

**Final Documents**

For

Annexation to the  
Tualatin Valley Fire & Rescue Dist.

WA0401  
DOR 3-1498-2001  
Ordinance #01-35

Final to Secretary of State: \_\_\_\_\_

Signature:



Date of Mailing: 04/04/01 \_\_\_\_\_

Final to Others: \_\_\_\_\_

Signature:



Date of Mailing: 04/06/01 \_\_\_\_\_

# Notice to Taxing Districts

ORS 308.225

**DOR 3-1498-2001**



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

Tualatin Vly Fire & Rescue Dst  
Budget Officer  
20665 SW Blanton  
Aloha, OR 97007

**Description and Map Approved**  
**March 29, 2001**  
**As Per ORS 308.225**

Description     Map received from: METRO  
On: 3/23/01

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

**ANNEX TO THE TUALATIN VALLEY FIRE & RESCUE DIST.**

RES. #01-35

has been:     Approved    3/29/01  
                   Disapproved

Notes:

Department of Revenue File Number: 3-1498-2001

Prepared by: Jennifer Dudley, 503-945-8666

Boundary:     Change     Proposed Change

The change is for:

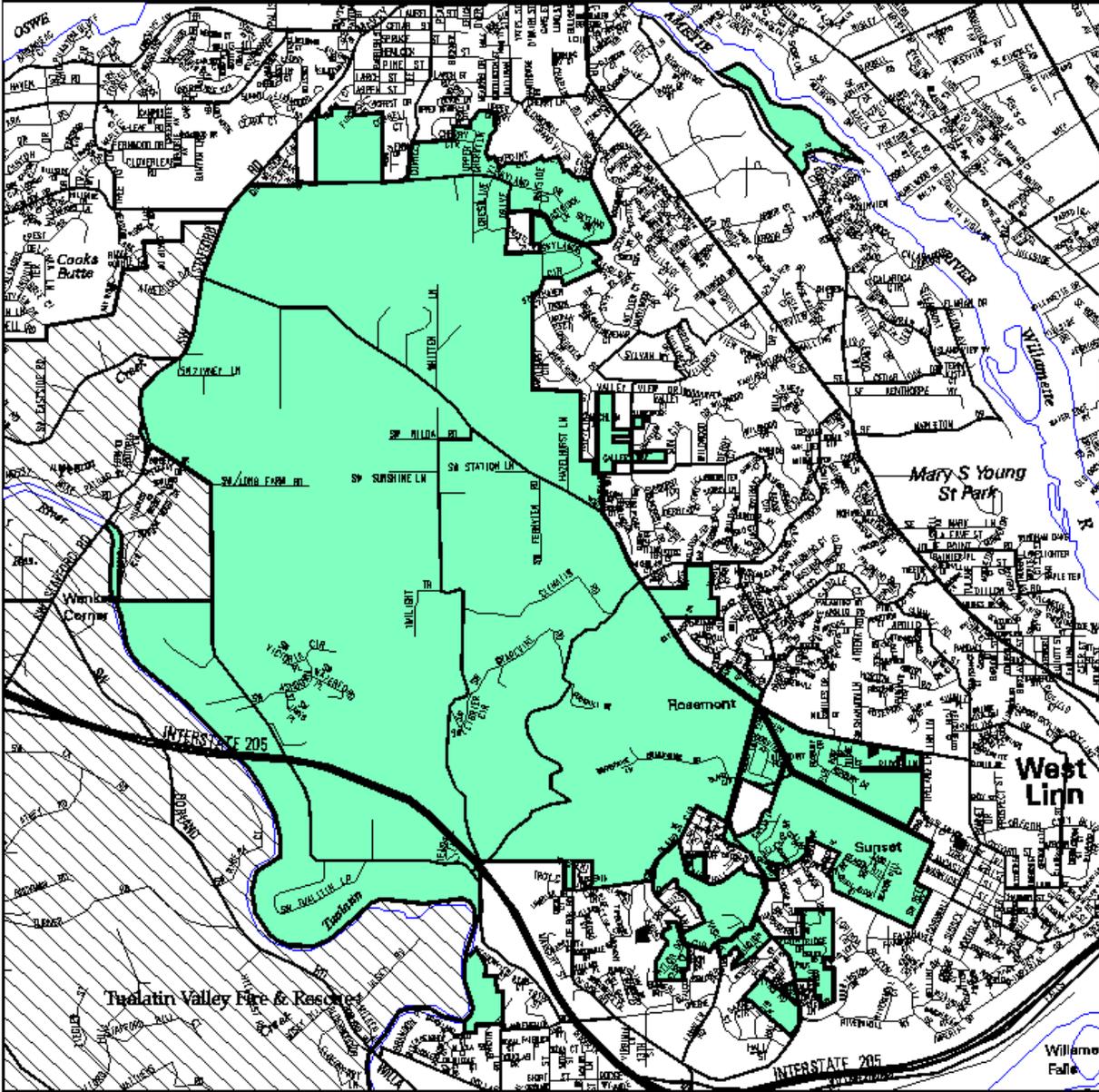
- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge

