

Final Documents
for
Annexation to
Happy Valley

CL0409

Order/Res: 387

Annexation: ANN-01-09

DOR: 3-1872-2009

Secretary of State: AN 2009-0067

DOR 3-1872-2009

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

City of Happy Valley
City Recorder
12915 S.E. King Road
Happy Valley, OR 97086-6204

Description and Map Approved

May 12, 2009

As Per ORS 308.225

Description Map received from: CITY
On: 4/27/2009

This is to notify you that your boundary change in Clackamas County for

ANNEX TO CITY OF HAPPY VALLEY & N CLACKAMAS PARKS & REC DIST;
WITHDRAW FROM CLACK. CO ENHANCED LAW

ORD. #387 (ANN-01-09)

has been: Approved 5/12/2009
 Disapproved

Notes:

Reminder to include a revised map & description for Area "C" in the materials the county assessor will receive.

Department of Revenue File Number: 3-1872-2009

Prepared by: Elise Bruch, 503-945-8344

Boundary: Change Proposed Change
The change is for:

- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge

Office of the Secretary of State

KATE BROWN
Secretary of State



Archives Division
MARY BETH HERKERT
Director

800 Summer St. NE
Salem, Oregon 97310
(503) 373-0701

Facsimile (503) 373-0953

May 1, 2009

City of Happy Valley
City Recorder
16000 SE Misty Drive
Happy Valley, OR 97086

Dear City Recorder,

Please be advised that we have received and filed, as of April 30, 2009 the following records annexing territory into the following:

Ordinance/Resolution Number	Our File Number
387	AN 2009-0067

For your records please verify the effective date through the application of ORS 222.180.

Our assigned file number(s) are included in the above information.

Sincerely,

A handwritten signature in cursive script that reads "Linda Bjornstad".

Linda Bjornstad
Official Public Documents

cc: County Clerk(s)
ODOT
Department Revenue
Population Research Center



Portland General Electric

City Annexations • Portland General Electric • 121 SW Salmon 1WTC0505 • Portland, OR 97204
Email City.Annexations@pgn.com • Phone 503-464-8362 • Fax 503-464-2507

RECEIVED BY

JUN 2 2009

ORDINANCE NUMBER	387
EFFECTIVE DATE	
RECEIVED DATE	04/30/09
CITY	Happy Valley

CITY OF HAPPY VALLEY

Developed Property Undeveloped Property

PGE has received the above referenced Annexation Ordinance notice and considers it:

COMPLETE AND APPROVED ANNEXATION ORDINANCE NOTICE

INCOMPLETE ANNEXATION ORDINANCE NOTICE: In order for PGE to process this Annexation Ordinance notice, please provide the missing information as soon as possible to ensure its accurate and timely completion. *(If Metro is filing an annexation on your behalf please disregard this notice).*

- Copy of the Annexation Ordinance
- Secretary of State's Letter of Determination
- Department of Revenue's Notice to Taxing Districts
- Map of the boundary change
- Copy of the assessor's map book page
- Valid legal description of the annexation

If you have any questions or need further information concerning this notice, please call 503-464-8362.

ANNEXATION ORDINANCE NOTICE OUTSIDE PGE TERRITORY

ORDINANCE NUMBER	
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PGE could not process the Annexation Ordinance listed above because the annexed property is not in PGE territory.

ORDINANCE NO. 387
CITY OF HAPPY VALLEY

AN ORDINANCE ANNEXING TERRITORY INTO THE CITY OF HAPPY VALLEY,
OREGON AND THE NORTH CLACKAMAS PARKS AND RECREATION
DISTRICT, WITHDRAWING SAID TERRITORY FROM THE CLACKAMAS
COUNTY ENHANCED LAW ENFORCEMENT DISTRICT, AND AMENDING
OFFICIAL MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND
DEVELOPMENT ORDINANCE NO. 97.

WHEREAS, pursuant to ORS 222.125 the City of Happy Valley received petitions signed by 100 percent of the owners of 100 percent of the properties with 100 percent of the assessed value of territory requesting annexation (ANN-01-09/CPA-03-09); and

WHEREAS, the proposed annexation territory consists of 10 tax lots totaling 28.94 acres of land adjacent to existing City boundaries; and

WHEREAS, the specific tax lots to be annexed include:

12E34D01600, 12E34DD01800, 13E31C01400, 22E02DA00100, 22E03AA00300,
22E03AA00400, 22E03AA00500, 23E07B00800, 13E31C01100, 13E31D01800; and

WHEREAS, the City provided notice that the City Council would consider the annexation petitions, consistent with the applicable notice requirements of (1) applicable provisions of Metro Code Chapter 3.09, (2) Section 2(d) of the Urban Growth Management Agreement dated June 19, 2001, and (3) applicable state law requirements; and

WHEREAS, the City has adopted an expedited decision process for annexations consistent with Metro Code Chapter 3.09.045; and

WHEREAS, pursuant to Section 16.40.080 of the Happy Valley Municipal Code, eight of the 10 Tax Lots proposed for annexation will be legislatively rezoned from Clackamas County to "equivalent" Happy Valley zoning designations; and

WHEREAS, the City Council considered the proposed annexation and Comprehensive Plan map/Zoning map amendment at its regularly scheduled City Council meeting on April 21, 2009; and

WHEREAS, the Council finds that the proposed annexation is consistent with the City's Urban Growth Management Agreement and the approval of the voters and the consents of affected property owners; and

Now, therefore, based on the foregoing,

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. The City Council declares the territory described in Exhibit B, and depicted in Exhibit A is annexed to Happy Valley effective 30 days after approval of this ordinance.

Section 2. The City of Happy Valley declares through the legislative process that the following city zoning designations shall apply to eight of the Tax Lots proposed for annexation, as pursuant to Section 16.40.080 of the Happy Valley Municipal Code:

12E34D01600- Medium Density Residential (R-10)
12E34DD01800- Medium-Low Density Residential (R-15)
13E31C01100- Residential 5,000 square feet (R-5)
13E31C01400- Residential 5,000 square feet (R-5)
22E02DA00100- Institutional and Public Use (IPU)
22E03AA00300- Mixed Use Commercial (MUC)
22E03AA00400- Mixed Use Commercial (MUC)
22E03AA00500- Mixed Use Commercial (MUC)

Section 3. The City Council adopts the Annexation Application and Comprehensive Plan Map/Zoning Map Amendment (ANN-01-08/CPA-03-09) and the associated Staff Report to the City Council dated April 21, 2009

Section 4. The territory described in Exhibit B, and depicted in Exhibit A is hereby annexed to the North Clackamas Parks and Recreation District and is withdrawn from the Clackamas County Enhanced Law Enforcement District effective 30 days from the approval of this ordinance.

Section 5. As a condition for the annexation of each property in the territory described in Exhibit B, the property owners, on behalf of themselves, their heirs, successors and assigns, waive their right(s) of remonstrance against the creation of any Local Improvement District created consistent with ORS Chapter 223 and/or Happy Valley Municipal Code Chapter 3.12 for a period of ten (10) years from the effective date of the annexation.

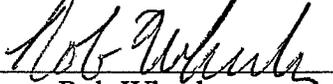
Section 6. The City Recorder is directed to:

1. File a copy of this Ordinance and the statements of consent to annexation consistent with ORS 222.180 with the Secretary of State and Department of Revenue;

2. Mail a copy of this ordinance to Metro including the required fee consistent with Metro Code Chapter 3.09.030(e); and
3. Mail a copy of this Ordinance to Clackamas County and any other necessary parties consistent with Metro Code Chapter 3.09.030(e).

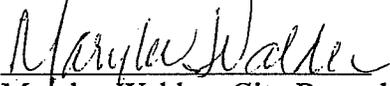
READ for the first time at the regular meeting of the City Council of the City of Happy Valley, Oregon, on April 21, 2009 and read for the second time on April 21, 2009, and adopted by a unanimous vote of the members of the City Council of the City of Happy Valley, Oregon.

