

Final Documents

For

Annexation to the
City of Lake Oswego

CL3706

Ordinance #2463

Annexation 06-0007

DOR 3-1757-2006

Property Information:

21E16AD02800

21E16AD02900

21E16D 00500

21E16D 00400

21E16AD02700

21E16AD02600

17942 Stafford Road

17660 Stafford Road

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

November 17, 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 November 17, 2006, the following records annexing territory to the following:

Ordinance/Resolution Number(s)		Our File Number
2451	(City of Lake Oswego)	AN 2006-0314
2463	(City of Lake Oswego)	AN 2006-0315

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

**Annexation to the City of Lake Oswego
AN 06-0007/Ordinance 2463**

LAKE OSWEGO
MUNICIPAL
GOLF COURSE

OSWEGO
PIONEER
CEMETERY

CLUB HOUSE

MAINTENANCE

LAKERIDGE
HIGH SCHOOL

FARR
HOUSE

BETHLEHEM
CHURCH

LUSCHER FARM

**ATTACHMENT A
(AN 06-0007/ORDINANCE 2463)**

Map and Lot #: 21E16D TL 400 & 500
21E16AD TL 2600, 2700, 2800 & 2900

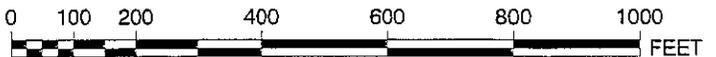
City of Lake Oswego:

COMPREHENSIVE PLAN = **R-15**, Residential
ZONING = **R-15**, Residential

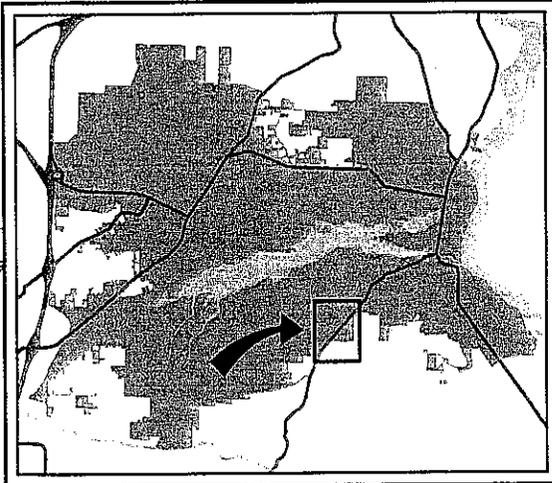
Clackamas County:

COMPREHENSIVE PLAN = Rural
ZONING = **RRFF5**, Rural Residential Farm/Forest,
5 acre minimum

 Subject Properties  Lake Oswego City Limits



AJB/GIS Services/City of Lake Oswego



Notice to Taxing Districts

ORS 308.225



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

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

**Description and Map Approved
October 27, 2006
As Per ORS 308.225**

Description Map received from: CITY
On: 10/23/2006

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

ANNEX TO CITY OF LAKE OSWEGO; WITHDRAW FROM CLACK CO SWMA AND
TVFRD #64 (JNS JOINT LIVING TRUST)

ORD. #2463 (AN 06-0007)

has been: Approved 10/27/2006
 Disapproved

Notes:

Department of Revenue File Number: 3-1757-2006

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. 2463

AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO SIX PARCELS COMPRISING APPROXIMATELY 13.9 ACRES (INCLUDING AND ADJACENT TO 17660 AND 17942 STAFFORD ROAD); DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LAKE OSWEGO COMMUNITY DEVELOPMENT CODE 50.05.025; AND REMOVING THE PARCELS FROM CERTAIN DISTRICTS (TAX MAP 21E16D, TAX LOTS 400 AND 500; AND TAX MAP 21E16AD, TAX LOTS 2600, 2700, 2800 AND 2900). (AN 06-0007)

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 Tualatin Valley Fire and Rescue District #64 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 Surface Water Management Agency may, 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, 50.05.025, 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 August 16, 2006, is hereby incorporated as the findings and conclusion 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); and

WHEREAS, a majority of the electors voting in a city-wide election on September 19, 2006 approved the proposed annexation, as required by Section 57 of Chapter XI of the Lake Oswego Charter;

///

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:

A tract of land located in the east half of Section 16, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon, more particularly described as follows:

Beginning at a point in the center of Stafford Road (Market Road No. 12), said point being 1,848 feet East and 1,262.3 feet North and 944.9 feet West of the southwest corner of the Jesse Bullock Donation Land Claim #46 in said Section 16;

thence southwesterly along the center line of said Stafford Road 1180 feet, more or less, to the southwest corner of that parcel described as Parcel 1 in Clackamas County Deed Document #93-36937 (Grantor: Kenneth L. & Gladys H. Taylor; Grantee: City of Lake Oswego; Recorded: June 1, 1993);

thence along the south line of said Parcel 1, South 89° 44' East, 831.25 feet to the southeast corner of said Parcel 1;

