

Proposal No. 2587 - City of Hillsboro - Annexation - Additional Information

This proposal was continued from the March 9, 1989 public hearing to allow additional time for Hillsboro and Beaverton to contact adjacent owners about annexation.

Attached is a map indicating additional petitions for annexation to Hillsboro received since March 9th and also indicating areas which may petition prior to or at the May 4th Hearing.

Fiscal impacts of the annexation on the Tualatin Hills Park and Recreation District are noted in the following paragraphs.

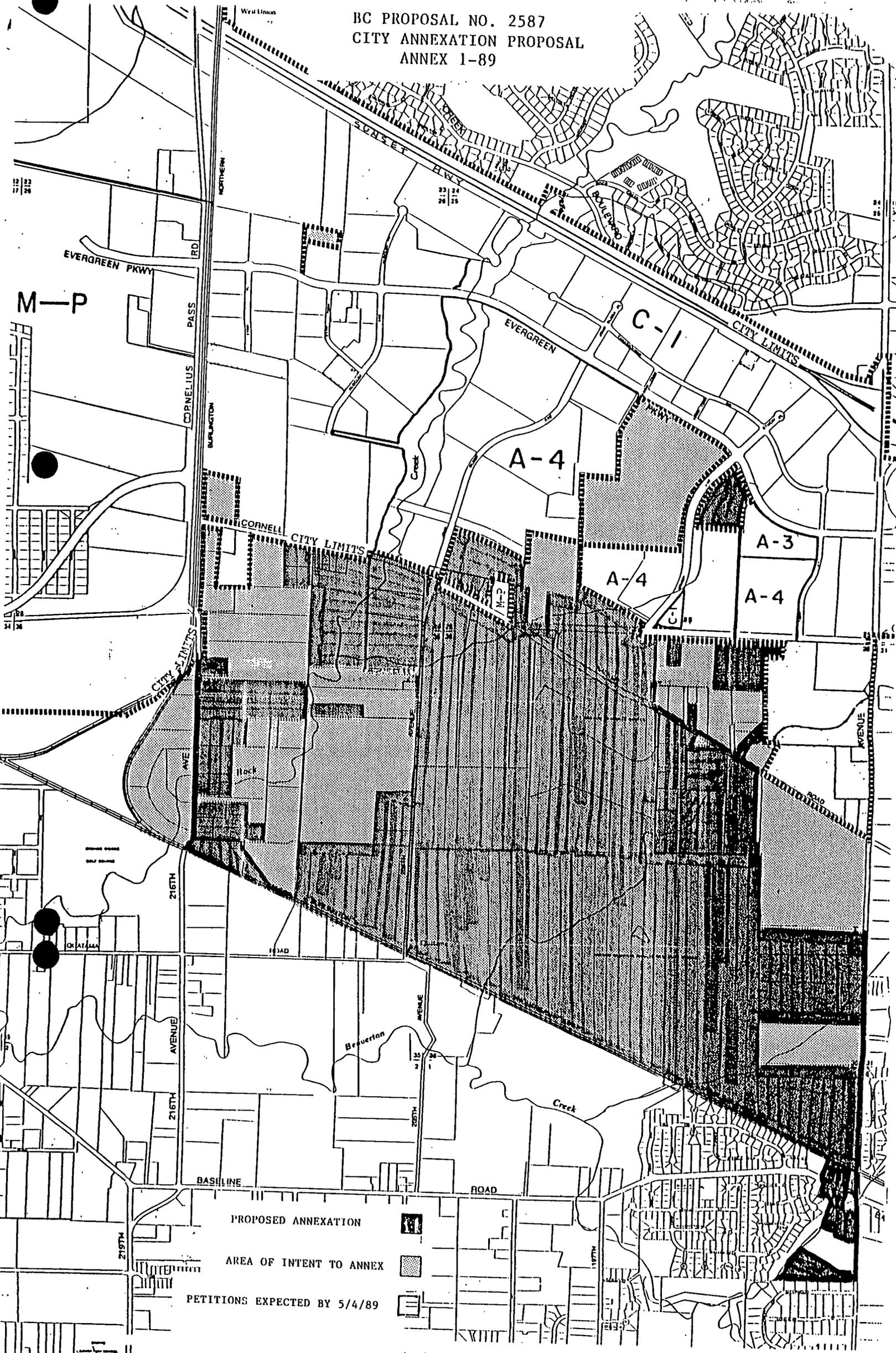
A set of findings in support of modification and approval of the proposal are also attached.

As noted this territory would be withdrawn from the Tualatin Hills Park and Recreation District automatically upon annexation to the City. Because the City of Beaverton is within the District, annexation to that City does not cause automatic withdrawal. Annexation of territory within the District to other cities has been relatively infrequent and/or insignificant in size. The District has therefore in the past not opposed annexations to surrounding cities even though they remove assessed value from the District. The District is currently discussing whether to change that neutral position in part as a result of Portland's expression of interest in annexing significant portions of east Washington County.

This annexation as it is proposed to be modified, has an assessed value of \$41,397,200. Tualatin Hills Park and Recreation District has an assessed value of \$4,973,446,870. Thus the area to be annexed represents approximately 1% of the District's total A.V., though this could be expected to increase as more development occurs in the area.

The District currently levies a tax of \$1.329 per \$1000 Assessed Value. The total amount raised by this levy in the District is \$6,609,805 with \$55,017 coming from the area proposed to be annexed. As noted earlier, however the City must pick up the property's share of bonded debt and this accounts approximately 27% of the total levy. Thus in reality the loss to the District using the current year's figures would be \$40,297 (.27 X 55,017 = 14,720 and 55,017 - 14,720 = 40,297).

BC PROPOSAL NO. 2587  
CITY ANNEXATION PROPOSAL  
ANNEX 1-89



PROPOSED ANNEXATION  
AREA OF INTENT TO ANNEX  
PETITIONS EXPECTED BY 5/4/89

PROPOSAL NO. 2587 - City of Hillsboro - Annexation

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Petitioner: Owners of 100% of the land area

File

90th Day: May 16, 1989

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Proposal No. 2587 was initiated by a petition of the owners of a majority of the acreage. The resolution and petition meet the requirement for initiation set forth in ORS 199.490(2)(c) (Owners of 50% of the land area annexation method). If the Commission approves the proposal the boundary change will become effective 45 days after the date of approval subject to the provisions in ORS 199.509 and 199.519.

The territory to be annexed is located generally on the northeast edge of the city, consisting of 8 separate pieces of territory, located north of Burlington Northern Railroad Right-of-way, south of Cornell Rd., east of 216th Ave. and west of SW 185th Ave. The territory contains 115.75 acres, 15 single family units, 2 commercial structures, and is evaluated at \$6,587,300.

Reason For Annexation. The property owners desire annexation to obtain full urban level services.

BOUNDARY COMMISSION POLICIES. The Boundary Commission has three adopted policies. The first of these policies states that the Commission generally sees cities as the primary provider of urban services. Recognizing that growth of cities may cause financial problems for districts, the second policy stipulates that the Commission will help find solutions to those problems. The third policy states that the Commission may approve illogical boundaries in the short term if these lead to logical service arrangements in the long term.

LAND USE PLANNING

County 2000. Washington County has implemented a service delivery system distinguishing municipal from county-wide services. It is county policy that all county taxpayers should pay for those services which are of county-wide benefit and those who receive municipal services should pay for them through a municipal service-providing unit of government.

Washington County Planning. The territory under consideration is within the Washington County planning jurisdiction and is included within the Sunset West Community Plan. The territory is

designated Industrial except the parcels located north of Walker Rd. which are designated Residential-15.

The Land Conservation and Development Commission (LCDC) requires each planning jurisdiction within the metropolitan Regional Urban Growth Boundary to submit an agreement setting forth methods for comprehensive planning coordination, called Urban Planning Area Agreements (UPAAs). These UPAAs are elements of the County Comprehensive Plan.

Generally a UPA does not provide direction for annexation decisions. The legislature recognized in ORS 199 that "Local comprehensive plans define local land uses but may not specify which units of local government are to provide public services when those services are required." The Urban Planning Area Agreements were primarily meant to be a device for governmental units to provide notice to one another and to provide an opportunity to review and comment on land use actions. The UPAAs were not meant to determine the ultimate boundaries of various cities. However, the UPAAs generally do include some mention of annexation. Because the UPAAs were not designed to determine ultimate service boundaries the planning areas of cities commonly overlap with those of other cities.

City of Hillsboro Planning: The territory is part of a subarea of the UPA labeled Area D, including the territory from 219th Ave/Cornelius Pass Rd. east to 185th Ave. The City defined Area D as a:

"Potential area for the future provision of urban services. The CITY may conduct an urban services study within Area A, B, C, and D of the Urban Planning Area or any portion thereof as shown on Exhibit A. This study may identify the area for long-range provision of urban level services and annexation to the CITY. The COUNTY will participate in this process as outlined in a Memorandum of Understanding and will forward any future proposed urban service boundary and policies to the County Planning Commission and Board of County Commissioners for consideration."

The UPA does not address the application of city land use policies and procedures within Area D. Absent any specific agreement between the City and the County concerning how land use matters will be handled upon annexation, the state statutes provide the direction. ORS 215.130 provides that "Any ordinance designed to carry out a county comprehensive plan and a county comprehensive plan shall apply to the area within the county also within the boundaries of a city as a result of extending the boundaries of the city...unless, or until the city has by ordinance or other provision provided otherwise." Thus, the County's zoning and other land use actions will remain applicable to the

territory unless the City adopts amendments by ordinance. In making any change from County ordinances to City ordinances all due process requirements for a plan amendment procedure are applicable.

The city is currently involved in a plan amendment process for the area between Cornelius Pass Rd. and 185th Ave. south of the City to Burlington Northern right-of-way.

Hillsboro Urban Services Study. The City of Hillsboro has done an Urban Services Study. The Urban Services Study extends west to 158th north of Sunset Highway following the urban growth boundary, then follows 158th south to Willow Creek, west along Willow Creek to 173rd, and follows 173rd south to Baseline Rd. (This Study Area is larger than the Area D that the City's UPAА designated as a future urban services study area.) The results of the study indicate that the increase in assessed value resulting from annexation of this area would provide a long term net benefit to the City, offsetting the costs of providing services.

City of Beaverton Planning. The City of Beaverton has had, within its comprehensive plan, an Urban Planning Area Agreement extending west to 219th Ave./Cornelius Pass Road. The UPAА breaks this area into an Area A and an Area B. The two areas differ in the City's opportunity to review and comment on proposed development actions.

The UPAА provides several policies on annexation procedures. The policies do not address what specific areas the city proposes to annex but sets forth how city zoning will be applied to lands annexed. The City sets forth the city land use designations and zoning designations that equate to County land use designations that will be applied upon annexation. The City also is bound to not change the land use designation on annexed lands for the first year after annexation occurs. These policies do not distinguish between area "A" and Area "B".

Special policy E of the UPAА provides that "The CITY is responsible for conducting an urban services study within its urban planning area shown on Exhibit "A". This study will identify the area for long-range provision of urban level services and annexation to the CITY. Services to be studied shall include, but not limited to: water, sanitary sewer, storm sewer and transportation facilities; police and fire protection; land use planning and development services. The COUNTY will participate in this process as outlined in a Memorandum of Understanding and will forward the future proposed urban services boundary and policies to the County Planning Commission and Board of Commissioners for consideration as a possible amendment to the COUNTY comprehensive plan."

Beaverton Urban Services Study. In March 1987 Beaverton issued the first phase of its urban services study. The study indicates that the Boundary of the Beaverton School District has played a dominant role in the community identity and perceptions of the area. "The current Beaverton School District provides a very strong sense of community identity, possibly stronger than any other factor within the study area. Many residents of the area presume that they are residents of the city because of the strong presence of the Beaverton School District. As a result, the Beaverton School District boundary is mentioned more than any other service district boundary or geographic feature as being the most 'natural' boundary for the City of Beaverton in the future."

In order to assess residents' attitudes toward urban services and annexation, the City of Beaverton commissioned a community attitudes survey in early 1986. The City surveyed residents, and the business community. Among the residents in Aloha, Beaverton was identified as the city best equipped to provide municipal services to the unincorporated area. Among the business leader and small business/professionals many interviewed believed Beaverton has an image problem relating to its development decision-making process at both the staff and policy levels.

(Staff Note: Our conclusion from the above analysis of land use and planning in relation to this area is this: Both the City of Hillsboro and the City of Beaverton Comprehensive Plans state an interest in future service provision and annexation of the territory proposed for annexation to Hillsboro. But neither City's plan or UPAA appear to be inconsistent with this proposed annexation.)

#### FACILITIES AND SERVICES.

Sanitary Sewer. The territory is within the boundary of the Unified Sewerage Agency (USA). Upon annexation the territory would be automatically withdrawn from USA. Hillsboro is not within USA and historically the City owned and operated its own treatment plant and collection system. In 1978 Hillsboro and USA entered into an intergovernmental agreement whereby Hillsboro turned over its sewage treatment plant and major sewer lines and provided for financial arrangements between the two units. The sewage treatment plants, pump stations, and lines 18" in diameter or greater are owned, operated, and maintained by USA. Hillsboro pays USA 90% of the USA connection fee. If connections are made to a USA owned line, Hillsboro pays USA 100% of the current USA connection fee. Hillsboro pays USA 100% of any applicable USA facility development fees. Service charges are collected by Hillsboro at the USA rate and pays USA 70% of the service charge revenue collected. Beginning in fiscal year 1991-92, the City will remit to

the Agency an in lieu of bond tax payment which is an amount equal to the tax that would have been assessed had the applicable properties been subject to bond tax assessment.

All of USA's 1988-89 tax rate of \$.36 is for repayment of bonded indebtedness. In 1991 Hillsboro will, become liable for paying USA for the annexed properties' proportionate share of outstanding bonded indebtedness. Upon annexation the property is relieved of liability for USA's tax levy. In both Hillsboro and in USA there is a \$1100 connection charge for residential equivalents plus \$975 for a tap onto the line.

Service to the area is provided from a 48-inch line in Rock Creek and a 27-inch line in Compton Dr. The area is served by the Rock Creek Sewage Treatment Plant. Improvements to the plant are currently being made by USA to expand capacity.

Water. The territory is within the Wolf Creek Highway Water District. As provided by ORS 199.510, the territory will be automatically withdrawn from the District subsequent to annexation. The withdrawal will become effective on July 1, 1989 as provided in ORS 222.465. In December 1987, the City and the District adopted a five-year intergovernmental agreement under which the District will continue to serve the area of this annexation. The water lines which will serve these parcels are Wolf Creek Highway Water District lines. There is 20-inch line in Cornell Rd., and an 18-inch line in 216th Ave. Wolf Creek charges \$1050 for a 3/4-inch meter and connection fee and bills customers \$9.64 plus \$89/100 cu. ft. of water bimonthly.

The automatic withdrawal of the territory from the Water District is the result of a legal interpretation by the Boundary Commission's counsel, the Attorney General's office. The existing agreement between the City and the District covers the area to be annexed and most of the surrounding territory in the City which was to have remained within the District. The District is seeking a legislative change to eliminate the provisions for automatic withdrawal from water districts. If this legislation is passed the City and the District would continue with their prior agreement. If not the existing City/District contract will likely have to be reworked. These particular properties are just a small piece of this much larger issue and any solution to the larger issue will apply.

Police. The territory is within the boundary of the Washington County Enhanced Sheriff's Patrol District. Washington County provides a base level of police service and the District will finance the additional level of service to bring the service level of the District up to 1 officer per 1000 population. The tax rate for 1988-89 is \$.85 per \$1000 assessed value. Upon annexation the territory would be automatically withdrawn from

the District and the City of Hillsboro Police Department will assume responsibility for the property. The City provides 1.27 officers/1000 population.

Fire. The territory located west of 216th Ave. is within Washington County RFPD #2, the remainder is within the boundary of Washington County RFPD #1. Washington County RFPD #1 has been merged with Tualatin RFPD and will be called Tualatin Valley Fire and Rescue District. Upon annexation, the territory will be automatically withdrawn from the Districts.

Hillsboro has an agreement with Washington County RFPD #2 whereby the City provides protection to all the District located within the City's urban services boundary.

Hillsboro has an agreement with RFPD #1 whereby the City will pay the District 85% of the District's tax levy on annexed areas for continuation of the present District "incident response" services. This does not include such things as fire prevention and inspections. Under this agreement first response to the site would come from the District's station at 185th and Sunset Highway.

Streets. Washington County has a Systems Development ordinance requiring the payment of a Traffic Impact Fee (TIF) at the time a building permit is issued. The TIF is based on a development's proportionate share of the projected capital costs of capacity increases on the county arterial and collector road system which results from increased growth. The City of Hillsboro has a Street Systems Development charge that is also collected at the time of issuance of a building permit. Hillsboro's SDC is somewhat lower than the County's TIF.

The territory is within the boundary of the unfunded County service district for road maintenance. Upon annexation the territory would be automatically withdrawn from the District.

Parks. The territory lies within the boundaries of the Tualatin Hills Park and Recreation District (THPRD). Upon annexation these properties would be automatically withdrawn from the District.

The City of Hillsboro provides park and recreation services. These services are financed out of user fees and the City general fund. The City has a few neighborhood parks. The major City facility is Shute Park with its swimming pool and tennis facilities.

Street Lights. The territory is within the boundary of Washington County Service District #1 for street lights. The District assesses benefitted properties for the cost of the

lighting. Upon annexation the territory will be automatically withdrawn from the district. The City provides street lighting services from the General Fund.

Vector Control. The territory is within the Washington County Service District for Vector Control. This District has not been funded as operational. Hillsboro is within the District.

#### FISCAL IMPACT.

When territory is within a district and is annexed to a city withdrawal from the district is automatic upon annexation to a city unless the city is part of the district. Upon withdrawal, the City must pay the annexed territory's proportional share of outstanding bonded indebtedness. The city has the right to exercise the choice permitted by ORS 222.520(2) which provides that:

"The part thus withdrawn shall not thereby be relieved from liabilities and indebtedness previously contracted by the district. For the purposes of paying such liabilities and indebtedness of the district, property in the part withdrawn shall continue to be subject to assessment and taxation uniformly with property in the area remaining in the district. The city of which it became a part shall, however, assume such obligations if the obligations assumed do not bring the total of the city's obligations above any applicable limitations prescribed by statute. When the city assumes such obligations it shall be liable to the district for one of the following, at the option of the city:

- (a) The amount of taxes which otherwise would be extended each year therefor against the property in the part withdrawn; or
- (b) Payment annually, as the bonds of the district that were outstanding on the effective date of the withdrawal mature, of the same proportion of such outstanding bonds, and the interest thereon, as the assessed valuation of the part withdrawn bears to the assessed valuation of the entire district on the effective date of the withdrawal. After the city agrees to make such payments under this subsection, neither the city nor the part withdrawn shall be charged by the district with any future liabilities, obligations or functions of the district.

For this proposal the above statutory provisions would be significant in relation to the automatic withdrawals of the Tualatin Hills Park and Recreation Dist. and the Wolf Creek Water District.

The following table shows the 1988-89 tax rates for the area included within the proposed annexation.

TAX RATE PER \$1000  
Fiscal Year 1988-89

	Out of City Tax Codes			In-City	
	1-37	51-50	51-57	Bvtn. Schl Dst	Hlsbro. Schl Dst
Washington County	2.95	2.95	2.95	2.95	2.95
Wash. Co. ESD	.26	.26	0.26	0.26	.26
Portland Comm. College Jt. School District #48	.92	.92	0.92	0.92	.92
School District #1	.00	16.49	16.49	16.49	.00
Unified Hi. School Dist. #3	7.08	.00	.00	.00	7.08
Wolf Creek Hwy. Water Dist.	10.45	.00	.00	.00	10.45
Unified Sewerage Agency	.68	.68	.00	.00	.00
Tual. Hills Pk. & Rec. Dist	.36	.36	.36	.00	.00
Wash. Co. RFPD #1	1.33	1.33	1.33	.00	.00
Wash. Co. RFPD #2	0.00	2.62	2.62	.00	.00
Port of Portland Jt	1.62	.00	.00	.00	.00
METRO Service Dist. Jt.	.39	.39	.39	.39	.39
City of Hillsboro	.34	.34	.34	.34	.34
Public Safety District	.00	.00	.00	3.81	3.81
	.84	.84	.84	.00	.00
<b>Total Rate (actual)</b>	<b>\$27.22</b>	<b>\$27.18</b>	<b>\$26.50</b>	<b>\$25.16</b>	<b>\$26.20</b>

LOGICAL BOUNDARIES. Beaverton has been actively annexing lands located to the northwest and Hillsboro has been annexing to the east. This activity is in the "Sunset Corridor" area which has been one of the most active development areas of the state. As the two cities expand toward each other the question of the eventual boundary has become increasingly significant. The first annexation to immediately address this question was the "Standard Insurance" annexation of the Tanasbourne Town Center area located immediately north of the subject annexation decided in December 1987. The Standard Insurance proposal contained 580 acres under a single ownership. The next controversy involved the proposed annexation of lands on the north side of Walker Road on both sides of 185th where the City's of Beaverton and Hillsboro proposed annexations of overlapping territory. The Boundary Commission determined in that area to draw the boundary at the east side of 185th Ave.

The territory between 216th and 185th and between Walker Road and the Burlington Northern Railroad has been of high interest to both of the cities, each of which has filed a notice of intent to annex the area. This area is designated industrial and is the largest tract of developable, industrial lands remaining between Beaverton and Hillsboro. Historically the Boundary Commission has weighted heavily the desire of the majority of owners and voters in making its annexation decisions. If this annexation were approved as submitted it would surround the contested area and virtually assures the entirety will ultimately be annexed to the City of Hillsboro. The City of Hillsboro has some additional petitions that they will be presenting to the Boundary Commission. Those of which the staff has been made aware are illustrated on the Attached Fig. 3 map.

Beaverton has written a memorandum opposing the proposed annexation. One of the reasons for their opposition is that the annexation of the community's industrial base by Hillsboro will have a detrimental effect on the City of Beaverton residents. The City's memorandum is attached as exhibit B.

RECOMMENDATION. Based on the configuration of the petitions that have been submitted at the time this report is being prepared the staff would recommend that Proposal No. 2587 be modified to exclude the lands located east of 206th Ave. and south of Walker Road and approved.

Portland Metro Area Local Govt Bdry Comm.  
320 S.W. Stark St., Suite 530  
Portland, OR 97204

Hloha, OR 97006  
645-4743  
April 28, 1989

To Whom It May Concern:

Re: Annexation of Baseline Thriftway to Hillsboro

This letter is to inform you that I as a resident of the Willow Creek subdivision and frequent shopper and supporter of the merchants in the Baseline Thriftway shopping center oppose annexation of the shopping center to Hillsboro.

I feel that the merchants of the mall favor annexation to Beaverton and that the city of Beaverton would service their needs in a more timely manner than Hillsboro. It doesn't make sense with the Beaverton area so close that the business annexation be to Hillsboro.

