

Final Documents

For

Annexation to the
City of Lake Oswego

CL0703
Ordinance 2349
DOR 3-1568-2003

Final to DOR: _____

Signature:

 _____

Date of

Mailing: 3/24/03

Final to Secretary of State: _____

Signature:

 _____

Date of

Mailing: 4/2/03

CL0703

Sent

Received

DOR:	3/24/03	3/27/03
Sec. State:	4/2/03	
Assessor:	4/2/03	
Elections:	4/2/03	
Mapped:	Yes	
Posted to Web:	Yes	

Assessor Information:

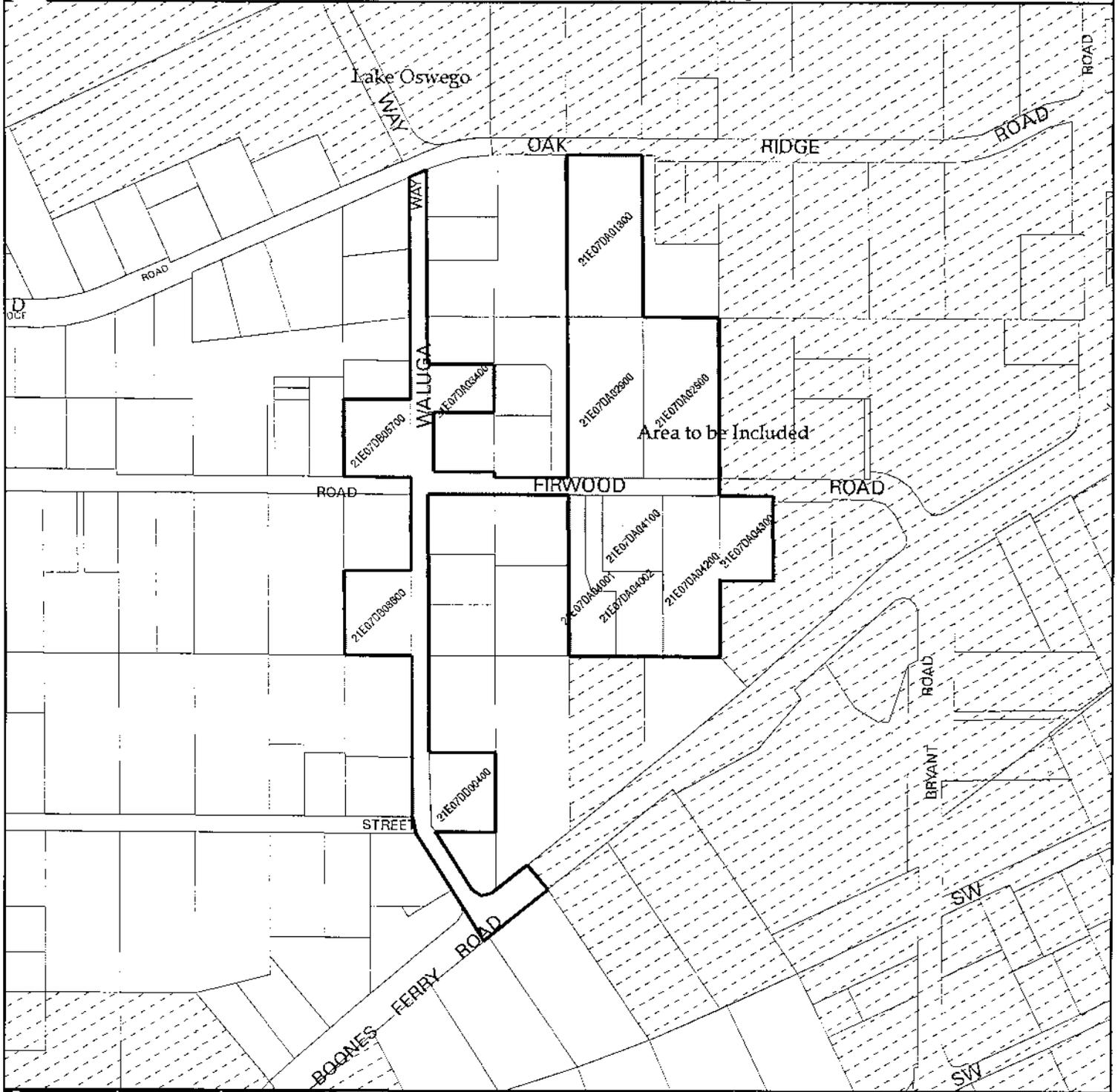
Address	Tax Lot
4714 Oakridge Road	21E07DA01300
4665 Firwood Road	21 E07DA02800
4717 Firwood Road	21 E07DA02900
4730 Firwood Road	21E07DA04001
4724 Firwood Road	21 E07DA04002
4720 Firwood Road	21E07DA04100
4664 Firwood Road	21 E07DA04200
16044 Waluga Drive	21 E07DA03400
4640 Firwood Road	21 E07DA04300
16061 Waluga Drive	21E07DB05700
16161 Waluga Drive	21E07DB08600
16286 Waluga Drive	21E07DD00400

Proposal No. CL0703

1E07

Annexation to the City of Lake Oswego

Clackamas Co.



