

Final Documents
for
Annexation to
Metropolitan Service District

WA0811

Ordinance/Resolution: 11-1260

Annexation: AN-0111

DOR: 34-1986-2011

Secretary of State: SD 2011-0043

Secretary of State Effective Date: 7/5/2011

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

July 5, 2011

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 the date below, the following records annexing territory to the following:

Ordinance/ Resolution Number(s)	Date	Our File Number
11-1260	07/ 05/ 2011	SD 2011-0043

For your records please verify the effective date through the applicable ORS.

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

Sincerely,

Linda Bjornstad
Official Public Documents

Cc: Department of Revenue
ODOT
Population Research Center

Notice to Taxing Districts

ORS 308.225



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

Metropolitan Service Dist. (Metro)
Budget Officer
600 NE Grand Ave
Portland, OR 97232-2736

Description and Map Approved

June 28, 2011

As Per ORS 308.225

Description Map received from: LINDA MARTIN
On: 6/7/2011

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

ANNEX TO METRO DISTRICT BOUNDARY

ORD 11-1260 (WA-0811)

has been: Approved 6/28/2011
 Disapproved

Notes:

The maps, legal descriptions and signed ordinance must also be filed with the COUNTY ASSESSOR prior to March 31, 2012 per ORS 308.225.

Department of Revenue File Number: 34-1986-2011

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

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE) ORDINANCE NO. 11-1260
METRO DISTRICT BOUNDARY)
APPROXIMATELY 21 ACRES NORTH OF) Introduced by Councilor Carl Hosticka
SW TUALATIN-SHERWOOD ROAD, WEST)
OF THE TERMINUS OF ARROW STREET IN)
THE CITY OF SHERWOOD)

WHEREAS, the Metro Council added the territory proposed for annexation to the district by Ordinance No. 02-986A, on December 5, 2002; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to a city prior to the application of land use regulations that allow urbanization of the territory; and

WHEREAS, the city of Sherwood has completed comprehensive planning for the territory and proposes that the Metro Council annex the territory to the Metro district boundary; and

WHEREAS, annexation of the territory would allow the city to apply its comprehensive plan and land use regulations to the territory; and

WHEREAS, Metro has received written consent from all the owners of the land; and

WHEREAS, there are no electors in the territory; and

WHEREAS, no necessary party has contested the annexation; and

WHEREAS, the proposed annexation complies with the requirements of Metro Code 3.09.045 and 3.09.070; and

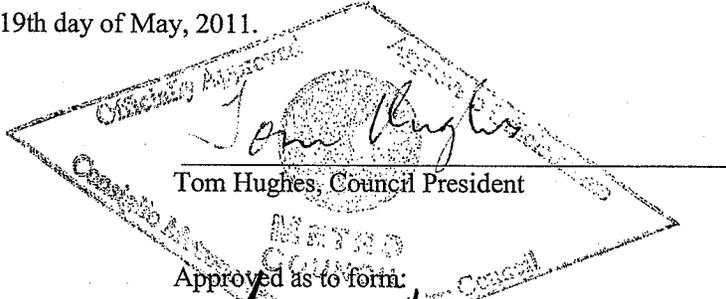
WHEREAS, the Council held a public hearing on the proposed annexation on May 19, 2011; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.

2. The proposed annexation meets the criteria in sections 3.09.045 and 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated April 20, 2011, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this 19th day of May, 2011.



Tom Hughes, Council President

Approved as to form:

Attest:

