

Final Documents

For

Annexation to the
City of Hillsboro

WA0403
Ordinance: #5215
DOR 34-1594-2003
AN 2003-0031

Final to DOR: _____

Signature:

 _____

Date of

Mailing: 1/15/03

Final to Secretary of State: _____

Signature:

 _____

Date of

Mailing: 2/5/03

WA0403

Sent

Received

DOR: 1/15/03

2/3/03

Sec. State: 2/3/03

3/11/03

Assessor: 2/3/03

Elections: 2/3/03

Mapped: Yes

Posted to Web:

Assessor Information:

Tax Lot No.:

1N325DB05200

Property Address:

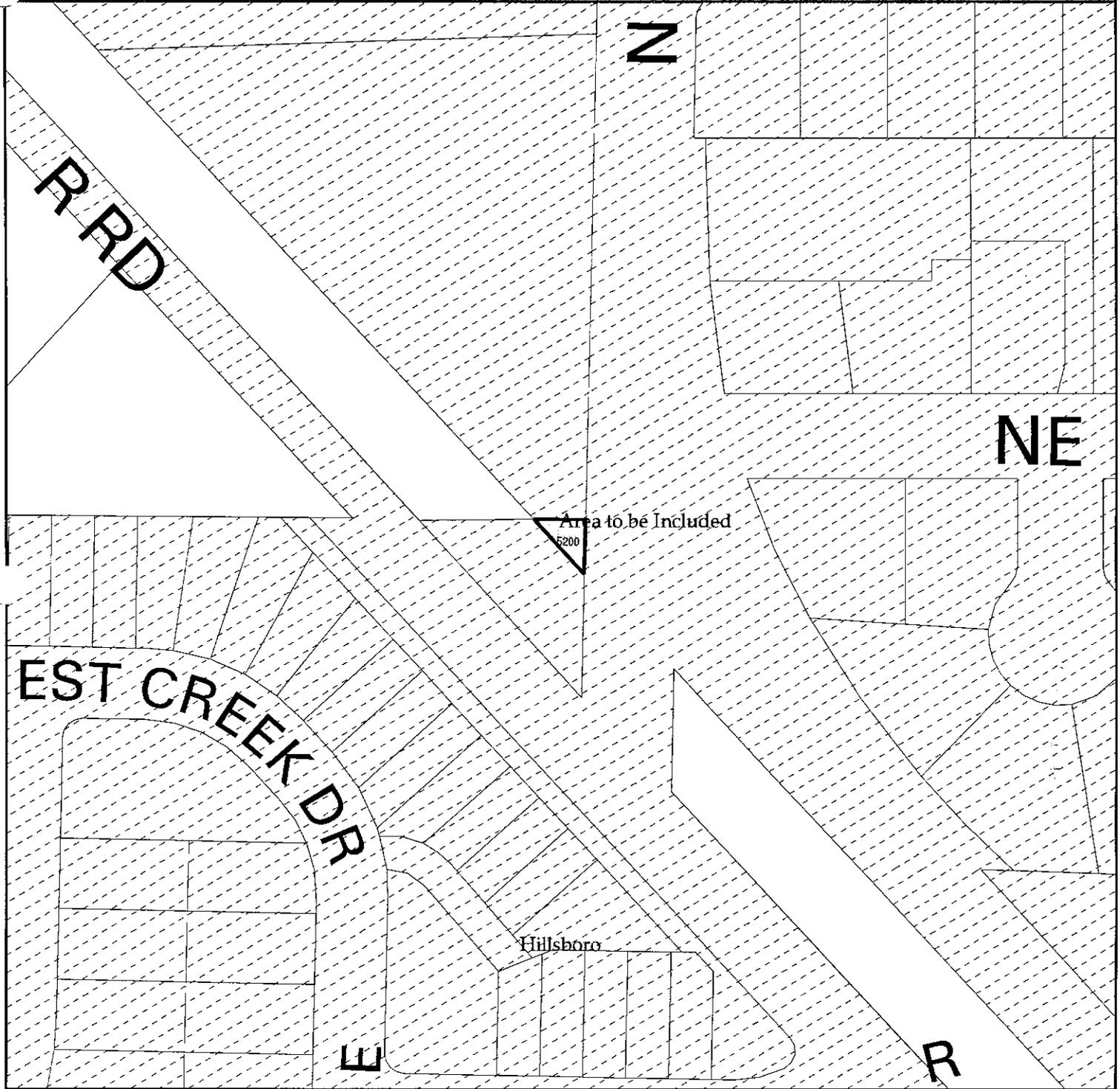
No Site Address

Proposal No. WA0403

1N3W25

Annexation to the City of Hillsboro

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.

