

Final Documents

for  
Annexation to  
**Hillsboro**

WA0809

Ordinance/Resolution: 5914

Annexation: AN 2-09

DOR: 34-1948-2009

Secretary of State: SD 2009-0095

OFFICE OF THE SECRETARY OF STATE

KATE BROWN  
SECRETARY OF STATE

BARRY PACK  
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION  
MARY BETH HERKERT  
DIRECTOR  
800 Summer Street NE  
Salem, Oregon 97310  
(503) 373-0701  
Facsimile (503) 378-4118

August 26, 2009

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 August 26, 2009, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
5914 (Hillsboro)	SD 2009-0095
5917 (Hillsboro)	SD 2009-0096

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

**BOUNDARY CHANGE SUBMISSION FORM**  
**FINAL METRO APPROVAL**

**DATE: August 20, 2009**

**TO:**

**Metro  
Data Resource Center  
Attn: Joanna Mensher  
600 NE Grand Avenue  
Portland, OR 97232-2736  
Phone: (503) 797-1591**

**FROM:**

**City of Hillsboro  
Planning Department  
Attn: Ruth Klein   
150 E. Main Street  
Fourth Floor  
Hillsboro, OR 97123  
Phone: (503) 681-6465  
Fax: (503) 681-6245**

**RE: Case File No. AN 2-09: Port of Portland**

**ATTACHED PLEASE FIND:**

**Final certified ordinance including exhibits: legal description & findings  
Final maps  
County Tax Assessor Map(s) - Certified  
Site Vicinity Map  
Final Letter of DOR approval  
Filing fee**

**This is being sent to you as required by Metro Code 3.09.030(e).**

# 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 Hillsboro  
 Planning Department  
 150 E Main St, 4th floor  
 Hillsboro, OR 97123

**Description and Map Approved**  
**August 17, 2009**  
**As Per ORS 308.225**

Description     Map received from:  
 On: 8/11/2009

This is to notify you that your boundary change in Washington County for  
 Annexation to the City of Hillsboro and withdrawal from several districts.

Ord No.5914

has been:     Approved            8/17/2009  
                    Disapproved

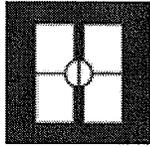
Notes:

Department of Revenue File Number: 34-1948-2009

Prepared by: Robert Ayers 503-945-8883

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



# AN 2-09 & ZC 3-09: PORT OF PORTLAND



VICINITY MAP



ORDINANCE NO. 5914

AN 2-09: PORT OF PORTLAND

AN ORDINANCE ANNEXING CERTAIN TRACTS OF LAND INTO THE CITY LIMITS OF HILLSBORO AND WITHDRAWING THE TRACTS FROM THE TERRITORIES OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2, WASHINGTON COUNTY ENHANCED SHERIFF PATROL DISTRICT, WASHINGTON COUNTY SERVICE DISTRICT FOR URBAN ROAD MAINTENANCE, AND WASHINGTON COUNTY SERVICE DISTRICT #1 FOR STREET LIGHTS.

WHEREAS, the City received a complete petition from the property owner of certain tracts of land, described in Exhibit "A" attached to this Ordinance, requesting that the properties be annexed into the City Limits of Hillsboro;

WHEREAS, the petition represented 100 percent of the property owners of the tracts of land requesting to be annexed into the City Limits of Hillsboro as required by ORS 222.125 in order to consent to an annexation;

WHEREAS, the tracts of land can be served by City services;

WHEREAS, as permitted by ORS 222.120(2) and Metro Code Sections 3.09.045(a) the City Council dispenses with submitting the question of the proposed annexation to the electors of the City for their approval or rejection;

WHEREAS, the tracts of land are located within Urban Planning Area A of the Urban Area Agreement between Washington County and the City of Hillsboro, adopted on December 15, 1998;

WHEREAS, the City shall regulate the conversion of vacant land to urban uses in Urban Area A through the extension of water and sewer service, land partitioning requirements, provision of transportation facilities and annexations within the area. Land within Urban Area A shall not be converted to urban uses prior to annexation to the City;

