

Final Documents  
for  
Annexation to  
**Portland**

MU0207  
Ordinance: 180919  
Annexation: AN-02-07  
DOR: 26-666-2007  
Secretary of State: AN 2007-0229

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

June 13, 2007

Metro  
Linda Martin  
600 NE Grand Ave  
Portland, Oregon 97232-2736

Dear Ms. Martin:

Please be advised that we have received and filed, as of June 13, 2007, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
180918 (Portland)	AN 2007-0228
180919 (Portland)	AN 2007-0229
07-10 (Tigard)	AN 2007-0230
2007-285 (Sunrise Water Authority)	SD 2007-0101
2007-286 (Clackamas County Service District #1)	SD 2007-0102

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

City of Portland  
Budget Officer  
1120 SW Fifth, Room 1250  
Portland, OR 97204

**Description and Map Approved**  
**June 7, 2007**  
**As Per ORS 308.225**

Description     Map received from: METRO  
On: 6/6/2007

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

ANNEX TO CITY OF PORTLAND; WITHDRAW FROM MULT. CO. SERVICE DIST. #14  
AND TUAL VAL F AND R (MU0207)

ORD. #180919 (A-2-07)

has been:     Approved            6/7/2007  
                   Disapproved

Notes:

Department of Revenue File Number: 26-666-2007

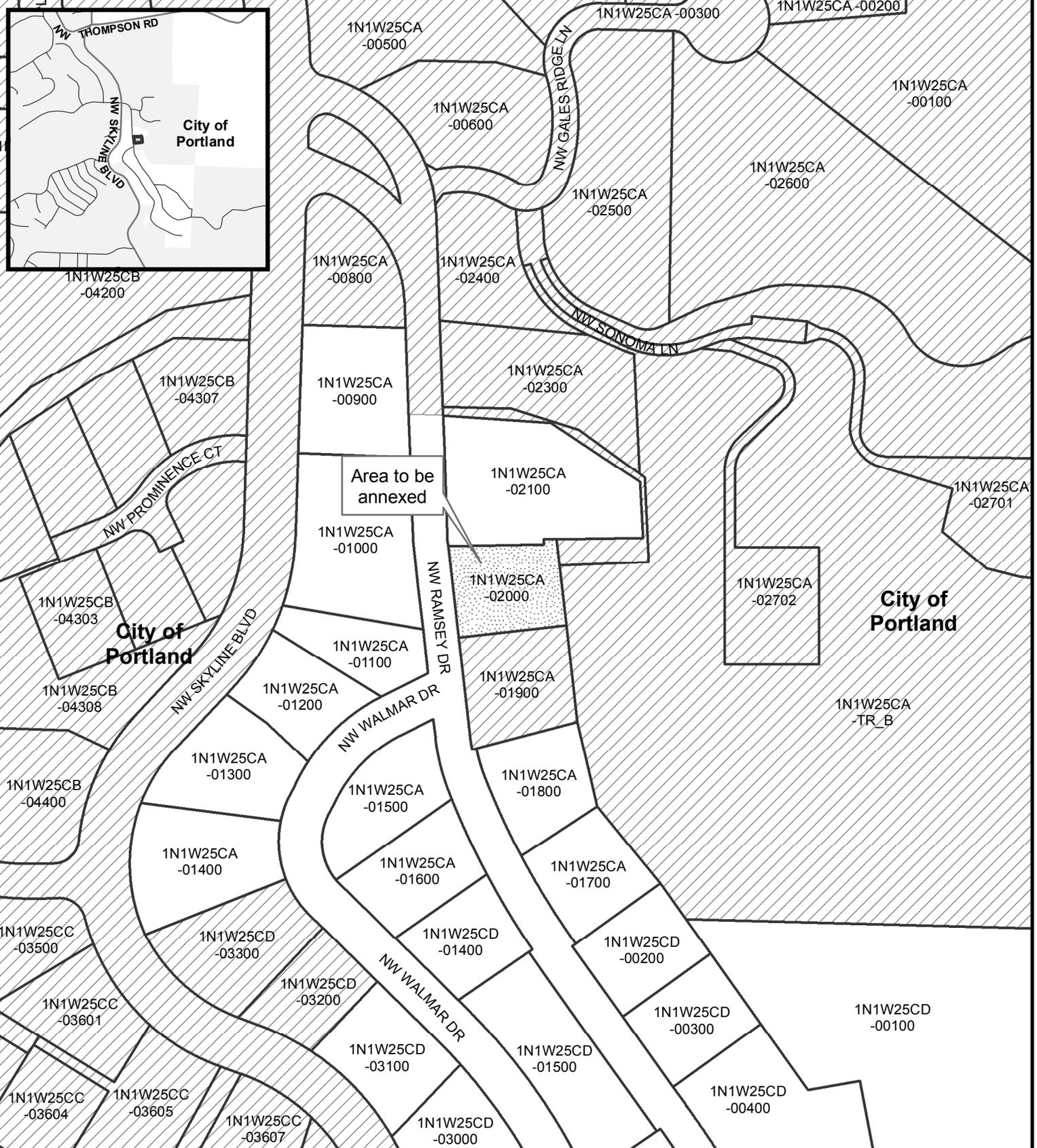
Prepared by: Carolyn Sunderman, 503-945-8882

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

# Proposal No. AN-02-07

1N1W25 **Annexation to City of Portland** Multnomah Co.