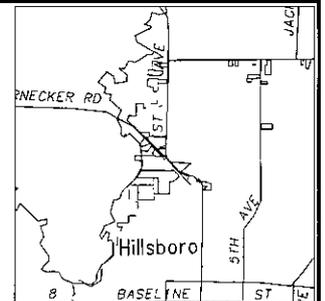
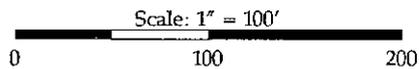
County lines

City

Annexation boundary

Urban Growth Boundary

Proposal No. WA0403
CITY OF HILLSBORO
Figure 1



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

March 10, 2003

Metro
Att. Bob Knight
600 NE Grand Ave
Portland, OR 97232-2736

Dear Sir or Madam:

Please be advised that we have received and filed on February 8, 2003 the following Annexation(s).

Ordinance(s):	City of:	Our File Number(s):
5214	Hillsboro	AN 2003-0030
5215	Hillsboro	AN 2003-0031
5216	Hillsboro	AN 2003-0032

All the above Final Order(s) determination of the effective date 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,

Rita F. Mathews
Official Public Documents

cc:

Washington County
ODOT/Highway Dept
PSU/Population ResearchCtr.
Revenue Cartography Section

Notice to Taxing Districts

ORS 308.225



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

City of Hillsboro
Planning Department
123 W. Main St., Room 250
Hillsboro, OR 97123

Description and Map Approved
January 24, 2003
As Per ORS 308.225

Description Map received from: METRO
On: 1/17/2003

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

ANNEX TO THE CITY OF HILLSBORO & WITHDRAWAL FROM SEVERAL DIST.

ORD. #5215

has been: Approved 1/24/2003
 Disapproved

Notes:

Department of Revenue File Number: 34-1594-2003

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

ORDINANCE NO. 5215
AN 13-02: PROSTEEL

CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL
Gail Wackel
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 owner of a certain tract of land, described in Attachment 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 Planning Area Agreement between Washington County and the City of Hillsboro, adopted on December 15, 1998;

WHEREAS, the Urban Planning Area Agreement specifies that all land in Urban Planning Area A shall annex to the City prior to development;

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, delay in the effective date of the annexation could cause inconvenience and additional financial cost to the property owners and unnecessary delay in the provision of City services;

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 January 7, 2003, and does hereby favor the annexation of the subject tracts of land and withdrawals from the districts based on the findings attached hereto as Attachment 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 Attachment 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 Attachment 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, to allow for the immediate provision of City services, and to provide for the welfare and safety of the community by reducing potential delays in delivery of emergency services through reduction of the number of properties within the Urban Growth Boundary outside the City limits, 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 7th day of January, 2003.

Approved by the Mayor this 7th day of January, 2003.

Jon Hughes
Mayor

ATTEST: Jail Walker
City Recorder

City of Hillsboro
Annex 13-02: Prosteel
Proposed legal description
NS, revised- December 13, 2002

Attachment 'A'

A tract of land in Section 25, Township 1 North, Range 3 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the intersection of the northeast right-of-way line of Southern Pacific Railroad with the westerly right-of-way line of NW Glenco Road (CR A-146 3/4), said intersection being North 212.93 feet and West 506.51 from the northeast corner of the Ralph Wilcox Donation Land Claim #69;

thence North $1^{\circ}17'35''$ East, along the west right-of-way line of NW Glenco Road, a distance of 35.62 feet to the southeast corner of a tract of land described in deed to Prosteel Builders LLC, recorded 3/16/2001 as Document No. 2001021783 in Deed Records of said county;

thence North $89^{\circ}23'55''$ West, along said south line of said tract, a distance of 33.85 feet to the northeast right-of-way line of Southern Pacific Railroad;

thence South $42^{\circ}34'42''$ East, along said northeasterly right of way line, a distance of 48.84 feet to the place of beginning;

