

Final Documents
for
Annexation to
Hillsboro

WA0911

Ordinance/Resolution: 5974

Annexation: AN 2-11 Price

DOR: 34-1988-2011

Secretary of State: AN 2011-0071

Secretary of State Effective Date: 8/25/2011

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

August 25, 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 |
|---------------------------------|--------------|-----------------|
| 5974 | 08/ 25/ 2011 | AN 2011-0071 |

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

BOUNDARY CHANGE SUBMISSION FORM
FINAL METRO APPROVAL

DATE: August 18, 2011

TO:

**Metro
Data Resource Center
Attn: Linda Martin
600 NE Grand Avenue
Portland, OR 97232-2736
Phone: (503) 797-1843**

FROM:

**City of Hillsboro
Planning Department
Attn: Ruth Klein
150 E. Main Street
Fourth Floor
Hillsboro, OR 97123
Phone: (503) 681-6465
Fax: (503) 681-6245**

**RE: Case File No. AN 2-11: Price
Ordinance No. 5974**

ATTACHED PLEASE FIND:

**Final certified ordinances including exhibits: legal description & findings
Final County tax assessor map
Final letter of DOR approval
Filing fee**

This is being sent to you as required by Metro Code 3.09.030(e).

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 Hillsboro
Planning Department
150 E Main St, 4th floor
Hillsboro, OR 97123

Description and Map Approved

August 25, 2011

As Per ORS 308.225

Description Map received from: RUTH KLEIN
On: 8/24/2011

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

ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS

ORD NO.5974 (AN 2-11)

has been: Approved 8/25/2011
 Disapproved

Notes:

Department of Revenue File Number: 34-1988-2011

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

**DOR 34-P526-2011
Preliminary Review**



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

City of Hillsboro
Planning Department
Attn: Ruth Klein
150 E Main St, 4th floor
Hillsboro, OR 97123

Date: 8/15/2011

This letter is to inform you that the map and description for your PLANNED Annex to City of Hillsboro (AN 2-11) in Washington County have been reviewed per your request. They MEET the requirements for use with an Order, Ordinance, or Resolution which must be submitted to the Washington County Assessor and Department of Revenue in final form before March 31, 2012 per ORS 308.225.

Preliminary Review

If you have any questions please contact: Elise Bruch 503-945-8344

ORDINANCE NO. 5974

AN 2-11: PRICE

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO AND WITHDRAWING THE TRACT FROM THE TERRITORIES OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2, WASHINGTON COUNTY ENHANCED SHERIFF PATROL DISTRICT, WASHINGTON COUNTY SERVICE DISTRICT FOR URBAN ROAD MAINTENANCE, AND WASHINGTON COUNTY SERVICE DISTRICT #1 FOR STREET LIGHTS.

WHEREAS, the City received a complete petition from the property owner of a certain tract of land, described in Exhibit "A" attached to this Ordinance, requesting that the property be annexed into the City Limits of Hillsboro;

WHEREAS, the petition represented 100 percent of the property owners of the territory requesting to be annexed into the City Limits of Hillsboro as required by ORS 222.125 in order to consent to an annexation;

WHEREAS, the tract of land can be served by City services;

WHEREAS, as permitted by ORS 222.120(2) and Metro Code Sections 3.09.045(a) the City Council dispenses with submitting the question of the proposed annexation to the electors of the City for their approval or rejection;

WHEREAS, the tract of land is located within Urban Planning Area A of the Urban Area Planning Agreement between Washington County and the City of Hillsboro, adopted on December 15, 1998;

WHEREAS, the City regulates the conversion of vacant land to urban uses in Urban Area A through the extension of water and sewer service, land partitioning requirements, provision of transportation facilities and annexations within the area. Land within Urban Area A may not be converted to urban uses prior to annexation to the City;

WHEREAS, the tract of land lies within the following service districts: Washington County Rural Fire Protection District No. 2; Washington County Enhanced Sheriff Patrol District; Washington County Service District for Urban Road Maintenance; and Washington County Service District #1 for Street Lights;

