

Final Documents

For

Annexation to the  
**City of Hillsboro**

WA0105

Ord. #5461

DOR 34-1718-2005

Sec. State: AN-2005-0034

WA0105

Sent

Received

DOR: 1/10/05 1/19/05

Sec. State: 2/10/05 2/16/05

Assessor: 2/10/05

Elections: 2/10/05

Mapped: Yes

Properties: 1N234DA00700 22880 NW Dogwood





---

February 11, 2005

Metro  
Robert Knight  
600 NE Grand  
Portland, Oregon 97232-2736

Dear Mr. Knight:

Please be advised that we have received and filed, as of February 11, 2005, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
ORD NO 5461	AN 2005-0034 (City of Hillsboro)
ORD NO 2004-050	AN 2005-0035 (City of Sherwood)
ORD NO 4334	AN 2005-0036 (City of Beaverton)

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 Hillsboro  
 City Manager  
 123 W. Main St.  
 Hillsboro, OR 97123

**Description and Map Approved**  
**January 19, 2005**  
**As Per ORS 308.225**

Description     Map received from: METRO  
 On: 1/11/2005

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

**ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS  
 WA0105**

ORD. #5461 (AN 27-04)

has been:     Approved            1/19/2005  
                    Disapproved

Notes:

Department of Revenue File Number: 34-1718-2005

Prepared by: Carolyn Sunderman, 503-945-8882

Boundary:     Change     Proposed Change  
 The change is for:

- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge

ORDINANCE NO. 5461  
AN 27-04: SHEWCHUK AND WOODRUFF

CERTIFIED TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL

*Jamie Deming*  
Recorder, City of Hillsboro

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO, WITHDRAWING THE TRACT FROM THE TERRITORIES OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2, WASHINGTON COUNTY SERVICE DISTRICT FOR ENHANCED LAW ENFORCEMENT, WASHINGTON COUNTY SERVICE DISTRICT FOR URBAN ROAD MAINTENANCE, AND WASHINGTON COUNTY SERVICE DISTRICT NO. 1 FOR STREET LIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City received a complete petition from the property owners of a certain tract of land, described in Exhibit A to this ordinance, requesting that the property be annexed to 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 tract of land is contiguous to the City and can be served by City services;

WHEREAS, 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 tract of land is 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 Urban Planning Area Agreement specifies that all property owners in Urban Planning Area A interested in annexation are welcome to contact the City for information and assistance they need to initiate and complete the annexation process;

WHEREAS, the tract of land lies within the following districts: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; 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 November 16, 2004, 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 tract of land, described in Exhibit A, is declared to be annexed to the City of Hillsboro, Oregon.

Section 2. The tract of land annexed by this ordinance and described in Section 1 is withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; 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 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 November, 2004.

Approved by the Mayor this 16th day of November, 2004.

Mayor

ATTEST:

City Recorder

City of Hillsboro  
Annexation 27-04: Shewchuk/Woodruff  
Proposed legal description  
NS, November 2, 2004

## Exhibit 'A'

A tract of land in Section 34, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

BEGINNING at the northwest corner of Lot 6, Block 12 of Orenco Townsite, a duly recorded subdivision in said county, said point being also the northwest corner of that tract of land conveyed to Steven T. Woodruff and Nathan J. Shewchuk by deed recorded June 25, 2002 as Document No. 2002-071991 in Deed Records of said county;

thence South  $89^{\circ}56'00''$  East, along the north line of said tract, a distance of 83.0 feet to the northeast corner thereof;

thence South  $0^{\circ}04'00''$  West, along the east line of said tract and the southerly projection thereof, a distance of 165.0 feet to a point on the north line of that tract of land conveyed to Ronald C. Paules by deed recorded February 5, 1970 in Book 770, Page 633 in Deed Records of said county;

thence North  $89^{\circ}56'00''$  West, along said north line, a distance of 83.0 feet to the northwest corner of said Paules Tract, said point being also the northwest corner of Lot 7, Block 12 of First Addition to Orenco, a duly recorded subdivision in said county;

thence North  $0^{\circ}04'00''$  East, along the southerly projection of the west line of the aforementioned Woodruff/Shewchuk Tract and the west line of said tract, a distance of 165.0 feet to the POINT OF BEGINNING.