WHEREAS, the tracts of land lie within the following districts: Washington County Rural Fire Protection District No. 2; Washington County Enhanced Sheriff Patrol District; Washington County Service District for Urban Road Maintenance; and Washington County Service District #1 for Street Lights;

WHEREAS, notice of the proposed annexation and withdrawals has been published, mailed and posted in the manner provided by law;

WHEREAS, the City Council conducted a public hearing on this matter on July 7, 2009, and does hereby favor the annexation of the subject tracts of land and withdrawals from the districts based on the findings attached hereto as Exhibit "B";

WHEREAS, the annexation and withdrawals are not contested by any necessary party;

NOW, THEREFORE, THE CITY OF HILLSBORO ORDAINS AS FOLLOWS:

Section 1. The tracts of land, described in Exhibit "A", are declared to be annexed to the City of Hillsboro, Oregon.

Section 2. The tracts of land annexed by this ordinance and described in Section 1 are withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Enhanced Sheriff Patrol District; Washington County Service District for Urban Road Maintenance; and Washington County Service District #1 for Street Lights.

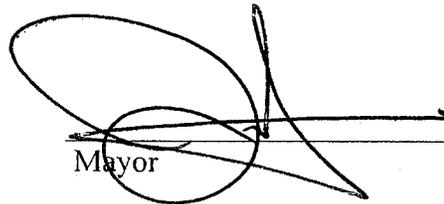
Section 3. The findings attached as Exhibit "B" are adopted. The City Recorder shall immediately file a certified copy of this Ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(f) and ORS 222.005. The annexation and withdrawals shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

Section 4. Inasmuch as it is necessary that this annexation become effective soon, so as to avoid unnecessary hardship to the property owner, allow for the immediate provision of City services, and allow for annexation into service districts necessary for the provision of City services and site development, an emergency is declared to exist and this ordinance shall become effective immediately upon its passage by the Council and approval by the Mayor.

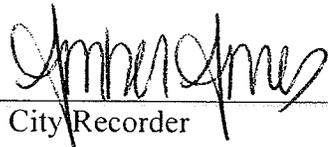
First approval of the Council on this 7<sup>th</sup> day of July 2009.

Second approval and adoption by the Council on this 21<sup>st</sup> day of July 2009.

Approved by the Mayor this 21<sup>st</sup> day of July 2009.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

City of Hillsboro  
Annexation: 02-09 Port of Portland  
Proposed legal description  
CP & NS, October 9, 2008

Exhibit 'A'

Parcel I

A tract of land located in the Northeast 1/4 of Section 29, and the Northwest 1/4 of Section 28, Township 1 North, Range 2 West, Willamette Meridian, Washington County, being more particularly described as:

Commencing at the southeast corner of Lot 27, James H. Sewell's Acreage, a duly recorded subdivision in said county, as described in deed to Port of Portland recorded August 3, 2004 as Document No. 2004-089948 in records of said county, being a point on the centerline of Northwest 264<sup>th</sup> Ave (County Road 1234);

thence North 89°06'56" West, along the south line of said Lot 27, a distance of 20.0 feet, to a point on the west right-of-way line of Northwest 264<sup>th</sup> Ave, being the true point of beginning;

thence continuing North 89°06'56" West, along the south line of said Lot 27, a distance of 517.06 feet, to the southwest corner of Lot 27;

thence North 0°12'51" West, along the west line of said Lot 27, a distance of 406.09 feet, to the southwest corner of Lot 28, of said James H. Sewell's Acreage, as described in deed to Port of Portland recorded July, 2 2003 as Document No. 2003-108031 in records of said county;

thence continuing North 0°12'51" West, along the west line of said Lot 28, a distance of 406.09 feet, to the northwest corner of Lot 28;

thence South 89°11'24" East, along the north line of said Lot 28, a distance of 517.05 feet, to a point on the west right-of-way line of Northwest 264<sup>th</sup> Ave, also being a point 20.0 feet North 89°11'24" West from the northeast corner of said Lot 28,

thence South 0°12'51" East, along the west right-of-way line of Northwest 264<sup>th</sup> Ave, a distance of 406.43 feet, to a point being the intersection of the north line of said Lot 27 and the west right-of-way line of Northwest 264<sup>th</sup> Ave;

thence continuing South 0°12'51" East, along the west right-of-way line of Northwest 264<sup>th</sup> Ave, a distance of 406.43 feet, to the true point of beginning.