Thank you.

Sincerely,

Ann Jacobs

PORTLAND METRO AREA  
BOUNDARY COMMISSION  
MAY 1 1989

TO: BOUNDARY COMMISSION

FROM: LARRY CONRAD, SENIOR PLANNER *we*

DATE: 1 MARCH 1989

EXHIBIT A1

PROPOSAL NO. 2592

RE: CITY OF HILLSBORO ANNEXATIONS, (BC # 2587 AND # 2592)

THE CITY OF BEAVERTON REQUESTS THAT THE BOUNDARY COMMISSION DENY IN TOTAL THE ANNEXATIONS CONTAINED IN BOUNDARY COMMISSION PROPOSALS #2587 AND #2592 AS SUBMITTED.

Annexation proposal # 2587 brings back to the forefront a series of issues on how annexations are pursued by cities and how this process is perceived by the public and by the various other levels of government. During the 1987 Legislative session there was considerable debate in the House Intergovernmental Affairs Committee over the use of the annexation process to accomplish annexations that, while legal in the strict letter of the law, also severely limit the ability of other property owners having to make independent decisions on annexation. The Legislature spent considerable time and effort attempting to correct what they perceived as "abuses" of the annexation process. Hillsboro's annexation proposal #2587 will once again energize the debate on this issue in Salem.

It appears to Beaverton that this annexation represents an attempt by the City of Hillsboro to "cut Beaverton off" from a large area of industrial land by all but encircling the area before the major industrial property owners have a chance to make their own decisions regarding annexation.

Before pointing to a few "technical issues" regarding this annexation, it is timely that we revisit the issue of the long-term impact of annexation on the Tualatin Hills Parks and Recreation District. The accumulative effects of annexation by either Portland or Hillsboro into Tualatin Hills is a direct concern for the City of Beaverton. Our residents receive their park and recreation services from Tualatin Hills (we are part of the District). Any annexations that reduce the long-term financial strength of this district while leaving the District with all of its service delivery responsibilities affect the City and its residents. Since incremental annexations can erode the viability of the Park District, it is important that the issue of parks service be carefully considered when considering any annexations by Hillsboro in this area.

Finally we face the same issue that has been raised twice before: this annexation is being undertaken with no regard to logical long-term service boundaries or any indication from Hillsboro what its long term annexation plans are. It is very difficult to make any decisions on the long term impacts of annexation when you do not know where the incremental annexation process is taking you.

**PORTLAND METRO AREA  
BOUNDARY COMMISSION**

**MAR 2 1989**

## DOES THE BOUNDARY COMMISSION HAVE TO APPROVE THIS ANNEXATION?

Are these annexations legitimate annexation proposals? It is probable that these two annexation proposals meet the statutory minimum that is necessary for an annexation proposal. However, the Boundary Commission must consider its 3 major policies (OAR Chapter 193, Division 5) in addition to those minimum legal requirements when considering whether or not to approve an annexation.

IN FACT, IT IS NOT NECESSARY FOR THE BOUNDARY COMMISSION TO APPROVE AN ANNEXATION JUST BECAUSE IT MEETS THE STATUTORY MINIMUMS FOR CONSIDERATION. IN THE PAST THE BOUNDARY COMMISSION HAS DENIED AT LEAST ONE "LEGITIMATE" ANNEXATION PROPOSAL (BC FINAL ORDER # 2056) BECAUSE, IN PART, THE COMMISSION FOUND THAT:

"The Boundary Commission's Policy on Long-Range Governmental Structure is applicable here but the proposal does not comply with that policy."

## LONG-TERM URBAN SERVICE BOUNDARIES

The annexations currently under consideration by the Boundary Commission have one major unacknowledged issue: the location of a logical long term service boundary for the cities of Beaverton and Hillsboro. Little has changed to alter this fact since the last time both jurisdictions appeared before you to contest this issue. The major industrial property owners in the area, the Oregon Graduate Center, the Primate Research Center and Tektronics are still considering their options and have not committed to a course of action. However Hillsboro has undertaken a "cherry stem" annexation using 185th Avenue right of way in order to render any decisions made by these property owners a moot point. If BC Proposal # 2587 is approved by the Boundary Commission, these property owners will only have one choice when it comes to future annexations, which will be to go to the City that surrounds them, Hillsboro.

In a similar vein, the northern annexation, BC Proposal # 2592, represents a northward expansion of Hillsboro into two neighborhoods in an areas where Hillsboro has little support from residents. Most of the residents of the Rock Creek and Parkview neighborhoods would prefer to be part of Beaverton if they had to choose a city today according to the results of our recent survey.

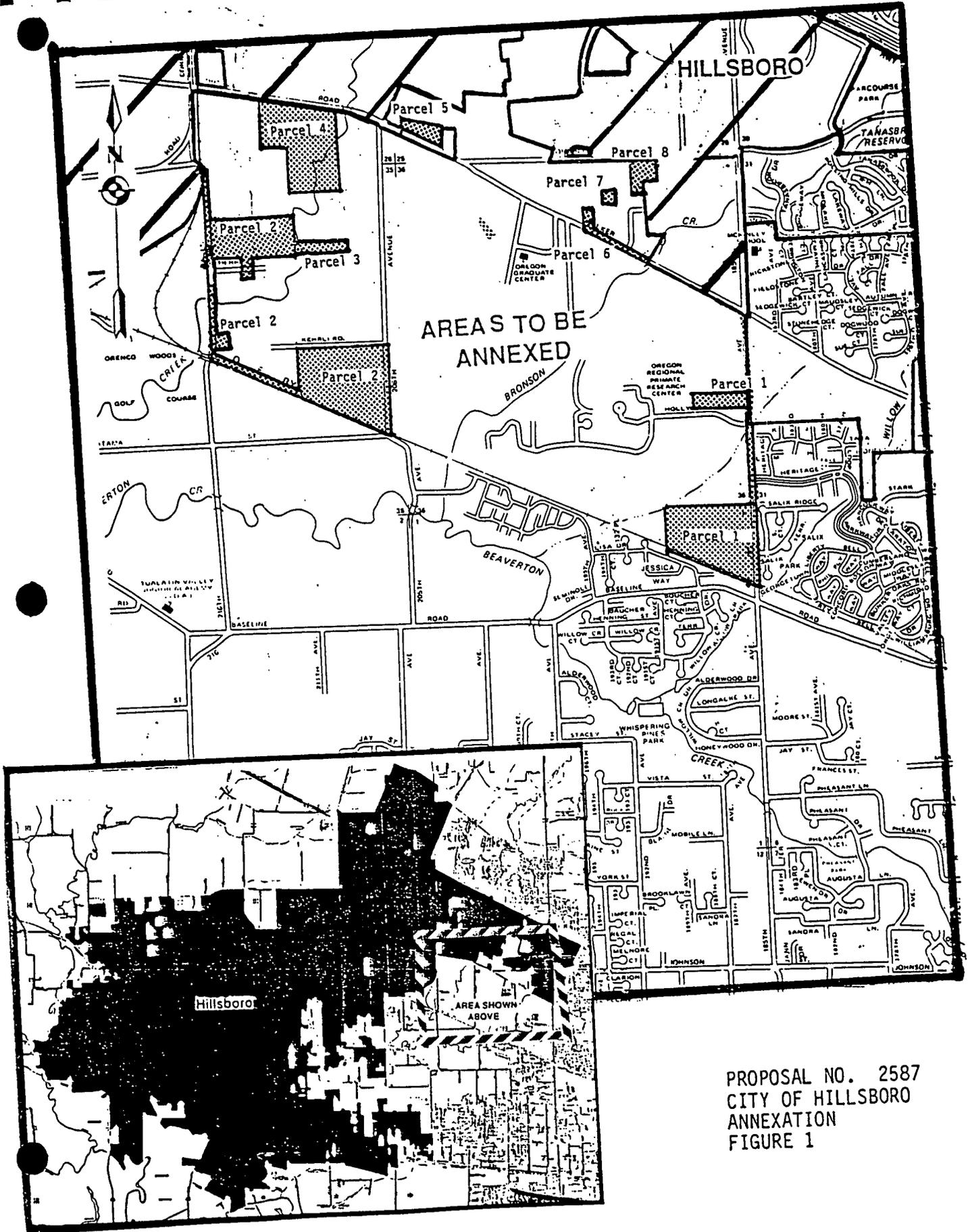
## LONG TERM IMPACT OF HILLSBORO'S CURRENT ANNEXATION POLICY

It appears on face value that the City of Hillsboro has adopted an informal policy of seeking to annex lands that are primarily vacant and planned for predominately commercial or industrial use. While this unofficial policy is potentially beneficial to Hillsboro, it raises some larger questions regarding Hillsboro's commitment to work with existing residential neighborhoods to help solve their urban service problems. At the same time this action can be viewed as "skimming off" the potentially developable lands. This action raises a question about the mixture of land uses that will eventually be in the two cities and its affect on the long term delivery of service by both cities.

It is a reality of public finance in Oregon that industrial development produces more revenue for a city's general fund than it consumes in demand for general fund service. On the other hand, industrial development consumes more special fund services such as roads, directly or indirectly, than it pays for directly. This situation tends to balance out in the long run and makes it important that cities maintain a good mixture of industrial, commercial and residential lands. Commercial development can be a plus or a minus as far as general fund services are concerned depending upon the level of police service that they require. Residential development generally provides a substantial portion but not quite all the revenue need to provide general fund services. The State's financial system makes it important that all parties know what Hillsboro's long term plans are for service to residential area and what type of land use mix both cities will have as a result of the long-term effect of annexation.

This issue can be solved in several different ways; but the most effective solution would be to develop a mutually agreed upon urban service boundary so that all of the players in the public and private sectors would have a say in their future.

# PROPOSAL NO. 2587

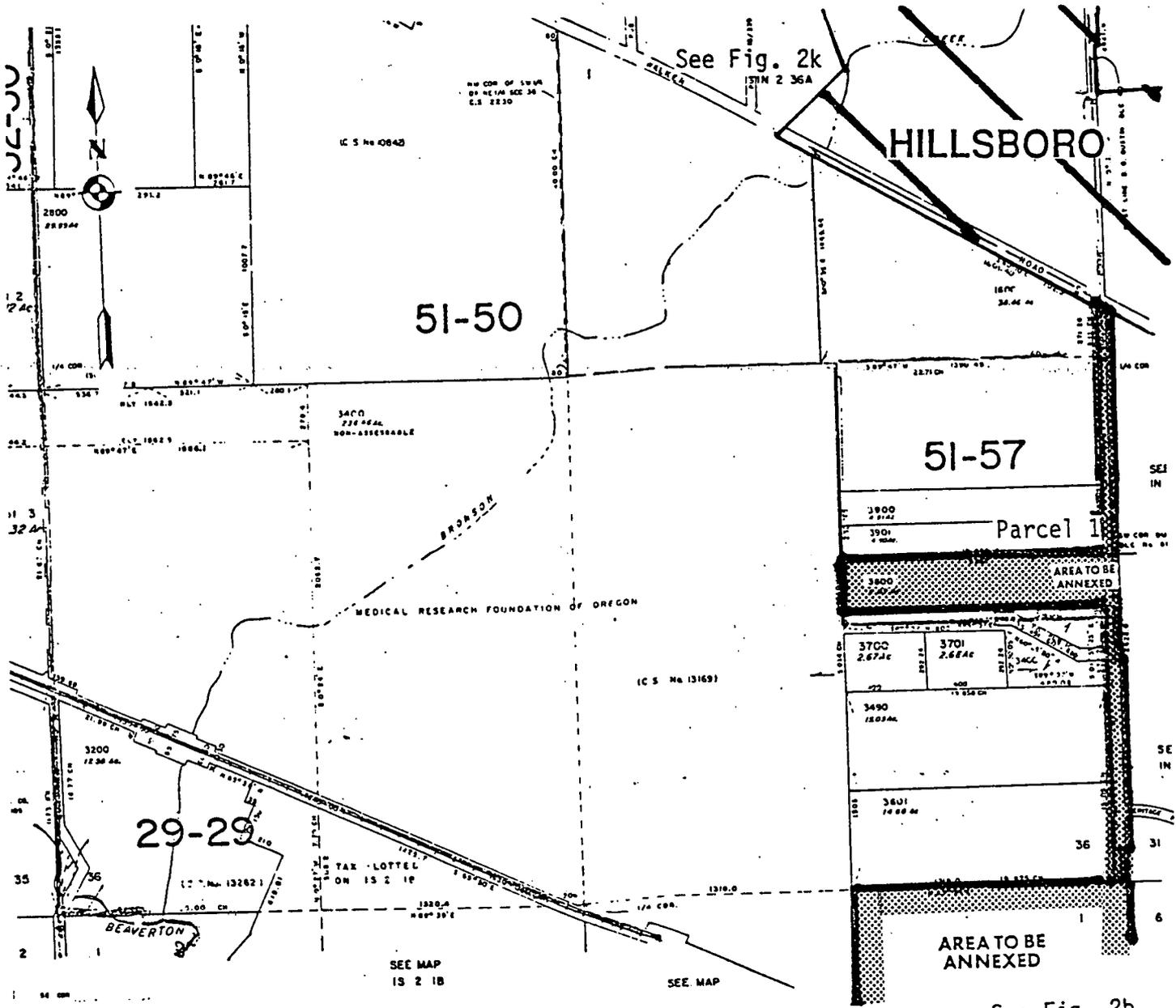


PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 1

# PROPOSAL NO. 2501

SECTION 36 T1N R2W W.M.  
Washington County, Oregon  
Scale: 1" = 800'

1N 2 36



PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2a

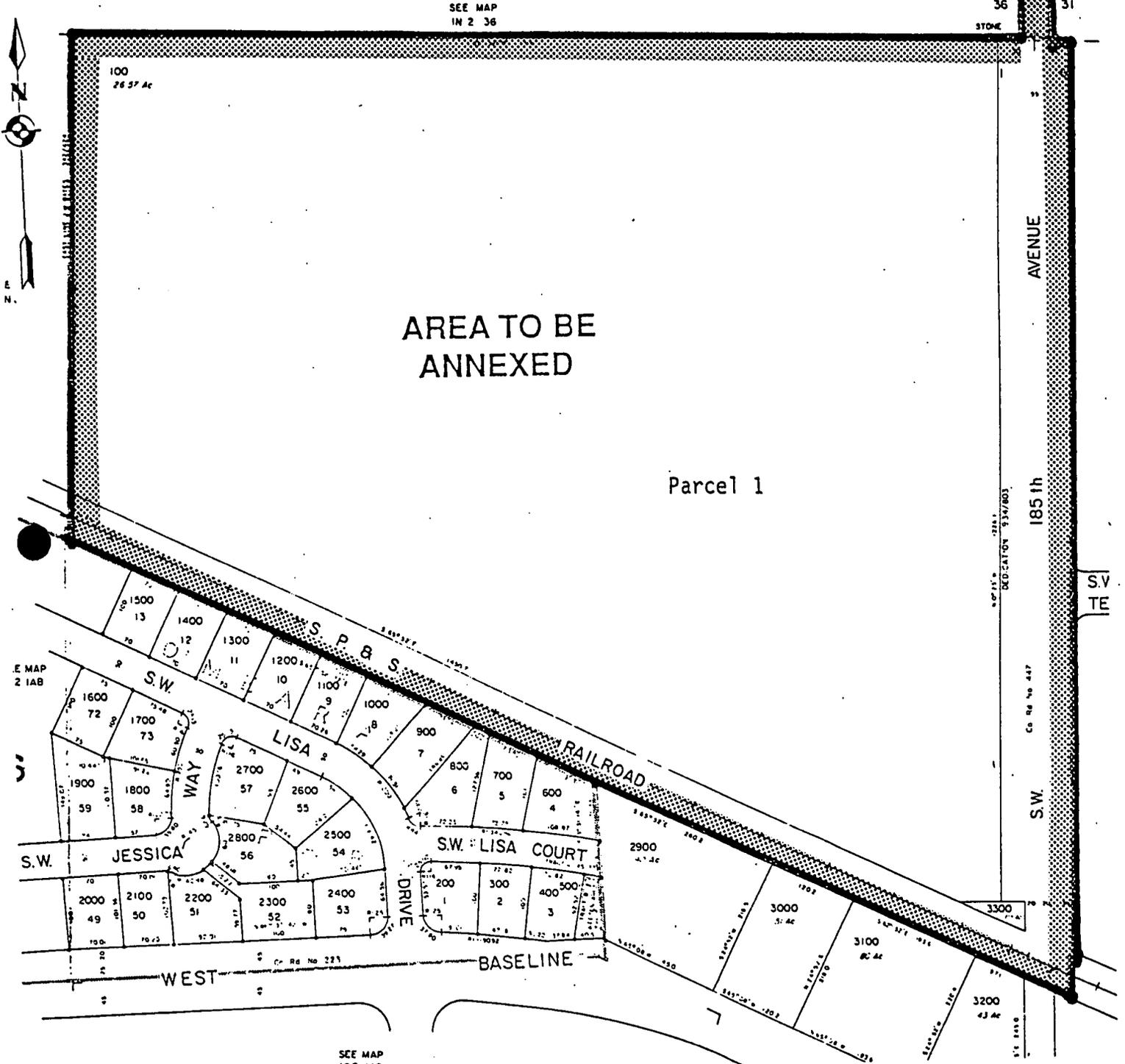
# PROPOSAL NO. 2587

NE1/4 SW1/4 SECTION 35 T1N R2W W.M.  
Washington County, Oregon

1N 2 35DA

Scale: 1" = 200'

See Fig. 2a



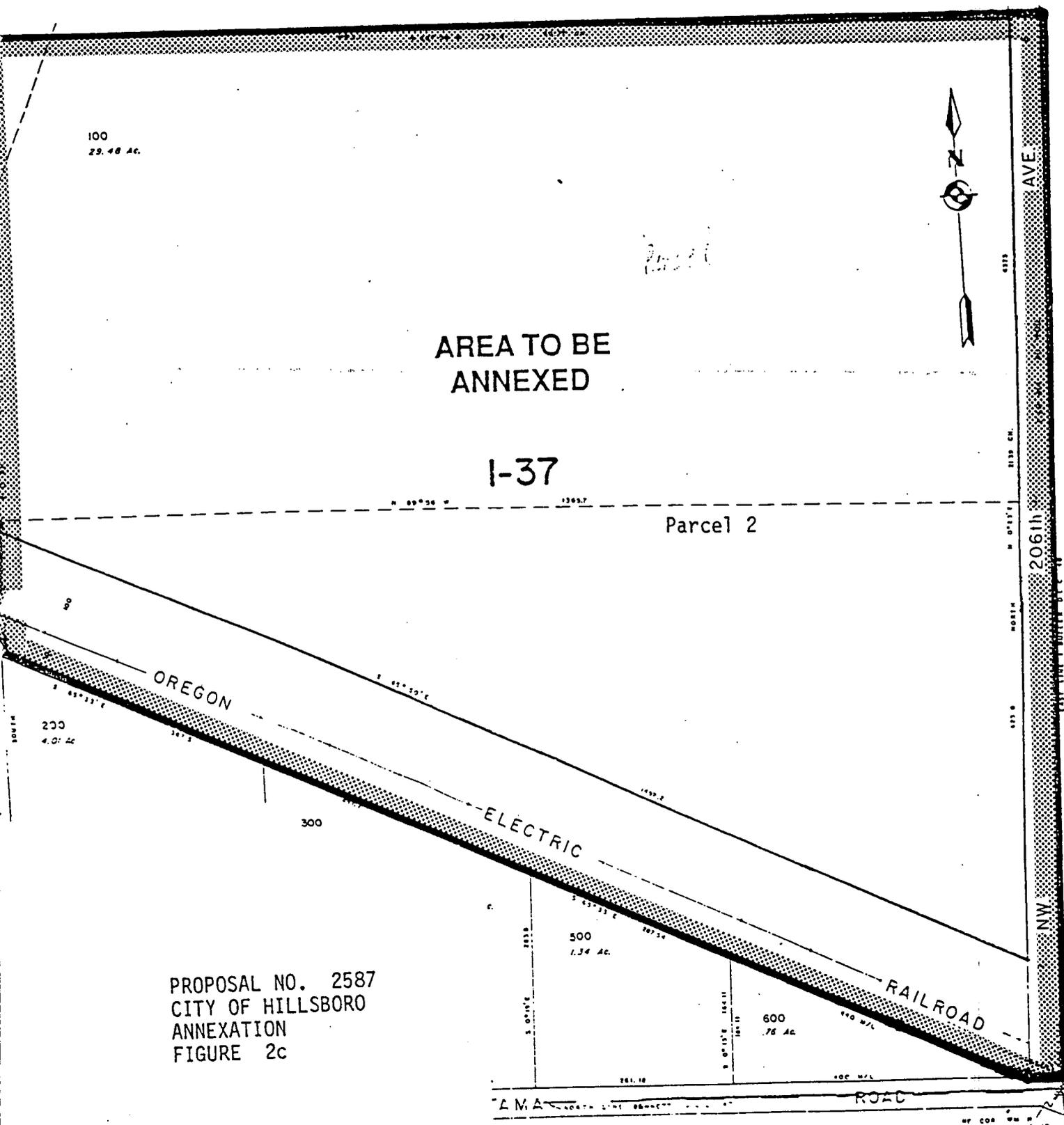
PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2b

# PROPOSAL NO. 2587

NE1/4 NE1/4 SECTION 1 T1S R2W W.M.  
Washington County, Oregon

1S 2 1AA

Scale: 1" = 200'



PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2c

BY COR. WM. B. BENNETT D.L.C. 47

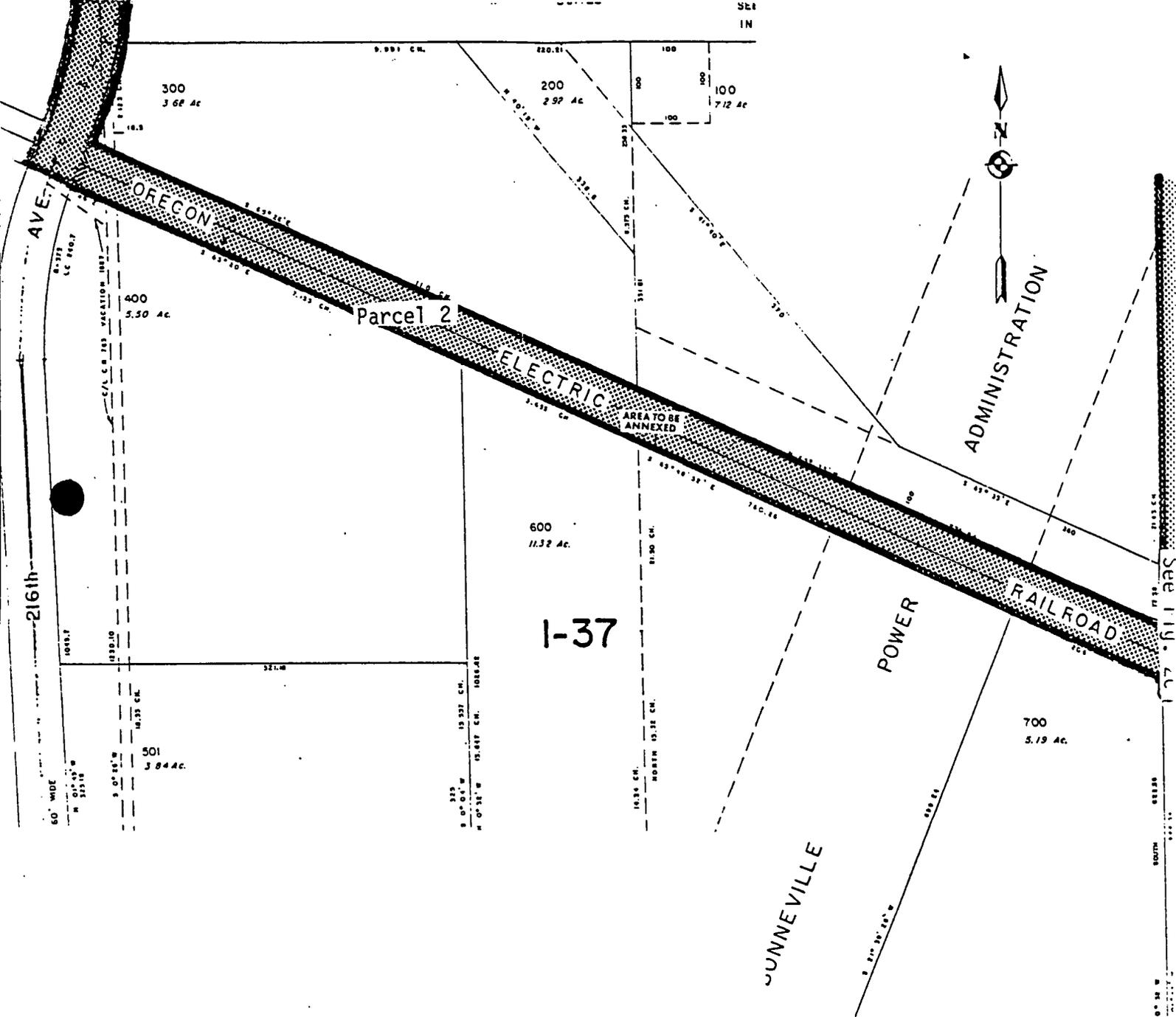
# PROPOSAL NO. 2587

NW1/4 SE1/4 SECTION 35 T1N R2W W.M.  
Washington County, Oregon

IN 2 35DB

Scale: 1" = 200'

See Fig. 2e



PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2d

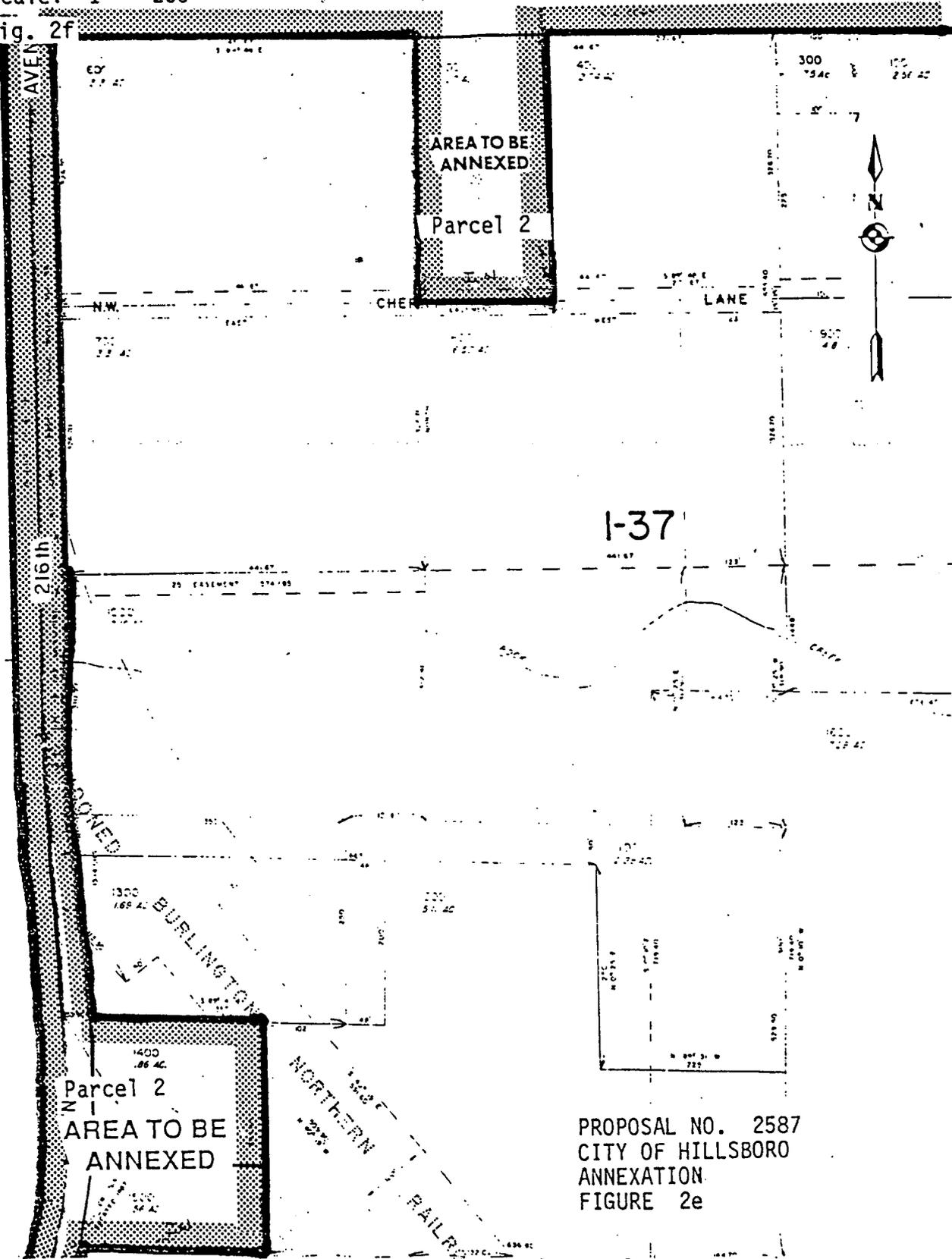
# PROPOSAL NO. 2587

SW1/4 NE1/4 SECTION 35 T1N R2W W.M.  
Washington County, Oregon

1N 2 35AC

Scale: 1" = 200'

See Fig. 2f



Parcel 2  
AREA TO BE  
ANNEXED

PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2e

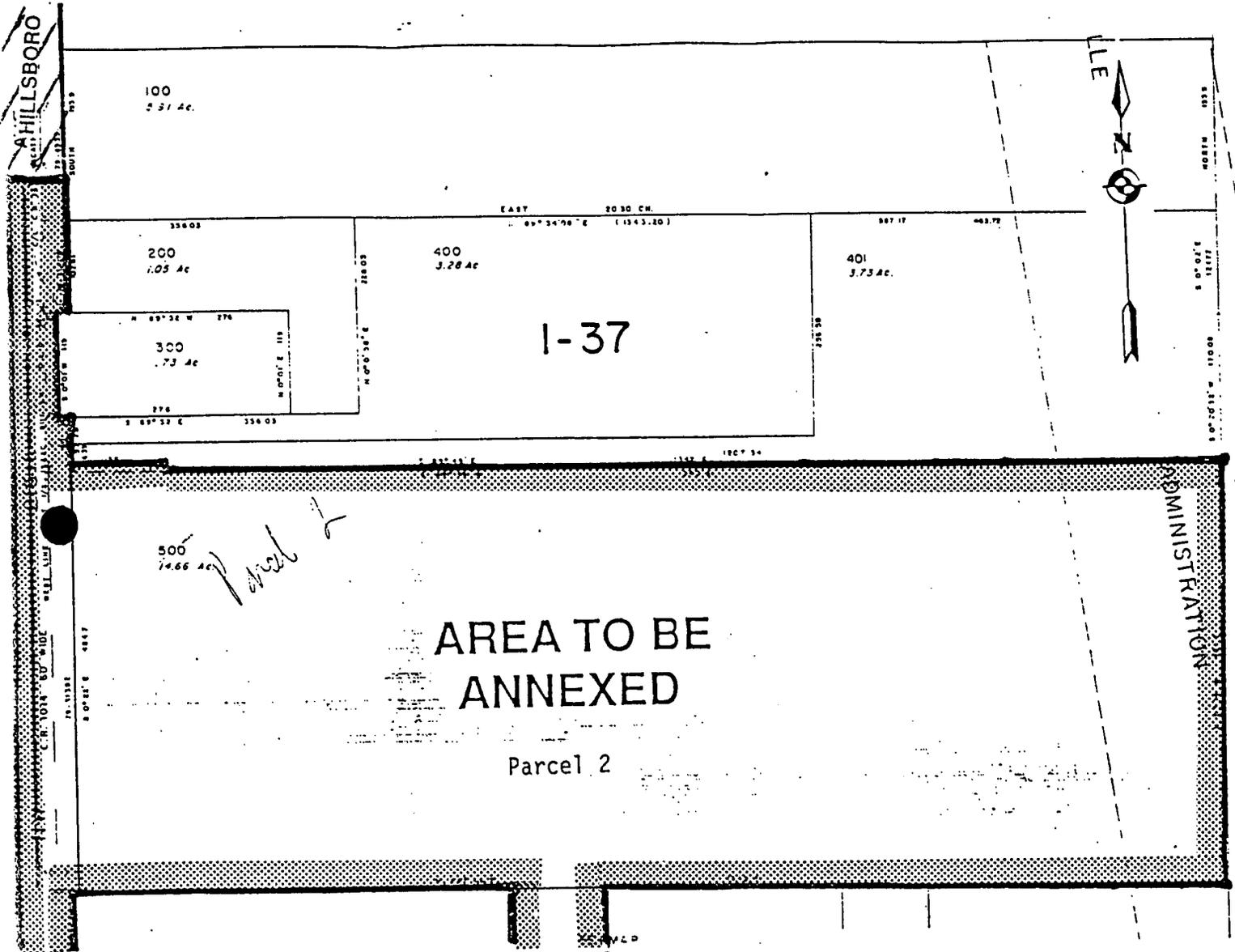
See Fig. 2d

# PROPOSAL NO. 2587

NW1/4 NE1/4 SECTION 35 T1N R2W W.M.  
Washington County, Oregon

1N 2 35AB

Scale: 1" = 200'



See Fig. 2e

See Fig. 2e

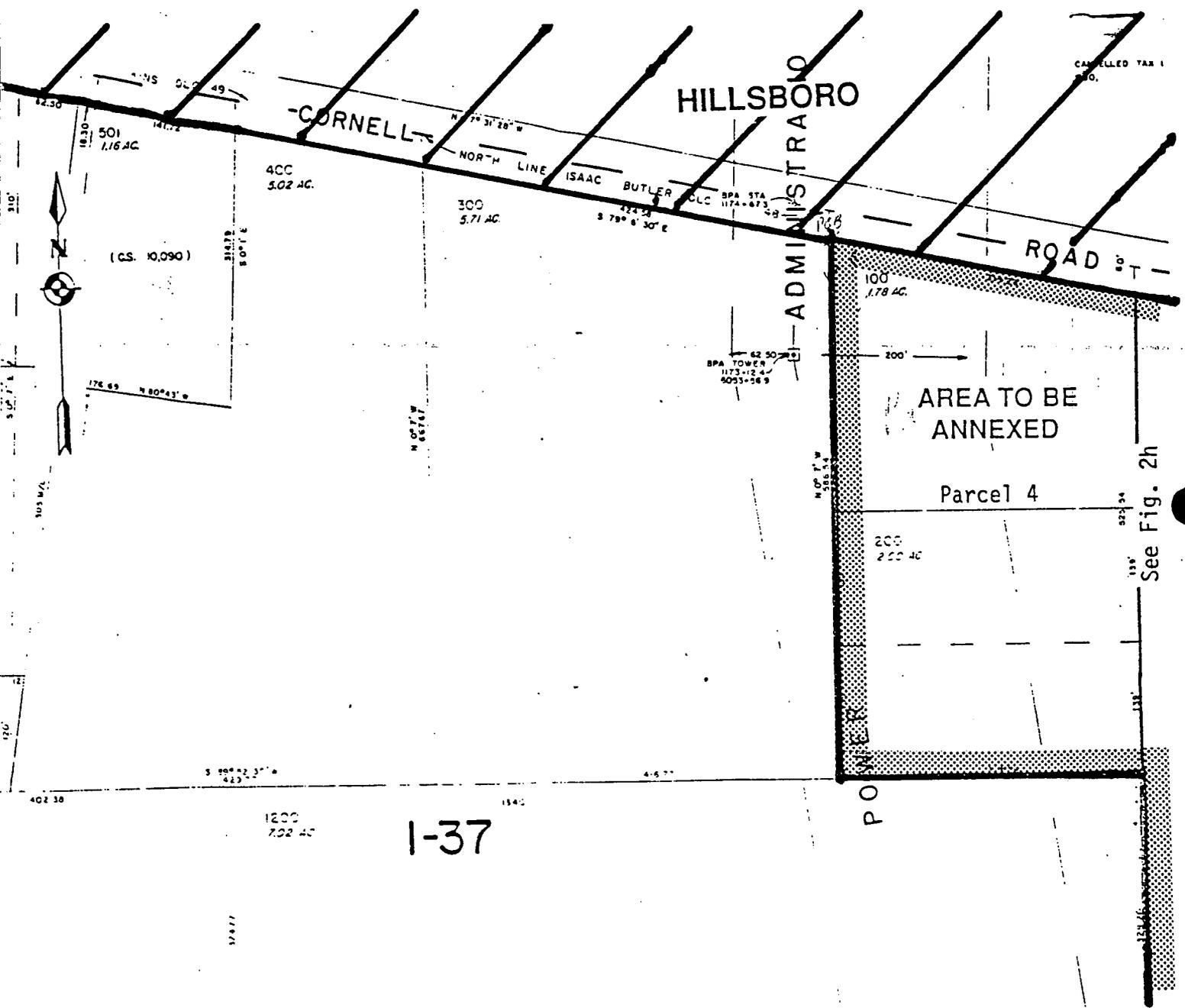
PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2f

# PROPOSAL NO. 2587

IN 2 26DC

SW1/4 SE1/4 SECTION 26 T1N R2W W.M.  
Washington County, Oregon

Scale: 1" = 200'



1-37

See Fig. 2h

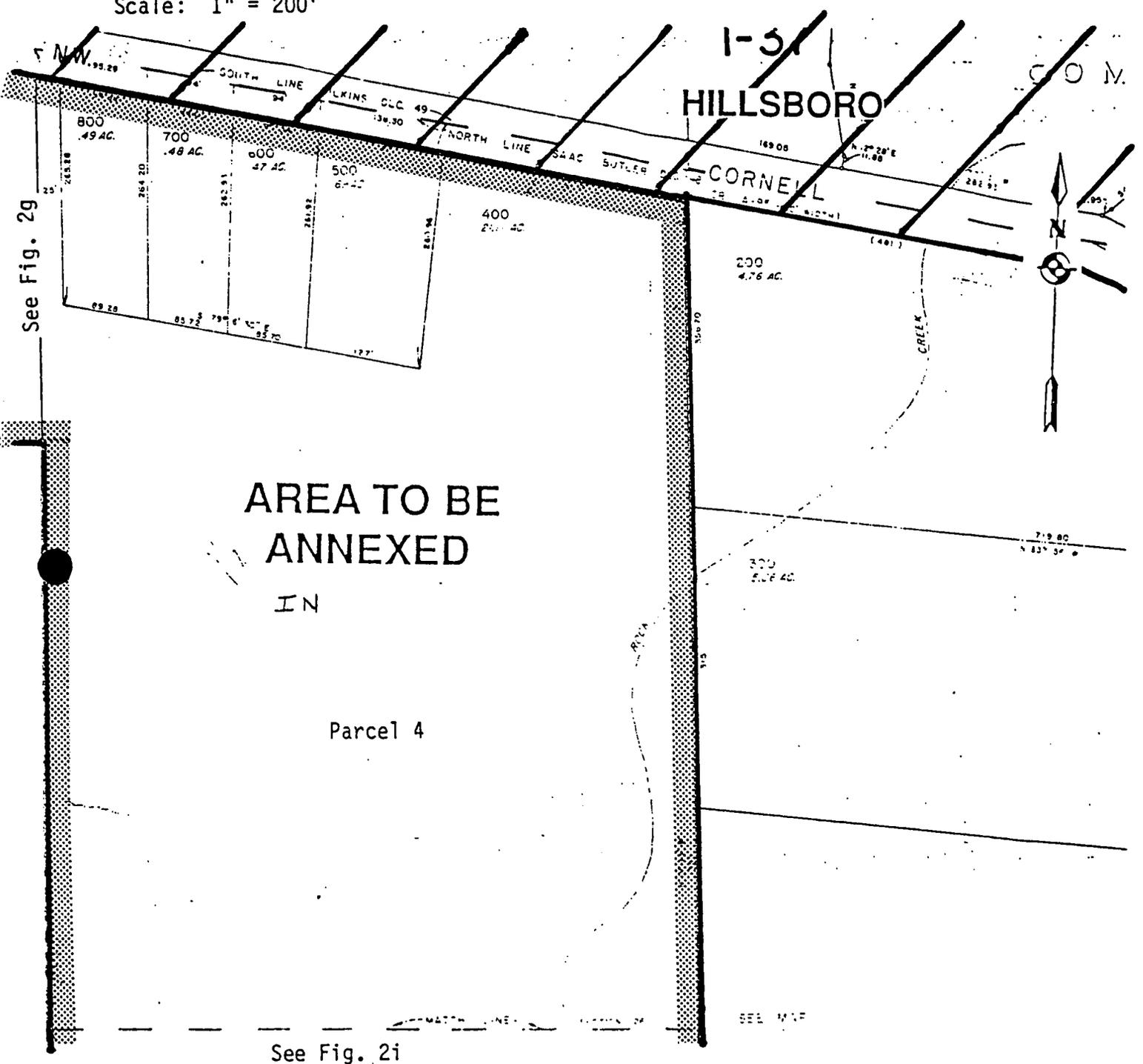
PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2g

# PROPOSAL NO. 2587

SE1/4 SE1/4 SECTION 26 T1N R2W W.M.  
Washington County, Oregon

IN 2 26DD

Scale: 1" = 200'



See Fig. 2g

AREA TO BE  
ANNEXED  
IN

Parcel 4

See Fig. 2i

PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2h

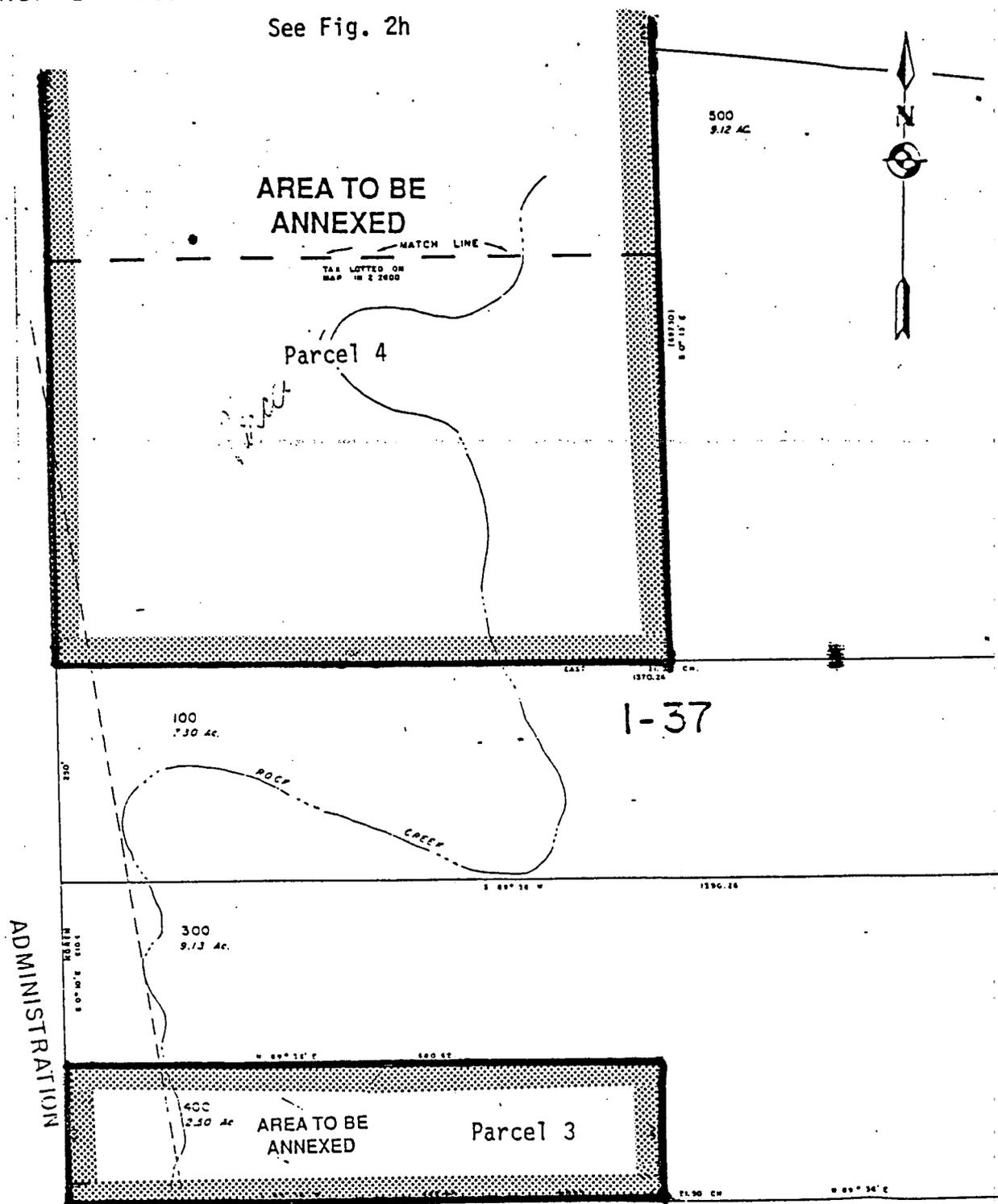
# PROPOSAL NO. 2587

NE1/4 NE1/4 SECTION 35 T1N R2W W.M.  
Washington County, Oregon

1N 2 35AA

Scale: 1" = 200'

