Final Documents

for

Annexation to

Hillsboro

WA4107

Ordinance: 5803

Annexation: AN 7-07

DOR: 34-1881-2007

Secretary of State: AN 2007-0339

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 19, 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 November 16, 2007, the following records annexing territory to the following:

Ordinance/Resolution Number(s)		Our File Number
5782	(City of Hillsboro)	AN 2007-0338
5803	(City of Hillsboro)	AN 2007-0339
2007-17	(City of Tigard)	AN 2007-0340

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

Linda Bjornstad
Official Public Documents

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

DOR 34-1881-2007

Notice to Taxing Districts

ORS 308.225

OREGON DEPARTMENT OF REVENUE
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
October 29, 2007
As Per ORS 308.225

☒ Description ☒ Map received from: CITY
On: 10/24/2007

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

ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS (NORRIS-REESE0

ORD. #5803 (AN 7-07)

has been: ☒ Approved 10/29/2007
☐ Disapproved

Notes:

Department of Revenue File Number: 34-1881-2007

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

FINAL BOUNDARY CHANGE SUBMISSION FORM

DATE: November 2, 2007

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: Genny Bond
150 E. Main Street
Fourth Floor
Hillsboro, OR 97123
Phone: (503) 681-6246
Fax: (503) 681-6245

RE: File Number AN 7-07: NORRIS-REESE

ATTACHED PLEASE FIND:

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

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

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL

Recorder, City of Hillsboro

ORDINANCE NO. 5803

AN 7-07: NORRIS-REESE

AN ORDINANCE ANNEXING CERTAIN TRACTS OF LAND INTO THE CITY LIMITS OF HILLSBORO AND WITHDRAWING THE TRACTS FROM THE TERRITORIES OF TUALATIN VALLEY FIRE & RESCUE, WASHINGTON COUNTY SERVICE DISTRICT FOR ENHANCED LAW ENFORCEMENT, WASHINGTON COUNTY SERVICE DISTRICT FOR URBAN ROAD MAINTENANCE, AND DECLARING AN EMERGENCY.

WHEREAS, the City received a complete petition from the property owners of two 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 territory 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 are contiguous to the City and 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 the Hillsboro Urban Service Area identified in the Hillsboro Urban Service Agreement (April, 2003) between and among the City of Hillsboro, Washington County, the City of Beaverton, Metro and several special service districts and are contemplated by the Agreement ultimately to become part of the City of Hillsboro by eventual annexation of the tracts of land to the City of Hillsboro;

WHEREAS, the tracts of land lie within the following districts: Tualatin Valley Fire & Rescue; Washington County Service District for Enhanced Law Enforcement; and Washington County Service District for Urban Road Maintenance;

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 October 16, 2007, and does hereby favor the annexation of the subject tract 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 DOES ORDAIN 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: Tualatin Valley Fire & Rescue; Washington County Service District for Enhanced Law Enforcement; and Washington County Service District for Urban Road Maintenance.

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 owners and allow for the immediate provision of City services, an emergency is declared to exist and this ordinance shall become effective immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council this 16th day of October, 2007.

Approved by the Mayor this 16th day of October, 2007.

Tom Hughes
Mayor

ATTEST: Amber Deming
City Recorder

City of Hillsboro
Annexation 7-07: Norris
Proposed legal description
MF, September 20, 2007

Exhibit 'A'

A tract of land in the west one-half of Section 11, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Beginning at the northeast corner of Lot 10, Block 4, Ladd and Reed Acres, a duly recorded subdivision in said county;

thence North 88°37' West, along the north boundary of said lot, a distance of 300.0 feet to the northwest corner thereof;

thence South 1° 17' West, along the west boundary of Lot 10 and Lot 12 in said block, a distance of 244.78' feet to the south west corner of that tract of land described in deed to Norris et. al. , recorded 04/25/2005 as document number 2005-044967 in deed records of said county;

thence South 88° 37' East, along the south boundary of said tract, a distance of 150.0 feet to an angle point in the boundary of said tract;

thence North 1° 17' East, along the easterly south boundary of said tract, a distance of 94.74 feet to an angle point in the boundary of said tract and a point on the south boundary of said lot 10;

thence South 88° 37' East, along the south boundary of said lot 10, a distance of 150.0 feet to the west right-of-way line of SE 75th Avenue;

thence North 1° 17' East, along said right-of-way line, a distance of 150.0 feet to the place of beginning;