Data Resource Center  
600 NE Grand Ave  
Portland, OR 97232-2736  
(503) 797-1742  
<http://www.metro-region.org/drc>

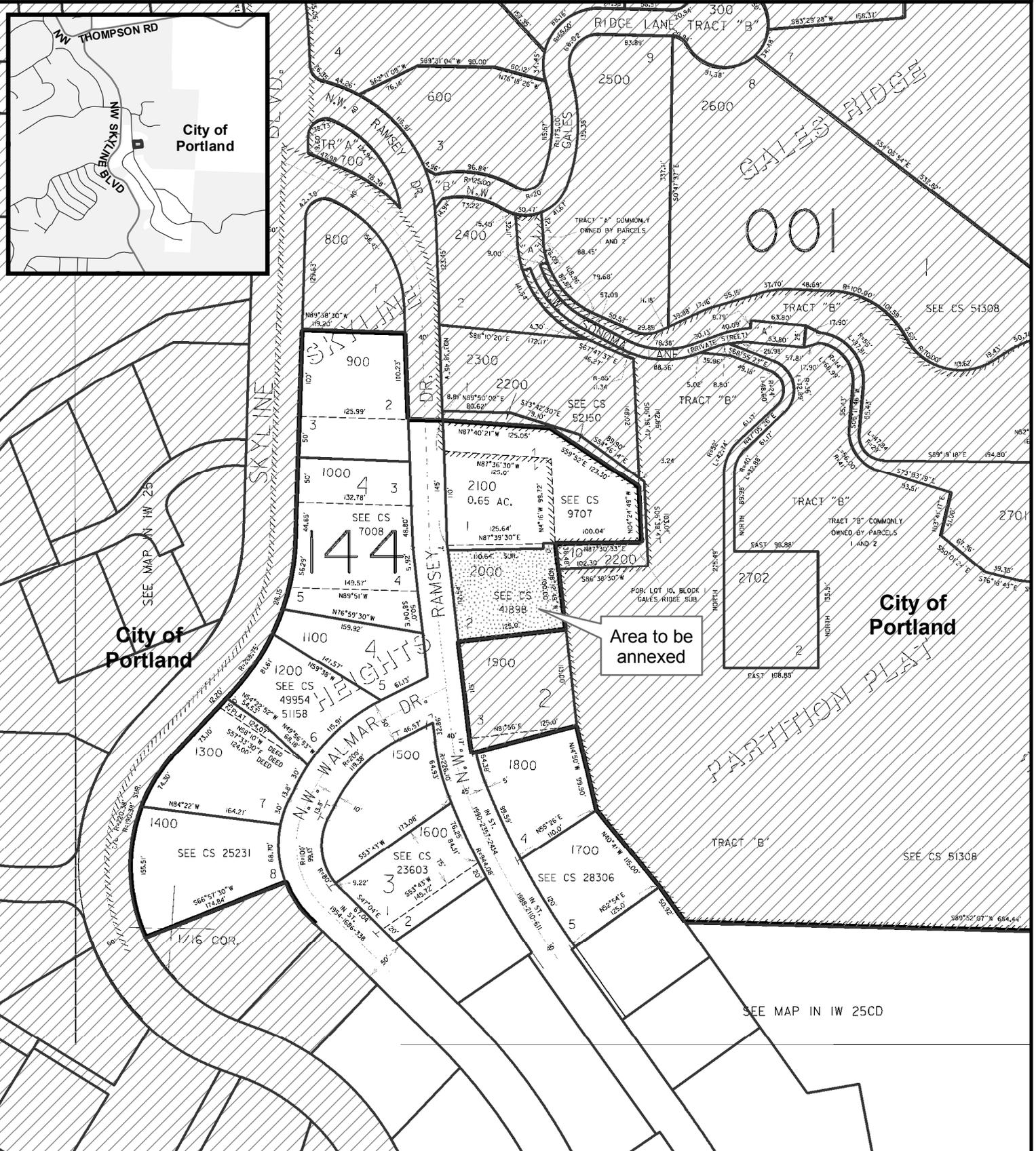
 Area to be annexed  
 City of Portland

**Figure 1**  
1:1,800

Ken Martin Consulting  
P.O. Box 29079  
Portland, OR 97296-9079  
(503) 222-0955 **K M C**

# Proposal No. AN-02-07

1N1W25 Annexation to City of Portland Multnomah Co.



Data Resource Center  
 600 NE Grand Ave  
 Portland, OR 97232-2736  
 (503) 797-1742  
<http://www.metro-region.org/drc>

- Area to be annexed
- City of Portland

**Figure 2**  
 1:1,800

Ken Martin Consulting  
 P.O. Box 29079  
 Portland, OR 97296-9079  
 (503) 222-0955

K M C

54

BOOK 517 PAGE 1404

KNOW ALL MEN BY THESE PRESENTS, That

GEORGE N. MC BRIDE and VIRGINIA L. MC BRIDE, husband and wife

, hereinafter called the grantor, in consideration of Ten and no/100- - - - - Dollars, and other valuable consideration

to grantor paid by DONNA J. WESTFALL, an unmarried woman

, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Multnomah and State of Oregon, described as follows, to-wit:

1.10 That part of Lot 2, Block 2, SKYLINE HEIGHTS, County of Multnomah and State of Oregon lying northerly of a line 7 feet southerly of and parrallel to the northerly line of said Lot 2 excepting therefrom the easterly 15 feet.



To Have and to Hold the above described and granted premises unto the said grantee and grantee's heirs, successors and assigns forever.

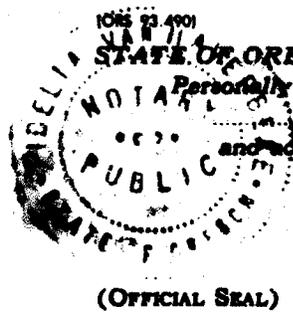
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except subject to the 1966-67 taxes due but not yet payable and conditions, restrictions and easements of record

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand and seal this 14th day of July, 1966.

