

Final Documents

For

Annexation to the  
**City of Hillsboro**

WA0405  
Ordinance 5480  
DOR 34-1724-2005  
Sec. State: AN-2005-0041

Final to DOR: \_\_\_\_\_

Signature:

 \_\_\_\_\_

Date of

Mailing: 2/16/05

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

Signature:

 \_\_\_\_\_

Date of

Mailing: 2/22/05

WA0405

Sent

Received

DOR: 2/16/05 2/22/05

Sec. State: 2/22/05 3/3/05

Assessor: 2/22/05

Elections: 2/22/05

Mapped: Yes

Address Information:

1N235CB01900

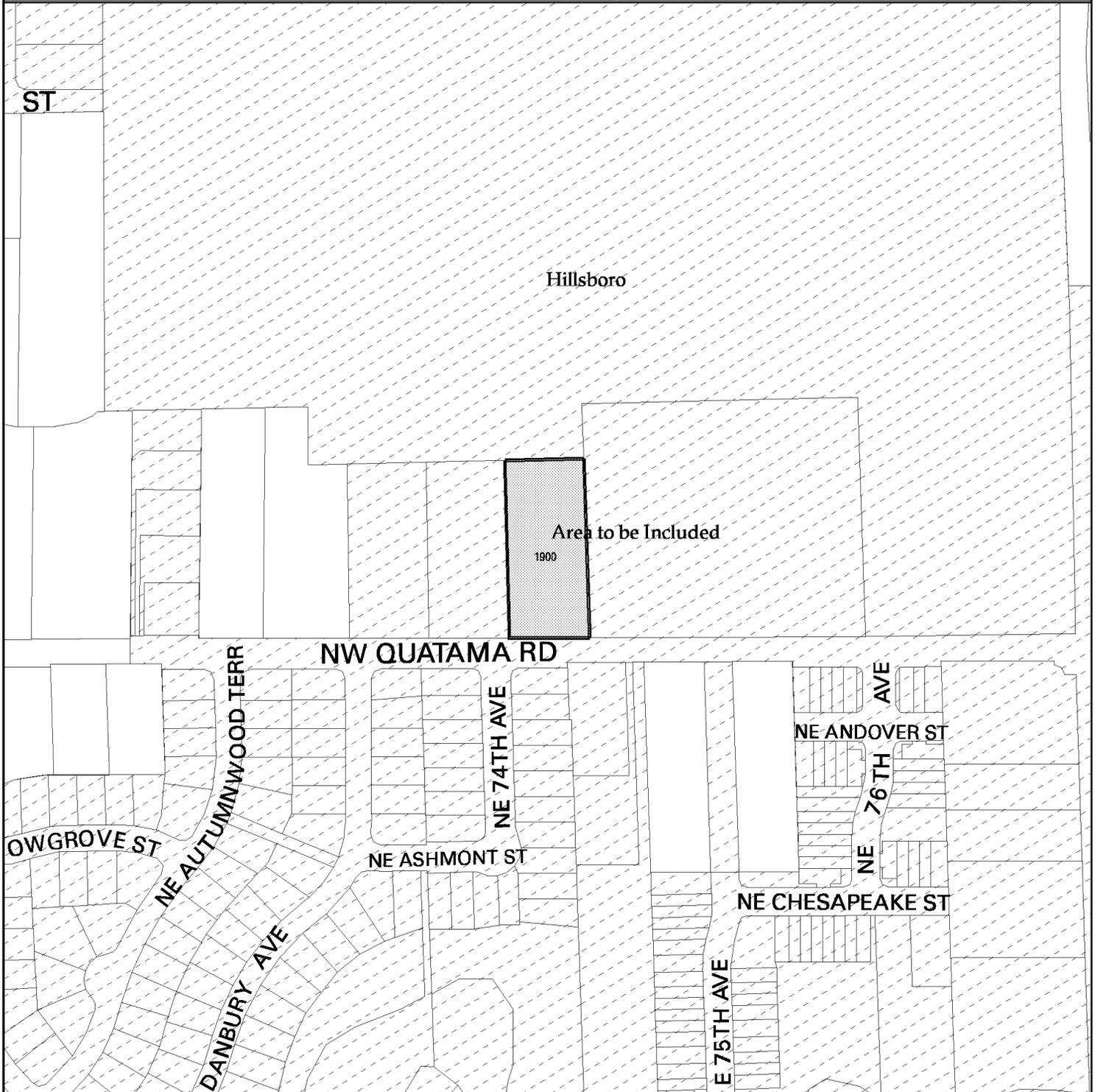
22065 NW Quatama Rd

# Proposal No. WA0405

1N2W35

Annexation to the City of Hillsboro

Washington Co.



