

Final Documents
for
Annexation to
Lake Oswego

CL0610
Ordinance/Resolution: 2550
Annexation: AN 10-0002
DOR: 3-1893-2010
Secretary of State: AN 2010-0052

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

May 27, 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 May 27, 2010, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
4539 [Beaverton]	AN 2010-0051
2550 [Lake Oswego]	AN 2010-0052
10-34 [Clean Water Services District]	SD 2010-0106

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,

Linda Bjornstad
Official Public Documents

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

Notice to Taxing Districts

ORS 308.225

DOR 3-1893-2010



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

City of Lake Oswego Planning Dept.
Attn: Annexation Planner
PO Box 369
Lake Oswego, OR 97034

Description and Map Approved

May 17, 2010

As Per ORS 308.225

Description Map received from: Paul Espe
On: 4/26/2010

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

ANNEX TO CITY OF LAKE OSWEGO; WITHDRAWAL FROM SEVERAL DISTRICTS.

ORD No. 2550 (AN 10-0002)

has been: Approved 5/17/2010
 Disapproved

Notes:

The maps, descriptions and signed ordinance must be submitted to the County Assessor by March 31, 2011 per ORS 308.225.

Department of Revenue File Number: 3-1893-2010

Prepared by: Travis G. Smith

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



Planning & Building Services

Memorandum

TO: Carol Hall
Metro Data Resource Center

FROM: Iris McCaleb, Long Range Planning
Planning & Building Services

DATE: **May 19, 2010**

SUBJECT: Final Boundary Change Submission for AN 10-0002
Ordinance 2550

Attached please find:

- Final signed resolution, order or ordinance (with legal description)
- Approved Notice to Taxing Districts from Oregon Department of Revenue
- Filing fee
- Staff Report

Property information:

5957 Seville Avenue (21E07CD07400)

This is being sent to you as required by Metro Code 3.09.030 (e). Any questions should be directed to me at:

City of Lake Oswego
P.O. Box 369
Lake Oswego, OR 97034
(503) 697-6591

Thank you.

ORDINANCE NO. 2550

AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO ONE PARCEL COMPRISING APPROXIMATELY 0.92 ACRES (LOCATED AT 5957 SEVILLE AVENUE); DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LOC 50.05.025; AND REMOVING THE TERRITORY FROM CERTAIN DISTRICTS (AN 10-0002).

WHEREAS, annexation to the City of Lake Oswego of the territory shown in the map in Attachment "A" and described below, would constitute a contiguous boundary change under ORS 222.111, initiated by petition from the property owner as outlined in ORS 222.111(2); and,

WHEREAS, the City has received consent for the proposed annexation from 100 percent of the owners of land residing within the territory; and,

WHEREAS, the part of the territory that lies within the Lake Grove Fire District #57 will, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, the part of the territory that lies within the Clackamas County Enhanced Sheriff's Patrol District will, by operation of ORS 222.520, be withdrawn from the district upon approval of the annexation; and,

WHEREAS, the part of the territory that lies within the Surface Water Management Agency of Clackamas County may, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, LOC 50.05.025 specifies that, where the Comprehensive Plan Map requires a specific Zoning Map designation to be placed on the territory annexed to the City, such a zoning designation shall automatically be imposed on the territory as of the effective date of the annexation; and,

WHEREAS, the staff report, which addresses applicable criteria, dated March 31, 2010, is hereby incorporated; and,

WHEREAS, this annexation is consistent with Chapter 14, (Urbanization) of the City of Lake Oswego's acknowledged Comprehensive Plan, Oregon Revised Statutes 222.111(2); 222.125; and 222.170 for Boundary Changes and Metro Code 3.09.050(b) and (d).

Now, therefore, the City of Lake Oswego ordains as follows:

Section 1. Legal Description of Properties to be annexed: The real property described as follows is hereby annexed to the City of Lake Oswego:

A tract of land situated in the southwest quarter of Section 7, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

All of Lot 22 and 23, Block 7, Lake Forest Plat No. 2 (Plat #536),
EXCEPT therefrom the easterly 6.00 feet of said Lot 22.

TOGETHER with the following described public right of ways (40.00 feet wide):

That portion of Seville Avenue lying east of the west right of way line of Mellon Avenue and lying west of the easterly line of the above described tract, projected southerly. Approximately 304 feet in length.

And that portion of Mellon Avenue lying south of the south right of way line of Seville Avenue and lying north of the westerly projection of the south line of Block 31, Lake Forest Plat No. 2. Approximately 280 feet in length.

Section 2. District Withdrawal: The annexed area lies within the following districts and will be withdrawn from these districts upon the effective date of annexation:

Lake Grove Fire District # 57
Clackamas County Enhanced Sheriff's Patrol District
Surface Water Management Agency of Clackamas County

Section 3. Zoning Designation: In accordance with Community Development Code Section 50.05.025, the City zoning designation of R-7.5 will be applied to tax lot 7400 21E07CD, upon the effective date of annexation.

Section 4. Neighborhood Association Designation: In accordance with Goal 1 of the City's Comprehensive Plan, this territory shall become a part of the Lake Forest Neighborhood Association immediately upon the effective date of the annexation.

Section 5. Adoption of Findings and Conclusions: The City Council hereby adopts the findings of facts and conclusions set forth in the March 31, 2010 staff report in support of this annexation ordinance.

Section 6. Effective Dates:

a. Effective Date of Decision to Annex. Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption, unless

a governmental entity that qualifies as a "necessary party" under Metro Code 3.09.020(j) has contested this annexation, in which event this annexation decision shall be effective on the 10th day following the mailing of this ordinance by the City Recorder to Metro and to all necessary parties who appeared in this proceeding.

b. Effective Date of Annexation Ordinance. Pursuant to Lake Oswego City Charter, Section 34, this ordinance shall be effective on the 30th day after its enactment.

c. Effective Date of Annexation. Following the filing of the annexation records with the Secretary of State as required by ORS 222.177, this annexation shall be effective upon the later of either:

1. the 30th day following the date of adoption of this ordinance; or
2. the date of filing of the annexation records with the Secretary of

State.

Provided, however, that pursuant to ORS 222.040(2), if the effective date of the annexation as established above is a date that is within 90 days of a biennial primary or general election or after the deadline for filing notice of election before any other election held by any city, district or other municipal corporation involved in the area to be annexed, then the effective date of the annexation shall be delayed until, and the annexation shall become effective on, the day after the election.

Section 7. Mailing Copies of this Ordinance; Metro Notice.

Within 30 days following the date of adoption:

a. The City Recorder shall mail a copy of this ordinance to all persons and governmental entities that appeared at the public hearing and requested a copy of the ordinance following adoption.

b. The City Recorder shall mail a copy of this ordinance together with the applicable mapping and notice fee charged by Metro pursuant to Metro Code 3.09.110, to the Metro Data Resource Center, 600 NE Grand Ave., Portland, OR 97232.

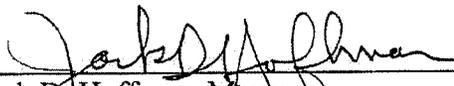
Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on 20th day of April, 2010.