George N. McBride (SEAL)
Virginia L. McBride (SEAL)
Virginia L. McBride (SEAL)
Virginia L. McBride (SEAL)



STATE OF OREGON, County of Multnomah ) ss. July 14, 1966
Personally appeared the above named George N. McBride and Virginia L. McBride, husband and wife and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Gabriel W. Lauer, Notary Public for Oregon
My commission expires February 6, 1970

OREGON TITLE INSURANCE CO. 296653

10  
16



After recording return to:  
Wilson Bright and Karin Bright  
8577 NW Ryan Street  
Portland, OR 97229

Until a change is requested all tax statements  
shall be sent to the following address:  
Wilson Bright and Karin Bright  
8577 NW Ryan Street  
Portland, OR 97229

File No.: 7011-276605 (Jl)  
Date: October 07, 2003

THIS SPACE RESERVED FOR RECORDER'S USE

Recorded in MULTNOMAH COUNTY, OREGON  
C. Swick, Deputy Clerk  
A37 2  
Total : 26.00  
2003-246744 10/15/2003 11:16:49am  
ATLJH

### STATUTORY WARRANTY DEED

Joseph A. McAlonen, III, Grantor, conveys and warrants to Wilson Bright and Karin Bright, husband and wife, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Lot 2, Block 2, SKYLINE HEIGHTS, in the County of Multnomah and State of Oregon.

EXCEPTING THEREFROM that portion conveyed to Donna J. Westfall by deed recorded 7/25/66 in Book 517, page 1404, Multnomah County Deed Records, in the County of Multnomah and State of Oregon.

This property is free from liens and encumbrances, EXCEPT: 2003/2C04 Taxes, a lien due but not yet payable

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

2

FATCO. NO. 276605-MO

10-15-03



**ORDINANCE No. 1 809 1 9**

\* Approve annexation to the City of Portland of property in case number A-2-07, on the east edge of NW Ramsey Drive near intersection with NW Walmar Drive (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The property owners and registered voters have initiated a proposal by a consent petition to annex to the City of Portland the property described in Exhibit "A."
2. The property owners want to annex to Portland to obtain City services, particularly sewer service.
3. Based on the findings and reasons for decision detailed in Exhibit "B," this proposal for annexation sufficiently meets applicable criteria for approval.

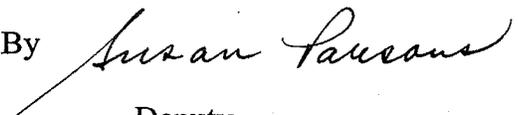
NOW, THEREFORE, the Council directs:

- a. The proposed annexation described in Exhibit "A" is approved.
- b. The subject territory, shown on the map in Exhibit "B," is withdrawn from the Multnomah County Service District # 14 (street lights) and Tualatin Valley Fire & Rescue.
- c. The City Auditor is authorized and directed to file a certified copy of this Ordinance with the Boundary Change Office of Metro.

Section 2. The Council declares that an emergency exists in order that there be no delay in extending services, therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council, MAY 0 2 2007

GARY BLACKMER  
Auditor of the City of Portland

By   
Deputy

Mayor Tom Potter  
Office of Management and Finance

**EXHIBIT A**  
RECEIVED  
PLANNING BUREAU  
2007 APR 18 P 3:08

Proposal No. A-2-07

Lot 2, Block 2, SKYLINE HEIGHTS, in the County of Multnomah and State of Oregon.

EXCEPTING THEREFROM that portion conveyed to Donna J. Westfall by deed recorded 7/25/66 in Book 517, page 1404, Multnomah County Deed Records, in the County of Multnomah and State of Oregon.

This property is free from liens and encumbrances, EXCEPT: 2003/2004 Taxes, a lien due but not yet payable

**EXHIBIT B**

May 2, 2007 Meeting

**PROPOSAL NO. A-2-07 - CITY OF PORTLAND - Annexation**

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Petitioner: Karin & Wilson Bright

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Proposal No. A-2-07 was initiated by a consent petition of the property owners and registered voters. The petition meets the requirement for initiation set forth in ORS 222.170(2) (double majority annexation law) and Metro Code 3.09.040(a) (Metro's minimum requirements for a petition).

The territory to be annexed is located generally on the northwest edge of the City on the east edge of NW Ramsey Drive near its intersection with NW Walmar Drive. The territory contains .65 acres, is vacant and has an assessed value of \$59,240.

**REASON FOR ANNEXATION**

The owners need sewer service to facilitate construction of a new single family dwelling.

**CRITERIA FOR DECISION-MAKING**

The only criterion for deciding city boundary changes within the statutes is the territory must be contiguous to the City. However, the 1997 Legislature directed Metro to establish criteria that must be used by all cities within the Metro boundary and Metro has done so through adoption of Section 3.09 of the Metro Code.

The Metro Code states that a final decision must include findings of fact and conclusions from those findings. The Code requires these findings and conclusions to address the following minimum criteria:

1. Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065. [urban service provider agreements are agreements between various service providers about who will provide which services where. The agreements are mandated by ORS 195 but none are currently in place. Annexation plans are timelines for annexations that may only be done after all required urban service provider agreements are in place and that must have been voted on by the City residents and the residents of the area to be annexed.]

2. Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party.
3. Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans.
4. Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional framework or any functional plan.
5. Whether the proposed change will promote or not interfere with the timely, orderly and economic provision of public facilities and services.
6. The territory lies within the Urban Growth Boundary.
7. Consistency with other applicable criteria for the boundary change in question under state and local law.

Each of these factors is addressed below. The Metro Code also contains a second set of 10 factors which are to be considered where: 1) no ORS 195 agreements have been adopted, and 2) a necessary party is contesting the boundary change. Those 10 factors are not applicable at this time to this annexation because no necessary party has contested the proposed annexation.

## LAND USE PLANNING

Regional Planning. The territory is within the regional Urban Growth Boundary and the jurisdictional boundary of Metro.

Regional Framework Plan. The law that requires Metro to adopt criteria for boundary changes specifically states that those criteria shall include ". . . compliance with adopted regional urban growth goals and objectives, functional plans . . . and the regional framework plan of the district [Metro]." In fact, while the first two mentioned items were adopted independently, they are now part of Metro's Regional Framework Plan. The Regional Framework Plan also includes the 2040 Growth Concept. Metro is authorized to adopt functional plans which are limited purpose plans addressing designated areas and activities of metropolitan concern and which mandate local plan changes. Metro has adopted two functional plans - the Urban Growth Management Functional Plan and the Regional Transportation Plan.