5  
6  
144

RECORDING REQUESTED BY  
FIDELITY NATIONAL TITLE COMPANY OF OREGON

GRANTOR'S NAME  
F Lynn Merrick

GRANTEE'S NAME  
Steven T Woodruff and Nathan J Shewchuk and

SEND TAX STATEMENTS To:  
Steven T Woodruff & Nathan J Shewchuk  
5405 NW Deerfield Way  
Portland, OR 97229

AFTER RECORDING RETURN TO:  
Steven T Woodruff & Nathan J Shewchuk  
5405 NW Deerfield Way  
Portland, OR 97229

Washington County, Oregon 2002-071991  
08/23/2002 10:37:30 AM

D-DW Cnt#1 Str#8 K GRUNEWALD  
\$5.00 \$8.00 \$11.00 \$144.00 - Total=\$168.00



00119830200200719910010016

I, Jerry Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, 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



WASHINGTON COUNTY  
REAL PROPERTY TRANSFER TAX  
\$144.00 6-25-02  
FEE PAID DATE

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### STATUTORY WARRANTY DEED

F Lynn Merrick, Grantor, conveys and warrants to Steven T Woodruff and Nathan J Shewchuk, as tenants in common, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Washington, State of Oregon,

Lot 6, and the West 33 feet of Lot 5, Block 12, ORENCO TOWNSITE, in Washington County, Oregon

Subject to and excepting: Covenants, Conditions and Restrictions recorded 11/17/1916 in Book 108 on Page 64. Easement as shown on the plat.

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 AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$143,300.00 (See ORS 93.030)

DATED: June 20, 2002

F Lynn Merrick  
F Lynn Merrick

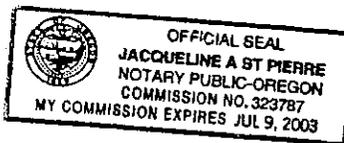
STATE OF OREGON  
COUNTY OF Multnomah

This instrument was acknowledged before me on

June 20, 2002

by F Lynn Merrick

NOTARY PUBLIC FOR OREGON  
MY COMMISSION EXPIRES: 7/9/03



FIDELITY NATIONAL TITLE CO. 03-3102.595

Washington County, Oregon

2003-088923

06/03/2003 10:09:34 AM

D-DW

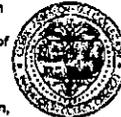
Cnt=1 Stn=22 I REED

\$10.00 \$6.00 \$11.00 - Total = \$27.00



00351983200300889230020020

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

53-11-120



After recording return to:  
Brianna Schallich  
22860 NW Dogwood Street  
Hillsboro, OR 97124

Until a change is requested all tax statements shall be sent to the following address:  
Brianna Schallich  
22860 NW Dogwood Street  
Hillsboro, OR 97124

Escrow No. 03170233  
Title No.

Washington County, Oregon 2003-037368  
 THIS 03/13/2003 11:08:29 AM  
 D-DW Crk=1 Btm=22 I REED  
 \$5.00 \$6.00 \$11.00 \$120.00 - Total = \$142.00

00282448200300373680010019

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

WASHINGTON COUNTY  
 REAL PROPERTY TRANSFER  
 \$ 120.00 - 3-13-03  
 FEE PAID DATE

10  
11

Being re-recorded to correct  
Buyers Middle Initial. Previously  
Recorded as Fee No. STATUTORY WARRANTY DEED  
2003-037368.

Jeannie Terrel, who took title as Jeannie Salmon, Grantor, conveys and warrants to Brianna Schallich, a single woman, Jessica Lipscomb, a married woman and Mark A. Lipscomb, her husband, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein: \*THIS DEED IS BEING RECORDED TO CORRECT THE MIDDLE INITIAL OF JESSICA LIPSCOMB TO "L."

