

Final Documents

For

Annexation to the
City of Lake Oswego

CL3505
Ordinance 2435
DOR 3-1709-2005
Sec. State: AN-2006-0002

Final to Secretary of State:

Signature:

A handwritten signature in black ink, appearing to read "Robert J. ...", is written over a horizontal line.

Date of

Mailing: 12/29/05

CL3505

Sent

Received

DOR:

12/28/05

Sec. State:

12/29/05

Assessor:

12/29/05

Elections:

12/29/05

Mapped:

Yes

Address Information:

21E04BA00600
21E04BA00700
21E04BA01800

No site address
13052 Knaus Road
13068 Knaus Road

Office of the Secretary of State

Bill Bradbury
Secretary of State



Archives Division
ROY TURNBAUGH
Director

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

Facsimile (503) 373-0953

January 4, 2006

Metro
Robert Knight
600 NE Grand Ave
Portland, Oregon 97232-2736

Dear Mr. Knight:

Please be advised that we have received and filed, as of January 4, 2006, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
OR NO 2436 (City of Lake Oswego)	AN 2006-0001
OR NO 2435 (City of Lake Oswego)	AN 2006-0002
OR NO 2434 (City of Lake Oswego)	AN 2006-0003
OR NO 2437 (City of Lake Oswego)	AN 2006-0004

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
Official Public Documents

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

Notice to Taxing Districts

ORS 308.225



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

RECEIVED

DEC 21 2005

CITY OF LAKE OSWEGO
Dept. of Planning & Development

City of Lake Oswego Planning Dept.
Attn: Annexation Planner
PO Box 369
Lake Oswego, OR 97034

Description and Map Approved
December 19, 2005
As Per ORS 308.225

Description Map received from: CITY
On: 12/12/2005

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

ANNEX TO CITY OF LAKE OSWEGO; WITHDRAW FROM CLACK CO ESPD AND
LAKE GROVE FD #57

ORD. #2435 (AN 05-0002)

has been: Approved 12/19/2005
 Disapproved

Notes:

Department of Revenue File Number: 3-1709-2005

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
- Establishment of Tax Zone



Community Development Planning Division

Memorandum

TO: Carol Hall
Metro Data Resource Center

FROM: Iris Treinen, Long Range Planning
Planning Division

DATE: **December 22, 2005**

SUBJECT: Final Boundary Change Submission for AN 05-0002 (Ordinance 2435),
Approved by City Council on December 6, 2005

Attached please find:

- Final signed resolution, order or ordinance (with legal description)
- Approved Notice to Taxing Districts from Oregon Department of Revenue
- Final map(s)
- Filing fee

Property information:

13052 Knaus Road (21E04BA00700 & 21E04BA00600)
13068 Knaus Road (21E04BA01800)

This is being sent to you as required by Metro Code 3.09.030 (e). Any questions should be directed to me at:

City of Lake Oswego
P.O. Box 369
Lake Oswego, OR 97034
(503) 697-6591

Thank you.

ORDINANCE NO. 2435

AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO THREE PARCELS COMPRISING APPROXIMATELY 2.27 ACRES (13052 & 13068 KNAUS ROAD) AND A VACANT PARCEL (21E04BA 00600); DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LAKE OSWEGO COMMUNITY DEVELOPMENT CODE 50.05.025; AND REMOVING THE PARCELS FROM CERTAIN DISTRICTS (AN 05-0002).

WHEREAS, annexation to the City of Lake Oswego of the territory shown in the map in Attachment "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 may, 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 may, by operation of ORS 222.520, be withdrawn from the district upon approval of the annexation; and,

WHEREAS, the City of Lake Oswego Community Development Code, 50.05.25, 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 City's Resource Protection District Designations to 21E04BA tax lot 600 was approved through Ordinance 2433 (LU 05-0049); and,

WHEREAS, the property owner of 21E 04BA tax lots 00600 and 00700 impacted the natural resources on the property including removal of two trees and clearing activities around wetlands and is therefore required to mitigate for the impacts; and,

WHEREAS, the Staff Report, which addresses applicable criteria, dated October 6, 2005, is hereby incorporated as findings of the City Council; 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:

Two tracts of land located in the northwest quarter of Section 4, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon; more particularly described as follows:

Tract 1 (21E 04BA TL 00600 & 00700):

All of Lot 33, Forest Hills Acres and that portion of Lot 40, Forest Hills Acres lying north of the easterly projection of the south line of said Lot 33.