R L I S  
REGIONAL LAND INFORMATION SYSTEM



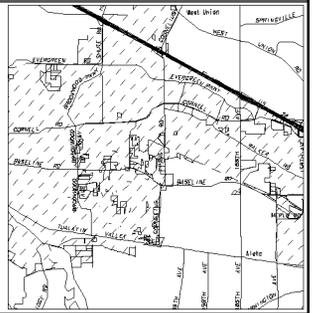
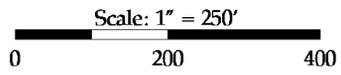
600 NE Grand Ave.  
Portland, OR 97232-2736  
Voice 503 797-1742  
FAX 503 797-1909  
Email drc@metro-region.org

**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. WA0405  
CITY OF HILLSBORO  
Figure 1





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February 23, 2005

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

Dear Mr. Knight:

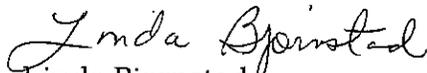
Please be advised that we have received and filed, as of February 23, 2005, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
ORD NO 2005-03	SD 2005-0012
ORD NO 05-13	SD 2005-0013
ORD NO 05-14	SD 2005-0014
ORD NO 759	AN 2005-0039
ORD NO 5466	AN 2005-0040
ORD NO 5480	AN 2005-0041
ORD NO 5482	AN 2005-0042
ORD NO 5484	AN 2005-0043

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**  
**February 22, 2005**  
**As Per ORS 308.225**

Description     Map received from: METRO  
 On: 2/17/2005

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

ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS  
 WA 0405

ORD. #5480 (AN 29-04)

has been:     Approved            2/22/2005  
                    Disapproved

Notes:

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Department of Revenue File Number: 34-1724-2005

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

**DOR 34-P304-2005  
Preliminary Review**



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

City of Hillsboro  
Planning Department  
Attn: Marty Stockton  
123 W. Main St., Room 250  
Hillsboro, OR 97123

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Date: 2/11/2005

This letter is to inform you that the map and description for your PLANNED annex to City of Hillsboro (AN 29-04 (Gieszler)) in Washington County have been reviewed per your request. They MEET the requirements for use with an Order, Ordinance, or Resolution which must be submitted in final form before March 31, 2005 per ORS 308.225.

