

Final Documents

For

Annexation to the
Clackamas River Water District

CL0701
DOR 3-1507-2001
Ordinance #2001-73

Final to DOR: _____

Signature:

 _____

Date of
Mailing: 5/3/01

Final to Secretary of State: _____

Signature:

 _____

Date of
Mailing: 6/18/01

CL1301	<u>Sent</u>	<u>Received</u>
DOR:	5/8/01	5/15/01
Sec. State:	6/18/01	
Assessor:	6/18/01	
Elections:	6/18/01	
Mapped:	Yes	
Posted to Web:		
Addresses:	32E11 00608	19464 S Nelson Ln

Notice to Taxing Districts

ORS 308.225



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

Clackamas River Water District
Budget Officer
P.O.Box 2439
Clackamas, OR 97015-2439

Description and Map Approved
May 15, 2001
As Per ORS 308.225

Description Map received from: METRO
On: 5/8/01

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

ORDER #2001-73

has been: Approved 5/15/01
 Disapproved

Notes:

Department of Revenue File Number: 3-1507-2001

Prepared by: Jennifer Dudley, 503-945-8666

Boundary: Change Proposed Change
The change is for:

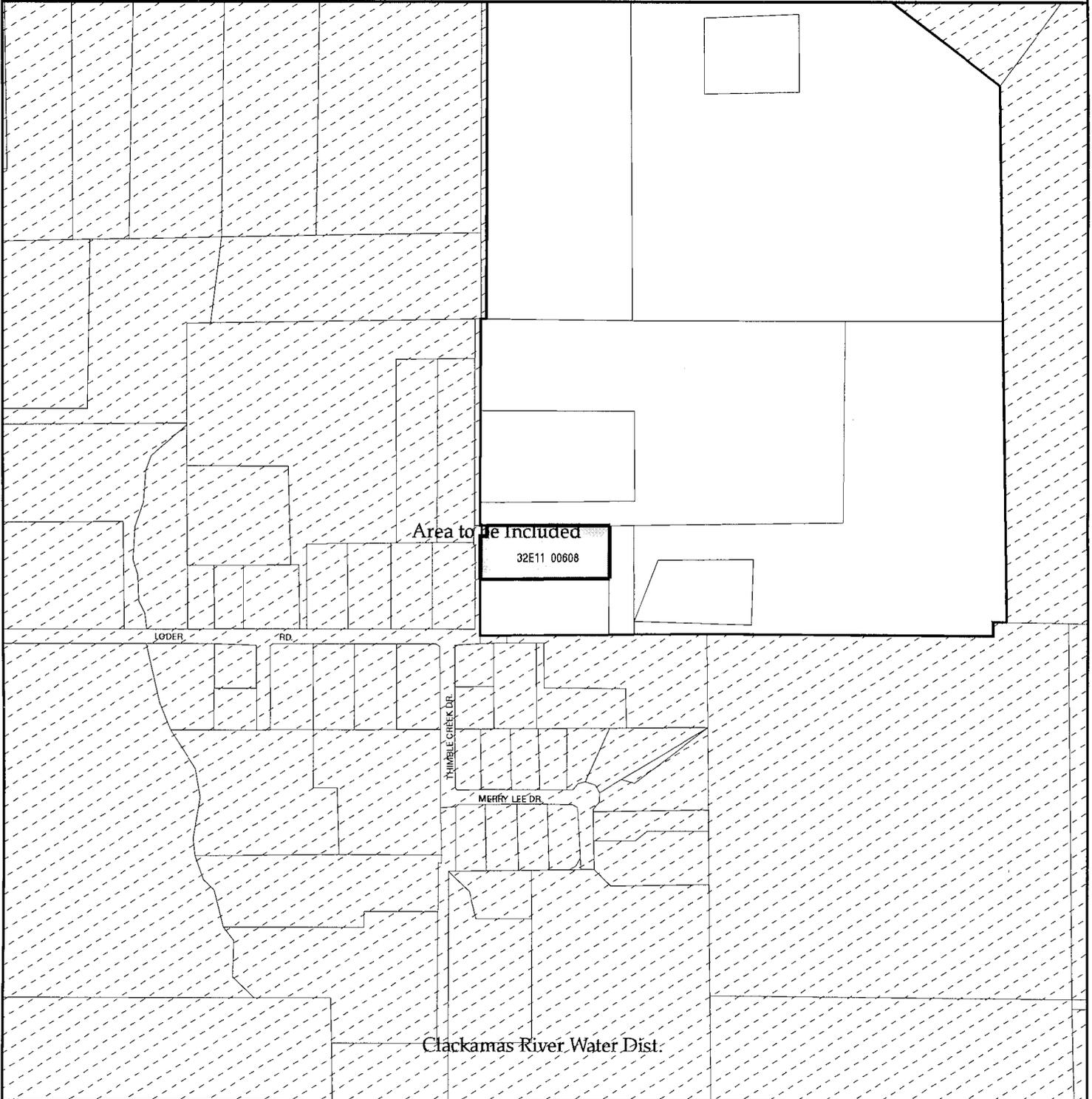
- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge

Proposal No. CL0701

3S2E11

Annexation to the Clackamas River Water Dist.

Clackamas Co.



