

Final Documents  
for  
Annexation to  
**West Linn**

CL1510  
Ordinance/Resolution: 2010-05, 2010-25  
Annexation: ANX 09-01  
DOR: 3-1892-2010  
Secretary of State: AN 2010-0077

OFFICE OF THE SECRETARY OF STATE

KATE BROWN  
SECRETARY OF STATE

BARRY PACK  
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION  
MARY BETH HERKERT  
DIRECTOR  
800 Summer Street NE  
Salem, Oregon 97310  
(503) 373-0701  
Facsimile (503) 378-4118

August 19, 2010

Metro  
Linda Martin  
600 NE Grand Ave  
Portland, Oregon 97232-2736

Dear Ms. Martin:

Please be advised that we have received and filed, as of **August 19, 2010**, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
2010-05, 2010-25 [West Linn]	AN 2010-0077

For your records please verify the effective date through the application of ORS 199.519.

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)  
Department of Revenue  
ODOT  
Population Research Center



CITY OF  
**West Linn**

August 13, 2010

Linda Martin  
Metro Data Resource Center  
600 NE Grand Ave.  
Portland, OR 97232

**RE: City of West Linn Annexation on Parker Road (City file: ANX 09-01)**

Dear Ms. ~~Martin~~: *Linda*

As a follow-up to our call this afternoon, please consider this letter as an addendum to the check provided to you under a separate letter dated July 27<sup>th</sup>. The following attachments were inadvertently left out of that package.

Enclosed is the supplemental information required to finalize the City's annexation of a property located at 3332 and 3151 Parker Rd. The City of West Linn voters approved of the annexation on May 18, 2010. Enclosed are:

- Copy of the signed annexation Ordinance;
- Approved DOR Notice to Taxing Districts;
- Approved legal description and map; and
- Signed City Resolution proclaiming the results of the election

Please let me know if you need any other information ([ckerr@westlinnoregon.gov](mailto:ckerr@westlinnoregon.gov) or call me at 503-723-2538) and thanks again for your assistance.

Sincerely,

Chris Kerr  
Senior Planner

Enclosures

# Notice to Taxing Districts

ORS 308.225

RECEIVED

MAR 31 2010

PAGE..... OF.....

DOR 3-1892-2010



OREGON  
DEPARTMENT  
OF REVENUE

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

West Linn Planning and Building  
22500 Salamo Road, #1000  
West Linn, OR 97068

**Description and Map Approved**

**March 29, 2010**

**As Per ORS 308.225**

Description     Map received from: WEST LINN PLANNING

On: 3/29/2010, 3/29/2010

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

ANNEX TO CITY OF WEST LINN

RES. #2010-05(ANX 09-01)

has been:     Approved            3/29/2010  
                   Disapproved

Notes:

The red-lined map 2s1e-26 should be included in the final docs that are sent to other agencies.  
The map, description & signed Ord. must also be filed with the COUNTY ASSESSOR prior to  
3/31/2010.

ON THE BALLOT FOR THE 5/18/2010 ELECTION.

Department of Revenue File Number: 3-1892-2010

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
- Establishment of Tax Zone

**RESOLUTION NO. 2010-25  
WEST LINN, OREGON**

**A RESOLUTION OF THE WEST LINN CITY COUNCIL PROCLAIMING THAT THE ANNEXATION OF APPROXIMATELY 7.5 ACRES GENERALLY LOCATED AT 3151 AND 3332 PARKER ROAD, INCLUDING A PORTION OF THE ADJACENT PUBLIC RIGHT-OF-WAY, RECEIVED AN AFFIRMATIVE VOTE FROM A MAJORITY OF THE ELECTORATE VOTING IN THE MAY 18, 2010 ELECTION AND WILL THUS BE ANNEXED INTO THE CITY OF WEST LINN AND REMOVED FROM THE COUNTY ENHANCED LAW ENFORCEMENT DISTRICT**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON THAT:**