AYES: Mayor Hoffman, Johnson, Jordan, Hennagin, Moncrieff, Tierney, Olson

NOES: none

ABSTAIN: none

EXCUSED: none



Jack D. Hoffman, Mayor

Dated: April 20, 2010

ATTEST:



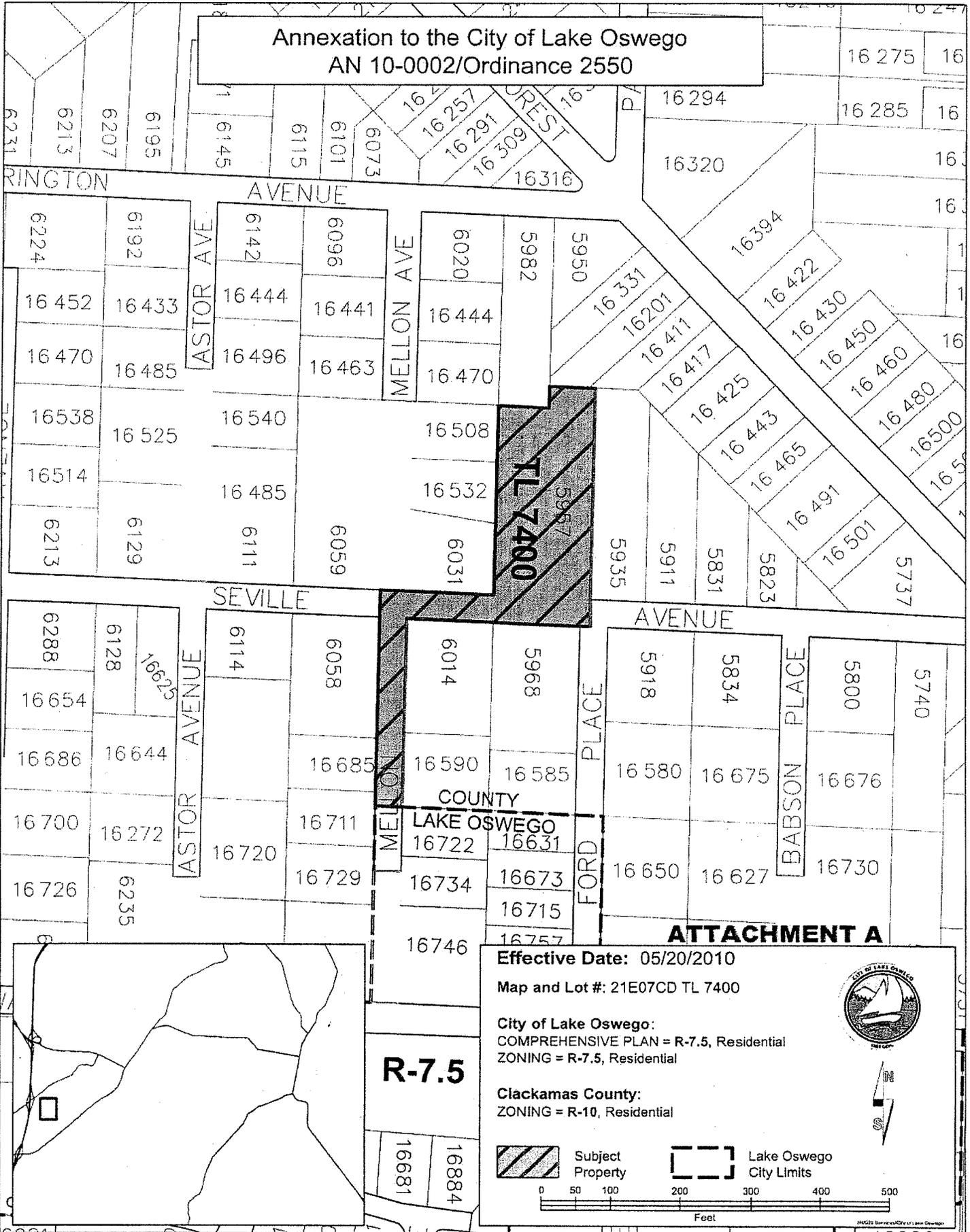
Robyn Christie, City Recorder

APPROVED AS TO FORM:



David Powell
City Attorney

**Annexation to the City of Lake Oswego
AN 10-0002/Ordinance 2550**



ATTACHMENT A

Effective Date: 05/20/2010

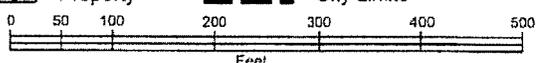
Map and Lot #: 21E07CD TL 7400

City of Lake Oswego:
COMPREHENSIVE PLAN = R-7.5, Residential
ZONING = R-7.5, Residential

Clackamas County:
ZONING = R-10, Residential



 Subject Property  Lake Oswego City Limits



R-7.5

EXHIBIT A

A tract of land situated in the southwest quarter of Section 7, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

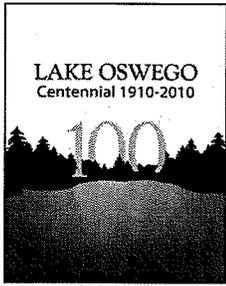
All of Lot 22 and 23, Block 7, Lake Forest Plat No. 2 (Plat #536),
EXCEPT therefrom the easterly 6.00 feet of said Lot 22.

TOGETHER with the following described public right of ways (40.00 feet wide):

That portion of Seville Avenue lying east of the west right of way line of Mellon Avenue and lying west of the easterly line of the above described tract, projected southerly. Approximately 304 feet in length.

And that portion of Mellon Avenue lying south of the south right of way line Seville Avenue and lying north of the westerly projection of the south line of Block 31, Lake Forest Plat No. 2. Approximately 280 feet in length.

21E07CD07400 + ROW



CITY OF LAKE OSWEGO

380 A Avenue
PO Box 369
Lake Oswego, OR 97034

503-675-3984
www.ci.oswego.or.us

COUNCIL REPORT

TO: Jack Hoffman, Mayor
Members of the City Council
Alex D. McIntyre, City Manager

FROM: Paul Espe, Associate Planner

SUBJECT: Ordinance 2550, an Ordinance Annexing Approximately 0.92 Acres
Located at 5957 Seville Avenue (AN 10-0002)

DATE: March 31, 2010

ACTION

Adopt Ordinance 2550 (Exhibit F-1).

INTRODUCTION

The proposed annexation is owner initiated and will result in the addition of 0.92 acres of residential land to the City. This Council report describes the reasons for the annexation and provides basic background information. The criteria for approving annexations and the findings in support of this annexation are included in Exhibit B-1.

DISCUSSION

Owner: Robert Randall

Applicant: Goldstein Planning LLC

Location/Size: The subject property without the Seville Avenue right of way is 0.92 acres (40,100 square feet) in size located on the north side of Seville Avenue, adjacent to its intersection with Ford Place. The address is 5957 Seville Avenue Tax Lot 7400 (Tax Map 21E07CD). The annexation also includes approximately 580 square feet of street right of way. The property is shown on **Exhibit F-1, Attachment A**.

Purpose of Annexation: The property owner has initiated the annexation to develop the parcel. Portions of Mellon and Seville Avenues are being annexed so that the sewer can be extended through the right of way.

Existing Land Use: Tax Lot 7400 is developed with one single family dwelling and two outbuildings. The parcel accesses Seville Avenue through a private driveway.

Zoning and Development Potential: The subject property is currently under Clackamas County's jurisdiction and is zoned Low Density Residential R-10. Upon annexation to the City of Lake Oswego, the zoning for this property will be automatically changed to Low Density R-7.5, consistent with the City's Comprehensive Plan Map.

Development is contemplated for Tax Lot 7400 and the gross acreage of this parcel could potentially yield five lots. A formal land use application for the division of this property has not been submitted and the presence of trees on this site will affect site design and access, potentially reducing the amount of developable acreage. It is likely the existing buildings on the site would be removed to complete any land division.

Neighborhood: The property is located within the Lake Forest Neighborhood.

Sensitive Lands: While several large trees occupy the property, there are no identified sensitive lands on the property. Removal of any trees would be subject to the Tree Code (LOC Article 55.02).