See Fig. 2h



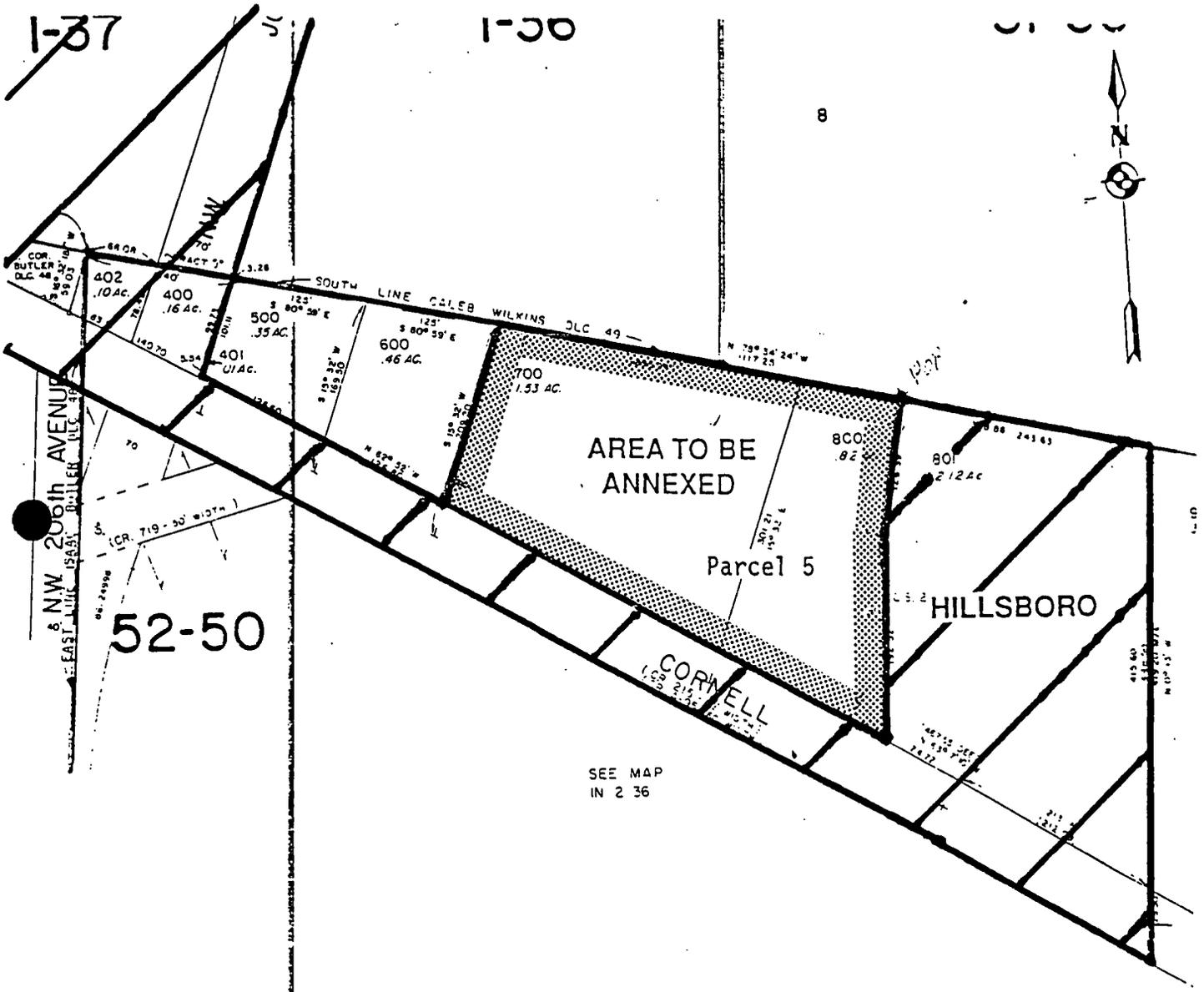
PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2i

# PROPOSAL NO. 2587

SW1/4 SW1/4 SECTION 25 T1N R2W W.M.  
Washington County, Oregon

1N 2 25CC

Scale: 1" = 200'



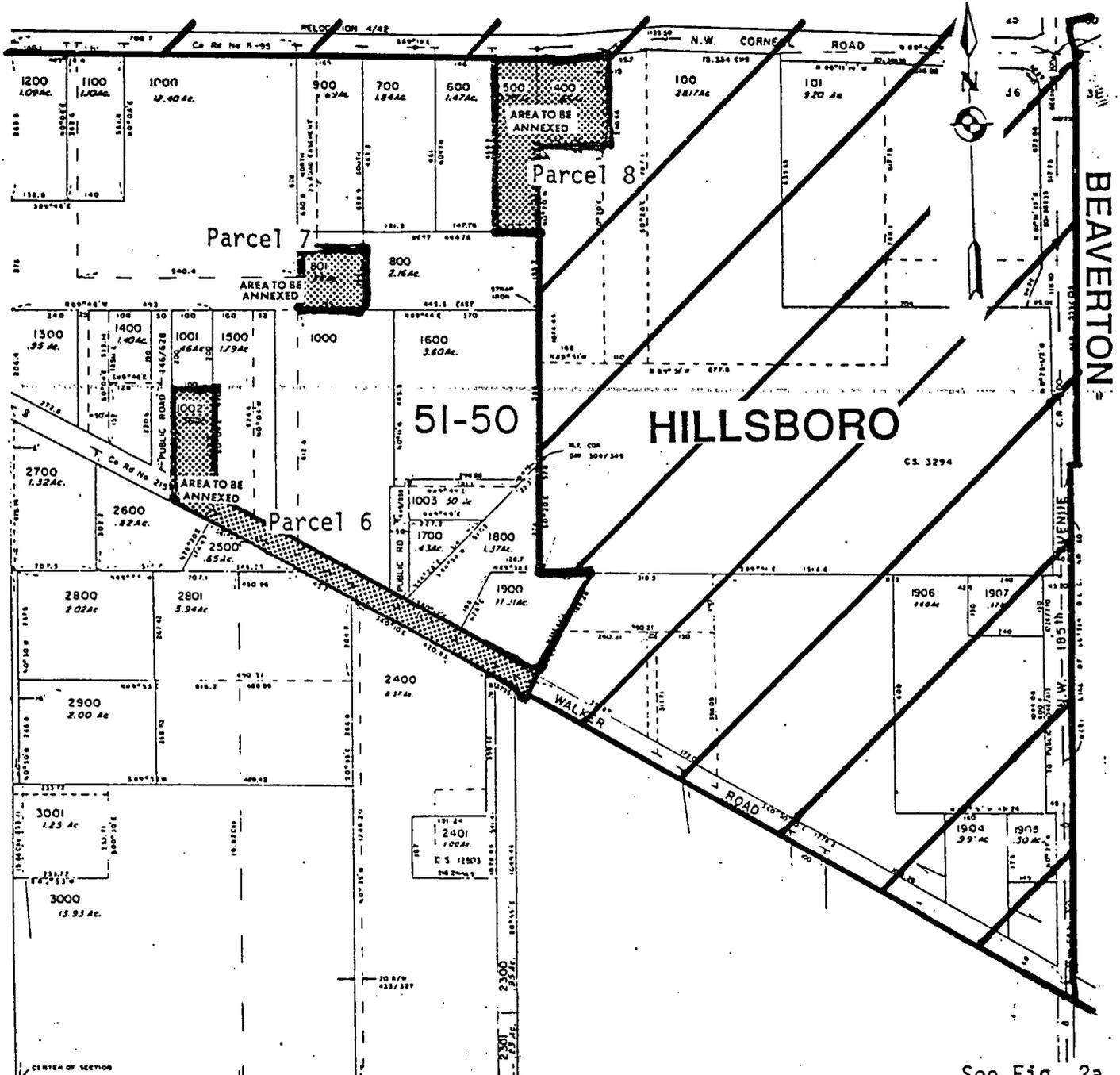
PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2j

# PROPOSAL NO. 2587

NE1/4 SECTION 31 T1N R2W W.M.  
Washington County, Oregon

IN 2 36A

Scale: 1" = 400'



See Fig. 2a

PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2k

FINDINGS

Based on the study and the public hearing the Commission found:

1. The territory to be annexed consists of 8 separate pieces of territory and contains 115.75 acres, 15 single family units, 2 commercial structures, and is evaluated at \$6,587,300.
2. The property owners desire annexation to obtain full urban level services.
3. The Boundary Commission has three adopted policies. The first of these policies states that the Commission generally sees cities as the primary provider of urban services. Recognizing that growth of cities may cause financial problems for districts, the second policy stipulates that the Commission will help find solutions to those problems. The third policy states that the Commission may approve illogical boundaries in the short term if these lead to logical service arrangements in the long term.
4. Washington County has implemented a service delivery system distinguishing municipal from county-wide services. It is county policy that all county taxpayers should pay for those services which are of county-wide benefit and those who receive municipal services should pay for them through a municipal service-providing unit of government.
5. The territory under consideration is within the Washington County planning jurisdiction and is included within the Sunset West Community Plan. The territory is designated Industrial except the parcels located north of Walker Rd. which are designated Residential-15.

The Land Conservation and Development Commission (LCDC) requires each planning jurisdiction within the metropolitan Regional Urban Growth Boundary to submit an agreement setting forth methods for comprehensive planning coordination, called Urban Planning Area Agreements (UPAAs). These UPAAs are elements of the County Comprehensive Plan.

Generally a UPAA does not provide direction for annexation decisions. The legislature recognized in ORS 199 that "Local comprehensive plans define local land uses but may not specify which units of local government are to provide public services when those services are required." The Urban Planning Area Agreements were primarily meant to be a device for

governmental units to provide notice to one another and to provide an opportunity to review and comment on land use actions. The UPAA's were not meant to determine the ultimate boundaries of various cities. However, the UPAA's generally do include some mention of annexation. Because the UPAA's were not designed to determine ultimate service boundaries the planning areas of cities commonly overlap with those of other cities.

The territory is part of a subarea of the UPAA labeled Area D, including the territory from 219th Ave/Cornelius Pass Rd. east to 185th Ave. Area D is defined as:

"Potential area for the future provision of urban services. The CITY may conduct an urban services study within Area A, B, C, and D of the Urban Planning Area or any portion thereof as shown on Exhibit A. This study may identify the area for long-range provision of urban level services and annexation to the CITY. The COUNTY will participate in this process as outlined in a Memorandum of Understanding and will forward any future proposed urban service boundary and policies to the County Planning Commission and Board of County Commissioners for consideration."

6. The UPAA does not address the application of city land use policies and procedures within Area D. Absent any specific agreement between the City and the County concerning how land use matters will be handled upon annexation, the state statutes provide the direction. ORS 215.130 provides that "Any ordinance designed to carry out a county comprehensive plan and a county comprehensive plan shall apply to the area within the county also within the boundaries of a city as a result of extending the boundaries of the city...unless, or until the city has by ordinance or other provision provided otherwise." Thus, the County's zoning and other land use actions will remain applicable to the territory unless the City adopts amendments by ordinance. In making any change from County ordinances to City ordinances all due process requirements for a plan amendment procedure are applicable.

The City is currently involved in a plan amendment process for the area between Cornelius Pass Rd. and 185th Ave. south of the City to Burlington Northern right-of-way.

7. The City of Hillsboro has done an Urban Services Study. The Urban Services Study extends west to 158th north of Sunset

Highway following the urban growth boundary, then follows 158th south to Willow Creek, west along Willow Creek to 173rd, and follows 173rd south to Baseline Rd. (This Study Area is larger than the Area D that the City's UPAA designated as a future urban services study area.) The results of the study indicate that the increase in assessed value resulting from annexation of this area would provide a long term net benefit to the City, offsetting the costs of providing services.

8. The City of Beaverton has had, within its comprehensive plan, an Urban Planning Area Agreement extending west to 219th Ave./Cornelius Pass Road. The UPAA breaks this area into an Area A and an Area B. The two areas differ in the City's opportunity to review and comment on proposed development actions.

The UPAA provides several policies on annexation procedures. The policies do not address what specific areas the city proposes to annex but sets forth how city zoning will be applied to lands annexed. The City sets forth the city land use designations and zoning designations that equate to County land use designations that will be applied upon annexation. The City also is bound to not change the land use designation on annexed lands for the first year after annexation occurs. These policies do not distinguish between area "A" and Area "B".

Special policy E of the UPAA provides that "The CITY is responsible for conducting an urban services study within its urban planning area shown on Exhibit "A". This study will identify the area for long-range provision of urban level services and annexation to the CITY. Services to be studied shall include, but not limited to: water, sanitary sewer, storm sewer and transportation facilities; police and fire protection; land use planning and development services. The COUNTY will participate in this process as outlined in a Memorandum of Understanding and will forward the future proposed urban services boundary and policies to the County Planning Commission and Board of Commissioners for consideration as a possible amendment to the COUNTY comprehensive plan."

In March 1987 Beaverton issued the first phase of its urban services study. The study indicates that the Boundary of the Beaverton School District has played a dominant role in the community identity and perceptions of the area. "The current Beaverton School District provides a very strong sense of

community identity, possibly stronger than any other factor within the study area. Many residents of the area presume that they are residents of the city because of the strong presence of the Beaverton School District. As a result, the Beaverton School District boundary is mentioned more than any other service district boundary or geographic feature as being the most 'natural' boundary for the City of Beaverton in the future."

In order to assess residents' attitudes toward urban services and annexation, the City of Beaverton commissioned a community attitudes survey in early 1986. The City surveyed residents, and the business community. Among the residents in Aloha, Beaverton was identified as the city best equipped to provide municipal services to the unincorporated area. Among the business leader and small business/professionals many interviewed believed Beaverton has an image problem relating to its development decision-making process at both the staff and policy levels.

In summary, both the City of Hillsboro and the City of Beaverton Comprehensive Plans state an interest in future service provision and annexation of the territory proposed for annexation to Hillsboro. But neither City's plan or UPAA appear to be inconsistent with this proposed annexation.

9. The territory is within the boundary of the Unified Sewerage Agency (USA). Upon annexation the territory would be automatically withdrawn from USA. Hillsboro is not within USA and historically the City owned and operated its own treatment plant and collection system. In 1978 Hillsboro and USA entered into an intergovernmental agreement whereby Hillsboro turned over its sewage treatment plant and major sewer lines and provided for financial arrangements between the two units. The sewage treatment plants, pump stations, and lines 18" in diameter or greater are owned, operated, and maintained by USA. Hillsboro pays USA 90% of the USA connection fee. If connections are made to a USA owned line, Hillsboro pays USA 100% of the current USA connection fee. Hillsboro pays USA 100% of any applicable USA facility development fees. Service charges are collected by Hillsboro at the USA rate and pays USA 70% of the service charge revenue collected. Beginning in fiscal year 1991-92, the City will remit to the Agency an in lieu of bond tax payment which is an amount equal to the tax that would have been assessed had the applicable properties been subject to bond tax assessment.

All of USA's 1988-89 tax rate of \$.36 is for repayment of bonded indebtedness. In 1991 Hillsboro will, become liable for paying USA for the annexed properties' proportionate share of outstanding bonded indebtedness. Upon annexation the property is relieved of liability for USA's tax levy. In both Hillsboro and in USA there is a \$1100 connection charge for residential equivalents plus \$975 for a tap onto the line.

Service to the area is provided from a 48-inch line in Rock Creek and a 27-inch line in Compton Dr. The area is served by the Rock Creek Sewage Treatment Plant. Improvements to the plant are currently being made by USA to expand capacity.

10. The territory is within the Wolf Creek Highway Water District. As provided by ORS 199.510, the territory will be automatically withdrawn from the District subsequent to annexation. The withdrawal will become effective on July 1, 1989 as provided in ORS 222.465. In December 1987, the City and the District adopted a five-year intergovernmental agreement under which the District will continue to serve the area of this annexation. The water lines which will serve these parcels are Wolf Creek Highway Water District lines. There is 20-inch line in Cornell Rd., and an 18-inch line in 216th Ave. Wolf Creek charges \$1050 for a 3/4-inch meter and connection fee and bills customers \$9.64 plus \$89/100 cu. ft. of water bimonthly.

The automatic withdrawal of the territory from the Water District is the result of a legal interpretation by the Boundary Commission's counsel, the Attorney General's office. The existing agreement between the City and the District covers the area to be annexed and most of the surrounding territory in the City which was to have remained within the District. The District is seeking a legislative change to eliminate the provisions for automatic withdrawal from water districts. If this legislation is passed the City and the District would continue with their prior agreement. If not the existing City/District contract will likely have to be reworked. These particular properties are just a small piece of this much larger issue and any solution to the larger issue will apply.

11. The territory is within the boundary of the Washington County Enhanced Sheriff's Patrol District. Washington County

provides a base level of police service and the District will finance the additional level of service to bring the service level of the District up to 1 officer per 1000 population. The tax rate for 1988-89 is \$.84 per \$1000 assessed value. Upon annexation the territory would be automatically withdrawn from the District and the City of Hillsboro Police Department will assume responsibility for the property. The City provides 1.27 officers/1000 population.

12. The territory located west of 216th Ave. is within Washington County RFPD #2, the remainder is within the boundary of Washington County RFPD #1. Washington County RFPD #1 has been merged with Tualatin RFPD and will be called Tualatin Valley Fire and Rescue District. Upon annexation, the territory will be automatically withdrawn from the Districts.

Hillsboro has an agreement with Washington County RFPD #2 whereby the City provides protection to all the District located within the City's urban services boundary.

Hillsboro has an agreement with RFPD #1 whereby the City will pay the District 85% of the District's tax levy on annexed areas for continuation of the present District "incident response" services. This does not include such things as fire prevention and inspections. Under this agreement first response to the site would come from the District's station at 185th and Sunset Highway.

13. The territory is within the boundary of the unfunded County service district for road maintenance. Upon annexation the territory would be automatically withdrawn from the District.

14. The territory lies within the boundaries of the Tualatin Hills Park and Recreation District (THPRD). Upon annexation these properties would be automatically withdrawn from the District.

The City of Hillsboro provides park and recreation services. These services are financed out of user fees and the City general fund. The City has a few neighborhood parks. The major City facility is Shute Park with its swimming pool and tennis facilities.

15. The territory is within the boundary of Washington County Service District #1 for street lights. The District assesses benefitted properties for the cost of the lighting. Upon

annexation the territory will be automatically withdrawn from the district. The City provides street lighting services from the General Fund.

16. The territory is within the Washington County Service District for Vector Control. This District has not been funded as operational. Hillsboro is within the District.
17. Beaverton has been actively annexing lands located to the northwest and Hillsboro has been annexing to the east. This activity is in the "Sunset Corridor" area which has been one of the most active development areas of the state. As the two cities expand toward each other the question of the eventual boundary has become increasingly significant.

The first annexation to immediately address this question was the "Standard Insurance" annexation of the Tanasbourne Town Center area located immediately north of the subject annexation decided in December 1987. The Standard Insurance proposal contained 580 acres under a single ownership. The next controversy involved the proposed annexation of lands on the north side of Walker Road on both sides of 185th where the Cities of Beaverton and Hillsboro proposed annexations of overlapping territory. The Boundary Commission determined in that area to draw the boundary at the east side of 185th Ave.

The territory between 216th and 185th and between Walker Road and the Burlington Northern Railroad has been of high interest to both of the cities, each of which has filed a notice of intent to annex the area. This area is designated industrial and is the largest tract of developable, industrial lands remaining between Beaverton and Hillsboro. Historically the Boundary Commission has weighted heavily the desire of the majority of owners and voters in making its annexation decisions. If this annexation were approved as submitted it would surround the contested area and virtually assures the entirety will ultimately be annexed to the City of Hillsboro. The City of Hillsboro has some additional petitions that they will be presenting to the Boundary Commission.

Beaverton submitted a memorandum opposing the proposed annexation. One of the reasons for their opposition is that the annexation of the community's industrial base by Hillsboro will have a detrimental effect on the City of Beaverton residents.

REASONS FOR DECISION

Based on the Findings the Commission determined:

1. The territory in Parcel I was excluded from the proposal because its inclusion would logically preclude the annexation of lands to the west of Parcel I to the City of Beaverton this time major property owners in that area have not determined which city they wish to join.
2. The City of Hillsboro has an adequate quantity and quality of services available to serve the modified area.
3. The proposal conforms with City, County, and Regional Planning and with Boundary Commission policies on incorporated status.
4. The proposal, as modified conforms with the Boundary Commission policy on logical boundaries.

FINAL ORDER

RE: BOUNDARY CHANGE PROPOSAL NO. 2587 - Annexation of territory  
to the City of Hillsboro.

Proceedings on Proposal No. 2587 commenced upon receipt by the Boundary Commission of petitions from the City on February 15, 1989, requesting that certain property be annexed to the City. The petitions meet the requirements for initiating a proposal set forth in ORS 199.490, particularly paragraph (c) of section (1).

Upon receipt of the petition the Boundary Commission published and posted notice of the public hearing in accordance with ORS 199.463 and conducted a public hearing on the proposal on March 9 and May 4, 1989. The Commission also caused a study to be made on this proposal which considered economic, demographic and sociological trends and projections and physical development of the land.

The Commission reviewed this proposal in light of the following statutory guidance:

"199.410 Policy. (1) The Legislative Assembly find that:

(a) A fragmented approach has developed to public services provided by local government and such an approach has limited the orderly development and growth of Oregon's urban areas to the detriment of the citizens of this state.

(b) The programs and growth of each unit of local government affect not only that particular unit but also the activities and programs of a variety of other units within each urban area.

(c) As local programs become increasingly inter-governmental, the state has a responsibility to insure orderly determination and adjustment of local government boundaries to best meet the needs of the people.

(d) Local comprehensive plans define local land uses but may not specify which units of local government are to provide public services when those services are required.

(2) The purposes of ORS 199.410 to 199.519 are to:

(a) Provide a method for guiding the creation and growth of cities and special service districts in Oregon in order to prevent illogical extensions of local government boundaries;

(b) Assure adequate quality and quantity of public services and the financial integrity of each unit of local government;

(c) Provide an impartial forum for the resolution of local government jurisdictional questions; and

(d) Provide that boundary determinations are consistent with local comprehensive planning, in conformance with state-wide planning goals. However, when the proposed boundary commission action is within an acknowledged urban growth boundary, the state-wide planning goals shall not be applied. The commission shall consider the timing, phasing and availability of services in making a boundary determination.

199.462 Standards for review of changes; territory which may not be included in certain changes. (1) In order to carry out the purposes described by ORS 199.410 when reviewing a petition for a boundary change, a boundary commission shall consider economic, demographic and sociological trends and projections pertinent to the proposal, past and prospective physical development of land that would directly or indirectly be affected by the proposed boundary change and the goals adopted under ORS 197.225."

The Commission also considered its policies adopted under Administrative Procedures Act (specifically 193-05-000 to 193-05-015), historical trends of boundary commission operations and decisions, and past direct and indirect instructions of the State Legislature in arriving at its decision.

#### FINDINGS

(See Findings in Exhibit "A" attached hereto).

#### REASONS FOR DECISION

(See Reasons for Decision in Exhibit "A" attached hereto).

ORDER

On the basis of the Findings and Reasons For Decision listed in Exhibit "A", the Boundary Commission approved Boundary Change Proposal No. 2587 as modified on May 4, 1989.

