

Final Documents  
for  
Annexation to  
**Happy Valley**

CL3708

Order/Res: 367

Annexation: ANN-06-07

DOR: 3-1838-2008

Secretary of State: AN 2008-0157

Mayor  
HON. ROBERT  
WHEELER



## City of Happy Valley

City Councilors  
LORI DEREMER  
MARKLEY DRAKE  
TOM ANDRUSKO  
KRISTEN MITCHELL

12915 SE KING ROAD, HAPPY VALLEY, OREGON 97086

Telephone (503) 760-3325 ~ Fax (503) 760-9397

Web Site: [www.ci.happy-valley.or.us](http://www.ci.happy-valley.or.us)

DATE: November 13, 2007

File No. ANN-06-07

### NOTICE OF EXPEDITED DECISION

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

The City Council formally approved the subject application/petition based upon findings included within the Staff Report dated November 6, 2007, and deliberations of the City Council.

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

  
\_\_\_\_\_  
Jason Tuck, Economic and Community Development Director

cc/ Petitioners  
Necessary Parties  
File

**ORDINANCE NO. 367  
CITY OF HAPPY VALLEY**

**AN ORDINANCE ANNEXING TERRITORY INTO THE CITY OF HAPPY VALLEY,  
OREGON AND THE NORTH CLACKAMAS PARKS AND RECREATION  
DISTRICT AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to ORS 222.125 the City of Happy Valley received petitions signed by 100% of the owners of 100% of the properties with 100% of the assessed value of territory requesting annexation (File No. ANN-06-07); and

WHEREAS, the proposed annexation territory consists of One tax lot totaling 19.22 acres of land adjacent to existing City boundaries; and

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

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

WHEREAS, the City Council considered the proposed annexation at its regularly scheduled City Council meeting on November 6<sup>th</sup>, 2007, under the applicable provisions of Chapter 3.09 of the Metro Code, the Happy Valley Comprehensive Plan, and the applicable Statewide Planning Goals and state laws; and

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

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

Now, therefore, based on the foregoing,

**THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:**

**Section 1.** The City Council declares the territory described in Exhibit B, and depicted in Exhibit A is annexed to Happy Valley effective November 6<sup>th</sup>, 2007

Section 2. The City Council adopts the Annexation Application No.06-07 and the associated Staff Report to the City Council dated November 6<sup>th</sup>, 2007

Section 3. The territory described in Exhibit B, and depicted in Exhibit A is annexed to the North Clackamas Parks and Recreation District effective November 6<sup>th</sup>, 2007

Section 4. The City Recorder is directed to:

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

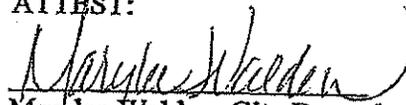
Section 5. An emergency is declared to exist and as provided by Section 32 of the Happy Valley City Charter this Ordinance takes effect on November 6<sup>th</sup>, 2007

PASSED AND APPROVED THIS 6<sup>th</sup> day of November, 2007

CITY OF HAPPY VALLEY

  
Mayor Rob Wheeler

ATTEST:

  
Marylee Walden, City Recorder

HAPPY VALLEY, OREGON  
Resolution No. 5-13

**COPY**

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

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

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

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

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

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

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

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

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EXHIBIT #   D

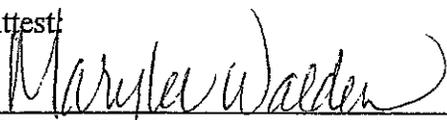
Section 4. This Resolution shall take effect immediately upon its adoption by the City Council and approval by the Mayor.

**COPY**

PASSED by City Council on this 7<sup>th</sup> day of June, 2005.

Approved by the Mayor on this 7<sup>th</sup> day of June, 2005.