CITY OF HAPPY VALLEY



Mayor Rob Wheeler

ATTEST:



Marylee Walden, City Recorder

**CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "A"**

Legal Description

A tract of land situated in Section 34, T1S, R2E, W.M., Clackamas County, Oregon and more particularly described as follows:

Beginning at the southeast corner of Lot 14, Block 2, in the plat of Amaron Heights, Plat No. 2264;

1. Thence North 76° 57' 02" West, along the south line of said Plat, 802.88 feet more or less to the northeast corner of lot 6, in the plat of J. Charles Downs, Plat No. 2543;
2. Thence South 35° 30' West, along the east line of said plat, 457.70 feet to the northwest corner of a tract of land (12E34D01601) as recorded in Deed Instrument No. 2000-04979 (Parcel 1) and the existing city limits of the City of Happy Valley;
3. Thence South 61° 28' East, along said city limits and the north line of said tract and it's easterly extension, 260 feet to the northeast corner of a tract of land (12E34D01602), as recorded in Deed Instrument No. 2000-024790;
4. Thence South 26° 38' West, along said city limits, 150 feet more or less (scaled distance as noted on assessors map 12E34D), to the north line of S.E. Sunnyside Road;
5. Thence Easterly, along said city limits and said north line, 520 feet more or less (scaled distance as noted on assessors map 12E34D), to the point of intersection with the west line of a tract of land (22E3AB00201) as recorded in Deed Instrument No. 79-32747;
6. Thence (leaving said city limits), North 18° 30' East, along the west line of said tract, 130 feet more or less to the northwest corner of said tract;
7. Thence South 70° East, along the north line of said tract and it's easterly extension, 253.44 feet;
8. Thence North 19° 30' East, 363 feet to the west line of S.E. 117th Avenue (a 40 foot R/W) and the existing city limits of the City of Happy Valley;
9. Thence North, along said west line and the existing city limits of the City of Happy Valley, 333.4 feet to the northeast corner of a tract of land (12E34D01600 and 1600E1) as recorded in Deed Instrument No. 78-27969;
10. Thence North 76° 57' 02" West, along the north line of said tract, 5 feet more or less to the point of beginning.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

Exhibit "B"

**CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "B"**

Legal Description

A tract of land situated in Section 34, T1S, R2E, W.M., Clackamas County, Oregon and more particularly described as follows:

Beginning at the common section corner of Sections 34 and 35, T1S, R2E, W.M. and Sections 2 and 3, T2S, R2E, W.M.;

1. Thence North $89^{\circ} 21' 12''$ West, along the common line of said Sections 3 and 34, 20 feet to the west line of S.E. 122nd Avenue (a 50 foot R/W to the north and a 60 foot R/W to the south) and the existing city limits of the City of Happy Valley;
2. Thence North, along said city limits and west line, 318.26 feet to the true point of beginning;
3. Thence (leaving said city limits) North $89^{\circ} 46'$ West, 396.20 feet, to the northwest corner of a tract of land (12E34DD01800), as recorded in deed instrument no.89-13253;
4. Thence South $0^{\circ} 20' 43''$ East, along the west line of said tract, 145.20 feet to a point on the north line of the Plat of Stephens Meadows, Plat No. 2958, said point being South $89^{\circ} 21' 12''$ East and 59.92 feet in distance from the northwest corner of Lot 2 in said Plat;
5. Thence South $89^{\circ} 21' 12''$ East, along the south line of said tract & the north line of said plat and its easterly extension, 263.20 feet;
6. Thence North $0^{\circ} 20' 44''$ West, 105 feet;
7. Thence East $89^{\circ} 46'$ East, 133 feet to the west line of S.E. 122nd Avenue and the existing city limits of the City of Happy Valley;
8. Thence North $0^{\circ} 20'$ West, along said city limits and west line, 40.20 feet to the true point of beginning.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

Exhibit "B"

**CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "C"**

Legal Description

A tract of land situated in Section 31, T1S, R3E, W.M. Clackamas County, Oregon and more particularly described as follows:

All of Lot 46 & 47, Block 2, Pleasant Valley Golf Estates, Plat No. 1355.

This legal description was revised- the revised legal description is on the following page.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

Exhibit "B"

**CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "C"**

Legal Description

A tract of land situated in section 31, T1S, R3E, W.M. Clackamas County, Oregon and more particularly described as follows:

All of Lot 43 & 46, Block 2, in the plat of Pleasant Valley Golf Estates, Plat No. 1355.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

**CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "D"**

Legal Description

A tract of land situated in Section 7, T2S, R3E, W.M. Clackamas County, Oregon and more particularly described as follows:

Part of the Northwest one-quarter of Section 7, Township 2 South, Range 3 East, of the Willamette Meridian, in Clackamas County, Oregon, conveyed to Donald W. Seamster, et ux, as Recordors's Fee No. 2007-107661, Clackamas County Records, described as follows;

Beginning at the Northwest corner of the Southwest one-quarter of the Northwest one-quarter of said Section 7, thence North along the west line of said Section 7, 198.0 feet to the southwest corner of said Seamster Tract, said point being the true point of beginning of the herein described tract;

1. Thence continuing North, along said west line of Section 7, 126.0 feet;
2. Thence East, 345.7 feet;
3. Thence South, parallel with said west section line, 126.0 feet to a point on the south line of said Seamster Tract;
4. Thence West, 345.7 feet to the point of beginning.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

Exhibit "B"

**CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "E"**

Legal Description

A tract of land situated in Section 2, T2S, R2E, W.M. Clackamas County, Oregon and more particularly described as follows:

Beginning at the most northerly corner of Tract "C" in the Plat of Piper Meadows, Plat No. 3463, said corner also being on the existing city limits of the City of Happy Valley ;

1. Thence South 0° 09' 41" West, along said city limits & the east line of said tract, 95.84 feet more or less to the north line of S.E. Sunnyside Rd. # 186(a 100 foot more or less r/w) & the true point of beginning;
2. Thence (leaving said city limits), North 89° 29' 31" West, along the north line of said S.E. Sunnyside Rd., 141.94 feet more or less to the west line of Tract "A", of said plat & the east line of lot 22 in said plat;
3. Thence South, along said east line, 10 feet more or less to the southeast corner of said lot 22;
4. Thence Westerly, along the north line of S. E. Sunnyside Road , 582.76 feet more or less to the southwest corner of the plat of Summerfield, Plat No. 3295 and a 10 foot (more or less),jog to the north;
5. Thence North 0° 07' 30" East, along said jog & the west line of the plat of Summerfield 10 feet more or less, to the north line of S. E. Sunnyside Road;
6. Thence West, along said north line & a curve to the right, 197 feet more or less to the point of intersection with the east line of S.E 140th Avenue (a 60 foot R/W) and the west line of a 125 foot P.G.E. right-of-way easement;
7. Thence South, along the southerly extension of said easement, 130 feet more or less to the northeast corner of the Plat of Irene Marie Estates, Plat No. 3078;
8. Thence South 01°18'51" West, along the east line of said plat and the west line of said easement, 610.90 feet to the southeast corner of said plat and the northwest corner of Tract "A" in the Plat of Forest Creek Estates, Plat No. 3114;
9. Thence South 89° 58' 45" East, along the north line of said Forest Creek Estates and its easterly extension, 695.83 feet, to the east line of S. E. 142nd Avenue (a 60 foot R/W);
10. Thence North 0° 03' 44" East, along said east line, 250.09 feet more or less to the point of intersection with the north line of S. E. Princeton Village Way (a 22.50 foot R/W) and the south line of Tract "A" in Partition Plat No. 2001-53;

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

Exhibit "B"