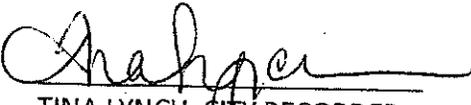
- Section 1: The City Council designated May 18, 2010 as the date for holding an election for the electorate to vote on the question of whether to annex into the City of West Linn approximately 7.5 acres generally located at 3151 and 3332 Parker Road, including a portion of the public right-of-way.
- Section 2: An election was held on May 18, 2010 in and for the City of West Linn, Clackamas County, Oregon to decide the question of annexation of the 7.5 acres.
- Section 3: The election was conducted by mail in ballot by the Clackamas County Elections Department, which established polling places, precincts, and election boards for the election.
- Section 4: The precincts for said election constituted all of the territory included within the corporate limits of the City of West Linn.
- Section 5: The majority of the electorate voting in the May 18, 2010 election approved the annexation of the approximately 7.5 acres generally located at 3151 and 3332 Parker Road, including a portion of the public right-of-way.
- Section 6: The zoning designation for the property was considered by the City Council at its meeting of December 14, 2009. The City Council determined the zoning of the property to be R-3 to be effective at the time of voter approval and completion of the annexation process.
- Section 7: This resolution shall be effective upon signature.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT AN APPROXIMATE 7.5 ACRES, GENERALLY LOCATED AT 3151 AND 3332 PARKER ROAD, INCLUDING A PORTION OF THE ADJACENT PUBLIC RIGHT-OF-WAY, RECEIVED AN AFFIRMATIVE VOTE FROM THE MAJORITY OF THE ELECTORATE VOTING IN THE MAY 18, 2010 ELECTION AND WILL THUS BE ANNEXED INTO THE CITY OF WEST LINN AND REMOVED FROM THE COUNTY ENHANCED LAW ENFORCEMENT DISTRICT.

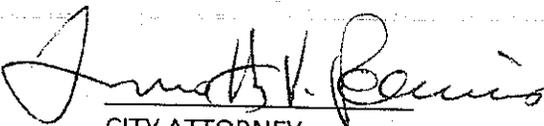
This resolution adopted this 28<sup>th</sup> day of June, 2010.

  
\_\_\_\_\_  
JOHN KOVASH, MAYOR

ATTEST:

  
\_\_\_\_\_  
TINA LYNCH, CITY RECORDER

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY

**BEFORE THE WEST LINN CITY COUNCIL  
FINAL ORDER**

ANX-09-01

*Regarding the Step One Annexation of an approximate 7.5 acre site located at 3332 and 3151 Parker Rd.*

At the hearing date of December 14, 2009, the West Linn City Council held a meeting pursuant to the provisions of Community Development Code, Chapter 81 to consider a Step One Annexation approval of approximately 7.5 acres located at 3332 and 3151 Parker Road; including the adjacent right-of-way. They concluded that:

**FINDINGS OF FACT**

1. The City Council conducted a public hearing on December 14, 2009 and heard and accepted the staff report and findings included therein.
2. The City Council found that the Step One Annexation request met the approval criteria of Community Development Code, Section 81.050, which includes meeting Municipal Code, Section 2.920(1.) Specifically, the Council found that the following conditions necessary to process an annexation were met:
  - (a) The subject site is located within the Portland Metropolitan Urban Growth Boundary.
  - (b) The site is designated as Medium High Density Residential on the West Linn Comprehensive Plan Map.
  - (c) The site is contiguous to the existing city limits on all sides.
  - (d) Written consent from the property owner has been provided in accordance with ORS Section 222.111.
  - (e) The property has been included in all applicable capital facility improvements plans and, accordingly, has been planned for all needed City infrastructure.
3. The City Council found that the proposal complies with the criteria of Metro Code, Section 3.09.050(d,) and that Section 3.09.050(e) was not applicable. The City has not adopted an annexation plan under ORS 195.065, and there are no urban service agreements in place for the area.
4. The City Council found that the proposal complies with the Comprehensive Plan, the Sanitary Sewer Master Plan, Water System Master Plan, and Storm Drainage Master Plan.