The Urban Growth Management Functional Plan requires cities and counties to amend their comprehensive plans and implementing ordinances to accord with elements in the Functional Plan. Included in these requirements are such items as minimum density standards, limitations on parking standards, mandated adoption of water quality standards and rules relating to Urban Growth Boundary expansion into Urban Reserve areas. None of these requirements relate directly to the issue of annexation to a city. The Regional Transportation Plan was examined and no specific criteria applicable to boundary changes were discovered.

The Regional Framework Plan was reviewed and found not to contain specific criteria applicable to boundary changes.

Multnomah County Planning. The territory is designated Low Density Residential by Multnomah County and is zoned R-10 which permits residential development with a minimum lot size of 10,000 square feet. In 2001 the Multnomah County Board adopted the City's comprehensive plan and implementing regulations as the County's plan and zoning for this area. By intergovernmental agreement signed in January, 2002 the City took over implementation and administration of planning and zoning for this area.

Portland/Multnomah County Urban Services Agreement.

The property to be annexed falls within the City's Urban Services Boundary.

Portland Planning. The Portland Comprehensive Plan contains the following Urban Development Policies & Objectives:

2.3 Annexation

Phase the annexation program of the City to allow for the incorporation of urban and urbanizable land in a manner that is consistent with the Comprehensive Plan and the Urban Growth Boundary as administered by the Metropolitan Service District, provides smooth transition in urban improvements programming. Annex land within the Urban Services Boundary in accordance with this Policy and Policy 11.1. Annexations outside the Urban Services Boundary will not be accepted.

\* \* \*

The Comprehensive Plan contains the following public facilities Goal and policies and objectives:

**GOAL 11A** Provide a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities.

**POLICIES & OBJECTIVES**

11.1 Service Responsibility

A. Outside its boundaries of incorporation, the City of Portland shall:

- (3) Consider requests for delivery of services within the Urban Services Boundary wherever the following conditions exist:
- Residents or property owners within an area to be served desire delivery of services by the City of Portland.
  - The City can meet the new demands without diminishing its ability to serve existing City of Portland residents and businesses.

- The City can supply the needed services most effectively and efficiently.
  - The City can expect to recapture its service investment.
- (4) Deliver services within the Urban Services Boundary by means of annexation to Portland . . .

\*\*\*

### 11.2 Orderly Land Development

Urban development should occur only when urban public facilities and services exist or can be reasonably made available.

### 11.3 Orderly Service Extension

The improvement and expansion of one urban public facility or service should not stimulate development that significantly precedes the City's, or other appropriate jurisdiction's ability to provide all other necessary urban public facilities and services at uniform levels.

As discussed below in the Facilities and Services section of the staff report, urban services are readily available to the site from the City. There is no evidence that serving the area would diminish the City's ability to serve existing residents and businesses.

The urban service policy found that a full-service city government can provide urban services most cost-effectively. The City of Portland is the only available city to provide services to this area.

## **FACILITIES AND SERVICES**

ORS 195 Agreements. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. The statute was enacted in 1993 but no urban service agreements have yet been adopted in this area.

Sanitary Sewer Service. Sanitary sewer service can be provided from a City sewer line in NW Ramsey which is approximately 320 feet to the north of the lot.

Water Service. The City of Portland already serves this area via a water line in NW Ramsey Drive.

Police Service. Police Service will be provided by the City at the same level as currently provided to other City residents. The Bureau notes that this area is at the outside edge Central

Precinct and the patrol district that would serve these lots but concludes that the additional lot can be adequately served none-the-less.

Fire. The territory currently receives fire protection from the Tualatin Valley Fire & Rescue. The District's nearest station is at NW 87<sup>th</sup> & Cornell Road. Following annexation the City would be responsible for providing fire service. The City's nearest station is Station # 27 at 3130 NW Skyline.

ORS 222.120(4) provides that the City may declare in its ordinance annexing territory that the territory will be withdrawn from a fire district. The effective date of a withdrawal from a fire district is the effective date of the annexation.

Street Lights. The territory is within the boundary of Multnomah County Service District No. 14 for street lights. The District's function is primarily administrative, to collect the revenues to pay PGE for lighting services. The district charges a flat annual fee for street lighting services. Portland has a property tax levy to finance street lights.

ORS 222.120(4) provides that the City may declare in its ordinance annexing territory that the territory will be withdrawn from a county service district. The effective date of a withdrawal from a county service district is the effective date of the annexation.

Transportation. Access to the site is provided by NW Ramsey Drive off of NW Skyline Road.

## **RECOMMENDATION**

Based on the Study and the proposed Findings and Reasons for Decision found in Exhibit A, the staff recommends that Proposal No. A-2-07 be **approved**. It is also recommended that the territory be withdrawn from the Tualatin Valley Fire & Rescue and Multnomah County Service District #14 (street lights).