Sewer and Water Service: The Lake Grove Water District provides water service to Tax Lot 7400. There is no sanitary sewer service currently available in Seville Avenue. Any new development on the property would require sewer service to be extended to the site via the right of way for Mellon and Seville Avenues. Mellon Avenue is identified as the preferred street for sewer extension in the City's Sewer Master Plan. Constructing the sewer in Mellon Avenue, instead of Ford Place, would preserve the large Douglas Fir in the center of the Ford Place right of way.

Service Districts: Upon annexation, the property will be removed from the Lake Grove Fire District (District #57), the Clackamas County Enhanced Sheriff's Patrol District, and the Surface Water Management Agency of Clackamas County.

Issues: There are no known issues that would complicate annexation of this property.

ALTERNATIVES & FISCAL IMPACT

The draft findings provided in Exhibit B-1 conclude that the proposed annexation complies with all applicable State statutes and Metro code requirements. This annexation is for one parcel of approximately 0.92 acres and 580 feet of right of way. The estimated assessed value of the residential property is \$193,188. Once the property is annexed, the annual tax gain would be approximately \$500.00.

RECOMMENDATION

Staff recommends approval of AN 10-0002.

EXHIBITS

- A. Notice of Appeal [No current exhibits; reserved for hearing use]
- B. Findings and Conclusion
 - B-1: Criteria, Findings, Conclusion, and Effective Date
- C. Minutes [No current exhibits; reserved for hearing use]
- D. Staff Report [No current exhibits; reserved for hearing use]
- E. Graphic Exhibits
- F. Written Materials
 - F-1: Ordinance 2550 and Map
 - F-2: Annexation Petition and Application
- G. Letters-None

Reviewed by:

Department Director

Finance Director

City Attorney

Alex D. McIntyre
City Manager

Exhibit B-1

Criteria, Findings, Conclusion, and Effective Date

APPLICABLE CRITERIA:

- A. Oregon Revised Statutes (ORS), Boundary Changes; Mergers and Consolidations.
 - 1. ORS 222.111(2) - Annexation of Contiguous Territory, Authority and Procedure for Annexation, Generally.
 - 2. ORS 222.125 - Annexation by consent of all owners of land and the majority of electors.
 - 3. ORS 222.170 - Annexation by consent of more than half of the owners of land in the territory to be annexed, who also own more than half of the land in the territory.

- B. Metro Code
 - 1. 3.09.040(a)(1-4) Minimum Requirements for Petitions.
 - 2. 3.09.050 Uniform Hearing Requirements for Final Decisions
Subsections (b)(1-3) and (d).

FINDINGS:

- A. **Oregon Revised Statutes (ORS), Boundary Changes; Mergers and Consolidations.**
 - 1. **ORS 222.111(2) Annexation of Contiguous Territory, Authority and Procedure for Annexation, Generally.**

ORS 222.111(2) provides that a proposal for annexation of territory to a City may be initiated by the legislative body of the City, on its own motion, or by a petition to the legislative body of the City by owners of real property in the territory to be annexed. The applicant has petitioned the City for annexation.

- 2. **ORS 222.125 - Annexation by consent of all owners of land and the majority of electors.**

ORS 222.125 allows the legislative body of the city the option to waive holding an election on the question of annexation within the area proposed to be annexed if all of the owners of land in the territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation. There are no registered Clackamas County voters residing on the property. The property owner signed the petition consenting to this annexation.

- 3. **ORS 222.170 - Annexation by consent of more than half of the owners of land in the territory to be annexed, who also own more than half of the land in the territory.**

ORS 222.170 allows permits the legislative body of the city the option to waive holding an election on the question of annexation within the area proposed to be annexed if not less than 50 percent of the owners of land residing on the property consent in writing to the annexation.

These owners must also own more than half of the land in the territory to be annexed. The property owner owns all of the property to be annexed and has consented to the annexation on the attached annexation petition (Exhibit F-2). The proposed annexation complies with the statutes.

B. Metro Code

1. 3.09.040 - Minimum Requirements for Petitions.

(a) A petition for a boundary change shall be deemed complete if it includes the following information:

- 1) The jurisdiction of the approving entity to act on the petition;**
- 2) A map and a legal description of the affected territory in the form prescribed by the reviewing entity;**
- 3) For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected territory as shown in the records of the tax assessor and county clerk; and,**
- 4) For boundary changes under ORS 198.855 (3), 198.857, 222.125 or 222.170, statements of consent to the annexation signed by the requisite number of owners or electors.**

The above information was submitted as required by Metro Code. The property owner has signed the application and petition. The providers of urban services include; Lake Grove Fire District #57, Clackamas County Enhanced Sheriff's Patrol District, Surface Water Management Agency of Clackamas County, Lake Grove Park District, Lake Grove Water District #15 and Tri-met. Upon annexation, the City of Lake Oswego will provide police and fire services as well as sanitary sewer and storm water services. The current total assessed value of the territory to be annexed is \$193,188. The annexation application and petition are attached as Exhibit F-2.

2. 3.09.050 Uniform Hearing and Decision Requirements for Final Decisions Other Than Expedited Decisions.

(b) Not later than 15 days prior to the date set for a boundary change decision, the approving entity shall make available to the public a report that addresses the criteria in subsection (d) below, that includes at a minimum, the following:

- (1) The extent to which urban services presently are available to serve the affected territory including any extra-territorial extensions of service;**

The subject parcel is located within the Urban Growth Boundary and the City's Urban Services Boundary. Metro Code section 3.09.020 defines urban services as including sanitary sewer, water, fire protection, parks, open space, recreation, streets, roads and mass transit.

Water: The property to be annexed is currently served by the Lake Grove Water District. There is a 6" water main in Seville Avenue.

Fire: Lake Grove Fire District #57 provides fire protection services to all of the territory to be annexed by agreement with the City of Lake Oswego Fire and

Rescue. Upon annexation, the territory will be withdrawn from this fire district and will be served directly by the City. Response time to this parcel from the Jean Road Fire Station is under the eight minute goal established in the Comprehensive Plan Policy. There are fire hydrants on the south side of the street approximately 60 feet to the east and 650 feet to the west.

Sanitary Sewer: There is no sanitary sewer in Seville Avenue. The subject territory can be served from an extension of the Mellon Avenue sewer without jeopardizing the ultimate reach of the system. The applicant intends to extend the public sewer to the subject property from its present terminus in the mid-block of Mellon Avenue. Extension of the sewer in this location is consistent with the City's Master Plan and the overall length of the extension will be in the vicinity of 700-800 feet. The existing septic system will be decommissioned.

Surface Water Management: There are no storm drains, creeks, or roadside ditches in the immediate area. A storm system will need to be constructed to accommodate future development of the site. Storm systems for single family dwellings are reviewed individually by the Building Department. Storm systems proposed for partitions and subdivisions are reviewed by the Engineering Department. Future development on this property will require its own infiltration system designed to function adequately for onsite soil conditions and the infiltration capacity of the site.

Police: The parcel is currently served by the Clackamas County Sheriff's Department. Upon annexation, the parcel will be withdrawn from the Clackamas County Enhanced Sheriff's Patrol District and will be served by the City of Lake Oswego. The police department has reviewed the proposal and finds it to be consistent with applicable regulations. Annexation of this property would not adversely affect police services to this territory.

Parks: The City has 675 acres of park and open space lands, or 19.76 acres per 1,000 people. The nearest park to this territory is Waluga Park to the northeast of the subject property. Waluga Park is approximately 53 acres. The park offers walking trails, picnic areas, ball fields, wetlands, natural vegetation and wildlife viewing. The park attracts people from the abutting neighborhoods and throughout the City because of its size and other amenities.