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

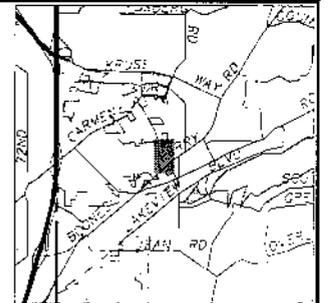
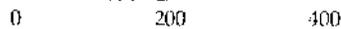
The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or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

- County lines
- City
- Annexation boundary

- Urban Growth Boundary

Proposal No. CL0703
CITY OF LAKE OSWEGO
Figure 1

Scale: 1" = 250'



Notice to Taxing Districts

ORS 308.225



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

City of Lake Oswego
Budget Officer
PO Box 369
Lake Oswego, OR 97034

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 CITY OF LAKE OSWEGO & WITHDRAWAL FROM SEVERAL DIST.

ORD. #2349

has been: Approved 3/27/2003
 Disapproved

Notes:

Department of Revenue File Number: 3-1568-2003

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

ORDINANCE NO. 2349

AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO, TWELVE PARCELS, COMPRISING IN THE AGGREGATE APPROXIMATELY 6.23 ACRES IN THE AREA ALONG WALUGA DRIVE SOUTH OF OAKRIDGE ROAD, ON FIRWOOD ROAD EAST OF WALUGA DRIVE, A PORTION MADRONA STREET, AND A PORTION OF BOONES FERRY ROAD, AND ADJACENT ROAD RIGHTS-OF-WAY; DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LAKE OSWEGO COMMUNITY DEVELOPMENT CODE 50.62.1600; AND WITHDRAWING THE AREA FROM THE LAKE GROVE FIRE DISTRICT #57, THE CLACKAMAS COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, AND THE SURFACE WATER MANAGEMENT AGENCY OF CLACKAMAS COUNTY; AND WITHDRAWING TAX LOTS 21E07DA 2800, 2900, 3400, 4001, 4002, 4100, 4200, & 4300 AND TAX LOTS 21E07DB 5700 AND 8600 FROM THE CLACKAMAS COUNTY SERVICE DISTRICT #5; WHILE RETAINING THE PROPERTIES IN THE LAKE GROVE WATER DISTRICT #15 AND THE LAKE GROVE PARK DISTRICT. (TAX MAP 21E07DA, TAX LOTS 1300, 2800, 2900, 3400, 4001, 4002, 4100, 4200, AND 4300 AND TAX MAP 21E07DB, TAX LOTS 5700 AND 8600, AND TAX MAP 21E07DD TAX LOT 400) (AN 02-0004).

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

WHEREAS, the City has received consent to the proposed annexation from 100 percent of the owners of land in the territory and not less than 50 percent of the electors residing within the territory, if any; and

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

WHEREAS, the City of Lake Oswego Community Development Code, 50.62.1600, 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 territory as of the effective date of the annexation; and,

WHEREAS, the Staff Report, which addresses applicable criteria, dated February 24, 2003, is hereby incorporated; and,

WHEREAS, this annexation is consistent with Chapter 14, Urbanization of the City of Lake Oswego's acknowledged Comprehensive Plan and Metro Code 3.09.050(b) and (d),

The City of Lake Oswego ordains as follows:

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

Property 1 (21E07DA 4200-4664 Firwood Road):

The East 100 feet of Lot 154, Bryant Acres, Tracts 128 to 160, inclusive, in the County of Clackamas and State of Oregon. EXCLUDING therefrom all public roads.