All of Lots 4 and 5, EXCEPTING the West 33 feet of said Lot 5, Block 12, ORENCO TOWNSITE, in the City of Hillsboro, County of Washington and State of Oregon;

This property is free of liens and encumbrances, EXCEPT:  
Easements, Covenants, Conditions and Restrictions of record, if any.

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 \$119,900.00 (Here comply with the requirements of ORS 93.030)

Dated this 10 day of March, 2003.

Jeannie Terrel  
Jeannie Terrel

STATE OF OREGON }  
County of Washington } ss.

This instrument was acknowledged before me on this 10th day of March, 2003 by Jeannie Terrel

Sharon A Bernal  
Notary Public for Oregon

My commission expires: 07/07/2005



FATCO. NO. 111209-H6

1967

MARGARET ANN (Moon) PAULES, formerly ELLA MOON, deceased (hereinafter called the grantor) the spouse of the grantee hereinafter named, for the consideration hereinafter stated, has bargained and sold and by these presents does grant, bargain, sell and convey unto RONALD C. PAULES (herein called the grantee), an undivided one-half of the following described real property situate in Washington County, Oregon, to-wit:

Lots 7, 8, 9, 10 and the West 15 feet of Lot 11, Block 12, First Addition to Orenco, Washington County, Oregon

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

TO HAVE AND TO HOLD said undivided one-half of said real property unto the said grantee forever.

The above named grantor retains a like undivided one-half of said real property and it is the intent and purpose of this instrument to create and there hereby is created an estate in entirety between husband and wife as to said real property.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ none. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

WITNESS grantor's hand this 4th day of February, 1970

Margaret Ann Paules

STATE OF OREGON, County of Washington ss. February 4, 1970

Personally appeared the above named Margaret Ann Paules who is known to me to be the spouse of the grantee in the above deed and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: Oliver M. Patchoff

Notary Public for Oregon

My commission expires: 3/26/72



NOTE: The symbol (D) if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

OFFICE

DEED
CREATING ESTATE IN ENTIRETY
MARGARET ANN PAULES
RONALD C. PAULES
AFTER RECORDING RETURN TO
770-633

INDEXED OF OREGON

County of Washington

Roger Thomssen, Director of Records and Elections, and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records

Notary Public for Oregon

Witness my hand and seal affixed.

ROGER THOMSSON, Director of Records & Elections

Deputy

FEB 5 8 AM '70

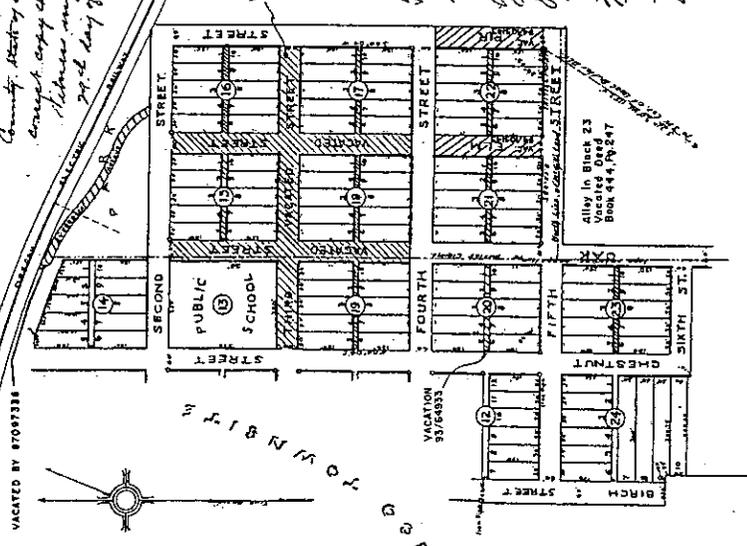
# FIRST ADDITION TO ORENCO

Situated in the W.H. Bennett and Isaac Butler Donation Land Claims Numbers 47 and 48 T. 1 N., R. 1 W., W.M. Washington Co., Oregon. Nov 1910

Scale: 1 inch = 200 ft.

