

Final Documents
For
Annexation to the
South Clackamas Transportation District

CL0103
Ordinance 2003-33
DOR 3-1569-2003

Final to DOR: _____

Signature:

 _____

Date of
Mailing: 3/24/03

Final to Secretary of State: _____

Signature:

 _____

Date of
Mailing: 4/2/03

CL0103

Sent

Received

DOR: 3/24/02

3/27/03

Sec. State: 4/2/03

Assessor: 4/2/03

Elections: 4/2/03

Mapped: Yes

Posted to Web: Yes

Assessor Information:

Tax Lot No.:

52E15 00602

Property Address:

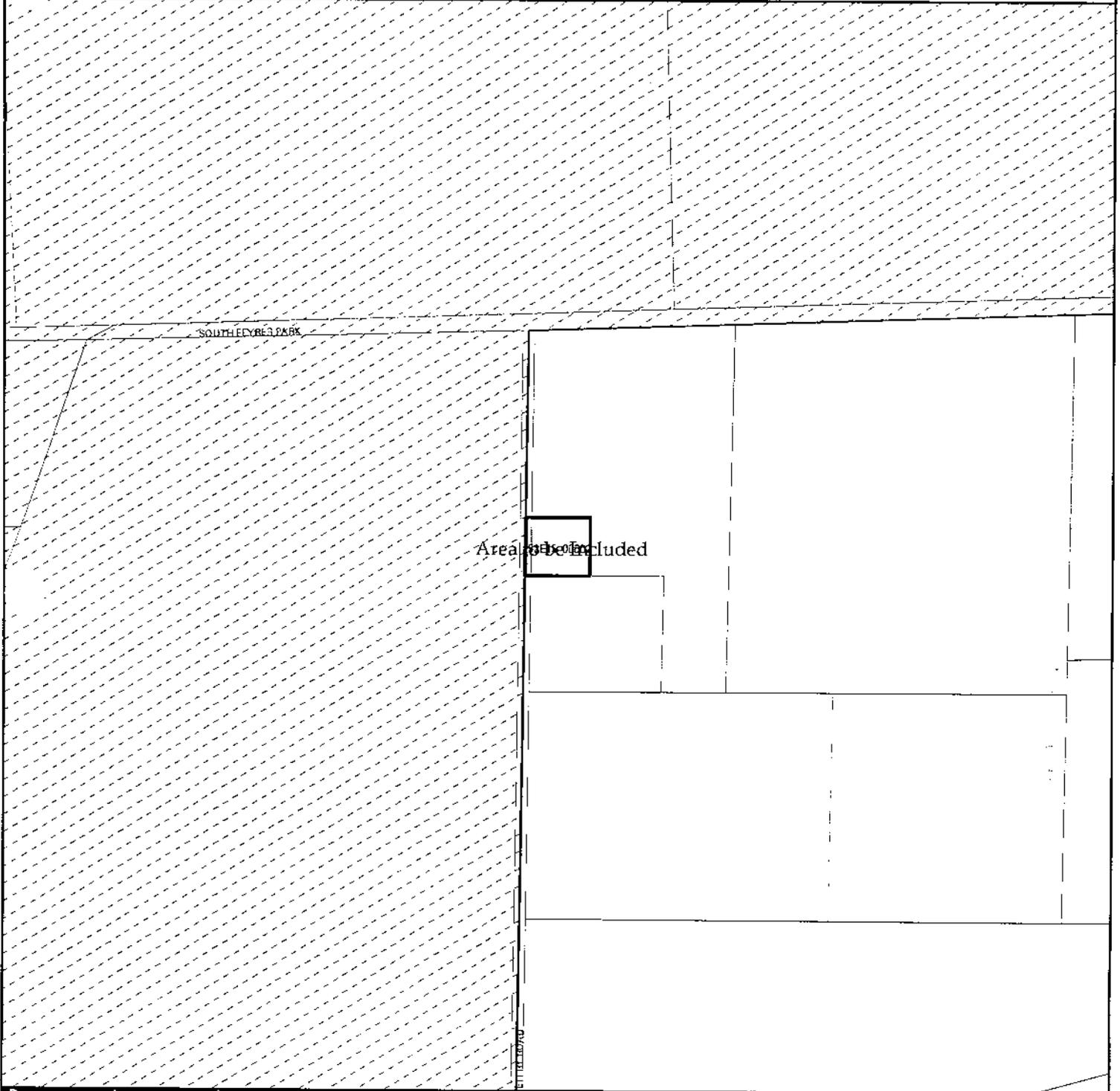
32136 S Adams Cemetery Rd

Proposal No. CL0103

2E15

Annexation to the South Clackamas Transportation District

Clackamas Co.



Area to be included

R L I S
REGIONAL LAND INFORMATION SYSTEM



600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email drc@metro-region.org

METRO

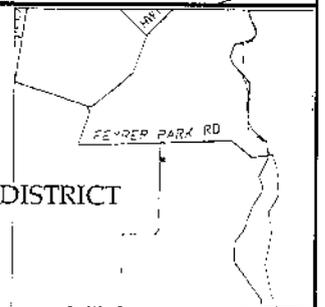
The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

-  County lines
-  Annexation boundary
-  District

Proposal No. CL0103
SOUTH CLACKAMAS TRANSPORTATION DISTRICT
Figure 1

Scale: 1" = 500'

0 500 1000



Notice to Taxing Districts

ORS 308.225



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

South Clackamas Transportation Dist.
P.O. Box 517
Molalla, OR 97038

Description and Map Approved
March 27, 2003
As Per ORS 308.225

Description Map received from: METRO
On: 3/26/2003

This is to notify you that your boundary change in Clackamas County for
ANNEX TO THE SOUTH CLACKAMAS TRANSPORTATION DIST.

ORDER #2003-33

has been: Approved 3/27/2003
 Disapproved

Notes:

Department of Revenue File Number: 3-1569-2003

Prepared by: Jennifer Dudley, 503-945-8666

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 BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Approving
Boundary Change Proposal
No. CL-0103



ORDER NO. 2003-33

This matter coming before the Board at this time, and it appearing that more than half the electors and owners of more than half the land in the territory to be annexed have petitioned to annex the territory to South Clackamas Transportation District;