Tract 2 (21E 04BA TL 01800):

Parcel 1, Partition Plat 2005-033, Clackamas County, Oregon.

Together with a 10.00 foot wide strip of Knaus Road lying adjacent to and north of said Parcel 1 and dedicated by said partition plat.

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

Section 3. The annexed area lies within the following districts and will be withdrawn from these districts upon the effective date of annexation:

Clackamas County Enhanced Sheriff's Patrol District
Lake Grove Fire District #57

Section 4. In accordance with the Community Development Code 50.05.25, the City zoning designation of R-7.5 will be applied to the property immediately upon the effective date of annexation.

In accordance with the Community Development Code 50.05.25, the City Resource Protection (RP) District Designation will be applied, immediately upon the effective date of annexation, to 21E04BA tax lot 600 as mapped on the Sensitive Lands Atlas and as shown in the map in Attachment "B".

In accordance with the Community Development Code 50.05.25, the City Resource Conservation (RC) District Designation will be applied, immediately upon the effective date of annexation, to 21E04BA tax lots 600, 700 and 1800 as mapped on the Sensitive Lands Atlas and as shown in the map in Attachment "C".

Section 5. 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 6.

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 7. 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 6th day of December, 2005.

///

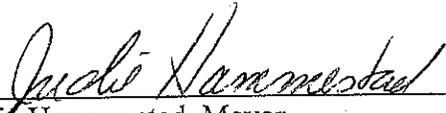
///

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

NOES: none

ABSTAIN: none

EXCUSED: McPeak, Groznik



Judge Hammerstad, Mayor

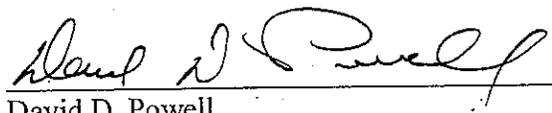
Dated: 12-7-05

ATTEST:



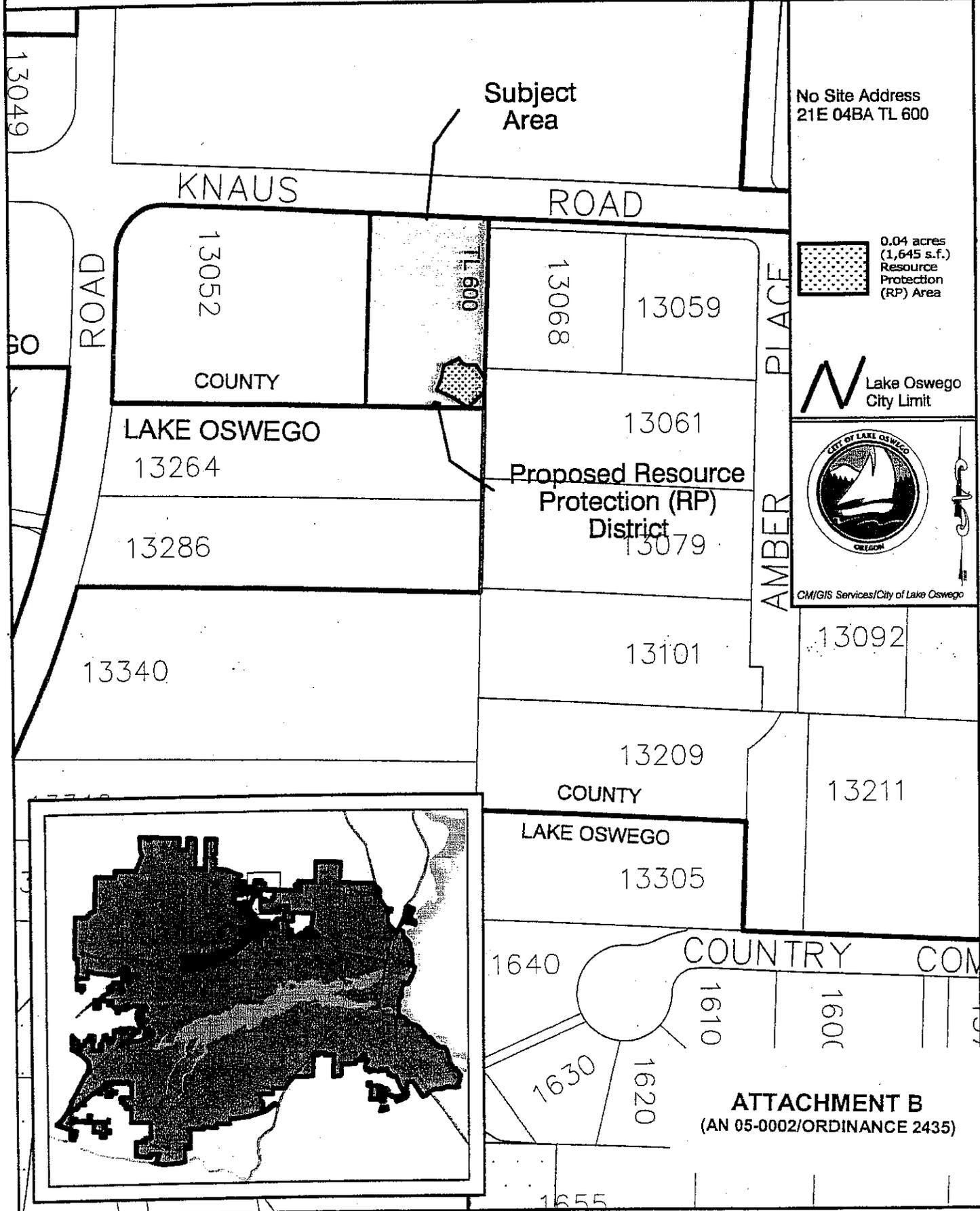
Robyn Christie, City Recorder

APPROVED AS TO FORM:



David D. Powell
City Attorney

Proposal For Zoning Map and Comprehensive Plan Amendment



No Site Address
21E 04BA TL 600

0.04 acres
(1,645 s.f.)
Resource
Protection
(RP) Area

Lake Oswego
City Limit



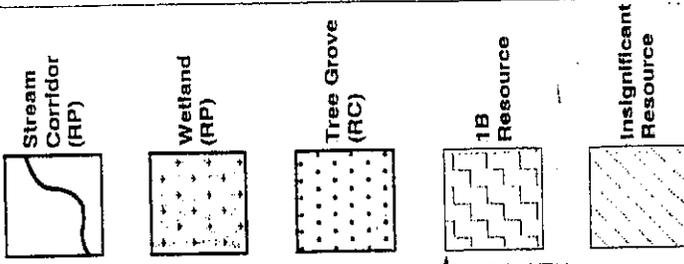
CM/GIS Services/City of Lake Oswego

ATTACHMENT B
(AN 05-0002/ORDINANCE 2435)