Property 2 (21E07DA 4002-4724 Firwood Road):

A portion of Lots 153 and 154, BRYANT ACRES, Tracts 128 to 160, inclusive, in Section 7, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon, described as follows:

Beginning at a point on the South line of Lot 153 that is Easterly 82.00 feet from the Southwest corner of said lot; thence north, parallel with the West line of said lot, 115.00 feet; then Westerly, parallel with the South line of said lot, 42.5 feet; thence Northwesterly 32.47 feet to a point that is 29.5 feet East of the West line of Lot 153 and 139.0 feet South of the South line of Firwood Road; thence North, parallel to the West line of said Lot 153, a distance of 139.0 feet to a point in the South line of said Firwood Road; thence Easterly, along the South line of said road, 29.50 feet; thence South, parallel with the West line of said lot, 120.0 feet; then Easterly, parallel with the South line of said lot, 105.0 feet; thence South, parallel with the West line of said lot, 165.0 feet to a point in the South line of Lot 154; thence West, along the South line of said lot, 32.0 feet to the Southeast corner of Lot 153; thence continuing West, along the South line of Lot 153, a distance of 50.0 feet to the point of beginning.

Property 3 (21E07DA 4100-4720 Firwood Road):

Part of Lots 153 and 154 Bryant Acres, Tracts 128 and 159, inclusive, in the County of Clackamas and State of Oregon:

Beginning at the Northwest corner of Lot 154; thence East along the North line of Lot 154, Bryant Acres, Tracts 128 and 159 inclusive, 32 feet to a point, said point being the true place of beginning of the tract herein described; thence South parallel with the West line of Lot 154, a distance of 135 feet to a point; thence West parallel with the North lines of Lots 154 and 153, a distance of 105 feet to a point, thence North parallel with the West line of Lot 154, Bryant Acres, Tracts 128 to 159, inclusive, 135 feet to a point in the North line of Lot 153, Bryant

Acres, Tracts 128 to 159, inclusive; thence East along the North line of Lots 153 and 154, a distance of 105 feet to the true place of beginning.

Property 4 (21E07DA 4001-4730 Firwood Road):

A portion of Lot 153, BRYANT ACRES, Tracts 128 to 160, inclusive, in Clackamas County, Oregon, described as follows:

Beginning at the Southwest corner of said Lot 153; thence north along the West line of said lot 285.0 feet to a point in the South line of Firwood Street; thence Easterly along said South line 29.5 feet; thence South parallel to the West line of said lot a distance of 139.0 feet; thence southeasterly 32.47 feet to a point that is 39.5 feet East of the West line of Lot 153 and 170.0 feet South of the South line of Firwood Road, thence Easterly parallel with the South line of Firwood Street 42.5 feet; then South parallel with the West line of said lot a distance of 115.0 feet to a point in the South line of said lot; thence Westerly along said South line 82.0 feet to the point of beginning.

Property 5 and 6 (21E07DA 1300-4714 Oakridge Road and 21E07DA 2900-4717 Firwood Road):

Lots 137 and 150, BRYANT ACRES, Tracts 128 to 160, inclusive, Clackamas County, Oregon. EXCLUDING therefrom all public roads.

Property 7 (21E07DA 2800-4665 Firwood Road):

Lot 149, Bryant Acres, Tracts 128 to 160, inclusive, in the City of Lake Oswego, County of Clackamas and State of Oregon. EXCLUDING therefrom all public roads.

Property 8 (21E07DA 3400-16044 Waluga Drive):

A tract of land situated in Section 7, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon, and being a part of Lot 235, BRYANT ACRES PLAT 3, as recorded in Book 22, Page 18, Record of Town plats for Clackamas County, Oregon, and being more particularly described as follows:

Beginning at an iron pipe in the Easterly boundary line of said Lot 235, said iron pipe bears North 0°10' West 115.0 feet from the Northerly right of way line of Firwood Road; from said beginning point, thence continuing North 0°10' West, along the Easterly boundary line of said Lot 235, a distance of 85.00 feet to an iron pipe; thence North 89°35' West of 117.00 feet to an iron pipe in the Easterly right of way line of Bryant Way; thence South 0°10' East, along said Easterly right of way line of Bryant Way, 85.00 feet to an iron pipe; thence South 89°35' East of 117.00 feet to the point of beginning.

Property 9 (21E07DB 5700-16061 Waluga Drive):

All that portion of Lot 236, BRYANT ACRES PLAT 3, lying South of a line drawn parallel to and 152 feet North of the center line of Firwood Road, in the

County of Clackamas and State of Oregon. EXCLUDING therefrom all public roads.

Property 10 (21E07DA 4300-4640 Firwood Road):

A tract of land situated in the Northwesterly portion of Lot 155 in the subdivision of BRYANT ACRES, Tracts 128 to 160, inclusive, as platted and recorded in Book 15, Page 32, Record of Town plats of the County of Clackamas and the State of Oregon, more particularly described as follows, to-wit:

Beginning at an iron pipe set in the Northwesterly corner of said Lot 155; said iron pipe being in the center line of Firwood Road in said plat, from said beginning point, thence South 89°35' East 94.00 feet along the center line of said road to an iron pipe; thence South 0°11'30" East 165.00 feet to an iron pipe; thence North 89°35' West 94.00 feet to an iron pipe set in the Westerly line of said Lot 155; thence North 0°11'30" West 165.00 feet to the point of beginning. EXCLUDING therefrom all public roads.