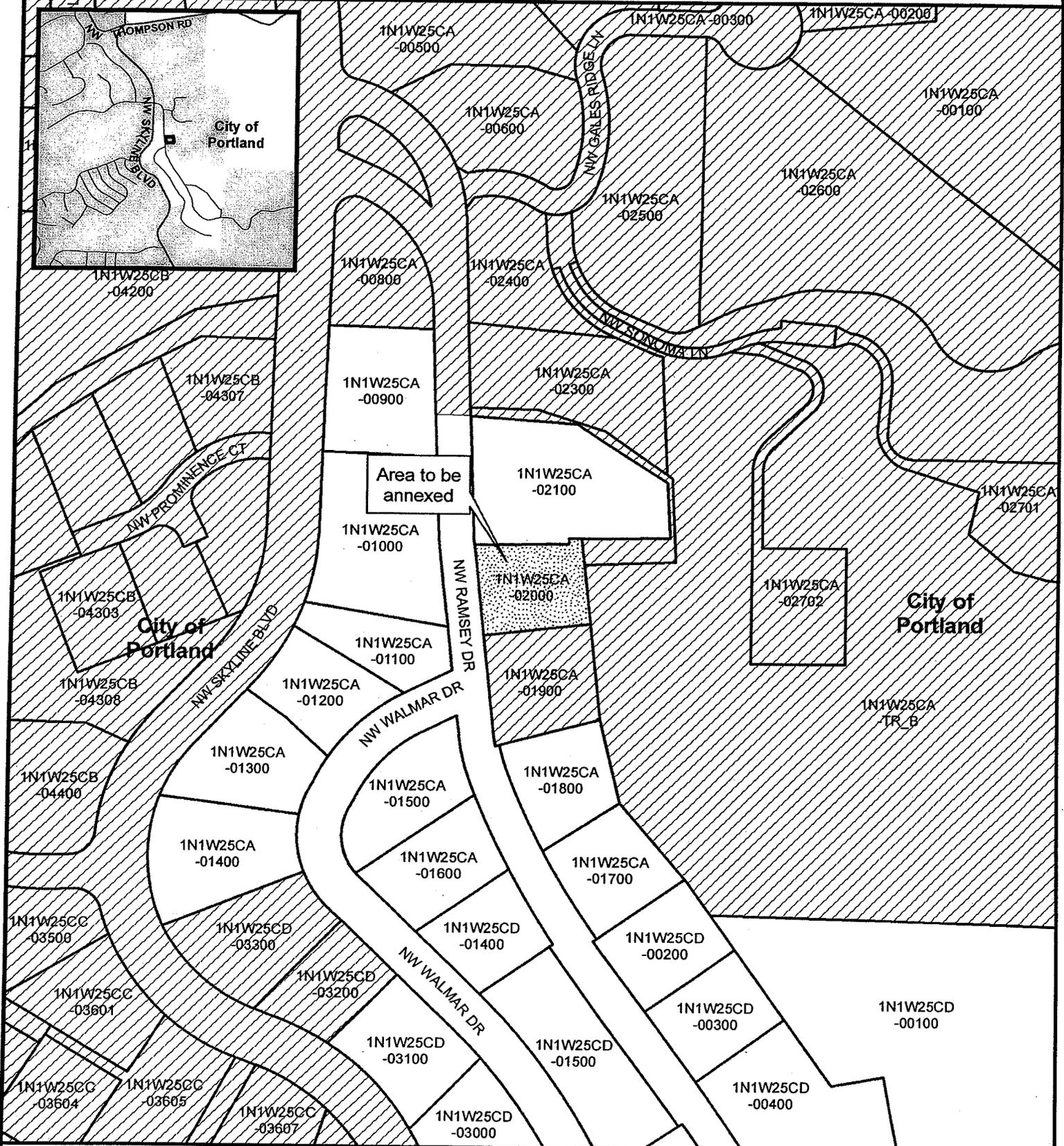
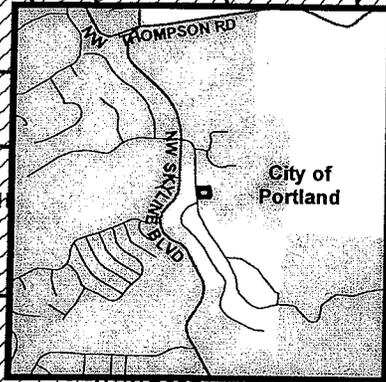
# Proposal No. AN-02-07

EXHIBIT B: MAP 1

1N1W25

Annexation to City of Portland

Multnomah Co.



Data Resource Center  
 600 NE Grand Ave  
 Portland, OR 97232-2736  
 (503) 797-1742  
<http://www.metro-region.org/drc>



Area to be annexed

City of Portland

Figure 1

1:1,800

Ken Martin Consulting  
 P.O. Box 29079  
 Portland, OR 97296-9079  
 (503) 222-0955