NOW THEREFORE IT IS ORDERED THAT the territory described in Exhibit "B" and depicted on the attached map, be annexed to the City of Hillsboro as of 45 days from this date which is June 18, 1989, or at what other subsequent date that the law requires.

PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT  
BOUNDARY COMMISSION

DATE: 5/4/89

BY: Wayne Anthony  
Chairman

Attest: Kendra L. Luti

FINDINGS

Based on the study and the public hearing the Commission found:

1. The territory to be annexed as originally proposed contains 115.75 acres, 15 single family units, 2 commercial structures, and is evaluated at \$6,587,300.
2. The property owners desire annexation to obtain full urban level services.
3. The Boundary Commission has three adopted policies. The first of these policies states that the Commission generally sees cities as the primary provider of urban services. Recognizing that growth of cities may cause financial problems for districts, the second policy stipulates that the Commission will help find solutions to those problems. The third policy states that the Commission may approve illogical boundaries in the short term if these lead to logical service arrangements in the long term.
4. Washington County has implemented a service delivery system distinguishing municipal from county-wide services. It is county policy that all county taxpayers should pay for those services which are of county-wide benefit and those who receive municipal services should pay for them through a municipal service-providing unit of government.
5. The territory under consideration is within the Washington County planning jurisdiction and is included within the Sunset West Community Plan. The territory is designated Industrial except the parcels located north of Walker Rd. which are designated Residential-15.

The Land Conservation and Development Commission (LCDC) requires each planning jurisdiction within the metropolitan Regional Urban Growth Boundary to submit an agreement setting forth methods for comprehensive planning coordination, called Urban Planning Area Agreements (UPAAs). These UPAAs are elements of the County Comprehensive Plan. Because the UPAAs were not designed to determine ultimate service boundaries, the planning areas of cities commonly overlap with those of other cities. The subject territory is within the Hillsboro/Washington county UPAA (as well as within the Beaverton/Washington county UPAA).

The territory is part of a subarea of the Hillsboro-Washington County UPAA labeled Area D, including the territory from 219th Ave/Cornelius Pass Rd. east to 185th Ave. The City defined Area D as a "Potential area for the future provision of urban services."

The UPAA does not address the application of city land use policies and procedures within Area D. Absent any specific agreement between the City and the County concerning how land use matters will be handled upon annexation, the state statutes provide the direction. ORS 215.130 provides that "Any ordinance designed to carry out a county comprehensive plan and a county comprehensive plan shall apply to the area within the county also within the boundaries of a city as a result of extending the boundaries of the city...unless, or until the city has by ordinance or other provision provided otherwise." Thus, the County's zoning and other land use actions will remain applicable to the territory unless the City adopts amendments by ordinance. In making any change from County ordinances to City ordinances all due process requirements for a plan amendment procedure are applicable.

The City is currently involved in a plan amendment process for the area between Cornelius Pass Rd. and 185th Ave. south of the City to Burlington Northern right-of-way.

6. The City of Hillsboro has done an Urban Services Study. The Urban Services Study extends west to 158th north of Sunset Highway following the urban growth boundary, then follows 158th south to Willow Creek, west along Willow Creek to 173rd, and follows 173rd south to Baseline Rd. (This Study Area is larger than the Area D that the City's UPAA designated as a future urban services study area.) The results of the study indicate that the increase in assessed value resulting from annexation of this area would provide a long term net benefit to the City, offsetting the costs of providing services.
7. The City of Beaverton has within its comprehensive plan, an Urban Planning Area Agreement extending west to 219th Ave./Cornelius Pass Road. The UPAA breaks this area into an Area A and an Area B. The two areas differ in the City's opportunity to review and comment on proposed development actions.

The UPAA provides several policies on annexation procedures. The policies do not address what specific areas the city

proposes to annex but sets forth how city zoning will be applied to lands annexed. The City sets forth the city land use designations and zoning designations that equate to County land use designations that will be applied upon annexation. The City also is bound to not change the land use designation on annexed lands for the first year after annexation occurs. These policies do not distinguish between area "A" and Area "B".

In March 1987 Beaverton issued the first phase of its urban services study. The study indicates that the Boundary of the Beaverton School District has played a dominant role in the community identity and perceptions of the area. "The current Beaverton School District provides a very strong sense of community identity, possibly stronger than any other factor within the study area. Many residents of the area presume that they are residents of the city because of the strong presence of the Beaverton School District. As a result, the Beaverton School District boundary is mentioned more than any other service district boundary or geographic feature as being the most 'natural' boundary for the City of Beaverton in the future."

In order to assess residents' attitudes toward urban services and annexation, the City of Beaverton commissioned a community attitudes survey in early 1986. The City surveyed residents, and the business community. Among the residents in Aloha, Beaverton was identified as the city best equipped to provide municipal services to the unincorporated area. Among the business leader and small business/professionals identification with Beaverton was not strong.

8. Both the City of Hillsboro and the City of Beaverton Comprehensive Plans state an interest in future service provision and annexation of the territory proposed for annexation to Hillsboro. But neither City's plan or UPAA appear to be inconsistent with this proposed annexation.
9. The territory is within the boundary of the Unified Sewerage Agency (USA). Upon annexation the territory would be automatically withdrawn from USA. Hillsboro is not within USA and historically the City owned and operated its own treatment plant and collection system. In 1978 Hillsboro and USA entered into an intergovernmental agreement whereby Hillsboro turned over its sewage treatment plant and major sewer lines and provided for financial arrangements between the two units. The sewage treatment plants, pump stations, and

lines 18" in diameter or greater are owned, operated, and maintained by USA. Hillsboro pays USA 90% of the USA connection fee. If connections are made to a USA owned line, Hillsboro pays USA 100% of the current USA connection fee. Hillsboro pays USA 100% of any applicable USA facility development fees. Service charges are collected by Hillsboro at the USA rate and pays USA 70% of the service charge revenue collected. Beginning in fiscal year 1991-92, the City will remit to the Agency an in lieu of bond tax payment which is an amount equal to the tax that would have been assessed had the applicable properties been subject to bond tax assessment.

All of USA's 1988-89 tax rate of \$.36 is for repayment of bonded indebtedness. In 1991 Hillsboro will, become liable for paying USA for the annexed properties' proportionate share of outstanding bonded indebtedness. Upon annexation the property is relieved of liability for USA's tax levy. In both Hillsboro and in USA there is a \$1100 connection charge for residential equivalents plus \$975 for a tap onto the line.

Service to the area is provided from a 48-inch line in Rock Creek and a 27-inch line in Compton Dr. The area is served by the Rock Creek Sewage Treatment Plant. Improvements to the plant are currently being made by USA to expand capacity.

10. The territory is within the Wolf Creek Highway Water District. As provided by ORS 199.510, the territory will be automatically withdrawn from the District subsequent to annexation. The withdrawal will become effective on July 1, 1990 as provided in ORS 222.465. In December 1987, the City and the District adopted a five-year intergovernmental agreement under which the District will continue to serve the area of this annexation. The water lines which will serve these parcels are Wolf Creek Highway Water District lines. There is a 20-inch line in Cornell Rd., and an 18-inch line in 216th Ave. Wolf Creek charges \$1050 for a 3/4-inch meter and connection fee and bills customers \$9.64 plus \$89/100 cu. ft. of water bimonthly.

The automatic withdrawal of the territory from the Water District is the result of a legal interpretation by the Boundary Commission's counsel, the Attorney General's office. The existing agreement between the City and the District covers the area to be annexed and most of the surrounding ter-

ritory in the City which was to have remained within the District. The District is seeking a legislative change to eliminate the provisions for automatic withdrawal from water districts. If this legislation is passed the City and the District would continue with their prior agreement. If not the existing City/District contract will likely have to be reworked. These particular properties are just a small piece of this much larger issue and any solution to the larger issue will apply.

11. The territory is within the boundary of the Washington County Enhanced Sheriff's Patrol District. Washington County provides a base level of police service and the District finances the additional level of service to bring the service level of the District up to 1 officer per 1000 population. The tax rate for 1988-89 is \$.85 per \$1000 assessed value. Upon annexation the territory would be automatically withdrawn from the District and the City of Hillsboro Police Department will assume responsibility for the property. The City provides 1.27 officers/1000 population.
12. The territory located west of 216th Ave. is within Washington Country RFPD #2, the remainder is within the boundary of the Tualatin Valley Fire and Rescue District. Upon annexation, the territory will be automatically withdrawn from the Districts.

Hillsboro has an agreement with Washington County R.F.P.D. #2 whereby the City provides protection to all the District located within the City's urban services boundary.

Hillsboro has an agreement with Tualatin Valley Fire & Rescue whereby the City will pay the District 85% of the District's tax levy on annexed areas for continuation of the present District "incident response" services. This does not include such things as fire prevention and inspections. Under this agreement first response to the site would come from the District's station at 185th and Sunset Highway.

13. Washington County has a Systems Development ordinance requiring the payment of a Traffic Impact Fee (TIF) at the time a building permit is issued. The TIF is based on a development's proportionate share of the projected capital costs of capacity increases on the county arterial and collector road system which results from increased growth. The TIF assessment is based on trip generation by type of land use: residential lands are charged \$119 per average weekday trip,

for single family residential uses this amounts to a fee of \$1,190 and office and industrial uses pay \$108 and \$114 per trip generated respectively. The County's other significant revenue source for road maintenance and improvements is state-shared and local gasoline taxes. The County policy is to use its road revenues only on arterial and major collectors where there is a county-wide benefit. The County has determined that it will not continue responsibility for local road maintenance and an urban road district was formed to provide these local services but voters refused to approve funding for the services.

The City of Hillsboro has a Street Systems Development charge that is also collected at the time of issuance of a building permit. Hillsboro's SDC is lower than the County's TIF. The City assesses \$300 per dwelling unit for residential land uses, or on a parking space basis for industrial and commercial and uses at \$125 and \$120 per parking space respectively. Because the County has taken responsibility for the provision of services for arterial and major collector streets, the City's revenues are directed to street maintenance and improvements at the local level.

The territory is within the boundary of the unfunded County service district for road maintenance. Upon annexation the territory would be automatically withdrawn from the District.

14. The territory lies within the boundaries of the Tualatin Hills Park and Recreation District (THPRD). Upon annexation these properties would be automatically withdrawn from the District.

The City of Hillsboro provides park and recreation services. These services are financed out of user fees and the City general fund. The major City facility is Shute Park with its aquatic center and tennis facilities. The City has nine active recreation parks consisting of 80 acres, 3 natural area parks consisting of 47 acres, and one wildlife refuge consisting of 450 acres. The city provides a full range of programs.

15. The territory is within the boundary of Washington County Service District #1 for street lights. The District assesses benefitted properties for the cost of the lighting. Upon annexation the territory will be automatically withdrawn from the district. The City provides street lighting services from the General Fund.

16. The territory is within the Washington County Service District for Vector Control. This District has not been funded as operational. Hillsboro is within the District so there would be no change caused by this annexation even if the District were active.
17. When territory is within a district and is annexed to a city, withdrawal from the district is automatic upon annexation to a city unless the city is part of the district. Upon withdrawal, the City must pay the annexed territory's proportional share of outstanding bonded indebtedness. The city has the right to exercise the choice permitted by ORS 222.520(2) which gives them the choice of paying that obligation off all at once or over time. The withdrawal and debt payment provisions would be significant in relation to the automatic withdrawals from the Tualatin Hills Park and Recreation Dist. and the Wolf Creek Water District.
18. Beaverton has been actively annexing lands located to the northwest and Hillsboro has been annexing to the east. This activity is in the "Sunset Corridor" area which has been one of the most active development areas of the state. As the two cities expand toward each other the question of the eventual boundary has become increasingly significant. The first annexation to immediately address this question was the "Standard Insurance" annexation of the Tanasbourne Town Center area located immediately north of the subject annexation decided in December 1987. The Standard Insurance proposal contained 580 acres under a single ownership. The next controversy involved the proposed annexation of lands on the north side of Walker Road on both sides of 185th where the Cities of Beaverton and Hillsboro proposed annexations of overlapping territory. The Boundary Commission determined in that area (the area from Cornell Rd. to Walker Rd.) to draw the boundary at the east side of 185th Ave.
19. Beaverton submitted a memorandum opposing the proposed annexation. The memorandum raised several concerns:

Beaverton felt the proposed annexation was an effort to "cut Beaverton off" from the large industrial land area by encircling the area before the industrial property owners had a chance to make their own decisions regarding annexation. As noted in Finding 20 the Boundary Commission delayed the proposal, and in the period of the continuance a majority of the affected property owners petitioned for annexation to the City of Hillsboro. There were no petitions in the area to

annex to the City of Beaverton.

The annexation fiscally affects Beaverton residents who are within the Park and Recreation district boundaries. The fiscal impact of the annexation was considered under finding number 22.

The annexation has an effect on long-term service boundaries. Beaverton raises the general principal that each city needs a mix of residential, commercial and industrial land uses to provide a viable financial base for the city and to provide for adequate levels of services at reasonable costs. No evidence has been presented that approval of this annexation to Hillsboro will seriously imbalance either city's mix of land uses or the viability of the revenue base of either City.

20. The territory between 216th and 185th and between Walker Road and the Burlington Northern Railroad has been of high interest to both Hillsboro and Beaverton, each of which has filed a notice of intent to annex the area. This area is designated industrial and is the largest tract of developable, industrial lands remaining between Beaverton and Hillsboro. Historically the Boundary Commission has weighted heavily the desire of the majority of owners and voters in making its annexation decisions. After the first public hearing on the original configuration of the proposal, the Boundary Commission was concerned that if the annexation were approved as submitted it would surround the contested area and virtually assure the entirety will ultimately be annexed to the City of Hillsboro. Yet the proposal was predicated upon the consent petitions of less than a majority of the owners of land within the entire area of contention between the two cities. The Boundary Commission continued the proposal for 60 days to allow the City of Hillsboro and the City of Beaverton further opportunity to discuss annexation issues with property owners in the area. During the intervening period consent petitions to annex to the City of Hillsboro were signed by a substantial majority of the owners within the contested area.
21. The additional petitions submitted to the City of Hillsboro for annexation would raise the total acreage in the proposal to 800.46 acres and the total assessed value to \$40,487,400. These additional lands contain the Oregon Graduate Center, the Oregon Primate Center, approximately 12 industrial buildings, two nurseries, a Northwest Natural Gas facility, a

self-storage facility, 30 single-family dwellings, 200 multi-family units and vacant land.

22. The territory in the proposed modification is designated primarily Industrial, excepting a large tract in the middle, owned by the Oregon Graduate Center, that is designated Institutional, and an area south of Walker composed of approximately 10 lots designated Residential at 24 units per acre. The governmental structure and the facilities and services described in earlier findings are equally applicable to the proposed modification.
23. As noted the territory to be annexed, including the proposed modification would be withdrawn from the Tualatin Hills Park and Recreation District automatically upon annexation to the City. Because the City of Beaverton is within the District, annexation to that City does not cause automatic withdrawal. Annexation of territory within the District to other cities has been relatively infrequent and/or insignificant in size. The District has therefore in the past not opposed annexations to surrounding cities even though they remove assessed value from the District. The District is currently discussing whether to change that neutral position in part as a result of Portland's expression of interest in annexing significant portions of east Washington County, as well as because of the Hillsboro annexations.

This annexation as it is proposed to be modified has an assessed value of \$40,487,400. Tualatin Hills Park and Recreation District has an assessed value of \$4,973,446,870. Thus the area to be annexed represents approximately 1% of the District's total A.V., though this could be expected to increase as more development occurs in the area.

The District currently levies a tax of \$1.329 per \$1000 assessed value. The total amount raised by this levy in the District is \$6,609,805 with \$53,807 coming from the area proposed to be annexed. As noted earlier, however, the City must pick up the property's share of bonded debt and this accounts approximately 27% of the total levy. Thus in reality the loss to the District using the current year's figures would be \$39,279 ( $.27 \times \$53,807 = \$14,528$  and  $\$53,807 - \$14,528 = \$39,279$ ).

24. The City of Beaverton has submitted an annexation proposal for primarily residential area south of the Burlington Northern railroad tracks and west of 185th Ave. The proposed annexation includes several properties which signed petitions to join Hillsboro in this current proposal.

REASONS FOR DECISION

Based on the Findings the Commission determined:

1. The proposal should be modified to include all the additional lands that have petitioned for annexation and to exclude the right-of-way of SW 185th Ave. adjacent to tax lot 1600 Sec. 36 T1N R2W which is owned by Tektronix so as not to "island" the Tektronix site. The proposed modification contains approximately 684.71 acres, and is assessed at \$33,900,100.

Elimination of the street right-of-way adjacent to the Tektronics site will prevent islanding of that property.

2. The City of Hillsboro has an adequate quantity and quality of services available to serve the modified area.
3. The proposal conforms with City, County, and Regional Planning and with Boundary Commission policies on incorporated status.
4. The proposal, as modified conforms with the Boundary Commission policy on logical boundaries.
5. Withdrawal of this area from the Park and Recreation District does not appear to have a significant negative impact on the District and the District has not appeared in opposition to the proposal on that basis.

LEGAL DESCRIPTION  
ANNEXATION TO  
City of Hillsboro

Four parcels of land in Section 1, Township 1 South, Range 2 West; Section 6, Township 1 South, Range 1 West; Sections 25, 26, 35 and 36, Township 1 North, Range 2 West; and Section 31, Township 1 North, Range 1 West; all of the Willamette Meridian, in Washington County, Oregon, and further described as follows:

Parcel 1:

Beginning at a point on the north line of Section 6, Township 1 South, Range 1 West of the Willamette Meridian, in Washington County, Oregon, said point being also on that section of the east right-of-way line of S.W. 185th Avenue which lies immediately south of the Oregon Baseline, and tracing the following courses:

1. southerly, along said east line, 2640.0 feet to the south line of the northwest quarter of said section;
2. thence west, on said quarter-section line, 25.0 feet to the east quarter-corner of Section 1, Township 1 South, Range 2 West of said meridian;
3. thence west, on the north line of the plat of LONG ACRE PARK, 1004.63 feet to the east boundary of the plat of WILLOW CREEK SOUTH;
4. thence North  $46^{\circ}44'34''$  East, along said east boundary, 175.96 feet to an angle point therein;
5. thence, continuing along said boundary, North  $06^{\circ}28'17''$  East 150.0 feet to another angle point therein;
6. thence, continuing along said boundary, North  $49^{\circ}50'30''$  East 238.24 feet to the most westerly corner of that tract of land described in deed to Aloha Park Oregon Ltd., recorded November 19, 1973 in Book 953, page 518, Deed Records of said county;
7. thence South  $58^{\circ}08'55''$  East, along the southwest boundary of said tract, 557.03 feet to an angle point in said boundary;
8. thence South  $89^{\circ}54'35''$  East, along the south boundary of said tract, 155.0 feet to the west right-of-way line of SW 185th Avenue;

9. thence north, along said west line, 340.0 feet to the northerly line of said Aloha Park Oregon tract;
10. thence North 69°51'45" West, along said northerly line, 246.0 feet to an angle point in said line;
11. thence North 00°05'25" East, along a boundary of said tract, 48.0 feet to another angle point in said boundary;
12. thence North 69°51'45" West, along a northerly boundary of said tract, 184.16 feet to the most northerly corner thereof, being in the east line of WILLOW CREEK SOUTH;
13. thence North 43°41'48" East, along said east line 27.50 feet to an angle point in said line;
14. thence North 16°42'15" East, continuing along said line, 317.61 feet to the most easterly corner of Lot 70, in said plat;
15. thence North 74°27'40" West, along a boundary of said plat, 175.0 feet to an angle point therein;
16. thence North 15°32'21" East, continuing along the boundary of said plat, 232.96 feet to the southerly right-of-way line of West Baseline Road;
17. thence north 79.0 feet to the most westerly corner of that tract of land described in deed to Washington County, recorded December 3, 1987 under Fee No. 87059575, said deed records;
18. thence North 24°52' East, along the northwest line of said tract, 216.5 feet to the southerly right-of-way line of the S.P. & S. Railroad (called Burlington Northern Railroad on some maps);
19. thence North 65°52' West, along said southerly line, 8730.0 feet to the west right-of-way line of SW 216th Avenue;
20. thence northerly, along said west line, 2402.0 feet to the corporate boundary of the City of Hillsboro, as established by Portland Metropolitan Area Local Government Boundary Commission Final Order No. 2000, adopted April 5, 1984;
21. thence east, along said corporate boundary, 75.00 feet to the east right-of-way line of NW 216th Avenue;
22. thence southerly, along said east line, 45.0 feet to the north line of that tract of land described in AGREEMENT FOR PURCHASE OF REAL PROPERTY, recorded June 7, 1988 under Fee No. 88-24096, in said deed records;

23. thence east, on the north line of said tract, 331.03 feet to the northeast corner thereof;
24. thence south, along the east line thereof, 228.05 feet to the southeast corner thereof;
25. thence west, along the south line thereof, 331.03 feet to the east right-of-way line of SW 216th Avenue.
26. thence south, along said east line, 53.0 feet to the north boundary of that tract of land described in deed to George E. Swindells and Susan H. Swindells, recorded May 5, 1987 under Fee No. 87022693, Deed Records of said county;
27. thence east, along said north line, 110.0 feet to an angle point in said boundary;
28. thence south 7.00 feet to another angle point in said boundary;
29. thence east, along said north boundary, 1207.44 feet to the northeast corner of said Swindells tract;
30. thence North 00°20'32" East, along the east line of that tract of land described in deed to Samuel J. and Merle Rich, recorded in Book 148, page 630, said deed records, 170.08 feet to an angle point therein;
31. thence continuing along said east line North 00°02' West 121.77 feet to the northeast corner of said Rich tract;
32. thence north, along the east line of that tract described as Parcel V in deed recorded October 25, 1988 under Fee No. 88-47616, said deed records, 195.9 feet to the northeast corner thereof;
33. thence north, along the east lines of those tract described as Parcels II and IV in said deed, 655.8 feet to the northeast corner of said Parcel II;
34. thence west, on the north line of said Parcel II, 313.36 feet to the southeast corner of Parcel I in said deed;
35. thence north, along the east line of said Parcel I, 559.0 feet to the southerly line of NW Cornell Road;
36. thence South 79°06'30" East, along said southerly line, 1031.9 feet to the projection of the east boundary of that tract of land described in deed to the Quadrant Corporation, recorded October 16, 1985 under Fee No. 85040996, in said deed records;