5. The City Council found that the site proposed for annexation is adjacent and contiguous to recent development, and is timely, and will not interfere with economic provision of the public facilities or services. The County Enhanced Law Enforcement District is the only unit of government that would lose territory as a result of annexation to the City. The Tri-City Sewer Service District annexation will be required subsequent to the City's annexation of the property.
6. In accordance with the Comprehensive Plan Designation of Medium High Density Residential, which provides for compatible zoning districts of either R-2.1 or R-3, the City Council determined that the site should be zoned R-3 (one dwelling per 3,000 square feet) if annexed into the city, because the site is principally located adjacent to land zoned R-3 and GC; therefore, the R-3 zoning is consistent with the prevailing zoning in the area.
7. A motion was made and seconded to approve the Step One Annexation, including removal from the County Enhanced Law Enforcement District. The Step One Annexation was approved, with no additional conditions of approval.

This decision is final upon the date of the signature on this notice. Those parties with standing may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) according to the rules adopted by LUBA.

Patti Galle Mayor  
PATTI GALLE, MAYOR

12/15/2009  
DATE

MAILED THIS 16 DAY OF December, 2009.

APPROVED AS TO FORM:

[Signature]

**Description**

Part of the Julia Ann Lewis D.L.C. No. 54, in Section 26, Township 2 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas, and State of Oregon, described as:

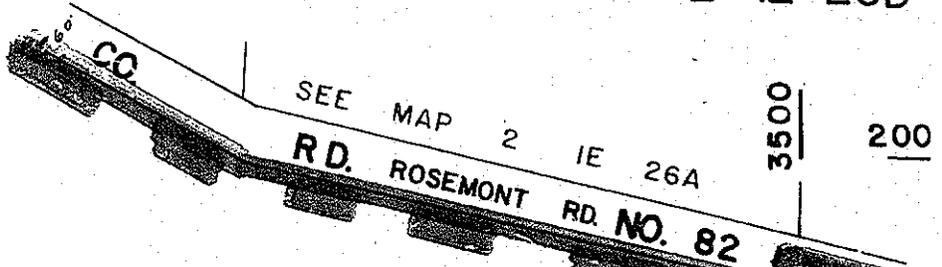
Beginning at a point on the South line of the D.L.C. of Julia Ann Lewis No. 54, Township 2 South, Range 1 East, of the Willamette Meridian, South 65°00' East 10.50 chains from the Southwest corner of said claim; thence North 19°45' East 35.50 chains, more or less, to the north boundary line of said D.L.C.; thence South 63°00' East on claim line 6.50 chains; thence South 19°45' West 35.50 chains, more or less, to the South boundary line of said claim; thence North 65°00' West on claim line 5.25 chains to the place of beginning, except that part thereof lying North of the southerly right of way line of the northerly portion of Parker Road, and except the South 60.00 rods conveyed to Eugene H. Ford and Bessie C. Ford, his wife, by deed recorded December 5, 1929, in Book 203 at Page 525, records of Clackamas County, Oregon.

**(MAP AND TAX LOT NO.: 21E26D 00500)**

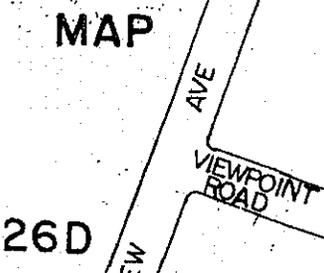
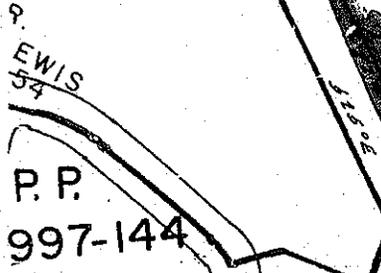
D. L.C.  
JULIA ANN LEWIS NO. 54  
WILLIAM BLAND NO. 55  
SAMUEL MILLER NO. 58  
S. SHANNON NO. 70