Kelsey Newell
for Kelsey Newell, Recording Secretary

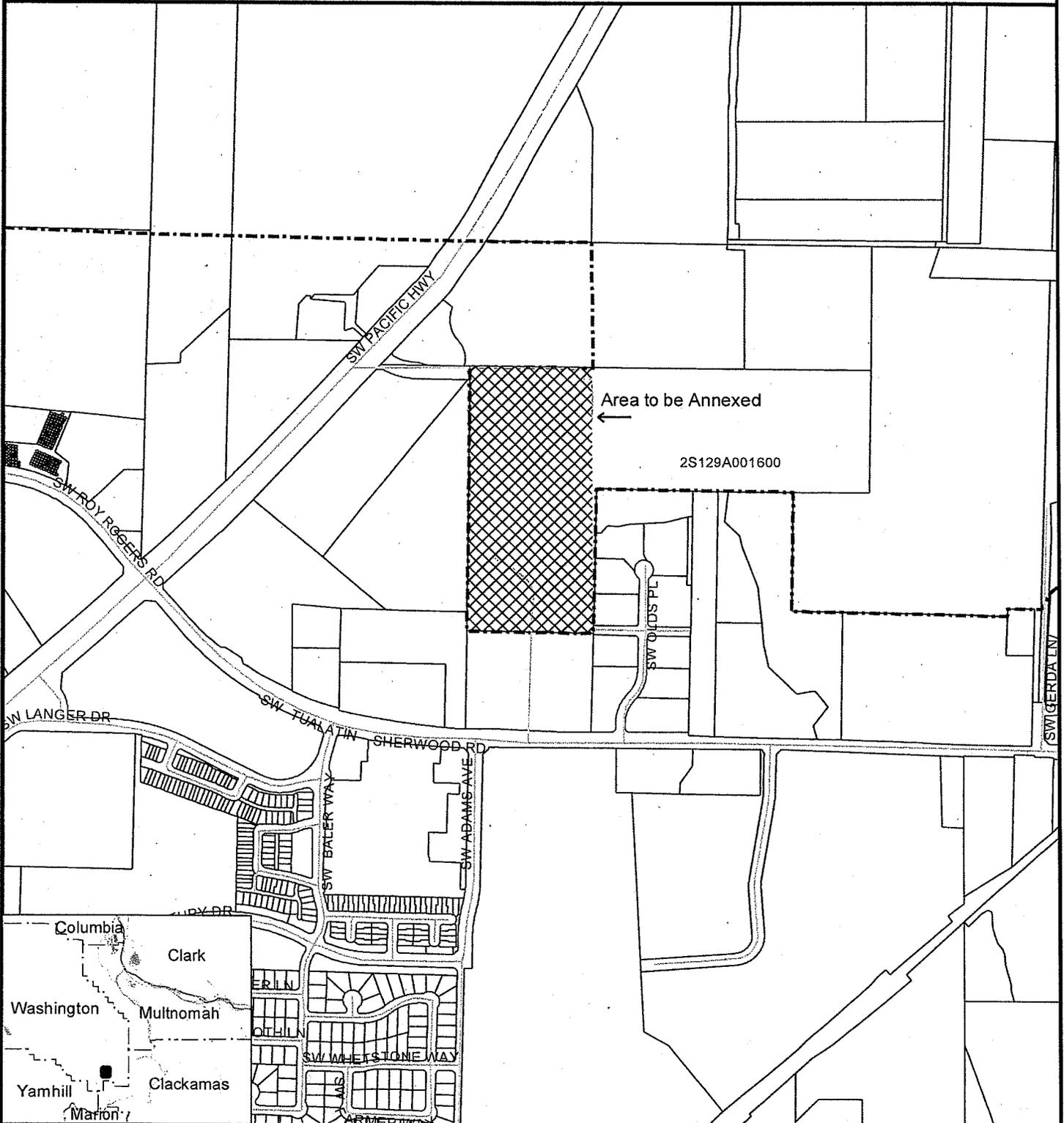
Alison Kean Campbell
Alison Kean Campbell, Acting Metro Attorney

Proposal No. AN-0111

2S1W29

Annexation to the Metro District Boundary

Washington County



Data Resource Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

Proposal No. AN-0111 Metro District boundary

-  Area to be annexed
-  Taxlots
-  Metro District boundary

1:8,400



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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 11-1260, FOR THE PURPOSE OF ANNEXING INTO THE METRO DISTRICT BOUNDARY APPROXIMATELY 21 ACRES NORTH OF SW TUALATIN-SHERWOOD ROAD, WEST OF THE TERMINUS OF ARROW STREET IN THE CITY OF SHERWOOD