Washington County, Oregon 2005-044967
D 2005 02:53:28 PM
D-... Cnt=1 Stn=16 D HOFFMAN
$15.00 $8.00 $11.00 $518.00 - Total = $550.00

00760461200500449670030038

I, Jerry Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Jerry Hanson

Jerry R. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk

THIS SPACE RESERVE

WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
$518.00 4-25-05
FEE PAID DATE

After recording return to:
Kevin S. Norris
P.O. Box 1812
Beaverton, OR 97075

Until a change is requested all tax statements shall be sent to the following address:
Kevin S. Norris
P.O. Box 1812
Beaverton, OR 97075

File No.: NCS-149466-OR3 (tc)
Date: April 11, 2005

STATUTORY WARRANTY DEED

Vernon R. Howell, Grantor, conveys and warrants to **Kevin S. Norris and Carloyn A. Norris, husband and wife, as to an undivided 50% interest and Arnold W. Reese and Patricia A. Reese, husband and wife, as to an undivided 50% interest**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

This property is free from liens and encumbrances, EXCEPT: Covenants, conditions, restrictions and easements, if any, affecting the 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.

The true consideration for this conveyance is **$518,000.00 which is paid by and to a Qualified Intermediary pursuant to an IRC 1031 deferred exchange.** (Here comply with requirements of ORS 93.030)

FATCO NO. NCS-149466

2005-44967

APN: R0347191

Statutory Warranty Deed
- continued

File No.: NCS-149466-OR3 (tc)
Date: 04/11/2005

Dated this _____ day of _____, 20____.

Vern R. Howell

Vernon R. Howell

STATE OF Oregon)
)ss.
County of Washington)

This instrument was acknowledged before me on this 2d day of April, 2005 by **Vernon R. Howell.**

Trevor Cheyne
Notary Public for Oregon
My commission expires: 1/16/06

OFFICIAL SEAL
TREVOR CHEYNE
NOTARY PUBLIC-OREGON
COMMISSION NO. 353588
MY COMMISSION EXPIRES JAN. 16, 2006

Trevor Cheyne
353588
exp 1/16/06

2005-44967

APN: R0347191

Statutory Warranty Deed
- continued

File No.: NCS-149466-OR3 (tc)
Date: 04/11/2005

EXHIBIT A

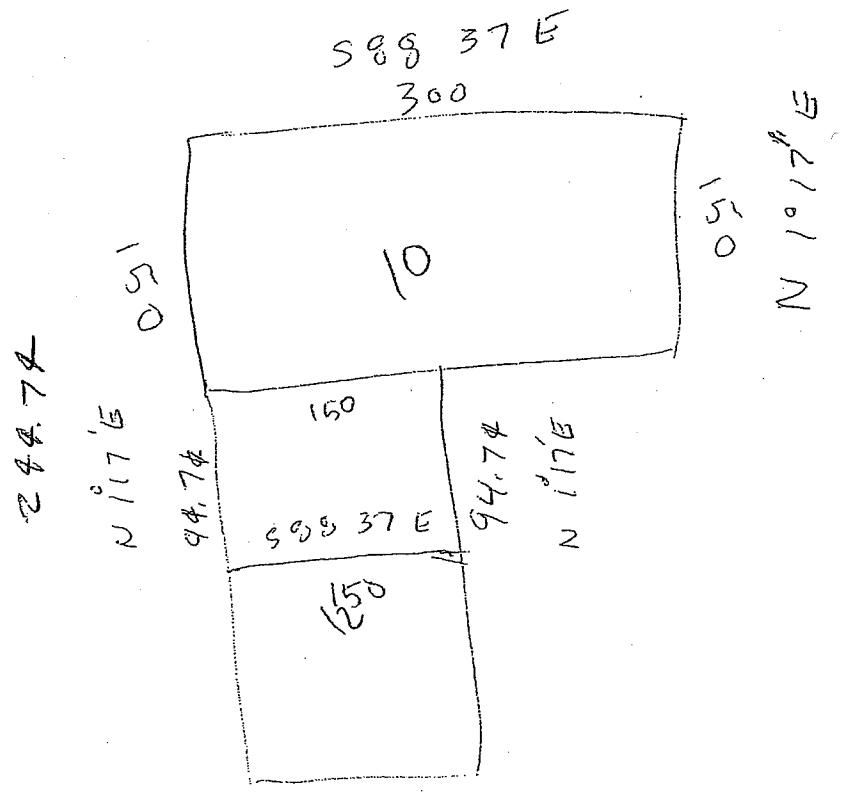
LEGAL DESCRIPTION:

Parcel I:

The West 150 feet of the North 94.74 feet of Lot 12, Block 4, LADD AND REED ACRES, Washington County, Oregon.

Parcel II:

Lot 10, Block 4, LADD AND REED ACRES, Washington County, Oregon.



* - - Property Data Selection Menu - -

Prop ID : R347191 (Real Estate) (498873)
Map Tax Lot: 1S211BC-03201
Legal : LADD & REED ACRES, BLOCK 4, LOT PT 12, ACRES .33, LAND USE VIOLATION

Owner: NORRIS, KEVIN S/CAROLYN A &
REESE, ARNOLD W/PATRICIA A
PO BOX 1812
BEAVERTON, OR 97075

Situs :

Year Built :
Living Area:

Name(s) :
Code Area : 029.26
Sale Info : 04/22/05 $518,000
Deed Type : DW
Instrument: 2005044967

2006 Tax Status * No Taxes Due *
Current Levied Taxes : 62.60
Special Assessments :
2007-08 SB125 Taxes :

2006 Roll Values

RMV Land	$	201,250	(+)
RMV Improvements	$	0	(+)
RMV Total	$	201,250	(=)
Total Exemptions	$	0	
M5 Net Value	$	201,250	
M50 Assd Value	$	4,650	

(1) Alt Disp	(2) Primary	(3) Secondary
(4) Land/Impr	(5) Gen Appr	(.) More

Enter Option from Above or <RET> to Exit: __

EXHIBIT B

FINDINGS IN SUPPORT
NORRIS-REESE ANNEXATION
FILE NO. AN 7-07

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Four petitioners representing two properties requested City Council approval for annexation of approximately 1.36 acres into the city limits of Hillsboro.

The properties under consideration are located west of SE 75th Avenue and north of SE Tualatin Valley Highway. The properties can be specifically identified as Tax Lots 3201 and 3302 on Washington County Assessor's Map 1S2 11BC. The total Measure 50 assessed value of each property is $4,650 and $100,190, respectively.

Both parcels are flat and are generally surfaced with gravel. Tax lot 3302, at 1.03 acres, has a residential structure and storage structure, both of which are vacant. This parcel appears to be in use for vehicle storage. Tax lot 3201, at 0.33 acre, is vacant but used for storage of "POD" storage containers.

SE 75th Avenue is identified as a local street and SE Tualatin Valley Highway is identified as a Principal Arterial in the City of Hillsboro Transportation System Plan (TSP).

The City of Hillsboro Goal 5 Natural Resource Inventory identifies no Significant Natural Resources within or near the subject parcels. Neither parcel is within an identified sensitive area, according to the Clean Water Services Sensitive Areas Pre-Screen Map.

II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owners constituted 100 percent of the property owners. Neither parcel is occupied at this time, thus there are no 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 October 16, 2007.

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; Tri-Met; 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 property is 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 this property would be consistent with the UPAA, and allow the petitioners the ability to further develop the property.

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)(G) 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)(I)(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 property is C (Commercial), which is consistent with the regional urban growth goals and objectives. The property has been recommended for C-1 (General Commercial) zoning, and the City Council will consider the recommended zone immediately following approval of the annexation (ZC 14-07).

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 six-inch City water line and a 24-inch Tualatin Valley Water District (TVWD) water line located within the SE 75th Avenue right-of-way adjacent to tax lot 3302. There is an eight-inch sanitary sewer line within the same right-of-way. There is a 30-inch storm water line approximately 150 feet to the south of the site.

Fire and police protection would be provided by the City of Hillsboro and the property would be withdrawn from the Tualatin Valley Fire & Rescue district and Washington County Service District for Enhanced Law Enforcement. The parcels would also be withdrawn from the Washington County Service District for Urban Road Maintenance as of the effective date of the annexation, and road maintenance would be provided by the City of Hillsboro.