37. thence North  $01^{\circ}25'34''$  East along said projection and said east boundary, 60.83 feet to the northerly right-of-way line of Cornell Road;
38. thence South  $77^{\circ}31'$  East, along said northerly line, 450.0 feet to an angle point therein;
39. thence South  $61^{\circ}16'$  East, continuing along said northerly line, 458.31 feet to the projection of the westerly line of Lot 8, TANASBOURNE COMMUNITY;
40. thence North  $19^{\circ}16'33''$  East, along said projection and said westerly line, 658.23 feet to a curve point in the boundary of said Lot 8;
41. thence easterly, along the arc of said curve, 39.27 feet to the terminus of said curve, on the northerly boundary of said Lot 8;
42. thence South  $70^{\circ}43'27''$  East, along said boundary, 270.28 feet to a curve point in said boundary;
43. thence southeasterly, along said curve, 268.32 feet to the terminus thereof;
44. thence South  $60^{\circ}04'13''$  East 447.11 feet along said boundary to the northeast corner of said Lot 8;
45. thence South  $01^{\circ}14'13''$  West, along the east boundary of said Lot 8, 340.10 feet to the southeast corner thereof;
46. thence South  $78^{\circ}34'24''$  East, along the south line of the Caleb Wilkins Donation Land Claim, 69.59 feet to the re-entrant corner in the west line of that tract of land described in deed to Donna Clohessy, recorded April 22, 1987 under Fee No. 87019934, said deed records;
47. thence southerly, along the southerly west line of said tract, 506.5 feet to the north right-of-way line of Cornell Road;
48. thence east, along said north line, 200.9 feet to the southerly east line of said Clohessy tract;
49. thence north, along said east line, 475.0 feet to the south line of the Caleb Wilkins Donation Land Claim;
50. thence South  $80^{\circ}46'$  East, along said south line, 341.0 feet to the southeast corner of said land claim;
51. thence north, along the east line thereof, 181.93 feet to the southwest corner of Lot 9, TANASBOURNE COMMUNITY;

52. thence South 60°04'13" East, along the southwesterly line of said lot, 1052.28 feet to the westerly right-of-way line of NW Stucki Avenue;
53. thence southwesterly, along said westerly line, and the westerly line of Tract "I" in said plat, 146.62 feet to the north right-of-way line of NW Cornell Road;
54. thence due south to the south right-of-way line of Cornell Road;
55. thence east, along said south line, 105.0 feet to the west boundary of that tract of land described in deed to Herbert Steele, et ux, recorded in Book 1153, page 760, said deed records;
56. thence south, along said west line, 363.8 feet to the southwest corner of said Steele tract;
57. thence east, on the south line thereof, 138.8 feet to the southeast corner thereof;
58. thence north, on the east line thereof, 362.6 feet to the south right-of-way line of Cornell Road;
59. thence east, on said south line, 1353.0 feet to the northerly west boundary of that tract of land described in ASSIGNMENT OF OPTION AGREEMENT, recorded March 24, 1975 in Book 1015, page 523, said deed records;
60. thence south, along said boundary, 210.66 feet to an angle point in the boundary of said tract;
61. thence west, along a boundary of said tract, 181.0 feet to an angle point in the boundary thereof;
62. thence south, on the west boundary of said tract, 410.0 feet to the northeast corner of Tract 1, as described in deed to Robert Penson, et ux, recorded February 10, 1961 in Book 440, page 677, said deed records;
63. thence west, along the north line of said Tract 1, 370.0 feet to the northwest corner thereof, being also an angle point in the boundary of that tract of land described in deed to Arthur Iwasaki, et ux, recorded February 24, 1978 under Fee No. 78-8890, said deed records;
64. thence south, along the southerly west boundary of said Iwasaki tract, 445.3 feet to an angle point in said boundary;
65. thence west, along a segment of said boundary, ten feet to another angle point in said boundary;
66. thence south, along said boundary, 260.0 feet to the northerly right-of-way line of Walker Road;

67. thence South 60°17' East, along said northerly line, 40.0 feet to the northwest line of that tract of land described in deed to John Sheehan, et ux, recorded September 5, 1981 under Fee No. 81-030236, said deed records;
68. thence North 44°54' East, along said northwest line, 482.0 feet to the north corner of said tract;
69. thence south along the east line of said tract, 274.0 feet to the easterly southeast corner thereof;
70. thence west, along a boundary of said tract, 126.7 feet to a re-entrant corner in the boundary of said tract;
71. thence South 28°00' West, along a boundary of said tract, 166.0 feet to the northerly line of Walker Road;
72. thence South 60°10' East, along said northerly line, 220.0 feet to the southeast line of that tract of land described in MEMORANDUM OF LAND SALE CONTRACT, recorded December 4, 1987 under Fee No. 87-059750, said deed records;
73. thence South 25°42' West, along said southeast line and the projection thereof, 75.0 feet to the southerly right-of-way line of NW Walker Road;
74. thence North 60°10' West, along said road line, 15.0 feet to the west line of that tract of land described in deed to Tektronix, Inc., recorded January 5, 1977 in Book 1136, page 262, said deed records;
75. thence south, along said line, 1015.0 feet to a point in the north line of the southeast quarter of Section 36, Township 1 North, Range 2 West of said meridian;
76. thence east, along said north line, 75.0 feet to the west line of the east half of the southeast quarter of said Section 36;
77. thence south, along said west line, 962.0 feet to the northwest corner of that tract of land described in deed to Lauren White, et al, recorded under Fee No. 84-47368, in said deed records;
78. thence east, on the south line of said tract, 1343.0 to the east right-of-way line of NW 185th Avenue;
79. thence south, along said east line, 1658.0 feet to the north line of Section 6, Township 1 South, Range 1 West of said meridian;
80. thence east, along said north line, 25.0 feet to the point of beginning;

except the following described portions thereof:

Exception A:

A portion of that certain tract of land in Government Lot 6, in the southwest 1/4 of Section 25, Township 1 North, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon, conveyed to N. J. Stahlman, et ux, by deed recorded in Revised 7/21/89

Book 718, Page 478, (Parcel II), Washington County Deed Records, said portion being more particularly described as follows:

Beginning at the northeast corner of said Stahlman tract, a point on the southerly line of the Caleb Wilkins D.L.C. No. 49, which bears South 80°59'00" East, 1024.80 feet from the northeast corner of the Isaac Butler D.L.C. No. 48;

thence along the easterly line of said Stahlman tract, South 0°13'00" East, 415.60 feet to the northerly right-of-way line of NW Cornell Road (County Road No. A-95), said right-of-way line being 30 feet from the centerline;

thence along the said right-of-way line North 61°10'46" West 213.16 feet to an angle point;

thence North 63°40'40" West, 74.72 feet;

thence leaving said right-of-way line North 1°13'22" West, 192.52 feet;

thence North 7°06'46" East 126.39 feet to the said southerly line of Wilkins D.L.C. No. 49;

thence along said southerly line South 80°57'00" East 243.63 feet to the point of beginning;

and also a portion of NW Cornell Road in Sections 25 and 26, Township 1 North, Range 2 West of the Willamette Meridian in Washington County, Oregon, described as follows:

Beginning at the intersection of the northerly right-of-way line of NW Cornell Road with the projection of the east boundary of Lot 1, TANASBOURNE COMMUNITY;

thence South 19°16'33" West, along the projection of said boundary, 60.57 feet to the southerly right-of-way line of said road;

thence southeasterly, along said southerly line, 1082.0 feet to the projection of the east boundary of Parcel II, as described in deed to N.J. Stahlman, et ux, recorded in Book 718, page 478, Deed Records of Washington County;

thence North 00°13' West, along said projection and said boundary, 68.6 feet to the northerly right-of-way line of NW Cornell Road;

thence northwesterly, along said line, 1089.0 feet to the point of beginning.

(This Exception A was previously annexed to the City of Hillsboro.)

Exception B:

A tract of land in Section 35, Township 1 North, Range 2 West of the Willamette Meridian, in Washington County, Oregon, further described as follows:

Beginning on the west right-of-way line of NW 206th Avenue, at the south line of Parcel 1, as described in deed to Charles Tistadt et ux, recorded April 2, 1976 in Book 1076, page 822, Deed Records of said county, said point also begin South 89°47' West 289.2 feet and North 00°23' East 1934.8 feet from the east quarter-corner of said section;

thence north, along said west line, 110.0 feet to the north line of said tract;

thence west, along said north line, 220.0 feet to the northwest corner of said tract;

thence south, along the west line of said tract, 110.0 feet to the southwest corner thereof;

thence east, along the south line of said tract 220.0 feet to the point of beginning.

Exception C:

A tract of land in Section 35, Township 1 North, Range 2 West of the Willamette Meridian, in Washington County, Oregon, further described as follows:

Beginning at a point which is 2412 feet south and 1335 feet east of the northwest corner of the east half of the Isaac Butler Donation Land Claim, said point being the northeast corner of a tract of land described in deed to John S. Howard III, et ux, recorded in Book 652, page 290, deed records of said county;

thence south, along the east line of said Howard tract, and the east line of that tract described in deed to Richard Swoyer, et ux, recorded August 13, 1981 under Fee No. 81027868, deed records of said county, 801.4 feet to the southeast corner of said Swoyer tract;

thence west, on the south line of the Swoyer tract, 441.67 feet to the southwest corner thereof;

thence south, along the east line of that tract described in deed to George William Otten, et ux, recorded under Fee No. 79000702, deed records of said county, 168.0 feet to the southeast corner thereof;

thence south, along the east line of that tract described in deed to Dennis Dean Rich, recorded January 13, 1981 under Fee No. 81001310, said deed records, 300.0 feet to the southeast corner thereof;

thence west, along the south line thereof, 225.0 feet to the southerly southwest corner thereof;

thence north, along the southerly west boundary thereof, 250.0 feet to a re-entrant corner in the boundary of said tract;

thence west, along the westerly south boundary of said tract, 648.0 feet to the east right-of-way line of NW 216th Avenue;

thence northerly, along said east line, 50.0 feet to the westerly north line of said tract;

thence east, along said north line, 450.0 feet to the southwest corner of that tract of land described in deed to George William Otten, et ux, recorded under Fee No. 79000702, said deed records;

thence north, along the west line of said tract, 639.6 feet to the northwest corner thereof;

thence east, along the north line thereof, 170.0 feet to the southwest corner of a tract of land described in deed to Dennis Chamberlain, et ux, recorded November 29, 1977 under Fee No. 77-20219, said deed records;

thence north, along the west line thereof, 326.7 feet to the northwest corner thereof;

thence east, along the north line thereof, 271.67 feet to the northeast corner thereof;

thence continuing east 100.0 feet to the northwest corner of that tract of land described in deed to John S. Howard III, et ux, recorded in Book 652, page 290, said deed records;

thence east 341.67 to the northeast corner thereof, and the point of beginning.

Exception D:

A tract of land in Section 1, Township 1 South, Range 2 West of the Willamette Meridian, in Washington County, Oregon, further described as follows:

Beginning in the east boundary of said section, at a point which is 935.78 feet from the quarter-corner on said line;

thence west, at right angles to said line, 50.0 feet to a point in the west right-of-way line of SW 185th Avenue; and the south boundary of that tract of land described as Parcel I in deed to Kwik-chek Realty Co., recorded in Book 1048, page 115, deed records of said county, said point also being the TRUE POINT OF BEGINNING of the tract herein described;

thence continuing west, on the south line of said Kwik-chek tract, 120.0 feet to the southwest corner thereof;

thence north along the west boundary thereof, 82.27 feet to an angle point in the boundary of said tract;

thence North  $25^{\circ}17'50''$  East, along the northwest boundary thereof, 94.29 feet to an angle point in the southerly line of Baseline Road;

thence southeasterly and south, along the southerly line of Baseline Road, and the west line of SW 185th Avenue, 238.0 feet to the TRUE POINT OF BEGINNING.

Exception E:

A tract of land in Section 35, Township 1 North, Range 2 West of the Willamette Meridian, in Washington County, Oregon, further described as follows:

Beginning on the south line of the Isaac Butler Donation land, at a point 20.8 chains west of the southeast corner thereof;

thence west 9.7775 chains to the corner of Sulley's land;

thence north 21.80 chains to the quarter-section line, and the northwest corner of Parcel 1, as described in deed to W.L. Henry, et ux, recorded under Fee No. 79034836, deed records of said county, and the TRUE POINT OF BEGINNING of the herein-described tract;

thence east, on the north line thereof, 658.35 feet to the northeast corner thereof;

thence south, on the east line thereof, 652.0 feet to the south corner thereof;

thence North  $65^{\circ}35'$  West, on the southerly line thereof, 360.0 feet to an angle point in the boundary of said tract;

thence North  $41^{\circ}40'$  West, on the southwest boundary of said tract, 570.0 feet to an angle point in the boundary of said tract;

thence north on the west line thereof, 105.0 feet to the TRUE POINT OF BEGINNING.

Exception F:

A tract of land in Section 36, Township 1 North, Range 2 West of the Willamette Meridian, in Washington County, Oregon, further described as follows:

Beginning at the intersection of the west line of the northeast quarter of said Section 36 with the north right-of-way line of NW Walker Road;

thence North 00°04' West, along said west line, 206.4 feet;

thence South 89°46' East 165.0 feet to the northwest corner of that strip of land, twenty-five feet in width, described in deed to Jerome Jones, et ux, recorded October 1, 1979 under Fee No. 7939961, deed records of said county, said point being the TRUE POINT OF BEGINNING of the herein-described tract;

thence South 89°46' East 477.0 feet along the north line of said Jones tract, and the projection thereof, to the northeast corner of that tract described in deed to Colmar Bjerke, et ux, recorded in Book 439, page 108, deed records of said county;

thence south, along the east line thereof, 552.0 feet to the north right-of-way line of Walker Road;

thence North 61°37' West, along said north line, 172.0 feet to the southeast corner of that tract described in deed to Thomas C. Hill III, recorded February 23, 1989 under Fee No. 89-07966 said deed records;

thence north, along the east line thereof, 268.8 feet to the northeast corner thereof;

thence west, along the north line thereof, 100.0 feet to the northwest corner thereof;

thence south, along the west line thereof, 215.2 feet to the north line of Walker Road;

thence North 61°37' West, along said north line, 250.0 feet to the southwest corner of the Jones tract, mentioned above;

thence north, on the west line of said tract, 288.0 feet to the TRUE POINT OF BEGINNING.

Parcel 2

A tract of land in Section 26, Township 1 North, Range 2 West of the Willamette Meridian, in Washington County, Oregon, further described as follows:

Beginning at the intersection of the northerly right-of-way line of NW Cornell Road with the east right-of-way line of the Burlington Northern Railroad;

thence North  $02^{\circ}55'55''$  East, along said east line, 687.36 feet to the northwest corner of that tract of land described in deed to Northwest Natural Gas Company, recorded April 13, 1964 in Book 510, page 428, deed records of said county;

thence South  $77^{\circ}31'27''$  East, along the northerly line of said tract, 450.0 feet to the northeast corner thereof;

thence South  $02^{\circ}55'55''$  West, along the east line thereof, 687.36 feet to the northerly right-of-way line of Cornell Road;

thence North  $77^{\circ}31'27''$  West, along said northerly line, 450.0 feet to the point of beginning.

Parcel 3

A tract of land in Section 26, Township 1 North, Range 2 West of the Willamette Meridian, in Washington County, Oregon, further described as follows:

Beginning at the intersection of the south right-of-way line of NW Cornell Road with the west right-of-way line of NW 216th Avenue;

thence south, on said west line, 1065.0 feet to the projection of the north boundary of Parcel III, described in DEED IN LIEU OF FORECLOSURE, recorded October 25, 1988 under Fee No. 88-47616, deed records of said county;

thence east, along said projection and said north boundary, 422.38 feet to the northeast corner of said tract;

thence north, along the east line of that tract of land described in deed to Alois Kaufman, et ux, recorded April 24, 1963 in Book 485, page 277, said deed records, 299.77 feet to the northeast corner thereof;

thence west, on the north line thereof, 220.0 feet to the southeast corner of that tract of land described in deed to William Coleman, et ux, recorded March 2, 1989 under Fee No. 89-09156, said deed records;

thence North  $06^{\circ}18'$  West, along the east line thereof, 120.0 feet to the northeast corner thereof;

thence North  $06^{\circ}03'26''$  East 305.0 feet, along the east line of that tract of land described in deed to Perry Coleman, recorded November 2, 1987 under Fee No. 87054994 said deed records, to the southerly northeast corner of said tract;

thence South 89°56'15" West, along the boundary of said tract, 18.35 feet to a re-entrant corner in said boundary;

thence North 06°18' East, along said boundary, 18.76 feet to the northerly corner of said tract;

thence North 06°18' East, along the east line of that tract described in deed to Samuel Rich, et ux, recorded under Fee No. 88-57842, said deed records, 277.0 feet to the south line of Cornell Road;

thence North 77°06'30" West, along said south line, 268.0 feet to the point of beginning.

Parcel 4

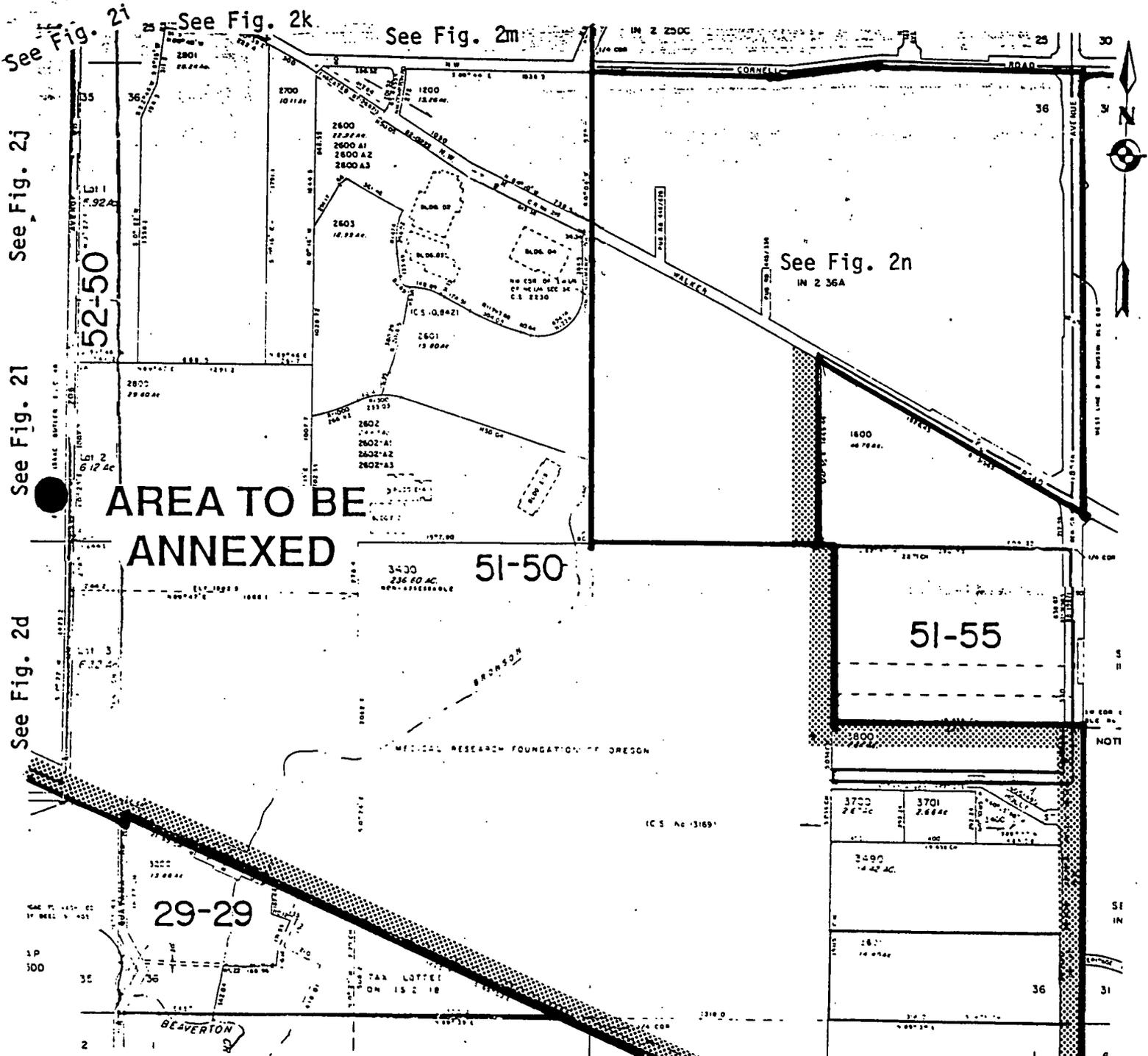
Lot 12, TANASBOURNE COMMUNITY, in Section 25, Township 1 North, Range 2 West of the Willamette Meridian in Washington County, Oregon.