Date: April 20, 2011

Prepared by: Tim O'Brien
Principal Regional Planner

BACKGROUND

CASE: AN-0111, Annexation to Metro District Boundary

PETITIONER: City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140

PROPOSAL: The petitioner requests an expedited annexation to the Metro District boundary following the Metro Council's addition of the property to the Urban Growth Boundary (UGB) in 2002 and the City of Sherwood and Clean Water Services' annexation of the property in 2009 and 2010 respectively.

LOCATION: The site is located north of SW Tualatin-Sherwood Road, west of the terminus of Arrow Street in the City of Sherwood. A map of the site can be seen in Attachment 1.

ZONING: The property is zoned Light Industrial (LI) by the City of Sherwood.

The site consists of a portion of one parcel owned by Portland General Electric (PGE) and contains a PGE substation, PGE power lines and Bonneville Power Administration power lines. The land was added to the UGB to allow for the extension of SW Adams Avenue northward providing a connection between SW Tualatin-Sherwood Road and Highway 99W. The SW Adams Avenue extension is designated in the City of Sherwood's Transportation System Plan.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code Sections 3.09.045 and 3.09.070.

3.09.070 Changes to Metro's Boundary

(D) Changes to the Metro Boundary may be made pursuant to the expedited process set forth in section 3.09.045.

3.09.045 Expedited Decisions

The governing body of a city or Metro may use the process set forth in this section for minor boundary changes for which the petition is accompanied by the written consents of one hundred percent of property owners and at least fifty percent of the electors, if any, within the affected territory. No public hearing is required.

As noted above the request is for a portion of one parcel to be added to the Metro District boundary. The property owner, PGE, has provided written consent for the expedited process.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

The subject parcel was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-986A.

- 2. The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The conditions of approval for Ordinance No. 02-986A include a requirement that the City of Sherwood apply the interim protection measures for areas added to the UGB as outlined in Urban Growth Management Functional Plan Title 11: Planning for New Urban Areas. A second condition required that no urbanization could occur until the actual alignment of the Adams Road extension was determined and adopted into the City of Sherwood's Transportation System Plan (TSP). In order for the City to adopt the Adams Road extension into the TSP, it would first have to annex the area into the city limits, documenting how the city has the ability to provide necessary urban services. These measures ensured that urbanization would occur only after annexation to the city, which took place in December 2009.

- 3. The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

Under the Washington County/Sherwood Urban Planning Area Agreement (UPAA), the City of Sherwood is responsible for preparing the comprehensive plan and public facilities plan within the regional UGB surrounding the city limits. In the UPAA the County agreed that the City would be responsible for comprehensive planning with the urban planning area and would be responsible for the preparation, adoption and amendment of the public facility plan required by OAR 660-11 with the urban planning area. The UPAA also identifies the City as the appropriate provider of local water, sanitary sewer, storm water sewer and transportation facilities within the urban planning area. The Sherwood City Council reviewed and adopted the Adams Avenue North Concept Plan in July 2009, determining the plan was consistent with the City's Comprehensive Plan. Including the subject parcel in the Metro District boundary ensures that the area can be developed consistent with the approved concept plan. The proposed change is consistent with the UPAA.

Additional Necessary Information from Metro Code Section 3.09.045 (C):

- 1. The extent to which urban services are available to serve the affected territory, including any extra-territorial extension of service;*

Staff Response:

All urban services are available to serve the site from the City of Sherwood.

2. *Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and*

Staff Response:

The City of Sherwood annexed the site into the city limits in December 2009, through a voter approved annexation process. At that time the site was withdrawn from several Washington County service districts. The site was annexed to Clean Water Services in April 2010.

3. *The proposed effective date of the boundary change.*

Staff Response:

The effective date of the boundary change is 90 days from the date of adoption of Ordinance No. 11-1260 or August 17, 2011.