**Preliminary  
Review**

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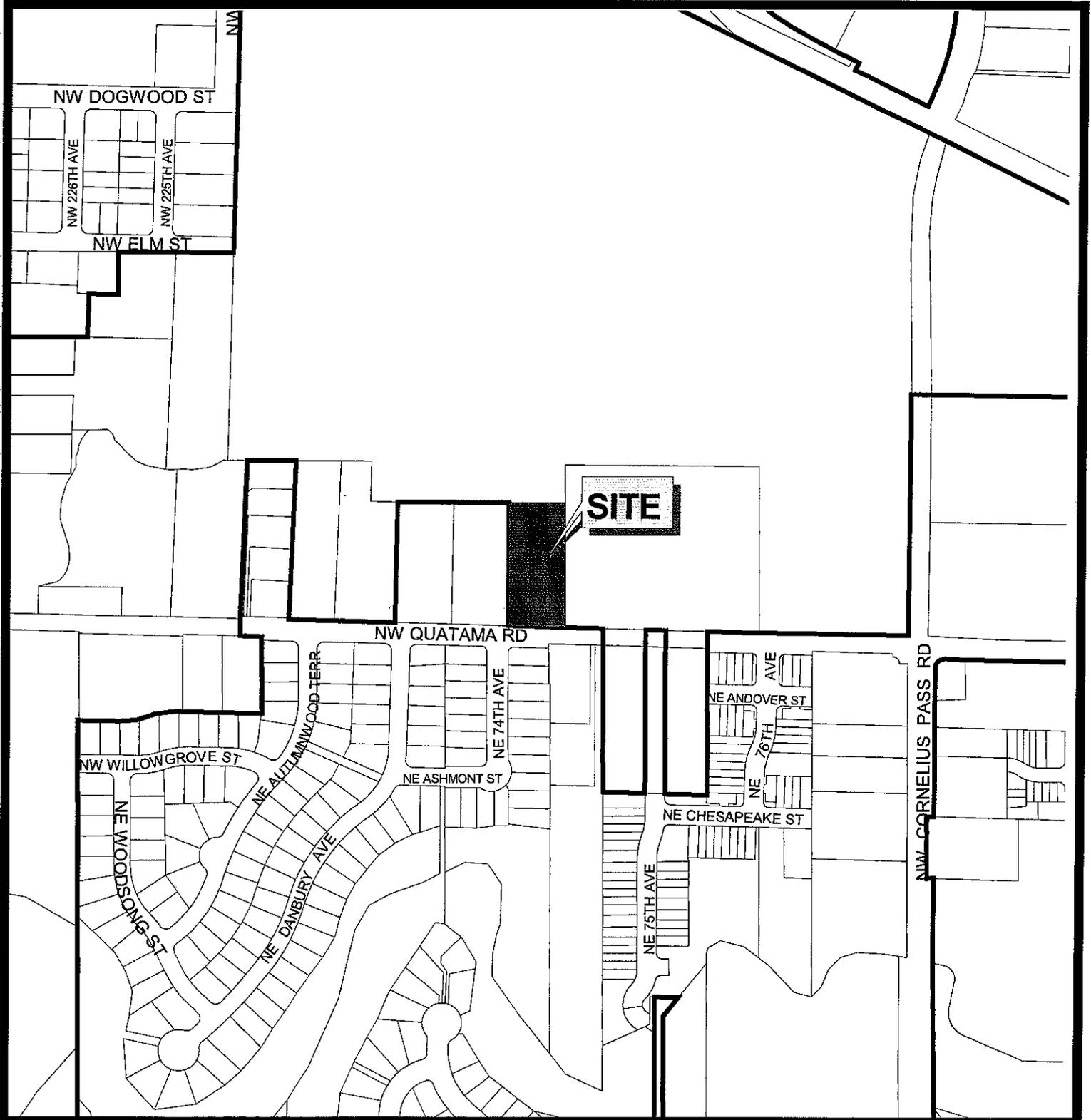
If you have any questions please contact: Carolyn Sunderman, 503-945-8882



# AN 29-04: GIESZLER ZC 33-04: GIESZLER



A Request for Annexation of One Property and a Request for Zone Change Approval from County R-9 Residential (Nine Units per Acre) to City R-6 Single Family Residential



ORDINANCE NO. 5480  
AN 29-04: GIESZLER

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 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;

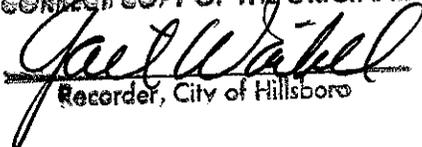
WHEREAS, the Urban Planning Area Agreement specifies that all property owners in Urban Planning Area A interested in annexation are welcome to contact the City for information and assistance they need to initiate and complete the annexation process;

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 January 18, 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;

VERIFIED TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL  
  
Recorder, City of Hillsboro

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.

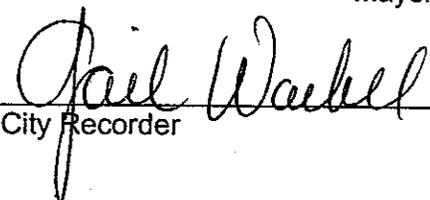
Section 3. The findings attached as Exhibit B are adopted. The City Recorder shall immediately file a certified copy of this Ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(f) and ORS 222.005. The annexation and withdrawals shall become effective upon filing of the annexation 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 18th day of January, 2004.

Approved by the Mayor this 18th day of January, 2004.