# Proposal No. WA0401

2S1E14 to 36

Annexation to the Tualatin Valley Fire & Rescue

Clackamas Co.



REGIONAL LAND INFORMATION SYSTEM



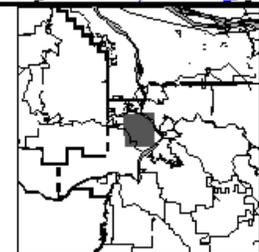
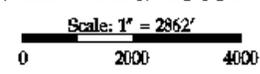
600 NE Grand Ave.  
Portland, OR 97232-2736  
Voice 503 797-1742  
FAX 503 797-1909  
Email [dro@metro-region.org](mailto:dro@metro-region.org)

**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 practical accuracy. There are no warranties, expressed or implied, including the accuracy or completeness of data for a particular project, accompanying this product. However, a disclaimer of any action will be appreciated.

-  District boundary
-  Annexation boundary
-  Area to be annexed

Proposal No. WA0401  
TUALATIN VALLEY FIRE & RESCUE  
Figure 1



**WASHINGTON COUNTY BOARD OF COMMISSIONERS**

**Agenda Category** Public Hearing - County Administrative Office

**Agenda Title** ANNEX 3,455.75 ACRES TO TUALATIN VALLEY FIRE & RESCUE

**To be presented by** Charles Cameron, County Administrator

**SUMMARY (Attach Support Documents if Necessary)**

As your Board is aware, the 1997 Legislature passed Senate Bill 947 that abolished the Boundary Commission and passed the boundary change function back to the local level. Effective January 1, 1999, the County became responsible for district boundary changes. Cities handle their own boundary changes.

The County has received a request to annex the entirety of the Rosemont R.F.P.D to Tualatin Valley Fire & Rescue (TVF&R). The territory to be annexed lies entirely within Clackamas County. It is located generally on the southeast side of the TVF&R, on the west side of West Linn and the South side of Lake Oswego and north of the Tualatin River. The territory contains 3,455.75 acres, 633 single-family homes, 2 commercial structures, 3 industrial structures and has an assessed value of \$178,157,135.

ORS 198 dictates that the decision-maker for annexations to a district is the county board of the county within which the largest portion of the assessed value of the district lies. The largest portion of Tualatin Valley Fire & Rescue's assessed value lies in Washington County; therefore the Washington County Board is the boundary Board for TVF&R annexations. This annexation differs from other proposals in that it was initiated by the district (TVF&R). Your Board may approve it today, but ORS 198.810 you are required to schedule a second hearing. The purpose of the second hearing is to determine whether sufficient written requests have been received to trigger an election.

The City of Lake Oswego has provided comments regarding their interest in being the service provider should the area be included in the Metro urban growth boundary. The City has forwarded a letter addressed to them from TVF&R regarding future annexations to the City of Lake Oswego. The City has requested that this letter be included in the record.

Notice of today's hearing has been made in accordance with state law requirements. A staff report (File WA 0401) prepared by the County's contractor, Ken Martin, Metro, Local Government Boundary Office is available at the clerk's desk. Mr. Martin will be available to answer any questions.

