

Final Documents

For

Annexation to the
City of Beaverton

WA0304
Ord. #4280
DOR 34-1648-2004
Sec. State: AN-2004-0017

Final to DOR: _____

Signature:

Date of
Mailing: 1/21/04

Final to Secretary of State: _____

Signature:

Date of
Mailing: 1/27/04

WA0304

Sent

Received

DOR:

1/21/04

1/27/04

Sec. State:

1/27/04

1/30/04

Assessor:

1/27/04

Elections:

1/27/04

Mapped:

Yes

Addresses:

1S106AC00400

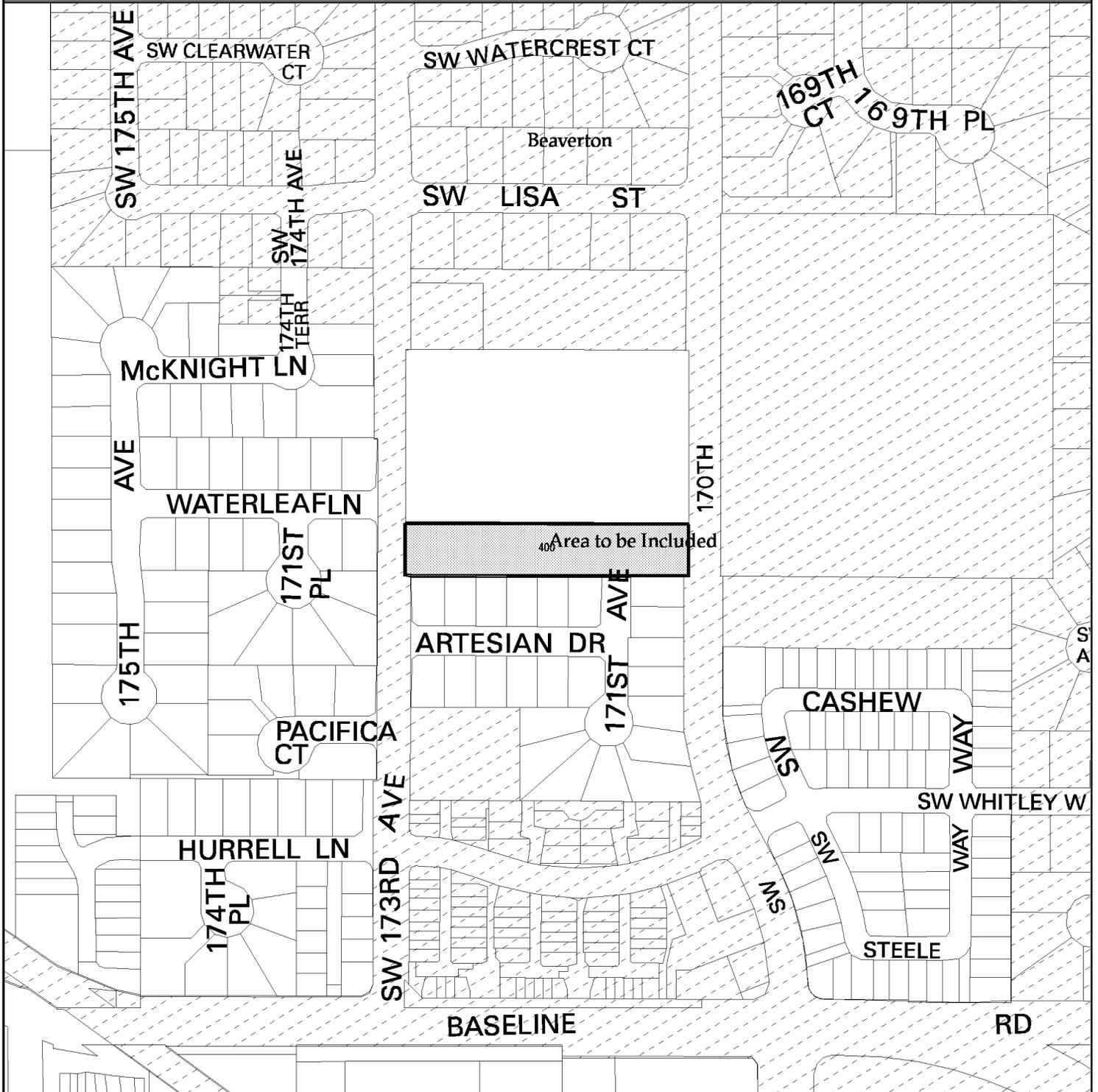
690 SW 173rd Ave.