# PROPOSAL NO. 2587

SECTION 36 T1N R2W W.M.  
Washington County, Oregon

1N 2 36

Scale: 1" = 800'



See Fig. 2b

PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2a

*Modified*  
*Revised 7/25/89*

# PROPOSAL NO. 2587

NE1/4 NE1/4 SECTION 1 T1S R2W W.M.  
Washington County, Oregon

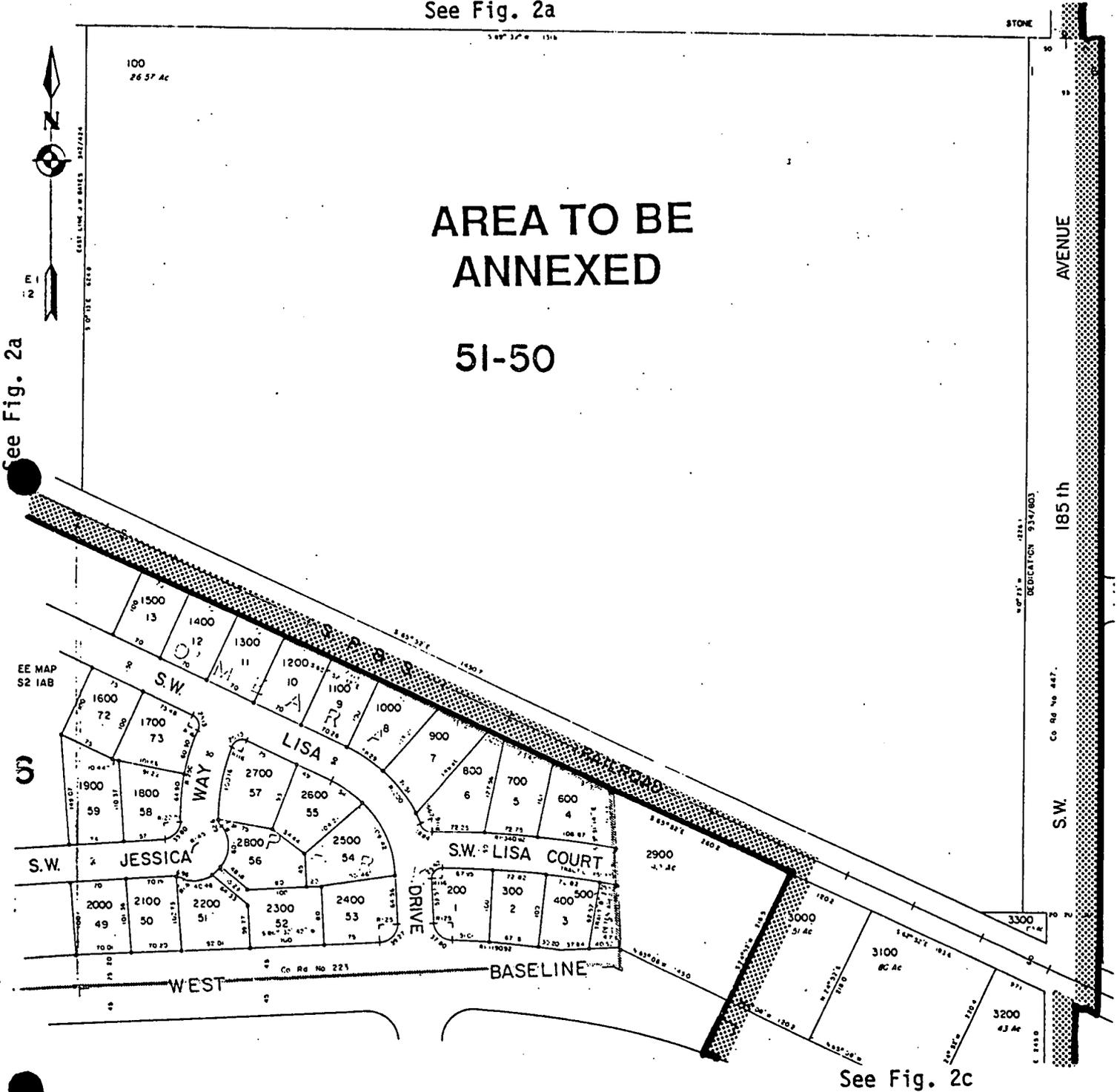
1S 2 1AA

Scale: 1" = 200'

See Fig. 2a

AREA TO BE  
ANNEXED

51-50



PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2b

*Modified*

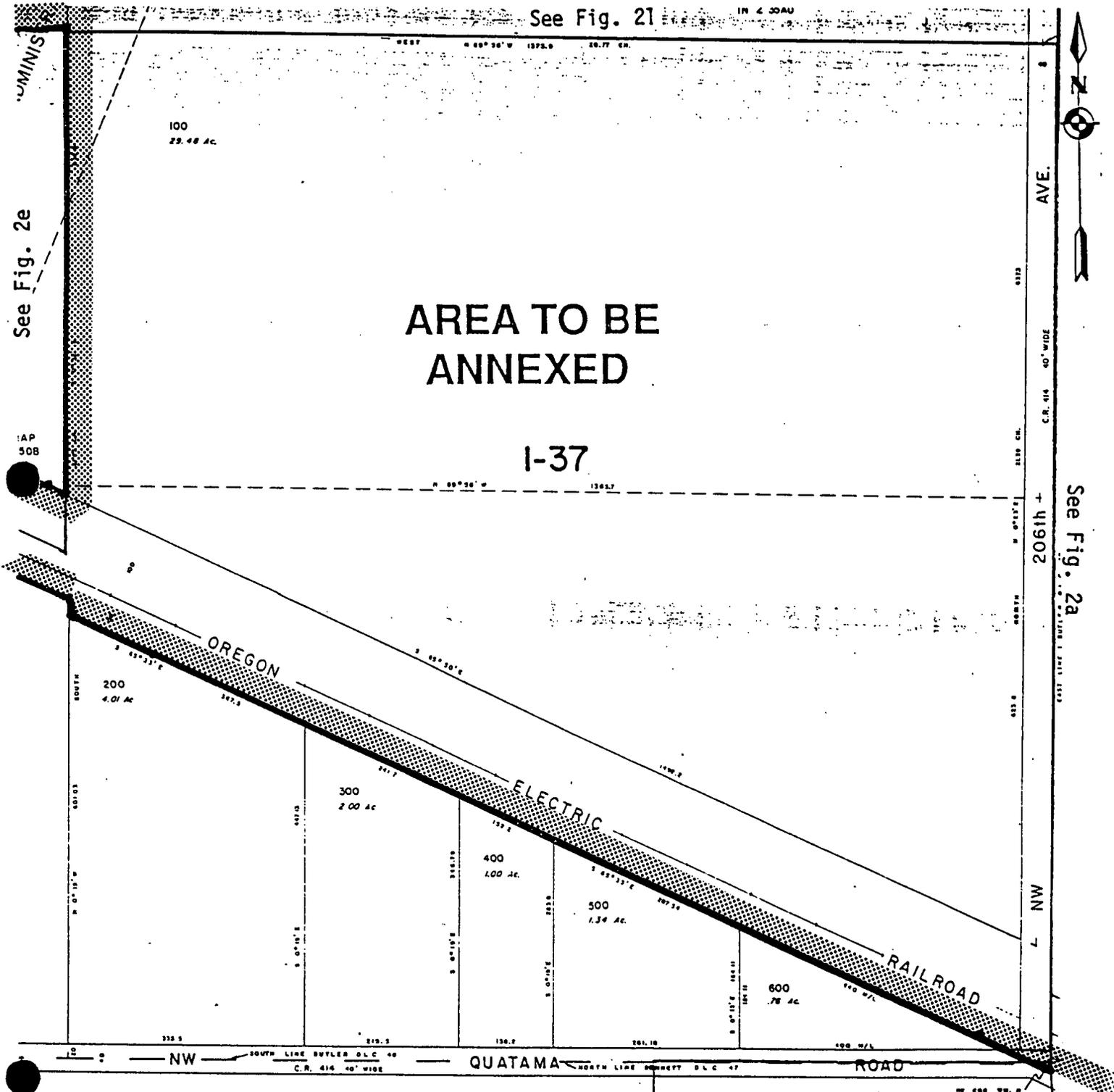


# PROPOSAL NO. 2587

NE1/4 SW1/4 SECTION 35 T1N R2W W.M.  
Washington County, Oregon

IN 2 35DA

Scale: 1" = 200'



PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2d

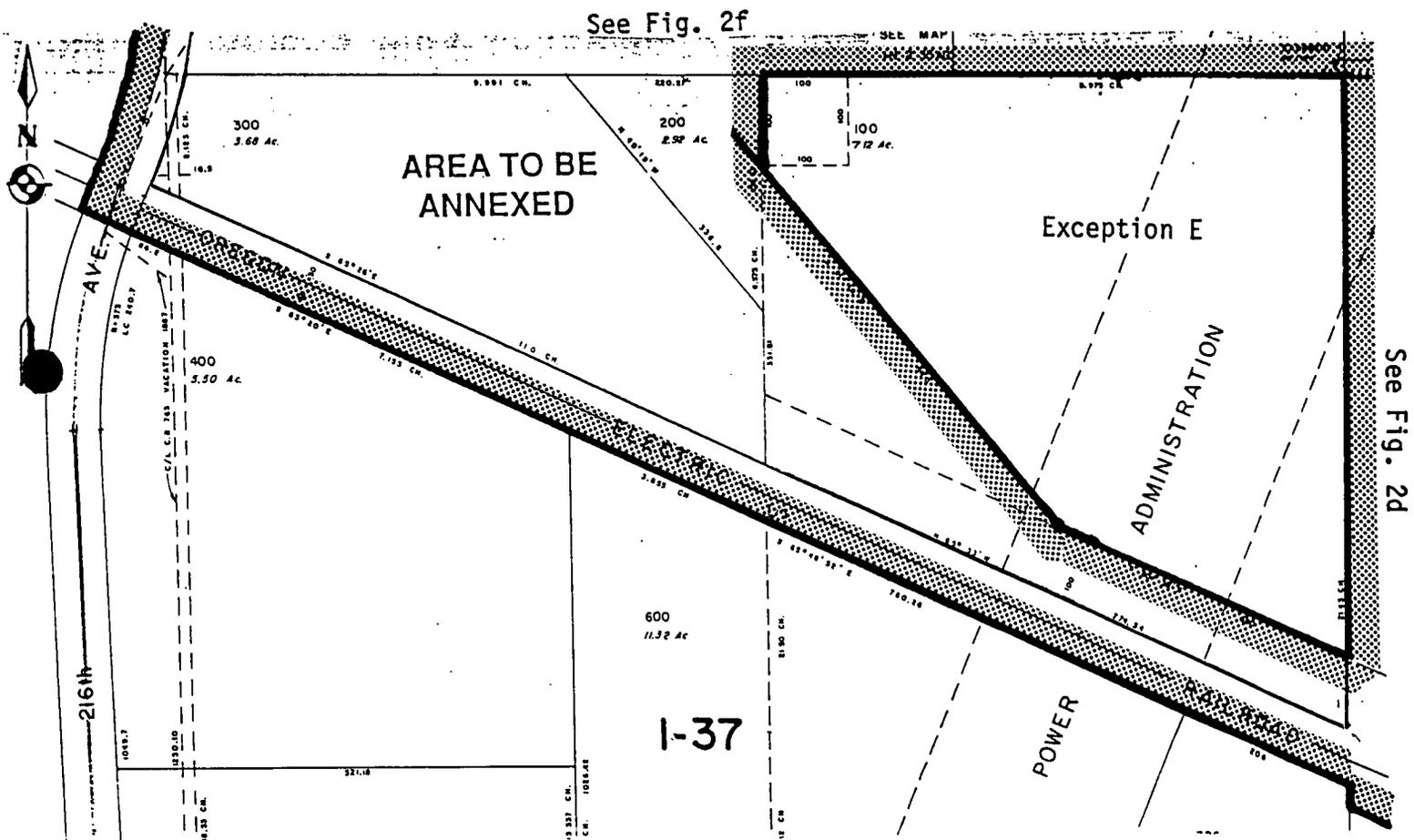
*Modified*

# PROPOSAL NO. 2587

NW1/4 SE1/4 SECTION 35 T1N R2W W.M.  
Washington County, Oregon

1N 2 35DB

Scale: 1" = 200'



PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2e

*Modified*

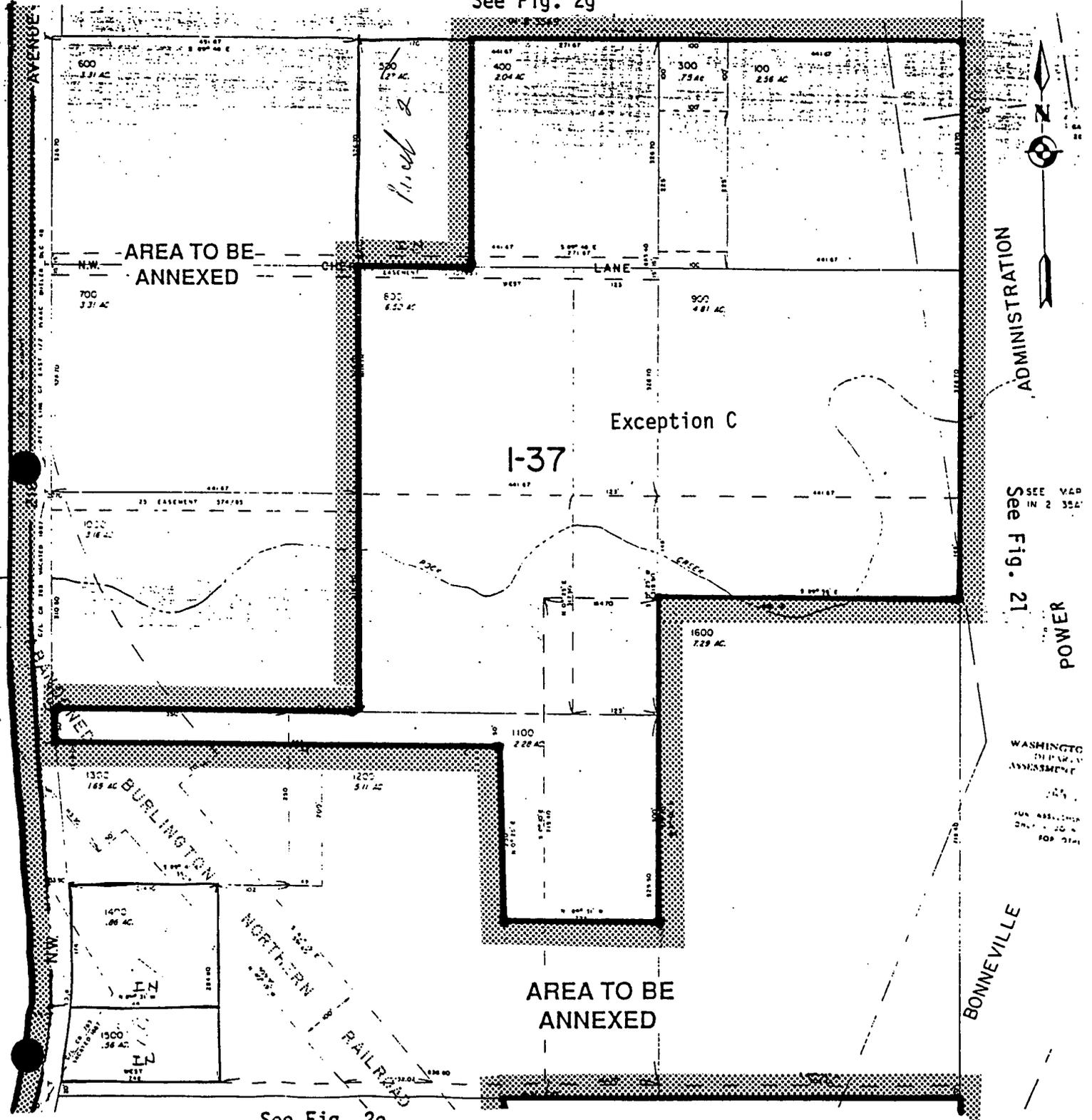
# PROPOSAL NO. 2587

SW1/4 NE1/4 SECTION 35 T1N R2W W.M.  
Washington County, Oregon

1N 2 35AC

Scale: 1" = 200'

See Fig. 2g



See Fig. 2e

PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2f

*Modified*

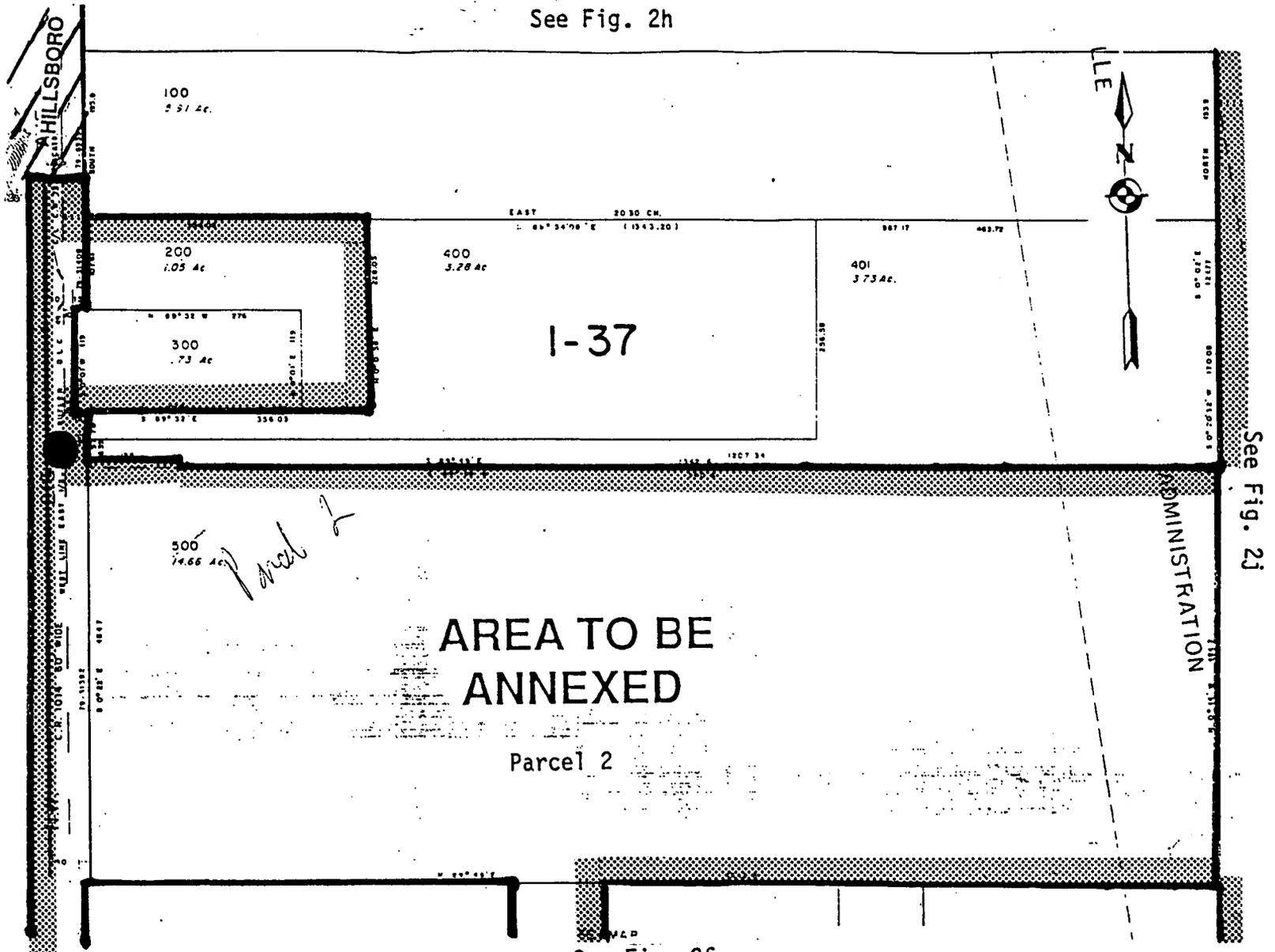
# PROPOSAL NO. 2587

NW1/4 NE1/4 SECTION 35 T1N R2W W.M.  
Washington County, Oregon

1N 2 35AB

Scale: 1" = 200'

See Fig. 2h



PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2g

*Modified*

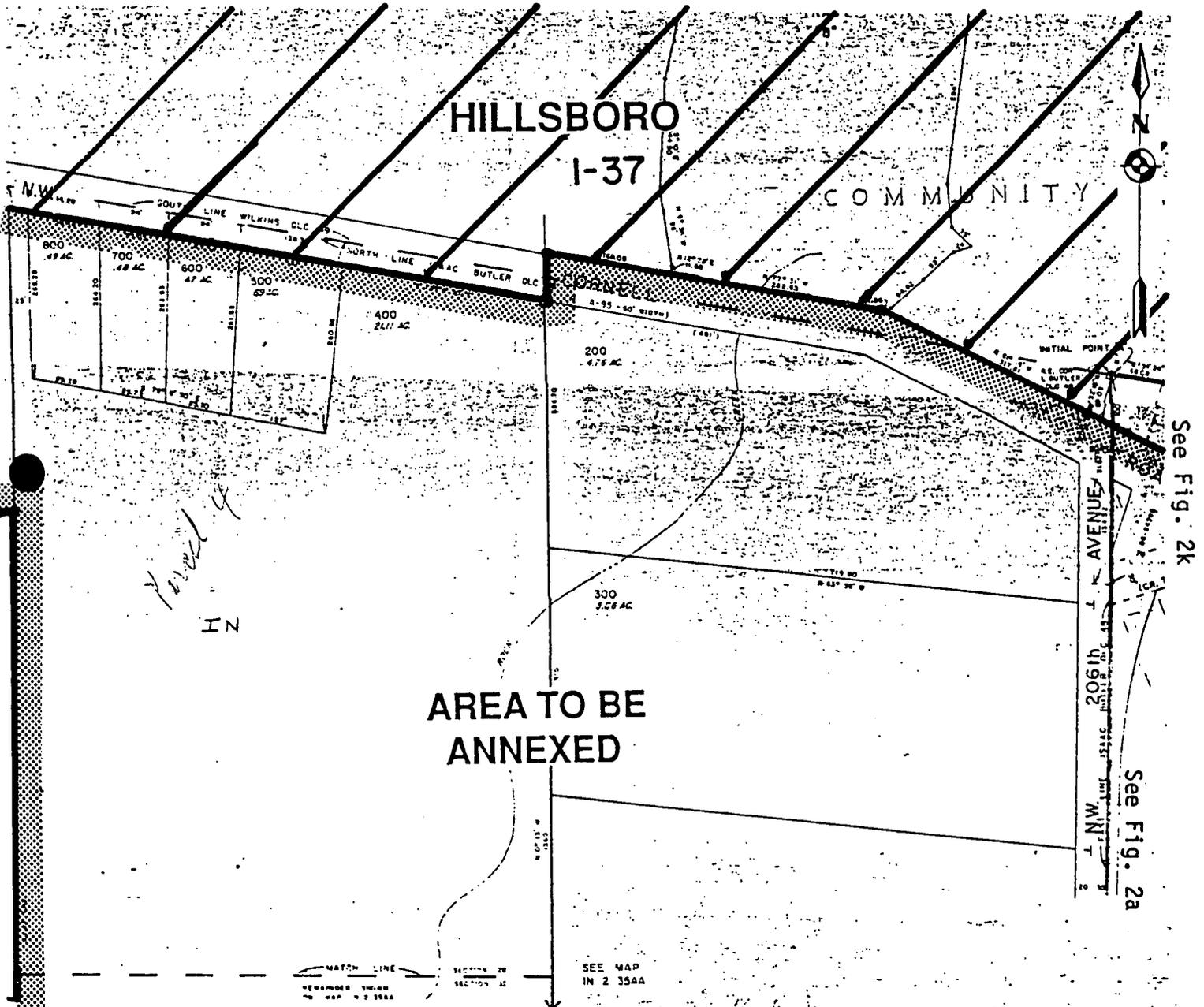


# PROPOSAL NO. 2587

SE1/4 SE1/4 SECTION 26 T1N R2W W.M.  
Washington County, Oregon

1N 2 26DD

Scale: 1" = 200'