It further appearing that this Board is charged with deciding this proposal for a boundary change pursuant to ORS Chapters 198; and

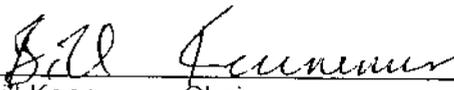
It further appearing that staff retained by the County have reviewed the proposed boundary change and issued a report; and

It further appearing that this matter came before the Board for public hearing on March 13, 2003 and that a decision of approval was made on March 13, 2003;

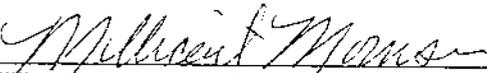
NOW, THEREFORE, IT IS HEREBY ORDERED that Boundary Change Proposal No. CL-0103 is approved for the reasons stated in attached Exhibit A and the territory described in Exhibit B and depicted on Exhibit C is annexed to South Clackamas Transportation District.

ADOPTED this 13th day of March, 2003.

BOARD OF COUNTY COMMISSIONERS



Bill Kennemer, Chair



Millicent Morrison, Recording Secretary

FINDINGS

Based on the study and the public hearing the Board found:

1. The territory to be annexed contains 4.35 acres, 1 single family dwelling and a population of 2 persons.
2. The petitioners desire annexation in order to participate in the affairs of the District.
3. ORS 198.850 provides that the Board is to consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district when deciding a district annexation proposal.
4. The territory is outside the jurisdictional boundary of Metro and outside the regional Urban Growth Boundary.
5. The territory is designated Exclusive Farm Use on the Clackamas County Nonurban Area Land Use Plan Map (IV-7). The territory is zoned EFU/HL, Exclusive Farm Use/Historic Landmark.

The County Comprehensive Plan is supportive of transit. Goals listed in the Plan include:

- Provide mobility for people who cannot use or do not have adequate private transportation.
- Develop a transit system which meets the County's local needs.