11. Thence North $89^{\circ} 24' 44''$ East, along said south line of said Tract "A", and said north line 10 feet more or less to the point of intersection with the southerly extension of the west line of said partition plat;
12. Thence North $0^{\circ} 08' 28''$ West, along the east line of S.E. 142nd Avenue and the west line of said Partition Plat, 372.04 feet to the beginning of a 15 foot radius curve to the right;
13. Thence Northeasterly, along said radius curve, 23.74 feet to the point of tangency with the south line of S.E. Sunnyside Road;
14. Thence South $89^{\circ} 27' 29''$ East, along said south line and the north line of Parcel 1 of Partition Plat No. 2001-53, 197.65 feet to the northeast corner of said parcel and the point of intersection with the southerly extension of the east line of Tract "C" in the Plat of Piper Meadows, Plat No. 3463;
15. Thence North $0^{\circ} 09' 41''$ East, along said extension & city limits, 122 feet more or less to the true point of beginning.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "F"

Legal Description

A tract of land situated in Section 3, T2S, R2E, W.M. Clackamas County, Oregon and more particularly described as follows:

Beginning at the southeast corner Lot 18, Block 2, in the Plat of Sylvan Meadows, Plat No. 2637;

1. Thence North 71° 29' 30" West, along the south line of said lot, 102.94 feet to the southwest corner of said lot and the northwest corner of a tract of land (22E3AA00300) as recorded in Deed Instrument No. 2008-041016 (Parcel 1);
2. Thence South 18° 01' 38" West, along the west line of said tract and its southerly extension, 271 feet more or less to the south line of S.E. Sunnyside Road and the north line of Lot 16, in the Plat of Tanya Park, Plat No. 2394;
3. Thence South 34° 09' East, along the north line of said plat and said road south line, 215 feet more or less to the northeast corner of Lot 1 in said Plat and a 12.77 foot jog to the south in said south line;
4. Thence South 13° 24' 51" West, along said jog and the east line of said lot, 12.77 feet to the south line of S.E. Sunnyside Road;
5. Thence Southeasterly, along said road south line, 225 feet more or less to the point of intersection with the southerly extension of the west line of Lot 1 of the Plat of Kellers Korner;
6. Thence North 24° 41' East, along said extension and west line, 301.65 feet more or less, to the northwest corner of said lot;
7. Thence North 0° 20' East, 330.0 feet to a point on the existing city limits of the City of Happy Valley; and the south line of a tract of land (22E03AA00201) as recorded in Deed Instrument No. 89-55342 & the northwest corner of a tract of land (22E03AA00500), as recorded in deed instrument no. 2008-014135;
8. Thence North 85° 30' West, 40 feet more or less to the southwest corner of said tract and the terminus and point of intersection with the south line of Shady Meadow Court (a 20 foot R/W);
9. Thence North 85° 30' West, along said south line & the north line of said tract noted in deed instrument no. 2008-014135 & it's westerly extension, 180 feet more or less to the point of intersection with the east line of an unnamed 40 foot right-of-way and the

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Exhibit "B"

northwest corner of a tract of land (22E03AA00400), as recorded in Deed Instrument No. 2001-103691;

10. Thence South $18^{\circ} 30'$ West, along the west line of said last noted tract and the east line of an unnamed 40 foot right-of-way, 152 feet more or less to the point of intersection with the easterly extension of the south line of said Lot 18;
11. Thence North $71^{\circ} 29'30''$ West, along said extension, 40 feet to the point of beginning.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

Exhibit "B"

CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "G"

Legal Description

A tract of land situated in Section 31, T1S, R3E, W.M. Clackamas County, Oregon and more particularly described as follows:

Beginning at the Southwest corner of the southeast quarter of said section, said corner also being on the centerline of S.E. 172nd Ave. (a 60 foot R/W);

1. Thence North, along said centerline and the west line of said southeast quarter, 330.0 feet to the point of intersection with the westerly extension of the south line of a tract of land (13E31D01800) as recorded in deed reference no. 099-076155;
2. Thence East, along said extension, 30 feet to the southwest corner of said tract and the east line of said S.E. 172nd Ave. and the true point of beginning;
3. Thence continuing East, along the south line of said tract, 234 feet to the southeast corner of said tract and the existing city limits of the City of Happy Valley;
4. Thence North, along said city limits and the east line of said tract, 280 feet to the northeast corner of said tract;
5. Thence West, along said city limits and the most northerly north line of said tract 105.0 feet to a 5 foot jog to the south;
6. Thence South, along said city limits and said jog 5 feet;
7. Thence West, along said city limits and the most southerly north line of said tract, 129 feet to the northwest corner of said tract and the east line of S.E. 172 Ave. (a 60 foot R/W);
8. Thence South, along said city limits, and east line and the west line of said tract, 275 feet to the true point of beginning.

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Exhibit "B"

**CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "A"**

Legal Description

A tract of land situated in Section 34, T1S, R2E, W.M., Clackamas County, Oregon and more particularly described as follows:

Beginning at the southeast corner of Lot 14, Block 2, in the plat of Amaron Heights, Plat No. 2264;

1. Thence North $76^{\circ} 57' 02''$ West, along the south line of said Plat, 802.88 feet more or less to the northeast corner of lot 6, in the plat of J. Charles Downs, Plat No. 2543;
2. Thence South $35^{\circ} 30'$ West, along the east line of said plat, 457.70 feet to the northwest corner of a tract of land (12E34D01601) as recorded in Deed Instrument No. 2000-04979 (Parcel 1) and the existing city limits of the City of Happy Valley;
3. Thence South $61^{\circ} 28'$ East, along said city limits and the north line of said tract and it's easterly extension, 260 feet to the northeast corner of a tract of land (12E34D01602), as recorded in Deed Instrument No. 2000-024790;
4. Thence South $26^{\circ} 38'$ West, along said city limits, 150 feet more or less (scaled distance as noted on assessors map 12E34D), to the north line of S.E. Sunnyside Road;
5. Thence Easterly, along said city limits and said north line, 520 feet more or less (scaled distance as noted on assessors map 12E34D), to the point of intersection with the west line of a tract of land (22E3AB00201) as recorded in Deed Instrument No. 79-32747;
6. Thence (leaving said city limits), North $18^{\circ} 30'$ East, along the west line of said tract, 130 feet more or less to the northwest corner of said tract;
7. Thence South 70° East, along the north line of said tract and it's easterly extension, 253.44 feet;
8. Thence North $19^{\circ} 30'$ East, 363 feet to the west line of S.E. 117th Avenue (a 40 foot R/W) and the existing city limits of the City of Happy Valley;
9. Thence North, along said west line and the existing city limits of the City of Happy Valley, 333.4 feet to the northeast corner of a tract of land (12E34D01600 and 1600E1) as recorded in Deed Instrument No. 78-27969;
10. Thence North $76^{\circ} 57' 02''$ West, along the north line of said tract, 5 feet more or less to the point of beginning.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

Exhibit "A"

16.40.100 Annexation to the existing City

For any proposed annexation to the city, application shall be made directly to the city of Happy Valley on the appropriate forms and accompanied with the required fee. Upon receipt of a copy of the form, the city shall schedule a public hearing before the planning commission, which shall make a recommendation to the city council. The city may utilize any lawful annexation process under state, regional or local law, including the expedited annexation process established in the Metro Code.”

Response:

The appropriate petitions were filed with the City. A public hearing regarding these requests for annexation will be held before the City Council on April 21, 2009, who will make the final decision on the application. The criterion has been met.

III. CONCLUSION:

Staff has determined that the above findings demonstrate that the proposed annexation and comprehensive plan map/zoning map amendments satisfy the requirements of the City of Happy Valley Comprehensive Plan and Land Development Code, Metro Code 3.09, Oregon Revised Statutes and Statewide Planning Goals. Staff, therefore, recommends the City Council approve application ANN-01-09/CPA-03-09.

CITY OF HAPPY VALLEY MUNICIPAL CODE

Happy Valley Land Development Code

“16.40 Amendments to the Comprehensive Plan, Land Use Map and Land Development Title of this Code

[...]

16.40.080 Designation upon annexing to the City of Happy Valley

A. Whenever any property or area is annexed to the city from unincorporated Clackamas County with an accompanying Clackamas County comprehensive plan designation and zone, the action by the city council to annex the property or area shall also include an ordinance to legislatively amend the city’s comprehensive plan map/zoning map to reflect the conversion to the County designation/zone to a corresponding city designation/zone, as demonstrated in the conversion table, below.