  
\_\_\_\_\_  
Mayor

ATTEST:   
\_\_\_\_\_  
City Recorder

City of Hillsboro  
Annexation 29-04: Gieszler  
Proposed legal description  
MF, December 20, 2004, revised 1/11/05

## Exhibit 'A'

A tract of land located in Section 35, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the southwest corner of the Isaac Butler Donation Land Claim (D.L.C.48);

thence South 89° 56' East a distance of 955.0 feet;

thence North 0° 33' West a distance of 314.33 feet;

thence South 89° 56' East a distance of 518.0 feet to the northeast corner of that tract of land described in deed to Edwin Gieszler and Marjory Ruth Gieszler, recorded February 11, 1958 in Book 402, Page 129 in deed records of said county and the TRUE POINT OF BEGINNING;

thence South 0° 33' East, along the east boundary of said Gieszler tract, a distance of 289.33 feet to the north right-of-way line of NW Quatama Road;

thence North 89° 56' West, along said right-of-way line, a distance of 148.0 feet to the west boundary of said Gieszler tract;

thence North 0° 33' West, along said boundary, a distance of 289.33 feet to the northwest corner thereof;

thence South 89° 56' East a distance of 148.0 feet to the TRUE POINT OF BEGINNING.

8641

Know all men by these presents, that WILLIAM ALFRED LARSON and MARTHA RUTH LARSON, husband and wife

in consideration of Ten and no/100 Dollars, and other valuable considerations, to them said by ADOLF GROSSMAN and GORE RUTH GROSSMAN, husband and wife, do hereby grant, bargain, sell and convey unto the said grantees, as tenants by the entirety, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Washington and State of Oregon, bounded and described as follows, to-wit:

East 1/2 of the following described property: Beginning at a point which is South 89° 56' East 955 feet and North 0° 33' West 314.33 feet and South 89° 56' East 222.0 feet from the Southwest corner of the Isaac Butler Donation Land Claim in Township 1 North, Range 2 West of Willamette Meridian, Washington County, Oregon, being a point on the South line of the D. E. Brown Tract, running thence South 89° 56' East 296 feet along the South line of said Brown Tract to an iron pipe at the Northeast corner of the land of the grantors herein, as described in the third description of the properties in that certain deed to grantors recorded at page 227 of Volume 139 of the Records of Deeds of Washington County, Oregon, being also a point on the West line of a tract described in deed to Alexander Buzi recorded in book 135 page 392, said Deed Records; thence South 0° 33' East 294.33 feet along the West line of said Buzi Tract to an iron pipe on the North line of road; thence North 89° 56' West 296.0 feet along the North line of said road to an iron pipe; thence North 0° 33' West 294.33 feet to the place of beginning.

To Have and to Hold the above described and granted premises unto the said grantees as tenants by the entirety, their heirs and assigns forever. And they, the grantors, covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances.

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hand and seal this 22 day of January, 1958. William Alfred Larson (SEAL) Martha Ruth Larson (SEAL)

STATE OF OREGON,

County of Washington, On this 22 day of January, 1958, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named WILLIAM ALFRED LARSON and MARTHA RUTH LARSON, husband and wife

known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Notary Public for Oregon. My Commission expires Dec. 21, 1961.

WARRANTY DEED William Alfred Larson Martha Ruth Larson TO Elwin Sieszler Marjory Ruth Sieszler AFTER RECORDING RETURN TO PACIFIC TITLE INSURANCE CO. 173 N. HALL STREET MAILING ADDRESS P.O. BOX 181, BEAVERTON, OREGON



STATE OF OREGON, County of Washington. I certify that the within instrument was received for record on the 11 day of Feb, 1958 at 3:20 o'clock PM, and recorded in book 402 on page Record of Deeds of said County. Witness my hand and seal of County affixed. WEGGER THOMSEN, County Clerk By Lois Cook Deputy.

5030 716

IN 235CB-01800

89-06281

Washington County

WARRANTY DEED - STATUTORY FORM  
INDIVIDUAL GRANTOR

HARVEY E. VARNER and SHIRLEY A. VARNER

Grantor,

conveys and warrants to ROBERT A. NEWTON AND SHANNON L. NEWTON, husband and wife---

Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Washington County, Oregon, to-wit: SEE LEGAL DESCRIPTION ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN.