Lake Grove Park: The Lake Grove Park, which is managed by the Lake Oswego School District, operates a swim park located at 3800 Lakeview Boulevard. The swim park is approximately 1.3 acres in size with restrooms, play and swim facilities. This parcel will remain within the Lake Grove Park District following annexation.

Transportation - Streets and Mass Transit: Seville and Mellon Avenues are under developed roadways maintained by the County. Upon their improvement to city standards, they will be maintained by the City. After annexation, the subject roads will remain within the jurisdiction of Clackamas County until the City and County enter into a formal transfer of jurisdiction agreement.

The nearest Tri-Met bus line is Line 37, which currently operates along a portion of Boones Ferry Road and Lake Forest Boulevard. Line 37 travels between the Lake Oswego Transit Center and Tualatin.

(2) A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties;

The City has entered into four ORS 195.065 agreements with: 1) Clackamas County (for roadways), 2) Lake Oswego School District, 3) Lake Grove Fire District; and, 4) the Southwood Park Water District. Three of these agreements are applicable to this proposal.

Clackamas County Agreement: The City and Clackamas County entered into an ORS 195.065 urban service agreement for roads in July 2003. The agreement states that the City shall initiate proceedings for the transfer of jurisdiction and maintenance to the City of all County roads within the annexed areas.

Lake Oswego School District: The City and the Lake Oswego School District entered into an ORS 195.065 urban service agreement for park services in July 2003. The School District operates the Lake Grove Swim Park located at 3800 Lakeview Boulevard. The agreement states that City annexation of property within the Lake Grove Park District shall not cause the withdrawal of the property from the area benefited by the operation of the Lake Grove Swim Park.

Lake Grove Fire District #57: The City and District entered into an ORS 195.065 urban service agreement for fire protection in July, 2003. The agreement states that upon annexation by the City of property within the District, the annexed property shall be withdrawn from the District and the City shall provide fire protection services. In addition, upon annexation of the entire remaining area of the District by the City, the District shall be extinguished and the City shall be charged with the functions and obligations of the District.

(3) A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties;

Consistency of the proposed boundary change with comprehensive plan policies is discussed in section (d)(3), below.

The City's Public Facilities Plan does not identify any sanitary water, storm water or transportation projects in this area that would affect the subject territory.

There are no regional framework plans or regional urban growth goals or objectives that are directly applicable to this annexation.

Compliance with urban planning agreements and other agreements with necessary parties is discussed in section (d)(2), below.

(4) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and,

The territory proposed for annexation will, by operation of ORS 222.520 be withdrawn from the Lake Grove Fire District #57, Clackamas County Enhanced Sheriff's Patrol District, and the Surface Water Management Agency of Clackamas County upon annexation.

(5) The proposed effective date of the decision.

The proposed effective date of the decision is outlined in the final section of this report.

(c) An approving entity's final decision on a boundary change shall include findings and conclusions addressing the following criteria:

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

ORS 195.065 agreements are discussed above under Metro Code Section 3.09.050(b)(2).

(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;

The Metro Code defines necessary party as "a county, city or district whose jurisdictional boundary or adopted urban service area includes any part of the affected territory, or who provides any urban service to any portion of the affected territory." The list of necessary parties for the proposed annexation includes:

- Clackamas County
- Clackamas County Enhanced Sheriff's Patrol District
- Surface Water Management Agency of Clackamas County
- Lake Grove Fire District #57
- Lake Grove Park District
- Lake Grove Water District #15
- Tri County-Metropolitan Transportation District

Clackamas County Urban Growth Management Agreement/City of Lake Oswego: The City currently has an urban planning agreement with Clackamas County. This agreement ensures coordination and consistency between the City and County comprehensive plans and outlines responsibilities in providing services and managing growth within the Dual Interest Area. The subsections 6 and 7, provided below, are applicable to annexations.

"6. City and County Notice and Coordination:

The City shall provide notification to the County, and an opportunity to participate, review and comment, at least 35 days prior to the first public hearing on all proposed public facilities plans, legislative changes to the City Comprehensive Plan, or quasi-judicial land use actions adjacent to, or in close proximity to unincorporated areas. The City shall provide notice to the County of private or City initiated annexation requests within five days of the filing of an application with the Portland Metropolitan Boundary Commission."

The Urban Growth Management Agreement specifies that the City notify the County of an annexation request within five days of when it is submitted to the Boundary Commission. There is no longer a Boundary Commission for the Portland Metropolitan area. Staff relies on the notice requirements of Metro Code 3.09.030, which requires notice 20 days prior to the scheduled hearing for an annexation for all necessary parties (other governmental entities), unless a shorter time is agreed upon. The County is a necessary party under the Metro Code definition and has been notified.

"7. City Annexations

A. The City may undertake annexations in the manner provided for by law within the Dual Interest Area. The City annexation proposals shall include adjacent road right-of-way to property proposed for annexation. The County shall not oppose such annexations.

B. Upon annexation, the City shall assume jurisdiction of the County roads and local access roads pursuant to a separate road transfer agreement between the City and county."

The City is undertaking this annexation in the manner provided for in the applicable ORS and Metro Code for the territories that lie within the Dual Interest Area. The separate road agreement referenced in 7(B) is now expired. This parcel takes direct access from Seville Avenue which will be annexed with this property. A portion of Mellon Avenue will also be annexed. These roadways are maintained by Clackamas County and will remain under county jurisdiction until the City and the County execute a transfer of jurisdiction agreement.

Lake Grove Fire District #57 / City of Lake Oswego Agreement: The City and District entered into an ORS 195.065 urban service agreement for fire protection in July 2003. The agreement states that upon annexation of territory within the District, the annexed territory shall be withdrawn from the District and the City shall provide fire protection services. In addition, upon annexation of the entire remaining area of the District by the City, the District shall be extinguished and the City shall be charged with the functions and obligations of the District.

Lake Grove Water District #15 / City of Lake Oswego Agreement: The City and the water district entered into an agreement in 1994 stipulating that areas within the 1994 district boundary will not be withdrawn from the Water District unless a cooperative agreement is entered into setting forth roles and responsibilities for

future planning and provision of water service within the district boundary. No agreement has been reached at this time; therefore, the subject parcel will remain within the Lake Grove Water District.

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

Comprehensive Plan Map: This territory is designated Low Density Residential on Clackamas County's Comprehensive Plan Map and is zoned R-10 by Clackamas County. The City's Comprehensive Plan Map designates the territory as Low Density Residential R-7.5. Pursuant to the Lake Oswego Community Development Code Section 50.05.025, the City zoning designation of R-7.5 will be applied to the parcel immediately upon the effective date of annexation.

The City and County have coordinated their comprehensive plans within the "Dual Interest Area" outlined in the City/County Urban Growth Management Agreement (dated February 4, 1992 and updated November 18, 1997); hence, the City/County designations have been determined to be compatible. Therefore, this annexation is compatible with the City's Comprehensive Plan Map.

Comprehensive Plan Policies: The relevant Comprehensive Plan policies are addressed below:

Goal 14, Urbanization - Policy 10: The Urban Services Boundary is Lake Oswego's ultimate growth area within which the City shall be the eventual provider of the full range of urban services.

The parcel to be annexed is within the City's Urban Services Boundary as outlined in the Comprehensive Plan. City services are available or can be made available to the property and its annexation is consistent with this policy.

Goal 14, Urbanization - Policy 13: Ensure that annexation of new territory or expansion of Lake Oswego's Urban Service Boundary does not:

- a) Detract from the City's ability to provide services to existing City residents;*
- b) Result in property owners paying for urban services which do not benefit their property;*

The approval of this annexation will result in the addition of 0.92 acres to be served by the City.