2 IE 26D

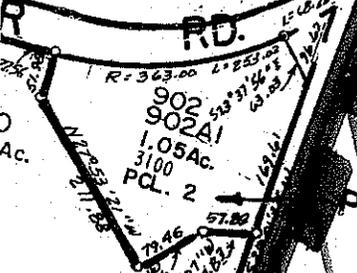
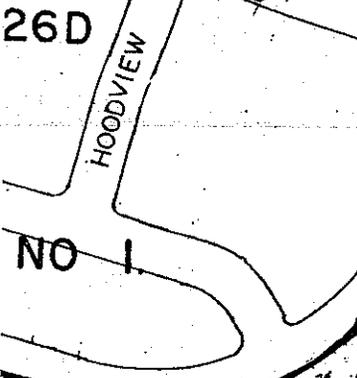
MAP 2 IE 26A  
SUPPLEMENTAL I



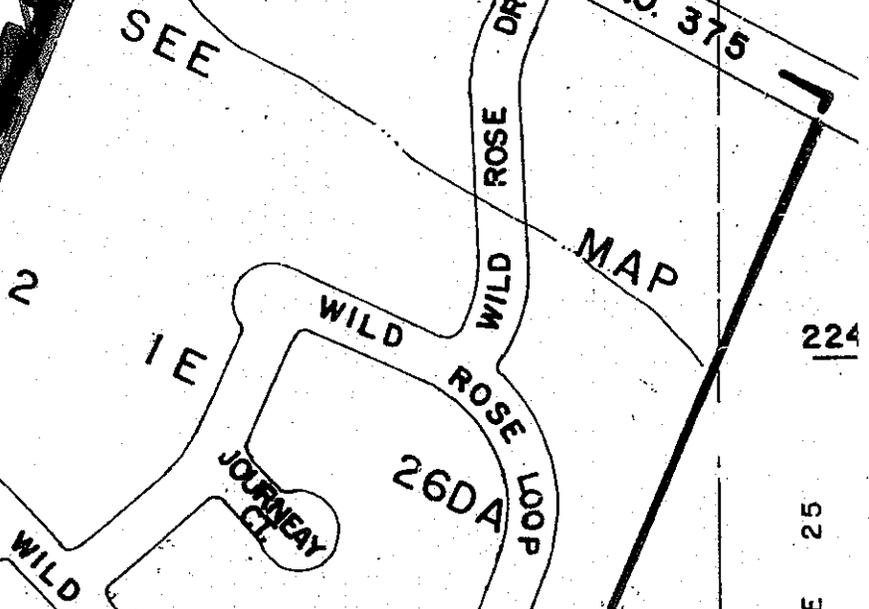
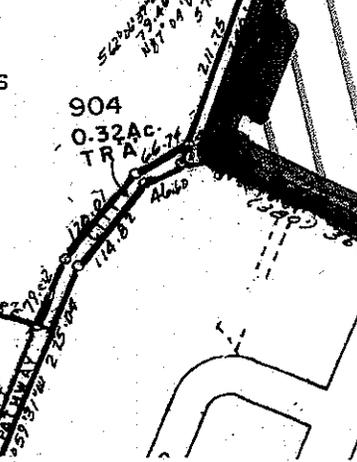
FU-10/HL



FU-10



FU-10  
3-31  
P.P. 1999-31



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- 405
- 903EI
- 600
- 700
- 401

CITY OF WEST LINN

CERTIFICATION OF PROPERTY OWNERSHIP

I hereby certify that the attached petition for annexation of the territory described herein to the City of West Linn contains the names of the owners\* of a majority of the land area of the territory to be annexed, as shown on the last available complete assessment roll.



NAME Mary Neigel Mary Neigel  
TITLE Cartographer II  
DEPARTMENT \_\_\_\_\_  
CLACKAMAS COUNTY ASSESSOR'S OFFICE  
DATE 11-04-2009

\* "Owner" means the owner of the title to real property or the contract purchaser of real property.



CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition for annexation of territory described herein to the City of West Linn contains the names of at least a majority of the electors registered in the territory to be annexed.