**COUNTY ADMINISTRATOR'S REQUESTED ACTION:**

Hold a public hearing to consider the annexation of this property to the Tualatin Valley Fire & Rescue. Adopt the Resolution and Order approving the annexation and direct that a hearing be set for April 17 to determine whether sufficient requests have been received to trigger an election.

RO 01-35

Agenda Item No.	4.d.
Date	3/20/01

**000043**

1 requests for an election have been filed, and if not, entry of an order effectuating the boundary  
2 change.

3 DATED this 20<sup>th</sup> day of March, 2001.

4 BOARD OF COUNTY COMMISSIONERS  
5 FOR WASHINGTON COUNTY, OREGON

	AYE	NAY	ABSENT
7 BRIAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8 SCHOUTEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LEEPEER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9 ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DUYCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6 Tom Brian  
7 CHAIRMAN

8 Barbara Hejmanek  
9 RECORDING SECRETARY

# AGENDA

## WASHINGTON COUNTY BOARD OF COMMISSIONERS

**Agenda Category:** Public Hearing - County Administrative Office

**Agenda Title:** ANNEXATION TO TUALATIN VALLEY FIRE & RESCUE

**Presented by:** Charles Cameron, County Administrator

**SUMMARY** (Attach Support Documents if Necessary)

As your Board is aware, the 1997 Legislature passed Senate Bill 947 that abolished the Boundary Commission and passed the boundary change function back to the local level. Effective January 1, 1999, the County became responsible for district boundary changes. Cities handle their own boundary changes.

On March 20, 2001 your Board held a public hearing to consider a request to annex the entirety of the Rosemont R.F.P.D to Tualatin Valley Fire & Rescue (TVF&R). At that time your Board approved the annexation, subject only to the possibility that the County would receive sufficient written citizen requests to trigger an election. At this time no such requests have been received.

The territory to be annexed lies entirely within Clackamas County. It is located generally on the southeast side of the TVF&R, on the west side of West Linn and the South side of Lake Oswego and north of the Tualatin River. The territory contains 3,455.75 acres, 633 single-family homes, 2 commercial structures, 3 industrial structures and has an assessed value of \$178,157,135.

Ken Martin, Metro, Local Government Boundary Office will be available to answer any questions.

**COUNTY ADMINISTRATOR'S REQUESTED ACTION:**

Hold a public hearing to consider written requests for an election concerning the annexation of this property to the Tualatin Valley Fire & Rescue. If there are insufficient written requests, adopt the Resolution and Order so declaring and ratifying the annexation.

RO 01-45

Agenda Item No.	<u>5.c.</u>
Date	<u>4/17/01</u>

1 IN THE BOARD OF COUNTY COMMISSIONERS

2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of Declaring ) RESOLUTION AND ORDER  
4 Boundary Change Proposal No. )  
WA 0401 To Be Effective ) No. 01-45

5 This matter having come before the Board at its hearing of April 17, 2001; and

6 It appearing to the Board that the Board previously approved Boundary Change Proposal  
7 No. WA 0401 and set this date as the deadline for receipt of sufficient written requests for  
8 referral of the Boundary Change to the voters; and

9 It appearing to the Board that it has NOT received the number of signatures required by  
10 ORS 198.810 (2) to trigger referral; now, therefore, it is

11 RESOLVED AND ORDERED that the boundaries set forth in Boundary Change  
12 Proposal No. WA 0401, as previously approved, are created and shall be effective 11:59 p.m. on  
13 June 30, 2001; and it is further

14 RESOLVED AND ORDERED that the County Administrator, or his designee, shall mail  
15 this decision to all necessary parties and take such other steps as are required by law to effectuate  
16 this proposal.

17 DATED this 17<sup>th</sup> day of April, 2001.

18 BOARD OF COUNTY COMMISSIONERS  
FOR WASHINGTON COUNTY, OREGON

	AYE	NAY	ABSENT
19 BRIAN	✓	—	—
20 SCHOUTEN	✓	—	—
LEEPER	✓	—	—
21 ROGERS	✓	—	—
22 DUYCK	✓	—	—

Tom Brian  
CHAIRMAN

Barbara Hejtmanek  
RECORDING SECRETARY

## FINDINGS

Based on the study and the public hearing the Board found:

1. The territory to be annexed lies entirely within Clackamas County. However ORS 198 dictates that the decision-maker for annexations to a district is the county board of the county within which the largest portion of the assessed value of the district lies. The largest portion of Tualatin Valley Fire & Rescue's assessed value lies in Washington County. Therefore the Washington County Board is the boundary Board for TVF & R annexations.
2. If the Board approves the annexation they must adopt an order so stating. The order must also set a time and date not less than 20 nor more than 50 days from the date of the order, for a final hearing on the annexation. The order must declare that if written requests for an election are not filed by the time of the final hearing, the Board will enter its order approving the annexation.