Annexation of the subject property 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 property from the Tualatin Valley Fire & Rescue district, Washington County Service District for Enhanced Law Enforcement, and Washington County Service District for Urban Road Maintenance, is in the best interest of the City.

IV. TESTIMONY FROM NECESSARY PARTIES

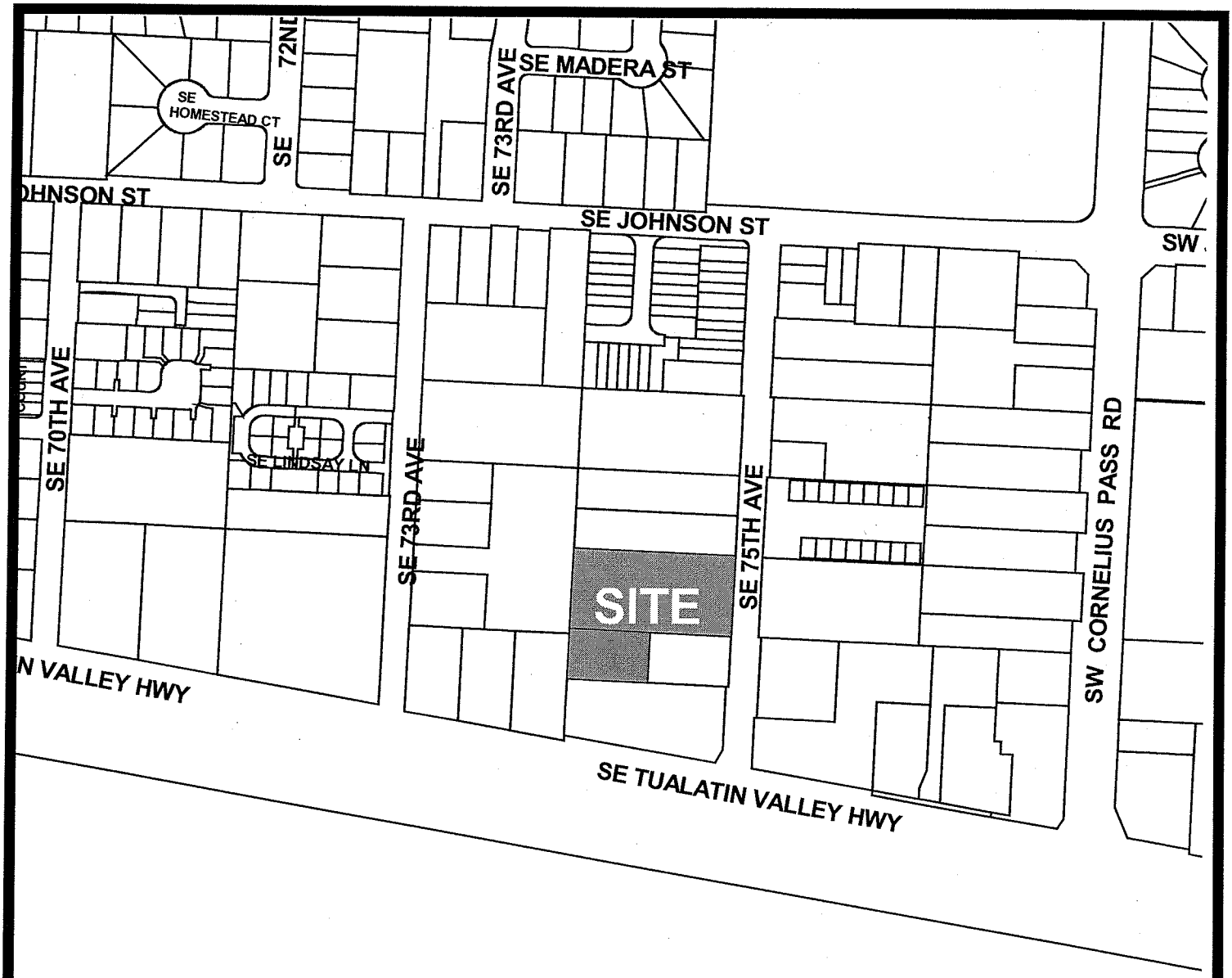
No written testimony was received prior to or at the public hearing from a necessary party as defined in Metro Code Chapter 3.09.020(j), nor was oral testimony received by the City Council from a necessary party at the public hearing.