Washington County, Oregon 2002-022063

02/25/2002 02:45:20 PM

D-DQ Cnt=1 Btr=21 RECORDS1

\$20.00 \$6.00 \$11.00 - Total=\$37.00



00056489200200220830040047

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

MAIL TAX STATEMENTS TO:

Chester A. Wolter – Managing Partner
Pro Steel Builders LLC
9555 NW 316th Place
Hillsboro, OR 97124

AFTER RECORDING RETURN TO:

Chester A. Wolter – Managing Partner
Pro Steel Builders LLC
9555 NW 316th Place
Hillsboro, Or 97124

STATUTORY QUITCLAIM DEED

Centex Homes, a Nevada General Partnership, duly organized and existing under the laws of the state of Oregon, "**Grantor**", releases and quitclaims to Pro Steel Builders LLC, "**Grantee**", all right, title, and interest in the following real property described in **Exhibit A** and depicted in **Exhibit B**. The foregoing conveyance is made on a purely AS-IS BASIS and Grantor has made no representation or warranty whatsoever with respect to the conveyed property.

The following is the notice as required by Oregon law: "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 OF 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 paid for this conveyance is Five Hundred Dollars (\$500.00).

Dated this 25th day of February 2002.

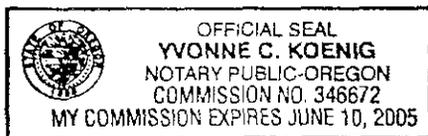
Centex Homes, a Nevada General Partnership

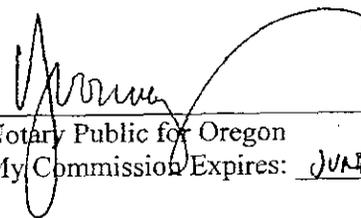

By: Chris A. Purves, Controller

State of Oregon)
) ss.
County of)

On this 25th day of February, 2002 personally appeared Chris A. Purves, who being duly sworn, did say that he is the Controller of Centex Homes, a Nevada General Partnership, and that said instrument was signed on behalf of said company by authority of its Managers and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:




Notary Public for Oregon
My Commission Expires: JUNE 10, 2005





2002-22063

EXHIBIT "A"

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 1 NORTH RANGE 3 WEST, WILLAMETTE MERIDIAN, CITY OF HILLSBORO, WASHINGTON COUNTY, OREGON, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS?

BEGINNING AT THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO PROSTEEL BUILDERS LLC BY DEED RECORDED AS DOCUMENT NUMBER 2001021783, WASHINGTON COUNTY, OREGON DEED RECORDS SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE (30.00 FEET FROM CENTERLINE) OF NE GLENCOE ROAD AND RUNNING THENCE SOUTH $01^{\circ}17'35''$ WEST ALONG SAID RIGHT OF WAY LINE 35.62 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILROAD; THENCE NORTH $42^{\circ}34'42''$ WEST ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE 48.84 FEET TO THE INTERSECTION OF SAID NORTHEASTERLY RIGHT OF WAY LINE WITH THE SOUTH LINE OF SAID PROSTEEL BUILDERS LLC TRACT; THENCE SOUTH $89^{\circ}23'55''$ EAST ALONG SAID SOUTH LINE 33.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 603 SQUARE FEET MORE OR LESS.

FOR BASIS OF BEARINGS AND ADDITIONAL INFORMATION, SEE SURVEY BY DCS, INC. DATED JUNE 20.2001.



