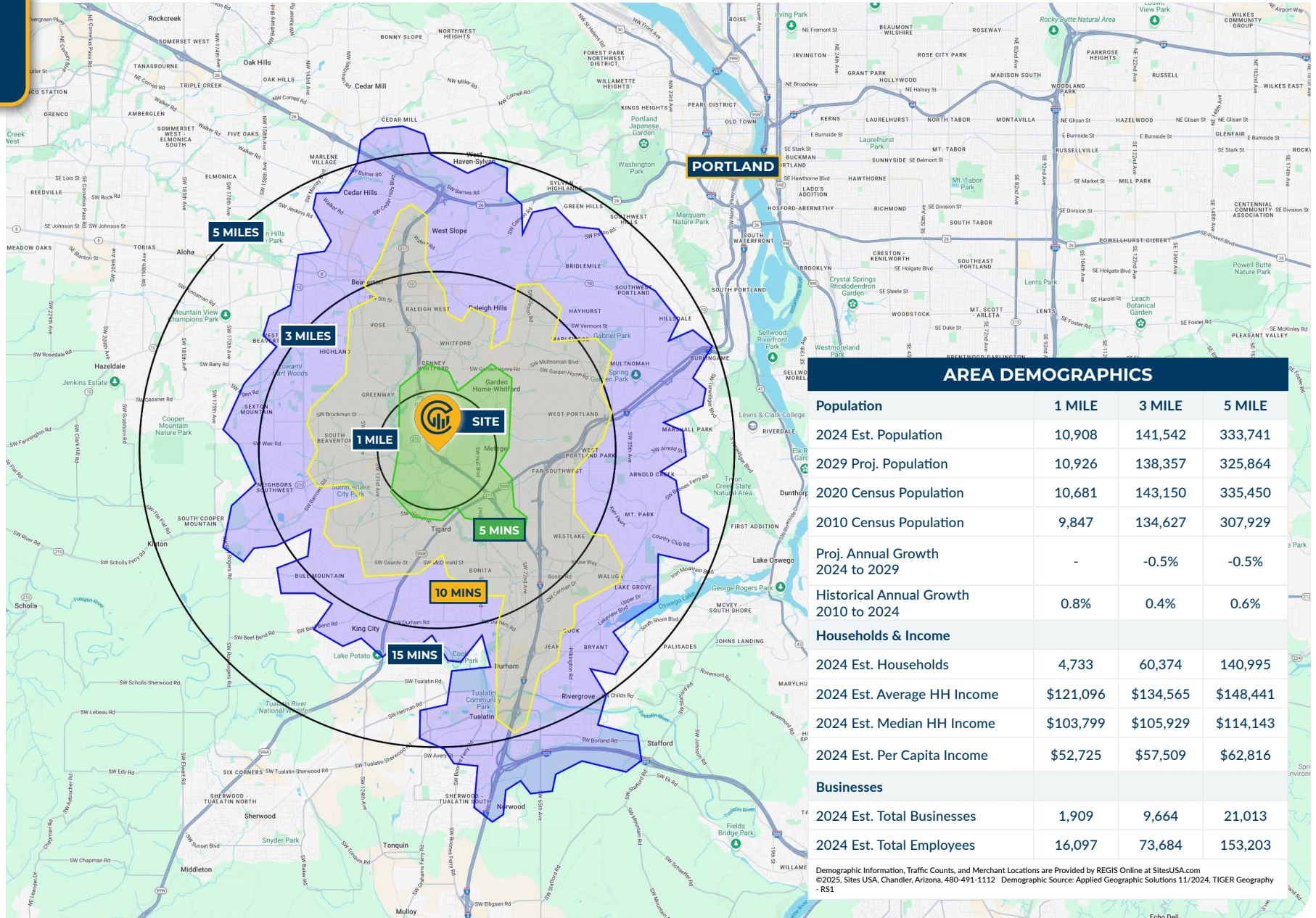
Portland's proximity to Silicon Valley and Seattle has made it an attractive destination for many California and Washington-headquartered technology companies to maintain operations in the area with its business-friendly environment and growing inventory of class-A office-focused real estate.