**ANNEXATION CERTIFIED**

BY th

JUN 01 2009

WASHINGTON COUNTY A & T  
CARTOGRAPHY

Parcel II

A tract of land located in the northwest quarter of Section 28, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Beginning at the southeast corner of Lot 9 of James H. Sewell's Acreage, a duly recorded subdivision in said county;

thence North 88°19' West, along the south line of said lot, a distance of 1053.7 feet to the intersection of said south line and the east right of way line of Northwest 264<sup>th</sup> Avenue;

thence South 0°34' West, along said right of way line, a distance of 406 feet to the intersection of said right of way line and the south line of Lot 7 of said subdivision;

thence North 88°19' West, along the south line of Lot 7 and Lot 24 of said subdivision, a distance of 40.01 feet to the intersection of the south line of said Lot 24 and the southerly projection of the west right of way line of Northwest 264<sup>th</sup> Avenue;

thence North 0°34' East, along said projection and said west right of way line, a distance of 1218 feet to the intersection of said right of way line and the north line of Lot 26 of said subdivision;

thence South 88°19' East, along the north line of said Lot 26, a distance of 20.0 feet to the northwest corner of Lot 12 of said subdivision and the most westerly northwest corner of that tract of land described in Document No. 2006-119560 in Deed Records of said county;

thence South 88°19' East, along the most southerly north line of said tract, a distance of 536.85 feet to an angle point of said tract;

thence North 0°34' East, along the most easterly west line of said tract, a distance of 406 feet to the most northerly northwest corner thereof;

thence South 88°19' East, along the most northerly north line of said tract, a distance of 536.85 feet to the northeast corner thereof, being a point on the east line of said James Sewell's Acreage;

thence South 0°34' West, along said east line, a distance of 1218 feet to the point of beginning.

ANNEXATION CERTIFIED  
BY 

JUN 01 2009

WASHINGTON COUNTY A & T  
CARTOGRAPHY

## **EXHIBIT B**

### **FINDINGS IN SUPPORT FILE NO. AN 2-09 PORT OF PORTLAND**

#### **I. BACKGROUND INFORMATION AND SITE DESCRIPTION**

A petitioner representing four properties requested City Council approval for annexation of approximately 34.31 acres, and associated right-of-way, into the City Limits of Hillsboro. The properties are a part of the island annexation project. However, the property owner is interested in expediting the annexation of these properties and therefore submitted an annexation application that separates these properties from the island annexation project.

The properties under consideration for annexation and zone change are located generally north of NW Airport Road, south of NW Evergreen Road, west of NE Brookwood Parkway and east of NW 268<sup>th</sup> Avenue. The properties can be specifically identified as Tax Lots 100 and 200 on Washington County Assessor's Tax Map 1N2-28BB and Tax Lots 100 and 200 on Tax Map 1N2-28BC. The total Taxable Assessed Value is \$916,130.

The properties are flat with a very gradual slope to the northwest. A vacant single family residence with multiple accessory buildings is located on Tax Lot 200 on Tax Map 1N2-28BC. The remaining properties are agricultural fields.

The southern portion of NW 264<sup>th</sup> Avenue is identified as a Local Street in the City of Hillsboro Transportation System Plan (TSP) and is currently under Washington County jurisdiction.

The City of Hillsboro Significant Natural Resource Overlay identifies no potentially sensitive areas within the sites. The Clean Water Services Sensitive Areas Pre-Screen Map identifies several potential sensitive areas within the sites.

#### **II. PROCEDURAL REQUIREMENTS**

In accordance with ORS 222.125 the petition for annexation from the property owners constituted 100 percent of the property owners and at least 50 percent of the registered voters residing on the property. Notice of the proposed annexation was given as specified by Metro Code Chapter 3.09.030 and ORS 222.120. A staff report was prepared and available 15 days prior to the hearing as stipulated by Metro Code Chapter 3.09.050. A public hearing on the matter was conducted by the City Council on July 7, 2009.