<i>Clackamas County Zone</i>	<i>City of Happy Valley Zone</i>
<i>Urban/Rural Residential</i>	
<i>R-2.5</i>	<i>SFA</i>
<i>R-5</i>	<i>R-5</i>
<i>R-7</i>	<i>R-7</i>
<i>R-8.5</i>	<i>R-8.5</i>
<i>R-10</i>	<i>R-10</i>
<i>R-15</i>	<i>R-15</i>
<i>R-20</i>	<i>R-20</i>
<i>MR-1</i>	<i>MUR-M1</i>
<i>MR-2</i>	<i>MUR-M2</i>
<i>HDR</i>	<i>MUR-M3</i>
<i>RA-2</i>	<i>R-15</i>
<i>FU-10</i>	<i>FU-10</i>
<i>Natural Resources</i>	
<i>EFU</i>	<i>EFU*</i>
<i>Commercial</i>	
<i>NC</i>	<i>MUE-NC</i>
<i>C-2</i>	<i>MCC</i>
<i>RCC</i>	<i>MCC</i>
<i>RCO</i>	<i>MUC</i>

CITY OF HAPPY VALLEY COMPREHENSIVE PLAN

City of Happy Valley Clackamas Regional Center Area Design Plan

“Land Use Policies-

Land Use Policies Generally

[...]

5.0 Low Density Residential-

Clackamas County Low Density Residential designations shall be provided in the Clackamas Regional Center Design Plan area. However, if annexed within the city limits, such low density residential areas shall be converted to similar City low density residential plan designations/zoning districts.”

Response:

One property, Clackamas County Assessor Map No. 12E34D: Tax Lot 1600, is proposed for annexation and is located within the City of Happy Valley Clackamas Regional Center Area Design Plan. The property is currently zoned Clackamas County R-10, Low Density Residential. As part of this proposal, the City would rezone Tax Lot 1600 to City R-10, Medium Density Residential. This criterion has been satisfied.

City of Happy Valley Sunnyside Corridor Community Plan

“Policy 1-Land Use

[...]

Residential

3.0- Residential designations shall be allowed in the Sunnyside Corridor Community Plan Area to provide for a variety of housing choices that are compatible with the character of the area, support current and projected demographics and ensure a range of densities to promote an efficient use of the land and urban services.

3.1- Clackamas County Urban Low Density Residential (LDR) designations shall be applied in many locations in the Sunnyside Corridor Community Plan Area, including locations on Sunnyside Road between development nodes. Clackamas County R-7 zoning shall be applied to areas designated Clackamas County Urban

treatment as well as stormwater services for Happy Valley. Also, some of the subject properties are not currently within a street lighting district. When annexed, the properties would be added to the CCSO #5, which would provide street lighting at the time of development. In addition, the properties will be annexed into the NCPD.

Sunrise Water Authority (SWA) provides water to the City of Happy Valley. Many of the properties proposed for annexation are currently, and will continue to be, served by SWA. The existing and current supply needs of those properties not currently served by SWA will be evaluated and planned for by SWA. This criterion has been satisfied.

(2) Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;

Response:

The City of Happy Valley has planning jurisdiction for land use and transportation actions within city limits. The proposed annexation is compliant with the Happy Valley Comprehensive Plan (1984) and Land Development Code. See also responses to Goal 1, Goal 2, Goal 10, Goal 12, and Goal 14 above. The specific requirements of the Development Code can and will be met at the time zoning designations are applied and development takes place. The criterion has been satisfied.

(3) Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;

Response:

The Happy Valley Comprehensive Plan and Development Code do not contain applicable standards or criteria for boundary changes. However, the proposed annexation does meet applicable Metro and statewide planning requirements as addressed in this report. The criterion has been satisfied.

(4) Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;

ORS 222.125 - Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body.

Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.”

Response:

The application was initiated by petitions from owners of 100% of the land in the territory to be annexed and 75% of the electors in the territory to be annexed. The criterion has been satisfied.

REGIONAL LAND USE REQUIREMENT

“Metro Code 3.09.045 – Expedited Decisions

(a) Approving entities may establish an expedited decision process that does not require a public hearing consistent with this section. Expedited decisions are not subject to the requirements of Sections 3.09.030 (b) and 3.09.050(a), (b), (c), (e) or (f). The expedited decision process may only be utilized for minor boundary changes where the petition initiating the minor boundary change is accompanied by the written consent of one hundred percent (100%) of the property owners and at least fifty percent (50%) of the electors, if any, within the affected territory.

Response:

The City of Happy Valley established an expedited decision process through the adoption of Resolution No. 05-13 (Exhibit E). The City has received written consent in the form of petitions from 100% of the property owners and 75% the electors within the affected territory. The criterion has been satisfied.

Sunrise Water Authority (SWA) provides water to the City of Happy Valley. Many of the properties proposed for annexation are currently, and will continue to be, served by SWA. The existing and current supply needs of those properties not currently served by SWA will be evaluated and planned for by SWA.

This annexation proposal is consistent with Goal 11. Extending public services to the annexation area is already anticipated to occur because it is within the existing UGB. Extension of the public services to the annexation area will occur with development of the area. This criterion has been satisfied.

Goal 12: Transportation ((660-015-0000(12))

Goal 12 calls for the provision of "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged.

Response:

The Happy Valley TSP has been updated to include the areas proposed for annexation. The TSP was adopted in December 1998; and amended in 2001 and again in February of 2006. The TSP includes an inventory of the existing transportation system, addresses current problem areas, and evaluates future needs for both motorized and non-motorized transportation options. The TSP is consistent with the Transportation Planning Rule (TPR), the Metro Regional Transportation Plan (RTP), the Clackamas County Comprehensive Plan and Pedestrian and Bicycle Master Plan, and the Oregon Department of Transportation Oregon Transportation Plan (OTP).

Future development plans for the undeveloped annexed areas will require a traffic impact analysis. Furthermore, development plans will include various multi-modal transportation options for residents, blending with surrounding infrastructure. Where necessary, existing transportation system upgrades may be required and would be included in the site plan. Future site development and associated transportation improvements will be in conformance with the adopted Happy Valley TSP, Comprehensive Plan, and other applicable rules and regulations. This criterion has been satisfied.

Response:

The City's Land Development Code establishes provisions for the expedited annexation process and county to city zoning conversion. This staff report and findings demonstrate compliance with applicable policies and regulations of all local, regional, and state regulations. This criterion has been satisfied.

Goal 10: Housing (660-015-0000(10))

Goal 10 specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Response:

Two of the properties being annexed are located within the expanded Urban Growth Boundary (UGB) Area. As a requirement of the Metro Functional Plan, the areas brought into the UGB must be comprehensively planned prior to urban zoning and development. This is currently being accomplished through the auspices of the EHVCP, which will apply to these two properties. In addition, the Happy Valley Comprehensive Plan (1984) established a series of housing goals and policies to implement Goal 10, which was based on a vacant lands analysis and projected housing needs. Based on that analysis, the City established planned land uses through the Comprehensive Plan for a variety of uses including single-family and multi-family designations. As part of the planning process, the buildable lands will be inventoried and zoning will be planned to meet the housing needs for the next 20 years. Residential uses will provide for the projected population increases for the 20-year planning period and resulting housing needs within the Happy Valley UGB. The City will be updating its Comprehensive Plan to incorporate the results of the buildable lands inventory.