Police: The addition of this territory will not detract from the City's ability to provide police protection to the existing city residents. This parcel is currently included in the Clackamas County Enhanced Sheriff's Patrol District and will be withdrawn from this district upon annexation.

Fire: This parcel is within the targeted eight-minute response time of the Jean Road Fire Station as specified in the Comprehensive Plan. The potential addition

of this parcel to the City will not detract from the Fire Department's ability to provide fire protection to existing city residents.

Parks: The City has 675 acres of park and open space lands, or 19.76 acres per 1,000 population. The nearest park to this territory is Waluga Park to the northeast of this territory. Waluga Park is approximately 53 acres. The park offers walking trails, picnic areas, ball fields, wetlands, natural vegetation and wildlife viewing. The park attracts people from the abutting neighborhoods and throughout the City because of its size and other amenities.

Recreation: The City has many recreation programs available to youth and adults. The potential addition of this parcel would not affect the recreation programs because the increased usage would result in additional revenue to address any greater demand. The addition of one parcel to the existing population of more than 35,000 residents would not detract from the City's ability to provide adequate recreation programs.

Sewer: Sewer facilities can be made available to serve this property. This would not degrade the ability of the City to provide sanitary service to existing city residents.

Water: Water service is available to serve this property. The proposed annexation would not degrade the City of Lake Oswego's ability to provide water services to existing city residents.

Transportation: The City's Public Facilities Plan does not identify any transportation projects in this area that would affect this proposed annexation.

In regard to subsection b) of Policy 13, the policy ensures that existing city property owners do not subsidize newly annexed areas in the provision of urban services. The City has established systems development charges, and imposes rates that result in payment by users for different city services such as sewer, water, surface water, parks and recreation, and transportation systems. Therefore, existing city property owners will not pay for urban services that do not benefit their property.

Goal 14, Urbanization - Policy 14: Prior to the annexation of non-island property, the City shall ensure urban services are available and adequate to serve the subject property or will be made available in a timely manner by the City or a developer commensurate with the scale of the proposed development. Urban services consist of water, sanitary sewer, surface water management, police and fire protection, parks, and transportation including: streets, transit, pedestrian and bicycle facilities.

Community Development Code Section 50.64.015 requires that all development be provided with the following utility services: sanitary sewer, water, sidewalks, pedestrian and bicycle paths, traffic control signs and devices, street lights, streets, and TV cable. These utilities are now in place or can be put in place to serve this property.

In the event that future development occurs, an applicant for development is obligated to construct all necessary public facilities to serve their development. [Community Development Code 50.87.020, see also discussion of consistency with Public Facilities Plan (Section 2, Metro Code 3.09.050 above) and discussion regarding effect on service of existing City residents (Section 2, Goal 14, Policy 13) for current impacts and planned improvements.]

As noted above, police and fire services are available upon annexation. The amount of protection provided will be similar to protection provided to other city residents because the territory proposed to be annexed is not isolated from other areas of the city.

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

There are no Regional Framework Plan or Functional Plan criteria or standards applicable to annexations at this time.

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

Due to the proximity of the property to existing city services, this annexation will promote the timely, orderly and economical extension of public facilities and services. If and when additional development occurs in the area, provision of public facilities and services will occur.

CONCLUSION:

Based on the criteria and findings set forth above, the City Council concludes that AN 10-0002 complies with all applicable criteria and should be annexed to the City.

EFFECTIVE DATE:

A. Effective Date of Annexation Ordinance. Pursuant to Lake Oswego City Charter, Section 34, the ordinance shall be effective on the 30th day after its enactment.

B. Effective Date of Annexation. Following the filing of the annexation records with the Secretary of State as required by ORS 222.177, this annexation shall be effective upon the later of:

1. the 30th day following the date of adoption of this ordinance; or
2. the date of filing of the annexation records with the Secretary of State;

provided however that pursuant to ORS 222.040(2), if the effective date of the annexation as established above is a date that is within 90 days of a biennial primary or general election or after the deadline for filing notice of election before any other election held by any City, district or other municipal corporation involved in the area to be annexed, then the effective date of the annexation shall be delayed until, and the annexation shall become effective on, the day after the election.

ORDINANCE NO. 2550

AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO ONE PARCEL COMPRISING APPROXIMATELY 0.92 ACRES (LOCATED AT 5957 SEVILLE AVENUE); DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LOC 50.05.025; AND REMOVING THE TERRITORY FROM CERTAIN DISTRICTS (AN 10-0002).

WHEREAS, annexation to the City of Lake Oswego of the territory shown in the map in Attachment "A" and described below, would constitute a contiguous boundary change under ORS 222.111, initiated by petition from the property owner as outlined in ORS 222.111(2); and,

WHEREAS, the City has received consent for the proposed annexation from 100 percent of the owners of land residing within the territory; and,

WHEREAS, the part of the territory that lies within the Lake Grove Fire District #57 will, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, the part of the territory that lies within the Clackamas County Enhanced Sheriff's Patrol District will, by operation of ORS 222.520, be withdrawn from the district upon approval of the annexation; and,

WHEREAS, the part of the territory that lies within the Surface Water Management Agency of Clackamas County may, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, LOC 50.05.025 specifies that, where the Comprehensive Plan Map requires a specific Zoning Map designation to be placed on the territory annexed to the City, such a zoning designation shall automatically be imposed on the territory as of the effective date of the annexation; and,

WHEREAS, the staff report, which addresses applicable criteria, dated March 31, 2010, is hereby incorporated; and,

WHEREAS, this annexation is consistent with Chapter 14, (Urbanization) of the City of Lake Oswego's acknowledged Comprehensive Plan, Oregon Revised Statutes 222.111(2); 222.125; and 222.170 for Boundary Changes and Metro Code 3.09.050(b) and (d).

**EXHIBIT F-1
AN 10-0002**

Now, therefore, the City of Lake Oswego ordains as follows:

Section 1. Legal Description of Properties to be annexed: The real property described as follows is hereby annexed to the City of Lake Oswego:

A tract of land situated in the southwest quarter of Section 7, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

All of Lot 22 and 23, Block 7, Lake Forest Plat No. 2 (Plat #536),
EXCEPT therefrom the easterly 6.00 feet of said Lot 22.

TOGETHER with the following described public right of ways (40.00 feet wide):

That portion of Seville Avenue lying east of the west right of way line of Mellon Avenue and lying west of the easterly line of the above described tract, projected southerly. Approximately 304 feet in length.

And that portion of Mellon Avenue lying south of the south right of way line of Seville Avenue and lying north of the westerly projection of the south line of Block 31, Lake Forest Plat No. 2. Approximately 280 feet in length.

Section 2. District Withdrawal: The annexed area lies within the following districts and will be withdrawn from these districts upon the effective date of annexation:

Lake Grove Fire District # 57
Clackamas County Enhanced Sheriff's Patrol District
Surface Water Management Agency of Clackamas County

Section 3. Zoning Designation: In accordance with Community Development Code Section 50.05.025, the City zoning designation of R-7.5 will be applied to tax lot 7400 21E07CD, upon the effective date of annexation.

Section 4. Neighborhood Association Designation: In accordance with Goal 1 of the City's Comprehensive Plan, this territory shall become a part of the Lake Forest Neighborhood Association immediately upon the effective date of the annexation.

Section 5. Adoption of Findings and Conclusions: The City Council hereby adopts the findings of facts and conclusions set forth in the March 31, 2010 staff report in support of this annexation ordinance.