### III. APPLICABLE APPROVAL CRITERIA

Metro Code Chapter 3.09.050(d) specifies the minimum review criteria for a proposed annexation. The six minimum applicable criteria are as follows:

- 1) *Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;*

**FINDING:** There is currently a Hillsboro Urban Service Provider Agreement in place for this area, dated April 2, 2003, as required by ORS 195.065 (Senate Bill 122). The units of local government which have entered into this agreement are as follows: Washington County; City of Hillsboro; City of Beaverton; Metro; Clean Water Services; TriMet; Tualatin Valley Park and Recreation District; Tualatin Valley Fire and Rescue District; Tualatin Valley Water District; and Washington County Fire District No. 2. The annexation is consistent with the applicable provisions of the Agreement, specifically Section 1 Roles and Responsibilities(C) and (E).

- 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;*

**FINDING:** The properties are identified as being within Urban Area A of the Urban Planning Area Agreement (UPAA) between Washington County and the City of Hillsboro, adopted on December 15, 1998. Pursuant to that agreement, *"the City shall regulate the conversion of vacant land to urban uses in Urban Area A through the extension of water and sewer service, land partitioning requirements, provision of transportation facilities and annexations within the area. Land within Urban Area A shall not be converted to urban uses prior to annexation to the City."* Section IV (A) of the UPAA also specifies that *"all land in Area A shall annex to the City prior to development. As used in this subsection, "development" includes the construction of any residential dwelling unit structure or related accessory structures."* Annexation of these properties would be consistent with the UPAA, and allow the petitioner the ability to further develop the site.

- 3) *Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;*

**FINDING:** The annexation would be consistent with the following Comprehensive Plan policies and implementation measures:

Section 2. Urbanization Policy (III)(A) Urbanization within the planning area shall be consistent with the goals and policies of this Plan. Development shall occur according to the availability of urban services and within the context of the Urban Planning Area Agreement. The City and other government agencies shall encourage property owners to maintain the present rural use and character of undeveloped or underdeveloped lands within the Hillsboro Planning Area until such land is required and proposed for urban use and the necessary urban services are available.

Section 2. Urbanization Implementation Measure (IV)(A)(5) The infill of vacant, bypassed lands, between areas of development, at an urban level, shall be encouraged. Appropriate measures shall be taken to insure that new development in infill areas is compatible with existing developed areas. The City will support a proposed annexation of infill areas and allow subsequent development to occur under the clear and objective standards in its implementing ordinances, including the Zoning and Subdivision ordinances.

Section 2. Urbanization Implementation Measure (IV)(F) All land in the Hillsboro Planning Area is assumed to be available for annexation and/or development, consistent with the Comprehensive Plan, zoning, subdivision regulations, and the Urban Planning Area Agreement.

Section 12. Public Services Implementation Measure (V)(C)(2) The City shall require properties to annex to the City prior to the provision of sanitary sewer service.

Section 12. Public Services Implementation Measure (V)(D)(2) The City shall require properties in the urban area to annex to the City prior to the provision of water service.

In particular, the annexation would be consistent with Section 2. Urbanization Implementation Measure (IV)(A)(5), supporting the annexation of infill areas; and Section 2. Urbanization Implementation Measure (F), all land in the Hillsboro Planning Area is assumed to be available for annexation.

- 4) *Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;*

**FINDING:** The annexation would be consistent with regional framework and functional plans. The City's current plan designation for the properties is IN Industrial, which is consistent with the regional urban growth goals and objectives. The properties will be

rezoned to M-P Industrial Park pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945.

- 5) *Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;*

**FINDING:** There is a twelve-inch City water line located in the NW 264<sup>th</sup> Avenue right-of-way. There is a ten-inch City sanitary sewer line located in the NW 264<sup>th</sup> Avenue right-of-way and storm sewer services provided via NW 264<sup>th</sup> Avenue ditches.

Fire and police protection would be provided by the City of Hillsboro and the property would be withdrawn from the Washington County Rural Fire Protection District No. 2; Washington County Enhanced Sheriff Patrol District; Washington County Service District for Urban Road Maintenance; and Washington County Service District No. 1 for Street Lights as of the effective date of the annexation.