  
\_\_\_\_\_  
Eugene Grant  
Mayor

Attest:  
  
\_\_\_\_\_  
Marylee Walden  
City Recorder



# CITY OF HAPPY VALLEY

12915 SE King Road  
Happy Valley, OR 97086  
Phone: 503-760-3325

## PETITION TO ANNEX

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

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

The consent for annexation is for the following described property:

9115 SE 152nd

Street Address of Property (if address has been assigned)

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

12E25B 02400

Tax Map and Tax Lot Number

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

<u>[Signature]</u>	<u>[Initial]</u>	<u>[Initial]</u>	<u>8/17/08</u>
Signature	Owner Initial	Voter Initial	Date
_____	_____	_____	_____
Signature	Owner Initial	Voter Initial	Date
_____	_____	_____	_____
Other Authorized Signature	Owner Initial	Voter Initial	Date
_____	_____	_____	_____

Street Address

Home Phone

Work Phone

Mailing Address

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

City, State and Zip Code

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

Indefinitely, or until \_\_\_\_\_

<u>[Signature]</u>	<u>817-07</u>	_____	_____
Signature	Date	Signature	Date

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

Number of housing unit: \_\_\_\_\_ Number of people residing in these units: \_\_\_\_\_

Legal Description  
City of Happy Valley

Annexation No. 06-07

A tract of land situated in Section 25, T1S, R2E. W.M. Clackamas County Oregon and more particularly described as follows:

Beginning at the northeast corner of Tract I, in the plat of Jackson Hills No. 3, plat no. 4010, said corner also being on the west line of S.E. 152<sup>nd</sup> Avenue. (a 30 foot R/W);

1. Thence North  $88^{\circ}38'28''$  East, 20 feet to the east line of said right-of-way;
2. Thence North, along said East line, 845 feet more or less to a point on the existing city limits of the City of Happy Valley, said point being South, 1075.75 feet & South  $89^{\circ}17'49''$  East & 20 feet from the northwest corner of the northeast one quarter corner of said Section 25;
3. Thence North  $89^{\circ}17'49''$  West, along said city limits, 30 feet to the west line of said right-of-way;
4. Thence North, along said city limits & west line, 268 feet more or less to the most easterly southeast corner of a tract of land (12E25B 02300), as recorded in deed instrument no. 71-06957;
5. Thence North  $89^{\circ}59'$  West, 575 feet;
6. Thence South  $0^{\circ}02'$  West, 455 feet;
7. Thence North  $89^{\circ}59'$  West, along said city limits & the south line of said tract, 325 feet to the southwest corner of said tract & the east line of the plat of Northern Heights, plat no. 3991;
8. Thence South  $01^{\circ}46'19''$  East, along said city limits & east line 256.96 feet to the initial point of the plat of Monterra, plat no. 3543;

EXHIBIT # B

9. Thence South  $01^{\circ}45'15''$  East, along said city limits & the east line of the plat of Monterra, 396.89 feet to the southeast corner of said plat & the initial point & the north line of the plat of Jackson Hills No. 3;