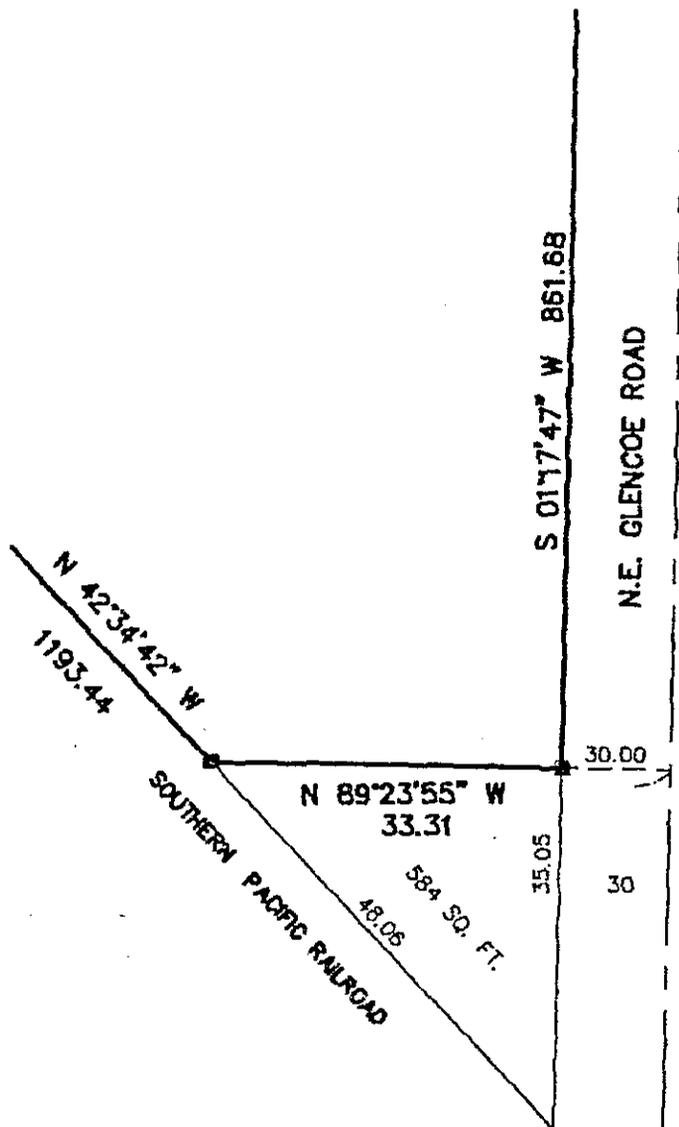
2002-22063

EXHIBIT B

MAP TO ACCOMPANY DESCRIPTION

IN THE S.E. 1/4, SECTION 24, T1N, R3W, W.M.
CITY OF HILLSBORO
WASHINGTON COUNTY, OREGON

AUGUST 17, 2001



REGISTERED
PROFESSIONAL
LAND SURVEYOR

John M. Peterson

OREGON
JULY 13, 1979
JOHN M. PETERSON
1856

RENEWAL 12/31/02



**DEVELOPMENT &
CONSTRUCTION
SERVICES, INC.**

339 W. MAIN STREET
HILLSBORO, OREGON 97123

(503) 648-4959





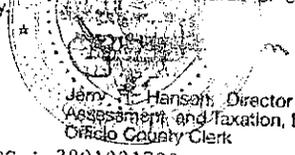
OREGON TITLE INSURANCE COMPANY
Division of Law Title Insurance Corporation

After Recording, Return To:
ProSteel Builders
9555 NW Fifth Place
Portland, OR 97224

Until a change is requested, tax statements shall be sent to the following address:

Name:
Address:

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



Doc : 2001021783
Rect: 274532 174.00
03/16/2001 03:26:32pm

STATUTORY WARRANTY DEED

(Individual)

Alan G Stone and Wilma E Stone

conveys and warrants to ProSteel Builders, LLC, an Oregon limited liability company

the following described real property in the State of Oregon and County of Washington free of encumbrances, except as specifically set forth herein:

A tract of land in the Southeast one-quarter of Section 25, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

From a 3/4 inch iron pipe on the Easterly boundary of Southern Pacific Railroad right of way and 3.30 feet East on Northeast corner of Original Tax Lot 5, in Section 25, Township 1 North, Range 3 West, of the Willamette Meridian, in the County of Washington and State of Oregon, said point of beginning being 537.68 feet West and 248.88 feet North of the Northeast corner of Ralph Wilcox Donation Land Claim 69; thence South 89°24' East 31.98 feet to a 3/4 inch iron pipe on the West boundary of NW Glencoe County Road; thence North

(Continued)

Ac Account Number: 0000011 002508 04560

This property is free of encumbrances, EXCEPT:

- 1. The rights of the public in and to that portion of the herein described property lying within the limits of roads and highways.