Section 6. Effective Dates:

a. **Effective Date of Decision to Annex.** Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption, unless

a governmental entity that qualifies as a "necessary party" under Metro Code 3.09.020(j) has contested this annexation, in which event this annexation decision shall be effective on the 10th day following the mailing of this ordinance by the City Recorder to Metro and to all necessary parties who appeared in this proceeding.

b. Effective Date of Annexation Ordinance. Pursuant to Lake Oswego City Charter, Section 34, this ordinance shall be effective on the 30th day after its enactment.

c. Effective Date of Annexation. Following the filing of the annexation records with the Secretary of State as required by ORS 222.177, this annexation shall be effective upon the later of either:

1. the 30th day following the date of adoption of this ordinance; or
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Provided, however, that pursuant to ORS 222.040(2), if the effective date of the annexation as established above is a date that is within 90 days of a biennial primary or general election or after the deadline for filing notice of election before any other election held by any city, district or other municipal corporation involved in the area to be annexed, then the effective date of the annexation shall be delayed until, and the annexation shall become effective on, the day after the election.

Section 7. Mailing Copies of this Ordinance; Metro Notice.

Within 30 days following the date of adoption:

a. The City Recorder shall mail a copy of this ordinance to all persons and governmental entities that appeared at the public hearing and requested a copy of the ordinance following adoption.

b. The City Recorder shall mail a copy of this ordinance together with the applicable mapping and notice fee charged by Metro pursuant to Metro Code 3.09.110, to the Metro Data Resource Center, 600 NE Grand Ave., Portland, OR 97232.

Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on _____ day of _____, 2010.

AYES:

NOES:

ABSTAIN:

EXCUSED:

Jack D. Hoffman, Mayor

Dated:

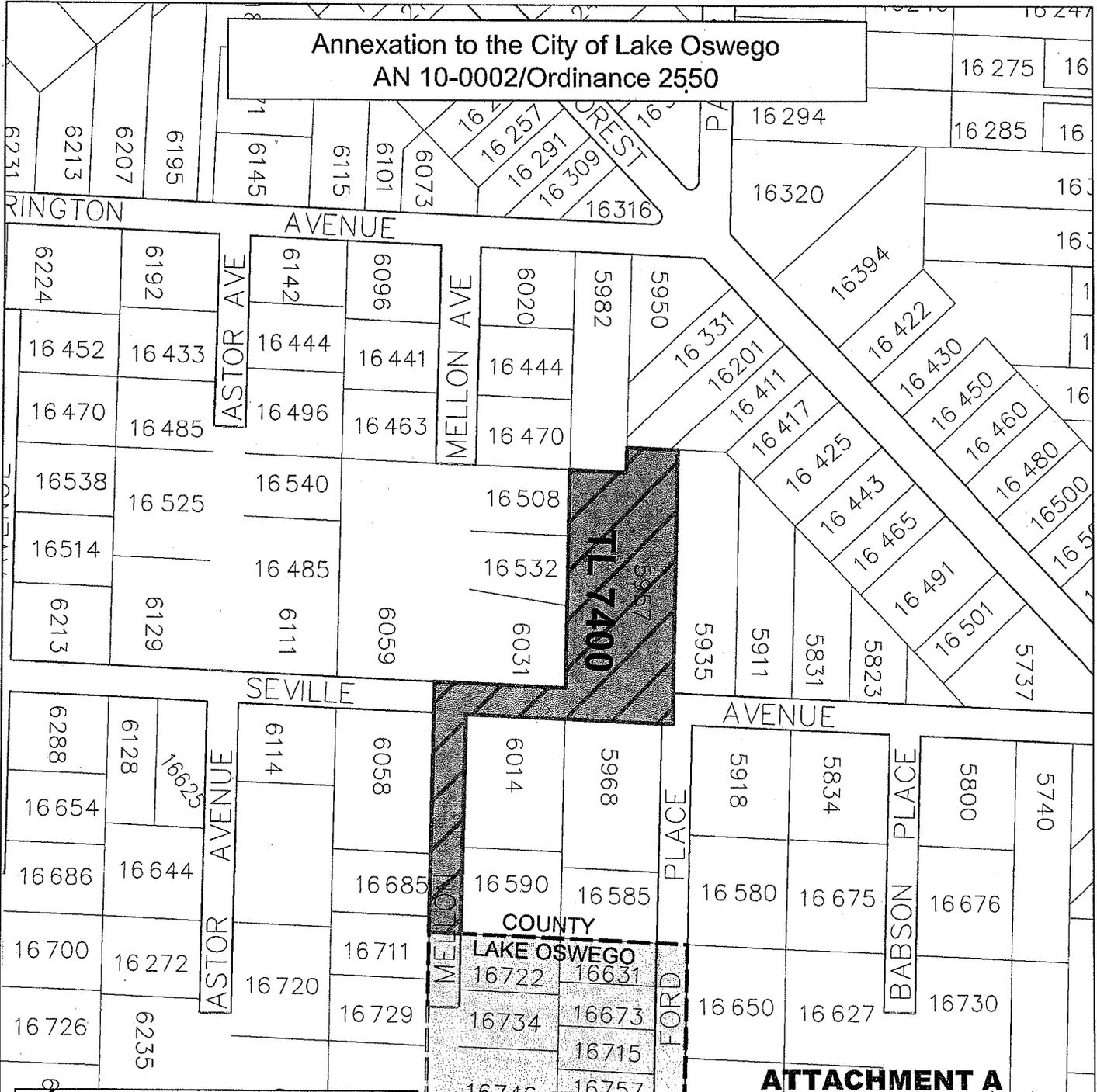
ATTEST:

Robyn Christie, City Recorder

APPROVED AS TO FORM:

David Powell
City Attorney

**Annexation to the City of Lake Oswego
AN 10-0002/Ordinance 2550**



ATTACHMENT A

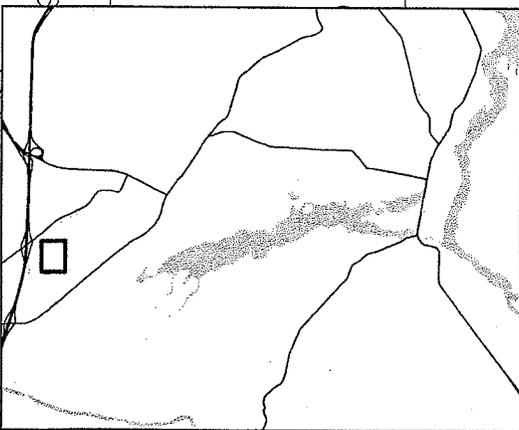
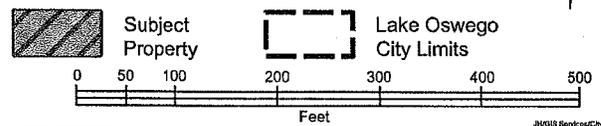
Effective Date: 05/20/2010
Map and Lot #: 21E07CD TL 7400

City of Lake Oswego:
 COMPREHENSIVE PLAN = R-7.5, Residential
 ZONING = R-7.5, Residential

Clackamas County:
 ZONING = R-10, Residential



R-7.5





CITY OF LAKE OSWEGO
 COMMUNITY DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 380 A Avenue
 P.O. BOX 369
 Lake Oswego, OR 97034
 PHONE: (503) 635-0290

APPLICATION FOR ANNEXATION

FILE NAME: AN 10-0002 SUBMIT: 4/15/2010 REVIEW: 4/15/10
5957 Seville Avenue RESUBMIT: _____ REVIEW: _____
 FILE NUMBER(S): _____ HEARING DATE: 4-20-10
 CITY FEE RECEIVED: \$ 3000 METRO FEE RECEIVED: \$ 150 CHECK #: _____
 NEIGHBORHOOD ASSN.: LAKE FOREST RECEIPT #: 355851
 CHECKLIST: Legal Description Title Report COMPLETENESS DATE: 1/15/10
 Assessor's Map Petition Fees (City and Metro)
 NA Delineation of Natural Resources (if required)
 Resolution 04-38 given to Applicant on December 10, 2009 (date)