Annexation of the subject properties would not interfere with the provisions of public facilities and services.

- 6) *Consistency with other applicable criteria for the boundary change in question under state and local law.*

**FINDING:** Pursuant to ORS 222.524, the City of Hillsboro has determined that withdrawal of the properties from the Washington County Rural Fire Protection District No. 2; Washington County Enhanced Sheriff Patrol District; Washington County Service District for Urban Road Maintenance; and Washington County Service District No. 1 for Street Lights is in the best interest of the City.

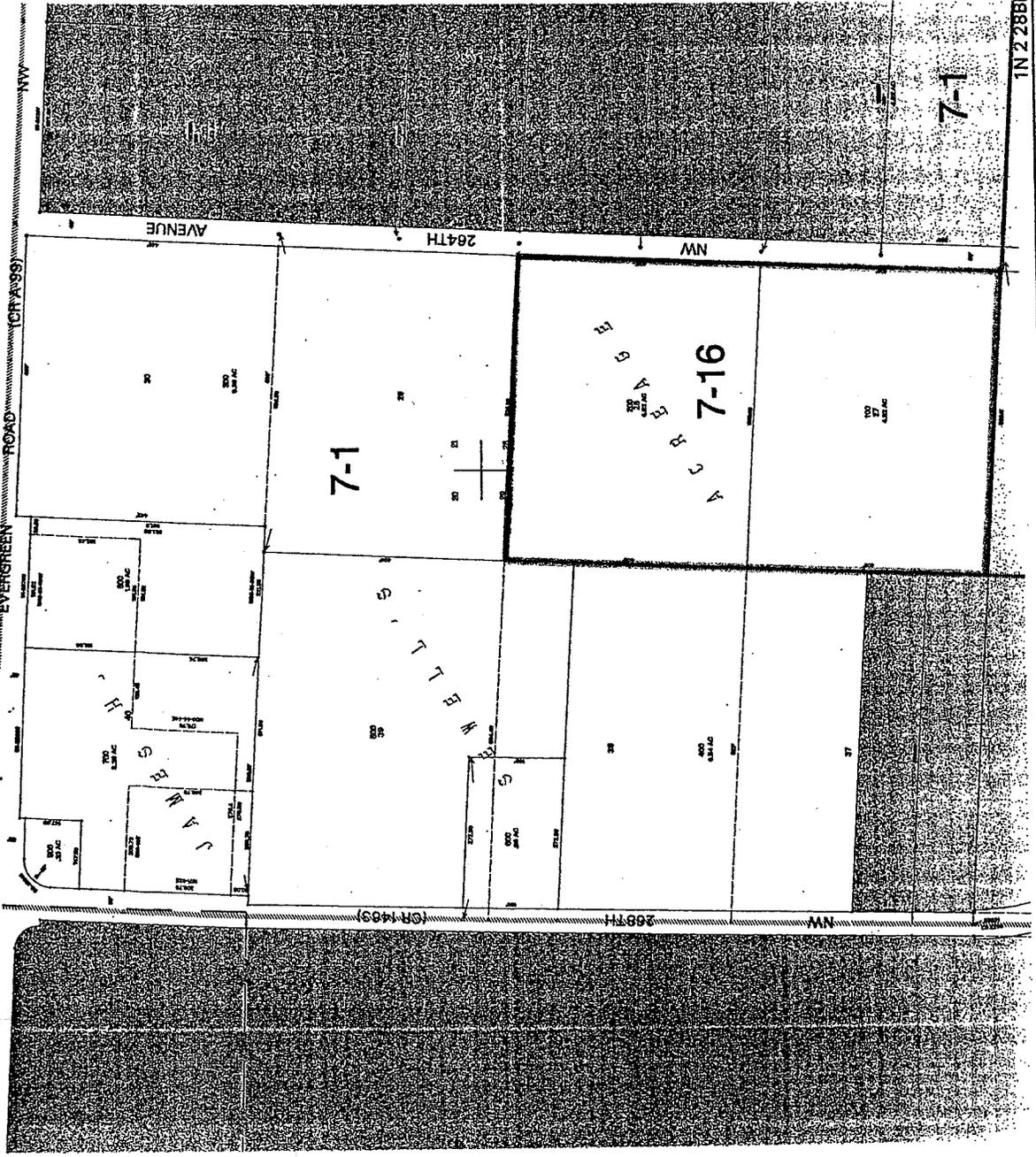
#### **IV. TESTIMONY FROM NECESSARY PARTIES**

No written testimony was received prior to or at the public hearing from a necessary party as defined in Metro Code Chapter 3.09.020(j), nor was oral testimony received by the City Council from a necessary party at the public hearing.