LCDC acknowledged the Happy Valley Comprehensive Plan (1984), as it provided housing goals, policies, and residential densities consistent with Oregon land use goals for housing. The most applicable policies to the proposed annexation are Policy 42 of the Happy Valley Comprehensive Plan that states: "To increase the supply of housing to allow for population growth and to provide for the housing needs of the citizens of Happy Valley;" and Policy 43: "To develop housing in areas that reinforce and facilitate orderly and compatible community development." The proposed annexation would provide additional land for residential development and for public parks adjacent to areas that have already developed as residential uses. The annexation would allow development to occur

This proposed annexation complies with the present agreements the City has with the various urban service providers. Following the annexation approval, the property owner must annex the subject property to Clackamas County Service District #1 (CCSD #1) for sanitary sewer and stormwater service and Clackamas County Service District #5 (CCSD #5) for street lighting. Also, the subject properties will be annexed into the North Clackamas Parks and Recreation District (NCPRD). All properties will need to be removed from the Enhanced Law Enforcement District.

CCSD #1 will be the provider of sanitary and stormwater services. Prior to obtaining sanitary and stormwater services for the subject properties, the district must conduct a study to determine how the area will ultimately be served, i.e. size and location of lines and any necessary pump stations (for sanitary only), drainage basins, etc. These studies are currently underway and being coordinated by Clackamas County Water Environment Services (WES).

The subject properties are directly adjacent to the city limits of the City of Happy Valley and are within the designated dual interest area of the City of Happy Valley and Clackamas County Urban Growth Management Agreement (UGMA). The properties associated with this annexation are consistent with the provisions of the UGMA. Both the planning and public facilities provisions are contained within the City of Happy Valley/Clackamas County UGMA. The properties being considered for annexation are not subject to any additional agreements between the City and other agencies that would affect planning or urban services to these areas.

Happy Valley Comprehensive Plan Policies 4 through 8 address urbanization of lands from rural to urban uses. The annexation areas satisfy the applicable provisions of these policies by providing land for urban development that can be, or currently is, adequately served with Level 1 services and facilities.

The Metro Regional Framework Plan contains standards and criteria guiding the management and expansion of the Urban Growth Boundary (UGB), but most are not directly applicable to this annexation application. The Framework Plan does speak to the issues of annexation of properties to cities as appropriate to ensure adequate government jurisdiction and public facilities review and approvals.

The Metro Urban Growth Management Functional Plan contains population and household growth figures for each jurisdiction in the region, including the City of Happy Valley. These figures should be accommodated over the next twenty (20) years. The approval of this annexation request will contribute land toward future urban-level uses at the densities specified in the functional plan.

CITY OF HAPPY VALLEY
STAFF REPORT TO THE CITY COUNCIL

April 21, 2009

ANNEXATION APPLICATION AND COMPREHENSIVE PLAN MAP/ZONING MAP
AMENDMENT (File No. ANN-01-09/CPA-03-09)

I. GENERAL INFORMATION

PROPOSAL:

The City seeks approval of the annexation of 10 properties totaling 28.94 acres in size and concurrent legislative Comprehensive Plan Map amendments/Zoning Map amendments to eight of the 10 subject properties.

APPLICANT:

City of Happy Valley
12915 SE King Road
Happy Valley, OR 97086

PROPERTY OWNER:

See Attached List – Exhibit C

EXHIBITS:

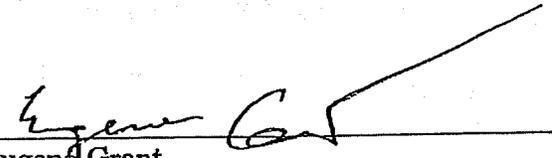
EXHIBIT A- Legal Description
EXHIBIT B- Annexation Area Map
EXHIBIT C- Annexation Application/Petition
EXHIBIT D- Copy of Resolution 05-13
EXHIBIT E- Affidavit of Mailing/Public Notices
EXHIBIT F- Letter from Michael C. Robinson (dated March 24, 2009)

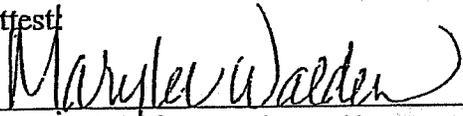
Section 4. This Resolution shall take effect immediately upon its adoption by the City Council and approval by the Mayor.

COPY

PASSED by City Council on this 7th day of June, 2005.

Approved by the Mayor on this 7th day of June, 2005.


Eugene Grant
Mayor

Attest:

Marylee Walden
City Recorder

HAPPY VALLEY, OREGON
Resolution No. 5-13

COPY

A RESOLUTION OF THE CITY OF HAPPY VALLEY, OREGON ESTABLISHING AN EXPEDITED DECISION PROCESS FOR ANNEXATIONS PURSUANT TO METRO CODE CHAPTER 3.09.045.

WHEREAS, Metro Code Chapter 3.09.045 authorizes cities to establish an expedited decision process for annexations that are supported by the written consent of at least 100 percent of the property owners and 50 percent of the electors of the proposed annexation territory; and

WHEREAS, it is the current policy of the City of Happy Valley to only annex residential properties of consenting land owners; and

WHEREAS, the City wishes to have the option to annex territories pursuant to Metro Code Chapter 3.09.045; and

WHEREAS, there are no impediments to taking advantage of the expedited decision process in the City of Happy Valley Municipal Code.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF HAPPY VALLEY:

Section 1. The City shall, when it deems appropriate, conduct annexations pursuant to the expedited decision process outlined in Metro Code Chapter 3.09.045.

Section 2. The City reserves the right not to utilize the expedited decision process of Metro Code Chapter 3.09.045.

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Bill

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

To the City Council of the
 City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

11501 SE Sunnyside Road
 Street Address of Property (if address has been assigned)

N/A
 Legal Description (Subdivision Name, Lot number(s))

12E34D 01600 / 01600E1
 Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

[Signature] C.L. C.L. 10/21/08
 Signature Owner Initial Voter Initial Date

[Signature] _____ _____ _____
 Other Authorized Signature Owner Initial Voter Initial Date

 Street Address Home Phone Work Phone

 Mailing Address

 City, State and Zip Code

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

C.L. Indefinitely, or until
[Signature] 10/21/08 [Signature] 10/21/08
 Signature Date Signature Date

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit: N/A Number of people residing in these units: N/A

Bill
✓



CITY OF HAPPY VALLEY
16000 SE Misty Drive
Happy Valley, OR 97086
Phone: 503-783-3800 Fax: 503-658-5174
PETITION TO ANNEX

To the City Council of the
City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

11695 SE 172ND AVE,
Street Address of Property (if address has been assigned)

Legal Description (Subdivision Name, Lot number(s))
13E31C 01100

Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

<u>Calvin Walk</u> Signature	<u>C.W.</u> Owner Initial	<u>C.W.</u> Voter Initial	<u>2/9/09</u> Date
<u>Susan Walk</u> Signature	<u>SW.</u> Owner Initial	<u>SW.</u> Voter Initial	<u>2/9/09</u> Date

Other Authorized Signature	Owner Initial	Voter Initial	Date
----------------------------	---------------	---------------	------

<u>11695 SE 172ND AVE</u> Street Address	<u>503-658-8518</u> Home Phone	<u>503-702-3889</u> Work Phone
--------------------------------------------------------	-----------------------------------	-----------------------------------

SAME
Mailing Address

HAPPY VALLEY, OR. 97086
City, State and Zip Code

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

<u>Calvin Walk</u> Signature	<u>2/9/09</u> Date	<u>Susan Walk</u> Signature	<u>2-9-09</u> Date
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The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: 1

Types of housing units: Single family Multi-family Mobile home or trailer

Number of people occupying these units: 2

Bill ✓



CITY OF HAPPY VALLEY
16000 SE Misty Drive
Happy Valley, OR 97086
Phone: 503-783-3800 Fax: 503-658-5174
PETITION TO ANNEX

To the City Council of the
City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

12340 SE 172ND AVENUE - HAPPY VALLEY, OR 97086
Street Address of Property (if address has been assigned)
SEE ATTACHED

Legal Description (Subdivision Name, Lot number(s))

● 1 3E 31D 01800
Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

<u>[Signature]</u> Signature	<u>fd Arlo Dev,</u> Owner Initial	<u>[Initials]</u> Voter Initial	<u>2-13-09</u> Date
<u>[Signature]</u> Other Authorized Signature	<u>[Initials]</u> Owner Initial	<u>[Initials]</u> Voter Initial	<u>2-13-09</u> Date

12340 SE 172ND Street Address 503-307-1538 Home Phone Work Phone

14674 SE Sunnyside #175
Mailing Address

Happy Valley
City, State and Zip Code

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective indefinitely, or until _____.