6. The South Clackamas Transportation District provides transit service in and around Molalla, to Clackamas Community College (where connections are made to Tri-Met) and to Canby. The route around Molalla provides transit primarily to the elderly and handicapped. Service to Canby enables many lower income commuters to get to jobs in the Canby area. The route to Clackamas Community College serves college students and people who commute to the urban area for jobs.

The Transportation District is governed by a 7 member board elected to 4-year terms. Funding for the system comes from a .003% per \$1,000 gross payroll tax which employers pay quarterly and self employed persons pay once a year. A fare of \$1 is charged on the Community College route. Grants also aid the District's financing. The District contracts with a company which provides drivers.

CONCLUSIONS AND REASONS FOR DECISION

Based on the Findings, the Board determined:

1. ORS 198 requires the Board to consider the applicable local comprehensive plan and any service agreements affecting the area. The local comprehensive plan was considered and this proposal was found to be in compliance with it as noted in Finding No. 5 above. No directly applicable service agreements were found to exist.
2. The District can provide an adequate quantity and quality of transit service within its boundaries including the territory to be annexed.
3. Annexation to the District will allow the petitioners to legally and officially participate in the affairs of the District.

CL0103
South Clackamas Transportation District

Legal Description for the Donald R & Doris Pence 1 acre parcel of property in Section 15
Township 5 South Range 2 East [5S 2E 15 00602] Willamette Meridian in Clackamas County,
Oregon more particularly described as follows:

Exhibit 'A'