County of Washington ss. J. H. Beckman, Recorder of County of Washington, do hereby certify that I have compared the within plat with the books & pages so bound by Cass Shanks, County Clerk of Oregon, that it is a true and correct copy thereof. Witness my hand and official seal this 29th day of April 1911.

J. H. Beckman  
Recorder of County of Washington



Ally in Block 21 & 22  
VACATED DEED BK 452, PG 87 AND BK 459, PG 217  
Approved: April 25th 1911  
John A. McClannan - County Judge  
John A. McClannan - Commissioner  
John A. McClannan - Assessor  
A. A. Metcalf - Surveyor

By: \_\_\_\_\_ Deputy

State of Oregon  
Washington County  
I, the undersigned, being duly sworn, depose and say that the above and foregoing plat of the First Addition to Orenco, Oregon, was prepared by me and is a true and correct copy of the original plat as the same appears in the books and pages so bound by Cass Shanks, County Clerk of Oregon, and that I have compared the within plat with the books and pages so bound by Cass Shanks, County Clerk of Oregon, and that it is a true and correct copy thereof. Witness my hand and official seal this 29th day of April 1911.

J. H. Beckman  
Recorder of County of Washington

KNOW ALL MEN BY THESE PRESENTS that the Oregon Surveyor General, a corporation organized and existing under the laws of the State of Oregon, by its duly authorized officers and agents, do hereby certify that the above and foregoing plat of the First Addition to Orenco, Oregon, was prepared by me and is a true and correct copy of the original plat as the same appears in the books and pages so bound by Cass Shanks, County Clerk of Oregon, and that I have compared the within plat with the books and pages so bound by Cass Shanks, County Clerk of Oregon, and that it is a true and correct copy thereof. Witness my hand and official seal this 29th day of April 1911.

J. H. Beckman  
Recorder of County of Washington

Such a copy is hereby approved as being a true and correct copy of the original plat as the same appears in the books and pages so bound by Cass Shanks, County Clerk of Oregon, and that I have compared the within plat with the books and pages so bound by Cass Shanks, County Clerk of Oregon, and that it is a true and correct copy thereof. Witness my hand and official seal this 29th day of April 1911.

