Final Documents

for

**<u>WITHDRAW</u>** from

**Happy Valley**

CL0507

Ordinance: 351

Annexation: WOT-01-06

DOR: 3-1782-2007

Office of the Secretary of State

BILL BRADBURY
Secretary of State

Archives Division
MARY BETH HERKERT
Director

800 Summer St. NE
Salem, Oregon 97310
(503) 373-0701

Facsimile (503) 373-0953

April 11, 2007

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 March 29, 2007, the following records annexing territory to the following:

| Ordinance/Resolution Number(s) | Our File Number |
|---|---|
| 05-19 (Tigard) | AN 2006-0023 |
| 351 (Happy Valley) | AN 2007-0134 → do not enter into data base. |

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

Linda Bjornstad
Official Public Documents

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

DOR 3-1782-2007

# Notice to Taxing Districts

ORS 308.225

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

City of Happy Valley
Budget Officer
12915 SE King Rd.
Portland, OR 97236

**Description and Map Approved**
**March 19, 2007**
**As Per ORS 308.225**

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☒ Description ☒ Map received from: CITY
On: 3/13/2007

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

WITHDRAW FROM CITY OF HAPPY VALLEY; ANNEX TO CLACKAMAS COUNTY LAW ENFORCEMENT DISTRICT

ORD. #351

has been: ☒ Approved 3/19/2007
☐ Disapproved

Notes:

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Department of Revenue File Number: 3-1782-2007

Prepared by: Carolyn Sunderman, 503-945-8882

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

**ORDINANCE NO. 351**
CITY OF HAPPY VALLEY

AN ORDINANCE DE-ANNEXING TERRITORY FROM THE CITY OF HAPPY VALLEY, OREGON, REANNEXING THAT TERRITORY TO THE CLACKAMAS COUNTY ENHANCED LAW ENFORCEMENT DISTRICT AND DECLARING AN EMERGENCY

WHEREAS, under Metro Code Section 3.09.045, ORS 222.125 and 268.354 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 de-annexation (File No.WOT-01-06); and

WHEREAS, the proposed de-annexation territory consists of two legal lots of record totaling 0.86 acres adjacent to existing City boundaries; and

WHEREAS, the City provided notice that the Planning Commission and City Council would consider the de-annexation petitions, 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 de-annexation consistent with Metro Code Section 3.09.045; and

WHEREAS, the Planning Commission considered the proposed de-annexation at its regularly scheduled February 13, 2006 meeting, and recommended that the City Council approve the de-annexation; and

WHEREAS, the City Council considered the proposed annexation at its regularly scheduled March 6, 2006 meeting 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.

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. The City Council declare that the affected territory described in Exhibit A, depicted in Exhibit B and shown in Exhibit C is de-annexed from the City of Happy Valley effective March 6, 2007.

Section 2. The City Council adopts the Withdrawal of Territory Application No. WOT-01-06 and its findings in support of this ordinance.

Section 3. The affected territory is re-annexed to the Clackamas County Law Enforcement District effective March 6, 2007.

Section 4. The City Recorder is directed to:

1. File a copy of this Ordinance and the statements of consent to de-annex consistent with ORS 222.180 with the Secretary of State and Department of Revenue;

2. Mail a copy of this ordinance to Metro including any required fee consistent with Metro Code Section 3.09.030(e); and

3. Mail a copy of this Ordinance to Clackamas County and any other necessary parties consistent with Metro Code Section 3.09.030(e).

Section 5. An emergency is declared to exist as provided by Section 32 of the Happy Valley City Charter. This Ordinance takes effect on March 6, 2007 because regional planning for the affected property is underway and jurisdiction over the affected property should be established as soon as possible to facilitate the regional planning effort required by Metro.

PASSED AND APPROVED THIS 6th DAY OF MARCH, 2007.