The true consideration for this conveyance is \$147,000.00

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.

DATE: this 15 day of March, 2001

[Signature]
Alan G Stone

[Signature]
Wilma E Stone

STATE OF OREGON, COUNTY OF Washington ss
I, _____, Notary Public for Oregon, do hereby certify that the within instrument was acknowledged before me this 15 day of March, 2001, by Alan G Stone and Wilma E Stone.

[Signature]
Notary Public for Oregon
No. _____
My Commission Expires _____



1-2

OREGON TITLE INS. CO. 145510750

1
0
2
0
0
1

STATUTORY WARRANTY DEED
(CONTINUED)

LEGAL DESCRIPTION

Order No. 665672W

1°11' East 346.50 feet along the West boundary of said road to a 3/4 inch iron
thence South 97°54' West, 346.50 feet to a 3/4 inch iron pipe on the Easterly boundary of
the Southern Pacific Railroad right of way; thence South 42°39' East 453.33 feet along
Easterly boundary of said railroad right of way to the point of beginning.

002002

ATTACHMENT B

FINDINGS IN SUPPORT CITY OF HILLSBORO ANNEXATION FILE NO. AN 13-02

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

One petitioner representing one property requested City Council approval for annexation of approximately 0.01 acres into the City limits of Hillsboro.

The property under consideration is located generally north of the intersection of NW Glencoe Road and NW Hornecker Road. The property can be specifically identified as Tax Lot 5200 on Washington County Tax Assessor's Map 1N3-25DB. The total assessed value of the property is \$530.

The property is generally flat and is vacant.

II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owner 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 January 7, 2003.

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 are currently no urban service provider agreements as required by ORS 195.065 in place for this area. The City is currently working with other urban service providers to establish these required agreements.

- 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 petitioner 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 7. Air, Water and Land Resource Quality Policy (III)(B) The City shall design a storm sewer and sanitary sewer master plan and develop implementation measures necessary to assure that a storm sewer and sanitary system are provided to areas designated urban. The plan shall be designed to accommodate the growth anticipated in undeveloped portions of the Hillsboro Planning Area.

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 Policy (III)(F), assisting property owners with the annexation process; Section 2. Urbanization Implementation Measure (IV)(A)(5), supporting the annexation of infill areas; and Section 2. Urbanization Implementation Measure (F), all land in the Hillsboro Planning Area is assumed to be available for annexation.

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

FINDING: The annexation would be consistent with regional framework and functional plans. The City's current plan designation for the properties is RL Low Density Residential which is consistent with the regional urban growth goals and objectives. The property will be rezoned to R-7 Single Family Residential pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945, unless the property owner requests R-8.5 or R-10 zoning.

- 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 an existing 12-inch water line located in the NW Glencoe Road right-of-way. Sanitary sewer is available through an eight-inch City line also located within the NW Glencoe Road right-of-way. Storm water disposal is available via a 12-inch line located within the NW Glencoe Road right-of-way, north of the site.

Fire and police protection would be provided by the City of Hillsboro and the properties would be withdrawn from the following districts as of 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
Washington County Service District #1 for Street Lights

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 has determined that withdrawal of the properties from the following districts is in the best interest of the City:

Washington County Rural Fire Protection District No. 2
Washington County Service District for Enhanced Law Enforcement
Washington County Service District for Urban Road Maintenance
Washington County Service District #1 for Street Lights