If the Board enters the approval order at the final hearing and there are no objections from necessary parties, the boundary change could become effective immediately if the Board chooses to put an emergency clause on it. Without an emergency clause the change would become effective 30 days following approval or at whatever date the Board determines up to 10 years following the date of approval. If a necessary party objects to the boundary change it will become effective 30 days after the date of approval [but most likely the objecting party would then appeal to the Metro Appeals Commission].

If the appropriate number of requests for an election were received prior to the final hearing, an election would be held in the territory to be annexed and in the District and it would need to pass in both places in order for the annexation to be approved.

3. The territory to be annexed consists of the entirety of the former Rosemont R.F.P.D.. The territory is located generally on the southeast side of the TVF & R, on the west side of West Linn and the south side of Lake Oswego and north of the Tualatin River. The territory contains 3,455.75 acres, 633 single-family homes, 2 commercial structures, 3 industrial structures and has an assessed value of \$178,157,135.
4. The Rosemont R.F.P.D serves the "Stafford Triangle" area located south of Lake Oswego and west of West Linn. While the area is [almost entirely] outside the UGB, the character has changed from rural to high-end rural residential in recent years. One result of this change was a shift from community based volunteer fire protection to contracting for service from the City of West Linn. As the City of West Linn is now itself contracting with Tualatin Valley Fire & Rescue (TVF&R) that District is also serving Rosemont R.F.P.D.

There are no volunteers to provide volunteer service and the Rosemont District's permanent tax rate is too low to adequately fund the contract with TVF&R through West Linn. Therefore the Rosemont R.F.P.D. Board believes it is in the best interests of the District that the District be dissolved and liquidated and that TVF&R assume direct responsibility for fire protection and emergency services in the Rosemont area.

5. ORS 198.850 provides that the Board is to consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district when deciding an annexation proposal to a district.

A second set of criteria can be found in the Metro Code. That Code states that a final decision shall be based on substantial evidence in the record of the hearing and that the written decision must include findings of fact and conclusions from those findings. The findings and conclusions shall address seven minimum criteria:

1. Consistency with directly applicable provisions in ORS 195 urban service provider agreements or an ORS 195 annexation plan.
2. Consistency with directly applicable provisions of *urban planning area agreements* or other agreement between the annexing entity and a necessary party.
3. Consistency with directly applicable standards for boundary changes contained in Comprehensive land use plans and public facility plans.
4. Consistency with directly applicable standards for boundary changes contained in the Regional Framework Plan or any functional plan.
5. Whether the proposed boundary change will promote or not interfere with the timely, orderly and economic provision of public facilities and services.
6. If the boundary change is to Metro, determination by Metro Council that territory should be inside the UGB shall be the primary criteria.
7. Consistency with other applicable criteria for the boundary change in question under state and local law.

The Metro Code also contains a second set of 10 factors which are to be considered where no ORS 195 agreements have been adopted and the boundary change is being contested by a necessary party. This boundary change is not being contested by a necessary party so these additional criteria need not be addressed.

6. The territory is mostly outside the regional Urban Growth Boundary (UGB) but within the jurisdictional boundary of Metro.

The Regional Urban Growth Goals and Objectives, the Regional Framework Plan, Urban Growth Management Functional Plan and the Regional Transportation Functional Plan were examined and found to not contain any criterion directly applicable to a decision to annex land to a rural fire protection district.

7. The territory is designated primarily Rural and Agriculture on the Clackamas County Nonurban Area Land Use Plan Map (IV-7).