**K M C**

# Proposal No. AN-02-07

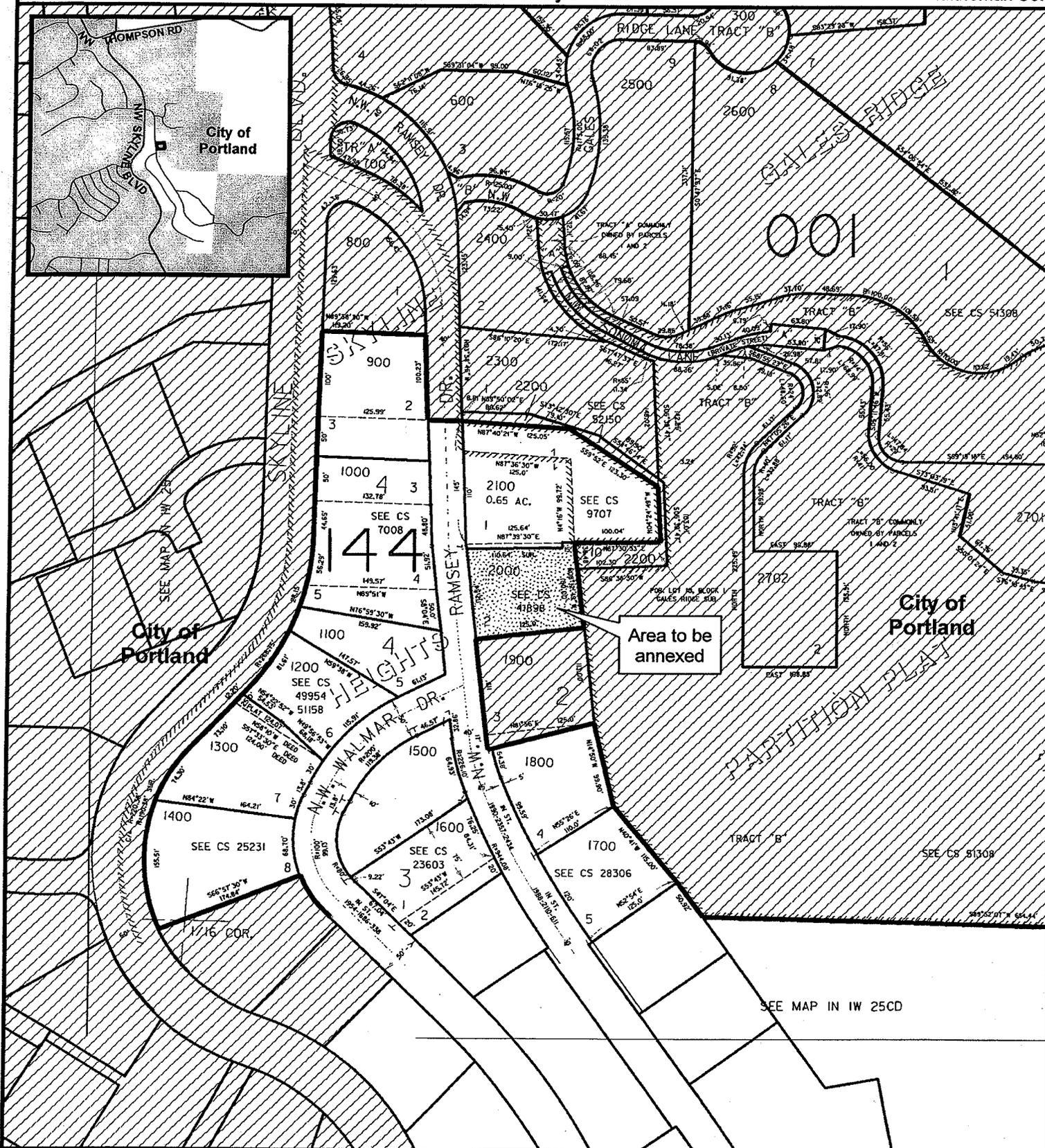
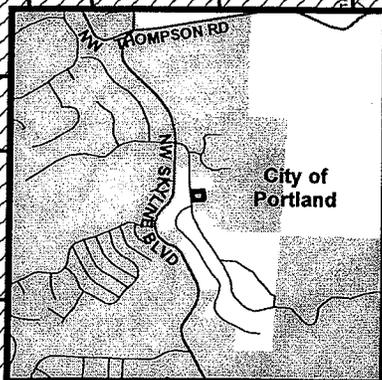
180919

EXHIBIT B: MAP 2

1N1W25

Annexation to City of Portland

Multnomah Co.



Data Resource Center  
600 NE Grand Ave  
Portland, OR 97232-2736  
(503) 797-1742  
<http://www.metro-region.org/drc>

-  Area to be annexed
-  City of Portland

Figure 2

1:1,800

Ken Martin Consulting  
P.O. Box 29079  
Portland, OR 97296-9079  
(503) 222-0955

K M C

**PROPOSED FINDINGS AND REASONS FOR DECISION**

Based on the staff study and the public hearing the City Council found:

1. The territory to be annexed is located generally on the northwest edge of the City on the east edge of NW Ramsey Drive near its intersection with NW Walmar Drive. The territory contains .65 acres, is vacant and has an assessed value of \$59,240.
2. The owners need sewer service to facilitate construction of a new single family dwelling.
3. The only criterion for deciding city boundary changes within the statutes is the territory must be contiguous to the City. However, the 1997 Legislature directed Metro to establish criteria that must be used by all cities within the Metro boundary and Metro has done so through adoption of Section 3.09 of the Metro Code.

The Metro Code states that a final decision must include findings of fact and conclusions from those findings. The Code requires these findings and conclusions to address the following minimum criteria:

1. Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065. [urban service provider agreements are agreements between various service providers about who will provide which services where. The agreements are mandated by ORS 195 but none are currently in place. Annexation plans are timelines for annexations that may only be done after all required urban service provider agreements are in place and that must have been voted on by the City residents and the residents of the area to be annexed.]
2. Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party.
3. Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans.
4. Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional framework or any functional plan.

Exhibit A, Findings to Staff Report  
Proposal No. A-2-07

5. Whether the proposed change will promote or not interfere with the timely, orderly and economic provision of public facilities and services.
6. The territory lies within the Urban Growth Boundary.
7. Consistency with other applicable criteria for the boundary change in question under state and local law.

Each of these factors is addressed below. The Metro Code also contains a second set of 10 factors which are to be considered where: 1) no ORS 195 agreements have been adopted, and 2) a necessary party is contesting the boundary change. Those 10 factors are not applicable at this time to this annexation because no necessary party has contested the proposed annexation.

4. The territory is within the regional Urban Growth Boundary and the jurisdictional boundary of Metro.

The law that requires Metro to adopt criteria for boundary changes specifically states that those criteria shall include " . . . compliance with adopted regional urban growth goals and objectives, functional plans . . . and the regional framework plan of the district [Metro]." In fact, while the first two mentioned items were adopted independently, they are now part of Metro's Regional Framework Plan. The Regional Framework Plan also includes the 2040 Growth Concept. Metro is authorized to adopt functional plans which are limited purpose plans addressing designated areas and activities of metropolitan concern and which mandate local plan changes. Metro has adopted two functional plans - the Urban Growth Management Functional Plan and the Regional Transportation Plan.

The Urban Growth Management Functional Plan requires cities and counties to amend their comprehensive plans and implementing ordinances to accord with elements in the Functional Plan. Included in these requirements are such items as minimum density standards, limitations on parking standards, mandated adoption of water quality standards and rules relating to Urban Growth Boundary expansion into Urban Reserve areas. None of these requirements relate directly to the issue of annexation to a city. The Regional Transportation Plan was examined and no specific criteria applicable to boundary changes were discovered.