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

Legal Antecedents: Metro Code 3.09.070(D) allows for an expedited annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 21 acres to the Metro District. The land is currently within the UGB and city limits of Sherwood. Approval of this request will allow for the extension of Adams Road between SW Tualatin-Sherwood Road and Highway 99W.

Budget Impacts: As the applicant was required to file an application fee to cover all costs of processing this annexation request, there is no budget impact.

RECOMMENDED ACTION

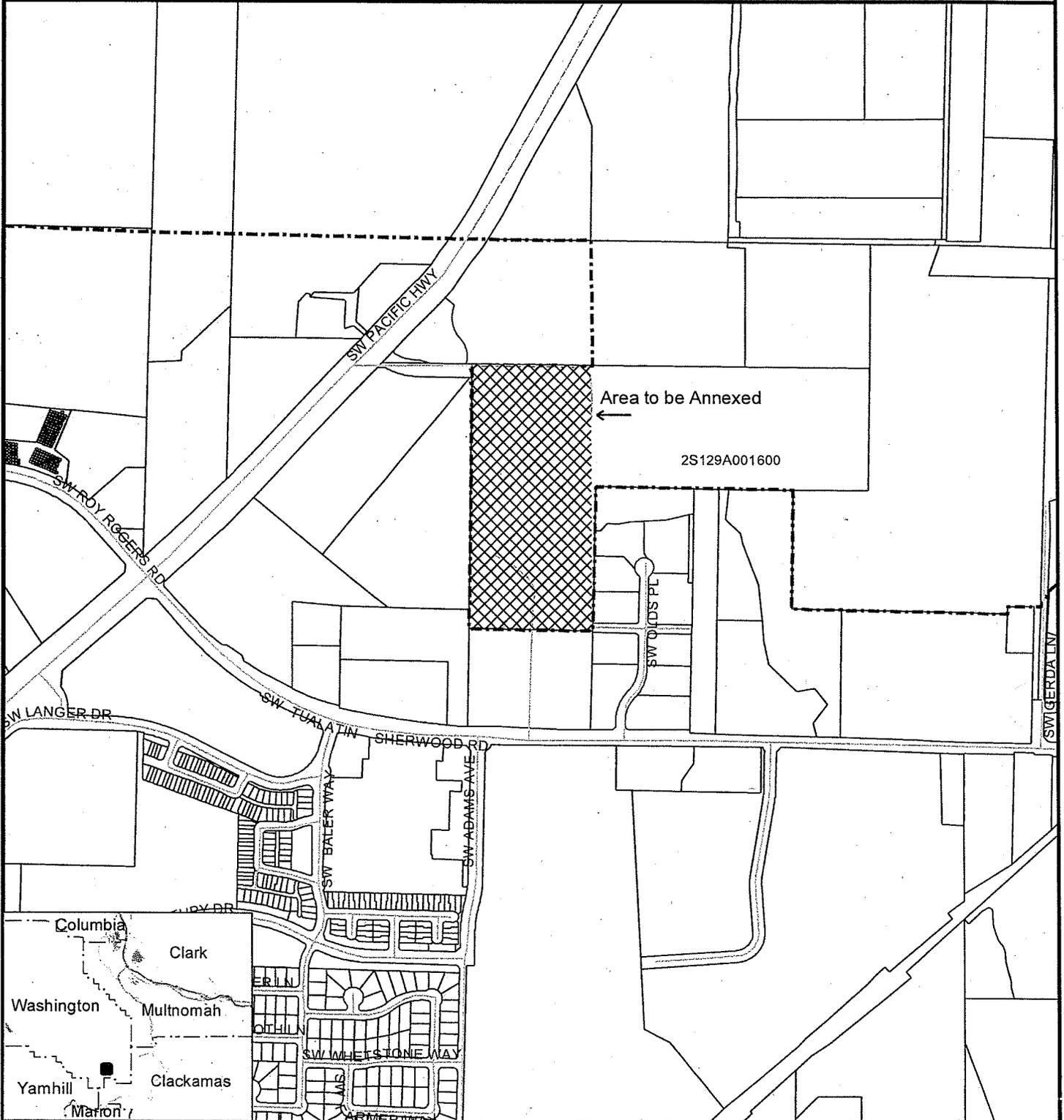
Staff recommends adoption of Ordinance No. 11-1260