Proposal No. WA0304

1S1W06

Annexation to the City of Beaverton

Washington Co.



R L I S
REGIONAL LAND INFORMATION SYSTEM



600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email drc@metro-region.org

METRO

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

County lines

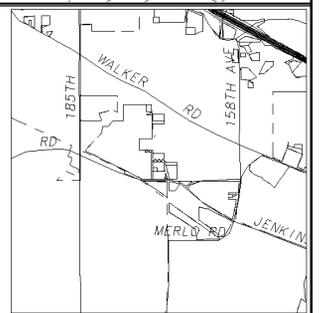
City

Annexation boundary

Urban Growth Boundary

Proposal No. WA0304
CITY OF BEAVERTON
Figure 1

Scale: 1" = 250'



Notice to Taxing Districts

ORS 308.225



Cartographic Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

City of Beaverton
% Sue Ann Koniak
P.O. Box 4755
Beaverton, OR 97076

Description and Map Approved
January 27, 2004
As Per ORS 308.225

Description Map received from: METRO
On: 1/22/2004

This is to notify you that your boundary change in Washington County for
ANNEX TO THE CITY OF BEAVERTON & WITHDRAWAL FROM SEVERAL DIST.

ORD. #4280

has been: Approved 1/27/2004
 Disapproved

Notes:

Department of Revenue File Number: 34-1648-2004

Prepared by: Jennifer Dudley, 503-945-8666

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

Office of the Secretary of State

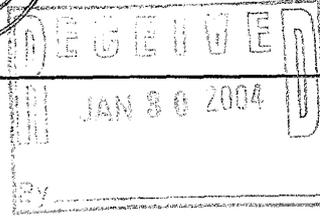
Bill Bradbury
Secretary of State



Archives Division
ROY TURNBAUGH
Director

800 Summer Street NE
Salem, Oregon 97310
(503) 373-0701

Facsimile (503) 373-0953



January 28, 2004

Metro
Robert Knight
600 NE Grand Ave
Portland, OR 97232-2736

Dear Mr. Knight:

Please be advised that we have received and filed on January 28, 2004 the following Annexation(s).

Ordinance(s):	Jurisdiction:	Our File Number(s):
ORD #4278	City of Beaverton	AN 2004-0016
ORD #4280	City of Beaverton	AN 2004-0017
ORD #4284	City of Beaverton	AN 2004-0018

Determination of the effective date for all the above Final Order(s) is subject to ORS199.461 and/or ORS 222.180 and/or ORS 222.750.

Our assigned file number(s) are included with the above information.

Sincerely,

Linda Bjornstad
Official Public Documents

cc: County Clerk
ODOT/Highway Dept
PSU/Population Research Ctr.
Revenue Cartography Section

ORDINANCE NO. 4280

AN ORDINANCE ANNEXING PROPERTY LOCATED AT 690 SW 173RD AVENUE TO THE CITY OF BEAVERTON; EXPEDITED ANNEXATION 2003-0009.

WHEREAS, This expedited annexation was initiated under authority of ORS 222.125, whereby the owners of the property and a majority of the electors have consented to annexation; and

WHEREAS, City policy as adopted in Resolution No. 2660, Sections 2 and 4 is to extend City services to properties through annexation; now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. The property shown on Exhibit A and more particularly described in Exhibit B is hereby annexed to the City of Beaverton, effective 30 days after Council approval and signature by the Mayor.

Section 2. The Council accepts the staff report, dated October 30, 2003, attached hereto as Exhibit C, and finds that:

- a. There are no provisions in urban service provider agreements adopted pursuant to ORS 195.065 that are directly applicable to this annexation; and
- b. This annexation is consistent with the City-Agency agreements between the City and Clean Water Services, in that partial responsibility for sanitary and storm sewer facilities within the area annexed will transfer to the City upon this annexation.