<https://www.greaterportlandinc.com/research-center/major-employers>

PROPERTY DRIVE-TIME & DEMOGRAPHICS



DRIVE TIMES & DEMOGRAPHICS



OREGON INITIAL AGENCY DISCLOSURE PAMPHLET



OREGON REAL ESTATE DISCLOSURE

Consumers: This pamphlet describes the legal obligations of Oregon real estate licensees to consumers. Real estate brokers and principal real estate brokers are required to provide this information to you when they first contact you. A licensed real estate broker or principal broker need not provide the pamphlet to a party who has, or may be reasonably assumed to have, received a copy of the pamphlet from another broker.

This pamphlet is informational only. Neither the pamphlet nor its delivery to you may be interpreted as evidence of intent to create an agency relationship between you and a broker or a principal broker.

Real Estate Agency Relationships

An "agency" relationship is a voluntary legal relationship in which a licensed real estate broker or principal broker (the "agent") agrees to act on behalf of a buyer or a seller (the "client") in a real estate transaction. Oregon law provides for three types of agency relationships between real estate agents and their clients:

- **Seller's Agent** – Represents the seller only.
- **Buyer's Agent** – Represents the buyer only.
- **Disclosed Limited Agent** – Represents both the buyer and seller, or multiple buyers who want to purchase the same property. This can be done only with the written permission of all clients.

The actual agency relationships between the seller, buyer and their agents in a real estate transaction must be acknowledged at the time an offer to purchase is made. Please read this pamphlet carefully before entering into an agency relationship with a real estate agent.

Definition of "Confidential Information"

Generally, licensees must maintain confidential information about their clients.

"Confidential information" is information communicated to a real estate licensee or the licensee's agent by the buyer or seller of one to four residential units regarding the real property transaction, including but not limited to price, terms, financial qualifications or motivation to buy or sell. "Confidential information" does not mean information that:

1. The buyer instructs the licensee or the licensee's agent to disclose about the buyer to the seller, or the seller instructs the licensee or the licensee's agent to disclose about the seller to the buyer; and
2. The licensee or the licensee's agent knows or should know failure to disclose would constitute fraudulent representation.

Duties and Responsibilities of a Seller's Agent

Under a written listing agreement to sell property, an agent represents only the seller unless the seller agrees in writing to allow the agent to also represent the buyer.

An agent who represents only the seller owes the following affirmative duties to the seller, the other parties and the other parties' agents involved in a real estate transaction:

1. To deal honestly and in good faith;
2. To present all written offers, notices and other communications to and from the parties in a timely manner without regard to whether the property is subject to a contract for sale or the buyer is already a party to a contract to purchase; and
3. To disclose material facts known by the agent and not apparent or readily ascertainable to a party.

A seller's agent owes the seller the following affirmative duties:

1. To exercise reasonable care and diligence;

2. To account in a timely manner for money and property received from or on behalf of the seller;
3. To be loyal to the seller by not taking action that is adverse or detrimental to the seller's interest in a transaction;
4. To disclose in a timely manner to the seller any conflict of interest, existing or contemplated;
5. To advise the seller to seek expert advice on matters related to the transaction that are beyond the agent's expertise;
6. To maintain confidential information from or about the seller except under subpoena or court order, even after termination of the agency relationship; and
7. Unless agreed otherwise in writing, to make a continuous, good faith effort to find a buyer for the property, except that a seller's agent is not required to seek additional offers to purchase the property while the property is subject to a contract for sale.

None of these affirmative duties of an agent may be waived, except (7). The affirmative duty listed in (7) can only be waived by written agreement between seller and agent.

Under Oregon law, a seller's agent may show properties owned by another seller to a prospective buyer and may list competing properties for sale without breaching any affirmative duty to the seller.

Unless agreed to in writing, an agent has no duty to investigate matters that are outside the scope of the agent's expertise, including but not limited to investigation of the condition of property, the legal status of the title or the seller's past compliance with law.

Duties and Responsibilities of a Buyer's Agent

An agent, other than the seller's agent, may agree to act as the buyer's agent only. The buyer's agent is not representing the seller, even if the buyer's agent is receiving compensation for services rendered, either in full or in part, from the seller or through the seller's agent.

An agent who represents only the buyer owes the following affirmative duties to the buyer, the other parties and the other parties' agents involved in a real estate transaction:

1. To deal honestly and in good faith;
2. To present all written offers, notices and other communications to and from the parties in a timely manner without regard to whether the property is subject to a contract for sale or the buyer is already a party to a contract to purchase; and
3. To disclose material facts known by the agent and not apparent or readily ascertainable to a party.