<u>[Signature]</u> Signature	<u>Arlo Dev.</u> Date	<u>2-13-09</u> Date	<u>[Signature]</u> Signature	<u>[Signature]</u> Date	<u>2-13-09</u> Date
---------------------------------	--------------------------	------------------------	---------------------------------	----------------------------	------------------------

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: 1

Types of housing units: Single family ___ Multi-family ___ Mobile home or trailer

Number of people occupying these units: 3



✓
Bill

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

JAN 26 2009

To the City Council of the
City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

14100 SE Sunnyside Rd Clackamas OR 97015
 Street Address of Property (if address has been assigned)

Sec 02 Township 2S Range 2E Quarter T7A
 Legal Description (Subdivision Name, Lot number(s))

22E02DA00 100 DA Tax LOT 00100
 Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

<u>[Signature]</u> Signature	<u>AW</u> Owner Initial	<u></u> Voter Initial	<u>1/5/09</u> Date
<u>[Signature]</u> Signature	<u>[Initials]</u> Owner Initial	<u></u> Voter Initial	<u>1/5/09</u> Date
<u></u> Other Authorized Signature	<u></u> Owner Initial	<u></u> Voter Initial	<u></u> Date

Street Address _____ Home Phone _____ Work Phone _____

Mailing Address _____

City, State and Zip Code _____

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 215.113 and further agree that this contract shall be effective _____ indefinitely, or until _____

<u>[Signature]</u> Signature	<u>1/5/09</u> Date	<u>[Signature]</u> Signature	<u>1/5/09</u> Date
---------------------------------	-----------------------	---------------------------------	-----------------------

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: _____
 Types of housing units: _____ Single family _____ Multi-family _____ Mobile home or trailer
 Number of people occupying these units: _____



Bill

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

To the City Council of the
 City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or electo-(s) residing at the location below described, hereby petition and give consent to, a annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

11965 SE Sunnyside Rd
 Street Address of Property (if address has been assigned)

22E03AA 00500
 Legal Description (Subdivision Name, Lot number(s))

500
 Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

Carym Sheldon CS CS 1-26-09
 Signature Owner Initial Voter Initial Date

 Signature Owner Initial Voter Initial Date

 Other Authorized Signature Owner Initial Voter Initial Date

503 658 8777 503 805 8741

 Street Address Home Phone Work Phone

23765 SE Hwy 212
 Mailing Address

DAMASCUS, OR 97089
 City, State and Zip Code

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

Indefinitely, or until _____

Carym Sheldon 1-26-09 _____ _____
 Signature Date Signature Date

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: 1
 Types of housing units: 1 Single family ___ Multi-family ___ Mobile home or trailer
 Number of people occupying these units: 2



Bill

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

To the City Council of the
 City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or electo-(s) residing at the location below described, hereby petition and give consent to, an annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

11851 SE Sunnyside Rd
 Street Address of Property (if address has been assigned)

22E03AA 00300
 Legal Description (Subdivision Name, Lot number(s))

300
 Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

<u><i>Conyn Shellen</i></u> Signature	<u>CS</u> Owner Initial	<u>CS</u> Voter Initial	<u>1-26-09</u> Date
_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
_____ Other Authorized Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
<u>23765 SE Hwy 212</u> Street Address	<u>523 805 8741</u> Home Phone	<u>523 658 3777</u> Work Phone	

DAMASCUS, OR 97089
 Mailing Address

 City, State and Zip Code

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

Indefinitely, or until _____

<u><i>Conyn Shellen</i></u> Signature	<u>1-26-09</u> Date	_____ Signature	_____ Date
------------------------------------------	------------------------	--------------------	---------------

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: 0

Types of housing units: Single family ___ Multi-family ___ Mobile home or trailer

Number of people occupying these units: 0



Bull

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

To the City Council of the
 City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, an annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

11899 SE Sonnyside Rd
 Street Address of Property (if address has been assigned)

22E03AA 00400
 Legal Description (Subdivision Name, Lot number(s))

400
 Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

[Signature] CHJ CHJ 1-26-09
 Signature Owner Initial Voter Initial Date

 Signature Owner Initial Voter Initial Date

 Other Authorized Signature Owner Initial Voter Initial Date

23765 SE Hwy 212
 Street Address Home Phone Work Phone

DAMASCUS OR 97089
 Mailing Address

 City, State and Zip Code

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

Indefinitely, or until _____

[Signature] 1-26-09
 Signature Date Signature Date

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: 0
 Types of housing units: 0 Single family ___ Multi-family ___ Mobile home or trailer
 Number of people occupying these units: 0



Bill

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

To the City Council of the
 City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

12345 S.E. 122nd
 Street Address of Property (if address has been assigned)

T15 R2E SECTION 34D
 Legal Description (Subdivision Name, Lot number(s))

2602 1800
 Tax Map and Tax Lot Number

RECEIVED BY
 AUG 28 2008
 CITY OF HAPPY VALLEY

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

<u>[Signature]</u> Signature	<u>ICG</u> Owner Initial	<u>KG</u> Voter Initial	_____ Date
<u>[Signature]</u> Signature	<u>SE</u> Owner Initial	<u>SE</u> Voter Initial	<u>8-18-08</u> Date
_____ Other Authorized Signature	_____ Owner Initial	_____ Voter Initial	<u>8-18-08</u> Date

12345 SE 122nd Home Phone _____ Work Phone _____
 Street Address
Happy Valley, Ore 97086
 Mailing Address

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

SAME
 City, State and Zip Code

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

Indefinitely, or until 9-1-09

[Signature] 8-18-08 [Signature] 8-18-08
 Signature Date Signature Date

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: 1
 Types of housing units: 1 Single family ___ Multi-family ___ Mobile home or trailer
 Number of people occupying these units: 3



Bill

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

To the City Council of the
 City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

11585 SE 172nd Ave. Happy Valley, OR 97086
 Street Address of Property (if address has been assigned)

13E31C 01400
 Legal Description (Subdivision Name, Lot number(s))

13E31C 01400
 Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

<u>[Signature]</u> Signature	<u>JB</u> Owner Initial	<u>JB</u> Voter Initial	<u>8-13-08</u> Date
_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
_____ Other Authorized Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
	<u>503-658-6651</u>		<u>503-754-9622</u>

Street Address	Home Phone	Work Phone
<u>11585 SE 172 Ave</u>		
Mailing Address	<div style="border: 1px solid black; padding: 5px;"> <p>A legal description and a copy of the assessor's map of the property must be submitted with this petition.</p> </div>	
<u>Happy Valley OR. 97086</u>		
City, State and Zip Code		

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective _____ indefinitely, or until _____

<u>[Signature]</u> Signature	<u>8-13-08</u> Date	_____ Signature	_____ Date
---------------------------------	------------------------	--------------------	---------------

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: 1
 Types of housing units: 2 Single family ___ Multi-family ___ Mobile home or trailer
 Number of people occupying these units: 2

Bill



CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

To the City Council of the
 City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

14900 SE 162ND AVE, CLACKAMAS OR 97015
 Street Address of Property (if address has been assigned)
SEE ATTACHED (COPY OF DEED)
 Legal Description (Subdivision Name, Lot number(s))

TAX LOT 800 SECT. 7B TOWNSHIP 2S RANGE 3E
 Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

<u>[Signature]</u> Signature	<u>[Initials]</u> Owner Initial	<u>[Initials]</u> Voter Initial	<u>7-2-08</u> Date
_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
_____ Other Authorized Signature	_____ Owner Initial	_____ Voter Initial	<u>503-353-6072</u> Date

NOT YET ASSIGNED
 Street Address

Home Phone

Work Phone

4444 SE LAKE RD
 Mailing Address

MILWAUKIE OR 97022
 City, State and Zip Code

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

Indefinitely, or until _____

[Signature] 7-2-08
 Signature Date

 Signature Date

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit: N/A Number of people residing in these units: N/A

HAPPY VALLEY, OREGON
Resolution No. 5-13

COPY

A RESOLUTION OF THE CITY OF HAPPY VALLEY, OREGON ESTABLISHING AN
EXPEDITED DECISION PROCESS FOR ANNEXATIONS PURSUANT TO METRO CODE
CHAPTER 3.09.045.