J. H. Beckman  
Recorder of County of Washington

Comp. 10-10

10-10

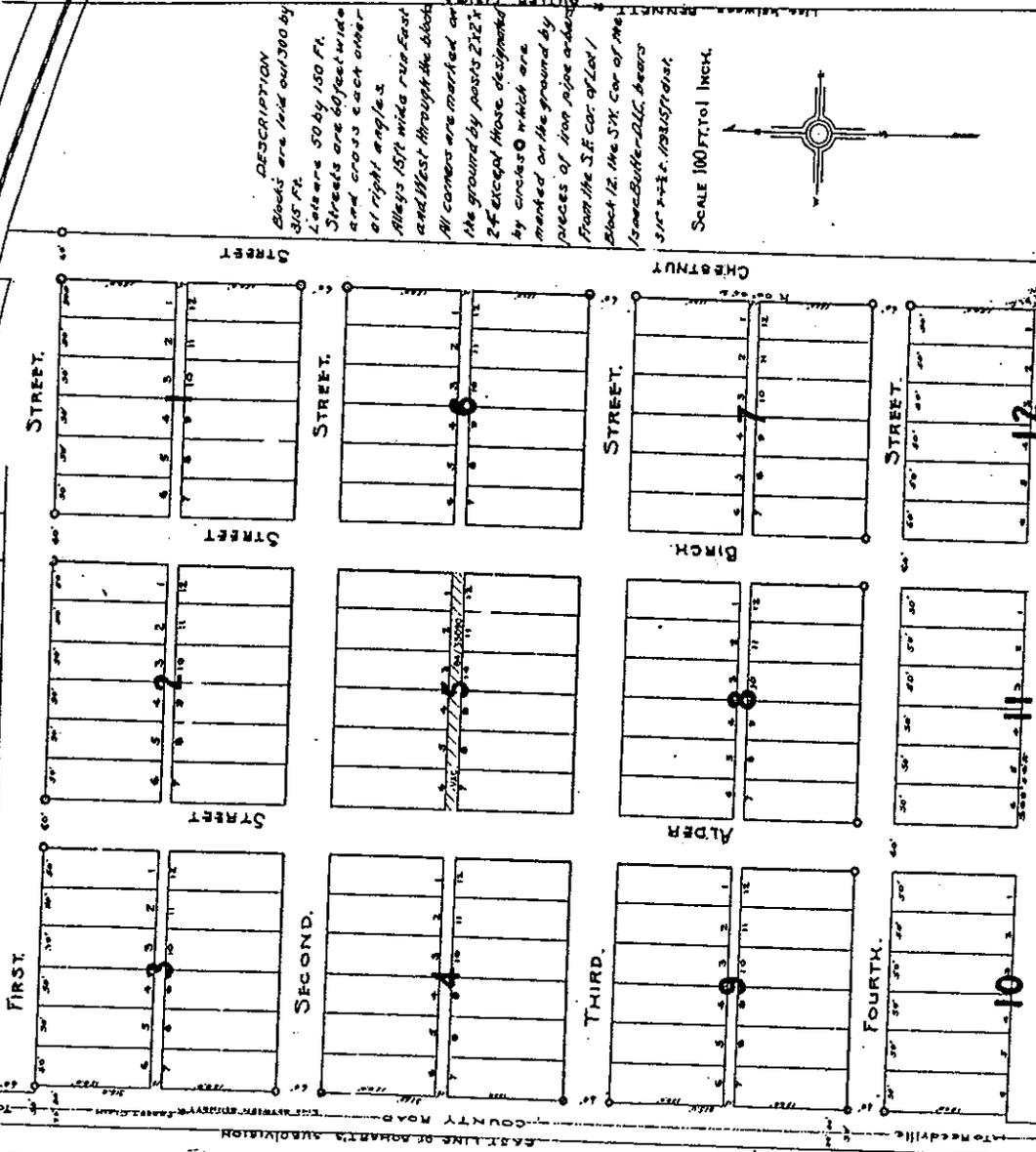
# ORENCO TOWNSITE

Situated in the

WILLIAM H BENNETT DONATION LAND CLAIM No. 4.7,  
T. 1 N. R. 2 W. W.M. WASHINGTON CO. OREGON.

Surveyed October-1907  
by T.S. Wilkes.

SUBDIVISION LINE OF OREGON PACIFIC RAILWAY



DESCRIPTION  
Books are laid out 300 by 305 ft.  
Lots are 50 by 150 ft.  
Streets are 60 feet wide  
and cross each other  
at right angles.  
Alleys 15 ft wide run East  
and West through the block.  
All corners are marked on  
the ground by posts 2 1/2 ft  
high except those designated  
by circles which are  
marked on the ground by  
pieces of iron pipe ending  
from the S.E. cor. of lot 1  
Block 12. The S.W. cor. of the  
same Block 12 bears  
S 1/2 E 1/4 1/4 139 1/2 feet  
SCALE 100 FT. TO 1 INCH.

KNOW ALL MEN BY THESE PRESENTS, That the Oregon Nursery Company, a corporation, formed, organized and existing under and by virtue of the general incorporation laws of the State of Oregon, being the owner of the real property situated in the Willamette River, in Washington County, Oregon, being the same as described in the Willamette River, in Washington County, Oregon, described in the attached map and plat made by T. S. Wilkes, on the 10th day of October 1907, have dedicated and by these presents do dedicate all of the lots, streets and alleys shown on the attached map and plat as ORENCO TOWN SITE, and all blocks are laid out thereon as follows: To-wit: Block 1, containing 12 lots, each lot is thirty (30) feet wide and cross each other at right angles. The lots therein are fifteen (15) feet wide and run East and West, through the center of the block, and the corners are marked on the ground by posts 2 1/2 x 2 1/2 inches, except those designated thereon by circles which are marked on the ground by pieces of iron pipe or bars properly set, and that from the southeast corner of Lot One Block 12, the southwest corner of the Isaac Bryant house, corner of Lot One Block 12, East 1192.15 feet and that the scale of said map and plat is one hundred feet to the inch. And the Oregon Nursery Company hereby dedicates all streets and alleys therein to the use of the public forever.