The Regional Framework Plan was reviewed and found not to contain specific criteria applicable to boundary changes.

5. The territory is designated Low Density Residential by Multnomah County and is zoned R-10 which permits residential development with a minimum lot size of 10,000 square feet. In 2001 the Multnomah County Board adopted the City's comprehensive plan and

Exhibit A, Findings to Staff Report  
Proposal No. A-2-07

implementing regulations as the County's plan and zoning for this area. By intergovernmental agreement signed in January, 2002 the City took over implementation and administration of planning and zoning for this area.

6. The property to be annexed falls within the City's Urban Services Boundary.

The Portland Comprehensive Plan contains the following Urban Development Policies & Objectives:

2.3 Annexation

Phase the annexation program of the City to allow for the incorporation of urban and urbanizable land in a manner that is consistent with the Comprehensive Plan and the Urban Growth Boundary as administered by the Metropolitan Service District, provides smooth transition in urban improvements programming. Annex land within the Urban Services Boundary in accordance with this Policy and Policy 11.1. Annexations outside the Urban Services Boundary will not be accepted.

\* \* \*

The Comprehensive Plan contains the following public facilities Goal and policies and objectives:

GOAL 11A Provide a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities.

POLICIES & OBJECTIVES

11.1 Service Responsibility

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- (3) Consider requests for delivery of services within the Urban Services Boundary wherever the following conditions exist:
- Residents or property owners within an area to be served desire delivery of services by the City of Portland.
  - The City can meet the new demands without diminishing its ability to serve existing City of Portland residents and businesses.

Exhibit A, Findings to Staff Report  
Proposal No. A-2-07

- The City can supply the needed services most effectively and efficiently.
  - The City can expect to recapture its service investment.
- (4) Deliver services within the Urban Services Boundary by means of annexation to Portland . . .

\* \* \*

#### 11.2 Orderly Land Development

Urban development should occur only when urban public facilities and services exist or can be reasonably made available.

#### 11.3 Orderly Service Extension

The improvement and expansion of one urban public facility or service should not stimulate development that significantly precedes the City's, or other appropriate jurisdiction's ability to provide all other necessary urban public facilities and services at uniform levels.

As discussed in the findings below, urban services are readily available to the site from the City. There is no evidence that serving the area would diminish the City's ability to serve existing residents and businesses.

The urban service policy found that a full-service city government can provide urban services most cost-effectively. The City of Portland is the only available city to provide services to this area.

7. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. The statute was enacted in 1993 but no urban service agreements have yet been adopted in this area.
8. Sanitary sewer service can be provided from a City sewer line in NW Ramsey which is approximately 320 feet to the north of the lot.
9. The City of Portland already serves this area via a water line in NW Ramsey Drive.

Exhibit A, Findings to Staff Report  
Proposal No. A-2-07

10. Police Service will be provided by the City at the same level as currently provided to other City residents. The Bureau notes that this area is at the outside edge Central Precinct and the patrol district that would serve these lots but concludes that the additional lot can be adequately served none-the-less.
11. The territory currently receives fire protection from the Tualatin Valley Fire & Rescue. The District's nearest station is at NW 87<sup>th</sup> & Cornell Road. Following annexation the City would be responsible for providing fire service. The City's nearest station is Station # 27 at 3130 NW Skyline.

ORS 222.120(4) provides that the City may declare in its ordinance annexing territory that the territory will be withdrawn from a fire district. The effective date of a withdrawal from a fire district is the effective date of the annexation.

12. The territory is within the boundary of Multnomah County Service District No. 14 for street lights. The District's function is primarily administrative, to collect the revenues to pay PGE for lighting services. The district charges a flat annual fee for street lighting services. Portland has a property tax levy to finance street lights.

ORS 222.120(4) provides that the City may declare in its ordinance annexing territory that the territory will be withdrawn from a county service district. The effective date of a withdrawal from a county service district is the effective date of the annexation.

13. Access to the site is provided by NW Ramsey Drive off of NW Skyline Road. The territory to be annexed contains 3.75 acres, 3 single family dwellings and has an assessed value of \$2,391,960.

**CONCLUSIONS AND REASONS FOR DECISION**

Based on the Findings, the City Council determined:

1. The Metro Code at 3.09.050(d)(1) calls for consistency between the City's decision and an agreement adopted pursuant to ORS 195.065. There are no such agreements in this area.
2. The Metro Code at 3.09.050(d)(2) calls for consistency between the City's decision and urban planning area agreements, or other agreements. The territory to be annexed is within both the urban planning area boundary and urban services boundary of the City of Portland recognized in the City / County urban planning area agreement (UPAA). The agreement recognizes that Portland will eventually annex and service the area. The annexation is consistent with the UPAA. Portland has agreements with other service providers but none contains criteria that are directly applicable to annexation decisions.
3. The Metro Code at 3.09.050(d)(3) calls for consistency between the City's decision and any "directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facilities plans." The Council has reviewed the City Comprehensive Plan which currently applies to this site because the County has adopted the City Plan and zoning for the area. The County plan contains no criteria that are directly applicable to annexation decisions.

Policy 4 of the Portland Urban Services Policies contains criteria related to annexation. It says that the city shall "consider" requests for the delivery of services within the urban services boundary when certain conditions exist. This policy is not a mandatory approval criterion, but rather contains a set of factors to consider.

The first factor is "residents and property owners within an area to be served desire delivery of services by the City of Portland." The area to be served is limited to the parcel that is proposed to be annexed. The owners have petitioned for annexation.

The second factor is "the City can meet the new demands without diminishing its ability to serve existing City of Portland residents and businesses." As discussed above in Findings numbered 8 through 13, urban services can be provided to the site.