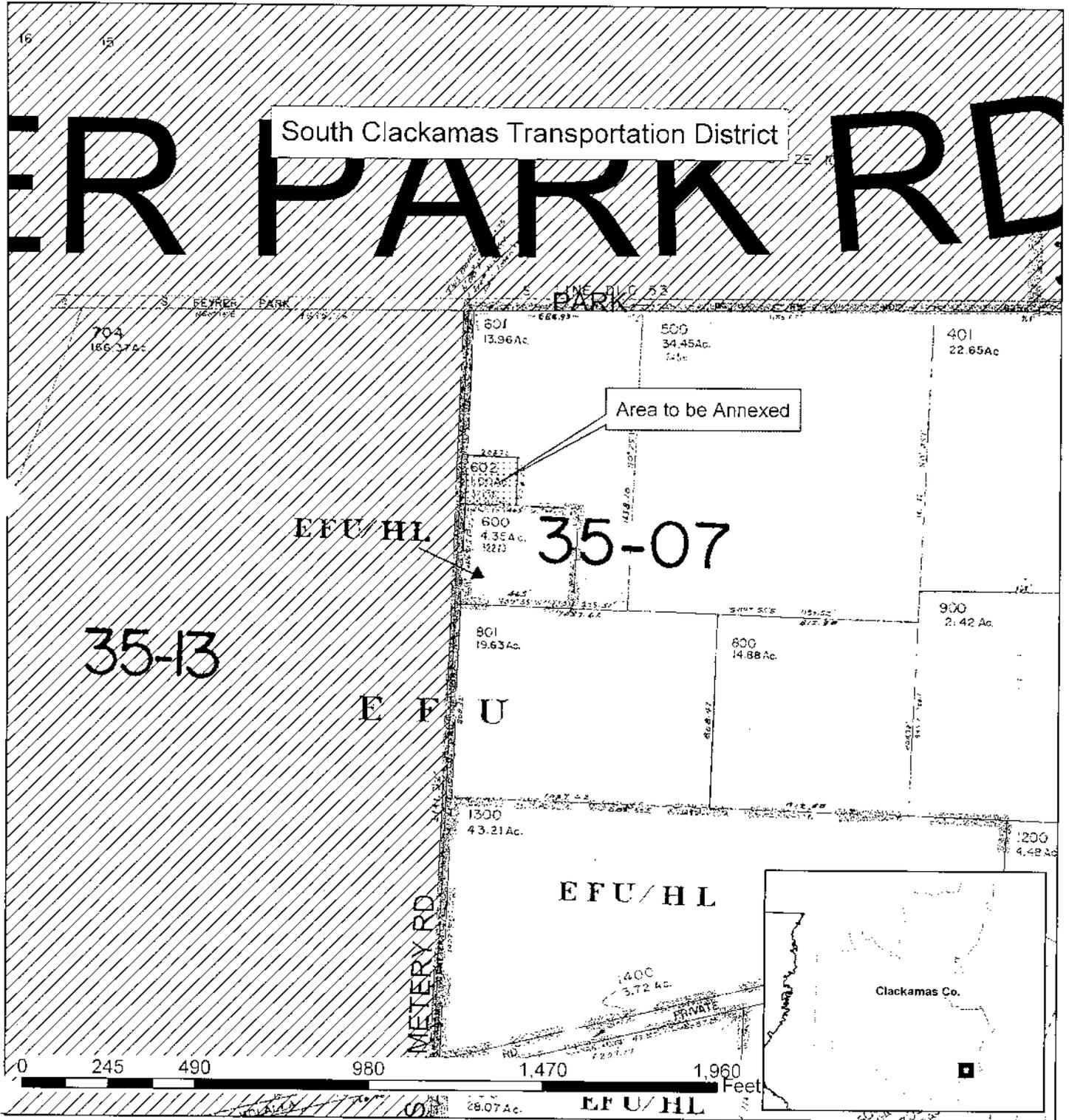
Beginning at the Southwest corner of Section 15: T5S R2E W.M. Clackamas County, Oregon;
Thence East along the south line of said Section 15 and along the centerline of S. Claim Road
1522 feet to a point of intersection of the centerline with S. Adam Cemetery Road; Thence
continuing East along said south line of said Section 15 for 73.93 feet to a point which is due
South approximately 160 feet more or less of the centerline of said S. Adam Cemetery Road;
Thence North 160 feet more or less to and passing through and along said centerline of said road
a total distance of 3321.58 feet to the Southwest corner of the herein parcel of Donald R., & Doris
Pence tract as recorded in deed 93-84730 to be annexed being at a 5/8" Iron Rod; also said iron
rod is North 88°00' East 3557.75 feet on claim line from the Northwest corner of the John Wright
D.L.C. and South 00°23'15" West 825.49 feet to the S.W. corner of the said Pence tract; thence
from the POINT OF BEGINNING South 89°59'30" East, along the South boundary of said Pence
tract 208.72 feet to a 5/8" iron rod; Thence North 00°23'15" East parallel with road on Westerly
boundary 208.72 feet to a 5/8" iron rod, Thence North 89°59'30" West, parallel with South
boundary 208.72 feet to West line of the Pence tract in the centerline of the road; Thence South
00°23'15" West, along the Pence tract 208.72 feet to the PLACE OF BEGINNING.

Proposal No. CL0103

K M C

Ken Martin Consulting
P.O. Box 29079
Portland, OR 97296-9079
(503) 222-0955

Annexation to the South Clackamas Transportation District
Clackamas Co.
5S2E15



PROPOSAL No. CL0103
South Clackamas Transportation District
Figure 2

TO: Board of County Commissioners

FROM: Ken Martin - Local Government Boundary Consultant

DATE: February 21, 2003

RE: Boundary Change Proposal No. CL-0103, Annexation to South Clackamas Transportation District Scheduled for **Hearing Date** of March 13, 2003.

1. Recommendation/Action Requested: Approval
2. Background/Analysis: See Attached Staff Report
3. Financial Impact: None
4. Legal Issues: None
5. Controversial Issues: None
6. Link to Current County Policies: None (Its relationship to the Clackamas County Comprehensive Plan is covered in the attached staff report.)
7. Citizen Participation: Notice of this hearing invites testimony from any interested party. Notice consisted of: 1) Posting three notices near the territory and one notice in the County Courthouse; 2) Publishing notice twice in the Molalla Pioneer Newspaper; 3) Mailed notice sent to affected local governments, all property owners within 500 feet of the area to be annexed.
8. Other Government Participation: The Board of the South Clackamas Transportation District has endorsed the annexation, as it is required to do by statute.