Property 11 (21E07DD 400-16286 Waluga Drive):

The South 142 feet of the North 307 feet of Lot 207, BRYANT ACRES PLAT 3, in the County of Clackamas and State of Oregon. EXCLUDING therefrom all public roads.

Property 12 (21E07DB 8600-16161 Waluga Drive):

The South one-half of Lot 233, BRYANT ACRES PLAT 3, County of Clackamas, State of Oregon. EXCLUDING therefrom all public roads.

INCLUDING the following public rights-of-way:

All of Firwood Road lying east of Waluga Drive and west of the west line of said Lot 155 projected to the north, approximately 513 feet in length.

All of Waluga Drive lying north of Madrona Street and south of Oakridge Road, approximately 1140 feet in length.

All of Madrona Street lying southeasterly of Waluga Drive and northwesterly of Boones Ferry Road, approximately 180 feet in length.

All of Boones Ferry Road lying northeasterly of the southeasterly projection of the southwesterly right of way line of Madrona Street and lying southwesterly of the northwesterly projection of the southwesterly line of Lot 6, Plat of Bryant Acres (Plat # 383), approximately 150 feet in length.

Section 2. The annexed area lies wholly within the following districts and will be retained within these districts upon the effective date of annexation:

Lake Grove Park District
Lake Grove Water District #15

Section 3. 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 4. Tax lots 21E07DA 2800, 2900, 3400, 4001, 4002, 4100, 4200, & 4300 and Tax lots 21E07DB 5700 and 8600 are located within the following district and will be withdrawn from the district upon the effective date of annexation:

Clackamas County Service District #5

Section 5. In accordance with the Community Development Code 50.62.1600: the City zoning designation of R-7.5 will be applied immediately upon the effective date of annexation.

Section 6. The City Council hereby adopts the findings of facts and conclusions set forth in the above referenced staff report in support of this Annexation Ordinance.

Section 7.

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 8. Mailing Copies of this Ordinance; Metro Notice.

Within 30 days following the date of adoption,

- (a) The City Recorder is hereby directed to 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 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 18th day of March, 2002.