WHEREAS, notice of the proposed annexation and withdrawals has been published, mailed and posted in the manner provided by law;

WHEREAS, the City Council conducted a public hearing on this matter on July 19, 2011, and does hereby favor the annexation of the subject tract of land and withdrawals from the districts based on the findings attached hereto as Exhibit "B";

WHEREAS, the annexation and withdrawals are not contested by any necessary party;

NOW, THEREFORE, THE CITY OF HILLSBORO ORDAINS AS FOLLOWS:

Section 1. The tract of land, described in Exhibit "A", is declared to be annexed to the City of Hillsboro, Oregon.

Section 2. The tract of land annexed by this ordinance and described in Section 1 is withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Enhanced Sheriff Patrol District; Washington County Service District for Urban Road Maintenance; and Washington County Service District #1 for Street Lights.

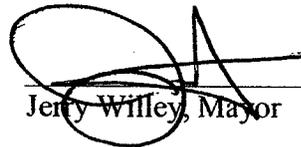
Section 3. The findings attached as Exhibit "B" are adopted. The City Recorder shall immediately file a certified copy of this Ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(f) and ORS 222.005. The annexation and withdrawals shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

Section 4. This ordinance shall be effective from and after 30 days following its passage and approval by the Mayor.

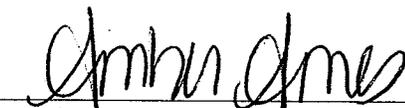
First approval of the Council on this 19th day of July 2011.

Second approval and adoption by the Council on this 2nd day of August 2011.

Approved by the Mayor this 2nd day of August 2011.


Jerry Willey, Mayor

ATTEST:


Amber Ames, City Recorder

City of Hillsboro
Annexation 2-11 Price
Proposed legal description
CP, July 6, 2011

Exhibit 'A'

A tract of land in the North ½ of Section 36, Township 1 North, Range 3 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the southeast corner of Lot 7, Block 6, Hillsboro Garden Tracts, a duly recorded subdivision in said county;

thence North 0°37'40" East 101.0 feet to the southeast corner of that tract of land described in Special Warranty deed to David D. Price and Carol A. Price, recorded May 5, 2011 as document number 2011-033959 in Deed Records of said county and the True Point of Beginning;

thence North 89°03'20" West, a distance of 150.0 feet to the southwest corner of said Price tract;

thence North 0°37'40" East, parallel with the east line of said Lot 7, a distance of 101.0 feet to the northwest corner of said Price tract;

thence South 89°03'20" East, a distance of 150.0 feet to the northeast corner of said Price tract;

thence South 0°37'40" West, along the east line of said Lot 7, a distance of 101.0 feet to the true point of beginning.

EXHIBIT B

FINDINGS IN SUPPORT PRICE ANNEXATION CASE FILE NO. AN 2-11

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

A petitioner representing one property requested City Council approval for annexation of approximately 0.35 acres into the City Limits of Hillsboro.

The property under consideration for annexation is located generally on the west side of NW 10th Avenue, south of NW Padgett Road and north of NW Darnielle Street. The property can be specifically identified as Tax Lot 800 on Washington County Assessor's Tax Map 1N3-36BA and is addressed as 879 NW 10th Avenue. The total taxable assessed value is \$206,490.

The property slopes to the northeast and is heavily treed. There is a single family residence located on the center of the lot.

II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owners constituted 100 percent of the property owners and at least 50 percent of the registered voters residing on the property. Notice of the proposed annexation was given as specified by Metro Code Chapter 3.09.030 and ORS 222.120. A staff report was prepared and available 15 days prior to the hearing as stipulated by Metro Code Chapter 3.09.050. A public hearing on the matter was conducted by the City Council on July 19, 2011.