NAME FLOYD THOMAS  
TITLE DEPUTY CLERK  
DEPARTMENT ELECTIONS  
CLACKAMAS COUNTY ELECTION'S DEPARTMENT  
DATE 11-4-09

CLACKAMAS COUNTY ELECTIONS  
1710 RED SOILS CT, SUITE 100  
OREGON CITY, OR 97045

Floyd Thomas

CITY OF WEST LINN

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 21-E 26 D 00500) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME Mary Neigel *Mary Neigel*

TITLE Cartographer II

DEPARTMENT \_\_\_\_\_  
CLACKAMAS COUNTY ASSESSOR'S OFFICE

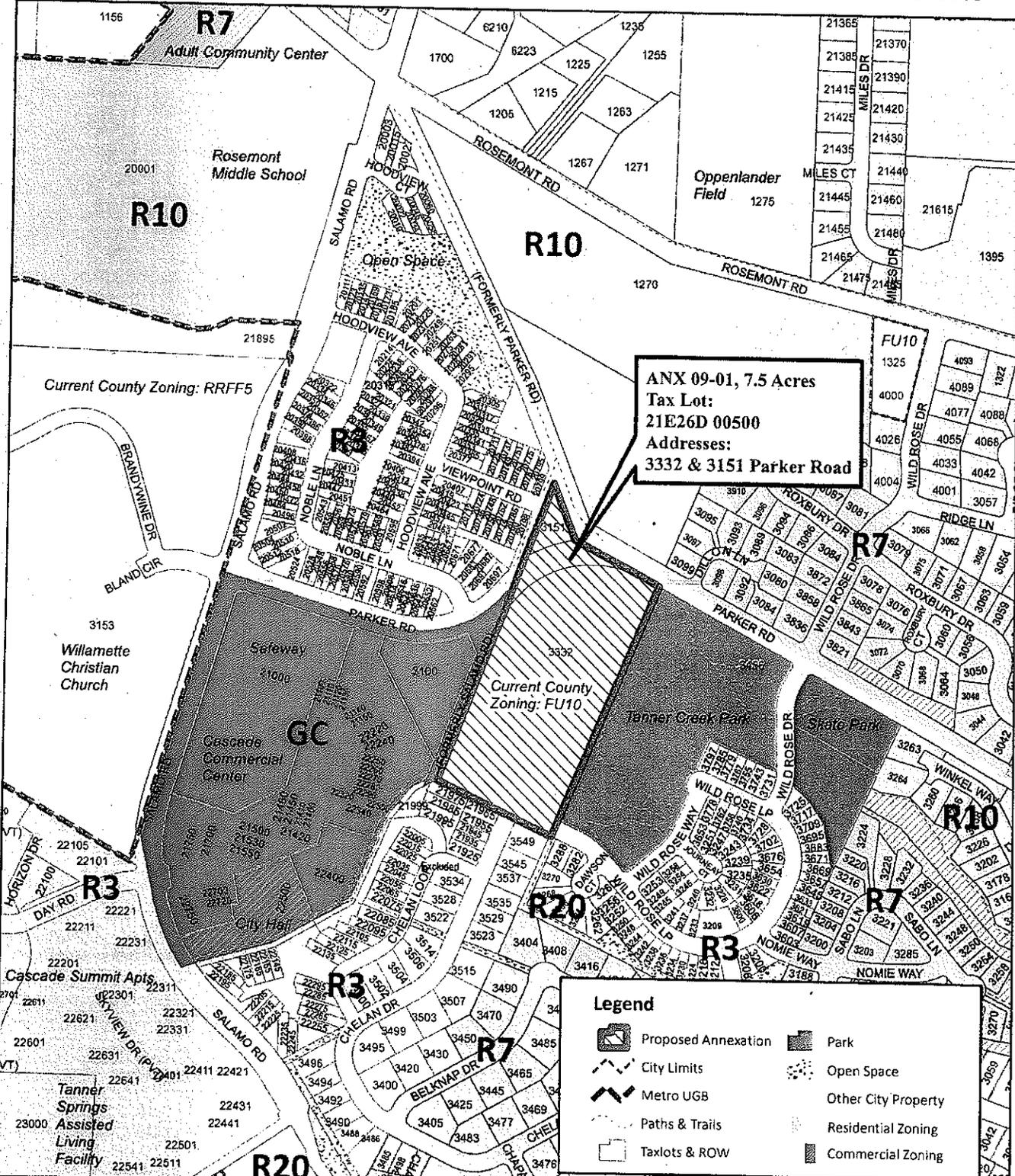
DATE 11.04.2009





# ANX09-01

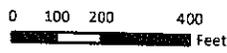
October 2009



**Legend**

	Proposed Annexation		Park
	City Limits		Open Space
	Metro UGB		Other City Property
	Paths & Trails		Residential Zoning
	Taxlots & ROW		Commercial Zoning