CITY OF HAPPY VALLEY

Robert Wheeler, Mayor

ATTEST:

Marylee Walden, City Recorder

Mayor
HON. ROBERT WHEELER

City Councilors
LORI DEREMER
MARKLEY DRAKE
TOM ANDRUSKO
KRISTEN MITCHELL

# City of Happy Valley

12915 SE KING ROAD, HAPPY VALLEY, OREGON 97086
Telephone (503) 760-3325 ~ Fax (503) 760-9397
Web Site: www.ci.happy-valley.or.us

DATE: March 8, 2007

File No.WOT-01-06

## *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 Withdrawal of Territory from the City of Happy Valley. The subject properties are listed on the attached form.

The City Council formally approved the subject applications/petitions based upon findings included within the Staff Report dated March 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 WOT-01-06

WITHDRAWAL OF TERRITORY
WOT-01-06

| Property owner | Tax & Map | Mailing Address | City, State, Zip | Acreage | Zoning | Assessed Value |
|---|---|---|---|---|---|---|
| Bisson, Jim and Sharon | 23E06C 05400 | PO Box 1780 | Clackmas, OR 97015 | 0.3 | RRFF5 | 201,126 |
| Middleton, Anne | 23E06DB 01900 | 17400 SE Sunnyside Rd | Damascus, OR 97089 | 56 | RRFF5 | 154,213 |

# LEGAL DESCRIPTIONS

17400 SE Sunnyside Road

The Legal for 23E06DB Tax lot 1900 is as follows

A tract of land situated in Section 6, T2S, R3E, W.M., Clackamas County, Oregon and more particularly described as follows;

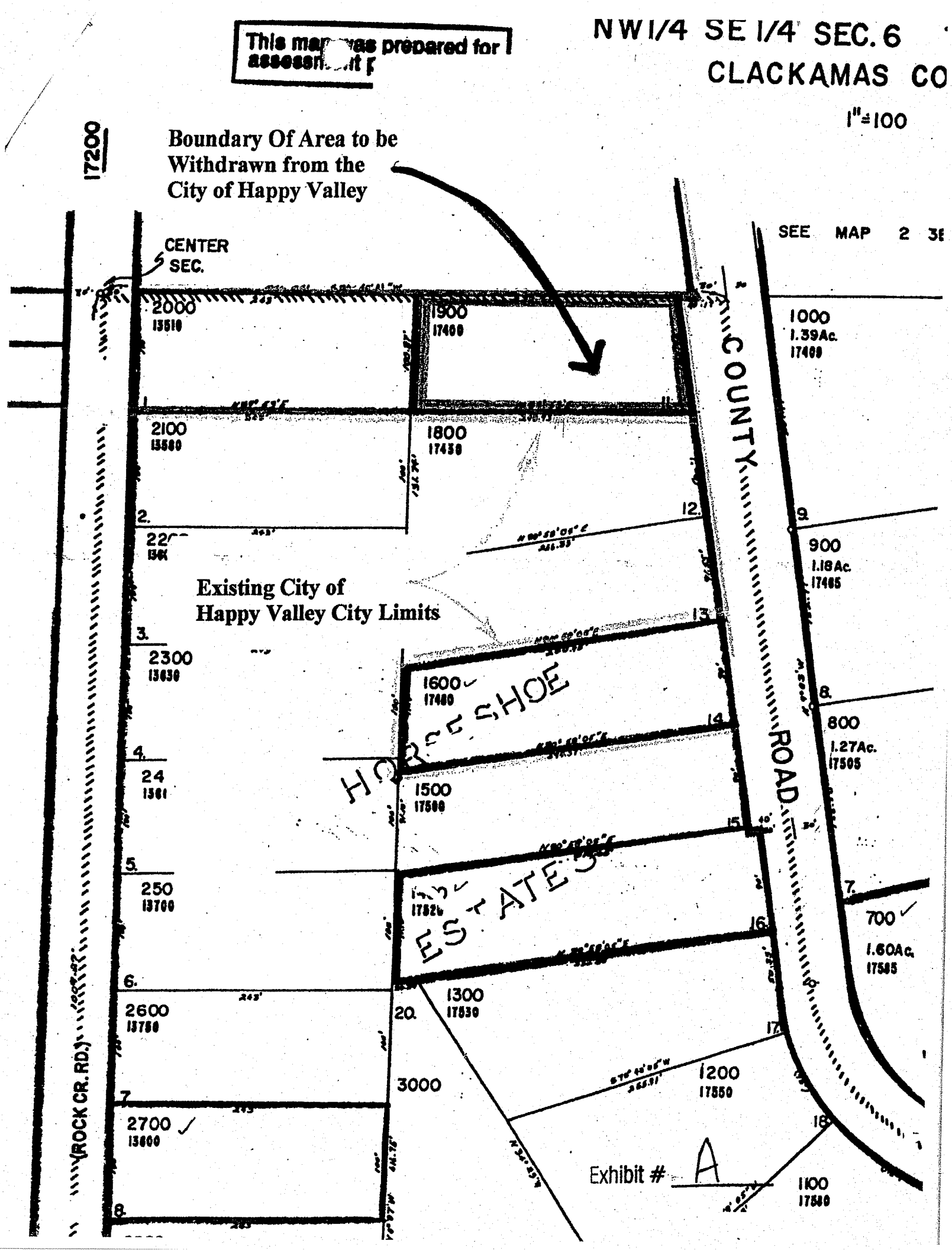
All of Lot 11, of the Golden Horseshoe Estates.