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

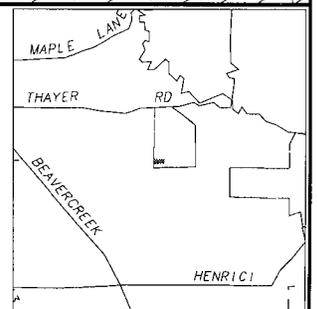
District

Urban Growth Boundary

Proposal No. CL0701
CLACKAMAS RIVER WATER DIST.
Figure 1

Scale: 1" = 500'

0 500 1000



BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Approving
Boundary Change Proposal
No. CL-0701

)
)
)
)
)
)

ORDER NO. 2001-73

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 Clackamas River Water District;

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

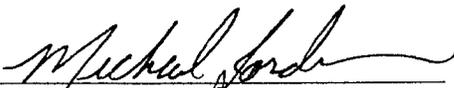
It further appearing that staff retained by the County reviewed the proposed boundary change and issued a report; and

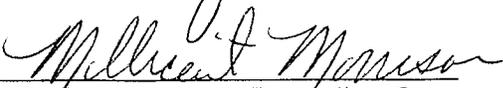
It further appearing that this matter came before the Board for public hearing on April 12, 2001 and that a decision of approval was made on April 12, 2001;

NOW, THEREFORE, IT IS HEREBY ORDERED that Boundary Change Proposal No. CL-0701 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 Clackamas River Water District.

ADOPTED this 19th day of April, 2001.

BOARD OF COUNTY COMMISSIONERS


Michael Jordan, Chair


Millicent Morrison, Recording Secretary

FINDINGS

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

1. The territory to be annexed contains 2.0 acres, 1 single family dwelling, a population of 2 and has an assessed value of \$264,679.
2. The petitioner desires annexation to obtain domestic water to replace the existing well. According to the petitioners: "Current water is undrinkable. It requires a water softener, PH neutralizer and still tastes terrible. We purchase bottled water to drink. The PH neutralizer does not totally neutralize the water."
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 property is flat with a small natural area on the west and approximately one acre of fenced pasture on the east.
5. The territory is outside the jurisdictional boundary of Metro and outside the regional Urban Growth Boundary.
6. The territory is designated Forest on the Clackamas County Nonurban Area Land Use Plan Map (IV-7). The territory is zoned AG/F.

The FOREST subsection of the Land Use section in the Clackamas County Plan contains the following policy:

6.0 New public water and sewer facilities shall not be allowed in forest areas.

Clackamas County has consistently interpreted this policy to prohibit the extension of special district water distribution lines but to allow for single service connections to existing dwellings. The County Planning staff has responded to this proposal in a similar fashion.

The following policies from the Public Facilities and Services element of the County's plan are applicable:

Water

* * *

12.0 Require all public water purveyors to design the extension of water facilities at levels consistent with the land use element of the Comprehensive Plan.

* * *

15.0 Require water service purveyors to provide water services for nonurban areas at levels which are appropriate for nonurban use.

7. The District has a 6-inch water line at the intersection of Loder Road and Nelson Lane. The property owner will be responsible for the cost of installing a 3/4-inch meter at that point and extension of the service line to the house.
8. There are no sewers in this area. Sewage is dealt with by septic tanks and drain fields.
9. The Clackamas County Sheriff provides police services. Annexation to the Water District will not affect this service.
10. The property is within Clackamas RFPD No. 1. This service will not be affected by annexation to the Water District.

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 Reason No. 6 above. No directly applicable service agreements were found to exist.
2. The Metro Code criteria only apply to lands within Metro's jurisdictional boundary. This parcel is not within Metro, consequently, the Metro criteria are not applicable here.
3. The District can provide an adequate quantity and quality of water to the site upon annexation. All other public facilities and services can be provided at a level consistent with the Forest planning designation of the site.

Order No. 93073354-C

EXHIBIT "A"

Part of the Washington Williams D.L.C. No. 56 in the Northeast one-quarter of Section 10, Township 3 South, Range 2 East of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at the Southeast corner of a tract of land conveyed to Clarence Porter, et ux, by deed recorded in Book 49, Page 463, Clackamas County Deed Records, which point is on the East line marking the end of the deed portion of J.W. Loder Road and which point is East 28.12 chains and South 41 chains from the one-quarter section corner between Sections 3 and 10, said township and Range; thence North 0°24' West 214.5 feet to the true point of beginning; thence North 0°24' West 191 feet; thence North 89°36'11" East 466 feet; thence South 0°0'24" East 191 feet; thence Westerly in a straight line to the true point of beginning.

Excepting therefrom that part deed to Clackamas County for road purposes by Deed recorded December 16, 1980, as Recorder's Fee No. 80-48299, Clackamas County Records.

EXHIBIT B

Proposal No. CL-0701

Part of the Washington Williams D.L.C. No. 56 in the Northeast one-quarter of Section 10, Township 3 South, Range 2 East of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at the Southeast corner of a tract of land conveyed to Clarence Porter, et ux, by deed recorded in Book 49, Page 463, Clackamas County Deed Records, which point is on the East line marking the end of the deed portion of J.W. Loder Road and which point is East 28.12 chains and South 41 chains from the one-quarter section corner between Sections 3 and 10, said township and Range; thence North 0°24' West 214.5 feet to the true point of beginning; thence North 0°24' West 191 feet; thence North 89°36'11" East 466 feet; thence South 0°0'24" East 191 feet; thence Westerly in a straight line to the true point of beginning.

Excepting therefrom that part deed to Clackamas County for road purposes by Deed recorded December 16, 1980, as Recorder's Fee No. 80-48299, Clackamas County Records.