A buyer's agent owes the buyer the following affirmative duties:

1. To exercise reasonable care and diligence;
2. To account in a timely manner for money and property received from or on behalf of the buyer;
3. To be loyal to the buyer by not taking action that is adverse or detrimental to the buyer's interest in a transaction;
4. To disclose in a timely manner to the buyer any conflict of interest, existing or contemplated;
5. To advise the buyer to seek expert advice on matters related to the transaction that are beyond the agent's expertise;
6. To maintain confidential information from or about the buyer except under subpoena or court order, even after termination of the agency relationship; and
7. Unless agreed otherwise in writing, to make a continuous, good faith effort to find property for the buyer, except that a

buyer's agent is not required to seek additional properties for the buyer while the buyer is subject to a contract for purchase.

None of these affirmative duties of an agent may be waived, except (7). The affirmative duty listed in (7) can only be waived by written agreement between buyer and agent.

Under Oregon law, a buyer's agent may show properties in which the buyer is interested to other prospective buyers without breaching an affirmative duty to the buyer.

Unless agreed to in writing, an agent has no duty to investigate matters that are outside the scope of the agent's expertise, including but not limited to investigation of the condition of property, the legal status of the title or the seller's past compliance with law.

Duties and Responsibilities of an Agent Who Represents More than One Client in a Transaction

One agent may represent both the seller and the buyer in the same transaction, or multiple buyers who want to purchase the same property, only under a written "Disclosed Limited Agency Agreement" signed by the seller and buyer(s).

Disclosed Limited Agents have the following duties to their clients:

1. To the seller, the duties listed above for a seller's agent;
2. To the buyer, the duties listed above for a buyer's agent; and
3. To both buyer and seller, except with express written permission of the respective person, the duty not to disclose to the other person:
 - a. That the seller will accept a price lower or terms less favorable than the listing price or terms;
 - b. That the buyer will pay a price greater or terms more favorable than the offering price or terms; or
 - c. Confidential information as defined above.

Unless agreed to in writing, an agent has no duty to investigate matters that are outside the scope of the agent's expertise.

When different agents associated with the same principal broker (a real estate licensee who supervises other agents) establish agency relationships with different parties to the same transaction, only the principal broker will act as a Disclosed Limited Agent for both the buyer and seller. The other agents continue to represent only the party with whom the agents have already established an agency relationship unless all parties agree otherwise in writing. The principal real estate broker and the real estate licensees representing either seller or buyer shall owe the following duties to the seller and buyer:

1. To disclose a conflict of interest in writing to all parties;
2. To take no action that is adverse or detrimental to either party's interest in the transaction; and
3. To obey the lawful instructions of both parties.

No matter whom they represent, an agent must disclose information the agent knows or should know that failure to disclose would constitute fraudulent misrepresentation.

You are encouraged to discuss the above information with the licensee delivering this pamphlet to you. If you intend for that licensee, or any other Oregon real estate licensee, to represent you as a Seller's Agent, Buyer's Agent, or Disclosed Limited Agent, you should have a specific discussion with the agent about the nature and scope of the agency relationship. Whether you are a buyer or seller, you cannot make a licensee your agent without the licensee's knowledge and consent, and an agent cannot make you a client without your knowledge and consent.

WASHINGTON SQUARE DEVELOPMENT PARCELS

9200 & 9800 SW WASHINGTON SQUARE RD, TIGARD, OR 97223

9185 SW HALL BLVD, TIGARD, OR 97223



REPRESENTED BY

NICHOLAS G. DIAMOND

Principal Broker | Licensed in OR & WA
503-222-2655 | ndiamond@capacitycommercial.com

RILEY M. HENDERSON, MRED

Senior Associate Broker | Licensed in OR & WA
503-975-9301 | riley@capacitycommercial.com

GEORGE N. DIAMOND

Principal Broker | Licensed in OR & WA
503-222-2178 | gdiamond@capacitycommercial.com

MICHAEL HORTER

Associate Broker | Licensed in OR
503-936-8332 | michaelhorter@capacitycommercial.com



Capacity Commercial Group | 805 SW Broadway, Suite 600, Portland, OR | 503-326-9000 | capacitycommercial.com

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