According to the Comprehensive Plan:

Rural lands are those which are outside the Urban Growth boundaries and are suitable for sparse settlement, small farms or acreage homesite with no or hardly any public services and which are not suitable, necessary or intended for urban, agriculture or forest use.

Agricultural lands are those of predominantly Class I-IV soils as identified by the U.S. Conservation Service or as identified in more detailed data; and other lands which are suitable for farm use due to soil fertility, suitability for grazing, climatic conditions, existing or future potential for irrigation, land use patterns, accepted farming practices or are necessary to permit farming practices to be undertaken on adjacent or nearby lands.

The following policies within the Land Use Element of the Clackamas Comprehensive Plan are applicable to this property:

#### RURAL

- 7.0 Public facilities should be expanded or developed only when consistent with maintaining the rural character of the area.

The following policies from the Public Facilities and Services element of the County's plan are applicable:

#### PUBLIC SERVICES

##### Public Safety

- 1.0 Facilitate coordination between fire districts and developers prior to approval of future development to insure appropriate levels of fire safety.

8. A very small amount of territory in the area to be annexed is within the UGB and within the Urban Planning Area Boundaries of Lake Oswego or West Linn. Both cities have urban planning area agreements with Clackamas County. These agreements contain no provisions relating to annexation of lands within the cities' area of interest to special districts. As cities annex territory which lies within a fire district, the city may unilaterally withdraw the territory from the fire district at the time of city annexation. ORS 222.111 (4).
9. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. The statute was enacted in 1993 but there are no urban service agreements in place in this part of Clackamas County.
10. The territory to be annexed was within the Rosemont R.F.P.D. That District voted to dissolve on March 13, 2001. Rosemont operated with volunteers until the character of the area changed and sufficient volunteers were no longer available. In 1996 the District instituted a contract with the City of West Linn. The five year contract ran from July 1, 1996 to June 30, 2001. Under that contract the Rosemont District agreed to pay the City as follows:

Year 1 (FY 96-97)	\$100,000	(\$110,000 less \$10,000 apparatus lease credit)
Year 2 (FY 97-98)	\$107,200	(\$117,200 less \$10,000 apparatus lease credit)
Year 3 (FY 98-99)	\$111,800	(\$124,800 less \$10,000 apparatus lease credit)
Year 4 (FY 99-00)	\$122,900	(\$132,900 less \$10,000 apparatus lease credit)
Year 5 (FY 00-01)	\$131,500	(\$141,500 less \$10,000 apparatus lease credit)

The apparatus lease credit was for a brush rig and a tanker which the District leases to the City. At the end of the contract, the City will take title to the two pieces of equipment.

The Rosemont District had a permanent tax rate of \$ 0.4801 per \$1,000 Assessed Value. The District also had an equipment purchase fund which they have used over the life of this contract to supplement the tax revenues in order to pay the full amount of the City contract. For 2000-2001, for instance the tax levy generated \$85,533 of which the District anticipated collecting \$80,914. The remaining \$50,586 would come from the Equipment Reserve Fund.

In 1998 the City of West Linn commenced to contract with Tualatin Valley Fire & Rescue for all of its fire and emergency service needs. Thus TVF&R has been serving both West Linn and the Rosemont area. The contract between the City of West Linn and TVF&R is a three year contract which calls for payments of \$1,680,979 the first year, \$1,852,072 the second year and \$1,994,561 the third year. This contract was anticipated to be short term and eventually lead to the annexation of the City into the District.

Via the contract with the City, TVF&R took on the obligation of serving the Rosemont area and presumably the City included the amount Rosemont paid the City in the amount the City paid Tualatin Valley Fire & Rescue.

Tualatin Valley Fire and Rescue has a tax rate of \$1.5869 per \$1,000 Assessed Value. Neither the amount being paid for fire protection by the Rosemont District nor the amount being paid by West Linn is as much as those two entities would be paying if the TVF&R rate was being applied directly to their respective assessed values. The result of this annexation will be to apply the TVF&R rate directly to the value of the Rosemont area. Thus that area will be charged the same as all other areas of the District and receive the same level of service. Through the unique service arrangement for the last three years that area has been receiving the equivalent level of service but not paying the equivalent amount for that service.