III. APPLICABLE APPROVAL CRITERIA

Metro Code Chapter 3.09.050(d) specifies the minimum review criteria for a proposed annexation. The six minimum applicable criteria are as follows:

- 1) *Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;*

FINDING: There is currently a Hillsboro Urban Service Provider Agreement in place for this area, dated April 2, 2003, as required by ORS 195.065 (Senate Bill 122). The units of local government which have entered into this agreement are as follows: Washington County; City of Hillsboro; City of Beaverton; Metro; Clean Water Services; TriMet; Tualatin Valley Park and Recreation District; Tualatin Valley Fire and Rescue District;

Tualatin Valley Water District; and Washington County Fire District No. 2. The annexation is consistent with the applicable provisions of the Agreement, specifically Section 1 Roles and Responsibilities(C) and (E).

- 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;*

FINDING: The property is identified as being within Urban Area A of the Urban Planning Area Agreement (UPAA) between Washington County and the City of Hillsboro, adopted on December 15, 1998. Pursuant to that agreement, *"the City shall regulate the conversion of vacant land to urban uses in Urban Area A through the extension of water and sewer service, land partitioning requirements, provision of transportation facilities and annexations within the area. Land within Urban Area A shall not be converted to urban uses prior to annexation to the City."* Section IV (A) of the UPAA also specifies that *"all land in Area A shall annex to the City prior to development. As used in this subsection, "development" includes the construction of any residential dwelling unit structure or related accessory structures."* Annexation of these properties would be consistent with the UPAA, and allow the petitioner the ability to further develop the site.

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

FINDING: The annexation would be consistent with the following Comprehensive Plan policies and implementation measures:

Section 2. Urbanization Policy (III)(A) Urbanization within the planning area shall be consistent with the goals and policies of this Plan. Development shall occur according to the availability of urban services and within the context of the Urban Planning Area Agreement. The City and other government agencies shall encourage property owners to maintain the present rural use and character of undeveloped or underdeveloped lands within the Hillsboro Planning Area until such land is required and proposed for urban use and the necessary urban services are available.

Section 2. Urbanization Implementation Measure (IV)(A)(5) The infill of vacant, bypassed lands, between areas of development, at an urban level, shall be encouraged. Appropriate measures shall be taken to insure that new development in infill areas is compatible with existing developed areas. The City will support a proposed annexation of infill areas and allow subsequent development to occur under the clear and objective standards in its implementing ordinances, including the Zoning and Subdivision ordinances.

Section 2. Urbanization Implementation Measure (IV)(F) All land in the Hillsboro Planning Area is assumed to be available for annexation and/or development, consistent with the Comprehensive Plan, zoning, subdivision regulations, and the Urban Planning Area Agreement.

Section 12. Public Services Implementation Measure (V)(C)(2) The City shall require properties to annex to the City prior to the provision of sanitary sewer service.

Section 12. Public Services Implementation Measure (V)(I)(2) The City shall require properties in the urban area to annex to the City prior to the provision of water service.

In particular, the annexation would be consistent with Section 2. Urbanization Implementation Measure (IV)(A)(5), supporting the annexation of infill areas; and Section 2. Urbanization Implementation Measure (F), all land in the Hillsboro Planning Area is assumed to be available for annexation.

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

FINDING: The annexation would be consistent with regional framework and functional plans. The City's current plan designation for the property is RL Low Density Residential, which is consistent with the regional urban growth goals and objectives. The property will be rezoned to R-7 Single Family Residential pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945.

- 5) *Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;*

FINDING: There is a six-inch City water line located in the NW 10th Avenue right-of-way adjacent to the site. There is an eight-inch City sanitary sewer line located in NW 10th Avenue right-of-way adjacent to the site. There is a twelve-inch storm sewer line located in NW 10th Avenue right-of-way adjacent to the site.

Fire and police protection would be provided by the City of Hillsboro and the property would be withdrawn from the Washington County Rural Fire Protection District No. 2; Washington County Enhanced Sheriff Patrol; Washington County Service District for Urban Road Maintenance; and Washington County Service District No. 1 for Street Lights as of the effective date of the annexation.

Annexation of the subject property would not interfere with the provisions of public facilities and services.