AYES: Mayor Hammerstad, Turchi, Rohde, Hoffman, Graham, Peterson, McPeak

NOES: none

ABSTAIN: none

EXCUSED: none

Judie Hammerstad
Judie Hammerstad, Mayor

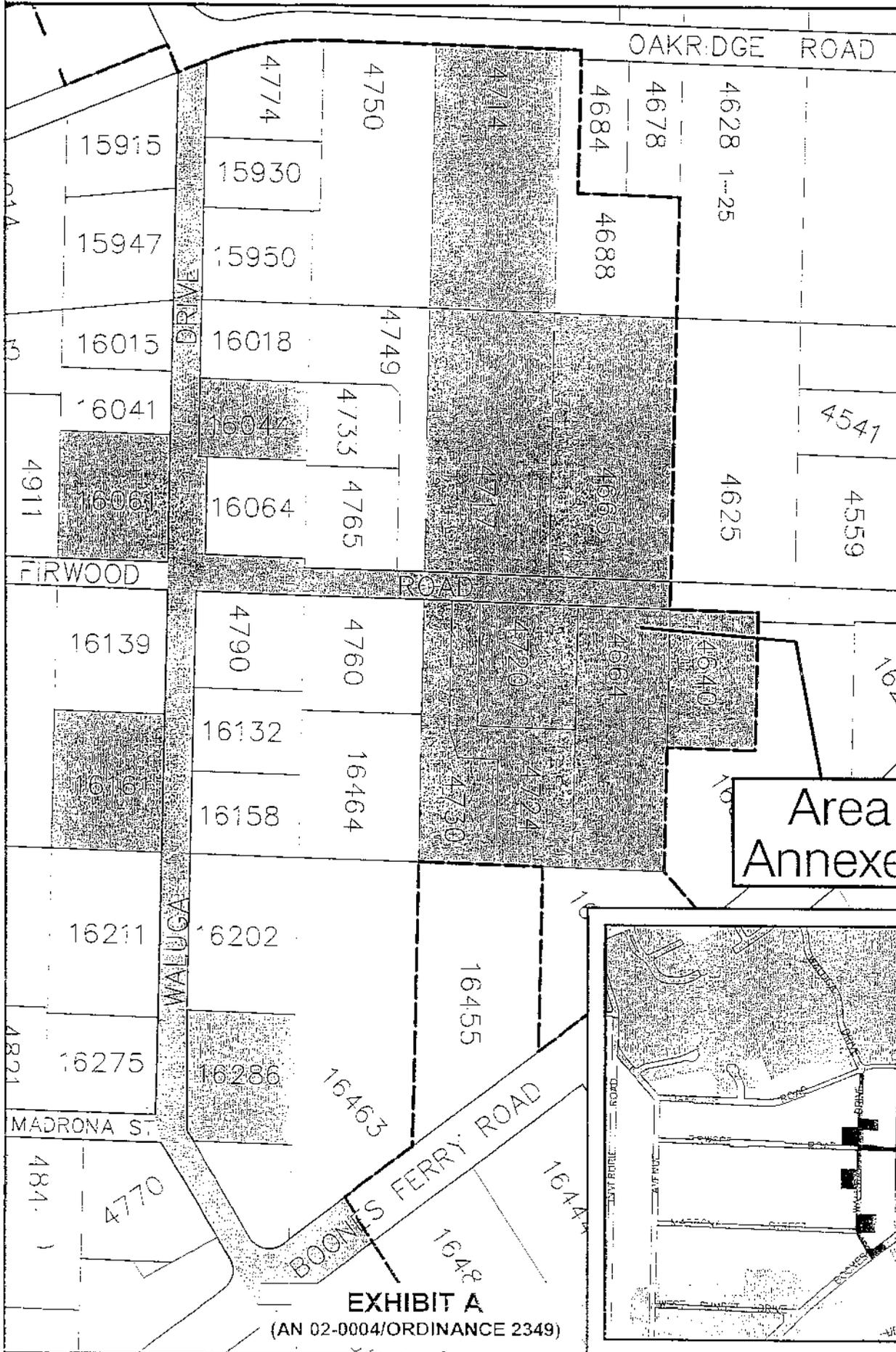
Dated: March 19, 2003

ATTEST: Robyn Christie
Robyn Christie, City Recorder

APPROVED AS TO FORM:
David D. Powell
David D. Powell
City Attorney

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Annexation to the City of Lake Oswego AN 02-0004/Ordinance 2349



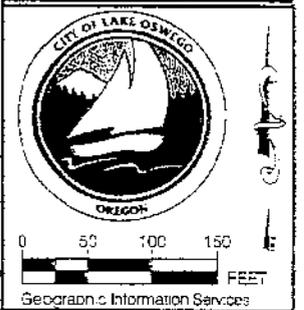
Effective Date:
4/17/03

21E07DA TL 1300,
2800, 2900, 3400,
4001, 4002, 4100,
4200, 4300
21E07DB TL 5700,
8600
21E07DD TL 400

Comprehensive Plan
Designation= **R-7.5**,
Residential

Zoning= **R-7.5**,
Residential

County Zoning= **R-8.5**,
Residential



Area
Annexed

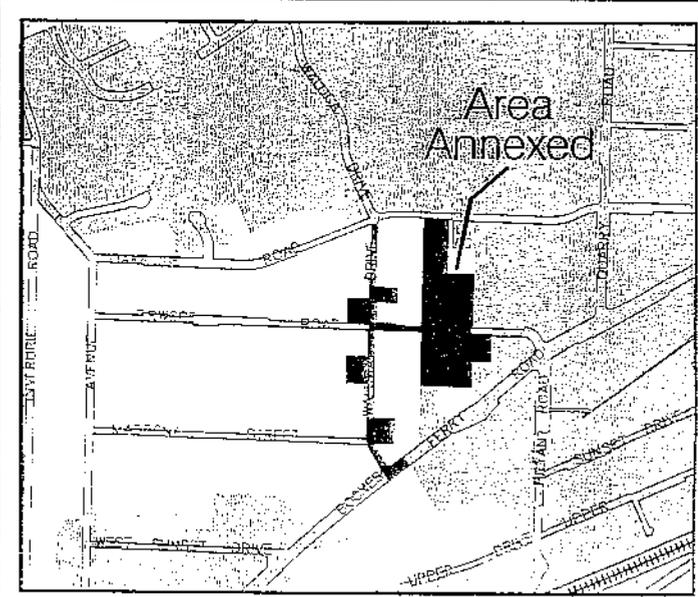


EXHIBIT A
(AN 02-0004/ORDINANCE 2349)