IN WITNESS WHEREOF the said Oregon Nursery Company has caused this instrument to be the execution of its President and Secretary by virtue of a resolution of its board of directors, duly adopted on this 3rd day of March 1908, on this 3rd day of March 1908, only adopted on this 3rd day of March 1908, in our presence.  
By M. Macdonald, President  
By A. McNeill, Secretary  
Z. R. Sigman  
A. McNeill Secretary

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.  
Geo. R. Hagley  
County Judge  
J. H. Goodrich  
County Judge  
W. J. Brunker  
Commissioner  
C. B. Buchanan  
Commissioner  
L. C. Walker  
County Surveyor

KNOW ALL MEN BY THESE PRESENTS, That I, L. C. Walker, County Surveyor of Washington County, Oregon, have examined the attached map and plat of ORENCO TOWN SITE, and I hereby certify that there are no adjoining lands or additions to the same conforming to the County Highway as laid out, located and established, and I therefore approve the said plat of said ORENCO TOWN SITE, on this 4th day of March 1908.

KNOW ALL MEN BY THESE PRESENTS, That I, Geo. H. Wilcox, County Assessor of Washington County, Oregon, have examined the attached plat of ORENCO TOWN SITE, and I hereby certify that all taxes assessed upon or against the property described in said plat have been paid, and that the records of Washington County, Oregon, does not contain any order down site or addition or plat of the same name, and that said name is proper, and I therefore approve the said plat of ORENCO TOWN SITE.

IN WITNESS WHEREOF, I have hereunto set my hand and official title, on this 5 day of March 1908.  
Geo. H. Wilcox  
County Assessor of Washington County, Oregon.

Filed for record April 29th 1908 at 3:20 o'clock P. M.  
Willis Ireland Recorder of Conveyances

## EXHIBIT B

### FINDINGS IN SUPPORT SHEWCHUK AND WOODRUFF ANNEXATION FILE NO. AN 27-04

#### I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Two petitioners representing one property requested City Council approval for annexation of approximately 0.29 acres into the City Limits of Hillsboro.

The property under consideration is located generally south of NW Dogwood Street, east of NW 229<sup>th</sup> Avenue and west of NW 228<sup>th</sup> Avenue. The property can be specifically identified as Tax Lot 700 on Washington County Tax Assessor's Map 1N2-34DA. The total assessed value of the property is \$134,480.

The property has a gentle downward slope to the southwest with mature trees scattered throughout the site. A single family residence and associated accessory structures are located on Tax Lot 700, which is addressed at 22880 NW Dogwood Street.

#### 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 November 16, 2004.

#### 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 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)(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)(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 SCPA – Station Community Planning Area, which is consistent with the regional urban growth goals and objectives. The property has been recommended for SCR-OTC Station Community Residential – Orenco Townsite Conservation zoning, and the City Council will consider the recommended zone immediately following approval of the annexation (Casefile No. ZC 28-04). Pursuant to the Zoning Ordinance Section 131.A (3) (a), the portion of the site identified as Impact Area or Protected Resource would be included in the Significant Natural Resource Overlay District.

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

**FINDING:** Water is available to the property from twelve-inch City line located in the NW Dogwood Street right-of-way and a six-inch City water line located in the NW 229<sup>th</sup> Avenue right-of-way. Sanitary sewer is available through eight-inch City lines located in the NW Dogwood Street and NW 229<sup>th</sup> Avenue rights-of-way.

Fire and police protection would be provided by the City of Hillsboro and the properties would be withdrawn from the Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; 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 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 properties from the Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; 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 October 29, 2004



**AN 27-04: SHEWCHUK AND WOODRUFF**  
**ZC 28-04: SHEWCHUK AND WOODRUFF**



Request for Annexation of One Property and a Request for  
Zone Change Approval from County R-5 Residential (Five Units per Acre) to  
City SCR-OTC Station Community Residential - Orenco Townsite Conservation