thence along the east line of said Parcel 1 and the east line of that parcel described as Parcel 2 in said Clackamas County Deed Document #93-36937, North 00° 16' East, 458.70 feet to a point on the south line of that parcel described in Clackamas County Deed Document #94-050633 (Grantor: David L. & Frieda F. Farr; Grantee: City of Lake Oswego; Recorded: June 20, 1994), said line also being the east-west center of section line of said Section 16;

thence along said south line of said Farr parcel, South 89° 44' East, 82.56 feet to the southeast corner of said Farr parcel;

thence along the east line of said Farr parcel, North, 370.6 feet to the south line of that parcel described in Clackamas County Quitclaim Deed Document #2004-70438 (Grantor: Sullivan Living Trust; Grantee: The JNS Joint Living Trust; Recorded: July 30, 2004);

thence along the south line of said Sullivan Living Trust parcel, East, 240.00 feet to the southeast corner of said Sullivan Living Trust parcel;

thence along the east line of said Sullivan Living Trust parcel, North, 140.00 feet to the north line of said Sullivan Living Trust parcel;

thence along the north line of said Sullivan Living Trust parcel, West, 540 feet, more or less, to the point of beginning.

EXCEPT THEREFROM that portion within public right of ways.

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

Clackamas County Surface Water Management Agency
Tualatin Valley Fire and Rescue District #64

Section 3. In accordance with the Community Development Code 50.05.025, the City zoning designation of R-15 will be applied to the six parcels immediately upon the effective date of annexation.

In accordance with the Community Development Code 50.05.025, the City's Resource Conservation (RC) Overlay District Designation will be applied, immediately upon the effective date of annexation, to one parcel 21E16AD tax lot 2600 and the Resource Protection (RP) Overlay District Designation will be applied to three parcels (21E16AD tax lots 2600, 2800 2900) as mapped on the Sensitive Lands Atlas and as shown in the map in Attachment "B".

Section 4. As provided in the Lake Oswego Citizen Involvement Guidelines (April 2004) the City Council hereby designates the two northerly parcels, Tax Lots 2600 and 2700, as part of the Palisades Neighborhood Association. The neighborhood association's boundaries are hereby amended to include the two parcels.

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 17th day of October, 2006.

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

NOES: none

ABSTAIN: none

EXCUSED: Groznic, Peterson



Judie Hammerstad, Mayor

Dated: 10-18-06

ATTEST:


Robyn Christie, City Recorder

APPROVED AS TO FORM:



David Powell, City Attorney

EXHIBIT A

A tract of land located in the east half of Section 16, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon, more particularly described as follows:

Beginning at a point in the center of Stafford Road (Market Road No. 12), said point being 1,848 feet East and 1,262.3 feet North and 944.9 feet West of the southwest corner of the Jesse Bullock Donation Land Claim #46 in said Section 16;

thence southwesterly along the center line of said Stafford Road 1180 feet, more or less, to the southwest corner of that parcel described as Parcel 1 in Clackamas County Deed Document #93-36937 (Grantor: Kenneth L. & Gladys H. Taylor; Grantee: City of Lake Oswego; Recorded: June 1, 1993);

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thence along the east line of said Parcel 1 and the east line of that parcel described as Parcel 2 in said Clackamas County Deed Document #93-36937, North 00° 16' East, 458.70 feet to a point on the south line of that parcel described in Clackamas County Deed Document #94-050633 (Grantor: David L. & Frieda F. Farr; Grantee: City of Lake Oswego; Recorded: June 20, 1994), said line also being the east-west center of section line of said Section 16;

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thence along the north line of said Sullivan Living Trust parcel, West, 540 feet, more or less, to the point of beginning.

EXCEPT THEREFROM that portion within public right of ways.

AN 06-0007 / Ordinance #2463

21E 16AD 02600, 02700, 02800, 02900 & 21E 16D_ 00400, 00500

LL 3706



NOTICE OF FINAL CITY COUNCIL DECISION ON ANNEXATION

Date Mailed: October 19, 2006

Applicant: City of Lake Oswego and JNS Joint Living Trust

File No.: AN 06-0007

Location of Property:

East side of Stafford Road at the eastern terminus of Overlook Drive
(21E16AD02800, 21E16AD02900, 21E16D 00500) and 17942 Stafford Road (21E16D 00400)

and

17660 Stafford Road (21E16AD02700) and vacant parcel (21E16AD02600)

Date of Final City Council Decision:

In 1998, the voters approved an amendment to the City's Charter that required voter approval of annexations of urban reserve lands in the Stafford Road area. On September 5, the City Council tentatively approved the annexation, subject to voter approval.

The proposal to annex these six parcels comprising 13.9 acres was placed on the September 19, 2006 ballot and was approved by the voters. The City Council approved this annexation as set forth in Ordinance 2463 on October 17, 2006.

Effective Dates:

1. The effective date of the annexation Ordinance 2463 shall be on the 30th day after its enactment, November 16, 2006, pursuant to the Lake Oswego City Charter.

2. Effective Date of Annexation.

Following the filing of the annexation with the Secretary of State, the effective date of the annexation shall be upon the later of either (see note below):

- a. The 30th day following the date of adoption of the ordinance, or
- b. The date of filing of the annexation records with the Secretary of State.

Note: 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.