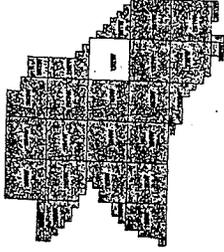
#### **V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED IN FINDINGS**

- Staff Report dated June 22, 2009.

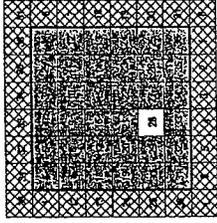
IN 2 28BB



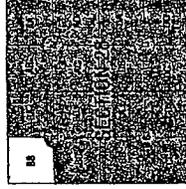
IN 2 28BB



WASHINGTON COUNTY OREGON  
 NW 1/4 NW 1/4 SECTION 25 T1N R2W W.M.  
 SCALE 1" = 100'



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
[www.washingtoncounty.org](http://www.washingtoncounty.org)



ASSESSMENT CERTIFIED  
 BY J.C. ANNEBLOOM CERTIFIED  
 OCT 8 & 2008 BY JA

WASHINGTON COUNTY A.T. JUN 8 1 2009  
 WASHINGTON COUNTY A.T.  
 CARTOGRAPHY WASHINGTON COUNTY A.T.  
 CARTOGRAPHY



PLOT DATE: September 25, 2004  
 FOR ASSESSMENT PURPOSES  
 ONLY - DO NOT RELY ON  
 FOR OTHER USE  
 Many states and local governments have laws that prohibit the reuse  
 of maps for purposes other than those for which they were originally  
 created. Please consult your local government for more information.  
 © 2004 Assessment Cartography, Inc.