Section 3. The Council finds that this annexation will promote and not interfere with the timely, orderly and economic provision of public facilities and services, in that:

- a. The part of the property that lies within Washington County Urban Road Maintenance District will be withdrawn from the district; and
- b. The part of the property that lies within Washington County Street Lighting District #1 will be withdrawn from the district; and
- c. The part of the property that lies within the Washington County Enhanced Sheriff Patrol District will be withdrawn from the district; and
- d. The City having annexed into the Tualatin Valley Fire and Rescue District in 1995, the property to be annexed by this Ordinance shall be annexed to or remain within that district.
- e. The territory will remain within the boundaries of the Tualatin Valley Water District.

Section 4. The Council finds that this annexation complies with all other applicable criteria set out in Metro Code Chapter 3.09.

Section 5. The City Recorder shall place a certified copy of this Ordinance in the City's permanent records and the Community Development Department shall forward a certified copy of this Ordinance to Metro and all necessary parties within five days of the effective date.

Section 6. The Community Development Department shall transmit copies of this ordinance and all other required materials to all public utilities and telecommunications utilities affected by this Ordinance in accordance with ORS 222.005.

First reading this 15th day of December, 2003.

Passed by the Council this 5th day of January, 2004.

Approved by the Mayor this 6th day of JANUARY, 2004.

ATTEST:



SUE NELSON, City Recorder

APPROVED:

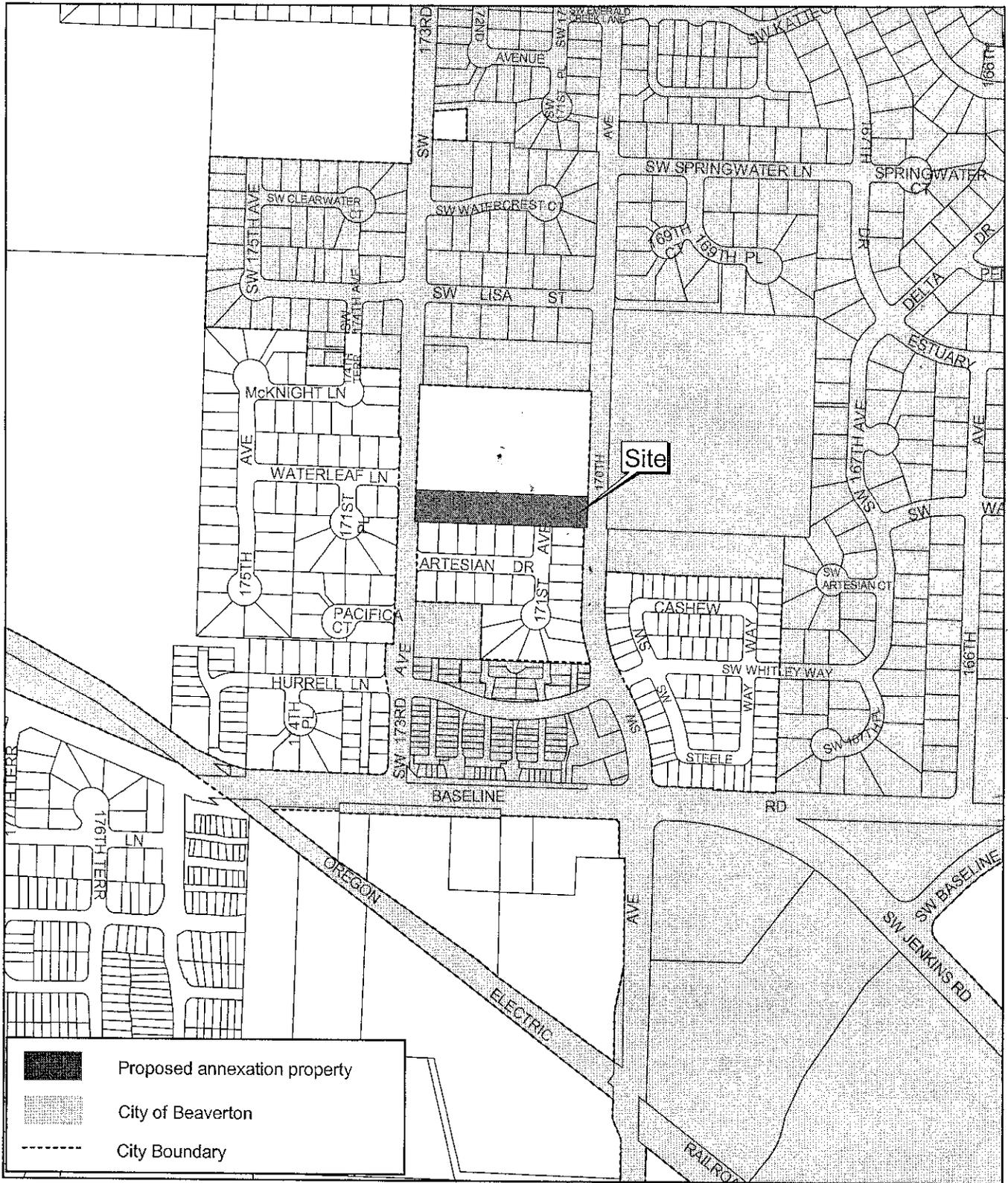


ROB DRAKE, Mayor

ANNEXATION MAP

ORDINANCE NO. 4280

Exhibit **A**



City of Beaverton

690 SW 173RD AVENUE EXPEDITED ANNEXATION

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Services Division

08/01/03

Map #

1s106ac00400

Application #

ANX 2003-0009



Exhibit B

ORDINANCE NO. 4280

LEGAL DESCRIPTION

ANX 2003-0009

960 SW 173RD AVENUE EXPEDITED ANNEXATION

A parcel of land (consisting of the entirety of tax lot 1S 1 06AC 400) situated in the Northeast 1/4 of Section 6, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon; more particularly described as follows:

The South 90.00 feet of Lot 41, GRAYOAK, a plat of record, Washington County, Oregon, EXCEPTING any portion that lies within the right-of-ways of SW 170th Avenue and SW 173rd Avenue.



CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

STAFF REPORT

TO: City Council **REPORT DATE:** October 30, 2003

AGENDA

DATE: December 1, 2003

FROM: Community Development Department
Alan Whitworth, Senior Planner

SUBJECT: 690 SW 173rd Avenue Expedited Annexation (ANX 2003-0009)

ACTIONS: Annexation to the City of Beaverton of a parcel located at 690 SW 173rd Avenue that is shown on the attached map and more particularly described by the attached legal description. The annexation of the parcel is owner initiated (petitions attached) and is being processed as an expedited annexation under ORS 222.125 and Metro Code 3.09.045.

NAC: This property is already in the Five Oaks NAC.

AREA: Approximately 1 acre

TAXABLE BM 50 ASSESSED VALUE: \$ 98,350

ASSESSOR'S REAL MARKET VALUE: \$ 259,060

NUMBER OF LOTS: 1 **POPULATION:** 3

SUMMARY AND RECOMMENDATION

This is a request to annex one parcel to the City of Beaverton. The property is shown on the attached map, identified as tax lot 1S106AC 00400 and more particularly described in the attached legal description.

Staff recommends the City Council adopt an ordinance annexing the referenced property, effective thirty (30) after the Mayor's signature.

BACKGROUND

The request is to annex one parcel located at 690 SW 173rd Avenue. The parcel is approximately one acre and is occupied by a single-family residence. The property owner has consented to the annexation. This allows this to be processed as an expedited annexation under ORS 222.125 and Metro Code 3.09.045 and no public hearing is required.

The property is currently in the Five Oaks Neighborhood Association Committee (NAC) boundaries.

EXISTING CONDITIONS

SERVICE PROVISION:

The following analysis details the various services available to the property to be annexed. Any cooperative and intergovernmental agreements affecting service provision are also noted. The City has entered into ORS Chapter 195 cooperative agreements with Washington County, Tualatin Valley Fire and Rescue District, Tualatin Hills Parks and Recreation District and Clean Water Services. The City has entered into a cooperative agreement with Tualatin Valley Water District that has been designated an ORS 195 Urban Services Agreement by the parties. This action is consistent with those cooperative agreements. No other ORS Chapter 195 Urban Service Agreements have been executed that would affect this decision.