\*\*amended, said Trust Deed being recorded on October 2, 1986 under Recorder's Fee Number 86044886, of the records of Washington County, Oregon upon which loan there is an unpaid indebtedness which the said grantees hereby assume and agree to pay as part of the purchase price; and grantees also hereby assume all obligations of Harvey E. Varner and Shirley A. Varner under the terms of the instruments creating and securing the loan described above to indemnify the Administrator of Veterans Affairs to the extent of any claim paid because of the guaranty or insurance of said loan.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The said property is free from encumbrances except: Regulations of the Unified Sewerage Agency; Regulations of the Wolf Creek Highway Water District; Trust Deed, including the terms and provisions thereof. on said property in the original face amount of \$80,000.00 executed by grantors herein on September 26, 1986 in favor of Dana Financial Services, Inc. as security for a loan guaranteed by the Administrator of Veterans Affairs under 38 US Code 1810 as \*\* The true consideration for this conveyance is \$98,000.00 (Here comply with the requirements of ORS 93.030)

Dated this 10 day of February, 1989.

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.

(X) *Harvey E. Varner*  
Harvey E. Varner

(X) *Shirley A. Varner*  
Shirley A. Varner

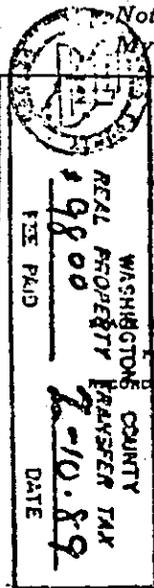
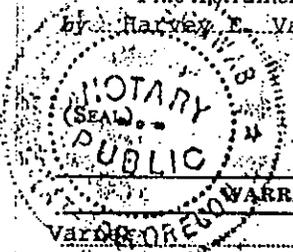
STATE OF OREGON, County of Washington ) ss.

This instrument was acknowledged before me on February 10, 1989 by Harvey E. Varner and Shirley A. Varner

*Della Schaub*

Notary Public for Oregon

My commission expires 4/28/91



WARRANTY DEED  
GRANTOR: Newton  
GRANTEE: \_\_\_\_\_  
GRANTEE'S ADDRESS, ZIP: \_\_\_\_\_  
After recording return to: Robert & Shannon Newton, 22135 NE Quatana Rd, Hillsboro, Oregon 97124  
NAME, ADDRESS, ZIP: \_\_\_\_\_  
Until a change is requested, all tax statements shall be sent to the following address: Same as Above  
NAME, ADDRESS, ZIP: \_\_\_\_\_

STATE OF OREGON,

County of \_\_\_\_\_ } ss.

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in \_\_\_\_\_ book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Record of Deeds of said county.

Witness my hand and seal of County affixed.

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

TA 239431  
98510  
781

FEB 10 1989

Description:

A tract of land in Section 35, Township 1 North, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

Beginning at a point which is South 89°56' East 955 feet and North 0°33' West 314.33 feet and South 89°56' East 222.0 feet from the Southwest corner of the Isaac Butler Donation Land Claim in Township 1 North, Range 2 West of the Willamette Meridian being a point on the South line of the D.E. Brown tract, running thence South 89°56' East 296 feet along the South line of said Brown tract to an iron pipe at the Northeast corner of the Meihoff land as described in the third description of the properties in that certain deed recorded July 31, 1928, in Deed Book 139, Page 217, being also a point on the West line of that tract described in deed to Alexander Buzi recorded in Deed Book 135, Page 392; thence South 0°33' East 294.33 feet along the West line of said Buzi tract to an iron pipe on the North line of road; thence North 89°46' West 296.0 feet along the North line of said road to an iron pipe; thence North 0°33' West 294.33 feet to the place of beginning.

EXCEPTING THEREFROM the East one-half of the tract described.

357-6

STATE OF OREGON }  
County of Washington } SS

I, Donald W. Mason, Director of Assessment and Taxation 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 of said county.