**PROPOSAL NO. CL-0103 – SOUTH CLACKAMAS TRANSPORTATION DISTRICT -
Annexation**

Petitioner: Don & Doris Pence

Proposal No. CL-0103 was initiated by a consent petition of the property owners and registered voters. The petition meets the requirement for initiation set forth in ORS 198.855(3) (double majority annexation method) and ORS 198.750 (section of statute which specifies contents of petition). If the Board approves the proposal the boundary change will become effective immediately.

The territory to be annexed is located generally on the southeast edge of the District, on the east edge of Adams Cemetery Road south of South Feyer Park Road. The territory contains 4.35 acres, 1 single family dwelling and a population of 2 persons.

REASON FOR ANNEXATION

The petitioners desire annexation in order to participate in the affairs of the District.

CRITERIA

ORS 198.850 provides that the Board is to consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district when deciding a district annexation proposal.

LAND USE PLANNING

Regional Planning. The territory is outside the jurisdictional boundary of Metro and outside the regional Urban Growth Boundary.

County Planning. The territory is designated Exclusive Farm Use on the Clackamas County Nonurban Area Land Use Plan Map (IV-7). The territory is zoned EFU/HL, Exclusive Farm Use/Historic Landmark.

The County Comprehensive Plan is supportive of transit. Goals listed in the Plan include:

- Provide mobility for people who cannot use or do not have adequate private transportation.
- Develop a transit system which meets the County's local needs.

FACILITIES AND SERVICES

The South Clackamas Transportation District provides transit service in and around Molalla, to Clackamas Community College (where connections are made to Tri-Met) and to Canby. The route around Molalla provides transit primarily to the elderly and handicapped. Service to Canby enables many lower income commuters to get to jobs in the Canby area. The route to Clackamas Community College serves college students and people who commute to the urban area for jobs.

The Transportation District is governed by a 7 member board elected to 4-year terms. Funding for the system comes from a .003% per \$1,000 gross payroll tax which employers pay quarterly and self employed persons pay once a year. A fare of \$1 is charged on the Community College route. Grants also aid the District's financing. The District contracts with a company which provides drivers.

RECOMMENDATION

Based on the Study and the proposed Findings and Reasons for Decision found in Exhibit A, the staff recommends that Proposal No. CL-0103 be ***approved***.

FINDINGS

Based on the study and the public hearing the Board found:

1. The territory to be annexed contains 4.35 acres, 1 single family dwelling and a population of 2 persons.
2. The petitioners desire annexation in order to participate in the affairs of the District.
3. ORS 198.850 provides that the Board is to consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district when deciding a district annexation proposal.
4. The territory is outside the jurisdictional boundary of Metro and outside the regional Urban Growth Boundary.
5. The territory is designated Exclusive Farm Use on the Clackamas County Nonurban Area Land Use Plan Map (IV-7). The territory is zoned EFU/HL, Exclusive Farm Use/Historic Landmark.

The County Comprehensive Plan is supportive of transit. Goals listed in the Plan include:

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6. The South Clackamas Transportation District provides transit service in and around Molalla, to Clackamas Community College (where connections are made to Tri-Met) and to Canby. The route around Molalla provides transit primarily to the elderly and handicapped. Service to Canby enables many lower income commuters to get to jobs in the Canby area. The route to Clackamas Community College serves college students and people who commute to the urban area for jobs.

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CONCLUSIONS AND REASONS FOR DECISION

Based on the Findings, the Board determined:

1. ORS 198 requires the Board to consider the applicable local comprehensive plan and any service agreements affecting the area. The local comprehensive plan was considered and this proposal was found to be in compliance with it as noted in Finding No. 5 above. No directly applicable service agreements were found to exist.
2. The District can provide an adequate quantity and quality of transit service within its boundaries including the territory to be annexed.
3. Annexation to the District will allow the petitioners to legally and officially participate in the affairs of the District.