POLICE: The property to be annexed currently receives police protection from the Washington County Enhanced Sheriff's Patrol District. Sheriff's protection will be withdrawn and the City will provide police service upon annexation. In practice whichever agency is able to respond first, to an emergency, does so.

FIRE: Tualatin Valley Fire & Rescue (TVF&R) provides fire and ambulance service to the properties. The City annexed to TVF&R in 1995. TVF&R is designated as the long-term service provider to this area.

SEWER: Sanitary sewer is available to this parcel via an 8-inch City maintained pipe in SW 170th Avenue. Upon annexation the City will be responsible for billing.

WATER: Tualatin Valley Water District (TVWD) provides water service to the area. ORS 222.520 allows cities to assume water service responsibilities when annexing less than an entire district. However, the City does not anticipate withdrawing the property from the District. TVWD will continue to provide service, maintenance and perform billing.

- STORM WATER DRAINAGE:** Storm drainage is available via City maintained pipes in SW 170th and 173 Avenues. Upon annexation billing responsibility will transfer to the City.
- STREETS and ROADS:** Access to this parcel is available from SW 170th and SW 173rd Avenues. SW 173rd Avenue is County maintained and classified as a Neighborhood Route. SW 170th Avenue is City maintained and is a Proposed Arterial.
- PARKS and SCHOOLS:** The proposed annexation is within both the Beaverton School District and the Tualatin Hills Parks and Recreation District. This proposed annexation will not affect either district boundary. Neither services nor district boundaries associated with these districts will be affected by the proposed annexation.
- PLANNING, ZONING and BUILDING:** Washington County currently provides long-range planning, development review and building inspection for the properties. Pursuant to the Urban Planning Area Agreement (UPAA) between the City and County, City Comprehensive Plan and Zoning Designations will be applied to these parcels in a separate action within six months of annexation.

PUBLIC INVOLVEMENT

Consistent with Metro Code Section 3.09.045, the City will send notice of the proposed annexation on or before November 10, 2003 (20 days prior to the agenda date) to all necessary parties including Washington County, Metro, affected special districts and County service districts. Additionally, the City will send notice to the following parties:

- Danny and Sandra Dawson, (the property owners), and
- The Five Oaks Neighborhood Association Committee and the Sunset West/Rock Creek/Bethany Citizen Participation Organization (interested parties as set forth in City Code Section 9.06.035).

Notices of the proposed annexation will also be posted in the Beaverton Post Office, City Library and City Hall. Notice and a copy of this staff report will be posted on the City's web page.

CRITERIA FOR APPROVAL

REGIONAL ANNEXATION CRITERIA:

In December 1998 the Metro Council adopted Metro Code Section 3.09 (Local Government Boundary Changes). Metro code Section 3.09.050 includes the following minimum criteria for annexation decisions:

3.09.050 (d) An approving entity's final decision on a boundary change shall include findings and conclusions addressing the following criteria:

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

Findings: This staff report addresses the provision of services in detail and the provision of these services is consistent with cooperative agreements between Beaverton and the service providers.

- (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;

Findings: This proposed annexation is consistent with agreements between the City of Beaverton and Clean Water Services. The acknowledged Washington County - Beaverton Urban Planning Area Agreement (UPAA) does not contain provisions directly applicable to City decisions regarding annexation. The UPAA does address actions to be taken by the City after annexation, including annexation related Comprehensive Plan Land Use Map amendments and rezones. These actions will occur through a separate process.

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

Findings: City of Beaverton Comprehensive Plan Policy 5.3.1.d states: "The City shall seek to eventually incorporate its entire Urban Services Area." The subject property is within Beaverton's assumed Urban Services Area and annexing it furthers this policy. This annexation furthers Policy 5.3.1.d of the Comprehensive Plan. There are no other specific directly applicable standards or criteria for boundary changes in Beaverton's Comprehensive Plan or Public Facilities Plan and, therefore, this criterion is met.