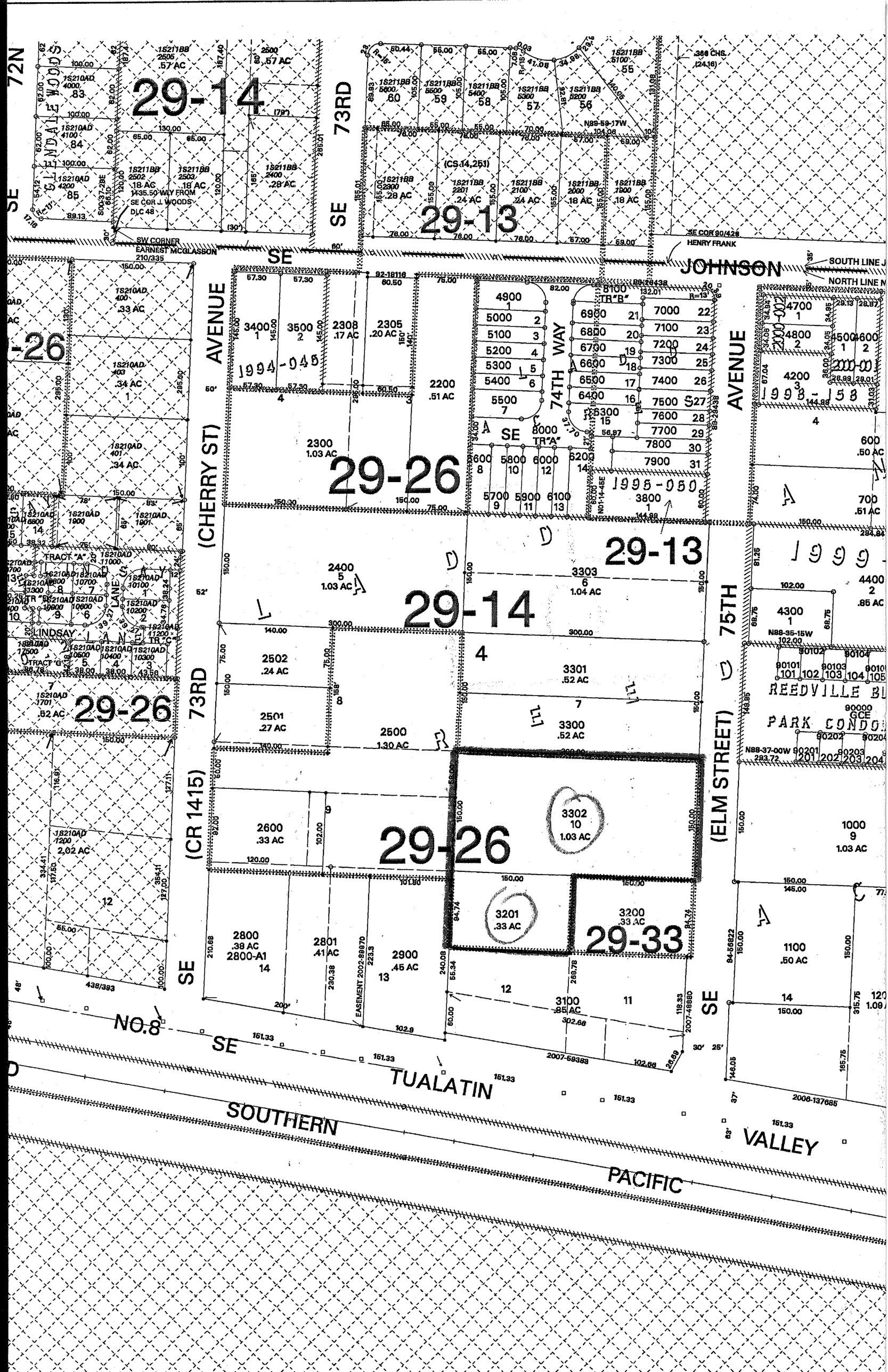
V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED IN FINDINGS

- Staff Report dated October 1, 2007.