12-07



Donald W. Mason, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc : 89006281  
Rect: 4062 114.00  
02/10/1989 04:12:04PM

1N235-03300

FORM No. 633-WARRANTY DEED.  
1967/30

2309

STEVENS HESS LAW FIRM CO. PORTLAND, OREGON

KNOW ALL MEN BY THESE PRESENTS, That A. Melvin Anderson and M. Louise Anderson, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Lodge No. 1862 (Hillboro), Benevolent and Protective Order of Elks, a non-profit corporation

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Washington and State of Oregon, described as follows, to-wit:

A tract of land in the Isaac Butler DLC #48, in Section 35, Township 1 North, Range 2 West, W.M., Washington County, Oregon, described as follows, to-wit: Beginning at a point on the south line of the Isaac Butler DLC #48, which is East 1669.48 feet from the Southwest corner of said DLC, said point being also the Southeast corner of that tract of land conveyed to Frederick Allen Serjent et ux by deed recorded in Deed Book 408, page 442, on August 27, 1956; thence North 00° 33' West 445.00 feet along the East line of said Serjent tract to an iron rod on the Northeast corner thereof; thence East 297.42 feet to a fir tree from which an iron pipe bears West 1.0 feet; thence South 0° 26' West 445.00 feet to a point on the South line of said Butler DLC; thence West 289.82 feet along said South line to the place of beginning.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 51,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 15th day of April, 1974.

A. Melvin Anderson  
M. Louise Anderson

STATE OF OREGON, County of Washington ) ss. 4-1-1974

Personally appeared the above named A. Melvin Anderson and M. Louise Anderson

and acknowledged the foregoing instrument to be THEIR voluntary act and deed.

Before me: Roger Thomssen  
Notary Public for Oregon  
My commission expires 7-26-74

(OFFICIAL SEAL)

NOTE—The sentence between the symbols ( ), if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

WARRANTY DEED  
TO  
AFTER RECORDING RETURN TO  
Hillbros Elks Lodge  
PO Box 455  
Hillbros  
BOOK 968 PAGE 839

STATE OF OREGON }  
County of Washington } ss.  
INDEXED  
I, 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 No. of said County.  
Witness my hand and seal affixed.  
ROGER THOMSSON, Director of Records & Elections

A. Kendall  
Deputy  
APR 2 2 02 PM '74

Until a change is requested, all tax statements shall be sent to the following name and address: Hillbros Elks Lodge

633

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that ORENCO WOODS GOLF COURSE, INC., a corporation duly organized and existing under the laws of the State of Oregon for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto HILLSBORO LODGE NO. 1862 OF THE BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE UNITED STATES OF AMERICA, an Oregon non-profit corporation, hereinafter called grantee and grantee's successors and assigns, all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining situated in the County of Washington, State of Oregon, described as follows, to-wit:

That part of the Isaac Butler Claim Number 48, in Township 1 North, Range 2 West of the Willamette Meridian, in Washington County, Oregon, described as follows: Beginning at a point which is reached by running South 89° 56' East 957.0 feet and North 0° 32' West 935.5 feet from the Southwest corner of said claim and running thence North 0° 32' West 1034.4 feet to the Southerly line of the right of way of the Oregon Electric Railway Company and the true point of beginning; thence North 65° 10' West 168.8 feet; thence North 89° 56' West 126.9 feet to the east line of Fir Street in First Addition to Orenco; thence South 0° 04' West along said street line 1625.0 feet to an iron; thence North 89° 56' East 298.6 feet to an iron; thence South 0° 41' east 103.3 feet to an iron; thence North 89° 56' East 518.0 feet to an iron; thence North 0° 31' West 131.0 feet to an iron; thence North 89° 56' East 493.2 feet; thence South 0° 22' West 445.0 feet; thence North 89° 56' East 529.5 feet to an iron at the Southeast corner of the West half of said Donation Land Claim; thence North 0° 01' East along the East line of said West half to said Southerly right of way line and thence North 65° 18' West 1712.8 feet to said true point of beginning together with all existing water rights. SUBJECT to county road along the most southerly line thereof and county road near the east line of said tract of land, and except that part thereof lying east of said last mentioned county road.

To Have and to Hold the same unto the said Grantee and Grantee's successors and assigns forever.

And the Grantor hereby coveants to and with said Grantee and Grantee's successors and assigns that said real property is free from encumbrances created or suffered thereon by Grantor except:

(1) Rights of the Public in and to any portion thereof lying within the boundaries of roads and highways.

(2) Regulations, including levies, assessments, water and water control rights of McKay Creek Water Control District.