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

Findings: The Regional Framework Plan (which includes the RUGGOs and the Urban Growth Management Functional Plan) does not contain policies or criteria directly applicable to annexation decisions of this type.

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

Findings: The Existing Conditions section of this staff report contains information addressing this criterion in detail. The proposed annexation will not interfere with the provision of public facilities and services. The provision of public facilities and services is prescribed by urban services provider agreements and the City's capital budget.

- (6) If the proposed boundary change is for annexation of territory to Metro, a determination by the Metro Council that the territory should be included in the Urban Growth Boundary shall be the primary criteria for approval;

Findings: This criterion is not applicable to this application, because the property is already within Metro's boundaries.

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

Findings: OAR 660-001-0310 states "A city annexation made in compliance with a comprehensive plan acknowledged pursuant to ORS 197.251(1) shall be considered by Land Conservation and Development Commission to have been made in accordance with the goals...". Compliance with the Comprehensive Plan was addressed in number 3 above; and, therefore, the Statewide Planning Goals do not need to be addressed for this annexation. There are no other criteria applicable to this boundary change in State Law or local ordinances.

3.09.050 (g) Only territory already within the defined Metro Urban Growth Boundary at the time a petition is complete may be annexed to a city or included in territory proposed for incorporation into a new city. However, cities may annex individual tax lots partially within and without the Urban Growth Boundary.

Findings: This criterion is not applicable to this application because the territory in question has been inside of the Portland Metro Urban Growth Boundary since the boundary was created.

Exhibits: Annexation Petition
 Legal Description

Annexation Petition



CITY OF BEAVERTON
 COMMUNITY DEVELOPMENT DEPARTMENT
 PLANNING SERVICES
 4755 S.W. GRIFFITH DRIVE
 P.O. BOX 4755
 BEAVERTON, OR 97076-4755
 PHONE: (503) 350-4039

PETITION FOR A CONSENT
 ANNEXATION
 PURSUANT TO ORS 222.125

PLEASE USE ONE PETITION PER TAX LOT

FOR OFFICE USE FILE NAME: 690 SW 173rd Avenue Expedited Annexation

FILE NUMBERS: _____

MUST BE SIGNED BY ALL OWNERS. IF THE OWNER IS A CORPORATION OR AN ESTATE THE PERSON SIGNING MUST BE AUTHORIZED TO DO SO. MUST ALSO BE SIGNED NOT LESS THAN 50 PERCENT OF ELECTORS (REGISTERED VOTERS), IF ANY, RESIDING ON THE PROPERTY.

PROPERTY INFORMATION

MAP & TAX LOT	STREET ADDRESS (IF ASSIGNED)	# OF OWNERS	# OF RESIDENT VOTERS	# OF RESIDENTS
51-50	690 SW 173rd Ave, Beaverton OR 97006	2	2	2

15106 AC 00400

CONTACT PERSON USE MAILING ADDRESS FOR NOTIFICATION

Sandra Dawson
 PRINT OR TYPE NAME BUSINESS NAME

690 SW 173rd Ave Beaverton OR 97006
 ADDRESS

(503) 531-0598
 PHONE#

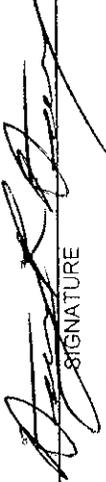
SIGNATURES OF OWNERS AND ELECTORS CONSENTING TO ANNEXATION (CONTINUED ON BACK)

Sandra L. Dawson SIGNATURE

7/22/05 DATE

OWNER
 ELECTOR

MAILING ADDRESS IF DIFFERENT FROM PROPERTY ADDRESS

<input checked="" type="checkbox"/> OWNER <input type="checkbox"/> ELECTOR	7/22/03 DATE
Danny K. Dawson PRINT OR TYPE NAME	 SIGNATURE

MAILING ADDRESS IF DIFFERENT FROM PROPERTY ADDRESS

<input type="checkbox"/> OWNER <input type="checkbox"/> ELECTOR	DATE
SIGNATURE	DATE

MAILING ADDRESS IF DIFFERENT FROM PROPERTY ADDRESS

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