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.  
 Taxlot Base Source: Metro RLIS



GIS\PLANNING2\200910\_OCT\_PROP\_ANNEXATIONS1  
 PARKERRD\_ANX09-01\_ZONING.MXD / AHA / 10-26-09



**RESOLUTION NO. 2010-05  
WEST LINN, OREGON**

**A RESOLUTION OF THE WEST LINN CITY COUNCIL SUBMITTING A PROPOSED ANNEXATION REQUIRING VOTER APPROVAL TO THE REGISTERED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE MAY 18, 2010 ELECTION.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON THAT:**

Section 1: An election is hereby called in and for the City of West Linn, Clackamas County, Oregon for the purpose of submitting to the legal voters of the City the Measure attached to this resolution as Exhibit "A" which by this reference is made a part of this resolution.

Section 2: Tuesday, May 18, 2010 is hereby designated the date for holding the election for the purpose of voting on the measure as stated in the above paragraph.

Section 3: The election will be conducted by the Clackamas County Elections Department, which department shall establish polling places, precincts, and election boards for such election.

Section 4: The precincts for said election shall be and constitute all of the territory included within the corporate limits of the City of West Linn.

Section 5: The ballot title to appear on the ballots shall be:

CAPTION

ANNEXATION OF 3332 AND 3151 PARKER ROAD REQUIRING VOTER APPROVAL

QUESTION

Shall City annex 7.5-acres of real property at 3332 and 3151 Parker Road and apply the City's R-3 zoning?

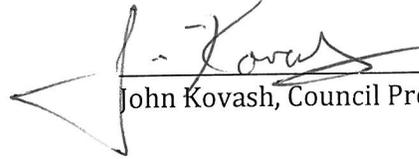
SUMMARY

West Linn Charter Section 3 requires that annexation of any territory be approved by the voters of the City. This measure, if approved, would annex 7.5-acres of real property located at 3332 and 3151 Parker Road. The area to be annexed is bisected by Parker Road and also includes the unincorporated portion of Parker Road adjacent to the site. The West Linn City Council has determined that the proposed annexation complies with all relevant land use criteria for annexations. After annexation, the City would re-zone the real property R-3, Single-Family and Multiple-Family Residential.

Section 6: This Resolution is subject to the City receiving from the property owner, by March 18, 2010, an agreement in a form approved by the City Manager granting control over the Property's subsurface water rights, if any, to the City.

Section 7: This resolution shall be effective upon signature.

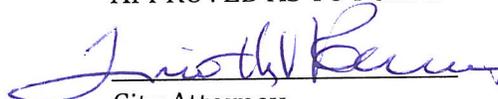
This resolution adopted this 8<sup>th</sup> day of February, 2010.

  
\_\_\_\_\_  
John Kovash, Council President

ATTEST:

  
\_\_\_\_\_  
Tina Lynch, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

# EXHIBIT A

## CAPTION

ANNEXATION OF 3332 AND 3151 PARKER ROAD REQUIRING VOTER APPROVAL

## QUESTION

Shall City annex 7.5-acres of real property at 3332 and 3151 Parker Road and apply the City's R-3 zoning?

## SUMMARY

West Linn Charter Section 3 requires that annexation of any territory be approved by the voters of the City. This measure, if approved, would annex 7.5-acres of real property located at 3332 and 3151 Parker Road. The area to be annexed includes land on both sides of Parker Road and also includes the unincorporated portion of Parker Road adjacent to the site. The West Linn City Council has determined that the proposed annexation complies with all relevant land use criteria for annexations. After annexation, the City would re-zone the real property R-3, Single-Family and Multiple-Family Residential.