PRINT OR TYPE ALL INFORMATION BELOW

*Also add property owner
 same as property owner info below*

APPLICANT USE MAILING ADDRESS FOR HEARING NOTIFICATION

Stacey Goldstein
 YOUR NAME Goldstein Planning LLC PHONE # 503-577-9779
 BUSINESS NAME 6310 S.W. Wilbard St. FAX # _____
 ADDRESS Portland OR SUITE 97219
 CITY goldsteinplanning@gmail.com STATE OR ZIP 97219
 E-MAIL ADDRESS S. Leahy Gore DATE 1-14-10
 SIGNATURE (ORIGINAL REQUIRED) _____ DATE _____
 Note: I consent to an on-site inspection by an employee(s) of the City of Lake Oswego

RECEIVED

PROPERTY OWNER (ADDITIONAL OWNER-SEE PAGE 2)

ROBERT BANAHU JAN 14 2010
 YOUR NAME _____ PHONE # _____ CITY OF LAKE OSWEGO
 BUSINESS NAME _____ FAX # _____ Community Development Dept.
 ADDRESS 8305 SE MONTEREY AVE. SUITE 230
 ADDRESS PORTLAND OR SUITE 97086
 CITY _____ STATE _____ ZIP _____
 E-MAIL ADDRESS _____
 SIGNATURE (ORIGINAL REQUIRED) _____ DATE 1-13-10
 Note: I consent to an on-site inspection by an employee(s) of the City of Lake Oswego

ATTACH ANNEXATION PETITION AND LEGAL DESCRIPTION FROM DEED
ADDITIONAL PROPERTY OWNER IF MORE THAN ONE OWNER

YOUR NAME		PHONE #
BUSINESS NAME		FAX #
ADDRESS		SUITE
CITY	STATE	ZIP
E-MAIL ADDRESS		
SIGNATURE (ORIGINAL REQUIRED)		DATE
Note: I consent to an on-site inspection by an employee(s) of the City of Lake Oswego		

PROPERTY/ZONING DATA

5957 Seville Ave.
 Address: Level lot, north side of Seville Ave, unincorporated
 Location Description: Clackamas County

MAP & TAX LOT (list one per line)	(DO NOT USE LOT & BLOCK)	SITE ACRES	ZONING/PROPERTY INFORMATION			
			EXISTING COUNTY ZONING DESIGNATION	CITY COMPREHENSIVE PLAN DESIGNATION	CURRENT ASSESSED VALUE	TOTAL EXISTING POPULATION
21E07CD	TL 7400	40,100 ^{sq}	R-10	R7.5	12,500	0
-	-	-	-	-	-	-
-	-	-	-	-	-	-
-	-	-	-	-	-	-
TOTAL OF PARCEL AREAS:		ACRES .94	SQ. FT. 40,100 SQ FT			
RIGHTS-OF-WAY TO BE INCLUDED:		Seville Avenue and "Cherry stem" portion Mellon Avenue. (Mellon is requested to preserve large tree located in Ford place.)				
REASON FOR ANNEXATION:		To gain city services for development.				

DESCRIBE NUMBER AND TYPES OF STRUCTURES ON THE PARCEL(S) (USE TAX LOTS AS REFERENCE):
 1 house, 2 outbuildings

EXISTING USE OF AREA TO BE ANNEXED: single family residence

PROPOSED USE OF AREA TO BE ANNEXED: single family residences

DESCRIBE SURROUNDING LAND USES (USE TAX LOTS AS REFERENCE)

NORTH —	Single family residences - at county R-10 densities
SOUTH —	Single family residences - "
EAST —	Single family residences - "
WEST —	Single family residences - "

PETITION FOR ANNEXATION TO THE CITY OF LAKE OSWEGO, OREGON

To the City Council of the City of Lake Oswego:

We, the undersigned owners and/or electors, petition and consent to be annexed to the City of Lake Oswego.

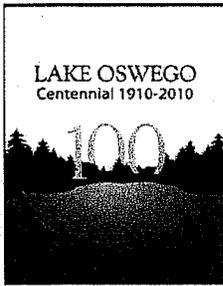
A map is attached, marked Exhibit A, showing the affected territory and its relationship to the present City boundaries.

PETITION SIGNERS							
Signature	Printed Name	I Am A* (check both if applicable)		Owner's /Elector's Mailing Address	Property Description		Date**
		PO	RV		Tax Map	Tax Lot	
	ROBERT RANDALL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	8305 SE MONTEAGUE AVE 4270 BERTLAND STERS	21E07CD	7400	1-13-10

* PO = Property Owner, RV = Registered Voter

**Within 1 year from the date of filing petition with City

1. MULTNOMAH COUNTY/CITY of PORTLAND VOTER



NOTICE OF FINAL CITY COUNCIL DECISION ON ANNEXATION

Date Mailed: April 23, 2010

Owner/Applicant: Robert Randall Jr. and Stacey Goldstein, Goldstein Planning LLC

Location of Property: 5957 Seville Avenue (21E07CD07400)

File No.: AN 10-0002

In accordance with LOC 50.05.025, the City zoning designation of R-7.5 will be applied to the subject property (21E07CD07400), immediately upon the effective date of annexation.

Date of Final City Council Decision:

The City Council approved this annexation as set forth in Ordinance 2550 on April 20, 2010.

Effective Dates:

1. The effective date of the annexation Ordinance 2550 shall be on the 30th day after its enactment, May 30, 2010, pursuant to the Lake Oswego City Charter.
2. Effective Date of Annexation.

Following the filing of the annexation with the Secretary of State, the effective date of the annexation shall be upon the **later of either** (see note below):

- a. The 30th day following the date of adoption of the ordinance, or
- b. The date of filing of the annexation records with the Secretary of State.

Note: Pursuant to ORS 222.040(2), if the effective date of the annexation as established above is a date that is within 90 days of a biennial primary or general election or after the deadline for filing notice of election before any other election held by any city, district or other municipal corporation involved in the area to be annexed, then the effective date of the annexation shall be delayed until, and the annexation shall become effective on, the day after the election.

To Learn More About the Effective Date of an Annexation

Once the City of Lake Oswego has been notified that the Secretary of State has filed the documents (generally 3 to 4 weeks from the City Council's decision), the effective date of the annexation will be posted to the City's web site at:

<http://www.ci.oswego.or.us/plan/Annexations/AnnexationCases.htm>

(select annexation file number AN 10-0002)

For additional information on the effective date, you may also contact:

Iris McCaleb

City of Lake Oswego – Planning Division

503/697-6591 or by e-mail at imccaleb@ci.oswego.or.us

Right to Appeal: This decision may be appealed by filing a written Notice of Intent to Appeal with the State of Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of the decision, May 11, 2010. For more information, contact LUBA at:

Land Use Board of Appeals
550 Capitol St. NE, Suite 235
Salem, OR 97301-2552
(503) 373-1265

How to Obtain More Information: The decision is available for review, and a copy may be obtained at cost at the following address:

Lake Oswego Building & Planning Services
Planning Department
Lake Oswego City Hall
P. O. Box 369
380 A Avenue
Lake Oswego, OR 97034
Phone (503) 697-6591

Or call

Paul Espe, Associate Planner
Phone (503) 697-6577

ORDINANCE NO. 2550

AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO ONE PARCEL COMPRISING APPROXIMATELY 0.92 ACRES (LOCATED AT 5957 SEVILLE AVENUE); DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LOC 50.05.025; AND REMOVING THE TERRITORY FROM CERTAIN DISTRICTS (AN 10-0002).