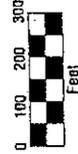
SENSITIVE LANDS OVERLAY DISTRICT

T2SR1E
SECTION 4B
PAGE 12

SENSITIVE LANDS



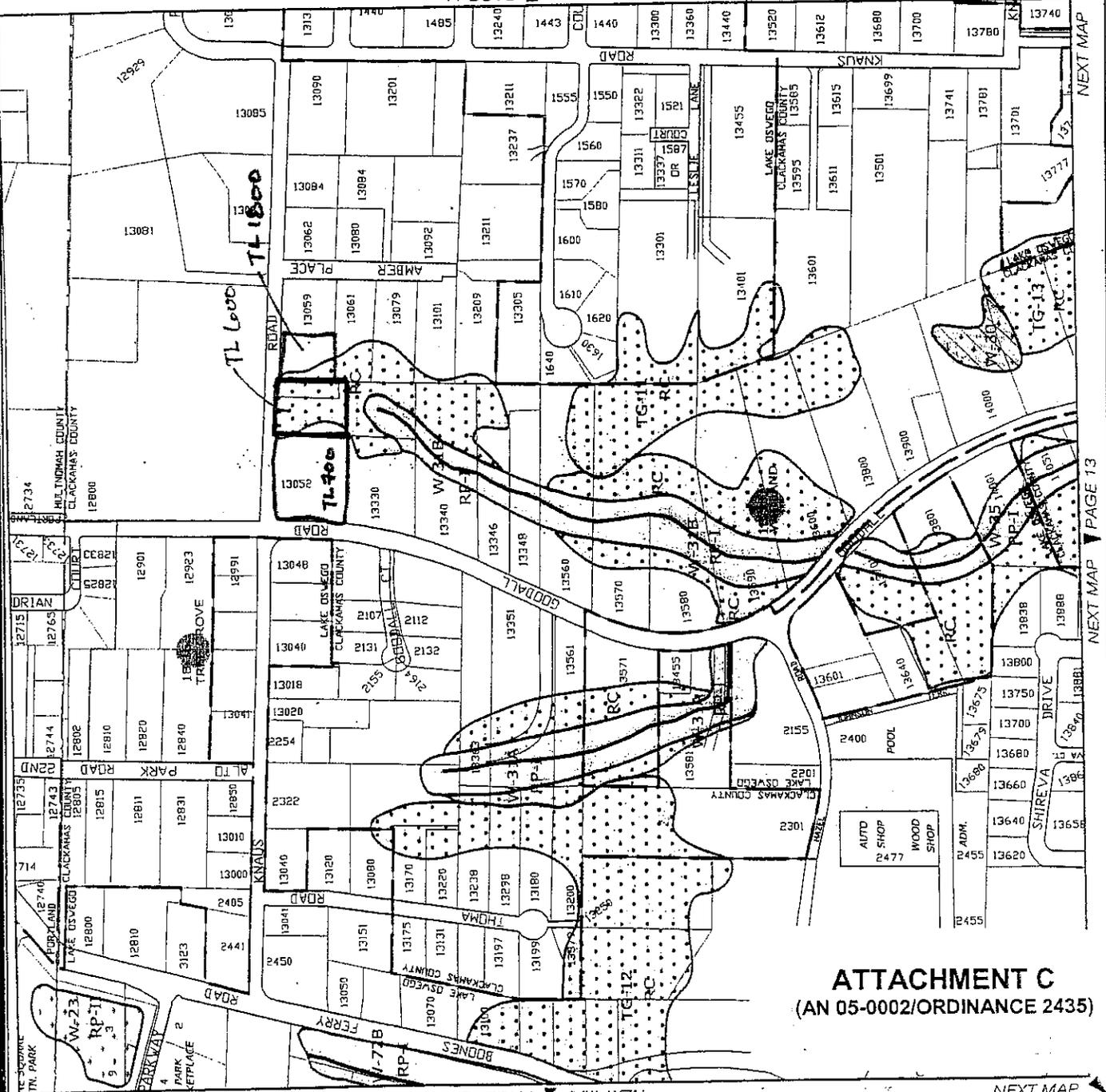
SCALE:
1" = 300'



09/04/2001 05:39:40 PM

NEXT MAP PAGE 11

PAGE 14



ATTACHMENT C
(AN 05-0002/ORDINANCE 2435)

NEXT MAP

NEXT MAP PAGE 15

NEXT MAP

LEGAL DESCRIPTION FOR AN 05-0002
13052 AND 13068 KNAUS ROAD

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