

Final Documents

For

Withdrawl of territory from the
Rivergrove Water District
By the City of Lake Oswego

CL4004
Ord.#2386
DOR 3-1634-2004
Sec. State: AN-2004-0213

Final to Secretary of State: _____

Signature:

 _____

Date of

Mailing: _____ 10/13/04 _____

CL4004

Sent

Received

DOR: 7/20/04 (by City) 10/13/04 (from City)

Sec. State: 10/13/04 10/21/04

Assessor: 10/13/04

Elections: 10/13/04

Mapped: Yes

Properties:

TLID

ADDRESS

21E17CC00802	4120 CANAL RD
21E17CC00805	4140 CANAL RD
21E17CC00901	4100 CANAL RD
21E17CC00904	NO SITE ADDRESS
21E17CC00900	18477 BRYANT RD
21E17CC00800	4110 CANAL RD
21E17CC01004	4039 CANAL WOODS CT
21E17CC01003	4027 CANAL WOODS CT
21E17CC01005	4051 CANAL WOODS CT
21E17CC01002	4015 CANAL WOODS CT
21E17CC01001	4003 CANAL WOODS CT
21E17CC01006	4063 CANAL WOODS CT
21E17CC01011	4006 CANAL WOODS CT
21E17CC01010	4018 CANAL WOODS CT
21E17CC01009	4030 CANAL WOODS CT
21E17CC01008	4042 CANAL WOODS CT
21E17CC01012	NO SITE ADDRESS
21E17CC01007	4054 CANAL WOODS CT
21E17CC01201	18625 BRYANT RD
21E17CC01300	NO SITE ADDRESS
21E17CC01301	18707 BRYANT RD
21E17CC01302	NO SITE ADDRESS
21E17CC01400	18701 BRYANT RD
21E17CC01500	18735 BRYANT RD
21E17CC01618	NO SITE ADDRESS
21E17CC01613	4089 MELISSA DR
21E17CC01612	4067 MELISSA DR
21E17CC01611	4045 MELISSA DR
21E17CC01610	4023 MELISSA DR
21E17CC01614	4111 MELISSA DR
21E17CC01609	4001 MELISSA DR
21E17CC01606	4078 MELISSA DR
21E17CC01607	4036 MELISSA DR
21E17CC01608	4004 MELISSA DR
21E17CC01615	4133 MELISSA DR
21E17CC01702	18945 BRYANT RD
21E17CC01605	4140 MELISSA DR
21E17CC01616	4155 MELISSA DR
21E17CD01101	18970 BRYANT RD
21E17CC01604	4164 MELISSA DR
21E17CC01603	4053 BRIAN CT
21E17CC01602	4029 BRIAN CT
21E17CC01601	4007 BRIAN CT
21E17CC01617	4177 MELISSA DR
21E20BB00100	18825 BRYANT RD

Proposal No. CL4004

2S1E17

Withdrawal from the Rivergrove Water District

Clackamas Co.



R E G I O N A L L A N D I N F O R M A T I O N S Y S T E M



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

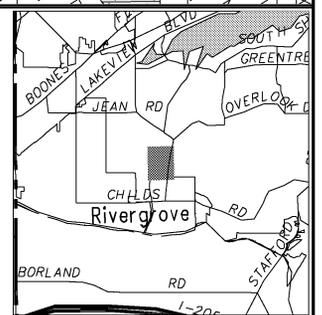
Annexation boundary

District

Urban Growth Boundary

Proposal No. CL4004
RIVERGROVE WATER DISTRICT
Figure 1

Scale: 1" = 500'



Notice to Taxing Districts
ORS 308.225

RECEIVED
JUL 30 2004
CITY OF LAKE OSWEGO
Dept. of Planning & Development



OREGON
DEPARTMENT
OF REVENUE
Cartographic 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
July 27, 2004
As Per ORS 308.225

Description Map received from: CITY
On: 7/20/2004

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

WITHDRAWAL FROM RIVERGROVE WATER DISTRICT
AN 04-0006

ORD. #2386

has been: Approved 7/27/2004
 Disapproved

Notes:

Department of Revenue File Number: 3-1634-2004

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

Taxing District copy - Copies to: County Assessor, Department of Revenue, County Commissioners or County Court/Boundary Commission (If appropriate)

ORDINANCE NO. 2386

AN ORDINANCE OF THE CITY OF LAKE OSWEGO DECLARING THE WITHDRAWAL OF TERRITORY IN THE BRYANT ROAD AREA FROM THE RIVERGROVE WATER DISTRICT (AN 04-0006).