In addition to the two pieces of equipment which will transfer to West Linn, the Rosemont R.F.P.D. has a 1978 Engine, two buildings on .4 acres of land, miscellaneous office furniture and some cash assets and uncollected property taxes all of which the District intends to transfer to TVF&R.

11. There are no sewers in the territory. Septic tanks and other individual systems are utilized in this area.
12. There are no public water districts in this area. The Skylands Water Company serves a very small portion of the area adjacent to Lake Oswego. Except for areas adjacent to Lake Oswego and West Linn there are no fire hydrants in the area. Domestic water is provided by wells and water for fighting fires must be carried by tankers.

13. The territory is provided with police service by the Clackamas county Sheriff's Department.
14. I-205 traverses the area. Rosemont Road and Stafford Road are major thoroughfares for the area.
15. The Lower Tualatin Valley County Service District for Storm Drainage operates in the area.
16. Other County services (such as planning, zoning, building inspection, public health and general government) are provided by Clackamas County.
17. It is important to coordinate the effective date of the dissolution with the effective date of the annexation so that no gap is left during which time the residents of the Rosemont area would be legally without fire protection.

After approval of the Rosemont R.F.P.D. dissolution there are two steps which must be taken to complete the process. First the Rosemont District Board must canvass the votes and declare the district dissolved. ORS 198.945 (1). Then the Board must certify the results of the election to the [Clackamas] County Board and take on a role as a board of trustees to pay any debts and dispose of the District property. Finally they must deliver all books and records of the District to the County Board along with a statement, executed under oath, that the District has been dissolved and its affairs liquidated. "From the date of that statement the corporate existence of the district is terminated for all purposes."

The effective date of the annexation is: 1) the date of the order by which the County Board describes the boundary of the territory annexed and declares the territory annexed to the District (ORS 198.855 (3)); or, 2) a date that is not more than 10 years after the date of the order declaring the annexation (ORS 198.850 (3)).

Tualatin Valley Fire & Rescue and The Rosemont Board have indicated they desire this transfer of jurisdiction to coincide with the end of the current fiscal year. This could be accomplished by having the County Board set the effective date of the annexation as June 30, 2001 and having the Rosemont Board date their statement of dissolution for June 30, 2001.

18. The County Assessor closes the books for the 2001-2002 fiscal year on March 31, 2001. Any property not included in the boundary of TVF&R by that date would not be taxable by the District for the 2001-2002 FY.

The assessor is to disregard any proposed boundary change if it is not filed in final approved form prior to March 31<sup>st</sup>. A "proposed boundary change" is one which has not become final prior to March 31<sup>st</sup> but which is certain to become final prior to July 1<sup>st</sup>.

The annexation to the TVF&R is a proposed boundary change which will not become final prior to March 31, 2001. The question which arises is whether it is "certain to become final" prior to July 1<sup>st</sup>. It could be argued that the possibility of an election being called for at the final hearing (which will be after March 31<sup>st</sup>) means the proposal is not "certain to become final" prior to July 1<sup>st</sup>. It could also be argued that the possibility of an election being called is no different than the possibility of an appeal being filed and that the Board's order of approval under ORS 198.810 (1) allows the Assessor to consider the annexation "certain to be final."

If TVF&R's current tax rate is applied to the territory in the annexation it would raise \$282,718 in revenue. If the dissolution and annexation are approved but the value of the territory to be annexed is not added to the tax rolls in March, the District would have to serve the area for a year with no income from the area. They would not get the taxes from the area and the Rosemont District would no longer be in existence to levy its \$0.48 levy. In that case TVF&R's only income from the area would be whatever minimal cash reserves were transferred to them from Rosemont as a result of the dissolution.

The effect of the worst case scenario just described would not likely be devastating to the TVF&R. The District's tax levy for 2000-2001 was \$36,685,635<sup>1</sup>. However it would raise equity issues since the patrons of the rest of District would be paying for service to the Rosemont area while the Rosemont residents would not. Furthermore the District assumed this proposal would proceed in a timely fashion, that there would be revenues from this area and that their budget for the coming year could anticipate those revenues.