WHEREAS, Metro Code Chapter 3.09.045 authorizes cities to establish an expedited decision process for annexations that are supported by the written consent of at least 100 percent of the property owners and 50 percent of the electors of the proposed annexation territory; and

WHEREAS, it is the current policy of the City of Happy Valley to only annex residential properties of consenting land owners; and

WHEREAS, the City wishes to have the option to annex territories pursuant to Metro Code Chapter 3.09.045; and

WHEREAS, there are no impediments to taking advantage of the expedited decision process in the City of Happy Valley Municipal Code.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF HAPPY VALLEY:

Section 1. The City shall, when it deems appropriate, conduct annexations pursuant to the expedited decision process outlined in Metro Code Chapter 3.09.045.

Section 2. The City reserves the right not to utilize the expedited decision process of Metro Code Chapter 3.09.045.

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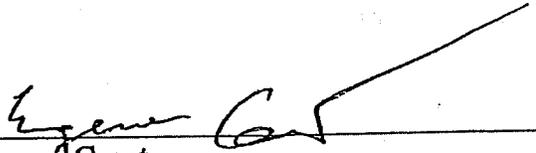
// //

Section 4. This Resolution shall take effect immediately upon its adoption by the City Council and approval by the Mayor.

COPY

PASSED by City Council on this 7th day of June, 2005.

Approved by the Mayor on this 7th day of June, 2005.



Eugene Grant
Mayor

Attest:



Marylee Walden
City Recorder

Affidavit of Mailing

State of Oregon)I

)ss: City of Happy Valley

County of Clackamas)I

I, Cheryl Whitehead, Planning Assistant for the City of Happy Valley, hereby provide the following affidavit:

I certify that the ten properties listed on annexation file ANN-01-09 received the Measure 56 and accompanying documentation, a copy of which is attached in the file, on Thursday, March 12, 2009, contained in a sealed envelope, with postage paid. The mailing was deposited at the drop box located at 16000 SE Misty Drive, Happy Valley, Oregon, 97086.

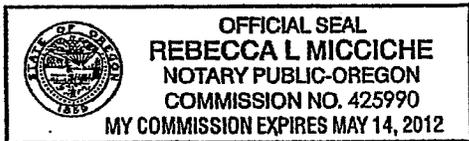
Cheryl Whitehead

Cheryl Whitehead, Planning Assistant

State of OREGON
County of Clackamas

This instrument was acknowledged before me on March 12, 2009

by *Rebecca L. Micciche*



Notary Public-State of Oregon

EXHIBIT # E

NOTICE OF PUBLIC HEARING

CITY OF HAPPY VALLEY

CITY COUNCIL

THIS IS TO NOTIFY YOU THAT THE CITY OF HAPPY VALLEY PROPOSES A PLAN AND/OR LAND USE REGULATION THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY AND OTHER PROPERTIES.

This notice is provided in order to comply with Ballot Measure 56 - approved by Oregon voters on November 3, 1998. Ballot Measure 56 requires the City to print the following sentence: "The City has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property."

Notice is hereby given that the

**HAPPY VALLEY CITY COUNCIL will hold a
PUBLIC HEARING on
TUESDAY, APRIL 21, 2009 at 7:00 p.m.**

The hearings will be held at the Happy Valley City Hall
16000 SE Misty Drive,
Happy Valley, OR, 97086

The purpose of these hearings is to consider public testimony on:

ANNEXATION OF TERRITORY CURRENTLY IN UNINCORPORATED CLACKAMAS COUNTY AND AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN MAP/ZONING MAP

On April 21, 2009, the City of Happy Valley will hold a public hearing regarding proposed annexation of territory into the City and amendments to the City's Comprehensive Plan Map/Zoning Map (File No. ANN-01-09/CPA-03-09). The City will be applying the use of a zoning matrix, which will effectively rezone properties proposed for annexation from the existing Clackamas County zoning designation to an equivalent city zoning designation. The following language is required of Measure 56 notices: *The City of Happy Valley has determined that adoption of this plan may affect the permissible uses of your property, and other properties in the affected area, and may change the value of your property.* These land use files are available for inspection at the City of Happy Valley City Hall located at 16000 SE Misty Drive, Happy Valley, OR 97086. All written comments must be received by Wednesday, April 1, 2009 at the above address. For additional information concerning the file, please contact Justin Popilek, Assistant Planner at 503-783-3839, or write to justinp@ci.happy-valley.or.us. The City Council is the final local review authority and will consider the Annexation, Comprehensive Plan Map/Zoning Map amendment, and an Ordinance at the public hearing. Applicable criteria for this review are generally set forth in:

- Happy Valley Comprehensive Plan Policies;
- Happy Valley Development Code
- Metro Urban Growth Management Functional Plan; and,
- Oregon Statewide Planning Goals and Statutes.

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting if requested at least 72 hours prior to the meeting. To obtain such services, please contact Marylee Walden, City Recorder, at 503.783.3800

CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OREGON 97086
PH. 503.783.3800
FAX 503.658.5174

NOTICE

NOTICE IS HEREBY GIVEN that the Happy Valley City Council will hold a public hearing and will consider annexation of territories pursuant to the Expedited Decision process of Metro Code Chapter 3.09.045 and the concurrent legislative conversion of Clackamas County Comprehensive Plan Designation and Zoning to applicable City of Happy Valley Comprehensive Plan Designation and Zoning District to the affected properties pursuant to Section 16.40.080 of the City's Municipal Code in the City Hall Council Chambers, 16000 SE Misty Drive, Happy Valley, Oregon on **Tuesday, April 21, 2009, at 7:00 p.m.**

DOCKET NUMBER
ANN-01-09/CPA-03-09

Affected properties total approximately 28.94 acres of real property and include the following properties as listed by Clackamas County Assessor Map Number:

23E07B 00800	22E03AA00500
12E34D 01600	22E03AA00300
13E31C 01400	22E03AA00400
12E34DD01800	13E31C 01100
22E02DA00100	13E31D 01800

The City Council intends to decide on the Annexations and Comprehensive Plan Map Amendments/Zoning Map Amendments at the public hearing. The Council may approve or deny an application for annexation and the associated legislative comprehensive plan map/zone map amendments in accordance with the applicable criteria of the City of Happy Valley Comprehensive Plan, and Articles 16.40.020, 16.40.030, 16.40.040, 16.40.041, 16.40.060, 16.40.080, 16.12.070, of the City of Happy Valley Municipal Code, METRO code 3.09, and ORS 222.111, 222.125 and 222.170.

The decision will be made in accordance with the said criteria, and may be appealed to the Land Use Board of Appeals.

The decision-making criteria, application, and records concerning this matter are available at the City of Happy Valley City Hall at the above address during working hours (8:00 a.m. to 4:30 p.m. weekdays), please call for an appointment. For additional information, contact, Michael D. Walter, Planning Director, or Justin Popilek, Assistant Planner at the above address and phone number.

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting Marylee Walden, City Recorder at the above phone number.

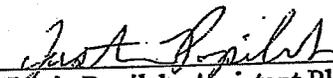

Justin Popilek, Assistant Planner

Exhibit A.