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WHEREAS, the City has received consent for the proposed annexation from 100 percent of the owners of land residing within the territory; and,

WHEREAS, the part of the territory that lies within the Lake Grove Fire District #57 will, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, the part of the territory that lies within the Clackamas County Enhanced Sheriff's Patrol District will, by operation of ORS 222.520, be withdrawn from the district upon approval of the annexation; and,

WHEREAS, the part of the territory that lies within the Surface Water Management Agency of Clackamas County may, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, LOC 50.05.025 specifies that, where the Comprehensive Plan Map requires a specific Zoning Map designation to be placed on the territory annexed to the City, such a zoning designation shall automatically be imposed on the territory as of the effective date of the annexation; and,

WHEREAS, the staff report, which addresses applicable criteria, dated March 31, 2010, is hereby incorporated; and,

WHEREAS, this annexation is consistent with Chapter 14, (Urbanization) of the City of Lake Oswego's acknowledged Comprehensive Plan, Oregon Revised Statutes 222.111(2); 222.125; and 222.170 for Boundary Changes and Metro Code 3.09.050(b) and (d).

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TOGETHER with the following described public right of ways (40.00 feet wide):

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And that portion of Mellon Avenue lying south of the south right of way line of Seville Avenue and lying north of the westerly projection of the south line of Block 31, Lake Forest Plat No. 2. Approximately 280 feet in length.

Section 2. District Withdrawal: The annexed area lies within the following districts and will be withdrawn from these districts upon the effective date of annexation:

Lake Grove Fire District # 57
Clackamas County Enhanced Sheriff's Patrol District
Surface Water Management Agency of Clackamas County

Section 3. Zoning Designation: In accordance with Community Development Code Section 50.05.025, the City zoning designation of R-7.5 will be applied to tax lot 7400 21E07CD, upon the effective date of annexation.

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Section 5. Adoption of Findings and Conclusions: The City Council hereby adopts the findings of facts and conclusions set forth in the March 31, 2010 staff report in support of this annexation ordinance.

Section 6. Effective Dates:

a. Effective Date of Decision to Annex. Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption, unless

a governmental entity that qualifies as a "necessary party" under Metro Code 3.09.020(j) has contested this annexation, in which event this annexation decision shall be effective on the 10th day following the mailing of this ordinance by the City Recorder to Metro and to all necessary parties who appeared in this proceeding.

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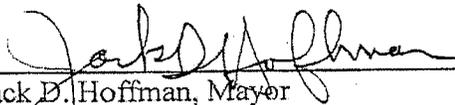
Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on 20th day of April, 2010.

AYES: Mayor Hoffman, Johnson, Jordan, Hennagin, Moncrieff, Tierney, Olson

NOES: none

ABSTAIN: none

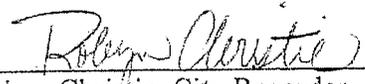
EXCUSED: none



Jack D. Hoffman, Mayor

Dated: April 20, 2010

ATTEST:



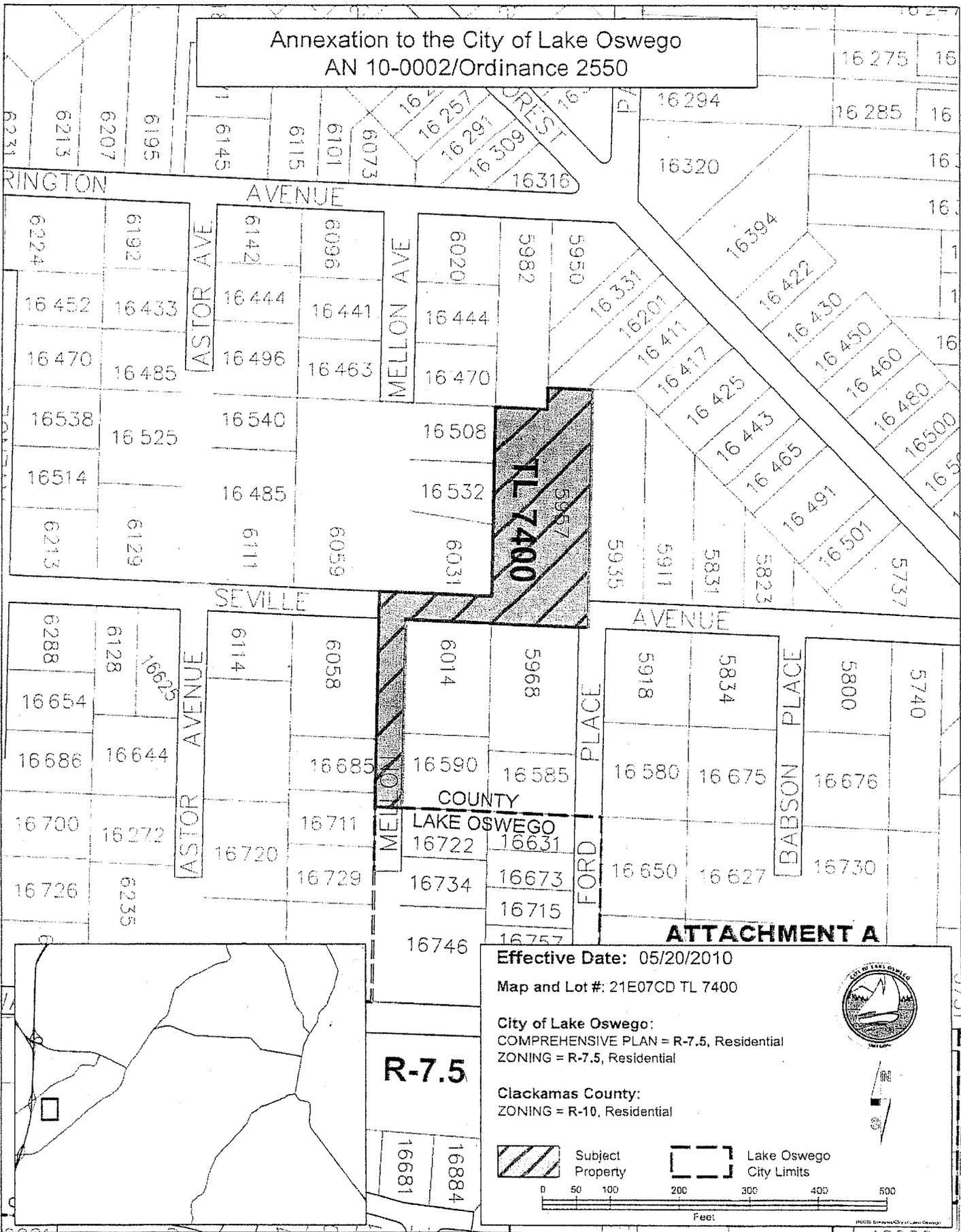
Robyn Christie, City Recorder

APPROVED AS TO FORM:



David Powell
City Attorney

**Annexation to the City of Lake Oswego
AN 10-0002/Ordinance 2550**



Effective Date: 05/20/2010

Map and Lot #: 21E07CD TL 7400

City of Lake Oswego:
COMPREHENSIVE PLAN = R-7.5, Residential
ZONING = R-7.5, Residential

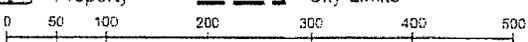
Clackamas County:
ZONING = R-10, Residential



Subject Property



Lake Oswego City Limits



Feet



PLAT BY: ENGINEERS CITY OF LAKE OSWEGO