## REASONS FOR DECISION

Based on the Findings, the Board determined:

1. The Metro Code requires the boundary change decision to be consistent with any urban service agreements under ORS 195. As noted in Finding No. 9 there are no ORS 195 agreements in place in this area. The Board concludes that its decision is not inconsistent with any such agreements.
2. The Metro Code calls for consideration of any directly applicable standards or criteria to be found in urban planning area agreements. The territory to be annexed lies almost entirely outside the regional Urban Growth Boundary and beyond the reach of any urban planning area agreements. As noted in Finding No. 8 for the tiny amount of area which is covered by a city-county urban planning area agreement, nothing in the agreements speak to fire district annexations. Therefore the annexation does not conflict with any City / County Urban Growth Management Agreements.
3. The Metro Code at 3.09.050 (d) (3) calls for consistency between the Board decision and any "specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans." ORS 198 requires consideration of the comprehensive plan and any service agreements affecting the area. The Board has reviewed the applicable comprehensive plan, which is the Clackamas County Comprehensive Plan, and concludes this proposal complies with it. No directly applicable service agreements were found to exist.

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<sup>1</sup> Does not include taxes from Mult. Co. portion of District

4. The Metro Code at 3.09.050 (d) (4) calls for consistency between the Board decision and any "specific directly applicable standards or criteria for boundary changes contained in the regional framework or any functional plans."

There are no directly applicable criteria in Metro's two adopted functional plans, the Urban Growth Management Functional Plan and the Regional Transportation Functional Plan. All elements of the Regional Framework Plan were examined and found not to contain any directly applicable standards and criteria for boundary changes.

5. Metro Code 3.09.050 (d) (5) states that another criteria to be addressed is "Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services." Information presented to the Board indicates that Rosemont R.F.P.D. could no longer provide viable fire protection and emergency services to this area. Furthermore, that District has now in the process of dissolving and is no longer a legal option for providing service. Tualatin Valley Fire & Rescue has demonstrated that it can provide adequate service. The Board notes that TVF&R has been providing adequate fire & emergency medical services to similar surrounding areas at a reasonable tax rate. Transitioning from contract service to direct service by TVF&R appears to be a logical, "timely and orderly" progression. Despite the fact that the service will cost more than the Rosemont residents previously paid, it appears to be economical and affordable since similarly situated properties currently receive that service and pay the District's rate.

## Annexation Legal Description for Properties in the Rosemont Area

The legal description for this annexation consists of 135 pages of documents. It is too large to place in this electronic version of the annexation package. If you are in need of the description send an e-mail to [knightb@metro.dst.or.us](mailto:knightb@metro.dst.or.us) or call 503-797-1591 and a copy will be mailed to you.

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IN THE BOARD OF COUNTY COMMISSIONERS  
FOR WASHINGTON COUNTY, OREGON

In the matter of Approving Boundary ) RESOLUTION AND ORDER  
Change Proposal No. WA 0401 and )  
Providing An Opportunity Referral. ) No. 01-35

This matter having come before the Board at its regular meeting of March 20, 2001; and  
It appearing to the Board that the Board is charged with deciding petitions for boundary  
changes pursuant to ORS Chapter 198 and Metro Code Chapter 3.09; and

It appearing to the Board that a resolution initiating a boundary change has been filed in  
accordance with ORS 198.850 and that professional staff retained by the County have reviewed  
the proposed boundary change and determined that it complies with the applicable procedural  
and substantive standards and have recommended approval; and

It appearing the Board that it has considered whatever written and oral testimony has  
been provided regarding the proposed boundary change; now, therefore, it is

RESOLVED AND ORDERED that Boundary Change Proposal No. WA 0401, as  
described in the staff report, hereby is determined to meet the applicable standards and to benefit  
the area described therein and, therefore, hereby is APPROVED, based on the analysis, findings  
and conclusions set forth in Exhibit "A," incorporated herein by reference; and it is further

RESOLVED AND ORDERED that the approved boundaries are as set forth in Exhibits  
"B" and "C," incorporated herein; and it is further

RESOLVED AND ORDERED that this approval is subject only to the statutory right of  
referral upon submission of written requests meeting the requirements of ORS 198.810 and that a  
hearing shall be held on April 17, 2001, solely for purposes of determining whether sufficient