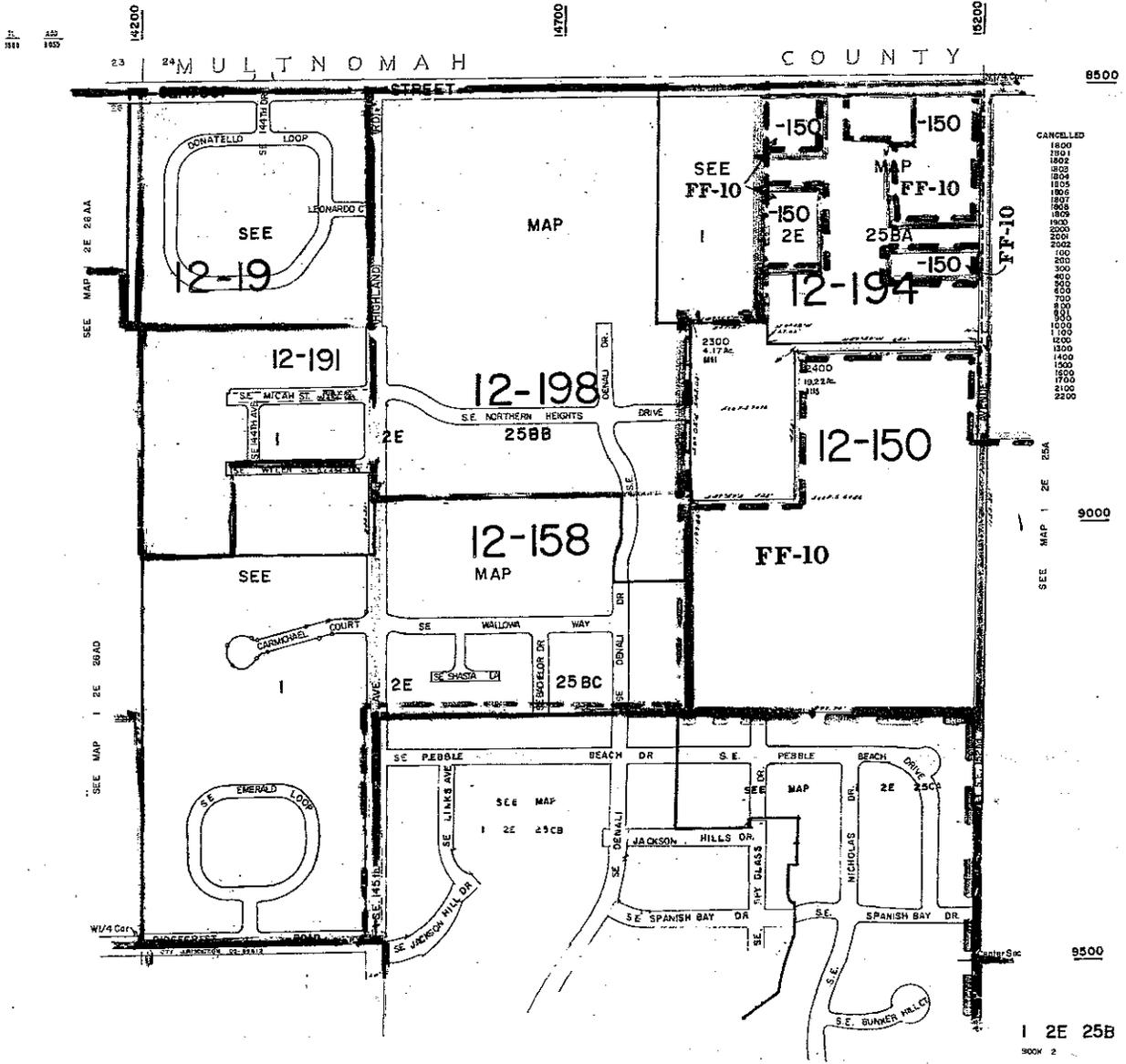
10. Thence North  $88^{\circ}38'28''$  East, along said city limits & north line, 888.94 feet to the point of beginning.

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

N.W. 1/4 SEC. 25 T. 1 S. R. 2 E. W. M  
 CLACKAMAS COUNTY  
 1" = 200'

I 2E 25B  
 8 INDEX

This map was prepared for  
 assessment purpose only.



- CANCELLED
- 1800
- 1801
- 1802
- 1803
- 1804
- 1805
- 1806
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- 1808
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- 2016
- 2017
- 2018
- 2019
- 2020

SEE MAP I 2E 25A

8500

9000

9500

I 2E 25B  
 BOOK 2



DOR 3-1838-2008

# Notice to Taxing Districts

ORS 308.225



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

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

**Description and Map Approved**  
**May 13, 2008**  
**As Per ORS 308.225**

Description     Map received from: CITY  
On: 5/9/2008

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

ANNEX TO HAPPY VALLEY AND N. CLACKAMAS PARKS AND RECREATION DIST.

ORD.# 367/ ANN-06-07

has been:     Approved    5/13/2008  
                   Disapproved

Notes:

Department of Revenue File Number: 3-1838-2008

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



RECEIVED BY Facsimile (503) 373-0953

August 5, 2008

AUG 7 2008

CITY OF HAPPY VALLEY

City of Happy Valley  
City Recorder  
12915 SE King Rd  
Portland, OR 97086

Dear City Recorder,

Please be advised that we have received and filed, as of July 31, 2008 the following records annexing territory into the following:

Ordinance/Resolution Number	Our File Number
367	AN 2008-0157

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

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

Sincerely,

  
Linda Bjornstad  
Official Public Documents

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