See Fig. 2h

See Fig. 2k

See Fig. 2a

AREA TO BE ANNEXED

See Fig. 2j

PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2i

*Modified*

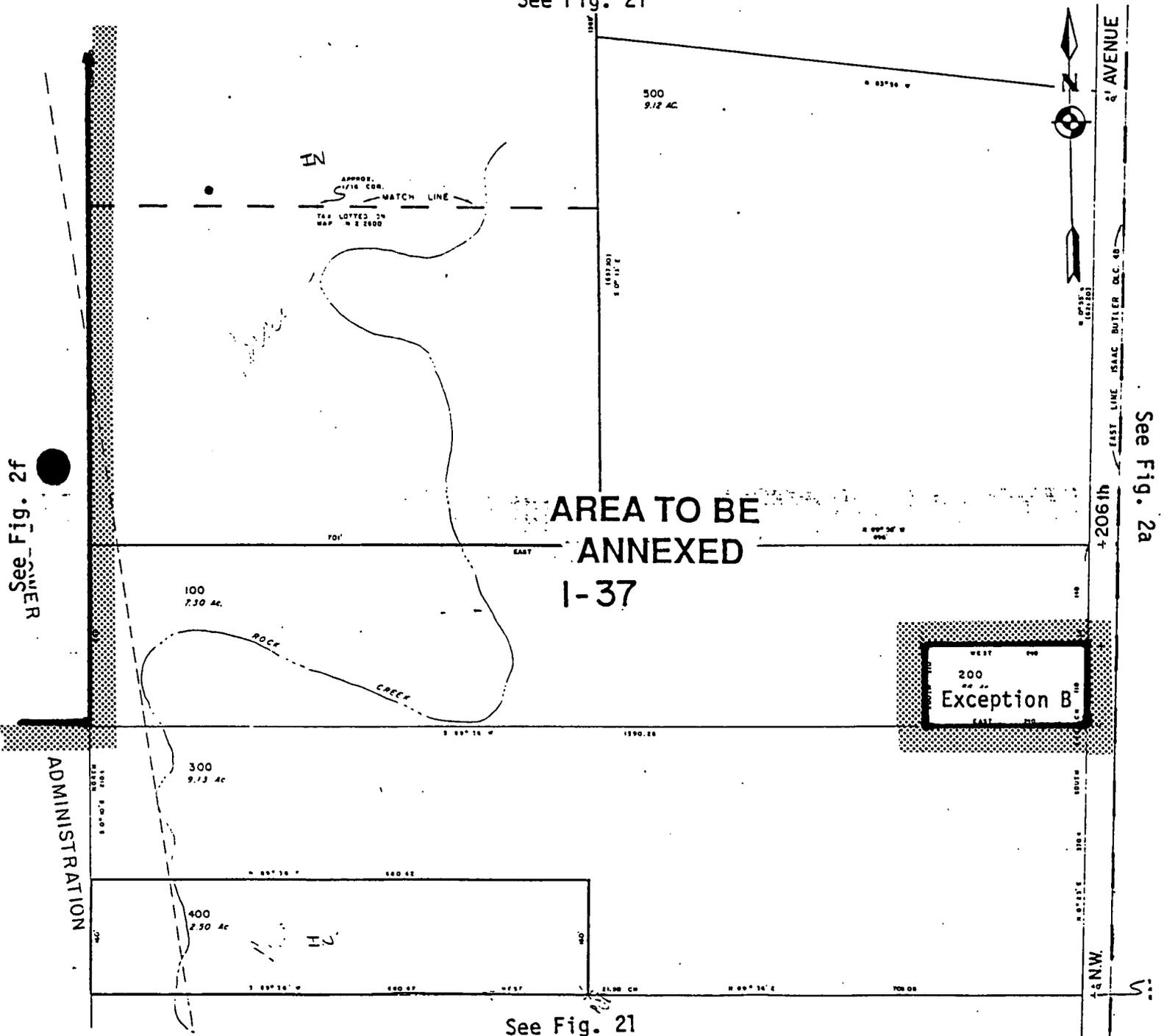
# PROPOSAL NO. 2587

NE1/4 NE1/4 SECTION 35 T1N R2W W.M.  
Washington County, Oregon

1N 2 35AA

Scale: 1" = 200'

See Fig. 2i



PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2j

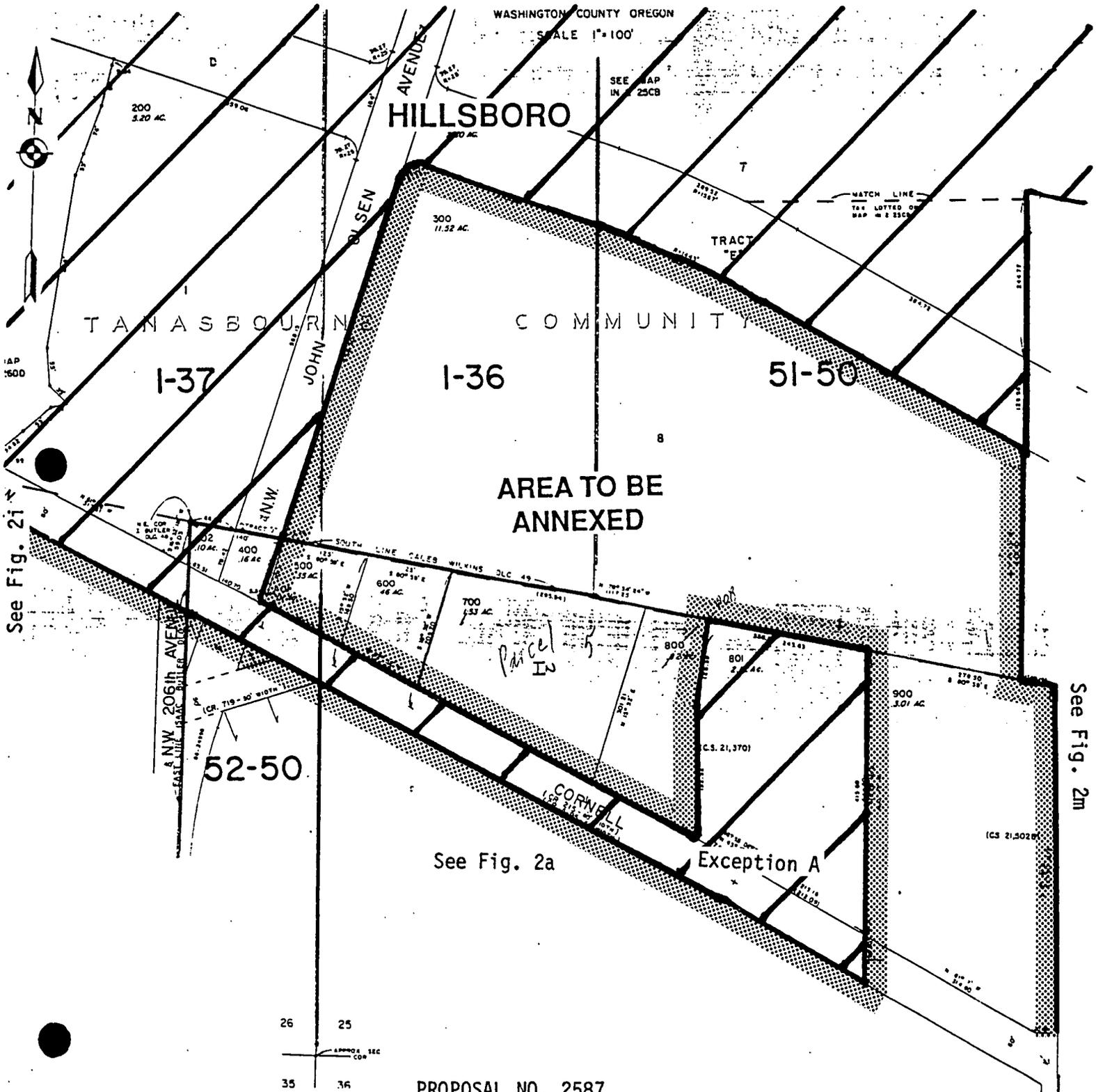
*Modified*

# PROPOSAL NO. 2587

SW1/4 SW1/4 SECTION 25 T1N R2W W.M.  
Washington County, Oregon

1N 2 25CC

Scale: 1" = 200'



PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2k

*Modified*

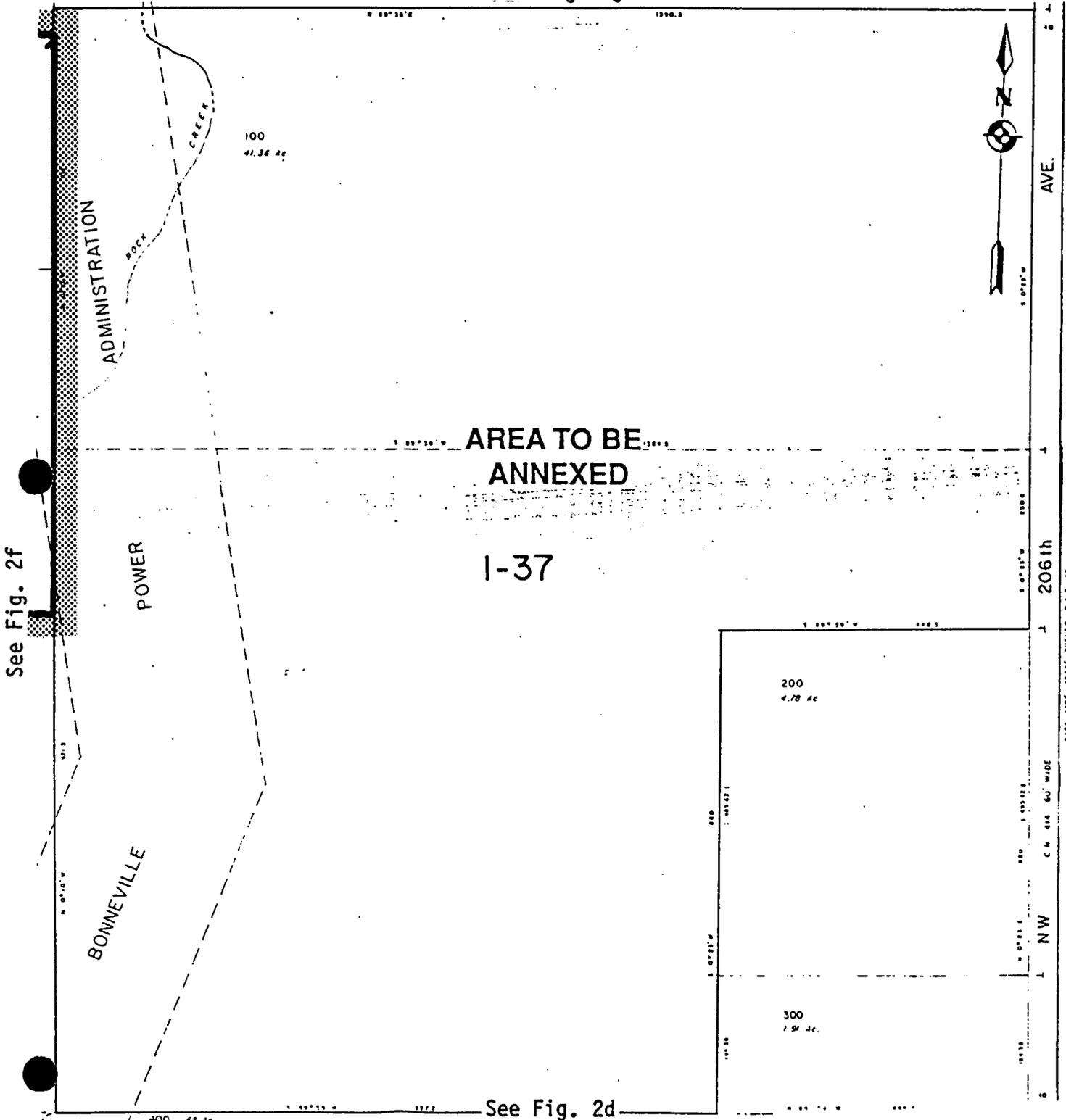
# PROPOSAL NO. 2587

SE1/4 NE1/4 SECTION 35 T1N R2W W.M.  
Washington County, Oregon

1N 2 35AD

Scale: 1" = 200'

See Fig. 2j



See Fig. 2f

See Fig. 2a

See Fig. 2d

PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 21

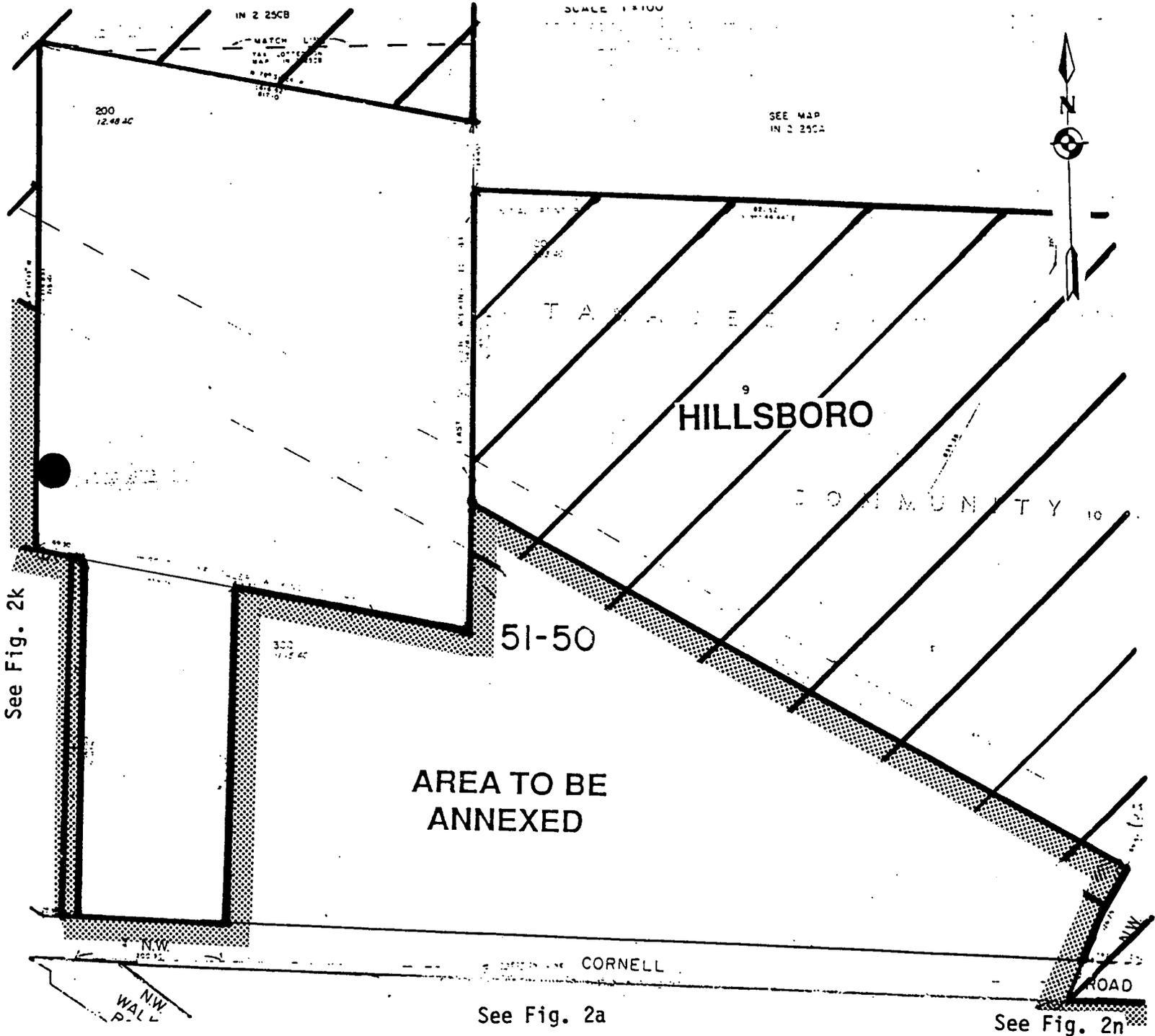
*Modification*

# PROPOSAL NO. 2587

SE1/4 SW1/4 SECTION 25 T1N R2W W.M.  
Washington County, Oregon

IN 2 25CD

Scale: 1" = 200'



Revised  
7/24/89

PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2m

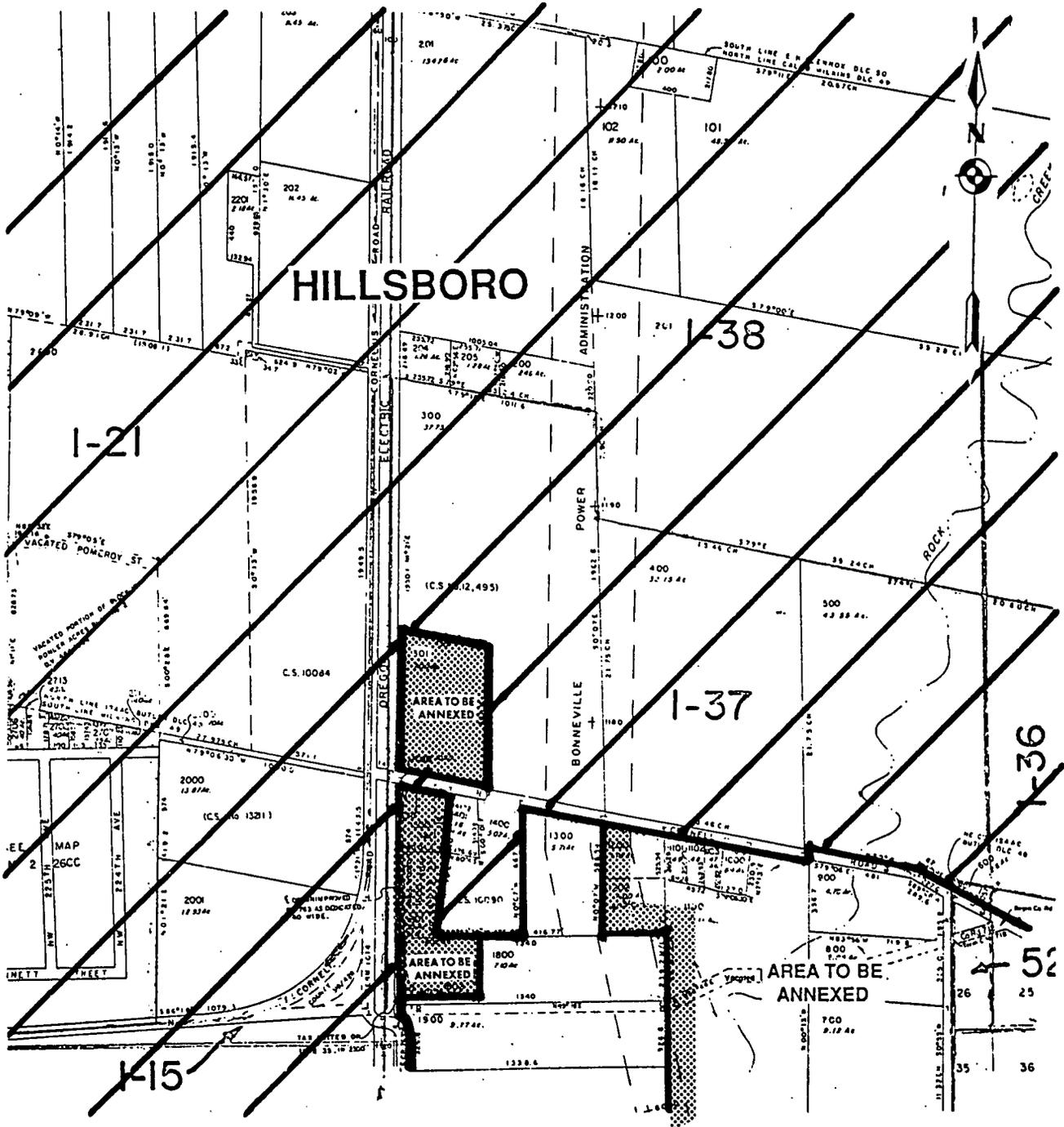
Modification



# PROPOSAL NO. 2587

SECTION 26 T1N R2W W.M.  
Washington County, Oregon  
Scale: 1" = 800'

1N 2 26



PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 20

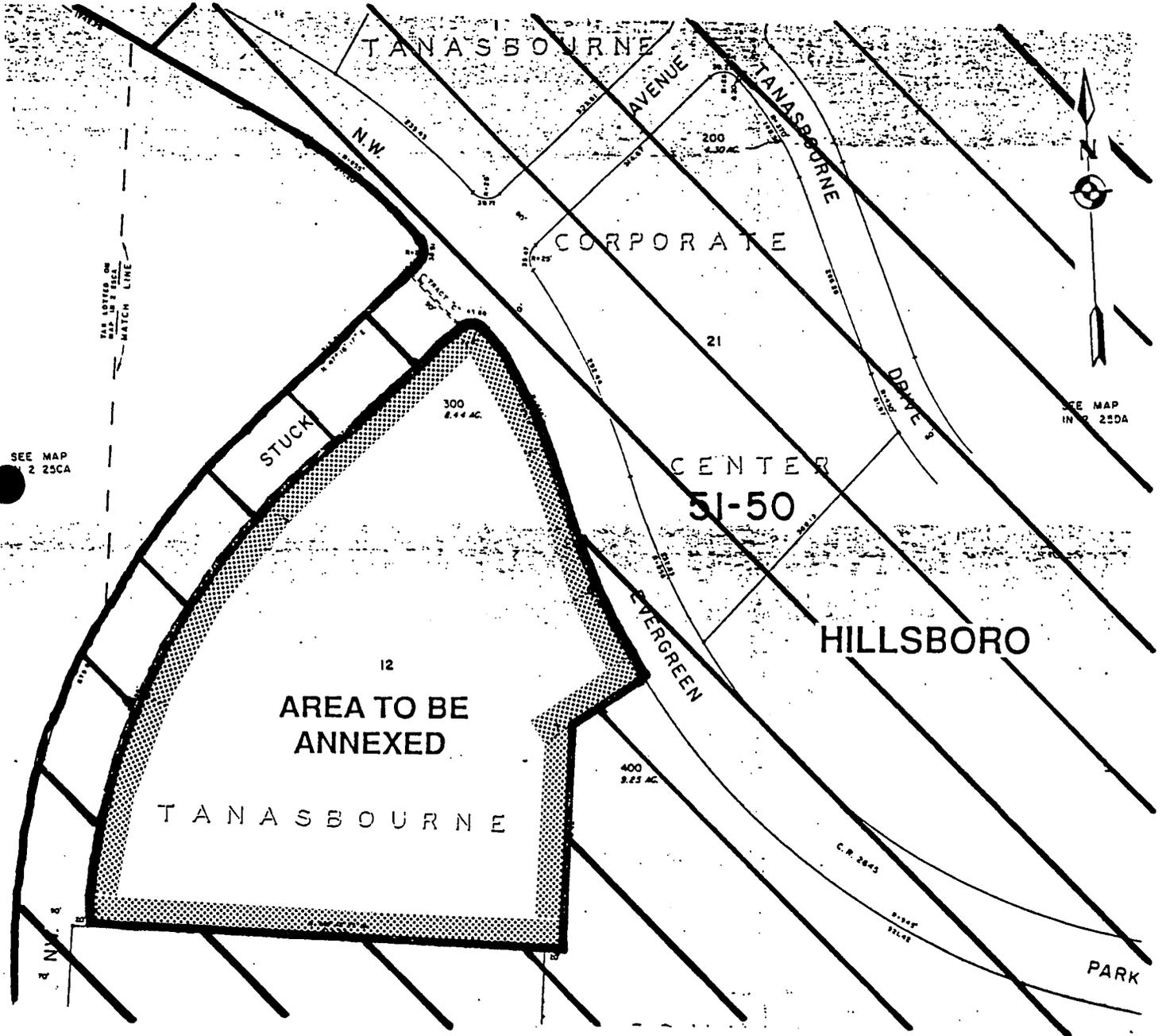
*Modification*

# PROPOSAL NO. 2587

NW1/4 SE1/4 SECTION 25 T1N R2W W.M.  
Washington County, Oregon

1N 2 25DB

Scale: 1" = 200'



PROPOSAL NO. 2587  
CITY OF HILLSBORO  
ANNEXATION  
FIGURE 2p

*Modification*