HILLSBORO  
 IN 2 28BB





BB	BA	AB	AA
BC	BD	AC	AD
CB	CA	DB	DA
CC	CD	DC	DD

**SECTION 28**

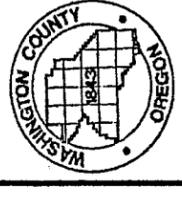
ANNEXATION CERTIFIED

BY *[Signature]* ANNEXATION CE

OCT 30 2008 BY *[Signature]*

WASHINGTON COUNTY A & T JUN 0 1 2008

WASHINGTON COUNTY CARTOGRAPHY



**Assessmen  
CARTOGRAPHY  
Taxation**

**PLOT DATE: September 25, 2004  
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FOR OTHER USE**

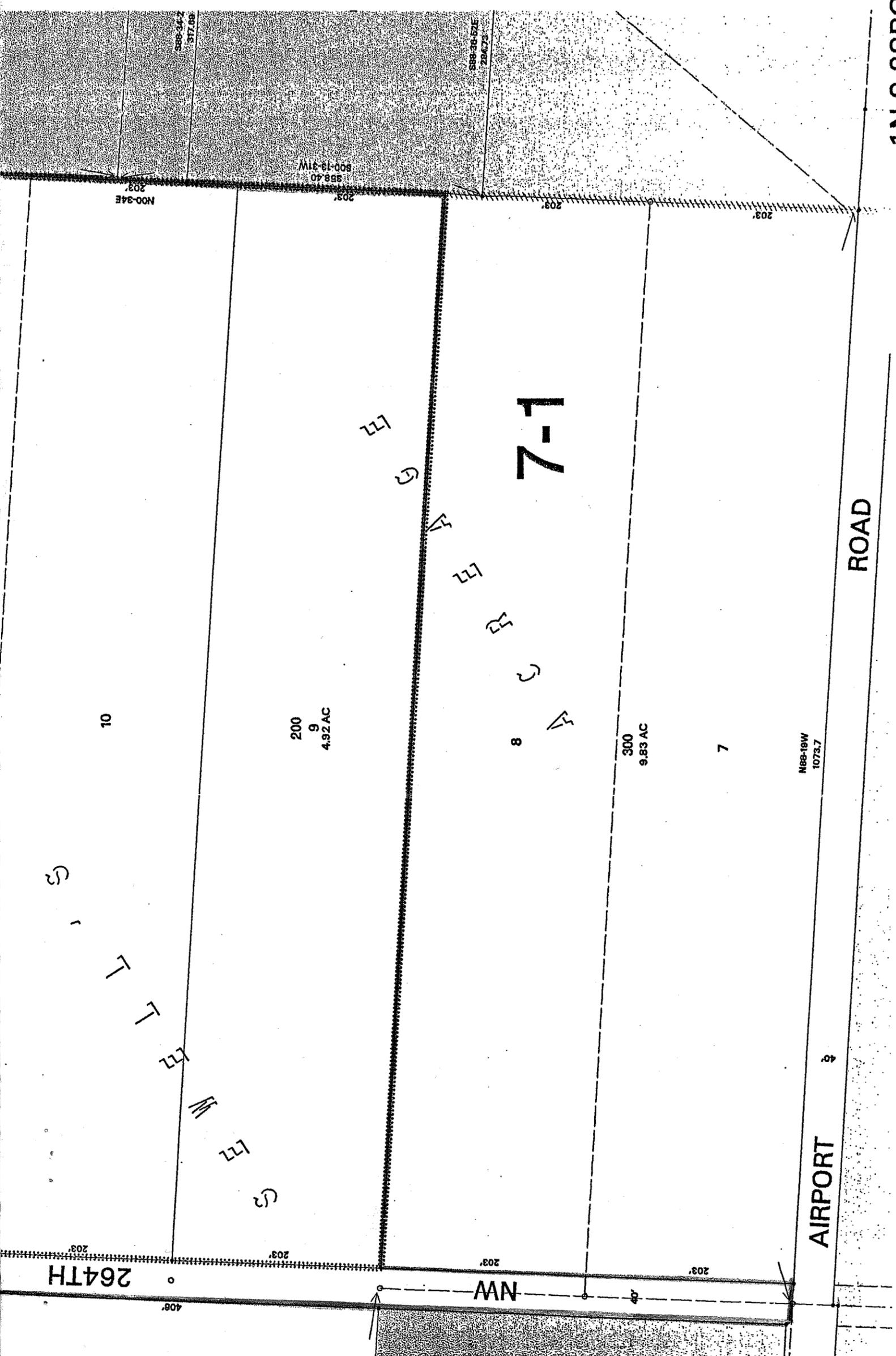
Map areas delineated by either gray shading or a cross-hatch pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate information for the most current information.