(3) Mortgage, including the terms and provisions thereof, dated April 24, 1967, and recorded April 25, 1967, in Film Record Book 639, Page 317, given to secure the payment of \$83,000.00 with interest thereon and such future advances as may be provided therein, executed by Orenco Woods Golf Course, Inc., an Oregon corporation, to United States National Bank of Oregon, a national banking association.

and that Grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all person whomsoever, except those claiming under the above described premises.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$167,902.28.

In construing this deed the singular includes the plural as the circumstances may require.

Done by order of the Grantor's Board of Directors, with its corporate seal affixed this 8th day of February, 1973.

ORENCO WOODS GOLF COURSE, INC.

By [Signature]  
President

By [Signature]  
Secretary

STATE OF OREGON )  
County of Washington ) ss.

February 8, 1973.

Personally appeared Murlan E. Winjum and Barry Kremkau who, being duly sworn, each for himself and not one for the other, did say that the former is the President and that the latter is the Secretary of Orenco Woods Golf Course, Inc., a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: [Signature]  
Notary Public for Oregon  
My commission expires: My Commission Expires May 14, 1976

STATE OF OREGON } ss Beede  
County of Washington

I, 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

No. \_\_\_\_\_  
of said County

Witness my hand and seal affixed.  
ROGER THOMSSSEN, Director of Records & Elections

INDEXED

[Signature]  
Deputy

FEB 28 10 05 AM '73

## EXHIBIT B

### FINDINGS IN SUPPORT GIESZLER ANNEXATION FILE NO. AN 29-04

#### I. BACKGROUND INFORMATION AND SITE DESCRIPTION

One petitioner representing one property requested City Council approval for annexation of approximately 0.98 acres into the City Limits of Hillsboro.

The property under consideration is located generally north of NW Quatama Road, south of the Westside Light Rail, east of NW 227<sup>th</sup> Avenue and west of NW Cornelius Pass Road. The property can be specifically identified as Tax Lot 1900 on Washington County Tax Assessor's Map 1N2-35CB. The total assessed value of the property is \$247,190. The Measure 50 Base Value is \$180,260.

The property has a gentle downward slope to the northwest with mature trees along the center portion of the site. A single family residence and associated accessory structures are located on Tax Lot 1900, which is addressed at 22065 NW Quatama Road.

#### 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 January 18, 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 RL – Low Density Residential, which is consistent with the regional urban growth goals and objectives. The property has been recommended for R-6 Single Family Residential zoning, and the City Council will consider the recommended zone immediately following approval of the annexation (Casefile No. ZC 33-04). 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 a twelve-inch Tualatin Valley Water District water line located in the NW Quatama Road right-of-way. Sanitary sewer is available through an eight-inch City line located in the NW 74<sup>th</sup> Avenue right-of-way. There is a twelve-inch City storm water line located in the NW Quatama Road right-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.*

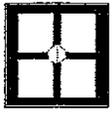
**FINDING:** Pursuant to ORS 222.524, the City of Hillsboro has determined that withdrawal of the properties from the Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; 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**