1120 N.W. Couch Street, Tenth Floor
Portland, OR 97209-4128

PHONE: 503.727.2000

FAX: 503.727.2222

www.perkinscoie.com

Michael C. Robinson

PHONE: (503) 727-2264

FAX: (503) 346-2264

EMAIL: MRobinson@perkinscoie.com

March 24, 2009

VIA EMAIL

Mr. Jason A. Tuck
Economic and Community Development Director
City of Happy Valley
16000 SE Misty Drive
Happy Valley, OR 97086

Re: City of Happy Valley File No. ANN-01-09/CPA-03-09

Dear Mr. Tuck:

This office represents Providence Health System - Oregon. Providence has received the enclosed notice regarding annexation of a property adjacent to SE 162nd Avenue (23E07B 00800). On behalf of Providence, I am writing to request that the staff recommend the annexation be subject to a waiver of remonstrance to formation of a local improvement district ("LID"), reimbursement district or other device that will fund the improvement of SE 162nd Avenue.

As you know, interested property owners have been meeting with the City over a period of several months to discuss how best to proceed with the extension of SE 162nd Avenue to the north so that it connects with SE Sunnyside. This benefits not only those property owners because it provides needed road capacity so that the City's vision for development of this employment area can be achieved but it also benefits the community by more effectively linking this part of Happy Valley to the heart of Happy Valley. As properties are annexed, Providence believes that it is important that those properties be conditioned to share the burden and benefit of achieving this necessary transportation improvement.

38638-0003/LEGAL15625796.1

ANCHORAGE • BEIJING • BELLEVUE • BOISE • CHICAGO • DENVER • LOS ANGELES • MENLO PARK
OLYMPIA • PHOENIX • PORTLAND • SAN FRANCISCO • SEATTLE • SHANGHAI • WASHINGTON, D.C.

Perkins Coie LLP and Affiliates

EXHIBIT #

F

Mr. Jason Tuck
March 24, 2009
Page 2

Please place this letter before the Happy Valley City Council for the public hearing on April 21, 2009 and provide me with written notice of the decision.

Very truly yours,



Michael C. Robinson

MCR:cfr

Enclosures

cc: Mr. Gene Grant (w/encls.) (via email)
Mr. Paul Elsner (w/encls.) (via email)

**ORDINANCE NO. 387
CITY OF HAPPY VALLEY**

AN ORDINANCE ANNEXING TERRITORY INTO THE CITY OF HAPPY VALLEY, OREGON AND THE NORTH CLACKAMAS PARKS AND RECREATION DISTRICT, WITHDRAWING SAID TERRITORY FROM THE CLACKAMAS COUNTY ENHANCED LAW ENFORCEMENT DISTRICT, DECLARING AN EMERGENCY AND AMENDING OFFICIAL MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND DEVELOPMENT ORDINANCE NO. 97.

WHEREAS, pursuant to ORS 222.125 the City of Happy Valley received petitions signed by 100 percent of the owners of 100 percent of the properties with 100 percent of the assessed value of territory requesting annexation (ANN-01-09/CPA-03-09); and

WHEREAS, the proposed annexation territory consists of 10 tax lots totaling 28.94 acres of land adjacent to existing City boundaries; and

WHEREAS, the specific tax lots to be annexed include:

12E34D01600, 12E34DD01800, 13E31C01400, 22E02DA00100, 22E03AA00300, 22E03AA00400, 22E03AA00500, 23E07B00800, 13E31C01100, 13E31D01800; and

WHEREAS, the City provided notice that the City Council would consider the annexation petitions, consistent with the applicable notice requirements of (1) applicable provisions of Metro Code Chapter 3.09, (2) Section 2(d) of the Urban Growth Management Agreement dated June 19, 2001, and (3) applicable state law requirements; and

WHEREAS, the City has adopted an expedited decision process for annexations consistent with Metro Code Chapter 3.09.045; and

WHEREAS, pursuant to Section 16.40.080 of the Happy Valley Municipal Code, eight of the 10 Tax Lots proposed for annexation will be legislatively rezoned from Clackamas County to "equivalent" Happy Valley zoning designations; and

WHEREAS, the City Council considered the proposed annexation and Comprehensive Plan map/Zoning map amendment at its regularly scheduled City Council meeting on April 21, 2009; and

WHEREAS, the Council finds that the proposed annexation is consistent with the City's Urban Growth Management Agreement and the approval of the voters and the consents of affected property owners; and

WHEREAS, the Council deems it in the public interest to declare an emergency so that this ordinance take effect as specified below, prior to the expiration of the 30-day period specified in the City Charter, because regional planning for the affected property is underway and the jurisdiction over the affected property should be established as soon as possible to facilitate the regional planning effort, as required by Metro.

Now, therefore, based on the foregoing,

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. The City Council declares the territory described in Exhibit B, and depicted in Exhibit A is annexed to Happy Valley effective April 21, 2009

Section 2. The City of Happy Valley declares through the legislative process that the following city zoning designations shall apply to eight of the Tax Lots proposed for annexation, as pursuant to Section 16.40.080 of the Happy Valley Municipal Code:

12E34D01600- Medium Density Residential (R-10)
12E34DD01800- Medium-Low Density Residential (R-15)
13E31C01100- Residential 5,000 square feet (R-5)
13E31C01400- Residential 5,000 square feet (R-5)
22E02DA00100- Institutional and Public Use (IPU)
22E03AA00300- Mixed Use Commercial (MUC)
22E03AA00400- Mixed Use Commercial (MUC)
22E03AA00500- Mixed Use Commercial (MUC)

Section 3. The City Council adopts the Annexation Application and Comprehensive Plan Map/Zoning Map Amendment (ANN-01-08/CPA-03-09) and the associated Staff Report to the City Council dated April 21, 2009

Section 4. The territory described in Exhibit A, and depicted in Exhibit B is hereby annexed to the North Clackamas Parks and Recreation District and is withdrawn from the Clackamas County Enhanced Law Enforcement District effective April 21, 2009

Section 5. The City Recorder is directed to:

1. File a copy of this Ordinance and the statements of consent to annexation consistent with ORS 222.180 with the Secretary of State and Department of Revenue;
2. Mail a copy of this ordinance to Metro including the required fee consistent with Metro Code Chapter 3.09.030(e); and
3. Mail a copy of this Ordinance to Clackamas County and any other necessary parties consistent with Metro Code Chapter 3.09.030(e):

Section 6. An emergency is declared to exist and as provided by Section 32 of the Happy Valley City Charter this Ordinance takes effect on April 21, 2009

READ for the first time at the regular meeting of the City Council of the City of Happy Valley, Oregon, on April 21, 2009 and read for the second time on April 21, 2009, and adopted by a unanimous vote of the members of the City Council of the City of Happy Valley, Oregon.

CITY OF HAPPY VALLEY

ATTEST:

Mayor Rob Wheeler

Marylee Walden, City Recorder

Mayor
Honorable Rob Wheeler



City Manager
Catherin L. Daw

DATE: April 27, 2009

File No. ANN-01-09/CPA-03-09

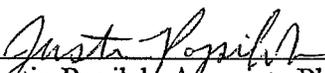
NOTICE OF EXPEDITED DECISION

This is official notice of action taken by the Happy of Valley City Council pursuant to Metro Code 3.09.045 with regard to applications for annexation to the City of Happy Valley. The subject properties are listed on the attached form.

Pursuant to Section 16.40.080 of the Happy Valley Municipal Code, eight of the 10 Tax Lots associated with this annexation application will be legislatively rezoned from Clackamas County to "equivalent" Happy Valley zoning designations. The previous and new zoning designations are listed on the attached form.

The City Council formally approved the subject annexation application and Comprehensive Plan map/Zoning map amendments based upon findings included within the Staff Report dated April 21, 2009, and deliberations of the City Council.

Per Metro Code 3.09.045 decisions made pursuant to an expedited process are not subject to appeal by a necessary party pursuant to Section 3.09.070.


Justin Popilek, Associate Planner

cc: Petitioners
Necessary Parties
File

16000 SE Misty Drive
Happy Valley, Oregon 97086
Telephone: (503) 783-3800 Fax: (503) 658-5174
Website: www.ci.happy-valley.or.us