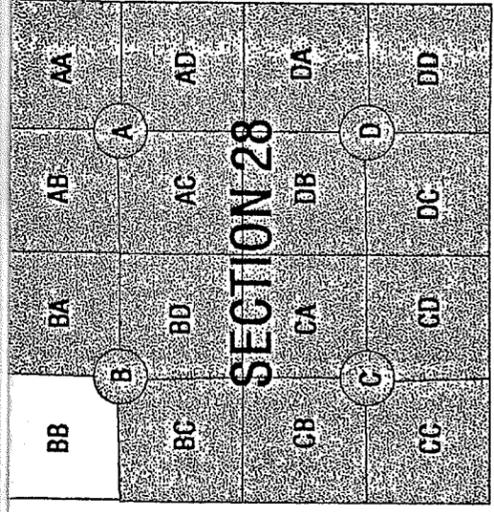
**ROAD**

**AIRPORT**

**1N 2 28BC**

**HILLSBORO  
1N 2 28BC**





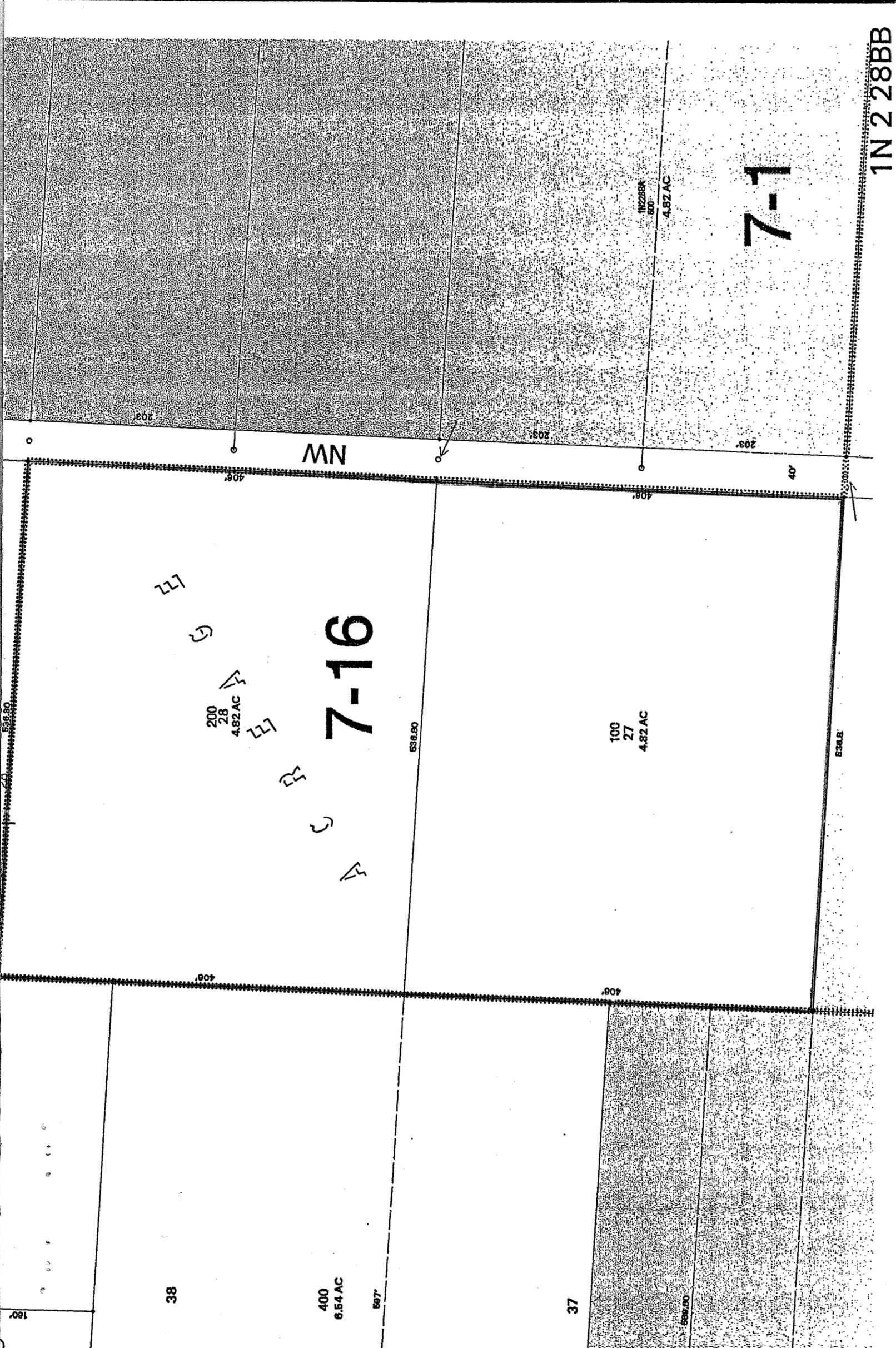
**ANNEXATION CERTIFIED**  
 BY *[Signature]* **ANNEXATION CERTIFIED**  
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 WASHINGTON COUNTY A & T JUN 01 2009  
 WASHINGTON COUNTY  
 CARTOGRAPHY  
 WASHINGTON COUNTY  
 CARTOGRAPHY

**Assessment**  
**CARTOGRAPHY**  
**Taxation**

**PLOT DATE: September 25, 2004**  
**FOR ASSESSMENT PURPOSES**  
**ONLY - DO NOT RELY ON**  
**FOR OTHER USE**

*Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.*

**HILLSBORO**  
**1N 2 28BB**



**1N 2 28BB**