WHEREAS, withdrawal of the territory comprising approximately 20.2 acres, including the territory north of, and including, 18815 and 18825 Bryant Road, and south of Canal Road; and 18625, 18701, 18735, 18945 and 18970 Bryant Road (Tax Map 21E17CC, Tax Lots 800, 802, 805, 900, 901, 904, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1201, 1300, 1301, 1302, 1400, 1500, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, and 1702; Tax Map 21E17CD, Tax Lot 1101; and Tax Map 21E20BB, Tax Lot 0100), shown on the map in Attachment "A" and described below, would constitute a withdrawal of territory under ORS 222.524; and

WHEREAS, ORS 222.524 authorizes the governing body of a city to cause the withdrawal from a water district, that portion of such district incorporated in or annexed to the city, and to hold a public hearing on the question of such withdrawal; and

WHEREAS, the City of Lake Oswego finds it necessary and expedient and in the best interest of the City to cause 45 properties that are currently within the Rivergrove Water District and within the City of Lake Oswego to be withdrawn from the Rivergrove Water District; and

WHEREAS, the City of Lake Oswego and the Rivergrove Water District have executed an intergovernmental agreement effecting transfer of water service from the River Grove Water District to the City on or before June 30, 2004, or upon the withdrawal of the territory, whichever occurs first; and

WHEREAS, the Staff Report, which addresses applicable criteria, dated June 10, 2004, is hereby incorporated; and

WHEREAS, this boundary change 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 withdrawn from the Rivergrove Water District:

A tract of land located in the southwest quarter of Section 17 and the northwest quarter of Section 20, Township 2 South, Range 1 East of the Willamette Meridian, City of Lake Oswego, Clackamas County, Oregon, more particularly described as follows:

Parcel 1:

All of Lots 24 through 30, plat of Canal Acres (Plat # 554), plat records of Clackamas County, Oregon.

TOGETHER with that portion of Bryant Road (County Road # 404) lying adjacent to said Parcel 1.

INCLUDING therewith the following described Parcel 2:

Parcel 2:

Beginning at the northwest corner of Lot 44, said plat of Canal Acres; thence along the north line of said Lot 44, North 64° 18' 58" East, 192.42 feet; thence leaving said north line, South 05° 05' 13" West, 328.93 feet to a point on the south line of said Lot 44; thence along said south line, South 89° 26' 45" West, 166.14 feet to the southwest corner of said Lot 44 and a point on the east right of way line of Bryant Road; thence along said right of way line, North 05° 05' 13" East, 246.83 feet to the point of beginning.

Section 2. The City Council hereby adopts the findings of facts and conclusions set forth in the above referenced staff report in support of this Withdrawal of Territory Ordinance.

Section 3.

a. **Effective Date of Boundary Change Decision.** Pursuant to Metro Code 3.09.050(f), the effective date of this boundary change 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 withdrawal of territory, in which event this withdrawal of territory 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 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 Withdrawal.** Pursuant to ORS 222.040(2), if the effective date of the withdrawal 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 withdrawn, then the effective date of the withdrawal shall be delayed until, and the withdrawal shall become effective on, the day after the election.

Section 4. 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.

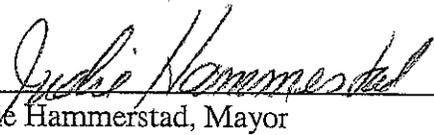
Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on 6th day of July, 2004.

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

NOES: none

ABSTAIN: none

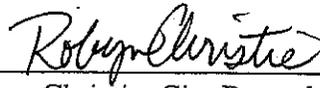
EXCUSED: Peterson



Judie Hammerstad, Mayor

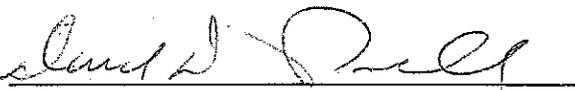
Dated: July 8, 2004

ATTEST:



Robyn Christie, City Recorder

APPROVED AS TO FORM:



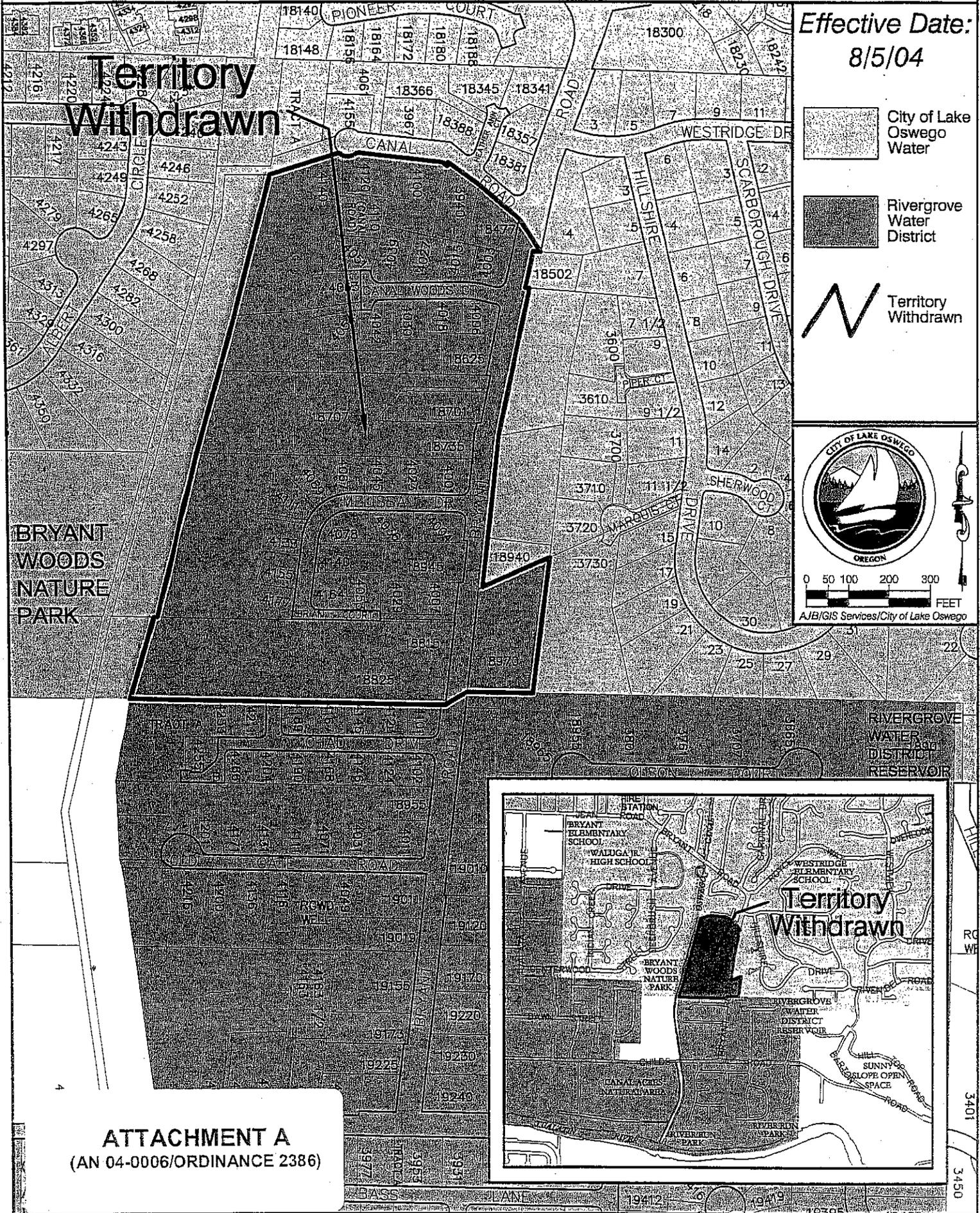
David D. Powell
City Attorney

L:\Annexations\2004 Annexation Case Files\AN 04-0006 Rivergrove Water District Withdrawal\ORDINANCE 2386.doc

Territory Withdrawn

AN 04-0006/Ordinance 2386

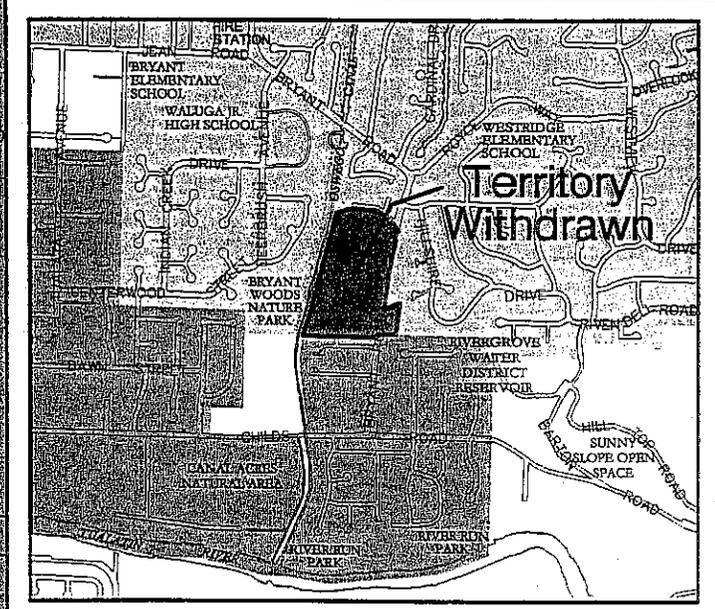
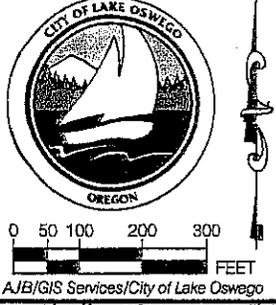
Effective Date:
8/5/04



City of Lake Oswego Water

Rivergrove Water District

Territory Withdrawn



ATTACHMENT A
(AN 04-0006/ORDINANCE 2386)

Legal Description

AN 04-0006

Withdrawal of Territory from Rivergrove Water District

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