Proposal No. AN-0111

2S1W29

Annexation to the Metro District Boundary

Washington County



Area to be Annexed

2S129A001600

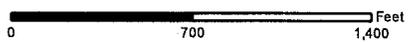


Proposal No. AN-0111 Metro District boundary

1:8,400

Data Resource Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
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- Area to be annexed
- Taxlots
- Metro District boundary



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**Metro District Annexation
Certification of Legal Description and Map**

I hereby certify that the description of the property included within the attached petition 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.

Name Jennifer Ramstad
Title Cartographer
Department: A & T Cartography
County: Washington
Date: March 9, 2011

f:\gm\long-range-planning\neill\UGRs\legalcert

ANNEXATION CERTIFIED

BY *[Signature]*

MAR 09 2011

WASHINGTON COUNTY A & T
CARTOGRAPHY

WA0811

Metro District Boundary annexation

The area annexing Into the Metro District Boundary is identical to the area on the attached Exhibit "A" Clean Water Services legal description dated March 17, 2010 and the Exhibit "B" Clean Water Services map.



Harper
Houf Peterson
Righellis Inc.

ARCHITECTS • ENGINEERS
PLANNERS • ENVIRONMENTAL SCIENTISTS

EXHIBIT A

March 17, 2010

CLEAN WATER SERVICES BOUNDARY ANNEXATION

Being a portion of that property described in that Warranty Deed to Portland General Electric, recorded May 11, 1966, in Book 600 Page 55, Washington County Deed Records, located in the Northwest and the Northeast One Quarters of Section 29, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon being more particularly described as follows:

Beginning at the most northerly northwest corner of Parcel 1 of Partition Plat 2003-025, Washington County Plat Records also being a point on the south line of Parcel 1 of Partition Plat 2002-027, Washington County Plat Records and also being the northeast corner of Tract A of Partition Plat 2001-048, Washington County Plat Records;

Thence S88°27'45"E, along the north line of Parcel 1 of said Partition Plat 2003-025, 660.10 feet to the Metro Urban Growth Boundary established by Ordinance 02-986A;

Thence S01°19'34"W, along said Metro Urban Growth Boundary, 659.85 feet to the northwest corner of Tract A of the Plat of "Sherwood Commercial Center", Document Number 2007023715, Washington County Plat Records;

Thence S01°19'34"W, along the west line of said Plat of "Sherwood Commercial Center", 760.65 feet to the northeast corner of Parcel 2 of Partition Plat 1999-085, Washington County Plat Records;

Thence N88°29'47"W, along the north line of Parcel 2 of said Partition Plat 1999-085, 660.81 feet to the northwest corner thereof also being a point on the east line of that Statutory Bargain and Sale Deed recorded as Document Number 2005-063362, Washington County Deed Records;

Thence N01°21'17"E, along the east line of said Document Number 2005-063362, 107.77 feet to the northeast corner thereof;