16760 SE Stoneybrook Court

The Legal for 23E06C Tax lot 5400 is as follows

A tract of land situated in Section 6, T2S, R3E. W.M., Clackamas County, Oregon and more particularly described as follows:

All of Lot 11, Rock Creek Green No. 2, Plat No. 1778


This map was prepared for assessment p
NW1/4 SE 1/4 SEC. 6
CLACKAMAS CO
1"=100
17200
Boundary Of Area to be Withdrawn from the City of Happy Valley
CENTER SEC.
SEE MAP 2 3E
2000
13510
1900
17400
1000
1.39Ac.
17400
COUNTY
2100
13580
1800
17430
2.
12.
9.
900
1.18Ac.
17465
Existing City of Happy Valley City Limits
3.
13.
2300
13630
1600
17480
8.
800
1.27Ac.
17505
HORSESHOE
14.
4.
24
1500
17500
ROAD
15.
5.
250
13700
ESTATES
7.
700
1.60Ac.
17585
16.
6.
2600
13750
20.
1300
17530
17.
3000
1200
17550
7.
2700
13600
18.
(ROCK CR. RD.)
Exhibit # A
1100
17580
8.

SEC. 6 T.2S. R.3E. W.M.
LACKAMAS COUNTY
1"= 200'

2 3E 6C

CANCELLED TL'S
8001 AW

Exhibit #

16800

17200

Boundary Of Area to be Withdrawn from the City of Happy Valley

SEE MAP 2 3E 6B

13500

Cen. Sec.

STONEYBROOK COURT

6200 16540 | 6300 16581 | 6400 16611 | 6500 16651 | 6600 16701 | 5500 16750 | 5400 | 5300 16800 | 5200 16830 | 5100 16860 | 5000 16900 | 4900 16920 | 4800 16980 | 4700 17100 | 4600 17130 | 4500 17150 | 4400 17170

6100 16560 | 6000 16580 | 5900 16600 | 5800 | 5700 16660 | 5600 16700

12-197

CREEK

Existing City of Happy Valley City Limits

AREA

RRFF-5

NO. 2

1778

CREEK

2200 16621 | 2300 16661 | 2400 16701 | 2500 16721 | 2600 16761 | 2700 16791 | 2800 16811 | 2900 16841 | 3000 16891 | 3100 16921 | 3200 16971 | 3300

12-197

GREEN AREA

ROCK CREEK

1700 16640 | 1600 16700 | 1500 16730 | 1400 16770 | 1300 | 1200

4200 13711 | 4100 13771 | 4000 13821 | 3900 13871

(ROCK CR. RD.)

SEE MAP 2 3E 6DB