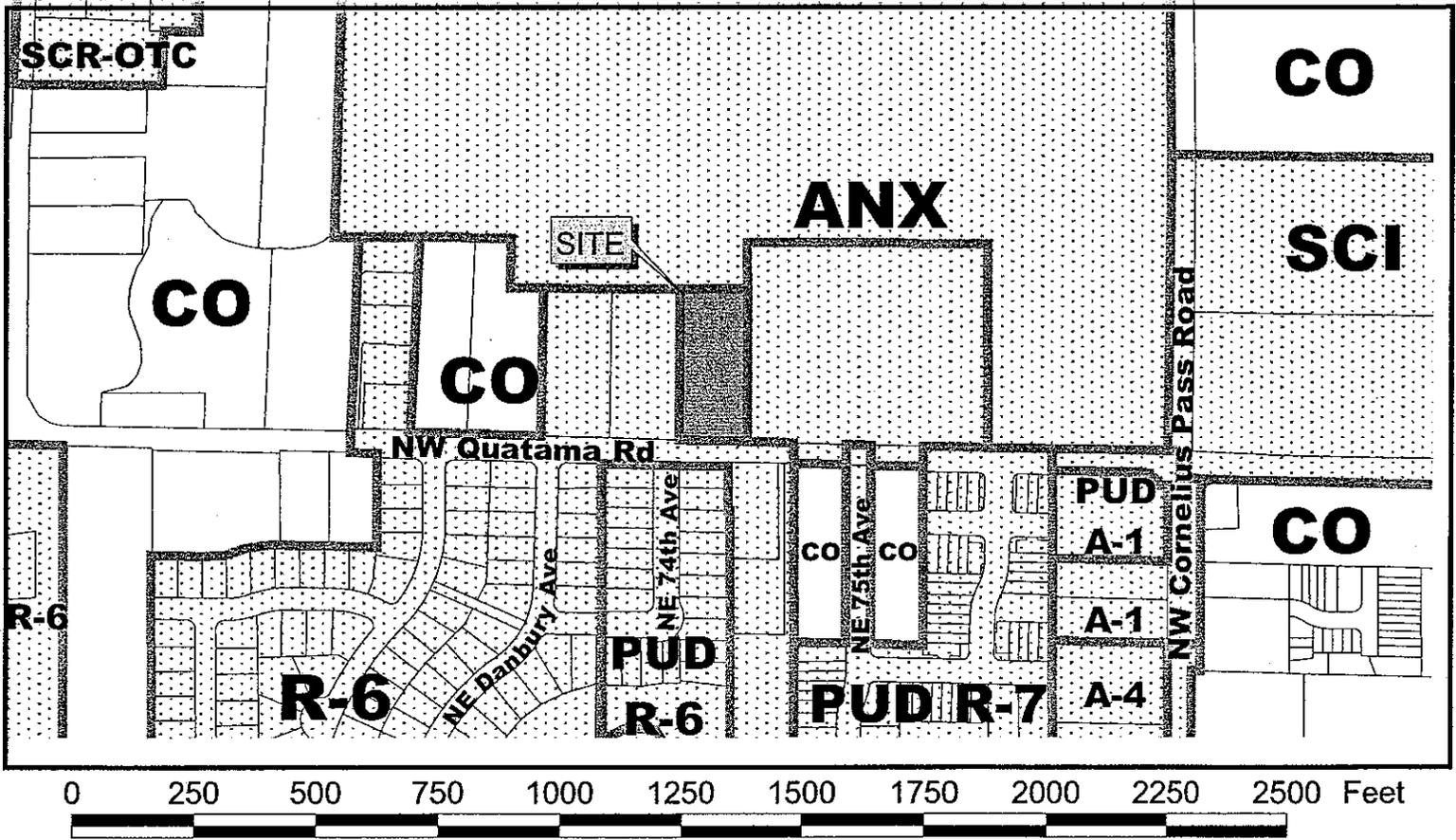
- Staff Report dated January 3, 2004



# AN 29-04, ZC 33-04: GIESZLER



Request for Annexation of One Property and Associated Zone Change from County R-9 Residential (Nine Units per Acre) to City R-6 Single Family Residential



**City of Hillsboro Zoning Designations**

R-6	Single Family Residential	R-8.5	Single Family Residential	A-1	Duplex Residential
R-7	Single Family Residential	R-10	Single Family Residential	A-2	Multi-Family Residential
SCC-SC	Station Community Commercial - Station Commercial			A-3	Multi-Family Residential
SCC-MM	Station Community Commercial - Multi-Modal			A-4	Multi-Family Residential
SCC-CBD	Station Community Commercial - Central Business District			C-1	General Commercial
SCC-HOD	Station Community Commercial - Highway Oriented District			C-4	Neighborhood Commercial
SCBP	Station Community Business Park			PUD	Planned Unit Development
SCR-P	Station Community Research Park			M-2	Industrial
SCI	Station Community Industrial			M-P	Industrial Park
SCR-HD	Station Community Residential - High Density			SID	Special Industrial District
SCR-MD	Station Community Residential - Medium Density			SSID	Shute Special Industrial District
SCR-LD	Station Community Residential - Low Density			CO	Unincorporated County
SCR-V	Station Community Residential - Village			ANX	Recent Annexation
SCFI	Station Community Fair Complex Institutional				
SCR-OTC	Station Community Residential - Orenco Townsite Conservation Overlay				
SCR-DNC	Station Community Residential - Downtown Neighborhood Conservation				