IV. TESTIMONY FROM NECESSARY PARTIES

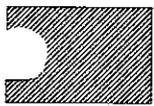
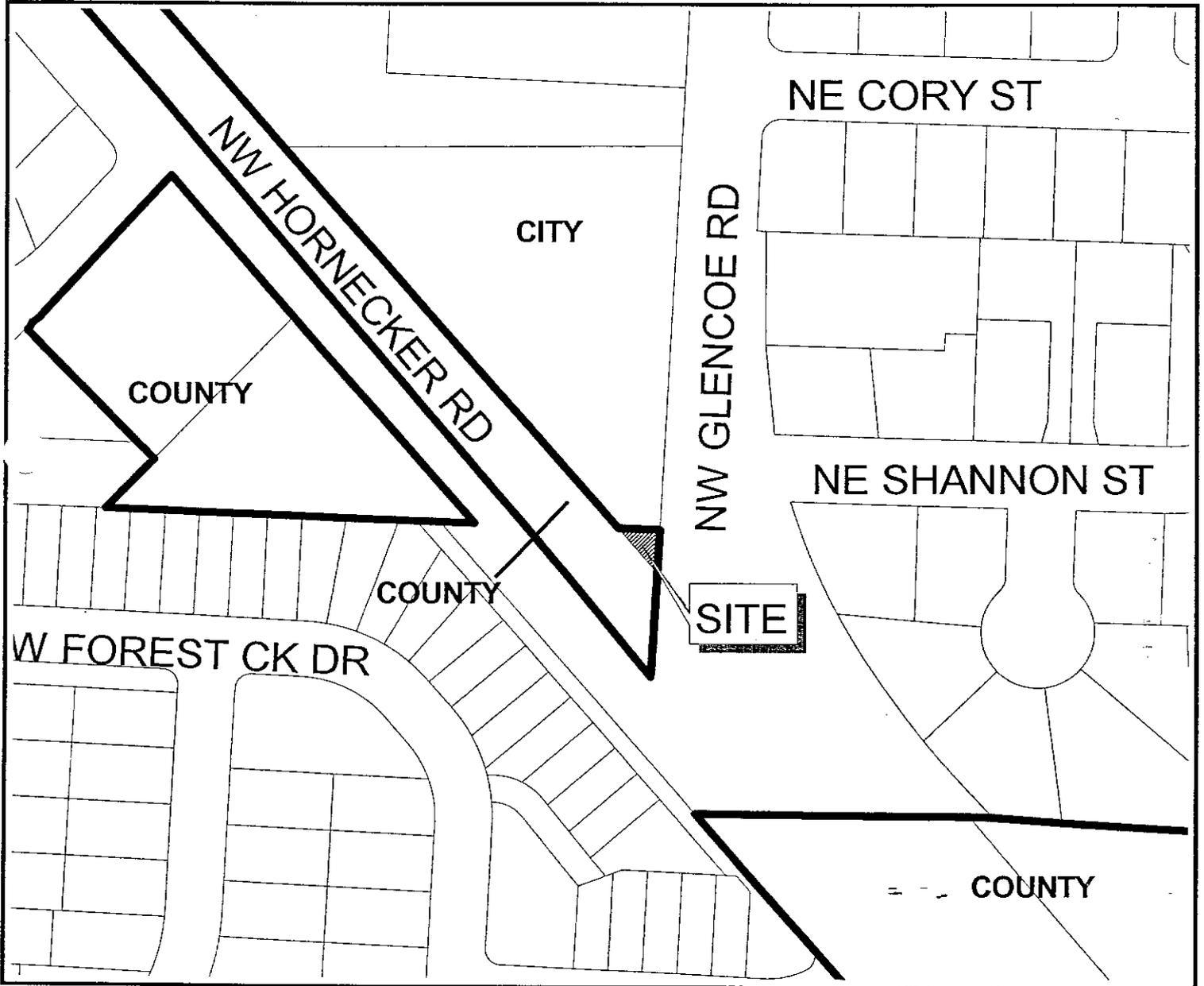
No written testimony was received prior to or at the public hearing from a necessary party as defined in Metro Code Chapter 3.09.020(j), nor was oral testimony received by the City Council from a necessary party at the public hearing.

V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED IN FINDINGS

- Staff Report dated December 23, 2002

AN 13-02: PROSTEEL

Request for Annexation Approval for One Property
Approximately 0.01 Acres in Area.



SUBJECT SITE



CITY LIMITS