The third factor is that "the City can supply the needed services most effectively and efficiently." The urban service policy found that a full-service city government can provide urban services most cost-effectively. The City of Portland is the only available city to provide services to this area.

The fourth factor is "the City can expect to recapture its service investment." The new development (one single family dwelling) will produce very little demand on sewer,

Exhibit A, Findings to Staff Report  
Proposal No. A-2-07

police, fire or other City services.

The Council concludes that the annexation is consistent with policy 11.1 B. (4).

Policy 5 says that Portland will deliver services by annexing areas. This proposed annexation is consistent with policy 11.1 B (5).

4. Metro Code 3.09.050(d)(4) requires the City's decision to be consistent with directly applicable standards or criteria in the Regional Framework Plan or any functional plan. The Council has reviewed these plans and found no directly applicable criteria.
5. Metro Code 3.09.050(d)(5) states that another criterion to be addressed is "Whether the proposed change will promote or not interfere with the timely, orderly and economic provision of public facilities and services." The Council concludes that the City's adequate services can be provided to serve this area, based on Findings 8 through 13. Therefore the proposed change promotes the timely, orderly and economic provision of services.
6. The City may specify in its annexation Ordinance that the territory will be simultaneously withdrawn from Multnomah County Service District # 14 for street lights and Tualatin Valley fire & Rescue. To prevent confusion about which units of government are responsible for providing services, the territory should be simultaneously withdrawn from these districts.



W1/4 SEC. 25 T.1N. R.1W. W.M.  
MULTNOMAH COUNTY

1" = 100'

IN IW 25CA  
PORTLAND

SEE MAP IN IW 25BD

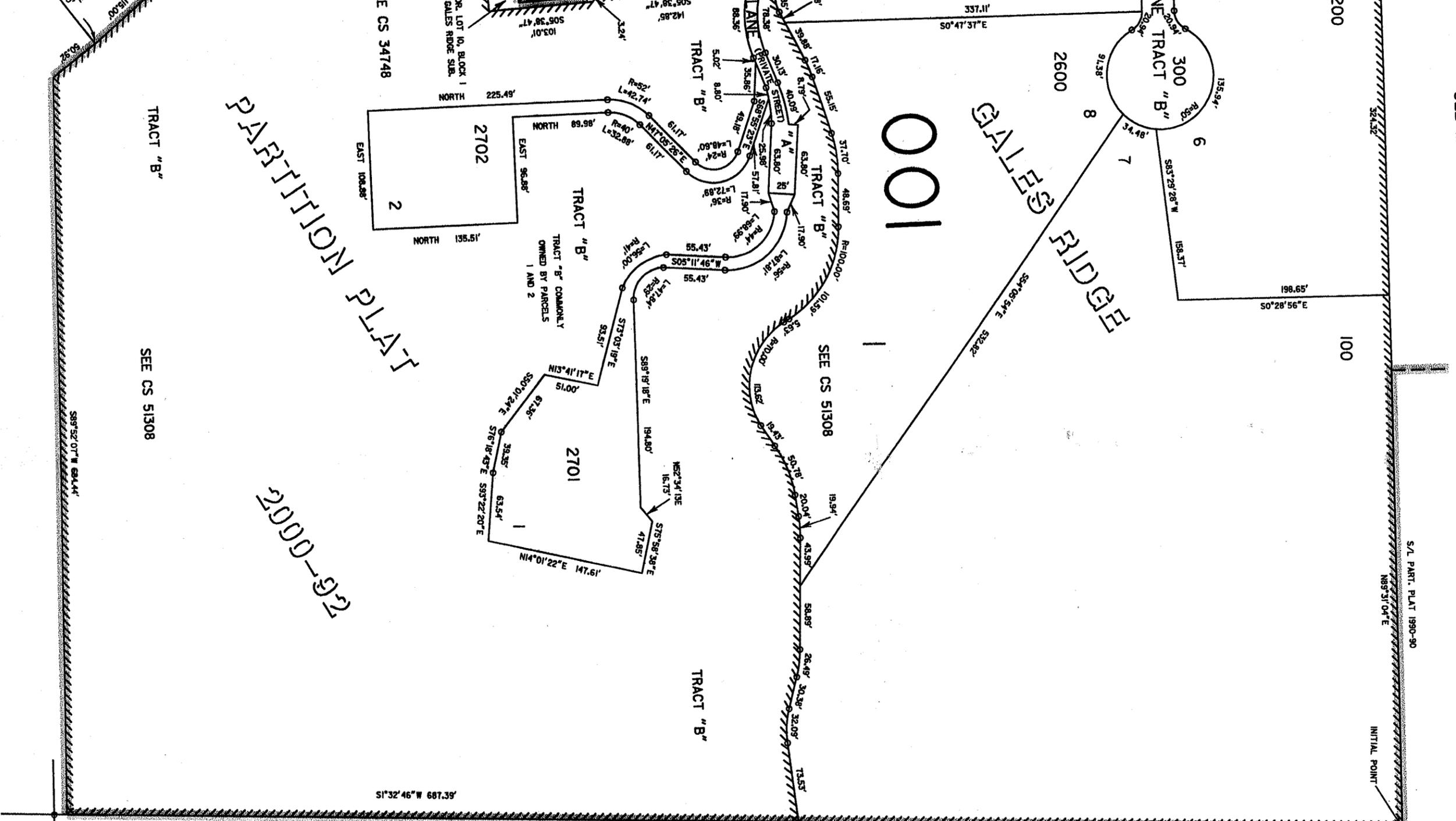
S/L PART. PLAT 1990-90

N89°31'04"E

INITIAL POINT

CEN. SEC.

CANCELLED NO.  
1100  
2700  
4300



001

SEE CS 51308

SEE MAP IN IW 25D

PARTITION PLAT

2000-92

TRACT "B"

SEE CS 51308

SEE MAP IN IW 25CD

IN IW 25CA  
PORTLAND

1/16 COR.