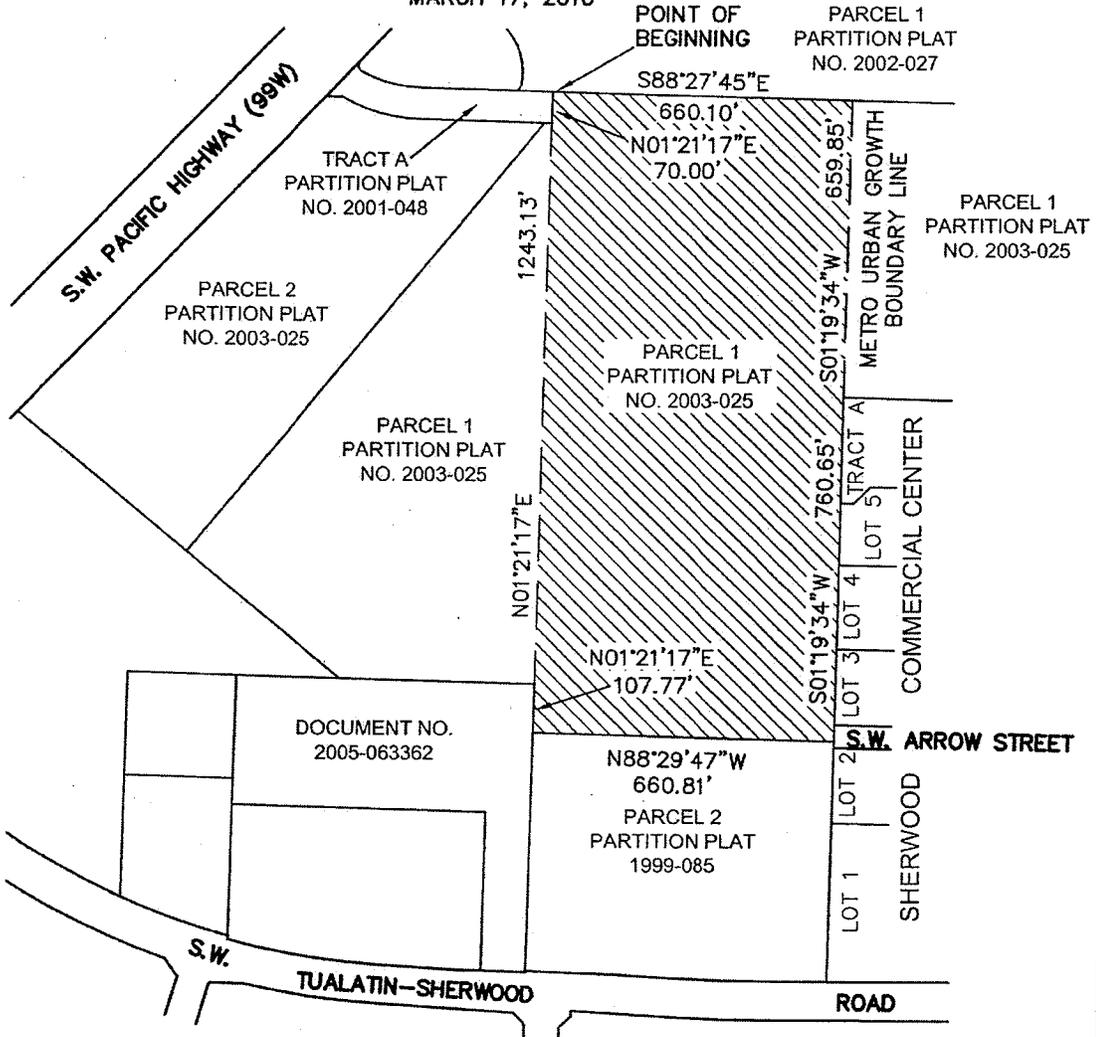
Thence N01°21'17"E, 1,243.13 feet to the southeast corner of Tract A of Partition Plat 2001-048, Washington County Plat Records;

Thence N01°21'17"E, along the east line of Tract A of said Partition Plat 2001-048, 70.00 feet to the northeast corner thereof and the **Point of Beginning**.

Containing 21.54 acres more or less.

EXHIBIT "B"

LOCATED THE NORTHWEST AND THE NORTHEAST ONE QUARTERS
OF SECTION 29, T. 2 S., R. 1 W., W.M.
WASHINGTON COUNTY, OREGON
MARCH 17, 2010



 CLEAN WATER SERVICES
BOUNDARY ANNEXATION
± 21.54 ACRES

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Brian K. Henson
3-23-10

OREGON
JANUARY 20, 1998
BRIAN K. HENSON
2855

EXPIRES: 06/30/2011



1" = 400'

Harper
HHPR Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS SURVEYORS

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