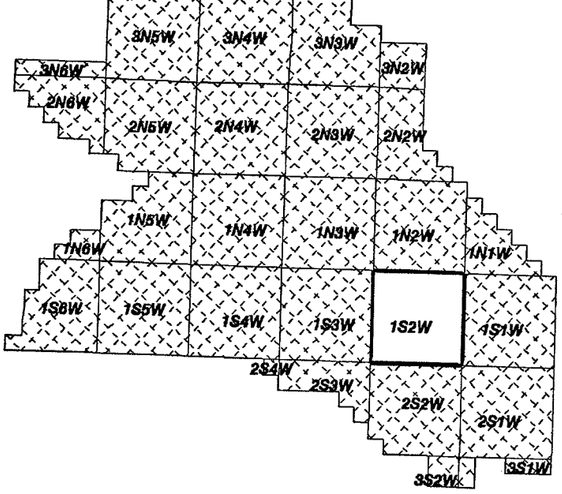
AN 7-07 & ZC 14-07: NORRIS / REESE

REQUEST FOR DEVELOPMENT REVIEW APPROVAL FOR CONSTRUCTION OF A UTILITY SHED AND INSTALLMENT OF ANTENNAS ON A MONOPOLE ON ONE PROPERTY, 10.3 ACRES IN SIZE IN THE C-1 GENERAL COMMERCIAL ZONE.





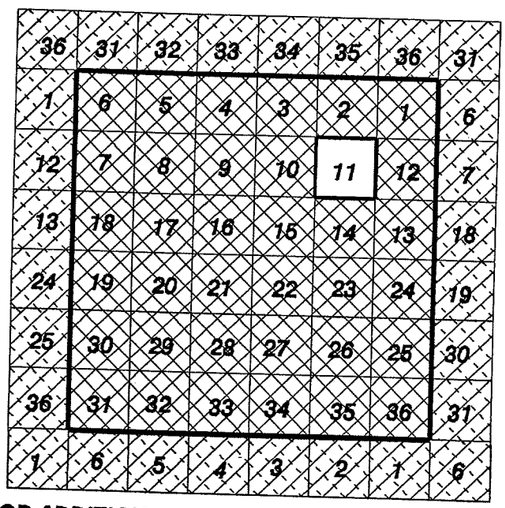
29-14
29-13
29-26
29-33
73RD
SE
JOHNSON
AVENUE
(CHERRY ST)
74TH WAY
75TH
(ELM STREET)
(CR 1415)
NO.8
TUALATIN
SOUTHERN
PACIFIC
VALLEY
GLENDALE WOODS
SW CORNER
EARNEST MCGLASSON
SE COR J. WOODS
HENRY FRANK
SOUTH LINE J
NORTH LINE M
LINDSAY
LANE
REEDVILLE BL
PARK CONDO



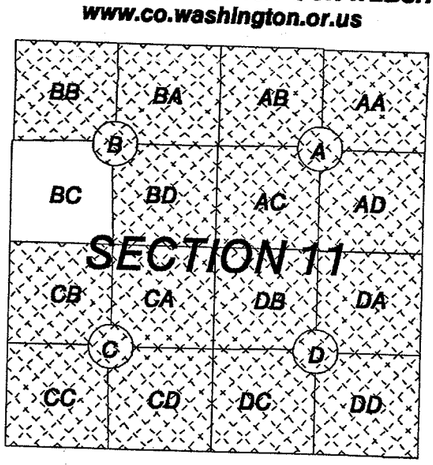
WASHINGTON COUNTY OREGON

SW1/4 NW1/4 SECTION 11 T1S R2W W.M.

SCALE 1" = 100'



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us



Cancelled Taxlots For: 1S211BC

201,1300,2301,2302,2303,2304,2307,2700,
3090,3000,1704,202,2001,2306,900,901,1400,
3600-A1,2000,500,800,4000,4100,2100,3900,
1400-A1,3700,3304,

CITY FILE:
AN 7-07; NORRIS-
REESE

Assessment
CARTOGRAPHY
Taxation

PLOT DATE: July 18, 2007

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.

ANNEXATION CERTIFICATE
BY
SEP 20 2007
WASHINGTON COUNTY A & T
CARTOGRAPHY

HILLSBORO
1S 2 11BC

1S 2 11BC